

TRANSCRIPT OF TAPE RECORDED INTERVIEW

Interviewee: A [REDACTED]

Force Number & Station: PW1362, Craigavon DCU

Interviewers: Superintendent K Kennedy, IIB
Chief Inspector D G Jackson, IIB

Others Persons Present: [REDACTED]

Date of Interview: 20 November 2001

Time Started: 0950 hours

Time Ended: 1008 hours

Master Tape Seal No: T000272A

Tape Number: 2 of 2

Q The date is the 20th of November 2001 and the time is 0950 hours. We are present in an interview room at Lisnasharragh. This is a continuation of an interview with A [REDACTED] which started at 0904 hours this morning. I am Superintendent Kennedy from Internal Investigations Branch. Also present is Chief Inspector Jackson from Internal Investigations Branch; [REDACTED]

[REDACTED] representing the Police Ombudsman's Office; and [REDACTED] [REDACTED] who is acting as Friend of A [REDACTED] A [REDACTED]

I just want to remind you that you remain under caution and for that purpose we'll caution you again. You do not have to say anything but I must caution you that if you do not mention when questioned something which you later rely on in any subsequent disciplinary proceedings it may harm your defence. You may if you so desire make a written or oral statement to the investigating officer or the Chief Constable or the Policing Board as appropriate. Anything you mention when questioned or any written or oral statement you make may be given in evidence at such disciplinary proceedings. And can you just confirm A [REDACTED] that during the break in interview you were not asked any questions in relation to this interview?

A No I was not.

Q Thank you. Just prior to the previous tape terminating I was going to ask you the question, bearing in mind that the scene wasn't sealed until 27 minutes past 7 in the morning of the 27th, can you give us any indication as to why the scene was not secured until that late on in the morning?

A No I can't.

Q I'm now going to hand you a copy of a witness statement dated the 24th of June 1997 and signed by yourself. Did you make and sign this statement?

A Yep.

Q And I now hand to you a copy of a witness statement dated the 4th of the 11th 1997 and signed by yourself. Did you make and sign this statement?

A Yes.

Q In your statement dated the 27th of the 4th 97 it terminates with, with regard to Lunt his name and address was obtained and confirmed and was allowed to leave the police landrover as it was not practical to arrest him at that time.

A Mmm mmh.

Q In your statements dated the 24th of the 6th 97 and the 4th of the 11th 97 you state, Mr Lunt left the police landrover at 0205 hours, this person started to shout at me, 'what the fuck did you let him go for, he was one of the ones that did it?' and, it was as soon as Wayne Lunt was released from the landrover that I was approached by the male and I was in no doubt that he was referring to Lunt.

A Yep.

Q Can you tell me why this information was not contained in your statement dated the 27th of the 4th 97?

A I can't no.

Q Can you tell me how you came to relate this additional information to the enquiry team?

A I believe emm CID asked me about it, I believe, I can't a hundred percent recall but that's how I believe it came about.

Q And when would CID have asked you about it, would that have been when you made your second statement in June?

A Most probably yes.

Q Right. Emm, I mean this is obviously fairly important information and evidence...

A Emm emm.

Q ...as you can appreciate...

A Yes.

Q ..A [redacted].

A Yes.

Q ...Emm, I mean have you, can you give me any explanation as to why you didn't record those details in your notebook or your first statement?

A Emm, all I can say is you know it was a very busy and traumatic night and we were brought in off the ground and we were just asked to make a statement, you know emm, as I recall back to it now there was two men involved, one was very irate and I was trying to explain to him as and why I had released Wayne

Lunt from the landrover and he wasn't you know accepting any of this. The other person that he was with asked, he seemed to, well that's okay then you know but can we have your name you know for the st, you know to come and see you in the station and I gave him my name but to be honest with you all I can say is it was just the events of the evening and the morning time we were brought straight in off the ground and asked to make a statement there and then. I can't, I can't offer an explanation as to why I didn't.

Well, with respect to the Superintendent, A, there are two possible explanations, one is that you deliberately suppressed the information and the other is that in the, in the confusion of the night you simply forgot.

A Well it wouldn't have been suppressed, absolutely not.

Well if you gave the man your name it's hardly likely you were suppressing it but, I mean, is the situation that that in the stress of the moment you simply forgot?

A Quite possibly, yes. If you can accept that.

Q Okay. Emm, you appreciate how important that evidence is...

A Yes.

Q ...namely that someone possibly a witness was telling you what did you release him for this is the man that did it.

A Yes.

Q So you can appreciate it how...

A Yep.

Q ...how crucial that is.

A Mmm mmm.

Q Emm, so you're saying that the only explanation that you can think of is that you actually forgot it. Now I can appreciate that you might, your saying when you came in you made your statement, ahh you know, perhaps you did just forget to mention it at that time but can I ask you did you recall it at any stage between the date of the incident and CID questioning you about it some two months later?

A No because if I had have remembered it I would have approached CID you know. After the incident took place I was in constant contact with CID and Regional Crime I believe it was and you know at no time did it come to my mind about it because if it have I would have informed them straight away.

Q Okay. Emm, but just to confirm your response here today is that it certainly was not a deliberate omission?

A Absolutely not.

Q It, it slipped your mind and you entirely forgot about it...

A Yes.

Q ...as such.

A Yes.

- Q Okay. Can you tell me **A**, I mean there's no mention in your notebook entry either can you tell me when you completed your notebook entry?
- A Immediately after I terminated duty.
- Q Was this before or after you made your statement?
- A Emm I wouldn't have a clue I would say it would have been my notebook first, emm, cause that's the way I normally do it. I do my notebook and then I do my statement from my notebook.
- Q Okay. So obviously if it, if it had slipped your mind or you had forgotten about it I'm correct in saying that you didn't, the incident wasn't mentioned to anyone at any stage even at the scene, would there have been anyone else that would have overheard this comment at the scene do you think?
- A No I don't believe so, no.
- Q Right okay so you're the only person really as such that knew that at that time.
- A Yeah, yeah, I think so.
- Q And it wasn't mentioned to anyone else.
- A I don't believe so, no.
- Q Okay. The C6 entry in relation to Wayne Lunt reads 0520 hours. As a result of public disorder two kicks to ankle and shin sustained. Wayne Lunt, **[REDACTED]** spoken to. Reported and Accident Report completed. Did you submit a preliminary report form or did you conduct an investigation and submit a report through normal channels to your authorities regarding this?
- A My report form as in a 38/14?
- Q Yes.
- A Preliminary?
- Q Yes.
- A No.
- Q No? Can you tell me why, because obviously it's an assault on police.
- A Yeah. Well I was trying to remember and emm I believe it's because Wayne Lunt was arrested by CID for the assault on Mr Hamill.
- Q I appreciate that but that was sometime, that was sometime later before Lunt was ever arrested.
- A When when was Lunt arrested.
- Q Quite a number of days. I'll just get the exact date.
- [REDACTED]** I don't think you need to worry greatly about that.
- Q It was quite a number of days.
- A Mmm mmm.
- Q I'm not talking about the assault in relation to **D** and Mr Hamill. I'm talking about the assault on you **A** so there's a criminal offence, assault on police, emm it's an injury on duty and what I'm saying to you is, did you complete any paperwork in relation to this, did you submit a file, put in a preliminary report form in relation to this assault on police?

A No.

Q And I'm now asking you can you give any explanation as to why you didn't?

A Well I believed eh, he was tied up in the incident of the Hamill eh assault and murder as it turned out to be. Emm, and that's all I can say.

Q Right. I mean who was going to investigate the assault on police? On you?

A On me? Well nobody, you know, at the end of the day it was a couple of kicks to the ankle and the shin, you know, emm, if you put in an assault on police for every kick and bump and scrape you get you know you'd be doing paperwork from now to doomsday so.

Q No I appreciate that emm but I mean you thought it serious enough to make an entry in the C6 regarding it.

A Well I had to because I had to put in the emm, the Accident Book.

Q Yes.

A In the station.

Q Yeah.

A So I had to make reference to it in the C6.

Q Yes. That's what I'm saying. That there was reference in the C6 and reference in the Accident Book as well.

A Mmm mmm.

Q But you're saying that you had completed those official records.

A Mmm mmm.

Q But are you saying to us that it was so minor that you felt it was not worthy of investigation, is that what you're saying?

A Well you know in light of what with going on at the time I believe it was quite minor yes, the assault on me compared to what had happened and what was going on, you know, it's just it's part of every day, emm, police work especially in public disorder.

Q So are you saying that you made a conscious decision that you certainly would not investigate it?

A Yes I believe so.

Q Right, and did any of your supervisors at any stage, bearing in mind the entry in the C6 and the fact it was being recorded as an injury on duty, did any of your supervisors ask you at any stage where's that preliminary report...

A No.

Q ...where's your investigation file in relation to it?

A No.

Q Okay. Your notebook entry regarding the alleged assault scene terminates as 0727 area of serious assault taped off upon the request of CID and Serious Crime Log opened and then again at 0313 Log closed by myself and handed to [REDACTED]. Can you just...

A 0813.

Q ...sorry, beg your pardon, 0813.

A Mmm mmm.

Q Can you just confirm when you completed this entry?

A Whenever I taped, I would assume whenever I returned back to the station.

Q So whenever you returned back you think the first thing you did was complete your notebook entry and then your statement. Would that be your recollection?

A I think so, yes.

Q Okay. I now refer you to an Action Sheet No 6 issued by Detective Inspector Irwin on the 29th of the 4th 97 which requested, obtain statement notebook entry [A] reference duties at scene. We have actually two copies of your notebook entry for the 27th of the 4th 97 in our possession. Can you recall which of these copies you gave to CID and Chief Inspector Jackson will just show you here.

A Thank you.

Q Are you asking her whether she gave the handwritten copy.

Q Yeah I'm just asking, no I'm asking, there's a, one version stopped shorter than the other, I'm just asking which CID were, which copy CID were given.

A The version of the handwritten or the typed you mean.

DGJ Handwritten.

Q Handwritten.

Q I'm looking at the typed copy.

Q The typed copy of the handwritten.

Q It finishes on page 3.

A Oh right, yes, yes.

Q There's two [A]

A That's right.

Q One sort of stops short.

A Yes, that's right.

Q And then one goes on to talk about other things.

A Yes.

Q I'm just asking which one, can you recall which one, obviously there was an Action Sheet put out to get a copy of your notebook entry and I'm just wondering can you recall which one of the two that CID were given.

A So were CID given the notebook entry that finished at Log closed, etc?

Q Yes.

A Or were they given the whole thing?

Q Yes. If you can recall.

A I would say they were given just the Log closed with reference to the incident.

Q Right so it would have been probably just the incident that they were investigating would have been all that they would have been given.

A I would say so yeah.

But can you say definitely.

A No I can't say definitely, no.

Q Okay. Can you indicate why details in your notebook for the 27th of the 4th 97 do not appear to be recorded in order of sequence?

A Well, yeah, emm, I have done it in a way, I know it's not in sequence but I have done it in a way that the initial emm incident, ie., the assault is all in one and then I have gone on to the DIC which happened in the middle of it all, emm. I don't know why I've done it like that.

It's not a, it's not a, it's not a hanging offence I don't think A.

A Yeah, I don't, I know, I know it's not a hanging offence but I don't know why I've done it like that you know because, but at the same time you know you have you know from let's see 0205 hours and then I went to a call at 0300 hours is about six pages long. All I can say is that, I just didn't split it up, you know I have, I attended a DIC which was an RTA hospital requirements for breathtests, etc., you know and you have about six pages there of that. I don't know. I just didn't split it up, I just didn't split the incident up.

Q Okay, but would I be correct in saying that from what you've told us already in this interview that your complete notebook entry for the 27th of the 4th and all the things that happened that night was completed when you returned from the scene to the station?

A No.

Q No?

A The incident, the assault was completed whenever I returned, the DIC wasn't.

Q Right when was the DIC?

A I'd say the DIC was completed the next turn of duty which was that night I'm assuming.

Q Right, okay. So you returned to the station just to clarify that A, you returned to the station, you completed your full entry in relation to the assault and used that evidence then as the basis for your statement.

A Yeah.

Q Is that correct?

A Yeah.

Q And then the DIC was probably completed that night when you came?

A Yes.

Q Alright. A that terminates the interview.

A Mmm mmm.

Q Is there anything further that you wish to add to the interview?

A No.

Q Before I switch off the recorder I mean is there anything further that you wished to clarify in relation to any point that you have stated or anything further you wish to state?

A No.

Q A I'm going to give you a Notice Form 17/27 and A this Notice explains your entitlement to a copy of the tapes used in the interview.

A Yeap.

Q So that's the Notice and I have to get you to sign this Form 17/32 which simply acknowledges receipt of the Form 17/27.

A Yeap.

Q So, we'll make that 1007 hours and if you could just sign there for me please.

A Mmm mmm.

Q Thank you.

A Yes.

Q This interview is concluded at 1008 hours on the 20th of November 2001.

**CHECKED AND CERTIFIED AN ACCURATE TRANSCRIPT OF:-
TAPE NO. T000272A OF A
ON 20.11.01 BETWEEN 0950 HOURS AND 1008 HOURS**

RT [Signature] D/Sergeant