

STATEMENT OF WITNESS

STATEMENT OF PAUL WARNOCK

DATED THIS 1ST DAY OF *July* 2008

I, PAUL HENRY JOSEPH WARNOCK, 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 served with the Police Service for Northern Ireland (PSNI), formerly the Royal Ulster Constabulary (RUC), since March 1984 until the present. I have been stationed in Portadown since about January 1986. These days, the full time reserves undertake 6 months training. But when I joined as a full-time Reserve Constable, the training was much abbreviated and it was all done in the classroom, rather than in a set-up scenario. I received 3 weeks training. Most of the duties initially with the reserves would have been security duties. We undertook 2 weeks of training covering how to use the batons, how to fill in forms and what to do at a road traffic accident, and also 1 week's weapon training. I can confirm that I have received training in public order duties, including the use of riot guns and batons, and I am trained in first aid. Although it was possible to have lessons in scene preservation, I cannot recall receiving any training in this skill.

3. Usually in major public order situations, there would have been what was at that time called a Mobile Support Unit (MSU). This is a unit of 5 Land Rovers and maybe 25 male and female officers wearing flame retardant suits, shields, helmets,

public order batons and so on. If they happened to be on duty, other police officers would call them in and they would takeover to deal with a crowd disorder. That is what should happen.

4. During my time with the RUC/PSNI I have carried out patrols of the area around Market Street, Thomas Street, High Street and Woodhouse Street. This area was known to be a flashpoint for sectarian incidents involving 2 crowds of opposing religions.
5. On 26 April 1997 I was on duty with Constable Cooke and Reserve Constable Murphy. I cannot recall what my exact briefing was at the start of my duties. I have been referred to my statement dated 27 April 1997, containing pages **06367** to **06368** in which it is recorded that at approximately 1.47am that morning I received a call from another call sign requesting urgent assistance in Portadown town centre. I remember this taking place, but I do not recall precisely what was said during that radio transmission. The person's voice was very high pitched and excited; it was basically screaming, "*Require another call sign*", or words to that effect.
6. After receiving this call, it took Constable Cooke, Constable Murphy and me a couple of minutes to reach the town centre. We probably entered the town centre via Edwards Street. I have been shown a map of Portadown town centre (the "interview map"), and I have indicated with arrows the route we took to enter the town centre. We parked between the junctions of Market Street and Thomas Street, close to the central reservation. I have marked the interview map, page **73917**, with an "X" and my call sign to show the position of our vehicle.
7. When I arrived at the scene, I initially noticed a large crowd. At this stage, there were about 30 or 40 people there. The crowd was positioned on the St. Mark's Church side of the Thomas Street / Woodhouse Street junction, but was not fully across the road. I have marked the interview map with some crosses and labelled these with "crowd" to show the position of the people. Apart from the main crowd,

I think there were also some people in Woodhouse Street, but how many I could not tell.

8. Once I had got out of the car, I saw some other police officers. There were about 4 or 5 officers, but, at the start, I could not tell who they were. The officers were spread out forming a line across the junction of High Street and Market Street, facing the crowd. If I remember rightly, the officers had their batons drawn and were shouting, but I cannot recall what was being said. I also noticed a police Land Rover, which was positioned on the St. Mark's Church side of the junction of the Thomas Street / Woodhouse Street junction. I have marked on the interview map the position of the Land Rover with the initials "LR" and an arrow. I could not say how far the Land Rover was from the crowd because I was too busy assessing the crowd at the time.
9. I then noticed that there was a person lying on the ground to my left, and I think I noticed another person to my right. The first individual would have been located at the bottom of Thomas Street, not right on the corner but more in the middle of the Market Street junction. I have marked the position of the first individual on the interview map with a circle and the number "1". I think that the second person was between the junction of Thomas Street and Market Street, just over the central reservation of Woodhouse Street. Again I have marked the position of the second person on the interview map with a circle and numbered it "2". I think that the crowd were approximately 20 – 25 feet away from the 2 people lying on the ground. As for the Land Rover, I think that it was a good 25 – 30 feet away from person 1, and perhaps 15 – 20 feet away from person 2. The police officers in the line I have described above were forming a barrier between person number 1 and the crowd.
10. I did not approach the individuals lying on the ground because, within a few seconds, other police officers arrived. I saw Reserve Constable Silcock run to person number 1 and he appeared to put that person into the recovery position. I

did not see whether any officers were with person number 2 because I moved up to join into the police line to make sure that the crowd was not encroaching on the 2 people who were lying on the ground. There were no sergeants or inspectors at the scene, and I moved up into the line automatically. As I went past the 2 injured individuals, I cannot recall what they looked like or whether there were any members of the crowd or any women with them. I cannot recall seeing any ambulances at the scene, nor can I remember whether I called for an ambulance myself.

11. While I was part of the police line, I recall seeing the Land Rover crew, that is, Reserve Constables Atkinson, Cornett and P40 and Constable Neill, forming part of the line too. I have been asked what Reserve Constable Atkinson was doing. I think that he would have been doing what all the other officers were doing at that stage: trying to keep the crowd back, maintaining a distance between the crowd and the police and trying to stop anyone encroaching through the police line to the persons on the ground. The same can be said of Reserve Constables Cornett and P40 and Constable Neill. I cannot remember seeing any of the Land Rover crew with their batons drawn.
12. I could tell that the Loyalist crowd was the one on the main street by what they were shouting and perhaps by some of the T-shirts that they were wearing. For example, some of them may have been wearing a Rangers football top. I could not say exactly what individuals were shouting because I was hearing just general noise coming from the crowd. I think that the group of people at Woodhouse Street might have been shouting sectarian verbal abuse at the Loyalist crowd.
13. I do not recall any fighting occurring between members of the crowd or any assaulting of police officers. The only thing I remember seeing was Constable A getting hold of a boy and bringing him towards the Land Rover. Constable A would have been positioned in the police line. As far as I can remember, Constable A took hold of a boy who I now know to be Wayne Lunt. All I can remember of

Lunt is what I refer to in my statements, namely that he was wearing a baseball cap, white jeans and a white top with dark coloured stripes on it. I do not recall if he was wearing a scarf, and I did not see anybody at the scene in a Rangers scarf. I do not know why Constable A grabbed hold of him; Lunt was perhaps wrestling and tugging to try to get away. I assisted Constable A because Lunt was struggling with her. I grabbed Lunt by the arm to take him over to the back of the Land Rover, and he was then placed inside. As Constable A and I took Lunt over to the Land Rover, he was still struggling. It is likely that he was saying something at this stage, but I do not recall. I did not speak to Constable A; I just assisted her until Lunt was put into the back of the Land Rover and then I made my way back to the police line. I was by the Land Rover for only a matter of seconds and I do not recall seeing any other officers at the Land Rover. I do not know what state Lunt was in when I left, but I would not have moved on if he had still been struggling.

14. It is possible that this was a second Land Rover at the scene and a different vehicle from the one I had seen originally. I do not think that I had seen the second Land Rover when I arrived at the scene, so it may have turned up afterwards. The Land Rover that we put Lunt into was positioned between Thomas Street and Edward Street on that side of the Market Street / High Street roadway. I have marked on the interview map "LR2" to indicate the approximate position of this Land Rover.
15. At this initial stage, I did not know why Constable A had taken Lunt to the Land Rover or what she did with him thereafter because I had no more dealings with them. It would be normal practice to take someone the police wish to detain from the scene and put them into the Land Rover. Depending on the circumstances, if somebody has been arrested or placed in the back of a Land Rover, usually they would go back to the police station. From there, the police would make their arrest and go on to the Sergeant who would decide whether the person would be detained or not. However, releasing Lunt from the Land Rover would not be surprising either. If somebody was perhaps arrested for disorderly behaviour, then they had

calmed down and the police officer had obtained their details, the officer might caution them, release them and then report them for that offence.

16. Once I had left the Land Rover, Constable Orr directed me to return to the police station to sign-out a baton gun. Although he is not my superior, Constable Orr probably would have been the senior constable on the ground at that particular time. I think he asked me to get a riot gun due to the size of the crowd and the small number of police officers that were there. I do not recall being given any other orders at the scene. The crowd were staying back slightly from the police line, but they had been shouting and roaring with drunkenness and perhaps the odd individual was taking a few steps towards the police, then moving back again. I do not know whether the 2 injured people were still at the scene as I left to fetch the riot gun.
17. I was driven back to the police station to get the baton gun. By whom, I cannot remember. I did not see any other officers on my way back to the station. Upon arriving at the station, I obtained the armoury keys, opened the armoury, went into the baton room and checked the gun. The gun is locked in a rack. The baton rounds are held in a tin box which is approximately 10 inches long, 6 or 7 inches wide and about 6 or 7 inches deep. Following procedure I opened the box to make sure that there were the correct number of rounds in it, and then I signed the gun out in the armoury book. I was not accompanied by another officer whilst I was doing this. I think I was at the police station for a couple of minutes.
18. When I returned to the scene from the station and alighted from the vehicle, I would have taken a couple of rounds from the box and placed them into my pockets. The gun normally goes around my neck on a sling, which is usually attached to the handle of the gun. I was holding the gun when I returned to the scene. The strap or sling was put over my body and I was holding the pistol grip in my right hand. Along the bar there is a bit that I was also holding with my left hand. I would basically say that I was holding the gun across my body. My

intention was for the baton gun to act as a deterrent to be used only if the crowd had turned completely ugly and nasty by, for example, charging at the police and trying to get through the police lines. If I had deemed that a serious injury was going to occur to the police or any other persons, then I would have been likely to use it. I do not remember seeing any senior officers, such as sergeants or inspectors, at the scene, nor do I recall whether I reported to Constable Orr at that point. As far as I remember I was the only officer with a baton gun at the scene. When I arrived I issued a warning to the crowd. I shouted something along the lines of, "*Cease. Move away, break up or baton rounds may be used.*" The gun had an effect. I think some of the crowd saw the baton gun and drifted away, then stayed away. Others did not seem surprised by the gun, and had that type of expression on their faces as if to say, "*He'll not bother. He'll not even do it.*" I cannot recall what any of these latter individuals looked like.

19. When I returned to the scene with the gun, I believe that whatever police officers were on duty at that time would have been present. I think that the 4 officers from the Land Rover were present, plus Constables Cooke, Murphy, Silcock, Adams, Orr and A. I do not recall seeing an MSU and I do not think that there was one present at the scene. I remember seeing an ambulance at the scene, but I cannot recall whether it was there before I went to get the baton gun or whether it was there after I arrived back from getting the gun.
20. The crowd had swelled in size; by what figure exactly, I could not say. At that time of night, there would have been buses arriving from the Coach Inn in Banbridge, which drop off passengers in the bottom area of town near the security barriers at Bridge Street / Castle Street. The people would then have walked up the town heading to the Armagh Road and north towards the Brownstown area. While I was present I do not recall seeing these people actually arriving as such, but I remember other people walking up High Street coming past and perhaps talking to someone in the crowd, asking something like, "*What's going on here?*" Most of them walked on, but some of them hung about. These people did not amount to a crowd; there

were perhaps 3, 4 or maybe half a dozen small groups just making their way home. I was not concerned about these small groups because they were not really doing anything. I do not think that the 2 injured persons were still on the ground at this stage.

21. In my statement of 27 April 1997 containing pages **06367** to **06368**, I stated that I noticed a number of persons in the crowd. I can confirm that I recognised Allister Hanvey, although I could not remember his name at the time, and another youth named Andrew Hill.
22. I am reminded by my statement dated 27 April 1997 that Allister Hanvey was wearing jeans with a dark coloured baseball-type jacket with greyish coloured sleeves. He was thin and about 5 foot 7 or 5 foot 8 tall. I cannot recall the length of his hair, although I would say it would likely have been short. I do not recall his hair colour. I knew Allister Hanvey through normal policing duties, but I cannot say exactly how long I have known him. I also knew that Hanvey was in the Tae Kwon Do club because I had seen his picture in the paper; I think it was something to do with a competition, but I do not know whether he was a Tae Kwon Do expert. It is hard to say whether Allister Hanvey was a "recognised person" in Portadown.
23. I said in my statement dated 26 September 2001 containing pages **17258** to **17259** that I described Hanvey as a "*prominent figure*" in the crowd. By this I meant that Allister Hanvey was basically at the front of the crowd. The crowd was like a flock of sheep, where 1 or 2 sheep come out of the flock and perhaps walk away for a couple of feet and then rejoin the flock; and Hanvey was moving from one part of the crowd to another, perhaps moving away for 2 or 3 feet, then going back in. Hanvey was away from the police line and did not try to push against the officers. However, he was shouting and roaring at everyone in the police lines. I do not recall what he was shouting, neither can I recall him talking to or having confrontations with anyone in the crowd. I do not recall seeing Hanvey talking to any police officers and I cannot recall if the injured persons were still at the scene.

24. Andrew Hill was wearing jeans which were blue in colour, and maybe a bomber-type jacket. He was approximately 5 foot 6 or 5 foot 7 and of a slim / thin build. I cannot remember what colour his hair was, but I would say that it was short-ish. He was just part of the crowd. I picked him out of the crowd because I think that I had spoken to him about another incident prior to 27 April 1997. I am not sure when that prior incident happened; I know that it was prior to the incident involving Robert Hamill, but it could have been 2, 3 or 4 months before. I cannot recall what Hill was doing in the crowd; I do not recollect him shouting out or talking to anyone, nor did I see him talking to or involved in any confrontations with the police.
25. Apart from Allister Hanvey, Andrew Hill and Wayne Lunt, I did not recognise anybody else in the crowd and I do not recall seeing anybody at the scene with a bleeding nose.
26. I have been shown a journal entry belonging to Detective Chief Inspector **K** made on 13 November 2000 containing pages **11145** to **11149**. This entry shows that Detective Chief Inspector **K** interviewed me in the course of his enquiries and I recalled recognising Allister Hanvey at the front of the crowd. It is also recorded that I stated I may have been given Hanvey's name by another officer at the scene. I think that this officer may have been Reserve Constable Atkinson. But it could have been Constable Neill, Constable **P40** or Constable Orr. I just remember turning round and saying, "*What do you call that guy there?*" I cannot put my hand on my heart and say 100% that it was Reserve Constable Atkinson. But he was there. It might have been him. The officer who told me that the guy was Allister Hanvey did not say anything else to me. Apart from this possible exchange, I did not speak to Reserve Constable Atkinson at the scene.
27. I do not recall if any arrests were made at the scene and I can confirm that I did not attempt to make any. Police cannot arrest somebody if they are not doing anything; just standing there not shouting. You need evidence to say they have committed an

offence. You will always get someone going up the street shouting and roaring, but that is either just high spirits or them perhaps shouting at their mates a couple of hundred yards up their street to get their attention. I do not recall seeing any in-fighting or fights between any of the crowd and police officers. With me carrying the baton gun, it was a bit hard for me to try to arrest anyone anyway. If it had warranted it and I had had to fire the baton gun, other officers would have gone forward to attempt to make an arrest. With the number of police that we had – approximately 10 or 11 officers in the crowd – to make an arrest would have straightaway diminished our numbers. If we had wanted to arrest someone, we would have needed to have taken them back to the police vehicle then back to the station. If the crowd had decided to turn nasty and there were only 2 or 3 officers left on the ground to deal with the situation because there was somebody being arrested, then the odds would not have been good.

28. The police started to move the crowd after I came back from collecting the baton gun. By this stage, if I remember correctly, Sergeant **P89** was at the scene, but I do not recall when he arrived. I do not recall seeing Inspector McCrum there. People were drifting away. The odd 1 or 2 were just standing about, not saying anything; I suppose you could say that they were “sightseers”. Then the police started slowly moving forward telling people to move back and go home. We were pushing the crowd up Market Street towards St. Mark’s Church. Some of those would have gone into Church Street. The rest mostly went up West Street. We were moving them nice and slowly to gain ground. I suppose it was like herding cattle. There were perhaps some people still shouting at this stage, but the crowd were all moving until it finally dispersed at 3.00am.
29. My notebook entry for 27 April 1997 containing pages **09971** to **09972** states, “0300 crowd finally disperse. 0330, signed H&K riot gun No. 3 + 25 rounds back to armoury”. So between 3.00am and 3.30am, we must have been making sure the crowd had completely dispersed and that no one else wanted to come down into the town before leaving West Street. Before leaving the scene, Sergeant **P89** did

not give me any instructions in respect of scene preservation, nor was the scene taped off. I did not pick up any items from the scene before I left. I cannot recall whether there were any police officers left at the scene at this stage or whether there were any police vehicles remaining. There is a possibility that somebody was told to keep a presence there or maybe that there was nobody there other than just general patrolling of the town centre. I accept that after clearing the crowd nothing was done in terms of preserving the scene because I do not think that anyone knew at that stage how serious the matter was.

30. I then returned to the station. Constables Cooke and Murphy might have accompanied me, but I cannot recall discussing what had happened with them. No briefing took place. I saw Inspector McCrum at some stage, but I could not say at what time. My next notebook entry is at 7.15am. It is likely that in the interim I took a refreshment break of some description. Breaks usually lasted about 45 minutes, and I would say that I took my break shortly after signing in the baton gun in the recreational room. Police officers can go to sit down in the recreational room to have a cup of tea and watch television. I think that there were other officers there at the same time as I was, but I cannot tell or actually recollect who they were. I can confirm that I do not recall seeing any of the Land Rover crew or my colleagues, Constables Cooke or Orr. Constable Cooke and I would have had the same refreshment break times because we were in the same crew. But he might have gone to the smaller kitchen downstairs instead.
31. After taking my break, I would probably have gone back out on general mobile patrol. This is likely to have been with Constable Cooke, who was driving. There is no particularly reason why I did not make reference in my notebook to going back out on mobile patrol. It is just what I would have done.
32. My notebook dated 27 April 1997 containing page **09972** records that I returned to the scene at 7.15am. I went out to cover CID, which means keeping an eye out while CID officers work on a scene. I cannot remember whether we received a

radio transmission or whether we had come back to the station and were told to go out with CID. I was purely there to cover the CID officer and he did not do a walkthrough the scene with me, or ask me what I had seen earlier that morning. At the scene, I can confirm that I do not recall seeing any bottles or broken glass. I do not recall CID giving me any instructions in respect of collecting items from the scene, but if I saw or found something, I took my own initiative and lifted it. I did not see any other officers collecting items from the scene, although it is possible that the CID officers were doing so and I did not notice.

33. According to my notebook at page **09972** and Detective Chief Inspector **K's** note of his interview with me at page **11148**, I picked up a green, blue and white checked elasticated child's belt from the scene. I placed the belt into small plastic evidence bag and sealed it. There does not have to be another officer there to witness this occurring. I do not think that CID was aware of the fact that I did this and I cannot recall telling them at the scene, nor can I recall seeing a log keeper. How you pick up an item depends on the material of what you are actually picking up, although, as I have said, I do not recall having received any training. One of the reasons I did this is because the street cleaner comes through Portadown town centre on Sunday morning and it would have been cleaned away. At this stage, the cleaner had not yet been through the town centre. When I returned to the station afterwards, the evidence bag was properly sealed with sellotape and labelled. I would then have given the item to CID. I do not know whether it is normal practice or not to inform CID before taking an item back to the station. I do not recall at what time I left the scene and returned to the station.
34. I have been referred to DCI **K's** journal entry dated 13 November 2000 containing pages **11145** to **11149**. Page **11147** confirms that I made a statement on 27 April 1997 at approximately 8.00am. I would also have made my notebook entry at this stage. CID asked me to make a statement, but I do not remember the particular officer and I could not put a time on when I was asked to do so. I would not have said that we had a "conversation" about making a statement. CID would have just

asked me something like, "*Could you make a statement of what happened earlier in the night*". It was a general request to all officers to furnish a statement rather than a private discussion, so whoever else had been on duty and at the scene would also have been there at the same time. The asking officer would not have said anything else to me, and the only thing I was told to do was to make a statement. Nor can I recall telling that officer at that stage what I had seen at the incident.

35. When I made my statement that morning, I would have done so in the briefing room. We could have sat in the briefing room to make our statements, but at the time there was an interview room that we could also have gone in to do paperwork if it was not being used. Page 11147 of Detective Chief Inspector K's note of his interview with me refers to the "parole room" which is in fact a reference to the "parade room". However, this is the same as the briefing room; it has always been known to me as the briefing room. The briefing room was about 15 feet by 15 feet. The door was in the left-hand corner, and as you came in through the door, there was a row of chairs along the left wall and also a row along the right wall. In the right-hand corner, diagonally opposite the door, there was 1 small raised desk, like a lectern, about 2 ½ feet wide, and a stool.
36. As far as I remember, Constables A and Orr and a couple of others were also present while I was making my statement, but we did not discuss what had happened. I just put down in my statement what I had done. No verbal reference was made to Wayne Lunt or to what Constable A had seen. I can confirm that we did not show each other our statements, and there was no discussion whatsoever during or after I had finished making my statement. No one else had sight of my statement and, once I had finished it, I checked it over and signed it. I think I then gave it to Detective Constable Keys. I do not recall at what time this was and I do not remember being asked any questions about my statement.
37. The note of Detective Chief Inspector K's interview with me reminds me that shortly after 8.00am, I remember seeing most of the members of the Land Rover

crew at the station. I think 2 or 3 of them were back. I may have spoken to them in passing, just to be polite and ask what they were doing back in the station. I also recall seeing Reserve Constable Atkinson back at the station at this time. I may also have spoken to him just to ask, "*Hello, what are you doing back in?*" There was no other conversation with him. If I remember correctly, I heard somebody saying that one of the injured persons at the scene had been seriously assaulted. However, I did not hear anything about that person's exact condition. I then terminated duty at 9.30am. No specific debriefing took place from either CID or Inspector McCrum because the writing of the statement and the notebook was construed as a debrief, in that you are making your superiors aware of what you did and what you saw.

38. After 27 April 1997, I had no further involvement with the GBH or, later, the murder investigation.

39. I was not made aware about the allegations against Reserve Constable Atkinson by gossip or otherwise until I was served with the form 17.3 on 20 June 2001. I then heard at my interview with Detective Chief Inspector **K** that complaints were being made. I can confirm that I had worked with Reserve Constable Atkinson in 1997, but I have never attended any social events with him. In the note of my interview with Detective Chief Inspector **K** at page **11146**, I recalled that Reserve Constable Atkinson's daughter did Tae Kwon Do. However, I can confirm that this does not mean I had a close friendship with Reserve Constable Atkinson. It was just a working relationship.

40. I have been asked whether I knew some other people connected with the incident on 27 April 1997. I did know of Marc Hobson by name, because he might have been mentioned in the station at some stage in relation to an arrest or being involved in some incident. I could not say whether this would have been before or after the incident on 27 April 1997. However, I had no personal dealings with Hobson and I do not know what he looks like. I also knew of Stacey Bridgett

through work for the same reasons. I can confirm that I did not know of Rory Robinson, Dean Forbes or Andrew Allen at the time of the incident.

SIGNED: Paul Warnock

PAUL WARNOCK

DATED: 1/7/08