

THE INTELLIGENCE AVAILABLE TO ANTICIPATE PUBLIC DISORDER AT A RECOGNISED FLASHPOINT

1. The first question under this heading is a general one. Historically, what events had occurred at the location which should have put the RUC on notice that there was a risk of a sectarian assault? The secondary question is whether there was specific intelligence of any intended assault or sectarian reprisal of any description on that night.

Submissions by British Irish Rights Watch and Committee on the Administration of Justice

See sections 4 and 5 below

Submissions by the Police Service of Northern Ireland

See sections below.

THE FIRST ISSUE: WAS IT A FLASHPOINT?

2. The materials are to this effect:
 - 2.1 Con Alan Neill said in his statement that the Land Rover crew had been briefed for public order duties in the town because there were a number of problems, especially around the junction, Mandeville Street and at the other end town at Herron's Country Fried Chicken or Boss Hoggs. He said that at this location there would be problems with people coming from St Patrick's Hall who were going to go down Woodhouse Street (9389: Statement Con Neill).
 - 2.2 Res Con **P40** was interviewed. He said he was not expecting trouble from Thomas Street because the people from St Patrick's would usually get taxis home. (9351: Interview p.40).
 - 2.3 Res Con Robert Atkinson gave evidence at the trial of Marc Hobson. He referred to a history of difficulties in the centre of town at weekends (8333). His cross-examination is at 8347.
 - 2.4 Con Alan Neill gave evidence at the trial of Marc Hobson. He said that the junction was a known flashpoint. He expected confrontations (8454).

Submissions by Edwards & Co Solicitors (Serving and Retired Police Officers)

It is clear that the junction of Thomas Street and Market Street was not the only flashpoint in the town centre at weekends, and that it was perfectly reasonable and proper, as Con Neill stated, that his intention was to drive down the town and patrol the area of Boss Hogs and Herons. We note that Hull alleges that he was on his way to Boss Hogs through this junction (00542).

Submissions by the Police Service of Northern Ireland

See section 4 below.

3. Witnesses were asked about this issue, and their oral and written evidence is to this effect:

Thomas Mallon

Statement

- 3.1 Para. 10: He knew that it was highly unlikely that those in the town centre were Catholics. They tended to stay away from the centre as Catholics had been assaulted there previously.

Diane Hamill

Statement

- 3.2 Para. 31: The crossroads was a known flashpoint.

F

Oral Evidence

- 3.3 “Any Catholic would know not to bang on anything coming past Jamesons Bar.” (p.64).

E

Oral Evidence

- 3.4 She had never seen trouble in that area (p.28).

P42

Statement

- 3.5 Para. 5: He thought it was a regular Saturday night scuffle. It looked like a regular crowd for town centre.

D

Oral Evidence

- 3.6 He knew fighting would take place at junction and that Catholics needed to go past Jameson's carefully but he was not worried to walk home (p.5). He had walked that route before (pp.22-23) and not had any problems at the junction (p.24).

Vincent McNeice

Statement

- 3.7 Para. 4: Portadown in April 1997 was not a nice place to live. It would be safe to walk at night but there were regular confrontations e.g. running battles through the car park and people throwing bottles.
- 3.8 Para. 13: He had seen police bypass a Loyalist crowd to push Catholics back down Woodhouse St a hundred times. He had seen police putting dogs on people to push them back. There would often be a fight on a weekend. The police would send in 5 or 6 Land Rovers to push Catholics back. They would say "go home lads" (Loyalists), who would then go home.

Stephen Thornbury

Oral Evidence

- 3.9 The windows at Jamesons were banged every week (p.143). Usually people who banged windows came from St Patrick's Hall (p.144).
- 3.10 Occasionally there were fights outside Jameson's Bar. It was a common part of life in Portadown at that time (p.145).

Julie Sherwood

Statement

- 3.11 Para. 3: She worked in Jameson's Bar. There was often trouble at the junction on Friday or Saturday night when windows would be broken and there would be people shouting. The windows of Jamesons were broken many times. She does not know who was responsible for that. She worked at Jamesons between 1990 and 2005 but never witnessed any fighting at the junction.
- 3.12 Para. 4: The police would be at the junction now and again. They were not there every Saturday but would be there for the fighting.

Beverley Irwin

Statement

- 3.13 Para. 2: There were often clashes between Catholics and Protestants. Previously the windows of Jameson's Bar had been broken and the doors had been kicked by Catholics coming down Thomas St. She had never witnessed much trouble as was never at Jameson's Bar in the evening.

Derek Lyttle

Statement

- 3.14 Para. 6: In the past shutters were banged when people were going past Jameson's from St Patrick's to the town centre.
- 3.15 Para. 25: He recalled incidents and trouble from time to time but had never seen any violence at the junction.

Carol-Ann Jones (nee Woods)

Statement

- 3.16 Para. 28: She had never seen violence in Portadown as she had not lived there long. She did not know if it had a reputation as a flashpoint.

Maureen McCoy

Oral Evidence

- 3.17 She had not had trouble at the crossroads before (p.15). She had never seen police Land Rovers at the crossroads at night (p.16).

William Jones

Statement

- 3.18 Para. 3: He had heard rumours that the junction was a flashpoint for sectarian violence but he had not witnessed any assaults himself.

Judith Lyttle

Statement

- 3.19 Para. 12: She had never seen sectarian violence in Portadown but knew to avoid the Woodhouse/Thomas St junction as it was a flashpoint.

Matthew Bloomer

Statement

- 3.20 Para. 2: Before April 1997 he did not know of any violent incidents taking place in Portadown town centre but he knew to stay away from Woodhouse St as trouble could start there.

Stephen Bloomer

Statement

- 3.21 Para. 11: He would not describe the junction as a flashpoint.

Oral Evidence

- 3.22 He had never seen fights at the junction (p.17).

Andrew Osborne

Statement

- 3.23 Para. 4: There had been trouble with sectarian clashes before but he had no reason to be concerned. He had never witnessed any clashes.

Judith Holland

Oral Evidence

- 3.24 She looked up and down Thomas St and Woodhouse St as it was a flashpoint. She was cautious when looking to see if there were groups of people around because she knew there were pubs in the vicinity (p.7).

Mark Currie

Statement

- 3.25 Para. 10: He was not surprised to see fighting as it was coming up to marching season and fighting always broke out then. He did not immediately know the fighting was sectarian in nature but when he found out who the fellow was, he put two and two together. He knew the junction was a flashpoint.

Pauline Rogers (nee Newell)

Statement

- 3.26 Para. 32: She did not recall fights being a regular thing on Saturday nights but knew the junction was a flashpoint.
- 3.27 Para. 33: She has never known anything to take place in Thomas St.

Shelley Liggett

Statement

- 3.28 Para. 19: She has not heard of fights previously where the police had not intervened.

Oral Evidence

- 3.29 She supposed Portadown was a flash point area but she had not seen any fights there (p.95).

Paul Currie

Oral Evidence

3.30 The junction was a flashpoint (p.47).

Jason Woods

Statement

3.31 Para. 4: He did not expect much of a police presence in Portadown centre on Fridays or Saturdays, just a Land Rover.

Oral Evidence

3.32 He was aware fights took place frequently at the junction (p.23).

Joe Black

Statement

3.33 Para. 8 (80059): He knew the area where fighting occurred was where Nationalist/Unionist areas adjoined but he had got off the bus on different nights and had not seen riots

3.34 Para. 9: Prior to April 1997 he had seen Catholic groups come up Thomas St on a Friday or Saturday night and cause trouble.

David Morrow

Oral Evidence

3.35 It was not uncommon for an ambulance to be needed in Portadown centre at the weekend but it normally went to one of the pubs in Thomas St (p.20).

Kyle Magee

Statement

3.36 Para. 4: He was aware of violence in Portadown but had never witnessed any in the town centre or when returning from the Coach Inn.

3.37 Para. 9: He did not know of sectarian violence to have occurred on a Friday or Saturday night.

Oral Evidence

3.38 He had not come across fighting in that area either before or after the incident. (p.60).

Christopher Henderson

Oral Evidence

3.39 He knew the junction was a flash point, but had never seen or experienced trouble there (p.37).

Jennifer O'Neill

Statement

3.40 Para. 11: Fights happened very often on a weekend night. They would usually be sectarian in nature. Often an incident would descend into fighting.

Anne Bowles

Statement

3.41 Para, 10: Fights are common in Portadown but she had never seen a crowd as large as the one on that night.

Alison Bowles

Statement

3.42 Para. 11: She did not remember fights in Portadown after the bus returned. She did not remember seeing any fights at the junction. She had never seen that many people in a fight.

Oral Evidence

3.43 She had never seen crowd of "that type" before. The atmosphere was frightening (p.86).

Noelle Moore

Statement

- 3.44 Para. 8: There were regular violent incidents in Portadown in April 1997. On Friday and Saturday nights police and Land Rovers could be seen. She did not know if it was common for fights to take place when people get off the Coach bus.

Wayne Lunt

Oral Evidence

- 3.45 He did not see fights often in the town centre but was aware that they did occur (p.8).

Tracey McAlpine

Statement

- 3.46 Para. 21: She knew the junction was a flashpoint but thought that reputation had come from the 1980s.
- 3.47 Para. 22: She had been at the junction during a fight in the 1980s. The police intervened to break up the fight. She had never heard of the police not stepping in to break up a fight.

Oral Evidence

- 3.48 She knew the junction could be a flash point at weekends (p.30). She had seen fights there before. The police would let things get out of control. "I have never heard police not stepping in" is a mistake in the statement (**NB**: see Q: "Have you ever heard of them not stepping in to break up a fight?" A: "No, I've never heard of that" p.51 Inquiry Interview) (p.39).

Donald Blevins

Statement

- 3.49 Para. 8 (81616): If you were looking to have a fight you could go to Portadown town centre and have one. It was easy to predict where and when a fight would take place. He assumed the fight was sectarian. The police were always in the town centre and they were usually in a Land Rover. Normally the police could control the fight but sometimes, depending on the size of the crowd, they could not. He had seen police sitting in Land Rovers waiting for fights to finish before getting out.

Oral Evidence

- 3.50 He had seen fights in the town centre. He had seen Land Rovers in the town centre on Saturday nights. He had seen the police sitting in a Land Rover waiting for the fight to die down (p.93). Fights were generally not very serious (p.94). Crowds used to get very close to the fights (p.95). If the fighting got out of hand then the police would interfere. If it was calming down the police would help calm things down (p.101).

Kenneth Milligan

Statement

- 3.51 Para. 10: He remembered fights occurring around closing time. There would be at most one police car in the area. He did not remember seeing the police intervene in fights but he normally left the town centre early in the evening.

Gareth Cust

Oral Evidence

- 3.52 It was normal for there to be rowdiness in Portadown on Saturday nights (p.56).

Marc Hobson

Oral Evidence

- 3.53 There would be fights in Portadown but would not describe the situation as being such that “if you wanted a fight you knew where to go” (p.132).

John Adams

Statement

- 3.54 Para. 4 (80001): He had patrolled the area many times and had seen a number of incidents take place there.

Oral Evidence

- 3.55 The incident involving Robert Hamill was fairly serious compared to others that had occurred. He had no experience of the police not getting out of the Land Rover when they were at the scene of a fight (p.158).

Dean Silcock

Oral Evidence

3.56 He had not experienced police not getting out of a Land Rover as a fight took place (p.53).

David Orr

Oral Evidence

3.57 The area was known as flashpoint. There would have been a good chance of a fight on Saturdays. There would be a Land Rover in the area. He knew he would get out if there was a fight (p.3).

James Murphy

Statement

3.58 Para. 10: There had been numerous incidents at that junction, which is why the Land Rover was positioned there. However, in previous incidents, there had not been that number of people involved.

Oral Evidence

3.59 The junction had a reputation for sectarian violence, particularly around closing time (p.83). He does not agree that the police would sometimes let fights peter out (p.84).

Paul Warnock

Statement

3.60 Para. 4: The area was known as a flashpoint.

Oral Evidence

3.61 On Friday and Saturday nights there were incidents in Portadown centre. The police would not remain in their vehicle when a fight was occurring (p.35).

Gordon Cooke

Oral Evidence

- 3.62 Sectarian incidents would take place at the junction. He had never known the police not to get out of the Land Rover (p.3).

P89

Oral Evidence

- 3.63 There were often sectarian fights in the town centre. Officers would not sit in their Land Rover & wait for the fight to finish (p.11).

Robert Atkinson

Statement

- 3.64 Para. 14: The junction had been the scene of sectarian clashes before.

Oral Evidence

- 3.65 A situation where the police would allow fights to continue without taking action had never occurred while he was working (p.53).

Brid Rodgers

Oral Evidence

- 3.66 There was conflict every weekend in Portadown at the time of the incident (pp.158-159).

Alan Neill

Statement

- 3.67 Para. 6: The junction and Magowan Buildings were places where violence had occurred in the past.

Oral Evidence

- 3.68 Police would normally get out and try and stop fights (p.2). It is not his experience that, where fights occurred, police would sit in their vehicle and allow those fights to flare up and then flare out again (p.5).
- 3.69 The junction was a flashpoint when the two communities interacted. Even people who are the best of buddies at work would be on opposite sides in such incidents (p.34).

William McCreesh

Statement

- 3.70 Para. 8: The centre of Portadown would have been regarded by Loyalists as their territory and was no place for Catholics to be.
- 3.71 Para. 9: Although not common, there would be clashes between the two communities in the area around the junction. This normally consisted of shouting but on occasions there would minor clashes involving violence.
- 3.72 Para. 10: The RUC deployed a Land Rover in the main street at weekends as a preventative measure.

Oral Evidence

- 3.73 Tensions were high in Portadown in 1997. It was common practice to have a Land Rover parked in Portadown centre, particularly on Friday and Saturday nights (p.2).
- 3.74 If a fight broke out the Land Rover crew would be expected to get out and deal with the situation. Their presence was a deterrent (p.2). He would not expect a local officer to have any reservations about becoming involved (p3). Police in Portadown during that period could well be described as, "being in a sort of hell". They were not popular with either Protestants or Catholics (p.3).
- 3.75 Stopping the marching through the "Tunnel" possibly caused some degree of tension amongst police officers and members of their own community (p.12)
- 3.76 The Protestant community regarded Portadown as their own (p.13). Catholics would definitely be aware that they were on Loyalist territory in the town centre (p.14).
- 3.77 Land Rovers had a skirt made of rubberised material to stop something being rolled underneath them (p.27). Mr McCreesh did not think that it would have affected the Land Rovers going over a kerb but it would have affected maneuverability to some extent (p.28).

Alan McCrum

Statement

- 3.78 Para 3: The junction in the centre of Portadown was a known flashpoint for sectarian violence because of the route towards the Nationalist area.

Oral Evidence

- 3.79 He knew that people took the risk of walking back to Nationalist areas from St Patrick's Hall as it was a short walk. Nationalists would not walk up there to be deliberately provocative (p.7). Attacks would be by Protestants on those Catholics who had taken the chance (p.8).
- 3.80 He attended quite a number of disturbances in Portadown town centre (p.3).
- 3.81 It was fairly normal in the late 1990s for a Mobile Support Unit (MSU) to have responsibility for the Coach Inn. There was concern there would be violence (p.3).
- 3.82 There was more than one flashpoint, not just the town centre. Others were in Corcrair, Charles St, Oban St and Magowan Buildings car park (p.25).
- 3.83 A flash point is somewhere where there is a history of sectarian incidents (p.41) The Land Rover crew would have had the varied flash points in mind. Apart from Market St and Woodhouse St, Magowan Buildings car park had a history of conflict (p.41).

Denise Cornett

Statement

- 3.84 Para 5: She could not recall if the area of Woodhouse, Market and Thomas Streets was a known flashpoint, there were flashpoints everywhere.

Ken Armstrong

1st Report

- 3.85 (p.13, Para. 1.1.7): The attack on Robert Hamill appeared to be one of spontaneous violence with no apparent fears or concerns expressed by the officers who were managing the scene where the attack occurred.
- 3.86 (p.16, Para. 1.3.2): ██████████, Operation Police Sergeant for Portadown stated at the junction: "Alcohol served to inflame and embolden those of a sectarian

disposition. Although Protestants instigated the majority of incidents, either side would seize what they saw as an opportunity if they were numerically superior”.

- 3.87 (p. 16, Para 1.3.4): There were 160 incidents of general disorder in the area around the Market/Thomas St junction in Portadown in the period October 1996-October 1997.

Submissions by the Police Service of Northern Ireland

See section 4 below.

Comment

4. The Panel is likely to have no difficulty in concluding that the crossroads was a notorious flashpoint, and that the RUC in general, and the Land Rover crew in particular, were aware of the need for vigilance. The evidence also suggests that there were other flashpoints in the town.

Submissions by British Irish Rights Watch and Committee on the Administration of Justice

We think that most town centres were potential flashpoints for sectarian disorder in 1997 in Northern Ireland, especially at the weekends when people were out late drinking. Portadown was particularly tense in the run-up to the marching season in 1997, which saw the worst public disorder at Drumcree during that decade. For that reason, the centre of Portadown was even more likely to act as a flashpoint. The evidence suggests that loyalists regarded Portadown town centre as their territory, and that Catholics either avoided the town centre or approached it with caution. There is also some evidence that the RUC reacted to the potential for violence by trying to keep Catholics away from the town centre [see 3.8] and considerable evidence that they routinely had a Land Rover there at weekends. Although a number of witnesses denied all knowledge that Portadown town centre was a flashpoint, this was either because they were never there at times of trouble, or because, as was extremely common throughout the conflict, many were in a state of denial because it was the only way to make daily life manageable.

Submissions by Edwards & Co Solicitors (Serving and Retired Police Officers)

It is clear from the evidence of Con Neill that these other flashpoints needed to be patrolled as well by the Land Rover Crew .2.1 above.

Submissions by Gus Campbell Solicitors (Marc Hobson)

The intelligence and available resources and therefore the credibility of the RUC being within the terms of reference is relevant not only to the organisation as a whole but also to the individual police officers, most notably the most senior Land Rover crew officer, not only in how he approached the intelligence available to him regarding the inherent dangers for Catholics going home from St. Patricks Hall but also to the deployment of the resources available to him in the placing of the Land Rover and their ability to observe and police this junction so as to nip in the bud any potential trouble requiring constant vigilance which constable P.89 accepted to be the role of the police at pg23 oral evidence Day 32 24th March 2009. Con Neills failure in this regard can only but weaken any assertion, as made by the trial Judge in Hobson's trial, that that particular officer is not only better equipped but more experienced than any other civilian to react to and observe persons or actions during a violent conflict and therefore to attach more weight to that officers evidence regarding identification which ultimately led the trial Judge to dismiss Mr. Prunty's evidence out of hand, which was that 'the police pulled kickers of Hamill' as put to P40 Day 34 26th March 2009 Pg 28 is to ignore the lack of professionalism and shortcomings of the officer to the detriment of ascertaining a true picture as to the circumstances of and participants involved in the violence.

Whilst P40 stated (in interview P.40 Pg9351) 'that they did not expect trouble as the patrons of St. Patricks Hall could avail themselves of taxis to go home' and thus avoid any confrontations, no thought was given to considering the safety of patrons from St. Patricks Hall who could not get taxis or refused to wait as happened on this night, they were left to run the gauntlet of the opposing hostile crowd by the ineptitude in placing of the Land Rover for viewing any hostility to the patrons moving down from St. Patricks Hall as little or no alerting of trouble would be received by the police in the Land Rover s from either an audible or visible source.

The police patrolled this area in a reactionary manner as opposed to managing this potentially violent interface in a proactive manner as can be seen form the lack of specific briefings and the lack of such relevant instructions in the briefings given to the police and the assertion that the crew and the police were aware of the need for vigilance was not actually evidenced in real terms given the poor visibility from the Land Rovers, the poor sound within and their inability to exit the vehicle quickly would make any rapid response improbable so as to be effective.

Can this be an obvious failing in the manner of the police execution of their duty and can that failing co-exist with any acceptance that the police are professional and thus more credible and in a better position or more skilled to observe persons involved in violence on the street when they are quite clearly reacting to a volatile situation. This is a clear contradiction in not only their abilities but their professionalism and it was their professionalism which was allowed to support the

identification of Hobson at his trial as opposed to that of the civilian witnesses which would not have allowed for Hobson to have been identified in the circumstances and times as Con. Neill would assert as evidenced by Colin Prunty which P40 at Pg 29 Day 34 26th March 2009 when Colin Prunty's evidence was put that he observed police pulling kickers of Robert Hamill could neither comment upon failed to answer and lost his temper over this allegation.

Submissions by John P Hagan Solicitors (Robert and Eleanor Atkinson)

It is accepted that the area was a known flashpoint but prior to the night of 26/27 April 1997 the evidence is such that whilst it was a known flashpoint, it was no more notorious than other flash points in the town. The evidence of Alan McCrum at 3.83 above is relevant herein "a flashpoint is somewhere where there is a history of sectarian incidents."(p.41) The Land Rover crew would have had the various flash points in mind; quite apart from Market Street and Woodhouse Street, McGowan's building car park had a history of conflict. Denise Cornett at 3.84 above makes a point "there were flash points everywhere."

Submissions by the Police Service of Northern Ireland

The PSNI has no difficulty in agreeing with the proposition that the crossroads was a flashpoint, and that this was known to the RUC in general and the land rover crew in particular. However, it is submitted that precision of language is important here in order not to overstate the extent of disorder that was occasionally a feature of that location. Words like "notorious" and "flashpoint" when used together may not be entirely helpful. It is important to highlight that what occurred at that location on the 27 April 1997 - in terms of the numbers involved, the viciousness of the violence, the severity of the injuries and the demands on policing resources was completely unheard of. It suffices to say that this location had been the scene of sectarian violence, but this was by no means a daily or even a weekly occurrence and it was not a unique location in that sense. It is the case that witnesses from the Catholic community have expressed fears about walking through that area at night, and there can be no doubt that those fears were genuine, but it is also the case that Catholics at that time were quite prepared to make that journey alone (eg. Mr. Mallon), and not just because the non-availability of taxis forced their hand (eg. Mr. McNeice and Mr. Hull were planning a visit to Boss Hogg's when they came across the violence).

The PSNI also agree that the evidence demonstrates that there were other flashpoints in the town. Police patrolling in Portadown town centre late on a Saturday night or early on a Sunday morning had to be concerned that disturbances could break out at any one of a number of locations :-

- There were a large number of public houses scattered around the town.

- There was the area around the bottom of the town adjacent to Boss Hogg's or Herron's Country Fried Chicken where buses would drop revellers after a night out at The Coach.
- There was the centre of the town itself where pedestrians would walk from the buses, the fast food shops or Portadown Rugby Club, in order to reach the housing estates on the outskirts of town.
- There was the potential for violence at Magowan Buildings and Mandeville Street.

The number of potential trouble spots had obvious implications for police operations and tactics.

WAS THERE SPECIFIC INTELLIGENCE?

5. The materials are limited. DCS Maynard McBurney said there was no specific intelligence about a clash (2884).

Submissions by British Irish Rights Watch and Committee on the Administration of Justice

Constable Alan Neill said in his statement that the officers in the Land Rover had been briefed to expect problems with people coming from St Patrick's Hall who were going to go down Woodhouse Street [please see 2.1 above]. What is not clear from the evidence is whether there were regular dances at St Patrick's Hall, which seems likely, in which case this briefing would have been a routine prediction rather than specific intelligence.

Submissions by the Police Service of Northern Ireland

See section 7 below.

6. The only witness who touched on the issue was **P40**. He said:

(Oral Evidence)

- 6.1 There was no information that 26 April 1997 would be a different Saturday night from any other (p.134)

Submissions by Edwards & Co Solicitors (Serving and Retired Police Officers)

We agree with this

Submissions by the Police Service of Northern Ireland

See section 7 below.

Comment

7. There is no reason to believe that the RUC was, or should have been, on notice that the night of 26/27 April 1997 would be any different from an ordinary Saturday night in Portadown.

Submissions by British Irish Rights Watch and Committee on the Administration of Justice

This would seem to be correct. There is no evidence that Robert Hamill's murder was in retaliation for any recent republican murder (not that that would have been any sort of justification).

Submissions by Edwards & Co Solicitors (Serving and Retired Police Officers)

We agree with this

Submissions by John P Hagan Solicitors (Robert and Eleanor Atkinson)

We would respectfully agree with the above.

Submissions by the Police Service of Northern Ireland

The PSNI agree with the view that there was no specific intelligence which could have been used to forewarn the Land Rover crew of an attack at the crossroads that night.

In a later section of this submission the content of P89's briefing to the land rover crew will be considered in detail. It is submitted that the content of a sergeant's briefing to his team will vary depending on the circumstances. If intelligence is received by police tending to indicate that an untoward event could occur, or that people were planning such an event, then it would be incumbent upon the senior officer to communicate this down through the chain of command. It would be particularly important that officers on the ground should be advised of all relevant intelligence.

There is no evidence before the Inquiry which would suggest that the events which unfurled in the Portadown town centre at approximately 1.45am on the 27 April 1997 were the subject of pre-planning by those who participated in them. Moreover, there were no exceptional events planned for the centre of Portadown that night such as a march or a rally which would have caused the police to be fearful of disturbances. Members of the community attending and returning from

nights out at The Coach Night Club or St. Patrick's Hall, for example, were normal and regular events and not exceptional, and did not give rise to any heightened fear of public disorder or sectarian assault.

Accordingly, it is submitted that the Inquiry can safely and straightforwardly find that the RUC had no basis upon which to anticipate that the night of 26/27 April 1997 would be any different from a typical Saturday night in Portadown. On a typical Saturday night in Portadown a land rover crew comprising of four officers could reasonably be expected to deliver the policing needs of the community in Portadown town centre.