

CH. 38

R - v - HOBSON

CONSTABLE ALAN NEILL DULY SWORN
EXAMINATION-IN-CHIEF BY MR. KERR

Q267 MR. KERR: Are you a Constable of the Royal Ulster Constabulary? A That's correct, my Lord.

Q268 Can I take you to 27 April 1997? On that morning were you part of the landrover crew in the Portadown area along with Constables Atkinson, Cornett and P40 ?

A That's correct, my Lord.

Q269 What duties were you performing on that day?

A Public order duties, my Lord.

Q270 What type of duty were you expecting to have to perform in and around the city centre at that time?

A People coming home from the rugby club and from The Coath and making their way up through the town and confrontations between nationalists and loyalists.

Q271 From about 1.30 can you say where you were in the centre of the town? A We were parked in the layby on Market Street convenient to the Alliance and Leicester Building Society.

Q272 Could the witness please see the map Exhibit 4(2)? - [Handed.] Do you see the position marked LR.1 on that map?

A Yes, my Lord.

Q273 What can you say about that position? A That's where I was parked, my Lord.

1 EW from CH at 2.15

2 CONSTABLE NEILL

3 (Cont'd) examination in chief by MR KERR:

4 [REDACTED]: People started coming up from?

5 THE WITNESS: From the bottom end of the town.

6 [REDACTED]: Yes.

7 THE WITNESS: On the right hand side of the road.

8 MR KERR: And can you say was that a large group of people or was
9 it a large number of people in smaller groups?

10 A. It was groups of two or three just walking up in dribs
11 and drabs, there was space between them, there was a fairly
12 steady flow of people.

13 Q. Can you just confirm what position you were in in the
14 vehicle?

15 A. I was driver.

16 Q. And could you confirm which way the vehicle was facing?

17 A. The vehicle was facing towards Halifax, down towards the
18 bottom of the town.

19 Q. Now, you have said that you were in position LR 1, did you
20 move from that position?

21 A. Yes.

22 Q. And what position did you move to?

23 A. When I saw the people coming up from the bottom of the
24 town, there seemed to be quite a few outside Boss Hogg's
25 which is just further down on the other side of the street.
26 We moved out, go down to have a look down there, because
27 there's, you can have fights down at the Country Fried just
28 on the other side of the barrier.

29 Q. Just take it slowly, there for my Lord. So you intended to
30 move down towards where, I think my Lord has seen it on the

1 map is marked Boss Hogg's and Country Fried?

2 A. Yes.

3 Q. Did you in fact go down there?

4 A. No.

5 Q. So what position did you go to?

6 A. As I moved out there was a man walked across the road in
7 front of us and he mouthed something at us.

8 Q. Just stopping there, please. What position were you in,
9 approximately, when this man moved in front of you?

10 A. Just prior to LR 2.

11 Q. Just prior to LR 2. And which direction did it appear this
12 man was coming from?

13 A. He had walked across from the Thomas Street side,
14 heading towards Woodhouse Street.

15 Q. Now you say he mouthed something at you, can you say or do
16 you know what he said?

17 A. No, I didn't know at that stage what he had said, we
18 moved forward slightly and R/Con Cornett opened her door and
19 asked him what he had said.

20 Q. What did you understand was the response to that?

21 A. That there was some people coming down from St Patrick's
22 hall to Thomas Street.

23 Q. And firstly; what did the man do then after you had
24 ascertained what he was saying, where did he go?

25 A. Well, we were stopped at LR 2 at that time and I looked
26 up Thomas Street but there was no sign of anybody coming
27 down. As I went to move off, just went round the bottom of
28 the town and back up to Thomas Street, there was two males.

29 [REDACTED]: Sorry, would you say that again, please.

30 As you -- ?

1 MR KERR: As you were -- ?

2 THE WITNESS: As I was about to move off from LR 2, towards, I
3 was going down to the bottom of the town and round back up
4 to Thomas Street.

5 [REDACTED]: Yes?

6 THE WITNESS: There was two males approached from the Halifax.

7 MR KERR: Now, just stopping there briefly; had you seen these
8 two males before or not?

9 A. Before that moment?

10 Q. Uh-huh?

11 A. No.

12 Q. No. So two males approached from the Halifax and
13 approached where?

14 A. Approaching the mouth of the Woodhouse Street junction.

15 Q. And then what happened?

16 A. They approached the man that had spoken to us and they
17 sort of squared up to each other just right in the middle of
18 Woodhouse Street, they were about 10 or 20 ft from the
19 actual junction itself.

20 [REDACTED]: Where were they?

21 MR KERR: Were they in Woodhouse Street or were they on?

22 A. They went into Woodhouse Street.

23 Q. What distance into Woodhouse Street?

24 A. Approximately 10 to 20 ft from the junction.

25 [REDACTED]: Yes.

26 MR KERR: And what was your response, if any, to that?

27 A. I moved the Landrover into LR 3.

28 Q. And what was done about these people squaring up to each
29 other?

30 A. We just watched what was happening and Reserve Constable

1 Cornett opened the door and told them to move on. They
2 just, they were still face face-to-face for a few seconds
3 and then -- (speech interrupted).

4 [REDACTED]: She opened the door and said what?

5 THE WITNESS: Just told them to move on.

6 [REDACTED]: Told them all as it were to move on?

7 THE WITNESS: Yes.

8 MR KERR: How did they respond to that?

9 A. It was just a few seconds and then the two that had been
10 walking up moved off towards the Alliance & Leicester.

11 MR KERR: In other words continued?

12 A. Continued up past.

13 Q. Up past you or behind you?

14 A. Yes.

15 Q. And what about the man who had walked in front of you?

16 A. He went on down Woodhouse Street.

17 Q. Now, just while we're dealing with it, you have mentioned
18 you moved into position LR 3, can I just ask you looking at
19 the map, about the position of your vehicle on the road,
20 LR 3 on the map appears slightly angled from the junction?

21 A. It is.

22 Q. And what can you say about the position your Landrover was
23 in?

24 A. Well, I had been going down the road whenever I saw the
25 two guys approach that fella, I was sort of past the turn,
26 there is quite a tight turn into the street, so I just
27 turned across, just to, so as you could still see what was
28 going on.

29 Q. So is the map accurate in showing it angled?

30 A. Yes, it was angled, it was angled.

1 [REDACTED]: Well, are you content with the angle
2 shown or might it have been less or might it have been more?

3 THE WITNESS: That's as best as we could remember.

4 [REDACTED]: That's really on your instruction, it was
5 put that way, is it?

6 THE WITNESS: Yes.

7 [REDACTED]: So it reflects your memory of it.

8 MR KERR: Now, in terms of other people you had said that there
9 was a number of people starting to come up in around the
10 centre of town, had you heard anything from those people or
11 had there been any noise or disturbance from those people at
12 this stage?

13 A. There was just a normal, normally coming back, a bit of
14 joviality from them, a bit of shouting and that, but there
15 wasn't anything excessive, mainly just making their way up
16 the street.

17 Q. Now, what was the next thing then that happened?

18 A. We were still sitting in LR 3 because we were watching
19 the man going down Woodhouse Street in the event of those
20 other two making their way down Woodhouse Street.

21 Q. You were keeping your eye on the man in Woodhouse Street?

22 A. Yes, as we were sitting there and he had walked on down
23 Woodhouse Street, the next thing the two fellas came up to
24 the Landrover.

25 Q. Are these the two fellas who had approached him?

26 A. Yes.

27 Q. Whereabouts did they come to on the Landrover?

28 A. They came to the passenger door, the front passenger
29 door.

30 Q. And you had said earlier that Reserve Constable Cornett had

1 opened the door to tell them to move away.

2 Q. Was the door open or closed when they came to the door?

3 A. The door was still open.

4 Q. Still open. And what happened at the door?

5 A. They came over and started speaking to us.

6 Q. And just generally, I'm not asking for specific detail, just
7 generally what were they talking about, what was the nature
8 of what they were saying?

9 A. They were basically speaking to Constable Cornett, as
10 the door was open there was one sort of in at the very angle
11 of the door, in at the hinges area, so I had a view of him
12 and the second person, he was standing behind Reserve
13 Constable Cornett's head just at the side of the door so I
14 couldn't actually see who that was. The one I could see
15 was Stacey Bridget.

16 Q. A Mr Bridget?

17 A. Yes. And he had a bottle of Olde English Cider in his
18 hand.

19 Q. Now --

20 [REDACTED]: Well you were actually asked about what
21 was being talked about or what was the theme or?

22 THE WITNESS: Well, she was speaking to him and then I asked
23 them where they had been that evening.

24 MR KERR: Anything else?

25 [REDACTED]: Is this a sort of sociable conversation,
26 there was no, nothing significant in it, you're saying?

27 THE WITNESS: No.

28 MR KERR: And how long did this chat at the door go on for?

29 A. A minute or two, maybe.

30 Q. A minute or two?

1 A. It was very brief.

2 Q. So then what was the next thing that happened?

3 A. My door was opened, the driver's door.

4 Q. Now can I ask you just about that: What position were you
5 sitting in your seat when the driver's door was opened, were
6 you straight on, sideways, what was the position?

7 A. Well as far as I remember I was wearing a flack jacket,
8 you can't really move either way, the wheel's right up to
9 your flack jacket and I had turned slightly to my left to
10 try and see who the two boys were who were at the door.

11 Q. Did you see who opened your door?

12 A. No.

13 Q. And then what happened?

14 A. He started pulling me down, pulling me out and shouting
15 at me.

16 Q. Now, I think you said 'he', is that right?

17 A. Yes.

18 Q. What was the effect of him pulling at you?

19 A. Well, he was shouting at me, 'you sat there and did
20 nothing', 'you sat there, you watched that happening and you
21 did nothing'. And I didn't know what he was talking about
22 at that stage and he was still pulling at me, pulling me out
23 of the Landrover. I got out of the Landrover --

24 Q. Just stop there, you got out of the Landrover?

25 A. Uh-huh.

26 Q. Had you seen anything occurring at that stage?

27 A. No.

28 Q. So just to be clear for my Lord, when you say you got out of
29 the Landrover, did you get out voluntarily or were you
30 pulled out, what was the sort of position?



1 A. Well, he was pulling at me, but he wouldn't have been
2 able, in a position to pull me right out, I got out.

3 Q. You got out?

4 A. Yeah.

5 Q. And what did you do in relation to this person when you got
6 out?

7 A. He just, he was still shouting at me and there was, as
8 far as I can remember, there was a female somewhere behind
9 him, shouting at us as well, the same sort of thing,
10 'everybody sat and watched this happening'. We still
11 didn't know what they were talking about at this stage.

12 Q. And could you tell us, Constable Neill, when you got out of
13 your Landrover in your position LR 3 what direction did you
14 face when you came out of the Landrover?

15 A. I would have been facing towards the number 7 home
16 bakery.

17 Q. Number 7 home bakery. Did you see anything when you got
18 out, other than the person who was talking to you and the
19 female who was behind him?

20 A. Yes.

21 Q. What did you see?

22 A. There was a crowd of approximately forty people at the
23 junction of Thomas Street.

24 EW to CH at 2.30

25

26

27

28

29

30

CH. 40 2.30pm (From EW)

R - v - HOBSON

Q276 MR. KERR: And anything else? A They were spread right across the road from the buildings sort of over to the middle of the road.

Q277 Standing in and around Thomas Street. Is that the whole of Thomas Street or one particular side of Thomas Street, taking one side as Eastwoods and the other the Home Bakery? A Right down the middle, right in the middle of the junction, my Lord.

Q278 Were these people concentrated in a group or were they dispersed slightly? What position were they in?

A To my recollection they were all standing separate. There was a lot of catcalling going on between them.

Q279 Between who? A You could sort of picture two groups. The larger group was the Protestants and the nationalists were the smaller group, say, 8 to 10 within that.

Q280 You say within that? A H'mm.

Q281 Were they 8 to 10 within that in a different area standing or were they within or enclosed or amongst the rest of the people? A they seemed to be sort of separate. They seemed to be more to the Number Seven side of the junction.

Q282 Can you make it explicit. When you say they were taunting what did you hear or see that lead you to describe it as taunting? A The Prods were shouting "Fenians" and "Fenian bastards" and this, that and the other and the Catholics were coming back with the same at them.

CH. 41

R - v - HOBSON

Q283 At that stage can you say was there any physical contact between them? A Not whenever I got out of the landrover. They were all just standing there.

Q284 At this stage can you say what had happened or where the other members of your patrol were? A R/Constable Atkinson and P40 had both got out of the vehicle and R/Constable Atkinson had come round towards me and I had gone round towards him. We were at the side of the landrover towards the back.

Q285 By that do you mean the side of your side, the driver's side? A Yes, my Lord.

Q286 What happened next that you recall? A As we were standing there the next thing fights broke out right across the street.

Q287 When you say fights, do your best to describe what you mean by fights broke out? A There were about four or five separate fights actually going on.

Q288 Are these fights with individuals or fights with a number in each fight? A There would have been four or five people possibly in one fight and two or three in another one.

Q289 Were the fights in the general area you have described, the crowd, or can you be more specific about where any particular fights seemed to be? A There was one I particularly noticed which was outside Eastwoods Clothing and they were across from that. As far as I