

IN THE SHEFFIELD CROWN COURT

The Crown Court,  
Castle Street,  
Sheffield

31st May, 1985.

Before

HIS HONOUR JUDGE GERALD COLES, Q.C.

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REGINA

-v-

WILLIAM ALBERT GREENAWAY

and Others

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APPEARANCES:

For the Prosecution: MR. B. WALSH Q.C. and  
MR. K.R. KEEN

For the Defence: See Attached Sheet

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JAMES O'BRIEN  
CRAIG WADDINGTON  
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DAVID BELL

REPRESENTED BY:

MR. G. TAYLOR  
MR. M. MANSFIELD  
MR. M. MANSFIELD  
MR. P. O'CONNOR  
MRS. V. BAIRD  
MISS M. RUSSELL  
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MISS M. RUSSELL

Friday, 31st May, 1985.

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Friday, 31st May, 1985.

JUDGE COLES: For one reason or another, odd bits of work have to be done. I wonder if there is any possibility of some work being done after the Accused have left? If they feel it necessary to go on a Friday afternoon perhaps it might be possible to proceed a little longer? We will adjourn at 3.15 this afternoon and take stock, but in future I regret that I think probably we will either have to sit a little earlier on a Friday or sit a little longer in the afternoon.

MR. WALSH: There is another possibility. I only mention it for everybody's consideration - that, although one considers everybody's problem on a Friday, might it be sensible perhaps to sit longer on Monday, Tuesday, Wednesday, Thursday, by half an hour or something, to compensate for the early rise on Friday? The Jury may have feelings about that.

JUDGE COLES: I will accommodate people's wishes about that. Would counsel like to think about it and would you like to think about it, members of the Jury? You are far more important than counsel. Think it over over the weekend. We will take stock on Monday, but it strikes me as being a sensible suggestion. It wouldn't cause problems for the Jury, I am now told. There we are. We have our statutory breaks. It seems to me that might be a more sensible plan, that we sit until another half an hour in the afternoon and have a little break and then on Friday afternoons, as has become a habit, I adjourn earlier. Very well. Let us get on.

CHIEF INSPECTOR HALE Recalled

Cross-examined by MR. TAYLOR:

- Q. Mr. Hale, I want to deal now with the three-stage movement that was carried out by the Police, moving the cordon from the first position up to the bridge. -  
A. Yes.
- Q. Before 9.30 - that is, when the convoy left, roughly - had you and Mr. Clement and Mr. Povey discussed the matter between you, whether it was feasible to push up to the bridge? - A. It had been an option that had been discussed, not seriously considered at this stage.

- Q. Was that because there were too many people and so it physically could not be done? - A. No. The reason for that was if the usual pattern had been followed then after the convoy had left, then the people would have dispersed of their own accord.
- Q. Yes. So, why was it considered before 9.30? - A. It was considered that, should we put up with the stoning and throwing that was being directed towards us or should we take action at this stage. In view of the factors I have just mentioned, it was decided we would put up with the stone throwing in the hope that they would disperse, as had been the normal practice.
- Q. Now, at some time the decision was taken to push up to the bridge? - A. Yes.
- Q. Was that taken after the convoy had left? - A. Yes, yes, it was.
- Q. About how long? - A. The convoy left at about 9.25. As I mentioned in the evidence yesterday, it appeared that the normal pattern was being followed. The crowd appeared to be moving away, but then the rear group came back again, contrary to normal practice, and it was at this stage it was realised that the normal practice was not going to be followed and that we were going to be subjected to that kind of treatment throughout the rest of the day, and it was at that stage that the decision was taken.
- Q. How long after 9.30 was it that people started to move away? - A. It's difficult. I would say it could have been ten minutes, five minutes - very difficult to, in fact, pinpoint it.
- Q. JUDGE COLES: After 9.30? - A. It was certainly after 9.30.
- Q. Five or ten minutes after? - A. Could have been, yes.
- Q. MR. TAYLOR: If I recall Mr. Povey's evidence correctly, he told the Court the decision to push on up to the bridge was made round about 9.45. Does that accord with your recollection? - A. It is difficult to pinpoint the exact time because, as I say, it had been discussed. When the actual, final decision was taken, it's difficult to actually pinpoint the time. I would think that it could have been possibly a little later than that, but I can't be certain.
- Q. JUDGE COLES: Later than 9.45? - A. It could have been.
- Q. MR. TAYLOR: And when was it, do you say, that the field suddenly began to fill up again with people? How long after the convoy had left? - A. Again, I'm trying to be as precise as I can, but you have to appreciate the circumstances of the day and trying to

estimate time is very difficult under those circumstances, but the impression I certainly have through the day is that it was possibly around about ten o'clock - that seems to strike my mind - but, as I say, it's very difficult. One does lose track of time under those circumstances.

- Q. So, by about ten o'clock you were still faced with 5,000 people? - A. No. As I say, there has been a gradual drift. We suddenly haven't - we don't go from 5,000 to nothing. People are to-ing and fro-ing, as you saw yesterday from the video, people are coming and going all the time.
- Q. I want you to deal with this point, if you will: Evidence has been given to the Court that when the three-stage move took place the Police were moving hundreds, but not thousands, from the field. The number was in the hundreds. Would you go along with that? - A. It certainly wasn't as much as there had been previously. I see no reason to disagree with that.
- Q. It was during what you have already described, thinking of the pattern of things, as a mid-morning lull, or mid-morning break in things, when the move was made up the field? - A. As I have explained, the mid-morning lull did not occur.
- Q. Will you look at Exhibit 11, please, which is a photograph which could be on your desk there? - A. Is it the big one?
- Q. No, This is it. A, B and C. (Handed) Will you look at 'A' first of all, please? Now, where is the position of the cordon on that photograph? - A. The Police cordon?
- Q. Yes. - A. The Police cordon is, if you take the road that runs up to the small minor road that runs off Highfield Lane towards the left, and the cordon is approximately, looking at the scale of the photograph, about 20 yards in front of that.
- Q. It must be before the three-stage push, mustn't it? - A. Yes, I would anticipate that this is probably so, but when timing is difficult ....
- Q. And judging by the number of demonstrators there on the field, would you say that that photograph was taken after 9.30? - A. Yes, yes, I certainly would.
- Q. There was no move by you, in fact, to withdraw any of your Police, was there? - A. There was a move to move the Police, the shield units.
- Q. Now, if that photograph was taken between ten in the morning and ten thirty in the morning, how do you explain such a big Police presence?

JUDGE COLES: When this photograph was taken? How do we know? You are just putting that?

MR. TAYLOR: I am just putting that, yes.

THE WITNESS: Again, assuming the time, this withdrawal of Police is, obviously, a gradual process. We have to be sure that people are not going to return from the top of Highfield Lane and at this stage, and again it is very difficult without knowing the exact time, but we would not withdraw or consider withdrawing men until we were absolutely sure that the usual pattern was about to be followed. If I can explain a little bit further, on the usual pattern the field almost completely emptied and, as you can see from this photograph, it wasn't occurring at this stage.

MR. TAYLOR: Perhaps you could hand that to the Jury so they could refresh their memories as well? (Handed)

JUDGE COLES: May I have a quick look at that, please? (Handed)

- Q. MR. TAYLOR: Mr. Hale, I have just told you what evidence has been given in the case regarding the numbers of demonstrators there when the three-stage push occurred?  
- A. Yes.
- Q. And the numbers never did increase again more than a thousand. It was in the hundreds. Do you agree with that?  
- A. It's difficult to say, again, with numbers, but there certainly was not as many as there had been initially.
- Q. Yes. All right. Well, the photograph that I have just asked you to look at, I would suggest, portrays what was happening on the field just before the three-stage push and that the numbers of demonstrators shown there is about the number that were involved when the three-stage push occurred. - A. I wouldn't agree with that at all. I would say it was when we assumed that the usual pattern was about to be followed.
- Q. And then, suddenly, more came back? - A. A group, a group moved to the top of the field and, as I said, the usual pattern appeared to be going as it had on previous occasions. The group stopped, re-formed and people started coming back over the bridge.
- Q. Who was with you when you were observing this happening?  
- A. I would think certainly Mr. Povey would be there.
- Q. Mr. Clement? - A. Mr. Clement, I would think, would be somewhere in the area.
- Q. Can you really remember? - A. To be quite honest, I can't.
- Q. Who decided? Who has suggested out of the three of you to make this three-stage move? - A. The final decision is always Mr. Clement's. He is the officer in charge.
- Q. Who has suggested it? - A. He would seek our advice. The situation dictated, it was such that stronger action would have to be taken. The circumstances ....

- Q. JUDGE COLES: That is as may be. What you are asked is who suggested it. - A. It would be, possibly, myself.
- Q. Well, do you remember? - A. It's difficult. I would be asked what other options would be available and one of them would be to use the shield units, and it would probably be myself, yes.
- Q. MR. TAYLOR: You would remember if you were the person who actually put forward the suggestion. - A. That was my job. I was there as adviser.
- Q. That was the point I was going to make, Mr. Hale. Do you say the sole truth of the first use of the short shields on the field, that that was a suggestion coming from you? - A. Yes, it would be.
- Q. And discussed and accepted by Mr. Clement? - A. Yes. The final decision is his.

JUDGE COLES: You are suggesting the first horse movement?

MR. TAYLOR: The first use of the short shields, your Honour. Page 13, or thereabouts:

- Q. Weren't there any other options available to you, Mr. Hale, rather than the three-stage push? - A. The circumstances were such that that was the option that was available to us.
- Q. What do you mean by "circumstances"? - A. The fact that officers were being stoned.
- Q. We are back to stones. - A. Yes, we are back to stones. The fact that we had another convoy coming in the afternoon. You can't ask officers to just stand there and be stoned. Police Officers are not designed for that purpose and action had to be taken to remove the stone throwers.
- Q. Well, that is the same explanation that the Court has heard many times. When moving up the field, which part of the cordon were you behind? - A. In the three-stage move up the field, as I have explained previously, I went up the field with the short shield units, but it does not go up as a regular line.
- Q. Was Mr. Povey in charge of the section that was on the right, including the roadway? - A. No. Mr. Povey would be in charge of the whole sector, which would include everything.
- Q. Mr. Clement? - A. Mr. Clement is in overall charge of the entire Orgreave situation.
- Q. But, didn't you split work up when you had to move up



this long cordon by having Mr. Povey on the road and you on the field? - A. No, no need for that. We have inspectors in charge of units who can deal with the men as they move along.

- Q. So, where, in fact, did you position yourself? - A. Well, as I say, you have got to appreciate what was happening. I would be moving along, on the road, on to the field, stationary, then up and down the field, liaising with Mr. Povey and with Mr. Clement. To pinpoint any particular time is absolutely impossible.
- Q. You are moving back and forth? - A. I am moving with the short shield units in three stages.
- Q. When you got to the bridge, did you form a cordon below the bridge to begin with, or on the bridge? - A. As I say, to begin with, then, the position was that we, the instructions were to go and hold at the bridge. There was no set point at the bridge given to hold our position. It was simply to make it to the bridge. Units were stopping before the bridge. Other units may have slowly gone over the bridge, but it was simply to hold and we were reviewing the situation there.
- Q. Well, this push was led by the mounted officers, wasn't it? - A. That is correct.
- Q. Had you been at Orgreave every day before that? - A. Yes, I believe so, apart from probably the first day.
- Q. Apart from the first day? - A. Yes, when nothing happened.
- Q. Had mounted officers ever gone over the bridge before the 18th? - A. As far as I can recollect on only one previous occasion as we reached the bridge, and I say, "reached the bridge", then again, the situation would be very similar in that they may well have just gone over the bridge, but certainly not up into Highfield Road and over the brow.
- Q. It must have been in your mind, right at the forefront of your mind, Mr. Hale, mustn't it, that if you went any further you would be in a row of houses? - A. Yes, it was.
- Q. A residential area? - A. Yes, certainly so.
- Q. Now, when you were moving up the field in these three stages, were you behind a big cordon of men, or were you between that and the short shields? - A. By a big cordon I presume you mean the long shields and the unprotected officers?
- Q. Yes. - A. I was between these, just behind the short shield units, so I would be between them.

- Q. JUDGE COLES: You were between which? - A. As counsel suggests, between the two, behind the short shield units that were advancing up the field, so the long shield unit and the cordon would be behind me.
- Q. MR. TAYLOR: Was Mr. Clement also in that area? - A. Yes.
- Q. And Mr. Povey? - A. Yes.
- Q. And in front of you the short shields, and in front of them, horses? - A. Yes.
- Q. As you moved up the field what were the demonstrators doing? - A. Well, the demonstrators were moving towards the top of the field, turning and throwing, and generally, as I have explained yesterday, keeping a general distance between our officers and the others, but, again, it is a very complex picture in that you would have some that would be running to the side, some perhaps who couldn't run as fast and who had been pin-pointed for throwing would have been arrested - not a set pattern - you can't say all demonstrators were so far in front. It was very confused, a very confused picture. People who wanted nothing to do with it would simply walk to the side of the field to be left alone completely.
- Q. What do you say about this suggestion, that as the Police moved up in the way you have described, a thousand demonstrators came in between the short shields, infiltrated the area between the short shields and the main cordon? - A. Well, it is difficult to put numbers on it, but there were people in between, some people were running from the side, but to put numbers on it, it's difficult, but there certainly were some people in there, but as to thousands, hundreds, it is, as I say, it is almost impossible to assess. You have no time to start counting.
- Q. That suggestion has been given in evidence and it can only come from one of two people, can't it? Either Mr. Clement or Mr. Povey? - A. Yes.
- Q. What do you say about it? A thousand infiltrators coming in to that gap and fighting with the cordon? - A. As I say, it is difficult. I wouldn't like to have put numbers on it.
- Q. If you were there in that gap and that happened, you would have given evidence about it, wouldn't you? - A. Not particularly.
- Q. Why not? - A. Because I am concentrating - you have got to imagine the situation that was occurring then.....
- Q. Mr. Hale, I am not imagining anything. I want you to deal with the evidence ....

MR. WALSH: Might Mr. Hale be permitted to answer the question?

- Q. JUDGE COLES: Can we establish what counsel has described, that as the crowd was driven away and a gap appeared between the cordon and those disappearing, others, demonstrators, filled into that gap and began to attack the cordon. In other words, they went behind the advancing officers? - A. Yes.
- Q. Did that happen, that you saw? - A. I knew there were people coming in from the side. My main purpose at that time was, as you have quite rightly said, we moved up in three stages, was the line in each of the three stages, and I was concentrating on the units in front of me. Other officers were dealing with the situation behind. I knew that there were people coming in from the sides and at that stage that was not my problem. As to numbers, I can only tell you what I saw and my main concentration was up the field.
- Q. MR. TAYLOR: If there had been a thousand people infiltrating the gap and fighting in the cordon ....  
- A. I am in charge of the numbers of long shields that were now to be taken over by another unit. I cannot be in two places at once.
- Q. That never happened, did it, Mr. Hale, a thousand people infiltrating and fighting hand to hand in front of the Police cordon? - A. I can only tell you there were people infiltrating behind. What happened, I have no idea, and the numbers, I also have no idea.
- Q. When you got to the bridge and you looked over the other side, how many people could you see? - A. Again, we are playing a numbers game, but it's difficult, hundreds, thousands, it's very difficult in a confined area to try and assess the numbers, but a substantial number of people were over the bridge.
- Q. When you got to the brow of the hill you have told this Jury you would estimate there were then 8,000 there. -  
A. Yes.
- Q. We aren't playing a numbers game. All I am asking is when you got to the bridge about how many people could you see when you looked over? - A. Well, again, 2,000 (sic) maybe. As I say, it's difficult.
- Q. From the bridge? - A. Standing on the roadway.
- Q. Let's say on the roadway, on the side again, in the scrapyard - your view is restricted? - A. We were standing on the roadway. I was at the bridge.
- Q. Was Mr. Clement with you? - A. He would be. He was in the area, with myself and Mr. Povey.
- Q. Did they do anything? - A. In respect of what?

- Q. Anything you might remember, a bit unusual? - A. Not that I can remember, nothing.
- Q. Did either of them climb on to anything? - A. I don't really know. No idea.
- Q. At this stage, if either of them had climbed on to part of the bridge to use as a vantage point, you would remember that, wouldn't you? - A. Only if I saw them. Depends whether I was looking at that time.
- Q. Didn't see them do that? - A. I certainly wasn't looking for that, particularly. I just don't know.
- Q. Did Mr. Clement go to the top of the hill, the brow of the hill at all? - A. The only time I recollect him going to the brow of the hill was after the events had finished.
- Q. When you saw this estimated figure of 8,000, did you report that to Mr. Clement? - A. As I say, when we got to the brow of the hill we had not anticipated the numbers that were there. We were quite surprised by the numbers.
- Q. Why was that? - A. Well, I think that obviously we hadn't seen what was over the other side of the hill because of the brow.
- Q. Did you report what you had seen to Mr. Clement? -  
A. I discussed it with Mr. Povey and, as I said earlier, we discussed the options that were then available to us, or what we could have taken at this stage, and then Mr. Povey went back, I presumed, although I'm not certain, to Mr. Clement.
- Q. Now, what I want to do is to read you a little bit of what Mr. Clement told this Court concerning this part. I want to ask you a question about the decision-making that you three were involved in. He said, "I thought when I went over the bridge and saw that stretched out in front of me there must have been 8,000 and numbers that would have increased, they had moved back to near the junction ...." - pausing there, Mr. Clement couldn't possibly have seen that from the bridge, could he? -  
A. He couldn't see the junction from the bridge.

MR. WALSH: Is this an appropriate method of cross-examining, your Honour? Isn't the purpose of cross-examination to ask this officer what he saw? There are rules about this.

JUDGE COLES: Yes. It isn't right to ask a witness to comment on the evidence of other witnesses.

MR. TAYLOR: Very well, your Honour. I will move to the decision-making, which I would submit is proper:

- Q. At this time were your options to continue to advance and have what you might call a final battle, which would

involve being in the village, or to withdraw? Were those, basically, the two options you had? - A. Yes, that was basically it.

- Q. Now, in order to do that, in order to withdraw, the 42 horses were called up once the people were on top of the hill, once the cordon had been formed at the top of the hill? - A. Yes, I believe it was 42 horses.
- Q. All the horses? - A. Yes, I would imagine so.
- Q. What were the instructions that were given to the horsemen? - A. Well, I can only tell you what we had agreed to do. Now, if you are asking me to say, I never spoke to the horseman personally, but the instructions would be, or the decision that would be made would be to advance with the short shield units to that crossroads.
- Q. Wasn't the instruction to the mounted officers to advance and hold the line where the short shields were?

JUDGE COLES: Now, are you asking whether that was the instruction he gave or heard?

MR. TAYLOR: The decision that these three men came to, your Honour, collectively.

MR. WALSH: My learned friend says, "instruction". If he wants to ask about a decision then he can ask about that, but as this officer didn't give the instruction ....

- Q. MR. TAYLOR: Was the decision taken to advance with the horses as far as the short shields and then to return?  
A. The decision was to use the horses and the short shields to reach the crossroads to create a breathing space.
- Q. And no long shields would have been involved in that manoeuvre? - A. Certainly the long shield units as a whole, in other words, the PSUs, it wasn't envisaged we would use the complete long shield units to do that manoeuvre.
- Q. You have said the long shields would be reaching the final position to hold it? - A. It is a different policy with long shields.
- Q. They wouldn't have been employed for dispersal? -  
A. No. The general use is upholding a position. There are other uses for them as well.
- Q. As far as you can remember, did any long shields take part in this exercise, going to the crossroads? -  
A. Now, that is a slightly different thing in that there is certainly a long shield unit. As a complete unit. As part of a strategy, they were not used, but it is possible that there may have been an isolated long shield or two there.
- Q. Why should that be? - A. Because with each short shield unit often it is policy that behind them you should have

officers who are experienced as first-aid officers and also carry fire extinguishers. Often two other units, two other officers, or an officer is often used with a long shield to protect those officers if they need to tender to injured Police Officers. It is part of our training.

- Q. So, these long shield people, if they were in the village, would be defensive only? - A. Yes.
- Q. Is there any concession that any of the short shield carriers in the village got out of control? - A. Certainly not.
- Q. How did the horses, once they came through there, how did they advance? In what manner did they advance? A. Do you mean the speed?
- Q. Generally? - A. Well, they were advancing and stopping. They would start at the walk and then advance at the trot.
- Q. Were they in lines across the road, filling the roadway, or behind each other, or what? - A. Well, with 42 horses you won't be able to get across the entire width of the road.
- Q. How many would there be? - A. Again, it's difficult. Possibly, maybe eight, maybe nine, maybe ten. It's difficult to remember how many would stretch across the road and the pavement.
- Q. When was it decided that those officers could draw their staves? - A. I have no idea. I think, it's usually part of their deployment. They often, as with short shield units, will draw their staves.
- Q. Did they draw their staves on the field at all? - A. I can't be certain about that.
- Q. It is a major decision, isn't it? - A. It is certainly a decision. The decision to use horses, this is the first one that is recommended for the Assistant Chief Contable.
- Q. Yes. Well, it has been described variously as a last resort and the final thing you would do, so the decision is certainly a very serious decision to take, to use horses? - A. Certainly, it is.
- Q. And also a serious decision to take that they should withdraw their batons? - A. Yes.
- Q. The circumstances have to be pretty horrendous for them to draw them? - A. I can remember liaising with Mr. Povey and Mr. Clement to make that decision.
- Q. No. Do you know who made that decision? - A. I have

no idea who made that decision. I can only presume.

- Q. Do you know who gave that instruction to draw batons?  
- A. With certainty, no. It could only have been either Mr. Clement or possibly Mr. Povey. I have no idea who actually gave the instruction, but I can only presume, and that is only by reference to the usual pattern, that it could possibly have been Mr. Clement or Mr. Povey, but certainly it would be Mr. Clement's decision.
- Q. As the horses advance up the roadway, presumably the people in front began to run away? - A. Yes. Some ran away, some ran into gardens, premises, people like that ....
- Q. And you and Mr. Povey, together with the short shields, followed, and horses? - A. Yes.
- Q. Were you at the front of the short shields? - A. Again, as I have described, it's a very loose formation. We are not going up in rigid lines, but we were certainly up with the short shields, I don't think right at the very front. I was not leading a charge, put it that way, but I was certainly amongst it somewhere.
- Q. And at this stage all the horses would have been trotting and the short shields people running behind the horses? - A. Well, yes. Running - again, they would certainly have been following the horses. They would be looking for stone throwers and things like that.
- Q. Did those horses, as they approached the junction, get out of control at all? - A. No. Certainly not as far as I am concerned, they didn't. They did exactly what was required of them.
- Q. That is to say, pushing people back to the junction? - A. Their tactic, as I have explained, was to try and create a breathing space for us to withdraw.
- Q. In order to do that, did the horsemen leave the roadway at all? - A. Well, obviously, you are familiar with the junction at Orgreave Lane and Rotherham Road. There are some wide grass verges on either side. I wouldn't say it was impossible that some would leave the roadway.
- Q. This is as you are approaching the junction, isn't it, there on the left? The forecourt had many industrial, small firms, and so on? - A. Yes, there are industrial firms on there, yes.
- Q. Were there cars parked around that area, that you recall? - A. I seem to recollect that there certainly were cars parked in the industrial premises, I would think.
- Q. Didn't the horsemen split up individually and chase people in and out of those cars? - A. It's difficult to say. The main instruction was for them to disperse the demonstrators. It may well have been at the grass

verge. If the car park is open enough, of a firm, then there were a lot of people in there, they may well have gone into there.

- Q. I would like you to look at a photograph, please, if you will, and to say whether that represents the scene just before the crossroads.

JUDGE COLES: Is that Exhibit 18?

MR. TAYLOR: No, it is not exhibited, your Honour, so far.

JUDGE COLES: Then, it is 22.

- Q. MR. TAYLOR: Now, does that scene come back to your memory? - A. Well, judging by the premises there, that must have been about this time. Yes, that was the only time we were up there.
- Q. Did you see any mounted officer use his baton on people? A. I saw that batons were out, but I never saw anybody struck with a baton.
- Q. JUDGE COLES: You are talking about horsemen? A. Yes, your Honour.
- Q. MR. TAYLOR: You didn't see the use of any baton by any Police Officer on a person? - A. As I say, I saw the batons were out, but I didn't see any individual anywhere strike anybody.
- Q. Did you see the short shield officers in that village use their batons on anybody? - A. I didn't see the short shield officers either.
- Q. JUDGE COLES: Didn't see them strike anybody? - A. I personally did not see any officer, be it mounted or be it short shield, physically strike somebody, in my view.

MR. TAYLOR: Your Honour, perhaps the Jury could see that photograph now so that they know ....?

JUDGE COLES: Yes. I would like to have a quick look at it before they do. (Handed) Yes. I have made a note of that as the "Rock on Tommy" photograph.

MR. TAYLOR: Yes. Quite appropriate, your Honour.

JUDGE COLES: May I have another look before you proceed? Thank you. (Handed)

- Q. MR. TAYLOR: What I want to put to you in as clear terms as I possibly can is that that scene was typical of what was going on in the village, that horsemen were striking people who were running away. - A. What you are conveniently forgetting is the fact that we are there



with a complete hail of missiles. You are forgetting the bravery of the horsemen and horses in trying to create space to get to the bridge and the one still photograph doesn't show the missiles we were subjected to at the top of the hill. You conveniently forget that point.

Q. And the short shield officers were also striking out at anyone and everyone over that brow. - A. I can only tell you what I saw. I did not see any mounted officers or short shield officers strike any individual. That is what I saw personally. That is all I can comment on.

Q. Were you conveniently saying what you only wanted ....

JUDGE COLES: That is comment.

MR. HALE: No, I was not.

Q. MR. TAYLOR: Did you see injured people on the brow of the hill? - A. Yes, I did.

Q. What sort of injuries did they have? - A. Difficult, because I didn't go, personally, to them.

Q. Did you see people with blood streaming from their heads? A. I saw - the only people I saw were people with other people bent over them. I couldn't see their injuries.

Q. Who were the people bending over? - A. There were people in civilian clothes - presumably, demonstrators.

MR. TAYLOR: Thank you.

Q. JUDGE COLES: You say you didn't see any horsemen with batons striking anybody. Did you see any horsemen with batons raised? - A. Yes.

Q. What were they doing when you saw them doing that? - A. Well, as they advanced, the usual thing is that they will have their batons raised. Again, I didn't - it's difficult to say what exactly they did, but they will have the batons raised in similar manner to the short shield units, who will also have their batons raised. The baton is to encourage people to disperse.

MR. MANSFIELD: Does your Honour intend to have a break?

JUDGE COLES: We had better soldier on a little while this morning.

MR. MANSFIELD: Yes, your Honour:

Cross-examined by MR. MANSFIELD:

- Q. Mr. Hale I will begin where Mr. Taylor left off. Would you just take this a minute, please? This is the standard form, this one. (Baton handed) The men on horseback, clearly, they require longer ones than that, don't they?  
- A. Yes.
- Q. Just indicate to the Jury how much longer? - A. It's difficult, but I would say at least twice as long.
- Q. At least twice as long. And at least twice as heavy?  
A. I'm not familiar with the weight, but it would seem to follow.
- Q. How were horsemen with truncheons twice as long as that one - and I would like you just to keep hold of it, if you would - encouraging people to leave the village with the batons? - A. The display of the batons and the truncheons is to encourage people to move from the area.
- Q. Just concentrate on the horses for the moment. First of all, the 42, did they all have their long staves and batons drawn? - A. I can't answer that question.
- Q. You were there? - A. Yes, but I can't say for every individual horseman.
- Q. Did it look like most of them had them out? -  
A. Certainly quite a few had them out.
- Q. Quite a few, Mr. Hale? - A. Quite a few.
- Q. I will pause and ask you to think again. Did the majority of horsemen in the village have their long staves, batons, out? - A. The ones I had chance to look at certainly did.
- Q. I suppose you were busy avoiding missiles, were you?  
- A. As a matter of fact, I was.
- Q. Did you have a riot shield yourself? - A. I did.
- Q. How were you dressed? - A. I was dressed in similar uniform to what I have got on now, a blue riot helmet and a small square shield.
- Q. Had you been dressed like that all day? - A. Yes.
- Q. With the shield? - A. Not with the shield.
- Q. When did you acquire the shield? - A. I acquired the shield when the long shield units were first put out, in the vicinity of eight o'clock.
- Q. I will come back to that. I will just go on with the long batons, but before we do, did you yourself get hit by this hail of missiles at all? - A. Oh, yes.

- Q. You did? Injured, were you? - A. Well, I have only got slight bruising, not seriously injured.
- Q. Where did you get slightly bruised, Mr. Hale? -  
A. On my leg.
- Q. On your leg? - A. Yes.
- Q. By what missile? - A. By a brick.
- Q. By a brick? - A. By a brick.
- Q. Whereabouts on your leg were you injured by a brick? -  
A. On the shin.
- Q. On the shin? And I suppose it so troubled you, you didn't bother to report it to anybody? Is that right? - A. Last thing in my mind.
- Q. Is that right? Never mind your report? - A. That's correct, yes.
- Q. There is no record of it anywhere. - A. There will be no record. A lot of officers who got injured ....
- Q. I'm only asking about you, Mr. Hale ....

MR. WALSH: If my learned friend would ask questions rather than making sardonic speeches.

MR. MANSFIELD: I only asked whether he had made a record. I got an answer that many officers didn't.

MR. HALE: I did not make a record of my injury.

- Q. MR. MANSFIELD: And of course there is no record in any book or any statement or any ambulance log about you suffering a single injury, is there? - A. No, there probably won't be because I didn't report it.
- Q. Did anyone else see your injury? - A. Well, I can't comment on that at all. I didn't report it to anybody. I just carried on.
- Q. Just carried on? Getting injured, in fact, isn't a troubling matter for a Police Officer, is it? -  
A. I'm afraid it became troubling in circumstances like that.
- Q. I see. You have to say, "Something hit me". It would be a bit odd if in this ....

JUDGE COLES: I think it is a comment, Mr. Mansfield.

- Q. MR. MANSFIELD: Mr. Hale, you appreciate, do you, that a hail of missiles and you being in the front line, the chances are you would get hit? - A. I did realise that. I do appreciate that, yes.

Q. I am suggesting to you that you are not telling the truth about that, your injury, any more than the rest of some of your evidence, which I will come to. Now, you say that is the truth? ....

MR. WALSH: May he be entitled to answer the question?

Q. MR. MANSFIELD: Yes. - A. Can you repeat the question, please?

Q. Yes. I make two suggestions: You are not telling the truth about that injury any more than you are about other parts of .... - A. You can suggest what you like, but the injury occurred. I would be surprised if there were many officers who didn't get hit that day at the top of the road, of the field.

Q. Where was it you got hit, in fact? Over the brow of the bridge or in the field? - A. It was between the brow of the hill and the crossroads.

Q. Between the brow of the hill and the crossroads? - A. Yes.

Q. When did you discover that you had got a bruise? - A. When I eventually had time to look at it.

Q. So, it concerned you that day? You did have a look? When was that? - A. That would be at the end of the day, probably.

Q. Before you came to make any record or report of your own, is that right? - A. I didn't make any report of the injury. I've just told you.

Q. No - any report of the day's incidents? - A. Yes.

Q. Now, going back to the baton that the horses have and are carrying - horsemen - how were they encouraging people to leave the village, the few you saw with batons around? How were they doing it? Just demonstrate with that one, would you? - A. As they were riding they would have the batons in the air.

Q. In the air? - A. In the air.

Q. And that, you say, is all you saw them do, is it, the few that you saw? - A. The few I saw were riding in that manner.

Q. Give us ....

JUDGE COLLES: I made a note. He said, "Quite a few".

Q. MR. MANSFIELD: "Quite a few". I don't want to pin you to exact numbers, but what are we talking about? Half a dozen? - A. Well, I'm looking forward, down the road, as I've explained, and there were horses in the premises

to the left, spreading out to the right. The view I am watching is in front of me.

Q. How many, is the question. Roughly how many did you see encouraging people to leave the village in the fashion you have just described? - A. You are asking me a question to say exactly how many?

Q. No. I am - and Mr. Walsh will be on his feet in a minute - all I am suggesting to you is not the exact number, but roughly how many, that is how it is being put - half a dozen, a dozen? There are only 42 horses, so how many, roughly? - A. Again, it is a very difficult question to answer because I am concentrating on defending myself from missiles, I am not concentrating on watching horsemen. The impression I got was there are horsemen with their batons in the air - the exact numbers - there were 42 to start with in front. It could have been a dozen, it could have been 20, but certainly I recollect seeing horsemen in front of me and some of the batons were in the air.

Q. I will put to you, developing Mr. Taylor's point here - and if it is objectionable no doubt Mr. Walsh will say - I am going to ask you why it is your memory becomes vague when I start to deal with a little more detail? -  
A. My memory has not become vague. I do try to explain to the Court the circumstances.

JUDGE COLES: There is a lot of difference between "a vague memory" and saying, "I can't give a specific figure".

MR. MANSFIELD: Your Honour, I have made it very clear to this witness I am not asking that a specific figure be given:

Q. You know that, don't you, Mr. Hale? - A. Yes, I do know that.

Q. I am just asking for a rough estimate of the numbers of horsemen. You do appreciate it is a serious incident? - A. I certainly do appreciate it.

Q. You didn't, then, witness Police horses riding towards people with their batons drawn? You didn't even see Police Officers being stoned to death either? Is this how we will spend the day? - A. That is up to you, Mr. Mansfield.

Q. No, it isn't. I have asked a question. You answer it. How many times have you witnessed Police Officers on horseback with truncheons drawn ride towards people? - A. I have not seen circumstances like that before.

Q. Now, answer the question - have you seen Policemen on horseback with their truncheons drawn, riding towards people? - A. This is the first day I have ever seen that.

Q. Why didn't you say that in the first place? - A. That's exactly what I said.

JUDGE COLES: It may be because you asked the question in a tone of voice which suggested that there was something more in it. If we go on keeping our tempers I have a feeling we shall all get on much better.

Q. MR. MANSFIELD: If you would answer the questions, I will have far less time with you, Mr. Hale.

JUDGE COLES: There you go again, incriminating again.

MR. MANSFIELD: Yes, I accept that, your Honour:

Q. Now, Mr. Hale, you heard the question? - A. Which one of the questions, Mr. Mansfield?

Q. Now, I will ask it again. If you - well, you have accepted that this is the first time you have seen horsemen, Police horsemen riding towards people with their truncheons drawn. How many, roughly, did you see doing that? - A. Riding towards people?

Q. Yes. - A. I've told you that I've tried to make the best estimate I can, bearing in mind there were 42 horses, bearing in mind some had gone to the left and to the right, bearing in mind what I was trying to do. I can only estimate. It could have been a dozen in my view at that time, or any particular time. It could have been more. I can't be more specific than that.

Q. I am not saying you should be. Now, a dozen or more? Fair? - A. I've just made the comment, "it could have been a dozen, could have been more".

Q. Now, a dozen, roughly, that you saw with long truncheons drawn in the manner you describe. How many of those truncheons, officer's truncheons, connected with anyone or attempted to connect with anyone? - A. I've already said that I did not see any mounted officer strike anybody. I could only tell you what I saw.

Q. Yes. Now, so there is no misunderstanding - strike, or attempt to strike? - A. I find it difficult to realise - I mean, what's "attempt to strike"?

Q. Mr. Hale, ....

Q. JUDGE COLES: Let me help you. It is using a baton with the intention of hitting somebody, but missing. - A. I didn't see anybody attempt to do that either.

Q. MR. MANSFIELD: Did you really not understand the question, Mr. Hale? - A. I have tried to explain.

- Q. Please listen. Did you not understand the question put to you about attempting to strike? - A. It's difficult in circumstances like that. As far as I'm concerned I would not - no, I did not see anybody strike - I would not be concentrating on watching the horsemen. I had my own job to do at that particular time. The situation is confused. There is chaos. There is brick-throwing. I'm not spending my time watching horsemen.
- Q. You saw Police Officers getting hit, did you? - A. It's difficult to pick out where the Police Officers got hit. Missiles were raining down. I would be very surprised if a lot didn't get hit. I was one of them, as I've already said.
- Q. Now, injuries on the brow of the hill and towards the junction. Did you see civilians injured? - A. I saw - yes, I did.
- Q. Did you see any with head injuries? - A. As I say, the ones I saw were laid on the floor or sat up with people round them. I didn't have time to have a look at the injuries. I didn't stop. I just carried on trying to do the job I was trying to do.
- Q. So, is your answer to that, you did not see anyone with head injuries? - A. They wouldn't be visible to me, no.
- Q. Mr. Hale, I'm sorry, but I'm trying to be very controlled. - A. I did not see anybody with head injuries.
- Q. There were quite a lot of people with head injuries, weren't there? You know that now? - A. I didn't actually. I know injuries there were, but specifics of the injuries I don't know. The ambulance people have those records.
- Q. People being walked down the road with blood streaming down from their heads - did you not see any of them? - A. I didn't see anybody walking down the road. I was at the front of the line.
- Q. So, the answer is you didn't see anyone with blood streaming down their head being walked down the road? - A. No. As I said, I was at the front of the line. I can only tell you what I saw personally.
- Q. Yes. Mr. Povey was at the head of the line with you? - A. Yes, he was.
- Q. He saw them. - A. He may well have done.
- Q. I see. You were just looking the other way, were you? - A. I was looking towards the front of the line. I can only tell you what I have seen. I can't tell you what other people saw.
- Q. Mr. Hale, you say that the advance to the junction was to allow a breathing space? - A. It was to create a

breathing space so that we could prepare the defensive position at the bridge to withdraw the people back to the bridge.

- Q. To withdraw the ones on the brow back to the bridge? -  
A. To prepare the defensive position and withdraw back to the bridge.
- Q. I will take it slowly so that it is clear. I want to suggest this is nothing to do with a defensive position and ambulances and all the rest of it. I will come to it, all those explanations you gave yesterday. Now, you say that the horses went forward to the junction with short shields, some, in order to create a breathing space for those of you stuck at the brow. Is that right? - A. I don't think "stuck at the brow" is the correct expression. We had seen the situation on arriving at the brow and had come back to the decision that it would be better if we went back to the bridge and let the crowd vent their hostility on ourselves, and that was the purpose. In order to do that, to withdraw the men safely, was to create that breathing space - that was the intention.
- Q. Now, if that was the intention, once the horses went forward - all the horses, yes? - A. Yes.
- Q. You were saying yesterday how people were driven away. Is that right? - A. The object was to drive them away, yes.
- Q. They were driven away, according to you? - A. People ran off in front of premises and to the side of the road.
- Q. Was the effect of 42 horses to disperse people very quickly? - A. I would say, yes, it did have that effect.
- Q. Yes. Was that not the action, if that is what you were really about, having sent the horses forward you then, under cover of the advance of the horses, you withdraw to the bridge as quickly as you could, don't you? -  
A. That was the intention.
- Q. But, you don't do it, do you? - A. No, we didn't do it.
- Q. Why didn't you withdraw from the brow of the hill back to the bridge once the horses had gone forward, almost immediately? - A. The correct manoeuvre is that the horses are followed by short shields. That was the manoeuvre we carried out, intending that the defensive positions on the bridge would be prepared.
- Q. JUDGE COLES: Why was it necessary for the short shields to follow the horses? That is what you are being asked. - A. Because, as we had experienced previously, the mounted officers, when they had advanced down the road, when they went to return, had been subjected to missiles from the sides of the road, from the front, and it was to give some extra protection to the mounted horses.



Mounted horses cannot arrest people. Short shield officers can arrest people, and that was the intention.

- Q. MR. MANSFIELD: That actually wasn't the question I was interested in. My point now is this, and the question I want you to answer is this: The advance of the horses with the short shields from the brow of the hill to the junction is to allow the ones at the brow a breathing space to withdraw to the bridge. But, why didn't they? Why didn't they withdraw to the bridge once the horses went forward with the short shields? Do you understand the question? - A. I do understand the question.
- Q. Now, what is the answer? - A. The answer is, you talk about withdrawal. What I talk about is withdrawal to prepare the defence at the bridge. We need time to get that set up. It isn't set up instantaneously.
- Q. I'm sorry. I will make it clear why I am asking these questions. The theme of everything, I am going to suggest to you, that went on that day was nothing to do with arresting and hails of missiles. It was, may I put it, provocative policing. Do you understand? - A. I do understand.
- Q. Right. Now, you say you didn't withdraw from the brow immediately because you needed to prepare the bridge? - A. Yes.
- Q. That day you had got the long shields on the bridge already, before you had even gone up to the brow, hadn't you? - A. We had got some long shields at the bridge.
- Q. Mr. Hale, the advance up the field and the taking of the bridge meant that the majority of Police units had reached the bridge before you ever went to the brow. Isn't that right? - A. The majority of units were on the other side of the bridge.
- Q. You described yesterday, in some detail, how the long shields went across to the embankment and across the bridge? - A. Yes.
- Q. You had already prepared for the bridge as a defensive position before you went near the brow. - A. No.
- Q. What wasn't prepared? - A. We hadn't got officers organised to tell them what was going on. That has to be communicated to the officers. They are not telepathic.
- Q. Mr. Hale, you described, you remember, yesterday, with photographs and so on, how the officers had been deployed along the embankment. Do you say they didn't know where to put their shields? - A. The officers were deployed along the embankment. We wanted to ....
- Q. Just answer the question. We will deal with it in stages. You say the officers were deployed along the embankment and before one went up to the brow the officers with long shields didn't know where to put their shields? - A. The

long shields were holding at the bridge.

Q. Please, Mr. Hale, did you understand the question? -  
A. I did understand the question.

Q. What was the question? - A. You asked me whether officers knew what to do with their shields.

Q. I will take time over it. Please, will you listen? I will ask it again. The officers deployed to the left of the bridge, as you look up the hill, the officers lining the top of the road, the railway embankment - do you understand? - A. Yes, I do.

Q. Those officers had long shields? - A. They had long shields

Q. Are you saying to this Jury, before you go to the brow of the hill, those officers lining the railway embankment didn't know what to do with their shields? - A. As I described in my evidence yesterday, those shield officers were placed between that embankment and the front of the sub-station. They are holding in that position. They do not know what the next move is going to be. They have to be told what our intentions are.

Q. Mr. Hale, do you adopt tactics? - A. Yes, I do.

Q. I will ask it again. Mr. Hale, do you say that the officers standing at the top of the railway embankment, facing the scrapyard on the other side, to the left of the bridge - this is before you go to the brow - do not know where to put their shields? - A. They know to put their shields in front of them. It's self-evident. Bricks are being thrown.

Q. So, before you go to the brow, we have, to the left of the bridge, the advancing line of officers with their shields held out? - A. Yes, but not at the embankment yet.

Q. Very close. How many feet away? - A. Well, it's difficult, but the distance between the embankment and the sub-station will be about some ten yards.

Q. Now, we move from the field, between the sub-station and the fence and the embankment to towards the bridge. Do you follow? - A. Yes, I follow.

Q. Before we do, roughly how many officers, before you go to the brow, do you get with long shields lining the embankment? - A. Assuming that the same number advanced up the field as we had down at the bottom, we would be talking about five or six units.

Q. How many men? - A. 20 men in each unit, plus two Sergeants and an Inspector.

Q. Which is 23 a unit? - A. 23 a unit.

Q. Five of those are up by the sub-station, not at the bridge, at the top of the field between the sub-station and the railway embankment, and they are protected by long shields? - A. Yes. They are across the road as well.

Q. I will come to that. I am taking it slowly, Mr. Hale. - A. May I ask if you still want me to hold this truncheon all the time or if you have forgotten about it?

Q. I haven't forgotten. I was going back to it. Put it down in front of you. As long as you don't use it on me ....

JUDGE COLES: As long as you don't tell him what to do with it.

Q. MR. MANSFIELD: Now, Mr. Hale, how many units of long shields at the top of the railway embankment, not the bridge. Is it five units protected by long shields, top of the field, top of the railway embankment? - A. I repeat what I said. The same number of units would have been at the bottom of the field, which was five or six, would move up to the top of the field, including the road, and would be at the top of the road and the field - that would be a total of between five and six units.

Q. I want to finish soon, so I will accept that for the moment. We have five or six units, top of the field and across the road, with long shields? - A. Yes.

Q. Providing a protective cordon? - A. Providing a cordon, yes.

Q. Providing a protective cordon? - A. If you wish to use the word.

Q. Do you say it is not? - A. I don't say it isn't. That is the object of long shields, to provide protection.

Q. Right. So, you have, before you go <sup>to</sup> the brow of the hill, already in place a protective cordon of a large number of officers with long shields, don't you? - A. We have a cordon.

Q. JUDGE COLES: We have been on this a long time, but I don't want to be confused. This is across the field and the road? - A. And the road, your Honour.

Q. MR. MANSFIELD: And the cordon didn't have, at that point, the winged vehicle. That is the only difference between then and a bit later? - A. Apart from its position, yes.

Q. So, before you go to the brow of the hill, you have already got your protective cordon set up at or near the bridge, haven't you? - A. I have a cordon, but not where I want it.

Q. Where do you want it? Top side of the bridge, near the missiles? - A. No. I want it on the bridge and I want

officers right up on the embankment and some on the other side of the road.

- Q. Why didn't you leave Mr. Povey to it and go back down and organise it? - A. You are asking me a ridiculous question. We discussed tactics. Messages were passed back down from the brow of the hill. Messages would be passed down for it to be organised. They had to be told what is going to happen and what to expect.
- Q. What you do at the brow of the hill, coming back to that, is you just sit there whilst the horses go up to the junction and you say you can't retreat because there is an ambulance in the way? - A. I didn't say we sat at the brow of the hill. I said we advanced with the short shield units to the crossroads, intending to quickly retreat, but were prevented from doing so by the ambulance.
- Q. So, there is no question of going back to the bridge? - A. From the brow, when the horses actually go on up to the junction?
- Q. Yes. That had nothing to do with breathing spaces whatsoever. - A. I have explained what our tactics were and what decisions were taken, what the policy was.
- Q. You described the reasons .... - A. What our reasons were, those reasons stand.
- Q. Did the horses go beyond the junction? - A. As I said yesterday, they were told to go to the junction, but as with any manoeuvre of that scale there will be some who went past the junction up the side roads, but they would eventually hold at the junction, and that is the position.
- Q. What was the question? - A. Did the horses go past the junction.
- Q. What is the answer? - A. The answer is some may have gone past the junction.
- Q. Did you see any go past the junction? - A. Yes. Horses went past the junction.
- Q. Right. How many horses went past the junction, Mr. Hale? - A. We are back to the numbers game. I can only give you as much .... certainly, there may well have been half a dozen horses, if you are talking about - depends what you mean by "past the junction". Do you mean straight across or the side roads?
- Q. Straight across the railway or towards the estate? - A. I can't be exactly accurate, but you are talking about half a dozen, maybe more.
- Q. Not me. You. How many did you see? - A. I have given you an estimate of possibly six horses. I can't be accurate. An estimate.

- Q. What did they do? - A. They would go past the junction, they would wheel round and return to the junction.
- Q. Just that? - A. As far as I recollect them.
- Q. Truncheons raised, that lot? - A. They had had them out earlier. I didn't specifically notice whether they still had them out.
- Q. There is no question in your mind, on what you say, of them charging even further up beyond the junction? They just wheel round because they can't stop accurately at the junction? Is that it? - A. Well, it's up to the individual officers how far they think they need to go. We have given the objective that we would re-group at the junction. That number might go just past it if they saw a group of brick-throwers and wanted to disperse them, they would do that.
- Q. Were you at the junction when the horses you saw went just a little beyond? - A. I would still be approaching it.
- Q. Still be approaching, but not far away? - A. Difficult to tell. I would suspect, judging from the views of the horses and what speed we were moving at, I would probably be halfway there.
- Q. I would like you to indicate where you say the horses went to, taking the photographs. It is Exhibit 9, Photograph 9. Looking at Photograph 9, that is taken from probably about the brow of the hill. Do you agree or not? Just beyond? - A. Yes. They could certainly have been in that area.
- Q. The sort of area where you were? - A. Yes.
- Q. Well, using that photograph, can you tell from the photograph roughly where the horses went beyond the junction? - A. Again, I will try to be as accurate as I can. I can only recollect the impression, as far as I got it, they certainly went past the junction. It's difficult from that photograph to ....
- Q. Take the next one. - A. Again, that may not be fair. On the next photograph, I would - there is a lorry there. They may well have reached in the area of that lorry.
- Q. In the area of the white - I'm sorry - you are looking at photograph nine? - A. Yes.
- Q. The large, sort of "panteknikan" type of vehicle? - A. Again, being as accurate as I can.
- Q. JUDGE COLES: Is that the lorry you mean? Looks as though the back is open and somebody inside it? - A. Yes, your Honour.

- Q. MR. MANSFIELD: Now, at any stage did you see a Police Officer on horseback - do you see the bus shelter there, just in front of the white car? It is foreshortened so there is a distance between the two? - A. Yes.
- Q. Did you see a horseman near that bus shelter with his truncheon raised, attempting to strike a person, anyone standing there? - A. No. I know the one you are referring to.
- Q. You do? - A. I do, yes.
- Q. What did the horses, once they had come back from going beyond the junction, what did they exactly do at the junction? - A. They would wheel round from whatever side of the road they were, or in front, or at the side roads, and would come back to the junction and re-group and face towards the demonstrators.
- Q. Just describe the re-grouped position, would you? - A. Well, it's somewhere at that junction - probably in the mouth.
- Q. Not probably. All your answers, if I may just repeat them, the recent ones, are, "they would do this, they would do that, they would do the other, they would be at the junction they may well have been". Now, are you describing what you saw or just guessing all the time? - A. These events are nearly twelve months ago. I am trying to describe as accurately as I possibly can where I think the horses were. I can't do any better than that.
- Q. I appreciate the length of time. But, you see, you have not spoken of anyone and I mentioned particularly Mr. Clement or Mr. Povey, since they gave their evidence. - A. Yes. Correct.
- Q. And you are now, at this moment, saying - and there is a reason and I will come to it, in relation to other matters - you are saying it is actually quite difficult to remember detail? - A. I am saying it is difficult to remember the exact positions you are asking me to remember.
- Q. Well, again, so what you are saying, isn't it right, is that it is memory. You have but a difficult memory, is that fair? - A. I can't tell you the events that took place that day. You are asking me exactly where the horses were stood. I can only put you in the area where I think or saw they were stood, or the impression they were stood. I can't go down to feet and inches.
- Q. I am not asking for that, Mr. Hale: Were the horses, once re-grouped, in any particular formation? - A. Not that I can remember.
- Q. Not that you can remember? - A. They would be in a line.
- Q. No, I don't mean in a line. Now, I want to ask you about another scenario and the use of truncheons yet again, particularly as you are in charge of short shields. Did

you see any officer with a short shield use his truncheon either - well, I will take it in stages - using his truncheon and striking anyone? - A. As I have said earlier, I did not see any officer, be it mounted or short shield, strike anybody.

- Q. And that includes the short shields attempting to strike anybody? - A. Yes. I would be incapable of distinguishing between the two.
- Q. So, just dealing with them for a moment. You have described seeing at various points, fighting with the demonstrators? - A. Yes.
- Q. In the fighting that you say you saw, they weren't using their truncheons. Is that right? - A. What I am saying is that I never saw anybody using a truncheon in the brief moment I would be glancing round, trying to take in the situation. I didn't see anyone using a truncheon.
- Q. What was going on, then? - A. I have tried to describe the scenes.
- Q. Just describe - let's take the horse charge with the short shields that followed up behind. That is the first time they were used? - A. Back on the field?
- Q. Yes, back on the field. The first time they were ever used? - A. Yes.
- Q. You must have been quite interested as it was the first time - would this be fair - to see how it all worked in practice? Weren't you? - A. Yes. I was watching the situation.
- Q. Yes. I will ask it again. You were actually quite interested on this occasion, weren't you? You were in charge of short shields, special responsibility to see how this first use of short shields units actually worked? - A. Yes, I suppose you could say I was, yes.
- Q. You suppose? Where were you positioned when they went out? - A. I was behind the long shields on the Police line.
- Q. Behind the Police line? - A. Yes. You were talking about the first time they were ever used?
- Q. Yes. That is an occasion you might be likely to remember and concentrate on that, the first time they have ever been used. Would you agree? - A. Well, I certainly - I can only remember what I saw. Whether I would be more likely to remember, I don't know.
- Q. Were you in a position to observe, from the back of the cordon behind the long shields, what they did, this serial of short shields? I will just concentrate on the field. Were you able to see, first of all, what they were doing? - A. I would be looking with the hope of having a look at them.

- Q. I'm sorry to have to take you up again, but, "I would be this, I would be that" - were you in a position to see what they did? - A. I was watching, yes.
- Q. You were? Right. Now, when they went out in which direction did they go, the short shield units on the field? - A. They went towards the top of the field, to the side, to the front ....
- Q. Do it in stages. They went towards the top and ...? - A. They would, as they come out of the Police line, they would fan out, left and right and centre and make their way up the field as far as they had been told to go.
- Q. Which you said was 80 yards? - A. Would be about 80 - 100 yards.
- Q. 80 - 100 yards. I'm sorry to be particular. There are reasons for all of it. Is that, in fact, what they did on the field the first time they went out? - A. Yes, as far as I can recollect they went to the top of the field and then gradually made their way back.
- Q. You were watching, were you? - A. I was trying to watch as best I could, yes, obviously.
- Q. Was it a situation where the majority of the serial veered off to the left towards a little copse of trees near the far left line as you look up the field to the left? Do you understand? - A. Yes.
- Q. Did not the majority of the serial veer over towards the left? - A. I remember they went out and fanned out. A group would go to the left, a group to the right, a group three to the centre.
- Q. JUDGE COLES: You are saying the majority didn't, but a group may well have done? - A. Yes, as far as I can recollect, yes.
- Q. MR. MANSFIELD: What did you see them doing once they got out there? - A. They were slowly moving up the field, they weren't running at full pelt.
- Q. Were they running? - A. I would put it more at a trot than a run.
- Q. Trotting Police Officers, short shields? What did they do? - A. I saw some arrest people.
- Q. Just pause there. If you saw that, how did they do it? - A. Well, the ones that I can remember, I can remember just seeing somebody being brought back with a Police Officer on each arm, pulling him backwards.
- Q. Short shield units? - A. Short shield units.
- Q. So, you didn't see how they had been arrested? You just saw them being brought back? - A. You have a scene of



complete confusion up there - mounted officers, people running about.

- Q. But, it is your responsibility, how these groups of short shield serials operate, isn't it? - A. Yes, yes.
- Q. You don't see any truncheons used either to strike or actually struck. At the moment you say you don't actually see any arrests being made? - A. I saw people being brought back from the top end of the field.
- Q. Did you see, at the top end of the field, a man, on this occasion, getting trampled by a horse and getting arrested? - A. I can't recollect that incident, no.
- Q. You've seen it on the video, on the Police film? - A. I can't remember seeing it yesterday. It may well have been there.
- Q. So, you didn't see that? - A. No.
- Q. All right. But, much closer to Police lines than up the field, where someone got trampled, officers were using their truncheons, weren't they? - A. I've said again, I did not see any officer using his truncheon.
- Q. You know what I mean. - A. I know exactly what you mean.
- Q. You know of a particular incident, don't you? - A. If it's the one on the television, yes, I do.
- Q. Yes, but I suppose you didn't see that? - A. I didn't, only like everybody else, on the television.
- Q. Now, dealing with that, the officer concerned wasn't even a short shield unit, was he? - A. Certainly wasn't.
- Q. Now, that wasn't part of the overall operation, was it? - A. Certainly wasn't.
- Q. Quite a few officers not short shield officers went out at this stage? - A. Again, I have only the benefit of the television everyone else has seen and, yes, some fighting at the front of the line
- Q. Quite a few officers without short shields went out? - A. Not quite a few.
- Q. How many? - A. Several officers.
- Q. Roughly how many? - A. The only benefit I have seen is, again, like everybody else, the television programme and I've seen an officer being attacked, some officers going to his assistance, the famous incident that speaks to me of about half a dozen officers.
- Q. I am asking you. I am not asking somebody else, who has no responsibility for short shields, who may have

their mind on other things, who may be watching up the road. I am asking you, on the field, about a short shield serial and other officers who followed them out. You say you saw none of it, you watched it on television? -  
A. I am talking about the incident you referred to.

- Q. I am saying more than that. That is one incident. Now, on the day, you are saying, are you, that you weren't aware that officers not with short shields had actually gone out after them? - A. I wasn't aware of that incident when the cordon, front line, or some of them, must have broken out. It looks as though some have, yes.
- Q. Didn't you notice that on the day? - A. You have a cordon there stretching all the way across the road. All sorts of things are happening at that time. I am looking towards the short shields, the officers up the field, and trying to watch what they are doing. I am not concentrating on every single aspect of what is happening over the whole of the Orgreave field. That is impossible.
- Q. JUDGE COLES: What you are being asked is this: Did you, that day, when you were there, see, at the time when the short shield officers went out, uniformed men leave the cordon and go forward to where only short shield officers had been ordered to go? - A. No. I didn't see the incident referred to and I was not aware of it until afterwards.
- Q. You only saw that on the film later? - A. Yes, that's correct.
- Q. And that incident you saw involved six officers, that was your impression? - A. That was my impression.
- Q. Had you seen it at the time, what would you have done about it? - A. They would have been told by officers in charge to get them back and they would have been told off for the indiscipline.
- Q. Even if they had gone forward to help? - A. No. Ones who had gone forward to assist would certainly not have been disciplined, if that is the right word to use.
- Q. MR. MANSFIELD: The long shields were also your responsibility, weren't they? - A. Yes.
- Q. Now, you have told, I think, his Honour yesterday, or someone yesterday that your position was pretty well the same most of the time, behind the line? - A. Yes. I did say I was moving up and down, but I generally came back to the same point.
- Q. If the cordon broke down and you had to explain later, you wouldn't want to be in the position of saying, "I only saw it on television", would you, Mr. Hale? -  
A. Wouldn't be the position I would want to be in, but it was the position I was in.

- Q. You see, that breakthrough of the cordon by officers who should never have been out on the field, happened from about the middle towards the left-hand side, well in front of where you were standing, Mr. Hale. - A. No. It was not in front of where I was standing. It was towards the left-hand side and nearer to the road.
- Q. You were nearer to the road. Having watched it on television that day, presumably, or the next day .... - A. I don't know when it was shown, but I certainly saw it, possibly that evening, it could have been, yes.
- Q. Did you, personally, take any steps to find out who those officers were who had acted in that way? - A. I know steps had already been taken.
- Q. The answer is you didn't? - A. I didn't, personally. I made enquiries and found that the matter was already in hand.
- Q. So, you agree that the long shield cordon must have broken. You didn't see it, that officers not instructed to go out had gone out, and you didn't see that at least one officer used his truncheon - you didn't see that either? - A. No, I did not.
- Q. Do you think now, looking back, Mr. Hale, on that day, that anything went wrong that day, anything at all? - A. The thing that went wrong was the officer who you have referred to, he obviously lost his cool.
- Q. JUDGE COLES: Which officer? - A. The one on the television, the famous one.
- Q. MR. MANSFIELD: Horseback? - A. No. Obviously, that was a complete lack of discipline. He broke through and he should not have gone through Police lines. It was totally wrong. However, he was not a short shield officer and those officers acted completely correctly, and that was one unfortunate incident.
- Q. Other than that, you say, do you, nothing else went wrong that day? Every decision that was taken was the right one and you have not even second thoughts about any of it? - A. I didn't say every decision taken was the right one. What I said was that the actions we took were right on the day and made with the best of faith, and I would take the same decisions again, faced with those circumstances.
- Q. Would you take the same decisions again with hindsight? If you don't understand the question ...? - A. I do understand the question. I would probably, with hindsight, take the same decisions, the reason being the only decision that we would have probably changed was because of the realisation that there were so many people over the brow of the hill. We didn't realise that there were that many people over the other side of the hill.

- Q. What decision would you now say you might change because you misjudged how many were over the hill? - A. We may well have held at the bridge if we had known the numbers over the hill, but faced with the information we had before us at the time, I would still, given the same circumstances, make the same decision.
- Q. In other words, all the major decisions - the use of horses, the use of short shields, the use of long shields - you would take all those decisions the same way again? - A. I certainly would, faced with that situation.
- Q. And, therefore, it goes without saying that you, on that day, didn't question any of Mr. Clement's decisions? - A. Certainly not.
- Q. Certainly not? - A. They were decisions that were arrived at after discussions with ourselves.
- Q. But, there was no decision taken either by Clement or as a group, on which you disagreed? - A. No.
- Q. Now, I just want to go on with the use of short shield units and the use of truncheons. Taking that from the horse charge and the use of short shields for the first time, I would like a little precision, if you can, on this: How many short shield units were used on the field? - A. I think we had two on the field.
- Q. Two? - A. Two.
- Q. How many in each? - A. There would be, again, standard units - 20 men in each.
- Q. 20 in each plus an extra three? - A. Yes, the supervising officers.
- Q. Would they be in it or not? - A. Yes, they would. Their responsibility is up with the men.
- Q. So, that is 46 short shield officers going to the field? - A. That is as far as I can recollect. I remember asking for two and presumed I would get the two.
- Q. You briefed the commanders? - A. That's right.
- Q. I want to know how many commanders you briefed for the first use of short shields. - A. I recollect there were four commanders, which would point to four units.
- Q. Who were the commanders? - A. I don't know the commanders by name.
- Q. JUDGE COLES: Does that mean you have changed your mind? Instead of saying there were two units, you think now there were four? - A. No. Counsel asked me "on the field". Two on the field, two on the road.

- Q. MR. MANSFIELD: Yes. 46 in each. Is the total 46 on the field, 46 on the road? Two commanders on the field, two commanders on the road? - A. Yes. If they were full units, that would have been the deployment.
- Q. You don't know the commanders' names? - A. No.
- Q. Which Force did they come from? - A. Well, I certainly think that we had two of our own units and I think two were West Yorkshire, though I wouldn't be certain about that. It would be a Metropolitan Force.
- Q. Two South Yorkshire, two West Yorkshire? - A. That is as I recollect.
- Q. So, are you saying that all the officers - well, I will take it slowly. Those are the commanders. Would the officers in the actual serial be from West Yorkshire and South Yorkshire? - A. Oh, yes.
- Q. They would. So, all the officers who went out on the short shield serials on this first occasion were of the Yorkshire officers? - A. As I say, I can't be certain about that, but I think that was the case. I may be wrong. I don't know.
- Q. Who were the two South Yorkshire commanders? - A. I can't recollect who they were, to be honest.
- Q. It doesn't happen .... I'm sorry - I am not normally asking for all the details of names, but it is the use of the short shield unit I want to investigate ....

MR. WALSH: If my learned friend wants to find out who they are it might be easier, instead of asking the officer, for us later to see if we could find out.

MR. MANSFIELD: I did want to know that:

- Q. Secondly, I want to see how much control you were exercising. I will come to the point, then back to the suggestion of provocative policing itself. The units, were these being sent in because you wanted the demonstrators off the field, and that was it? Do you understand? - A. I understand.
- Q. Now, if you ...
- Q. JUDGE COLES: What do you say about it? - A. Do you want me to answer?
- Q. Yes, of course. - A. As I have said, the tactics we decided to use were brought on by the circumstances of what was happening. We had to take strong action to prevent the continual bombardment of officers. We couldn't just stand there and let officers be thrown at. Police officers are not there to be thrown at. So, we had to

look at something else to try and get rid of the missile throwers, to stop them throwing.

- Q. MR. MANSFIELD: The second reason for asking the question about who the commanders were is whether you were exercising even proper control. The position now is that you don't remember who the South Yorkshire commanders were?
- A. From the time of the Orgreave Riot to the end of the miners' dispute I have been involved in a lot of incidents involving a lot of South Yorkshire commanders, involving a lot of other commanders. To try and remember exactly which commander was at which location, I cannot say with certainty. We can get at the answer, if you require it.
- Q. No doubt we will. But, you see, this was, if you like, rather unusual as an occasion. This is the first time such serials have been used. - A. Yes, that's correct.
- Q. I am not asking about any old occasion over nine months. Do you remember what they looked like? - A. Yes. They were in Police uniform and with a short shield and with a blue riot helmet.
- Q. So, you cannot even tell us any particular personality you remember because of particular speech or because he looked in a particular way, was fat or short, anything like that? - A. You have asked me. I have answered the best I can.
- Q. You have briefed these four commanders? - A. Yes.
- Q. When did you brief them? - A. I briefed them prior to when they were brought into the line behind the Police cordons.
- Q. So, that was the first briefing you had with these commanders? - A. No. Officers had been briefed over a number of weeks. Everybody knew exactly what was happening.
- Q. No. I am talking about the use of short shields. Which officers had been briefed about the use of short shields over the weeks? - A. No, this was the first occasion.
- Q. Now, I am just dealing with that first occasion. So, the first occasion, commanders were briefed about the use of short shields, once they had come up behind the cordon .... - A. Before they actually were formed up behind the cordon, I would ask for the Inspectors who had been designated to come and see me somewhere behind Police lines and would walk back and meet them.
- Q. Now, where did this meeting of commanders take place? - A. It would be in between the cordon and the holding area where other officers had assembled or designated from units to be involved.
- Q. Between the cordon and which holding area? - A. The old offices, which is part of the Orgreave complex.

- Q. The command centre? - A. Yes, the command centre.
- Q. So, you have to go back - and there are reasons for all of this - you have to go back, speak to the four commanders? - A. Yes. I would meet them somewhere in between, go back to the holding area.
- Q. How long do you spend briefing them? - A. Most of these units have been specially trained.
- Q. How long do you spend briefing them, Mr. Hale? We will come to whether they had been trained, what they know and how they know in a second. How long did you spend briefing the four? - A. They would be briefed very quickly.
- Q. How long? - A. It would take maybe a minute.
- Q. A minute? - A. Maybe. Difficult to tell.
- Q. These are all commanders who you had seen before that day? - A. I honestly do not know.
- Q. Did you know any of the individual men in the serials themselves? - A. I couldn't even tell you which serials they were. It was not my job to designate the units.
- Q. Yes, I know. You told us yesterday. But, tell us again. What did you tell the four commanders in that one-minute briefing? - A. I told them what their objective was. I would tell them how far to go up the field.
- Q. Objective, distances. - A. The objective would be to disperse the demonstrators, if possible, to identify the stone throwers and carry out arrests, if that could be done. Once they reached the designated limit they were to turn round and return to the Police lines.
- Q. Now, before that day, you had not worked, would this be right, with any of the men in the short shield units? - A. I do not know. Possibly, I would suggest that I would have worked with the South Yorkshire units, possibly. Some of them may have attended at training when I have been there.
- Q. If you are familiar with them? How many short shield units would you have worked with at training centres before the 18th June? - A. Most. It is very difficult. In South Yorkshire we have some 18 units.
- Q. 18? - A. It depends how many I have worked with at any time. Usually, there are some specialist units we have and we had main training and short shields.
- Q. Were these specialist units? - A. As I say, I can't recollect. They would certainly be trained units. We would not deploy untrained units in this situation.

- Q. Right. Trained units. But, you cannot remember who the commanders were or whether you worked with them before. You can't say whether you remember any individual officers and worked with them before, and you spent one minute with the commanders? - A. I never saw the officers and I spoke to the Inspectors in charge and briefed them. I would certainly know South Yorkshire officers, but I can't recollect on that occasion who they were, for the reasons I have explained.
- Q. How long before they actually formed up behind the cordon was this minute briefing? - A. I wouldn't think it would be very long.
- Q. Not very long? - A. I wouldn't think so. Again, it's difficult to try and estimate time in the circumstances like that.
- Q. Just before lunch, can we deal with these trained units. Had these trained units been at Orgreave before the 18th June? - A. I would suspect that certainly all the South Yorkshire men would have been there, yes.
- Q. Would they have been there with their equipment before the 18th June? - A. Yes. It is standard procedure to bring all equipment.
- Q. And they bring all equipment, standard procedure, in the vans they arrive in? - A. Yes, that's correct.
- Q. Does that include long shields as well as short shields? - A. I think the long shields were already there. They had been brought at the beginning of the Orgreave incidents. It would include their short shields.

MR. MANSFIELD: Your Honour, would that be a convenient moment?

JUDGE COLES: Certainly, yes. 2.15, please.

2.15 p.m.

- Q. MR. MANSFIELD: Now, Mr. Hale, just before lunch, dealing with the short shields, dealing with the occasion of their first use at Orgreave, which, in fact, was at about 8.35, and what you had indicated was that the shields would arrive, the short shields themselves - again, the Jury have seen that sort of thing. - A. Yes, that's right.
- Q. Round and square? - A. Yes.
- Q. These would arrive in the Police vehicles in which they come, the men come? - A. Yes, certain of the men, yes.



- Q. Well, let's get one thing clear. At Orgreave, during June and before the 18th, was there a store at the command centre, of short shields? - A. No, not short shields.
- Q. Only long? - A. Long shields, yes.
- Q. Now, are the short shield serials PSUs, Police Support Units? - A. Yes, they are classed as that as well.
- Q. And the serials used, or the units used on this first occasion, are they all - in other words, let's take 23 of them - did they arrive that morning together? - A. All the unit would arrive together, yes.
- Q. So, the unit arrives together in a transit vehicle? - A. Yes.
- Q. So, whether or not you think that two are from South Yorkshire, two of them are from West Yorkshire, the units, they come along together in their transit vans and inside the transit vans would be a quantity of short shields? - A. Yes, if they are trained units.
- Q. Well, I'm only talking about trained units. - A. There is a distinction between ordinary PSUs and PSUs who have received short shield training.
- Q. Right. Now, on the day of the 18th, the four that were used, were they units that had had short shield training or were they units that had arrived with their shields? - A. Both.
- Q. Both? - A. They would fit into both categories.
- Q. Let's deal with South Yorkshire. Of the South Yorkshire units, there were two. Were they ones that had been specially trained and arrived with their short shields or were they merely units that had had some training with short shields? - A. They would be units that would arrive with shields. There was another officer's job to provide these units to me ....
- Q. So we are clear, the South Yorkshire units, specially trained, arrived with shields? - A. They always do.
- Q. They always do? The West Yorkshire units, therefore, cannot fall into the other category? - A. No. I would imagine they will fall into exactly the same category.
- Q. So, the four units we are dealing with, used at 8.35, arrived that day, trained and equipped? - A. Yes, that would be the case.
- Q. Right. When did they arrive at Orgreave on that day? - A. They would arrive, as indeed most of the PSUs would arrive, some time early in the morning.
- Q. How early in the morning did these specially trained PSU units arrive? Can you say? - A. Well, not without reference to the logs, I can't tell exactly what time,

but it would be very early in the morning, as on two previous occasions.

- Q. It was six o'clock. - A. Yes, it would be before six o'clock.
- Q. Before six? The four units are used at 8.35 and are there already with short shields? - A. Yes. They would carry them as part of their standard equipment.
- Q. Let's concentrate on those units that have arrived before six. Do these units go into the long cordon that is across Highfield Lane? - A. Some of them may well have done to start with, yes.
- Q. By eight o'clock, which is a period of time we will have to deal with as well, would they have been in the cordon or withdrawn, or don't you know? - A. I don't know because I would signal the request for short shields; it's another officer's job to provide those short shields according to certain references he has.
- Q. We can see it on a bit of the video film that we saw yesterday, I think, and certainly if not on that, on other sequences - two of the units - I will be more precise at least one of the serials used at 8.35 were wearing these black overalls, weren't they? - A. Yes, that is quite possible.
- Q. Well, do you remember? - A. I think the two that came through on the fields certainly had normal uniform on.
- Q. The ones on the road, or at least one of the ones on the road? - A. Yes, may well have. I wouldn't argue with that at all.
- Q. Just dealing with that point for a moment, did that disturb you, that there were officers in this first use of short shields who could not be identified? You are in charge. - A. Not really, not the impression at the time.
- Q. It didn't bother you? - A. I probably wouldn't be aware of it really, without looking at that closely.
- Q. It isn't a common thing, is it? - A. No, it isn't common.
- Q. So, it is an unusual situation to see Police Officers in long, black overalls and once they have got a riot helmet it is almost impossible for members of the public or even fellow Police Officers to tell who they are, isn't it? - A. I would probably say, yes, that would be the case.
- Q. Do you feel that is a very satisfactory situation? - A. No.
- Q. Did you do anything about it on the 18th? - A. Not on the 18th.

- Q. Why not? - A. Because there was nothing to note down about it at that stage.
- Q. Why not? - A. Because the overalls did/have numerals on and numerals were not available for the overalls. It was rectified later, but not on that day.
- Q. Had they come like that on previous days? - A. They would have that equipment, yes.
- Q. It's special equipment, is it, the black overall? - A. It is, yes.
- Q. They put it on over their normal uniform? - A. They do.
- Q. So, if they took the overalls off they would have the normal uniform with a number on it? - A. Yes, they would.
- Q. All you had to do was to take off the overalls to see their proper uniforms? - A. Yes, possibly.
- Q. Why didn't you? - A. Didn't occur to me at the time.
- Q. Mr. Hale, did they come dressed like that? - A. They arrived at the front line dressed like that, yes.
- Q. So, it is my question that is not very clear. What I meant to say to you was, they first arrive at Orgreave in a transit van .... - A. I would see some of them.
- Q. Well, did you see any arriving at Orgreave wearing long overalls? - A. No, they wouldn't do that.
- Q. They wouldn't do that? - A. No.
- Q. So, do you say that the unit, at least one of the ones on the road would have to actually put on those, shall I call them boilersuits? - A. Yes. They are, in fact, flame-proof overalls.
- Q. Yes, I dare say. Now, when was the decision taken, or at least discussions before it was taken, to use units with short shields? When was that decision arrived at? - A. It was arrived at, would be prior to Mr. Clements' warning that they were going to be used.
- Q. JUDGE COLES: That is pretty obvious. - A. Yes. Well, I think that was the time, at about 8.35, so it would be some time prior to that.
- Q. MR. MANSFIELD: We can work backwards because we saw the film yesterday. 8.35 is the warning, and just dealing with that, Mr. Clement went right out there to give the warning, did he, or did you not see? - A. To be fair, I don't know whether he, in fact, stood, whether it was in the front or just behind the lines.
- Q. We will leave that. The warning is given, the times shown on the film watch are roughly right, which is

about 8.31 or 8.32, when you can see these units already either formed up or formed up behind the cordon. Do you remember seeing that? - A. Yes.

- Q. 8.31 or 8.32, the end of one tape, beginning of the next, so the decision has clearly to have been taken before that? - A. Yes.
- Q. Now, we can go back to the convoy's arrival, which you have going into the plant, you have put it at about 8.10. Has the decision been taken before 8.10, the decision to use the short shields? - A. Looking at the situation, I would think it would be after that. I can't be certain about it, but I think after.
- Q. Yes. I think after 8.10 ....

JUDGE COLES: What did you say was the event that happened at 8.10 which should have registered his mind?

MR. MANSFIELD: It was the arrival of the lorries, the empty lorries:

- Q. It may be a minute, it may be a few minutes before or after, but around that region, that is the time you have adopted? - A. That is one of the few times we could virtually be certain about, is the convoy.
- Q. That is not your time? - A. No, that is not my time.
- Q. You have not the slightest idea when they arrived? - A. I haven't.
- Q. You were prepared to accept somebody else's time? - A. Yes, I certainly was.
- Q. Mr. Clement's? - A. Yes, I was.
- Q. That is after the arrival of the convoy, at about ten minutes past eight, and before 8.32. Can you give us some idea when you first got together with other officers and worked through the options and came up with the short shield units? - A. It was purely the result of the missile throwing that was taking place, that we had to disperse the missile throwers to stop, as I have said before, the throwing at the Police Officers.
- Q. Well, we have watched a bit of tape yesterday about that, but the question, Mr. Hale, of the missile throwers doesn't help because the missile throwing is going on all the time, according to you. It doesn't help me in terms of when you took the decision. It is quite an important decision, isn't it? - A. Yes, I would imagine it is, yes.
- Q. You would imagine it is? - A. Yes.
- Q. Well, it is, isn't it? - A. Yes, it is.
- Q. Now, when did you take it? - A. I can say it was after

the convoy and before the warning, some time in that period there, when the missile throwing dictated that another option had to be taken.

JUDGE COLES: Is that what you are after, Mr. Mansfield How long they took discussing the ....

MR. MANSFIELD: Yes:

- Q. Eventually you gave an answer yesterday about this decision and when you took it. I am just wondering now whether you can even remember what you said yesterday about when you took the decision. - A. To be honest, I can't, no.
- Q. No. Well: "Up to the sending out of horses on the second occasion, we didn't envisage using short shield units". Would that be right? - A. Yes, I would say that is right.
- Q. Well now, we know from the tape again that the sending out of horses on the second occasion is roughly around 8.20. It might be a bit later. - A. I can't argue with that.
- Q. On your account it is about 15 minutes between the two occasions when the horses go out. - A. Yes. I said approximately 15 minutes, which would be right.
- Q. 10 to 15, so if the horses go out shortly after 8.10 and then again 10 to 15 minutes later, it's about 8.20 to 8.25 when the second lot of horses go out? - A. Yes. It must be about that time.
- Q. Right. That's fair. So, if your answer yesterday was that you didn't envisage using short shield units until the second time the horses had gone out, does that mean that it was after the horses had come back on the second occasion? You had waited and the missiles, according to you, were still coming over, and then you made the decision? Is that how it went? - A. Yes. I'm trying to .... as the horses went out and back, it would be some time after we had seen the initial effect of the horses and we may well start discussing it. We may .... I'm just trying .... it may well have been as the horses are going out. As they are coming back, this option, I would be thinking about in advance ....
- Q. But, you made an answer yesterday. You can amend it if you wish, but it was: "Up to sending out the horses on the second occasion, we didn't envisage using short shield units". - A. That's right. Yes. I wouldn't disagree with that.
- Q. Now, when you sent them out on the second occasion you didn't want to use short shields, if this is non-provocative policing, you only want to use them responsibly? - A. Yes.

- Q. So, you want to make sure there is no other way of dealing with the situation, don't you? - A. Yes, if you put it that way. We have got a range of options and we tried them all.
- Q. So, you wouldn't send them out immediately. You're thinking of sending them out immediately. The second lot of horses come up the field. You have to watch and see what effect that has, haven't you? - A. Yes, possibly.
- Q. Well, that's right. I am asking you because you are a tactician. - A. Yes.
- Q. This second lot of horses come back, then you wait a short time to see what effect that has? - A. Well, I would think we would start to get the effect before the horses start coming back. You can see where people are going, starting to follow the horses back again, whether missiles are still being thrown at the horses, as they are coming back.
- Q. So, it is gradually going through your mind you have to use short shields? - A. It will have gone through all our minds before this. Certainly gone through my mind.
- Q. But, you then have a discussion, do you? - A. Yes.
- Q. Did you arrive at a decision? - A. Yes. Mr. Clement would make the decision.
- Q. Yes, but you three senior officers met together and just quickly discussed the use of short shield units after the horses had come back? - A. As I say, I am trying to remember whether we were actually together when the horses are going up and back again, or whether we met afterwards, because we were very close together most of the time and we may well have been discussing it as they were coming back.
- Q. Let's take it at that - you are discussing it as they are coming back. You have then taken the decision to use them, or Mr. Clement takes the decision, the suggestion, it would appear, from earlier evidence, coming from you? - A. Yes, from one of the options that would be given to him.
- Q. Did you give him many options or did you say, "This is it. We will use short shields"? - A. No. It was a progression, "We will try horses, the short shields are next in line".
- Q. So, you say, "The short shields are next in line"? - A. That would be advice that we gave him.
- Q. I will put it to you now: You had those units ready to go and you were not merely responding to some stone throwing, they were all lined up and ready to go, weren't they? - A. No, they were not.

- Q. Well, if they weren't all ready to go we have now arrived at somewhere, about this far - it's about 8.25, 8.26 by the time the horses have come back and you have had a discussion. Is that right? Is that, roughly, right? - A. Well, as I say, I can't be accurate about times, but we are talking roughly, give or take a few minutes, within those areas. I wouldn't disagree with that at all.
- Q. You wouldn't? Right. The units are actually already in place by about 8.31, a matter of five or six minutes, perhaps ten at the very most? - A. Yes.
- Q. What you said yesterday was that you didn't have any short shield units on standby? - A. Correct.
- Q. That is not true, is it? - A. We have units on standby, not units stood there with short shields. There's a difference.
- Q. You aren't saying in four or five minutes people were dragged off the cordon? You have got together 92 officers. - A. Yes.
- Q. A number of them have to put on their overalls, if the decision hasn't been taken before? - A. Yes.
- Q. They have got to get their shields, if the decision hasn't been taken before? - A. Yes.
- Q. They have to get into their units, haven't they? - A. They would already be in their units.
- Q. Well, this much you agree, then, they are already in their units? - A. Yes.
- Q. Where are they already in their units? - A. All the units would be down at the control centre in their units, ready to go at any time.
- Q. You say the control centre. You mean the command post? - A. Yes.
- Q. Out of their vehicles? - A. Yes.
- Q. And standing, ready to go? - A. Yes.
- Q. With shields? - A. And with their shields - with all the equipment in their vans at the side of them.
- Q. So, when you - the way it has been portrayed so far, in re-examination of Mr. Povey and of you yesterday, is trying to give the impression the short shields hadn't been used prior to this at Orgreave. That is your evidence yesterday, you didn't have any on standby before, something you don't like to use? - A. Yes, that's right.
- Q. Were they your regular units for long shields and your regular units for short shields? - A. Yes.

- Q. That is complete rubbish, isn't it? - A. No, that is completely right.
- Q. They are standing at the ready by the vehicles, with short shields already in the vehicles, not actually carrying them. - A. It is part of their standard equipment they are specially trained to use. When the units arrive there is an officer in charge of the holding area. He is fully aware, or makes himself aware of the skills, capabilities and equipment of the units on standby.
- Q. Therefore, the answer is, "Yes", this particular lot that are being first used, two on the field, two on the road, are specially trained units that are not put into the long cordon, are they? - A. Some specially trained units will be in the long cordon, those skilled with the long shield, skilled with short shield, it is all part of the training.

JUDGE COLES: You are just being asked about these short shield units.

- Q. MR. MANSFIELD: This particular short shield unit that was first used at Orgreave had not been in the long cordon, had they, before 8.35? They were all on standby, weren't they? - A. I presume they were, yes.
- Q. So, why were you saying yesterday that they weren't? - A. I never said that short shield units were not on standby. Short shield ....
- Q. Just pause there. - A. Might I answer the question?
- Q. Yes. - A. There were no units designated to be short shield units. Units are stood on standby to perform whichever role is required of them, whether that be as unprotected officers, whether that be as long shield officers and whether that would be as short shield officers. They are capable of, or some units are capable of all three roles and units that could be, would be stood by at Orgreave.
- Q. That particular capability of these units was as short shield, wasn't it? - A. Not a particular capability. They are capable of three designations.
- Q. JUDGE COLES: I think what counsel is saying is that some Police Support Units would be capable of long shields, some would be capable of short shields, some would be capable of both. Is that right? - A. That's correct, yes. That's correct. We would have units that have that capability there.
- Q. MR. MANSFIELD: I'm only dealing with the first use at Orgreave and how it ever came about, you see. These particular four, two on the road, two on the field, you have agreed were on standby. They weren't in the cordon? - A. They would be on standby, yes, with other units.



- Q. They were on standby, having been picked as a specially trained group in short shields, never mind what else they could do. Isn't that right? - A. They were picked when the request was made.
- Q. No, Mr. Hale. They had already been on standby because of their specialist training. That, you have agreed. - A. Yes, together with other units that can be used for any role.
- Q. Of course they can be used ....

JUDGE COLES: You are quarelling about semantics, aren't you?

- Q. MR. MANSFIELD: They can be used for any role. I appreciate that they can do anything under the sun, but they have a particular training, these particular four that were used? - A. Yes, otherwise they would not have been chosen by the officer down there. He is aware of each PSU's capabilities. When we asked for them he would select from all the PSUs those who he considered were most suitable for whatever role we put to them.
- Q. Therefore, when you were giving the impression yesterday that you didn't have units on standby with short shields - I have just read my note of what you said - that wasn't right? - A. That was right.
- Q. I see. - A. What I didn't say was that we have people there who are capable of short shield units and who are not on standby equipped with short shields at this stage.
- Q. The real point is that you have had a short shield unit put behind the lines within seconds, haven't you? - A. Not seconds.
- Q. All right - a few minutes? - A. Minutes.
- Q. Once they got behind the lines, as it were, at least of the horses, because there is a cordon and horses and then we can see on the tape, and the Jury saw it yesterday, the short shields formed up? - A. Yes.
- Q. Now, on the field - just concentrating on that for the moment - I tried to count them as they went through yesterday - the actual formation of the 46 officers, how many ranks? - A. Each PSU will be in a double rank.
- Q. Double rank? - A. So, ten officers in each one.
- Q. It is perfectly clear, is it not, that the people at the rear of those ranks of ten haven't got the slightest idea of what is going on ahead of them until they have marched from the long cordon. Isn't that right? - A. Are you asking my opinion?
- Q. Well, you were there. That would be the position, wouldn't it? They are in front, another nine or seven

- men in front, then the horses, then several ranks of cordon, long shields. They couldn't possibly see what is going on on the field from that position, could they? - A. Wouldn't see the detail of what was going on, no.
- Q. Quite a hopeless situation for arresting people, identifying people before they get on to the field, isn't it? Quite hopeless? - A. Before they get on to the field, possibly.
- Q. You agree? - A. Yes.
- Q. Now, the function, I want to make it clear to you and go through it, if you don't agree, the function of these units had nothing to do, primarily, with arrest, did it? - A. The function of the units, I have explained two or three times, is to disperse the demonstrators and, if possible, identify and arrest the stone throwers.
- Q. Right. If you will maintain that I will have to ask you a little more. You have been present on the training of these units, have you? - A. Yes.
- Q. How many times, roughly, before the 18th June, have you been on training sessions with short shield units? Just roughly? Half a dozen times, or something? - A. Well, the major training I did was as an inspector, but as a chief inspector I would attend on possibly four or five occasions a year.
- Q. Four or five occasions? - A. Yes.
- Q. A year? Per year? - A. Yes.
- Q. Over how many years have you been attending, therefore, on a four or five-time basis? - A. Well, as I said, four or five times would be as chief inspector, as my main training role would have been finished then. My main training role was as an inspector, on which occasionally I would probably go two or three times a week, as an inspector.
- Q. Two or three times a week?
- Q. JUDGE COLES: Four or five times a year over how many years? - A. As chief inspector prior to this for about eighteen months.
- Q. As chief inspector? - A. As chief inspector.
- Q. Before that, two or three times a week? - A. Yes, because my particular role at that time was a particular job I was doing, was a PSU Training Inspector, which was a full-time role.
- Q. How long had you done that work? - A. That had been since 1981, for about twelve months and then that went on to specialised units for a further six nine months.

- Q. MR. MANSFIELD: Would it be fair to say you are really very experienced in training procedures for short shield units? - A. I would say I am perhaps one of the most experienced officers in South Yorkshire, yes.
- Q. Did you have a hand in compiling the manual to which you referred when Mr. Taylor was asking questions? - A. No.
- Q. You didn't? Now, this training. For the moment I just want to ask you about that. Given what you have said was the function of the short shields on this day, you say, first of all, do you, on any of the sessions you have been attending or teaching at, have short shield units been used to perform both the function of arrest and dispersal? - A. Yes.
- Q. Now, just concentrating on that point, dispersal and arrest, how are they trained to do that? Can you just describe to the Jury the training they get to do both those things? - A. It's their physical appearance that is intended to disperse the demonstrators. If they can identify people committing offences, then they are trained to arrest those people.
- Q. That just tells me the object and purpose. It doesn't tell me how they are trained to do it. What I am getting at is what actually happened on the day, on this day, at the end of the line. How are they trained? - A. They are trained to act in pairs.
- Q. Act in pairs? - A. Yes. That is in order for accounting (sic) purposes and so on.
- Q. Yes? - A. And arrest.
- Q. JUDGE COLES: They act in pairs in arresting too? - A. They act in pairs all the time. That is the way they are trained.
- Q. You are now being asked specifically about the manner in which the officers arrest. - A. It's difficult to say, but in training they're supposed to arrest people and pull backwards towards Police lines.
- Q. MR. MANSFIELD: That is officers carrying shields and truncheons? - A. That's right.
- Q. You're quite sure that is how it is taught? - A. I'm quite sure.
- Q. So that, carrying a shield and truncheon, an officer hopes to frighten away some and the ones that don't get frightened away and continue committing offences of stone throwing or whatever, these then are grabbed by officers, or other officers with short shields and truncheons? - A. Their arrests are effected, if possible.
- Q. And walked backwards? - A. Well, as I say, that's the general role in training, but obviously it doesn't always apply. There is supposed to be one to each arm.

- Q. What I am driving at over this is that, in fact, your request that day, or instructions that day, even on your own basis of dispersal and arrest if you can, is a nonsense for shield-carrying officers. - A. I disagree.
- Q. That's why I suggest that wasn't the function at all. - A. I think it is clear also from your video that such arrests were carried out.
- Q. In the end they were, I am suggesting to you, because they were using truncheons and incapacitating people. - A. I have already told you the function of these short shield units. They are trained that way and they perform that way.
- Q. You know the manual. I am not going to take up time late on a Friday, but you know of that? - A. I wouldn't say I know it off by heart, not. It's a long time since I did training.
- Q. Pardon? - A. It's a long time since I did day-to-day training.
- Q. Does the manual describe what you say they are trained to do, that is, disperse and arrest, in the sort of manner you have tried to describe? - A. I would think it would be contained in there somewhere, that phrase, that the function of them is dispersal and arrest.
- Q. I want to be careful. Does the manual describe a short shield unit being used to disperse and arrest at the same time, with short shield carrying officers doing the arresting? - A. I don't know the exact detail, but it will be contained in there. It is the training method that we have used.
- Q. I will have to do it on Monday, but I will put it to you in general terms at the moment: What the manual - the bit we have been kindly shown, unless there are other bits we haven't, but certainly the bit on short shields that we have been shown, doesn't at any stage describe what you have just described. Now, does that come as a surprise? - A. I would - it may not have been in that section, but it is certainly covered somewhere.
- Q. It is certainly covered somewhere? - A. Yes. That is certainly the method we trained under.
- Q. I will not go on with the manual now. I will ask if there is a section we haven't yet been shown that describes what you have described this afternoon. Perhaps we could have it before Monday. - A. You have to remember the manual is a very thick, complex book, all sorts of options in it.
- Q. I'm afraid I haven't been permitted to see it. I don't know what it's like. Now, do the commanders of these units have booklets, or anything, by which they operate

the short shield units? - A. You mean instructions, tactics, things like that?

Q. Yes. - A. No.

Q. There is the manual, which we are leaving for the moment. Now, do individual commanders have little booklets which indicate the equipment available? - A. I would doubt it. I can only speak from South Yorkshire's view. Other Forces, I don't know what their particular thing is.

Q. At the end of the day, do the commanders have to make up any records of any kind? - A. Yes, they have a PSU booklet.

Q. What are they supposed to write in that? - A. There are things in it like the officers that were in their serial. There are tours of duty they worked that particular day. There is a section on injuries. There is also a section on people arrested.

Q. Now, just dealing with the section on injuries. What are they supposed to put? Injuries of people arrested or injuries of officers? - A. Injuries of their personal selves in their units, officers in their units.

Q. And what are they supposed to write of people arrested? Who it was, what for? - A. Yes. Brief details.

Q. What do they do with those reports? - A. They are all handed in at the end of the day to a collating officer.

Q. JUDGE COLES: By, "the end of the day", exactly what do you mean, exactly that? At the end of each particular day? - A. It would be at the end of the working day. The particular Force would leave that before they departed.

Q. You are not using it in a colloquial sense, as at the end of the book? - A. No, no. At the end of the working day.

Q. MR. MANSFIELD: I want to go back to your position at the end of the working day. Were you carrying a notebook? - A. No.

Q. Did you ever at that time? - A. On that day?

Q. Yes. - A. No, I didn't actually carry a notebook on that day.

Q. Do you, on normal days? - A. No, not particularly, not when I am deployed out in the field.

Q. Do you normally, when you get back to the command centre or somewhere else, write up what has happened during the day? - A. Yes.

Q. Did you do so on this day? - A. No.

- Q. Why not? - A. Because at the end of the day we had had a long day, hot, out in the field, fighting. We intended doing - I intended, and I was doing that and I was told by Mr. Clement, or through Mr. Povey, not to bother making up the notes and to do it in the morning. I had already been up since 2 a.m. that morning, and many others, and it was now 3 a.m. and I was tired.
- Q. I accept that entirely, Mr. Hale. What you began to say was you were told by Mr. Clement not to bother. Now, what you mean is either you were told by him directly or Mr. Povey said that? - A. Mr. Povey came and told me to get off home, so that is what I did.
- Q. So that is what you did? - A. Yes.
- Q. About three o'clock in the morning? - A. No, in the afternoon.
- Q. So, when you left at three o'clock in the afternoon, you had not written out the details of what had happened? - A. That's correct.
- Q. Had you read through any account of the day's occurrences before you left at three o'clock? - A. No. The only thing I would - I had seen would be the operational log.
- Q. You are quite sure, are you? - A. I'm quite sure.
- Q. So, you didn't write anything out yourself or read through anything other than the operational log before you went home at three o'clock? - A. Correct.
- Q. You come back the next day, the 19th? - A. Yes.
- Q. To Orgreave? - A. Yes, to Orgreave.
- Q. And the command centre? - A. Yes.
- Q. Four o'clock in the morning? - A. Yes, the usual time.
- Q. Then, you sat down, wrote out your account, did you? - A. No.
- Q. Why not? - A. I was informed that Mr. Clement had made a statement covering the day's events and that one of the Detective Inspector's who had taken that statement would be coming down later to show me the statement and it may well be that that would cover everything I had seen and would comprise of my original notes.
- Q. That is not very common procedure, is it? - A. No. These are not very common circumstances.
- Q. Mr. Hale, the circumstances of the day cannot possibly dictate the type of record that is made. Do you agree? - A. The circumstances of the day and the way I felt would certainly dictate the record made.

- Q. On the 18th, I understand, particularly by three o'clock in the afternoon - and the Jury are probably sympathising - these difficulties you may find in writing it, but the next day it is quite different? - A. Yes, I would be refreshed the next day.
- Q. The normal procedure is either you write up your own account or discuss it with other officers who you would meet to agree it and then write it up. Is that right? - A. Not under these circumstances.
- Q. No. Normal circumstances? - A. If you talk about normal cases, yes.
- Q. Well, let's take Orgreave. You have been there every single day, you said, save a few? - A. Yes.
- Q. Let's take the other days, then. At the end of the other days, did you go back and write it up? - A. It depends. There has not always been something to write up.
- Q. On the days there was something to write up, did you go back and write it up? - A. Some days I would. Probably some days I might leave it to the next day.
- Q. On the previous occasions when you were at Orgreave and something happened, did you ever write it up on the day or following day in your own words? - A. In both circumstances, depending on the complexity of the day.
- Q. If it is very complex do you suddenly not write it up in your own words? - A. It depends how I feel.
- Q. JUDGE COLES: You would normally write a note either on the day itself or on the following day? - A. Yes, that is correct.
- Q. On this occasion, you didn't? - A. That's right.
- Q. MR. MANSFIELD: You are saying because of the nature of the day, the 18th, that you didn't even do it on the 19th? - A. No. Other circumstances dictated that I didn't do that.
- Q. I will suggest very clearly what happened on the 18th: That is that you really didn't have any disagreements with Mr. Clement about decisions and later on you didn't have any disagreements about your version of the riot. That's right, isn't it? - A. Mr. Povey and Mr. Clement and myself worked together. We saw those events. It follows we would see the same events.
- Q. Does it? - A. It certainly does.
- Q. Very well. How long have you been in the Police Force? - A. 17 years.

- Q. If someone rushed into this Courtroom now and shot somebody and rushed out, you would see as many versions about the events as there are people in the court. -  
A. The broad circumstances of the event would be the same.
- Q. If you asked people for the details they would all get it different, wouldn't they? - A. Probably the exact details, yes.
- Q. Now, you don't know what other people have seen or could possibly have seen, do you? - A. Not the exact details, no, but the broad events of the day were bound to be the same. They happened, they were witnessed, they were seen.
- Q. JUDGE COLES: I have written down, "I didn't write anything up myself this day", because my pen has been poised waiting for the answer. Do you think we might have it? - A. Do you wish me to answer that?
- Q. Yes. - A. Because I was informed that Mr. Clement had made a statement concerning the broad outline of the day's events.
- Q. MR. MANSFIELD: You looked at it? Let's take it in broad stages. Some officer brought it down to you, did he? - A. Yes.
- Q. Who was that? - A. Detective Inspector Smith.
- Q. Smith? - A. Yes, Smith.
- Q. And what did he say to you? - A. He said, "This is the original statement Mr. Clement dictated to me last night about the events with which you are all concerned from yesterday".
- Q. JUDGE COLES: Detective Constable Smith? -  
A. Detective Inspector Smith.
- Q. MR. MANSFIELD: He gave the statement to you. Did you read the statement? - A. I agreed ....
- Q. Just pause there. You read it? - A. Read it.
- Q. Agreed it? - A. I agreed with it, the form, the broad outline of the day's events.
- Q. Was there a single detail in the outline, as you have put it, of Mr. Clement that you disagreed with? -  
A. There wasn't anything that I disagreed with, but there were aspects of his statement that did not apply to me.
- Q. Just that? - A. Yes.
- Q. So, the bits that did apply, he had it exactly right? - A. The bits where we worked together were right. It was only the broad outline, not a lot of detail, just broad facts of the day.



- Q. Quite a lot of detail. - A. Quite a long day.
- Q. Quite a long statement. - A. I presume so.
- Q. Do you remember it now? - A. I remember it.
- Q. Exactly how many pages? - A. I can't remember.
- Q. We will come to it. Having read it and agreed that that was a rough outline of what you would say, what did you do, write up your notes? - A. No, I signed that statement.
- Q. Why did you sign the statement? - A. Because it was a good account of the day's events.
- Q. Were you prepared to sign things that didn't even apply to you? - A. I was prepared to sign that statement outlining the day's events. It seemed illogical and a waste of time to write up exactly the same thing albeit in my own English, on my own - a waste of time.
- Q. You do appreciate that you claim it is a waste of time? When people being to write up events in their own independent way you sometimes do get a different version? - A. As I have explained, it is only a broad statement. There is not a lot of individual detail in it. It was a good outline of the day's events. An event like Orgreave, you can write hundreds of pages if you want detail.
- Q. And what comes out at the end might be quite different, might it? - A. I would doubt it very much.
- Q. I see. It's right, is it, that what was wanted was a statement that ended up indicating what had happened was clearly a riot? - A. What was intended was a statement of facts of the day. Whether it was a riot or not is not up to me to decide.
- Q. That is what the statement ended with, wasn't it? - A. Yes, that's right. I agreed with it.
- Q. You did, did you? - A. I did.
- Q. Did you sign the statement? - A. I did.
- Q. On every single page? - A. Yes, I would believe so.
- Q. I just want to deal with that now. Quite a lot of it had absolutely nothing to do with you? - A. Yes.
- Q. You signed it nevertheless? - A. It was a statement of policy.
- Q. A statement of policy? What are you doing signing policy? That is nothing to do with you. - A. I signed it as a statement of the broad facts of the events of the 18th. As I said, I pointed out to Detective Inspector Smith when he made up my statement, two bits to exclude.

- Q. We will come to that as well. Could you just be shown Mr. Clement's statement of the 18th, which is Exhibit 14, I think? I think it's just behind you. So the Jury have a general picture of what you were prepared to sign on the 19th, first of all, is there any indication that that is when you signed it? - A. No, there is not.
- Q. Right. You didn't feel that was necessary? - A. Never occurred to me, to be honest.
- Q. Never occurred? Because you were making this your record of the day, you didn't think it was worth dating when you actually, as it were, authorised the version? - A. It was a true version and I authorised it.
- Q. I dare say you did, but you do appreciate it is pretty basic, isn't it?

JUDGE COLES: Well, he has said, "Yes".

- Q. MR. MANSFIELD: Pretty basic, isn't it? - A. The statement?
- Q. Not to make at least a record of when it is you do so. - A. I don't believe so.
- Q. When you make a note up, what do you do, first of all? - A. Date it.
- Q. I just want to go through the pages, not in detail. Page 1, signed by you? - A. Yes.
- Q. Nothing on there has anything to do with you. It is not a factual account, is it? It is a statement of a policy of events. - A. It is more than policy. There are factual statements about the movement of the coke run there.
- Q. Yes. The Jury can see it in due course. - A. Factual statements I agree with. These are statements of fact.
- Q. Nothing to do with you whatsoever. - A. They are facts and facts I agree with.
- Q. Let's take Tuesday 22nd May. "We were informed that the British Steel Corporation intended moving coke by road", and so on? - A. It was general information. I was aware of it. I would have to be asked ....
- Q. Nothing on that page that actually is something you recall. - A. The pieces at the bottom about "between 22nd May and Monday, 18th June", are quite factual.
- Q. Can you pause there because I think the pages may be different. I'm sorry. May I just see, because that is on another page. Right. It will save time if I can do it on the basis of this one that has been typed up. Just look at it generally. Is it right the first of

these pages of this statement which you have signed actually have got really very little to do with the 18th June and certainly very little to do with, the first two and a half pages, until we get to 6.50 on the 18th? - A. They are very broad matters and a lot of it that I am quite aware of.

Q. Yes. So, you are signing a statement, the accounts of which are pretty broad matters that you are aware of because maybe you have heard about it. That is not the purpose of the statement you were being asked for, your account of the 18th? - A. Yes, that's right.

Q. We come to the account of the 18th which appears in that typed statement on the third page, halfway down. - A. Yes.

Q. Now, we are getting on to the, as it were, 6.50 period onwards. What is there in that statement that you felt, first of all from 6.50 onwards, didn't apply to you? - A. There is a reference at about 7.20 a.m. where Mr. Clement mentioned he walked along Highfield Lane towards Poplar Way. That section there doesn't apply to me.

Q. So, leaving aside policy paragraphs you signed, when we get down to detail, at 7.20, the whole paragraph about what Mr. Clement is doing, you signed that as well? - A. As I said, I signed it as a broad outline of the day's events. I indicated to Mr. Smith points that didn't apply to me, so when my statement was made up they could be omitted.

Q. Why not just say, "I'm not signing that. I want to write up my own account"? - A. It's just a waste of time. Because it does present the basic picture I agree with it. It seemed logical to me that that would be a fair reflection of the day's events, so I signed it.

Q. 7.20, besides deleting various things, did you ask for anything to be added? - A. No, I didn't.

Q. You didn't? - A. No.

Q. So, if there are matters added in your statement later on, the one that was compiled, where do they come from? - A. As I say, my statement was made up from these original notes by Detective Inspector Smith and signed by me. I indicated areas to be removed.

Q. But nothing to be added? - A. As far as .... May well have been. I don't know.

Q. Well, Mr. Hale, nothing to be added? - A. No basic facts. As I said, it presented a very good, broad picture.

Q. Now, I will ask you to look at the statement that was compiled from that one, yours of the 14th July, dealing with 7.20. Could he be shown it, please, this paragraph

at 7.20?

MR. WALSH: This is a problem of the Clerk of the Court not being here. That statement is in the bundle.

JUDGE COLES: We have one here now, and a very efficient one.

- Q. MR. MANSFIELD: Quickly, would you identify that as the statement that you signed on the 14th July? - A. Yes, that's correct.
- Q. Look at it. I don't know which page it will be, but just go straight to the 7.20 paragraphs. Have you got that? - A. Yes.
- Q. First of all - the Jury, unfortunately, don't have it - it is nothing like the 7.20 paragraph in Clement's statement you originally signed, is it? - A. No. I pointed out - I told Mr. Smith that that didn't apply.
- Q. And you told him not to add anything. But, there is a paragraph there, at 7.20. So, how does that come about? - A. That would be where I told him what happened. He would, obviously, ask me what I was doing.
- Q. I asked you carefully .... - A. You didn't ask me carefully. I'm saying this statement was a very good account of the day's events.
- Q. What did you tell Mr. Smith you were doing at 7.20? - A. I told him exactly where I was at 7.20.
- Q. What did you tell him you saw? - A. What I, in fact, saw, as it says in the statement, about missiles.
- Q. What did you tell him, Mr. Smith, you saw at 7.20? A. Well, I obviously can't remember the exact words, but I would tell him exactly what I was doing at 7.20 and what I saw.
- Q. In your own words? - A. Well, yes, I would imagine so.
- Q. Well, is it any surprise these are exactly the same words as Mr. Povey has got? - A. I would think not, no.
- Q. Doesn't surprise you? - A. Doesn't surprise me at all.
- Q. Did you discuss it with Mr. Povey at all? - A. No.
- Q. You did not? - A. No.
- Q. If you have not discussed it with Povey and they are your own words, how is it that Mr. Povey's statement and yours are identical, word for word? - A. Because the procedure followed by Mr. Povey was exactly the same. He would indicate he, what he was doing at that particular time and Mr. Smith would put in a suitable

paragraph.

- Q. So, Mr. Povey says, quite independently, "At 7.20 I was ....", and so on, you would say exactly the same, but separately? - A. I would give an account of what was happening. Mr. Smith would type up the paragraphs to reflect those views.
- Q. What was going on was agreed policy on the day, agreed statements afterwards, wasn't it? - A. As I have said, and it is quite logical, it was a broad outline of the day's events. I signed that statement. I indicated areas that did not apply to me and the difference, and Mr. Smith made up the statement for myself and Mr. Povey because we were working together with Mr. Clement and we saw the same things.
- Q. I will stop there for a bit and just ask you this final question, carefully: Did you ask Mr. Smith to add anything else besides the 7.20 paragraph? - A. I really can't remember. Where there would be something left out, he would ask me if that didn't apply, what did apply, and I would no doubt tell him.

MR. MANSFIELD: Your Honour, I wonder if that is a convenient moment?

JUDGE COLES: Yes, I suppose so. We will adjourn, members of the Jury, until Monday at 10.30 and we will have to put in a little extra time, I'm afraid. If we do that at ten o'clock in the morning, I gather there will be difficulties from the point of view of the Court staff. We may go on later in the afternoon, quarter-to-five, I don't know. But, 10.30 on Monday.

(The Court adjourned until  
10.30 a.m. Monday 3rd June)

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