

STATEMENT OF WITNESS

STATEMENT OF ALAN KEITH NEILL

AGE OF WITNESS [If over 21 enter 'over 21'] : OVER 21 [REDACTED]

I declare that this statement consisting of 5 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 19 day of June 2001

K [REDACTED]

SIGNATURE OF MEMBER

by whom statement was recorded or received

ALAN NEILL

SIGNATURE OF WITNESS

I am a Constable in the Royal Ulster Constabulary presently attached to Portadown Police Station. I have previously made a written statement to Investigating Officers concerning my actions and what I witnessed at the scene of a serious assault upon Robert Hamill at Portadown on 27th April 1997. I have been asked to make a further statement in relation to a number of further matters. I recall seeing a person who was known to me as Alistair Hanvey at the scene of the incident where Robert Hamill was assaulted. I recall first seeing Alistair Hanvey on Market Street somewhere between the First Trust Bank and Jeffers Shop and he appeared to be coming from the direction of West Street towards the scene of the incident. I knew Alistair Hanvey because he was involved in a road traffic accident which I had attended with R/Constable Jim Murphy. This car accident happened before the Hamill incident occurred and it was investigated by R/Constable Murphy. I think that Alistair Hanvey was driving a Clio car at the time. Alistair Hanvey approached the scene of the fight but my attention was not focused on him all the time. At any point during the disturbance when I did see Alistair Hanvey, I did not see him near Robert Hamill or the other injured man D [REDACTED] and I

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did not see Alistair Hanvey attack, kick or punch anybody, but I would point out that I didn't see Alistair Hanvey at all periods during the fight and disturbance. I did not see Alistair Hanvey near or in conversation with R/Constable Robert Atkinson at the scene of the incident or when the police formed a line to move the crowd up West Street away from the scene of the incident. I recall Alistair Hanvey wearing a track suit type top but I cannot give any further description of this garment or his other clothing that he was wearing that night. I recall several girls in the crowd but I had no dealings with any of these girls at the scene or when the crowd was moved up West Street. I cannot identify any of the girls in the crowd. I cannot comment on what R/Constable Atkinson did at the scene as my attention was not focused permanently on him but I do not recall seeing him talking to any girls in the crowd. I have been asked by K [REDACTED] if I know or have ever heard of the name Tracy Clarke. I do not know this person and have not heard this name before. When order was restored my patrol returned to Portadown Police Station. I cannot recall any specific conversation with R/Constable Atkinson at that time where the names of persons who were identified at the scene were being discussed. At around 4 am I went off duty and went home. I recall at around 6 am on that Sunday morning getting a phone call from Constable Godly at Portadown Police Station who requested me to report back to duty for the purpose of making a statement in relation to the assault on Mr Hamill. I recall being contacted a second time by Constable Godly at around 8 am on that Sunday morning. Constable Godly was enquiring as to when I would be arriving into the Police

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Station to make a statement about the incident. At that point I realised that I must have fallen asleep after getting the first phone call as the phone was beside my bed and I was very tired from doing a long period of duty. During the course of the second phone call, I recall R/Constable Robert Atkinson coming on to the phone. I recall R/Constable Atkinson telling me that he had finished his statement and that he was going on home. He said that his statement was in his pigeon hole which I could have a look at if I wished. I am not sure if he was referring to his original statement or a copy of his statement. I recall R/Constable Atkinson saying to me that he had seen people around one of the injured persons but that he couldn't or didn't identify anybody near the injured persons. I was not fully awake during this conversation and cannot be sure whether R/Constable Atkinson said couldn't or didn't in relation to identifying people involved in the incident in his statement. That was all that was discussed and I recall R/Constable Atkinson saying that he was heading home and would not be in the station when I arrived in. After the second phone call was received, I got up and returned to Portadown Police Station to make my statement. It takes about 25-30 minutes to get in to Portadown Police Station from my home. When I arrived at the Police Station, I went to the CID office where I saw [REDACTED] P40 [REDACTED], R/Constable Cornett, Const Cooke, Const Orr, A [REDACTED], R/Const Silcock and R/Const Warnock making statements. There was a lot of discussion about the incident and I recall D/Const Keys and P39 [REDACTED] in the office at some point. R/Constable Atkinson was not at the station when I arrived. I made my statement which was given to

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CID. I recall at some point after Robert Hamill had died and before R/Constable Atkinson transferred to Craigavon, R/Constable Atkinson said to me that he had seen people around Robert Hamill at the time of the assault on Mr Hamill but that he couldn't identify them. I cannot recall exactly when this conversation took place but that it took place in Portadown Police Station when we were both on duty. At no time during our attendance at the scene of the incident or in the days that followed it did R/Constable Atkinson ever discuss the presence of Alistair Hanvey or Tracy Clarke at the scene of the incident with me.

SIGNATURE OF WITNESS

ALAN NEILL

CHECKED AND CERTIFIED A TRUE COPY OF THE ORIGINAL SIGNED : 