

2 A

DULY SWORN: EXAMINED IN CHIEF

3 **BY MR KERR:**

4 **MR KERR:** Constable, were you on duty in the early
5 hours of Sunday morning, 27th April 1997?

6 A. Yes, I was, My Lord.

7 Q. What type of duty were you performing?

8 A. Uniform mobile patrol, My Lord.

9 Q. Who were you accompanied by?

10 A. Constable Orr, My Lord.

11 Q. At around 1.30, generally that time, whereabouts
12 were you performing mobile patrol? A. We
13 would have been in the Portadown area, My Lord.

14 Q. Can you recall overhearing a particular radio
15 transmission? A. Yes, My Lord.

16 Q. Who was that transmission from?

17 A. Reserve Constable Cornett, My Lord.

18 Q. Can you say what time you received or heard that
19 radio transmission? A. Can I check my
20 notebook?

21 Q. Just to be clear, are these notes which you took at
22 the end of that duty on that evening? A. Yes,
23 that is correct, My Lord. It was approximately 0147.

24 Q. What was the nature of the request from
25 Constable Cornett? A. Requesting immediate
26 assistance in Portadown town centre reference to a
27 disturbance, My Lord.

28 Q. Did you make your way there? A. Yes, I
29 did.

30

1 B.C.2

2 Q. At what time did your vehicle arrive at that area?

3 A. Approximately 1.55 in the morning, My Lord.

4 Q. What was your route into the town on that
5 particular morning - which direction did you come from?

6 A. I can't honestly recall, My Lord.

7 Q. We have heard basically that there is a number of
8 routes but we have heard that there may have been
9 vehicles coming from the church side, West Street, or
10 coming from the bridge? A. I can't recall, My
11 Lord.

12 Q. Did you go past any particular shop on your way in
13 where anything happened? A. Yes, it was
14 Thornton's confectionery shop. It is on the left hand side
15 before you get to Woodhouse Street, the junction of
16 Woodhouse Street.

17 Q. If we can have the map, Exhibit 41?

18 A. From the church end of the town it would be West
19 Street.

20

21 TO S.B. 3.35 p.m.

22

23

24

25

26

27

28

29

30

1 Wednesday, 24th February 1999

2 R V Paul Hobson

3
4 SB from BC 3.35

5 A

6 (Cont'd) Examination in chief by MR KERR:

7 Q. So it was coming from the church side it would be on your
8 left-hand side?

9 A. Yes.

10 Q. And what happened when you passed Thornton's confectionery
11 shop?

12 A. Can I refer to my notes again in?

13 Q. Yes.

14 A. I observed a male youth to my left. He was wearing white
15 jeans, white trainers, a white sweat top and dark grey
16 stripes on his sleeves, a white peaked cap. This male had a
17 red, white and blue scarf around his face.

18 Q. Did you observe anything about him?

19 A. Yes, in his right hand he was carrying a large green
20 bottle up side down, it was a Buckfast bottle.

21 Q. And where did he go?

22 A. As soon as I saw this Constable Orr pulled the vehicle
23 in and I got out of the car. The male then pulled the scarf
24 down from his face and ran in the direction of the church.

25 Q. Ran towards the church. Do you know who that person is?

26 A. I now know who it is, yes.

27 Q. And who is it?

28 A. It is Wayne Lunt.

29 Q. Now, after observing that person did you notice anything
30 else of particular interest in the area?

1 A. I returned to the rest of the police officers that were
2 in the town centre and I observed a large crowd.

3 Q. About how many people?

4 A. I have it down as approximately 40 to 50 persons.

5 Q. What were the crowd doing, what was the state of order at
6 the time?

7 A. I saw two men lying motionless in the road. The crowd
8 appeared to be very close to these two men. It was just we
9 were trying to push the crowd back away from them.

10 Q. Can you say whether there were other police personnel
11 present on your arrival?

12 A. Yes, there was.

13 Q. How many, can you assist in any way, how many police or how
14 many patrols were available on your arrival?

15 A. As far as I recall I remember the crew of the Land
16 Rover, Reserve Constable Silcock.

17 Q. Was he from a different patrol?

18 A. Yes, he was.

19 Q. Had the ambulance arrived at the stage you arrived?

20 A. No.

21 Q. And what were the constables present at the scene on your
22 arrival doing when you arrived?

23 A. Myself, Constable Orr and the crew from the Land Rover
24 were assisting in trying to push the crowd away.

25 Q. Away from what?

26 A. From the two males lying on the road. And Reserve
27 Constable Silcock was giving assistance to one of the males
28 on the road.

29 Q. Can you recall on your arrival where the males were on the
30 road?

1 A. At the junction of Thomas street.

2 Q. How far apart were these two males lying on the road?

3 A. I can't recall that.

4 Q. Now, did you observe anyone in particular while you were

5 performing that duty in relation to the crowd?

6 A. Yes, as I was turning to push the crowd back up towards

7 the church I saw again Wayne Lunt.

8 Q. What did he do?

9 A. As soon as he saw me he turned and ran off.

10 Q. And then?

11 A. I grabbed him by his arm and he began kicking out at me,

12 kicking at my legs.

13 Q. And what did you do with him?

14 A. I brought him into the Land Rover.

15 Q. Just to be clear, you weren't in a Land Rover?

16 A. No, I wasn't, no.

17 Q. Was this the original Land Rover at the scene?

18 A. Yes, that's correct.

19 Q. Reserve Constable Cornett's?

20 A. As far as I'm aware, yes.

21 Q. And what did you do with him there?

22 A. I ascertained his name and address, asked him for his

23 name and address, and then radioed Portadown communications

24 to get them to verify this.

25 Q. Now, can I ask you to assist the court, do you have a note

26 of the time it was that you placed this man in the Land

27 Rover?

28 A. It was approximately 1.57 in the morning.

29 Q. And for how long did he remain in the Land Rover?

30 A. Approximately five past two he left the Land Rover.

1 Q. Did you observe any other particular persons who you could
2 identify in the area?
3 A. Yes, I observed a couple of other males.
4 Q. And did you take details of them in your notebook?
5 A. Yes, I have.
6 Q. Were you present when the ambulance arrived?
7 A. Yes, I was.
8 Q. And you may not have a note of it, but could you assist the
9 court in how long after your arrival the ambulance arrived?
10 A. No, I cannot.
11 Q. Was it a long time or a short time?
12 A. I can't recall.
13 Q. How long did the disturbance, if I could put it that way,
14 continue from your arrival was it continuing, for example,
15 when Mr Lunt was released from the back of the Land Rover?
16 A. Yes. Whenever Lunt was released from the back of the
17 Land Rover I went back over to assist the police in pushing
18 the crowd back up.
19 Q. Was that still necessary at that stage?
20 A. Yes, it was.
21 Q. Whose decision was it to release Lunt from the back of the
22 Land Rover?
23 A. It was my decision.
24 Q. And why did you release him?
25 A. Because it wasn't practical at the time to deal with him
26 in any other way.
27 MR KERR: Thank you.

28 Cross-examination by MR ORR:

29 Q. A [REDACTED], can I ask about you were on mobile patrol
30 but you were outside the centre of the town.

1 A. Yes, that's correct.

2 Q. In the early hours of the morning, is that right?

3 A. Yes.

4 Q. And there were three of you in that vehicle?

5 A. No, there was only two of us in the vehicle.

6 Q. And we've heard that there was a Land Rover with four people
7 in it in the town centre. Would there have been other mobile
8 patrols in the general area?

9 A. Yes.

10 Q. Would there have been back up in Edward Street Police
11 Station?

12 A. I'm not aware, I don't know.

13 Q. And the first you were aware of any difficulty was at what
14 time?

15 A. Zero One Four Seven whenever I received the radio
16 transmission.

17 Q. And who was that radio transmission from and to?

18 A. From the Land Rover crew.

19 Q. And was it 1.47 or was it 1.45?

20 A. As far as my notes are it's approximately 1.47.

21 Q. I mean, we still have to get this evidence because it's
22 simply been served at the moment, but there seems to have
23 certainly been a message at 1.45: We need back-up, over, in
24 the town.

25 A. Well, I know that there was, there had been a radio
26 transmission sent previous to this, we would only be talking
27 a couple of seconds before this, but the first message you
28 couldn't decipher what they were saying.

29 [REDACTED] Presumably your timing comes from you
30 going back and checking up from the log what time it was

1 made at. I mean, you wouldn't make a note at the time?

2 THE WITNESS: Well, whenever I first received the call, yes,
3 whenever we arrived in the town centre, yes.

4 [REDACTED]: You made a note in your notebook of the
5 exact time you got the call?

6 THE WITNESS: Yes.

7 MR ORR: And in relation to the vehicle you were in, what was
8 the, I mean, how would it be described? Is there a call sign
9 for it?

10 A. My call sign was Juliet Delta Seven Zero.

11 Q. And seven, does that indicate what type of vehicle it would
12 be?

13 A. It's the main response vehicle for calls.

14 Q. Well, I mean, we have Land Rovers and we have police cars.

15 A. Yes.

16 Q. Would Seven indicate cars?

17 A. A car.

18 Q. And does Eight indicate Land Rovers?

19 A. Eight One would have been a Land Rover, yeah.

20 Q. And can I ask, were you aware of how many other police
21 personnel there were on the Saturday night in and around the
22 Portadown area?

23 A. No, I'm not aware.

24 Q. But in any event you arrived, and how did you get into the
25 town centre?

26 A. I can't recall how we got into the town centre.

27 Q. Did you have to stop at a barrier and open the barrier in
28 order to get through?

29 A. I can't recall if the barriers were locked that night or
30 not.

1 Q. Well now, one of the other officers said that they were, all
2 the barriers were around the town that night.

3 A. Well, I can't recall.

4 Q. If that was the case how would you actually get through the
5 barrier? Have you a key or something that enables you to
6 open it?

7 A. No, we would have gone through then Edward Street, past
8 the police station. That barrier is left open once the town
9 centre barriers are closed.

10 Q. And if that was the case you would then travel up the Main
11 Street from Edward Street?

12 A. Yes, that would be right.

13 Q. Towards this situation.

14 A. H'mm h'mm.

15 Q. Is that the way you came or did you come down from the
16 church?

17 A. I really can't recall.

18 Q. Can you recollect the police car that you were in ended up,
19 where it was parked when you arrived on the Main Street?

20 A. Where my police vehicle was parked?

21 Q. Yes.

22 A. It was stopped outside Thornton's.

23 Q. And where would Thornton's be relative to the church?

24 A. If you're standing with the church behind you, it's down
25 the street on the left-hand side, a short distance.

26 Q. So would Thornton's be up at the Woodhouse Street junction
27 you have the Alliance & Leicester, is it in the block moving
28 up from there towards the church?

29 A. Yes.

30 Q. So it's unlikely you would have come via Edward Street and

1 ended up in that position.

2 A. I really don't know.

3 Q. Because you would have to travel through this group of
4 people to get there if you had.

5 A. I really cannot recall, my Lord.

6 Q. And did you immediately get out of the vehicle?

7 A. Yes, I did.

8 Q. And your estimate was what in terms of the number of people
9 who were there?

10 A. Forty to 50 persons.

11 Q. And did they appear to be 40 to 50 belonging to one group or
12 did they appear to be two or more groups?

13 A. I can't say, my Lord.

14 Q. Can you say were the groups, whenever you arrived, were
15 there rival groups cat-calling or shouting at one another?

16 A. I can't recall, my Lord.

17 Q. And you were rushed to the scene because of this emergency
18 which had arisen.

19 A. Yes, that's correct.

20 Q. So you would have been keeping a fairly good eye when you
21 arrived to see what was happening, did you not even notice
22 whether there was two rival gangs or not?

23 A. No, because, as I've said before, on my arrival I
24 observed Lunt, Wayne Lunt running down with the bottle in
25 his hand and the scarf over his face, my Lord.

26 Q. And you would have been concentrating on him because of the
27 fact he had the scarf over his face and he had a bottle.

28 A. I would have been concentrating on him because he had a
29 bottle and I believed he was going to throw it.

30 Q. And do I take it that he was the first person that you went

1 for?

2 A. Yes, that's correct.

3 Q. And did you detain him?

4 A. The second time I saw him I detained him.

5 Q. And did he come quietly or was he struggling?

6 A. No, he was struggling and there was people trying to
7 pull him off me.

8 Q. Did you take him to the vehicle you had come in or did you
9 take him to the Land Rover?

10 A. I took him to the Land Rover.

11 Q. And did any other police officer help you to take him to the
12 Land Rover?

13 A. Yes.

14 Q. Who?

15 A. Constable Neill.

16 Q. So Constable Neill was helping you with Wayne Lunt as well
17 as the other things he was dealing with that night?

18 A. He helped me, he came over to me and he sort of got me
19 past the crowd and then he went back to the crowd and then I
20 placed Lunt into the Land Rover.

21 Q. Where exactly did you stop Lunt?

22 A. The second time?

23 Q. Yes.

24 A. The second time I saw him, it would have been on a green
25 area heading back up towards the church again. It was a
26 small green area.

27 Q. So he was away from the main grouping of around 50?

28 A. Yes, because he had ran away from the main group.

29 Q. And you then with the help of Constable Neill, you took him
30 through this group, milling group of about 50 people to the

1 Land Rover?

2 A. No, I'm not saying that. I'm saying that there was
3 persons trying to pull Lunt from me. I'm not saying how many
4 people were in it because I can't recall.

5 Q. And do I take it that you didn't actually ask him his name
6 until you got him into the Land Rover?

7 A. Yes, that's correct.

8 Q. And you have told his Lordship that you put him into the
9 Land Rover at 1.57.

10 A. Yes, that's correct, my Lord.

11 Q. Now, again why do you say it was 1.57?

12 A. Well, from the time that I arrived there, you know, it
13 would only have been a couple of minutes. This is my
14 approximate timings. It would have only have been a couple
15 of minutes by the time I did get him into the back of the
16 Land Rover.

17 Q. Could it have been earlier than 1.57?

18 A. No.

19 Q. Would it surprise you that the first radio communication to
20 check out Wayne Lunt is at 1.55?

21 A. No, it wouldn't surprise me at all.

22 Q. But surely you couldn't have done that until you got him
23 into the Land Rover.

24 A. That's correct, but, you know, we're going by my
25 estimations.

26 Q. Yes, and I've asked you could it have been earlier and you
27 said no.

28 A. Not by my estimations.

29 [REDACTED]: Well, what are you saying you're not
30 surprised about? Are you not surprised that your own

1 estimation is incorrect, is that it?

2 THE WITNESS: No, I'm not surprised because different people
3 have different estimations, my Lord.

4 [REDACTED]: Well, presumably the timing of the call
5 is, one would expect it to be accurate.

6 THE WITNESS: Absolutely, but, as I said, I'm just going by my
7 own estimations.

8 [REDACTED]: Yes, I mean it's just that, I'm not
9 really questioning the reality or the accuracy of your
10 evidence except to wonder why you're not surprised. I mean
11 shall, if you say it was 1.57, it couldn't have been
12 earlier, then you're told well it's 1.55 on the record, you
13 say, well, I'm not surprised at that. That's what I find a
14 bit surprising, if I might use the word.

15 THE WITNESS: Well, you know, I'm just going by my time.
16 Whatever time it was logged on the tapes back at Portadown,
17 you know, we're not all going by the same time, a couple of
18 minutes here and there.

19 MR ORR: In other words are you saying it could have been before
20 1.57?

21 A. By my estimations I'm saying it was approximately 1.57.

22 Q. For the moment forget your estimation, are you saying it
23 could have been before 1.57 when you put Lunt into the back
24 of the Land Rover?

25 A. I suppose it could, yes.

26 Q. I mean, the information which we have suggests that at 1.55
27 there was a call: Roger, will you check your electoral
28 register for a Wayne Lunt, [REDACTED]. Would that
29 have been you?

30 A. Yes, that would have been me.

- 1 Q. And at 1.57 there's a reply back that it has been checked,
2 nobody listed at [REDACTED] over. And then there's nobody
3 listed at that number and you're then asking for further
4 information at 2 o'clock and you're asking for any luck on
5 [REDACTED]
- 6 A. I can't recall that, my Lord.
- 7 Q. You see, clearly you get the details off Mr Lunt, and you're
8 anxious to satisfy yourself that his address and his name
9 are accurate, is that right?
- 10 A. Yes, that's correct, my Lord.
- 11 Q. And are you doing that because it's your intention to let
12 him out of the back of the Land Rover, even though you saw
13 him a short time earlier running forward with a bottle and
14 scarf up over his mouth?
- 15 A. Yes, that's correct, my Lord.
- 16 Q. You weren't intending to detain him?
- 17 A. No.
- 18 Q. Did anyone at the scene when you detained him make any
19 comment or say anything to you about he had been kicking at
20 one of the two people lying on the ground?
- 21 A. Yes. Whenever he was released from the back of the Land
22 Rover two males approached me. They were standing at the
23 side of the Land Rover.
- 24 Q. And those two males, can I ask did they appear to come from
25 the smaller group, the Nationalist group?
- 26 A. I don't know whether there was any smaller groups or
27 not, my Lord.
- 28 Q. Well, what were they approaching you for?
- 29 A. One male was very irate and abusive towards me.
- 30 Q. And was that simply because you were a policewoman or was it

1 directed to anything in particular?

2 A. He had stated to me, he was asking me why I was letting
3 the man out of the Land Rover as he was one of the ones that
4 did it.

5 Q. One of the ones that did it. Did you record that in your
6 notebook?

7 A. No, I didn't, my Lord.

8 Q. What was the second one saying to you, A [REDACTED]? One
9 was saying why did you let that man out, he was one of the
10 ones that did it. What was the second irate man saying to
11 you?

12 A. The second male wasn't irate, my Lord.

13 [REDACTED]: Well, did you not think that worthy of
14 noting?

15 THE WITNESS: Obviously now I do, but at the time I haven't put
16 it in my notebook.

17 [REDACTED]: Well, I mean, here was a man, a
18 potential witness to something about someone about whom you
19 harboured suspicions.

20 THE WITNESS: That's correct.

21 MR ORR: It didn't occur to you even though he was being irate
22 with you to ask him his name and address?

23 A. No, it didn't.

24 Q. So you could follow it up.

25 A. I had to go and assist other colleagues with the crowd.

26 Q. Now, can I ask you, Constable, you saw two male persons
27 lying on the ground.

28 A. That's correct, my Lord.

29 Q. Can you help us as to where those two were?

30 A. They were lying at the junction of Thomas Street.

1 MR ORR: I wonder if the witness could look at, if we could have
2 exhibit 42, please.

3 (To the witness): Forget about the part to the right,
4 that's just the Land Rover, but if you could take the part
5 to the left and just get your bearings, please, Constable.
6 Do you see Market Street, High Street and then off it
7 Woodhouse Street and Thomas Street?

8 A. (Nods head).

9 Q. And we have been referring to Market Street and High Street
10 as the Main Street just for simplicity.

11 A. Uh huh.

12 Q. And just for bearings off to your left is the church.

13 A. H'mm h'mm.

14 Q. Off to the top right, if you go down to the bottom of the
15 town, is Bridge Street and the river.

16 A. Yes.

17 Q. So you've got your bearings, have you, from that map?

18 A. Yes.

19 Q. And am I right in saying that Thornton's, that is the suite
20 shop, is off to the left?

21 A. It's off to the left, it's up here, my Lord.

22 (Indicating).

23 Q. Yes, off to the left.

24 [REDACTED]: If one looks at the photograph taken,
25 number 27, there seems to be a hoarding around some shop. Is
26 Thornton's actually next to the first trust? Would you like
27 to look at photograph 10 of album 1.

28 MR ORR: Is Thornton's actually the grey shutter behind the
29 street lamp?

30 A. Yes, you have the First Trust Bank and it is the next

1 one with the grey shutters.

2 Q. That's where Thornton's is?

3 A. Yes.

4 Q. And is it somewhere up there that you had parked or at least

5 the police car you had been in had parked?

6 A. We would have parked alongside Thornton's there,

7 my Lord.

8 Q. Now, going back to the map for a moment, Constable, just

9 getting your bearings from there, can you help us as to

10 where you recollect the two prone persons being?

11 A. If you see the road markings from Thomas Street, the

12 give way markings, it would have been in and around that

13 area, my Lord. Coming up from Eastwood clothing down to the

14 road markings, the give way road markings, as I can

15 recollect.

16 Q. Did you see anyone lying on the roadway outside Number 7

17 home bakery on the Main Street?

18 A. I can't recall.

19 Q. The area you're pointing to, am I right in saying, that

20 you're saying that the two persons were on the Main Street

21 outside Eastwoods?

22 A. Eastwoods and Thomas Street, this area here,

23 (indicating), as I can recall.

24 Q. And if one took the dotted line going down the centre of

25 Thomas Street, and took it out across, would it be to the

26 left of the continuation of that dotted line?

27 A. This line here?

28 Q. Yes, you know the dotted line down the middle of Thomas

29 Street.

30 A. Yes. If I took that across?

1 Q. Would it be above that that you saw the two men?
2 A. I believe it would have been above that, my Lord.
3 Q. And you didn't see anyone down, do you see where Number 7
4 home bakery is mentioned?
5 A. Yes.
6 Q. And there's the pelican crossing, you didn't see anyone
7 lying anywhere about there?
8 A. Not as I can recall, no.
9 Q. Was there any fighting going on at the time of your arrival?
10 A. Not as I can recall, my Lord, no.
11 Q. Did you see any fighting across the street at any stage?
12 A. No.
13 Q. And do I take it that --
14 a. Do you mean by Woodhouse Street across the street?
15 Q. No, across the Main Street.
16 A. No.
17 Q. Did you see any assaults or kicks or punches or anything of
18 that nature from the time you arrived?
19 A. No.
20 Q. Could you hear whether or not the two groups were still cat
21 calling at each other?
22 A. No, I can't recall, my Lord.
23 Q. And do I take it the only action in terms, and I don't use
24 that pejoratively, but the only action you saw was Lunt
25 trying to get away from you and some people trying to pull
26 him away?
27 A. Yes, that's correct.
28 Q. That's the extent of what you saw in terms of violence?
29 A. In terms of violence, yes.
30 Q. Was there anyone at or near either of the two bodies on the

1 ground?

2 A. There was whenever I returned from the Land Rover there
3 was a crowd of persons standing very close to the bodies on
4 the ground.

5 Q. And could you say did those people appear to be worried
6 about the people on the ground or hostile to the people on
7 the ground?

8 A. I can't recall, my Lord.

9 Q. Now, is it also fair to say that you saw a youth by the name
10 of Stacey Bridget?

11 A. Yes, that's correct.

12 Q. And was Stacey Bridget known to you?

13 A. Yes, he was.

14 Q. And were you able to note exactly how he was dressed?

15 A. Yes, I was.

16 Q. And were you also able to note that he had blood coming from
17 his nose?

18 A. Yes.

19 Q. Were you aware that he had been one of two people talking to
20 Constable Cornett and Constable Neill at the police car? You
21 didn't know any of that?

22 A. No, I'm not aware of that, no.

23 Q. And do I take it that your arrival enabled you, with the
24 other police officers, to push the two crowds apart?

25 A. It enabled us to push the crowd back behind the barrier
26 in West Street.

27 Q. Now, the crowd that you pushed back behind the barrier,
28 would that be the Loyalist crowd?

29 A. I believe so, my Lord.

30 Q. What happened to the smaller group?

1 A. I don't know what happened, my Lord.

2 Q. Are you saying there was or wasn't a smaller group?

3 A. I haven't said that there was a smaller group.

4 Q. I'm sorry, so for all you know the only people there at that
5 time could have been the Loyalist group?

6 A. As far as I'm aware, yeah.

7 Q. Apart from concerning yourself about Wayne Lunt, can I ask
8 you, Constable, did you see Constable Neill do anything
9 other than help you to get Lunt to the Land Rover?

10 A. No, my Lord.

11 Q. Did you see Constable Atkinson do anything when you were
12 there?

13 A. No, my Lord.

14 Q. Did you see P40 do anything when you were there?

15 A. No, my Lord.

16 Q. When you went to the Land Rover did you see Constable
17 Cornett at all?

18 A. No, my Lord.

19 Q. Did you go round to the front to see what was happening?

20 A. Did I ...?

21 Q. Go round to the front of the Land Rover?

22 A. No.

23 SB to BC 4.05

24

25

26

27

28

29

30

1 B.C.3 4.05 p.m.

2 A [REDACTED] : CROSS-EXAMINED BY MR ORR

3 (CONTD.)

4 **MR ORR:** From your point of view, what angle was the
5 Land Rover at when you took Lunt to it? A. I
6 can't recall, My Lord.

7 Q. Was the angle towards the mouth of Thomas
8 Street, at least the rear of it? A. I can't
9 recall, My Lord.

10 Q. Can you help us at all of the time interval and I
11 appreciate that you came on the scene late and you are
12 trying to sort the problem out - can you help us about the
13 time interval between you arriving and getting out of the
14 police car and you making your communication about Lunt
15 to the police station? A. Sorry?

16 Q. The time interval between you stopping, or, you
17 were the passenger rather than the driver?

18 A. Yes, My Lord.

19 Q. From you getting the police car stopped and
20 getting out of that car till you used the radio to contact
21 police about the address for Lunt - what sort of time
22 interval are we talking about? A. I would
23 assume a couple of minutes, My Lord.

24 Q. Could it have been longer, could it have been
25 about five minutes? A. It could have been.

26 Q. I asked you in the sense that you didn't get out of
27 the car, run over, grab Lunt and take him to the Land
28 Rover? A. That is correct, My Lord.

29 Q. You observed him for a time? A. A
30 couple of seconds, My Lord.

1 B.C.4

2 Q. Then you went to get him and you had to fight
3 your way through the crowd to get to the land Rover?

4 A. That is correct.

5 Q. Thank you.

6 **RE-EXAMINATION BY MR KERR:**

7 **MR KERR:** Just one other matter. My Friend asked you
8 did you see Constable Neill or Atkin do anything while you
9 were there, and you said 'No.' Earlier you mentioned that
10 they were engaged with the crowd? A. Yes,
11 there would have been other police personnel engaged
12 with the crowd.

13 Q. What were the crowd doing and the police doing?

14 A. So far as I am aware the police were trying to
15 keep the crowd away from the two men on the road, My
16 Lord.

17 Q. Were the crowd trying to get at the two men on
18 the ground? A. That would be my guess, My
19 Lord, Yes.

20 Q. Is that your impression from being there?

21 A. Yes, it would be, My Lord.

22 Q. Thank you.

23 **THE JUDGE:** Where was Lunt when you saw him for the
24 second time? A. He had come back to the
25 crowd.

26 Q. Then where did you arrest him? A. I
27 didn't arrest him, My Lord.

28 Q. Where did you take hold of him? A. In
29 front of the church - there is a paved area, My Lord.

30

1 B.C.5

2 Q. Look at photograph 10 again? A. You see
3 the second green area back – it would have been in and
4 around that area there, My Lord.

5 Q. Was that not quite a long way from the two men
6 on the ground? A. I can't really see it on this
7 photograph, My Lord.

8 Q. If we look at the map? Exhibit 3(1), its not so
9 far. Photographs tend to give a rather distorted view. I
10 think it is a triangle under the word 'mark'. That is what
11 you were pointing to? A. Yes. It would have
12 been in and around that area, My Lord. It was a green area.
13 I remember that.

14 Q. Did that make him part of the crowd, being in
15 that position? A. No. He had turned to run
16 again from the crowd and that is where I stopped him.

17 Q. Thank you.

18 **MR KERR:** Would this be a convenient time?

19 **THE JUDGE:** Very well.

20

21

COURT ROSE.