

1 B.C.10 11.45 a.m.

2 E

DULY SWORN: EXAMINED IN CHIEF

3 **BY MR KERR:**

4 **MR KERR:** Are you the wife of the previous witness?

5 A. Yes, My Lord.

6 Q. Can I take you back to the evening of the 26th
7 April, 1997? Can you recall going out that evening?

8 A. Yes, My Lord.

9 Q. Where did you go to? A. St Patrick's
10 Hall, My Lord.

11 Q. Initially, who was in the company?

12 A. D F E my elder sister and her
13 husband, My Lord.

14 Q. Is F of yours? A. Yes, My
15 Lord.

16 Q. Can you recall anyone joining you during the
17 company? A. Our Robert. That is my cousin,
18 My Lord.

19 Q. Can you recall what age Robert was?

20 A. Twenty-five, My Lord.

21 Q. Did he have any children? A. He had
22 two, My Lord.

23 Q. Was another one expected? A. Yes, My
24 Lord.

25 Q. What was the nature of the function that night?

26 A. There was a dance on, My Lord.

27 Q. How long did the function go on for?

28 A. The music stopped at one.

29 Q. What time after the music stopped did everyone
30 decide to leave in your company?

1 B.C.11

2 A. We decided to leave early because Robert's sister
3 was baby sitting for me and she had to get up for work the
4 next morning. We left the hall about twenty past one, My
5 Lord.

6 Q. When you left at that time who was in your
7 company leaving? A. ^F [redacted], Robert and
8 ^D [redacted] My Lord.

9 Q. Which direction did you go when you left?

10 A. Down Thomas Street, My Lord.

11 Q. We have heard your husband say that was towards
12 the Market Street junction? A. Yes, My Lord.

13 Q. Apart from your group of four were there other
14 people around on the street? A. A couple of
15 people across, but I assumed that they were from the hall.
16 They had been across the road into Woodhouse Street.

17 **THE JUDGE:** Walking across into Woodhouse Street?

18 A. Yes, My Lord.

19 **MR KERR:** Can you take the album of photographs,
20 Exhibit 1? A. Yes, My Lord.

21 Q. Look at photograph 4? A. Yes.

22 Q. Do you recognise that view? A. Yes.

23 Q. Does that show the view from Thomas Street when
24 you have rounded the corner coming up to Market Street
25 junction? A. Yes, My Lord.

26 Q. Whereabouts was it that you saw people?

27 A. I can't be sure, My Lord.

28 Q. Apart from the people that you saw walking over
29 in the direction of Woodhouse Street, did you notice
30

1 B.C.12
2 anybody else around the area? A. The police,
3 My Lord.
4 Q. Whereabouts were the police?
5 A. They were The front end of their jeep was
6 facing down towards the bottom of the town and the back
7 doors facing the town clock.
8 **THE JUDGE:** The front end was facing the bottom of
9 the town? A. Yes. The back doors would
10 have been facing the town clock.
11 **MR KERR:** Look at photograph one. Do you recognise
12 that scene? A. Yes.
13 Q. Does that show the area where the Land Rover
14 was? A. Yes, My Lord.
15 Q. Can you pick up the album of photographs, turn it
16 round to My Lord and point with your finger to where you
17 say that you saw a Land Rover? A. The Land
18 Rover would have been there, somewhere along there.
19 **THE JUDGE:** Was it out from the footpath?
20 A. I can't be sure, but I know it was sitting near the
21 (inaudible).
22 **MR KERR:** Where was it in relation to Woodhouse
23 Street? Was it to the clock side up near the church, or to
24 the South side, the Bridge Street side? A. I
25 don't understand you.
26 Q. Where was it on the road? Was it above
27 Woodhouse Street junction, or below? A. Below,
28 My Lord.
29 Q. As you look at that photograph?
30 A. Yes.

1 **B.C.13**

2 **THE JUDGE:** What do you mean by 'below'?

3 A. Its facing its on this side. Its not Woodhouse
4 Street. Its there, so it is, on this side.

5 Q. On the clock side? A. No, below the
6 clock side.

7 **MR KERR:** Closer to the photographer?

8 A. Yes.

9 Q. Woodhouse Street? A. Yes.

10 **THE JUDGE:** Was it in a sense if you were driving up
11 there, was it blocking Woodhouse Street? A. No.

12 Q. So, it was nearer to the Halifax Building Society
13 corner? A. Yes.

14 **MR KERR:** What then happened as you came out into
15 the junction of Market Street? A. The only
16 think I can remember is D lying unconscious and
17 Robert across the road a wee bit, lying. I knew he was
18 hurt. He didn't get up. He was lying dead still.

19 Q. What can you recall about how they came to be
20 that way? A. Just a crowd came out from
21 nowhere.

22 Q. Can you say anything about the size of the crowd?

23 A. About twenty to thirty of them.

24 Q. What were the crowd doing? A. I never
25 looked up to see the crowd. I kept my head down and kept
26 myself over D I kept screaming for an ambulance,
27 or for somebody to help us.

28 Q. I want you to assist us if you can, and it might be
29 better if we had the plan for this. Can the witness have
30 plan 3(2)? If you open that up and take a second to get

1 B.C.14
2 your bearings. Do you see where Thomas Street is marked,
3 coming up towards Market Street? A. Yes, My
4 Lord.
5 Q. And the buildings marked there on the left hand
6 junction – Eastwood's Clothing and the right hand junction,
7 the home bakery? A. Yes.
8 Q. Can you say whereabouts it was that your husband
9 was when you decided to go over and help him?
10 A. It was just directly outside Eastwoods.
11 Q. Take up the map and point and indicate where you
12 are pointing to.
13 **THE JUDGE:** Still in Thomas Street?
14 A. Yes. Round the corner.
15 Q. Try and answer my question yes or no. You don't
16 know whether it was still in Thomas Street?
17 A. We were on the main street by this stage. Once
18 you turn the corner there is a big road.
19 Q. You were pointing to a point which would have
20 had you still not having reached the dotted lines that mark
21 the boundary of Thomas Street. Look closely at it?
22 A. I don't understand the map, My Lord.
23 **MR KERR:** Look at the photographs. Look if you would
24 to see if this might be of any assistance. Photograph 7.
25 That is taken from Woodhouse Street looking down towards
26 Thomas Street? A. Yes, My Lord.
27 Q. Can you see straight across the bakery, number 7,
28 and on the other side you can see Eastwood's shop with
29 Evans' shop? A. Yes.
30

1 B.C.15
2 Q. Does that show the area where **D** was?
3 A. Yes.
4 Q. Would you lift it up, turn it round and point to his
5 Lordship where it was, where **D** was? Are you
6 pointing just to the area outside the shop on Market Street
7 itself? A. Yes, My Lord.
8 Q. Are you pointing to the footpath or to the
9 roadway? A. To the road, My Lord.
10 **THE JUDGE:** You are pointing to a point a little to
11 the right of the shutter doors of Eastwoods?
12 A. Yes, up by the window, My Lord.
13 **MR KERR:** That was to give you a perspective. You say
14 that you lay over the top of him? A. Yes, My
15 Lord.
16 Q. What was happening, or could you see where your
17 cousin Robert was? A. Robert was slightly across
18 the road. More over towards the islands in the road, My
19 Lord.
20 Q. Look at photograph 1. Do you see photograph 1?
21 A. Yes, My Lord.
22 Q. Does it show you where Robert was?
23 A. Yes, My Lord. Do you see where the traffic light
24 is?
25 Q. The traffic light in the middle of the road?
26 A. Yes, but he was up a bit.
27 **THE JUDGE:** Towards the clock? A. Not
28 that far.
29 **Q.** In that direction? A. Yes, that
30 direction.

1 **B.C.16**

2 **MR KERR:** We saw in the previous photograph the next
3 shop as Evans'. Where would he have been in relation to
4 that? A. I couldn't say for sure, My Lord.

5 Q. When you were doing your best to cover ^D
6 can you say did you see anything happening to Robert at
7 all? A. No.

8 Q. Once you lay over ^D what happened to him?
9 What was happening to him? A. He was
10 unconscious, so I lay there till an ambulance came.

11 Q. You told us that there was a crowd of about
12 twenty people attacked you? A. Yes.

13 Q. Where were the crowd whilst you were lying over
14 your husband? A. Standing beside us, My
15 Lord.

16 Q. Could you hear anything when you were in that
17 position? Was anything being said? A. I can't
18 remember, My Lord.

19 Q. How long were you in that position till some help
20 came? A. I don't know. It seemed like hours
21 to me, but I suppose I can't say for sure, My Lord.

22 Q. What was the first thing that happened that
23 someone came to you? A. I seen the ambulance
24 coming up towards us and then a police officer came over
25 to me and says to put ^D in the recovery position.

26 Q. At that stage could you see anything of Robert?
27 A. Yes. Robert was still across the road, My Lord.

28 Q. What was happening about him? Was he by
29 himself? A. ^F was with him, My Lord.
30

1 B.C.17

2 Q. Can you say whether or not there were any people
3 in his area, or where he was? A. Yes, the
4 crown didn't disperse. It stayed there.

5 **THE JUDGE:** It didn't disperse? A. No, My
6 Lord.

7 **MR KERR:** Did you then go in the ambulance to the
8 hospital? A. Yes, My Lord.

9 Q. Thank you.

10 **CROSS-EXAMINATION BY MR ORR:**

11 **MR ORR:** E, I have to ask you some questions.
12 If you feel that you want a break, feel free to say so.

13 Whenever you left St Patrick's Hall your recollection was
14 that it was before the end of the evening because of your
15 baby-sitting arrangements? A. Yes. The music
16 had stopped and we went home.

17 Q. Was it at the end of the night, or not? Your
18 husband said that when the music was over you went home.
19 I got the impression that you said you left before the end?

20 A. When the music stopped, My Lord.

21 Q. After the music stopped instead of sitting round
22 to finishing your drinks you left fairly quickly?

23 A. Yes, My Lord.

24

25 TO S.B. 12 noon.

1 Monday, 22nd February 1999

2 R V Paul Hobson

3
4 SB from BC 12.00

5 E

6 (Cont'd) Cross-examination by MR ORR:

7 Q. And can I ask you, as you came out were there people outside
8 the hall waiting for taxis, that you can recollect?

9 A. I can't be sure.

10 Q. And did the four of you go in a group or were you
11 straggling, were there others in front of you, others
12 behind?

13 A. Well, D and Robert were maybe just two steps in
14 front?

15 [REDACTED] D and ...?

16 THE WITNESS: Robert.

17 MR ORR: And do I understand you to say that there were some
18 people had moved more quickly along, they were actually
19 ahead of you?

20 A. Yeah.

21 Q. Going along Thomas Street.

22 A. Yeah.

23 Q. Have you any recollection of anyone coming behind you?

24 A. No.

25 Q. Did you, do you recollect turning, as it were, the bend in
26 Thomas Street when you can see ahead of you the mouth of
27 Thomas Street and this staggered junction? Do you recollect
28 looking ahead?

29 A. Not really. At the time, you know --

30 [REDACTED] Could you speak up to me maybe or keep

1 your voice up.

2 THE WITNESS: At the time, you know, you don't think these
3 things are going to happen so you don't take every wee
4 detail in.

5 MR ORR: I appreciate that.

6 [REDACTED] We all understand that even though we're
7 asking these questions, you know.

8 MR ORR: Effectively you had had a good night out and you were
9 just heading home?

10 A. Yeah.

11 Q. So you weren't really particularly concerned.

12 A. Concerned about anybody.

13 Q. Although would it not be right to say that this area can be
14 a flash point area?

15 A. Yes, it can.

16 Q. Because coming from Saint Patrick's hall you're having to
17 cross over the Main Street to go in the general direction of
18 the tunnel area?

19 A. Yeah, but I thought safe enough, the police were there,
20 you know.

21 Q. I was just going to say, the police presence reassured you
22 in that situation?

23 A. Definitely, yeah.

24 Q. Now, as you walked along Thomas Street can I ask you, can
25 you recollect whether you went along the roadway itself or
26 the footpath on the left or the footpath on the right?

27 A. I couldn't really say.

28 Q. But as you approached the junction you actually saw the Land
29 Rover, is that so?

30 A. Yeah.

1 Q. And just so that I'm clear about it, I wonder could you look
2 at photograph number 4, please, of exhibit 1. Now, that's
3 the view you would have had as you came along Thomas Street
4 towards the junction, is that the situation?

5 A. Yeah.

6 Q. And you can see the Alliance and Leicester in the centre in
7 the background and there's the sports shop just to the left,
8 you can see part of it in white.

9 A. H'mm h'mm.

10 Q. And you can actually see the mouth of Woodhouse Street.
11 Whenever you would have been in the position that the
12 photographer was in in that photograph, whether on the left
13 or the right of the street, could you see the Land Rover at
14 that time or was it when you got closer to the junction?

15 A. Closer to the junction.

16 Q. That you saw the Land Rover.

17 A. Yeah.

18 Q. And so that I'm clear about it, the Land Rover would not
19 have been visible in the position you saw it in photograph
20 number 4.

21 A. No, it wouldn't have been, but I seen a Land Rover.

22 Q. No, I accept that. Once you moved closer, I'm not disputing
23 you saw the Land Rover, I am simply trying to find out where
24 the Land Rover was.

25 A. Yeah.

26 Q. And the position is that as you've pointed out on the map,
27 or on the photograph to Mr Kerr, you pointed out an area, as
28 it were, on the, what I would call the Bridge Street side of
29 the junction.

30 Q. Would that be right?

1 A. Yeah.

2 Q. Heading down towards the bottom of the town.

3 A. Yeah.

4 Q. And just so that I'm clear, it would not have been as it was
5 positioned visible in that photograph there.

6 A. No.

7 Q. Is that what you're saying?

8 A. Yeah.

9 Q. Don't just agree with me. I mean, I just want to be clear.

10 A. I don't know, I can't remember.

11 Q. But as you moved closer to the junction you were conscious
12 of the police Land Rover?

13 A. Of the police Land Rover, yeah.

14 Q. And can I ask, did you see anyone hanging around at the
15 corners of Thomas Street and the Main Street?

16 A. The only thing I can really remember is a crowd, D
17 and Robert knocked out and that's it.

18 [REDACTED] Sorry, just put it as clearly as you can
19 what you can remember. The only thing you can remember, you
20 say, is what?

21 THE WITNESS: Is the crowd, you know, D [REDACTED] lying unconscious,
22 Robert and just the crowd still being present while the
23 ambulance was coming.

24 MR ORR: Well, would I be right in saying that your recollection
25 of D [REDACTED] lying unconscious and Robert lying still, they
26 had been attacked?

27 A. Yeah.

28 Q. By a group of people.

29 A. Of people, yeah.

30 Q. Did you recollect the attack or were you some distance

1 behind? That's why I'm trying just to establish were you
2 some distance behind the two --

3 A. No, we were only about two footsteps, I mean, it was a
4 matter of a second, you know. They were ready to cross and
5 then it was over, you know, the attack and all was over.

6 Q. And after the attack the people who were involved in the
7 attack didn't run away?

8 A. No.

9 Q. Isn't that what you say, they still remained?

10 A. They still remained.

11 Q. Can I ask you, in terms of the police Land Rover, did you
12 see any police personnel out of the Land Rover?

13 A. No.

14 Q. Did you see any confrontations between small groups of one
15 or two at the Land Rover or near the Land Rover?

16 A. No.

17 Q. And do you recollect at the time that you saw D lying
18 unconscious and Robert lying still, am I right in saying
19 that whoever was in the Land Rover hadn't got out by that
20 stage?

21 A. Yeah. That's right.

22 Q. And is there any doubt in your mind about that?

23 A. No.

24 Q. Now, can I ask you in relation to the occupants of the Land
25 Rover, did you at any stage speak to any of the police
26 officers that night?

27 A. When the ambulance, you know, came a police officer was
28 out of the jeep then, but that was after the attack and all
29 was over.

30 Q. Well, can I ask you, whatever position D was lying in,

1 did you move his position?

2 A. No. You mean turn him?

3 Q. Yes.

4 A. Well, you know, I put his head on my knee, that was the
5 only thing I did.

6 Q. Were you told by anyone to put him into the recovery
7 position?

8 A. A police officer.

9 Q. And can you recollect anything about the police officer?

10 A. Not really.

11 Q. In terms of, I mean, he would have been in uniform, can you
12 recall anything about his face?

13 A. No.

14 Q. Anything whether or not he was wearing glasses or anything
15 of that nature?

16 A. I think he was wearing glasses.

17 Q. So that a police officer whom you think was wearing glasses
18 told you to put D [redacted] into the recovery position.

19 A. Yeah.

20 Q. Now, what I wanted to ask you about, we've heard that the
21 ambulance arrived at 1.58, that's how the case was opened
22 this morning. If you left the hall at 20 past one were you
23 waiting quite some considerable time with your body over
24 D [redacted] before the ambulance arrived?

25 A. I can't be sure.

26 Q. And again could I just inquire, in relation to the crowd
27 that you say didn't disperse, was there any ongoing fight or
28 battle?

29 A. What do you mean?

30 Q. That you could see.

1 A. No, not that I could see for sure.

2 Q. Given how close you were to both Robert and D the
3 attack was a sudden attack on them and then you throw
4 yourself over your husband, is that the situation?

5 A. Yeah.

6 Q. You could see where Robert was lying?

7 A. H'mm h'mm.

8 Q. And how far away would Robert have been from you, just in
9 terms of the court, if that might help you. It's difficult
10 to know, just to give us some idea.

11 A. You know, I could see him but I couldn't, when I had my
12 head down with D and looking over I can see Robert and
13 F, you know.

14 Q. Yell, I understand. But would it have been the width of say
15 as far as that window, or shorter?

16 A. Shorter.

17 Q. So would that be, as I say, the front row where the jury
18 would sit?

19 A. Yeah, maybe shorter.

20 Q. Maybe shorter again, maybe to the end of the bench?

21 A. Yeah.

22 Q. And that was the sort of distance you were away from Robert
23 as he lay still?

24 A. Yeah.

25 Q. Did you, apart from the police officer who mentioned to you
26 about putting D into the recovery position, did you
27 see any other police officers out of vehicles at the scene?

28 A. No.

29 Q. During the time that you were there can I ask, did anyone
30 attack D after the initial attack?

1 A. No.

2 Q. And was that because you were protecting him or simply that
3 no one, of course, you wouldn't know that.

4 A. I wouldn't know.

5 Q. The situation was that after the initial attack on your
6 husband the attack stopped as far as he was concerned.

7 A. Yes.

8 Q. What about Robert, can you say whether he was attacked
9 further?

10 A. I couldn't say, you know. At the time you don't be
11 thinking, you know.

12 Q. I understand, I understand. In terms of the whole incident,
13 to the time when you could see D and you were
14 lying over him and you could see Robert that distance away,
15 how long would the actual attack on the two men have lasted?

16 A. I couldn't say.

17 Q. Was it very short?

18 A. You know, it seemed like a split second to me, you know.
19 You were walking and then you were down waiting on an
20 ambulance.

21 Q. And can I ask were there others who were concerned about
22 D and about Robert?

23 A. What do you mean concerned?

24 Q. Were there any others in the street?

25 A. I don't understand what you're saying.

26 Q. Well, were there any other people about, were there any
27 other girls about?

28 A. There was a girl sat down beside me, which I took to be
29 a Protestant girl, and she says to me, you know, you're a
30 Catholic and I'm a Protestant but this is wrong. I couldn't

1 identify her or say anything about her, I just knew she was
2 there, she sat there, but she didn't do nothing.

3 Q. She was anxious about **D** was she?

4 A. Yeah.

5 Q. In terms of the rest of the group of people, can I ask you
6 what is your recollection now, **E** you say they
7 didn't leave after the attack, what were they doing?

8 A. Standing.

9 Q. Just standing?

10 A. H'mm h'mm.

11 MR ORR: No further questions.

12 Re-examination by MR KERR:

13 Q. Just one matter. At the stage when you were protecting your
14 husband lying over him, can you say in which direction you
15 were facing towards, which way you were looking? Were you
16 looking in the direction you have described where Robert was
17 in that direction, or were you looking down the direction
18 away from there? Can you recall?

19 A. No, not really.

20 Q. Or what could you see, what sort of area could you see when
21 you were lying in that position?

22 A. Well, I would have looked over to Robert and **F**
23 and then I would have looked back to **D** but that was
24 it, it was just your head right left, right left.

25 MR KERR: Thank you.

26 **[REDACTED]** Could you give me any help on two
27 points. First of all, did this crowd seem to come from right
28 or left?

29 THE WITNESS: I couldn't say, your Honour.

30 **[REDACTED]** You have just got no idea about that.

1 And what about timing, how well can we time this on your
2 recollection of it? I mean, how clear are you about the time
3 you left Saint Patrick's hall?

4 THE WITNESS: Well, you know, I thought it was round 20 past
5 one, you know.

6 [REDACTED] It wouldn't take you long, it's only I
7 suppose a bit over 100 yards up to the junction, it wouldn't
8 take you very long to walk that.

9 THE WITNESS: No.

10 [REDACTED]: Did you delay at all, I mean one can
11 imagine somebody having a --

12 THE WITNESS: You know, we were just going at our ease, you
13 know.

14 [REDACTED] You weren't rushing, you were just
15 strolling along as it were.

16 THE WITNESS: Yeah.

17 [REDACTED]: So there's nothing really that would
18 help you fix the time any better than that.

19 THE WITNESS: No.

20 [REDACTED] Thank you very much.

21 (The witness withdrew)

22 MR KERR: F [REDACTED] my Lord, page 66.

23 MRS F [REDACTED] Sworn

24 Examination in chief by MR KERR:

25 Q. Now, we have heard that you were along with your cousin
26 Robert and with F [REDACTED] and her husband walking along
27 Thomas Street towards the junction.

28 A. That's correct.

29 Q. About what time do you recall did you leave the hall to go
30 in that direction?