

## **ROBERT HAMILL INQUIRY**

### **Days 16- 24: 13<sup>th</sup> to 27<sup>th</sup> February 2009**

From Friday 13th February 2009 (day 16), the Robert Hamill Inquiry continued hearing evidence from individuals who were in the vicinity of Portadown town centre when Robert Hamill was attacked.

**The only witness on day 16 was Stephen Bloomer who was referred to in statements made by Timothy Jameson.** Like Timothy Jameson, the witness responded to a standard police questionnaire in the days following the attack on Mr Hamill and was re-interviewed by police and provided a formal statement at the end of May 1997. In his first statement to police (his responses to the questionnaire), the witness did not refer to Timothy Jameson being with him. However in his statement to police dated 29th May 1997 he did mention Mr Jameson and recalled meeting Tracey Clarke outside the Progressive Building Society while a fight was occurring (which is close to the shop that Ms Clarke mentioned in her statement). Both premises are located in Market Street and just past Thomas Street on the same side of the road where Robert Hamill and another man were being attacked. He remembered people 'beating the head off each other' but did not recall as much detail as Tracey Clarke. The witness could not remember sitting with Tracey Clarke and when various names from her statement were put to him he told Inquiry Counsel, Mr Underwood QC, that he did not know them.

Mr Bloomer recalled going to a gathering at Tracey McAlpine's house around 2.30am and he told the Inquiry that he stayed for around 15 minutes. In a later statement from late 2000/early 2001 the witness said that he must have left with Chris Henderson and Iain Carville and that if Kyle Magee were there that he would have left at the same time also. Mr Underwood highlighted that there were inconsistencies between Mr Bloomer's statement and those of others he was with. The most notable difference is that Iain Carville recalled leaving Tracy McAlpine's house at 5.30 am. The length of time that people stayed at Ms McAlpine's house could prove important as it is alleged that a number of people suspected of attacking Robert Hamill in 1997 (including Allister Hanvey) were at the gathering and discussed the attack. Questions from Counsel for the PSNI, Mr Ferguson QC, showed that Mr Bloomer is represented by the office of solicitor Richard Monteith and that the witness was advised by someone from that office not to sign his witness statement to the Inquiry. Mr Bloomer said that he agreed with the statement which he gave to the Inquiry but for one entry relating to officer P40, whom he told the Inquiry he had never heard of.

**On Tuesday 17th February (day 17), the Inquiry heard evidence from Pauline Rodgers (formerly Newell) who was also in the vicinity of the assault on Robert Hamill and went to the gathering in Tracy McAlpine's house after leaving Portadown town centre.** (Tracey McAlpine is her sister.) The witness said that she was unable to remember sections of her statement made to police in 1997 which were referred to and that she felt police officers were trying to get her to describe things that she had not seen.

The second witness to give evidence on day 17 was Paul Currie who is a friend of Allister Hanvey and had been with him in the Coach Inn on the night in question. Mr Currie's evidence was that he was in Portadown town centre around the time of the attack but that he was not with Allister Hanvey after returning to the town from the Coach Inn and that he did not see anything such as a fight. Mr Underwood showed statements from other witnesses which both say that Mr Currie warned them not to continue on their route as there was 'trouble' but Mr Currie told the Inquiry that this

could not have happened as he did not see anything. During the hearing it was revealed that the witness recalled seeing a police Land Rover which may have been closer to the Church in the town centre as the witness believed that he saw the vehicle around a shop called Instep. Mr Currie did rule out the possibility of the Land Rover being parked at the entrance to Woodhouse Street which implies that he arrived at the scene quicker than a number of other witnesses walking through the town, possibly before or just as the assault took place.

Mr Underwood asked the witness why he failed to sign his statement to the Inquiry which was in the care of his solicitor [Richard Monteith Solicitors]. The witness told the Inquiry that, while he had seen the statement and it seemed to be accurate, he did not sign it as he didn't want anything to do with it and continued, "It was none of my business. I walked home. Other people had brought me into it."

The Inquiry then heard evidence from a third witness, Kelly Lavery, who was present at the gathering in Tracy McAlpine's house that morning. The Inquiry heard how the witness had make-up applied to her face in a practical joke and that she threw 'anyone who didn't belong there' out. In her statement to the police in 1997 the witness said that she recognised Dean Forbes and Allister Harvey at the gathering. Inquiry Counsel asked Miss Lavery why she had not signed the statement which she gave to the Inquiry and said that she had not seen it until the day before she attended the Inquiry (despite Counsel stating that it had been sent to her solicitor's office, Richard Monteith Solicitors, on 26th February 2008).

The fourth witness was Shelley Liggett who was with Paul Currie when walking through the town centre on the morning of the assault. Her statement and evidence generally concurs with that given by Mr Currie. Miss Liggett told the Inquiry that her memory was vague and that she recollects seeing a Land Rover around Woodhouse Street. She did not hear a commotion behind her and Mr Currie until they were near the Church (which is a short distance from the scene of the assault).

The final witness on day 17 was Mark Black who was walking through the town centre with his younger brother, Joe Black, and Jason Woods at the time of the assault. In his police statement he recalled seeing a fight start involving over twenty people and described it as a free-for-all and that his main concern was that his brother Joe was not involved and they continued on. Questions showed that the witness did not see or hear any police presence as they made their way past the scene of the assault. This differs slightly from what his brother told police officers in 2000, that he [Joe Black] went back to see what the commotion was about; however the witness cannot recall going back to get him. During questioning by Mr Adair, the witness told the Inquiry that he could not recall seeing fighting but that he remembered seeing people gathering.

**On Wednesday 18th February, day 18, the Inquiry first heard evidence from Joe Black.** His account of events was similar to his brother Mark's regarding whom he thought was likely in his company, that he could not recall seeing a fight or a police Land Rover as they made their way through the town centre.

The second witness to give evidence was Jason Woods. Mr Woods could not recall being in Mark and Joe Black's company that evening but said that it was possible as he knew the brothers. Mr Woods did recall being in the company of Paul Currie and maintained that he did not see a fight. Inquiry Counsel, Mr Underwood, asked how this was possible given that he was with Paul Currie who allegedly warned other witnesses that there was trouble. Mr Woods told the Inquiry that he did not know. Mr Underwood also asked why Mr Woods did not sign the statement which he made

to the Inquiry and the witness told him that he was told by his solicitor, Richard Monteith, that he was 'not legally obliged to sign anything'. Questions from Mr Ferguson, Counsel for the Police service of Northern Ireland (PSNI), highlighted that Mr Woods had said in the last paragraph of his unsigned statement to the Inquiry that, "If [he] had seen anything that night of relevance, that [he] probably would not have come forward." Further exploration of this statement showed that the witness would have been unwilling to assist the police in their enquiries as he would have fears for his safety concerning paramilitaries. Mr Woods would not name the paramilitary group(s) who he felt would have threatened his safety.

In addition, the witness's evidence was that he saw Allister Hanvey both at the Coach Inn and on the bus from Banbridge to Portadown afterwards. However Mr McComb, acting on behalf of Richard Monteith Solicitors who represent a number of civilians [mostly those returning from the Coach Inn], told the witness that it was his understanding that Mr Hanvey was not at the Coach Inn or on the returning bus that night and suggested that the witness was mistaken when he gave a statement to this effect some years later. The witness replied 'oh' and did not clarify whether or not he felt he was mistaken in his recollection.

After Mr Woods had completed his evidence to the Inquiry Carol Ann Woods and William Jones were due to give their evidence but could not be contacted by their solicitor's office, Richard Monteith & Co. After a short adjournment, Inquiry Counsel told those present that both witnesses had been offered two dates for attending the Inquiry and that this had given rise to some confusion. Mr Underwood suggested adjourning for the rest of that day and rearranging another time for the witnesses to attend. Barra McGrory QC interjected to suggest that 'a parallel approach' be taken whereby the Inquiry set a date for the attendance of these witnesses and send them registered notification in the post. When the Chairman and Sir John Evans (Panel member) enquired if the Inquiry had the addresses of these witnesses Mr Underwood alluded to issues concerning this couple which he did not wish to discuss in public. The hearing was then adjourned to the following day.

**On Thursday 19th February, day 19, the Inquiry continued to hear evidence from people who were in the vicinity of the assault.** The first witness was a member of the Ambulance Service who arrived at the scene of the assault. He told the Inquiry that when he arrived, he got the impression that the crowd of 20 to 30 people consisted of two hostile factions which were taunting each other. Questions from Inquiry Counsel, Mr Underwood, and the Inquiry Chairman, Sir Edmond Jowitt, showed that the witness got the impression that Robert Hamill had been hit on the head by a bottle since a bottle was lying close to his head as well as a liquid (which he thought had come from the bottle). The witness could not recall relaying this theory to casualty staff when the Ambulance arrived at Craigavon Area Hospital.

The second witness on day 19, Christopher Henderson, told the Inquiry that he arrived in Portadown on the bus returning from the Coach Inn. However, he waited before making his way past the crossroads where the assault took place, as he saw a commotion. An interview with [P118] and Mr Henderson in May 1997 showed that he was present at the party in Tracy McAlpine's house until the 'early hours' of that morning. When asked by Mr Underwood if the 'fight' in the town centre was discussed by those at the house, Mr Henderson said that he could not 'specifically recall any conversations' and conceded that there was likely to have been some discussion.

The interview record from 1997 also referred to the fact that the witness made his way back through the town centre on his way home from the party. Mr Underwood

queried if the scene of the assault had been taped-off by police and Mr Henderson told the Inquiry that he recalled seeing a police officer, but could not recall if they were cordoning the area off. He was unsure of the timing of his arrival and departure from Ms McAlpine's house but told the Inquiry that he, Allister Hanvey and Jason McClure walked back into town to get a taxi from Zcabs.

Mr Underwood explained that the scene was cordoned off at 7.27 am and that Allister Hanvey withdrew cash from a cash machine in the town centre at 8.30 am; however the witness could not recall either of these events. Counsel for the Hamill family, Mr McGrory, clarified that the witness was represented by Richard Monteith Solicitors and the witness said he could not recall if anyone recommended this firm to him. Mr McGrory then concluded his brief questioning by saying: "...I am not entitled to ask you any questions about what went on between you and Mr Monteith, but that's a matter that I intend to raise with the Inquiry."

The third witness on day 19 was Kyle Magee who had also returned to the town from the Coach Inn and made his way up the town towards the scene of the assault. Mr Underwood sought clarification on a number of issues such as the presence of a police Land Rover and what actions (if any) police officers had taken. Mr Magee could not recall and stated that he would have to rely on the statement he gave to police officers 12 years ago (presumably his answers given to a police questionnaire on 30th April 1997 which subsequently formed a statement). Further questions by Mr Underwood revealed that Mr Magee had tried to fight with police officers and the witness explained that he had probably done so as a result of drinking alcohol. Mr Underwood also referred to the draft witness statement that Mr Magee had made during an interview with Inquiry personnel and queried why he had not signed it. Mr Magee, who is represented by Richard Monteith Solicitors, replied that: "...he was told not to by Mr Monteith".

Mr Adair QC, who represents a number of serving and retired police officers, asked the witness why he could remember absolutely nothing of his walk through Portadown on 27th April 1997, to which Mr Magee replied that he could not 'remember anything' and subsequently remarked that 'it is 12 years later'. Questions from Counsel for the Hamill family, Mr McGrory, had the witness confirm that he was close to the fight (based on what he had said in his statement in 1997). This in turn prompted questions from the Inquiry Chairman who suggested to the witness that if he was close to the fight then unless he was 'closing [his] eyes' or 'looking the other way', the witness would know what was going on. The witness replied yes to the Chairman and as a result he reminded the witness to think about Counsel's questions.

Mr McGrory continued to probe what the witness saw of the assault and Mr Magee repeatedly said that he could not recall any detail, including the identities of those involved in the attack. Consequently, Mr McGrory asserted that the witness was telling lies and that he could identify who did what to whom that night. However, Mr Magee replied that was 'your [Mr McGrory's] opinion'. The Chairman interjected again to establish how the witness could maintain that Marc Hobson, Allister Hanvey and Stacey Bridgett were not involved in the fighting (which conflicts with the evidence of others) if his evidence is that he cannot remember anything. Mr Magee told the Chairman that he was basing this on what he had said in his statement.

The fourth and final witness on day 19 was Dennis Hayes. He maintained throughout questioning that he made his way straight home through the town centre and did not attend the party at Tracy McAlpine's house. During questioning by Mr Underwood, he could not recall if he had seen police officers or a Land Rover despite stating that he

had witnessed a police Land Rover driving up West Street (which appears to mean in the direction of the crossroads where the assault took place) in a statement made to the police in 1997. Mr Hayes also told the Inquiry that he could not recall walking at the head of a group of people towards the scene with Allister Hanvey as was suggested by a statement provided by Andrew Allen (date not provided). Mr Underwood asked the witness about his failure to sign his statement to the Inquiry and in particular, if he had been asked to sign it [as a draft would have been forwarded to his solicitor's office, Richard Monteith Solicitors]. Mr Magee said that he had not been asked to sign the statement but said that it was accurate.

Questions from Mr McGrory showed that Mr Hayes was afraid of giving evidence and naming people because he feared paramilitaries but he maintained that he had told the Inquiry everything he saw that night. Mr McGrory also asked if anyone had recommended his solicitor to him and suggested that a discussion had taken place whereby he would tell the Inquiry that he saw nothing. Mr Hayes refuted this suggestion and said that no-one had recommended his solicitor to him.

**On Friday 20th February, day 20, the Inquiry first heard evidence from Simon McNally.** In his statement to the Inquiry Mr McNally said that he was listening to music in his shed with Gareth Cust, Kyle Woods and Andrew Hill on the night of the attack. Sections of the statement were read aloud during Mr McNally's evidence by Inquiry Counsel, Mr Underwood, and these indicated that the group went into Portadown town in the early hours of 27th April 1997 when Andrew Hill got separated from the rest. The witness told the Inquiry that he could remember a crowd of approximately 15 to 20 people gathered in the town centre. However, when asked specific questions regarding the details of the scene which others in his company reported in their witness statements, Mr McNally said he could not remember seeing, for example, a police Land Rover or police trying to push the crowd back etc.

The second witness was a photographer who the Inquiry had appointed to take photographs of the area around the scene of the assault. Questions from Inquiry Counsel, Mr Underwood QC, and leading counsel for the Police Service of Northern Ireland (PSNI), Mr Ferguson QC, focused on photographs taken which showed viewpoints from inside and outside the flat above Jameson's bar (which is located in Thomas Street Portadown). The witness's statement to the Inquiry stated that further photographs were taken which showed the positions in which the occupants of the flat at that time (Mr Jones and Miss Woods) were standing near the window. However, his statement said that these photographs had not been produced as the occupants had since withdrawn their permission. When asked by Mr Ferguson if he knew why they had withdrawn their consent, the witness was of the opinion that they believed that their lives were in danger.

The third witness to give evidence was Lisa Hobson who had been drinking in a house in Portadown (occupied by Michelle Jamieson and attended by a number of others) on the night of the attack. Mr Underwood's questions highlighted that the witness gave a statement to police officers in 1997 which said that she had been at the Coach Inn in Banbridge that evening. The witness explained that she had said this as she did not want her father to know that she had in fact been in Portadown drinking. Mr Underwood asked the witness about her refusal to answer questions which were asked as part of a police questionnaire in 1997 and the witness told the Inquiry that she could not recollect this. Inquiry Counsel also recounted that police officer P68 said in a statement that he witnessed a hostile crowd when arriving at the scene and that he later spoke to a number of people at 5.50 am whom he had witnessed in the crowd and he said that Lisa Hobson was one of the individuals who identified themselves.

The witness could not recall this or a similar account given by another officer of a person matching her description. During questioning, the witness told the Inquiry that she had been just 'hovering' around the town that evening and had taken a lot of alcohol; she explained that she could not remember the incident as described by other witnesses. Mr Underwood explored the witness's feeling towards the police in light of the fact that her father had been injured in another incident in Portadown. The witness said that she had no opinion of the police and could not remember her feelings towards them at the time. When questioned by Mr Adair, Ms Hobson indicated that she could remember a police Land Rover at the scene and bottles being thrown. However, she could not remember police on the street or an ambulance. The Inquiry Chairman, Sir Edmond Jowitt sought to clarify if the crowd that the witness recalled shouting was Catholic or Protestant from what they were shouting; however the witness said that she could not recall.

The Inquiry also heard evidence from Robert Hamill's brother. Mr Hamill's evidence surrounded a strain in his relationship with witness D (who was with Mr Hamill when he was attacked) due to a criminal injury claim which witness D lodged relating to the attack. Mr Hamill explained that he was concerned that witness D worried more about money and not about justice stemming from the attack.

Mr Underwood then explained that a witness, Michelle Jamieson, who was to be called, has since died and as a result he read excerpts of her statement. Excerpts were also read from the statements of a number of other witnesses (Philip Curran, David Gray and Conor Black) who had been referred to during Inquiry hearings that week.

The final witness on day 20 was Judith Lyttle who was also in the vicinity of Portadown centre but was a short distance from the scene of the assault (standing outside a locksmith shop in the West Street area). She confirmed that a man who tried to calm the situation and get loyalists to leave the area, Donald Blevins, was her boyfriend and told the Inquiry that she doubted if anything could have been witnessed from where she was standing.

**On Tuesday 24th February, day 21, the first witness to give evidence was Wayne Lunt who was the man that police officers arrested and held briefly in a police Land Rover at the scene.** Mr Lunt confirmed during questioning by Mr Underwood that he had been at Michelle Jamieson's house that night and was quite drunk before he went into the town centre. Further questions by Inquiry Counsel showed that Mr Lunt remembered there being lot of people in the town centre and a police Land Rover halfway between the Church and Thomas Street (this is the position the Land Rover is believed to have been in where West Street turns into Market Street, just before the Land Rover came to be at the top of Woodhouse Street).

Questions asked by Mr Underwood highlighted that the witness was reported by a female police officer (Constable A) to have been carrying a glass bottle by its neck like a weapon (his finger prints were found on an empty glass bottle at the scene) However, the witness refuted this allegation. Mr Lunt also refuted suggestions that he tried to hide his identity by wearing a Rangers football club scarf over part his face. Another witness, Colin Prunty, claimed in his evidence that a man wearing a Rangers scarf had kicked Robert Hamill. Mr Prunty appeared to believe this to be the same person whom police officers released from the police Land Rover as he did not see anyone else wearing such a scarf that night. Mr Lunt told the Inquiry Chairman that he saw a man lying on the ground after he had been released from the police

vehicle.

It was also highlighted through questioning by Counsel to the Inquiry & several other legal representatives, that Mr Lunt had previous convictions which included riotous behaviour. In addition, questions from Counsel for the Hamill family, Barra McGrory QC, showed that Mr Lunt had been arrested in a separate incident in March 1997, and that the circumstances involved the witness singing sectarian songs. Moreover, the witness was released on bail for this incident and conditions applied at the time of the attack on Robert Hamill meant that any further arrests would result in a breach of these conditions. However, when Mr McGrory suggested that this was the reason that Mr Lunt tried to run from Constable A, the witness was adamant that this was not the case.

Mr Lunt's evidence was completed when further questions by Mr Underwood showed that the witness had not signed his Inquiry witness statement despite a draft being sent to his solicitor's office (Richard Monteith Solicitors) and being brought to his attention. Mr Lunt confirmed that the statement was accurate to 'the best of [his] knowledge' and explained that he had not signed this statement as he had been advised not to.

The second witness to give evidence was Anne Bowles (now Mrs Smyth) who was in the immediate vicinity of the attack and crossed the main high street on foot when a crowd had gathered at the junction of Thomas Street. The witness confirmed that she saw Dean Forbes (who claimed in his police statement that he was talking with Anne and her sisters Alison and Lynn), but she told the Inquiry that she could not recall or that she '[didn't] know' any details or see fighting when asked questions by various legal representatives.

The third witness was Alison Bowles who was able to recall more detail than her sister Anne. Alison Bowles said that neither she nor her sister were talking to Dean Forbes for long, and she said that her sister Lynn (the third sister who Mr Forbes told the police was also there) was not even there. Mr McGrory suggested to the witness that she would have seen what Mr Forbes had described of the attack in his police statement in 1997. However the witness said that she did not.

The final witness on day 21 was Stephen Sinnanmon whose evidence to the Inquiry (and police in 1997) suggests that he came upon the scene after the assault had taken place. This is due to the fact that he had said that there were no persons lying on the ground when he neared the junction of Thomas Street, that he had said he saw an ambulance at the scene and police officers pushing people back. His answers to a police questionnaire in May 1997 show that he was in the company of Andrew Allen, Dean Forbes, Gregory Belvins, Tracey Clarke, Tracy Newell (a.k.a. Tracy McAlpine) amongst others. Mr Sinnanmon told the Inquiry that he had gone back to a party at Tracy Newell's house but was unable to recall others who are thought to have been present, for example, former suspect Allister Hanvey.

During questioning, Inquiry Counsel highlighted the notes of the police officer who had asked and recorded the details contained in the witness's police questionnaire dated May 1997. In this officer's notes, it is recorded that the witness blushed and became tearful when it was suggested that he was not telling the truth. However, following later questioning by the Inquiry Chairman, the witness said that his reaction was due to pressure put on him by the police officers. Also, Mr Sinnanmon's answers to questions asked by Counsel for the Hamill family which explored if those involved in the incident were at the party he attended afterwards were contradictory. For instance, Mr Sinnanmon's responses suggested that some people who had been at

the party had been in the crowd which was being pushed back by the police at the scene of the assault; but he then told Mr McGrory that he couldn't remember who he had seen being pushed back.

**On Wednesday 25th February, day 22, the Inquiry heard evidence from a member of the ambulance team who attended the scene of the assault.** The paramedic described that there was a hostile crowd when they arrived at the scene and said that he could not distinguish between factions in the crowd. The witness recalled seeing a police officer who he alleged was being shouted at by two girls in a hostile manner which was preventing the officer from helping Mr Hamill. However, Counsel for the Hamill family, Barra McGrory QC, showed the witness a statement from this officer in which he said that the police had tended to Mr Hamill and assisted his cousin [female] to move him into the recovery position. Mr McGrory then suggested to the witness that the officer was in no way inhibited from helping Mr Hamill. However the witness said that this was his recollection and that perhaps what had been described had occurred before his arrival at the scene.

The second witness to give evidence was Neil Ritchie who was also in the vicinity of the scene of the assault in the company of Anne Bowles. Mr Ritchie told the Inquiry that he could remember what seemed to be a row, but during questioning said that he could not recall any other detail such as the persons involved. During questioning by Barra McGrory QC it was revealed that the witness was a friend of Allister Harvey's and he told the Inquiry that he was unaware of the allegations which Tracey Clarke had made against him in 1997, which led to his suspected involvement in the assault on Robert Hamill.

The final witness on day 22, Victoria Clayton, was also near the scene of the attack. The witness told the Inquiry that her memory of that night was poor. However Mr Underwood recited sections of her responses to a police questionnaire shortly after the incident. The witness told police officers interviewing her that she saw a row, didn't pay much attention to it and heard people shouting 'fenian bastards' and some others shouting 'orange bastards'. Mr Underwood queried why she had refused to make a statement to the police on 30th April 1997; the witness said that she could not remember being asked to make a statement.

Ms Clayton told the Inquiry that she 'strongly' disagreed with a statement made by Timothy Jameson which stated that he observed her being pushed up the street by police. Also, she disagreed with a list of names which Tracey Clarke gave to the police in 1997 which named people, including Ms Clayton, who Ms Clarke said were at a gathering in Tracy McAlpine's house after the assault had taken place. Furthermore, she refuted suggestions by Mr McGrory that she knew Tracey Clarke as more than just an acquaintance and that she was not 'going to give up her friend's husband' [this appears to have been a reference to Allister Harvey who Tracey Clarke subsequently married after 1997].

**On Thursday 26th February, day 23, the Inquiry first heard evidence from Judith Holland.** Ms Holland had been at the Coach Inn in Banbridge and returned to Portadown at around 1.40am (on the same bus as a large number of others who were in the town that night). Ms Holland was with her boyfriend at the time, Andrew Osborne, and repeatedly told the Inquiry that she did not see anything despite being in Portadown centre around the same time as other witnesses had recalled events related to the attack. She told the Inquiry that whilst she recalled seeing a police Land Rover, she did not recall seeing police officers or an ambulance. Ms Holland also attended the party at the home of Tracy McAlpine (sister of Pauline Newell).

In addition, questions by Junior Counsel for the Hamill family, Eugene McKenna, highlighted that the witness arrived at Ms McAlpine's house after several persons who provided details of the incident to police officers in their statements in 1997. The witness maintained that she did not see anything. Inquiry Counsel, Mr Underwood QC, also referred Ms Holland to her Inquiry witness statement which was sent to her solicitor's office (Richard Monteith Solicitors). Mr Underwood established through further questioning that the witness believed the statement to be accurate and that she had not signed it as she had not been asked to.

The second witness that day was Andrew Osborne (Ms Holland's former boyfriend) and he also told the Inquiry that he did not see any disturbance on the night in question. He could not recall any time frame regarding his return to Portadown or when the pair went to Tracy McAlpine's house. He also told the Inquiry that he could not recall the identity of anyone who was in Ms McAlpine's house.

Furthermore, Inquiry Counsel asked questions regarding Mr Osborne's Inquiry witness statement which was sent to his solicitor's office (Richard Monteith Solicitor's) and he has not signed. When asked why he had not signed his draft statement, Mr Osborne replied to Inquiry Counsel: "I'm not obliged to sign it. It is not legally binding is it?" From Mr Osborne's evidence it appeared that he socialised with some individuals who had been suspected of assaulting Robert Hamill, but that he told the Inquiry in his statement that he no longer socialised with them. However, he could not explain a discrepancy between his statement and Ms Holland's which suggested that he did still socialise with these individuals.

The third witness on day 23 was Ian Carville whose evidence was delayed due to car trouble. The Inquiry sent a taxi to collect him to ensure he was able to give his evidence. Mr Carville was in the town centre on the evening of the attack. He was also at the party in Tracy McAlpine's house and had met Marc Hobson, Stephen Bloomer and Allister Hanvey (some of whom other witnesses said attacked Robert Hamill) on his way to the house. Mr Carville told the Inquiry that he did not see anything such as a crowd being pushed back or the attack itself, and was unsure if he had seen an ambulance despite having previously told this to the police in a statement in 1997. His evidence was at times inconsistent with what he had told police officers in 1997 and 2001. For example, in his 1997 statement he told officers that he left Ms McAlpine's home at around 5.30am (which entails the witness remaining at the party for several hours) and confirmed it 'must have been' this time when asked by Mr Underwood; however he told officers in 2001 that he left the party approximately 30 minutes after his arrival around 3.00 am. Mr Carville could not account for such discrepancies and said that it was a long time ago and that he had been drinking.

The fourth witness, Noelle Moore, did however recall seeing police pushing a crowd back towards St. Mark's Church, although she could not recall seeing a police Land Rover. She told the Inquiry (and the police in 1997) that she made her way through the group and past the police and went home. Counsel for the Hamill family, Mr Barra McGrory QC, highlighted that the witness told police that she did not arrive home until around 5.50 am which is some hours later than when she would have left the town centre just after 2.05 am. He suggested to the witness that she had given the impression that she went home quickly when in fact this was not the case. Mr McGrory also illustrated that conflicts existed between the witness's evidence and the statements of Ryan Carville and Matthew Bloomer as regards groups and times referred to. Ms Moore maintained throughout questioning that she did not see any of the attack/'disturbance'.

Mr McGrory then asked questions which explored why the witness had sought legal representation at the Robert Hamill Inquiry [as a number of witnesses have no representation] His questions highlighted that approximately 40 out of a total of 50 persons who arrived back to Portadown on a bus from Banbridge on the night of the attack were represented by Richard Monteith Solicitors who were also acting on Ms Moore's behalf. When asked, Ms Moore ruled out the possibility that she had discussed who to obtain representation from with others to establish who other witnesses would be seeking representation from. Mr McGrory further emphasised that the witness had not yet signed her Inquiry witness statement and continued to say:

" That's another thing you have in common apart from your lapse of memory or your inability to see anything with all of these people who went to Mr Monteith, that none of them have signed their Inquiry statements. Now, why did you not sign the Inquiry statement?" Ms Moore replied: "Because I am under no obligation to sign it".

The fifth and final witness on day 23 was Matthew (John) Bloomer. Mr Bloomer told the Inquiry that he could not remember seeing police officers on the street, but that he did recall seeing a police car and someone being 'stretchered' into an ambulance. During questioning by Mr Underwood, the witness told the Inquiry that he stood back at a distance as he did not want to get involved. He stated that Noelle Moore had been in his company that evening, but that the last time he recalled seeing her was in the vicinity of Edenderry. He also confirmed that he was with Ryan Carville at the start of the night but could not recall if this was the case later in the night.

Further questions by Mr McGrory established that the witness had not signed his statement to the Inquiry and the witness said that he had not been asked to do so. Mr Bloomer continued to say that:

"...the advice of the solicitor [Richard Monteith Solicitors] said not to sign it, but I have no issue with signing it. It doesn't bother me".

**On Friday 27th February, day 24, the Inquiry heard evidence from David Woods who was the 17 year old man allegedly assaulted in Thomas Street.** Mr Woods said that he was alone and making his way home at the time and he told the Inquiry that he was quite drunk (having consumed a three litre bottle of cider before going to the Coach Inn). He could remember seeing a small group coming towards him when in Thomas Street and someone punched him without provocation. His sister lived in the flat above Jameson's bar at the time and he remembers her (or someone else) coming to get him and take him in.

Mr Woods said he did not remember the incident in which he was punched (as described by witness [P42] to the Inquiry on Day 5). [P42] lived further up Thomas Street, beside the British Legion, and told the Inquiry that a man from a group of four heading towards Market Street (via Thomas Street) provoked a fight with a large group of people standing at the corner of the street. Conflicting recollections to this have been provided by Colin Prunty and witness F which describe the large group attacking their smaller group without provocation as they were Catholics. Mr Woods told the Inquiry that he was not involved in this attack [which is the attack in which Robert Hamill was assaulted]. In addition, Andrew Allen's police statement conflicts with Mr Woods' evidence in that he has stated that he saw 'Davy Woods' and Rory Robinson in Thomas Street as a crowd of girls and boys came down Thomas Street and he could hear shouting. The police witness statement of Pauline Newell made in 1997 also referred to Mr Woods being in the company of Rory Robinson and Andrew Allen. Mr Woods, however, insisted that he was alone that night and that the others were wrong in their recollections.

Mr Underwood suggested that the witness had initiated the fight in light of the fact that he had told police officers in 1997 that the small group would not have known him as they were Catholics and "There is no reason for them to suspect you are a Protestant, is there? Unless you are shouting something at them". However, Mr Woods maintained that he did not initiate any fighting when he was assaulted.

The second witness on day 24 was Stacy Bridgett, a former suspect in the Robert Hamill investigation and an individual whom other witnesses have alleged was involved in the attack on Robert Hamill. After returning to Portadown, Mr Bridgett walked towards St. Mark's Church and was in the company of Dean Forbes. He was unable to recall if he was with anyone else but said in his 1997 police statement that he saw a 'couple of boys' coming from the direction of St Patrick's Hall in Thomas Street (which Robert Hamill left before he was attacked) and as such he believed they were Catholic. In his statement he said that he walked towards a police Land Rover at which point he bumped into a man walking from Thomas Street to Woodhouse Street and they each said they didn't want any trouble. This man seems to be another witness, Mr Mallon, whose account differs in that he told the Inquiry he went to warn officers in the Land Rover of the potential for trouble when a youth asked him where he was going and to take a drink of his Buckfast (tonic wine). Mr Mallon also described feeling threatened but that this was the only exchange between him and this other man. Mr Mallon's recollection is similar to that of a police officer who was in the vehicle, and he recalled talking to two youths, one of them being Stacey Bridgett, near the entrance to Woodhouse Street. Mr Bridgett took issue with both these alternative accounts and could not remember holding a bottle or police officers getting out of their vehicle. He recalled that it was in fact he who had approached the vehicle and chatted with two officers whom he knew and who remained in the Land Rover. In his statement he described the conversation being interrupted when a man came over and pulled the officer from the vehicle (as he believed the door was ajar) shouting that they had watched and done nothing. When describing this individual to Inquiry personnel in 2006, Mr Bridgett said he believed he was a Catholic because 'sometimes you can sort of tell one by looking at one'.

Mr Bridgett claimed he was been assaulted by another man at this point sustaining an injury to his nose. Because of this, he left the scene of the fight. He then returned to the scene to complain he had been assaulted and he said that officer [P40] checked his nose and advised him to 'get off side'. Inquiry Counsel, Mr Underwood, referred to the evidence of a member of staff from the Director of Public Prosecutions' Office who stated a small speck of blood found on Robert Hamill's clothing belonged to Stacey Bridgett. It was unclear how the blood may have got there but the forensic expert who discussed this with the DPP employee told them that it would be consistent with Robert Hamill lying on the ground and Mr Bridgett standing over him and his blood dripping. In response to this evidence, Mr Bridgett reiterated that he had a nose bleed that night and could not explain how his blood came to be on Robert Hamill's clothing.

Furthermore, another officer, [P68], said in a statement made after the incident in 1997 that he recognised Stacey Bridgett [with a bloody nose] at the front of the crowd which police officers were pushing back. Mr Bridgett acknowledged that he had a bleeding nose but refuted this allegation that he was in the crowd. As Mr O'Hare began to ask questions of Mr Bridgett, Mr Bridgett enquired whom he represented and told the Inquiry that he had been following proceedings and reading transcripts and it was not clear from his readings. Mr O'Hare explained that he represented a number of different police officers and then continued with his questions.

Mr O'Hare highlighted that the witness also sustained an injury to his foot around the time of the attack and explored whether it could have been caused by kicking someone in the head. Mr Bridgett told the Inquiry that it was caused by a work related accident when a brick fell onto his foot, and he refuted the suggestion that he had kicked someone in the head. Further questions from Counsel for the Hamill family, Mr McGrory, showed that another officer [P108] described someone with a bloody nose whose eyes were full of excitement as they and others were pushed back to prevent further assaults on Robert Hamill. Mr Bridgett responded to this officer's statement by saying: "P108 is mistaken."