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Robert Hamill: Claims of police officer's tip-off to suspect aired

By David Gordon
Wednesday, 14 January 2009

Allegations surrounding a phone call from a policeman's home to the address of a Robert Hamill attack suspect were detailed at yesterday's public inquiry. The name of the suspect was made public at the proceedings, with details of the police investigation.

Reserve constable Robert Atkinson was one of four RUC officers in the police vehicle parked close to the scene of the fatal assault on Mr Hamill on April 27, 1997.

He was subsequently investigated over an allegation that he tipped off a suspect — named at the inquiry as Allister Hanvey — to dispose of clothes he was wearing on the night.

Mr Atkinson denied the allegation and a charge of conspiring to pervert the course of justice was withdrawn in 2004.

Margaret Ann Dinsmore QC, legal representative for Mr Atkinson, yesterday said he and his wife Eleanor denied all allegations of wrongdoing.

During his opening address to yesterday's hearing, counsel to the inquiry, Ashley Underwood QC, stated:

- On the day Robert Hamill died in hospital from his injuries — May 8 — an Andrea McKee told RUC detectives her niece Tracey Clarke witnessed the incident and could identify attackers, including Allister Hanvey. Mrs McKee also stated that reserve constable Robert Atkinson had been "looking after Mr Hanvey".
- Tracey Clarke gave a statement to police the following day, naming a number of men who she said had kicked and jumped on Robert Hamill.

"She said that Mr Hanvey had later told her that reserve constable Atkinson had been very good to him, had rung him at about 8 am on April 27 and told him to get rid of his clothes, and had rung him regularly since to keep him informed of the investigation," Mr Underwood stated.

Ms Clarke later refused to give evidence against men accused of murder.

- Billing records obtained by police confirmed that a call was made from the Atkinson home to the Hanvey home at 8.37am on April 27.
- When interviewed, Mr Atkinson said the call was made by a Michael McKee who stayed at his house with his wife Andrea that night — the same Andrea McKee who had first told police about her niece Tracey Clarke's claims.
- The McKees gave statements to police in October 1997, backing Reserve Constable Atkinson's explanation for the phone call.
- Andrea McKee's statement was made to one of two detectives she had originally spoken to about Tracey Clarke's account. Her alibi statement "obviously" contradicted what she had said, but no further action was taken, said the QC.
- In June 2000, she was re-interviewed by police and admitted providing a false alibi. She and her husband Michael had separated by this stage but he backed up her retraction.
- In March 2002, they pleaded guilty to conspiracy to pervert the course of justice. She received a suspended prison sentence and he was jailed.
- In December 2003, Andrea McKee was to give evidence at a hearing related to conspiracy charges against the Atkinsons. Mrs McKee telephoned to say she could not attend because her son was ill with mumps. \[Shane Donaghey\]! Inquiries indicated that while her child was ill, hHer account did not tally with doctors'. In March 2004 prosecutors concluded she could not be advanced as a witness and the Atkinson case was halted.

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- The QC said the inquiry panel would have to decide on her reliability.

At hearing.

The many questions the hearings will try to answer

The Robert Hamill Inquiry will seek answers to a series of allegations made against the police and the wider justice system. Here are some of the main questions highlighted on the opening day of the inquiry.

- The area where the fatal attack took place was a notorious flashpoint — but did the police tasked to monitor the area do enough to stop the fatal assault?
- Did the officers witness an attack on Mr Hamill and fail to intervene?
- Could the attackers have been arrested on the night and if so, why did the police not do so?
- Did uniformed officers fail to pass on information on the attackers to detectives?
- Was evidence or witness statements mishandled to avoid evidence coming forward?
- Was the murder investigation and other inquiries linked to the case mishandled?
- Did a police officer tip-off a suspect to get rid of clothes worn during the attack and subsequently brief him on the investigation?
- Did information released at the time of the attack by the then Royal Ulster Constabulary demonstrate a conscious or unconscious desire to “put out a version of events which portrayed police or Protestants in a false light and which may have deterred Catholics from coming forward”?

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