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STATEMENT OF WITNESS

STATEMENT OF ROBERT ATKINSON

DATED THIS

DAY OF

2007

I, ROBERT ATKINSON, 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. On 26/27 April 1997 I was a Reserve Constable in the RUC performing duty in the Town Centre of Portadown when a public disturbance occurred.
3. In 1997 I was a Reserve Constable in the RUC stationed at Portadown Police station and attached to 'C' section. I joined the RUC in December 1974 as a part-time Reserve Constable and became a full time reserve on 6 April 1975 when I received two weeks training. I have lived in Portadown all of my life and before joining the RUC I was a fitter toolmaker. Because of my local association I know a lot of people from the town by sight but not necessarily by name.
4. After my initial training in 1975 I was posted to Tandragee and then Banbridge before going onto the Divisional Mobile Support Unit ("MSU"). Whilst on the MSU I was fully trained in public order duties and I had considerable experience of public order situations.
5. During this period I spent a lot of duty time in the Portadown area and my house was attacked, bombed and charred, with my wife being shot at. It was proposed that I would be moved to Corcrair in the North of the Province because of these

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personal attacks but my wife's parents and my mother were not well so I was not prepared to move. I was therefore posted to uniform patrol at Portadown where I had been stationed for about six months in April 1997.

6. On 26 April 1997 I was on late turn duty [16:00 to 0:00] with my section and I was required to work from midnight until 03:00 for public order duty in Portadown town centre. This was a normal occurrence on a Friday or Saturday night where half of the late turn section would remain on duty after their 8 hour shift.
7. I was in a RUC Landrover together with Constable Neill, Reserve Constable's P40 and Cornett. Constable Neill was the driver and senior constable. Cornett was the observer sitting in the front passenger seat. Reserve Constable P40 was in the rear of the Land Rover with me, sitting behind the driver and towards the rear doors. I was sitting behind Reserve Constable Cornett. Sitting in this position you cannot hear very much because of the air conditioning unit in the landrover. There is also very little view out of the landrover with just two small windows in the back which gave restricted viewing. I was dressed in uniform with a bullet proof vest. I had a sidearm and a small baton.
8. At that time in Northern Ireland every town had barriers on main roads into town centres to stop terrorists driving bombs in and blowing up town centres. So when I was detailed for my second tour of duty it was town centre patrol, which was to look after drunks coming out of pubs, check barriers were secure and patrol everything inside the barriers. I cannot remember what briefing we received before going out on patrol.
9. The duty was a normal patrol as far as I can remember we just did the normal thing inside the barriers, stopping here and there. Constable Neill was the senior man and driver he decided where we went and stopped. We had stopped in Market Street just prior to its junction with Woodhouse Street in a lay-by it was about 01.30am. I was not asleep during this patrol - to do so would be to endanger your life and that of your colleagues.

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10. I was watching people through the front windscreen coming up the High Street in twos and threes as they came out of the chip shop or takeaway at the bottom of the town and up the street. They did not come up the street in a big group. There may have been the odd one I knew but I had no particular reason to pay much attention because they were not doing anything just making their way home.
11. About 01.40am the vehicle moved off and a man walked across in front of the landrover. I saw his head moving and gesturing towards the vehicle, I do not know what he said. Two lads were walking up the pavement on the nearside of the Land Rover they did not seem any different from anybody else that was going up the street except that they had words with the man who had crossed in front of the landrover.
12. Reserve Constable Cornett knew them and she stopped them. I think I knew one of them to see but never had any dealings with him. I think I named him as Stacey Bridgett. Reserve Constable Cornett told the two young men to walk on because the male on his own and they were not going to agree. The two young men were Protestants and the male on his own was a Catholic because he walked off down Woodhouse Street towards the Nationalist estates.
13. The next thing that happened was that Constable Neill's door was pulled open and he was jerked out of the Land Rover. I knew he didn't get out under his own steam he was pulled out. Reserve Constable P40 and I got out through the back doors and I went to assist Constable Neill. He was in the street by the Land Rover and a man was having a go at him about something.
14. Reserve Constable Cornett remained with the Land Rover as the observer and Reserve Constable P40 stood back because he had the long armour [rifle]. It was left to me and Constable Neill in the middle of the street with about 50 Protestants and 10/12 Catholics having a go at each other.
15. When I got out of the vehicle I heard a lot of catcalling and several groups of people all over the place. They seemed crazed and were standing in what

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appeared to be four or five groups of loyalists and a group of about 10 or 12 Catholics. Then a scuffle broke out amongst them which stretched across the complete width of the street. They were putting the boot in and having a thump at each other. Bottles and stones began being thrown and I heard glass breaking.

16. I saw a Catholic man being attacked and I followed Constable Neill we extricated the male from being attacked by four or five youths. We took him across the street to Woodhouse Street for his own safety. I was on my own and saw someone on the ground. There were two guys on the ground I'm not sure which one went down first. I didn't see them go down I just saw them on the ground. I believe I shouted to Reserve Constable Cornett to get an ambulance and help. When I originally got out of the Land Rover to assist Constable Neill I did not see anyone on the ground.
17. I went over to the men and looked at one of the men on the ground a girl came up and she put his head on her knee. I do not know who she was. Constable Neill and I tried to keep the crowd back from the two men on the ground. Constable Neill pulled a male from the crowd and I assisted him to take him back to the landrover.
18. At the Land Rover I was confronted by a male person in a bluish shirt, this was the male who had originally pulled Constable Neill from the Land Rover. This person became very agitated and grabbed me by the jacket and tried to wrestle my baton away from me. Whilst I was struggling with this person I could see out of the corner of my eye that three youths were jumping on the head of the male who was lying on the ground outside of Eastwoods. I didn't recognise these three men as I was too involved with the male who was trying to take my baton away.
19. When I broke free from the male I went to the injured person's aid where I remained until assistance from other police units arrived. I don't know what condition this male was in as I did not administer first aid.

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20. All this time the loyalist crowd taunted and tried to attack. They had to be held back by police and at one stage I struck a male dressed in a mustard coloured shirt, whom I believe to be called Rory Robinson, in the stomach with my baton to prevent him breaking through police lines.
21. Whilst I was keeping the crowd back I saw Constable A remove a youth known to me as Wayne Lunt. He was dressed in a white baseball hat and a red, white and blue scarf. I don't know why he was removed from the crowd.
22. Although there were about 60 people present in the crowd only about 18/20 were involved in the fighting, some people were standing back watching and others who got caught up in it whilst walking home.
23. I couldn't give an estimation of how long it took for assistance to arrive it all happened too quickly. The crowd disturbance must have gone on for three quarters of an hour to an hour before we were able to disperse the crowd.
24. We had no warning of any conflict. We could not have prevented the death of Robert Hamill. The lives of all police at the scene were at risk from severe stoning and bottling and if they had got hold of you, you'd have been kicked stupid.
25. We were stood down from duty after the crowd had dispersed but I cannot remember being debriefed about the incident. I went home.
26. I don't know whose responsibility it was to preserve the scene and protect evidence. It wasn't mine and I did not receive any instructions to do so.
27. Later that morning I had a telephone call at my home from the station asking me to come back in. I went back to the station and was asked to make a statement which I did and put in the pigeonhole for CID. Before going home I believe I spoke to Constable Neill on the telephone and told him I had made my statement. I cannot remember identifying names to him.

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28. I remember speaking to Detective Sergeant Bradley in the CID office on 28 April 1997 when he spoke to all of us who had been on duty that night. He asked us if we could shed more light on who was at the scene and I gave him the names of Victoria Clayton and 'Rat' Gray.
29. Clayton was standing beside Stacey Bridgett after the altercation and I saw that he had blood on his face.
30. Gray I think had played no part in the crowd. In fact if anything, he attempted to put the crowd home.
31. Because I was recalled to duty I submitted a claim for overtime and subsistence. I had to alter the original claim because I received a memo from the sub-divisional office informing me that my hours and subsistence claim did not add up.
32. On the 9 September 1997 I was interviewed on two occasions by Detective Chief Superintendent McBurney. The transcript of those interviews are produced and shown to me containing page numbers **9476 to 9540**. During my second interview on 9 September 1997 I was asked if I had made contact with Allister Hanvey by telephone and told him to dispose of his clothing [page **09530**]. I was asked to produce my telephone account.
33. On the 9 October 1997 I was again interviewed by Mr. McBurney and I produced my telephone account to him, the transcript of that interview is produced and shown to me containing page numbers **9541 to 9558**.
34. I gave evidence at the trial of Marc Hobson and a transcript of my evidence has been produced and shown to me containing page numbers **8333 to 8404**.
35. On 10 April 2001 I was arrested by the Police and interviewed under caution a transcript of interviews has been produced and shown to me containing the page numbers **21446 to 21552**.

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36. On 31 May 2001 I was again interviewed under caution by the police and a transcript of that interview has been produced and shown to me containing the page numbers **21272 to 21277**.
37. On 12 June 2001 I was re-interviewed by the police under caution and a transcript of that interview has been produced and shown to me containing the page numbers **21277 to 21294**.
38. During those interviews I was asked about my association with Allister Hanvey and a telephone call to his home on 27 April 1997.
39. I knew Allister Hanvey through the Tae Kwon Do club where my daughter was a member. I do recall that Hanvey was in the crowd on 26/27 April 1997 and that I saw him on a couple of occasions. Sergeant **P89** did ask me 'who that guy is'. I told him to be careful of him; that he did martial arts. I didn't put his name in my statement of 27 April 1997 because I was not involved with him.
40. I know Allister Hanvey's father Kenneth as I used to play football with him years ago. My wife dealt with Mrs. Hanvey as they looked after juniors at the Tae Kwon Do Club. That is why the Hanvey telephone number was in my family telephone book.
41. It has been suggested that I telephoned Allister Hanvey on 27 April 1997 to protect him. This is not correct.
42. I am aware who Tracey Clarke is and I would recognise her but I haven't associated with her. I did go to Lanzarote in 1998 with the Tae Kwon Do Club with my family and the whole club including Tracey Clarke.
43. I got to know Michael and Andrea McKee through Tae Kwon Do. I was the secretary of the recreation club when we went away to various functions around the country and rather than trust Michael McKee with the money, as he had a drink problem, the other parents suggested I should hold the money. I was not

involved in the banking of the club. I did carry out plumbing and repairs at the club like any other normal parent who tried to help and save money.

44. The McKee's were friends who I called on duty once in connection with some inquiry and another time I might have called socially and socially once off duty. They more often came to my home. I have not paid any legal expenses for the McKee's.

45. I refute any suggestion that I conspired with Michael and Andrea McKee and my wife to explain a telephone call from my home at 08:00 on 27 April 1997 to the home of Allister Hanvey.

SIGNED:

ROBERT ATKINSON

DATED: