

IN THE SHEFFIELD CROWN COURT

The Crown Court,
Castle Street,
Sheffield

12th June, 1985.

Before

HIS HONOUR JUDGE GERALD COLES, Q.C.

REGINA

-v-

WILLIAM ALBERT GREENAWAY

AND OTHERS

APPEARANCES:

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

For the Defence: See Attached Sheet

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Sheffield S1 2DX

Defendants and Representation:

DEFENDANT

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 WY SOCKI

DAVID BELL

REPRESENTED BY:

MR. G. TAYLOR

MR. M. MANSFIELD

MR. M. MANSFIELD

MR. P. O'CONNOR

MRS. V. BAIRD

MISS M. RUSSELL

MRS. V. BAIRD

MR. E.P. REES

MR. P. O'CONNOR

MRS. V. BAIRD

MR. P. GRIFFITHS

MR. M. MANSFIELD

MR. E.P. REES

MISS M. RUSSELL

MISS M. RUSSELL

Wednesday, 12th June, 1985.

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(In the Absence of the Jury)

MR. WALSH: Your Honour, the Jury is out so I can deal with a matter that seemed to engender a little enthusiasm round about the close of play last night.

JUDGE COLES: The medical reports?

MR. WALSH: Yes. I do so in the absence of the Jury and in the presence of the Defendants so that they can all hear what I have to say. Your Honour, the documents that were exciting my learned friends, or one of them - pink in colour - are not the medical records at all. What they are is as follows: Your Honour will be familiar with the fact that from time to time, when incidents occur that result in casualties happening or perhaps being anticipated, if they are newsworthy or not, sometimes the telephone number is given so that relatives can ring in to find out if anyone they know is either injured or has been heard of or whatever. The Police have printed, for their own use, a series of forms which they lodge at local hospitals. If a major incident, or an incident that might involve injured persons, occurs, a Police Officer, or more than one, goes to the local hospitals, has these forms at his disposal and as and when any casualties come in he, either by speaking to the casualties himself, or in the unfortunate situation that the casualty is not in a position to speak, obtains such details as he can about the name, address, telephone number, relation, that sort of thing, of the casualty, whoever he may be. He also makes a very brief note insofar as he can himself discern of the nature of the injury, whether the person is detained or discharged. He makes this note on this pink form and as soon as he can, telephones the details to the Police Incident Room so that the Police have a record in case anybody 'phones in saying, "Have you heard of Joe Smith?", or whatever. Insofar as we have, in these pink forms, documents relating to one or other of these Defendants, we have shown them to the Defence. The remaining documents don't relate to any of these Defendants. So, that is what they are. They are Police records. They are not confidential medical records.

MISS RUSSELL: I hear what my learned friend says. It seems manifestly obvious that these forms contain certain things that can only have come from hospital records. Those instructing me are at the present time making enquiries at the hospital and I would like to reserve my position so far as this matter is concerned, and I think certainly my learned friend, Mr. Griffiths, has a similar interest.

JUDGE COLES: But you have been shown various documents.

MISS RUSSELL: Yes, I have been shown the documents that relate to the clients that I am, at the moment, concerned with and insofar as Mr. Newbigging is concerned, because I am looking after his interests.

JUDGE COLES: Still doing two jobs today?

MISS RUSSELL: Yes. Until I have the result of the enquiries at the hospital I don't want to take the matter any further at this stage.

JUDGE COLES: Very well. I will listen to any applications you have to make later.

MR. GRIFFITHS: May I mention a completely separate matter? I was contacted by chambers this morning concerning a pre-trial review involving quite a large case that is in Cardiff Crown Court. This affects my learned friend, Mr. Taylor, as well. I had, in fact, been told that that was not - that it had been adjourned indefinitely. However, I have now been told that it is listed for Monday next week and the request is that counsel actually instructed in the case attend, if at all possible. I was originally instructed for all of the Defendants. Certainly, I feel, if at all possible, I ought to be there and, indeed, Mr. Taylor as well. I am wondering if your Honour would allow me - I have spoken to my client and explained the position to him and I am sure my learned friend, Mr. Walsh, is aware as we are now approaching the arresting officers, I don't think we will reach Mr. O'Brien for some time anyway, so if your Honour doesn't mind, would your Honour excuse myself and I believe I speak for Mr. Taylor as well?

JUDGE COLES: Yes, of course, anything we can do to help, we will. I am sure Mr. Walsh will do the same. I can see there will be one day coming, Mr. Walsh, when the Defence bench will be empty and we shall all go home.

MR. WALSH: I will call everybody then.

JUDGE COLES: Mr. Griffiths, it is perfectly all right as long as your client is aware of the situation.

MR. WALSH: A wise word in my ear says that obviously the further we go into June and July the greater the problems we have so far as witnesses are concerned.

JUDGE COLES: Holidays?

MR. WALSH: Yes. We would obviously do our best to accommodate the majority within that framework.

JUDGE COLES: Well, clearly nobody can do more.

MR. WALSH: No. Then, we are ready, I think, to continue, your Honour.

JUDGE COLES: There is a Monday which, I must confess, I hadn't thought would impinge on this case, when I won't be sitting. I am not absolutely sure of the day. I will find out during the course of the day and let counsel know as quickly as may be.

MR. WALSH: There is another matter we might usefully mention just before the Jury come in again, purely administrative. There is a day, and it may be the Friday, when it is said that no Courts will be sitting in the Leeds or Sheffield areas because of a meeting and seminar that is taking place. I wonder whether, because there are always special exceptions when these things happen, if your Honour feels that this case could be made an exception to that?

JUDGE COLES: I will see what I can do, because it is a conference at which I am expected to attend.

MR. WALSH: I think I am in the same position, but I know on previous occasions when these things have happened, if they have materially interfered with the length of the case that is running, it has always been possible to get the case to continue instead.

JUDGE COLES: Yes. Well, I think something can be arranged. I will bear those matters in mind.

MR. WALSH: I am obliged.

(The Jury returned into Court)

POLICE SERGEANT SMITH Recalled

Examined by MR. WALSH:

MR. WALSH: Your Honour knows I was going to show this officer something of the video tape.

JUDGE COLES: Yes.

Q. MR. WALSH: Can I just ask you this before we do, Sergeant: Have you seen, at any time, any video film that was shot on this occasion? - A. The only record of the filming which was done at Orgreave is what I have seen on normal television.

Q. You have not seen the Police video film? - A. No.

Q. I think you would find it more convenient to stand perhaps down here or, at any rate, somewhere where you can see the set behind you:

Your Honour, what I am going to do, I have got the film and I am going to show the Sergeant around, in effect, our Reel 4, which is the one that deals with the three-stage move forward up the field, in which he was involved:

What I would like you to do, Sergeant, is, as the film progresses you will see that to begin with the camera is centred more on the field than on the road, but in due course it reaches the road. I would just like to see if

you can, if this refreshes your memory as to what was going on, and I might stop the film at various stages just to ask you a question on identification, that sort of thing, if possible.

MR. MANSFIELD: I don't want to be difficult, but I'm not quite sure this procedure - that is not his document, it isn't his record. I wouldn't normally object to a record, but here we have a version of a film and, "Now, have a look at it. Now, I'm going to ask you a series of questions which, presumably, you are now in a position to answer, having watched the film", which is not quite the same as asking what this officer, what his recollection is. I would suggest it is not a proper approach to a witness.

JUDGE COLES: Not a proper approach to the document?

MR. MANSFIELD: No.

JUDGE COLES: What do you say about that?

MR. WALSH: It is a contemporaneous record, your Honour, and there are certain things that this officer did that I would like to ask him about and at the stage that they were done, and we would submit that it would be perfectly in order for him to refresh his memory from this. It is not a document, it is a record of something that actually did happen.

JUDGE COLES: Recorded mechanically, of course?

MR. WALSH: Yes, just as, for example, other witnesses, without any objection from either side, have been asked to look at this and say if they can see who that was or if this was them and, in fact, I have asked, indeed, another officer a similar question about whether this was his unit or not, his unit.

JUDGE COLES: That is obviously perfectly proper and no objection is taken to that because that is giving evidence about a document, isn't it? But, it is suggested what you might be doing here - I don't know what you will do, but what you might do is to use a document to refresh the witness's memory and to perhaps change his evidence.

MR. WALSH: Well, I wasn't intending to do that.

JUDGE COLES: That would be challenged. I hadn't thought it through, but that would be challenged

MR. MANSFIELD: If my learned friend intends to say, "Look at that. Can you tell us who they are?", I don't object to that.

MR. WALSH: What I will do, and I will do so just before the film begins, so the officer doesn't look at something before or whilst I say it, I will show him the events as they unfold. There will be certain stages where

we hear a command given and we see some people moving into position. I shall probably stop the film there and ask him, for example, if that was his team going into action or not, and then there is a later stage about which I shall ask him a similar sort of question. That was, principally, it.

JUDGE COLES: Well, I take it there is no objection to that course?

MR. MANSFIELD: No, there is no objection.

JUDGE COLES: Very well.

MR. WALSH: I shall ask whatever questions and if anybody wishes to object to the questions I'm sure they will.

JUDGE COLES: I'm sure they won't be at all reluctant to do so. Very well.

(Reel 4 shown to the Witness)

MR. WALSH: Just stop it there:

- Q. Sergeant, we are obviously more familiar with the voices on the tape than you are, having heard it several times, but just a minute or two ago a voice said, "Break here for shield units", and then somebody said, "Shield units on the left", and one saw shield units going through. Did you see that on the film? - A. Yes.
- Q. Now, it may be that you will need to see more of the film before you answer this question, but are you able to say whether what we have just seen was the moment when your shield unit came back? You remember you said yesterday that there was a time when you stood down and then you were called back? Now, are you able to tell us whether what we have just seen was that particular occasion and if those people going through we saw - A. That wasn't our unit.
- Q. That was not your unit. Is there some way that you can explain why that is? - A. When we went back to the front line we went up through the Police ranks on the road.
- Q. Right. Now, could you go on, please?

MRS. BAIRD: Could I ask if the Sergeant would move? I believe the Defendants couldn't see very well from where he is.

JUDGE COLES: Yes. It's very difficult. We will do our best.

MR. WALSH: If the witness could perhaps stand near the shorthand writer? Yes. That's all right. If anybody does have a view blocked, please say so:

- Q. Perhaps before we do go on, you say you went in, obviously

not at that position, but on the road? - A. Yes.

Q. Would you be able to say whether that was at the same time as what we have just seen or earlier or later? - A. I can't definitely say. I believe it was, but I can't definitely say, I believe it was the same time.

Q. You believe it was? - A. I believe it was.

MR. WALSH: Very well. Let's just run on, because there is something else you might be able to help us about. (Video shown) Just stop there:

Q. Have you seen your unit yet? - A. Yes.

Q. Where are you? - A. Do you want me to indicate on the screen?

Q. I think that would be helpful. - A. We're about there.

Q. Now, just stand back a little because the Jury may have had their view blocked. If you could demonstrate? -
A. Approximately that section, just there.

Q. JUDGE COLES: Right-hand three of the officers shown at the bottom? Would that be fair? - A. Yes, about that section between where my fingers are pointing, there to there.

JUDGE COLES: Extending not quite to the end of the screen.

MR. WALSH: From the centre of the screen to, if one divides the screen into quarters

JUDGE COLES: I am viewing it at an angle.

MR. WALSH: Yes. If one divides it into quarters it is from the mid line to three-quarters away across to the right of the screen.

JUDGE COLES: Do Defence counsel agree? Yes? Very well.

MR. WALSH: That is where he is pointing on the screen. Now, could we just run on, please? (Video shown)

JUDGE COLES: Just a minute. We didn't record which frame that was. Could you run back and can we find the frame number for that?

MR. WALSH: No, your Honour. He says it all begins where the machine is zero-ed. There is no way to set it.

MR. GRIFFITHS: May I suggest a reference being made to it being the occasion when the Police move up?

JUDGE COLES: I have already made that note, but the camera was pointing just before and after. It can only

be a very rough guide, but it was at a point, I think, in the film where the camera was directly parallel on the field and parallel on the road, wasn't it? Could you just find it again? (Video shown) Stop. Is that about right?

THE WITNESS: That's about right, sir.

- Q. MR. WALSH: Are you running forward or back now?
A. Forward now. Stop there.

JUDGE COLES: Yes, well, there is a bush on the left and a small round bush on the right and about one-third across the frame there is a gentleman in a red shirt.

MR. WALSH: And, your Honour, perhaps more for static reference, across the frame from the left there is a lamp-post.

JUDGE COLES: Yes, that's probably the best way.

MR. WALSH: Carry on with the film, please. (Video shown) Stop now:

- Q. This is what I want your help with, if possible. We can see that there are some long shield officers now coming up from behind in the road. I think if you go on a minute you will see where they go to. (Video shown) Would you stop there? What I wanted your help about was this, Sergeant. You have told us and you pointed out at an earlier stage this one I have just shown, your people when you have come back? - A. Yes.
- Q. Would you go back into the witness box now? Thank you. Now, we saw, just before that last move forward, two things happen on the road, presumably behind you. First of all, some long shield officers coming up? - A. Yes.
- Q. And then some short shield officers being called up in position behind them? - A. Yes.
- Q. Those long shields I am asking you about, do you have any recollection of those long shields coming to the front, or didn't they? - A. I have no recollection.
- Q. But, am I right in thinking, from what you said, that is not your group, that long shield section coming up from the back? - A. I can't be sure, the section coming up. I know we went up the road and we moved forward, but after the length of time it's difficult to tell from the video exactly the position where you ended up on the road and pavement.
- Q. Yes, but the thing I would like to clarify is this: The long shield unit that we saw coming up on the last section of video that I have shown, so far as we can tell from the video, only participated in that last move forward that was just starting. Do you follow? - A. Yes.
- Q. How many moves forward on the road to the bridge did your unit participate in? - A. I can't remember the move forward

clearly. Possibly the second one and then eventually the long one up to the bridge.

JUDGE COLES: One of the dangers of seeing a little bit of the video film is which bit have we seen. Is there agreement between the Prosecution and the Defence as to which advance we were just looking at? Second or third?

MR. WALSH: Well, your Honour, I think it is agreed that the one that we, where we have stopped the film is the final move to the bridge. I think that is agreed in general.

JUDGE COLES: Yes. Thank you.

- Q. MR. WALSH: Now, the other thing I wanted to ask you about, Sergeant, was this, and you will have to take your mind on a stage because you were telling us yesterday about being on the bridge and over the bridge and your moves forward up the hill. Do you follow? - A. Yes.
- Q. And what I would like to ask you about, and didn't, is on the occasion or occasions that you moved from the bridge up the hill, what did the pickets do? - A. I went forward from the bridge only once.
- Q. Yes, and what did the pickets do? - A. Some packed off over the hill and some threw stones and then went over the hill.
- Q. Well now, were the pickets moving only in one direction, that is to say, backwards, throughout that time? - A. Some went off to our right through the cornfield and some ran across the cornfield.
- Q. What about those who started to run backwards up the road? Did they continue running in that direction or what? - A. Some just disappeared over the brow of the hill and we were further back with the long shields, making our way up to the brow to where the houses commence and we started to get stoned again quite heavily.
- Q. You are dropping your voice. - A. We started to get stoned quite heavily at the brow of the hill.
- Q. Where from? - A. Directly in front of us.
- Q. And did you see what the scene was like ahead of you? - A. Not clearly, no.
- Q. Where, when you were stoned, were the pickets? Still running away, or what? - A. I couldn't see clearly because I was some distance back, behind one of my shield units, trying to shelter, and I was merely concerned with stones which were in the area, avoiding them.
- Q. Yes, and is this the point at which you recieved your injury? - A. Yes.

- Q. I follow, and apart from being aware of missiles coming in the moments before you received your injury, seconds or minutes, I don't know which, what, if anything, did you notice of what the pickets ahead were doing? - A. I could see clearly the ones that I did see, and I did see too many at that stage who were the ones who kept running up, throwing and then going backwards.
- Q. What do you mean, running up? - A. They would run so far towards you, building up momentum, and then throw and then take off, retreat.
- Q. At the time that was happening were you moving or stationary? - A. Moving forward slightly, I believe.

MR. WALSH: Thank you.

Cross-examined by MR. TAYLOR:

- Q. Sergeant, have you got Exhibit 9 there? It is a bundle of photographs. - A. Yes.
- Q. Will you look at photograph number eight, please, and photograph number nine? - A. Yes.
- Q. This shows the brow of the hill and I want to point out something on photograph number eight to you. You see this lamp-post? - A. Yes, telegraph post.
- Q. Telegraph post, at the bottom front a sign, small, handwritten, a white sign, and then on the roadway - A. I can see something there, yes.
- Q. Now, that is the brow of the hill. If you turn over to number nine, you can see what that sign is, and I am only using it as a point of reference. - A. Yes.
- Q. So that photograph nine must be taken just on the brow of the hill, thereabouts? - A. Yes.
- Q. Now, can you point to the position, using those photographs or any others that can assist you as to refresh where you were when you were injured? - A. I would be in the area where the photographer was standing when he took photograph number nine.
- Q. Yes. You had gone over the brow of the hill then and you were standing on flat ground? - A. Yes, I believe so.
- Q. And on your right there would have been the house that you can see in photograph nine. Now, if you look back to eight you can see that behind you in the position you were standing on photograph nine there would have been a house and bungalow? - A. Yes.
- Q. You can see that on photograph number eight? - A. Yes.
- Q. Now, what I want to know is did you make any notes following this incident about your injury and how you came to sustain it? - A. I made a brief note in my pocket book that I was

injured by a stone and taken to Rotherham Hospital.

- Q. But, did you report that to your PSU Inspector? -
A. Not at the time, no.
- Q. But, later you did? - A. Yes.
- Q. Have you got that brief note with you today? - A. My pocket book note?
- Q. Yes. - A. Yes.
- Q. Can I have a look at it, please? (Handed) Yes. This is not a complaint about your hand-writing. It is difficult sometimes. There are one or two words I can't make out. Perhaps you could read out the brief note you have there? - A. Under what time?
- Q. From "Orgreave", because it is very brief. - A. "5 a.m., Orgreave. PSC ... (inaudible) 6 a.m., instructed to be shield unit. 11 a.m. withdrawn to forward holding area
- Q. JUDGE COLES: What was the time before that? -
A. 6 a.m.
- Q. What was the entry? - A. Instructed to be shield unit.
- Q. Yes. Carry on. - A. "11 a.m., withdrawn to forward holding unit. 11.30 a.m., return to front line", and I've got, "pickets push back up the hill to railway bridge. In conjunction with mounted, on moving forward from railway bridge to disperse pickets, struck by house brick in groin, fall to floor, assisted to ambulance and conveyed to RDGH", which is Rotherham District General Hospital. "4.45, went off duty".
- Q. MR. TAYLOR: When was it that you made that entry in your pocket book? - A. I was returned from the hospital to the holding area and none of the unit was there and I sat in the coach and did it then because I knew I would have an injury report to fill in, so I might as well start it off there and then.
- Q. JUDGE COLES: So, that would be some time shortly before 4.45? - A. I was in the coach for some time. I don't know what time I was released from hospital. I was conveyed back to Orgreave by a Police vehicle and I was in the coach for some time on my own.
- Q. MR. TAYLOR: That is a very brief note of how you came to sustain your injury. The account you have given to the Court is a fuller one. You see the shields that we have got here? There is a round one and two sort of oblong ones? - A. Yes.
- Q. Is one of those shields the type you say you had on the day? - A. May I see the far one, please?
- Q. Yes. (Handed) - A. I had one like that.

- Q. Yes. Would you mind holding that for a moment? That has been described as a supervisory officer's shield. Is that normal for Inspectors and Sergeants in a short shield unit? - A. No, a long shield unit.
- Q. Yes. Now, if you are left-handed - you are, are you? - A. I always carry it in my left hand. It will only be carried in that way.
- Q. You would have a truncheon in your other hand? - A. No.
- Q. You wouldn't? - A. No.
- Q. Now, when you were at the top of the hill, as we have seen in that photograph, you said yesterday that one of your unit was coming backwards to meet, to re-form? - A. Yes.
- Q. Now, does that mean that a man carrying one of these big shields was walking backwards holding it, walking backwards towards you? - A. Three of them were coming backwards.
- Q. Right, and you were facing the same way as them, were you? - A. Yes.
- Q. Now, were the three shields that those men had in there, locked at this stage? - A. I believe so.
- Q. You then went on to say a large brick hit a long shield? - A. Yes.
- Q. Now, the brick that hit a long shield, was it one of those three that it hit? - A. No.
- Q. Where was the one that it hit? - A. It was off to my right, diagonally in front of me.
- Q. Now then, I wonder if - I want to try to do this visually, you see, so we have a better idea. How far away from you was the person holding the long shield? - A. Five or six yards, possibly.
- Q. Five or six yards? - A. Yes, diagonally in front.
- Q. And he was - what was he, stationary, or coming back towards you? - A. I don't know.
- Q. Now, this brick that came through the air. Did you see it travelling through the air? - A. I didn't take particular notice of it at that time because at that time it would be, I would be watching in front of me, trying to protect myself.
- Q. Were you stationary? - A. I was trying to get them all back together because if you go on your own you are vulnerable.
- Q. Were you holding the shield then in the way that you are doing it now? - A. I would be holding it like that.

- Q. So you could see over the top? - A. Yes.
- Q. And it is directly in front of you? - A. Yes.
- Q. Not down to your side or anything? - A. No. Directly in front.
- Q. Now, it is a shield that this house brick hit first of all? - A. Yes.
- Q. When the brick hit the shield how far away from you was the man carrying the long shield? - A. Five or six yards.
- Q. About as far as my learned friend, Mr. Keen, the gentleman sitting there? - A. The position the young lady sitting behind him is in.
- Q. Right. Now, when it hit the shield how did that attract your attention then? - A. It was a bang above all the others. There was a terrific bang.
- Q. When you say "Above all the others", do you mean other stones and bricks that may have been hitting other shields? - A. Yes, and the shouting that was going on.
- Q. Then, all of a sudden, there was this bang? - A. Yes, a lot louder.
- Q. Then, what happened to the brick? - A. It came off - that's what drew my attention to it - it came off the shield and bounced off the road.
- Q. How close to the shield did it do that? - A. I don't know. It just bounced on the road.
- Q. What happened then? - A. It came directly towards me, bounced and it came up under my shield. I was holding my shield like that and it came up underneath.
- Q. How many times did it bounce? - A. One, I believe.
- Q. From that sort of distance, from where the young lady is, bounced once and came up under your shield? - A. Similar distance to that, yes.

JUDGE COLES: Which young lady are we talking about?

MR. TAYLOR: Mrs. Devlin.

THE WITNESS: It may have been a bit closer. It happens that quick.

- Q. MR. TAYLOR: I would just like you to look at this, if you would. This is what you might say is a top size house brick. - A. Yes.
- Q. Was it something like this sort of size? - A. Similar.
- Q. As big as that? - A. Might have been a bit smaller with a few chunks off it, but it was similar.

- Q. What would you say if I told you that these don't bounce?
- A. Well, the one that hit me bounced.
- Q. I have been trying all morning to get this thing to bounce.
They don't bounce.

JUDGE COLES: I think that is called giving evidence.

MR. WALSH: I hesitate to suggest who might give instructions.

MR. TAYLOR: Well, it isn't really giving evidence because anybody can try it.

JUDGE COLES: Well, it won't be the first brick to have been dropped in this Court.

- Q. MR. TAYLOR: When you said it was getting on for being a full house brick, I have one here that might be described as a full house brick. Was the one that hit you bigger than that or this sort of size? - A. It was big. It was some kind of house brick. It happened that quick. It hit me so hard I went two yards backwards. If it hadn't bounced it wouldn't have hit me. I went two yards backwards, I was sick and I was shaken and it hurt.
- Q. I'm not disputing, officer, that you had an injury. What I am disputing is where you got it. Now then, if this is the sort of thing that can strike - this was on tarmac, wasn't it? - A. It was on the road surface.
- Q. It was on the road surface and it bounced off the shield that we have here and some of the impact went out -
A. It's a good job it did.
- Q. And then it bounced along the road five or six yards up under your shield
- JUDGE COLES: You are indicating four or five bounces. I don't think that is the evidence.
- Q. MR. TAYLOR: So, how many bounces do you say? -
A. I say it bounced once.
- Q. How near to you was that bounce? - A. I didn't measure it, no.
- Q. Well, this may be the DND (??), I don't know. Let's move on. When you had your injury you made out your report - you can put the shield down now - you made your report because you know you have got to fill in an operational log for the PSU? - A. Yes, I have to fill an injury report in when I return.
- Q. As a Sergeant, during your training have you been shown how to fill in an operational log? - A. I have assisted in filling in a log.
- Q. If you have assisted in filling them in then you know what the various sections are, don't you? - A. Yes.

- Q. There is a page in this one which we have been given. This is your operational record, operational log for this day for your PSU, Inspector Hudson? - A. Yes.
- Q. Now, under the date it has got 18th June, then a column for time, then a column, "Place of Deployment", then, "Nature of Duty". Right? Now, at 5 a.m. there is an entry which simply says Orgreave. Does that accord with the time that you arrived? - A. 5 a.m., we arrived at Orgreave.
- Q. 6.20 a.m., shield unit is in "Place of Deployment" and, "Nature of Duty", it has just got written, "Shield unit, topside". That is 6.20. Now, does that accord with the little note that you made? Do you remember saying, "6 a.m., ordered to be shield unit"? - A. 6 a.m., instructed to be shield unit.
- Q. Yes, instructed to be shield unit, but, of course, it takes you a little time to get all your things together and so on? - A. Yes.
- Q. So that at 6.20, shield unit, topside - is that the time you went to topside? - A. No.
- Q. What time was it when you went up to topside? - A. I have no idea exactly.
- Q. Now, you said yesterday that when you were taken from the standby you said you were on standby for about an hour? - A. Possibly.
- Q. So, that would take it up to six o'clock. Then, you said your orders were received to be a shield unit that day of the long shield unit and you said fifteen minutes to get equipment out of the van and to put it on. I'm not tying you down to five, ten minutes, just roughly? - A. Yes.
- Q. So, we're at about quarter-past-six by that time? - A. Quarter-past-six, twenty-past-six.
- Q. Then you didn't have enough long shields so had to wait another twenty minutes, so we are about half-past-six, maybe twenty-to-seven? - A. Possibly later than that.
- Q. Then, move up behind some trees, sitting down, waiting amongst some transits for another twenty minutes, maybe half-an-hour, so up to at least seven o'clock, maybe later? - A. Possibly a fair bit later.
- Q. And you said when the convoy came in, "we had been out there for an hour by that time, possibly an hour-and-a-quarter"? - A. Something like that.
- Q. Standing on the road? - A. Yes.
- Q. Were there any shields to your left right the way along the line? - A. I believe so.

- Q. Now, you know Mr. Povey, don't you, by sight at least? -
A. Yes.
- Q. You know Mr. Clement, at least by sight, and you know Mr. Hale? - A. Yes.
- Q. At least by sight? - A. Yes.
- Q. Has Mr. Hale ever trained you in shield work? - A. He's not our usual training man, no.
- Q. Do you know he is a trainer? - A. I know he has something to do with it, yes.
- Q. Now, on this particular day, standing on the roadway with your shield about halfway across the road, can you recall a man coming to the right of you, just by some bushes by the pavement, a senior officer, wearing a white shirt with short sleeves and a flat hat and megaphone? - A. No.
- Q. Do you recall that person being there in that position at all that day? - A. No, I couldn't see across there.
- Q. Well, only a few feet away. You are roughly in the middle. - A. I was to the left. I was against the pavement.
- Q. So, you are on one pavement, he is on the other one on the day? - A. Yes.
- Q. Do you remember him going out in front of the line, using his megaphone? - A. I can't recall it.
- Q. You can't recall him there that day? - A. No, not any particular officer, no.
- Q. Right. Now, before I go into it in detail, you have given a version, and I will try and condense it, but if it is wrong please say so. You get called up to the cordon after your break. You are called up to the cordon. You go into the front? - A. I'm sorry, you say after my break?
- Q. Yes, you would have been relieved from the cordon and gone back later on in the morning? - A. Yes.
- Q. I am talking about the second stage, going up to the bridge. - A. Yes.
- Q. So, you go to the front of the cordon, you arrive at the bridge with the mounted. That is in your note. - A. The mounted went up the road, we followed them, yes.
- Q. Short shields behind mounted or not? - A. There were some short shields. I can't recall their exact position, but they were up in front somewhere.
- Q. And then you stopped at the bridge? - A. Yes.
- Q. At that point were there any mounted or short shield officers in front of you? - A. No, everything - I believe

everything stopped at the bridge and we built a defensive wall of long shields.

- Q. Now, after you had built that defensive wall of long shields, did anything go back through that, like short shields or horses? - A. Not when the wall had been built.
- Q. Right. Your next stage is to go from the bridge, up the road, past a derelict car? - A. Yes.
- Q. Were you following the short shields then? - A. There were some men about with short shields and one or two with no shields, if I remember rightly.
- Q. Were they following horses? - A. I don't think so, on that occasion, no.
- Q. And you carry on to the top of the hill? - A. Yes.
- Q. Where you try to re-group your men? - A. We were getting a bit straggly.
- Q. Yes, a bit straggly. At that point you got injured? - A. Yes.
- Q. But, before you left the line did the rest of the men start to make a cordon across the road? - A. They had started to come back.
- Q. Started to come back? - A. Come back towards me, retreat under their shields.
- Q. As you made your way down the hill, couldn't you see what the rest of the men were doing? - A. As I came back injured, no, I haven't got a clue.
- Q. Now, I want to put to you an alternative version and see if you can say whether this could possibly be right: That, on the push up to the bridge, mounted officers and short shield officers went over the bridge, over-ran it by ten yards or so, turned round and came back as you were making a cordon on the bridge. That is point number one. Do you think that could possibly be right? - A. When I first got to the bridge I wasn't aware of what was on the other side and I went into the field, made contact with my Inspector, with the other half of the unit, so at that particular time I wasn't aware of what was over the bridge.
- Q. So, it is possible horses and short shields could have gone over the bridge and came back while you were doing that? - A. I don't know.
- Q. JUDGE COLES: What do you say you were doing when that could possibly have happened? - A. We went up to where the bridge started, where the railway cutting commences, and the other half of our unit, together with the Inspector, were in the field and they had gone up

- Q. Which field? - A. The one on the left of the road - I'm sorry - and they had gone as far as the cutting.
- Q. You went and talked to your Inspector? - A. Well, to find the remainder of the unit and not get separated.
- Q. MR. TAYLOR: Will you look at Exhibit 24, please, if you can find it, the big bundle? Look at photograph number three, please. - A. Yes.
- Q. Now, what I want to point out to you is some men here. - A. Yes.
- Q. And they are long shield men at the top of the field, looking down into the railway bank? - A. Yes.
- Q. On your right there is the bridge and you can see the two walls of parapets and in between you have got what appears to be a cordon of long shields across the road? - A. Yes.
- Q. Now, one can't be certain about times and so on of when this photograph was taken, but does that scene represent a similar scene to the one that you recall when you got to the top of the bridge? - A. That wasn't the first time at the top of the bridge.
- Q. It wasn't? - A. No.
- Q. How can you say that? - A. Because we didn't have time to build a roof and there appears to be a roof of shields built there to the right-hand of the picture.
- Q. Yes, I see that. When you say you went into the field to speak to some men, were they roughly in that position, where these are? - A. Yes.
- Q. And what did you do then, bring them all into the bridge? - A. The Inspector wanted to know where my men were and I said, I remember saying, "They're in the throat of the bridge".
- Q. What did your unit do? - A. He said he would bring his men and join up with us.
- Q. Yes. - A. At the bridge.
- Q. Is that what you saw? - A. Yes.
- Q. And did you then form a cordon? - A. A cordon, yes.
- Q. JUDGE COLES: Just slow down a bit. Did you have time to build a bridge at that time, a roof? - A. No.
- Q. MR. TAYLOR: Now, you say you are in the front row or the next row? - A. My officers are in the front row and I went directly behind them.
- Q. You say you then went up the road, right the way to the brow of the hill? - A. Yes.

- Q. With your unit? - A. The unit went up the road.
- Q. Were you following short shield men? - A. There were some short shield men about.
- Q. Can you say how many? - A. No.
- Q. Before you made that move, did you have to break for horses? - A. I don't think so.
- Q. Is there any possibility that you could have missed 15 or 20 horses going up the road in front of you at that point? - A. It seems unlikely, I would imagine.
- Q. What I am putting to you is totally different, isn't it, to the account you have given? - A. Not totally different, no.
- Q. Well, we are minus 20 horses.

JUDGE COLES: I don't recall you putting anything expressly about this part of it yet. You have put the first proposition, on the push up, and you have just asked him whether it was possible there were horses and he said, "No".

MR. WALSH: I am not sure my learned friend's figure arises from any evidence. The figure is different. I have got the figures, one small and one large, but neither is that one.

- Q. MR. TAYLOR: Right. At the top of the hill do you recall any horses being around in front of you? -
A. The horses went up the road towards the bridge in advance of us. The majority of my unit were carrying the big shields and when you are carrying them you can't run very quick so you tag along behind. They are a defensive thing to build a wall.
- Q. So, you are saying there were horses in front of you? -
A. I believe so.
- Q. Are you talking about below the bridge or above it? -
A. I got to the bridge. I was trying to assemble my unit, make sure everybody was there, nobody was hurt. Then, I went into the field adjacent to the bridge, spoke to the Inspector and went on to the bridge and we built a wall of shields.
- Q. JUDGE COLES: Then, after that, you are being asked about that. You left all that behind and there came a time when the whole of the long shields advanced up the road, up the hill to the brow of the hill? - A. I can't recall when we went out from the bridge, there being horses there.
- Q. Do you remember any horses going out ahead of you? -
A. I can't recall any.

- Q. MR. TAYLOR: Now, what I want to deal with now is the first time the convoy came in, first of all, which we know is ten-past-eight in the morning. You are already out. You said you had been out for some time. There is a push, isn't there? You have described it. - A. Yes.
- Q. So, this is the first push I want to deal with. You were standing in "number two" (?), in ranks, the long shields in front of you and with short shields behind and you were on a roadway. Were you on the left-hand pavement then? - A. Yes, but just between the left-hand pavement and the road.
- Q. On the kerb? - A. In that area, yes.
- Q. How many men, how many demonstrators were involved, roughly, in pushing the Police? - A. Several hundred, I would have thought.
- Q. Several hundred. Could it have been as many, do you think, as 1500 to 2000? - A. It was a large number, several hundred. I can't estimate the exact figure.
- Q. Did you see in front of you demonstrators or Policemen falling to the ground? - A. Not at that time.
- Q. At that point were any missiles coming to you? - A. Some were going right over the top.
- Q. When you pushed the demonstrators back, do you recall everybody in the Police ranks linking up and shouting together, "One, two. One, two. One, two", and moving forward in a sort of jogging movement? - A. Not on the first one.
- Q. Not on the first one? - A. No.
- Q. Was that done on the second one? - A. Yes.
- Q. Could you be mistaken about that? - A. I believe it was the second one. The second one was far more severe for us.
- Q. All right. Leaving aside whether it is the first or second one, if there had been anybody on the floor they would necessarily have been trampled, wouldn't they, by that sort of movement, that sort of tactic, the "One, two. One, two.", if there had been anybody on the floor - the push coming from behind, from the Police lines, would have gone over people? - A. I suppose there is that possibility.
- Q. Did you see any Police Officers in the road behind the long shield, that is to say, in your road, using truncheons over the long shields? - A. No, I just looked to the front.
- Q. Did you see demonstrators trying to punch over the shields at Policemen? - A. I saw demonstrators trying to punch through gaps that appeared.

- Q. And did you see Policemen likewise trying to hit back through the gaps at the demonstrators? - A. I saw them pushing them back.
- Q. Purely defensive? - A. It had to be. They were between shields, it would only show a gap.
- Q. Now, after that push had finished, you have got about - well, it's over an hour between that time and when the second push comes? - A. Yes.
- Q. Now, you were asked yesterday what happened during that hour and you said that during that hour you had some missiles on occasion? - A. Some came up and used offensive language and taunted us.
- Q. Yes? - A. And one man actually came up and was coming at the shields.
- Q. Yes, you remember that question? - A. I remember someone coming at the shield.
- Q. And then you say you remember seeing horses that broke through and went up Highfield Lane? - A. After the second push.
- Q. No, after the first push, between the first push and the second push. - A. Horses were used at some time, yes.
- Q. You were there all the time until the second push, weren't you? - A. Yes.
- Q. On the roadway? - A. In the same place.
- Q. Those horses went through more than once, didn't they? - A. I believe so, yes.
- Q. They went through three times. - A. I didn't keep a count.
- Q. Have you mentioned yet the fact that on the third occasion that they went through they were followed by two short shield PSUs? - A. Some short shield men did go through.
- Q. Yes, well, there were about 40 on the road and about 40 on the field, going through on this third time, weren't there? - A. I have no idea.
- Q. Weren't you looking? - A. I was looking at the road, yes.
- Q. Do you recall mean wearing boilersuits, flame-proof overalls that you had but didn't wear, going through on the road? - A. I can't recall what uniform they were wearing.
- Q. We have seen this, you see. Everybody has seen it on this film. At 8.33 or thereabouts the ranks on the road break up and horses go through followed by two sets of short shield officers and it is the second set that has got the flame-proof overalls on, and they have all got short shields and

truncheons drawn. Now, you must recall that. - A. Well, I saw short shield officers go through. They were carrying shields and they were carrying truncheons.

- Q. When they went through, your ranks, your cordon presumably closed up again? - A. We had no occasion to move from where we were.
- Q. But you opened, they went through and you closed up again? - A. Yes.
- Q. Now, what did you see those short shield officers do? - A. They went up into the crowd and the crowd started to run away.
- Q. What did you see them do? - A. They brought back some prisoners, some of them.
- Q. Did you see any arrests actually being made? - A. No.
- Q. Did you see any demonstrators being grabbed by short shield officers? - A. No.
- Q. Did you see short shield officers use their truncheons on anyone? - A. No.
- Q. Did you see across in the field the same sort of thing happening? - A. Couldn't see into the field.
- Q. You are right by the kerb, on the left pavement? - A. But, I was near to the bushes, so my view was obstructed.
- Q. The whole field? - A. I could see gaps.
- Q. In those gaps, could you see what the short shield officers were doing over there? - A. No. I wasn't looking over there.
- Q. So, as far as you are concerned, on this first charge by the short shield officers you didn't see any truncheons being used? - A. I saw them drawn, but I didn't see anyone struck.
- Q. Does that apply today? - A. Yes.
- Q. You didn't see any short shield officers using their staves? - A. No.
- Q. You didn't? - A. No.
- Q. Even when you were up in the village on the top of the brow? - A. I didn't go into the village. I got injured before I went
- Q. You said there were short shield men on the brow. - A. Yes, the pickets were running away.
- Q. So, you never saw anything? - A. I never saw anyone struck

with a truncheon. I saw prisoners brought back.

- Q. The second push was when the lorries went out? - A. Yes.
- Q. This is about 9.25. We know this because of the time the lorries went out. So, second push about 9.25. When that happened, you say the charge was more violent than the first. Did you see people coming in at the back? - A. Yes.
- Q. With their heads down? - A. They were not at the back.
- Q. Shoving as hard as they could? - A. Presumably.
- Q. Police Officers coming in at the back? - A. No way. We got knocked all ways. The entire line of shields went backwards.
- Q. On the second push? - A. Yes.
- Q. The second push was held. - A. No way. I was standing and thought I was going to go down. I thought, "If I go down on the floor here I've had it".
- Q. Then, you say after that had all quietened down a bit a few bricks were thrown and then you were stood down? - A. Yes.
- Q. All the long shields were taken away? - A. I don't know about all of them, but we were.
- Q. How long was it that you were away? - A. Possibly half an hour, could be a little less.
- Q. Now, are we talking about a time you have in your notebook which says that, if I recall rightly, at eleven o'clock you were withdrawn? - A. I thought it was about eleven o'clock. I had no watch on at that time.
- Q. That means that after the second push you would have been standing around there for about an hour and a half. Does that seem right? - A. It could be a little - it could have been less time we were standing about.
- Q. It could have been less than that and the fact is that a majority of the people disappeared, didn't they, after the second push? - A. After the second push they started to disperse up the hill.
- Q. After they had dispersed have you any idea where they were going? - A. Haven't a clue.
- Q. Were they going over the bridge into the village? - A. I couldn't clearly see that far.
- Q. Did the field - am I right - virtually empty? - A. There was a lot fewer about, particularly on the road, where I could see.

- Q. How many people? - A. I don't know, but a lot less than what there was previously.
- Q. You went and had your refreshments? - A. We were withdrawn.
- Q. Leaving the cordon still intact, but without protection?
A. Yes.
- Q. When you came back was the cordon in the same place that it had been? - A. Basically, yes.
- Q. At the bottom? - A. Well, just up from the middle side road we have heard about.
- Q. In that area? - A. In that area, yes.
- Q. And were you and your officers with long shields put back on the roadway? - A. In about the same position.
- Q. Were there any long shields on the field at that time? -
A. I believe so.

MR. TAYLOR: Your Honour, the little bundles that were given in yesterday.

JUDGE COLES: Exhibit 27?

MR. TAYLOR: Yes. If the Jury could turn to those:

- Q. If you could find Exhibit 27, I would like you to look at photograph number six

JUDGE COLES: Has it been labelled?

MR. TAYLOR: I don't know, your Honour. (Handed):

- Q. Can you look at that, please? - A. Yes.
- Q. Now, when you came back and were re-formed on the road with your long shields, you see this photograph, it shows the long shields on the roadway? - A. Yes.
- Q. And no shields all along the front? - A. I'm sorry. I've got the wrong one. Yes, number six.
- Q. Is that your unit across the roadway? - A. I can't say for sure.
- Q. Well, these photographs were taken on the day and that is the position you say you were in. - A. Yes.
- Q. And does that represent roughly the scene when you came back out? - A. Something like that, yes.
- Q. Now, shortly after you came back out into that position the horses were used again, weren't they? - A. Yes.
- Q. To go up the roadway? - A. Yes.

- Q. As far as you were concerned, why were they used? -
A. As far as I am concerned why were they used?
- Q. Yes. What was going on that was necessary for them to be used? - A. We were being stoned.
- Q. By how many people? How many people were throwing stones? How many people were there? - A. A few hundred.
- Q. How many people were actually throwing? - A. I can't give a number to that.
- Q. Is there any possibility that the horses were used on this occasion because there was a big press of people against your shields, nose to nose, and the line was in danger of collapsing? - A. Are you on about the second push?
- Q. No, after you break? - A. There was not one up against a shield where I was.
- Q. They didn't come at all near, did they? - A. We were stoned, as far as I recollect.
- Q. Can you recollect any warning being given any time that the mounted officers were to be used? - A. No, I can't recollect hearing that mounted

JUDGE COLES: Any warning to the crowd, I think, Mr. Taylor.

- Q. MR. TAYLOR: Was any warning given to the crowd, "Look, we're going to use horses, so clear off"? - A. No. You can't hear a great deal when you have a riot shield on your head.
- Q. Will you look at photograph ten, please? Now, this is a photograph showing the whole line

JUDGE COLES: Now, which photograph is that?

MR. TAYLOR: Number ten, your Honour. It is numbered on the back:

- Q. Now, would it be fair to say, comparing number ten with number five, that cordon has moved up quite a bit? -
A. Yes.
- Q. You see on number five that it is by a bush, there is a bush in the middle. Is that bush the one you were talking about? - A. On number five?
- Q. Yes. - A. Yes.
- Q. And that is the bush that was blocking your vision on to the field? - A. Yes.
- Q. But, if you look at number ten you can see the cordon of long shields has moved up past that bush. It is up to the

next one. - A. 20 or 30 yards past the first one.

Q. In between five and ten, if you just look at number seven, you can see that that is - do you see number seven? -
A. Yes.

Q. Horses coming out? - A. Yes.

JUDGE COLES: Well, there is another change, isn't there? The officers on the field appear to have acquired shields between photographs six and seven.

MR. TAYLOR: Yes, they have all got shields:

Q. Then, if you go to eleven you can see the horses coming back. Now, if you look at number ten, please, you see that gentleman standing on the far left with a white shirt in shirt sleeves and a flat hat with a megaphone? -
A. I can see a man in a white shirt, yes.

Q. Do you know who he is? - A. No, I haven't a clue.

Q. Do you recall, looking at that photograph, him being there on the day? - A. I can't identify him, so I can't recall if he was there. I'm sorry. Where I was, I can't see across to that side.

Q. So, who were you taking your orders from? - A. It's one that is repeated along the line in training, if an order is given.

Q. Just passed on? - A. Yes. It is repeated in order that everybody gets it, because it's easy to miss the order with a helmet jammed on.

Q. Well, this man is a Superintendent, and you probably can't tell from the photograph, but wasn't he giving orders to the line with his megaphone? - A. Well, I couldn't hear him.

Q. Now, as you advanced there were short shield officers in front of you. Was that the system? - A. I believe so.

Q. Horses, short shield officers all the way up. When you got to the bridge and you formed a cordon, can you recall Mr. Povey being there and Mr. Hale being there? - A. No.

Q. Can you recall who it was that was in charge? - A. The only person who I spoke to briefly up there, or recollect seeing, was A.C.C. Mr. Clements.

Q. Now, who was in charge there? Who was the senior officer?
A. What, over the whole thing?

Q. Yes

Q. JUDGE COLES: Who didn't you see? - A. I didn't see Mr. Povey.

- Q. MR. TAYLOR: Do you know Mr. Povey by sight? Or personally? -
A. I know Mr. Povey by sight.
- Q. And Mr. Hale? - A. And Mr. Hale by sight and personally.
- Q. JUDGE COLES: You did see Mr. Clement? - A. I saw Mr. Clement.
- Q. MR. TAYLOR: When you went from the bridge up to the brow of the hill, did you see Mr. Povey or Mr. Hale then? - A. No, I can't recall seeing them.
- Q. Did you see Mr. Clement at the top of the hill? - A. I saw him at the top of the hill when we were locking the shields on the bridge, somewhere in that area.
- Q. I am making a distinction between the bridge and the next hill. -
A. I am as well.
- Q. That brow where we started at the photographs, at the bridge, did you see Mr. Povey or Mr. Hale there? - A. I can't recall seeing them.
- Q. Did you see Mr. Clement? - A. Yes, I saw Mr. Clement.
- Q. Did he appear to be organising things? - A. I believe he was taking stock of what was happening.
- Q. When you went up from the bridge to the village, to the brow of the hill, did you see Mr. Povey or Mr. Hale then, on the way up or at the top? -
A. I can't recall seeing them.
- Q. Did you see Mr. Clement up the hill and on the brow? - A. No.
- Q. Now, who was in charge of all the men? - A. I don't know.
- Q. Who did you get your orders from? - A. My Inspector.
- Q. When you say, Sergeant, that when you got to the brow things were getting a little bit straggly, that is a real understatement, isn't it? More than a bit straggly, it was chaotic, wasn't it? - A. Our unit was too spread out for safety.
- Q. Too spread out for safety, for the safety of your men? - A. That's all I was concerned with.
- Q. Weren't you also concerned that you might have been too spread out for the safety of demonstrators who might have been there, or weren't you concerned with that? - A. My concern at that time was for my officers under my control and I didn't want them getting hurt.
- Q. Now, at the top of the hill, I will ask you again, did you not see short shield officers tackling men, demonstrators, and hitting them across their heads and so on with their batons? - A. No.
- Q. Were you up there only for a very short time? - A. A very short time, the time it takes to come from the bridge just to the brow of the hill, and that's it.

MR. TAYLOR: Thank you.

(Short Adjournment)

Cross-examined by MR. MANSFIELD:

- Q. I am only going to ask you about two periods of time. The first period of time I want to ask you specifically about is the early bit, really when you first became used yourself as a long shield unit, because that, in one sense, ought to be a little bit clearer, the first time you go to the field of play that day. Can you get out your notebook, please? You read it out this morning. Now, the thing you read out this morning, this is to deal with your use as a long shield unit, indicating when you wrote it up later that day, you say at six o'clock in the morning you were instructed to be a shield unit? - A. That was, I'm saying that at about that time we were told that for that day we would be a shield unit.
- Q. Right. Now, first of all, who gives the instruction? - A. My Inspector told me. That's Mr. Hudson.
- Q. Now, you indicated yesterday that it took some time to get kitted up, you then go and sit on the grass, waiting, that sort of thing. Now, when do you say it is that you were actually out there on the front line with your shield in front of you? - A. Half-past-seven to eight o'clock, possibly.
- JUDGE COLES: He said that yesterday.
- Q. MR. MANSFIELD: What you indicated yesterday was that you had been out before the convoy arrived for about an hour to an hour and a half. - A. That's what I, roughly, estimated, but I had no watch on at the time.
- Q. I am going to ask you whether there is any possibility that that is completely wrong and that you were only out there at the most for seven minutes? - A. I was out there for considerably more than seven minutes.
- Q. Well, therefore, I must quibble about exact times. If you say that, I will suggest to you you are completely wrong about it. In relation to the convoy arriving, I am going to suggest you weren't out on the line beyond about seven minutes before that first convoy arrived. Now, is that right? - A. I would say that is incorrect.
- Q. Incorrect or whatever, a substantial period of time - as you say it is not seven minutes, what was happening during the substantial period of time you claim you were out there? - A. Stones were thrown most of the time.
- Q. Are you sure? - A. Yes.
- Q. Have you seen, other than today, a bit of film that you were shown - it is the fourth reel - have you seen any of the rest of the film that was taken by the Police on that day? - A. No.
- Q. Did you know that film was being shot that day? - A. It was obvious that there were various cameras there.

- Q. Did you know the Police were shooting the film too? - A. No.
- Q. Shot from behind Police lines and you didn't know that? - A. No.
- Q. You didn't know it was happening at the time and you have not seen it since?
- A. No.
- Q. So, for the substantial period of time before the convoy arrived you say what? That there is a hail of missiles coming over? - A. Yes.
- Q. I suggest you are lying about it. - A. Missiles were there at various times and with various intensities.
- Q. I'm talking about a limited period, this particular limited period, just before and at about the time you first go out and then after that, so it is a substantial period while you are out there with your long shields. Right? - A. Yes.
- Q. You won't forget that, will you? - A. No.
- Q. Could you be mistaken about the hail of missiles? - A. No.
- Q. I am suggesting to you you are lying about it. - A. I'm not lying.
- Q. Have you seen the log or been told the times of the convoy and when it came in? - A. I had no idea of what time the convoy came in.
- Q. Just before I put some times to you, in addition to that, before you get on to the line with your long shield, were you able to see what was happening? - A. As I went through the Police lines to the front?
- Q. Yes. - A. There were shouts then and missiles in the air.
- Q. So, it is as you are going through and after you get there essentially? Your evidence is a hail of missiles for a substantial period, periods of time at various intensities. - A. We were stoned.
- Q. The odd apple core, was it, that sort of thing, thrown before eight o'clock? - A. Stones were thrown. I can't recall an apple core.
- Q. I put it to you, for a particular reason, that is what they were, in other words, soft missiles, very spasmodic. - A. They were hard missiles and I wouldn't call it spasmodic.
- Q. I see. So we hear. Now, I will ask you, just to illustrate everything you have said, apparently the lorries arrived at five minutes past eight. Did you know that? - A. I didn't know what time the lorries arrived.
- Q. Would you accept that? I am having to accept that because it is, apparently, what an officer will say. - A. If that is the correct time I will accept it is the time the lorries came in, yes.
- Q. And so it is precise, they began arriving at five past eight, so it is absolutely clear. They began arriving at five past eight, they take something like four minutes to get into the coking plant. Is that right?
- A. I have no idea.

- Q. Well, all right, but they began arriving at five past eight and, according to the tape of film that we have seen the order for the long shields is at 7.58, which is seven minutes before the convoy arrives at the coking plant. Now, just think about it for a moment and I will ask you whether you would then be prepared to retract the evidence you have given to this Jury? - A. That period of time which you are asking me about, the seven minutes, that is the longest seven minutes of my life.
- Q. How sure are you? Are you as badly out about your evidence, if it, in fact, is seven minutes, as you are about the hail of missiles, in other words, a total exaggeration? - A. It isn't a total exaggeration.
- Q. How can you explain seven minutes as opposed to a substantial period of time on the hail of missiles? - A. It seems a substantial period of time, possibly because I was frightened.
- Q. I am going to suggest to you that other than perhaps an isolated odd missile there is, in fact, not only just the seven minute time-gap but hardly any missiles coming over in that period whatsoever. - A. I would disagree.
- Q. I will just give you time to think about whether you were so frightened you got that wrong as well. Now, are you quite sure that it is a hail of missiles? - A. Yes, I am.
- Q. Now, what you did say about this earlier period yesterday, if I may just remind you about the comments you made- and I am not saying this, these are comments you made. You said when the people pushed against the line missiles, whether they had been coming over before or not, had not come over during that period. Is that right? - A. That was my experience, yes.
- Q. And that was your experience on that day? - A. Yes.
- Q. Yes. I am looking, your Honour, at Exhibit 14, which the Jury have, and I am looking at the sixth page. Officer, you don't have it and I am not asking you to have it. I just want to put a description to you and see whether you agree with it. This is at the time that the empty coking lorries are entering the plant and the push is occurring, in other words, the charge or the push, however you put it. "Whilst this was going on the Police were subjected to a hail of missiles including bricks, stones, lengths of wooden fencing, glass bottles, metal objects", and so on. That is not your experience of the day, is it? - A. When the push was close up to our shields stones weren't thrown where we were.
- Q. Well, I accept you can't speak for other parts of the line, obviously. I'm going to ask you about the other area I wanted to deal with, having dealt with the early period, and that is from the bridge up to the brow. Now, I represent Mr. Moore. Mr. Moore, would you stand up yet again, please? (Defendant Rises) Thank you. Now, first of all, I will ask you whether you saw that man on the stretch of road up to the brow of the hill? - A. I can't identify that man.
not
- Q. No? Right. You get to the bridge. I am concerned about how you get there or whatever, but you are on the bridge with the long shield unit, forming an interlocked barrier, if you like, across the bridge? - A. Yes.

- Q. I want to ask you particularly where you are. Are you at the front of that cordon, across the bridge? Then, I will ask you where the cordon is precisely. - A. I was actually behind officers, manning the shields, interlocking the shields.
- Q. And was that interlocked shield barrier at the Handsworth side or the coking plant side? - A. It was about four or five yards from the Handsworth side of the bridge.
- Q. Yes. I think that is what you indicated yesterday. Could you see up the road to the brow? - A. No.
- Q. Could you see anything ahead of you? - A. I could see the road, then it points to the left.
- Q. I just want to get what you could see ahead, the distance. There is an important reason for asking you this. Would you have a look at Exhibit 9, please? 6 and 7 show that end of the bridge you are talking about. Does either of them indicate the view up the road towards the brow that you had whilst you were standing on the bridge? - A. I had slightly less view than in photograph number six as I was on the other side of the road.
- Q. Right. Now, standing in that position then, you could see really nothing at all round the cordon, if you were on the nearside? - A. I was towards the nearside, towards the centre. At that time I could move about behind the shield line. At one time I went over to the right-hand side of the road.
- Q. How long were you in that position, roughly? - A. Five or ten minutes.
- Q. Five or ten minutes. Now, you are standing in this position. I want to hold it at that for a moment and then go to the other end of the whole business. When you got injured, again, I wonder if you can work backwards. We know from other sources what time you arrived at the hospital. I don't think it has been put to you yet. - A. Yes.
- Q. I will put that time to you in a moment. How long was there, roughly, between you getting injured and getting to the hospital? - A. I don't know.
- Q. Let's just go through what happened. You got injured, you got carried to an ambulance? - A. I was assisted back. I felt groggy, terrible.
- Q. You have to wait at the ambulance? - A. There were other people put into the ambulance with me. I don't know how long it took.
- Q. So, just try to give an estimate. You don't go immediately. You have to wait for other people to be put into the ambulance and then it is driven to the hospital? - A. Yes.
- Q. The drive to the hospital, ten minutes? - A. Possibly. Something like that, yes.
- Q. Just trying to put a reasonable estimate on it, so that the overall time spent, just to be fair, as an estimate, between the injury and getting to the hospital, was probably in the region of 20 minutes? - A. I can't say for sure. I was groggy. I would say this to you, namely, the distance from Orgreave to Rotherham normally, I would say, is about a ten-minute drive.

- Q. Allowing ten minutes for fiddling about at the other end whilst you are waiting for the others or being taken down to the ambulance, the overall figure is 20 minutes. Do you think that is reasonable? -
A. It could have been less. I don't know.
- Q. We will say 15. According to the hospital records you get there at two-minutes-past-twelve, or at least the person entering it up has got you into the hospital then, which means your injury is probably somewhere between twenty and quarter-to-twelve. Are you following me?
- A. I'm following you.
- Q. Right. Now, before that injury you obviously have had to go up the road? - A. Yes.
- Q. Now, before going up the road, did you see anything of the advances before you, of the Police that went up that road? Did you see anything of it or what happened as they did? - A. Prior to moving off?
- Q. You going. - A. The horses went up the road and some short shield men went up the road.
- Q. Did you see what they did? - A. No.
- Q. Are you saying you didn't see because you couldn't see? - A. I'm not saying - they went up the road, but I couldn't see what they were doing at that distance.
- Q. Were you still four or five yards back, as on that photograph? -
A. Oh, I'm sorry. When they broke up from the bridge, you're on about now, are you?
- Q. Yes. - A. I'm sorry.
- Q. Let's just go back. It may be you have given answers you didn't mean to give because you have forgotten we are dealing with the bridge only, the bridge up to the brow, on the bridge. You have indicated where you were? - A. Yes.
- Q. And I asked you to estimate the time of your actual injury whilst you are in position and you have indicated slightly less, a good few less than there is on photograph six. Before you go up the road yourself and get injured, did you see what Police, first of all, went on ahead of you? Did you see which Police units they were? - A. No.
- Q. You didn't see what the units were or what they did, therefore? -
A. No.
- Q. Well, as you rounded the bend yourself with your unit and other long shields, presumably, did you see other Policemen then up the road? -
A. There were some in front of us, yes.
- Q. You know what Arthur Scargill looks like, don't you? - A. I've seen him on the television.
- Q. Did you see him on the side of the road? - A. No.
- Q. Sitting down, ambulance men there? - A. No.

- Q. So, your advance up the road is but a few minutes before you got your injury? - A. The time in which it takes to go from the bridge to the brow.
- Q. So, if the 20 minute estimate I have given you is fair, it looks as though you are going up from the bridge at about twenty-to-twelve, something like that, or twenty-five-to-twelve at the earliest, something like that? - A. Possibly, something in that area.
- Q. Well, if you didn't see where they went or what they did round the corner, were you aware of the situation in which the short shield units were, going out then coming back to re-join you, then going up and coming back and doing that three times? Did you see anything of that? - A. I can't recollect the number of times, no.
- Q. Well, the order to go up to the brow came from your own Inspector. When it was you just don't know? - A. I don't know. I'm not sure.
- Q. It was just going up to the brow, was it? - A. The brow wasn't mentioned.
- Q. Well, what was mentioned, just go up, advance? - A. We followed some other units up.
- Q. What was the order then? - A. Just follow the rest.
- Q. The advance? - A. Advance.
- Q. And you have already said to Mr. Taylor that you didn't see anyone using a truncheon. I have to ask you this, and I have given you the times, it may be you were a bit later on the scene, but did you see any officers using their shields as if they were truncheons? - A. No.
- Q. Short shields, I mean, not long? - A. No.
- Q. Did you see any single person other than a Police Officer, any single demonstrator picked on in any way? - A. I saw some prisoners brought back.
- Q. Did you see them with any injury? - A. Yes.
- Q. What sort of injury did the ones have that you saw brought back? - A. Cuts mainly.
- Q. To where? - A. Faces.
- Q. Where were the prisoners being brought back from that day, cuts on their faces? Could you tell where they had come from? - A. From somewhere up the road.
- Q. When prisoners were brought back through the lines

JUDGE COLES: Which line are we talking about? Still talking about your limited bridge to brow?

MR. MANSFIELD: Yes. I will only deal with that period:

- Q. So, you saw those prisoners. Mr. Moore, I am not suggesting, had blood streaming from his face or anything like that, but given the time you

have indicated, he was brought through the line where you were. I cannot specify you particularly, but you don't recollect him, obviously, being brought through? - A. No.

Q. Now, if it will help - it may not, I don't know - will you look at Exhibit 21, photograph four, please? Now, that is Mr. Moore with a Police Officer not from your Force, who will be giving evidence, I think, fairly shortly. He is from Merseyside. Do you follow the photograph?
- A. Yes, photograph four.

Q. Yes. Now, when prisoners were brought down through the line of long shields - and I am dealing with it on the basis of what happened to Mr. Moore, they weren't exactly received with a fan welcome, were they?
- A. I'm sorry. I don't follow your argument.

Q. Don't you? What happened when prisoners were brought through the long shield line? - A. The only prisoners I saw was when I was going out from the bridge.

Q. Well, I appreciate that, but if we have got a sequence of events that makes any sense at all, Mr. Moore, who is arrested at about 11.25 - and you must have been near the bridge by then, mustn't you? - A. Yes.

Q. He was brought back through the Police on the bridge and you are one of them? - A. Yes.

Q. And you are a more senior officer and you are in charge of them, aren't you? - A. I'm in charge of a small serial, yes.

Q. And you are near the front line? - A. Yes.

Q. On the second line, and he has got to go - I'm not suggesting you did it, but when he comes through the line he is subjected to abuse, kicking, punching, hitting, isn't he? - A. I didn't see that at all.

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

JUDGE COLES: I have to make a note. Forgive me. that is the first time I have heard it.

MR. MANSFIELD: Well, I put it to Mr. Clement in relation to the cordons in Highfield Lane, that that is what was happening generally.

JUDGE COLES: Yes, you did. I didn't quite get all those details. Subjected to abuse?

MR. MANSFIELD: Kicks and blows, punches.

JUDGE COLES: Yes.

Q. MR. MANSFIELD: And you saw none of that? - A. No.

Q. You do agree that by this stage in the day that your unit had been on duty quite a long time, hadn't they? - A. Yes.

Q. In a pretty hot area, putting it generally? - A. Yes.

- Q. Got a bit fed up? - A. Tired.
- Q. Tired and fed up? - A. Tired.
- Q. And fed up? - A. No, tired.
- Q. Enjoying the task, were they? - A. I wasn't enjoying it. I don't think anybody were enjoying it.
- Q. Unless, of course, by this stage in the day you just wanted to get at the people who were the other side of the bridge. Was that something running through your mind? - A. It was not.
- Q. Mr. Smith, you do, obviously, have feelings about the situation that you are in, don't you? You get angry from time to time, don't you?
- A. Everyone gets angry from time to time.
- Q. Yes. You see, on this day you do agree, don't you, that the Police were clapping the return of their mounted officers, weren't they? -
A. I had witnessed that, yes.
- Q. Feelings were getting the better of them, weren't they? - A. They were applauding the mounted.
- Q. Feelings were being expressed in that sort of way, weren't they? -
A. What feelings do you mean, that clapping the mounted?
- Q. When you saw that happening - in fact, there is a photograph, I think, in this very same bundle. I'm not quite sure where it is. I'm sorry. It is in another bundle. Do you agree that was happening up on the ... I'm sorry, it is photograph 2 in Exhibit 24. I accept this photograph is taken a little later

MR. WALSH: Your Honour, it is taken after this officer arrived at the hospital on the basis of what my learned friend has put and the evidence of the man who took it. It is taken after 12.15.

JUDGE COLES: I don't know. Are you asking him to agree that that photograph shows that people were becoming rather carried away?

MR. MANSFIELD: I am asking this officer whether it is right, first of all, that officers were clapping the mounted Police. He has agreed that they were.

JUDGE COLES: I don't think the Crown denies that. It is on the video, isn't it?

MR. WALSH: Yes, and the officer said they did as well.

- Q. MR. MANSFIELD: Fine. I mean, when you are out in the field you don't normally see Police Officers clapping others when they are doing things, do you? - A. No.
- Q. I am not suggesting that there are Police leaping up and down with joy, but clapping is somewhat unusual, isn't it? - A. Yes.
- Q. All I am suggesting is that officers were getting a little het up emotionally and fed up with the whole proceedings and were wanting to get rid of the miners, feeling that sort of thing, and that was going on in the ranks. - A. They applauded the mounted and that is the only thing which I saw.

Q. I suppose you heard them banging on their shields, because you are part of a unit - A. Shields had been banged on on various occasions and I can't recall whether they were banged on that occasion.

Q. JUDGE COLES: Well, it's a regular tactic, is it, banging on shields?
- A. It was at certain times done, yes, banging on shields.

Q. What is the purpose of it? - A. To keep in step.

Q. MR. MANSFIELD: To keep in step? - A. Yes, to keep in step.

Q. Let's take it in stages. It was used on this day, officer, wasn't it, on the 18th? - A. Not by my unit.

Q. Just like, "I didn't see something just along the line"? I am not talking about

MR. WALSH: My learned friend must ask questions and not make speeches.

JUDGE COLES: Yes, I agree.

Q. All right. It's along the line. If it wasn't your unit, other units were doing it? - A. I heard some shields banged, yes.

Q. So, any banging that went on wasn't your unit? - A. Not on that day, no.

Q. You say it is for keeping in step, do you? - A. It has been used and it proves you can keep in step with it.

Q. We have heard quite a different reason for it being used. - A. It keeps you together.

Q. It is used to intimidate, isn't it. It does build up a crescendo of noise which intimidates, doesn't it? Isn't that the reason for its use?
- A. No, not when I've been present.

Q. So, you say it is used as a shield unit is moving along, people just banging on the shields as they move up? - A. I've seen it done, yes.

Q. Just to keep in step? - A. Yes.

Q. On this day, banging on shields was happening when they were quite stationary. Did you know that? - A. No.

Q. Did you hear Police Officers, as prisoners were brought through, saying anything at all or did they keep absolutely quiet? - A. No.

Q. What did they say as they were brought through the line? - A. There was a lot of shouting going on.

Q. What were your officers saying as prisoners were brought through the line?
- A. I don't know what my officers were saying when prisoners were brought through the line.

Q. JUDGE COLES: You say a lot of shouting? - A. Yes, there was a lot of shouting

Q. MR. MANSFIELD: Forget your officers, did you hear what was being shouted? - A. Someone must have shouted, "Well done". I can remember that, "Well done", or something.

Q. A sort of compliment? - A. Yes.

MR. MANSFIELD: Thank you.

Cross-examined by MR. O'CONNOR:

Q. You referred to a notebook with a blue cover just before. Do you also have in that same pocket a notebook with a light brown cover? -

A. Yes, an arrest book.

Q. Nothing to do with this case? - A. No. It's an arrest book. Do you wish to see it?

Q. No, not at all. You had in your equipment, flame-proof overalls. You have referred to that? - A. Yes.

Q. But none of your unit wore any? - A. No.

Q. Can I ask you just to look at this, please? I will hand it straight to you.

JUDGE COLES: Do we have a copy of this?

MR. O'CONNOR: No, your Honour. May I say right away, I don't think it matters that I am not able to prove when or where exactly that photograph was taken, but I won't make any further comment.

JUDGE COLES: Well, ask your question.

MR. O'CONNOR: I am grateful:

Q. You have had an opportunity to look at it? - A. Yes.

Q. Did your flame-proof overalls look just like this? - A. No. It didn't have the Police written across the back.

Q. Well, keep it for a second. Any other difference? - A. I can't see any on that date, no.

MR. O'CONNOR: May I ask your Honour to look at that, because this officer is saying that, with that difference, this is just the same.

JUDGE COLES: It is a one-piece suit with a zip up the front, fastens by the cuff and round the ankles.

MR. WALSH: If my learned friend wants a specimen flame-proof overall of the sort this officer wore I'm sure we can provide one without going into photographs and, of course, my learned friend can't speak about

JUDGE COLES: Looks like the sort of thing a Prime Minister wore in wartime.

MR. O'CONNOR: Perhaps that can be shown? I actually think this is quicker than I could have done it. I don't think it matters when this was taken.

- Q. JUDGE COLES: Just like an overall. You say they are flame-proof?
- A. It's made of a wool mixture which is flame retardant.

JUDGE COLES: Well, the Jury may have a look at the photograph.
(Handed to the Jury)

- Q. MR. O'CONNOR: You have been issued with those as part of your standard equipment when you first joined the PSU? Is that right? -
A. Yes. Well, not when I first joined, but it was brought in after we first started, it was brought in some time ago now.

- Q. Some time ago now. Are you talking about a year or more before the 18th June? - A. I can't give an exact date, but I would say at least a year, possibly more.

- Q. At least a year. I ask you this because as we can see from that photograph - they seem to be West Yorkshire officers - we can see from the pocket - but you are a South Yorkshire officer? - A. Yes.

- Q. We have heard from a South Yorkshire, very senior officer, about the surprise and concern when they first saw overalls like that on other officers, but you have looked at that and you say that was just like that part of your equipment for about a year before 18th June? - A. Yes.

- Q. Can I ask you, please, about your arrival at the brow of the hill?
- A. Yes.

- Q. Did you see any Police Officers with non-Police Officers on the ground as you arrived at the brow of the hill? - A. At the brow of the hill, not when we arrived there, no.

- Q. I am thinking particularly - that is a general answer, let me help you a bit more. Apparently, where you stopped was perhaps just behind, so you would have had to run just past some Police Officers and probably demonstrators on the ground, for some reason. - A. I can't recall any, no.

- Q. Ahead of you were some of your long shield unit? - A. Yes.

- Q. And, of course, short shield officers? - A. Yes.

- Q. Did anybody appear to be in charge of those short shield officers ahead of you? - A. I can't remember.

- Q. Finally, you were helped to an ambulance? - A. Yes.

- Q. Did you have to go all the way back to the command centre to get an ambulance? Where were you hurt? - A. I'm not sure where I was put in an ambulance.

- Q. I appreciate you were somewhat dazed, as you told us, but it's quite a distance to walk, particularly if you find difficulty in walking, isn't it, back to the command centre? - A. Yes.

Q. Do you think you got into an ambulance just past the bridge, as you were going back towards the command centre? - A. I don't think I went all the way back to the command centre, but I don't know where I went to get into the ambulance.

Q. But, somewhere between the bridge and the command centre? - A. Yes, I would imagine so.

MR. O'CONNOR: Yes. Thank you very much.

Cross-examined by MRS. BAIRD:

Q. Officer, I have a very few questions indeed for you, all concerned with the first push down on the field when I think you have told us you were, I think, supervising a row in the front row - you were one row back? - A. Yes, I wasn't in the field.

Q. You were in the road? - A. I was in the road.

Q. I'm sorry. I've just used that description loosely. I'm just referring to the push generally. It does appear from the video that when that push started, really, rather like the second one, it started and happened very, very quickly? - A. Yes.

Q. With very little warning? - A. It did happen quickly. They ran at us.

Q. And very little warning to the pickets who were actually in front of you? - A. When they came at us, I can't recollect. A few pickets came down the road at us and our shields.

Q. You see, I may be forgiven for mentioning to you that other officers have described at an earlier stage, pickets looking quite frightened. The pickets were close to the line of the Police, what was going on behind them. Did you see anything of that kind during the push? Those who were squashed against you must have been in a very different position themselves. - A. I can't remember anything clearly, but people were pushed up against the shields with their faces, they were pushing us back and the faces were pushed into the shields and somebody, obviously behind them, was pushing even harder.

Q. To be entirely fair to those at the front, it wouldn't be possible to ascertain whether they wished to be in that push or not, would it? - A. It's difficult to say.

Q. You have told us - I'm afraid I have forgotten which, but at one of the pushes you were almost lifted off your feet. Was that the second one? - A. On the second push.

Q. Perhaps you can accept that pickets were also lifted off their feet, those close to shields. Did you see anything of that? - A. I can't say that people were lifted off their feet. I didn't see that, no.

Q. Do you believe it is quite plausible, particularly a small person? - A. I would think it is possible. I got just about lifted completely off my feet.

Q. And you are actually quite a big man? - A. Yes. I weigh 14½ stone.

Q. Might I ask how tall you are? - A. 5' 10½".

MRS. BAIRD: Thank you.

(Mid-day Adjournment)

2.05 p.m.

MISS RUSSELL: I represent three clients and I have no questions for this witness. However, in my role as Mr. Rees today, who is still absent, I do have certain questions of the Officer.

JUDGE COLES: Very hard to recognise you as Mr. Rees, but so be it. Thank you.

Cross-examined by MISS RUSSELL

On Behalf of MR. REES:

- Q. Officer, in the ambulance that you were taken to Rotherham Hospital in, there was an injured picket, wasn't there? - A. I can't remember clearly.
- Q. You think about it. I think yesterday you said, and I may be mistaken, but didn't you say that a picket was in the ambulance, if you think about it? - A. Possibly, there was a picket in the ambulance, yes.
- Q. A picket with very nasty head injuries? - A. There was some let me think ... in the ambulance, if I can remember, some other Police Officers, and I believe one wasn't a Police Officer.
- Q. That's right, and the one that wasn't a Police Officer had a head injury, didn't he? - A. I don't know.
- Q. Well, you think about it. Mr. Newbigging, would you stand up?
(Defendant Rises) Do you recognise that man? - A. No.
- Q. Are you sure about that, officer? - A. Only from seeing him outside the Court building.
- Q. You arrived at the Hospital at 12.02, didn't you? - A. That's what I've been told, yes.
- Q. That young man arrived at the Hospital at 12.02. Would you accept that?
- A. If that is in the record I will accept that, yes.
- Q. I am going to put to you that that young man was in your ambulance.
- A. I can't say he wasn't.
- Q. You can't say he wasn't? Right. Think about that picket that was in your ambulance, just think about him for a moment. However groggy you were, did it not strike you, when you saw that young man, and I will put it to you it was that young man in the ambulance, that he had a quite terrible injury? - A. I know there was some injured people at the hospital, yes.

- Q. Well, it may be, officer, and it is always, I suppose, possible that he looks somewhat different in Court from the state he was in at the time. Would you take Exhibit 21? - A. Yes.
- Q. Look at photographs 33, 34, 35 and 36, and just for the point of the record, they are all photographs of Mr. Newbigging. Does that bring back a memory to you? - A. No.
- Q. It may be because you were sitting alongside of him. Look at those photographs and then another photograph. Your Honour, this is not an exhibit. It is a single photograph. (Handed) You see the profile? - A. Yes.
- Q. Does that bring it back to you? - A. No, I can't say it does. I can't say it was and I can't say it wasn't.

MISS RUSSELL: I wonder if the Court may be shown that?

JUDGE COLES: Yes. I think Mr. Walsh ought to see it and I would like to see it. Thank you. (Handed)

MR. WALSH: I don't know that it really does very much.

MISS RUSSELL: I am going to make comments about that photograph to the Jury.

MR. WALSH: Again, isn't there a proper time for doing that? If this officer can't speak about it then it is difficult to know how one can

JUDGE COLES: You had better have a look at the photograph. (Handed)

MISS RUSSELL: Let me make it perfectly clear, I want to give this officer every opportunity of being able to respond to the sort of questions I am going to put to him. If he has seen the photograph and if the Jury see the photograph -or, rather, if the Jury don't see the photograph the Jury won't actually see the point of some of the questions I will put, because I will make certain points

JUDGE COLES: Let us hear the questions.

- Q. MISS RUSSELL: What I put to you, officer - could I take that photograph back? Thank you. In fact, if we look at this photograph very closely, he is absolutely caked in blood over his forehead. It is very, very thick. Would you agree with that? - A. There is a lot of blood on his face, yes.
- Q. And I am going to put to you, officer, that it would be quite inconceivable for you to have forgotten being in an ambulance with somebody with that sort of injury. It's the sort of injury that anyone looking at it would be quite appalled from seeing at first sight. Do you agree with that? - A. It's a bad injury when I look at the photograph, yes.
- Q. And I am going to put to you, officer, that this young man was in your ambulance whilst it waited for some period of time. Do you remember that? - A. No.

- Q. And that during that period, whilst it was waiting, officers who were in that ambulance began goading this young man with questions about the strike and about Scargill. Do you remember that? - A. No.
- Q. Can you give any description of the picket you saw in your van? - A. No.
- Q. Where did he come from? - A. I haven't a clue.
- Q. Are you saying that a man in your van could have had an injury like that and you have forgotten it? - A. I'm saying that I'm not aware, I don't know where the man who is on the picture was from, whether that man was in the ambulance or whatever injury that a man who was in the ambulance had, I don't know.
- Q. Forgive me, officer, but you see, you say you can't say that it was this young man. Right? - A. Yes.
- Q. It follows from that, it is logical, that if it could be that young man, the picket that you have referred to could have had an injury like that?
A. That's what you are suggesting.
- Q. Yes.
- Q. JUDGE COLES: Well, do you remember what sort of injury the man had in your ambulance? - A. No, not really. I was really shaken.
- Q. If a man in your ambulance had blood on his face of the order one sees in this photograph and, indeed, additional photographs which Miss Russell has produced, do you think you would have noticed? - A. Possibly, with some effort, your Honour, I don't know. I felt sick. I looked at the ambulance floor. I just didn't want to know after that.
- Q. How many were there in the ambulance, in total? - A. I don't know.
- Q. MISS RUSSELL: What I put to you happened in the ambulance was that a Police Officer, or the Police Officers who were in there, presumably, who had had enough, like you, began taking it out on that young man, not only verbally, but one of them slapped him. I can't say which one it was. Do you remember anything like that happening in your ambulance?
- A. No.
- JUDGE COLES: Slapped him?
- MISS RUSSELL: Yes, your Honour:
- Q. And an ambulance man intervened in that situation? - A. I can't remember any of that.
- Q. So, does it come to this, officer: What you are saying is that it may have happened to this young man but you can't recognise him because you were groggy at the time? - A. I can't say for certain.
- Q. Can you say for certain, if you were so groggy, that you didn't notice that head injury and that officers were goading him? - A. I can't say anything either way. I don't know how many were in the ambulance. I don't know what was going off. They were taking me to hospital and I felt terrible.
- Q. So, everything I have put to you may have happened but it's just that you didn't notice it because you felt so terrible? - A. I don't know

what happened in that ambulance.

- Q. There is a difference between saying, "I don't know what happened" and saying that something didn't happen. Do you follow the difference? - A. What I am saying is I don't know what happened.
- Q. So, you cannot rule out the possibility that everything I have put to you, namely, that he was goaded by Police Officers and slapped by one of them, all that may have happened but you simply don't know because you didn't see it? - A. I don't know. I can't remember and I don't know what went off in that ambulance.
- Q. It is a "can't remember" situation? - A. I can't remember anything that went off. I can't remember going back from the brow of the hill down towards the ambulance.
- Q. Would you agree with me, officer, that for anyone even to be aggressive verbally to a young man with an injury of that nature would have been totally out of order? -
A. If it was one of my officers that had been like that I would have reprimanded my officer for conduct of that kind.
- Q. If you hadn't been groggy? - A. Yes.
- Q. And if you hadn't been groggy you would have been aware of it going on? - A. Yes.

Cross-examined by MR. GRIFFITHS:

- Q. Did you draw your truncheon at any time on that day of the 18th June? - A. I think I drew it when I got hit. I can remember being down on the floor
- Q. What? Even when you were, as I understand it, Sergeant, very winded, feeling sick, you actually drew your truncheon? - A. I was trying to get up.
- Q. But, there were officers ahead of you? - A. Yes and they had their backs to me, coming backwards.
- Q. So, you have this recollection of drawing your truncheon. What? When you were actually on the floor? - A. I was trying to get up. I believe I drew my truncheon.
- Q. Sergeant, do you think you could have drawn it at some stage before that? I can't suggest that you did, but just try to remember. I am just trying to clarify the facts. - A. I had no occasion to draw it.
- Q. You are not suggesting in any way, are you, that your memory as to what happened before you were hit is impaired in any way, are you? - A. No.
- Q. Is it your best recollection? I am concerned with the point up to the bridge, you know, when you come back after your break, you are deployed up to the bridge? - A. Yes.

- Q. Is your best recollection that when you came back into the field, so to speak, that you weren't waiting around for any significant length of time, but you were involved in movement up the field almost straightaway? - A. Basically, that would be true.
- Q. Right. Your best recollection is, I think, you were involved certainly in the last move to the bridge and possibly one move before that? - A. Yes.
- Q. Look, please, at Exhibit 9. That is a photograph. Will you also have before you this recent bundle, two similar colour photographs. Would you look at photograph 17 of that one and photograph one of the other? - A. Yes.
- Q. Looking, first of all, at the black and white photograph, number 1 in album 9, you see the bush there that is adjacent to the wall? - A. Yes.
- Q. Now look at the colour photograph, number 17 of Exhibit 27? - A. Yes.
- Q. Do you see the bush there, but this time on the right by the wall? - A. Yes.
- Q. Now, Sergeant, may I tell you that it is understood that the last move up to the bridge started at that point, so that Exhibit 27, that is, the colour photograph, really shows the horses coming back and that move has enabled the units, that is, the cordon, to move to a position which is, in fact, just slightly past that bush on the right-hand side, from there up to the bridge. That is to the best of our understanding. - A. Yes.
- Q. So, going back to photograph 1, the black and white, I want to be clear about your movements, and do your best as to timing, if you can. If you can't give a time at least you can help me as to the rate of progress you made. You move, on the final move, from the bridge, from a point approximately by that bush on the left-hand side up that photograph. Am I right? - A. Yes.
- Q. Were you walking or running? - A. Sort of jogging.
- Q. Was your route impeded in any way? Were you stopped in any way for any appreciable length of time, apart from side-stepping somebody, but did you basically jog from the bush up to the bridge? - A. Basically, yes.
- Q. So, you can't remember being stopped for any appreciable length of time? - A. That's what I remember, basically.
- Q. You are jogging up the road - photograph number one - then photograph two, up the road and photograph three, approaching a bridge? - A. Yes.
- Q. And, presumably, as a leader, leading your little platoon, you all went up together? - A. I had one straggler and I was shouting him up from the back so he didn't get lost.

- Q. Then, you come up to a point - so you see the "30 mph" sign in photograph number three? Would you look carefully, just before the bridge? - A. Yes.
- Q. A better view is in photograph number five. - A. Yes.
- Q. Do I understand that at about that point you went off to the left to try to speak to your Inspector who was in the field to the left of that wall that we see in photograph number five? - A. Yes.
- Q. You speak to him, he brings his unit back and you go back then, as you have described, in the throat of the bridge? - A. Yes.
- Q. That move up to that point and you going over to the Inspector and coming back, took no more than five minutes at the most? - A. Possibly about that.
- Q. Then there is the re-grouping at the bridge? - A. Yes.
- Q. And I don't want to waste time, so if I can deal with it in this way, do you accept that because you went off to speak to your Inspector and because you were behind the short shield units who are obviously increasing their distance away from you, as you are proceeding they are running faster than you are? - A. Yes. They were in front.
- Q. Do you accept there may have been an over-run both of horses and short shields? In other words, they could have gone on to the bridge and over the bridge so far as you know before everybody re-grouped at the bridge? Are you prepared to accept that? - A. I would accept it is possible, yes.
- Q. You then re-grouped at the bridge. All these questions are important. Look at photograph 13, please, again in this bundle. - A. Yes.
- Q. Now, you can tell me again, because you were there for ten minutes or so, where that line was, that is, the line ahead of the line before the main advance over the bridge is designed. - A. It was about four or five yards back along the bridge.
- Q. Well, you see the coping stones? - A. Which coping stones?
- Q. The ones on the left and right? - A. Yes.
- Q. And you can see the panels of the iron sides of the bridge? - A. Yes.
- Q. And you can see some / posters on the left-hand side, some posters on the first panel? - A. Yes.
- Q. Some posters on the second and on the right-hand side? - A. Yes.

- Q. Do we take it the line is really running across probably from poster to poster, that sort of position? -
A. Somewhere there, possibly a little further back.
- Q. While you were waiting at that point, when you were static, can we take it you had eyes to see, Sergeant, that there were no Police Officers, horses or any sort of Police attachment further up the brow of the hill? - A. I couldn't see up to the brow of the hill, but I can't remember anything coming back.
- Q. You can't remember anything coming back? As I understand it, from what you could see demonstrators were, so far as you could see, on the road around the cordon? - A. Yes.
- Q. So, what you have described then, your movement from the bridge to the brow of the hill, so far as you could see, was the first planned move of Police Officers up past the bridge? - A. It was the first move in which I was involved, yes.
- Q. But, from all that you have told us it must follow that it was the first planned one? - A. I don't know if it was the first planned one. I don't know what happened before.
- Q. May I indicate this? I have used the term "over-run" and you have accepted there may have been an over-run because you went off and could not see for a short period of time? - A. Yes.
- Q. But, if you are not prepared to accept that, let's be absolutely clear: How long do you say it took you to go off the road to speak to the Inspector and back on to the road again? - A. A couple of minutes.
- Q. A couple of minutes? Would you agree that, looking at it in the round, it follows that to the best of what you can say, you were involved in the first movement of Police apart from any over-run there may have been up from the bridge? - A. Yes.
- Q. And you didn't see any horses whatsoever in that move, did you? - A. Again, I can't recollect any horses.
- Q. Part of this case may concern control or otherwise of Police Officers. Even when you went up to the bridge did you know where you were going to go? - A. To the bridge.
- Q. Yes. Did you know you were going to the bridge when you were running up towards it? - A. I hadn't been given a target.
- Q. You had no idea of where you were going to go when you took your unit towards the bridge? - A. Correct.
- Q. When you moved up from the bridge, you had no idea as to where you were going other than up the road and on the right? - A. Yes.

- Q. You can tell the Jury that your PSU was involved, long shields, up from the bridge, now? - A. Yes.
- Q. Can you help us as to how many other long shield units were involved in that move from the bridge? - A. No.
- Q. Can you even help us as to how, approximately, how many short shield units you must have seen pass through your line and hence were involved in that movement up past the bridge? - A. A number of units.
- Q. Well, give us an idea as to numbers. 20? 30?

JUDGE COLES: What are you talking about? You are going rather fast.

MR. GRIFFITHS: I'm sorry. Past the bridge.

JUDGE COLES: Are we talking about short shields now?

MR. GRIFFITHS: Yes. I will put it again:

- Q. Short shields and the planned advance ...

MR. GRIFFITHS: Your Honour, I am not talking about an over-run at all. I think the officer has given an answer to the best of his ability, that he was involved in the first planned move of Police past the bridge. I am dealing with that.

JUDGE COLES: Good. Thank you. What do you say about short shields?

- Q. MR. GRIFFITHS: How many short shield units did you see or did you allow through your line before this, or as this advance was commencing past the bridge? - A. 20/30 men, perhaps.
- Q. But, that is only just over one PSU. - A. Yes.
- Q. Are you saying that is all there was? - A. That is all I can recollect. There wasn't a vast number at the bridge.
- Q. Whatever number there was, Sergeant, they were running ahead of you and presumably you saw them circumnavigating the car in the middle of the road? - A. I can't remember them going round the car, but they must have done.
- Q. But, you must have gone round the car? - A. Yes.
- Q. What I would like you to do, if you can, is to help us to the best of your ability as to how far you saw short shield men running to the village. That is what I am hoping you can help me on. As you were going up that hill you, presumably, remember going around the car. You didn't clamber over it? - A. No. We must have gone around it.
- Q. Right. When you were passing the car approximately how far ahead of you are the short shield units? - A. They must have been going up towards the brow of the hill.

- Q. Well, where did you see them go? - A. The brow of the hill.
- Q. They had reached the brow of the hill when you were by the car? - A. I can't say exactly where they were as I was going past the car. They were somewhere in front.
- Q. Can you give us an idea as to how much leeway they had made, distance, leeway? - A. 30/40 yards, perhaps.
- Q. In other words, were you falling further behind? - A. Yes.
- Q. So, you were falling behind, further behind and then you managed to get to a position, I think, you told us that photograph number nine in album nine, I think you told us you reached a point where the photographer would have been standing? - A. Yes, about there.
- Q. Now, before you incurred your injury there was clearly some people ahead of you, even in your own unit? - A. Yes.
- Q. Because you called them back? - A. Yes.
- Q. Let's deal with those first of all by asking you this question: How far ahead had they gone? I mean, for instance, your position is as viewed by the photographer - had they gone, for instance, past the houses on the right-hand side or the first house? - A. No, they would be about ten yards in front of me at the most.
- Q. But they are long shield men? - A. Yes.
- Q. Where had the short shield men gone at this point? - A. The short shield men that I saw had by that time started to come back.
- Q. Come back from where? Looking at that photograph, can you help me in relation to any of those houses? - A. In relation to the houses, they were coming back down the road as we still went forward in order to give them some cover with our big shields.
- Q. Are you able, for instance, to say, looking at the specific sign in photograph number nine, that they were walking back from that position there? - A. I can't recollect seeing any that far down the road.
- Q. But, of course, by the time you reached the brow they would have been out of site at some point, wouldn't they? - A. I suppose so, yes.
- Q. What I want you to do is to explain to me where you were when you saw prisoners being brought back who had injuries. - A. Well,
- Q. Look at the photographs. Look at the aerial photograph if you want to, anything whereby you can help us as to where you were when you saw injured prisoners, as I understand it, injured, arrested prisoners being brought back. -

- A. I would be approaching the brow of the hill.
- Q. And these were being brought, so far as you could tell, were these prisoners who were injured being brought back by short shield officers? - A. They weren't brought back by long shield men.
- Q. JUDGE COLES: Then it must have been short shield officers. - A. I would imagine so, yes.
- Q. MR. GRIFFITHS: Would you look at Exhibit number 11c, please. That is the large photograph, members of the Jury. (Handed) You have already described cut injuries or injuries that were bleeding. Does that bring a memory back. Do you remember seeing that person being brought back? - A. I can't specifically remember that man.
- Q. About how many did you see coming back with blood on them, arrested persons? - A. Only a few.
- Q. Only a few could mean anything. How many do you remember? - A. Perhaps up to half a dozen.
- Q. Half a dozen arrested persons with blood on them? - A. Yes.
- Q. Was this always about the same time, as you were approaching the brow of the hill? - A. As I was going towards the brow of the hill they were coming back, when I was going from the bridge to the brow.
- Q. JUDGE COLES: Are you saying that you saw men being arrested with blood on them at other times than that? - A. Earlier in the day I saw several arrests.
- JUDGE COLES: I don't think counsel is concerned with that.
- Q. MR. GRIFFITHS: I am dealing only with your move up to the brow of the hill as to approximately how many arrested persons did you see being brought back with head injuries when there was blood coming from wounds on a head? - A. Possibly five or six.
- Q. Did you have to warn the officers under your command, before moving on above the bridge, Sergeant, that they ought to keep their tempers in check? Did you give any sort of warning like that to them, or to any of them? - A. No, can't remember doing so.
- Q. You would agree, would you not, that whenever you have a PSU of 20 men they are going to have different personalities and react in different ways to a given situation? Agreed? - A. Yes.
- Q. Some people are inevitably more hot-headed than others. Agreed? - A. Yes.
- Q. And it is the duty of the commander to recognise those features and do his best to keep them down? Agreed? - A. Yes.

- Q. Did you have to keep any of your men in check? - A. No.
- Q. I have asked you a number of questions about the short shield units and their activities above the bridge. I won't make any comment. The Jury have heard your answers. Do you think, Sergeant, that you saw a little more than you are telling us now? - A. No.
- Q. Short shield men running willy nilly after demonstrators with truncheons drawn and striking people? - A. No.
- Q. Completely out of control? - A. No.

MR. GRIFFITHS: Thank you.

Re-examined by MR. WALSH:

- Q. If you had seen short shield men, or any Police Officers, running out of control, beating up innocent people, what would you have done? - A. I would have told them to stop.
- Q. You said that day, from an early point in cross-examination from Mr. Taylor, when he questioned you, that you didn't draw your truncheon during moves forward? - A. No.
- Q. Did you have any need or reason to draw your truncheon? - A. None whatsoever.
- Q. And you have told us the only time you think you could have drawn it was right at the end when you were injured? - A. Yes.
- Q. I would like to ask you about truncheons. During the whole of your work outside in the field and beyond the bridge, was your purpose and intention - well, what was your purpose and intention? - A. It was - our unit was a long shield unit to protect the others.
- Q. Of the 23 - or perhaps it was 22 people, because you had one short? - A. Yes.
- Q. Of the 22 people in your PSU, you are one of two Sergeants? - A. Correct.
- Q. There is an Inspector in charge of all of you? - A. Yes.
- Q. And other than you and the other Sergeant and the Inspector, does every other man have a long shield? - A. Yes.
- Q. And with how many hands or arms does he hold it? - A. He requires both hands, arms, whatever you want to call it, to carry that shield.
- Q. Is it possible for any of the men under your control both to carry his long shield and have a truncheon out to hit people? - A. Doubtful.

- Q. Did any of your officers do that? - A. I didn't see any of them draw a stave on that day, no.
- Q. You have been asked a lot of detailed questions about what happened at the bridge and how long things lasted. Do you follow? - A. Yes.
- Q. How accurate now - I think it's about a year later - are you as to times and how long things actually took to happen on the 18th June, 1984? - A. I believe now that the length of time which I was serving out on the front line was shorter than I anticipated it was. It seemed a very long time to be there, but it could possibly be shorter in actual time.
- Q. You say, in fact, and as one counsel pointed out to you, that, for example, the time that the long shields were deployed, and that includes, you say, about seven minutes or so before the convoy arrived. Do you follow? - A. Yes.
- Q. Now, it is suggested to you that in saying that you were out there a lot longer, you were deliberately lying. What do you say about that? - A. There's no reason.
- Q. When you were there, what length of time did it feel like? - A. It seemed like a terribly long time to be there.
- Q. Now, when you reached the bridge you have already explained that because, as it were, the wall had more or less come between your group of ten and the Inspector and the other group of ten, you left your men, went over to talk to the Inspector? - A. Yes.
- Q. And you obviously cannot tell us what was happening way ahead of you, over the bridge at that time? - A. No.
- Q. And you pointed out, when one of my learned friends showed you Exhibit 24, photograph three, that that photograph was taken at a later stage because you could see, as it were, a roof of shields? - A. Yes.
- Q. And, in fact, I think you're entitled to know that you are right about that. This photograph was taken at the earliest at about 12.15, when you were in hospital. Do you follow? - A. Yes.
- Q. I would like you to, perhaps with that photograph in mind, look at another photograph which is in album Exhibit 21, and it is number two. - A. Yes.
- Q. Now, we will just wait because we have so many albums and photographs it takes us some time to get ourselves organised. Does that scene ring a bell with you? - A. All I can say is it is at the bridge, but I can't put a time to it.
- Q. No. Are you able to say whether that looks anything like the position at the time when you reached the bridge and part of your unit is, as it were, in the field? - A. No.

It was different to that. There weren't as many officers on the road.

- Q. When you got there? - A. Far fewer.
- Q. You can see then the heads of the officers, one person and the head of another on the bridge just looking in the direction of the camera? - A. Yes.
- Q. Right. Now, taking it a little stage further, you are on the bridge now and you are about to move forward up the hill? - A. Yes.
- Q. And you said this, in answer to my learned friend, Mr. Mansfield, who sits here behind the large file with the rings on it, "At the bridge, before we went out I didn't see what Police went out ahead, but as we went out there were some Police in front"? - A. Yes.
- Q. Now, can you remember in any more detail what sort of Police they were, or the approximate numbers, anything like that, the ones that were in front of you? -
A. On reflection 20/30, possibly short shield units.
- Q. Have you any clearer recollection than that, and just pausing, nobody wants you to start guessing about anything. - A. I have nothing clearer than that there were some in front of us, possibly short shield units.
- Q. Likewise, taking the day's events a little further, and we will need Exhibit 9, photograph 9 - do you remember, this is the one where you say, as best you can recall, you had got to the position of the camera-man on that photograph? - A. Yes.
- Q. And I think you said - correct me if I am wrong - that you had got about that far before you received your injury? - A. Yes, approximately there.
- Q. Approximately there? Now, again, no-one wants you to guess. If you can remember, please say so. If you can't, also please say so. At the time you reached that position shown on there, you have said in answer to my learned friend, Mr. Griffiths, to his last question to you, that the short shield men were coming back down the road, and you added, "for us to give cover", or words to that effect? - A. Yes.
- Q. Now, what I would like to know is this: You weren't able to tell Mr. Griffiths exactly where the short shield men were. Were they, so far as your position on this photograph is concerned, ahead of you, at the side of you, or behind you? - A. The majority, I would think, had gone back behind me, and the reason why I would be shouting the three men back was that they were going to be left on their own and they were senior and they were coming back.

- Q. Let's just clarify that. The majority had gone back behind you? - A. Yes.
- Q. The majority of whom? - A. The short shield men.
- Q. And you had, you have told us, these three men of your attachment with long shields who were, I think you told us, a few yards ahead of you? - A. Yes.
- A To the side? - A. Yes.
- Q. Apart from those three men of your long shield unit, were any more of your men ahead of you? - A. No.
- Q. Have you any recollection of there being, at the time of your injury, any other officers ahead of you, that is, further away from the camera on this photograph? -
A. I can't recollect them, no.
- Q. And, again, I don't want you to guess, but have you any recollection, again, at the time when you received your injury, of the whereabouts of the demonstrators, pickets? -
A. There were some on the road, but not a great number.
- Q. Only on the road, or elsewhere? - A. I can't recollect. I was concentrating on the road.
- Q. You say you were concentrating on the road. That leads me to another matter. Throughout the whole of your duties that day on the line, before the break on the advance to the bridge, after the break and on the advance up the brow of the hill, as a Sergeant looking after your nine men, on what were you concentrating? - A. I was concentrating on keeping my men together, under control and safe.
- Q. You were asked a number of questions about what you may or may not have seen going on further to your left in the field, that sort of thing. Were any of those matters upon which you were concentrating? - A. No.
- Q. Now, a time comes when you receive your injury. I'm not quite sure what is being suggested, so I will have to ask you this question: Did you receive your injury in the way that you have described? - A. I most certainly did.
- Q. JUDGE COLES: I understand it was never suggested you didn't receive the injury, but the manner in which you received it was doubted. Was the manner in which you received it as you have described it? - A. Yes, a brick hit me, as I have described.
- Q. MR. WALSH: And you have produced your notebook to counsel and read out the entry that you made on that day? - A. Yes.
- Q. Do you have any reason for writing down an entry that was false? - A. None whatsoever.
- Q. You have been asked a number of questions about - I'm sorry, before I get on to that, questions of times, you see,

have been explored in which you either are or are not able to help with any precision and one of my learned friends was trying to see if one could pinpoint a time at which your injury took place. Do you follow? - A. Yes.

- Q. Now, I would like to do it this way, if I can. You're injured in the vicinity of the brow of the hill? - A. Correct.
- Q. You have told us the effect that it had upon you. - A. Yes.
- Q. As you were taken off down the brow of the hill, was there any available medical treatment between you and the bridge, from what you could see? - A. Not that I recollect.
- Q. No. How urgently did you feel in need of some form of medical treatment? - A. It's difficult to say. I was frightened that I had been more seriously injured than what it turned out. That was my main concern.
- Q. Yes, and was there, for example, between you and the bridge, as you come down the hill, any ambulance? - A. I don't know.
- Q. Were there any ambulancemen there, available to give attention because they were assisting somebody else? - A. I don't know.
- Q. JUDGE COLES: Well, what you are being asked is if there had been an ambulance or ambulancemen there, do you think you would have noticed? - A. Possibly not.
- Q. MR. WALSH: What about your colleagues who were helping you? - A. I am later told that the people who helped me were from another Force. I don't know who they were or anything.
- Q. But, so far as you know they were not dazed or groggy? - A. As far as I am aware. I don't know who they were or anything about them.
- Q. Very well. Anyhow, you have told us that the place where you came upon the ambulance was somewhere below the bridge, between there and the coking works? - A. I believe so, yes.
- Q. You have been asked about your feelings. You see, the suggestion has been made that you and your long shield officers just charged forward in order, if necessary, to inflict violence upon the pickets and drive them away by violent means. Do you follow? - A. Yes.
- Q. Because it is said you were getting fed up and you wanted to get off back home or out of the line, or something like that. Now, what feelings did you have concerning this day or this strike? - A. I was totally sick and sad that it had gone so far and it seemed so futile.
- Q. JUDGE COLES: That what had gone so far? - A. That we had gone to having to wear riot gear and things like that.

- Q. MR. WALSH: The Jury know from the very outset of your evidence that you are a Doncaster officer? -
A. Correct.
- Q. The Jury - no doubt, it is an obvious question to some of us, but it may not be to them, but what areas are in and around Doncaster? - A. Bentley, Mexborough, Denby Main, Askem, Rodsworth, Rossington.
- Q. Are they all collieries? - A. Yes.
- Q. And what involvement with the miners have you had over the years? - A. My grandfather worked at Silverwood colliery.
- Q. May I ask you how old you are? - A. 38.
- Q. Where has your service been in the Police Force? -
A. I started at Mexborough as a P.C. and worked there for six and a half years. I then went to the road traffic for four years and on promotion I went as a section station Sergeant to Bentley, a mining village on the outskirts of Doncaster.
- Q. Were you party to any attack on the pickets that day? -
A. No attack. The only physical contact was when we shoved them back and they ran at the shields.

MR. WALSH: Thank you.

- Q. JUDGE COLES: May I just ask you one thing? You have told Mr. Walsh that if you had seen short shield men striking perfectly innocent people you would have told them to stop? - A. Yes.
- Q. What if you had seen them striking people who were not totally innocent, but who had been throwing stones at Police Officers? What would you say about that? -
A. If there was no need for the violence to be used it would seem counter-productive to me..... To make an arrest and contain somebody and use reasonable force, well, to me that would be an acceptable part of using force, but once it goes beyond those bounds then it has got to stop otherwise we are helping no-one, least of all ourselves.
- Q. So, you have to form the view, first of all, whether the force being used is reasonable or not, given the circumstances? - A. If it was to effect an arrest and control a prisoner. Once he is under control there is no violence which should be used, yes.

JUDGE COLES: Any other questions arising from that? No? Thank you, Sergeant Smith.

MR. WALSH: Your Honour, may I alter the running order slightly and call next the next-but-one witness, P.C. Browning? Your Honour, Page 204. He is an arresting officer. Your Honour, I am told it might assist my learned friend, Mr. Taylor, if we could have our break now rather than later.

JUDGE COLES: Do you mind, members of the Jury?
No? Very well.

(Short Adjournment)

P.C. FREDERICK ROBERT BROWNING Sworn

Examined by MR. WALSH:

- Q. Your full name and rank, please? I'm sorry. The combination of this room, somebody coughing - and you will have to expect somebody to cough every few minutes - means we didn't hear a word of that. - A. Fred Robert Browning, P.C. 4139.
- Q. Thank you. That wasn't a joke. This room is very difficult to hear in, we know from bitter experience. Now, which Police Force do you belong to? - A. Merseyside.
- Q. And which Police Station? - A. Walton Lane.
- Q. And on Monday the 18th June of last year were you on duty at the Orgreave Coking Plant in Highfield Lane, Orgreave? - A. I was, my Lord.
- Q. Were you a member of a PSU? - A. I was.
- Q. And who was the Inspector in charge of your PSU? -
- A. Inspector Owen.
- Q. Before the 18th June had you ever been to Orgreave? -
A. No.
- Q. Either on duty or as a private individual? - A. No.
- Q. Have you ever been back there? - A. No.
- Q. And what was the first that you knew that you were going, say, to Yorkshire? - A. We were told on the Thursday or the Friday before that we were going away for a week.
- Q. For a week? - A. To the Yorkshire area, but we didn't know where we were working.

MRS. BAIRD: Your Honour, I regret people still cannot hear Mr. Browning.

JUDGE COLES: Will you speak up? It is most important that the Accused in the trial hear what you say and they say they cannot hear what you say.

THE WITNESS: I'm sorry.

- Q. MR. WALSH: You see, Mr. Browning, I am asking you the questions but you aren't speaking to me. - A. Yes, I

appreciate that.

- Q. You speak both right to the back there and right to the back there. - A. Yes.
- Q. And it may seem to you that I am shouting my questions a bit. If I do so, it is to try and encourage you to speak up as well. Do you follow? - A. Right.
- Q. Now, I'm sorry, I think you said that the Thursday, or thereabouts of the previous week you knew you were going to the Yorkshire area for the following week? - A. That's correct.
- Q. And which day did you leave Liverpool? - A. We left on the Sunday.
- Q. And where did you go? - A. I think it was Kiveton Park.
- Q. Does that mean you stayed somewhere overnight on the Sunday? - A. We stayed for the week there, yes.
- Q. Do you know how it came about that you ended up at Orgreave on the Monday, the 18th? - A. We were just told to go there. I wouldn't even know how the hell to get there now.
- Q. Who would be the person who would receive instructions of where to go? - A. Mr. Owen.
- Q. Did you have vehicles for your PSU? - A. There was about 60 vehicles.
- Q. I'm sorry? - A. 60 vehicles in the convoy.
- Q. But, your own PSU? How many vehicles did that have? - A. Three.
- Q. So, you went in convoy. Did you know you were going to Orgreave or did you only find that out when you were there? - A. When we arrived.
- Q. When you arrived. Are you able to give us any indication of when it was you arrived at Orgreave? - A. About six o'clock, roughly six o'clock-ish, or possibly just before then.
- Q. On which day? - A. On the Monday morning.
- Q. Monday morning. Had you received public order training with your PSU? - A. We had received a basic training. I had been on a single day's training course up Bourton Wood, but it was quite a while before the incident.
- Q. What is your normal job as a Policeman? - A. I'm in the cars. I'm on patrol in the cars.
- Q. Plain clothes or uniform? - A. Uniform.

- Q. I think you had got to Orgreave at six o'clock? -
A. Roughly, yes.
- Q. And were you involved in any active duty immediately or not? - A. No. We went inside the actual factory complex, if you call it a factory, and we were way at the back of the area.
- Q. Right. What were you doing at the back of the area? -
A. Some of the time we were actually patrolling the perimeter wire, other times we were sat in our vehicle.
- Q. Did a time come when you were taken away from the back of the - we have been calling it the coking works, if you don't mind? - A. Yes. We were taken to the actual entrance into the coking works and told to park my vehicle there.
- Q. Is that the main entrance of a road that we know is called Highfield Lane? - A. I believe so, yes.
- Q. Did you know the name of the road? - A. No.
- Q. Just to get your bearings, there is a large aerial map - I'm sorry, a photograph. If you just take a moment, we know that if you look in the top left-hand corner there is the coking works. - A. Yes.
- Q. Do you see where the vehicle is just above a row of trees, on the left of the photograph? That is the main entrance. - A. Right.
- Q. This road going down here, although it is uphill, I am saying down to the railway bridge, and that is Highfield Lane and it runs from the bottom of the hill way off the photograph, up past the coking works to the bridge. -
A. Right.
- Q. Are you a little more familiar with it now? - A. Yes.
- Q. Just for your further reference, at the side of the main entrance, between it and this big mass of trees, there is a single storey building which is a medical centre, or it is called a medical centre. - A. That's right.
- Q. And across the road is a block, to which I am pointing, which was used that day. That is the Police Headquarters, or the command post. - A. That's right.
- Q. You say a time came when you and your colleagues are parked out somewhere about the main front gate? - A. We were parked in front of what you call the medical centre.
- Q. Did you stay there any appreciable length of time? -
A. Yes. We stayed there 45 minutes at least.
- Q. 45 minutes at least? - A. Yes, at least.
- Q. Before we go any further, how accurate do you think now you can be about times and lengths of time that things took on that day? - A. I can't be accurate.

- Q. I'm sorry? - A. I can't be accurate.
- Q. No. You see, you may be asked on a number of occasions, "Can you say when this happened, or how long between this or that?". Do you follow? - A. I do, yes.
- Q. If you are able to give a realistic estimate or assessment, please do, but we don't want you to guess. Do you follow? - A. I do, yes.
- Q. Now, what were you doing in the time following your arrival at that main gate and before anything further happened? - A. I was the driver of one of the vans. I was just sat there. I was told to sit there in the vehicle.
- Q. You sat in your van? - A. I did, yes.
- Q. Did a time come when you were taken into some form of active role? - A. It was just prior to lunchtime where we were all assembled and walked up the hill with our crash helmets on.
- Q. JUDGE COLES: Just before lunch? - A. It was about half-eleven, thereabouts.
- Q. MR. WALSH: You say just before lunch. Had there been a planned time for lunch or not? - A. I don't believe so. By lunch, I mean twelve o'clock, the normal time which I follow.
- Q. So, you went up the road? - A. We went up the hill, yes.
- Q. JUDGE COLES: Having put on your normal gear? - A. We had our normal uniform on and also crash helmet.
- Q. MR. WALSH: You will have to make an effort to shout because it may be that people at the back didn't hear everything. Do you follow? - A. Right, sir.
- Q. JUDGE COLES: You have a naturally soft voice. - A. I'm sorry.
- JUDGE COLES: Try to harden it a little. Many of us suffer from it. Just try and put a hard edge on it.
- Q. MR. WALSH: You will hear all of us pretty loud from time to time, I should imagine. What are you kitted up in before you move off and go up the hill? - A. Basically, what I've got on now and my leather gloves and the crash helmet.
- Q. And any shield of any sort? - A. No.
- Q. Did any of your colleagues that you know have any shields? - A. They did, yes.
- Q. Perhaps I should ask you how many of them, approximately? How many with, how many without? - A. There was 20 Constable and two Sergeants and an Inspector and I don't

know how many shields we had, but we didn't have enough for the whole of the PSU.

Q. So, you didn't have one yourself? - A. I didn't have one, no.

Q. And as you walked up the hill what did you understand you were going to do? - A. We hadn't been told anything. We had just been told to make towards the bridge and assemble there.

MISS RUSSELL: Could the witness repeat that last answer?

MR. WALSH: Make towards the bridge and assemble there:

Q. When you told us some of your colleagues had shields and some didn't, those who had shields, were they short or long? - A. It was a mixture. There was only roughly half the PSU there. The other half had already left the coking plant prior to us.

Q. JUDGE COLES: You are dropping your voice. Could you say that again? - A. Half the PSU, one van load of the lads, had already left the back of the coking plant prior to us and we were split up into half a PSU.

Q. MR. WALSH: We understand half a PSU to be only ten men and a Sergeant? - A. Yes, ten men and a Sergeant, but there's three vans per PSU. One van has all the equipment in it and the other van had obviously taken a major part of the equipment prior to us getting there.

Q. JUDGE COLES: The first half had been withdrawn from the coking plant, put into the front line, before you? - A. That's correct.

Q. And they had pinched all the equipment? - A. Well, they hadn't pinched it.

Q. I always get into trouble when I try and make things simple. They had made use of the equipment to protect themselves? - A. Yes.

Q. MR. WALSH: I see. How far ahead of you had they gone in either time or how do you put it? - A. No idea. I didn't see them go.

Q. I'm sorry? - A. I didn't even see them go.

Q. Right. So, you are going up with half a PSU, led by a Sergeant? Is that it? - A. Led by a Sergeant and also an Inspector was there.

Q. Inspector Owen? - A. Inspector Owen, yes.

- Q. So, it follows from that, those who had gone earlier went under their Sergeant and if Mr. Owen had gone with them, at any rate, he had come back by this time? - A. Or possibly another Inspector from another PSU.
- Q. Does that happen sometimes? - A. It can happen, yes.
- Q. Part of the PSU can be joined on to another one under their Inspector? - A. Well, this is on the instructions of whichever Police Force is operating.
- Q. JUDGE COLES: Which officers were with your half? - A. I was under Sergeant Gladwell. He was my Sergeant. The other half had Sergeant Hillhouse.
- Q. MR. WALSH: And Mr. Owen was with you in your half when you went up the hill towards the bridge? - A. Yes, he was.
- Q. Did you reach the area of the bridge? - A. We got to just before the bridge and there was a hell of a large crowd of officers already there and we sort of just joined on with them.
- Q. Did you join up with the other section of your PSU? - A. They might have been there. I certainly didn't see them.
- Q. Did you notice them again? - A. No.
- Q. I should split that into two questions. Did you notice them again at that point, to which you have said, "No", or at any other stage before your duties that day ended? - A. I didn't see them prior to the incident. I saw some officers in the Police Station, if you call it that, after the incident had taken place.
- Q. Yes. Right. Would you be good enough to look at an album of photographs that should be Exhibit 9. Have you got that? - A. Yes.
- Q. I will give you a moment or two to go through it with me because you have not been back there since this time. On photograph number one you will see a road that leads up from the direction of the coke works' main entrance towards the bridge. It isn't taken exactly outside the main entrance. It is a little further uphill. - A. Yes.
- Q. Photograph two takes you nearer to the bridge, which you can see just round that bend. - A. Yes.
- Q. Photograph three, a little nearer still. Four, closer. Five, not quite as close but from a different angle. Do you follow? - A. I do, yes.
- Q. Now, is it possible, by looking at those photographs, to tell us where it was that you joined up with other officers? - A. No. It was just in the vicinity of the bridge, I believe.

- Q. In the vicinity of the bridge? Can you help us this way? Was it on the bridge or coking works side of the bridge? - A. On the coking works side.
- Q. What was happening when you got there? - A. As I actually got there there was very little taking place. All of a sudden someone said this, "There's Mr. Scargill over there", and everyone was looking

JUDGE COLES: Can you got a bit slower, please?

THE WITNESS: I'm sorry.

- Q. JUDGE COLES: Very little happening when you got there. All of a sudden someone said, "Look, there's Mr. Scargill over there"? - A. Sat there.
- Q. MR. WALSH: When you say, "somebody said", was this an officer in charge, a colleague, or what? - A. Just someone in the crowd of Police Officers. I don't know who it was.
- Q. Could you see anything? - A. No. Next thing, all the missiles starts coming at us and the next thing I know is that the horses are coming up and we're told to clear a path for the horses.
- Q. Wait. Did you clear a path for the horses? - A. We had no option.
- Q. Can you help me at this point? When you got out of the way for the horses, where are you in the general Police lines? At the rear, at the front, in the middle? - A. Somewhere towards the rear, middle-ish, the rear middle. I wasn't on the front because the lads with the shields were at the front. Basically, I was behind them.
- Q. What were the lads with the shields doing? - A. Protecting themselves.
- Q. From? - A. From the missiles.
- Q. Right. So you clear out of the way for the horses to go through. Can you give us an estimate of the number of horses? - A. In excess of 25.
- Q. In excess of 25? - A. Yes.
- Q. And what happened next? - A. Everyone started running away, all the miners
- Q. Now, just pause there. Could you see that? - A. Oh, yes.
- Q. Right. Well now, let's just take that in stages. Before the horses came through could you see where the people ahead of you were? - A. They were on, it was sort of an embankment area. I think it was the railway. I'm not sure what the bridge went over. There was an embankment or a slope.

JUDGE COLES: You're dropping your voice again.

- Q. MR. WALSH: You aren't sure if it was a railway, but it was an embankment area? - A. The slope of a hill, sort of thing, grass, rocky path

- Q. JUDGE COLES: Grass? - A. It wasn't cultivated type of thing.
- Q. MR. WALSH; Was that on the embankment? On which side of the bridge was it? - A. That was on both sides.
- Q. But the side where you saw those people who then ran away? - A. On the far side of the plan, the other side of the railway from the plan.
- Q. JUDGE COLES: That's where you saw those people throwing stones? - A. Well, throwing missiles, stones and bricks and everything.
- Q. MR. WALSH: And that is the far side of the embankment from the coking plant? - A. That's right.
- Q. Would you look, please, at photograph five in that album? - A. Right.
- Q. Is that scene familiar to you? - A. Yes, it is.
- Q. Do you see the place that you have just been talking about on that photograph? - A. This is on the other side of the bridge, yes. The place from which people were throwing, throwing things, yes.
- Q. Can you point out on the photograph - I'm sorry - it's my fault ... - A. I've got 24a.
- Q. Number five? - A. Yes.
- Q. Would you just pick up 24 (5) again and you can see the place, and just so we all know which one you're looking at, that is number five in album, Exhibit 9 and the one you have been looking at previously, also, by chance, photograph number five. Do you see that? - A. Yes.
- Q. Same area there? - A. Yes.
- Q. JUDGE COLES: So, you are referring to the raised area there? - A. Yes, the raised area.
- Q. MR. WALSH; You have told us that as the horses went through - and correct me if I am wrong - you said that the men who were over there started to run? - A. Started to run, yes.
- Q. What did you do? - A. I just joined everyone else running. As soon as the horses went through everyone else ran, and I ran also.
- Q. You are dropping your voice. - A. I'm sorry. I ran also. I just joined everyone else and ran after those people.
- Q. "I joined everyone else and ran after those people"
- Q. JUDGE COLES: The horses went through the lines. That caused people to run away and as they started to run away the Police began to run after them, behind the horses? - A. Behind the horses, yes.

MR. WALSH: I am having indications from all the Defendants that they can't hear this officer give his evidence. I don't quite know what to suggest to the officer.

JUDGE COLES: Try to pretend you are being angry with Mr. Walsh. See if that helps.

MR. WALSH: I am used to that.

JUDGE COLES: It's really very difficult but it is vital that people hear what you say.

Q. MR. WALSH: You do realise, Mr. Browning, we are all used to this room, having been here for, better not say how long, but it is very difficult. - A. Right.

Q. Now, you and others ran away. Now, why? - A. Everyone else went.

Q. Yes? - A. We just joined everyone else. There were still missiles being thrown and it was generally the thought that we had to get the people who were throwing the missiles.

Q. Where did you run? - A. Fortunately, I didn't have to run very far. I started to go up a slope to my left-hand side after the bridge and saw the Defendant, Moore, throwing a missile and I caught him there.

Q. Wait just a minute. You run up a ridge? - A. Up a slope.

Q. Over the bridge? - A. On the other side of the bridge.

Q. JUDGE COLES: And you ran there because you saw somebody throwing stones? - A. I saw someone throwing a missile, yes.

Q. MR. WALSH: You said who it was? - A. Yes, now.

JUDGE COLES: I'm lost now.

MR. WALSH: He said the Defendant Moore:

Q. Presumably - tell me if I'm wrong - you didn't know that man at that stage, his name? - A. No.

Q. I would like you to tell us exactly what you saw him doing? - A. He was just throwing general rubbish that was in the area. Basically, the walls and the whole of the general area had been demolished and there was tons of debris just lying around and they were just picking it up and just throwing it.

Q. Now, you said, at least I think you said they were just picking it up and they were just throwing it? - A. There were literally hundreds of them, yes.

Q. I would like you to concentrate at this point on what you saw Mr. Moore doing. - A. Just picked up a missile off the ground and just threw it in the direction of the Police and the Police horses.

Q. JUDGE COLES: Picked up an object? - A. An object, yes.

Q. You mentioned Police and I think you said Police horses? - A. Yes, and the Police horses.

Q. MR. WALSH: How near were you to him? How near were you when you saw him do that? And instead of making it yards or feet, if you can point to something in this Court it might be easier. - A. Just roughly this first pillar behind yourself.

Q. The wooden pillar behind me? - A. Roughly, yes.

Q. We seem to think 30 feet

Q. JUDGE COLES: Do you agree? - A. Yes, about the right estimate for that.

Q. MR. WALSH: And how many times did you see that happen? Once? - A. Just the once.

Q. At the time you saw him do that, what were you doing? - A. I was running.

Q. Were you on the road, on the grass, or where? - A. I was actually off the road at the time.

Q. On which side of the road were you? - A. The left-hand side.

Q. As you are going up the hill?

Q. JUDGE COLES: You were off the road? - A. I was off the road.

MR. WALSH: Your Honour, that is the way I put the question, I'm afraid:

Q. Was he on his own, with other people, or what? - A. I have no doubt that he was with other people.

Q. Just what you saw that matters. - A. He was actually standing by himself at the time. They had all sort of split up in the confusion of running, etcetera.

MRS. BAIRD: I lost that in the coughing.

THE WITNESS: He had split up so that everyone was basically solo at the time, they were running, splitting apart.

Q. MR. WALSH: Is it possible for you to tell us with any accuracy how far beyond or how far over the far end of the bridge they had gone by the time you saw him? - A. I had only just crossed the bridge.

JUDGE COLES: That is a little ambiguous, isn't it, Mr. Walsh, when he saw him or when he saw him throw?

MR. WALSH: I'm sorry:

Q. What I intended to mean, and do forgive me, is when you saw him throw about how far over the bridge had you gone? Can you say? - A. I was only just going over it or just entering the grassed area.

Q. You were just entering the grassed area? - A. Yes.

Q. Thank you. Following up his Honour's question, before you saw him

throw, had you noticed or seen him prior to that stage? - A. No.

Q. And what did you do, or what happened following your seeing him throw?
- A. I immediately kept on running to him.

MRS. BAIRD: Could that be repeated? The same problem.

THE WITNESS: I kept running to him.

JUDGE COLES: "I immediately kept on running to him".

Q. MR. WALSH: And what did he do as you kept on running to him?
- A. He did nothing, but I got hold of him. He was very co-operative.

Q. Now, can you answer this: You're 30 feet, we know you're this distance from him when you see him throwing? - A. Right.

Q. What happened, if anything, between that moment and the time it took you to cover that distance to get to him? Do you follow? - A. There were still missiles coming, but not from the Defendant.

Q. What was he doing, if anything? - A. Nothing.

Q. Nothing? And, what did you do when you got to him then? - A. I just got hold of him.

Q. Forgive me for asking, but there is a reason. In what way did you get hold of him? - A. One of his arms, I don't know which arm that I got hold of, but one of his arms.

Q. JUDGE COLES: So, both hands? - A. Yes. I took one of his arms.

Q. In both your hands? - A. Yes.

Q. MR. WALSH: And what? - A. I told him he was being arrested for unlawful assembly and cautioned him and he made no reply.

Q. You say you cautioned him? - A. I did.

Q. What actually did you say? What words did you use? - A. I told him he wasn't obliged to say anything unless he wished to do so, but whatever he said would be put into writing and may be given in evidence.

Q. JUDGE COLES: I think you can say it a bit louder than that.
- A. I told him he wasn't obliged to say anything unless he wished to do so, but whatever he said would be put into writing and may be given in evidence.

Q. MR. WALSH: And you told us he made no reply? - A. He made no reply at all.

Q. So, then what happened? - A. We then walked back to the Police Station together.

Q. When you say Police Station, do you mean that building that we pointed out to you earlier on the photograph? - A. That's right.

- Q. Where the command post was? - A. Yes.
- Q. By the time you had arrested him what had happened, if you can tell us, to the other Policemen who had run forward at about the same time as you? - A. No idea.
- Q. When you got up to him and arrested him, what had happened to any of the other pickets who had been in the area where he was? - A. No idea.
- Q. But, were they there? - A. I certainly didn't notice them. I don't know.
- Q. For example, if you can help us, you go up to him and take hold of him and arrest him. Was there anybody else in the immediate vicinity? Was he in a crowd of people, on his own, or what? - A. I don't know. He was just alone, as far as I'm concerned.
- Q. JUDGE COLES: You concentrated on him? - A. Just on him, yes.
- Q. MR. WALSH; When you got to the Police Station with him, did you have to go before an officer of senior rank to yourself to explain your reasons for arresting, or something of that sort? - A. I believe it was a Sergeant. I'm not that sure.
- Q. And did you have your photograph taken jointly with Mr. Moore on your arrival at the Police Station? - A. I did.
- Q. And, I think, just as a formality at the moment, would you identify this photograph? - A. Yes.
- Q. I accept my learned friend, Mr. Mansfield's comment that it probably wouldn't win a portraiture prize, but is that you and Mr. Moore on arrival at the Police Station? - A. It is certainly myself, yes.

MR. WALSH: Your Honour, it is attached to a document which may or may not be a document of evidential value. I wonder, if the Jury want to see it, whether the photograph can be temporarily removed?

JUDGE COLES: If you hold it up and let the Jury see it. It is a photograph, members of the Jury, which is said to be, and accepted to be, it would seem, a photograph of the Police Officer with Mr. Moore.

MR. WALSH: Your Honour will remember a long time ago I explained to the Jury that when each Defendant and his arresting officer was brought to that Police Station, they had their photographs taken together.

JUDGE COLES: Apparently, that was something unusual that was happening at the time of this event. I don't think it would happen if you went to the Police Station now, members of the Jury.

MR. WALSH: I think I explained it was because a lot of people were involved and officers would then go away and not come back again:

- Q. You said there were missiles about. Were you struck by any missiles?

MR. MANSFIELD: Please don't lead.

JUDGE COLES: I suppose it is leading, yes.

THE WITNESS: Do you want me to answer that?

- Q. MR. WALSH: You had better now. - A. Yes, both myself and the prisoner were, in fact.
- Q. You and the prisoner? - A. Yes.
- Q. At what stage? - A. I walked back from the bridge, on the walk back from the bridge back down the road.
- Q. JUDGE COLES: On the walk back - did you / something after that?
- A. From the bridge back down the road.
- Q. MR. WALSH: Did you see where they were coming from? - A. No.
- Q. Did you receive any injury? - A. No.
- Q. From what you could see, did Mr. Moore? - A. No.
- Q. Following this arrest and the documentary processing and so forth that went on at the Police command block, were you any further involved in the outside activities that day? - A. No.
- Q. What did you do? - A. I made a statement in the Police post, then went back to the Police van and everyone else had assembled there and then we eventually got stood down.
- Q. So, by the time you had gone through the various formalities and made your statement and gone back to the Police van, are you saying that the rest of your unit were already back by then? - A. Yes.
- Q. I follow, and so, again, you may not be able to give us a precise estimate, but about what time would you think it was that you got back to the van and found the rest of your colleagues there? - A. It was just three o'clock, I think. It was just prior to the second, I think it was the second convoy, leaving the coking plant.
- Q. We know that is 1.25. - A. Well, it was just before then, then.

MR. WALSH: Thank you.

MR. TAYLOR: No questions, thank you, your Honour.

Cross-examined by MR. MANSFIELD:

- Q. I represent Mr. Moore. I would just like you to help us a little more with your account of what happened and going straight, if we may, to the occasion when you say you first saw Mr. Moore. Would you take Exhibit 9, please. This is this bundle of photographs. Have you got that there? - A. Yes.
- Q. Just flick through them and just tell us where you were and where Mr. Moore was when you first saw him, if any of those photographs can help you to pin that down. If the scene is not pictured on the photographs then I will show you some other ones. - A. Number seven is the end of the bridge and I think number thirteen is also from the other side.

JUDGE COLES: I'm sorry?

- Q. MR. MANSFIELD: I will repeat your answers. - A. Number seven and thirteen. 13 is, I believe, from the other side of the bridge.
- Q. JUDGE COLES: So, seven and thirteen are the helpful photographs?
- A. I am sort of near the fence on the number seven one.
- Q. MR. MANSFIELD: Near the fence on number seven? - A. Yes.
- Q. This is all Exhibit 9. - A. No. Number seven.
- Q. Photograph 7 of Exhibit 9? - A. Yes, I'm sorry.
- Q. Standing near the fence on the left-hand side. Is that right, officer?
- A. Yes.
- Q. When you first saw Mr. Moore? - A. That's right, yes.
- Q. JUDGE COLES: When you say you were running? - A. Yes, we were running.
- Q. MR. MANSFIELD: And you are running at that point? - A. Yes.
- Q. Just while we have got you in that picture, how many officers roughly are alongside you? - A. Quite a large amount.
- Q. Quite a large number? - A. Yes.
- Q. How many officers are ahead of you? - A. Also quite a large amount.
- Q. In the officers ahead of you, ^{- well,} were the officers alongside you, any of the ones there in your PSU? - A. Yes.
- Q. Which ones alongside you do you remember from your PSU? - A. There was Gary Grey, Ian Johnson. They're the only two that I can remember alongside me.
- Q. Just pause there. Is Mr. Grey P.C. 5743? - A. He is. I think the other one is 7001 or 7002.
- Q. JUDGE COLES: Is that Mr. Johnson? - A. Yes, the other was Mr. Johnson. That was 7001 or 7002, I'm not sure which.
- Q. MR. MANSFIELD: It's the same observation, I'm afraid. It's impossible to hear you. I will just go on repeating your answers. It will take a little longer
- JUDGE COLES: Do try. This case is inevitably taking a long time and if everything has to be said twice it makes it just that much worse.
- Q. MR. MANSFIELD: Now, I think Mr. Moore only threw one missile?
- A. I only saw him throw one.
- Q. According to you, officer, you are alongside those two officers of the large number of others. Ahead of you are a large number of other officers not from your PSU, ahead of you? - A. I don't know.

- Q. So, when you go round this bend, as it were, and running by this fence, the road up ahead of you, if the Jury are alongside you, is dotted with other Police Officers? - A. It's got other Police Officers and also objects in the road, like smashed cars, and there was a big gas cylinder.
- Q. Smashed car and a gas cylinder? - A. I think there was also gates up there.
- Q. Gates? - A. Yes. The road was basically absolutely strewn with bricks and debris and all types.
- Q. Strewn with bricks and debris, but also dotted with Police Officers, was it? - A. Yes.
- Q. JUDGE COLES: Said some fencing as well? - A. Gates.
- Q. MR. MANSFIELD: Gates. Were the officers ahead of you also at the banking? - A. Both straight ahead and to the left and right.
- Q. I'm not really - the picture is officers across the slope of grass and the road on to the pavement? - A. Went in all directions.
- Q. Went in all directions on up the road, and in front of them you saw horses. Is that right? - A. That's right.
- Q. 25? - A. Possibly in excess of 25.
- Q. Possibly in excess. Now, where is Mr. Moore? Can you point out the position? - A. Just to the left, most probably hidden by this
- Q. JUDGE COLES: You are not indicating with your finger. - A. Most probably hidden behind here.
- Q. Off to the left out of the picture? - A. Yes.
- Q. MR. MANSFIELD: Was it on the grass or on the ridge you pointed out on photograph five? - A. Well, that is basically the same area, it's sloping up to it, as far as I understand it. I wouldn't know where you say he was, on the grass area, on the brick post ridge.
- Q. On the grass part here? - A. I just ran up the slope. that's all I know.
- Q. JUDGE COLES: So we keep it clear, you call this a slope, the grass? - A. I ran up the slope, yes.
- Q. And then the other part you refer to also, which was raised? - A. I don't know whether it was raised. I'm only talking about this area.

JUDGE COLES: I was thinking about the raised ground and the grass slope, something like that which would make it easier.

MR. WALSH: Perhaps the sloping part and the flat part at the top?

JUDGE COLES: Yes, that will do better:

- Q. You say he was on the sloping part, not on the flat part at the top?
- A. No, on the sloping part.
- Q. MR. MANSFIELD: You also indicated that there were hundreds of others there? - A. Hundreds of other people in amongst the miners, yes.
- Q. Yes. Hundreds. All throwing missiles, were they? - A. I certainly didn't witness them all throwing, no.
- Q. But, quite a lot? - A. They might have all thrown, I don't know. I certainly didn't witness them all throwing. There was a large quantity of missiles coming over, yes.
- Q. Just putting it shortly, what drew your attention to Mr. Moore out of hundreds of others? - A. Just the fact that I saw him throw.
- Q. You saw him throw, just that? - A. That's all.
- Q. So, we have got a rough picture of you near the fencing, you are running at the time, you continue to run towards him and he is standing there and you arrest him? - A. That's right.
- Q. It seems, from what you say, you only have eyes for Mr. Moore because you don't see anything else happening. Is that right? - A. That's right, yes.
- Q. You take him back down across the bridge. Has he said anything, Mr. Moore? - A. No.
- Q. Not a word? - A. No.
- Q. Now, well, it was put to you, but it's too late to do much about it now, but in any event, you were being struck by missiles. I just want to take up that part of it. When was it, do you say, that you were struck by missiles? What you have told us so far, "As I walked back from the bridge, down the road"? - A. that's right.
- Q. Just so, again, we can be clear about that, just tell us roughly on this photograph where you were walking as you were getting hit?
- A. From number four, back down towards the Police post.
- Q. From number four, so that is number four of Exhibit 9. Now, what sort of things hit you? - A. I don't know.
- Q. You don't know? - A. No.
- Q. Well, you must have seen something? - A. Something came and hit us both from the rear.
- Q. You mean different things at different times? - A. There was a couple of things came over. Mr. Moore complained of being hit.
- Q. We had just better take it steadily. I thought you said he hadn't said anything to you at all? He complained to you of being hit?
- A. Yes.

- Q. Yes. So, this is as you are going down from photograph four, he complains of being hit from behind? - A. Yes, from behind.
- Q. And something hit you from behind? - A. Something hit me from behind, yes.
- Q. Was it a brick? - A. It was a solid object.
- Q. A solid object. You would know if it was a brick, wouldn't you? - A. It certainly wasn't a full brick. It was possibly half a brick. I don't know. It was something of that size, I believe.
- Q. Well, Mr. Taylor is the expert in bricks, so I will leave that for the moment

MISS RUSSELL: The officer made a gesture.

THE WITNESS: I didn't make a gesture.

MR. WALSH: I think the officer said it was probably that size, not a gesture.

- Q. MR. MANSFIELD: You say you were hit on a number of occasions going down the road? - A. No, just the once.
- Q. JUDGE COLES: Do you mean you were hit just the once? - A. Yes, I was hit just the once.
- Q. And Mr. Moore complained just the once? - A. He only complained just the once. I don't know if he was hit more than once.
- Q. MR. MANSFIELD: Mr. Moore complained once? - A. That's correct.
- Q. Right. Now, you told Mr. Walsh you weren't injured. Is that right? - A. That's correct.
- Q. You checked later, did you? - A. No. I certainly didn't feel any injuries. I didn't check.
- Q. Did you have a bruise later, anything like that? - A. No, I don't think so.
- Q. And Mr. Moore, you were asked about him as well. I mean, he wasn't injured? - A. He didn't appear to be injured, no.
- Q. Did you look? - A. He was checked at the Police Station.
- Q. Did you look? - A. I didn't look, no.
- Q. You didn't look? - A. No.
- Q. Right. So, you were struck once and he complained once. You are then taken into the command block and he is documented, if I can put that shortly. Is that right? He is asked to

take his various things out of his pockets and so on?
- A. I think he was, yes. He was certainly produced to what we call a Bridewell Sergeant. I don't know what they call him here.

Q. Is that after a certain Police Station in Liverpool? -
A. Yes.

Q. You are smiling. Perhaps it is something else, officer, Bridewell Sergeant. It is known in the South as a Desk Sergeant. Had you told the Sergeant what you say this man had done? - A. I did.

Q. What did you say to the Sergeant? - A. I told him he had been involved in a skirmish on the bridge.

Q. Involved in a skirmish on the bridge? - A. And that he had thrown a brick or that I had seen him throw a missile.

Q. Well, did you specify what he had thrown? - A. No, I just mentioned a missile.

Q. Did you see what it was he threw the once? - A. No.

Q. What else did you tell the Bridewell Sergeant? - A. That was it.

Q. That was it? - A. Yes.

Q. Well, what did the Sergeant say? - A. He just put his name down on whatever form they use up here, took the details off the prisoner and he was taken outside and placed in a van and I don't know where they were taken then.

Q. I will have to repeat all that. You told the Sergeant he was involved in a skirmish, he had thrown a missile and you hadn't seen at the time what it was. That was it. You didn't tell the Sergeant anything else. Forms were made out and details taken and Mr. Moore was taken outside and placed in a van? - A. That's correct.

Q. I am summarising, basically, what you said. - A. Yes.

Q. But, that didn't end what you had to do that day. You went away somewhere in that command centre, did you, and wrote out a statement? - A. Yes.

Q. I would like you to tell us just this, if you would - did you go to a particular room or just sit down on a bench somewhere, or did - well, how did you do it? - A. We went to the first room - a first floor room.

Q. Just pause there. We went to a first floor room, and then?
- A. We were given statement forms.

Q. I am writing this down myself. The "we", is that you and other officers or just you alone? - A. No, there were possibly 15 other officers there.

- Q. Possibly 15 other officers there. From your PSU, or just assorted officers? - A. Assorted officers.
- Q. You were given statement forms by whom? - A. I don't know who they were. I believe they were Detectives.
- Q. Were they blank? I don't mean the Detectives. I mean the forms. Were the forms that you were given by a Detective empty other than a heading? - A. Yes.
- Q. What did you do? - A. We all wrote out our statements individually.
- Q. You all wrote out your statements individually? And, having made it out individually, what did you do with it? What did you do with yours? - A. Handed it to a Detective, if he was a Detective. I don't know who he was.
- Q. And then that was it as far as you were concerned? - A. That was it.
- Q. I started in the middle to come to the main incident and work to the end. I now want to ask you a few more details about the earlier part of the day and so on

JUDGE COLES: Well, would you like to do that in the morning?

MR. MANSFIELD: Certainly.

JUDGE COLES: If you go now, members of the Jury. There are one or two matters. Remember what I told you ages ago about not discussing the case. Tomorrow morning, 10.15, then.

(In the absence of the Jury)

MR. WALSH: I suspect there is no need for the witness to stay?

JUDGE COLES: No, none at all. Thank you, officer.

(The Witness withdrew)

MR. WALSH: Your Honour, I promised your Honour a replacement witness list. (Handed)

JUDGE COLES: That is very kind.

MR. WALSH: This is the order, saving your exceptions as to events or availability. Your Honour will see it is already wrong, but there it is.

JUDGE COLES: It is all right.

MR. WALSH: Your Honour will see we have started Mr. Browning whereas on the list we were to do someone else, but one of them is away at the moment.

JUDGE COLES: Yes. I asked you to remain. The Jury has gone. I wanted just to give you some information about those two dates you mentioned. The first date is when it was planned that I should not be sitting, Monday 1st July, and the other date was Friday 12th July. So, those are the two dates. I say no more about that at this stage, but I shall do what I can. It may be - I don't know - that I shall be able to sit on the Monday afternoon, for instance. I don't know what you wish me to do about Friday 12th.

MR. WALSH: As far as my learned friends are concerned they, obviously, are not involved in Friday 12th in the incident that makes your Honour unable to sit and, theoretically, me too, and I suspect my learned junior. All I can say is that it won't break my heart if your Honour thinks we should continue with this case and that the three of us should not go off elsewhere.

JUDGE COLES: Yes, indeed. I would have thought that perhaps in the circumstances it would be a more appropriate thing to do.

MR. WALSH: It would, obviously, be desirable if we could sit on the Monday afternoon, 1st July. I hear voices behind saying, "Yes".

JUDGE COLES: I will see what can be done.

(The Court adjourned until
10.15 a.m. the following day)
