

COPY

Police Ombudsman for
Northern Ireland

Memo

To: Ombudsman
From: David WOOD, Director of Investigations
CC:
Date: 14/03/01
Re: Supervision of Hamill related investigations

There have been many failures either identified or subject to investigation in respect of the murder of Robert HAMILL on 27th April 1997. The allegations and failures may be summarised as follows;

- 4 officers remained in a police Landrover who could have intervened in the attack on Robert HAMILL
- Persons were 'detained' at the scene and released who may have been involved
- Officer(s) from the Landrover did not make evidence available that they could have provided, including details of person(s) that could have been arrested immediately for the attack
- The scene was not preserved at all after the event and not forensicated for 7 hours. An officer had arrived at the scene then to see road sweeps clearing the mess! Evidential opportunities were undoubtedly missed.
- Arrests should have been made the next morning of persons identified as having been involved but were not. Considerable evidential opportunities were missed.
- The following morning Reserve Constable ATKINSON telephoned Harvey, probably one of the murderers, and told him to destroy his clothing.
- The details of this telephone call were passed by an Andrea McKEE to Detective Inspector IRWIN (the investigating officer) on the night Hamill died, 8th May 1997
- DI Irwin saw Tracey CLARKE's statement the next day implicating the murderers and confirming that Atkinson made the telephone call to Harvey
- Itemised billing was ordered the morning of 9th May in respect of Atkinson's home telephone which was to show that a call from his house to Harvey's house did take place on the morning after the assault
- DI Irwin subsequently took an alibi statement from Andrea McKee at the offices of Atkinsons solicitor in which she incongruously states that she was present in Atkinson's house when her husband made the telephone call to the Harvey household about social matters and claims that Atkinson was not present. It is difficult to perceive as to how that statement could be taken by the senior officer who must have known that she was not telling the truth
- There are no records of a great deal of these matters on the HOLMES system, nor can any form of Policy File be found that would provide some explanation for actions, or lack of actions, being taken.