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STATEMENT OF WITNESS

STATEMENT OF DAVID ALLAN ORR

DATED THIS 23 DAY OF MAY 2008

I, DAVID ALLAN ORR, 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 have retired from service with the PSNI, formerly known as the RUC, having served almost 30 years and my last position was that of Constable. I received initial training in scene preservation, but I cannot recall if there were ever any refresher courses. At the time of the incident in April 1997, I had been stationed at Portadown for approximately six or seven years. On the night of the incident I was detailed, along with Constable A, as a mobile unit in the Portadown police area and our responsibilities were to respond to any calls or incidents in the Portadown police area. I had on previous occasions been on patrol in the Market Street, Thomas Street, High Street and Woodhouse Street junction. The area was known as a flashpoint interface for sectarian incidents on Friday and Saturday nights. There was always potential for incidents on other nights, but they were more prevalent in this area at the weekends.
3. I completed a notebook entry and statement on the morning of 27 April 1997 and have had to refer to the contents of those to refresh my memory. My statement dated 27 April 1997, contains page numbers 9233 to 9234. My notebook entry of the same date contains page numbers 9977 to 9979.

4. At approximately 01.47 on 27 April 1997, Constable A and I received a call for back up in the town centre. Our call sign was Delta seven zero. I cannot remember exactly what was said but it sounded very urgent. The person was shouting and they seemed a bit hyped about what they were saying. The call was for backup in the town centre. Knowing the area from which the call came, I assumed there was some sort of disturbance between rival Loyalist and Nationalist factions in the town centre. Constable A and I responded immediately. We were approximately 4.5 miles away at the time we received the call, and I would estimate it took us about five or ten minutes to get into the scene of the incident. We entered the town centre via Edward Street because the town barriers were closed due to the security situation. From Edward Street we turned left into High Street.
5. I am informed Constable A's notebook and witness statement records that, as we entered the town centre, there was a man wearing a red, white and blue scarf who was holding a bottle upside down, running past Thornton's sweet shop. I believe Constable A later identified that man as Wayne Lunt. I do not recall seeing that man but accept that I might have missed it. There were quite a few men dressed in that way around town, and there was a lot going on. I am fairly sure, however, that we did not stop the vehicle until we reached the scene and got out to deal with the situation. When we did stop the car Constable A got out and went to assist the other police officers who were already there. I did not see exactly where Constable A went after that. I also got out and went to assist.
6. I parked the car in the area of the central reservation at the junction of Woodhouse Street, Market Street, Thomas Street and High Street. I have marked a map of the town centre, which is at page 73897, with arrows to show the route I took into the town centre and 'D70' to mark the point where I stopped the vehicle. That is an approximation, however, as I cannot remember very clearly. I saw a large crowd of people at the junction and could see aggressive behaviour and skirmishes going on and heard some people shouting. I cannot recall seeing anybody in particular being assaulted.

7. When we arrived at the scene there were several police vehicles there, possibly two or three, but I cannot remember exactly how many. I think that there were eight or nine police officers at the scene, but I am not sure. I could not say what any one officer in particular was doing. The police were greatly outnumbered by the crowd. I would say that the Loyalists would have outnumbered the Nationalists; there were probably 30 – 35 Loyalists to 15 Nationalists, but I am not 100% sure. The police get used to telling the Nationalists from the Loyalists, and here the Loyalists were shouting “Fenian bastards”. We were doing our best to restrain them and keep the two factions apart. It was basically a face off towards the Loyalists, with a few of us also facing the Nationalists to try to keep them from going through as well. It was very difficult given the amount of people moving about. They seemed to be everywhere at once. I would say that both sides were being equally aggressive.

8. At that stage, I was the most senior officer at the scene. This did not seem to be the worst public order incident I had seen but it had the potential to be serious. It would not normally be part of my responsibility, but at that particular time I decided that a riot gun may help to calm the situation and prevent any escalation of the trouble. The mere sight of a riot gun being produced at a disturbance can often stop trouble escalating. I therefore instructed Reserve Constable Warnock to return to the police station and sign out a riot gun because I knew that he was trained to use one. I did not request more riot guns because I did not want to send too many people back to the police station. I probably spoke to other officers at that time, but I do not know what it would have been about. After approximately 10 minutes, I saw Constable Warnock return with the riot gun. He was just holding it in the normal position across his chest. I am not sure whether any of the crowd noticed it or commented on it. In the event, we did not need the gun as the trouble did not escalate.

9. On arrival, I saw two men lying on the ground. They were positioned approximately at the junction of Woodhouse Street, Market Street, Thomas Street and High Street, on the central reservation which divides the two lanes of traffic. There did not appear to be much distance between them. I was probably a matter of a few yards away from the two men at one point, but I did not have

contact with them. There was nobody assaulting or attempting to assault them at that stage but there was a crowd of people a matter of yards from the bodies. I think that there was a police officer with the two injured men. I became aware subsequently that Reserve Constable Silcock had given assistance to one of the injured men while we were trying to keep the Loyalists back. I recall seeing an ambulance at the scene but having refreshed my memory from my notebook I think there were two ambulances there.


10. After some minutes Inspector McCrum and Sergeant P89 arrived at the scene. I cannot remember how long after I had arrived that they turned up. The Loyalists were spread out. Inspector McCrum ordered the police officers to move the Loyalists up towards West Street: he shouted, "move them back, move them back". I assisted the officers in doing so. We moved the Loyalist crowd further away from the men on the ground. The crowd was quite spread out as we pushed them up the road and tried to get them together. While that was going on the smaller Nationalist crowd was kept on the other side of Market Street. The Loyalists were shouting and many were drunk. They kept pushing forward against the police as the Nationalist crowd shouted back at them.
11. I also recall seeing Reserve Constable Atkinson at the scene, assisting the rest of us in separating the two crowds. I did not see him talking to anyone in the crowd and did not see him involved in anything which stuck in my mind. I do not recall seeing a struggle between Constable A and anyone at the scene but there was so much going on that there may have been one.
12. I recognised only one civilian in the crowd; a girl I knew as Noelle Moore. I saw her in the crowd but did not see her doing anything exceptional. I think I knew her from previous dealings in the course of my duties. I recorded her in my notebook, but I did not mention her in my statement because I did not think it significant at the time. Save for Noelle Moore, I did not recognise any civilian in the crowd that night.
13. I have been asked whether I knew Allister Hanvey, Marc Hobson, Rory Robinson, Wayne Lunt or Stacey Bridgett. I may have heard their names in the

course of this Inquiry's investigation but do not think I knew them at the time. It is possible that there were people at the scene wearing the traditional red, white and blue scarf of Loyalists, but I do not know whether I saw the man who was dressed in this way and was later identified as Wayne Lunt at the scene. I did not see anyone with a nosebleed at the scene or indeed anyone with any injury other than the two men on the ground when I arrived.

14. I think it took about 30 minutes for the police to get the situation under control. I cannot remember whether other mobile support units had arrived or how many police officers were there at the end, but the situation calmed down. After it had, Constable A and I left the scene to resume our normal patrolling duties. I do not recall any direction or instruction being given about scene preservation before we left, at least not to me. I did not speak to Reserve Constable Atkinson or any of the other officers at the scene before leaving.
15. I cannot remember exactly what time we left the scene. I believe we had a road traffic accident to attend to that night after the incident in the town centre. My statement dated 7 May 1997, containing page numbers **10869 to 10870**, deals with that. From my notebook, I see the road traffic accident was at about 02.55. I think Sergeant **P89** also arrived at the road traffic incident at one point. With the follow-up investigations and preliminary breath test procedures, I would imagine that we were dealing with the RTA for about 3 hours. During this period, Constable A and I probably mentioned the fight earlier in general terms, but I cannot remember anything specific. I am sure that, at some point, Constable A did mention Wayne Lunt. I honestly do not know at what time we returned to Portadown Police Station. It is possible that we may have gone back to the station for a break at some stage during the night, but I cannot recall exactly.
16. My notebook records that at 05.30 I instructed the town street cleaner to avoid the junction of Thomas Street and High Street. I assume I was directed to do that by either Sergeant **P89** or Inspector McCrum. My notebook goes on to record my attendance at Accident and Emergency at 06.03 for a preliminary breath test on one of the drivers from the road traffic accident.

17. I think that it was about 07.25 when Constable A and I returned to the scene of the incident to tape off the area. Inspector McCrum or Sergeant P89 could have issued that instruction, but I do not know. I do not know why the scene was not taped off sooner. When we arrived there it looked just like any other Saturday morning. There were pieces of paper, bottles and debris lying around on the ground but that was all. I do not think there were any other police officers about at this stage. I cannot recall if we were told to tape off specific streets, but I assume we were instructed to tape off the general area where the injured men had been. We were not told to look for any specific items, nor were we directed to collect anything from the scene. We stayed at the scene until 08.13. at which time we were relieved by other police officers.
18. At that time I did not realise how serious the incident had been, nor was I aware that Robert Hamill had suffered potentially life-threatening injuries. I believed it had been like any other disturbance in the town centre where people had been fighting.
19. We returned to Portadown Police Station by about 08.20. Portadown police station is spread over three floors. There is a recreational room, a kitchen on the first floor and a constables' workroom on the ground floor on the other side of the station. I would normally take my breaks in the recreational room or while completing papers in the workroom. We would talk loudly to people in the recreational room, and you could hear other conversations if the speaker wanted to be heard. I did not go to the recreational room that morning.
20. When we returned to the station a CID officer requested that we complete our notebooks and make statements. I think Constable Keys was on duty that night. It was normal practice to complete our notebooks before terminating duty, but it was not usual practice to complete a statement at this stage. I assumed that the statements were to assist the CID in making an arrest or some other follow-up. I was also keen to get home after a long shift so set about doing my paperwork straight away in the workroom.

21. I cannot recall seeing the Landrover crew, which is Reserve Constables Atkinson, Cornett and P40, at the station. Constable A and other officers may have been present in the workroom, but I do not recall discussing the incident with anyone that morning. Nor do I recall any other officers discussing the incident in the workroom. I did not receive any debriefing about the incident. I just completed the notebook, statement and perhaps the vehicle logbook, then handed them in and went home. I do not recall to whom I handed in my statement.
22. On 22 January 2001, I was asked about Reserve Constable Atkinson and whether I saw him doing anything at the scene. I did not know why I was being asked about him at that stage but made a statement confirming that I had seen him at the scene but not doing anything of note. I was also asked whether I knew Allister Hanvey, Jason McClure, Christopher Henderson or Tracey Clarke. I did not know them but may have recognised their faces. I confirmed both matters in my statement of the same date which contains page number **11036**.
23. On 28 June 2001, I was served with Form 17/3, which contains page number **10710**. It was alleged that I had failed to obey a lawful order from Inspector McCrum to attend Craigavon hospital and obtain the clothing belonging to **D** and Robert Hamill. I cannot remember having any discussions with Inspector McCrum before I terminated duty on 27th April 1997, and I did not receive any such order. If I had been ordered to do something I would have done it. I was interviewed by Chief Inspector Jackson and Sergeant [REDACTED] on 20 September 2001 and answered the questions raised on the Form 17/3. There is a copy of the transcript of that interview containing page numbers **10471** to **10477**.

SIGNED: 
DAVID ALLAN ORR

DATED: 23/5/08