

This interview is being tape recorded, the interview is being conducted in an interview room at Lurgan Police Station. I am Detective Inspector Michael Irwin from Portadown RUC. Other police officers present are: Maynard, McBurney, I'm a Detective Chief Superintendent. Other persons present are.

COMMISSION

[REDACTED], Independent Commission for Police Complaints.

SOLICITOR

[REDACTED] of Edwards and Company, Solicitors.

The date is the 8th of September 1997, the time which again is taken from my wrist watch is 9.24 pm. What is your full name.

P40

P40, Full Time Reserve Constable, Portadown RUC Station.

At the conclusion of this interview P40 I'll give to you a notice explaining what will happen to the tapes, it's a form PACE 21.

P40

(inaudible)

Now as I've explained to you previous you are being interviewed in relation to criminal neglect of duty at Portadown town centre on 27th of April 1997.

P40

Yeah.

In relation to an assault and death which took place on that night and I'll caution you as follows. 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 court it may harm your defence, if you do say anything it may be given in evidence, OK P40.

P40

Yeah OK.

Right I'll explain a number of items that I've just placed in front of you, the map of the town centre and on it are indicators marked LR1, LR2 and LR3, this was the position that a landrover was marked on the 10th of June '97 by your colleagues R/Constable Atkinson and Constable Neill. And on the other side of that map is a position of the plan of the RUC landrover, PXI 1928, which was the, the landrover that youse were in that night of the incident. Also a further map of the, Portadown town

centre. This is simply a copy of this previous map without the landrovers marked in it OK.

P40

Yeah.

And, then we have a location map of Portadown town centre, it's basically a smaller scale of what we have.

P40

Yeah.

We have also two sets of photographs in case we refer to them. One was taken following the incident on the 27th of April and the other one was a set of photographs taken on the 10th of June when the landrover was placed back in position by R/Constables Atkinson and Constable Neill. Now if I explain to you here just basically what Constable Neill has indicated.

P40

Yeah.

For your own benefit and then you can agree or disagree.

P40

Right.

Regarding positions and what I would say was he indicated LR1 where you initially came to.

P40

Yeah.

Commenced or where you had parked OK, then moved to LR2.

P40

Yeah.

And then he would say following another incident or following an incident he moved to LR3, indicated.

P40

Right.

Drove in at that angle.

P40

Yes, yeah.

If I turn over here is a plan of the RUC landrover.

P40

Yeah.

Firstly and what I'd ask you is could you indicate, and we'll mark this map MI4 and that will be my identification mark. And that will do both the landrover and the other

map at the other side. If you would indicate where each person was sitting on the night in question. Now for the purpose of the map you're indicating "me" which is you.

P40

Yeah.

And you were sitting right at the back.

P40

Behind the driver.

And did you always remain, at the back door.

P40

Well it is.

At that side are you indicating.

P40

At that side, start off at the back because we have a wall at your back and you can, you know get comfortable.

Yeah.

P40

Because I'm six foot tall and if I sit straight with my legs out that way my head hits.

OK.

P40

You've more room there.

And then Bobby on the opposite side.

P40

Yes Robbie is opposite me so he was, yeah.

Robbie. R/Con Atkinson you're referring to.

P40

Yeah.

And although you've put his name at the back door you, you're indicating.

P40

Yeah that's. It's just that seat yeah.

OK Ally is.

P40

The driver, that's Alan Neill, Constable Neill.

Constable Neill OK.

P40

And Denise, Denise, R/Constable Cornett.

R/Con Cornett.

P40

Yeah.

OK and can you tell us what your brief was

before you went out on duty that night.

P40

Public order duties town centre as per usual on.

Who, well can you recall who briefed you.

P40

Sergeant P89

And what time or what day was it.

P40

Ten past twelve we went down and he said grab a quick cup of coffee.

Were you on lates that day.

P40

Yes.

OK.

P40

Aha, yeah.

And you're talking about.

P40

We were carrying on duty public order duties you'd be on 'til three o'clock in the morning.

Righto.

P40

On duty at twelve o'clock I went down to see what we're doing on extra duty. And we're told we're in a landrover, and to grab a quick cup of coffee and head on out.

Before I move any further I'll give you your statement over. There's a witness statement that you made, and notes taken from you regarding the incident.

P40

Right.

Your notebook entry regarding that particular night and I'll just hand that with you OK.

P40

Yes.

When you, say that you were briefed regarding that day what are you talking about.

P40

It's just a short briefing who the crew was.

Righto.

P40

And your usually told whether you're just in the town centre or you're in the periphery.

In the town centre is inside the barriers, you can't leave the town centre.

And you were told public order duties.

P40

Yeah.

What, do you take that to mean.

P40

Just public order duties. If there's any drunks come along, fighting, any competition between two sides, anything like that there. Sometimes you get them coming home from band parades shouting you know, keep them offside so there's no display of uniform or that there.

Aha.

P40

The likes of that.

Right and how long have you been in Portadown then.

P40

I've been in Portadown twice, I came to Portadown in June time '86 and done a year and a half. This is my second turn in Portadown, I think I've been there four or five years now.

Right. And would you regularly be detailed for public order duty.

P40

Everybody, gets a turn at it. Ah. Usually Friday, Saturday night you're due on it.

How often would that be.

P40

You do lates approximately once a month.

Right and you're saying public order duty once a month.

P40

Yeah. At least.

And what would that entail down the the town centre. What does that actually entail, what do you do.

P40

You drive round, as I say, if you're just town centre you're going round, keep an eye on the chip shops, going up Thomas Street if St Pat's is open or if it's you know late licence or whatever.

Aha.

P40

And see is anybody hanging about. See is anybody in the Queens which is a prod pub down at the bottom of Thomas Street. See is there anybody hanging about there.

Aha.

P40

Mandeville Street, you've pubs up round there. There's different flash points so there is. Mandeville Street sometimes you get drunks congregating there and then at Dunnes car park, the tunnel.

Aha.

P40

The Nationalist end, sometimes.

Yes.

P40

You'd get confrontations there. You're monitoring all those there.

Right.

P40

And then if you see anything developing you take it from there. Ask for back up or whatever, if there's anybody on the periphery.

OK. Who's in charge when you go out like that there. Is it the driver or is it the senior man or.

P40

It's usually a senior man so it is.

And the senior man on this occasion was.

P40

It's Alan Neill.

Yeah. How often did you see or during your time in Portadown have you seen sectarian conflict. Issues such as that St Pat's or the tunnel end or whatever.

P40

How many.

Ehm.

P40

A brave few.

A brave few could mean one or it could mean twenty or it could mean hundreds.

P40

If I said thirty, fifty.

What you're saying, you see thirty or fifty wouldn't mean a great deal.

P40

No, no.

But you have seen.

P40

I have seen.

That's what you're saying.

P40

Yeah I have seen different instances yes.

What would you do if you thought there was going to be sectarian conflict.

P40

If you could feel it in the air, you know.

Yeah if you could feel it in the air.

P40

You get back up.

You get back up.

P40

Yeah you say, Roger there's crowds either side here and you get back up because, as I say there should be four, five people only in a landrover.

So you're saying that really, generally speaking with sectarian conflict, you would get a feeling that it was going to happen.

P40

Yeah.

Because there would be a build up to it.

P40

Yeah. Yeah, usually yeah.

And you'd have the time then.

P40

Oh aye, you'd.

To ring in.

P40

You can see people, you go down towards the town, down Woodhouse Street you can see people coming out, they're hanging about, you can see people congregating down at Wellworths, the front of the shops down at, round the chip shops so you do.

OK. Right now how often would you have conflict coming down Thomas Street here.

P40

At that particular place very, very seldom because the majority of people would get taxis.

The majority of people would get taxis.

P40

From, St Pat's yeah.

So you wouldn't necessarily be expecting trouble here.

P40

No, no.

Have you ever seen trouble there before.

P40

Ah yes but it's been people.

How often.

P40

Ten I, I could say ten times but no more than that.

You were about to say it's more, it's more likely.

P40

Yeah, people coming up from the Woodhouse street side, coming out of the pubs congregating, and coming up and looking trouble, you know see is anybody about.

Coming from this side looking for trouble.

P40

Coming from the Nationalist end of town.

Looking for trouble.

P40

Yeah.

Yeah, but that would be the exception rather than the rule.

P40

You have trouble makers, I'll not name them, there's a stupid thing called King of the Street, and if they can come up Woodhouse Street with a drop of drink in them, go up, walk up that its their town and get back, it's a brownie point on their side.

OK how often would you alight from the vehicle and carry out static or moving patrols while on a landrover patrol. Do you understand what I mean by that.

P40

Yeah I would physically walk about.

Physically walk about.

P40

Ah not very often.

Do you think that would be a good idea or.

P40

No.

A bad idea.

P40

Before the ceasefire it was not a good idea, no.

Well let's assume whether ceasefire or otherwise.

P40

Right.

Why is it not a good idea.

P40

Because the police are hated on both sides of the community in Portadown and if, you're out there stranded, a fight can break out that quick so it can. How do you explain it, you know if four people are walking past you can get a dig in the head very quickly.

Ehm.

P40

So you can.

OK right let's just change tacts slightly for a minute or two.

P40

Right.

And you're now parked here.

P40

Yeah.

At LR1.

P40

Yeah.

And you, can you remember being parked there.

P40

Yeah.

Why exactly did you park there.

P40

As far as I can remember.

In your opinion, why did the driver park there.

P40

Why do we park there, we'd, we come round and we parked here there was the street, at that point the street was deserted and we stopped to have a chat and a smoke.

Ehm.

P40

So we had, we finished our smoke and we continued on.

But you continued on to where.

P40

On out towards Woodhouse, LR2.

OK. You're now stopped at LR2 and what happens at LR2.

P40

LR2 was see a couple of fellas walking up by the, past the, they were walking up past the Northern Bank, Halifax so they were. One of the fellas I know as Stacey.

Yeah so you see Stacey coming up.

P40

Yeah.

Can you recall seeing anybody in Thomas Street at all.

P40

No.

Nobody in Thomas Street.

P40

No.

Well.

P40

This is the first two people.

How can you be so certain, it's quite restricted a view out of the landrover at this stage.

P40

Good point. There might have been. Putting it that way I didn't see nobody but there might have been.

OK you didn't see anybody.

P40

It's possible. I did not physically see anybody.

OK, right now you see two people.

P40

Yeah.

Coming up here.

P40

Yeah.

And one of them is.

P40

Stacey.

Stacey as you know him.

P40

Yeah.

Do you know the other person.

P40

I know him to see.

Right now tell us about those two people and what transpired from there.

P40

As we pulled in to see what the crack was with them because, not putting a blunt edge on it but Stacey is a bit of a troublemaker.

Ehm.

P40

And so we pulled in to see what the crack was and started chatting away so we did, he knows me by name so he does.

Ehm.

P40

He popped his head in, said there's how are you doing and just started away to him. chatting

Well were they just walking casually I mean or were there, was there any hassle or.

P40

There was no hassle. He had, a Buckfast bottle in his hand so he had and just walking casually up.

Ehm.

P40

Through the town centre.

And then what happened after that.

P40

What happened after that. Somebody, a male person opened Alan's door and started trying, he started pulling at Alan and shouting. He started shouting at him so he did.

Can you remember what he started shouting.

P40

I couldn't make it out. I don't know.

Can you remember speaking to anyone before that.

P40

Before somebody opened the door.

Aha.

P40

Yes Stacey and, and his friend.

And prior to that can you recall anybody talking to the front two, passenger and the

driver.

P40

Yes there, there was a fella came round the front of the landrover to the side that Stacey was at and he said that his friends was coming down from St Pat's so he did.

And was Stacey there at that stage.

P40

Yeah.

Right there are counter accounts not counter accounts there, there is another account of the incident that would suggest that this person walked in front of the landrover before Stacey and his friend was.

P40

Well I can only, I can only give you my point of view.

Righto.

P40

So I can.

OK. What, happened then as a result of.

P40

Ahm.

What was the conversation then with Stacey or did, what happened to this person or what did.

P40

Ah.

When this person shouted in.

P40

After that ah the fella opened the door, we got out.

Sorry before the fella opened the door sorry.

P40

Right.

If we could move back to when Stacey was at the door.

P40

Yes.

And the person shouted in.

P40

His friends is coming down from St Pat's.

Aha.

P40

Right.

What happened then.

P40

I had a look round so I had, we were talking to Stacey and at that stage I started looking out and I seen people walking up from on the Wellworths side of the road.

Now you're indicating on the opposite of the road.

P40

Yeah.

From were you were actually parked.

P40

Yeah. As I say up here is the Granada, Cancer Research.

OK.

P40

They're walking up along that side there so they were.

Now at that stage and I know you weren't present when these people put in the landrover.

P40

Yeah.

And it might be very hard for you to visualise.

P40

Aha.

But where was the landrover parked at that stage, LR2 or LR3, or was it anywhere or if you want to put it a different place where it was parked, it's up to you.

P40

Well LR3 it looks alright to me.

LR.

P40

Three, we have stopped there talking to Stacey and them.

Righto.

P40

So is that what you're asking.

Yes.

P40

And then this fella, he came round and said about his friends coming down from St Pat's down Thomas Street.

OK.

P40

And then I was facing talking to Stacey and that.

Aha.

P40

And then as I came round I seen people walking up on the footpath on the other side of the road.

Right you, you'd have been looking out through.

P40

The rear hatch.

The rear hatch.

P40

Aye, no what's, it's the wee one over here.

You're, you're describing on the side hatch of the landrover.

P40

Yes the side yeah, yeah.

Now just to be mindful of LR3 and the way it's parked there at the minute, you'd be looking out through the side hatch.

P40

Yeah, yeah.

You now if you could explain just exactly.

P40

I don't think, I can't remember seeing anybody walking down. No I, from where I was looking you know you hadn't a very good view.

Aha.

P40

You could see the side of Eastwood Clothing up so far.

Aha.

P40

But where the side of number seven.

Aha.

P40

Home bakery and Jamiesons.

You wouldn't see nothing.

P40

I, actually you know you're, you're cut off, you cant see that.

Aha.

P40

So you can't.

OK. And, and then.

P40

And then as I say the fella.

What did you see then, what.

P40

Ah I'll say that there was people walking down I think there was some people up here.

Now you're saying walking down, you actually mean walking up the street do you.

P40

Aye towards the church, to St Marks' Church at the top of the town.

Yes.

P40

They were walking up the town or whatever.

And you're.

P40

Up that direction.

And you're saying on the Cancer Research side and that.

P40

Yeah, yeah.

Right.

P40

Yeah. I think there was a, there might have been a few people up here but.

You're indicating up around Eastwood Clothing.

P40

Yeah.

Above that Evans.

P40

But I, I, I can't be, it's a bit.

And what happened then.

P40

The fella opened the door and shouted and then we got out of the vehicles or sorry we got out of the vehicle.

Did you say anything to Constable Neill prior to that.

P40

Ah.

You can look at your statement there just in case, in your notebook entry. If you just look there.

P40

Right.

That's.

P40

Yeah, aye. It's a mess just.

Yes you're OK P40 take your, time.

P40

(inaudible)

Yeah because.

P40

I'm the nervous type so I am.

No take your time because it's hard to figure out and we're trying to get things in sequence.

P40

Yeah.

As to how they happened and that's really what we're trying, to do from the very outset.

P40

Yeah.

So that we get a feel of what things were like.

P40

Yeah.

On the street.

P40

Right.

On that night. So take your time.

P40

Right.

And.

P40

Just I see it there and I heard shouting as I say I'm, I'm trying to get, visualise it.

That's OK.

P40

As I say seen people, as I say walking up towards St Marks on the far side of the road and right there was shouting.

Right let's take it, stage by stage, there was shouting from the Thomas Street side.

P40

Yeah.

But what was that shouting, have you any recollection of what that shouting.

P40

No, no.

Was like the question I'm asking really is, was it Nationalists shouting.

P40

No.

Was it.

P40

No it was, it was nothing to, you know ah.

Could it have been the people just walking past.

P40

It could have been (inaudible)

Or was it people coming down Thomas Street.

P40

It, it, to me at that stage you know it, it could have been people and you're having banter because I think there was two bus loads they were coming home from the Coach and.

Well do those coaches not come every Saturday morning.

P40

Sun, this is the biggest crowd I'd seen in a long time.

Ehm.

P40

They'd usually, don't all come into the town centre, they get off.

At various spots.

P40

You know at various points so they do.

But you're acknowledging that buses.

P40

Yeah.

Do.

P40

Yes on a regular.

Drop off people there.

P40

Yeah, yes.

Regularly on a Saturday morning.

P40

It's a big lay down point, it's the final you know.

Yeah. And you would have this crowd normally on a Saturday night.

P40

Ehm.

Only maybe not just quite as large.

P40

No, no usually you're lucky to have a crowd of twenty coming through the town centre.

Ehm. Right.

P40

At, at the very most.

OK.

P40

The, the as I say (inaudible)

So you heard shouting at Thomas Street.

P40

Yeah. But it, you know the way drunk men are.

Ehm.

P40

It was nothing, it wasn't like hatred you know at that stage.

Ehm.

P40

So it wasn't.

Yes well that's a very good way of putting it it wasn't as you would refer to it as sectarian.

P40

No, no.

Or attacking or.

P40

No.

Abusive.

P40

No, no.

It was friendly banter.

P40

Yes.

If you (inaudible)

P40

That's what it sounded like.

Friendly banter.

P40

You know if I was shouting at you, you know, (inaudible).

OK.

P40

Talk, you know.

Point taken, so you, heard a crowd then shout, shouting from the direction of Thomas Street.

P40

Yeah, yeah.

And you told Constable Neill.

P40

Yeah.

And.

P40

Just to make him aware, yeah.

What happened then.

P40

It was then that a male person came over and he started physically pulling at Alan and he was shouting something at him so he was, well as I, I couldn't make out what it was and we then all got out of the landrover so we did.

(inaudible). Did anything else happen at that stage.

P40

Not.

Constable Neill's door and he started pulling his arm and shouting at him.

P40

Yeah.

Had you any knowledge of what he was shouting at him for.

P40

No I, I couldn't make out what he was shouting.

Did he, can you think of what he said.

P40

No.

You're not aware of what this man said.

P40

No, no.

But at that stage you then all got out of the landrover.

P40

Alan says.

And what did you see.

P40

There was a very large crowd at, as I got out of the landrover I looked over and there was a crowd so there was, there was a lot of tugging going on between, it was like a start of a fight.

Ehm.

P40

You know people tugging at other and toing and froing.

Where did that take place.

P40

That was between Eastwood Clothing, Evans, between the centre aisle and that side of the street.

Right.

P40

So at the other side of the street.

Aha.

P40

You know on the road bit there.

Righto, on the road at the Eastwoods and there was tugging and.

P40

Yeah pulling back and forward so there was.

Right.

P40

And then there was women started screaming, so there was, I don't think I can place.

Well now let, let's just slow it down a wee bit, you heard shouting.

P40

Aha.

Youse got out of the landrover.

P40

Yeah.

And how many fights were there.

P40

Ah four, about four, might have been five, you know it's.

Right if there were four or five fights.

P40

Yeah.

Have you any idea where that, those fights were taking place.

P40

There's no specific, as I say there was a lot of tugging and they were pulling.

Pushing and shoving.

P40

Yeah they, they, there was no, I didn't see

any laying on of fists.

Right.

P40

Anything like that, there was just a lot of tugging so there was.

OK well what did you do yourself, what did you do yourself.

P40

I seen that there and then, this fella, this male came over and he had the navy shirt, dark coloured trousers, he came over to me and says, what the fuck was I going to do.

Ehm.

P40

And I, I politely advised him to stay over out of the way.

Ehm.

P40

And he kept persisting and walking, I had to use my hands on his shoulders.

But you're saying, you said before that, that there were several fights taking place.

P40

Yeah.

OK but that's not what you told us, you said in actual fact that there was pushing and shoving, you didn't say there were fights because I asked you specifically about fights. Now what.

P40

Well do you mean as a fight as in.

I mean, what is a fight. A fight is when someone is struck.

P40

No, well then it's not a fight.

Well you have said here several fights were taking place.

P40

At that stage, if you're saying a fight is when somebody gets struck. I did not see anybody getting struck at that stage.

Yeah at, at any stage did you see any fighting.

P40

There, I did not see anybody getting stuck at any stage over at the other side of the road, no.

Well what were your colleagues doing at this

stage then.

P40

This fella came over and I was trying to keep him over at the Woodhouse Street side and Alan was at the side of the landrover and I couldn't, I think he was talking to a young fella so he was but it's vague. This fella kept wanting to go over across the road and I, physically restrained him and then this fella with the grey, sweatshirt.

Ehm.

P40

He came running, he must have been, he was down Woodhouse Street and he came running and I stopped him, physically stopped him and brought him back, he was very drunk and as I say I was actually keeping them back because the.

There are people injured here, there are people with blood on them.

P40

Yeah.

There is a fracas taking place and although you have said here in your statement.

P40

Yeah.

There were approximately fifty young men in the street and there was several fights taking place and several females were screaming and shouting.

P40

Yeah well as you're, if you're putting a fight as in somebody being struck, there was nobody being struck at that stage, the bit that I saw.

Well right, let's take it a stage further, at what stage were people being struck, or at what stage was someone being struck.

P40

It must have happened real quick as I was holding these two people, the fella in the grey he made to get past me before I grabbed the hold of him and whenever I grabbed him that's when I turned round and I saw, I seen a boy, somebody lying on the other side of the road and then at that stage I went over, so I did.

Yeah. What do you think was meant when the male came over to you and said, what the fuck are you going to do.

P40

He actually wanted me to wage in and, and pull his friends out of it.

P40

Out of what.

Out of danger.

P40

But according to you there was nothing happening.

I didn't say there wasn't anything happening, I said there was a lot of pushing and pulling.

P40

Right. What did you do during all this time.

I was holding, I was restraining these two males over at Woodhouse Street.

P40

Right. Were you aware of any of your other colleagues, what they were doing.

No. But as I say, I've a very vague I seen Al outside the landrover, I couldn't tell you what he was talking.

When you say you saw Al, who, you refer to Constable.

P40

Constable Neill.

P40

Right. And, and what did you see him doing.

He, he was talking to somebody at the side of the landrover and then I, I don't know, I couldn't tell you where they went to.

So did you remain at the landrover doing nothing.

P40

No I was restraining two males who were from the Nationalist part of the town. I was trying to keep them away.

Can you give us a description of those two people.

P40

Right, that male I was talking about, he was wearing a navy shirt, dark coloured trousers and the other fella he had.

Just hold on a minute there P40 just, could you go a wee bit further and this is from a point, point of view of mine, did you know if he was wearing a tie, can you give a description of him.

P40

Yeah.

P40

Of him.

I think he was wearing a tie.

P40

Right.

I can't say whether he was or not.

P40

Can you give a description of him.

He'd have been about, well I'm six foot, he'd have been five ninish.

P40

Aha.

About five foot nine.

P40

Right.

The other fella with the grey t-shirt.

Was he thin build, like short hair, long hair, anything.

P40

He, ahm.

P40

If you can't, recall.

I can't.

P40

OK and the other person had a grey sweatshirt.

Grey sweatshirt, I couldn't tell you what he, I don't know what he was wearing. He had light coloured hair and he had, plenty of it so he had.

P40

Right. Now you, said earlier that the mood in the town, the singing and that was jovial.

P40

Yeah.

At that stage then when you were restraining these two persons.

P40

Yeah.

What was, did you hear anything at that stage.

P40

That's, there was shouting but what it was I don't know.

Well had the mood in the town centre changed at that stage.

Ah yes it, it, I'd say to you it got quieter.

Right. And you were pulling, holding two people back for a specific.

P40

Yeah.

Reason at that stage.

P40

Yeah, yes.

And what was that.

P40

Because they were Nationalists and if I'd let them go they'd have ran over and because of the amount of Protestants there they would have been attacked too.

Yeah when you say attacked, what do you mean by being attacked.

P40

Jumped on, hit.

But, you're saying there was no fighting. Hit, I mean if you hit somebody it's fighting I mean.

P40

Yeah but. Well what do you want me to say, I didn't see any fighting taking place.

No I want to know, did you see fighting taking place.

P40

No, no.

What you describe as fighting in your original statement you're.

P40

Yes it's a.

Struggling.

P40

Struggling.

And that's where the terminology is (inaudible) here at the minute but you're, what you've described as fighting in your statement you.

P40

Is not a physical, is no physical punches.

It's struggling.

P40

It's struggling. Struggling.

If you want to put struggling instead of fighting in there. (inaudible). Yeah.

P40

You know what I mean if you can substitute

struggling it, I, no there was no fighting, there was struggling between males, yes but no fighting, because there was no physical punches being thrown.

Yeah. So you were restraining these two people.

P40

Yeah.

In Woodhouse Street.

P40

At, at the mouth of it, yeah.

Really for their own safety.

P40

Yeah.

And you remained with those.

P40

I remained with those two people yeah.

And there was no fighting.

P40

That I was aware of.

That you were aware of.

P40

Yeah.

Well do you think you were wasting your time.

P40

No. There, there's that, no I wasn't wasting my time.

Could those two people if they're, if they were released, started a fight is that what you're trying to tell us.

P40

They could, they could have been yes, they could have started a fight. If I'd have left, if I'd have let those two people go and stood with my hands in my pocket they would have had a confrontation with the Protestants.

Can you remember any discussion you had with them or what you tried to say to them.

P40

I tried to stress that to stay apiece, that if they went over, if they went over.

No I know that it's very, very difficult to remember exactly what happened and I can understand your predicament because it really is quite difficult and it's, it's easy for us, we weren't sitting here, we don't have to try and recall the situation. You understand that nobody knows that better than myself but

really we're trying to get the feel of what was happening to try and determine exactly what was happening, to try and determine what police were doing.

P40

Yeah.

While this fracas, for the want of a better word, was taking place.

P40

Right, right.

Because one man is lying dead or dying.

P40

Yeah.

Another man is seriously injured.

P40

Yeah.

And yet well you're telling us, there was no fighting but quite obviously there had to be fighting.

P40

Yeah, there had to be fighting yeah.

So really what you're saying is that in consequence of you trying to stop these two boys getting into the middle.

P40

Yeah.

Of these, this crowd.

P40

Yeah.

You didn't see.

P40

No I, I was facing them all the time so I was.

You were facing down towards Woodhouse Street.

P40

I was facing Woodhouse Street to, if there was fighting taking place it was behind me so it was I, I didn't see it.

Well then at what stage then did you turn round and see, if any, blows being struck or at what stage did you see the two men or one man lying on the road.

P40

As, I say the fella with the grey sweatshirt he made a run and he got past me a bit and I had to grab him physically and I think I was near dragging him back and at that, at that time I looked up so I did and I think it was then that I seen somebody lying on the road

so I did.

P40

Ehm.

And if.

There are bottles flying, were you aware of bottles flying.

P40

Yes, the, the.

P40

At this stage.

As I was facing them there was a bottle came in behind me somewhere and I, I heard the bottle smash in behind me some road.

P40

Ehm.

So I did.

And would it have been on the main street, you'd have still been facing down Woodhouse Street.

P40

Yes. I didn't see anybody throwing it, I just heard the crash.

Was this adjacent or close to the landrover or were you close to the landrover.

P40

I was about eight foot, maybe a bit more away, from the landrover at the tail of it over towards.

P40

Holding these people.

Yeah.

P40

These two people.

Yeah, these two people back, yeah. And as I.

P40

So the next thing, or at some stage.

Yeah.

P40

I turned round.

I turned, I.

P40

Were these two people still with you at this stage.

Aye the two people I was holding back.

P40

Yeah.

The fella went, he was down on the ground, the fella with the, he was very drunk and he had, fell. As I say just past me, he had tried to make it past me and he had fell and I near, I think I nearly dragged him back towards it and as I lifted my head up I seen somebody lying on, the other side so I did.

P40

Did you see one or two lying.

I think at that, I seen one, I think at that stage that you know I just seen one person and I brought the fella back so I did and I looked over again.

P40

You brought him back where from again.

From ah.

P40

Indicate, you can indicate on your.

That side.

P40

Map there if you, you have to allow that that, that landrover is now moved.

P40

And it's parked there.

He'd have been somewhere about here so he was.

Yeah. Mark that there with just exactly, just roughly where you'd been, with an X.

P40

Ah.

And 1. There's the junction, there's the junction there Woodhouse Street.

P40

Somewhere between those, somewhere along there now it's.

P40

I know it's. Just mark it as one there and put your initials beside it.

P40

He was somewhere about here he'd, he'd got up, he had tried to, he had.

Now there's the landrover there.

Yeah.

You must remember LR3 is the landrover parked

P40

at that stage.

Yeah.

P40

LR2 isn't there.

Yeah.

And that's sort of the pelican crossing.  
Right I'm going to change the tape here from  
my watch it's twelve minutes past ten.