

1 And what about timing, how well can we time this on your
2 recollection of it? I mean, how clear are you about the time
3 you left Saint Patrick's hall?

4 THE WITNESS: Well, you know, I thought it was round 20 past
5 one, you know.

6 [REDACTED]: It wouldn't take you long, it's only I
7 suppose a bit over 100 yards up to the junction, it wouldn't
8 take you very long to walk that.

9 THE WITNESS: No.

10 [REDACTED]: Did you delay at all, I mean one can
11 imagine somebody having a --

12 THE WITNESS: You know, we were just going at our ease, you
13 know.

14 [REDACTED]: You weren't rushing, you were just
15 strolling along as it were.

16 THE WITNESS: Yeah.

17 [REDACTED]: So there's nothing really that would
18 help you fix the time any better than that.

19 THE WITNESS: No.

20 [REDACTED]: Thank you very much.

21 (The witness withdrew)

22 MR KERR: F [REDACTED], my Lord, page 66.

23 F [REDACTED]. Sworn

24 Examination in chief by MR KERR:

25 Q. Now, we have heard that you were along with your cousin
26 Robert and with your sister and her husband walking along
27 Thomas Street towards the junction.

28 A. That's correct.

29 Q. About what time do you recall did you leave the hall to go
30 in that direction?

1 A. About 20 past, 25 past one.

2 Q. Now, can I ask you then, take you straight up to when you
3 reached the junction. Prior to coming to the junction itself
4 when you were still in Thomas Street could you see whether
5 there was anyone around in Market Street, High Street area?

6 A. There was two people at the bottom of Thomas Street and
7 a police jeep.

8 Q. At the bottom of Thomas Street, and a police jeep?

9 A. Yeah.

10 Q. Can I ask you would you take the album of photographs, look
11 at photograph number 4, is it still with you there.

12 A. Yeah.

13 Q. Now, do you recognise that view?

14 A. Yeah.

15 Q. We have been told that's from Thomas Street looking out onto
16 the junction with Market Street. Now, does that show the
17 area where you say there were some people standing around?

18 A. Yeah.

19 Q. Whereabouts were they, just referring to the photograph?

20 A. Just at the bottom of Thomas Street.

21 Q. On the left-hand side as my Lord looks at that photograph or
22 on the right-hand side?

23 A. The right-hand side.

24 Q. Is that beside the bakery, if I can use that phrase, the
25 side beside the bakery as opposed to the side beside
26 Eastwoods?

27 A. Yeah.

28 Q. And where was the police Land Rover?

29 A. Across the road.

30 Q. Could you see it as you were coming out of Thomas Street?



1 A. Yes.

2 Q. And looking across the road as one sees it there, we see the
3 Alliance and Leicester.

4 A. Yes.

5 Q. Where was the and Rover in relation to the Alliance and
6 Leicester?

7 A. Just over a bit.

8 SB to BC 12.15

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1 B.C.18 12.15 a.m.

2 **F** : **EXAMINED IN CHIEF BY MR KERR**

3 **(CONTD.)**

4 **THE JUDGE:** Which way?

5 **MR KERR:** Over to the right or left, looking at the
6 photograph? A. To the right, My Lord.

7 Q. What then happened as you got out onto Market
8 Street to head over to Woodhouse Street? A. A
9 crowd came from nowhere and just started attacking.
10 Robert was lying on

11 Q. Where were you when the crowd came from
12 nowhere? A. I was squealing. I was
13 standing squealing.

14 Q. Whereabouts had you reached on the road?

15 A. Just getting to where the white lines is.

16 Q. At the end of Thomas Street?

17 A. Yes.

18 Q. Can you say it came from nowhere, can you say
19 did it come from the right or left, or the side?

20 A. I have no recollection, My Lord.

21 Q. I know that its difficult, but can you tell us what
22 did you see the crowd do in relation to Robert?

23 A. Robert was lying on the ground.

24 Q. How did he get to be there? A. He was
25 lying on the ground and they were kicking at him, My Lord.

26 Q. How many people do you recall being around him,
27 kicking at him? A. There was at least twenty
28 or thirty of them there, My Lord.

29 Q. Did you see anything apart from people kicking at
30 him? Anything else happen that you saw? A. I

1 B.C.19
2 seen them kicking round his head and shouting 'Die, you
3 bastard.', so I took my coat off and put it over his head..
4 Q. I know its difficult, but were they still attacking
5 him when you got your coat off and put it over his head?
6 A. No, My Lord.
7 Q. So you say that you saw them kicking at his head
8 and shouting what you have said? A. Yes, My
9 Lord.
10 Q. Was that being shouted by one person or more
11 than one person? A. I would say more than two
12 or three, My Lord.
13 Q. Kicking at his head, was that something being
14 done by one person or by more than one person?
15 A. I couldn't say, My Lord.
16 Q. Apart from kicking at his head and kicking at him,
17 did you see anything else happen? A. No.
18 Q. Did you see him being kicked anywhere apart from
19 his head? A. Just kicking at him round his head
20 and round

21 Q. It was very difficult, I'm sure, to assess time, but
22 did that happen for a long time, or a very short time –
23 doing your best? A. It seemed a long time to
24 me, My Lord.
25 Q. Were you aware of anything happening in relation
26 to D at that time? A. I just remember I
27 turned round and D was lying and Joanne was over
28 him.
29 Q. You have told us earlier on that you took off your
30 jacket? A. Yes.

1 B.C.20
2 Q. When I asked you, you said that they were not
3 around him when you did that? A. No.
4 Q. So, how did it stop, this attack on Robert stop?
5 A. They just moved back a bit.
6 Q. When you say 'a bit', can you say maybe in paces
7 or steps? Did they move back five- six – seven steps, or one
8 or two? A. About five or six, My Lord.
9 Q. So, you were telling My Lord that you took your
10 coat off. What did you do with your coat? A. I
11 put it under his head, My Lord.
12 Q. What did you do yourself? A. I run to
13 the police jeep.
14 Q. Can you say was the jeep in the same place that
15 you had seen it earlier, or a different place?
16 A. The same place, My Lord.
17 Q. What did you do or say when you got to the jeep?
18 A. To get out and help us.
19 Q. Did anyone say anything? A. No.
20 Q. Did you stay at the jeep or go back? A. I
21 run back to our Robert.
22 Q. Did an ambulance come? A. Yes.
23 Q. Do you know who sent for the ambulance?
24 A. No.
25 Q. Can you recall how long it was before the
26 ambulance arrived? A. I couldn't say, My
27 Lord.
28 Q. I know that its difficult, but would you do your
29 best to give My Lord an indication. Would you look at
30 photograph one? Have you got your bearings there?

1 B.C.21
2 A. Yes, My Lord.
3 Q. Thomas Street on the left hand side, the bakery
4 on one side and Eastwoods' at the far side?
5 A. Yes.
6 Q. Can you indicate by turning round with the
7 photograph and pointing where it was that Robert was
8 attacked, or lying? Either on the photograph, or
9 describing it from the photograph? A. Round
10 about here, My Lord.
11 Q. Are you pointing to the central reservation?
12 A. No. Over a wee bit, towards the island.
13 **THE JUDGE:** Closer to the central reservation than
14 the footpath outside Eastwoods'? A. Yes.
15 **MR KERR:** Level with what shop? A. I would
16 say round about Evans' there.
17 Q. Can you recall where your sister was with
18 D? A. She was across, around Eastwoods,
19 here. Around here.
20 Q. Are you pointing outside Eastwoods on the
21 roadway? A. Yes.
22 Q. So, closer to the path than you would have been?
23 A. Yes, My Lord.
24 Q. Did you know any of the people who did this?
25 A. No.
26 Q. Or were you able to describe any of the people
27 who did it? A. No.
28 Q. Doing your best in relation to Robert in the actual
29 time that he was being kicked that you saw around the
30 head, how many people were around at that time?

1 B.C.22

2 A. I couldn't say, My Lord.

3 Q. Was it one or two, or more than that?

4 A. I would say more than that.

5 Q. Thank you.

6 **CROSS-EXAMINATION BY** [REDACTED]

7 [REDACTED] **F**, I appreciate that this is difficult
8 for you, but I would have to ask you some questions. What I
9 want to ask you at the outset is this. You were one of a
10 group of people who went to St Patrick's Hall for a night's
11 entertainment? A. Yes, My Lord.

12 Q. We have heard that there was alcohol supplied.
13 Were you drinking yourself? A. I don't drink.

14 Q. So, you were in the position, perhaps, better than
15 anyone else because you had no alcohol taken?

16 A. Yes, My Lord.

17 Q. I think that **E** had taken some
18 drink, and your brother in law? A. Yes.

19 Q. Am I right in saying that the deceased Robert
20 Hamill also had taken some drink? A. Yes, My
21 Lord.

22 Q. How do you recollect travelling along Thomas
23 Street towards the junction? Were you going as a group,
24 or were you spread out? A. The four of us
25 together, but they were two or three steps in front of us.

26 Q. Is there any possibility that Robert was ahead of
27 the three of you? A. No, My Lord.

28 Q. So, you are quite clear that whilst there might be
29 a few steps you were all part of a group? A. Yes, My
30 Lord.

1 B.C.23

2 Q. Did you see anyone else walking along Thomas
3 Street in front of you heading towards the junction?

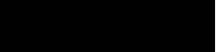
4 A. I don't understand.

5 Q. Did you see anyone else who had been at the
6 function walking home ahead of you? A. No. I
7 can't say.

8 Q. I'm asking that simply because it appears that
9 your brother in law recollects that there were people, he
10 remembers them, crossing the main street heading into
11 Woodhouse Street. You didn't notice that?

12 A. No. I just remember people at the bottom of the
13 street.

14 **THE JUDGE:** Of Thomas Street.

15  Did you notice anyone coming along the
16 street behind you? A. No.

17 Q. You had no reason to be paying attention?

18 A. No, My Lord.

19 Q. As you walked along there is a bend in Thomas
20 Street and once you round it you have a view of the
21 junction? A. Yes, My Lord.

22 Q. Are you happy enough with that?

23 A. You mean coming down Thomas Street.

24 Q. No, No. When you come ... from St Patrick's
25 heading towards the town centre the street bends round
26 and when you round that bend you have a clear view of the
27 junction? A. I'm sorry. I don't understand you.

28 Q. Look at photograph 4. If you were standing
29 where the photographer was, and you turned round and
30

1 B.C.24
2 faced looking back down Thomas Street, does Thomas Street
3 bend round? A. Yes.
4 Q. That is all that I am saying. In other words, you
5 come along, you round the bend and that is the view of the
6 junction? A. Yes, My Lord.
7 Q. Can you recollect perhaps you are in the best
8 position, were you walking along the roadway on the left
9 hand or the right hand footpath? A. I think on
10 the right hand. I don't think we were on the footpath. I
11 think we were just walking down.
12 Q. At that time of night there would not be much
13 traffic about? A. Yes.
14 Q. Is it your recollection that you were walking down
15 the roadway? A. I couldn't be sure, but I know
16 we were walking.
17 Q. When you were in the position that the
18 photographer would have been in, in that photograph,
19 what do you recollect seeing at the junction as you looked
20 ahead? A. A police Land Rover.
21 Q. Could you see it from where the photographer
22 would be, or did you see the police Land Rover when you
23 got closer to the junction? A. I would say when
24 I got down another wee bit, My Lord.
25 Q. A wee bit closer to main street?
26 A. Yes.
27 Q. Where do you recollect the Land Rover being?
28 Don't worry about the photograph. Can you give us any
29 indication as to where you recollect seeing the police Land
30 Rover? A. At the top of Woodhouse Street. S.B.12.30

1 Monday, 22nd February 1999

2 R V Paul Hobson

3
4 SB from BC 12.30

5 F

6 (Cont'd) Cross-examination by [REDACTED]

7 Q. Now, as you go along from looking at photograph number 4
8 again, outside the In Step, you know the sports shop that's
9 beside the Alliance and Leicester?

10 A. Yeah.

11 Q. There's a little lay-by there, was the Land Rover in the
12 lay-by whenever you saw it?

13 A. No, it was more up.

14 Q. If one then goes to the mouth of Woodhouse Street, was it at
15 the mouth or was it down beyond the mouth towards the
16 Halifax Building Society?

17 A. Beyond the mouth.

18 Q. And again I wonder if I could ask you, just looking at
19 photograph number 1, again this is exhibit 1, can I ask you
20 whereabouts in photograph number 1 the Land Rover was
21 sitting?

22 A. Just down here a wee bit. (Indicating).

23 Q. If you just turn it round towards his Lordship first of all.

24 A. (Indicating).

25 [REDACTED] Photograph 5 might be better, Mr Orr?

26 [REDACTED]: Yes, my learned junior is pointing to five.

27 [REDACTED] Yes, because you're looking in depth
28 here and you're trying to pick out something.

29 [REDACTED]: I agree, my Lord.

30 (To the witness): Do you see in photograph 5, Woodhouse

1 Street is the street that's running away into the distance.
2 A. That's right.
3 Q. And the Alliance and Leicester at one corner and the Halifax
4 at the other corner.
5 A. H'mm h'mm.
6 Q. Now, just looking at that, can you assist us as to where the
7 Land Rover was? Or if it wasn't where that picture is
8 showing would it be off to the left or off to the right?
9 A. Well, I know the back end -- I think it was over here.
10 (Indicating).
11 [REDACTED]: Just show me where you're pointing.
12 THE WITNESS: (Indicating). Sorry.
13 [REDACTED] No, this isn't a test, it's just to try
14 to give us as much help as you can. You think it was over
15 towards the corner where the Halifax is?
16 THE WITNESS: Yes.
17 [REDACTED] And it was clearly identifiable to you as a police jeep
18 or a police Land Rover?
19 A. Yes.
20 Q. And in terms of as you approached the junction, what other
21 people did you see about? Now, you've told us about the
22 police Land Rover, the police jeep, what other people, did
23 you see any people about?
24 A. Nobody else, just them 'uns that attacked.
25 Q. Before we get to the attack, did you see anyone hanging
26 around the street corner, that's the corner of Main Street
27 and Thomas Street?
28 A. As you're coming down Thomas Street?
29 Q. Yes.
30 A. Just two people.

1 Q. And were they outside the bakery on the right hand corner or
2 the left hand corner, I think the menswear shop, jeans?
3 A. I they were standing outside the left hand, two of them.
4 Q. That's Eastwoods?
5 A. Yeah.
6 Q. Outside Eastwoods menswear shop.
7 A. Yeah.
8 Q. And did the four of you then just proceed on out to the
9 mouth of Thomas Street and out onto Main Street?
10 A. Yes.
11 Q. And where did this group of people that attacked the two men
12 that you were with, where did they come? Did they come from
13 the church end, from the left-hand side or did they come
14 from what is referred to as the Bridge Street end, from the
15 right-hand side?
16 A. I couldn't say.
17 Q. You can't say.
18 A. No.
19 Q. And what sort of numbers do you think they would have been
20 in, the group?
21 A. At least 20 to 30 people there.
22 Q. At least 20 to 30. How long, as best you can, and in a sense
23 you're perhaps in as good a position as anyone in not taking
24 drink, how long would the actual attack, both on Robert and
25 on D, how long would that attack
26 have happened or taken?
27 A. I couldn't say.
28 Q. Are we talking minutes, are we talking longer?
29 A. It just seemed to happen all so quick.
30 Q. And after the attack did you see both men lying on the

1 ground?

2 A. Yeah.

3 Q. Where exactly was **D** lying? Was he on the roadway or

4 the footpath?

5 A. On the roadway.

6 Q. And outside what shop would he have been on the roadway?

7 A. Near Eastwoods.

8 Q. In terms of Robert, was he on the footpath or the roadway?

9 A. On the roadway.

10 Q. And where would he have been outside?

11 A. Just up a wee bit towards near where Evans is, not so

12 far up, you know, diagonally across.

13 Q. So if one were travelling along the Main Street from Bridge

14 Street direction, **D** is, as it were, to the left lane.

15 A. Right.

16 Q. And Robert to the right lane, if one takes two lanes

17 travelling along that side of the street.

18 A. Are you using the two roads here are you talking about?

19 Q. No, I'm just taking Main Street.

20 A. Yeah, he was up a bit, yeah.

21 Q. Would that be it? In other words, as you would walk along,

22 **D** there and Robert over to the right.

23 A. Yes.

24 Q. Is that the situation?

25 A. Yeah.

26 Q. And your sister then was working and putting her body over

27 **D** to protect him.

28 A. Yeah.

29 Q. And you then went to the other person who was lying on the

30 ground, that is Robert, is that the situation?

1 A. Yes.

2 Q. Now, when you went over to Robert, you told us that you took
3 off your jacket and you put it under his head.

4 A. That's right.

5 Q. Was there anyone still attacking Robert when you put that
6 under his head?

7 A. No, they had stopped at that time.

8 Q. From that point in time until the arrival of the ambulance,
9 did you remain with Robert save for running over to the Land
10 Rover to complain?

11 A. Yes. I stayed till the ambulance arrived.

12 Q. And did you see after the attack on Robert that you have
13 described, did you see anyone either kicking him or kicking
14 at him after the main attack?

15 A. No.

16 Q. So so that I'm clear about it, there was a concerted attack
17 by at least 20 to 30 people on the two males in your
18 company.

19 A. Yes.

20 Q. Both were left lying on the ground not far from each other.

21 A. No.

22 Q. And the attack was over, is that the situation?

23 A. Yeah.

24 Q. Now, linked into that could I ask you, F, when in
25 fact the attack was over, what did the group of 20 to
26 30 people do? Did they remain at the scene or did they
27 leave?

28 A. Yes, they stayed there.

29 Q. And can I ask you, at any stage from the start of the attack
30 on the two men until the end of the attack on the two men,

1 at any stage did you see an uniformed police officer out of
2 the Land Rover?

3 A. No.

4 Q. At any stage during the attack on Robert, did you see any
5 police officers trying to break up trouble or groups?

6 A. No.

7 Q. And how long, again it's difficult, I appreciate because
8 you're having to cast your mind back, and it was a
9 horrendous night for you, but can I ask you how long, if you
10 can help us, how long it was that you remained with Robert
11 before you ran over to complain to the occupants of the Land
12 Rover?

13 A. I couldn't be sure. Maybe five, ten minutes.

14 Q. Five to ten minutes?

15 A. Maybe more.

16 [REDACTED]: Sorry, just put that question again.

17 [REDACTED] The length of time, my Lord, between the attack on
18 Robert stopping as she has described, and her leaving Robert
19 to go over to the Land Rover. And she said five to ten
20 minutes, maybe more.

21 [REDACTED]: Yes, thank you.

22 [REDACTED] Now, if we take five to ten minutes, in relation to that
23 interval of time could you, during that time, see anyone
24 strike or hit or attack Robert in any way whilst you were
25 with him?

26 A. When I was lying over him?

27 Q. Yes.

28 A. No.

29 Q. During that period of time you were actually, I think in
30 your own words, you were squealing for help.

1 A. Yeah.

2 Q. Before you ran over to the Land Rover did any of the police
3 personnel in the Land Rover get out that you could see?

4 A. No.

5 Q. And when you went over you were going over effectively about
6 the fact that you wanted them to get out --

7 A. And help us.

8 Q. And help Robert because he was unconscious.

9 A. Yeah.

10 Q. Did you open a door to speak to the occupants or did you
11 simply shout in?

12 A. I think I was banging on the side of it.

13 Q. And as a result of banging on the side did anyone from the
14 Land Rover open the door, either driver or passenger's door
15 or the back doors, and speak to you or say anything or do
16 anything?

17 A. Nobody said nothing, no.

18 Q. Now, could I ask you, **F**, the attack on Robert and
19 your brother-in-law was an unprovoked attack.

20 A. Yes.

21 Q. The four of you were minding your own business --

22 A. We had a good night.

23 Q. On the way home after a night out.

24 A. We had a good night, enjoyed ourselves, yes.

25 Q. And in relation to what happened to them both, it was an
26 unprovoked attack on both men.

27 A. Yes.

28 Q. Can I ask, did you at any stage see groups of people from
29 both sections fighting all the way across the Main Street?

30 A. No.

1 Q. Did you see police officers getting out of the Land Rovers
2 to try and stop that fighting?
3 A. No.
4 Q. Did Robert move or was Robert moved between the time he fell
5 to the ground and the position he was in whenever the
6 ambulance arrived?
7 A. No.
8 Q. Did D move from the position where he was felled?
9 A. No.
10 Q. At any stage did you see one person on the footpath outside
11 Eastwoods clothing lying?
12 A. Say that again.
13 Q. On the footpath.
14 A. Did I see anybody lying on the footpath?
15 Q. Yes.
16 A. No.
17 Q. Did you see in particular Robert lying on the footpath?
18 A. No.
19 Q. Did you see anyone lying on the footpath outside the
20 Number 7 home bakery on the other corner?
21 A. No.
22 [REDACTED]: On the footpath did you say?
23 [REDACTED]: On the footpath, yes, again, my Lord.
24 [REDACTED]: On the footpath at the home bakery.
25 [REDACTED] Did you see anything, anyone lying on the footpath in
26 that position?
27 A. In what position?
28 Q. Lying outside the bakery.
29 A. No.
30 Q. In other words you've told us of seeing two men having been

1 attacked. Both were on the roadway.

2 A. Yes.

3 Q. One on the inside lane outside Eastwoods and the other on
4 the outside lane outside Evans, is that the position?

5 A. Yes.

6 Q. What I am asking is not in those positions but one on the
7 footpath outside Eastwoods and the other on the footpath
8 outside the home bakery, the other side of the mouth of
9 Thomas Street.

10 A. No.

11 Q. Did you see any of that?

12 A. All I seen was D lying and Robert.

13 Q. Did you see or did you hear two groups taunting each other?

14 A. No.

15 Q. Cat calling?

16 A. No.

17 Q. Did you at any stage see Mr Hamill lying outside Eastwoods
18 clothing in Market Street?

19 A. No.

20 Q. Did you see any other fights among various groups, smallish
21 groups, right around the whole mouth of this area on that
22 night?

23 A. No.

24 Q. So, so that I'm clear about it, your evidence is that four
25 of you going home minding your own business after a night's
26 intention.

27 A. That's right.

28 Q. And unprovoked attack by at least 20 to 30 people on the two
29 men in your company.

30 A. That's right.

1 Q. Yourself and E trying to protect them.
2 A. That's right.
3 Q. And after the initial attack on both men there was no
4 further attack by any of the crowd?
5 A. No.
6 Q. And the crowd remained in the area.
7 A. Yeah.
8 Q. And the police, who were in the Land Rover, remained in the
9 Land Rover for at least five to ten minutes after the end of
10 the attack.
11 A. That's right.
12 Q. I think your phrase five to ten minutes, maybe more.
13 A. That's right.
14 Q. Is that the situation?
15 A. Yeah.
16 Q. Don't just accept it because I'm putting it to you. I don't
17 want to put words in your mouth.
18 A. I don't want to go through all this.
19 [REDACTED]: Just take it easy.

20 SB to BC 12.45

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1 B.C.25 12.45 p.m.

2 F [REDACTED] : **CROSS-EXAMINED BY [REDACTED] (CONTD.)**

3 [REDACTED] Yes? A. I was wanting Robert to
4 get up.

5 Q. I don't want to distress you. Could I ask you how
6 long were you at the Land Rover when you went over to it?

7 A. I couldn't say. I was just banging on it.

8 Q. You got no response? A. No.

9 Q. Did you go back to Robert? A. I went
10 straight over and lay over him again.

11 **THE JUDGE:** Did you get any impression of how many
12 police officers were in it? A. I couldn't say.

13 Q. Could you say if there were any in it?

14 A. I couldn't say.

15 [REDACTED] No further questions, My Lord.

16 **RE-EXAMINATION BY MR KERR:**

17 **MR KERR:** You have been asked about a lot of times -
18 how many minutes things took. How accurate do you think
19 you can be about times with what you experienced that
20 night? A. I don't know, My Lord.

21 Q. Do you feel that you are accurate, or not?

22 A. I couldn't be 100% sure. I'm trying my best.

23 Q. Thank you.

24 **THE JUDGE:** Thank you.

25 **MR KERR:** Its rather early for lunch, but the next
26 witness will be rather long, My Lord. Whether Your
27 Lordship would feel that it would be more appropriate to
28 rise early and sit early?

29 **THE JUDGE:** Yes. Very well.

30

ADJOURNED