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Robert Hamill: 50 witnesses may be criticised as probe gets under way

By David Gordon
Tuesday, 13 January 2009

Around 50 people have been identified as potentially facing criticism from the public inquiry into the 1997 murder of Portadown Catholic Robert Hamill.

The inquiry's public hearings get under way in Belfast today in a process that is scheduled to produce a final report by the middle of next year.

In the region of 160 witnesses are due to give evidence in person in the months ahead, and a further 40 witness statements will be read out.

Of the witnesses, some 50 have been classified as possibly facing criticism.

The categorisation — which may change for individuals during the course of the hearings — affects the legal assistance available to individuals.

Mr Hamill, a 25-year-old father of two, suffered fatal head injuries in a sectarian attack in Portadown town centre in April 1997.

Four RUC officers were on duty in a police Land Rover parked close to the scene of the late night confrontation.

The area was a flashpoint, where the paths of Catholics and Protestants crossed as they made their way home from nights out at different locations.

The public inquiry will examine criticism of the RUC in relation to the night of the attack and the subsequent murder investigation, as well as an allegation that a suspect was tipped off by one officer.

It has the power to compel witnesses to attend and a failure to turn up could result in a referral to the High Court.

The inquiry team has expressed confidence that it will get to the truth, and is also satisfied with the co-operation it has received to date.

The police officers who were in the Land Rover will be among the witnesses to give evidence. Suspects who had murder charges against them withdrawn are also expected to testify.

It is anticipated that the bill for the inquiry will be close to £36m.

The Northern Ireland Office agreed to the inquiry after a report by Canadian judge Peter Cory.

Police have denied allegations that Mr Hamill's life could have been saved by a swifter intervention at the scene by the officers in the Land Rover.

Judge Cory's report identified other key issues from the night in question including: a warning given to the officers by a member of the public about a likely confrontation; a failure to immediately seal off the area and collect forensic samples when the extent of Mr Hamill's injuries became clear; and a decision not to detain a suspect at the scene.

The judge voiced particular concern at allegations concerning one of the officers who had been in the Land Rover



Diane Hamill with a picture of her murdered brother Robert Hamill, who was beaten to death in a sectarian attack in Portadown in 1997

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He was only named as "Reserve Constable B" in the Cory report, but was identified in court proceedings in 2004 as ex-policeman Robert Atkinson.

The judge said it was alleged that the officer had telephoned a suspect on the morning after the Hamill attack, warning him to destroy clothes he had been wearing.

Mr Atkinson and his wife Eleanor had been accused of attempting to pervert the course of justice. The charges against them were dropped in March 2004, with prosecutors admitting that the credibility of a key witness had been undermined.

Mr Atkinson will have his own legal team at the Robert Hamill public inquiry.

He is one of three interested parties in the proceedings, along with the Police Service and the Hamill family.

The Cory report detailed that the collapsed court case against the Atkinsons involved telephone records. These showed that a call had been made from their home to a suspect's address on the morning after the attack, the judge noted.

The Atkinsons maintained that another couple who had stayed at their house that night had made the call, to inquire about a relative's health. This other couple backed up the account, but later pleaded guilty to the perversion of justice.

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