

STATEMENT OF WITNESS

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AGE OF WITNESS[If over 21 enter 'over 21'] : OVER 21

I declare that this statement consisting of 2 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 15 day of May 1997

J R HARKNESS
SIGNATURE OF MEMBER

by whom statement was recorded or received

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Further to my statement of witness dated the 7 May 1997 I wish to add the following. On Saturday 26 April 1997 I commenced duty at 2330 hours. At 2345 hours I paraded and briefed C Section for the Night division. At approximately 0010 hours on the 27 April 1997 I also briefed 5 members of the late division who were retained for public order duties in Portadown town centre. They were Constable Neill, Reserve Constable Atkinson, Reserve Constable P40 and Reserve Constable Cornett whom I detailed to be together as a landrover crew, call sign Juliet Delta 81. They were detailed to remain in the town centre and to give particular attention to the area of Magowan Buildings and Woodhouse Street. I also detailed Reserve Constable Murphy as extra observer in the district mobile patrol support vehicle call sign Juliet Delta 80. At approximately 0200 hours I was making my way along Edward Street towards the scene of the public disorder in the town centre when Constable Adams and Reserve Constable Warnock came driving up the street at speed. They stopped and informed me that serious public disorder was occurring in the town centre and they requested the issue of a riot gun. Both informed me that a number of civilians had been attacked and assaulted by a large mob who had

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turned on the police. As a result of what I had been told and in the circumstances at the time I was of the view that it was necessary in order to deal with that particular situation, a riot gun should be issued to Reserve Constable Warnock whom I was aware was trained and currently qualified in its use. I also took possession of an H&K 37mm riot gun No 4, Serial Number, L104A1 and 25 baton rounds with the intention of issuing this riot gun to a trained and currently qualified Officer on the ground. I then made my way to Market Street to support the Police personnel already there. As I made my way to the scene along Edward Street an ambulance passed me travelling towards the town centre. The situation was quickly brought under control and the mob slowly moved up Market Street and into West Street and because of the changing circumstances I was of the view that it was not necessary to issue the second riot gun which I retained. At no time did I fire or attempt to fire or even make to use or threaten to use the said riot gun. The weapon remained slung across my chest. Later in the Police Station, Constable Neill and Reserve Constable Atkinson both produced to me their Police issue baton for inspection according to Force Instructions. There was nothing of any significance on either baton although I did note that the leather strap on Reserve Constable Atkinson's baton was broken. Neither of the batons inspected were seized.

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CHECKED AND CERTIFIED A TRUE COPY OF THE ORIGINAL SIGNED:

