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Robert Hamill Inquiry: Witness withdrew claims about her fiancé

By Lesley-Anne Henry
Wednesday, 11 February 2009

A witness who withdrew her evidence from the Robert Hamill Inquiry was in love with a man suspected of involvement in the murder, a hearing was told.

Tracey Clarke had initially alleged her former fiancé, Allister Hanvey, told her he had kicked and stamped on Robert Hamill's head. But Miss Clarke, who had been known only as 'witness A', later withdrew her statement and refused to go to court.

Robert Hamill, a 25-year-old Catholic, died after he was kicked to death by loyalists in Portadown in 1997. An inquiry has been set up to establish whether the RUC facilitated his death or obstructed the investigation of it.

Giving evidence at the Interpoint Centre in Belfast yesterday Gordon Kerr QC, who had advised the former office of the Director of Public Prosecutions (DPP) on the murder, said he had considered Tracey Clarke a "credible and reliable" witness and had been "content" to put forward as a "witness of truth" for any future court case.

Mr Kerr, the lead prosecutor in the Omagh bomb, Robert McCartney murder and Northern Bank robbery trials, was being quizzed about a consultation meeting with Miss Clarke during October 1997.

When asked whether he believed Miss Clarke had fabricated her evidence or had been told what to say by police, Mr Kerr replied: "If I had felt that it was not evidence that she was giving of her own recollection I do not believe I would have been liable to accept her evidence as reliable."

Earlier the inquiry heard how an inquest into Mr Hamill's death had been cancelled because of death threats against two witnesses. Coroner John Leckey said he had spoken with Tracey Clarke and another key witness, Timothy Jameson, before his decision in June 2000.

Also giving evidence yesterday was Roger Davison, a senior legal assistant to the DPP who had accompanied Mr Kerr at the October 1997 consultation meeting.

He told the court he "could not recall" the particular consultation but his notes from the time described her as a "pleasant looking, reasonably dressed young woman." He said she seemed "reasonably articulate and seems to be telling the truth. If she were to give evidence I consider that she would come across as very truthful."

Mr Davison also noted that Tracey Clarke had "cried" frequently throughout the meeting.



Solicitor Brendan Hagan, who represents Robert and Eleanor Atkinson, argued that Miss Clarke had made up her statement to "annoy" her former lover.

"She said in a statement she was quite prepared to make things up to annoy a person she believed to be involved with the murder of Robert Hamill. She also had a relationship with him, she was trying to annoy him and she was playing her own game," he suggested.

However Mr Davison said the "sectarian nature of Portadown" meant Miss Clarke may not have wanted to tell her friends that she had given evidence to police.

Miss Clarke is due to undergo a medical examination tomorrow to assess her ability to give evidence to the inquiry.

At hearing.

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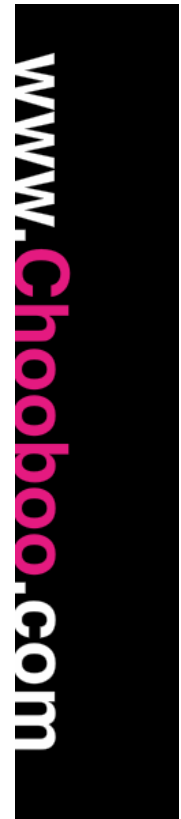
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