

Rebort by D.I. Rwin
DATED 15/12/1997.

HQ Ref. No:

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ROYAL ULSTER CONSTABULARY

'H'

Division

PORTADOWN

Sub-Division/Department

CID, PORTADOWN

Station/Branch

15 DECEMBER 1997

Date

SUBJECT: CORRESPONDENCE REFERENCE CRIME ADMIT UNIT REGARDING HAMIL
INVESTIGATIONTO: D/SUPERINTENDENT HOOKE
CRIME ADMIN UNIT
KNOCKNAGONEY

Reference your fax dated 12 December 1997 I would report on the following points raised as follows:

POINT 2

The following is the present situation in relation to sick leave:-

- (a) Constable A Neill on sick leave from 10 June until 11 December when returned to section duty.
- (b) P40 on sick leave from 13 May until 22 October when returned to section duty.
- (c) R/Constable D Cornett remains on sick leave from 29 May 1997.
- (d) R/Constable R Atkinson remains on sick leave from 10 September 1997.

These periods of sick leave are related to the incident on 27 April 1997. Constable A Neill, P40 and R/Constable Cornett have all submitted criminal injury claims in relation to verbal/physical abuse in addition to the distress caused by the allegation/investigation.

In relation to the crowd of up to 30 people assembled at flashpoints the situation is and was that several buses convey people from the Coach Inn, Banbridge, one of the stops is in Bridge Street, Portadown. Many of these people then walk to their homes via Market Street/High Street and in

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which they are in different groups. In addition a local chippy "Boss Hoggs" in Market Street also attracts groups of people/individuals to that area. On 27 April 1997 there were different groups in Market Street/High Street making their way either home or to "Boss Hoggs". Following the assault, in which there are conflicting versions on how this occurred, it would appear that these groups were drawn together either through involvement or curiosity and which police accept the numbers may have been in excess of 50.

The Police Officers in the landrover had taken up a position to monitor the crowd movements through the town. They had dealt with a confrontational situation at Woodhouse Street/Market Street between 2 male protestants and one male catholic. As a result of this, certain members of the landrover were engaged in a conversation with the 2 males. It was during this period that the assault at Thomas Street/Market Street took place. This was located on the opposite side of the road to the landrover. Detective Inspector Irwin did have meetings with members of the Hamill family and did cover the situation in general however, reference the identity of personalities involved, the specific allegations on how the incident occurred were not disclosed.

POINT 3

Two of the 6 originally charged namely a Dean Forbes and a Stacey Bridgett were arrested/clothes seized on 6 May 1997 reference Grievous Bodily Harm with Intent. There was no evidence at this stage to charge these persons and they were released on bail pending further enquiry. A third person was also arrested on this date however, enquiries revealed that this was a mistaken identity and this person was released. On the night of the 9 May and into the morning of the 10 May, 2 witness statements were recorded, Witness A and Witness B, which provided evidence reference the assault on Robert Hamill. As a result of this

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evidence, arrests and searches were carried out on the morning of 10 May reference the 6 charged.

A further 2 persons were arrested on 15 May and were released pending report to the DPP.

POINT 4

One of the police officers identified a person kicking at Robert Hamill however, he alleges he was not in a position at that stage to effect an arrest. This is one of the police officers presently the subject of the "Complaint against Police". This suspect was not positively identified until the night of the 9 May 1997. An arrest on 6 May was carried out in relation to this identity issue, this being covered in point 3 above.

Reference forensic evidence, in such circumstances may not have established evidence to substantiate a charge or in fact a great deal and therefore it was of vital importance to obtain witness evidence. In such circumstances it was felt verbal/written admissions would not be forthcoming therefore extensive enquiries were carried out to identify and record evidence from witnesses. It should be noted there was a forensic link between one of the accused Bridgett and the deceased however, without the supporting witness evidence the charge was withdrawn.

POINT 5

A DPP file is being submitted which relates to an allegation of a link between one of the accused and one police officer.

There was no video evidence which covered the police landrover.



**M IRWIN
DETECTIVE INSPECTOR**