

IN THE CROWN COURT AT SHEFFIELD

The Court House,
Castle Street,
Sheffield.

7th June, 1985.

Before

HIS HONOUR JUDGE GERALD COLES, Q.C.

REGINA

-v-

WILLIAM ALBERT GREENAWAY,
DAVID MOORE,
BERNARD JACKSON,
GEORGE KERR McLELLAND FOULDS,
BRIAN IRVINE MORELAND,
ERNEST BARBER,
DAVID RONALD COSTON,
KEVIN MARSHALL,
ARTHUR HOWARD CRICHLow,
GEORGE WARWICK FORSTER,
JAMES O'BRIEN,
CRAIG WADDINGTON,
ERIC SCOTT NEWBIGGING,
STEFAN WYSOCKI and
DAVID BELL

From the Shorthand Notes of J.L. Harpham Limited,
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Bernard Jackson:
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Brian Irvine Moreland:
Ernest Barber:
David Ronald Coston:
Kevin Marshall:
Arthur Howard Crichlow:
George Warwick Forster:
James O'Brien:
Craig Waddington:
Eric Scott Newbigging:
Stefan Wysocki:
David Bell:

MR. B. WALSH, Q.C.
and MR. K.R. KEEN

MR. G. TAYLOR
MR. M. MANSFIELD
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MR. P. GRIFFITHS
MR. M. MANSFIELD
MR. E. REES
MISS M. RUSSELL
MISS M. RUSSELL

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Pol. Con. JOSEPH VINCENT ARTHUR KEARNS Recalled

MR. WALSH: Before we begin, it had occurred to me that this television set might be annoying or being in the way of some of the jurors and that if nobody is going to want it today perhaps someone could take it down at a convenient moment.

JUDGE COLES: Very well.

MR. WALSH: I do not know whether my friends could indicate.

MR. GRIFFITHS: I have already indicated to my learned friend it might be needed but certainly as far as I am concerned I am sure it won't take very long just to take that particular

JUDGE COLES: Is it getting in your view?

A JURY MEMBER: Yes.

MR. GRIFFITHS: To put it down until it is needed.

JUDGE COLES: By all means let it be removed, please.

MR. WALSH: I think what I have to do is send for someone who knows about these things. He will be here in a few minutes.

JUDGE COLES: When he comes do just proceed. I think while we are talking I seem not to have the notes from the Defence for Wednesday, the 5th of June, unless they have been stapled to something I have not got.

MR. WALSH: I gather there is a spare set.

JUDGE COLES: Thank you very much. Yes.

Examined by MR. WALSH:

- Q. When we finished last night, Mr. Kearns, you were at the bridge having gone to the forward position, the demonstrator stone-throwing had moved nearer to you from their original position and you were just about to go forward. Now, can you take matters, please, from there? When you say, "We were going to go forward," does that mean just your own P.S.U. or another P.S.U. as well? - A. I am not quite sure at that stage how many actual P.S.U.s were involved in that particular movement because we were right at the front of the action, so to speak, so who was behind us really I do not really know. But as far as the presence, there was quite a lot of Police Officers in attendance.

- Q. Just keep your voice up a little bit, please. Do you remember whether at this stage there were any mounted Officers? - A. No, at this stage there were no mounted Officers that I was aware of.
- Q. Had any mounted Officers gone through ahead of you over the bridge before this stage or not? - A. Not at the time that I was there on the bridge they had not, no.
- Q. Right. If mounted Officers had gone over the bridge at any time before this incident you are describing is that something you would have known about or not, bearing in mind where you had been before and where you had come from? Can you help us? - A. It is possible if they had been at that time we would have seen them because of the position we were actually parked prior to deploying at that point on the bridge.
- Q. JUDGE COLES: So you say you would have seen them if they had been - A. Yes, that is correct. I think so.
- Q. MR. WALSH: Are you certain?
- MISS RUSSELL: With respect.
- MR. WALSH: I am not
- JUDGE COLES: It was my fault for interrupting.
- MR. WALSH: He did say, "I think so":
- Q. I just want to be sure whether you are certain or not. That is all. - A. At the point we were parked right at the mouth of the coking plant had any mounted Officers gone up at that time we would have seen them because they would have gone straight across in front of us.
- Q. That is a different time, when you are at the mouth of the coking plant? - A. That is prior to us actually deploying at the bridge. While we were deployed at the bridge there were no mounted Officers went through at that stage. They did come through later but not at that stage.
- Q. Right. That is all I wanted to know. No mounted Officers came through while you were at the bridge? - A. Not at that stage, no.
- MR. WALSH: I am told someone is here now to move the television set. It will only take a moment, I hope.
(Done)
- Q. MR. WALSH: Right now. Well, if you will have Exhibit 9, the photographs, in front of you again? - A. Yes, sir.

Q. I think it was either photograph 6 or 7 that enabled you to say where you were just before you started off? - A. That is right, sir, yes.

Q. Right. Will you continue from there, please? - A. Yes. We had initially lined up on photograph 6 by the brick wall just before the bend and as the proceedings sort of progressed we sort of edged closer further to the end of the bridge to then give us a view of the whole road.

Q. What was the state of the road ahead of you? - A. It was littered with debris, stones and bricks and wood and all manner of missiles were just strewn about on the floor in front of us.

Q. Right. Now, you describe what happened as you move forward at this juncture. - A. At that point we were static while the mob were continuing throwing the missiles at us and we had stood there for quite some time - just how long we had stood there I do not really know - and at one point in that we were then given the order to charge forward in an effort to disperse the mob which in fact we did.

Q. About how far did you go?

MISS RUSSELL: A bit slower, please.

Q. JUDGE COLES: You stood there some time, you said? - A. That is correct.

Q. Then you got the order to do what? - A. To charge.

Q. MR. WALSH: And about how far forward did you go? - A. Approximately 50 yards.

Q. About 50 yards. - A. At that point as we had gone moving forward at a run the mob dispersed and they moved back that far and as we got to about that point we were then told to stop there and then we reformed at that point and

MISS RUSSELL: I am really having tremendous difficulty trying to take a note of this witness. It may be my incompetence I am always willing to accept.

Q. JUDGE COLES: Lots of people are having to take a note, including myself. If you would like to maybe just keep an eye on my pen as I write it might help. - A. Yes. I apologise.

Q. It is all right.

Q. MR. WALSH: You went forward about 50 yards.

Q. JUDGE COLES: Went forward at a run. The mob dispersed. You were then ordered to stop? - A. That is correct.

Q. I think you added you regrouped at the point about 50 yards forward? - A. That is correct.

JUDGE COLES: Yes.

Q. MR. WALSH: Then what happened? - A. We then assembled at that point where we had stopped.

Q. Did you stay there or not? - A. We stayed there for a few minutes.

Q. And then? - A. And then we were then told to withdraw back to the position we had held previously.

Q. Right. And did you do that? - A. We did.

Q. While you were stood in the position before you went back - that is the 50 yards ahead - what was happening there? - A. The crowd had dispersed. We had gone forward the 50 yards. The crowds had dispersed probably an equal distance back from us.

Q. What were they doing? - A. At that time getting out of our way.

Q. What about those who had been not in front of you but at the sides up in the yard you were talking about or the scrapyard or vehicle place you were talking about yesterday? - A. As we went forward there were people to the left and people to the right. There was a small wall, as I remember it, and people scattered through the little estate, the little industrial area at the top, and Officers did go in that direction as well to flush them out.

Q. Right. And on the right-hand side where there had been people what happened? What did they do when you went forward on this 50 yard move? - A. Some people stayed, actually stayed where they were, and the remainder of the people there they just went with the crowd.

Q. Right. So you have moved ahead 50 yards and now you are back into the position from which you had set off? - A. Yes. As we stopped we regrouped there and then we were given the order then to withdraw to the previous position.

Q. JUDGE COLES: Got you back to the bridge, has it? - A. That is correct, Your Honour.

Q. MR. WALSH: Having got back to the bridge what did you do? - A. We then reformed our line at the bridge.

Q. Yes. And what happened so far as the crowd whom you had pushed back is concerned? What did they do? - A. They then moved back to their original position.

Q. And so is this it? You are back and they are back in the original positions? - A. That is right, yes.

- Q. Before the 50 yard move? - A. H'm, h'm.
- Q. What happened then?
- Q. JUDGE COLES: That original position, before you go on, is that the right-hand lamp post in photograph 7 again? Is that where they came to? - A. That would have been roughly where they would have reassembled.
- Q. MR. WALSH: Where who reassembled?- A. The mob. After the first rush.
- Q. And you are back, you said, at the bridge? - A. That is correct.
- Q. Now that you are both back at those positions what happened then? - A. As we went back, we went back, they came forward and as they were coming forward they continued then to pick up the previously thrown missiles that were then strewn in the road and continued to throw them back at us as they reformed then at that point.
- Q. So what happened? I am sorry. What happened next, Mr. Kearns? - A. We then stayed in that position again for some time.
- Q. Is it possible to give any accurate estimate of times or not? - A. No, not really. The last thing that I think I was thinking about any way was looking at my watch to see how long I had been stood there. It was getting rather frightening at this stage.
- Q. Right. You are stood at the bridge. What is the next thing you recall happening? - A. We were then stood there again for some time and again we were given the order to charge.
- Q. And did you do that? - A. We did.
- Q. And what happened on the part of the people ahead of you when you charged on this occasion? - A. They once again dispersed further back down the road.
- Q. Yes. - A. And as we then ran forward a wire had been tied across the road from the first lamp post on photograph 7.
- Q. Yes. - A. Was stretched across the road and I am not sure what it was actually tied to at the other end, whether it was tied to one of these little shrubs that are growing on the left-hand side. I am not sure.
- Q. About what height was it? - A. This would have been just about chest/neck height.
- Q. Had it been there at the time of your first charge? - A. No, it had not.
- Q. And what happened as you reached it? - A. As we ran forward

there were a couple of Officers in front of me to my right did actually - came to grief on the wire. They actually hit the wire. They ran forward. Fortunately I saw it at the last moment and was able to duck underneath the wire.

- Q. Just wait. When you say a couple of colleagues came to grief on it what exactly do you mean? - A. They had actually run straight into the wire having not seen it.
- Q. With what result that you saw, if any? - A. As far as I am aware there was no injury caused. It was just probably more of a shock that they actually hit it and it just stopped their progress while they sort of regained their balance.
- Q. How far did you charge on this occasion? - A. It would have been about the same distance as the previous charge. Somewhere round about 50 yards.
- Q. And why did you stop after 50 yards? - A. We stopped at that distance again because the crowd had gone that much further back. Then we were then told to stay at that point.
- Q. You mean the Commander of your unit or someone said "Stop" or who? - A. It was just as we went forward some Officers were becoming detached and so as part of the drill is once you start going forward you do not go further forward than the rest of anybody else, you stick together.
- Q. Yes.
- Q. JUDGE COLES: Are you saying then that you stopped, that is to say, you regrouped, because you were ordered to or because the circumstances were such that you did it automatically as a result of training? - A. The circumstances were such that we stopped at that point in order to not get too detached.
- Q. MR. WALSH: Now, you describe how at the beginning of each charge there was when you set off a gap between you and the nearest demonstrators? - A. That is correct.
- Q. But that there was throwing of missiles going on? - A. That is correct.
- Q. During either of these charges did you come into physical contact with any of these demonstrators? - A. No, no.
- Q. Why was that? - A. I could not catch them.
- Q. Pardon? - A. I could not catch them. They were a little bit fleet of foot.
- Q. What was the nearest you came to any of them? - A. I should imagine within the distance from here to the front bench of the jury.

JUDGE COLES: 15 feet. Perhaps more.

MR. WALSH: 20 possibly:

- Q. What about your colleagues? Do you know? Only from what you could see. Could you see if they came into contact with any of the demonstrators? - A. I saw there were colleagues out to my left and also to my right. I did not actually see. What I did see later as we were coming back were Officers bringing back people through the line. As to whether they had been arrested or taken back for treatment for injuries or what I do not know.
- Q. You saw that later? - A. Yes, that is right.
- Q. But did you actually see as you went on either of these charges any of your colleagues coming into contact with demonstrators? - A. Not at that stage, no.
- Q. No. Right. Well now, you have gone forward 50 yards now on the second occasion and you have stopped. What happened next, please? - A. We stayed forward a little bit longer this time than we had on the first occasion.
- Q. Yes. And then what? - A. And at this point then we then started to withdraw. It had come a little bit disjointed, the Police line as such. There were some Officers further forward than sort of the main group and I was that little bit further forward with about six other colleagues.
- Q. But you say you began to withdraw? - A. H'm, h'm.
- Q. And to what point did you withdraw? - A. We then withdrew back to the bridge.
- Q. Is that some of you or all of you? - A. That was all of us eventually.
- Q. So now you are all back at the bridge again. What about the pickets? - A. Once again it was a case of as we go back they come forward. We go forward, they go back.
- Q. Right. And when you are back at the bridge what is happening now? - A. The wire had been dismantled.
- Q. By? - A. Presumably by Officers behind us, I do not know, but it had been taken down.
- Q. And so you are back at the bridge, wire dismantled and what happens? - A. And then it was the same as before. The mob advanced then, picking up the debris from the previous raid and just continuing the barrage of missiles.
- Q. Now, two charges forward and two withdrawals back. I wonder if you could help us at this stage to tell us about how many Police Officers or how many P.S.U.s, whichever is the easier way to calculate it, had been involved in these two manoeuvres you have just described? - A. I would probably say somewhere in the region of between 40 and 60.

Q. Men? - A. Yes.

Q. Thank you. Now, you are back at the bridge again having done these two movements, the two returns. What is the next thing that happened? - A. We once again hold that point of the bridge where we again come under attack where we again repeat the process.

Q. So this is the third? - A. This is the third charge.

Q. What happened on this occasion? - A. The pickets once again dispersed. We advanced.

Q. Yes. - A. We stopped and then the whole process was then repeated where we were then given the order to withdraw.

Q. JUDGE COLES: Same as before, in other words? - A. That is correct, yes.

Q. MR. WALSH: And did you come into physical contact with any of the pickets on this occasion? - A. I did not actually come into physical contact, i.e., that is to touch any of them.

Q. How near did you get to any of them? - A. It was roughly the same as before. As we sort of took off they took off.

Q. Did something happen to you on this occasion? - A. It did, yes.

Q. Just wait a moment.

JUDGE COLES: Yes.

Q. MR. WALSH: What was that? - A. At some point between the second and third charge - I had started the proceedings with a short shield - and somewhere between there and the third charge I no longer had a shield.

Q. Why was that? - A. I do not know whether I had given it to somebody else or whatever, I do not know, but at that point I did not have a shield. It had not been taken off me by any of the mob or anything. We had just become disengaged.

Q. Yes. And what happened? - A. We went forward as before.

Q. Yes. - A. And on this particular occasion I with some other colleagues went actually through into the little building site area, the little complex on the left.

Q. Yes. - A. There were a few people in there who had gone through that area and over a wiremesh fence.

MR. REES: There were a few people in there who what?

JUDGE COLES: Who had gone over the wiremesh fence:

- Q. Is that right? - A. That is correct. There was a wiremesh - there was a group of buildings. At the rear of these buildings there was a wiremesh fence separating one premises from another and some people had scaled the fence and gone to rejoin the rest of their colleagues out on the road.
- Q. You are suggesting they scaled the fence. - A. And got out of the site.
- Q. On to the road. Not in order to get into the site? - A. No. That was purely as an escape.
- Q. MR. WALSH: Yes. - A. Having satisfied ourselves that that little particular area was clear we then went back to rejoin the main body of Police Officers.
- Q. Yes. - A. As we got back, then came out from the buildings back towards the road. The Police cordon had already at this stage gone back to the bridge.
- Q. Yes. - A. We then found ourselves being faced by the mob as they then re-advanced up the road, the Police cordon having dropped back.
- Q. When you say "we"? - A. Myself and probably six or seven colleagues who had gone and done this little skirmish in the site.
- Q. So you were now no longer part of the main group? - A. That is correct.
- Q. What happened at this point? - A. We then, having seen the people advancing, withdrew ourselves to rejoin the Police cordon at the bridge.
- Q. Yes. - A. As we withdrew we came under a hail of missiles.
- Q. Yes. - A. And at one point a half house brick bounced on the road in front of me.
- Q. Yes. - A. Then it bounced up and as I moved out of the way the brick flew up and caught my left hand.
- Q. With what result? - A. The immediate result I was not aware of other than the fact the brick had hit my hand. My main concern at that stage then was to rejoin my colleagues because it was getting a little bit hairy at that stage.
- Q. What was the result of the brick hitting your hand? - A. When I rejoined my colleagues I had a quick look at my hand and there was just a bit of blood on my hand at that stage.
- Q. What injuries did you in fact sustain? - A. I sustained two lacerations on my left hand, one approximately two inches, the other half an inch. My wrist was bruised and scratched.

- Q. You say the brick bounced on the road and came up and hit your hand. Did you see where the brick had come from? - A. It had come from the group of people who were approaching us as we were going back. There was a young lad there at the front who threw the brick.
- Q. You are talking a little low. A little louder, please. - A. Sorry.
- Q. JUDGE COLES: A young lad threw the brick, you said? - A. That is correct, Your Honour.
- Q. You saw that? - A. Yes.
- Q. MR. WALSH: Did you remain long on duty after that or not? - A. I remained on the line for some time before I actually withdrew to receive treatment.
- Q. Again, have you any accurate way of telling us how long you remained there? - A. Probably in the region of about - to the best of my recollection I should say probably 20 or 25 minutes. At that point I think we did in fact do another charge and we withdrew and then at this point then the mounted Officers came through the cordon.
- Q. That is what I was going to see if you could help us with. You were still there when the mounted Officers came through, were you? - A. That is correct.
- Q. JUDGE COLES: Your further charge you stayed for, was that the same as the earlier ones? - A. Yes, it was. It was just a repetition.
- Q. And having done that repeated forward and back it was after that the horses came? - A. That is correct, Your Honour.
- Q. MR. WALSH: When the mounted Officers came through did you play any part in any manoeuvres that they and other Officers conducted with them? - A. Yes.
- Q. I suppose you had better tell us exactly what you did. - A. We had withdrawn yet again to the bridge.
- Q. JUDGE COLES: Yes. So this is the fourth charge that has gone out and come back? - A. That is correct, sir.
- JUDGE COLES: Yes.
- Q. MR. WALSH: Then you play some part in whatever is going on when the mounted Officers come through? - A. We were then told from the back that the mounted were going to go through.
- Q. Yes. - A. So we were then told to part from the back.
- Q. And you did that? - A. Which we did.

- Q. Hold it. Yes. - A. And as the mounted Officers went through we closed behind them and just followed the mounted Officers up the road.
- Q. And how far did you go? - A. I went up to the first - there were some terraced houses on the right and I went up to about the third terraced house up on the right-hand side. There was a bit of an alleyway that shot down to some fields.
- Q. Might help you. Photograph 8, I think, is getting nearer to those houses? - A. On the right-hand side, where there is a For Sale sign on the house.
- Q. Yes. - A. Just go past that where the terrace then breaks and there is the beginning of the other part of the terrace sticking out. That in fact, as I recall, leads down through the terraces to a field at the back
- Q. Yes. - A. of the houses.
- Q. Does photograph 9 help you any better or not? - A. No.
- Q. Or even 11 looking back the other way? - A. No. I think 8 is probably the
- Q. 8 is probably the best? - A. Yes.
- Q. So you are pointing, I think, beyond the For Sale sign? - A. That is right.
- Q. And then - I do not know if this is a good description - it looks as though there is a slightly darker group of buildings jutting out? - A. That is correct.
- Q. The group where the For Sale sign is. Was it that bunch you were talking about? - A. At that point, as far as I can recall, between the dark and the light houses
- Q. JUDGE COLES: Are you talking about going down between the bungalow and the houses or between two lots of houses? - A. Between two lots of houses.
- MR. WALSH: He is pointing beyond the For Sale sign.
- THE WITNESS: Yes. Just beyond the For Sale sign.
- Q. MR. WALSH: You went up to about that point, I think you were saying? - A. That is correct.
- Q. Did you go any further than that or not? - A. No.
- Q. Not. So how did it come about that having gone up to that point you then - what did you do? Did you stay there, go back or what? - A. The mounted charge had had the desired effect of pushing the mob that much further back than we could have achieved and once again at that particular point

we regrouped and at that point we stayed in that area.

Q. I see. Now, obviously you cannot have stayed there all the time because you went to have your injury treated?
- A. That is correct.

Q. Can you explain? Were you detached individually to go off or were your colleagues withdrawn? How did it come about? - A. I at this point, having run up and down the road again a couple of times after this incident, by this time my hand was throbbing quite a lot and there was quite a lot of blood on my hand.

JUDGE COLES: Yes.

Q. MR. WALSH: So then what happened to you? - A. At this point then I withdrew to the ambulances at the rear of the bridge.

Q. Yes. - A. I then boarded an ambulance, it was cleaned up a little bit and then I was taken off to hospital.

Q. Do we follow from that that you left your colleagues up here where you have described? - A. That is correct, sir.

Q. I see. What was the situation like at that point at the bridge and beyond during the time that you have described? - A. It was terrifying. I

Q. JUDGE COLES: Yes. I think you were going to say something? - A. I am sorry, sir?

Q. I think you were going to say something? - A. I was going to add I have been involved in similar situations to this but as far as I was concerned that was the worst situation that I have been involved in from the ferocity of the attack.

Q. MR. WALSH: Where else had you been involved? - A. Prior to joining the Police Force I was in the Armed Forces for nine years and I did spend some time over in Northern Ireland.

Q. JUDGE COLES: How long were you in the Armed Forces? - A. Nine years, sir.

Q. Yes. - A. And I had also been involved in the Toxteth riots in Liverpool.

Q. That was in the Police Force? - A. That is correct, sir.

MR. WALSH: Thank you.

MR. TAYLOR: Your Honour, before I ask Mr. Kearns some questions perhaps I could indicate this. Yesterday I did inform the Court of a plan which we had had involving two Counsel. It may not come as a surprise to Your Honour

to know because of the evidence this witness has given and the areas he has now touched on it may be this witness will be an exception. It is not a breakdown I assure you

JUDGE COLES: Say nothing of it.

MR. TAYLOR: of the system. We shall, I am sure, all look forward to everything you have got to say.

Cross-examined by MR. TAYLOR:

- Q. Mr. Kearns, when was it that you joined the Police Force?
- A. In February, 1980. February the 4th, 1980.
- Q. Had you had experience of using short shields before that, that is to say, in the Armed Forces? - A. No. We had long shields
- Q. Similar to that? - A. Similar.
- Q. And had you had experience of using batons in the Armed Forces in conjunction with the use of the long shields?
- A. Yes.
- Q. Over how many years had you had that experience? - A. My first experience of it would have been round about 1972 when we were in fact training for our first trip to Northern Ireland.
- Q. Now, during the time that followed that, from 1972, did you have regular training in the use of shields and manoeuvres? - A. Yes.
- Q. I am not going to dwell very much on this because it precedes the time when you joined the Police Force but would it be fair to say when coming into the Police Force you were well experienced in the use of at least long shields? - A. I think the tactics were sort of slightly different.
- Q. Yes, I am sure they were. - A. But I think apart from that, yes, yes.
- Q. Now, when you joined the Police Force, in 1980, was it?
- A. That is correct.
- Q. How long after that was it that you started training for the P.S.U. short shield units? - A. It would have been, as far as I can recall, towards the end of 1980. Do a period of initial training and various attachments. I did not actually go to my present station where I am now at Kirkby until June of 1980.
- Q. As soon as you are at Kirkby what you are saying is a few months after that - I won't obviously tie you down to the exact time - but six months or so after that you

were in training with short shields. Is that right or not?
- A. No, it would not have been that long or that short. I really cannot remember at what point we actually

- Q. JUDGE COLES: But you had some training in Police Support Unit work? - A. Yes, that is correct, Your Honour.
- Q. MR. TAYLOR: Before June the 18th at Orgreave had you used - that is, apart from training - had you been in a situation where you had used short shields before? - A. No, no.
- Q. Had you been in a situation - in the Police Force I am talking about now - where you had used long shields before? - A. Yes.
- Q. And where was that? - A. That was at Toxteth.
- Q. As far as you know was June the 18th at Orgreave the first time the short shields were actually used by the Police? - A. It is the first time I had seen them used, yes.
- Q. Now, prior to that had you been on regular training with groups of other Officers one day a week or maybe more over a period of time? - A. I think it was something like once every three months or something we used to attend for a day.
- Q. And over how long had that been? - A. We had been involved in the Toxteth incident. When that quietened down the training was then stepped up a little bit in order should there be a recurrence then we would have an established position that we could use or whatever.
- Q. From 1981 or maybe early 1982 there was regular training? - A. Yes.
- Q. Is it fair to say that Police Officers not only from your area but other places would all meet at different centres around the country and undergo training? - A. No.
- Q. How was this system worked then? - A. We used to meet at our particular training centre with Officers from our own Force and the instructors and the staff were from our own Force.
- Q. What was the reason for that? - A. Presumably so that the Force would be better equipped should another incident such as Toxteth flare up again.
- Q. Was it also so you could work together with the same group of men all the time and get to know your Commanders and your fellow Officers? - A. I think that was the general principle but unfortunately it did not work like that.
- Q. It would not work like that because sometimes you would be working with different Commanders and different Officers? - A. From your own Force.

- Q. From your own Force. - A. Yes.
- Q. And during the period of training you had over these few years before Orgreave would it be right to say you got to know the other Officers at least in your Force not well but fairly well? - A. Probably, yes. I do not think I ever saw the same fellow there twice.
- Q. Did you have a regular partner that you worked with? - A. No.
- Q. No. The Court has heard of the make-up of the P.S.U.s in the sense that there are ten men with a Sergeant and there are two of those under one Inspector? - A. That is correct.
- Q. Is one of the fundamental principles of a P.S.U. that it should if possible stick together? - A. Yes.
- Q. And in particular not only stick together as a group but stick together with the partner that you start off with? - A. No. The principle was that you would work together as ten men as a body and then should the need arise you would be deployed. But unfortunately with the various divisions and set outs, etc., various commitments other people have, it was unlikely we would join again with the same ten fellows who you had trained with on a previous occasion.
- Q. Yes, I understand that. What I mean is if you were to set out on a particular manoeuvre - suppose, for instance, the order came down to you clear that area, whatever area it is, when you set off you would be with another man? You would be working in pairs? - A. Yes.
- Q. On that particular exercise it would be important for you to stick together as a group, right, but also to stick together with your partner? - A. As far as is possible, yes.
- Q. You see the short shield here. I wonder if Mr. O'Connor could just hold it up. Did you operate with a short shield like that? - A. No.
- Q. Did you operate with a snort shield like that? - A. Yes.
- Q. Exactly like that? - A. As far as I can recall, yes. They all look much of a muchness really. There was also

MRS. BAIRD: I think it had better be described as the oblong as opposed to the round.

JUDGE COLES: Yes. The clear plastic oblong is in my note and that is the shield which is lacking the complete loop at the elbow.

MR. TAYLOR: Yes:

- Q. Yes. Did you want to add something to that you were going to say? There was also something? - A. There was also one

which you could put your arm into with Velcro fastenings on and a handle with like a Velcro handle thing on the top.

Q. Did that have a sort of black surround to it? - A. Clear Perspex like the small one. It was basically the same as that. The only thing that was different was the actual handles at the rear.

Q. I am told there is one available of the type you are describing. Perhaps we could have a look at it later on.

JUDGE COLES: Is it handily available, Mr. Walsh?

MR. WALSH: I know it is in the vicinity. Whether it is in Court I do not know. I am told it is just outside.

JUDGE COLES: Good. May have a look as quickly as possible whilst we are on the point.

MR. WALSH: It will take about five minutes.

JUDGE COLES: Carry on.

Q. MR. TAYLOR: When you were training before you went to Orgreave were you trained with specific objects in mind, specific tasks I mean? - A. We did various manoeuvres

Q. Yes. - A. to combat certain situations, yes.

MR. REES: I missed that. I am sorry.

MR. TAYLOR: We did certain manoeuvres to combat certain situations, I think. Various situations.

Q. JUDGE COLES: I hope I have the sense of it. I have put we were trained in specific manoeuvres. Is that right? - A. To deal with certain situations, Your Honour.

Q. MR. TAYLOR: Now, was one of those specific tasks that you were trained in the swift arrest of men? - A. I am not quite sure what a swift arrest is.

Q. Well, were you trained in this way, to go out into a crowd and arrest somebody and then return? - A. Not that I can recall as such, sort of trained. We would have, like, people with long shields or people with short shields and people behind the people with the short shields, if you like, who would, once the crowd had dispersed, had they observed anybody who was in a situation where he might be arrested they would go and be arrested. The use of the shields was to protect the Officers against missiles, etc.

Q. I am just dealing with it now in general, you appreciate? - A. Yes.

Q. Trying to work out what it was you had been trained to do. And the first thing that has occurred to me that I have

asked you about is were you trained as a group to go into a crowd specifically to arrest people and bring them back?
- A. No.

Q. No.

Q. JUDGE COLES: What you say is once the crowd had dispersed Officers from behind the shields - that is, Officers without shields. Is that right? - A. Just on odd occasion.

Q. Would do the arresting on odd occasion? - A. That is correct, sir.

Q. MR. TAYLOR: Would those Officers be long shield carriers, the ones who went out to arrest? - A. No. Would not have any.

JUDGE COLES: Would not have any shields.

Q. MR. TAYLOR: So no shields. Were you trained - you have said you had set manoeuvres. Do you recall training in a particular manoeuvre with reference to ringleaders in the crowd? - A. No.

Q. No. Do you recall being trained in accordance with a manual? - A. As far as I am aware the training was directed from the Home Office.

Q. Yes. And the training was contained in a manual? - A. It is not a manual I have seen as far as I am aware. I presume it would be.

Q. Yes. You would not have seen it. All I am asking is whether you knew your manoeuvres and so on came out of a manual? - A. I would have assumed that they did.

Q. Now, were you ever trained - let me give you this as an example - were you ever trained to go into a crowd with a partner, both of you with shields, short shields, and a drawn baton to specifically arrest a particular person and bring him back? - A. No.

Q. Does this manoeuvre mean anything to you? The two Police Officers go out in the way that I have just described and the shield that you were carrying could be dropped or hung over and then two Officers would take the prisoner by the arm, one each on each side, and take him back either forwards or backwards back to the crowd? Were you trained in that? - A. I have never actually seen any training like that. It is obviously a matter for each individual, what he sees and what he construes to be an offence for which somebody could be arrested. You cannot just go out and say, "I'll arrest him," without knowing what he has done.

Q. Right. You have never been trained in that method?
- A. The only method we had been trained in in use of

shields for protecting someone or like that or withdrawing injured parties where we use a shield and drag somebody back in that manner. Certainly not for going and arresting anybody.

- Q. Can we pause there so we can finish notes? I mentioned earlier or asked you earlier if the shield you were describing had a black surround. Is this the sort of thing you mean? - A. That is right.
- Q. Perhaps if you would be good enough, could you just show how that is worn? -A. It is a matter of just slipping the arm through so the forearm rests against the protective thing and just lock the Velcro over in that manner and holding the strap there with the arm. You would then hold it in that manner and obviously look through the Perspex.
- Q. Is that the sort you had on that day? - A. As far as I can recall it was either one of these or one of those. Such a lot.
- Q. JUDGE COLES: In either case, clear plastic one? - A. It was a short clear plastic shield.
- JUDGE COLES: Yes.
- Q. MR. TAYLOR: When you set off to go to Orgreave did you have any short shields with you? - A. We had our equipment van which we had all the necessary equipment in, short shields and long shields.
- Q. You cannot remember which one it was? - A. Other than it was a short shield.
- Q. Now, you have described the only manoeuvre that you knew before the 18th which was near to the one I have described and that is to say when you would use your shield and drag a man if he was injured, either a policeman or demonstrator, whichever, and you wanted to afford protection? - A. H'm, h'm.
- Q. Had anybody instructed you in the manoeuvre which I have described for arresting somebody before you heard me describe it to you today? - A. No.
- Q. Of course this was mutual aid you were on at the time, was not it? - A. Yes.
- Q. Whereby one Force will help another one and in particular there were certain Metropolitan areas, we have heard from other witnesses, which would specialise in the use of short shields and if you called up, for instance, a P.S.U. from Lincoln or from Devon they may not be specialised in the use of short shields? Would I be right in saying that or do not you know? - A. Not that I am aware, no. It was a question of if I had a long shield I was specialised in

long shield; if I had a short shield I was specialised in short shield. It was whatever was to hand.

- Q. Just think about the people in your P.S.U. for the moment. When they arrived at Orgreave could they have fulfilled any function, that is to say, long shield, short shield or just straight into the cordon? - A. Yes.
- Q. What were you expecting to do? - A. We did not know because up until - in fact prior to arriving at Orgreave we did not know we were going to Orgreave or I certainly did not any way. We had set off from somewhere in Nottingham round about 3 o'clock that particular morning and had spent some considerable time driving round and round and eventually we ended up in Poplar Way I believe it is.
- Q. Now then, your group that you went with on that morning, can you remember whether you had worked with the Inspector before going to Orgreave? - A. I had not, no.
- Q. Do you remember who he was? - A. It was Mr. Owen.
- Q. Mr. Owen. And do you remember who your Sergeant was? - A. There was Sergeant Gradwell and I think it was Sergeant Hillhouse. I am not sure.
- Q. JUDGE COLES: Hillhart? - A. Hillhouse.
- Q. MR. TAYLOR: Now, just thinking for the moment back to that time, can you remember on that day whether you had a specific partner or whether your partners changed? - A. No, I had no specific partner.
- Q. Very well. Can you remember the names of any of the people who were in your ten? Were there any, for instance, from your own Police Station? - A. I cannot really remember. There was Halsall(?), I think, Constable Halsall from Kirkby., Lynam from Walton Lane.
- Q. So you have Mr. Halsall and Mr. Lynam? - A. Yes.
- Q. They were in your P.S.U?
- Q. JUDGE COLES: And a Mr. Lane? - A. Lynam.
- Q. Did you say a Mr. Lane? - A. No.
- MR. GRIFFITHS: Police Station where Mr. Lynam came from
- THE WITNESS: Walton Lane.
- Q. JUDGE COLES: I thought you had named another man Walt. Lane. Shows how careful you have to be.
- Q. MR. TAYLOR: Do you recall a Police Constable Gale? - A. Yes.

- Q. Do you recall a Police Constable Browning? - A. No.
- Q. A Police Constable Gray? - A. Yes.
- Q. Police Constable Austin? - A. Yes.
- Q. Police Constable Sutherland? - A. Yes.
- Q. Shelton? - A. No.
- Q. Mulcahey? - A. Yes.
- Q. Beattie? - A. No.
- Q. McQueen? - A. Yes.
- Q. Moore? - A. No.
- Q. Johnson? - A. No.
- Q. Wright? - A. Yes.
- Q. I am sorry. I do not know their first names but I am just putting their surnames. Evans? - A. There was Derek Evans, 5476 or something. There was an Evans and I do know a lad called Evans. Whether he was actually with us on that particular day I cannot really remember.
- Q. Do you recall Police Constable Anderson? - A. Yes.
- Q. Police Constable Morton? - A. No.
- Q. Police Constable Hamilton?
- JUDGE COLES: I am sorry. I missed the last two or three names.
- MR. TAYLOR: Anderson.
- JUDGE COLES: I got to Evans. I was distracted.
- MR. TAYLOR: After Evans was Anderson, Morton, and he said no to those.
- THE WITNESS: Anderson, yes. Yes.
- MR. TAYLOR: Said yes to Anderson, no to Morton:
- Q. And the last one, Hamilton? - A. No.
- Q. I have just read the names in the hope it refreshes your memory as to who you were working with on that day. Presumably would I be right in saying as a P.S.U. you set off together, arrived together and left together? - A. Yes.
- Q. In the meantime the theory would be you would work together? - A. Yes.

- Q. You would not find some of yours going into different P.S.U.s? You would all be there in your own? - A. Unless something extraordinary happened where we sort of split. Sometimes what did happen was half the P.S.U. would go one place and the other half would go somewhere else but the ten you would be initially installed with would have their own particular vehicle and their own Sergeants and we would stick together as a ten.
- Q. When was it you arrived there? - A. At Orgreave?
- Q. Yes. - A. It was the early hours of the Monday morning.
- Q. Did you have a briefing when you arrived from any Senior Officer that was obviously from the area? - A. No. We did not as far as - from what I can recall the Inspectors were called away and they came back and they explained something as to what was happening to us.
- Q. Now, were you given any particular instructions by the Inspectors in this regard, which particular manoeuvres or tactics you were to employ on that day? - A. No.
- Q. When you go to different areas - I mean, prior to this you had not actually used the short shield before yourself - A. No.
- Q. in practice? You have done it in training? - A. We have done it in training but not for real.
- Q. Not for real. Leaving aside short shields for the moment then because it would not apply, but when you have been to other areas outside your own with P.S.U.s have the local Commanders taken over and said what their special needs in their area are and you must do this and you must do that in accordance with their particular methods or is it left to the discretion of your own Commander? - A. As far as I am aware it is left to each P.S.U.
- Q. JUDGE COLES: That is the manner of working, as it were? - A. Yes, Your Honour.
- Q. MR. TAYLOR: The manner of working. Yes. Now, had you ever been trained in a four man arrest squad where two men had shields and two men did not have shields and they would go out into a crowd the idea being that the two without the shields would make a quick arrest, they would be protected by the other men with shields and they would arrest whoever it was and they would all come back? - A. Yes, but not in the Police Force.
- Q. Do you imply by that that it is a military tactic? - A. Yes.
- Q. But you had not had any training in that yourself? - A. No.
- Q. Does it follow from that that likewise you had no training in the two man arrest squad, one unprotected Officer going

out, he being the one who would actually arrest, being protected by one with a shield? - A. We had training - what we had was a group of five with long shields who would then possibly, in a situation akin to Orgreave, who would edge forward and there would be Officers behind who were not protected who would at an opportune moment when the situation arose go out and arrest any offender.

- Q. JUDGE COLES: That is, unprotected Officer? - A. Yes. That is they did not have the shields.
- Q. MR. TAYLOR: They were unprotected but they would still have a riot helmet on? - A. They would still have the helmets on.
- Q. Would they have a baton drawn or would they not? - A. It would have to depend on the situation.
- Q. Depends. Right. Now, that particular manoeuvre you have just described, was it called a snatch squad commonly? - A. It is referred to as a snatch squad.
- Q. They are the sort of Officers that could come out from behind a cordon or round a cordon quickly, do the work and come back? - A. That is right.
- Q. Did you see at Orgreave on that day at any time any four man snatch squads or two man snatch squads in operation? - A. No.
- Q. Were you aware of any order which said that they should not be used? - A. No.
- Q. Well now, if you had been told not to use them are you saying you would not have known what they were talking about any way because you had not had the training? You personally had it in the Army but the other people in your group probably did not have the training coming from Merseyside? - A. We were just told to form up on the bridge with shields, etc. There was no mention of any snatch squads or anything
- Q. Right. - A. similar to that.
- Q. Now then, when we started on this series of questions I was asking you generally about the aims, the purpose of you being there. What I have asked you about so far is whether or not your group was employed to arrest and would I be right so far in summing up your answers as being no, that was not the purpose of you being there. That was left to other people? - A. The purpose of us being there was to stop the situation developing worse than what it was and it was down to each individual Officer, if he was in a position where he could have seen offences being committed, if he was in a position to make an arrest then he would have made an arrest.

Q. Right.

JUDGE COLES: You are moving on to something else? Would that be a convenient moment to have the break?

MR. TAYLOR: Certainly, Your Honour, yes.

JUDGE COLES: Right. We will have a break for quarter-of-an-hour.

(Short Adjournment)

Pol. Con. JOSEPH VINCENT ARTHUR KEARNS Recalled

Cross-examined by MR. TAYLOR:

Q. Mr. Kearns, we had just come to the point where I had finished asking questions about arrests, snatch squads and so on. You were not employed in that?

MR. WALSH: With respect, he did not say he was not employed in that. The last answer he gave and I have taken this from the shorthand note, "The purpose of us being there was to stop the situation developing worse than what it was and it was down to each individual Officer, if he was in a position where he could have seen offences being committed, if he was in a position to make an arrest then he would have to make an arrest." That is what the last answer was.

MR. TAYLOR: I certainly agree with that. Perhaps it is the way I have phrased the question:

Q. I am sure you understand what I have been questioning you about up to now is particular manoeuvres, whether you have been trained in them and so on, the four man snatch squad, the two man snatch squad and so on. You say no, you had not; and the conclusion on that is then on that particular day you were not briefed to operate in that way? - A. Right.

Q. That is fair enough, is not it? So coming on to the second possible use of the P.S.U., if it is not to operate as snatch squads particularly to arrest, with that as the No. 1 objective, would it be right to say that the second way in which they can be employed is the dispersal of a hostile crowd? - A. Yes.

Q. Now then, when you had training in dispersal manoeuvres what were they? - A. There were a couple of different manoeuvres that could be employed. One was just a straight line of Officers with shields, long shields, in the front and a line of Officers behind making a second line who would then put the shields on top of the front shields thus forming a barricade which the Officers could stand behind.

Q. How would you disperse the crowd using that method? - A.

We would then just advance.

- Q. Just walk ten abreast, two rows, something like that? - A. Whatever the situation demanded.
- Q. With a shield up the front and over the top? Did you use that particular manoeuvre at Orgreave that day? - A. Not in that sense, no. As people throw missiles, if they were equipped with a short shield or whatever they would use them to deflect them.
- Q. There was no forming up in that sort of formation? - A. No.
- Q. Apart from that what other manoeuvre were you trained in? - A. A similar manoeuvre where you would operate as five Officers, three in front, two behind, with a slight gap.
- Q. JUDGE COLES: Three Officers in front, two behind? - A. That is correct, Your Honour.

JUDGE COLES: Yes.

- Q. MR. TAYLOR: All carrying shields? - A. The back two would close in in like a rugby scrum, if you like, to keep the formation tight so that then they could advance along the road.
- Q. Would they be linked in any way by arms, the second two holding on to the belts of the outside men? - A. The back two would hold on to the front.
- Q. Funnily enough that occurred to me. It was very much like a rugby scrum. The three front rows. Then the two men in the second row. Did you have any flankers? - A. Probably a few wing men. I do not know

MRS. BAIRD: I am not being funny. If this does get technical I shall be completely lost.

JUDGE COLES: Must not be chauvinistic.

MR. WALSH: Perhaps I will hand my friend a copy of the Rugby League

JUDGE COLES: I have a copy while you are at it?

- Q. MR. TAYLOR: Did you use that system that day, the one you have just described? - A. No. I think the system we used on that particular day was not in the book because of the situation. It was a little bit chaotic to say the least.

JUDGE COLES: Just a moment.

- Q. MR. TAYLOR: Now, before you go on to describing the system you used that was not in the book can I ask you first of all to consider this suggestion as a manoeuvre

and then you can say whether it was similar or what the differences were. The long shield Officers being across the roadway in this case they would have been on top of the bridge, would not they? The short shield Officers run forward through the long shield cordon or if they are already in front of them they would just run forward but they would run forward in pairs one behind the other?

Q. JUDGE COLES: Do you agree with that so far?

Q. MR. TAYLOR: Did you use that? -A. No.

Q. Did you use this system with two double five men files?

JUDGE COLES: Just a moment.

MR. TAYLOR: Sorry.

JUDGE COLES: Just putting not down, the first proposition. What is the next one?

Q. MR. TAYLOR: Now, two double five men files. That must mean five men in a file, right, and a double one of those. Two of those would be four so you are going up in a sort of square. Five men there. Five men here and five men here. Right. Four going up together in a block. Similar? - A. No.

Q. No. Now, we are concerned with the first time that you were given the order to charge the mob. Can you describe the system that you used? - A. Yes. We were lined up as previously described on the bridge. There was a group of Officers stretching the width of the road, so from parapet to parapet across the bridge.

Q. All short shields? - A. Long shields, as I remember, in the front.

Q. JUDGE COLES: That is your front row? - A. That is correct. Behind this there were other Officers, some with snort shields, some with long shields, and then whatever was behind. I do not know because I was either in the front or second row. Second row at this stage, I think.

Q. Some had long shields and some had short shields? - A. That is correct.

Q. MR. TAYLOR: Can I ask you to keep your voice up? I am told people at the back

JUDGE COLES: Difficult Court, this. I do not know if it is the wood. The sound does not travel awfully well.

THE WITNESS: I will bear it in mind.

- Q. MR. TAYLOR: You are behind the long shield cordon and in the second row. How many P.S.U.s behind that cordon? Is that the two or three you have mentioned before? - A. Exactly how many I do not know. There were a lot of Police Officers there.
- Q. Did you have with you behind that cordon another group of Liverpool Officers under Inspector Bennett? - A. There were other Officers from Liverpool. I do not know Inspector Bennett and as far as I know I did not even see him. If I did I would not know him.
- Q. Do you know Sergeant Armstrong? - A. No.
- Q. All right. Perhaps I can ask you about this a bit later on because I want you to describe now what you did, how you advanced. - A. As we were given the order to charge that is exactly what we did. The formation that we kept - trying to run with one of those things is somewhat difficult. We had been stood for some time.
- Q. JUDGE COLES: In some sort of formation, you say? - A. Sorry, sir?
- Q. In some sort of formation? - A. We were stood in line abreast across the bridge.
- Q. You were the second row of the cordon, as I understand it? - A. That is right. As the order came to charge that is precisely what happened. Everybody just went forward en masse.
- Q. MR. TAYLOR: The long shields in front of you must have just broken up and allowed you to go through? - A. Some of the long shield men ran forward as best they could, bearing in mind they are somewhat cumbersome to run with.
- Q. Yes. - A. So they went and the people behind who were carrying less equipment, the shorter shields or whatever, then broke through and charged then towards the mob.
- Q. JUDGE COLES: So the long shields went forward as well? - A. That is correct, Your Honour.
- Q. MR. TAYLOR: Now, did the long shields go up the hill with you at all? - A. As we got to the point where we start the 50 yards forward where we then regroup the Officers who were there at that particular point with whatever shields they had - there was a mixture of long and short shields. We then regrouped at that point and withdrew.
- Q. JUDGE COLES: When you say regrouped what exactly do you mean? Did you form up a cocktail of long and short shields or did the long shields go back to the front? What do you mean by regrouping? - A. The long shields where practical would then go in the front to

provide the greater protection.

- Q. MR. TAYLOR: Now, if you look at photograph 7, please, in Exhibit No. 9, the one you have been looking at so far, it just shows the empty road? - A. Yes.
- Q. When you went over the bridge - you said the brick wall on your left. That is the last bit of the bridge? - A. Yes.
- Q. And you go over. You are given the order to charge. Some of the long shields go up. You go up. Presumably because you have short shields you can get further up than them? - A. That is correct.
- Q. The long shields do as well. When you have gone your 50 yards or so you regroup? - A. Yes.
- Q. Can you point roughly on the photograph - it might be easier than actually saying yards - where it was about the regrouping took place? - A. Probably a point somewhere in between the first and second lamp post on the right-hand side.
- Q. I wonder if you could be good enough to turn it round and point with something to the place? Well, just point it out where it was you regrouped. - A. There is a tree sort of right in the middle of the two lamp posts.
- Q. Yes. - A. And if you look along the road there is like a dark line goes across the road. It would probably have been somewhere round about that point, I should think, or possibly a touch further.
- Q. Or possibly a bit further? - A. Possibly.
- Q. O.K. If you all stop there you form a line right across the road then, all the shields, long shields, then at the front and regroup in that fashion? - A. Of a fashion, yes. As I say, it was a little bit chaotic. As we go forward some people get a little bit out of position and once we sort of get to this point where we stop there are some people in front, there are some people behind and it all sort of joins up again into some form of a line where we then withdrew.
- Q. Who was in charge? - A. As far as I am aware there was some Superintendent in charge who was actually in charge of the operations on the bridge.
- Q. The whole thing? - A. Yes.
- Q. How many men are we talking about here? Coming up to about 100? - A. It is difficult to say how many were actually involved but there were quite a lot, with bring right at the front, because most of the time was spent walking back as opposed to turning round and walking. We were coming back facing the crowd so exactly what was behind you you

would not really know.

- Q. You were one of the front men? - A. That is correct.
- Q. If two or three P.S.U.s set off from the bridge, those long shield men plus some ordinary Officers who make up the cordon, we are talking about 100 or so, I would think?
- A. I believe I said somewhere between 40 or 60 earlier on.
- Q. That is for the short shields. Right? - A. That could have been for everybody.
- Q. Could have been for everybody. O.K. On the bridge do you recall this Superintendent who was in charge giving you instructions at this first push up? - A. All we heard from the back was somebody say charge. We had been stood there for some time. The missiles were coming over thick and fast. Everybody was trying as best as they could to get underneath the protection of the shields and, as I say, we were there getting battered and then there was this cry from the back. Somebody said charge and we did. Who said charge I have not got a clue.
- Q. Do you recall this Superintendent who was in charge at that time running up with you? - A. No. At that time I was in the front and that was where I was looking. I was not looking who was behind me. I was looking who was in front of me. And as we got to the point where we stopped once again we came back backwards so who was behind me I do not know.
- Q. Well, in the front row of the short shields or in the second row of the short shields going from the bridge up the hill on this first time did you see that Superintendent?
- A. No.
- Q. When you were on the bridge did you see a Police Officer wearing a white shirt but no jacket? - A. There was a Police Officer with a white shirt on and I believe he was also carrying a megaphone.
- Q. Do you know who that person is? - A. As far as I am aware he was the Officer in charge of the situation.
- Q. The total operation? - A. H'm.
- Q. Mr. Clement? -A. H'm.
- Q. Right.

MR. WALSH: I merely mention as we have all seen from the video there is more than one Officer with a white shirt and a megaphone, so it may or may not be right.

JUDGE COLES: Yes.

- Q. MR. TAYLOR: Now then, as far as you were concerned you say that person with a white shirt and a megaphone was in charge? - A. As far as I am aware he was, yes.
- Q. Can you recall him saying anything through the megaphone at that point? - A. Just initially when we were first forming up there was some mention about getting the shields to the front because that is why we had been deployed because they wanted some extra shields up at the front and it was as far as I can recall somebody saying get the shields up to the front.
- Q. JUDGE COLES: That was him through the megaphone? - A. As far as I am aware it was, yes.
- Q. MR. TAYLOR: When this shout charge came was it through a megaphone or ordinary voice? - A. Have not a clue. It was just charge came up and we did.
- Q. Were you told how far to go or was that just left to you Officers? - A. That was - as I explained earlier on, once we get to a certain point it is becoming a little bit disjointed. Rather than go too far and get separated with the risk of further injury it is a question of drawing a mental line where we are going to go to.
- Q. That as a dispersal tactic is one which necessarily involves you all sticking together, is not it? - A. As best as you can.
- Q. You said earlier that is the drill? - A. H'm.
- Q. When you said that I suppose you mean that is the training you had? - A. That is how it is supposed to happen.
- Q. In short bursts you stop and so on? - A. Yes.
- Q. And it is the very sight of people dressed in the way you were that would frighten people away, is not it? That is the idea? - A. I would certainly think so, yes.
- Q. If you were dressed now in full riot gear with all that, baton out and so on, running at people they would turn and run, would not they? - A. Hopefully.
- Q. On that first run up the hill did you see any Police Officer strike or attempt to strike any of the demonstrators? - A. No.
- Q. And from where you were looking when you first started to run up the hill how many people could you see out in front of you roughly? Difficult? - A. A lot. I do not know. Perhaps in excess of 200. Maybe 300 people.
- Q. JUDGE COLES: Ahead of you? - A. In front, yes, sir.

- Q. MR. TAYLOR: I suppose up as far as the top of the hill you could see?
- Q. JUDGE COLES: How many probably did you say? - A. Two to three hundred.
- Q. Two to three hundred? - A. Yes. From what I could see.
- Q. MR. TAYLOR: You are looking again at photographs 7 and 8. You could see them stretched out in front of you up to the brow of the hill and perhaps a bit beyond? - A. All we could see was a sea of people up to the top of the hill.
- Q. Were there any people, looking at photograph 7, over to the left on the grass bank? - A. There were, yes.
- Q. A lot? - A. A fair few.
- Q. If the road was densely packed, as you say, a sea of people, did the sea of people continue on to the grass verge? - A. It did. On to the grass verge and up the side of the bank and along the top of the bank on the other side.
- Q. Now, when you ran up on this first occasion all the people on the road and the grass verge retreated? - A. H'm, h'm.
- Q. So if you get to about the tree between the two lamp posts or maybe a bit further to the middle lamp post there it stands to reason the people on the road and the grass bank must have retreated in front of you? - A. They went back and they went sideways and they went every way they could.
- Q. Leaving the road area and the grass verge clear of people? - A. There were a few clusters of people still there even at that particular - the main purpose to go through was to shift the main group who were actually causing the attack. I do not think perhaps everybody there was actually involved in throwing stones and missiles.
- Q. Right.
- Q. JUDGE COLES: What happened to those who did not run? Just stood there? - A. As far as I am aware not a lot. We just went - from where I was stood we just went with the main core of people who were causing the problem and as we withdrew, came back, once we drew level with that particular area there were still people in civilian clothes in and around that area. Admittedly slightly less than initially but there were still people there.
- Q. If they looked peaceable and were not throwing stones what did you do? - A. We did not do anything with those. As I say, the main intention was to disperse the hard core of the crowd who were causing the problem.

- Q. MR. TAYLOR: Did you see any prisoners taken on that first push coming back down the hill with you as you retreated to the bridge? - A. I do not know. I cannot say. I do not know.
- Q. And you say when you were retreating the main cordon had already gone back to the bridge and you joined them? - A. This was at a later charge when I became detached.
- Q. I am sorry. If I have got it wrong let me just concentrate on the first push up. You push up the hill. You stop then in the position you have indicated with long shields and short shields and everybody across the road. How do you retreat then? - A. We then go backwards.
- Q. All as one back to the bridge? - A. If I am in front whoever is behind me, he grabs hold of me from behind just to make sure I am not going to stumble if I have a shield. We go back that way. Whoever is behind me is in fact watching where I am walking behind to make sure I won't fall over anything.
- Q. What time do you think this is about now then? - A. I estimate my injury was somewhere round about 11.25. I suppose we got up there on the bridge round about 10 or 10.30 so it would have been between, at the outside, I suppose, between 10 and half-past-11.
- Q. JUDGE COLES: You got to the bridge about 10.30, you said? - A. I would think so, yes. It was roughly round about 10.30-ish.
- Q. MR. TAYLOR: You had your injury about an hour later? - A. Roughly, yes.
- Q. Right. Now, coming to the second push up the hill. Is the cordon formed on the bridge in the same way as you described for the first one, that is to say, the long shields at the front and then you go through the long shields? - A. As far as I can recall, yes.
- Q. Were the long shields positioned at the top side of the bridge, that is, the village side of the bridge? - A. Where we initially started from on the first push.
- Q. What were your orders on the second charge? - A. The same. Once we then got back to the bridge the mob once again came up, continued the barrage of missiles and once again it was charge and it was a repeat basically of the first charge.
- Q. And what order was given to you? - A. Just to charge.
- Q. Charge the mob? - A. Yes.
- Q. Are those the words that were used? - A. No.

- Q. I am just trying to be accurate. What were the words used to you? - A. The word used was charge.
- Q. Just charge? - A. That is the only word that came out.
- Q. Somebody at the back would shout that, would they? - A. It appeared to me to be coming from the back.
- Q. So when somebody taking the decision had had enough of staying there they would shout charge and everyone would just go forward? - A. Yes.
- Q. That includes long shields? - A. The same as we did it before. As each charge progresses, getting more and more tired. It is a cumbersome thing to hold. Getting battered. It was a hot day. Getting tired, so each charge sort of somewhat less enthusiastic, if you like, than the last because legs are getting tired and people getting tired.
- Q. Where did you go to this time? - A. Roughly the same area as we had gone before.
- Q. Up to the tree? - A. Roughly, yes. Each time up to that point and back. Up to that point and back.
- Q. On this occasion you say - were you at the front again on this one? - A. Yes.
- Q. There is no real form to the run up by the Police Officers, is there? We have been through the theory of it. What you were using on this occasion you said was not in the book. It was just a mass of people running up? - A. That is right. The theory and the practice were slightly different.
- Q. Yes. So all the training you had had over the years it seems was being abandoned on the first use up above the bridge? - A. I suppose - no, the training that we do is, if I can use the phrase, in an ideal situation. Where if you have got - where talking about street clearance, etc., where there is possibly houses on either side of a street where you can employ those tactics to do it. Where you are going out, it is a wide sweep, very difficult to form any sort of formation that is going to cover any possibility.
- Q. Right. On the way up there is this wire across the road? - A. This was on the road. I believe that was about the third charge, the wire.
- Q. You said earlier on it was on the second charge. I am not going to hold you to that. - A. Second or third. Not there on the first charge.
- Q. Did you see, if you were retreating backwards from the first charge and you are in the front, somebody putting

it up?- A. No. It just appeared.

- Q. And nobody knew about it until you were right on it? - A. That is right. Until we charged forward. Then the crowd once again dispersed. The wire was there.
- Q. It was about, you say, chest or neck height? - A. Chest to neck height, yes.
- Q. Shoulder height for a man? - A. Yes.
- Q. Could you be wrong about this part of the evidence? - A. In what way?
- Q. That it was not there? - A. It was definitely there. I nearly came to grief on it.
- Q. Why did not you take it down then? - A. If I had stopped there the impetus of the lot behind me would have probably decapitated me because they were going forward. I was under the wire and away.
- Q. And away? - A. To secure our objective.
- Q. Which was? - A. To stop at that point, get up on the road having dispersed the crowd back to a suitable distance.

(Shorthand writer indicated speaking too quickly)

THE WITNESS: Am I going too fast?

MR. TAYLOR: I think we are both guilty of that so I will slow down a bit.

JUDGE COLES: I have got as far as, "I did not take it down because I was busy advancing."

MR. TAYLOR: Yes:

- Q. You wanted to get on and drive the demonstrators out? That is the basis of it, is not it?

MR. WALSH: He added, "If I stopped there"

JUDGE COLES: Saying something. Is that right? "Had I stopped there the people coming behind me might have pushed me into it"?

MR. TAYLOR: Yes. He said decapitated, Your Honour:

- Q. If that is right why did not you stop and warn the people behind you, say, "Boys, there is a wire here across the road. You are going to be decapitated"? - A. If I had tried to do that I would have been in the same position as the people trying to chase. If I tried to turn round at the speed we are going to shift these people, ended up in the wire, possibly

- Q. After you ducked under it why did not you stop and warn the people coming behind you from your own P.S.U. probably?
- A. Because by that time people behind were aware of it.
- Q. Who were the people that came to grief on it? - A. Just a couple of lads on my right-hand side as we were going up. They ran into the wire. Knocked off balance. Regained their balance.
- Q. Who were they? - A. Have not the faintest idea.
- Q. He is running along with you. From the same P.S.U, is not he?
- A. No. Officers from South Yorkshire as well at that particular time.
- Q. How do you know that? - A. Because got S.Y.P. on the back of their helmets.
- Q. The helmets are different, are they? - A. No, the helmets are the same. It is just for identification.

JUDGE COLES: You can see the back of some of the helmets in the photograph.

- Q. MR. TAYLOR: That is the sort you saw? - A. That is right.
- Q. Was yours like that except for the S.Y.P? - A. They are very similar, yes.
- Q. Did you have a back flap on yours? - A. A piece comes down on the collar and three separate pieces.
- Q. Because not all Forces do have a back flap, do they? - A. They are slightly different in design. Generally speaking I think they are similar.
- Q. Did yours have blue and white squares going around it?

JUDGE COLES: Chequerboard.

MR. TAYLOR: Yes:

- Q. Chequerboard style. It does not matter if you cannot remember. - A. I have never noticed it if it is, I must be honest.
- Q. When you were going up the hill you did not have a partner?
- A. No.
- Q. The people running with you were from South Yorkshire? - A. Some lads from South Yorkshire; some lads from Merseyside in our P.S.U.
- Q. Would it be fair to say at this stage running up the hill you were not really working in P.S.U.s at all? You were all just in a bunch? - A. More or less, yes.

- Q. Who was in charge of all this operation? The same Superintendent? - A. From the back I would imagine he would be directing operations.
- Q. Now, if he is at the back directing operations who was directing you? - A. There were other Officers, Sergeants, Inspectors, etc., who were in the charge we were in and once we got to a certain point, then reassemble, somebody says, "O.K., stick your shield here" or whatever. There was no sort of common structure as such, as people came to a halt on their own decision, and sorted it from there. The only other comments that came at that point were to withdraw back to the bridge.
- Q. Can I ask you to pause there so we can get the notes in order? - A. Certainly.
- Q. JUDGE COLES: There are no specific orders until?
- A. Until we regrouped at the top.
- Q. "Until we regrouped." Which you did virtually by instinct?
- A. Yes, sir.
- Q. "Then we were ordered to withdraw"? - A. Then ordered to withdraw then back to the bridge.
- Q. Who ordered you to do that? - A. That came from the rear again. Someone said, "O.K., back to the bridge," so we went back to the bridge.
- Q. MR. TAYLOR: So what we have got here now then, as you said, there was no common structure as such? Nobody said to the Inspectors, "Right. We are going to do manoeuvre 7 now," and the Inspector said to you
- JUDGE COLES: He would not know that, in fairness, would he?
- Q. MR. TAYLOR: If the message is passed down from Inspector to the men now going to do manoeuvre such and such that never occurred? - A. No, no.
- Q. When you were running up the sort of impetus you had come to a stop because of the natural leadership of the Sergeant or whoever it was saying, "That's enough, boys. We will stay here"? - A. I think as each Officer got to a certain point where then he was satisfied he had gone far enough forward he would wait then and look round to see what the situation is with the rest of the Officers who had gone up.
- Q. It was up to the first couple of rows really? - A. I would think so, yes.
- Q. You were one of those? - A. Yes.
- Q. Can you remember if Inspector Owen was with you in the

front? - A. He was certainly with us. I do not recall having seen him at any particular time when we went on - I think the last time I saw him, I think, was prior to going in the ambulance.

Q. Right. Now then, on this second charge did you see any Police Officer strike or attempt to strike any demonstrator with his baton? - A. Not that I recall, no.

Q. Or with his shield? - A. No.

Q. Did any Police Officer in the second charge up to the same position get close enough to do that? - A. Throughout the charge that we did I never actually saw anybody come into personal conflict with one or either side. As I explained earlier, what I did see later was Officers coming back with people from the crowd. Whether been arrested or going back for treatment I would not know.

Q. This is later on? - A. This is later on, yes.

Q. Not in the charges. We will come to that bit when we get to it. So a second charge now and they have gone back up the hill again and gone back up the grass banks and so on, leaving this gap between you and them? - A. Yes.

Q. Looking at again photograph 7 if it helps you can you again say well, this second charge took us to the same place with the demonstrators, towards the top of the hill and the grass bank, the verge here more or less clear? - A. We were more or less going into the same area each time. Might have been a little further or whatever. Could not be absolutely precise.

Q. Can you say roughly what time it would have been by now? - A. Perhaps by this time it must have been - I do not know - 11 o'clock. Somewhere round about then.

JUDGE COLES: By what time? What are you asking?

MR. TAYLOR: Establishing the second regrouping in the roadway, Your Honour, once the second charge up had been done:

Q. Now then, by the time that had been completed had you seen any mounted Officers coming back down the hill towards you? - A. No.

Q. And they certainly had not gone up with you ahead of you? - A. No.

Q. We are talking about foot Officers only for these first four pushes? - A. That is correct.

Q. Right. Now then, you again go back to the bridge? - A. H'm, n'm.

Q. Same system again? - A. That is right.

- Q. And then you said when you were giving evidence before to my learned friend for the Prosecution that there were two more charges followed by two more withdrawals? - A. Yes.
- Q. So we have four charges and we are only concerned with foot Officers? - A. H'm, h'm.
- Q. The same P.S.U.s? - A. As far as I was aware, yes. I was unaware of any change round.
- Q. You have got time, I suppose, by now to have had a look around you and see who they are, these people that had gone up on the first couple of charges, who they were, if you recognised any, and I have already asked you about some you may have recognised and you have said yes to quite a lot and no to others that you did not. Can I just ask you to think - I am doing this to try and refresh your memory - when you were standing around between charges? - A. Can I just - there was no standing around. We were withdrawn. As soon as we got back into position the mob had come forward again and continued the barrage of missiles. Was not as though we were going back for a break or anything else. We were going back to hold that position and the attack, if you like, continued. It was not a question of getting back and looking round and saying, "O.K. All right. Yes." It was a question of getting back and getting your head down.
- Q. Right. During the time back and forth you have described between bridge and tree you were pushing up four times, can I ask you if you recall seeing a Sergeant Armstrong? - A. No.
- Q. Police Constable Lucas? - A. No.
- Q. Police Constable Moore? - A. No.
- Q. Brophy? - A. No. I may have seen them. The names do not mean anything.
- Q. I am only asking if the names mean something then please say. Police Constable Scotland? - A. No.
- Q. Niblock? Owens? - A. No.
- Q. Rimmer? - A. No.
- Q. Stannard, Police Constable? All Police Constables. - A. No.
- Q. Police Constable Barnes? - A. No.
- Q. Police Constable Chadwick? - A. No.
- Q. Douglas? - A. Yes.
- Q. Police Constable Finch? - A. No.

Q. Spencer? - A. No.

Q. Clarke? - A. No.

Q. Howells? - A. No.

Q. Pimblett?

JUDGE COLES: Gimblett?

MR. TAYLOR: With a P:

Q. Pimblett? - A. No.

Q. McLaughlin? - A. No.

Q. McCosh? - A. No.

Q. Davis? - A. No.

JUDGE COLES: McCosh was right.

MR. TAYLOR: In this case there is a Police Constable McCosh and also a Police Constable Shield. Perhaps they should have been paired.

JUDGE COLES: I was going to say they were presumably partners.

Q. MR. TAYLOR: You do not know of them? - A. Not by name. Might recognise them. Certainly not by name.

Q. Those names I have read out are all Merseyside Officers. - A. Yes.

Q. The ones I read out, you did know most, are also Merseyside Officers. - A. Yes.

Q. The ones you did know earlier on, had you worked with before trained with and so on? - A. We were on that particular P.S.U. with them. The Force is split into Divisions and each Division provides its own P.S.U. so you would meet occasionally fellow Officers from other stations within your Division, so get to know them on that sort of a basis.

Q. Right. Now then, we come to the last one, the last charge you make before the horses come where you obviously do not stop at the position you have indicated before the tree because if you look at the photographs, well, 7, 8 - I do not know if one of the later ones is probably better. No. 11. No. 11. Well, look at No. 11 if you would, please. This is looking back down the hill now and you see on the right by a lamp post there is a little sign on the grass thing and it says V.W. Spares or something similar? - A. Yes

Q. Now, when you went up to the top of the hill you see that sign I just pointed out to you on the right there. Well,

- you can see a van there and just make out Manning? - A. Yes. See the top of the cab of the vehicle.
- Q. Yes. That is the first lot of industrial things which would be on your left as you are coming up the hill?
- A. Yes.
- Q. Past the scrapyard but it is the first entrance? - A. Yes.
- Q. On the fourth charge you made you got up as far as that and went in? - A. We went into - as best I can recall, there were a couple of units, factories, a little bit of a square yard, and there was a wiremesh fence separating one unit from another. We went as far as the first set of units.
- Q. First set of units. Right. Now, on that fourth charge, was that one you made from the bridge again or were you making it from your position at the tree? - A. Each one that we made was from the bridge. We did not, for some reason unbeknown to myself, once we had taken some ground, did not hold it. Just dropped back to the bridge.
- Q. On this last occasion what was the instruction given to you?
- A. The instruction was the same as before. Just to charge.
- Q. So everybody did? - A. So we went.
- Q. Does that include long shields? - A. For people who could get up that far with the long shields, as far as I am aware, yes.
- Q. You recall clearly long shields coming up each time and stopping by the tree? - A. Yes, more or less, I think, yes.
- Q. On the last occasion do you recall any order such as long shields wait here, short shields forward, anything like that, or was it just the same charge? - A. I am not aware of any concise orders to say do a specific thing. It was just charge and come back and charge and come back. The only ones that stick out in my mind.
- Q. On the last occasion before you set off - I am just trying to think of the order - if you can do your best to think of the order given to you that made you set off? - A. The only thing that comes to mind is charge.
- Q. Again coming from the back? - A. As far as I am aware, yes.
- Q. It is probably difficult for you to say. Did it sound to you like the same man in control all the time snouting that word? - A. It could have been anybody because I think at that stage had anybody at all said charge we would have done.
- Q. So off you went? - A. Yes.
- Q. Batons drawn? - A. Yes.

- Q. Up the hill?- A. Up the hill.
- Q. You in the front? - A. I was near the front, yes.
- Q. First row or second row? - A. Once started sprinting forward the faster sprinters would obviously go in front.
- Q. Were you faster? - A. Pretty average I would think. I was probably within the first few Officers who got up to that point.
- Q. You are going up the hill?- A. Yes.
- Q. Do you recall the Superintendent who you have mentioned earlier who seemed to be in charge of the operation at the bridge being with you on this occasion running alongside or within the first few men? - A. I never saw him. He may well have been there.
- Q. Right. Do you recall any Senior Officer being in the front couple of rows? Your own Inspector? Your own Sergeant? - A. I was not particularly looking for anybody. It was just a group of Police Officers who had gone forward, so the only sort of rank I suppose that would have stuck out would have been the Sergeant because of the stripes on the arms, with the various buttons and numbers and epaulet, things that are on the epaulets of various Forces.
- Q. It is a job to know? - A. It could have been quite easily mistaken for various ranks.
- Q. JUDGE COLES: What made you go into the units this time, this fourth time? - A. There were - as we had commenced the charge a number of people had gone over to that side, the units side.
- Q. That happened on the first three occasions, did not it? - A. That is right, yes. Whether Officers had gone through there previously I do not know but I went through on that one particular occasion.
- Q. It just occurred to you to? - A. That is right, sir, yes.
- Q. MR. TAYLOR: Can I deal with that a little stage earlier? When you got to the point where you had stopped three times before why did not you stop this time? - A. I do not really know. I suppose by this stage it was to get the people back as far as we possibly could.
- Q. Had you had any direct order to that effect? - A. No. Not that I can recall any way.
- Q. Although you say this manoeuvre was not in the book, the general training is to go a short distance and return, is not it? - A. Well, no. The principle is to go forward and hold your ground and then continue advancing that way.

It was the first time on that particular situation where we had advanced and then withdrawn to give the mob the use of the missiles they had already had.

- Q. On this fourth occasion the reaction of the crowd was exactly the same? They turned and ran? - A. Yes.
- Q. This time you did not stop. You all continued to chase the crowd? - A. H'm, h'm.
- Q. What I want to know is was that under a specific order that you should do so or was it just that you kept on running? - A. As far as I can recall there was no specific order to continue.
- Q. Did anybody say to you our objective now is the brow of the hill? - A. Not that I can recall, no.
- Q. So you went to the brow of the hill, you and everybody else? Do you recall long shields as well? - A. I do not know what was up there. By this stage it was getting a bit chaotic, even moreso than it had been before, and trying to remember exactly what happened I cannot recall whether there were long shields up there or short shields or whatever. Probably a fair bet there were. Probably a mixture up there.
- Q. You are probably right. So we have got to the brow of the hill. Now then, under normal circumstances or even if you had been following the pattern in the day you would have regrouped at that point? - A. Yes.
- Q. Did the majority of the men once again in fact regroup at the top of the hill? - A. I do not know because I think it was at this point we had gone through the units and by the time we came out of the units - or was it the time before? I am forgetting at what point during this we went through the units. Whether that was the third or fourth charge I am not sure.
- Q. Would you look at photograph No. 12, please? - A. Yes.
- Q. This is looking from the brow back down the hill and you can just see on your right the brick wall of the edge of the first entrance. On your right-hand side there is the first entrance into the industrial bit? - A. Yes.
- Q. You see going down the road, not on the road, on the grass bit, is a wire fence? Can you see the concrete posts? - A. I can see the concrete posts.
- Q. Behind the trees. It is not easy to see, I know. - A. Yes.
- Q. Is that the wire fence you are talking about people going over? - A. No.
- Q. When you advanced up the hill each time were there people on that grass area, demonstrators? - A. There were people

there. Whether they were demonstrators or not I do not know. As far as I can recall there were people actually working in the units. As I say, I do not know who was there.

Q. Did you see any Police Officers go on to that grass area?
- A. As I said earlier, myself and some other colleagues had gone through over the bank and through the back of the units and in through that way.

Q. How did you do that? Can you show us? - A. We walked through.

Q. Can you say on this photograph? - A. Not on this one, no. I do not know whether it shows it on this bigger one.

Q. Was the way that you went below this grass area nearer the bridge? - A. We cut across the grass verge. There was the banking on the left

Q. Yes. - A. which it started narrow and then got pretty thick bound by the embankments of the railway.

Q. Look at photograph No. 7 again. You see that wooden fence on the left? - A. Yes.

Q. Are you talking about going around that wooden fence and into the left along a path? - A. There was no path as I can recall it. Just probably a little further up. Is that a building on the left or top of the coping stone?

Q. JUDGE COLES: I think that is the coping stone. -
A. It would have been slightly past there on the left and cut through and I think probably a few trees knocking about and the fence was down.

Q. MR. TAYLOR: When you did that was the railway embankment on your left? - A. Yes. It was to my left rear by this time.

Q. On your right would be the scrapyard with the industrial area? - A. No. That was on the left.

JUDGE COLES: Depends where you have got to.

MR. TAYLOR: I am just trying to find out where he is running.

JUDGE COLES: Do not move the units across the road for goodness sake. Terribly confused.

THE WITNESS: If I can - on the aerial photograph it probably shows it a little bit clearer.

Q. JUDGE COLES: Did you ever yourself - I think this is really what you are being asked - walk along the fringe of the embankment? - A. Not the actual railway embankment.

Q. No. - A. The embankment that runs parallel with the road.

- Q. So you did not get into the units by turning left immediately after you got over the bridge? - A. No. It was more at a 45° angle. We just cut across and went up. Probably by looking at this aerial photograph, the distances between the bridge and the units, perhaps charges we went in the first place were probably a little short.
- Q. Never mind speculating. Look at the aerial photograph and see if you can - A. If you go - there is the white car nearest the bridge. See that one? We sort of cut across that way.
- Q. MR. TAYLOR: You mean to the left as you came over the bridge - A. As we came over the bridge come forward some distance. Cut off left. There is a couple of vehicles there. Three vehicles there on the left.
- Q. JUDGE COLES: That is parked in that yard? - A. Yes. We ended up going through those units or into the long unit and round the back of there somewhere there was a fence where some of these people scaled the fence and gone through the bigger unit back out on to the road.
- Q. We have had the advantage of going here. I was going to say recently. That would hardly be right. The three vehicles I think Mr. Taylor would agree are parked in front of what is really a garage and office, are they not?
- MR. TAYLOR: Can I ask this just to get it clear in my mind:
- Q. Just after you come over the bridge, alongside the railway line here, there is a footpath? - A. Yes.
- Q. If you follow that footpath you can get into the yard up on this banking? - A. Yes.
- JUDGE COLES: That is why I asked him about walking on the embankment.
- Q. MR. TAYLOR: You did not do that? - A. No.
- Q. Went up the road some distance? - A. Went up the road some distance. Cut off to the left.
- Q. Did you climb the fence? - A. There was no fence there. Just went through.
- Q. You went up into the corner of the triangle, perhaps, was it, where I am pointing with my pen? - A. Perhaps a little bit further over than that. Probably nearer the vehicles.
- Q. A little bit further. Right. That was on the charge that you made before the horses came? Would I be right in saying that? - A. That was the charge we made when I

sustained my injury on the way back.

- Q. Is that the one before you followed up with the horses? -A. I think we did one after that and then the horses.
- Q. I think that is what you said. - A. That is the third.
- Q. This is the third charge. On that third charge did you go to your left into the yard because you were ordered to or just something you as a group decided to do? - A. As we started the advance forward seen people disperse over that way. We had gone through into that direction. Perhaps by this stage I was probably more in the third row by now.
- Q. Can I go back to Exhibit 9, please, and look at photograph No. 7? - A. Yes.
- Q. Again looking at that grass bank. On the third charge you must have pushed up from the bridge, run up the road, gone on to the grass bank? - A. Yes.
- Q. Up the bank and over? - A. Yes.
- Q. Can you remember which Officers were with you? - A. I do not know.
- Q. No idea at all? - A. No.
- Q. Were they from your own P.S.U? - A. No.
- Q. They were not? - A. No.
- Q. Was there a Sergeant accompanying them? - A. Not that I recall.
- Q. Or an Inspector? - A. No. There were five, six or seven of us, I think, at that stage.
- Q. When you are in this sort of situation is it right then from what you say you are very much on your own, working on your own initiative? - A. Yes, I think that is fair to say.
- Q. Question for your own judgment and discretion? - A. Yes.
- Q. You chase along with another group to go into this part? - A. Yes.
- Q. Did you discuss it at all before you went? - A. No. We just went.
- Q. So if you could pick out a group of people you would head for that group? Is that what it amounts to? - A. I think what we were trying to do really was because of the way they were dispersing there if we had gone forward and people from the main crowd as such had got to our left,

if we had continued past there was always a chance we could have got cut off.

Q. JUDGE COLES: You did not want that, flanking? - A. That is correct.

Q. MR. TAYLOR: Was that the only time you took that particular route? - A. Yes.

Q. On the next charge up the hill, footmen only, did you stay to the road and go up again? - A. Yes. Stayed on the road.

Q. And on the next charge, while I am just asking about that, where did you stop that time, on the one before the horses? - A. This would have been probably somewhere in the same area we had been stopping.

Q. On the other two? - A. On the other previous occasions.

Q. Now, would you look at Exhibit No. 8, please? I do not know whether that is there, Mr. Kearns, or not. There will be an exhibit number on the back probably of it.

JUDGE COLES: Single colour photograph, members of the jury. That one.

Q. MR. TAYLOR: Do you recognise anyone on that photograph? - A. The fellow on the deck looks like Arthur Scargill - I do not know whether it is - from his baseball hat.

Q. Do you recognise any of the Police Officers? - A. No.

Q. Do you see the person who is the nearest? - A. H'm, h'm. Inspector.

Q. He is an Inspector? - A. Yes.

Q. Do you recognise him? - A. No.

Q. If that person was Inspector Owens would you be able to recognise him? Can you say, in other words, whether it is or is not Mr. Owens? - A. It does not look like Mr. Owen to me.

Q. Now, the other people in that photograph, look at them again carefully if you would because they are not in the best position for trying to see who it is, but can you say whether you recognise any of those? - A. No.

JUDGE COLES: I am glad you said that.

Q. MR. TAYLOR: Can you say looking at the type of equipment they have got, in particular the helmets, which Force they are from? - A. The helmets are similar - they are very similar to the helmets we wear in the fact the

neck protector comes back down and there is the chequerboard on and the Police on the front.

- Q. It is a Merseyside helmet or similar to the ones that you wear? - A. Yes, very much so.
- Q. All right. You can put that down, thank you, Mr. Kearns, if you cannot help the Court on that. But is that the sort of area looking at that, the background of that photograph, that you would have gone through into the area behind? - A. I think there is a high wiremesh fence there, is there, so we could not have got through there? It is similar to that area. That banking, they are all much of a muchness.
- Q. There is a wiremesh fence - A. Yes.
- Q. on that photograph and I have already pointed it out to you in photograph 7 in this Exhibit 9? - A. Yes.
- Q. All right. Although you cannot see it very clearly. Sorry. Not photograph 7. You cannot see it very clearly. Photograph 12. But it is there. Now, when you came on your push up the hill and you run into that yard on the left you can see the yard? - A. Yes.
- Q. That is where it is. Photograph 12. - A. Sorry. I am looking at 11. 12, yes.
- Q. Photograph No. 12. Looking back down the hill? - A. Yes.
- Q. Was the fence at the point you went through up or had it been broken down? - A. I do not recall any fence at the point we went through. Certainly no need for us to scale anything. We just walked through.
- Q. That fence we see in photograph 12. - A. On Exhibit 8?
- Q. It is probably shoulder height, is not it? You would certainly remember if you had to climb over something like that? - A. Yes.

JUDGE COLES: Yes, I agree with you.

MR. TAYLOR: Your Honour, perhaps I can move on to something else after lunch?

JUDGE COLES: Could we start again at five-past-two? Would that cause awful trouble to anybody?

MR. TAYLOR: No. I have been asked by one or two of the defendants to enquire whether it is Your Honour's intention to rise at quarter-past-three today.

JUDGE COLES: Oh yes, unless they do not find it necessary. I was rising for their convenience.

MR. TAYLOR: It is necessary for a number of them if you are so kind to do that, yes.

JUDGE COLES: I wonder after lunch if the time has yet come when we can give the jury some further assistance about length of time. I am a little anxious whether any of you have arranged holidays and so on. You were told when this case started it would be finishing about now. Yes, I see people have difficulties. Well, perhaps it might be sensible if I caused the Court staff to make enquiries as to whether any of the jury have holidays planned. What we can do about it I do not know.

MR. WALSH: I was going to say, arguable what can be done certainly.

JUDGE COLES: I do not wish to spread doom, despair and despondency.

MR. WALSH: Perhaps could the Usher make the same enquiries of Counsel?

JUDGE COLES: Certainly not.

MR. WALSH: I had a funny feeling Your Honour was going to say that.

MR. GRIFFITHS: Not to be too pessimistic, to try to give some idea one knows not whether further evidence or notice of additional evidence will be served. I anticipate it may be. Assuming no further additional evidence is served during the course of the case I would still think we are going to go well into July, probably until the end of July, just dealing with the Prosecution.

A JURY MEMBER: 5th of July.

MR. GRIFFITHS: I see I have brought tremendous problems for people in calling a spade a spade.

JUDGE COLES: I can see very little prospect of finishing this by the 5th July.

MR. GRIFFITHS: I did not say 5th July.

JUDGE COLES: I heard rather more than you did. If you would like to

MR. WALSH: Once the jury have gone may I deal with an administrative matter? No need to detain the jury.

JUDGE COLES: Yes, certainly. Off you go. No need to detain you, members of the jury.

(Jury Absent)

MR. WALSH: There is no need to detain the witness either.

THE WITNESS: Thank you very much.

JUDGE COLES: Thank you very much. Five-past-two.

MR. WALSH: Your Honour, it is purely administrative. Your Honour will remember at some stage, perhaps a fortnight ago, I cannot say when, my learned friends indicated that they might or probably did wish me to recall Mr. Clement to put a particular matter - I forget what it was - to him. Your Honour knows Mr. Clement is no longer in the Police Force and he has work which takes him abroad and, indeed, he has, I think, been abroad recently. I had made arrangements convenient with his intervals between trips abroad to have him here for Monday and that was when I proposed to recall him. Whether it is early on Monday or later depends upon the length of this witness. But since making those arrangements I have been told by my learned friends that they do not require me to recall Mr. Clement. If that is so then I propose now to take steps to tell Mr. Clement he is no longer required.

JUDGE COLES: That must be right.

MR. WALSH: I do not want

JUDGE COLES: We do not have Mr. Mansfield here. Anybody empowered to speak for him?

MISS RUSSELL: Suffice it to say this was something raised with Mr. Mansfield last night. I can assure Your Honour and my learned friend for the Crown he is of the view he does not want Mr. Clement recalled. It was raised by him. It has been the subject of some discussion. As a result of that discussion I think the Crown were informed this morning that was the position and Mr. Mansfield is aware the Crown

JUDGE COLES: Good. There is nobody on behalf of the Defence takes a different view?

MR. WALSH: Because I want to be in a position to say Mr. Clement will either be recalled at the beginning of next week or not.

JUDGE COLES: The answer would appear to be not.

MR. WALSH: I am much obliged.

JUDGE COLES: While we are talking about administration, I see I have another case on Monday morning. I

say if it assists Counsel - I won't put a marking on it - I should have thought you would be perfectly safe arriving at 10.45.

MR. WALSH: Much obliged.

(Luncheon Adjournment)

(Jury Present)

Pol. Con. JOSEPH VINCENT ARTHUR KEARNS Recalled

JUDGE COLES: Sorry I am late. I have been trying to sort out some of the jury's problems. Yes.

MR. TAYLOR: Your Honour, I want to refer the witness to Exhibit No. 17 which is the group of colour photographs in a brown folder. I think there are four or five photographs there.

Cross-examined by MR. TAYLOR:

Q. Yes. Now, I do not know which number it is, Officer, but that is the one I want you to look at.

JUDGE COLES: This is the bundle that starts with zero?

MR. TAYLOR: Yes.

THE WITNESS: This is with the Sergeant in the centre of the photograph, is it?

Q. MR. TAYLOR: There is a group of Officers on the bridge. - A. The Sergeant is the centre.

Q. Looking back at you. I just want you to look at that carefully, please; and see if you can recognise anyone on that. - A. No.

Q. None of your fellow Officers from Merseyside? - A. It is possible there might be. I do not recognise any of them.

Q. There is nobody there you know by sight? - A. No, not from this photograph.

Q. All right. I think you can put that down then.

JUDGE COLES: Made short work of that. That solved that, yes.

Q. MR. TAYLOR: On this third charge you made when you went into the scrapyard and we have established whereabouts you went and all the rest of it, there were about six of you, you say? - A. That is correct.

Q. What was your object in going in there? - A. That was just

to make sure there was nobody in there who could possibly come round behind us once we had gone through or once the main body had gone through.

- Q. You had not done that on the earlier charges? - A. I personally had not, no.
- Q. Had anyone? - A. I do not know.
- Q. Was there a group of people in the yard there that you could see that you made a beeline for? - A. There were people in the yard as we got in, the tail enders and stragglers.
- Q. What did they do as you approached them? - A. As we went in towards them there were probably two or three still in the process of scaling this wiremesh fence which was at the back of the unit. It went into another part of the yard and then out back towards the main road.
- Q. So they escaped by going over the fence? - A. Yes.
- Q. Was any person arrested by your group in that little exercise? - A. No.
- Q. Did you see any of the Officers that you were with strike or attempt to strike with their batons at anyone? - A. No.
- Q. Did you do so yourself? - A. No. We did not get close enough.
- Q. Now, at that stage then it was at this point, was not it, when you were retreating you were struck by this stone or brick, as you say? - A. Yes.
- Q. Before you get to that when you went in there you had no shield? - A. That is correct.
- Q. Where had it gone? - A. I honestly do not know at some point whether I passed it to a colleague or dropped down the roadside when running up the road. I do not know. It just happened at that particular point I did not have a shield.
- Q. A shield is an integral part - probably the shield and baton - they are the most important things you have got, are not they? - A. Once the charge as such had started and the impetus is going if the people who are throwing stones are running away it is highly unlikely going to get hit by a brick at that stage. The shield then becomes additional weight.
- Q. You have said that you did not have time to look round and say hello, Jim? - A. No respite.
- Q. As soon as you got back you were off again? - A. H'm, h'm.

- Q. You would not have put your shield down, would you, and gone off without it or would you? - A. We would have come back and then reassembled. As each different charge went on people were moving from position to position as we were running up and sorting out and coming back, so there was no sort of point where I came back and I stood on point X every time. It would have changed.
- Q. Did you start out with gloves? - A. No.
- Q. Any of your unit have gloves? - A. Yes.
- Q. Why did not you have gloves? - A. I had gloves with me but I did not have them on.
- Q. You never put them on that day? - A. No.
- Q. Now, is the reason why on this third charge when you veered off the road across to the bank into the yard, is the reason because at that time you in fact were acting as a snatch squad? - A. No.
- Q. That is to say, what I outlined to you this morning? Some protected Officers and some without shields? - A. No, that was certainly not the intention, no.
- Q. Would it have been wrong to describe you that day as a snatch squad? - A. I was a member of the P.S.U. I was not any other specific task.
- Q. We have been supplied with some details. One is an operational log which applies to your unit, No. 24. I will just read out one little part of it for you. 18.6.84. Front line. Railway bridge. That is the place of deployment. Nature of duty. Short shield snatch squad. Now, as the day progressed
- Q. JUDGE COLES: Well, what do you say about that? Can you make any comment about that? Did you make that log? - A. No, I did not, no. No-one came to me or at any time up there and said you are here as a short shield snatch squad. At no point did anyone ever come to me and say that.
- Q. So if you were a short shield snatch squad nobody told you you were? - A. That is correct.
- Q. So far as you were concerned you did not act as one? - A. That is correct.
- Q. MR. TAYLOR: Well now, in the various parts you have already agreed there was no chain of command, no direct commands and so on, virtually left to your own initiative, discretion and so on. When you went into the scrapyards is not that in fact what you were trying to do, discarding your shield and going in so you had both hands free and trying to get people? - A. If there had been people there

who had committed offences and I was in a position where I could have arrested them it may well have been. There was certainly no intention from the outset to go there purely and simply to arrest anybody who was there.

- Q. I am not suggesting anything devious about it at all. All I am saying is did you think to yourself I am going to go over there or this shield is a bit too heavy? If I can get nearer to people by putting it down that is what I am going to do? Can you remember thinking that? - A. No. I certainly did not go out with the specific intention of locking anybody up. Just a question of going into that particular area to make sure we were not going at any time to be cut off so that area was clear.
- Q. I am just trying to search now for an explanation because it is a bit funny, is not it, the fact at some point you have not a shield and cannot say where it has gone or what you did with it? - A. I did not find it particularly unusual. The situation as it was and as it had developed it was not particularly unusual at some stage to come down - if somebody else might have swapped themselves with somebody else just to give them your shield or whatever.
- Q. Did you look for it afterwards? - A. No.
- Q. Have not you to account for your equipment when you get back? - A. Once we would have cleared from there there would have been a system whereby all the shields and equipment would have had to be accounted for, yes.
- Q. What did you say? - A. I did not say anything because nobody asked me about it.
- Q. So you were lucky? - A. Possibly. At the end of the day providing there is X amount of short shields and X amount of long shields or whatever the case may be.
- Q. In this case there would have been X minus one? - A. Obviously not because nobody came looking for it.
- Q. All right. Now then, you say you got injured as far as you can remember at 11.25? - A. It was roughly round about that time.
- Q. How do you know that? - A. Working from the various incidents we had been involved in and picking it up and it is a guess more than anything.
- Q. Can I ask you this? You have already told the Court as far as you can remember when you went up from the holding area at the bottom where you would be in a position up to the bridge when you were first called up you thought that was about half-past-10? - A. 10 to half-past. Something like that.
- Q. 10 to half-past. Something like that. The whole operation

then, these four charges and then the mounted, took about an hour? - A. An hour and a half maybe.

- Q. Is that how you arrive at 11.25 or 11.30? - A. Based on the timings from when we set off from Nottingham in the morning bearing in mind the early time we set off. The distance we travelled. We arrived at the point at the bottom. It was just an estimation of the time of the events that had gone
- Q. Do you remember what time it was when you got into Rotherham Hospital? - A. No, no.
- Q. Well, listen. I will read out the rest of this log, where it says 18.6.84. Place of deployment. Front line. Railway bridge. The time is also on here and it says 11.25. Now, if this log is right, the bit I have just read out, does that mean you were deployed, place of deployment, front line. Railway bridge? Time. Does that mean you were deployed at 11.25? - A. If that is what that says that is possibly correct.
- Q. Yes. No-one would criticise you for being even an hour out on a day like this. If you were summoned up as a group from your holding area up to the bridge I suppose it must be the Inspector or somebody, whoever, filled this out? If he is right he would have got there at 11.25? - A. That would have been more or less correct, I should imagine, yes. We were deployed up there from the person who was in charge of the whole operation so I should imagine somewhere along the line it would have been recorded.
- Q. Right. Now then, you have done that. You have gone back. That is, gone into the scrapyards and come back out again. Did you reform at the bridge again behind long shields? - A. Yes. We came - this was the point where myself and my colleagues had at that point sort of ended up in between the advancing mob and the Police cordon back on the bridge.
- Q. You and your six men had to go back? - A. That is right.
- Q. Throughout this time can you recall a man with a white shirt and megaphone being around the area throughout the whole of this? Not throughout the whole but you see him now and again? - A. It is quite possible I may have seen him. It does not spring to mind immediately as having seen him.
- Q. The fourth charge then. This is when you noticed a bit of blood on your hand. You are going to do the fourth charge. What was the instruction given to you? Charge, was it? - A. As previously, just heard charge and off we went.
- Q. Long shields as well, everybody moving up? - A. The same

as before.

- Q. Can we take it then you did the same sort of manoeuvre, going up to about the tree you have shown us on photograph 7? - A. It would probably have been probably further on than that, having looked at the photographs and gauging the distance. It would probably have been, from where we ended up at that point, it would have had to be further going on towards the terraced houses.
- Q. Would you look at photograph 7, please, again or 6? No, 6 is round the corner. Look at photograph 7. I think that is the only one we can use. Maybe 8. I do not know if you got up that far. Perhaps you can tell us? - A. We must have done to enable me to go down the entry, as I say. Hang on, sorry. This is the charge before? That is right?
- Q. JUDGE COLES: Charge before what? - A. The charge before the horses.
- Q. Yes. - A. Sorry. I am a bit confused. No. As far as I can recall we did not get up that far.
- Q. MR. TAYLOR: No. So charge No. 4 then going up to about the tree again, that sort of thing, is it? - A. I should think so. It would have been roughly round about there.
- Q. You regrouped there? - A. Yes, yes. We regrouped there then and then came back down.
- Q. Then came back to the bridge again? - A. Yes.
- Q. When you are back at the bridge for the last occasion. Now then, we will move on to the time the mounted come through. Was there a long snield cordon across the road just before the mounted came through? - A. As far as I can recall, yes.
- Q. And then what was the position behind those men? Was there a cordon of policemen - I mean ordinary policemen now - or were the short snield Officers immediately behind the long shields? - A. There were the long shields, some short shields, Officers there with no shields, just a general conglomeration of Officers up to the men. The long shields were to the front.
- Q. Right. I understand that. Were the shields that were at the front simply in an upright position or were there some over needs at this stage? - A. It was possible there were some over heads. I am just trying to recall. As far as I am aware there were possibly some overhead. I do not think there was a full line of shields across overhead.
- Q. No. When the horses went through were you already behind the horses as they came up to the rear of the long shields?

- A. No. As the horses started to come through we parted ...
- Q. Yes. - A. then so we went back either side of the bridge. Then the horses came through past us.
- Q. Then you and the other short shields, what did you do then?
- A. As the horses went through we then followed on, backing up the horses.
- Q. Right. You still had no shield? - A. That is correct.
- Q. Did you have a baton? - A. I had my own baton, yes.

JUDGE COLES: When you were asking your question a few moments ago, Mr. Taylor, about overhead shields were you intending that to be when they were at the brow of the hill before the horses or when they were at the bridge at the time with horses?

MR. TAYLOR: At the bridge, Your Honour.

JUDGE COLES: At the bridge. Thank you very much.

- Q. MR. TAYLOR: When those horses came through can you remember roughly how many there were? - A. No. They just came through and they went. We never even saw them assembling the rear. It was just a matter of parting and then the horses came through.
- Q. Just before they came through did any horses come back down the hill towards the cordon? - A. No.
- Q. So this was the first use at the bridge of horses? - A. Since I have been deployed there, yes.
- Q. Since you had been deployed there. And you had been there about an hour? - A. Or so, yes.
- Q. Or more? - A. Yes.
- Q. And what speed did the horses go up the road after they had come through the cordon? - A. They went through at a canter.
- Q. Everybody in front then ran away? - A. They certainly did.
- Q. Did those horsemen have their batons drawn? - A. As far as I can recall, yes.
- Q. Now, on this occasion you say you cannot remember the number of horses and I would not try to tie you down to a specific number obviously, but would the number have been in the region of a dozen or more? - A. Difficult to say. There could have been more. There could have been a dozen. There could have been 20. I just do not know. They just went past us and we just followed on.
- Q. It is just some sort of idea of the scale of things. Whether there was 12 or 20, it might be difficult to say.

Would there have been a lot more than that? - A. I do not think there would have been more than that. There was probably somewhere round a dozen to 18 possibly.

- Q. Now, as they were going up the hill did they have any formation at all? - A. I am not aware of any tactics the mounted branch have. As far as I could see they just galloped up the hill the same as we had run up previously.
- Q. They did not have a line formation or go up in twos or anything like that? - A. Not that I was aware of, no.
- Q. They just go up the hill in a mass and you follow in a mass? - A. That is right.
- Q. Can you recall on this occasion as you followed the horses whether there were any long shields or short shields in that? - A. I do not know, at this stage as the horses had gone through. I did not have any shield myself. I just followed the horses through. Who was behind me I do not really know.
- Q. Were you again following the horses one of the front men? - A. Yes.
- Q. Is there any particular reason if there is no real formation about it why you should have been in the front or is that just where you happened to be? - A. Not particularly. That is just the way it ended up.
- Q. Right. You told the Court about one obstacle that was above the bridge. That is the wire. As the horsemen went up and, indeed, before that on your four previous charges, had there been any obstacle in the road? - A. There was, as far as I can recall, there was a car that was pushed down from the embankment down into the front of the road. It did not cause any particular obstruction to us at that particular time.
- Q. Was it on the tarmac or was it on the grass verge? - A. I think it was a bit of half and half from what I can recollect.
- Q. And at what stage can you recall that being there? Was it there, for instance, on your first charge up? - A. No, no.
- Q. Was it there on your second? - A. I can recall seeing something there on the charge when we went through with the horses.
- Q. Yes. - A. I do not recall having seen it there before. It certainly was not there on the first charge.
- Q. Was it there when you went over the grass verge into the scrapyard? - A. No, I cannot bring it to mind of it being there.

- Q. JUDGE COLES: The first you were aware of it was when you followed the horses, you say? - A. That is correct, Your Honour, yes.
- Q. MR. TAYLOR: Now then, perhaps I could just follow you up the hill, as it were. The horses are going up. They reach the brow of the hill. Did they stop there? - A. No. They carried straight on as far as they could go.
- Q. And when you got to the brow of the hill, which I am assuming you did, did you? - A. It would have been some time after the horses bearing in mind the horses were a bit faster than we were and they had gone through - there were people scattering out of the way.
- Q. Yes. - A. I can remember seeing one or two people in front gardens by the houses up on the right who presumably jumped in there to get out of the way of the horses and once the horses had gone past they were then jumping back out to go on their way.
- Q. Would you be good enough to take this exhibit again? This is No. 9, I think it is. It is the one we have been using just showing the road. Would you look at No. 8 first of all, please? - A. Yes.
- Q. You see the lamp post just left of centre? - A. Yes.
- Q. There is that little handwritten V.W. Spares sign. Can you see it at the bottom? Photograph No. 8. Difficult to pick out, I know. - A. Yes. Right at the top just by the bottom of the telegraph pole.
- Q. That is right. You have got it. I am just imagining now the horses going up to the top and you following behind. Can you recall whereabouts in the road you were running? - A. I was right over on the right-hand side.
- Q. By the pavement? - A. Yes.
- Q. And going up in that sort of area? - A. Yes.
- Q. All the way up on the roadside? - A. Yes, on the pavement.
- Q. If we turn over to photograph No. 9 you can see that V.W. Spares sign again? - A. Yes.
- Q. And we are obviously now, because we have past that little bungalow on the right, just coming over the brow on to the flat bit? - A. H'm, h'm.
- Q. When you reached that point can I ask you to say if you can, if looking at this photograph helps you, where the horses were? - A. The horses were at this stage a little bit further down. I do not think they got down quite as far as the road direction sign on the left. They may well have been in that area somewhere between the top of the hill and that area.

- Q. What sort of grouping were they in? Were they altogether or what? - A. I do not really recall. Somewhat scattered, as we got to that point. I had been down an entry and I had come back out again and I remember looking down that road and all I could see as far as I could see was a mass of people and I was absolutely amazed at the amount of people actually there at that stage.
- Q. Were the number of people there - you say you were amazed. You had been there for an hour? - A. Yes.
- Q. And you had been confronting people. You have given a figure two to three hundred. That is the sort of figure you were naving this shunt up and down the hill with. Right? - A. H'm.
- Q. When you got over to the top of the brow then were there people as far as you could see? - A. That is right, yes.
- Q. Was it the fact of those people being there in such numbers that stopped the horses from progressing? Had they reached the mass of people? - A. I do not know for what reason they stopped. Whether it was because they were satisfied with the distance they had gone back or whatever I do not know. It could well have been the sheer weight of numbers.
- Q. JUDGE COLES: But they had stopped, had they? - A. Yes Your Honour.
- Q. MR. TAYLOR: You say you reached the brow? - A. H'm, h'm.
- Q. How many P.S.U.s now are behind or how many men because probably in ranks? How many policemen then with riot gear were following the horses over the brow? - A. It is difficult to say. There were a lot of Police Officers. How many I do not know. It could have been difficult to say because as we had gone in with the first rush and sort of got to that point there were Officers still following us up the road behind us and there was just a mass of Police everywhere.
- Q. You see photograph No. 8? You see there is a man on it at the top walking into the entrance of that little firm's premises? - A. Yes.
- Q. Were there people and Police Officers in that area when you first arrived at the top? - A. No. There were a few individuals still knocking about, yes.

JUDGE COLES: That is when you got by the top - when you got to the brow of the hill the first time?

MR. TAYLOR: Yes. Following the horses.

JUDGE COLES: Following the horses.

- Q. MR. TAYLOR: The horses were not quite as far as the

- sign we can see? - A. H'm, h'm.
- Q. Were there people in the area between the horses and you?
- A. There were a few individuals knocking about, yes.
- Q. And what were they doing? - A. There were a few individuals being taken back towards the bridge by other Officers. As I say, whether they had been arrested or injured or not I do not know. And other people were just milling about.
- Q. JUDGE COLES: Are we still talking about the area where the man is shown in photograph 8? - A. Yes.
- Q. MR. TAYLOR: You were on the other side of the road, on the pavement side? - A. H'm, h'm.
- Q. Can you point again, please, using a pen or whatever at the place you say you had been down an alley? - A. As far as I can recall it, it would have been somewhere round about at the bungalow and we - or two semi-detached houses there, the next group, the gable end of the terraced properties, as far as I can recall, between the semi-detached and the gable end of the terraced properties. There was an alleyway down there which went to a field at the back.
- Q. If we look at photograph No. 9 we can see the property, I think, which you have just pointed out the gable end of. So are you saying that the alleyway you went down would have been slightly off the picture on photograph No. 9 to the right? - A. Yes, as far as I can recall it was, yes.
- Q. Now, were you the only Officer to go down that alleyway?
- A. There was a couple of lads behind me. I just went down. Had a quick look. Nobody there. A few people walking through - do not know whether cornfield, whatever. Certainly some crop in it. They were walking across and away to our left.
- Q. Right. So you went in. Were you the first Officer to go in down that alleyway? - A. Quite possible as far as I was aware.
- Q. And you were followed by a couple more? - A. Yes.
- Q. Did those Officers have shields? - A. Not that I recall.
- Q. Did they have helmets, riot helmets? - A. Yes, they had their helmets on, yes.
- Q. And did they have batons? - A. As far as I am aware, yes.
- Q. But you cannot remember them with shields? - A. No, no.
- Q. Well now, when you went down there how far did you go? - A. It was only a matter of a few yards really.
- Q. And when you came out, back out into the street, what was

the scene you saw? - A. The horses had gone through. There were Police Officers milling about, one or two individuals still knocking about and the area of the road was strewn with all the debris and everything else and it was probably quieter than it had been for some time.

- Q. From the time when you first came up to the top of the hill and the horses in front of you and so on, when you came out of this alleyway were the horses still on your right or coming back by now? - A. No, they were still down at the bottom.
- Q. When did they come back? - A. From that point I then left the area and made my way back to the ambulances at the rear of the bridge
- Q. Yes. Well now - A. and it was while I was sat in the ambulance that the horses in fact came back to regroup on our side of the bridge.
- Q. Right. Pause there for a moment. While you were in the village at the top of the brow of the hill did you see any Officer, either mounted or on foot, strike or attempt to strike any of the demonstrators with a baton? - A. No, not that I can recall. As I say, I saw some Officers coming back with people.
- Q. Yes. - A. As to how they had detained them I do not know.
- Q. You saw them after they had been arrested, people coming back? - A. We had gone through. There were a couple of people in one or two of the front gardens. They leapt out, went down the alleyway and came back and then it was all a little bit more peaceful than it had been.
- Q. Of the people you saw being brought back were a number of them clearly injured with blood on their heads that you could see? - A. As I can recall there were one or two, I think, who might have been.
- Q. There were one or two? When I asked you the question if you had seen any Officer strike or attempt to strike any demonstrators you took your time about it and I am not criticising you for that. It is important to be accurate. But are you telling the truth about that, that you did not see anything? - A. I am positive.
- Q. Did anybody get in the ambulance with you? - A. The only person in the ambulance at the time I went in was another Police Officer.
- Q. Do you know who he was? - A. I do not, no. I think he was from - not sure whether he was from Avon and Somerset or something.
- Q. You did not have a chat to him about where he had come from or who he was or anything like that? - A. No, no.

As we left from there we did pick up an injured fellow a little bit later on at the bottom down by Poplar Way.

- Q. The only other question I want to ask you is this. When you were coming back down, you made your own way back down the hill, the horses were still up there when you came to the Police cordon and went through it, was the ambulance immediately on the other side, on the coking plant side of the road? - A. There were several ambulances just parked up on the left opposite the coking plant.
- Q. Opposite the - A. Yes.
- Q. The coking plant side of the bridge, were they? - A. In between the bridge and the coking plant, yes, it would have been.
- Q. Right. When you came through the cordon and were making your way down to the ambulance did you see any mounted Officers? - A. I do not recall having seen any, no, at that stage. As far as I was aware they were still back up.
- Q. The mounted Officers in the village might not have been all of them? - A. I do not recall seeing any back there.
- Q. You do not recall.

MR. TAYLOR: Thank you very much, Mr. Kearns.

THE WITNESS: Thank you. Sir, can I have a sip of water, please?

JUDGE COLES: Of course.

Cross-examined by MR. O'CONNOR:

- Q. Just like every Police area in the country you have your own Force Regulations on Merseyside. Is that right? - A. Yes.
- Q. And you have some regulations dealing with truncheons and their use? - A. Yes.
- Q. Can you tell us what your Force Regulations on Merseyside say about that? I do not expect you to recite it word for word obviously but the gist of it as you have it in mind. - A. If it is necessary to draw your baton to use the baton it is minimum force and if it is necessary to strike somebody with the baton it should be either on the arms, legs or shoulders.

JUDGE COLES: Yes.

- Q. MR. O'CONNOR: And is it left to you to decide when it is necessary or is there any guidance you can recollect as to when it is necessary according to the rules? - A. It is necessary force - minimum force necessary. If it is effecting arrest or whatever it is minimum force so it is

left down to the individual to decide his own use.

- Q. You had gone, had you, from Merseyside to Nottingham, did you say? - A. That is correct.
- Q. You had gone on the Sunday, had you? - A. We left Sunday lunch time, yes, from Merseyside.
- Q. Did you know then you were going to South Yorkshire ultimately on the Monday? - A. No.
- Q. You did not? So you first learned on the Monday morning, did you? - A. I did not know myself until we had actually got up there.
- Q. I see. Now, you are from a metropolitan Force and you tell us of your training. Did you understand that you or colleagues in your P.S.U. were to be a short shield unit that day? - A. As far as I can recall the only shields that we took out of the equipment van were in fact the short shields.
- Q. Right. I certainly do not mind you saying that. I was going to ask you about that. You had a separate vehicle with your equipment in? - A. That is right. We had two Transit vans for carrying personnel and an equipment van for carrying the necessary equipment.
- Q. In that equipment van there were also long shields, were there? - A. Yes.
- Q. You would carry your truncheons on you as part of your uniform any way as you were travelling? - A. Yes.
- Q. Keep any other equipment? - A. Shin pads and a fire extinguisher.
- Q. Let's put it this way. Your state of mind. Would you have been very surprised to have been deployed during the course of that day without any shield at all? Did you expect, in other words, to be used as a shield carrying unit? - A. No. We just expected to be used for whatever use was required of us whether that be short shields, long shields or whatever.
- Q. Now, this is the first time you had been deployed in practice using a short shield? - A. Yes.
- Q. So can I ask you if you cannot really remember what sort of short shield it was because I do suggest there is quite a difference, is not there, in feel between the Velcro fastened short shield we have seen there and the quite different hold that you would have to have on one of those with the plastic handle, as it were? It even looks different from the front but that would not affect you.

JUDGE COLES: I am probably rather stupid but what

does it matter?

MR. O'CONNOR: Well, I assure you it does as to some questions I am going to ask in a little bit. Would Your Honour bear with me, please:

- Q. Can you really not remember? - A. As far as I can recall it would probably have been this kind. We had both sorts really as far as I can remember. As far as I can recall these were the ones we actually had on the day.
- Q. JUDGE COLES: Which are you indicating? The one with the Velcro? - A. The small one with the Velcro fastening.
- Q. MR. O'CONNOR: When you left your van to be deployed you went on foot up to the bridge, did you? - A. Yes.
- Q. Did all of your unit have shields? - A. No.
- Q. Those who had shields, did they all have short shields or did some have long shields? - A. The shields were short shields.
- Q. How many - again I obviously do not ask how many literally in terms of numbers - but what proportion did not have shields at all? - A. Probably about half.
- Q. Did any of those go on any of the five advances you have described with you? - A. More than likely.
- Q. Well, do you remember? - A. I do not remember faces or people who were actually with me - it was just other Officers - bearing in mind we have all got helmets on with visors down and it is sometimes difficult to recognise who you are stood next to unless you know of course his Force number. Then you know who he is.
- Q. So you cannot recollect a specific picture you have in mind of Officers without shields working with you on any of those five advances? - A. We had just gone up to reinforce the people who were already deployed on the bridge.
- Q. You cannot recollect them operating and performing any particular function beyond the bridge? - A. We just went up and then came back more or less as we had gone through. I do not recall individuals who I was with or who I spoke to or whatever.
- Q. Can I ask you? You end up in your van and have to wait for a while at the coking plant entrance. Is that right? - A. Yes.
- Q. You have to wait a while there? Is that correct? Can you just help us with the position of the Police lines on the top side when you first arrive at the coking plant

entrance and begin to wait there? Were they quite close to you or were they up the field somewhere? - A. There were Officers up on the bridge and Officers back down from the bridge. In the general area of the bridge there were Police Officers in that area. There were some people I remember specifically walking back from the Police lines and as far as I was aware they had at that stage just been relieved from whatever particular duty they were engaged on at that time and I can specifically remember them walking back down towards - there were some buildings on the left, the headquarters I believe it was of the coking plant, and it was shortly after this period where we were then asked to deploy and reinforce the Officers up on the bridge.

- Q. Again if you cannot help us please say, but roughly how long were you waiting in the van there before you were called out? - A. Probably somewhere in the region, 20 to 30 minutes.
- Q. During that time there was no action going on in the top side field? It looked to you as if Officers had already reached the bridge? Is that right? - A. Yes.
- Q. Good. Can I ask you to look - I am going to ask you about your going up to the bridge and your arriving there - at Exhibit 24 which I do not know if you have that there? It is bundles A, B and C. Could I ask you to look at photograph 3 of Bundle A in there? Now, we see a fence in the foreground and we obviously see the bridge and this is taken from the coking plant side? - A. Yes.
- Q. Is that the sort of scene - does that bring back to you - you saw as you arrived at the bridge for the first time from that side? - A. That was something - yes, that would have been something like how it was, yes.
- Q. Do you recognise any of the helmets or equipment on any of those Officers? May I help you? Obviously we can eliminate the ordinary helmets in the foreground. - A. Yes.
- Q. But just beyond them you see Officers in riot helmets? - A. Yes.
- Q. Just in the middle about half-way between the two lamp posts we can see obviously an oblong short shield with some black edging to it, dark edging. Looks as if it could be quite similar to the Velcro shields. Do you see where I mean? - A. I can see a shield. Whether dark edging I do not know.
- Q. Does that look like one of your Merseyside Officers or not? - A. The helmet, the way the protective flap comes down at the back, they are certainly very similar.
- Q. Right. And the position of the cordon there appears to be on the bridge obviously but just on the coking plant side?

Do you see? - A. Yes, yes.

- Q. Were you ever in the front line at the bridge without a cordon of long shield Officers in front of you? - A. No.
- Q. No. And so when you charged did you charge through a long shield cordon which was positioned roughly in that position probably at the beginning of the metal part of the bridge or between the two highest coping stones? - A. By the time we had actually been up and deployed on to the bridge we had in fact edged forward to the far side of the bridge. That was the line we were holding. In a similar position to that but on the other side of the bridge.
- Q. By we do you mean with long shields in front of you or not? - A. Yes, there were long shields deployed.
- Q. That would happen as a preparatory matter just before you charged or not? - A. No, because as I say once we had got there we did stay there for some time.
- Q. Could I ask you to look at a different photograph because it may again just ring a bell with you?

MR. O'CONNOR: And it is Exhibit 21, Your Honour:

- Q. Again Prosecution produced photographs and it is photograph No. 3, is from Mr. Christopher. I know you are nodding your head. May I ask you a question? Is that perhaps you do recognise that scene? - A. No. I can sort of see the scene as it is. It sort of does bring back some sort of memories of that particular day.
- Q. If you look quite carefully, the left-hand coping stone of the coping stones shown there, then you get two Officers, do not you? - A. Yes.
- Q. Then you get a group of four Officers and the one nearest the camera obviously has one of these Velcro shields, does not he, because you can see the angle and width of the plastic at the front? Do you see? - A. Yes.
- Q. As opposed to the plastic on the other ones which is different, is not it? - A. Yes.
- Q. Perhaps I could be spared having to lift it up. Do you think that could show one of your charges from the bridge? - A. It is quite possible. There were in fact a lot of Merseyside Officers there on that particular day so it could well be. Certainly appears to be.
- Q. Now, you described that first charge and I will come to that. Not going to dwell for any length. But just one aspect of your account you gave to my learned friend for the Prosecution of this first charge. You described people scattering to left and to right, I think you said,

and you mentioned a small wall. Then you also mentioned people scattered through a little industrial area? - A. Yes.

- Q. You have just gestured with your left hand. You told us Officers did go in that direction as well to flush them out? - A. No, I had not been in there before and whether anybody else had been in there before I do not know up until that stage when I went in there.
- Q. Well, you certainly did not say you went in. Can I make that clear? - A. Yes.
- Q. Not suggesting you did. You told us on this first charge in answer to my learned friend Officers did go in that direction as well to flush them out. I am asking you about that because I am wondering what happened to them, to those Officers, because you have never described them coming back. - A. I would assume they got back safely because once the charge had finished we would obviously then regroup.
- Q. You have described your retreat and in front of you, 30/50 yards ahead, the stone throwers are coming back at you? - A. H'm, h'm.
- Q. And so if you are at the front you would see these Officers coming back, would not you? - A. Not if I had gone - if they had gone to the left and I had gone to the front, if they come behind me not going to see them.
- Q. You have only gone 50 yards? - A. Or so.
- Q. Or so. - A. Perception of times and distances in that situation is a little bit out.
- Q. You were saying there, were not you, Officers went in that direction as well to flush them out? You clearly meant ahead of you and to your left, did not you? - A. I meant out to my left. That little area where we had gone up the road Officers went left. Could not go right. A brick wall there. As I recall the brick wall, bit of a drop over the other side into a field.
- Q. That is to the right, is not it? - A. Yes.
- Q. That is nothing to do with this? - A. That is right. There were people going up left and
- Q. The second charge was the same as the first. You go 50 yards or so. You stay on the road. Yes. You do not fall over. You dodge the wire? - A. H'm, h'm.
- Q. You do not fall over. Right? - A. No, no.
- Q. You do not have any physical contact with any demonstrator? - A. No.

- Q. How could it come about then, please, on that second charge that you got separated from your shield on that second charge? - A. On the point where I became separated from my shield, whether it was - there was the third one where I had received my injury. Had it on the first one. Where it went to for the second one I just do not know.
- Q. Let me suggest it is most unlikely if the second charge was as you describe a straightforward advance of 50 yards or so and then a retreat, most unlikely any of the possibilities you have canvassed about how you could become separated from your shield should take place on that charge in those circumstances on the road, is not it? - A. I would hardly say it was straightforward. I just do not know where it went.
- Q. Let's go through a number of possibilities. You agree you have a Velcro shield. Tell us you attach to your forearm. It is unlikely it could just accidentally fall to the ground? - A. It has certainly not done that.
- Q. Certainly not accidentally. Unlikely on a 50 yards or so quite limited advance up the road you would find it necessary to take it off and put it to one side? - A. The only thing I can think of is that having used the shield in the situation and having missiles and that, it does get tiring after a time when you are throwing your arm up to deflect missiles or anything else. Maybe I gave it to a colleague just to give me a bit of a break.
- Q. You have already told us you certainly cannot recollect any colleague being with you beyond the bridge without a shield, have not you? - A. No, from the front line where we have the big shields and then the second line there were shields. Officers stood there with shields; without shields. Officers there with shields and without shields. The front line was certainly shielded and the second line had shields or some did not have shields.
- Q. Let me put three aspects of this third charge to you. By the end of the third charge you have become separated from your shield. Yes? - A. H'm, h'm.
- Q. Secondly, you have sustained an injury to your hand, your left hand? - A. Yes.
- Q. And thirdly, you have described that third charge in your own words as a little skirmish? - A. I do not recall having said skirmish.
- Q. You did.

JUDGE COLES: I do not recall the word little skirmish

MR. O'CONNOR: He did in chief to my learned friend. Myself and six or seven colleagues who had done this little skirmish went back.

THE WITNESS: That was the little - into the little industrial

Q. MR. O'CONNOR: Exactly. That is the third charge.

Q. JUDGE COLES: Yes. You are talking about the detour into the - A. That is right.

MR. O'CONNOR: That is right:

Q. So by the end of the third charge you become separated from your shield. Yes? You sustain an injury to your left hand? - A. H'm, h'm.

Q. Was it you were involved in a little skirmish?

JUDGE COLES: Are you putting something or are you enquiring?

MR. O'CONNOR: I am enquiring.

THE WITNESS: The injury occurred as we were going back to the Police line from the bridge so I never actually got close enough to anybody to receive the injury personally off another person.

Q. I know that is what you are saying and I am enquiring to see if that is the whole truth, you see. - A. If it was not I would not say it.

Q. Well, what you have described as happening is an unsuccessful chase to a fence, people climb over it, clear people out and you went back? - A. It would hardly be successful.

Q. Successful in clearing people away. It was unsuccessful in the sense you did not catch anyone? - A. We did not go out there to catch anybody.

Q. I won't dwell on your use of the word not catching anybody.

JUDGE COLES: He has said once or twice the purpose of that visit was to drive out anybody who may be in there in case they cut off the retreat of the Forces as they went back to the bridge.

MR. WALSH: With respect, I think it is time if my learned friend is making certain allegations against this Officer he got on and made them.

JUDGE COLES: That is why I intervened a moment or two ago to ask whether something was being put or asked about. I am bound to say I wonder just how much this detailed information - as far as can be seen does not affect any individual accused - is assisting anybody but there it is. I cannot interfere at this stage. We must keep this confined to some bounds, Mr. O'Connor.

MR. O'CONNOR: Yes. I really do not feel I am trespassing too much. My learned friend Mr. Taylor has put and I agree with him - I am putting it in a slightly different way - a very odd aspect of this Officer's evidence and trying to see if there is not an explanation for it and I am suggesting there is.

JUDGE COLES: That is just the point. If you are suggesting to him that the explanation for something that is odd is something different from the evidence he has given then we would get on much more quickly and satisfactorily if you suggested it instead of not making it clear.

- Q. MR. O'CONNOR: I have made clear three reasons why I am putting this suggestion. I suggest you used the words little skirmish deliberately and it meant something? - A. It meant an explanation as to how we ended up at that little point. That is all.
- Q. So what you have actually described as happened was not a skirmish; it was merely you chasing some people out of a yard? - A. We had gone into the yard just to make sure, as has been previously explained, there was nothing untoward going on in there. We went in and came out.
- Q. You still assert then, do you, the injury to your hand, the separating from your shield and the use of the phrase little skirmish still means I did not come into physical contact with any demonstrator? - A. That is correct.
- Q. One final question. You have been asked about one or two aspects of your training, your military training. You had used batons and long shields when you were in the Army? - A. Yes.
- Q. Had you also been trained in the use of noise in certain situations? In other words, if you wanted to create a situation where people would voluntarily leave an area and there was disorder, by banging your baton against shields so that people would leave? - A. No.
- Q. The use of noise like that? - A. No.
- Q. That is not something you came across? - A. No.
- Q. Which regiment were you in? - A. The Royal Artillery.

MR. O'CONNOR: Thank you.

- Q. JUDGE COLES: They have a rather more efficient way of making noise? - A. Yes.

MR. O'CONNOR: Not as yet used in densely populated areas of Northern Ireland.

JUDGE COLES: Or Orgreave, fortunately.

MRS. BAIRD: I shall be longer than four minutes.

JUDGE COLES: You always seem to be rising to your feet with a few minutes to go. Not going to pressurise you to cross-examine this afternoon. I am bound to say unless we make healthier progress than this I am going to have to start reviewing Friday afternoon.

MRS. BAIRD: I do not mind at all starting.

JUDGE COLES: What can you achieve in four minutes?

MRS. BAIRD: Very little.

MR. REES: Could I on the question of the timings

JUDGE COLES: And there is always something

MR. REES: It would seem to a number of Counsel the Court could perhaps assemble all of us a little more promptly. There tends to be a tendency not to be thinking about arriving until the time we are meant to start.

JUDGE COLES: It always happens when you have a large number of Counsel. Not saying time gets wasted. People always have things to talk about. Would be of great assistance. Bound to say there are occasions when I never in the wings rather longer than I might wish.

MR. REES: So do we.

JUDGE COLES: That is one of the dangers of the short breaks we have. I know the jury welcomes them and I think probably we get a little more done as a result of being refreshed by them. I think it does behove us to be somewhat stricter about getting back into Court. Unless we do behave rather more strictly I am going to have to review the arrangements because this case really must progress.

MR. GRIFFITHS: I am in danger of having hails of missiles at me. May I float the possibility one starts at 10 o'clock; goes on to at least quart-to-five? Quite happy to start at 10; go on till 5.

JUDGE COLES: I am only conscious I know some Counsel in the case come from some distance away. It is not always easy to do that. Certainly we will bear that in mind. Shall we start on Monday at 10? I have another case any way.

MR. WALSH: Your Honour has already told us Your Honour has a case.

JUDGE COLES: I have a case any way.

MR. GRIFFITHS: I was thinking of Tuesday.

JUDGE COLES: Quite astonishing how Counsel who come from London or wherever often find it difficult on Monday morning.

MR. GRIFFITHS: I made that 10 o'clock suggestion. I do travel on some of the days per week from York. I am quite happy to come by 10 o'clock.

MR. WALSH: May I make a suggestion? Speaking admittedly on behalf of the locals, we would be happy to sit at 10 every day. Might it be a better compromise for my learned friends perhaps on Monday if it suits them to start at 10.30 and go through till 5 and then on the other days when they are all bound to be up here now we could start at 10?

JUDGE COLES: That is the most sensible thing to do. We will proceed as planned on Monday and work on to the usual quarter-to-five.

MISS RUSSELL: Can I make another suggestion? Probably get on everybody's nerves. It does occur to me we have an hour-and-a-quarter for lunch. We have tended to break at 1 and sit again at 2.15. I do not know how much inconvenience it would be, particularly bearing in mind we do have breaks

JUDGE COLES: No inconvenience certainly to most people. The only trouble is - I do not know - you go out of the building for lunch, do you not?

JURY MEMBERS: Get something.

JUDGE COLES: We can certainly shorten the lunch hour if that be so. I see nods of approval. Yes. Very well. We will reduce it to an hour or perhaps an hour and five minutes. So on Monday we will sit in this case no earlier than quarter-to-eleven but we will go on till 1 o'clock, start again at 2 and finish at a quarter-to-five and see how we get on starting at 10 on the following

MR. WALSH: Could I just mention one matter in connection with that? The one problem about the lunch hour is that the facilities in this building

JUDGE COLES: Limited.

MR. WALSH: are very limited and there are not enough facilities for everybody to get something. That means a proportion of people have to go out. If it is Counsel that have to go out they have to get changed before they leave the building and the number of places

within a moment or two of here again are limited. It may just be that the easier course is to have the longer hours morning and afternoon. We can obviously trim five minutes or so off the mid-day adjournment but it might not be easier to do it any moreso without putting pressure on the facilities in this building they could not cope with.

JUDGE COLES: You just expressed very well the reasons why we have an hour-and-a-quarter adjournment. It is one I have always subscribed to. Been at the Bar recently enough to understand the difficulty but we will see how we go. Certainly make it between an hour and an hour-and-a-quarter. See how we go.
