

STATEMENT OF WITNESS

STATEMENT OF ALAN NEILL

DATED THIS 20th DAY OF February 2008

I, ALAN NEILL, declare that this statement is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence at the Inquiry I will be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

1. The Inquiry has disclosed a number of documents to me. Where I make specific reference to a document in my statement I have given the number of the relevant page.
2. I am a Police Constable in the Police Service for Northern Ireland and 26/27 April 1997 I was on duty in Portadown Town Centre when a public disturbance occurred.
3. I have made four statements to the Police; one dated 27 April 1997 which is at page number 6332; one dated 13 May 1997 which is at page number 9671; one dated 21 November 1997 which is at page number 9672; and one dated 19 June 2001 which is at page number 17247. These statements are true to the best of my knowledge and belief.
4. I have notebook entries for 27 April 1997, at page number 9826, and 10 May 1997 which is at page number 9831.
5. I am a serving Police Constable in the Police Service for Northern Ireland, I have 23 years service. In 1997 I was a Constable serving at Portadown and had moved to that station in 1992. My initial training included first aid and public order duty.

6. The junction of Thomas Street/Market Street/High Street and Woodhouse Street together with the Magowan Buildings Car Park has been flashpoints for sectarian violence previously to my knowledge. These are not every weekend but areas where violence has occurred in the past.
7. On 26 April 1997 I was on a 16:00 to 00:00 late shift after completing that shift I was one of four officers kept on duty to work until 03.00 on public order duties in the town centre. This was a normal occurrence with some of the late turn section working on to assist the night duty section.
8. I was briefed by Sergeant **P89** for public order duty together with Reserve Constables **P40**, Cornett and Atkinson for duty in the town centre. This was to pay attention to people coming from the clubs and bars such as the Rugby Club, St. Patricks Hall and people returning from the Coach Inn at Banbridge. I cannot recall any specific briefing or intelligence given by Sergeant **P89**
In 1997 the town centre of Portadown was blocked to vehicle traffic by barriers across the roads into the town. Access was via Edward Street where a barrier was manned outside of the police station.
9. The public order patrol was performed in a RUC Land Rover. The vehicle was equipped for riot and public disturbances and had armoured body and windows. The front windows could not be opened and in the rear of the vehicle were two porthole windows, one each side, and a small window on each of the doors. Vision through these windows was limited because of the armour plate. There was no vision through the vehicle for the driver and you relied on wing mirrors for rear viewing. The engine of the Land Rover created a considerable amount of heat and it was very uncomfortable in the vehicle.
10. In 1997 public order patrols were performed inside the vehicle and foot patrols were not to be undertaken because of attacks on police officers. Duty outside of the vehicle was limited to the prevention or intervention in public disorder.
11. I cannot be certain but the night duty section, which would be briefed separately, consisted of 2 or 3 cars with 2 or 3 officers in each vehicle. Also

available was a unit of the Divisional Mobile Support Unit, I am uncertain how many officers were on duty that night for the MSU. The MSU was committed to Banbridge that night a town some 12 miles away.

12. The officers on duty would have been the normal deployment for a Saturday night.
13. I was the driver of the RUC Land Rover and as the Constable the Senior Officer in the crew. All of the other officers were Reserve Constables and I therefore had seniority. Reserve Constable Cornett was an officer with previous MSU experience and was the vehicle observer sitting in the front passenger seat. Reserve Constable P40 had previous experience of public order situations in Portadown town centre he was in the rear of the vehicle. Reserve Constable Atkinson also had MSU experience and he was in the rear of the vehicle.
14. On patrol I like the other officers was dressed in uniform trousers, jacket and cap. We also wore an armoured vest with a belt which held a handgun referred to as our personal protection weapon. I had an issue wooden baton [truncheon] which was kept in a pocket in my uniform trousers. I do not think I had a personal radio. Handcuffs were not issued on a personal basis in 1997.
15. On patrol on night of 26/27 April 1997 I decided as the driver where we went but the patrol was confined to inside of the barriers. I cannot recall anything unusual happening at the beginning of the duty and we may have stopped for a smoke when the rear doors would have been opened. No one slept during the patrol as far as I am concerned.
16. About 01.30 on 27 April 1997 I parked the Land Rover in a lay-by in Market Street outside of the Alliance and Leicester Building Society. This position has been referred to as position LR/1. This was a normal place to stop when carrying out public order patrol because it afforded a view down the High Street into Bridge Street and the take away food outlets such as Boss Hoggs and Country Fried. You could also see the junction of Thomas Street/Woodhouse Street with High Street.

17. Looking down High Street I saw about 50 people walking up towards Market Street in dribs and drabs of 2, 3 or 4 in a group. Although I could not see the bus I believed that these people had come from the Coach Inn at Banbridge. There may not have been as many as 50 it is hard to say as some of the people had already gone past the Thomas Street junction.
18. It was my intention to go down to the bottom of the town as there was a crowd around Boss Hoggs. I began to move off from position LR/1 and as I did so a male came from the direction of Thomas Street on my right towards Woodhouse Street. The man who was in his mid thirties was mouthing something as he walked in front of the Land Rover. The direction of his travel indicated to me that the man was probably a nationalist; the nationalist estates were reached via Woodhouse Street. This man was the first person I had seen come out of Thomas Street whilst I was parked at position LR/1.
19. I stopped the vehicle just prior to junction of Market Street with Woodhouse Street; this position is referred to as LR/2. I asked Reserve Constable Cornett to ask him what he had said because it was impossible to hear what he was saying inside the vehicle. Reserve Constable Cornett opened her door and asked the male what he had said. I could not hear his reply but she told me that he had said there were more people coming from St. Patricks Hall. I knew this to be a Catholic hall. There was usually a function on at the hall most Saturday nights but I had no briefing about anything special that night on at the hall.
20. From my position at LR/2 I could see up Thomas Street and there was no one in the street. I could see up the street for approximately 70/80 yards up to the road bends to the right.
21. Although he had told us about people coming from the hall it was still my intention to go down to the bottom of the town and check on the people there and return up the Thomas Street junction again. I started to move forward and I then saw two males who had walked up the pavement in High Street beside the Northern Bank. They had obviously shouted something at the male who had

previously walked across in front of the Land Rover and was now in Woodhouse Street because he stopped and turned around. I stopped the Land Rover in position LR/3 at an angle in the mouth of Woodhouse Street with the nearside front wheel over the give way lines and almost on the pavement to get a view.

22. The two males had gone into Woodhouse Street about 20/30yards and were face to face with the male who had come from Thomas Street. Reserve Constable Cornett opened her door and shouted down at them. I shouted as well once or twice I cannot remember what. They were not fighting but we shouted to prevent anything happening. The two males then walked back towards the Land Rover and I recognised one them as a Stacey Bridgett, a young male I knew from policing the town. The lone male continued to walk down Woodhouse Street. The two males came over to the Land Rover and Reserve Constable Cornett still had her door open she was talking to Stacey Bridgett and I believe Reserve Constable P40 also knew him because I think they were talking as well.
23. I saw that Stacey Bridgett was carrying a green cider bottle whilst he was standing by the hinges of the vehicle door chatting to Reserve Constable Cornett. Although the door was open I could not hear any noise coming from the street, as the engine noise of the Land Rover is very loud.
24. Stacey Bridgett and the other male were at the vehicle for about 1 ½ / 2 minutes and I was sitting at an angle with my body half turned to get a view down Woodhouse Street. I am of a large build and with body armour the amount of room between my body and the steering wheel is limited restricting my movement. I still had a view down High Street towards Bridge Street but I couldn't see across the road towards Thomas Street.
25. My door was suddenly opened and a male was pulling me out of the vehicle. I was somewhat trapped by the steering wheel and had to get myself out of the vehicle. As he was pulling the male in his mid thirties was repeating, "You sat there and watched that happen you sat there and watched that happen." Stacey

81034

Bridgett and the other male were still at the passenger door whilst this was happening and I had no indication from them of anything happening.

26. I got out of the vehicle as did the rest of the crew. The man who pulled me out was wearing a blue shirt; he had short hair and was of a stubby build. When I was out of the Land Rover I could see a large group of people at the Thomas Street junction of High Street and Market Street. The crowd were standing shouting at each other “Fenian Bastards”, “Orange Bastards” and I understood there to be Catholic and Loyalist groups in the crowd. As I looked across the junction the crowd had their backs towards me I could not see anyone on the ground. I had a clear view of the junction. I moved to the back of the Land Rover where Reserve Constable Atkinson and P40 were standing the male who pulled me out of the vehicle moved away.
27. Then suddenly there was fights going on involving about 40 people. I was about 20/30 feet away at this stage and could see 3 males fighting 1male. Reserve Constable Atkinson and I went over to assist this male who I believe was a Catholic. We succeeded in pulling him out and I was taking him across the street when a young male threw a punch at the Catholic. I grabbed this young male who was in his early twenties late teens, he was obviously drunk. I took him towards the Land Rover and asked him his name but all he kept saying was, “I’m sorry, I’m sorry I didn’t mean to hit him”
28. At the Land Rover I saw Reserve Constable Cornett, who had been told to call for assistance as soon as we got out of the vehicle. I heard a smack against the Land Rover and a shard of glass came over our heads I took it to be a bottle smashing on the roof of the vehicle. I let go of the young male.
29. I was then aware of somebody being on the ground outside of Eastwoods and another person on the ground outside of No. 7 Bakery. I went over to the male lying on the ground outside of Eastwoods and checked him, he was breathing but it was raspy and he was lying in a pool of what I initially thought was blood. I physically checked him for blood but didn’t find anything and the pool of liquid appeared to be alcohol with glass on the ground. I could remember seeing

81035

the male on the ground earlier and another male running towards him with a bottle. I didn't see a fight between the two of them it was just a short memory of something I had seen whilst I was amongst the crowd trying to separate people who were fighting. I cannot identify the male with the bottle.

30. Having briefly looked at the male outside of Eastwoods I went to the other male outside of No.7 Bakery he was also unconscious but breathing normally there was nothing around him on the ground. There was a woman with him and I remember speaking to her at some stage. She said," You sat there and watched that happen." I took it from what she said that this had happened whilst we were in the Land Rover but I am definite that there was no one on the ground when I got out of the vehicle.
31. I went back into the crowd and continued trying to break up fights. Whilst in the crowd I saw a male person kick at the male on the ground outside of Eastwoods. I was possibly 20 feet away and I had a largely uninterrupted view I can still remember the kickers face. He was standing over the man on the ground who I now believe to be Robert Hamill. I saw the male take a swing with his foot he was standing the other side of the body on the ground from me and he was facing me. He kicked out at the back of the males head; the body on the ground was lying with his head away from the pavement outside of Eastwoods on his side and facing down the High Street. The kicker a person I later identified as Marc Hobson had his back towards the Church he took a full swing of his leg but I did not see the kick connect neither did I see Hamill's body move.
32. Although I had a good view of this assault I could do nothing to assist the person on the ground or arrest Hobson as I was trying to assist Reserve Constable Atkinson who was in the middle of a crowd. I was concerned that Reserve Constable Atkinson, who had a gun, was being dragged into the crowd. Hobson joined the crowd and he was one of the people pulling at Reserve Constable Atkinson. My baton had been drawn earlier and I struck Hobson a blow to his thigh. I succeeded in helping Reserve Constable Atkinson out of the crowd. Because of the fighting and numbers involved with only a few policemen it was impossible to make an arrest for the assault on Hamill.

33. I later attended Lurgan Police Station on 10 May 1997 I confronted and identified Marc Hobson as the person I had seen kick at Robert Hamill and who I had struck with my baton. The confrontation was supervised by Acting Inspector [REDACTED] and I refer to the identification in my statement of 13 May 1997 page 9671. Marc Hobson had a small goatee beard, round face and short hair.
34. As the senior officer of the crew I was concerned about Reserve Constable's P40 [REDACTED] and Cornett but Reserve Constable Atkinson seemed to be the one in the thick of the fighting and I had to assist him on a couple of occasions.
35. Other police officers started to arrive and I remember Constable Silcock attending to both the injured men on the ground. Constables Orr, Warnock and A and Reserve Constable Murphy attended from the night section. With the arrival of these officers we tried to form a line trying to push the crowd up towards the church.
36. Other people were arriving in the town centre whether from bars or from the second bus from the Coach Inn and the numbers had swelled to about 100. We tried to keep the crowd back from the injured people on the ground. The crowd were loyalists, mostly men but with some women, shouting abuse to the Catholics and the two men on the ground.
37. As we were pushing the crowd back I remember a male I know as Rory Robinson being in the crowd shouting abuse and trying to push past us, he was going along the line trying to push through. At one stage the crowd was right on top of Robert Hamill and we pushed the crowd back slowly. Robinson confronted me face to face at one stage and appeared to be threatening me by pushing his chest out and pulling his arms back. His actions could have been enough for me to have arrested him but we didn't have enough resources at that stage.
38. I can remember seeing Constable A in Market Street towards the Church and she was with a young male and was isolated so I went over to assist her. When I

81037

got over to her she had sorted the young male out and was bringing him back down the street towards the Land Rover. There was someone else by the Land Rover so I went back to the crowd again. I knew the young male who Constable A had detained to be called Lunt from local knowledge I later found out that his Christian name was Wayne. He was wearing a red, white and blue scarf which was covering his mouth and he had a track suit top on. I had not seen Lunt earlier in the crowd I just went to assist Constable A because she was alone.

39. I remember the ambulance attending and eventually removing the two injured men. We had called for an ambulance through Reserve Constable Cornett when I saw the bodies on the ground. I did not speak to the ambulance crew.
40. I recall that Sergeant **P89** arrived at some stage with I believe a baton gun or it could have been Constable Warnock had the gun. I hadn't called for a baton gun but the situation warranted one being available to quell the violence. Although I had a handgun I would not have discharged it in this type of public order situation. I would have drawn my gun for self protection or the protection of others whose life was in danger.
41. I remember seeing in the crowd a youth known to me as Andrew Hill and in my statement of 27 April 1997 I recorded that Hill appeared to be injured but I now have no memory of what his injury was. Hill was just a person I recognised in the crowd I didn't see him do anything.
42. The MSU arrived and we continued to push the loyalist crowd up towards West Street. It took up until 03.00 to clear the street. Inspector McCrum, the night duty inspector, was on the street and in charge of clearing the area. I did not brief him on what happened neither did he come to me and ask what had gone on. Neither had I spoken to Sergeant **P89** about the incident.
43. My crew were told to stand down by I believe by Inspector McCrum. We returned to Portadown Police station but we were not debriefed or given instructions by any supervisory officer before going off duty at 03.45.

44. This was the first time I had seen such violent disorder. Although two men had been taken to hospital I thought it was just a public order incident. I went home to bed and received a call to return to duty. I fell asleep and received a second call from Constable Godly about 08:00 reminding me to parade for duty. Godly then put Reserve Constable Atkinson on the phone and he told me that he had finished his statement and that it was in the CID pigeon hole. I recall that Atkinson said to me that he had seen people around the injured persons but couldn't or didn't identify them and that he probably knew the injured persons.
45. When I got into the station Reserve Constables Cornett and P40 were in the CID office making their statements. I made my statement and then made an entry in my notebook from my memory of events. Having done so I went home. It was not the best statement that I made on 27 April 1997 but I was tired as I had been up early the previous day and had then worked through the night and that's why I slept through the first call. The officers at the scene did not have the opportunity of discussing what happened between the four of us and I am certain there are things that did not come out because we did not properly debrief. Some of the sequence of the fighting as far as continuity is not as clear in my memory as to what I did but I am certain as to what I saw and have described.
46. I was later interviewed by Detective Sergeant P15 on 27 April 1997 who took notes of our meeting.
47. On 8 September 1997 I was interviewed under caution by Detective Chief Superintendent McBurney and Detective Inspector Irwin also present was Mr. [REDACTED] from the ICPC. A copy of the transcript of that interview, provided by the RUC, is at page numbers 9389 – 9439.
48. I was interviewed by Detective Sergeant Bradley on 20 December 1999 who made notes of the meeting which is at page numbers 61147 - 61202
49. I attended the trial of Marc Hobson and gave evidence. A transcript of that evidence which is at page numbers 8454 – 8620.

81039

50. On 30 November 2000 I was interviewed by DCI K. his journal entry relating to this interview is at page **11119**
51. On 19 June 2001 I made a statement to DCI K (**page 17247**) in which I stated that I saw a person known to me as Allister Hanvey at the scene of the public disorder in Portadown on 27 April 1997. I remembered that I had first seen Hanvey, a man I knew who attended the Tae Kwon Do Club in Portadown, somewhere between the First Trust Bank and the drapers shop in Market Street and he appeared to be coming from the direction of High Street. I forgot to put this man in my original statement and although I had a memory of seeing him in 2001 I rely on that statement now to refresh my memory. I did not see Allister Hanvey involved in anything. He is an example of someone I saw at the scene but because I was tired and did not fully debrief failed to put into my original statement of 27 April 1997.
52. On 26 September 2001 I was interviewed under caution by Superintendent Kennedy, pages **10423 - 10442**

SIGNED: Alan Neill
ALAN NEILL

DATED: 20 February 08

81040