

IN THE SHEFFIELD CROWN COURT

The Crown Court,
Castle Street,
Sheffield

25 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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Monday, 25th June 1985

REGINA -v- WILLIAM MACLAUGHLAN
and Others

POL. CONST. PAUL DOUGLAS
Cross-Examination by MR. GRIFFITHS cont.

- Q. Sergeant. do you remember on Friday afternoon I put to you a number of photographs. in fact invited you to look I think at all of them in Exhibit No. 21. You remember that I was putting to you that the sequence of those photographs simply did not tie in with what you were telling the jury as to what you did vis-a-vis Mr. O'Brien. Do you remember we had reached that point? - A. Sir.
- Q. I am not going to go over those matters. Those matters are for the jury at the end of the day. Let us proceed now.
- As a Police Sergeant and sensible person you would agree with this proposition would you not Sergeant, that the further away a person is the more difficult it is to identify him as doing anything at a later stage. Agreed? - A. Yes sir.
- Q. You are one side of a football pitch and you see somebody doing something. It is rather a long way away to be able to identify that person again accurately at a later stage? - A. Yes sir.
- Q. Now will you have Exhibit No. 45? Members of the jury, that is the coloured bundle, the new photographs produced by me on Friday. so if I could call it the "non-contentious" photographs. If you could look at Photograph 4 because that is a view Sergeant of the sort of view that you would have had on the day when you say you saw Mr. O'Brien? - A. Yes sir.
- Q. We see the wall, do we not? These photographs are taken recently in the last week or so. It shows the wall starting on the right where you would have been and running up towards the bungalow. Albeit when this photograph was taken the wall clearly has been demolished somewhat after the second lamppost on the road? - A. Yes sir.
- Q. I am not challenging in any way that that wall continued at the time when you were there right up virtually to the top It is one big wall is it basically running from the bridge and bordering the field? - A. Yes sir.
- Q. If you had to describe it at a later date how would you describe that wall? - A. Small brick wall on the perimeter of a field.
- Q. Thank you. Look at your statement please. Members of the jury would you go to page 2, page 276.

JUDGE COLES: Yes, I have it now, thank you.

MR. GRIFFITHS:

- Q. Would you find, and this is a statement you wrote in your own hand, did not dictate it to anybody Sergeant, did you? - A. That is correct sir.
- Q. This is the one that every word of it is yours, you told us back on Thursday? - A. That is right.
- Q. How do you describe the wall alongside which you say Mr. O'Brien was standing when you saw him throw all these bricks? - A. I describe it as a "garden wall" sir.
- Q. Would you like to explain to the jury how you did that and why a what, "garden wall"? - A. At the time sir to me it was a wall.
- Q. That is right. - A. It is easy for me now sir to look at these photographs and call it a perimeter wall for a field. At that time I referred to it as a "garden wall".
- Q. Why did you refer to it as a "garden wall"? Are you saying it looked as though it was adjacent to a house? - A. When I read my statement I recalled it as a garden wall.
- Q. Could you see from your position any houses or any garden wall at all from where you were on the day? - A. Probably not sir. You could see the houses but would not be able to see the wall.
- Q. Why wouldn't you have been able to see the wall, as a matter of interest? - A. As a matter of interest?
- Q. Yes. - A. I am standing around. I would be standing by that wall. I would be looking along the wall which would be stretching up the hill continuously to the houses.
- Q. So it would have been difficult from that point of view? - A. It would have been a fair assumption there would have been a garden wall or something there. It would have been difficult to see.
- Q. He was not as far up as the houses, was he? - A. No.
- Q. There is another point I would like you to explain, Officer. Although the photograph that we see, that is Photograph 4, shows the bungalow clearly, that was not the position was it on the day. That bungalow was completely surrounded by heavy bushes. Can you remember that? - A. I cannot remember that sir, no.
- Q. So let's see if I am right on it. First of all let's take the aerial photograph which we don't know when it was taken. We will perhaps be told at one time or another. In Spring, I am told, members of the jury. Do you see the bungalow there? - A. I do sir.
- Q. What has it got round it? - A. It is clearly surrounded by large bushes sir.

Q. Let us just see if we see it anywhere else. I would like to make the point to you, Officer, you would not have been able to see any wall.

If you would like to look at a bundle which I don't think you have seen yet. Bundle 6, members of the jury, you will have to dig around for that. It is the bundle showing the damage after the event later on in the afternoon. Have you got it there Officer? - A. Yes sir.

Q. Just look at Photograph 1? - A. Yes sir.

Q. Am I right about this bush or bushes completely surrounding that bungalow? - A. You are indeed sir.

Q. Am I right that if you look very carefully it is coming right the way down to the pavement, it is overlapping on to the pavement? - A. That is correct sir.

Q. I give this last opportunity. I would like you to look at this photograph I have just been handed. I did not know of its existence until now.

Your Honour, this can be proved as to when it was taken, approximately a week after this incident, so we are back in June now.

MR. WALSH: Your Honour, my learned friend has already got a photograph that might help him if he turns to the fourth photograph in Exhibit 6 which was taken on the day.

MR. GRIFFITHS: That may be so but that has got a lot of impediments which distract from the view. This is a clear photograph of the house. Would you look at this please?

JUDGE COLES: Photograph 4 does help you.

MR. GRIFFITHS: I am sure it does, your Honour. I am grateful to Mr. Walsh. Your Honour will see why I prefer to use that.

Q. I think that is probably the best shot we have got assuming it is taken a week after the incident, which shows the sort of view that you would have had up the road. You could hardly see any houses at all let alone a garden wall? - A. That is correct sir.

JUDGE COLES: That is a new photograph, is it?

MR. GRIFFITHS: Yes. I wonder if it could be exhibited your Honour?

JUDGE COLES: Yes, 47.

MR. GRIFFITHS: Could you show it to His Honour first please?

JUDGE COLES: Thank you. Yes, let the jury see it.
(Jury shown photograph)

- Q. MR. GRIFFITHS: I am not going to label it at this point, Sergeant. I am going to give you the opportunity quietly to explain. I am putting to you you could not have seen anyone standing by a garden wall throwing stones from where you say you were back at the bridge. What do you say about it? - A. I say if I said it was a "garden wall" I was obviously mistaken.
- Q. Now I have dealt with the sighting that I suggest to you never was, Sergeant. Let me now deal with the chase that I suggest never was and let me make it clear I am not suggesting that you did not run up that area at some stage or possibly run after somebody you thought was throwing stones, what I am suggesting is in the clearest possible term that you never chased Mr. O'Brien up that road in any shape or form. Do you understand? - A. I understand sir.
- Q. So you started running. We will look at Photograph no. 4 in order for the jury to decide whether you are telling the truth or not. We will have to look at it with a little more care Sergeant? - A. Sir.
- Q. You started running from a point near the bottom right of that photograph? - A. That is correct sir.
- Q. According to you, I am not going to go over it again, Mr. O'Brien turns and starts running some 60 yards up that pathway the other side of the two lampposts, up the hill from the second lamppost between 2 and 3 in fact was the way you described it. Now you are running as fast as you can on the pavement or on the road? - A. The pavement sir.
- Q. You told us on Friday, we eventually got to this point, that during the chase some persons would have inevitably crossed your path? - A. Yes sir.
- Q. Did you have to touch them? Did you have to weave your way in between other pickets when you were in this chase? - A. I don't recall having to do so.
- Q. According to you I think eventually we reached this point that you agreed that you did not have your eyes on the person you were chasing throughout the whole of the chase? - A. That would have been a physical impossibility sir.
- Q. A "physical impossibility". Why was it a "physical impossibility"? - A. By virtue of the fact I was running as fast as I could. My head would not be still looking at the one person.
- Q. This is something no doubt you have clear in your mind this chase. Am I right? - A. I can remember it as clearly as I possibly can sir.

- Q. As you are running up the road at what point did he go out of sight this person you are chasing because I suggest it certainly was not Mr. O'Brien. At what point did he go out of sight? - A. In view of those photographs with the bushes he has obviously gone out of sight when he has turned from where I am running and gone into the bushes or in just after the bushes I could not have seen him.
- Q. Precisely. So let's deal with that photograph, that is the one that I put to you. Can you help us as to where you would have been when he went out of sight? - A. I could not say sir. It would just be a complete guess. I just cannot say. It is very easy now looking at photographs but at the time it was not easy.
- Q. That is precisely my point, Sergeant. With the best will in the world I am saying - even for the moment accepting you are trying to make an accurate recollection of this - what I am suggesting to you is at the very least the person you eventually came across was not the person who you now say you are certain you had seen throwing stones. You see a mistake has crept in at the very very least. That is why we are analysing it. You accept you might have been mistaken? - A. Firstly I accept it is possible. Secondly as far as I am concerned sir Mr. O'Brien was the man I chased.
- Q. Let us just get that.
- Q. JUDGE COLES: You are sure in your own mind? - A. I am sure in my mind that the man I chased and arrested was the man who was throwing the stones, otherwise sir I would not have arrested him.
- Q. MR. GRIFFITHS: Are you prepared to accept, bearing in mind the distance he was away from you and the fact that you had never before that day set eyes on him before, that you might have come across a person at a later date, one of hundreds of people and made a mistake. Are you prepared to accept that? - A. I must accept that sir, yes.
- Q. So it is possible, certainly reasonably possible that the person you eventually arrested, namely Mr. O'Brien, was not the person
- JUDGE COLES: If you ask him again he might not agree with you this time.
- MR. GRIFFITHS: As long as your Honour has that answer.
- JUDGE COLES: I have.
- Q. MR. GRIFFITHS: Let us deal with the moment in time when you say you came across the person that you had chased or you think you had and apprehended him. The place you pointed out on the aerial photograph we know the house. Can you help

the Court as to the configuration of the front garden and the side of the house, if there was a garage, was there an open way? Do you see what I am getting at, Sergeant? - A. As far as I can remember there was an open way at the side.

- Q. You say "open way". Can you remember a garage at all or not?
- A. I cannot sir, no.
- Q. Are you saying there was not a garage? - A. No sir, I am saying I cannot remember if there was one.
- Q. So there is an open way around, which as I understand it not only were you saying the person you arrested was trying to run but people in front of him were running? - A. That is correct sir, yes.
- Q. Was it an alleyway? I am giving you some idea as to the gap on the side of the house around which these people were running? - A. It might have been an alleyway sir.
- Q. You tell the Court, Officer. Describe it? - A. Sir, it is over twelve months since I was there. I cannot remember it. I remember an alleyway of some description.
- Q. Let's approach it from a different way. The persons went down this alleyway before the person you dived upon. Did they come running back or were they gone like the wind? - A. I cannot remember that sir.
- Q. You would remember if they ran round a dead alleyway, wouldn't you? - A. At that time, sir, there appeared to be a lot of comings and goings. I cannot recall what everybody did.
- Q. Now you have explained how you dived on according to you Mr. O'Brien knocking him to the ground and you explained why he had been delayed because people had been running in front of him round the corner. That is my notes I have checked over the weekend? - A. That is correct.
- Q. Those persons who ran round the corner did you recall at any time seeing them coming back? - A. I cannot recall seeing them coming back sir.
- Q. Would it surprise you? Officer, let me show you a photograph of the house that you are saying it was. That is a photograph of a semi-detached house and doing the best that one can, that is the pair of semi-detached houses next to the bungalow? - A. Yes sir.
- Q. Which is the houses that you have been talking about? - A. Yes sir.
- Q. As you look at that photograph what do you see with regard to the house that you have so far identified? There is a

side, there is a corner of the house, isn't there? - A. It would appear that you cannot get through there sir from this photograph.

- Q. May I suggest this because when we go on another view we can all see it, that the house that you have identified has a garage attached to it and an entry point between the garage and the house. That is shown in that photograph? - A. Yes sir.
- Q. Would you like to show that photograph to His Honour? - A. Certainly.

JUDGE COLES: This is another one we have not seen so this will be Exhibit 48. (Jury shown photograph)

MR. GRIFFITHS: Members of the jury, the bungalow is on the right-hand side.

Your Honour, I don't know, while the jury is looking at that, I don't know if this helps. There is no doubt the house we are talking about - show that to His Honour, it is a better view.

JUDGE COLES: You had better let the witness have a look.

MR. GRIFFITHS: Have a look at that and perhaps that can be exhibited A and B.

JUDGE COLES: Is that 48A and B?

- Q. MR. GRIFFITHS: Sergeant, that is another one, isn't it? - A. It is sir.
- Q. If you would like to give it. It shows the same house. Just pass it to the usher and then it can be quickly passed around the members of the jury. (Jury shown photograph)
- Q. Sergeant, I think I had better put it to you as you purport to be the arresting Officer of Mr. O'Brien. We have all now seen that little gap, that little entrance that does not seem to have a door? - A. Yes sir.
- Q. May I suggest at the present time - I don't know what the position was then - at the present time I suggest five or six feet inside that little aperture is a door. In other words it is not just an open alleyway at all. What do you say about that? - A. I accept that sir.
- Q. So what happened A. When I was asked to pick out the house sir I was using this photograph, was I not?
- Q. Would you like to change it all now? - A. In view of the fact the photograph has been produced completely hiding the first bungalow in trees, in my mind I thought it was the second house along or looking at photographs which clearly showed the bungalow.

- Q. Fine. If you want to change your evidence do go ahead?
Where do you want to say he was now? - A. It must have been a little further along, the next house.
- Q. Let's get this clear. What was a little further on? The arrest took place a little further on? - A. I would say the next block of houses.
- Q. Let us see where this leads up to. Let's have a look then at Exhibit 45 again, Photograph 11 and 12. Where do you now say then, bearing in mind with respect it has been pointed out what you have already said is impossible, now you are going to say where it may have been possible for this to have happened? - A. It may well have been at the next house along, next to the house I said originally.
- Q. So it may now have been a little further down? - A. I cannot exactly remember sir. I remember there being a house and there being an alley of some description.
- Q. Of course I was at pains was I not Sergeant on Friday, to suggest to you that the arrest took place far further into these houses than you were prepared to accept and you dogmatically denied that on Friday, didn't you? - A. I did deny that sir, yes, but obviously in view of what you have shown me this morning it must have been further along, albeit one house further along.
- Q. Which increases the chance of other pickets getting mixed up with the person you originally thought you saw? - A. But I don't recall any pickets doing so sir.
- Q. One wonders where they went to, Sergeant, that is all the hundreds of other people there.
- Another point you ought to deal with. Look at the same bundle, Exhibit 45. Will you go to Photograph 5. This is the view looking across at the verge. Do you see the Volkswagen car? - A. Yes sir.
- Q. Do you see in the middle of the Volkswagen car what is clearly the remains of a fencing pole sticking up at an angle. Do you see it? - A. Yes sir.
- Q. Well do you see the next fencing pole up the road? - A. Yes sir.
- Q. It is the one A. With the support.
- Q. The two supports on either side? - A. Yes sir.
- Q. And then there are some trees are there not further up? - A. Yes sir, there are.
- Q. There is a tree or trees to the left as well, so we have got a gap, haven't we? - A. Sorry sir?

Q. Looking at that to the left of the Volkswagen car we have got a tree or trees? - A. Yes sir.

Q. We seem to have a little gap between the other trees and in that gap we have got this leaning single pole and the supported pole? - A. That is correct sir, yes.

Q. Of course that is viewed from that angle.

Would you have please the photographs, that is the Wakefield photographs, Exhibit 30. That is the coloured photographs, members of the jury. Could I have the bundle, Officer, I will find the photograph I would like you to look at. It is the blurred one, members of the jury, number 8 I think.

This is a photograph you are not just looking at for the first time. It is one of those photographs shown to you or looked at by you before you gave evidence, isn't it? - A. That is correct sir.

Q. Looking at this blurred photograph very carefully please. You see there are clearly some larger trees on the right. Along there on the extreme left of the picture there are bushes but there is quite a large bush on the right? - A. Yes

Q. Do you see in the centre of the blurred photograph the supported pole or a supported pole looking carefully? - A. Yes.

Q. Then to the left of that still sticking up but at an angle on the extreme left of the photograph do you see a post that is clearly at an angle? - A. Yes sir.

Q. To the right of the supported post in the blurred photograph do you see another post which is directly above an Officer leaning over a person in denims on the ground? - A. Yes sir.

Q. At the bottom of that post do you see something shiny? - A. Yes sir.

Q. Just above the shield in fact? - A. Yes.

Q. If you would like to look at the next photograph now, number in the bundle, of Inspector Bennett. Do you see it? - A. Yes sir.

Q. Do you first of all - clearly the photographer has moved slightly - do you see the angle supported post on the extreme left? - A. Yes.

Q. And directly above Bennett's head there is a post and the shining thing in the middle? - A. That is correct sir.

Q. It is clear those photographs are of the same area? - A. Yes sir.

Q. I am going to suggest to you Sergeant if you go back one photograph to the blurred photograph so we have got the central shot of the supported pillar and on the extreme left the angle. I see members of the jury

A JURY MEMBER: They are gone.

MR. GRIFFITHS: They are gone, are they? Just pause a moment. I apologise if I have gone a little quickly. It is the blurred photograph.

THE JURY MEMBER: It has gone.

JUDGE COLES: The gremlin is back. Usher, could you bring the bundle here. Yes, this bundle has been quite severely interfered with. It has been totally muddled and since the order of the matter has been dealt with with some care by Counsel, it had better be put right. Would you like to take that bundle and see that it is put right. Your instructing solicitor might do it. Are any of the rest of you having difficulty with your exhibits?

MEMBERS OF THE JURY: We have got ours.

JUDGE COLES: Is there another bundle that the juror can be given? We did say we would take exhibits in and this week is as good a time to do it. I hope we are not going to have many more photographs produced but if we are perhaps Counsel for the Defence, who are the most likely to produce them, might have a little bit of forethought and put any more photographs that are to be produced into one bundle so that the chance of this happening is lessened. Producing photographs in isolation this does tend to happen.

MR. GRIFFITHS: Your Honour, I entirely accept that. With regard to these individual photographs that I produced this morning I had no idea whether this Sergeant

JUDGE COLES: I am not intending to be critical.

MR. GRIFFITHS: The jury man is missing the third photograph. Unfortunately the one I put in has to be handled with some care because it may come out again, the hole is ..

JUDGE COLES: It may be that was the cause of the problem last time.

MR. GRIFFITHS: I have forgotten where I got to.

JUDGE COLES: You had got to the third photograph.

Q. MR. GRIFFITHS: I think the Officer had agreed that the blurred photograph is taken clearly from next to the photograph which is the clear photograph of Mr. Bennett? - A. Yes

- Q. Quite clearly this is a photograph of a charge by your PSU is it not Sergeant? - A. Yes sir.
- Q. May I ask you now I have drawn your attention have I not to the blurred photograph, we are back to the blurred one, to the supported post and the angled post to the left, have I not? - A. Yes sir.
- Q. I suggest that we can see that amazingly it seems Mr. Manning has not done much about the fence. We see that in Photograph Would you agree in all probability that looks as though that is the area where it is taken? - A. Yes sir.
- Q. You have agreed that the coloured photograph is of a charge by your PSU. We can see now in relation to where it is in Photograph 5? - A. Yes.
- Q. So the chances are, would you agree, that that photograph, that is the coloured photograph showing the charge, is taken during your charge up from the bridge? - A. Yes sir.
- Q. So we might then be assisted. The point I am about to urge is this: you remember when you explained to the members of the jury that there was this corridor all the way up one side of the road through which you were able to see the person who was throwing? - A. The "corridor" was your word, sir.
- Q. It was my word but on the other hand at the end of the day it accurately reflected what you were wanting to say, wasn't it, because we went into it? I don't want to go over it again. - A. I will accept what you say sir.
- Q. You were trying to say there were pickets more to the left but they still left an area through which you were able to see? - A. Yes sir.
- Q. Keep with this bundle then now. It is taken in sequence, Sergeant? - A. Yes sir.
- Q. So we can see the view of what was happening before the charge you see. So you see the blurred photograph? - A. Yes sir.
- Q. Shall we turn it over? - A. The first photograph or the next one to it?
- Q. That one. That gives the picture. That is number 7.

JUDGE COLES: Going backwards?

- Q. MR. GRIFFITHS: Yes, we have established that in all probability it is the charge in which he was engaged, so that shows a view of one side of the road at the time clearly before the charge, at some stage before the charge? - A. Yes sir.

Q. There are an awful lot of people there, aren't there? - A. There are sir.

Q. But I suppose you would still say, would you, that there was this corridor up the other side of the road through which you could see the person throwing stones? - A. As I remember it sir, yes.

Q. Let's go back again then one more. First of all we have all been on a view, Sergeant, so we have walked the area. Do you see houses in the background there? - A. Yes sir.

Q. Those can be seen if one looks across the road above the bridge.

JUDGE COLES: Are we looking at Photograph 7 or 6?

MR. GRIFFITHS: We are now going back one more to Photograph 6.

JUDGE COLES: Thank you.

Q. MR. GRIFFITHS: We are looking, when I say "we" the photographer is looking across the road at the fields that border the wall that we know about and we have talked about? - A. Yes sir.

JUDGE COLES: He has turned his back on the fence and he is looking in the other direction.

MR. GRIFFITHS: Yes, right.

THE WITNESS: Yes sir.

Q. MR. GRIFFITHS: Inasmuch as that man who seems to be elevated on the right is floating in air. I suggest he is standing on the wall. Right? - A. Yes sir.

Q. You can see the wall if you look very closely? - A. Yes sir.

Q. And would you not agree that there appear to be men all the way across the road? - A. There would sir, yes.

Q. Well how on earth can you see up to near to the bungalow Mr. O'Brien throwing stones in this magic corridor allowing you so to see? - A. My recollection of the incident sir is as I have said. That is what I remember.

Q. Well your recollection of the incident is a recollection that you and your colleague hatched, I suggest, when you eventually had time to do so, to put something down in writing to explain why a person had been arrested? - A. I don't accept that sir, no.

Q. The injury sustained by Mr. O'Brien, how do you now say that

occurred? - A. I honestly don't know sir. I think probably when I hit him on the back he went down on the floor. That is all I can think of sir.

Q. Did you hear him cry in pain? - A. Not particularly sir. There was a lot of noise at that time.

Q. When did you first notice the blood? - A. There was a little bit when he got up.

Q. "A little bit"? - A. Yes, when he got up.

Q. When you dived on him did you have your truncheon drawn? - A. Yes.

Q. And your shield was in your other hand? - A. That is correct sir.

Q. How were you able to come up to him and dive on him and knock him on the ground? - A. From the back with my right shield.

Q. He stopped; he fell over and fell forward. Are you saying he tripped up before you got up to him? - A. I am saying probably the force of me hitting him caused him to go to the floor.

Q. Was he over when you got to him or was he running? - A. As I recall he was upright getting round the corner.

Q. By these other people? - A. Yes sir.

Q. You knocked him on the ground? - A. Yes sir.

Q. What else did you do to him? - A. He turned round with his arm and I hit him again with my right shield.

Q. When you say "he turned round" he is falling face downwards? - A. Yes.

Q. You say "he turned round"? - A. He moved his arm as I can remember.

Q. Did he remain facing the ground? - A. As far as I can remember sir, yes.

Q. What surface did he land on? - A. I have no idea sir.

Q. Come on Sergeant? - A. Sir, it is twelve months ago. I cannot remember, with respect sir.

Q. Tell the jury what surface he is supposed to have landed on? - A. I can't tell you sir. If I don't know I can't remember.

Q. You are making all this up, Sergeant, that is why you cannot tell us? - A. That is ridiculous.

- Q. How long was it before Mr. Anderson arrived or in any way explain how he participated in this "struggle"? - A. When I got up off the floor, sir, Constable Anderson was there. I do not know how long it took him to get there. I do not know the position he was in.
- Q. What did he do, if anything, to Mr. O'Brien? - A. What did Constable Anderson do?
- Q. Yes? - A. I believe he got hold of him and pulled him up.
- Q. Where? - A. What do you mean "where"?
- Q. Did he have a truncheon drawn? - A. I think he did sir, yes.
- Q. So Anderson has a truncheon drawn. Is that normal for a long shield Officer? - A. Instructions were clearly given to draw truncheons sir.
- Q. To long shield Officers as well? - A. As far as I can remember the instructions were clear, draw truncheons.
- Q. For long shield Officers as well? - A. The instruction I heard sir was "Draw truncheons" and it was not confined to short shield units, as I can remember.
- Q. You hit him. Where did you hit him with your shield? - A. On the back of the head, top of the body.
- Q. Once or twice? - A. Twice sir.
- Q. Then you get him up and you see a little bit of blood? - A. I pulled off him then. I pulled myself up and O'Brien was there on the floor.
- Q. So although we now don't quite know where you say all this happened it is certainly further from the bridge than you originally indicated. Are we to take it that Anderson is coming up that hill with a long shield such as the one there and gets to you when Mr. O'Brien is still on the ground? - A. Yes, I think that is the case, yes.
- Q. He must have moved pretty quickly? - A. He must have sir.
- Q. If it ever happened? - A. It happened sir.
- Q. You then have this clear recollection that you walked some distance before going through the first Police cordon. That is right, isn't it? - A. That is what I said sir, yes.
- Q. So this walking some distance before the second one, then a gap through another one and then ultimately the ambulance? - A. That is what I can remember, yes.

JUDGE COLES: No, he is looking at Exhibit 21.

Q. And the photographs stop? - A. 23.

MR. GRIFFITHS: I am sure they did not stop at 23 before, your Honour.

THE WITNESS: They were loose on Friday sir, I remember.

MR. GRIFFITHS: At least we know they have not disappeared.

JUDGE COLES: Let those be repaired please in due course.

Q. Now you wanted to look at Photograph 34. Is that still there? - A. Yes sir.

Q. MR. GRIFFITHS: If you look carefully at this. Do you remember, Sergeant, your recollection is you went through two Police cordons before the ambulance you see? - A. Yes sir.

Q. Whether this photograph perhaps helps you as to where those two, if there were two, where they were? If you look carefully at Exhibit 34 we again see a loose sort of cordon at the top of the hill right in the background of that photograph, don't we? - A. Yes sir.

Q. We see another collection of Officers much closer to the photographer? - A. That is correct sir.

Q. You see another view of that on Photograph 35 of the same bundle? - A. Yes sir.

Q. When you put those together and your recollection walking a fair distance before the first Police cordon and then going through another Police cordon, do you think that is a further factor that might help you to remember that in fact you came across Mr. O'Brien in that alleyway which I have pointed out much further into the village, which is what I was trying to establish on Friday? - A. I do not dispute what you are saying sir.

Q. JUDGE COLES: But it doesn't fit your recollection? - A. It doesn't sir.

Q. Does the suggestion that Photograph 34 shows two cordons meet with your approval? - A. It does sir, yes. Well from what I can remember the second cordon was a lot bigger and Officers in that were not wearing riot gear.

Q. You thought A. That is what I thought sir.

Q. Do they appear to be about the right distance apart from your memory of that? - A. Yes sir, certainly the distance, yes.

Q. Look at Photograph no. 11 please in Exhibit 5. You may remember on Friday I suggested to you that you first set eyes on Mr. O'Brien in an alleyway shown in Photograph 11 on the left-hand side. That is the one with the black painted wall? - A. Yes sir.

MR. GRIFFITHS: I did put that I think, your Honour?

JUDGE COLES: Yes, you did.

Q. MR. GRIFFITHS: Are you now prepared to accept that you may have in fact come across him as far down as that? - A. I still don't think it was that far sir.

Q. I suggest it was and your recollection that you walked some distance before the first Police cordon is probably right.

Look at the Christopher bundle now - and this is a matter which I suspect His Honour in helping everybody wanted to mention. I will ask you about.

JUDGE COLES: Let's stick to the exhibit numbers.

MR. GRIFFITHS: I am sorry, Exhibit 21, members of the jury. The first photograph is Photograph 28. The first photograph is 10 which we have seen, all seen with the car in the middle of the road.

Q. Do you see a Police cordon there? - A. I do sir.

Q. From the angle that we look at it it looks as though that Police cordon is at about the level of the bungalow. Agreed? - A. It does sir.

Q. If you have still got that Photograph 11 of Exhibit no. 45 in front of you, I suggest that your recollection that you walked a fair distance before coming to the first Police cordon is right? - A. Yes.

Q. And that what you did was to walk with Mr. O'Brien from the alleyway, which I have identified to you in Photograph 11, Exhibit 45, to the brow of the hill where we see the rough cordon there. Do you think Officer I might be correct in suggesting that? - A. You might well be sir, but personally I don't think so.

Q. Might be right but you still think no. Well let me see if I can help you further. You remember going through two Police cordons? - A. Yes sir.

Q. I am not putting this affirmatively on behalf of Mr. O'Brien but from the witness. If you look at Exhibit 21 in the Christopher bundle. If you look at Photograph 34? - A. These photographs stop at 23.

JUDGE COLES: No, he is looking at Exhibit 21.

Q. And the photographs stop? - A. 23.

MR. GRIFFITHS: I am sure they did not stop at 23 before, your Honour.

THE WITNESS: They were loose on Friday sir, I remember.

MR. GRIFFITHS: At least we know they have not disappeared.

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Q. Whether this photograph perhaps helps you as to where those two, if there were two, where they were? If you look carefully at Exhibit 34 we again see a loose sort of cordon at the top of the hill right in the background of that photograph, don't we? - A. Yes sir.

Q. We see another collection of Officers much closer to the photographer? - A. That is correct sir.

Q. You see another view of that on Photograph 35 of the same bundle? - A. Yes sir.

Q. When you put those together and your recollection walking a fair distance before the first Police cordon and then going through another Police cordon, do you think that is a further factor that might help you to remember that in fact you came across Mr. O'Brien in that alleyway which I have pointed out much further into the village, which is what I was trying to establish on Friday? - A. I do not dispute what you are saying sir.

Q. JUDGE COLES: But it doesn't fit your recollection? - A. It doesn't sir.

Q. Does the suggestion that Photograph 34 shows two cordons meet with your approval? - A. It does sir, yes. Well from what I can remember the second cordon was a lot bigger and Officers in that were not wearing riot gear.

Q. You thought A. That is what I thought sir.

Q. Do they appear to be about the right distance apart from your memory of that? - A. Yes sir, certainly the distance, yes.

- Q. So the distance is about right? - A. Yes sir.
- Q. Did you say the second cordon is not as thick? - A. I thought they were wearing normal helmets and there were far more of them sir.

JUDGE COLES: Yes, I see. Yes, Mr. Griffiths.

- Q. MR. GRIFFITHS: "En route" back, and that is the way you put it in your evidence-in-chief, you told the Defendant that he was being arrested for threatening behaviour? - A. I did sir, yes.
- Q. We can find this in your statement at the bottom of page 2. It reads:

"En route I said to O'BRIEN: 'YOU HAVE BEEN ARRESTED FOR THREATENING BEHAVIOUR' I cautioned him fully and he replied: 'I DON'T KNOW WHAT YOU'RE TALKING ABOUT'".

In capitals. Did you write it in capitals when you wrote it out? - A. I did sir.

- Q. Would you like to help me as to whereabouts en route back you said those words to him? - A. As I can remember, sir, as we were approaching the first Police line.
- Q. So wherever the Police line was as you were approaching you said Did you for instance turn to him and stop walking? - A. I turned to him whilst still walking sir. I was not facing him all the time I cautioned him.
- Q. I suggest, Sergeant, that you did not say a word to the Defendant as to why he had been arrested. You just dragged him down in the manner shown in the photograph? - A. He was told clearly what he was being arrested for sir.
- Q. I suggest you didn't. That is another feature which you know you have to tell a man, don't you? You know A. I always tell a man why he is being arrested sir.
- Q. I suggest you did not tell him then because you had not figured out what was going to be the reason? - A. With respect sir you are wrong. I had figured out the reason. I was not quite sure what the eventual charge was going to be. I thought to myself: "Threatening behaviour seems good to start with".
- Q. I see, sounded good to start with, did it? - A. Yes sir.
- Q. Before you made that statement in the case we know it was between 3 and 3.30 thereabouts back at the command post? - A. That is correct sir.

- Q. Had you run into any of your colleagues in your PSU before that time? - A. No sir.
- Q. Inspector Bennett for instance? - A. I remember seeing one Officer in the hospital. I don't recall seeing Inspector Bennett.
- Q. Who was he you saw in the hospital? - A. I think it was Constable Scotland but I am not too sure. He was off the other half of the PSU.
- Q. I don't want to go into this in more detail than necessary. Would you agree at the hospital it was Police Constable Anderson more than you who was looking after Mr. O'Brien? - A. That was correct sir, yes.
- Q. So when Mr. O'Brien was moved from one place to another for X-rays and the like it was Anderson who went with him? - A. That is correct sir, yes.
- Q. Did you still stay at the hospital though when not with Mr. O'Brien? - A. That is correct.
- Q. At last we have come to something we are in agreement on, Sergeant. After that you went back to the Police Station and Mr. O'Brien was booked in? - A. That is correct sir.
- Q. You did not have your photograph taken with him, did you? - A. No sir.
- Q. In the detention document that has been made available to us all, in respect of each of the defendants the time of the arrest is put at 11.30. Now do you know how that came to be? - A. Of the accuracy we are supposed to place on it. I would say there was no accuracy on it really. I am certain I would be asked a time of arrest and I would probably say approximately half-past-11, but I was not wearing a watch sir.
- Q. You say you cautioned him and charged him. You yourself did that? - A. Yes.
- Q. Again according to the records the time was 1.15. It seems to be 1.15 anyway and Mr. Walsh can correct me if I am wrong. Does that sound about right? - A. It could be sir.
- Q. You are stated to have arrived at 1.05 at Rotherham Police Station. Is that about right? - A. I cannot dispute that sir.
- Q. I was not there, Sergeant. I am doing the best I can and these are documents that are made available to aid? - A. I have not seen the documents sir.

MR. GRIFFITHS: You can see it.

Q. JUDGE COLES: That is not your document, is it? - A. No.

JUDGE COLES: I am sure another Officer will establish it in due course.

Q. MR. GRIFFITHS: Let us assume the charging is at 1.15. What happened between 1.15 and half-past-3 when you started making this statement? Are you still saying you did not see anybody at all from your unit? - A. I remember being at Rotherham Police Station for Constable Anderson. As far as I can remember we were waiting for transport back to Orgreave.

Q. You were with Anderson for some time, about two hours before you made this statement? - A. Yes.

Q. Discussing what you were going to say? - A. Not particularly, no. Obviously we talked about it. It was only when we sat down and made our statements we actually discussed it. I remember sitting in the yard at Rotherham Police Station.

Q. Let me finally put this to you, Sergeant. I am going to put to you what my client's case is because I am obviously duty bound to do so and I want to do so. You may not have seen all that I am going to put to you but I have to put it to you in the hope you may help.

Go to Photograph number 11 please of Exhibit 45, the alleyway which I put to you. I suggest, Sergeant, that in a Police charge where horses were not involved riot Police Officers ran all the way down the road shown in Photograph 11 running all over the place chasing pickets. Do you accept that might have been right? - A. Yes.

Q. That pickets ran into alleyways quite apart from the commercial site - forget about that but just dealing with one side of the road - that pickets ran chased by Police Officers into alleyways such as those we see in Photograph 11. Would you accept that as a general proposition? - A. Yes sir.

Q. What I suggest happened to Mr. O'Brien was this: that at a time when he was sheltering in the alleyway shown in Photograph 11 standing up with his back against that black wall, pickets ran past him and also some Police Officers; then one Police Officer with a truncheon ran past him, did not stop but gave him a side swipe with a truncheon which caused his injury. Did you see that? - A. Most certainly did not sir, no.

Q. He then went down in a crouched position, as one might imagine he would.

JUDGE COLES: Mr. O'Brien, not the Police Officer?

MR. GRIFFITHS: Mr. O'Brien.

- Q. The Police Officer ran on going round the back of that house not stopping when another pair of Police Officers came up to him and jostled him. Did you see that? - A. No sir.
- Q. And that while those other two Police Officers were by the side of Mr. O'Brien one hit him; a shout was heard and I suggest it must have come either from you or from Anderson: "Leave him. We will take him" and that is how, Sergeant, you came to pick up Mr. O'Brien and haul him back through the Police lines? - A. I don't accept that sir.
- Q. And that this in all probability, this business of some Officers going up to persons, striking them and going on and leaving them for other people to take in, happened in your PSU and was not just limited to the incident I have indicated to you, it was a feature. You would not agree? - A. No sir, Bearing in mind I was in the middle of a riot I recalled it as best as I possibly could sir.
- Q. And that when you took him back you never said a word to him and in due course you simply had to give a reason so you said the easiest reason in the world: "I saw him throwing stones" and you invented an account with Anderson which has been exposed I suggest in the course of your evidence as being an untrue one? - A. I don't accept that for one minute sir.

JUDGE COLES: Do any other Defence Counsel wish to cross-examine?

MR. TAYLOR: Yes.

JUDGE COLES: Would you like to do it after the break?

MR. TAYLOR: Your Honour, I am going to be about five minutes.

Cross-Examined by MR. TAYLOR:

- Q. Sergeant, there is just one aspect of your evidence that I want to canvass. Will you look at Exhibit 21 please. There are two photographs I want you to look at. Photograph 10? - A. Yes sir.
- Q. I think you have already accepted, correct me if I am wrong, that when Photograph 10 was taken you had not yet come back down the hill because these photographs are taken in sequence and way back at number 31 we can see a photograph of you and there is considerable action in the meantime? - A. That is correct sir, yes.
- Q. When you had gone up the hill you said earlier on you passed a burning car. Do you concede now that you may be wrong about

that and when you passed it the car was not in fact burning?
- A. I believe I corrected myself on Friday sir when I said it was probably smouldering.

Q. What do you mean by that, you could see smoke coming out of it? - A. I mean there was smoke coming out of it.

Q. Again thinking about it in more detail could you be wrong that it was even smouldering? - A. I don't think so sir, no.

Q. Will you look at Exhibit 30 please at Photograph number 11?
- A. Yes.

JUDGE COLES: It is the small coloured one.

Q. MR. TAYLOR: On that A. I have not got it yet sir.

Q. On that photograph do you see the gentleman on the far left with his white shirt open? - A. Yes sir.

Q. That we know is Mr. Wysocki, and if you look at Exhibit 21, again Photograph no. 6, you can see Mr. Wysocki there in close-up. He is a bit further down. He is over the bridge by now? - A. Yes sir.

Q. But again that was taken before you came back with Mr. O'Brien?
- A. Yes sir.

Q. Now if you look at Exhibit 30 please, the coloured one again, and go one back to Photograph no. 10, you can see perhaps a better picture of the car? - A. I can sir, yes.

Q. Now looking at that car do you still say it was smouldering when you passed it? - A. As far as I can remember it was, but it does not appear to be on the photograph sir.

Q. What is in it? - A. It looks as though it has been in the undergrowth for a while sir.

Q. It is full of twigs, isn't it? - A. It is indeed sir.

Q. You can even see the foliage on them? - A. You can sir, yes.

MR. TAYLOR: Yes, thank you.

JUDGE COLES: Thank you very much, Mr. Taylor.
12 o'clock.

(Short adjournment)

Cross-Examined by MR. MANSFIELD:

Q. Officer, just one area only. You mentioned very clearly

sometime ago now before the weekend about the instruction you had to take no prisoners. Do you remember? - A. Yes sir.

- Q. If I understand you correctly that instruction applied right up to the time of the third charge? - A. That is correct sir.
- Q. A charge that took you up towards the brow of the hill? - A. That is correct sir.
- Q. From whom did that instruction come? - A. I honestly cannot remember sir. I remember it. It was not over a loud hailer but I remember it.
- Q. So that it is understood, you see I represent somebody who was arrested by certainly one of the people in your PSU. Do you remember Mr. Bennett saying anything about that? - A. It was not Mr. Bennett. Mr. Bennett had got a very clear accent, quite different from mine.
- Q. But you cannot help us any more about that? - A. I can say it was not Inspector Bennett.
- Q. But you appear to have a clear recollection of it as being the instruction you were operating up until that point, the third charge? - A. That is correct sir.
- Q. How well do you know the names of other people in the unit? You were asked about them and you have named some of them already. How well did you know the rest of the unit? I don't want to take up a lot of time. I have got five names noted down? - A. The other five are off our PSU, work in Admiral Street Police Station. I don't know them but I am aware of them. As regards the others they come from the South. I know some of them by name and sight.
- Q. Leave those out because I am only interested in the Admiral Street ones which you may know? - A. Yes sir.
- Q. One particular one, Mr. Davies. Did you know him? - A. I do sir.
- Q. Do you remember seeing him on that day? - A. Not really sir, no. Not at all in actual fact. He does not stand out in my mind.
- Q. Mr. Pimblett? - A. Yes, I know him.
- Q. He is Admiral Street as well? - A. I remember him being there clearly.
- Q. What stages of the proceedings do you remember seeing Pimblett? - A. Constable Pimblett was in a line with me when the television news reel was covering the departure of the lorries from Orgreave.

- Q. That is the departure at about half-past-9? - A. Yes sir.
- Q. Well I am not so concerned with that period but later on. Did you see him later? - A. I cannot recall seeing him sir.
- Q. You cannot? - A. No sir.

MR. MANSFIELD: Yes, I have no other questions, thank you.

Cross-Examined by MR. O'CONNOR:

- Q. Similarly one very short matter. You told us you have been given a copy of your statement in Liverpool? - A. Yes sir.
- Q. When a Detective Constable and Detective Inspector from South Yorkshire came to Liverpool and saw you? - A. That is correct sir.
- Q. You told us also of being in the Detective's office at Police Headquarters in Sheffield? - A. Yes sir.
- Q. And seeing Mr. Anderson there? - A. I have seen him there sir, yes.
- Q. Did you see either of those Police Officers who had gone to Liverpool on that occasion in Police Headquarters in Sheffield? - A. Sorry sir?
- Q. I will start again. You had seen at least two Detectives in Liverpool who had come from South Yorkshire? - A. Yes sir, but I saw them again in Sheffield.
- Q. Yes. - A. Yes sir, that is right.
- Q. You saw them twice? - A. Yes.
- Q. You can tell us who they are? - A. One is a Detective Inspector from the Drug Squad and the other is a Detective Constable. I have not got a clue of his name.
- Q. They must have introduced themselves when they came to Liverpool by name? - A. They did sir.
- Q. You must have spoken to them when you saw them in the Detective's office at the Headquarters in Sheffield? - A. Yes sir.
- Q. And you have seen them as you say on one or two other occasions? - A. Yes sir.
- Q. Can't you even help us with a first name? Fred, Joe? - A. I have not got a clue sir.
- Q. Are you trying to help us? - A. If I could help you sir I would help you. If you gave me a name I could remember some of the

names of the Officers in that office. I cannot remember this Officer. The other Detective Officer I simply referred to as "Sir". I did not know his name.

Cross-Examined by MISS BAIRD:

- Q. Mr. Douglas, I have also got a very small amount of territory I would like to cover with you. You obviously know Constable Scotland because you have mentioned him by name already? - A. That is correct.
- Q. Do you remember seeing him that morning whilst you were in action at all? - A. I cannot pinpoint him to any one place at any one time.
- Q. Can you recall him at all at the stage when you were on the bridge? - A. I am afraid I cannot.
- Q. When you did see him in the hospital what was he doing? - A. He was in the waiting room. There were other Officers there. I think he was talking to the other Officers and I acknowledged him, said "Hello" to him and that was it.
- Q. Did you see him at any time at the hospital with someone who was not a Policeman, a picket? - A. There were lots of people there who had been brought down from Orgreave as well as Police Officers.
- Q. So the short answer is if you did do it did not stick in your mind? - A. Not particularly, no.
- Q. One more small area. Could you have to hand at the same time Exhibit 9, Photograph 6 and Exhibit 30, Photograph 4.
- Looking at that coloured one first, you told one of my learned friends that when you arrived at the bridge you I think were in the position of the Officer who is shown to Inspector Bennett's right on that photograph? - A. That is correct ma'm, yes.
- Q. You went so far to say if he had the right colour of truncheon you would say that was him because you remember being there? - A. Yes.
- Q. Am I right in thinking that is where you went as you came on to the bridge? - A. As we came on to the bridge, I remember being certainly just over the bridge, yes, and on the bridge, yes.
- Q. Would you repeat that answer for my learned friend? - A. I remember being in that area shown on the photograph. I also remember being on the bridge.

- Q. I think there you are in fact still just about on the bridge. We have not got a very helpful photograph of that side of the bridge, but if you look at Exhibit 9, Photograph 6, you can see to the right there is a sort of coping stone at the village end of a section of wall. Can you see what I mean, right by A. There.
- Q. That coping stone I think is off to the left on the coloured picture? - A. Yes ma'm.
- Q. So you are still in a sense on the bridge? - A. That is correct.
- Q. What I am particularly interested in, Officer, is a piece of evidence that you gave almost by way of an aside which may help one of my clients. You said when you arrived at that position pickets had run away in front of you on the road up the embankment to the left and also through the field to your right? - A. That is correct ma'm, yes.
- Q. You later qualified what you had seen happening in the field. You said that there were only a couple of pickets there and they were not throwing stones they were being chased by Policemen? - A. I remember saying they were being chased by Police Officers, yes.
- Q. I would simply like you to tell us as much as you can remember about that side. First of all did you see it as soon as you got to that position? - A. Well it must have been otherwise I would not have seen it before I got there.
- Q. Having told us that you believed that you were perhaps the first man on the bridge or nearly so, it seems as if the Officers who were chasing through that field must have taken a different route to get there. Do you agree? They must have gone down the railway banking? - A. It is possible ma'm, yes.
- Q. I would like you to be as specific as you can about that? - A. I cannot recall seeing anybody in front of me jumping over the wall and going into the field. My attention was elsewhere. As far as the two chaps in the field are concerned I remember seeing them but then I had to keep my eyes on what was going on up front.
- Q. I accept that entirely, Officer, but I think plainly if you had come to the bridge at the same time or just behind the man who jumped over the wall and started to chase pickets you would have told us about that already? - A. If I could remember an Officer jumping that wall specifically and chasing a picket in the field yes, I would have told you.
- Q. So it may be, let us put it no higher, a reasonable inference that if you earlier on the bridge saw Officers running through the field on the road they must have come from somewhere else and not over the bridge with you? - A. It is a fair assumption ma'm.

- Q. Can you tell us anything more about the two pickets you saw chased? - A. I am afraid not. I do not remember recalling them further.
- Q. Can you tell us for instance what they looked like? A lot of men had no shirt on. Can you remember whether these two did? - A. No, I cannot be sure. I think one might have had a white shirt on. I am not sure.
- Q. Can you remember how many Policemen you saw chasing those two? - A. No, I honestly could not say.
- Q. You see I only mention it because the impression you gave to me was of a very few people indeed in that field because you really just mentioned it? - A. In passing, yes.
- Q. May it be there was only a single Police Officer or perhaps two Police Officers chasing there and not a crowd of them at all? - A. I think there was a few. I think there were more than two.
- Q. You do? - A. Yes.
- Q. But you cannot be sure? - A. I cannot be specific.
- Q. Were there a number of Police Officers into double figures or would it be less than that? - A. It would be less, but it was just a split second look to the road and that was it.
- Q. I appreciate that and I hope you can tell by the way I am putting the questions to you, but can I take it a little further just so as to squeeze every reserve you have from you. Can you say in what direction the pickets ran or either of them. They may have run in different directions? - A. I think they were running from the railway line at an angle towards the estate, so that is to my right.
- Q. To your right. If we look back at Exhibit 9, Photograph 6, the railway line is clearly to our right as we look at the photograph or the section of it I am concerned with. You say "running at an angle towards the estate." Do you mean they would be coming nearer to the road? - A. No, the other way.
- Q. Away from the road? - A. As far as I can remember, yes.
- Q. Running from the vicinity of the railway line? - A. Yes.
- Q. I suppose you would have told us if you had seen this, but let me just clarify. Did you see the pickets do anything to merit being chased? - A. I don't know what they did ma'm, no. I just saw them running.
- Q. Your view of that was when they were already being chased? - A. That was the first I saw, yes.

- Q. Can you recall any picket or any Policeman in the group I have concerned myself with falling over? - A. I cannot remember that ma'm, no.
- Q. Did any of the Police Officers catch either of the two pickets whilst you watched? - A. Not whilst I was watching.
- Q. Your last sight of that chase then where would it be, whereabouts would the pickets be? I am sorry we have not a photograph of the field but you may be able to help us? - A. Fairly close. If you look at the field as a square I would say fairly close down into this corner here.
- Q. They had not got a long way from the railway line when you stopped running? - A. No.

MISS BAIRD: No more questions.

- Q. JUDGE COLES: When you say one was wearing a white shirt, that was a picket, was it? - A. I believe so sir, yes.

Cross-Examined by MISS RUSSELL:

- Q. Officer, one or two questions firstly about the meeting on the Saturday. You were at which Police Station when that took place? - A. Admiral Street.
- Q. How far away from Gardston Street Police Station is Admiral Street? - A. About three miles.
- Q. What time did that meeting take place? It does not have to be exact? - A. I think I got there for about half-10/11 o'clock.
- Q. At night? - A. No, in the morning.
- Q. So half-past-10 or 11 o'clock in the morning, Admiral Street Police Station. Was it an arranged appointment? - A. Yes, I was asked to call down.
- Q. You were asked to go down. How long do you say that meeting took? - A. I was not there long. Probably about ten minutes to fifteen minutes.
- Q. If I could leave that. Would you please have Exhibit 9. I just want to clarify one or two points. If you look at Photograph 6 first of all. At the time just before the charge that you make you are standing on the pavement between lampposts we call them 1 and 2 from the bridge. Is that right? - A. That is correct, ma'm.
- Q. Other Police Officers are behind or to your side? - A. That is correct, yes.

- Q. But not in any as it were exact line across the road? - A. No.
- Q. If we then go to Photograph 7. Would I be right in this assumption: if I draw a line straight across the pavements on the photograph and you join the two ends, the angle of where you are is just off that photograph. Is that right? - A. That is correct, yes.
- Q. You say the furthest figure on the pavement at that time is the man in the denim suit nearest to you? - A. The nearest figure, yes.
- Q. When you run up - and I am only interested at the moment with the pavement at that point - as you are running up apart from the man in the denim suit is there any other picket on the pavement presenting any trouble at all, throwing or anything of that kind? - A. I cannot recall seeing anybody there.
- Q. Presumably by the time you get to lamppost, between lamppost 2 and 3, if we take the mid-way distance there, you would then presumably be aware of any pickets throwing? - A. There were pickets throwing all the time, ma'm, it was just constant.
- Q. We are talking about the point when you are running up? - A. We are still being thrown at then, ma'm.
- Q. So if you are being thrown at either from the pavement or the nearside road, at that point you would certainly have had a quick glance at anyone throwing at you as you came nearer? - A. A quick glance to the left would show dozens, dozens of people throwing at us. There was so much being thrown it was unbelievable.
- Q. Officer I appreciate what you say, but are you saying you would have run past a much nearer picket throwing at you because you are the first Officer up that road and just run past you to go for Mr. O'Brien? - A. The pickets at the front turned and ran. The pickets behind still kept up the stream of missiles.
- Q. But on the pavement according to you? - A. There is nobody else.
- Q. There is nobody else so we have got rid of a mass of people throwing on the pavement. Now I am interested if you like in the half-way to the white line, in other words the half of the road that is your side as you are coming up. If somebody had been there and throwing at you obviously, presumably you would have not just run past them? - A. Oh no, I would not have run past them.
- Q. Did you see anyone throwing in that position as you ran up, an obvious as it were A. Right in front of me throwing at me?

Q. Standing in that half of the road, the white line to the pavement obviously throwing at the point certainly before you are past the mid-way point of lamppost 2 and 3? - A. As we charged they turned and ran.

Q. So can we take it from the point when you charge out you are not aware of anyone throwing in that strip, if we can deal with it from the white line to the pavement and from the pavement to the wall? - A. I was not particularly aware of anything coming from that area. Like I said it was coming from everywhere.

Q. Forget the "coming from everywhere" because that is a nice little addition at the end of each sentence. - A. It is a very important addition, ma'm, we are in a riot situation.

Q. So you say, Officer. - A. Ma'm I was there. I know it was a riot.

Q. Or are intent on proving. We are examining the evidence of that as you are well aware, so can we concentrate on what your evidence is.

There is no one as you run up throwing between the white line and the wall that you are aware of? - A. Not that I am aware of.

Q. I suppose it follows if we take the bungalow and the first house, as you are the first Officer past there if there had been anyone throwing there obviously you would have seen that and would not have run past it? - A. That is correct.

Q. So we can take it that there was, when you were running up and past, no one throwing from the area of the first house and the bungalow? - A. I cannot recall it.

Q. I am grateful. Now if we can go to the verge on the other side. Can we just look at that verge. Imagine you standing at that corner there, that is just off the photograph, where do you say so far as that verge is concerned would it be right to say if we draw a line across at lamppost 3, just a straight line across Photograph 7. - A. Yes, ma'm.

Q. Would it be fair to say up until that point on the verge, and I am only concerned with the verge, there was no stone throwers actually on the verge. I am not interested in the embankment higher up? - A. That is correct, there were people there.

Q. There were people there? - A. Yes.

Q. But so far as the verge itself is concerned? - A. I cannot recall them throwing stones.

- Q. But so far as the verge itself is concerned? - A. I cannot recall them throwing stones.
- Q. Again a similar question. As you started off from your corner were you aware of any picket as it were running across your path in a straight line left to right? - A. I was not aware of any ma'm, no.

MISS RUSSELL: Yes, thank you. I have no further questions.

MR. REES: No questions.

Re-Examined by MR. WALSH:

- Q. Would you keep that photograph in your hand, please, which is Exhibit 9, Photograph 7? - A. Sir.
- Q. As you ran up there were people still on the grass verge? - A. Yes sir.
- Q. If as seems to be suggested you had wanted to arrest someone, whether or not that person was committing any criminal offence, did you need to run all the way up the hill? - A. I could have just strolled over the road sir and picked somebody up.
- Q. When you charged up the hill, just briefly so that the jury understand it, describe the situation as it was on the ground please? - A. It was very difficult. I was going for one particular person. I was going for Mr. O'Brien.
- Q. Why? - A. Because he had been throwing stones and I wanted to arrest him. Whilst running up there, bearing in mind I was in full riot gear including a uniform on; a day when it was probably 70° at that time in the morning, the missiles did not stop coming over. Everything came at us. Things hit my riot shield, things hit me.
- Q. You were going for one particular man? - A. Yes sir.
- Q. As you charged going for that one particular man. upon what were you concentrating? - A. I was concentrating on arresting him and only him.
- Q. Were you paying minute attention to precisely where people were on the left? - A. That would be a physical impossibility sir.
- Q. Were you paying precise attention to exactly which house or which gateway or garden he went into? - A. No sir. When I say "no sir" I did not know which house as such but I knew that I was going to stay with him and go with him.

- Q. You were concentrating as you say on him? - A. Yes.
- Q. The Defence case put in a nutshell, and I would like you to comment upon it, is this: this is the allegation against you, that never having seen Mr. O'Brien before you ran up the hill and went into an alleyway, not chasing him in any way. Do you follow? - A. Yes sir.
- Q. That there you found him already bleeding from an injury which you had no part in causing. That is the Defence case? - A. Yes sir.
- Q. And that you then arrested him for doing nothing? - A. Yes sir.
- Q. And that when you took him back under arrest you in order to explain the fact that he had an injury which you had had no part in causing, you then invented a story? - A. That is what they have said sir.

MR. GRIFFITHS: My learned friend has missed one matter out. The Defence case is that the Officer saw two other Officers over my client with blood on him.

MR. WALSH: Your Honour, I am quite capable of asking my own questions.

MR. GRIFFITHS: Well he did not put that.

JUDGE COLES: Very well.

MR. WALSH: If my learned friend would allow me to ask my questions in stages.

- Q. Do you follow? - A. Yes sir.
- Q. Would you look at your statement, please. The jury have got that, I believe. - A. Yes.

JUDGE COLES: It is exhibited, I think.

- Q. MR. WALSH: Yes, Exhibit 44, where members of the jury you have written Exhibit 44 on it. Yes, thank you very much. You have got a handwritten copy, we have got typed. It is at the bottom of our page 2, members of the jury. Would you reach the point where it says: "The pickets including O'Brien turned and ran off." Have you got that? - A. Yes sir.
- Q. Just make sure our typed copy is the same as yours and I will read:

"I chased O'BRIEN and he ran into the garden of a house. As I got up to him I pushed him to the ground with my riot shield. O'BRIEN struggled

but was overpowered by myself and CON. ANDERSON. During the course of the struggle O'BRIEN sustained a cut to his forehead."

A. That is correct sir.

- Q. "We pulled O'BRIEN up" etc. If I had been permitted by my learned friend, Mr. Griffiths, you are there in that statement saying that you were responsible for the incident in which this man was injured? - A. I believe so sir, yes.
- Q. It is suggested that you are lying and inventing that you are responsible for injuring him when somebody else was. What do you say about that allegation that is made against you by the Defence? - A. I cannot see the point in making allegations. I have admitted it was me who hit him; it was me who caused his injury. I am not disputing that fact.
- Q. The Defence say you are inventing the fact it was you who caused an injury when you know somebody else was. Do you follow? - A. I cannot see the point admitting to injuring somebody if you did not do it.
- Q. And it is also said that within a short time of this incident happening you have not only decided to tell a false story but persuaded an Officer who until that moment was a total stranger to you from South Yorkshire to do likewise? - A. That is the allegation sir, yes.
- Q. And to join you in giving false evidence at Court? - A. That is what they said sir.
- Q. What do you say to that allegation? - A. The answer to that is simple sir. I have been in the Police long enough now; I am a married man; I have got children, what is the point in telling lies and losing your job? It is just not worth it sir.
- Q. Had you done anything that you had to conceal? - A. No sir.
- Q. So that I put it in its entirety: you having emphasised what you had to lose would you invent that story in order to protect some colleague of yours, because that seems to be the suggestion? - A. If a colleague of mine was stupid enough to do something as serious as that there was no way I would protect them, no.
- Q. You have told us that as you charged up that hill your concentration was upon the man who you had seen throwing just a little bit before? - A. Yes sir.
- Q. Who was the man you arrested? - A. O'Brien sir.

- Q. You did not know him at the time, of course? - A. No sir.
- Q. But if you were asked to describe the actions of the man that you had arrested, who was the man you arrested? - A. O'Brien, sir.
- Q. I am sorry, I did not make myself clear. You did not know his name? - A. No sir.
- Q. Did you know the name of the person who was throwing when you stood at the bottom of the hill? - A. No sir, it was the man in the denim suit without a shirt on.
- Q. Who had done what? - A. Who had thrown stones at me.
- Q. Was there any difference between that man and the man you arrested? - A. As far as I am concerned sir, no.
- Q. Have you any doubt about that? - A. No sir.
- Q. You see it has been suggested that you could be mistaken. Do you think you are mistaken? - A. I don't think I am mistaken sir, no.

MR. WALSH: Thank you very much.

JUDGE COLES: Thank you. You are free to go.

THE WITNESS: Thank you sir.

MR. KEEN: Police Constable Anderson, please.

MR. WALSH: Page 278, your Honour.

POL. CONST. PHILIP CHRISTOPHER ANDERSON Sworn

Examined by MR. KEEN:

THE WITNESS: Your Honour, I am Philip Christopher Anderson. Police Constable 1762 of the South Yorkshire Police presently stationed at Attercliffe Police Station.

- Q. MR. KEEN: Were you a Police Constable in the South Yorkshire Police Force back in June of last year? - A. Yes sir, I was.
- Q. On the 18th of that month were you at Orgreave? - A. Yes sir, I was.
- Q. A member of the PSU? - A. Yes sir.
- Q. Did there come a time during the morning when you donned some equipment? - A. Yes sir.

- Q. What was that? - A. I was wearing normal Police uniform with protective boots, riot helmets and carrying a shield sir.
- Q. What sort of shield were you carrying? - A. I was carrying a long shield.
- Q. Did there come a time when you went out into the arena top side? - A. Yes sir, I did.
- Q. The members of the jury know that there was a cordon across the road in the field. Where did you go in relation to that cordon? - A. I was immediately in front of it.
- Q. Did you adopt any other position before you got to the front of the cordon? Where had you been before that? - A. We had been in the holding area below the cordon, approximately 100 yards below.
- Q. From there were you able to see what was happening in the cordon? - A. From the holding area no.
- Q. Yes? - A. Not precisely no.
- Q. But when you got to the cordon were you able to see what was happening then? - A. Yes, I was.
- Q. Tell the jury what was happening when you first got to the cordon, will you? - A. When we first got to the cordon there was a barrage of missiles coming over of various descriptions, bottles, bricks, debris of all sorts.
- Q. Coming over from where? - A. Coming over from where the pickets had congregated.
- Q. At that stage was the cordon protected in any way? - A. Not prior to us going out, no.
- Q. You have told the jury that you got the front of that cordon with your long shield. How did that come about? - A. We were ordered to deploy and we all went up. The ranks did split; we went through and peeled off either side.
- Q. That means you are at the very front of the Police, one of the first Officers looking towards the demonstrators? - A. Yes sir, that is correct.
- Q. In that position can you describe the scene to the jury? - A. Between ourselves and the pickets was a gap of quite a few yards. Over the front line there were bricks and bottles coming over.
- Q. Were you on the road or the field, do you recall? - A. I believe I was on the field.

- Q. What was happening to these missiles that were coming over once you were at the front of the cordon? - A. Some of them were hitting our shields. A lot of them were still going over hitting Officers behind.
- Q. Did there come a time when other Officers went in front of you? - A. Yes. The order was given by one of the Supervising Officers, I cannot remember which one it was, and we did break and Officers went through with horses and I believe short shield Officers followed.
- Q. So the short shields and the horses went through and up the field. What was the effect of that upon the demonstrators? - A. They dispersed and started running away from us and the gap between us grew bigger.
- Q. Did you remain in the same position or not? - A. The first time I went out, yes.
- Q. I think I can lead you on this. The horses and the short shields came back? - A. Yes sir, that is right.
- Q. Once they were back how were the demonstrators behaving? - A. They were returning and behaving in exactly the same way.
- Q. Did there come another occasion when you had to break for other Officers to go through the cordon? - A. During the morning I believe it happened on a number of occasions.
- Q. On these other occasions did you remain in the same position or move? - A. I remained in the same position. Can I just clarify that we are talking about sometime between 7 and 10 o'clock in the morning?
- Q. That is your best recollection of the time? - A. That is my best recollection of the time, yes.
- Q. Did there come a time when you did move up the field as opposed to staying where you were? - A. During those times I cannot remember whether we moved up the field.
- Q. Did you remain on the cordon all of the time? - A. During those hours, yes.
- Q. What happened at about the time you recall must have been about 10 o'clock? - A. About 10 o'clock the lorries from the Coking Works had gone and things seemed to subside and we were stood down.
- Q. When you were stood down where did you go? - A. Went back to the holding area.
- Q. Did there come a time when you had to go back to the cordon? - A. Yes, almost immediately.

- Q. How did that come about? - A. Well when we were stood down we had been out there for about three hours. We had all gone back to get a drink. We took our tunics off and then we were suddenly ordered to return as the missiles had started again.
- Q. Did you go back to the cordon with your long shield or with something else? - A. No, we ran back with our long shields.
- Q. When you ran back to the cordon what scene greeted you? - A. It was possibly worse than it was before. The sky was full of missiles.
- Q. Was the cordon protected or not at that time? - A. No, it was not protected. There were Officers falling to the floor all over at various points around.
- Q. Where did you go in relation to the cordon? - A. We ran through and formed up immediately again in front.
- Q. Field or road do you recall? - A. At this time I believe I was on the road.
- Q. When you are out on the road did there come a time when you started moving up the road? - A. Yes, within minutes.
- Q. Did anything proceed you up the road? - A. Yes, horses and I believe short shield units dispersed the crowd again.
- Q. Was it one continual movement up the road or were there continuous stages to it? - A. I believe they were deployed and this time we followed them up with our long shields forming another line. We returned and possibly continued that movement possibly two or three times.
- Q. Did you know Orgreave at all? - A. I know it fairly well sir, yes.
- Q. You know the railway bridge top side? - A. Yes, I do.
- Q. Are you one of the Officers who reached that bridge? - A. Yes sir, I was.
- Q. As you were getting to the bridge was there anything that specifically drew your attention? - A. Prior to the bridge as we were walking up the road there was all debris, much debris from the wall and also there was a wire fastened across the road approximately nine inches or a foot high.
- Q. Fastened to what? - A. It was fastened across the road between the lamppost and a tree.
- Q. Any other obstacles in your path before you got to the bridge - A. No, I cannot recall.
- Q. What happened once you arrived at the bridge? - A. We formed

up again but quite a few yards the other side of the bridge. I got a little bit separated from my unit and then I joined the Merseyside Officer.

Q. I want to ask you about that so just pause for a moment, will you.

Q. JUDGE COLES: You formed up on the far side of the bridge and you get, somehow or other, somehow became detached from your unit? - A. Yes, your Honour.

Q. Is that before you formed up? - A. I believe so, yes.

Q. MR. KEEN: You say you joined up with a Merseyside Officer? - A. Yes sir.

Q. Do you know his name? - A. At that time it was Police Constable Douglas.

Q. Had you ever seen him before that day? - A. No, I had not.

Q. Did you know his name when you first joined up with him? - A. No.

Q. Did you know anything about him at all when you first joined up with him at Orgreave? - A. No.

Q. When you joined up with him what was the scene facing you? - A. Very similar to what we had further down except this time we were in a housing area, just an open area. Across the road some yards in front of us there were around 3,000 men and there were bricks and all debris coming over again.

Q. Did you still have your long shield with you? - A. Yes, I did.

Q. Did Police Constable Douglas, as he then was, have anything to say? - A. Yes. When I came near to him he pointed out a man who was in front of us. He said something like: "Watch that man over there in the denim suit".

Q. I want to ask you a little bit about relative positions if you could try and recall. If you cannot remember say so, but where were you and Police Constable Douglas in relation to the roadway at this time? - A. The direction we were facing we were to the right-hand side of the roadway.

Q. We know there is a footpath on the right-hand side. Where were you in relation to that? - A. I believe I was just in the kerb edge.

JUDGE COLES: We are obviously moving into an important part of the evidence. Let us have it all as a piece at five-past-two.

MR. KEEN: As your Honour pleases.

MR. GRIFFITHS: Your Honour, perhaps this Officer can spend his lunch in the usual way?

JUDGE COLES: Please don't discuss your evidence with anybody but particularly anybody who was with you on the day.

THE WITNESS: Yes, your Honour.

(Luncheon adjournment)

- Q. MR. KEEN: Before the adjournment, Mr. Anderson, you were just telling the jury where you were standing in the road and that Mr. Douglas had just pointed out a man to you?
- A. Yes, that is right.
- Q. The man who was pointed out, how far away from you was he?
- A. I would put him about 20 yards.
- Q. Whereabouts in the road or in the area was he? - A. He was near to the perimeter wall of one of the houses on that road.
- Q. As you look up the road is that to the left or the right?
- A. To the right.
- Q. Did you then know the name of that person who was being pointed out? - A. No, I did not.
- Q. Do you now know his name? - A. Yes, I do.
- Q. What is it? - A. Mr. O'Brien.
- Q. Having been told to keep your eye on him, did you? - A. Yes I did, yes.
- Q. Did you see him do anything? - A. Yes, I saw him bend down and pick up an object which he threw at the Police line.
- Q. Did you see him do anything else? - A. I then saw him bend down again and pick another object up which appeared to be half a house brick, something like that, which he threw which was heading towards us and P.C. Douglas knocked it down with his shield.
- Q. You remained in the same position? - A. At that time, yes.
- Q. Did there come a time when you moved then? - A. Yes, we were given the order to move forward again to disperse the crowd.
- Q. Did you move forward? - A. Yes, we did.
- Q. As you did that what happened to Mr. O'Brien? - A. Himself and a number of other men who were near that vicinity, some of them

started heading down this alleyway in this house as we were running towards them.

- Q. What were your intentions in relation to Mr. O'Brien? - A. My intention was I was going to arrest him.
- Q. For doing what? - A. Threatening behaviour.
- Q. For doing what? Not the offence, what had he been doing? - A. For throwing bricks.
- Q. Did Mr. Douglas say anything else to you before you went after Mr. O'Brien? - A. I cannot remember anything in particular.
- Q. You mentioned something about Mr. O'Brien going into an alleyway? - A. The men with him started going down the alleyway. P.C. Douglas got to him prior to him getting down it.
- Q. Where were you when Mr. Douglas got to Mr. O'Brien? - A. A few yards behind, just two or three yards behind.
- Q. When Mr. Douglas got to Mr. O'Brien what did he do? - A. He got to him by jumping over a small garden wall and he hit him with his shield and they both went to the floor.
- Q. Which part of Mr. O'Brien did Mr. Douglas hit? - A. I believe it was his back.
- Q. So Mr. O'Brien went down to the ground. What happened to Mr. Douglas? - A. He went down to the ground.
- Q. When they were both on the ground what happened? - A. As they landed I believe P.C. Douglas was virtually laid on top of him. As he rolled off I was then approaching the scene and I took hold of him.
- Q. Can you help the jury with this please: as you approached Mr. O'Brien, just before you took hold of him, how was he behaving? - A. As he was on the floor?
- Q. Yes? - A. He was trying to get up to get away.
- Q. When you got to him what did you do? - A. He was almost getting up. I grabbed hold of him and P.C. Douglas got hold of him.
- Q. Did you notice anything about Mr. O'Brien? - A. Not immediately, no.
- Q. If not immediately did there come a time when you noticed something about him? - A. Yes, once we got him to his feet I noticed he had got a cut to his head.

- Q. There we are then, both of you have got hold of him. What did you do with him? - A. Started walking him back towards the Police lines.
- Q. On that journey was anything said by anyone? - A. Yes, P.C. Douglas told Mr. O'Brien why he had been arrested.
- Q. What did he say to him? - A. I think, "I am arresting you for threatening behaviour" and he cautioned him.
- Q. Did Mr. O'Brien make any reply? - A. He said something like: "I have done nothing".
- Q. Do you remember any more of what he had to say other than that? - A. No, I can't.
- Q. Where did you take Mr. O'Brien? - A. Well the cut by this time looked quite bad. He was covered in blood on his face. There was an ambulance nearby so we took him straight there.
- Q. Did the ambulance take him to Rotherham District Hospital? - A. Yes, it did.
- Q. What happened to yourself and Mr. Douglas? - A. We went with him.
- Q. Did he receive some treatment at the hospital? - A. Yes, he had three stitches in the cut and he had an X-ray.
- Q. Was he then released into your care? - A. Yes.
- Q. Where did you take him? - A. I took him to Rotherham Main Street Police Station.
- Q. What happened to him there? - A. He was taken in front of the Sergeant and he was searched, documented and detained.
- Q. That having happened what did you do? - A. If I can remember rightly P.C. Douglas charged him with the offence and cautioned him at that time. I don't believe he made a reply.
- Q. After he had been charged? - A. We then made our way back to Orgreave.
- Q. What did you do once you got back to Orgreave? - A. We went to the Police Room where we saw a Detective Inspector who was in charge of what happened and we made a statement about the incident.
- Q. Do you know the Detective Inspector's name? - A. Yes, Detective Inspector Smith.
- Q. How did you and Mr. Anderson make your statements? - A. Mr. Douglas?

Q. Mr. Douglas, yes? - A. There was a little briefing by the Detective Inspector telling us roughly the format of what he wanted, if it suited our particular incident and then we made our statements up together.

MR. KEEN: Yes very well. Would you wait there please.

Cross-Examined by MR. GRIFFITHS:

Q. Officer, did you know before coming into the witness box that you would be asked as to how your statement was in fact made out in the sense of not made up. I don't mean that at this stage made up in any other way than written, but did you know you were going to be asked questions how it came to be you made your statement with the assistance of Inspector Smith? - A. When I was initially warned for Court, which was Thursday, we filled a pro-forma form in at Headquarters and that was one of the things that was mentioned.

Q. Tell me a little bit more about this pro-forma. You arrived last Thursday to give evidence. Where did you arrive at the Headquarters? At Headquarters you were presented with some sort of document, were you? - A. Yes.

Q. On that document, amongst other things, it told you you were going to be asked questions about how your statement was made up? - A. They did not tell us, we were asked how we had done it. There was no stipulation how we did it, we were asked what happened.

Q. JUDGE COLES: On a pro-forma? - A. Yes, your Honour.

MR. GRIFFITHS: Can you keep your voice up, everybody in this Court has to hear.

Q. You were asked to explain how you had made your statement? - A. Yes.

Q. You completed a document, did you? - A. I did not complete it. I was just asked a few questions on how we came to the original statement.

Q. Somebody must have asked you questions or you were asked the question so to speak as you filled in a questionnaire. How is it? - A. As he asked me he filled it in.

Q. Who is "he"? - A. I did not know the Detective at all sir.

Q. The Detective was asking you questions about how it came to be you wrote your statement and he was filling it in was he into some sort of form? - A. Yes.

Q. Did he indicate to you why he was asking you such questions; that you would probably be asked about it during the course of your evidence? - A. No.

- Q. How then did you know you were likely to be asked questions about how you made your statement? - A. He asked me where we made it up; how we made it up as in sort of like together or what and that was basically it.
- Q. I may be wrong because I am not taking notes of what you are saying. I thought you indicated to the Court - and I may be wrong about this - I thought you indicated that you knew you were going to be asked some questions about this? - A. I presumed.
- Q. You presumed from the filling in of the questionnaire? - A. Yes.
- Q. Secondly you were asked about this topic, namely the making of the statement. What other topics were you asked about in any way touching upon this case? - A. I was asked what relatives I had in the mining industry if any.
- Q. But bearing on this case? - A. This is the pro-forma, that was it, that was the only thing and asking me about my Police service.
- Q. That was Thursday? - A. Yes.
- Q. At the Police Headquarters. Of course so far you have been telling us about a discussion you had with this one Officer who you cannot identify other than that he was a Detective Officer, when did you first set eyes on Mr. Douglas before this case, before coming into this box and since the 18th of June? - A. I saw him on that morning, as I was walking in he was in the office in and out.
- Q. JUDGE COLES: This is Thursday? - A. This is Thursday your Honour, yes.
- Q. MR. GRIFFITHS: Let us get this clear. What you are saying you virtually passed, he was coming out as you were going in. Is that what you want to say? - A. Yes.
- Q. Did you see him again? - A. Yes I have, yes.
- Q. Where and when? - A. Friday morning and this morning.
- Q. Where? - A. Exactly the same place.
- Q. Passing like ships in the night? - A. Yes.
- Q. Not speaking? - A. I did say "Good morning", things like that.
- Q. Apart from saying "Hello" or "Good morning"? - A. The only day we have ever talked about it was the Thursday.
- Q. JUDGE COLES: Last Thursday? - A. Last Thursday your Honour, yes.

- Q. MR. GRIFFITHS: You talked about what? - A. The incident. We were able to have a look at our statement.
- Q. You were in the same room when you both had your statements, were you? - A. Yes.
- Q. It is hardly "passing" you going in and meeting, going out again? - A. He had already been there and he had got his statement.
- Q. Did you discuss with Detective Constable or with Police Sergeant as he now is Douglas, the circumstances of Mr. Brien's arrest last Thursday? - A. Yes.
- Q. Did you make any notes up about the incident or not? - A. The only notes I have sir are my statement.
- Q. Did you, as is let me make it clear perfectly proper if those were the only notes that you made so to speak of an incident that you might later have to give evidence about, did you and have you refreshed your memory from that statement before giving evidence? - A. Yes, I have.
- Q. I presume you have had a copy of it, have you? - A. No, I looked at a copy on Thursday and that is the only time I have seen it.
- Q. Now your knowledge of Orgreave, Officer. You are a local Officer stationed in Attercliffe? - A. That is right sir, yes.
- Q. You tell me how well you know the roads and the location there before I ask you some detailed questions about it on the 18th. Have you driven past there on numerous occasions? - A. I know the road fairly well. I was at Orgreave from the start and in addition to that I use the road in my own travels.
- Q. Is it within your own beat or do you mean socially when you are driving around? - A. Socially.
- Q. Have you been shown at any stage any photographs by any Officer? - A. No, I have not, no.
- Q. You have given evidence, Mr. Anderson, concerning what you did below the bridge and above the bridge? - A. Yes.
- Q. First of all times. Let me deal with some times. You have mentioned being deployed at the front of the line between 7 o'clock in the morning and about 10? - A. That is right sir, yes.
- Q. Are those approximate times or did you carry a watch on that day? - A. They are approximate times. I did not carry a watch.
- Q. Throughout that period were you in the field or in the road? - A. Between 7 and 10 I was in the field.

- Q. Were you under in your PSU an Inspector, is it Bullis? - A. That is correct sir, yes.
- Q. You were stood down, according to you, about 10 o'clock?
- A. That is right sir, yes.
- Q. Could it have been 11 o'clock or thereabouts? Within what sort of bracket are we talking about as to times in your evidence? - A. It could have been later than that.
- Q. It could have been later than 10 o'clock. Could it have been as late as about 11 o'clock? - A. I don't believe so.
- Q. When you came back after your brief drink you came back and were redeployed. According to your description the missiles were very heavy indeed? - A. That is right, yes.
- Q. Officer, do you really mean to say, and these are words that I took down: "The sky was completely full of missiles"? You really want to say that? - A. Yes I do, yes.
- Q. Where were you when you came back? - A. I was running up the road.
- Q. But I understand that you came back and were deployed into a line before you moved up the road for these different stages. Is that right? - A. That is right, yes.
- Q. So are we to take it, we have seen a video you see just so that we can get some idea, you are deployed back into the cordon. As the cordon is further up the field at this stage whereabouts in the field is it? - A. The cordon was where we left it which was across the field, right at the bottom end and across the road.
- Q. Let us see if you have a clear memory of this, Officer. You say that throughout the three hours that you were out there the cordon did not move. That is number 1? - A. That is right.
- Q. Number 2: you say that you were stood down and when you returned the cordon was still where it was all the time? - A. That is right, yes.
- Q. So throughout the period of deployment that cordon has not moved at all? - A. No.
- Q. We know the area. Do you have the aerial photograph? Look at the aerial photograph. I won't spend much time on it. Would the Usher have a look and make sure it is one unmarked.
- A. It seems we have not got an unmarked one.

JUDGE COLES: Exhibit 4 should be unmarked.

MR. GRIFFITHS: Exhibit 10 has been marked and 10A. That is what I have got at the moment.

MR. WALSH: Your Honour, it is possible I suppose that Exhibit 4 might be somewhere there. Can I have a look?

JUDGE COLES: Would you be so kind.

MR. GRIFFITHS: Let us see if we can do it another way, your Honour. Have we got an unmarked plan? I think there should be an unmarked plan, Exhibit 3.

MR. WALSH: Your Honour, if necessary I have got an unmarked plan if there is not one there.

MR. GRIFFITHS: Look at that one. That is a plan of the area. Members of the jury, you will have the plan somewhere amongst all your papers.

- Q. Orientate yourself first of all. You are a local Officer knowing this area pretty well. You can see the Medical Centre down there? - A. Yes, I can.
- Q. If one was coming up the road towards the bridge you see the little side road off to the left there? - A. Yes, I do.
- Q. I am sure that is very familiar to you? - A. Yes, it is.
- Q. Now where do you say the cordon was? I want you to be accurate, Officer. I am going to ask you a lot of questions about what happened above the bridge. Let's see how clearly you do remember this.

As one is walking up the hill one sees that road goes over to the left towards the lodge? - A. Yes.

- Q. Where do you say the cordon was positioned throughout the three hours that you were there and was still there after you came back after being briefly stood down? - A. I would say roughly where the electric light is.
- Q. What, the first one? - A. Yes, the first one just after the road junction.
- Q. So we are talking about a cordon which is still within a very short distance of that road? - A. That is right, yes.
- Q. In fact there are three bushes marked, just by the first bush? - A. That is the one I can get my geography from.
- Q. You are quite clear about it, that is where it was throughout all that time even after you came back? - A. Yes.
- Q. So according to your recollection the stages or the moves thereafter when you moved up following the horses and the like went from there? - A. Yes.
- Q. At what point then looking at this, we will have to use this plan I think as the best guide we have, at this point where

do you say you get disassociated from your PSU? - A. Round the bridge.

- Q. Well yes but around the bridge, what on the way up to the bridge? - A. No, from the bridge almost immediately over the top of the bridge away from Orgreave side.
- Q. Are you saying that you were still with your PSU when you arrive on the bridge? - A. Yes.
- Q. By that do we mean Although I don't hold you to every single member of the PSU, all of us now know the PSU consists of 20 Officers, did you have a full PSU? - A. Virtually, just one or two missing.
- Q. And under one Sergeant Hannon? - A. Yes.
- Q. And a Sergeant Beardmore? - A. Yes.
- Q. Under the general direction of Inspector Bullis? - A. That is correct.
- Q. You are saying you were with the bulk of your PSU still as a team, still as a unit when you arrive on the bridge? - A. I am, yes.
- Q. Dealing in stages. I don't want to take you through each stage but let's deal with the last run up to the bridge, that is the last move up to the bridge that brings you and your PSU on to the bridge. From where did that start? - A. By my recollection from where the entrance is to the, it is the Council tip I believe on the right-hand side going up Highfield Lane.
- Q. You think it started from there? - A. I think it did.
- Q. Could it have started much lower down, the last bush on the right-hand side, on the left-hand side as you are coming up? - A. I cannot remember where that bush is.
- Q. Let me show you some photographs now.

JUDGE COLES: Is this the last bush you are talking about?

MR. GRIFFITHS: The beginning of the move up to the bridge.

JUDGE COLES: The beginning of the last move?

MR. GRIFFITHS: Up to the bridge.

- Q. Look at the photograph in Bundle 9, Photograph 1. Do you see the bush on the left-hand side at the beginning of the walk? - A. Yes I do, yes.

- Q. That is just down from the place where you have indicated a turning to the right further up the road, have you not? -
A. That is right, yes.
- Q. In fact if we go to Photograph 2 we can see the turning I think that you are referring to possibly? - A. That is the one, yes.
- Q. Could it have been a little further back down that road near the bush on the left of Photograph 1? - A. It could have been, yes.
- Q. I would take it that wherever the precise point was, that last move up to the bridge was, of the different stages, the longer stage up to the bridge? - A. It would appear so, yes.
- Q. In that last move up to the bridge what were your PSU following, what units were you following? - A. I cannot recall any PSU being in front of us. If there were any they would be alongside us. I don't think there is anybody in front apart from the mounted section. There might be some short shield units.
- Q. I want you to be careful now Officer, please, because you have put yourself as being detached from your own PSU at a later point and being alongside a member of the short shield unit, that is Police Constable Douglas? - A. Yes.
- Q. Do your best. When the beginning of the last move starts up to the bridge what happened? What do you remember happening? - A. I don't remember a lot actually. I just remember the horses went through first which forced most of the people over the bridge. We followed up as close behind as we could, then the horses came back and we started taking the bridge.
- Q. Wasn't there a number of PSUs, short shield PSUs who were in fact sent ahead of any long shield PSUs? - A. Yes, they followed the horses.
- Q. So we have got the horses, then the short shield PSUs running ahead in front of you? - A. Yes.
- Q. Would you agree that they move as a body quicker than long shield units? - A. Yes, they do.
- Q. Would you agree it is difficult to run with a thing like that over your arm? I am referring for the shorthand note to the long shield displayed in this Court? - A. Yes.
- Q. So you would have been nowhere near the first Officer on to the bridge, would you? - A. We were not so far behind them, no.
- Q. Approximately how far were you away behind the ladders and the short shield units when they are getting on to the bridge? Give us some idea? - A. From here to the end of the Court.

Q. That is all? - A. Yes.

MR. GRIFFITHS: From here to the end of the Court is, for the shorthand note, to hazard a guess 40 foot. More than that, 50 foot.

JUDGE COLES: About 40, I should think.

MR. WALSH: I suppose whether he means the end of the Court, whether he means the balcony or the pillars?

JUDGE COLES: The door, I would presume.

MR. WALSH: Your Honour, it must have been all of 60 foot from where he is.

JUDGE COLES: Yes, very well.

Q. MR. GRIFFITHS: Were the horses leading or were the short shields leading on this last move up to the bridge?
- A. I cannot remember. I think it was the horses.

Q. Could you look at Exhibit 27. Some photographs, members of the jury, colour photographs. If we can take those out? -
A. I have found them, yes.

Q. Let me have a look at the front one? - A. Yes.

Q. Will you look please at photograph - they are numbered on the reverse - photograph 13. It is a photograph of some horses running between two walls. That is the photograph you remember looking at, if your bundle is numbered correctly?
- A. I was looking at 14.

JUDGE COLES: Remember you don't do that, members of the jury. These are numbered on the back.

Q. MR. GRIFFITHS: This bundle, if it has been correctly numbered, shows the photographs taken in chronological order, in sequence, so if we can move from this order in time, horses going up the road and persons are getting out of the way obviously.

The next photograph shows from a different angle again the horses going up the road, but I am looking now members of the jury at the photograph, the next photograph in the bundle which is 14.

Then photograph number 15 shows the horses beginning to turn. Yes? - A. Yes.

Q. And there is an entrance. Do you see the entrance across the other side of the road? - A. I do, yes.

Q. That is the entrance I was referring you to in Photograph 2 of the other bundle? - A. Yes.

JUDGE COLES: The entrance in which photograph?

MR. GRIFFITHS: Photograph number 15, your Honour.

JUDGE COLES: Yes, I see.

- Q. MR. GRIFFITHS: The horses are turning round there. Then move on to Photograph 16. They are going back down the road. Right? - A. Yes.
- Q. And Photograph 17 they are going back to the Police line. Do you see the bush on the right-hand side? - A. I do, yes.
- Q. That is the same bush right by the way. That is the bush that I have been referring you to in the other and that is the bush I was suggesting and you agreed it might be the last move to the bridge commenced, so the horses are going back. The next photograph shows

JUDGE COLES: I am sorry, I am being a little slow. Which photograph do you say that bush was to be seen?

MR. GRIFFITHS: The bush shown on the right in Photograph 17.

JUDGE COLES: 16?

MR. GRIFFITHS: Of 17.

JUDGE COLES: Which bush do you mean?

MR. GRIFFITHS: There is a bush around which the line appears to be being formed.

JUDGE COLES: I see, yes. I have been looking at the wrong bush.

MR. GRIFFITHS: That bush is at the side of a wall just upstream from it, your Honour, uphill from it. One sees a lamppost.

JUDGE COLES: I should now be looking at Exhibit 9, Photograph 1?

MR. GRIFFITHS: That is right on the left-hand side.

- Q. Right, Officer? - A. Yes.
- Q. So we are following the sequence. What I am going to suggest to you is the next photograph shows the start of the last move on that day which brought the Police, different units on to the bridge. Look at it, it is Photograph 18 on the reverse and you see first of all, you see the pickets running away. Can't see much else at that stage. Then turn over to Photograph 19. If you look very carefully even at this stage

there are short shield units gaining and moving up the road as the front blast of Police. Do you agree? - A. Which number are we looking at now?

Q. 19.

JUDGE COLES: Don't agree with it unless you can see.

MR. GRIFFITHS: If it is too difficult to see at that point we will move on.

MR. WALSH: Your Honour, I think one of the problems the witness has an album of photographs where the prints are much smaller than the one my learned friend and some of us have.

JUDGE COLES: That is unfair. It should not be so. Members of the jury will have four small ones too. Some are very small, some are not.

MR. WALSH: I believe some members of the jury have got some bundles and possibly some large ones.

JUDGE COLES: We will have to do the best we can.

MR. GRIFFITHS: I will proceed very carefully.

JUDGE COLES: If you have trouble seeing would you say?

Q. MR. GRIFFITHS: We have Photograph 19. I suggested to you, Officer, that we are beginning to see, have a better view of what units are leading the Police charge. Do you agree first of all we are beginning to get a view of what units are leading the Police charge up the road? - A. Yes.

Q. What units are leading so far as you can tell from that photograph? - A. Working my way from the left we have short shield units.

Q. And the horses are behind the short shield units, aren't they? - A. Yes.

Q. I don't know if members of the jury the copies they have they can see that. If not we will move on. They are all in sequence. Let us move on to Photograph 20. That is a closer shot. They have moved further up. Am I right? The horses are still behind but there is a pack of Police Officers all helmeted that are running ahead of the horses. Agreed? Photograph 20 now.

Q. JUDGE COLES: You can see horses on 20, can you? Can you? - A. I can't see Police Officers running.

Q. Can you see any horses? - A. I can just see the heads of the riders, your Honour. I can see one horse.

MR. GRIFFITHS: Yes, your Honour, one has to look carefully.

- Q. Let us move on to a better view, Photograph 21. This is almost not quite a side view but certainly the Police units have run a good distance, have they not? - A. Yes, they have.
- Q. Looking at that, we are all looking at Photograph 21, you can see what appears to be a female photographer moving up the field there? - A. Yes.
- Q. Forgive the expression, certainly doing her best to do something. Then there is a whole load of Police Officers who certainly appear to be short shield Officers, do they not, running up the hill ahead of everybody else? - A. Followed by a long shield Officer.
- Q. Yes, followed by long shield and horses. Am I right? - A. Yes.
- Q. The next photograph shows a view of Officers who have arrived at, could not say certainly the Officers have reached the bridge at this point, agreed? Must have done. - A. Yes, but I would like to know what the timescale is?
- Q. Oh I appreciate clearly some time has passed between this but we have this on video, Officer, the same sequence viewed from a different angle. What I would like you to tell me Are you prepared to accept these are photographs of a last charge up to the bridge? - A. Yes, I will accept that, yes.
- Q. Let us proceed on that basis. What instructions did you have from your Inspector, that is Inspector Burns as to where you are going, what you were supposed to be doing at the time of the commencement of this last charge? - A. To get to the bridge and hold.
- Q. Bearing in mind we have actually seen and you have agreed seeing some short shield Officers running up that road ahead of your PSU. Do we take it that when you get on to the bridge there must have been a large number of short shield units ahead of you, persons ahead of you? - A. Yes.
- Q. Approximately how many PSU's? - A. I would say two.
- Q. Two short shield unit PSU's? - A. Yes.
- Q. How long approximately do you say you were at the bridge before you teamed up with Police Constable Douglas and saw what you say you saw with regard to Mr. O'Brien? Do you understand the question? - A. Yes, I do understand the question. I would say four or five minutes, may be not as long as that.

- Q. So really we are talking about you being, you were told to go to the bridge. You did not disobey the order, did you?
- A. No.
- Q. So you went to the bridge and remained at the bridge for some time? - A. When we initially arrived at the bridge we then took a place in front of the short shields but on the Highfield Lane/Orgreave side of the bridge. It is on a bad bend and you cannot see what is going off, so we went further along the bridge. Still visibility was bad so we actually formed up a few yards on the other side of the bridge.
- Q. You were forming a line a few yards up on the other side of the bridge? - A. Yes.
- Q. So that you would have a view generally up that road that we know of? - A. Yes.
- Q. Is that right? - A. Yes.
- Q. Do we take it that it is at that point in time that you find yourself next to an Officer that you later discovered was named Police Constable Douglas? - A. When we came over the bridge there was a car. We saw Mr. Scargill had fallen down. We then went to the other side of this bridge, of this car, and we started forming up. At that time I was with my own unit.
- Q. JUDGE COLES: Is that before you formed up? - A. Sorry, your Honour?
- Q. Is that before you formed up on the far side of the bridge you say you saw Mr. Scargill fall down? - A. I did not say see him "fall down". He was down. That is as we were coming over the bridge. It was a chaotic situation. I just recall seeing him there. This was part of four or five minutes.
- Q. It is very difficult. If we don't take it in steps we can get confused. As you were going over the bridge to begin with, is that right? - A. Yes.
- Q. You saw Scargill had fallen down? - A. No, we could not see when we first started crossing the bridge so we went through the bridge because you cannot see up the road from there.
- Q. So you went on a bit? - A. Yes.
- Q. Past the car you say, passing the bridge there was a car?
- A. I know it was just after the bridge.
- Q. You went past that? - A. I think Mr. Scargill was before the car. Then there was a car. Then we started forming up just after it.

Q. MR. GRIFFITHS: Above the car? - A. Above the car, I believe.

Q. JUDGE COLES: By "above" you mean beyond the car? - A. Beyond the car.

Q. When you were in that position four or five minutes before you joined up with Mr. Douglas A. I have possibly confused you. That was part of this four or five minutes when we were over the bridge.

JUDGE COLES: Sorry, Mr. Griffiths.

MR. GRIFFITHS: Obviously I will have to go over this again carefully.

Q. Where were you do you say when you teamed up with Police Constable Douglas for the first time? - A. After the bridge and after the car.

Q. After the car. Let's get this perfectly clear. You say you did not come up to Police Constable Douglas until after you had passed over the bridge, number 1; after you had walked up from the bridge to the car, number 2, and even after you had passed the car in the road. Is that right? - A. To the best of my memory, yes.

Q. Having clarified that for the moment let us go back to what your orders were and what you should have done. You were told to go to the bridge and hold. Am I right? - A. Yes.

Q. And you told me a moment ago you did not disobey that order? - A. That is right.

Q. So when you got to the bridge you have indicated there were some short shield units, approximately two, generally ahead of you. Where did you first form up? - A. Like I say as we came over the bridge after the car, to the best of my memory.

Q. Would you like to look at Exhibit 21, photograph number 10. Have you got photograph number 10? - A. I have, yes.

Q. Is that the car or part of a car that you are referring to? - A. Yes, it is.

Q. Is it in that position that you have in your mind's eye? - A. Yes.

Q. Are you saying that you came on to the bridge, did not remain on the bridge as you were instructed to do but went all the way to the other side of the car and then formed up, or what are you saying? - A. Exactly that. That is what we did. When we came to the bridge we could not see what

was happening. Bottles and everything were coming over. We could not see where they were coming from, so we moved round. That is where we took our position to hold just after the car.

Q. Let us look at Photograph 10. Let us see if we can in relation to the lamppost then or any other way, can you give an idea where you say you first formed up in a line and where you were when you met Douglas? - A. When we first formed up I would say roughly where the lamppost is above the car.

Q. JUDGE COLES: The next one where that man is walking? - A. Yes, in line with him, your Honour.

Q. The man walking away from the photographer? - A. That is right, yes.

MR. GRIFFITHS: So your first line

JUDGE COLES: First line past the bridge.

MR. GRIFFITHS: First line past the bridge.

JUDGE COLES: Well I have written down that line was on a level with the man walking away from the photographer in this photograph. That is right, is it? - A. That is about right your Honour, yes.

Q. MR. GRIFFITHS: Do I take it that you arrived at that point having run continuously up to the bridge, right, and over the bridge and up to that point? - A. Virtually, yes.

Q. All right, paused for a second or two to survey the scene as you are going over the bridge, but basically the charge we are talking about takes us over the bridge to the point that His Honour has noted? - A. Yes.

Q. It must follow then that if you got there virtually without stopping, so did the short shield units? - A. Yes.

Q. So were they all in the area of the car and of the man walking up towards the brow of the hill shown in Photograph 10? - A. I seem to remember them once they reached the bridge waiting for us because we have obviously got the protection for them and I seem to remember them being just behind us then.

Q. JUDGE COLES: When you formed up your line you formed up in front of the short shield? - A. I believe so. I cannot remember but I think so.

Q. So the actual position of the line would be fixed by the short shield men? - A. No, your Honour. As we hit the bridge they obviously arrived first, then we started forming up and to the best of my memory we were on the front line, we got there with the long shields. To the best of my memory I seem to remember being on the front.

- Q. You went through the short shields? - A. Yes.
- Q. But the short shield men were there first, were they, forming the line up the road for you to go through, or was it a loose mass of Officers? - A. They would be forming the line with the shields protecting their heads.
- Q. MR. GRIFFITHS: This is the position: the short shields you are saying ran up to the bridge, over the bridge around the corner and up to the point that you specify and then you went up to them, one in front of them to form the line. Is that what you are saying? - A. I seem to remember us meeting them at the bridge, then us taking the line, the original line, the long line where that lamppost is which I pointed out. I seem to remember us forming that line.
- Q. Are you saying that there was a move forward led by long shield Officers from the bridge up to and beyond the car. Is that what you are saying? Do you understand the question? - A. Yes, I do. You are saying that from the bridge up to and beyond the car which is where I pointed that long shields took the line.
- Q. Led the way. I am asking you if that is what you are saying? - A. I can't remember.

JUDGE COLES: Does it really matter so much?

MR. GRIFFITHS: It will, your Honour.

- Q. Where were you in all of this when you first saw Mr. Scargill? - A. As we came over the bridge we were moving up and he was laid on the embankment.
- Q. Will you look at Exhibit 45 please? Would you look at Photograph number 4 please Officer. That is a view of this grassed verge to the left of the road. Agreed? - A. Yes.
- Q. I am going to show you two photographs first of all and I want you to orientate yourself, Police Constable Anderson. Photograph 4 is the longer shot taken of the road running up to the houses and there is grass verge and a scrapyard of sorts on the left-hand side. Do you see that? - A. Yes.
- Q. If you look carefully in Photograph 4 do you see a manhole in the right-hand lane in a darker coloured area of the roadway? - A. Yes, I do.
- Q. Do you see that? - A. Yes.
- Q. Now if we go to Photograph 5 you will see the manhole again. The photographer has moved up to a point at about the first lamppost in Photograph 4. You have the two photographs if you can just orientate yourself? - A. Yes.

- Q. To help you, again going back to Photograph 4 you see a Volkswagen or what remains of a Volkswagen right on the top of the embankment on the left. Do you see it? - A. Yes.
- Q. Look at Photograph 5, you see it a little more from side on? - A. Yes.
- Q. Now the lamppost - if you have Photograph 5 for a moment - the lamppost that you identified in Photograph number 10 of Exhibit 21, is that one on the right-hand side, the first on the right?

JUDGE COLES: We numbered these, didn't we, something like five years ago? (Laughter) So that lamppost is number 3?

MR. GRIFFITHS: Number 3.

JUDGE COLES: The lamppost in Photograph 10 of Exhibit 21 is lamppost number 2 and the one beyond the motor car is lamppost number 3. Is that right?

MR. GRIFFITHS: Your Honour, I can go through the process again.

MR. WALSH: Would it help the witness, the photograph he has got I suspect does not have numbers on the lampposts. I wonder if it might help and save time if they were numbered?

JUDGE COLES: Would you like to just hand that bundle down and let us spend a couple of minutes together the pair of you.

MR. WALSH: Could Exhibit 21 be handed down as well?

JUDGE COLES: By all means, yes.

MR. WALSH: Then it is all done.

MR. GRIFFITHS: Your Honour, I am entirely in your hands as I am cross-examining now. Would your Honour wish to start clarifying matters by looking at Album 9 because that is where we started?

JUDGE COLES: Yes, that is right. Album 9 and 45 are what you call the "non-contentious" bundle.

MR. WALSH: Your Honour, the witness box Album 9 will need to come down here as well and we can mark everything. Your Honour, these have already been marked some time before. Your Honour, the jury are nodding their heads. They have a marked album as I thought, so your Honour may I just hold mine to the jury. I suspect they marked theirs the same way as this has already been done so there is no problem about that.

JUDGE COLES: Is all that done, Mr. Griffiths?

MR. GRIFFITHS: I would like to do it if I may, with great respect. Photograph 6 has been marked. Photograph 7 there is 2, 3 and 4. Photograph 8 will be number 4.

JUDGE COLES: That is it, I think. Now may the exhibits be returned?

MR. GRIFFITHS: That is on Album 9, so we have not gone through the process.

JUDGE COLES: Have you done Exhibit 21, Photograph 10?

MR. GRIFFITHS: Photograph 10. I have not got the exhibit. My learned friend

MR. WALSH: Your Honour, I have. Could I just before my learned friend goes on so we don't misplace anything, ask him for Exhibit 9 original back?

JUDGE COLES: Has it got a label on?

MR. WALSH: Your Honour, it has not got a label on. It is conceivable that this went in so long ago that nobody put a label on it.

JUDGE COLES: Let a label be put upon it at this particular instance.

MR. GRIFFITHS: While that is being done if we can turn to Photograph 10 of Exhibit 21, and my learned friend can follow it in the exhibit bundle. It has become unfortunately detached. It is numbers 2, 3 and 4. The next photograph I would ask your Honour to go to and we can mark it, is Exhibit 45.

JUDGE COLES: Can Exhibit 21 be labelled and replaced?

MR. WALSH: It has been done, your Honour. It has already received an exhibit label and I have put a rubber band round to make sure it does not come apart. Will you hand that back to the Police Officer?

JUDGE COLES: Now we have Exhibit 45?

MR. GRIFFITHS: Yes, this is the exhibit we have not done.

Yes, first of all could you look at Photograph 4 in Exhibit 45. The first lamppost on the right of Photograph 4 is number 2. That is 2, 3 and 4.

JUDGE COLES: I hope the jury have already marked the plan. I see them nodding.

MR. GRIFFITHS: Then we move your Honour to Photograph 5. The first lamppost we see there is number 3.

JUDGE COLES: May we have the original of that back please?

Q. MR. GRIFFITHS: I think we had reached this point, if you would like to have open in front of you two photographs, one is Exhibit number 21, photograph 13. That is Mr. Clement walking down the road and the car in the road. That is the one you have been using as a reference point to His Honour and to myself as to where the Police line was when you were with Police Constable Douglas.

Also can you have number 4 of Exhibit 45. The lamppost that you say your cordon or about alongside or in line with. You referred to Photograph 10 of Exhibit 21 was number 3. Right?
- A. Yes.

Q. Number 3 we see is Photograph 4 of Exhibit 45? - A. Yes.

Q. Then I asked you to look at Photograph 5 of Exhibit 45 and we see number 3 again? - A. Yes.

Q. So we have got an idea where your Police cordon is? - A. Yes.

Q. Before that cordon was formed and as you came over the bridge you saw Mr. Scargill? - A. Yes.

Q. Where did you see him in relation, if it helps you either Photograph 4 or Photograph 5? - A. He was somewhere in the left-hand verge. I don't know where.

Q. Well if you saw him was he standing or was he on his bottom lying. What was he doing? - A. He was sat.

Q. Was he on his own or others? - A. I believe two of his colleagues were with him.

Q. He was sitting down with two of his colleagues. He is quite a famous chap isn't he, officer? - A. He certainly is.

Q. You saw him there and it must have registered in your mind and it did register in your mind for you to remember? - A. Yes.

Q. You do your best to give us some idea as to where he was? I am sure you can? - A. Somewhere in the left-hand verge.

Q. That could be anywhere? - A. Before where we formed the cordon.

Q. That is a start. It was before where you formed the cordon so it is before lamppost number 3. It is between the bridge

and lamppost number 3. Well in relation to any of the vehicles? I appreciate the vehicles were not there at the time but they give you a sort of reference point. It may be Photograph 5 will help you, I don't know? - A. I can't remember exactly where he was.

- Q. Well there he is then, I suppose. Did you watch him? I appreciate you are moving up, you are not really staying on the bridge, but what was happening? - A. We were sat on the floor. As I say two of his colleagues were with him. I looked to my left, which is where he was, and went on.
- Q. So you swoop up to the bridge. You move over the bridge. You see Mr. Scargill on the left-hand side with two of his colleagues. You are continuing to move. You move past him. He is still sitting down and you move up to your position where you formed up? - A. Yes.
- Q. All this is part and parcel of that charge up to the bridge which because of circumstances did not stop at the bridge but went beyond to the point where you have described? - A. Yes.
- Q. Well let me ask you this: as you were walking past Mr. Scargill, where he is off to the left were the long shields leading the short shields. Is that what you are saying? - A. I have said that before. I believe they were, yes.
- Q. You get up then to the point where you say you formed up. Where were you, do you say, where were the pickets in relation to your line when you teamed up? You don't mind me using that term? - A. Oh no.
- Q. It is probably the best. You say you teamed up with Douglas. Give me some idea where they were, either to the left, the front, or the right? - A. We formed that cordon
- Q. Which photograph are you looking at? - A. Sorry, number 4.
- Q. Yes. - A. We were then told to move up again but slowly this time, just walk up.
- Q. This is a further advance now before the events that you say that you saw Mr. O'Brien? - A. Yes.
- Q. Right. Looking at photograph 4 you formed up at or about lamppost number 3? - A. Yes.
- Q. You were then told to move up slowly? - A. Yes.
- Q. You had not run into Anderson yet. Is that right? - A. Douglas.
- Q. I am very sorry. - A. No.

- Q. So you move up from lamppost number 3. Where do you go? To what point do you go before you say you teamed up with Douglas? - A. As we were walking up I was hit by an object.
- Q. As you were walking up from lamppost number 3? - A. Yes, I was to the left of the road, that kerb which
- Q. As we look at it you are not on the right? - A. No.
- Q. But you are on the left? - A. That is right, yes.
- Q. So you are walking up the road then and we are following on the photograph. You are walking up the road on the left-hand side of the road up from lamppost 3, heading in the direction of lamppost 4, I suppose? - A. Yes.
- Q. Which is almost the brow of the hill? - A. Yes.
- Q. You still had not met Douglas? - A. No.
- Q. And you still had not seen O'Brien? - A. No.
- Q. JUDGE COLES: But you had been hit by something? - A. Yes.
- Q. MR. GRIFFITHS: You had better tell us, Mr. Anderson, how far you went. Where you got to? - A. I was hit on the shoulder by something so I stopped momentarily. By this time the unit had gone further up the road.
- Q. Which unit? - A. The rest, but my unit in particular and the rest of them.
- Q. Certainly the impression I got was you had been ahead of your unit, you had somehow got detached from your unit by running ahead of them? - A. I said I was still with my unit until this time.
- MR. GRIFFITHS: That was back at the bridge, actually, but we will carry on.
- JUDGE COLES: Let's not go back! (Laughter)
- MR. GRIFFITHS: Could I say I respectfully agree.
- Q. JUDGE COLES: You have paused because you have been hit by a stone and the others are going on still. What happened? - A. My unit and other units.
- Q. MR. GRIFFITHS: What happened then? You are on the left-hand side of the road. What happened then? - A. The units formed up again. I ran to catch them up and fill the gap.
- Q. JUDGE COLES: You have still not found Mr. Douglas? - A. Yes, there was this gap. I filled the gap and P.C. Douglas was to my right.

JUDGE COLES: I see.

- Q. MR. GRIFFITHS: Where presumably, I am not going to be far wrong am I in suggesting you must have been in the area of that bungalow by the time you first met up with Douglas? - A. I was put somewhere between lamppost 3 and 4, nearer to 4.
- Q. So between lamppost 3 and 4 but closer to lamppost 4? - A. I would think so, yes.
- Q. Almost at the top of that hill or near the brow? - A. Near the brow, yes.
- Q. When you first set eyes on Douglas? - A. Yes.
- Q. You have described how you were on the left-hand side of the road? - A. Yes.
- Q. As you went up. Did you remain on the left-hand side of the road? - A. No, as I ran up the road I filled this gap. They were moving up as we do altogether and I filled this gap and ended up with P.C. Douglas on my right-hand side.
- Q. JUDGE COLES: You are really being asked where the gap was. Was that to the left-hand side of the cordon or to the right? - A. To the right, sorry.
- Q. MR. GRIFFITHS: You went diagonally across? - A. Diagonal.
- Q. I think we have got it pretty clear where you were when you say something was said to you by Police Constable Douglas? - A. Yes.

JUDGE COLES: Shall we leave that until after the break?

MR. GRIFFITHS: Yes.

(Short adjournment)

- Q. MR. GRIFFITHS: Police Constable Anderson, I think we have got it pretty clear where you say you were when you first teamed up with Douglas and when he said something to you to the effect: "Watch the man in the blue denim" or something like that according to you.

What I would like to do now is, and you know the area, you have mentioned seeing the person who threw two objects in your direction as being near was it a perimeter wall or a cordon perimeter wall. How do you describe it? - A. I say a perimeter wall.

- Q. Do you mean a house perimeter wall? - A. Yes.

Q. I would like you now to look at an aerial photograph in fact.

MR. GRIFFITHS: Your Honour, I have borrowed my learned friend Mr. Mansfield's.

JUDGE COLES: Fine.

- Q. MR. GRIFFITHS: It is not marked in the relevant area. Take your time and indicate where you say he was or the person who you say your attention was drawn to? - A. I would think roughly the house along roughly where that white car is.
- Q. So that is approximately where the white car is. Let us get it clear. That is where you say you first laid eyes on the person who you later identified as being Mr. O'Brien? - A. Yes.
- Q. JUDGE COLES: That is where you say Mr. O'Brien was when you first saw him? - A. Yes, your Honour.
- Q. MR. GRIFFITHS: Was he standing on the pavement or on what was he standing? - A. On the pavement.
- Q. Could you describe where the other pickets were in relation to him? - A. They were completely filling the top road. He was at the front of a line that roughly went across the road.
- Q. So in your mind's eye is this the position: you have got the Police line where you have described it? - A. Yes.
- Q. Across the road, almost straight across, and then further up approximately where the white car is now in the aerial photograph you have got another line, that is the front line of pickets again going across the road. Is that it? - A. Yes, and there was still some I think in the yard to the firms.
- Q. As we look at your position you are almost at the top of the scrapyards but there may have been persons to the left in those white coloured factory areas. Is that right? - A. That is right, yes.
- Q. But basically there are a line of pickets across the road where you say the white car is? - A. Yes.
- Q. He was one of those persons in or about the front line. Is that right? - A. Yes.
- Q. So there were persons to his right, to his left? - A. Yes, the biggest percentage being to his right.
- Q. Most of the persons were to his right, but there were still one or two people to his left, so he is not on the extreme left but he is still on the pavement? - A. Yes.

- Q. Then is this right, we have got a mass, a sea of people behind it? - A. As far as I could see, yes.
- Q. Thousands? - A. I would put it at that, yes.
- Q. This was a very hot day, persons clothed, some not clothed at all on the top part of their bodies, others very lightly clothed. Am I right? - A. Yes.
- Q. I don't suppose for a minute you are suggesting that Mr. O'Brien was the only person wearing denims, are you? - A. No.
- Q. So that all these faces in front of you, you come up with your Was your visor down? - A. Yes.
- Q. Your long shield held in front of you into this gap? - A. Yes.
- Q. This person, was he to your right or to your left? This is Douglas? - A. To my right.
- Q. He said something to you about watching somebody? - A. Yes.
- Q. What do you say he did? Did you ask him: "Who are you talking about? Look, there is thousands of people out there?" - A. He pointed, gestured.
- Q. How did he do that? - A. With his right hand.
- Q. He points with his right hand, did he? - A. Yes.
- Q. Did you know whether he was with his own mates, if I can use that term, his own unit? - A. There were other Merseyside Officers around, yes.
- Q. He chose you to point that out to, did he? He must have done I suppose? - A. Yes.
- Q. So you saw this happening. What do you say you saw Mr. O'Brien pick up? - A. I saw him pick up an object which he threw at the Police lines. I then saw him pick up another object which was about half a house brick which he threw which headed towards us which Police Constable Douglas knocked down with his shield.
- Q. Was it immediately after that that the charge or another charge was started? - A. Almost immediately, yes.
- Q. Are we right? Is that almost immediately? - A. Yes.
- Q. Let's get this sequence then clear. For the moment, Officer, I am dealing with the opportunity that you had of being able to identify anyone even if you were hoping to give actual evidence. You yourself have been struck which has held you up. Where were you struck? - A. On the shoulder.

- Q. Did it hurt? - A. Yes.
- Q. You had been struck on the shoulder. It is hot. You have been left behind by your unit. You go diagonally across the road, pop in and was it almost straightaway all this was said to you? - A. Yes.
- Q. It is almost straightaway this Officer says watch somebody. He points that person out. Is that right? - A. Yes.
- Q. The person you are referring to, did he throw these missiles quickly, one after another, or are we talking about a minute or two minutes? - A. No, one after another.
- Q. Almost immediately the Police charge? - A. Yes.
- Q. And that is the opportunity you had of being able to identify one particular person out of thousands ahead of you? - A. Yes.
- Q. Were there missiles being thrown by others in the front line? - A. Yes.
- Q. Were there missiles being thrown from persons behind? - A. Yes.
- Q. Were there missiles being thrown from the left? - A. They were coming from all directions.
- Q. Did you see where this person who you say is Mr. O'Brien picked up the stone? - A. From the floor.
- Q. In front of him or where? - A. Virtually in front of him.
- Q. Now that we have got that picture and you say he was about 20 yards ahead of you? - A. Yes.
- Q. I mean it would be absurd wouldn't it, it would be absolutely absurd for me to suggest he was something like 60 yards away up the hill with you way back down at the bridge. That would be absurd for me to suggest that, wouldn't it? - A. Yes.
- Q. Then somebody gave the order to charge, did they? - A. Yes.
- Q. Was it your Officer who gave the order? - A. An Inspector from Merseyside.
- Q. Do you know his name? - A. No.
- Q. Does an Inspector Bennett ring a bell? - A. No.
- Q. But he was an Inspector from Merseyside? - A. Yes.
- Q. Can you remember what order he gave his troops? - A. "Let's go forward", something like that.

- Q. Do your best. Did he order them to charge, disperse, arrest or what? - A. Something like "Go again. Go forward again".
- Q. At this time you were back amongst your own colleagues?
- A. No, I stayed where I was then.
- Q. Your colleagues were up there or where have they disappeared to? - A. They were somewhere on the front line, yes.
- Q. Then begins, according to you, a chase? - A. They move forward again, yes.
- Q. Does there then begin a chase, namely you pursuing one person. Is that what you are trying to say? - A. Yes, we went after Mr. O'Brien.
- Q. So you chased after him, did you? - A. Yes.
- Q. Presumably Mr. O'Brien did not remain stock still? - A. No.
- Q. What did he do? Let us deal with him? - A. A group turned to our right and started going down an alleyway. We ran up and P.C. Douglas jumped over this wall and got Mr. O'Brien in the garden.
- Q. That is the version you have given so far. A simple straight-forward one. Let us analyse it.

First of all are you saying that Mr. O'Brien in no way did he run away from you, running away along the pavement away from you. He did not do that? - A. No.

- Q. He turned immediately right? - A. Yes.
- Q. Is that right? - A. Yes, to our right, his left.
- Q. Did he go out of your view? - A. No.
- Q. JUDGE COLES: "Turned to our right, his left"? - A. Your Honour, we are looking up the hill. Obviously he was looking down, so when he went to the side

JUDGE COLES: I follow.

- Q. MR. GRIFFITHS: You say he did not go out of your view?
- A. No.
- Q. Think very carefully. We know where you are. You are standing virtually in the gutter at the right-hand side of the road down the hill, a short distance from lamppost number 4 which is near the bungalow. That is your position, clear. You have described where he is and he does not run away from you. He turns to his left, to your right, and do you say you were able to keep him in view? - A. Yes.

- Q. Are you telling the truth about that, Officer? - A. Yes, I am.
- Q. Or are you trying to forestall the suggestion that in fact you did not have him in view at all? - A. No, I am not.
- Q. So you had him in view throughout the chase? - A. Yes, I did.
- Q. Would you like to describe the alleyway in which you say he ran down? - A. To the best of my recollection it was an alleyway between two houses. That is all I can remember.
- Q. By the ends of both houses on the left and the right. Is that it? - A. No, I think it was actually in a house, it is like the houses are attached with an alleyway.
- Q. It is within a house? - A. Within two houses, I think, like a house either side.
- Q. Did you go some distance down the alleyway? - A. No.
- Q. Well was there a garage there or was it two houses linked in some way? - A. That is what I say, it is two houses linked with an alleyway in the middle, to the best of my recollection.
- Q. Are you able to help us as to what was the view down the alleyway? What would you have seen if you were standing looking down this alleyway? - A. I can't remember.
- Q. Do we see open fields or a blank wall or what? - A. I can't remember.
- Q. JUDGE COLES: How far away do you say he was when he ran off down this alleyway? - A. About 20 yards.
- Q. MR. GRIFFITHS: Think very carefully please, Officer. I am asking you questions on your account. I don't expect it for one moment on this part of it. I am asking you questions on your account. You have said you did not lose sight of Mr. O'Brien at all from the moment the chase started? - A. No.
- Q. Yet he did not run away from you, he turned immediately to your right? - A. Yes.
- Q. Do I take it, looking at Photograph number 8 and Exhibit number 9, we have a view of the road. We know approximately where you were, you were just short of the lamppost marked number 4. You should have it marked number 4 after it has been correctly done.
- Q. JUDGE COLES: Is that right? - A. Yes, that is right. I am looking at Exhibit number 8 now.

- Q. MR. GRIFFITHS: Would you like to look at the exhibit number? - A. Yes, this is Exhibit 45.
- Q. Don't worry about it, find Exhibit 9, Photograph 8. Has that exhibit number, the lamppost been marked with a number 4? - A. It has, yes.
- Q. We know where you were, you are just short of lamppost number 4 in this photograph, that is photograph 8 for the shorthand note of Bundle 9. You described where Mr. O'Brien was on the pavement and he takes an immediate turn to the right. You say you were able as you run up, presumably you ran directly at him did you? - A. Yes.
- Q. You presumably jumped on the pavement at some stage? - A. Yes.
- Q. You ran past lamppost 4 did you? - A. Yes.
- Q. I suppose you were able to see him. Even though he has turned right into one of these houses you were able to see him diagonally, were you? - A. Yes.
- Q. Is that right? - A. He went over the wall and I could see him in this garden.
- Q. Officer, don't you remember a very thick hedge all the way round this bungalow? - A. No, I don't.
- Q. I suggest that there was such a bush, a hedge around that bungalow and that if Mr. O'Brien had done what you said he did he would have been bound to have gone out of your view, but you don't remember a hedge? - A. No.
- Q. Well there are a number of views I could show you. In fact the video but I think that would take too long. Look at Exhibit number 6 please. Perhaps the easiest way, your Honour, I have not got a copy of this, it is one single photograph that was produced.

JUDGE COLES: It is Exhibit 48 A and B. No it was not, it was 47.

- MR. GRIFFITHS: It should be up there. It is probably easiest. Can you turn that so that the members of the jury - they remember seeing it. It is a bushy hedge all the way round that bungalow. If you want to have a closer view of how it intrudes on the pavement would you like to go to, as I suggested that you did, Exhibit number 6, Photograph 1. This is a long time after the event. When I say "after the event" later on that afternoon I think or same day. Do you have that photograph? - A. Yes.
- Q. That photograph has been taken not from a position as close in as you were, has it? - A. No.

- Q. It has been taken more out into the road, so if anything it would give you a better idea of an angled view past that bush, the bushes outside the bungalow? - A. Yes.
- Q. You would have been closer into the side of the road in the gutter, as you described it? - A. Yes.
- Q. If the person who you say you saw throwing, the position you put him in as throwing is the other side of that bush, isn't it, it is further down the road? - A. Yes.
- Q. And you are this side of the bush, aren't you? - A. Yes.
- Q. You say he turned to your right? - A. Yes.
- Q. How on earth did you have him in sight all along? - A. Because we were running along the road and passing the bushes.
- Q. When you start running, Officer, what did this person who you say was Mr. O'Brien do? Did he stop and play tiddly winks or something or what did he do? - A. He turned to his left.
- Q. And bolted? - A. Jumped over a garden wall and started to bolt.
- Q. Out of your view? - A. No.
- Q. You have gone over the arrest with Mr. Douglas, haven't you? - A. I have, yes.
- Q. You have agreed with him to stick to a pretty simple story of him going off to the right and being apprehended by you two, haven't you? - A. We have agreed to tell the truth.
- Q. In this chase did Sergeant Douglas, as he now is, gain appreciably on you? - A. He did, yes.
- Q. But you are only a couple of yards behind? - A. A few yards, yes.
- Q. So he gets up to the area, scales the wall, does he? - A. Yes.
- Q. When he has got over the wall where was Mr. O'Brien? - A. In the garden.
- Q. Just standing there waiting to be caught? - A. No, he was making his way to the alleyway.
- Q. If he is making his way to the alleyway when Sergeant Douglas got over the wall, how on earth does Sergeant Douglas get up to him? - A. Ran at him with the shield.
- Q. But he has not got his hands free to do a rugby tackle? - A. He in fact made it with the shield.

- Q. How did he manage to get that close? - A. As he got over the wall he gained momentum. As he went over the wall he hit him with the shield.
- Q. He went down? - A. They both go down.
- Q. What did you do? - A. I made up the distance.
- Q. Did you have your truncheon drawn? - A. Yes.
- Q. I am not suggesting for one moment that you used that truncheon on Mr. O'Brien, but you ran up to him? - A. Yes.
- Q. What did you do then? - A. As I got over the wall they were both of them making their way up so I got hold of Mr. O'Brien.
- Q. On what surface were they? - A. A garden, could be a lawn, I am not sure.
- Q. It is rather important, you see? - A. I know it is sir, but I can't remember.
- Q. Was it a lawn or was it hard? - A. I can't remember.
- Q. You saw blood on him? - A. Yes.
- Q. You must have thought for a moment: "How on earth has he incurred this injury?" - A. I did, yes.
- Q. And didn't you look down and see what you were standing on, whether it was hard or lawn? - A. As I explained earlier we got him up, started walking him back. Then I looked at his face. It started as a cut and it came out very fast. We were already making our way back.
- Q. Where was he cautioned? - A. Whilst walking to the ambulance.
- Q. Can you remember at what point? - A. Whilst we were walking.
- Q. Well how were you walking him back? - A. P.C. Douglas had hold of him. I had hold of him. I was walking him back.
- Q. Backwards and forwards were you marching him? - A. He was walking forwards same as us.
- Q. Were you alongside him or was somebody in front? - A. P.C. Douglas had hold of his left-hand side. I was to his right.
- Q. Where did you say he was cautioned? - A. Whilst walking to the ambulance.
- Q. Approximately when? I suggest he never was, you see? - A. From the scene of the arrest to the ambulance we were walking down and somewhere between there.

Q. Do you remember going through any Police cordon? - A. Yes, we did.

Q. How many? - A. One.

Q. Where was that? - A. Further up from where we left it.

Q. Further up from where you left it? - A. Yes.

Q. How far further up from where you left it?

Q. JUDGE COLES: What do you mean by "up"? - A. Further away from Orgreave, your Honour.

Q. MR. GRIFFITHS: That is what I took him to mean. How far? Where? - A. Not very far. Round about lamppost 4, something like that.

Q. So you went through one cordon. Anything ahead when you went through that cordon? - A. No.

Q. Do you remember him being jostled by other Officers? - A. No.

MR. GRIFFITHS: Your Honour, it is a matter which I omitted entirely, my fault.

MR. WALSH: No, your Honour, the jostling was elsewhere.

MR. GRIFFITHS: I take the blame entirely. It was an omission.

Q. Any jostling by Officers as you went through? - A. No.

Q. Do you remember somebody saying: "Leave him, he has had enough"? - A. No.

Q. Where was the ambulance? - A. Down towards the bridge, I think, between the car and the bridge.

Q. Anybody in it? - A. Mr. Scargill.

Q. And you went with him to Rotherham Hospital? - A. That is right, yes.

Q. At Rotherham Hospital it was you who remained with him, wasn't it? - A. That is correct, yes.

Q. Now I want to deal with this carefully, Officer. Did you have orders to remain with him or were they standard orders to remain with the prisoner throughout? - A. Standard procedure.

Q. This has been raised by my client. On the day did you have a moustache? - A. Yes I did, yes.

- Q. One way or the other he had to go to an x-ray department?
- A. Yes.
- Q. You accompanied him to the x-ray department? - A. Yes, I did.
- Q. Indeed at hospital, there are certainly at Rotherham Hospital, as at other hospitals there are restrictions on smoking in certain places? - A. Yes.
- Q. Do you remember while waiting for an x-ray, either before he had it done or when he was waiting for the results, Mr. O'Brien going into the toilet? - A. Yes.
- Q. And do you remember following him in there? - A. Yes.
- Q. Now so far you had done your best to stick with him like a leech, had not you? I mean I am not criticising you for doing so? - A. Yes.
- Q. And you went into the toilet to remain with him there while he had a smoke and I don't criticise that but that was your intention? - A. Yes.
- Q. But you did not remain in that room throughout the time he was there, did you? - A. Yes.
- Q. I suggest you did not? - A. No, I did.
- Q. And I suggest, Officer, you became extremely embarrassed in that room as a result of what was said between you and Mr. O'Brien. Think? - A. No.
- Q. Let's get the picture. This is a small toilet adjacent to the x-ray department. Right? - A. Yes.
- Q. There is nobody else in there. You followed Mr. O'Brien? - A. It is not that small a toilet.
- Q. But there is nobody else in there? - A. No.
- Q. Do you agree with that? - A. Yes.
- Q. Just the two of you? - A. Yes.
- Q. No words being exchanged between the two of you? - A. No, we were talking then.
- Q. I suggest you were not initially A. We were talking.
- Q. And you were obviously embarrassed having to be there but not wanting to be there and you broke the silence first, I suggest. Do you agree you spoke first? - A. Once we arrived at hospital we were talking virtually all the time we were there.

- Q. I suggest that is not true, Officer, and what happened was this: to break the ice you said: "Well we are arresting you for throwing stones" something loose like that, I suggest. Do you remember saying something like that to him? - A. No.
- Q. And when you said that, if the Court will excuse the language, I put to you what my client can recall saying, he told you: "You are telling fucking lies. I have thrown no stones and you know it" or words to that effect? - A. He never said anything like that. What we were talking about was the fact he was up in Sheffield. He said he had come up to come and visit a relative. As far as he was concerned they were not going to Orgreave, they were going somewhere else. He was hoping to go and visit his son. The things we were talking about it was general chitchat.
- Q. I suggest you are not remembering this, Officer, because what happened he told you in forcible and in clear terms that you were lying if you were going to say that he had thrown stones? - A. No, he certainly did not say anything like that at all.
- Q. He told you as a challenge: "Are you prepared to stand in Court and say that?" - A. He never said anything like that.
- Q. And you would not look him in the eye and you went out? - A. That is a complete fabrication. He never said anything like that at all.
- Q. And where the fabrication came Officer I suggest is this: you had never I suggest seen Mr. O'Brien anywhere near where you say you saw him first of all and let me put this to you: if you were involved in any charge I suggest that you were lagging behind - forgive me Officer I don't know how fit you are - but you were lugging a large shield and the first you would have seen of Mr. O'Brien was when he was cowered down in an alleyway which I will show you in a moment, with blood around his head. Is that right? - A. No, that is not right.
- Q. Look at photograph in Bundle 45, photograph 11, the alleyway where I suggest you would have first set eyes on Mr. O'Brien. Is that the one on the left-hand side with a black pine end? - A. No, it is not. The actual alleyway is on Photograph 8 of the same exhibit where the vehicle is parked on the right-hand side, between those two houses there is an alleyway and I believe that is
- Q. Wait a minute. Which houses and which alleyway? We see a car? - A. There is a car parked on the road. To the right of that there is a black square which is the alleyway.
- Q. JUDGE COLES: Which exhibit are you looking at? - A. Number 8 your Honour of number 45.
- Q. MR. GRIFFITHS: Where the car is, the black car is pointing. Is that right? - A. There is one pointing towards the garage and there is one on the road. To the right of that between the two houses is an alleyway.

- Q. JUDGE COLES: Wait a moment. There is one building which has three upstairs windows? - A. That is right, your Honour, under the middle window.
- Q. Is that the black square you are talking about? - A. That is right, your Honour.
- Q. You say that is the alleyway you ran through? - A. To my recollection that is the alleyway which is further down the road which has been pointed out.
- Q. MR. GRIFFITHS: I wanted it clear. Is that the alleyway which you say the others who were running ahead of Mr. O'Brien ran down? - A. Yes.
- Q. You certainly did not see those others coming back at you as though they had run to a full stop. They clearly ran down that alleyway? - A. Yes.
- Q. Go back please to Photograph 11. I am asked to point out to you, I will do it again, the alleyway I suggest you first saw Mr. O'Brien in. Is that the one shown on the left as we look at Photograph 11, Exhibit 45, with the black end that I pointed out to you? - A. You mean the alleyway, this one?
- Q. Yes, I say? - A. No.
- Q. I say that is the place you came across Mr. O'Brien and I am going to put this to you, Officer, I will be fair to you, may be you did not see? - A. I suggest we were not that far up the road.
- Q. I suggest you were and not just you but other Officers. Do you accept the short shield Officers ahead of you ran into and around the area shown in Photograph 11? Let's get that clear. - A. I accept other Officers including short shield Officers ran in the area where I was, which I believe is further down the road.
- Q. Do you accept as another point that short shield Officers ahead of you went as far as the alleyway shown in Photograph 11? - A. I don't know. I did not see that.
- Q. I suggest you could not have failed to see it. They were storming over the place like locusts, I suggest? - A. At this point I was dealing with somebody and my attention was not as to where everybody else was going.
- Q. I suggest you came on the scene after the event, Officer? - A. That is not true.
- Q. But you came on the scene after another Officer had belted Mr. O'Brien with a truncheon across the face? - A. That is not true.

- Q. Because you were lagging behind. You came round - I presume you came round the corner - you happened to be with Anderson and one of you shouted: "We will take him" when another two Officers were around Mr. O'Brien? - A. That is not true.
- Q. And you take him in? - A. That is not true.
- Q. Having taken him in you are then left with the problem of you having been a corroborating Officer to the arrest of another person and some reason had to be put down? - A. That is not true.
- Q. And you thought of the simplest possible way that it is almost impossible to disprove? - A. We recorded what happened.
- Q. You have just said you saw him throw stones? - A. I did.
- Q. You agree the notes you made were perfectly proper in accordance with Police procedure. You made them up with your other Officer? - A. Yes.
- Q. What I suggest, Officer, is that you have put your heads together and put forward an account of seeing Mr. O'Brien do something that you never did? - A. No, that is not true.
- Q. Would you agree with this: it would be untenable for an Officer, that is an arresting Officer, not a corroborating Officer, to go back with a man looking in that condition and not have some reason to say to a superior Officer why that person was arrested? It would be absolutely untenable, wouldn't it? - A. Yes.
- Q. Your senior Officer would laugh all over his face if you say you did not know why? - A. He would not laugh.
- Q. I don't mean "laugh". I mean to say he would have taken you to the cleaners. You had to have a reason A. We would not fetch anybody in unless we had a reason.
- Q. My final question is this: when you were making up the joint note who was leading the way? Out of the two of you who would you say was the dominant personality between you and Police Constable Douglas? - A. I would not know. I did not know him very well.
- Q. But you made up your notes together? - A. The same as I do with any other Officer. We had a talk about it, agreed the facts and made our statements.
- Q. Who led the way as to who could recollect what was being said? - A. We both recollected.
- Q. You recollected identically, not one led the other? - A. I can't remember that.

MR. GRIFFITHS: Thank you.

JUDGE COLES: Any other questions?

MR. MANSFIELD: No.

JUDGE COLES: Any re-examination?

MR. WALSH: Just one or two questions, your Honour.

Re-Examined by MR. WALSH:

- Q. Did Police Constable Douglas ask you to write down in your statement anything that was not true? - A. No, he did not.
- Q. If he had done what would your reaction have been? - A. I would not have written it.
- Q. You said when you saw the man who was pointed out to you by Douglas, that he pointed with his right hand, and in answer to my friend Mr. Griffiths you said this: "He" that is the man who was pointed out, "was at the front of a line of pickets"? - A. That is correct sir, yes.
- Q. Was there anything obstructing your view of him when Douglas pointed him out to you? - A. No, nothing.
- Q. It is suggested that because this man had an injury you had to invent some reason as to how he came by the injury. Do you follow? - A. Yes sir, I do follow.
- Q. Let us just suppose a situation: that you came upon a man who was committing a criminal offence and when you came upon him he was already injured in circumstances which you had not seen. Do you follow? - A. Yes sir.
- Q. When you take him in in those circumstances to your Sergeant or Inspector, what do you say about the circumstances of the injury? - A. We tell the Sergeant of the condition he was in when he was arrested and that is recorded on the charge sheet.
- Q. Do you have to invent a story as to how he came to be injured? - A. None whatsoever.

MR. WALSH: Thank you. That will be all, thank you.

JUDGE COLES: Just one question if I may before you do go.

- Q. You say when you were running up to your last cordon that you formed you saw Mr. Scargill on the ground? - A. I did, yes.
- Q. At about that time as you were going up the road did you ever see any scenes looking anything like these two photographs, Photographs 8 and 9, Exhibit 30? - A. No sir, these Officers were from another Force.

Q. You did not see anything like that? - A. No, I did not.

JUDGE COLES: Yes, very well. Would Counsel like to ask any questions arising out of that? (No response)

MR. WALSH: Thank you very much.

JUDGE COLES: Yes?

MR. WALSH: Your Honour, may I suggest it is a bit too late to call another witness at this time?

JUDGE COLES: Yes, you have no need to smile quite so broadly when you say it.

10.15 in the morning, members of the jury.

(The case was adjourned until the following morning at 10.15 a.m.)
