

POLICE SERVICE OF NORTHERN IRELAND

Form 38/34

File Destination

The Director of Public Prosecutions Royal Courts of Justice, Belfast (via PSNI Headquarters)	/
The Director of Public Prosecutions Royal Courts of Justice, Belfast	
The Circuit Assistant Director Circuit	

PSNI References

DISTRICT:

REGION:

HEADQUARTERS:

Tick as appropriate

- If in doubt consult Appendix 5(D) of Manual

NB: In "Fast Stream" cases only the Section marked * should be completed.

SUBJECT*

(Nature of offences, venue, persons involved)

NB Certain cases may require long Form reporting - see Appendix 5A to Manual

Murder of Robert Hamill at Portadown on 27 April 1997

PETTY SESSIONS DISTRICT* WHERE OFFENCE COMMITTED

Craigavon

DATE OF OFFENCE*

27 4 97

DATE INVESTIGATION COMMENCED*

27 4 97

DATE REPORT SUBMITTED*

27.1.03

REPORTING OFFICER*

(Include the name of an alternative officer who is fully familiar with the circumstances of the case and who may be contacted in the absence of the reporting officer).

			DISCLOSURE OFFICER
NAME	W McDowell.	H [REDACTED]	W McDowell
RANK & NO	D/Sgt 16129	D/Sgt 14323	D/Sgt 16129
STATION	RCS, Gough	RCS, Gough	RCS, Gough
DISTRICT	Armagh	Armagh	Armagh
REGION	South	South	South
T/PHONE NO CONTACT NO	Ext [REDACTED]	Ext [REDACTED]	Ext [REDACTED]

PERSONS REPORTED*

(Rate page 2 for person reported. Number pages 2, 2a, 2b etc.)

(Delete as appropriate)

SURNAME Jameson		
FORENAMES Timothy Robert		
DATE OF BIRTH [REDACTED]		
ADDRESS [REDACTED]		
CHARGED	YES NO	COPY CHARGE SHEET ATTACHED AT PART IV
SUMMONS ISSUED	YES NO	COPY SUMMONS ATTACHED AT PART IV
INFORMATION LAID	YES NO	COPY INFORMATIONS ATTACHED AT PART IV
DATE OF FIRST COURT APPEARANCE		N/A
AT DATE OF THIS REPORT IS		IN-CUSTODY ON-BAIL

NATURE OF PRINCIPAL EVIDENCE AGAINST PERSON REPORTED

(Tick as appropriate)

WRITTEN CONFESSION	
ORAL CONFESSION ONLY	
VISUAL IDENTIFICATION	
MEDICAL EVIDENCE	
FORENSIC EVIDENCE	
DOCUMENTARY EVIDENCE	
OTHER (SPECIFY)	

ANTECEDENT HISTORY* OF PERSON REPORTED

(Summarise relevant information, eg marital status, employment, associates, mental or physical abnormalities. Give physical description where identification is at issue)

PREVIOUS CONVICTIONS	YES	NO	COPY CRO 22 ATTACHED
			COPY CIB 1 ATTACHED

Timothy Jameson is a 24 year old Portadown man who resides at home with his mother. He works at his father's Construction Firm at the [REDACTED]. He has only one previous conviction for motoring offence.

OUTLINE OF CASE*

salient facts
in chronological
order with clarity
and brevity. Do not
merely repeat
witness statements.
Where more than one
person reported
summarise the case
against each

Whilst the aim
should be to
summarise the facts
on one page, a
continuation page
may be used if it is
necessary for the
inclusion of all the
salient facts.)

This file relates to remarks alleged to have been made by Timothy Jameson to R/Constable G and R/Constable McCaw at Jameson's home regarding his involvement in the murder of Robert Hamill at Portadown town centre on 27 April 1997.

The investigation of the murder offence is covered in Murder Crime File, Crime Reference Number C40/7/97.

Timothy Jameson was one of two crucial prosecution witnesses in the initial investigation. He made a witness statement to Police in May of 1997 and was identified as Witness 'B' as it was felt at that time that he would be subject of intimidation because of his knowledge and associations with those involved.

In late 1997 during subsequent consultations with the DPP, Timothy Jameson stated that, contrary to his original written statement, he had no recollection of these events at all and that when he had made his statement, he was simply agreeing with what interviewing Police said to him. He was assessed by DPP as not being able to give evidence of any value whatsoever and could not be considered a reliable witness.

Jameson's retraction of his evidence, allied with the withdrawal of evidence by Witness 'A', the DPP decided that there was no reasonable prospect of a conviction against three of the accused who were at that time remanded in custody. Consequently, charges were withdrawn against Allister Hanvey, Dean Forbes and Rory Robinson at Lisburn Magistrates Court on 31 October 1997.

In the course of completing enquiries into an investigation of conspiracy to pervert the course of justice by R/Constable Atkinson, Michael McKee and others regarding the murder of Robert Hamill, D/Sergeant H spoke with R/Constable G on 29 November 2000. D/Sergeant H was making enquiries into the use of a mobile phone which R/Constable G and R/Constable McCaw had been using on the 27 4 97. At that time both officers were detailed personnel protection duties with Mr Bobby Jameson, a Security Forces Contractor (Timothy Jameson's father). R/Constable G was spoken to concerning any knowledge he may have had surrounding the conspiracy to pervert the course of justice by R/Constable Atkinson with Michael and Andrea McKee.

R/Constable G stated that his knowledge of the Hamill murder related only to the fact that he and R/Constable McCaw had heard that Timothy Jameson had seen a lot in the town and was present when the fight occurred. With regard to the mobile phone which R/Constable McCaw and himself had shared, he was unable to recall the telephone number but undertook to carry out further enquiries. It was agreed that D/Sergeant H would contact R/Constable G at a later date to establish if he had identified the mobile telephone number. At that initial conversation on 29 11 00 with D/Sergeant H R/Constable G made no comment in relation to his later assertions that Timothy Jameson had said "he had put the boot in".

On the morning of 7 December 2000 D/Sergeant H spoke again with R/Constable G to establish if he had located the mobile telephone

I certify that all witness statements taken by police in connection with this investigation are included in this file.

To be signed by
investigating officer

[Signature]
NAME

D/129
RANK

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NO.

number and to further clarify where he had heard about Timothy Jameson being in the town that night (27 4 97) when Jameson had apparently, "heard and saw a lot". R/Constable G then disclosed to D/Sergeant H that he had given the matter some thought and could recall that he and R/Constable McCaw had been at Bobby Jameson's house at [redacted] when Timothy had told them he was in the town centre that night and had seen a lot going on and that he had 'ran past and put the boot in'. D/Sergeant arranged to speak to him later that evening and recorded a statement of evidence.

As a result of the new information by R/Constable G R/Constable McCaw was spoken to by D/Sergeant H and D/Constable [redacted] on 8 December 2000 and asked if he could recall these remarks by Timothy Jameson to himself and R/Constable G David McCaw had suffered mental illness and throughout the interview maintained that he was unable to recall any detail whatever regarding their dealings with Timothy Jameson. Rough notes of the interview were recorded.

R/Constable G alleged that he and R/Constable McCaw, upon receipt of this information from Timothy Jameson, made their way directly to Portadown Police Station and spoke with senior CID Officers. It would appear that the two Reserve Constables first spoke to D/Inspector Irwin who, at that time, was leaving Portadown Police Station. D/Inspector Irwin then introduced R/Constable McCaw to Ex D/Chief Superintendent McBurney and Ex D/Chief Inspector P39 who were also present in an office at the Police Station at that time.

The handling of this information in consequence of R/Constable G statement made to D/Sergeant H on 7 12 00 was investigated separately by Mr Chris Mehaffey of the Police Ombudsman's Office (See relevant documentation at Part IV).

Timothy Jameson attended Lurgan Police Station by arrangement on 19 November 2002. He was arrested by D/Sergeant McDowell at 1940 hours and interviewed in the presence of his Solicitor, Mr [redacted] by D/Sergeant McDowell and D/Constable J. He denied having made any such remarks to R/Constables G and McCaw and stated he had nothing to do with the disturbance or assaults. Timothy Jameson said that he would rarely have been at his father's home at [redacted]. He said, that at that time, he lived with his mother on the Armagh Road in Portadown. He said that he did smoke at that time but that his father was not aware of this fact and that he would not have smoked in his presence.

The fact that the police escort were there meant that his father had to be present at the house at that time.

Timothy Jameson provided head hair combing, buccal swab and fingerprints and was informed the matter was being reported to the DPP. He was released from police custody.

A number of witnesses both civilian and police, have stated that they observed Timothy Jameson in the town centre area at the relevant time. There is no evidence provided from any of these persons to indicate that Timothy Jameson was involved in the affray or that he assaulted any person.

I certify that all witness statements taken by police in connection with this investigation are included in this file.

To be signed by
investigating officer

[Signature]
NAME

D/S
RANK

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NO.

at the time of the incident.

I certify that all witness statements taken by police in connection with this investigation are included in this file.

To be signed by
investigating officer

[Handwritten Signature]
NAME

D/Sgt
RANK

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15872

EVIDENCE STILL TO BE OBTAINED*

as appropriate.
 NB. Submission of reports should not be delayed by the absence of such evidence if a prima facie case can be established without it.)

POST MORTEM REPORT	
MEDICAL REPORT	
PHOTOGRAPHS	
MAPS	
OTHER (Specify)	

FORENSIC REPORT	
NIFSL CASE NO.	1898/97
Alcohol	
Biology (fibres)	
Biology (body fluids)	/
Biology (general)	
Documents	
Drugs	
Electrical	
Explosives (micro chemistry)	
Explosives (substances and hardware)	
Explosives (general)	
Firearms (chemistry)	
Firearms (hardware)	
Firearms (general)	
General Chemistry/Fires	
Marks	
Metallurgy	
Physical Methods	
Specialist Fingerprint Unit	
Toxicology	

Awaiting forensic report on comparison of Timothy Jameson DNA (Buccal Swab) with outstanding blood samples from the murder scene.

Any comments considered appropriate in respect of the evidence still to be obtained should be included eg where a Forensic Scientist has given a verbal indication regarding NIFSL findings or where it is necessary to give an explanation of the potential significance of any evidence which is likely to be forthcoming.

COMPLAINTS AGAINST POLICE*

te as appropriate.
Insert C & D ref. if known

A COMPLAINT HAS BEEN MADE	YES NO	OMBUDSMAN REF NO:
FCSU INVOLVEMENT IN INVESTIGATION	YES NO	

ASSESSMENT OF WITNESSES

To be completed only when information of particular relevance is available.

eg. Character credibility, attitude to person(s) reported, reliability, any disability affecting capability as witness, age, capacity to give evidence. State the quality of witness to a disputed identification.

State the involvement of witnesses in reported crime

In the case of a child witness it should be stated whether, in the opinion of the investigating officer, that child will be deemed by the court to understand the nature of the oath.

DETAILS OF WITNESSES WITH RELEVANT CONVICTIONS

R/Constable **G** appears to be a credible witness. Reserve Constable **G** is currently serving in the Police Service, however he was recently on long term sickness absence from the 3 1 01 to 22 5 02 with a depressive illness.

Ex R/Constable McCaw would not be a credible witness. Reserve Constable McCaw was medically retired from the Police Service on 30 5 00 suffering from severe mental illness.

Mr Mehaffey, Senior Investigating Officer with PONI, has also spoken to Reserve Constable **G** and Ex Reserve Constable McCaw and would also be in a position to comment in relation to the assessment of these witnesses.

WITNESS	RECORD APPLIED FOR YES / NO	RECORD ATTACHED YES / NO
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Steven Bloomer

Yes

Yes

OTHER OBSERVATIONS

de any
onal matter
vant for DPP
consideration, eg
sectarian background
of case, whether any
other incidents
linked to the
present case are
being separately
investigated)

While R/Constable G has made a statement on 7 December 2000 regarding the remarks allegedly made by Timothy Jameson neither he nor R/Constable McCaw have any contemporaneous notes of this conversation.

Undoubtedly R/Constables G and McCaw did receive some information that caused them to go to Portadown Police Station to speak with CID personnel. At that point, the issue of what these officers actually told Senior CID Officers becomes problematical. The exact nature of the content and subsequent handling of this information is subject of investigation by Mr Mehaffey of Police Ombudsman Office.

**RECOMMENDATIONS*
AS TO CHARGES AND
PROCEEDINGS**

(Stated shortly by
reference to
offence, I.P., date
and venue)

The account of Timothy Jameson's remarks by R/Constable G are not corroborated either by R/Constable G contemporaneous notes or by his colleague R/Constable McCaw. During interview Timothy Jameson made no admissions either to having made this remark or taking any part in the affray whatever.

The content of the debrief of the information imparted by R/Constable G and McCaw to CID Officers is being dealt with separately by Mr Mehaffey of the Ombudsman Office. The investigative findings will be forwarded separately to the DPP by PONI.

Recommendations regarding the prosecution of Timothy Jameson for any criminal offences resulting from the incident can only be fully assessed when the evidence of D/Inspector Irwin and D/Chief Superintendent McBurney are fully examined and forensic comparison of Timothy Jameson's DNA with outstanding crime scene samples are completed.

Signature of Reporting Officer: David Jeff

Date: 27.1.03