

CH.34 (On resuming at 2.00pm)

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MR. KERR: [REDACTED], Page 102, my Lord.

[REDACTED] DULY SWORN
EXAMINATION-IN-CHIEF BY MR. KERR

Q234 MR. KERR: I'm told, my Lord, that I can effectively lead a large measure of this evidence. Are you a Sergeant in the Royal Ulster Constabulary or were you at the time?

A I was, my Lord.

Q235 Were you carrying out duties of acting Inspector and authorised rank in the rank of Inspector under the provisions of Article 84 of the Police and Criminal Evidence (NI) Order 1989?

A I was, my Lord.

Q236 At 5.51pm on Saturday 10 May 1997 did you go to interview room 1 in Lurgan Custody Suite?

A I did,

my Lord.

Q237 Did you see there the accused Mark Hobson, [REDACTED]
[REDACTED], of [REDACTED]

A That's correct.

Q238 Was he there with [REDACTED]

[REDACTED]? A He was, my Lord.

Q239 Did you ask him if he would consent to taking part in an identification parade?

A I did, my Lord.

Q240 And after that was explained to him [REDACTED]

did he reply?

A He did, my Lord.

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Q241 What did he reply? A He replied "No", my Lord.

Q242 Did you ask Mr. Hobson if he would take part in a group identification and again was that explained to him by [REDACTED]? A It was.

Q243 What did he reply to that? A He replied "No".

Q244 Did you inform him that video identification wasn't feasible in Lurgan Custody Suite and you therefore intended to carry out a confrontation with the witness? A I did, my Lord.

Q245 Did you ask him if he understood that? A I did, my Lord.

Q246 Did he reply? A He replied "Yes".

Q247 Did you then leave the interview room and speak to your witness who was Constable Alan Neill? A That's correct, my Lord.

Q248 What did you say to Constable Neill? A I said: "I am now going to show you a person and I am going to ask you if it is the person whom you saw on Sunday 27 April 1997. I should first explain that the person you are about to be shown may or may not be the person whom you saw on Sunday 27 April 1997 and if you cannot make a positive identification you should say so."

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Q249 At 5.53 on the same date did you re-enter interview room number 1 along with Constable Neill? A I did, my Lord.

Q250 Can we take it the accused and [REDACTED] was still present? A That's correct.

Q251 Did you say anything to Constable Neill in the presence of the accused? A "Is this the person you saw on Sunday 27 April 1997?"

Q252 Did Constable Neill reply? A He did, my Lord.

Q253 What did he say? A He replied: "Yes, it is".

Q254 Did you leave interview room number 1 along with Constable Neill? A I did, my Lord.

CROSS-EXAMINED BY MR. ORR

Q255 MR. ORR: Before you went to speak to the accused am I right in saying that both yourself and Constable Neill were in the Custody Sergeant's office? A That's correct.

Q256 Is that at a time when [REDACTED] in to visit the accused? A I can't recollect exactly, my Lord.

Q257 do you have any recollection of [REDACTED] speaking to yourself and to Constable Neill before he was

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taken on through to speak to the accused? A I
recollect speaking to [REDACTED] but the exact time when I
did I'm not 100 per cent sure.

Q258 Did you then leave Constable Neill in the Custody
Sergeant's office and go to speak to [REDACTED] and the
accused? A Yes, that's correct.

Q259 And you then went back and explained the position to
Constable Neill on the second occasion? A That's
correct.

Q260 In terms of the confrontation in what room was it?
Was it in an interview room or a cell? A Interview
room 1, my Lord.

Q261 Who all was present in the interview room?
A The detained person [REDACTED], myself and Constable
Neill.

Q262 In terms of those four, two civilians, two police
personnel? A That's correct, my Lord.

Q263 You had been speaking to Constable Neill before you
took him down? A That's correct, my Lord.

Q264 One of the two persons in the interview room was the
[REDACTED]? A That's correct.

Q265 No further questions.

Q266 MR. KERR: No re-examination, my Lord. Constable
Alan Neill, please.