

TRANSCRIPT OF TAPE RECORDED INTERVIEW

Interviewee: Reserve Constable Paul Warnock
Force Number & Station: R11932, Portadown
Interviewers: Chief Inspector D G Jackson, C & D
[REDACTED]
(Seconded to C & D)
Date of Interview: 24 September 2001
Time Started: 1504 hours
Time Ended: 1526 hours
Master Tape Seal No: T000243A
Tape Number: 1 of 1

This interview is being tape recorded. The interview is being conducted in an interview room at Lisnasharragh Police complex. I am Chief Inspector Desmond Jackson of Complaints and Discipline Branch, Lisnasharragh.

DGJ. The other interviewing officer present is?

GBN. [REDACTED] also attached to C & D Lisnasharragh.

Q. The date is the 24th September 2001, the time is 3.04pm. I am currently interviewing?

A. Reserve Constable Paul Warnock.

Q. And can I ask you for your number Paul and your station, please?

A. It's R11932, Portadown.

Q. Right, throughout this interview are you happy enough being referred to as Paul?

A. That's correct, yeah.

Q. Also present is?

[REDACTED]
DGJ. Okay Paul, you have requested that [REDACTED], be present during this interview and 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 the tape I will give you notice, Form 17/27, explaining what will happen to these tapes. Do you understand?

A. Yes, I understand.

Q. Okay, so if I can just refer to Form 17/3 that was served on yourself by Superintendent Kennedy on the 28th June.

A. Yes.

Q. And this form reads, "It is alleged that on the 27th April 1997 at Market Street, Portadown, following a serious assault on Robert Hamill, which resulted in his death, in accordance with Force instructions you failed to make a full and accurate entry in your notebook, in particular to note the relevance of why a suspect named as Wayne Lunt was placed in the rear of a police landrover and later released. It is further alleged that you failed to mention the reason as to why this person was placed in the rear of a police landrover and later released to the Investigating Officer or to a supervising officer. In addition, as a result of the aforementioned allegations, you have brought the reputation of the Force into disrepute and your actions were contrary to Force ethics on professional policing". And when that was served on you, you made no reply.

A. That's correct.

Q. Okay and if I can just remind you of the caution then and the caution now throughout the interview. 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. Do you understand that?

A. I understand that.

Q. In ordinary language, 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 the new information. If you do, it may be given in evidence". And again in simple language Paul, this interview provides you with an opportunity to give an account, an explanation or to defend yourself against any alleged disciplinary offences. Do you understand all that?

A. Yes.

Q. Is there anything you wish to say?

Yes, the incident occurred on the 27th April 1997. Reserve Constable Warnock was served with his Form 17/3 on the 27th June 2001 and it would be my respectful submission that the form is entirely out of time in accordance with the principles enunciated in the Merrill decision and while the Reserve Constable is anxious to assist with your enquiries, he does so without prejudice to his entitlement to argue at any subsequent disciplinary investigation or hearing that the form is in fact out of time. Other than that, the Reserve Constable is anxious to assist with your enquiries.

- DGJ. Okay, thank you. We'll carry on. Form 17/3 as served on you by Superintendent Kennedy on the 28th June of this year having been read to you together with the appropriate response, are you satisfied to continue with this disciplinary interview?
- A. Yes.
- Q. During the course of this interview, I may refer to notebook entries, witness statements made by yourself and witness statements, notebook entries, documents prepared by others. You may at any stage ask to read or refer to these documents. Do you understand this?
- A. Yes.
- Q. In your statement dated the 27th April 1997 you state, "On Sunday 27th April 1997 I was a member of a mobile patrol on duty in Portadown". Can you recall the other members of this mobile patrol?
- A. Ah Constable Cooke and Reserve Constable Murphy.
- Q. Do you wish a copy of your statement from the 27th April?
- A. (Inaudible).
- Q. It's there just in case you wish to refer to it. You further state, "At approximately 0147 hours I received a call from another call-sign requesting urgent assistance in Portadown Town Centre". Can you recall what call-sign needed assistance and what, if anything, was said over the radio as to why they needed assistance?
- A. The call-sign was the landrover patrol which would have been Juliet Delta 81. Basically what came over the air was a lot of shouting, looking, shouting for assistance. The actual words I can't remember at all.
- Q. Are you in a position to indicate who was calling for assistance. What I'm saying there Paul, the, the identity of the officer?
- A. I think it was Reserve Constable Cornett, I'm not a hundred per cent sure. I think it was her.
- RM. Do you recall even if it was a female officer?
- A. Aye I think it was, it was a female.
- DGJ. And were you in a position to make out why they needed assistance?
- A. No, it was ah basically shouting for assistance. It was jerbled for want of a better word.
- Q. In your statement you state, "On arrival in the town centre at approximately 0150 hours and in the area of Thomas Street/Market Street, I observed police and a large crowd numbering approximately 30 to 40 persons, having a confrontation". Can you explain what you mean by a confrontation?
- A. Basically there was the crowd, there was what police was there at the time which was approximately half a dozen and there was members of the crowd and police basically face to face and people maybe being pushed back.
- Q. Did you see any fighting taking place?

- A. No. There was no fighting taking place.
- Q. Did you see any bottles being thrown or hear any smashing of glass?
- A. Not that I recall, no.
- Q. You said, "Approximately 0155 hours I assisted A [redacted] with a male youth now known to me as Wayne Lunt, [redacted] into the back of a police landrover". Does this mean that you knew Wayne Lunt before this incident?
- A. No, not that I can recollect that I would have known him before that. I'd had no dealings with him, if I can remember correctly now, I'd never had any dealings with him before.
- Q. Until that night?
- A. Until that night.
- Q. In relation to the words 'into the back of a police landrover', did A [redacted] or yourself get into the landrover as well as Lunt and if so, where. If not, where did A [redacted] and yourself stand?
- A. I think A [redacted] might have got into the landrover, we come to the back doors. I stopped at the back doors and the both of them I think got into the back of the landrover and then I left the landrover.
- Q. Can you indicate when you left the landrover Paul what you did or what you?
- A. I come away from the landrover and basically back to where we had kinda set up a police line for what was, what police was there at the time and then Constable Orr, due to the size of the crowd and the crowd would have been increasing in numbers with different ones coming from here and there, he directed me to go back to the police station and get a baton gun and rounds and come back to the Town Centre.
- Q. Okay. Did you know what A [redacted] was doing with Lunt when she placed him into the landrover. What I'm getting at there Paul, do you know had he been arrested?
- A. No I wasn't aware whether he had been arrested. Basically what I'd seen was A [redacted] coming across with this fellow and he was, I suppose you could, not, struggling but not struggling, you know kinda pushing back on A [redacted] and I just basically took a hold of him by one of the arms, which one it was I can't remember, and assisted him just to the back of the landrover. It was only a short distance, a few yards and that was my last dealings with him.
- Q. You further state, "I then left the landrover and on the directions of Constable Orr, due to the crowd having gathered in numbers, I returned to the police station and signed out a Heckler and Koch riot gun marked as Number 3 and 25 baton rounds". Can you indicate how long you were with A [redacted] at the landrover before you left and went and got the, the ah riot gun?
- A. In a few seconds. You know it wouldn't have been you know five minutes or

anywhere between, at the back, actually at the back of the landrover, 30 seconds to approximately maybe a minute, a minute and a half.

Q. Did you leave A on her own with Lunt or were you relieved by another officer or was Runt, was Lunt released whilst you were present?

A. Ah I wasn't aware that he had been released. And if I remember correctly there was somebody else was there. I can't remember whether they got into the landrover or they were already in the landrover. I can't remember that.

Q. Did you overhear any conversation between A and Lunt whilst placing him in and having him in the landrover and can you recall what it was about?

A. No I don't remember any conversations at all.

Q. You arrive to assist other police re a street disturbance. You noticed the confrontation between the crowd and police. You assisted A with a possible prisoner, Lunt. You go on, you go to the station, sign out a baton gun and return to find the crowd on your arrival still disorderly. Did you not see two injured men lying on the road?

A. On my arrival I noticed one person to my left which would have been basically the junction of Thomas Street/Market Street. But there was somebody with him and I went on to, I went past him to where other police were basically standing right across the whole of Main Street in Portadown, which is both I suppose you would say, the side of the street that leads to Armagh and the other side of the street would lead down towards, out towards Craigavon/Lurgan.

Q. Paul, if I just could, could introduce document ARN1 which is photographs of the scene. Just take your time and go through them there. What really I'm asking you to do there is, is to mark the position of the male that you observed lying. If that photograph now is not good ...

A. No.

Q. And you want to ...

A. He would have been somewhere about

Q. Just there?

A. Just, just at the, at the junction there.

Q. Just make a large X on that.

A. Somewhere in and around that.

Q. Just, just make it fairly large and just put, that's alright.

■ I think you'll find that might come off the photograph.

DGJ. It might come off.

■ Put it right on the photograph.

DGJ. Just mark IP1 which is just Injured Person 1 and if you just, I mean in broad terms could sort of ah, did you observe a police landrover there?

A. Yes.

- Q. I mean, can you indicate where you think it was parked?
- A. The landrover was parked somewhere between here and here.
- DGJ. Just, you mean again, just roughly mark, just draw a square box and what way would that have been facing. Would it have been facing towards the, you see the clock or facing, if you can't recall ...
- A. I honestly can't, can't remember.
- Q. Okay, that's fine. Just then mark that.
- A. Usually we'd, if you know, if we'd have been performing that duty usually you would sit about here and you'd always face towards the Woodhouse Street, you know down the town because you had the chip-shop at the bottom of the town too which would, you could have had trouble at.
- Q. Okay, just, just mark that LR. And did you arrive in a vehicle?
- A. I did, yes.
- Q. Can you just again roughly indicate where you parked your vehicle?
- A. I think, I know whenever I come back from getting the baton gun, the car stopped here which is just beside the central reservation. When we first arrived, it would have been somewhere in that area.
- Q. Well again just, again just mark it roughly the, the rough area. And just put on that, PC, police car. Okay. And then in broad terms, where the crowds were or the crowd and the police line.
- A. The police line was, excuse me, the police line would have been somewhere spread across there. The crowd would have been covering that area there.
- Q. Okay and if you just want to put police line and crowd. Now if I just Paul could clarify that. On photograph 1 of ARN1, you've marked an X as the position of one IP that you observed. You can't recall seeing a second IP.
- A. No.
- Q. Are you in a position to indicate who that IP was, that injured person was?
- A. At the time I didn't know who it was, I now know that it was Robert Hamill.
- Q. You've also marked on it PC, the estimated position of the police car and LR the estimated position of the landrover, and the estimated position of the police line and the estimated position of the crowd.
- A. That's correct.
- Q. Okay. Just hold on to that just in case you wish to refer to it again. Did you see an ambulance arrive or leave the scene?
- A. I don't recall.
- Q. Did ^A [redacted] or any other police officer mention to you about two men being seriously assaulted?
- A. I knew the assault had taken place but I, at that stage I didn't know how serious the assault was.
- Q. In your statement you identified two persons in this disorderly crowd. "I noticed they were wearing, I noticed what they were wearing namely Alistair

- Harvey and P51". Did you inform any one about these two people you'd identified as being involved in this disturbance?
- A. Whenever I made my statement that morning before I went home, I mentioned it in my statement and I handed my statement over to the CID. I can't remember which, who the CID member was.
- Q. Your notebook states you signed the baton gun back in to the Armoury at 3, 3.30. The next entry is timed at 7.15. Can you give an account of what duty you were performing between 3.30 and 7.15?
- A. I think we got a break for a while and then just normal mobile patrol as far as I can recollect.
- Q. Your notebook entry timed 7.15 hours mentions finding an item at the scene of the fighting, namely a green/blue and white child's elasticated waistband. Can you explain why you were searching the scene of the fighting?
- A. We'd, if I remember correctly we went up to the scene with ah I can't remember the, the P39 I think it was. And we went up and I noticed it sitting and it was sitting back from the junction. It wasn't sitting actually at the junction, it would have been more this side.
- Q. Do you just want to roughly mark somewhere ...
- A. Somewhere in, somewhere you know here.
- Q. Just put X2. And just for the information of the tape, at photograph 1 of ARN1, you've marked X2 as the rough position of where you think the belt was. So as such you mean, the question I was asking you there, can you, I asked were you searching the scene but if you're telling me Paul ...
- A. No I don't think I was actually searching the scene. It was just a ...
- Q. An observation?
- A. And seen it, aye.
- Q. Are you in a position to indicate at that time who was present at the scene?
- A. No. I couldn't actually honestly tell you who was there besides, I remember being there with the Detective Chief.
- DGJ. I've covered those two there.
- Q. If I just could go back Paul there to ah where I asked you the question, I'll just read the question to you again. In your statement you identified two persons in this disorderly crowd and noted what they were wearing and then you name them as Alistair Harvey and P51.
- A. Ah ha.
- Q. And then I asked you did you inform anybody about these two people and what you've indicated was that you made your statement and you mentioned those two persons in the statement, which you handed to a CID officer. Can you indicate how you came about to make that statement?
- A. Before we finished the tour, our turn, turn of duty, we were asked to provide statements in relation to what had happened.

- Q. Can you recall who gave that instruction?
- A. Ah no I can't recall actually who actually said you know you had to make statements, but I remember that we had to make the statements before we finished our turn of duty.
- Q. Before you finished your turn of duty, did you know that one of the two people was seriously injured and being moved to the Royal Victoria hospital?
- A. Yes we would have heard, I'd heard something mentioned.
- Q. In relation to a debriefing, if you understand what the term debriefing means?
- A. Yes.
- Q. Was there any debriefing took place?
- A. Not as far as I recollect, though basically I was asked to make a statement and put anything in it that I thought was relevant at the time.
- Q. When you, when you physically Paul made your statement right, obviously handwritten, this is, this is typed and you handed it to CID you said?
- A. Yes.
- Q. Was there a debriefing took place with you. In other words did you say to the CID, look I saw this, I saw that, I saw Alistair Hanvey or saw P51.
- A. If I remember correctly whenever I handed the statement over I think I said you know read that and you know make sure you know that it's, reads right or sounds right. You know it doesn't sound double Dutch as the man would say. But in relation to a debrief or such, no.
- Q. Have you anything further you wish to add before the interview terminates?
- A. No.
- Q. Is there any clarification that you wish on any point raised during the interview?
- A. No.
- Q. George, is there anything?
- GBN. Just to clarify one point. R/Con Murphy states that he was at the back of the landrover when Lunt was in. Could he possibly have been the person you were referring to as when you left, appearing?
- A. Yes it could have been yes. It was just there was that much going on because you would have had other people, you would have got the buses coming in from the Coach in around that time. They would have got dropped off at the bottom of the town and they would have come, been walking up the town to go to wherever their respective homes are so you'd the initial crowd when we arrived, that crowd increased in numbers.
- DGJ. Okay [REDACTED]
- [REDACTED]. No I've nothing, thank you.
- DGJ. Okay if I just Paul could give you Form 17/27. That's just for your own information, it lets you know what happens to the tapes and if I could just ask you to sign. It's now 3.26 and the interview is now terminated.

CHECKED AND CERTIFIED AN ACCURATE TRANSCRIPT OF:-
TAPE NO. T000243A OF RESERVE CONSTABLE PAUL WARNOCK
ON 24.09.01 BETWEEN 1504 HOURS AND 1526 HOURS

STL D/Sgt