

IN THE CROWN COURT AT SHEFFIELD

The Court House,
Castle Street,
Sheffield.

26th June, 1985.

Before

HIS HONOUR JUDGE GERALD COLES, Q.C.

REGINA

-v-

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

From the Shorthand Notes of J.L. Harpnam Limited,
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APPEARANCES

For The Prosecution:

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

For William Albert Greenaway:

MR. G. TAYLOR

For David Moore:

MR. M. MANSFIELD

For Bernard Jackson:

MR. M. MANSFIELD

For George Kerr McLelland Foulds:

MR. P. O'CONNOR

For Brian Irvine Moreland:

MRS. V. BAIRD

For Ernest Barber:

MISS M. RUSSELL

For David Ronald Coston:

MRS. V. BAIRD

For Kevin Marshall:

MR. E. REES

For Arthur Howard Crichlow:

MR. P. O'CONNOR

For George Warwick Forster:

MRS. V. BAIRD

For James O'Brien:

MR. P. GRIFFITHS

For Craig Waddington:

MR. M. MANSFIELD

For Eric Scott Newbigging:

MR. E. REES

For Stefan Wysocki:

MISS M. RUSSELL

For David Bell:

MISS M. RUSSELL

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26th June, 1985

Pol. Con. PAUL EDMUND NOKRIS Recalled

Cross-examined by MR. TAYLOR:

- Q. Officer, yesterday I was asking you questions about the equipment that you had and your general training. - A. That is correct, yes.
- Q. I think I was actually asking you something about - I had gone through gloves and things like that and I had come on to shin pads? - A. That is correct.
- Q. You said you thought some people did have them but you personally did not? - A. That is correct, yes.
- Q. Of the ones that did have shin pads what sort were they? - A. The normal football shin pads.
- Q. That you tuck into your socks? - A. That is right, yes.
- Q. About how big were they? - A. Be about that big.
- JUDGE COLES: Measure about 6 inches.
- Q. MR. TAYLOR: Just to cover the shin? - A. That is correct, yes.
- Q. I wonder if you would look around that area somewhere. There may be a truncheon there if you can find one. Can you see it? Yes. Perhaps you can just take it back into the witness box. You mentioned yesterday the sort of truncheon you had - when I say you I mean your P.S.U. - was a dark brown colour? - A. That is correct, yes.
- Q. How does it compare with that one? - A. Basically exactly the same. When it is varnished it is dark brown.
- Q. Are you saying that is an old one? The varnish has come off it? - A. The varnish has obviously, as you can see, worn away.
- Q. Patches do look darker than others, at least to me from here. - A. That is correct, yes.
- Q. That sort of dark colour on that one would have been the colour of yours? - A. That is correct, yes.
- Q. Now, as far as the early part of the day is concerned there are only one or two things I want to ask you about that, before you went up to the bridge. On the road where you did two charges. - A. Two advances, yes.
- Q. Each time following horses. - A. That is correct, yes.
- Q. You said yesterday when the cordon broke the horses went through? - A. That is correct, yes.

- Q. On one of them Police Constable Abson pushed someone out of the way with his shield? - A. That is correct, yes.
- Q. What was the need to do that? Did you see? - A. Just a person - as I say, the people who
- (Shorthand writer indicated could not hear witness)
- Q. Could you take it a bit slower? The person who was throwing ran backwards, I think? - A. They retreat, yes. You have the silent protester who just stands there.
- Q. Yes. I think you called them yesterday - there were some there who were just there peacefully picketing who did not run away? - A. That is correct, yes.
- Q. That being the case what was the need you could see for that person to be pushed with the shield? - A. He was in our way at the time.
- Q. That is the only reason? - A. Only reason. Only a small push
- Q. So a peaceful protester, it is quite legitimate for you to push him out of the way, is it? - A. He was in the way of our advance.
- Q. Is it legitimate to push a peaceful protester out of your way if he is not doing anything? - A. He was in our way.
- Q. Is that the only thing he was doing? - A. Indeed so, yes.
- Q. Did that apply to the rest of the day as well as at that particular point? - A. Sorry?
- Q. Did that principle apply to the rest of the day, that if peaceful protesters were in your way they would be moved? - A. This one was directly in our path. We had to move forward.
- Q. JUDGE COLES: How many of you were moving forward?
- A. Quite a few.
- Q. MR. TAYLOR: On the road there were two P.S.U.s? - A. Indeed so, yes.
- Q. 46 men? - A. About, yes. That would be correct.
- Q. Now then, did you see other people knocked over or out of the way with shields on that day? - A. I did not, no.
- Q. Not another one? - A. No.
- Q. Did you see the use of any baton by any of the P.S.U.s in those first two charges? - A. I did not, no.
- Q. On the roadway? - A. I did not.

- Q. Or on the field? - A. I did not.
- Q. Were you looking around you? - A. I was looking around me, yes, but mainly in front of me.
- Q. Did you see any injured people in those first two charges being brought back by Police Officers? - A. I did not, no.
- Q. Right. I want to move now to the time you were called up to the bridge. Just before being called up to the bridge I want you to picture what you were doing. You were having, I think you have already told the Court, a period of rest, a period of refreshment? - A. That is correct, yes.
- Q. Just before being called up to the bridge? - A. Yes.
- Q. Did you arrive at Orgreave in three Transit vans? - A. Three
- Q. Yes. - A. possibly four.
- Q. Maybe four? - A. Yes.
- Q. Was one Transit van meant to carry one half of a P.S.U? - A. That is correct, yes.
- Q. So you were in one Transit van along with the people whose names we went through yesterday? - A. That is correct, yes.
- Q. Now, when you were having your period of rest did you go back to the van that had transported you to Orgreave? - A. That is correct.
- Q. And would you naturally have sat in the same van along with the other half of your P.S.U? - A. That is right, yes.
- Q. So can you recall sitting in the van people having drinks or whatever it was at that particular time with Sergeant Kelsey? Was he there? - A. I cannot place him there but obviously he was my Sergeant.
- Q. Was the van full of people or were some people outside it? - A. Some people were outside, yes.
- Q. Generally the people would have been there? - A. Generally, yes.
- Q. Now, can you please think of the people in your P.S.U. - I will just run through the names very quickly - as to who was there during this period of rest? Do you understand? - A. Yes.
- Q. Was Mr. Pearson there? - A. I have no recollection of him being there.
- Q. Mr. Spencer? - A. No recollection.

- Q. Those are the two people who are not from Bradford Street Police Station? - A. That is correct.
- Q. Dealing with people perhaps you know better. What about Mr. Griffiths? - A. Possibly, yes.
- Q. Deakin? - A. Possibly again.
- Q. Can you remember Mr. Hanrahan? - A. I cannot remember him actually being there, no.
- Q. Mr. Jones? - A. I think again I really cannot - I cannot say.
- Q. Mr. Abson? - A. He was with me, yes.
- Q. He was definitely with you during the period of rest? - A. Yes.
- Q. Mr. Billington? - A. No, I think he went off injured.
- Q. Mr. Skelton? - A. I think possibly again.
- Q. Possibly.

JUDGE COLES: So which are the possibles? Mr. Skelton.

MR. TAYLOR: Mr. Skelton and Mr. Abson definitely:

- Q. I think all of them possibly is what you are saying but you cannot actually remember? - A. I cannot actually remember.
- Q. Right. Now then, when the order came for you to go from the van up to the bridge can you recall who actually gave that order? - A. I do not know. My orders came from - should be the Sergeant.
- Q. Can you remember the Sergeant
- Q. JUDGE COLES: Do try and speak clearly. I seem to have the impression the shorthand writer is having difficulty
- Q. MR. TAYLOR: It is only you that I am concerned with at this stage. Can you confirm who gave you your order to get out of the van? - A. I cannot recollect who gave the order.
- Q. Were you at that time not wearing riot gear? Had you taken your tunics off and so on during the period of rest? - A. Tunics had been undone, yes.
- Q. And helmets off? - A. Indeed so, yes.
- Q. Can you recall someone giving you the order to put them back on? - A. I cannot recall. That would have been given to me.
- Q. Somebody must have? - A. Somebody must have, yes.
- Q. Can you recall your half of the P.S.U. getting out of the

- van and putting your gear on? - A. I cannot recall, no.
- Q. You cannot recall it? - A. No.
- Q. You must have done it? - A. Indeed so, yes.
- Q. When you left the van did you leave as a full P.S.U? - A. Again I cannot recollect if we did. I know one definitely, Police Constable Billington, was missing.
- Q. Right. But on the move from the van up to the bridge did you all go up together? - A. We all went up together, yes.
- Q. Are you sure about that? - A. We moved together, yes.
- Q. As a full P.S.U? - A. Not as a full P.S.U, no.
- Q. How was it done? - A. We were told - as I say, I cannot recollect the order being given, who gave the order. We attired ourselves again with N.A.T.O. helmets and shields to move forward.
- Q. Yes. But the question I am asking you is did you go up together, the 23 of you? - A. There were not 23 of us there.
- Q. Billington was off? - A. Yes.
- Q. Forgetting him for the moment. Whoever was there in your P.S.U., you all went up together? - A. That is correct, yes.
- Q. As a complete P.S.U., as a complete unit? - A. The people who were there moved forward, yes.
- Q. Altogether, and did you run from the van up to the bridge? - A. I cannot remember at all.
- Q. You could see presumably as you were going up the road where the cordon was at that time? - A. Yes, indeed.
- Q. And where was it? - A. The cordon?
- Q. Yes. - A. The Police cordon?
- Q. The big Police cordon. - A. That was up by the bridge.
- Q. Actually on the bridge? - A. Yes.
- Q. Police Officers on the bridge? - A. That is correct, yes.
- Q. With their long shields at the front? - A. That is correct, yes.
- Q. And you took your place, your P.S.U., behind them? - A. That is correct, yes.
- Q. Did anything that you can recall happen on the way from the

van up to the bridge or was it a straight walk or trot or whatever it was? - A. I think it was just a walk.

- Q. Now, on the way up, you said you all went up together. Was there also a P.S.U. from Merseyside under the command of Inspector Bennett who went with you at that stage? - A. I have no recollection of that, no.
- Q. No. So when you went up it was your P.S.U. alone that made the move from the van to the bridge? - A. I was only aware of my P.S.U.
- Q. When you got to the bridge were there other P.S.U. short shield people already there? - A. I think so, yes.
- Q. And how long did you have to wait before being ordered to go forward? - A. I have no idea.
- Q. Just a few minutes? - A. I really cannot tell.
- Q. Cannot say.

MR. TAYLOR: Yes, thank you very much.

JUDGE COLES: Who is next?

Cross-examined by MR. MANSFIELD:

- Q. Just a few questions. Would you take Exhibit 30, please? It is a bundle of photographs. I just want to continue the process from the bridge just for a second. Exhibit 30. Would you look, please, at photograph 4? The numbers are on the back. - A. Yes, No. 4.
- Q. Now, when you were on the bridge, you have talked about being on the bridge yourself, do you recall your Officer, the Officer in charge of your P.S.U., the other Mr. Bennett, being with you? - A. I have no recollection of Inspector Bennett actually being there on the bridge, no.
- Q. Because you said, I think, yesterday you are one of the first if not the first on to the bridge and over the bridge and there were no Police Officers ahead of you. Is that right? - A. That is correct, yes.
- Q. So at the point you are describing you do not recall your Inspector Bennett - perhaps we can call him Larry Bennett as there is another one in this case who happens to be in that photograph - you do not recall your Inspector Bennett being there? - A. I have no recollection, no.
- Q. Now, do you recall a scene such as the one in photograph 4? You will see that is on the village side of the bridge. - A. I see the scene. I do not know what time this was taken. It is obviously after.
- Q. You need not go into the times for the moment but do you

- recall anything like that? - A. Not particularly, no.
- Q. You do not. Now, would you have a look at it as carefully as you can? Is there anyone there you recognise? - A. Yes. One.
- Q. Which one do you recognise?- A. The Sergeant in the middle.
- Q. The Sergeant in the middle. We know the man. I think I have the right one. There are two Sergeants there. You mean the one closest to the camera?- A. No.
- Q. You do not? - A. The one by the bridge.
- Q. This one here? So it is the one in the background, by the metal part of the bridge. And what is his name? - A. Sergeant Darnell.
- Q. He was the one, I think, whose name was put to you yesterday. He is in the booklet for your P.S.U? - A. That is correct, yes.
- Q. Right. Acting Inspector on the day? - A. That is correct, yes.
- Q. Well, I am obliged for that indication. Now, is there anyone else there because there are one or two with the kind of shields you have described and the helmets you have described but perhaps you do not recognise them? - A. I do not recognise them, no.
- Q. All right. Now, just put the photograph down if you would for a minute. You are going over the bridge. Do you notice anything on the left-hand side, the grassy verge? You know the verge I am talking about? - A. Yes, I do.
- Q. You remember that. Did you notice anything there as you are one of the first over the bridge? - A. I did not, no.
- Q. Did you see Mr. Scargill that day at all? - A. I did not, no.
- Q. Would you just turn to photograph 8, please, same bundle? Did you see anything resembling that scene at any stage? - A. I did not, no.
- Q. When you are talking about peaceful pickets getting a small shove you say they are not knocked over? - A. That is correct, yes.
- Q. You are quite sure of that? - A. That is the only one.
- Q. That is the only one. So you do not recall any scene like that that is in that particular photograph 8? - A. Indeed no.
- Q. Did you see your Inspector Bennett - the reason for asking this question, because as I understand it we may be hearing

from Larry Bennett himself - did you see your Inspector later on that day? - A. I have no recollection of seeing him later on, no.

- Q. Or going back in a van with him or anything like that?
- A. He certainly did not travel in my van.

MR. MANSFIELD: All right. Thank you.

MRS. BAIRD: No questions, thank you.

Cross-examined by MISS RUSSELL:

- Q. Am I right, Officer, that you were taking orders that day in the main from Sergeant Kelsey? - A. That would be correct, yes.
- Q. So when you get to the bridge and are on the bridge before, as it were, the charge up from the bridge, where was Sergeant Kelsey?

JUDGE COLES: Where was who?

MISS RUSSELL: Sergeant Kelsey.

THE WITNESS: I have no recollection.

- Q. MISS RUSSELL: Were you looking for him? - A. In the main, no.
- Q. Why not? He was the man from whom you were taking your orders? - A. That would be correct, yes.
- Q. Without instructions from him, you were not in the position of going on your own trips, were you? - A. As I say, we had the Inspector and the other supervisory Officers.
- Q. I appreciate that but you did not know where Inspector Bennett was either, Larry Bennett, did you? - A. That is correct, yes.
- Q. Who was the other supervisory Officer? - A. Sorry?
- Q. Who was the other supervisory Officer then? - A. Well, part of the P.S.U. there would be Sergeant Biddle(?).
- Q. Right. Were there any of your supervisory Officers on the bridge before you made that last charge up? - A. My recollection, I cannot remember.
- Q. I understand that you are saying that you were effectively one of the first up the road? - A. That would be correct, yes.
- Q. I want you to look at Exhibit 9, if you would, album of photographs. I think you have said that - just tell me on photograph 7, Officer. - A. Yes.
- Q. Where you were just before you commenced your run up the

- hill. - A. Well, my recollection, the Police line was the Ogreave Coking Plant side of the railway bridge.
- Q. Yes. - A. We broke through the cordon there and ran up the hill.
- Q. Did you stop at all before you got to the houses? - A. We stopped, as I say, by the lamp post marked No. 4.
- Q. So that is the first stopping point? - A. That is correct, yes.
- Q. So in effect what you are saying, we would have to actually turn back through photograph 6 to photograph 5? - A. Yes.
- Q. And you in effect start your run from photograph 5? - A. Yes.
- Q. Through photograph 6? - A. Indeed so.
- Q. Up until lamp post 4 on photograph 7? - A. That is correct.
- Q. You run all that way? - A. That is correct.
- Q. Are there any Officers at all ahead of you? - A. I have no recollection of any other Officers ahead.
- Q. When you stopped by lamp post 4 where do you say the Police line was? - A. Well, I did not look back towards the Police line so I do not know.
- Q. What do you say you then did? - A. Sorry?
- Q. What did you do by lamp post 4? - A. We halted there.
- Q. How many of you halted there? - A. I have no idea.
- Q. Forgive me, Officer, but according to your evidence you are charging into, over a long distance uphill, a group of hostile pickets? - A. That is correct, yes.
- Q. You know from the distance you have run it is a very long way, is not it? - A. Yes.
- Q. Uphill on a hot day? - A. Indeed so.
- Q. Heavy helmet on. Are there pickets in the embankment area up on your left? - A. I believe so, yes.
- Q. I bet when you got to the brow of the hill you must have had a quick look over your shoulder to see you were not going to be cut off and outflanked, did not you? - A. I did not, no.
- Q. I bet you looked across the line to see whether you had got three men up there or 103? - A. I did not, no.
- Q. Forgive me. If you are telling the truth about the hostility

and the hails of missiles and so on, this was a very dangerous situation? - A. Indeed it was, yes.

- Q. I am sure you are telling the jury you had never faced anything like it? - A. Indeed so.
- Q. And are you telling the jury when you got up to that lamp post out of breath, no doubt, having run all that way, you did not even look to see whether you were completely by yourself with a couple of thousand pickets a few feet away or whether you had your, as it were, battalions up with you? - A. A part of the P.S.U. we came up with were with us, yes.
- Q. What part of the P.S.U. that were with you came up with you? - A. Certainly my P.S.U.
- Q. Certainly your P.S.U.? - A. Yes.
- Q. And by your P.S.U. does that mean Sergeant Kelsey? - A. That is possible, yes.
- Q. JUDGE COLES: Did you carry out a roll call up there? - A. No, we did not.
- Q. MISS RUSSELL: I am not suggesting you carried out a roll call. I am suggesting whether you glanced and saw whether your Sergeant was with you from whom you were taking your orders? - A. I did not, no.
- Q. I have just been reminded I think yesterday you indicated you in fact got your order to stop from the Sergeant? - A. That is correct, yes.
- Q. That presumes - A. Obviously command did come from the Sergeant. I cannot say whether it was Sergeant Kelsey.
- Q. How many members approximately - I am not going for an exact number - of your P.S.U. do you say were up there in this line by the fourth lamp post? - A. I cannot really give a number.
- Q. Was it three or four or was it close on 15 or 16? - A. More close on to 15.
- Q. So really what we are talking about is the vast majority of your P.S.U. up there, though there may have been one or two absentees? - A. That is correct, yes.
- Q. You are all in a line. Is that right? - A. That is right.
- Q. Across the road. Just help with this. As you were coming out from the bridge, where was the nearest picket to you, do you say? - A. Round about 30 yards ahead.
- Q. Let's do it on the lamp posts because that helps most of us in this Court. - A. It would be more near to lamp post No. 2 on photograph 6.

- Q. So you say when you were coming out from the bridge - and I do not want you to answer this unless you are sure about it - the nearest pickets were by lamp post 2? - A. On my recollection that would be correct.
- Q. You run. What is the sort of distance between you and the pickets by the time you have got to lamp post 2? - A. It remains quite constant, about 30 yards.
- Q. About 30 yards? - A. That is correct.
- Q. So it is about 30 yards. You get up to the lamp post 4. Yes? - A. Yes.
- Q. Between lamp posts 2 and 4 for the moment, you come up from the bridge and you say you are one of the first, were any pickets throwing on the road or the pavement, particularly the right-hand side of the road and the pavement there, as you run up? - A. Indeed so, yes.
- Q. They were? - A. Yes.
- Q. Standing there throwing? - A. Standing there throwing, yes.
- Q. How many? - A. I cannot give a number.
- Q. So pickets were actually just standing there on that pavement and road throwing, were they? - A. Indeed so, yes. Would not say - when I say throwing a missile, they retreated.
- Q. Several groups of them doing that or just certain individuals or what is the situation? - A. Several groups.
- Q. As you come up from the bridge what you are saying, there are several groups between lamp posts 2 and 3 who were throwing? - A. That is correct, yes.
- Q. Who do not immediately run? Is that right? - A. Immediately run. When we broke through the cordon they are throwing things at us and then they retreat.
- Q. You could not actually see them till you got the other side of the bridge, could you? - A. That is not correct. As I say, when we broke through, it is visible. They were by lamp post 2.
- Q. Forgive me. Turn back in the photographs. - A. Yes.
- Q. You have put the cordon the bottom side of the bridge? - A. That is correct, yes.
- Q. Were there pickets on the bridge? - A. Not on the bridge, no.
- Q. As you break through the cordon you could not have seen any pickets because of the ... - A. Well, we did. I beg to differ.

- Q. Was the cordon all over the bridge? - A. Indeed so, yes.
- Q. It is not just on this side? It spreads all across the bridge, does it? - A. No, the cordon is actually on the bridge itself, just the beginning of the bridge, straight across the road.
- Q. JUDGE COLES: How many deep? Did the depth extend back from the bridge towards Orgreave or extend forwards across the bridge to block the bridge? - A. The bridge was blocked at this side towards the coking plant.
- Q. We appreciate it was blocked across. We are talking about depth of Officers. At least I think we are. Were the depth of Officers going back off the bridge or forward on to the bridge? - A. Coming back down the bridge.
- Q. So the bridge was not blocked with Police Officers? - A. Not on the bridge itself, no.
- Q. MISS RUSSELL: Look at photograph 4, Officer, in the same bundle. - A. Yes.
- Q. Where do you say the cordon was you break through? Where is the point you break through? - A. My recollection - I can point - the Police cordon was across the front part of the bridge.
- Q. Right. O.K. Would the front line be in line with that lamp post, something like that? - A. Something like that, yes.
- Q. And you break through from there? - A. That is correct.
- Q. We can see the sort of view you have from that photograph. - A. Erroneous in the fact the road is sloping.
- Q. Yes. So. - A. Well, obviously you cannot see much from over the bridge.
- Q. Let's go to photograph 6. - A. Yes.
- Q. Photograph 6. If you are anywhere on the left-hand side of the road because of the bend you are completely cut off, are not you? - A. Indeed so. I was on the right-hand side of the road.
- Q. You are on the right-hand side of the road. Your angle of vision as you come up, until you are almost really where this picture is taken, you won't have a view between lamp posts 2 and 3, will you? - A. Sorry?
- Q. Until you are half way across the bridge - it is very simple - you won't even have a view between lamp posts 2 and 3? - A. There would be a slight view obviously.
- Q. Yes. You say as you round this bend there are groups of

pickets between lamp posts 2 and 3? - A. I said they were at lamp post 2 as a guide.

- Q. There is a line at lamp post 2? - A. Approximately, yes.
- Q. Of pickets? - A. Indeed so, yes.
- Q. They do not charge you, do they? - A. They do not, no.
- Q. But what you are saying is that amongst - would it be fair to describe that as a crowd scene? - A. A crowd?
- Q. Crowd scene. - A. Yes.
- Q. Amongst that crowd scene you say as you start running or continue running there are people throwing stones? - A. Indeed so, yes.
- Q. Now, do they stay there stone-throwing as you round that bend? - A. No, they retreat.
- Q. What I am interested in is this. From the moment any Officer got to the position at lamp post 1. All right? - A. Yes.
- Q. If you were one of the first you would have been there. Are the pickets all retreating at that point? - A. Indeed so, yes.
- Q. No-one is standing throwing at that point from the road, the right-hand side of it? - A. No, not at that stage.
- Q. Now, as you continue up - and I am not interested in the verge and the embankment on the left-hand side. Do you follow me? - A. Yes.
- Q. I am only interested in if we can look at photograph 7 - A. Yes.
- Q. the area of roadway to the right-hand side. All right? - A. Yes.
- Q. Towards the centre of the road, right-hand side and pavement there. - A. Yes.
- Q. Is it fair to say that until you get to lamp post 4 when you allege you see the group round Mr. Crichlow - A. That is correct.
- Q. there is no other stone thrower between you and that point? - A. To my knowledge, no.
- Q. And if I understand Mr. Crichlow's position, it is by the brick wall? - A. Indeed so, yes.
- Q. Because you have emphasised brick as opposed to any other composition of the wall. Were you aware of anything else concerning your P.S.U. happening within the near vicinity

of your arrest of Mr. Crichlow? - A. I have no recollection whatsoever.

Q. Now, Officer, if you look at Exhibit 45, photograph 12, together with photograph 7. - A. My apologies. I cannot find Exhibit 45.

Q. JUDGE COLES: Photograph 12 in that bundle I think you are asked to look at. - A. Thank you, Your Honour.

JUDGE COLES: What was the other photograph?

MISS RUSSELL: Sorry. Photograph 7 in Exhibit 9 and photograph 12 in Exhibit 45.

JUDGE COLES: Yes.

Q. MISS RUSSELL: Now, Officer, I understand you are saying so far as Mr. Crichlow is concerned the incident with him takes place by the second semi-detached house? - A. By the parked vehicle, yes.

Q. By the parked vehicle. And would this be right? He was, as it were, the first picket in that area? In other words, you running up as practically the first Officer. Yes? - A. Yes.

Q. He was the first picket that you came across physically? - A. Physically, yes.

Q. There were no - if we can have your evidence clear - there were no pickets as you run up to Mr. Crichlow between you and him. That is right, is not it? - A. I think that would be correct, yes.

Q. I suppose you would say it would be nonsense to suggest there were pickets, as it were, just sheltering by the houses there, would not it? - A. That could be possible.

Q. If you look closely - look at the two semi-detached houses. Right? - A. Yes.

Q. Were there pickets sheltering in there? - A. I have no recollection.

Q. But it is possible that they could have been sheltering? - A. Indeed so, yes.

Q. And you would obviously make a big distinction between somebody sheltering and somebody hurling stones at you? - A. Indeed so, yes.

Q. If someone had been hurling stones you would certainly have taken notice of that, would not you? - A. Indeed so.

Q. If you look to the right of the semi-detached, and it is

quite difficult, but on photograph 12 you can just see it, there is a garage door there, is not there? Do you see it?
- A. Yes.

Q. Under a square window.

JUDGE COLES: Garage door under?

MISS RUSSELL: It is under a square window. If you look there are the two bay windows. Just to the right of that there is a flat end piece, looks almost like an extension. There is a garage door under there.

JUDGE COLES: Yes.

Q. MISS RUSSELL: Were there pickets sheltering there by that garage door? - A. I have no recollection.

Q. And obviously if a picket was just standing there doing nothing you would not have taken hold of him? - A. No.

Q. So far as the group of people who you say were throwing stones around Mr. Crichlow, they had run off up further by the time you got to Mr. Crichlow. Is that right? - A. I really have no recollection where they dispersed to. I just know they did run off.

Q. Did they run towards you? - A. No.

Q. Did they run - you obviously saw them because you were looking at Mr. Crichlow. You must have got an idea. If there were people to the right as he fell running that way straight into the houses you would have seen them, would not you? Could not have missed that? - A. Running into the houses?

Q. Yes. - A. I kept my eyes on Mr. Crichlow. I was aware the other group had dispersed.

Q. They had run off up the road? Would that be fair? - A. That would be fair or equally possible into the gardens and round the backs of the houses.

Q. But not towards you? - A. That is correct, yes.

Q. It would be nonsense if you were coming up - you are by lamp post 4 which we can see in that photograph there?
- A. Yes.

Q. Mr. Crichlow and his group of stone-throwers are just in front of them to the back of that brick wall. All right? - A. Yes

Q. Is that right? It would be nonsense for somebody then to, as it were, shoot off in the direction of the garage, would not it, because that would be bringing them right down towards you? - A. That would be correct, yes.

Q. You did not see anyone do anything like that? - A. Not to

my recollection, no.

- Q. Do you remember when you were on the bridge any picket walking up past, walking up over the bridge up the pavement? Do you remember anyone doing that? - A. I certainly have no recollection of that.

JUDGE COLES: Do you mean walking across the bridge and going up towards the village in the same direction he later took in the charge?

MISS RUSSELL: Absolutely:

- Q. Walking up, up that pavement? - A. I have no recollection, as I have said.
- Q. Single picket all by himself? - A. I have no recollection of that.
- Q. Can I understand this? So far as your P.S.U. and its break out from the cordon to the lamp post. Right? - A. Yes
- Q. I am not going - exact numbers - but as many as you can remember that were with you, something in the region of 15? - A. That is what I have said, yes.
- Q. There is no question of any kind of charge? You know what I mean by charge, do not you? - A. Well, we advanced forward as I say.
- Q. No question of any charge by the pickets back down by you, is there? - A. Towards us?
- Q. Yes. - A. No.
- Q. You laugh. You have laughed a lot when giving your evidence You laugh at that. You obviously find it was a ridiculous suggestion there was a charge of pickets down by you and your P.S.U? - A. That is correct.

JUDGE COLES: If you are going to use an emotive word like charge you had better define it.

MISS RUSSELL: I am using that word for a very particular reason I hope will become apparent later in the week.

JUDGE COLES: I may understand and you may understand but to avoid misunderstanding let's define what this Officer understands by the word.

MISS RUSSELL: I think that is fair:

- Q. What do you understand, Officer, by the word charge? - A. Just do a run forwards.
- Q. Run forwards? - A. Yes.

- Q. Or surge forward like in the pushes? Would that be a charge? - A. Sorry?
- Q. You have been on picket duty quite a few times? - A. Indeed so, yes.
- Q. During the strike. You know the sort of pushes up against Police lines that sometimes happen? - A. Yes.
- Q. Would you describe them as charges? - A. In some certain circumstances, yes.
- Q. By charge would you accept the common meaning of that is roughly as you have said, running forward, a certain amount of speed and propulsion, at or into something? - A. That would be correct, yes.
- Q. And there is no question - I want you to be quite clear on this - there is no question of any movement like that by the pickets? - A. Not to my recollection, no.
- Q. It would hardly have been something you missed, if you were the thin blue line coming up the hill, a thick multi-coloured line charging down the hill is not something you would really have missed, is it? - A. That would be correct.

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

Cross-examined by MR. GRIFFITHS:

- Q. I want to ask you some questions on behalf of Mr. O'Brien who you had nothing at all to do with on that day.

JUDGE COLES: That is an interesting start.

MR. GRIFFITHS: That is right but it so happens we have heard from some Officers who have had something to do with him, you see:

- Q. Now, Look at photograph No. 4, the one my learned friend Mr. Mansfield asked you to look at. Photograph No. 4 in Exhibit No. 30, please. That is the photograph of the Officers on the bridge.

JUDGE COLES: The coloured one.

MR. GRIFFITHS: The coloured photograph.

THE WITNESS: Yes.

- Q. MR. GRIFFITHS: If we can try by this reasoning to deduce where in all likelihood you were when this photograph was taken, you and the P.S.U. The only person you have identified in this photograph is the Sergeant who stands near the grey coloured metal side of the bridge? - A. That is correct, yes.

- Q. That is Sergeant Darnell who was the Acting Inspector for your P.S.U. on that day? - A. That is correct.
- Q. Would it be reasonable to assume that he along with the rest of your P.S.U. came up at least from the holding area with you when you were asked to go up to the bridge? - A. That would be correct, yes.
- Q. That would be correct, would not it, so we have got the situation that that Sergeant in all probability walked with you up to the Police cordon? - A. That would be correct
- Q. You have described where the Police cordon is. We only see him there, so would it be reasonable for us, for the jury, to infer - and I think you have described the cordon as being the coking plant side of the bridge - that the Police cordon, that is the front of the Police cordon, did it comprise of long shield? - A. Indeed it did, yes.
- Q. Can we reasonably take it when this photograph was taken there would have been a long shield cordon off to the right of this photograph behind which were the bulk of your P.S.U. waiting for orders? Would that be reasonable? - A. I would imagine from that photograph the Police line had moved forward, the long shields had actually moved forward, and this is at the back of the line.
- Q. You think that might be so? - A. Yes, obviously.
- Q. Why obviously? - A. They would be totally unprotected.
- Q. You did not know what happened before you first got there, did you? - A. That is correct.
- Q. You did not know, for instance, who got to the bridge first, did you? Did you? - A. I am sorry. Who got?
- Q. You did not know - well, we have come to know that long shield Officers in all probability, not your unit, got to the bridge first, you see, in the move up to the bridge. - A. That is correct, yes.
- Q. It is feasible, is it not, this is a photograph taken of some long shield Officers who have arrived at that bridge, the cordon being further round the corner and you waiting to be deployed?
- Q. JUDGE COLES: Do you know or not? Do you know what that is a photograph of? - A. Photograph taken by the bridge
- Q. MR. GRIFFITHS: Let's proceed in this way. You move - I am asking these questions particularly in relation to the evidence we have heard from Police Constable Douglas.

JUDGE COLES: I am not stopping you. It does not seem helpful to hold discussions.

MR. GRIFFITHS: No. I would have hoped the Officer would have accepted that logic. He has not. We have to leave it:

- Q. You go through the Police cordon when it is at the back end of the bridge? - A. That is correct.
- Q. As you have gone through you describe running from that moment on up round the corner, up the road, to lamp post No. 4? - A. That is correct.
- Q. Do I take it bearing in mind your size, your lean person, relatively young, that you run quite fast? - A. That would be correct, yes.
- Q. I suppose you would run like an antelope really, would not you? You were able to run faster than the bulk of your P.S.U.? - A. That is quite possible, yes.
- Q. You have a clear recollection, whatever other P.S.U.s were there, you were out either actually in front or certainly amongst the very front runners of whatever P.S.U. was there? - A. That would be correct, yes.
- Q. You would have therefore had as you came round the corner - this is of particular importance to Mr. O'Brien's case - you would have had the first view of the mass of pickets, would not you, when you came round that bridge? - A. Indeed.
- Q. That would have been the first opportunity you had of seeing the sheer number of people there? - A. We knew obviously before the sheer number of people.
- Q. Do you agree as you came round the corner you would have had full view of just how many people were there? - A. Indeed so, yes.
- Q. When you have told Miss Russell that the pickets, the nearest pickets to lamp post No. 2 - I think you are asked to look now at photograph No. 7 in album 9. You have told the Court that there were pickets that close and that they stretched across the road. Yes? - A. Indeed so, yes.
- Q. So is this the picture? There is no misunderstanding about it. The road above lamp post No. 2 is packed with pickets right across the road stretching right back up to the brow? Is that a fair - A. Not exactly packed. Certainly several hundred there. It is not packed.
- Q. They are completely across the road and going back some distance? - A. That is correct, yes.
- Q. Right. A quick question as to when you get to lamp post 4. Did you take it you were ordered to halt momentarily before you say you saw Mr. Crichlow? - A. That is correct, yes.
- Q. It is only a matter of some seconds? You see him doing

something, according to you? Then you run after him? - A. That is correct, yes.

Q. We take it you get to the place where you say he accidentally fell. That is a matter for And you have identified as the view you had that on photograph, or something like the view, in Exhibit No. 45. We have not a copy of that. Would you like to take it out, please? Is it 49? 49. 49.

MR. WALSH: Single colour photograph of the pavement and houses.

Q. MR. GRIFFITHS: Now, I think you said that was not exactly the view you had. When we look at that photograph - and I am only asking on your version of events, Officer - what are you saying? Are you saying that Mr. Crichlow hit the deck, so to speak, in an area shown in that photograph? - A. That is correct, yes.

Q. It is a bit difficult because we have not got copies but would you just like to turn it around so we can just about see it so we can remind ourselves? We have heard other evidence. I am concerned of course with Mr. O'Brien. A pair of semi-detached houses there? - A. Yes.

Q. And the first one has a blue garage? - A. Yes.

Q. And then we have the second semi-detached house which is further away? Just turn it round so the jury can see. - A. Yes.

Q. Where do you say according to you you came up to Mr. Crichlow? - A. By about this wall here.

Q. Are we talking about the second detached(sic) house? - A. Yes: that would be correct.

Q. He would have been, according to you, right next to a wall and second detached house? - A. Indeed.

Q. You have said it on more than one occasion. You saw no other arrests in the immediate vicinity; alleged arrest of Mr. Crichlow there? - A. That would be correct.

Q. Neither did you see any injured picket anywhere near there? - A. That is correct.

Q. You did not see an Officer fly through the air right by your side, did you, and knocking a picket on to the floor right by that spot? - A. I did not, no.

Q. No. A final point. When you came round the bend, going back a little, you saw the pickets in line, you have described, is it as you were running up you noticed the car, when the pickets disperse a little as you run up, they run away, then you notice the car in the road? Is that

- A. I have not said that.

- Q. Did you see a car at some stage? - A. I did see a car at some stage. I cannot place it, whether before the bridge or after the bridge.
- Q. I am not sure if anybody has shown you this photograph. Would you look at photograph No. 10, please, of Exhibit 21? I will be corrected by anybody if you have been shown this. - A. Yes, I have it.

MR. GRIFFITHS: I am reminded by Mr. Walsh helpfully the Officer has said and confirm, and I remember, he was not sure whether it was above the bridge. He certainly said he ran past a car.

JUDGE COLES: He ran past a car.

MR. GRIFFITHS: Has not been able to assist as to where the car was:

- Q. Look at photograph 10 in Exhibit 21. Forget about the person you have referred to as Tony Clements who we see there. You see a car in the road? - A. Indeed so, yes.
- Q. It is on the way up to the brow of the hill. Could it have been that car that you have in your mind's eye as running past? - A. That will be correct, yes.
- Q. And would it be fair to say, bearing in mind we can see its position, probably what happened was that as you ran up that hill and the pickets dispersed backwards they might have been, so to speak, in front of that car when you first came round the bridge but when they started running away then you might have seen it as you ran past? Might that be a reasonable inference to draw? - A. Indeed so, yes.
- Q. Final question is this. Let's be absolutely clear about it. It was short snield Officers who moved from the bridge up to and past that car, not long shield, was not it? - A. That is correct, yes.

MR. GRIFFITHS: Thank you.

MR. REES: No questions.

Re-examined by MR. WALSH:

- Q. Would you just have a look, please, at the colour photograph you have been asked to look at several times, No. 4 in bundle Exhibit 30? - A. Yes.
- Q. There is one person you recognise on that. That is Sergeant Darnell? - A. That is correct, yes.
- Q. If it be the case that he was Acting Inspector on that day,

do you now remember that to be the case or do not you? - A. I still have no recollection of him being an Acting Inspector.

- Q. Very well. But obviously, as we can see, whether or not he was Acting Inspector he still wears Sergeants uniform? - A. That is correct, yes.
- Q. Is that normal practice, if someone of Sergeant rank is temporarily Acting Inspector to wear his Sergeant's uniform rather than an Inspector's uniform? - A. That would be correct, yes.
- Q. Were you aware of Inspector Larry Bennett being at Orgreave that day? - A. Indeed so, yes.
- Q. How was that? Because someone told you he was there or because you actually saw him? - A. I actually saw him.
- Q. Were you aware of there being at Orgreave that day any other Inspector from your particular Force? - A. I have no recollection, no.
- Q. And you told us that you understood that Inspector Bennett was in charge of your P.S.U? - A. That is correct, yes.
- Q. It would appear from what you have told us and we know that some of the Officers on that photograph are wearing Midlands, West Midlands I think to be correct, uniform and helmets. It may not be exclusively. Perhaps you can help us. You have shown us the Police helmet you have down there? - A. That is correct.
- Q. That we know is a South Yorkshire one? - A. Yes.
- Q. Are you able to tell us from anything you see on this photograph whether such Officers as have that metal, silver strip on top of their visors are South Yorkshire or West Midlands? - A. The only way of telling they are West Mids. is the fact of the clear round shield.
- Q. Yes. Is that because South Yorkshire do not have that sort of shield or do not you know? - A. I am not aware of that. I do not know.
- Q. I follow. Just wonder if you could help. Do you see Sergeant Darnell? We will take him as a reference point. There are two men in from him to the right. One is holding a shield which you can see is clear but with Police written in the middle of it? - A. That is correct.
- Q. Is there anything to help you to say that must be a West Midlands Police Officer or may he be South Yorkshire? - A. Only the fact he has got a round shield.
- Q. At any rate, he is in all respects similar to what a West Midlands Officer would look like? - A. That would be correct, yes.

- Q. Right. But you cannot exclude the possibility he is South Yorkshire. Is that what you are saying? - A. Indeed so, yes
- Q. There is another Sergeant who we can see more clearly who is walking to the right? - A. Yes.
- Q. Is there anything about him to enable you to say whether he was West Midlands or South Yorkshire? - A. The only way again would be the round shield.
- Q. It looks as though that is a clear shield with a black middle to it from what one can see? - A. That is correct.
- Q. If he were a West Midlands Sergeant does it follow from what you have said that he must be either Sergeant Biddle or Sergeant Kelsey? - A. Certainly not Sergeant Kelsey.
- Q. Not Sergeant Kelsey? - A. It is possible, though the face seems dissimilar, it is the same shape as Sergeant Biddle.

JUDGE COLES: It is certainly not Kelsey.

MR. WALSH: It is certainly not Kelsey:

- Q. We come to this conclusion. Either it is Sergeant Biddle or he is someone from another force than West Midlands? - A. That would be correct, yes.
- Q. Thank you. I do not know whether your photograph is as full as ours. We have what looks like the shoulder of a Policeman in the bottom left-hand corner. - A. I have not in this copy.
- Q. Will you take a look? I have just named people on my photograph. Do you see that? - A. Yes.

JUDGE COLES: What do you refer to as the shoulder of an Officer?

MR. WALSH: Has it not come out on Your Honour's? I think it cropped up in cross-examination the other day.

JUDGE COLES: more on the right than you have.

MR. WALSH: I am sorry.

JUDGE COLES: Not at all.

MR. WALSH: I have a little more on the right on my photograph.

JUDGE COLES: Looks as though it has just been copied differently.

MR. WALSH: I imagine so.

JUDGE COLES: Now you

MR. WALSH: Counsel have been working on the basis it was part of a Police uniform.

MR. GRIFFITHS: I think I suggested it might have been

JUDGE COLES: Most unlikely.

- Q. MR. WALSH: Let's just think of it along those lines. Have you any recollection of coming up to the village side of the bridge amongst any group of Officers like this or space like that? - A. Well, obviously we were tired and as we made the advance, made the arrest and came straight back and obviously from then on we are taken away from further events.
- Q. Perhaps I did not put my question clearly enough. Have you any recollection of yourself arriving at this end of the bridge on your forward movement with any group of Officers like that? - A. Not particularly, no.
- Q. Some of whom we know are clearly Merseyside Officers. Do you follow? - A. Yes. I have no recollection.
- Q. We have had certain people pointed out here as being definitely Merseyside Officers. - A. Yes.
- Q. Have we got this clear? You have no recollection of being with any Merseyside Officers at all? - A. That would be correct.
- Q. At any point on the move forward that led you to lamp post No. 4 did you pay any attention to the forces from which any Officers nearby you came? - A. I did not, no.
- Q. What were you concentrating on as you went forward on that move towards lamp post 4? - A. Concentrating just to move forward and to look forward and identify people throwing missiles.
- Q. On the move forward that ended at lamp post 4 are you able to tell us even approximately how many other Officers were involved in that move? - A. Not approximately. I know other Officers obviously were involved.
- Q. Was it a small handful or a large number? - A. As a very rough guide, be about 50 Officers.
- Q. 50? - A. Yes.
- Q. Thank you. And when you began the move forward do you know who it was who ordered you to move forward? - A. I do not, no.
- Q. Or whether the order came through an unassisted voice or through a megaphone? - A. I have no idea.

- Q. Is that because you were not paying attention at the time or because you now cannot recall? - A. Mainly because I cannot recall.
- Q. Thank you. When you got to lamp post 4 and you saw Mr. Crichlow and a group of three or four people from that moment on until you arrested Mr. Crichlow on what or on whom were you concentrating? - A. Just moving forward. We could see other people throwing missiles but they were some distance ahead.
- Q. So what were you concentrating on as you moved forward from lamp post 4 and arrested Mr. Crichlow? - A. When we identified Mr. Crichlow we concentrated solely on him.
- Q. I am sorry to be particular. When you say "When we identified" what do you mean by that? - A. When we saw him throw the first missile.
- Q. Thank you. From that moment up to and including your arrest of Mr. Crichlow were you paying any attention to what any of the other 50 Officers were doing? - A. None whatsoever.
- Q. Can I trouble you for Exhibit 49 because I think it is proper that although you have pointed to something on it it is right that the jury should be able to see clearly just so I can repeat what I think you have said? You have said that the place where Mr. Crichlow ended up on the ground was - the words were put to you - the second semi-detached house? - A. That would be correct, yes.
- Q. By that do you mean the second of those bays that we see in the photograph or what? - A. Can I have the photograph?
- Q. It is a question of how you define. It may be that if you could mark in a manner if necessary we can remove. I am going to do something I think can be rubbed off if it is done reasonably quickly.

JUDGE COLES: Yes, because we have no copies.

MR. WALSH: Yes, that is the problem. I thought the Defence probably would have another one.

MR. O'CONNOR: The problem was we had to take so many all the way up the road not knowing where this Officer was going to say it was we could not take copies of all of them. Now we know I daresay we might be able to do some.

MR. WALSH: I can see the reason. One does not want to mark it permanently because another witness might be asked a question. There are little things one sticks on to photographs and labels which can be immediately removed if anybody has got one.

JUDGE COLES: There are.

MR. WALSH: I believe somebody may have one.

MR. GRIFFITHS: I would be quite happy if the witness just points it out to Your Honour and take it from there.

JUDGE COLES: It would be a help.

MR. WALSH: It is obvious from that distance it is not easy for the jury to see. That is the problem:

Q. If you could point to the approximate position where he was found on the ground? - A. By that wall there, before the lamp post.

Q. JUDGE COLES: Between the lamp post and the first gate post one sees? - A. Yes.

Q. Well, you have pointed out the whole wall running in front of the two gables. - A. Basically it is by that wall there, yes.

Q. I think what you were being asked a little earlier was to point out in front of which house along that wall. I won't pursue it.

Q. MR. WALSH: Perhaps could I have the photograph back so I can look at it very briefly?

MR. GRIFFITHS: As I understand, we need to know which of the semi-detached houses. I must have put it ambiguously in the question. I did not intend to put it ambiguously.

MR. WALSH: I just wanted to - so there is no problem about it.

JUDGE COLES: The note I made was specific enough.

MR. WALSH: I am trying to find out the exact words the Officer used.

MR. GRIFFITHS: In

JUDGE COLES: Probably be better if Mr. Walsh asked the question.

MR. WALSH: I think that would be better. Just try to find my note:

Q. Perhaps you can help us here. If you can take one of these little stickers and put it at the place where you say that Mr. Crichlow went to the ground? - A. Yes.

Q. And before you do so tell us where it is, the precise place or approximately. - A. It will be the approximate place.

Q. These just peel off. You have probably come across them before. - A. Clear enough.

(Shown to Counsel)

Q. Yes, I see.

(Shown to Jury)

Q. The place you have marked

JUDGE COLES: May I see it?

MR. WALSH: So sorry. I did not realise Your Honour had not seen it.

(Shown to Judge)

MR. WALSH: I think just for reference it is the same brick wall and upright the witness pointed to in chief when he looked at photograph 8 of Exhibit 9.

JUDGE COLES: Yes.

Q. MR. WALSH: You have put your little blob just near the upright gate post if that is the right word? - A. Indeed so.

Q. That we see on this photograph? - A. That would be correct, yes.

JUDGE COLES: In front of the nearest semi-detached?

Q. MR. WALSH: The camera side of the nearest bay window, nearest white bay that we see? That is what you intended to do, put it camera side of the white bay that we see there, is that right, or were you not using that as a reference? - A. I was not using that as a reference. The wall itself, from the upright, it is just slightly away up the road.

Q. So it is slightly your side of that wall and upright? Is that what you are saying?

JUDGE COLES: Other side.

MR. WALSH: Further away. I beg your pardon. Now we know where that mark is

JUDGE COLES: You want to remove the sticker?

MR. WALSH: I will because someone might want to ask somebody else about it.

JUDGE COLES: Before it becomes a mark on the photograph

MR. O'CONNOR: I do not mind it being left - there is a reason - unless and until we need to remove it. It may be I will be able to avoid using that photograph with any other witness. For the moment if it could be left I would be grateful.

JUDGE COLES: These sticky pieces tend to leave a mark.

MR. O'CONNOR: Better have it off.

MR. WALSH: Entirely in my learned friend's hands. If this sticker is like this the longer it adheres to the photograph the more likely some tackiness to remain.

MISS RUSSELL: A very quick photocopy can be taken and then the sticker can be removed obviously.

JUDGE COLES: Let that be done, Exhibit 49, but do not let anybody take Exhibit 49 too far from this room.

MR. WALSH: Thank you very much.

JUDGE COLES: It has got an armed guard.

MR. WALSH: Be thoroughly secure.

JUDGE COLES: Yes.

- Q. MR. WALSH: On this move that you did that ended up at lamp post 4 are you able to say one way or the other whether any of the group with you had any long shields? - A. Definitely no long shields.
- Q. You saw all of them sufficiently to say none of them had any long shields? - A. Certainly our P.S.U. with me were not equipped with long shields.
- Q. I asked you about all the people, not just your P.S.U. - A. I cannot say about any other P.S.U.
- Q. Right. You can only speak for your own? - A. That would be correct, yes.
- Q. I think you have told us in all there were about 50 of you? - A. That would be about correct, yes.
- Q. Are you able to say one way or the other with certainty whether there were any horses either ahead of you or behind you on this move? - A. There certainly were no horses ahead of me.
- Q. Thank you. I appreciate as you are going forward you are not looking behind you. Were you aware in any other way whether there were any horses behind you? - A. I have no recollection of any horses beyond the bridge.
- Q. JUDGE COLES: Or on the whole move in which Crichtow was involved? - A. Indeed so, yes.
- Q. MR. WALSH: Having arrested Mr. Crichtow, on your journey back down the hill, were you aware of any horses at any stage on that manoeuvre? - A. Only at the Command Post.
- Q. The allegation against you and your colleague jointly because it is not put specifically against you is that as Mr. Crichtow was bending over either you or Mr. Abson whacked him on the

head when he was attending to somebody else and arrested him for doing nothing at all. - A. That would be totally and thoroughly incorrect.

Q. Would there be any point in your doing that? - A. No, no point whatsoever.

Q. If you did beat somebody on the head and injured him and then immediately arrest him and take him back before Senior Officers are you exposing yourself to any risk? - A. Indeed so, yes.

Q. What is that? - A. Of assault.

Q. Pardon? - A. Of assault.

Q. What do you mean, risk of assault? - A. Obviously it is an assault if we obviously (Inaudible) somebody; injured him.

Q. JUDGE COLES: You mean charged yourself with it? - A. Indeed so, yes.

Q. MR. WALSH: That is the suggestion that is being made against you. - A. Yes.

Q. What do you say about the suggestion? - A. It is incorrect.

MR. O'CONNOR: My learned friend in putting that question knows not one single Police Officer has been disciplined as a result of any complaint throughout this whole strike.

JUDGE COLES: There can be many, many reasons for that.

MR. WALSH: I am puzzled about my learned friend's intemperate outburst. I am entitled to ask my question.

JUDGE COLES: Well, carry on.

Q. MR. WALSH: Did you notice any ambulances at all hill side of the bridge as you walked Mr. Crichlow back? - A. No, not at all.

Q. If you had done what would you have done? - A. Taken him to first aid.

Q. Did you notice any ambulances before you actually got to the Command Post? - A. There were ambulances at the Command Post.

Q. At the Command Post. Did you go to one of them or was the treatment from the women that you have talked about in the Command Post? - A. The treatment was from the Command Post.

Q. Right. Can I deal with the charge sheet, please, about which you were asked certain questions yesterday? I do not know if you have got it. Probably not. It is really about times that appear on it. Do you follow? - A. Yes.

- Q. We know from what you have told us that it was about 1.50, I think, when you arrive at the Command Post from the hospital? - A. That is correct, yes.
- Q. Up to that time had you presented him to a Charging Officer for any document to be written upon? - A. My recollection is details were taken, his name and address and a photograph taken.
- Q. When? - A. At the Command Post prior to taking him to the hospital.
- Q. Yes. What I would like to ask you about is this. You have said that where the document shows on it time of arrival at the Police Office 11.50 you think that is a mistake? - A. Possibly, yes.
- Q. Now, what makes you think that is a mistake? - A. Certainly it did not take 20 minutes to walk him back.
- Q. How did you come about estimating or arriving at the time of arrest as 11.30, for example? - A. As I check at the holding areas there is a clock and it was about 20-to-12.
- Q. When you got to the holding area? - A. That is correct, yes.
- Q. What you are saying, you just worked back, it was about ten minutes before? - A. Yes.
- Q. So the clock at the holding area was twenty-to? - A. Yes.
- Q. Is that in the same room as the place where you had him documented and photographed? - A. Indeed so, yes.
- Q. Do you remember which procedure took place first, the photographing or informing of the Sergeant that you are there and who he is? - A. I certainly informed the Sergeant of the arrest and that I was the arresting Officer.
- Q. Are you able to help us as to whether the procedure of starting the document took place before or after he had gone through photographing and had someone attend to the back of his head? - A. I have no recollection of that at all.
- Q. So at any rate the timetable as you say is this. You arrive at the holding area and you see a clock saying twenty-to? - A. That is correct.
- Q. Is it following that he is given some treatment by a Police woman? - A. Indeed so, yes.
- Q. And at what stage does a man who looks to be called Sergeant Robinson or Sergeant Johnson discuss with you the fact that this man has been arrested and when, at what time - do you follow - before he receives that initial treatment from the lady or after? - A. Before, I think.
- Q. And then you go off to hospital? - A. Indeed so, yes.

Q. Right. Thank you. And following your return from hospital after the subsequent documentation you have told us immediately you and Mr. Abson went and wrote your statements? - A. Indeed so, yes.

MR. WALSH: Your Honour, substantial sections of the statement have been read out. It seems to me that also ought to be an exhibit.

JUDGE COLES: Yes. 50?

MR. WALSH: I think 51.

JUDGE COLES: What is Exhibit 50?

MR. WALSH: Mr. Crichlow's detention photograph is No. 50.

JUDGE COLES: Thank you.

Q. MR. WALSH: Just a couple of matters now. You were asked for some reason by Mr. O'Connor as to whether you were - I think the way he put the question - proud of what you did that day and I think you said no? - A. That is correct, yes.

Q. What did you mean by that? - A. Sickening, the fact that we had to stoop so low to use long shields or even round shields.

Q. And why did you have to do that? - A. Because of the violence aimed towards us.

Q. Is the use of shields something you want or look forward to? - A. Oh, good heavens, no.

Q. You referred to the Assistant Chief Constable by his name, Tony Clements. Someone suggested - does that mean you were on first name terms with him? - A. It is from watching the television reports.

Q. I see. Have you ever met him? - A. I have met him actually, yes.

Q. JUDGE COLES: I bet you did not call him Tony? - A. No

Q. MR. WALSH: The final matter is this. You were asked about the fact that you and Mr. Abson were present here last Tuesday - Wednesday I think it was? - A. Wednesday.

Q. And you said you were. Were you anticipating that you would be giving evidence on that day? - A. Indeed so, yes.

Q. But in fact I think there was some matter that you had to go to on Thursday? - A. Yes, some personal reason.

Q. Was that a funeral? - A. Indeed, sir.

Q. So you did not give evidence and you were brought back this week? - A. That is correct.

MR. WALSH: Yes. Thank you very much.

JUDGE COLES: Convenient moment for our break, Mr. Wal.

MR. WALSH: Your Honour, it is.

JUDGE COLES: Say 10 minutes but I know it takes too long, does not it, getting coffee established, so we will say 15 minutes.

(Short Adjournment)

MR. WALSH: Before we continue with the next witness, who will be Constable Abson, can I deal with a matter about which I have alerted the attention of my learned friend Mrs. Baird earlier this morning?

JUDGE COLES: Yes.

MR. WALSH: It concerns the case of the defendant Mr. Moreland. Your Honour will recall that last week some time I undertook to make certain enquiries on behalf really of the Court the more speedily to assist the Defence in this matter and to see if an expert could be contacted. I have also caused other enquiries to be set in train. The result of my instructions to date are such as to persuade me that it would not be right for the Crown to seek verdicts of guilty on any charge in relation to Mr. Moreland. I say on any charge because Your Honour will appreciate, albeit the jury does not, that on an indictment for riot it is possible for verdicts on lesser offences to be found and I take the view that in the circumstances it would not be right for the Crown to seek any verdicts of guilty on Mr. Moreland even on any lesser offences and so I would invite Your Honour to direct the jury to acquit Mr. Moreland at this stage.

JUDGE COLES: Yes.

MR. WALSH: May I add that I do not think it would be appropriate for me to say any more at the moment because enquiries are continuing and I do not want to say anything which might be reported somewhere which would cause those enquiries to come to nought or be rendered fruitless and so I say no more.

JUDGE COLES: Yes, very well. Obviously there is no more that I need know for present purposes.

MR. WALSH: No.

JUDGE COLES: I do not suppose you, Mrs. Baird, have any objection to the course proposed?

MRS. BAIRD: I have no objection at all to Mr. Moreland

being acquitted here and now of the charge he has faced for a year. I do not wish to be quite so circumspect and speak in such legalese as my learned friend Mr. Walsh has done.

JUDGE COLES: What is wrong with legalese?

MR. WALSH: If my learned friend wishes to prejudice the enquiries that are going on that might render useless and null and void certain important enquiries that are being made she does so at her own risk.

JUDGE COLES: I cannot But you heard what has been said.

MRS. BAIRD: Has Your Honour had an opportunity to look at the report of the handwriting expert instructed?

JUDGE COLES: I have seen nothing. What I have heard in Court in the last moment or two is, as they say, news to me.

MRS. BAIRD: It seems to me, with respect, only right the jury who saw the pantomime put on by various witnesses in this case a week ago

JUDGE COLES: Mrs. Baird

MRS. BAIRD: and saw my learned friend (Inaudible) to either support or put down the contentions I raised about forgery, it seems only right that that jury who have heard all of that should know what the handwriting expert has said and I propose to read what he has said to the jury now.

JUDGE COLES: Well, I will hear Mr. Walsh on that. If you read anything, Mrs. Baird, you do appreciate what is read - and I can even this moment see pens poised. I do urge you to consider your professional duty to your client and to others with great care before you do anything which might cause harm either to those who are here charged with offences or to yourself. Now, please do not do anything rash. Do things after you have thought them through and thought them through with care.

MR. WALSH: May I say something so that my learned friend may consider her position? In the first place, the Crown having taken the step that it takes my learned friend is not entitled to do that which she seeks to do.

JUDGE COLES: The document which she is seeking to read I was about to add, I was allowing her to consider her position here, is as far as I know not in evidence. It is not an exhibit. I do not see how it can be made an exhibit. I have not seen it. I do not know what is in it. And it is for that reason I give no direction. I make a statement in general terms urging people to be very cautious and wary before doing something which may

or may not be improper or dangerous.

MR. WALSH: I would remind my learned friend that if she says anything in Open Court that might be reported and might make it impossible to take criminal proceedings against any person should they be justified she will be doing something which is contrary to the interests of justice.

JUDGE COLES: I do not think Mrs. Baird has fully thought this through. I do not propose to deal with this at this stage. I propose to allow things to be thought through a little more before I deal with it. If it is thought right I should know any more or less about it so be it but for the time being I make no ruling.

MR. WALSH: Would Your Honour accept my invitation to direct the jury to return a verdict of not guilty against Mr. Moreland? There is no reason why he should remain under any suspense any longer.

JUDGE COLES: With no further delay.

MR. WALSH: I am obliged.

JUDGE COLES: Members of the jury, you have heard what has been said. You have heard some evidence in the course of the last few weeks which was directed against Mr. Moreland. Whatever you thought about that evidence you have now heard that the Crown are no longer asking you for any verdict against Mr. Moreland and in those circumstances I take the responsibility upon myself not to invite you but to direct you to return a verdict of not guilty against Mr. Moreland. I am sure it is a matter which will give you pleasure to be able to do it. Probably one of the easier things you have to do. I direct you to do it now and in due course when the Clerk can be found to put the matter before you I will direct you to return that verdict. Could the Clerk of the Court be brought, please?

MR. WALSH: I think actually there is nothing if the Court Clerk is not immediately available that prevents Your Honour asking the question.

JUDGE COLES: I would rather have the Court Clerk here.

MRS. BAIRD: Whilst we wait I would like to hand in to the Court a copy of the statement so the Court can be apprised of its content. Your Honour is good enough to give me time to reflect. Might I be heard on this topic immediately after the luncheon adjournment if Your Honour will not hear me now?

JUDGE COLES: Certainly.

MRS. BAIRD: I am obliged. May I hand in a copy

as soon as the Clerk is available to take it? It may be apparent I shall have an application for costs to make as soon as the jury's verdict has been returned.

JUDGE COLES: Oh, yes. Brophy and Moore were the only two witnesses related to Moreland, were not they?

MR. WALSH: I am told it will take a couple of minutes before a Court Clerk can be made available.

JUDGE COLES: Then we shall have to wait.

MR. WALSH: Your Honour, if it is a Liverpool couple that means three or four minutes.

THE CLERK: Will the Foreman please stand? Any one of you act as Foreman. Thank you. Members of the jury, you are agreed on your verdict?

THE FOREMAN: We are.

THE CLERK: Upon His Honour's direction do you find the defendant Irvine Moreland not guilty on this indictment?

THE FOREMAN: Not guilty.

JUDGE COLES: Thank you. Thank you, sir.

MRS. BAIRD: May Mr. Moreland leave the dock, as it were?

MR. WALSH: Perhaps could the Clerk ask if that is the verdict of them all?

JUDGE COLES: Did she not do so?

MR. WALSH: Did not do that.

THE CLERK: That is the verdict of you all?

JUDGE COLES: Thank you very much.

MRS. BAIRD: May Mr. Moreland

JUDGE COLES: Mr. Moreland may certainly be discharged

(Clapping in Court)

JUDGE COLES: And no demonstrations, please, or the Court will be cleared.

MR. WALSH: Would it be sensible to deal with the next witness and then deal with any ancillary matter

MRS. BAIRD: I would prefer to apply for costs against the Prosecution at this stage.

JUDGE COLES: That is not a matter that concerns the jury, is it?

MRS. BAIRD: I do not know whether it concerns the jury or not.

JUDGE COLES: I do not see how it can. I do not think you are going to be giving costs to everybody, are you, members of the jury? No, we will deal with that later.

MRS. BAIRD: I beg Your Honour's pardon? Your Honour, we will deal with that at 2 and the question of what information should be given to the jury?

JUDGE COLES: Yes. We will deal with that of course in their absence.

MR. WALSH: It might be better for various reasons we assemble as Court in Chambers at 5-past-2?

JUDGE COLES: By all means. That is not a matter that can possibly concern the public. I shall hear you on that at 5-past-2, Mrs. Baird.

MRS. BAIRD: I am obliged.

JUDGE COLES: So far as the hearing at 5-past-2 is concerned the public will not be admitted. It will be an application in Chambers.

MR. MANSFIELD: May I be heard on that matter, whether it is in Chambers or not?

JUDGE COLES: I shall hear you in Chambers on that matter, yes.

MR. MANSFIELD: Catch-22.

JUDGE COLES: It is not catch-22. I shall hear you in Chambers on that application. We cannot have public hearings about whether something should be public, not in the present circumstances. I think we had better deal with that now, had not we?

MR. MANSFIELD: I certainly would with some urgency require some argument on that matter.

JUDGE COLES: If you wish to argue it should be public.

MR. MANSFIELD: Yes, I do.

JUDGE COLES: We had better. I cannot let you go for lunch, I am afraid. I will send you to your room for the moment. If I find it possible to send you away early for lunch I shall. For the time being will you please go to your room and await further instructions?

(Jury left Court)

JUDGE COLES: Now, the jury having retired, this application will be in Chambers. We may as well, I think, sit in Chambers in Court, probably the most convenient way of dealing with it, so I should request the public to retire, please.

MRS. BAIRD: Does Your Honour consider Mr. Moreland's position, whether he ought to be allowed to remain?

JUDGE COLES: I will consider any application when the public has retired.

MRS. BAIRD: Yes.

JUDGE COLES: I shall hear no-one until that happens.

(Public left Court)

(Court in Chambers for remainder of day)