

TRANSCRIPT OF TAPE RECORDED INTERVIEW

Interviewee: Inspector Alan McCrum  
Force Number & Station: Staff Officer to ACC South Region  
Mahon Road  
Interviewers: Superintendent L K Kennedy, C & D  
Chief Inspector D G Jackson, C & D  
Also present: [REDACTED] Police Ombudsman's Office  
[REDACTED]  
Date of Interview: 30th August 2001  
Time Started: 1021 hours  
Time Ended: 1104 hours  
Master Tape Seal No: T000228A  
Tape Number: 1 of 3

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Q. This interview is being tape recorded. The interview is being conducted in an interview room at Lisnasharragh. I am Superintendent Kennedy, attached to Complaints and Discipline Branch. Also with me is?

DGJ. Des Jackson, Chief Inspector, Complaints and Discipline.

Q. And also from the Police Ombudsman's Office is?

MR. [REDACTED]

LKK. The date is the 30th of August 2001 and the time is 1021am. I am interviewing. Could you speak up?

A. Inspector Alan McCrum.

Q. Could you state where you, where you're stationed?

A. At Mahon Road, Staff Officer to ACC South Region.

Q. And also present as a friend is?

RM. [REDACTED]

LKK. Inspector McCrum, you have requested that [REDACTED] be present during this interview and to act as your friend. I want to remind you that your friend cannot answer directly any question put to you, however at any time during the interview, you may consult with your friend. At the end of this interview I will give you a notice, Form 17/27, explaining what will happen to the tapes. I now wish to read aloud the content of Form 17/3 served upon you by myself, Superintendent Kennedy, on the 18th of April 2001 and your

reply. Inspector, can I just mention at this point that on the 17/3 you had signed it as receiving it on the 17th of April. I can confirm that it was actually Wednesday the 18th of April that it was served. Are you happy to agree ...

A. Yip.

Q. That it was the 18th of April ...

A. That's fine.

A. 2001. I'll now read out the contents of the Form 17/3. It is alleged that on the 27th of April 1997 at Market Street, Portadown, following a serious assault on Robert Hamill, which resulted in his death, you neglected your duty as a police officer by failing to properly secure the scene at an early stage and preserve it for expert examination. It is further alleged that you failed to effect the early arrest of an identified suspect or suspects with regard to this incident, or consider the seizure of clothing belonging to the suspect or suspects for the purpose of forensic examination. This may have resulted in the loss of valuable forensic and identification evidence. It is also alleged that you failed to conduct a proper debrief of officers following the incident. And in reply to that Form 17/3 you said, "Fine". I now wish to caution you. 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 Police Authority, as appropriate. Anything you mention when questioned or any written or oral statement you make, may be given in evidence at such disciplinary proceedings. In simple terms, this means that you don't have to speak to me in this interview. If you put forward any new information in any subsequent disciplinary proceedings, that you do not mention now, the subsequent disciplinary hearing can draw its own conclusions about how much notice to take of this new information. If you do, it may be given in evidence. Do you understand this?

A. Yes.

Q. It is important to understand that this interview will provide you with an opportunity to give an account, explanation or to defend yourself against the alleged disciplinary offence.

Well just on that subject, it might be an appropriate time for me to say that you'll be aware that the incident occurred on the 27th April 1997 and that the Form 17/3 was served on the 18th April 2001 which is four years later, almost to the day and that in my respectful opinion and that of Inspector McCrum, the em, the Form 17/3 is hopelessly out of time under the Merrill principles and while Inspector McCrum is anxious and willing to assist with your enquires, he does so without prejudice to his entitlement to argue at any subsequent disciplinary hearing that the Form 17/3 is out of time.

- LKK. Thank you [REDACTED]. The content of Form 17/3 as served on you by myself on the 18th of April 2001, together with your response having been read to you, are you satisfied to continue with this disciplinary interview?
- A. Yes, that's fine.
- Q. During the course of this interview I will be referring to witness statements previously made by yourself, copies of your journal entries, witness statements made by others and other documents. You may, if you so wish, read or refer to these documents yourself. Do you understand this?
- A. Yeah.
- Q. On Saturday the 27th of April 1997, you were on duty at Portadown, sorry, were you on duty in Portadown and if so, what were your operational responsibilities?
- A. Yes I was on duty in Portadown on that night and I was the Inspector with what was then divisional responsibilities and which included an oversight of policing in Lurgan, Banbridge and Portadown Sub Divisions.
- Q. Was that for the entire turn of duty that you had the divisional responsibility?
- A. Yeah.
- Q. On Saturday the 27th of April 1997, did you or were you present when the other members ie Sergeants and Constables, were paraded for duty?
- A. No I wasn't.
- Q. No, okay. Were you aware that four officers namely Constable Neill, Reserve Constables P40, Atkinson and Cornett, had been detailed to perform public order duties in or around the vicinity of Portadown Town Centre?
- A. Yes I was made aware of that.
- Q. Who made you aware of it or how did you become aware of it?
- A. I was made aware of it whenever I went to identify all the officers that were on duty over that night duty. It was routine at that time that there would be officers specifically identified to provide coverage in the Town Centre to prevent conflict between the two sectarian groupings in the town.
- Q. Okay. Would this have been at the start of duty?
- A. Yes.
- Q. I mean after they had been paraded, you would have made yourself familiar?
- A. I would not always have attended the briefings, I would have left it to the Sergeant to do it. I would have attended some of the briefings but on this particular night I didn't attend the briefing.
- Q. Okay. These public order duties were a regular duty at weekends in Portadown and a number of possible clash points were known to police. Were there any Station Standing Orders or Instructions in relation to policing these known problem areas, sighting of police vehicles etc?
- A. It's difficult to recall now because it's obviously four years after the event. None that come expressly to mind, I would have to say to you.

- Q. Did you or are you in a position to indicate who briefed the above named officers that I outlined to you and what briefing that they would have received?
- A. They would have received a briefing from probably either the late duty Sergeant or possibly the night duty Sergeant but certainly I had no role in their briefing.
- Q. Okay. Can you give me any ideas to what the briefing that they would have received?
- A. Well the briefing, you're asking me to speculate here, but the briefing would have been obviously on foot of what had happened previously in the town centre at the weekend, and because of Drumcree tensions in Portadown around that time and following that time and before that, had been very high and obviously the briefing would have been to be aware of the potential for conflict between the two traditions in the town. And to afford specific attention to Woodhouse Street which would have been the critical interface in the town centre.
- Q. Okay. But again I think it's fair just to reinforce, you weren't present at the briefing so as ...
- A. No.
- Q. You say, you're merely speculating ...
- A. I can only speculate ...
- Q. That that should have been the briefing.
- A. On the basis of what should have been given.
- Q. I refer you to a copy of your handwritten statement dated as the 7th of the 5th, 1997. Is it correct to assume that you made this statement on that date?
- A. Yes it is.
- Q. In this statement you state, "At 1.50am I was made aware by the Communications Officer, Constable Godly, that disorder was taking place in the Market Street area of the town and that police in attendance, were in immediate need of assistance.
- A. That's correct.
- Q. As a result, accompanied by Sergeant P89 , I made my way to Market Street. Upon arrival into Market Street I spoke with Constable Cooke who related to me his understanding of the circumstances relating to the assault and disorder that had just taken place. How did you arrive at the scene ie did you walk or travel by motor vehicle?
- A. I walked there.
- Q. Can you recall what briefing you received from Constable Cooke?
- A. Again, if you can bear with me a moment, to see if I can refresh my memory from my journal. My briefing ostensibly was that two males had been assaulted by a group of Protestant youths and had, as a result, been taken by ambulance to Craigavon Hospital.

- Q. Was that the extent of the briefing?
- A. The briefing was not entirely comprehensive because of the situation that we found ourselves in which was a group of probably in the order of thirty youths, Loyalist youths, a considerable number of whom had taken very obviously quite a lot of alcohol. My priority whenever I arrived at the scene, was to prevent further disorder. I was acutely aware that these youths were within a very short distance of Woodhouse Street and my immediate primary policing concern was to prevent a further reoccurrence of conflict. So the briefing was not wholly comprehensive but that was due to the circumstances that I found myself in. Action had to be initiated quickly and therefore we didn't have an opportunity for a full comprehensive brief at that point.
- Q. Right. Did you make any recorded notes regarding that which was related to you by Constable Cooke?
- A. Em only the brief note of the fact Constable Cooke briefed me and I have referred to already what he briefed me on, but aside from that, no the information that was conveyed to me I referred to in general terms in my journal entry.
- Q. Okay and when you say that you did make a brief note, can I just confirm that that note was made in your journal?
- A. Yes.
- Q. In your statement dated the 7th of the 5th, '97, you state, "The circumstances relating to the assaults and disorder that had taken place". In your journal entry you state, "It would appear that two males had been assaulted by a group of Protestant youths and had as a result, been taken by ambulance to Craigavon Area Hospital". When you arrived at Market Street, Portadown, were the tow injured youths still there or had they been taken away by ambulance?
- A. Whenever I arrived what I presume was the second of the two injured men were being placed or was being placed or had just been placed into the back of the ambulance and the Paramedic or the ambulance driver was closing up the back of the ambulance. So when I arrived that aspect of what had taken place had largely concluded.
- Q. Okay. You were saying it was the second of the two injured men. Do you know which one of the two it was?
- A. I have no idea.
- Q. Right. Were you given any information at the scene or did you establish how these persons had been assaulted and the extent of their injuries?
- A. Sorry, could you repeat that for me again, please.
- Q. Certainly. Were you given any information at the scene or did you establish how these persons had been assaulted and the extent of their injuries?
- A. My understanding was that they had been assaulted by some of these

Protestant youths who were still in the town centre. Some of them were acting quite raucously, shouting and being generally difficult. As to the extent of the injury, I had absolutely nothing to indicate what the extent of the injury or injuries were. There was nothing at the scene that I could see and no one drew my attention to the fact that there was anything serious at the scene to warrant suspicion that the assault or assaults had been quite serious.

Q. Okay. At what time did you complete your journal entry dated the 27th of the 4th, '97?

A. I would have completed that journal entry on the termination of duty.

Q. Can you describe what action you took on arrival at the scene?

A. Ah ha. On arrival at the scene, with the very limited police resources that were at my disposal at that time, I took steps to remove this Loyalist group of youths away from Woodhouse Street, towards the top end of the town towards the West Street end of the town, it's just the predominantly Protestant end of Portadown, where these people would have been migrating towards because that's almost certainly where the vast majority of them would have lived. So that was my policing priority to use what limited resources I had to get these people away to avoid further conflict or further confrontation.

Q. Did you request any additional resources to attend this scene and assist other police present?

A. I did. I requested by radio transmission a Mobile Support Unit resource from Banbridge who I knew were on duty and covering a public order situation in Banbridge and I requested that they be immediately diverted to Portadown to supplement the resources that I had available to me.

DGJ. Can, can I interrupt Mam one minute just Alan to be fair to you there.

A. Right.

DGJ. Those are photographs which are albums there of the scene which may assist you with your answers to some of the questions.

A. Thank you.

DGJ. There's, what's the reference number of that one. Photograph album, item number ARN3.

A. Ah ha.

DGJ. Item number ARN1.

A. Okay.

DGJ. That's night time shots relating to another matter and that's ARN3 and ARN1 are daytime shots of the scene the next day.

A. Oh right.

DGJ. Sorry Mam, it's just, it ...

LKK. That's alright.

DGJ. May technically assist the Inspector.

A. Thank you.

LKK. Okay. Thank you. How long after your arrival at the scene Alan did you task the MSU resources?

A. I can't recall specifically. Again largely due to the passage of time but I'm pretty clear in my mind, as clear as I can be with the recollection that I have; that it was pretty speedily and the reason I say that to you is because I was concerned that with the resources that I had available to me, that there was the potential for the police to be overrun because of the number of Loyalist youths that were congregating. It would have been probably in the order of six to one. One police officer probably to every five or six Loyalists.

Q. And approximately how long did it take for the MSU to arrive with you?

A. Again I can't be precise. Probably something in the order, it's difficult for me to put a time on that or to emphasise that, I can't be precise on this, this is a speculation because of the pressures of time again. Thirty probably minutes.

Q. Okay. Can you recall what briefing you gave to these additional resources and how this was done ie was it done by radio or a personal briefing?

A. If you can just bear with me please.

Q. Certainly.

A. Initially the request would have been made and a very, very outlined briefing would have been given, probably by radio but I can recall that I have an entry in my journal to reflect this that I briefed specifically and personally [REDACTED]

[REDACTED] from J2 MSU whenever they arrived. And this briefing I can recall took place in the town centre and I directed that their resources be divided between West Street and the town centre to ensure no repetition of street disorder and to ensure that none of these Loyalists would attempt to go back in towards the town centre, particularly down towards the interface at Woodhouse Street.

Q. Can you describe the scene on your arrival at Market Street and the situation police on the ground had to deal with?

A. It was a fairly chaotic scene when I arrived. As I said earlier to you, I've a strong recollection that the second of the two individuals were being placed into the back of the ambulance. There was a lot of people running about and milling around the town centre junctions with Edward Street, Market Street and Woodhouse Street. I can recall a couple of people at the junction of Woodhouse Street, one of whom had his tee-shirt removed and was bare-chested and was running about with this. It was extremely difficult to identify whenever I first arrived just of this, who were the Loyalists and who were the Nationalists but it was a fairly chaotic scene and my officers were doing their level best in difficult circumstances to try and bring some level of order to what had been clearly a pretty chaotic set of circumstances.

Q. Do you recall any bottles, stones or other items being thrown during your time at the scene?

- A. I can't remember. I can't clearly remember, that's not to say that it didn't happen, but I can't clearly remember. I can remember, recall, close quarter conflict if it's the right word, between some of the Loyalists who were not happy at all in having to be moved away from the Woodhouse Street area towards the top end of the town.
- █ It was close quarter conflict between them and the police now?
- A. Yes them and the police. If I can clarify that. Some of them were very resistant and it took, I would have to say, skillful persuasion and if that's the right word again, to try and encourage and facilitate their movement towards the top of the town ie West Street.
- LKK. Okay. How long did you remain at the scene or do you recall the approximate time that you left the scene?
- A. I would have been in the scene and involved in leading my officers in taking the, the Loyalists away from the critical interface, where the assault had taken place, the area where the assault had taken place. Em for probably just over an hour, certainly until the arrival of the other MSU resources and I briefed them and at that point I was satisfied then that we had sufficient resources to deal with what was left at that point. I had other matters to attend to.
- Q. Why did you leave the scene and what other duties did you perform?
- A. I left the area as I've said to you whenever I was satisfied that there was sufficient officers to deal with the situation and the situation had largely, to my understanding at that point in time, resolved itself insofar as there was no potential for further conflict because we were controlling the town centre and ensuring there was no possibility of disorder taking place. And at that point then I had other responsibilities in both Lurgan and Banbridge Sub Divisions. As I said to you at the outset I had divisional responsibility and as such according to that responsibility, was the necessity to visit both those Sub Divisions to ensure that there was an appropriate level of policing and supervision taking place in those other two Sub Divisions. So that's the reason that I left and that's the time that I left.
- Q. Okay. According to your journal entry dated the 27th of the 4th, 97, you state, "Briefed █ and █ J2 MSU, reference town centre disorder and directed that the resources be divided between West Street and the town centre to ensure no repetition of street disorder". Prior to leaving the scene, did you give any further instructions to any other police officer or officers?
- A. None that I can recall.
- Q. Apart from Constable Cooke, did you obtain any details from any other police officer regarding events and how two persons had been injured and required to be taken away from the scene by ambulance?
- A. During the course of moving these people away from Woodhouse Street

towards the top of the town, I had occasion, I'm fairly certain, to speak to other officers on the, on the relief, who were with me in that exercise, in the process of getting these people away and I had a caus, probably a quick casual conversation with them in relation to what had taken place but I can't be specific because there was no comprehensive briefing given because of the nature of what we were trying to do at the material time.

Q. Can you recall specifically who any of these officers might have been?

A. I can't. I can't recall specifically.

Q. Bearing in mind that two persons had been injured and had been taken away by ambulance, why did you not consider having the scene of the alleged assaults sealed and preserved for examination at that time?

A. First of all the scene was not pointed out to me. There was nothing to indicate to me on inspection whenever I arrived at the scene, that there was any bloodstains or anything to indicate a scene. On the basis of the information that was given to me, there was nothing to indicate at that time that these assaults were serious or indeed life threatening. Going on the basis of previous disorder in Portadown on a Friday and Saturday night, this internecine conflict unfortunately took place on a relatively frequent basis. There was absolutely nothing to indicate to me that what had taken place on that night, was sadly any different from what had taken place on previous weekends.

Q. Did you give any initial instructions to police at the scene to follow the ambulance to Craigavon Area Hospital and establish at an early stage, the extent of injuries?

A. Yes I did, if you just bear with me please. I advised the Sergeant on duty with me, Sergeant P89, that in my absence to the other two Sub Divisions, he should go to the hospital and ascertain what the position was in relation to these two people and obviously then be in a position to inform me as to the seriousness or otherwise of their injuries.

Q. You've mentioned again about going to the other two Sub Divisions, was there a pressing requirement or request for you to attend those Sub Divisions in relation to any particular incident or was it your normal supervisory duties and calling at each station that you were undertaking.

A. It was my normal supervisory duties and the reason I left, the critical reason why I left Portadown was because at that point in time on the basis of the information that was known to me, I was satisfied on the basis of that information, that all steps had been taken to deal with the situation as it was known to me.

Q. A statement by Doctor Fannin, Consultant Neurosurgeon, Royal Victoria Hospital, reads as follows, "Mr Hamill was admitted under my care to the RVH on the 27th April 1997. His history was of initial referral to the Craigavon Area Hospital Surgical Unit, having apparently been assaulted. We were given to

understand that he had been hit with a bottle and put to the ground and immediately rendered unconscious". Are you in a position to indicate how this information regarding Mr Hamill's initial injuries were relayed to medical staff?

A. Absolutely no idea.

Q. At what time did you become aware, and as outlined in your journal entry, one of the two Hamills had sustained head injuries which may be life threatening and was to be transferred to the Neurological Department at the RVH?

A. Whenever I returned from the other two Sub Divisions, I returned back to Portadown Police Station. I spoke to Sergeant P89 and asked him what the position was in relation to these two young men and he told me that he had been to the hospital and he had met members of the Hamill family and other people who had been very less than courteous with him, and as a consequence he had been unable to find out what the medical position was. As a consequence and to ensure complete thoroughness of the investigation, I then rang the hospital and asked to speak to the, the Senior House Officer or Consultant or whoever was, happened to be there at that time, to advise me as to what the position was and that was around 4am, that's my recollection. At that point em the Doctor told me, when I asked the Doctor, I said to the Doctor, I can remember this quite clearly, I said Doctor em after we introduced ourselves, would any of these injuries to any of these young men be in any way life threatening and that was the language that I used to him. He prevaricated slightly but indicated that one of the two would probably be referred to the Royal in the morning and at that point, that was the first time in this incident that I was made aware that this had the potential to be quite a serious assault. Prior to that there was nothing to indicate the seriousness of this matter.

Q. And just to confirm, you're saying that that was approximately 4am in the morning of the 27th of April?

A. That is my recollection, that is my recollection.

Q. According to your journal entry you state, "Contacted call-out CID officer, Detective Constable Keys". Did you contact Detective Constable Keys directly or did some other officer contact him?

A. That's a difficult one. Again, again the passage of time makes it difficult to record these specifics, I can't be entirely certain whether I instructed the Communications Officer to ring the call-out CID man to contact me or whether I rang Don myself and spoke to him on the telephone. I can't be sure.

Q. Okay. Have you any recorded notes or can you recall what information was related to Detective Constable Keys?

A. I have no recorded notes but I know I gave Detective Constable Keys a comprehensive briefing on the basis of the information that I had at my disposal on the circumstances pertaining to the assault.

- Q. And was that on the telephone?
- A. It may have been on the telephone but it certainly was given personally whenever Don Keys arrived into the Police Station.
- Q. Can you give a time that you contacted the call-out CID officer, D/Con Keys or that you asked the Communications Officer to contact him, as no times are recorded in your notebook, journal or statement?
- A. Okay. It was immediately after I concluded my telephone conversation with the Doctor at Craigavon Hospital.
- Q. Okay. Which would have been some time shortly after 4am?
- A. Immediately after that was my immediate reaction to that telephone conversation.
- Q. Your journal entry states, "Instructed Constable Cooke, in consultation with other section officers who had been at the scene, to draw up a list of those persons who had been positively identified at the scene". Was this instruction complied with?
- A. I don't know because that information was to be conveyed to the Investigating Officers or Investigating Officer at that time, so I can't be entirely certain.
- Q. And who in your mind at that time was the Investigating Officer?
- A. Well it would have been the CID call-out at that point who would have been the initial Investigating Officer.
- Q. And did you say to Constable Cooke that this information should be passed directly to the CID Officer, Detective Constable Keys?
- A. Again I can't recall specifically, largely due to the passage of time again.
- Q. Your journal entry reads, "Directed Constable Cooke and [REDACTED] mobiles to go to Craigavon Area Hospital and obtain the clothing of the two IPs". Was this instruction complied with?
- A. My understanding was again on recollection, was that it was complied with.
- Q. Your journal entry differs from your notebook entry re [REDACTED]. Is this simply an error or do you actually mean Constable Orr. [REDACTED] was also a serving officer in Portadown.
- A. Sorry I beg your pardon. Where does it say [REDACTED]
- Q. Your journal entry differs from your notebook entry regarding [REDACTED]
- A. My journal entry differs from ...
- Q. Your journal entry talks about [REDACTED] and your notebook entry therefore must talk about Constable Orr and all I'm saying is, just to clarify, is it an error in relation to [REDACTED]
- A. It clearly is. I think perhaps it's maybe my writing maybe isn't the most clear at times. When I read this from my journal I can see it I've written it as Constable Orr but it's conceivable or it may construe it as [REDACTED] but it definitely was Constable Orr.

- Q. It was Constable Orr?
- A. Oh definitely.
- Q. Definitely?
- A. Oh absolutely.
- Q. Okay.
- A. Okay.
- Q. At this point in time did you take any action to ensure that the scene of the alleged incident was taped off and being preserved for examination. I'm talking now 4am or shortly thereafter once you had the information from the hospital?
- A. Yes well on arrival of, of the Detective on call-out, that was one of the priorities and on the basis of the fact that now we had been made aware that this was a serious assault, it was prudent, in fact it was vital that the scene be protected as quickly as possible in order to protect any evidence that would be at the scene.
- Q. Now what time, from your recollection what time did Detective Constable Keys arrive?
- A. Again I can't be entirely specific in relation to that but again my strong recollection is that Constable Keys arrived into the Police Station within probably twenty minutes of the call being made. There certainly was no delay in Constable Keys coming to, to the station.
- Q. And are you saying that you specifically told the Detective Constable, as part of your briefing to him, to have the scene taped off or sealed or preserved?
- A. Yeah.
- Q. For examination?
- A. Absolutely.
- Q. And this was told to him face to face?
- A. Yes.
- Q. Are you aware if a police presence was maintained at this flashpoint after the incident and if so, for how long?
- A. I can't be sure, I can't be sure.
- Q. Your journal entry also reads, "Requested that all late duty personnel who had been at the scene of the incident, Juliet Delta Eight One, should return back to Portadown Station for the purposes of making statements for CID". How was it so that after a serious assault had taken place, that these police officers were allowed to terminate duty without being properly debriefed?
- A. Because there was no evidence and nothing to indicate at any point prior to those officers concluding their duty, that this was a serious assault. To my mind it only became a serious assault whenever we were able to get information direct from the hospital. Part of the difficulty was that there was nothing at the scene to indicate that this had been a serious assault, whether by scene evidence or by direct briefing to me by other officers or indeed

members of the public.

- Q. Are you aware if they were debriefed as is normal after a turn of duty?
- A. They may well have been debriefed by the Sergeant but I can't stand over that.
- Q. You've already mentioned that one of the specific instructions that you told Detective Constable Keys was to ensure that the scene was sealed. Were there any other specific instructions that you can recall giving to the Detective Constable and have you any recorded note of same?
- A. I have no further additional recorded notes. In the investigation the critical issues were the scene and clothing. As well as trying to identify who was at the scene. Those were the key issues.
- Q. Are you saying that you specifically identified those key issues to Detective Constable Keys?
- A. I certainly identified the scene. I certainly identified the clothing from the injured parties and maybe not directly to Detective Constable Keys but certainly to Constable Cooke. The other issue in my mind in terms of the investigation was to try to compile a list of people who were at the scene to further inform the investigation.
- Q. Okay. Are you aware of what time the scene was actually secured and preserved for expert examination?
- A. I'm aware the scene was secured for expert examination but in terms of the time, again the passage of time precludes my recollection of that.
- Q. Did you at any stage check to see if the scene had been preserved?
- A. Yes I knew the scene was under, through the Communications Officer. I knew, excuse me.
- Q. You're alright.
- A. I knew the scene was being, sorry about that.
- Q. You're okay, I'll get a tissue. You knew that it was being preserved or that it had been preserved. I mean at some, at any stage did an officer say to you Inspector the scene is now sealed?
- A. No not, not initially. Again because, I'll have to think you back. Because of my understanding of what had taken place. It would have been inconceivable to have secured every public order assault scene in Portadown on a Saturday night or at the weekend. That was not an option. Clearly, I have a and police have a critical responsibility to investigate crime and to investigate serious assaults. The difficulty, from a personal point of view, is that there was nothing to indicate to me at any point in time until I received the telephone call. I made the telephone call to the hospital at approximately 4am in the morning, that it was a serious assault. Therefore prior to that, it followed in my mind that there was no necessity to secure a scene because I didn't think a scene had taken place or there was a necessity to secure a scene because no serious assault had taken place.

- Q. Ah yes I appreciate what you're saying but what I am asking you is that at some time between 4am and 5am Detective Constable Keys on your instruction had been contacted and called into duty and you've already informed us that you specifically directed the Detective Constable to ensure that the scene was preserved presumably as quickly as possible.
- A. Ah ha.
- Q. My question to you is, did you at any stage check to see if the scene had in fact been preserved. In other words, that your instruction had been complied with?
- A. Post 5am?
- Q. Post 5am.
- A. Ah right.
- Q. Post you speaking to ...
- A. Ah right.
- Q. Speaking to Detective Constable Keys.
- A. That clarifies that for me. Em yes, yes.
- Q. Have you any recollection as to what time this would have been?
- A. Again I can't, the problem with a lot of this is we're dealing with circumstances which are four years old and clearly it has a significant impact on one's particular recollection of the chronology of events which took place on that night. So I'm trying to be as specific and as helpful as I can, but clearly, humanly there will be failings in one's specific memory in this regard. But I've said to you there, in answer to your question, yes.
- Q. You're saying that you cannot put a time on that, but from records that we have, it would appear that the scene was not scened, sealed until approximately I think it's 7.25am in the morning.
- A. Okay.
- Q. And that was after the arrival of the Detective Chief Inspector who went to the scene with Detective Constable Keys. So we're talking about an instruction that you gave Detective Constable Keys some time probably between 4.30am and 5am to seal the scene and you're saying that yes you did at some stage check to make sure yes that the scene had been sealed?
- A. Ah ha.
- Q. But it would seem that the scene was never properly secured until approximately 7.25am. So are you saying that you must not have checked until after 7.25am ie some two and a half hours later?
- A. The phys, the checking was not a physical checking. I didn't ...
- Q. Oh no, I appreciate that.
- A. Go to the scene to check that whether it was being secured or not.
- Q. Right.
- A. On the basis of what I was being told and my recollection would be that from

the Communications Officer that the scene was secure.

Q. Was secure?

A. And I had no reason to disbelieve that not to be the case.

Q. Okay.

A. But in terms of timing I can't, again as I've said to you, I can't be specific as to what time that would have been at.

Q. So I mean, I can only make a presumption then, that you were told that the scene had been secured after 7.25am by the Communications Officer?

A. That is your presumption, I can't, I can understand the base, the basis on which you make your presumption but I can't comment on that.

Q. Did you ask the Communications Officer at any stage or was this the information that was just relayed to you?

A. Again I can't be, wanting to be entirely honest of my recollection, I can't be entirely specific with that or answer that honestly. Because I can't recall.

Q. Okay.

A. I just know that I have it in my, in myself that I, that I made a check. Whether that check came from another to me or whether I initiated that check, I can't be entirely sure.

Q. And the response to the check was that the scene had ...

A. Yeah.

Q. Been sealed?

A. Yes the scene was.

Q. Okay. What actions or directions did you give to ensure that Detective Constable Keys had sufficient resources or assistance to pursue the initial stages of this investigation. Ah this tape is about to come to an end so I'll actually terminate the tape and the time is 4 minutes past 11 o'clock.

Checked and certified an accurate transcript of T000228A of  
Inspector McCrum on 30.8.2001 between 1021 and 1104 hours

ST [redacted] DI Sgt