

IN THE SHEFFIELD CROWN COURT

The Crown Court,
Castle Street,
Sheffield

28th 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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DEFENDANT

REPRESENTED BY:

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MR. P. O'CONNOR

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Friday, 28th June, 1985.

INDEX TO TRANSCRIPT

	<u>Page</u>
<u>P.C. ABSON</u> Recalled	
Cross-examined by MR. GRIFFITHS	1.
Re-examined by MR. WALSH	9.
<u>P.C. WILLIAM JAMES GAYLE</u> Sworn	
Examined by MR. WALSH	14.
Cross-examined by MRS. BAIRD	24.

Friday, 28th June, 1985.

POLICE CONSTABLE ABSON Recalled

Cross-examined by MR. GRIFFITHS:

- Q. Officer, I represent Mr. O'Brien in this case. First of all, let me ask you this. When you started out through the Police cordon at the beginning of the bridge or just below the bridge, that is the move that takes you around the cordon up to the hill, did you start out with a group of four, the group you told us all about? - A. We went as a group of four, yes, sir.
- Q. Will you just tell us who you were with in that group of four when you started out? - A. I think it was P.C. Hanrahan and P.C. Jones.
- Q. So, there is P.C. Hanrahan, P.C. Jones and, presumably, Mr. Norris as well? - A. That's correct, yes.
- Q. That is one matter we can put aside now. The next matter is this: As you came around the bend, having your first view up towards the brow of the hill, obviously you see a large number of pickets. Agreed? - A. Yes.
- Q. You have told the Court, as I understand it anyway, that they were filling the road and also spilling over to both sides. Am I right about that? - A. That's correct, yes.
- Q. So, they are on the road, across the road, on the pavement off to both sides? - A. Yes, that's correct.
- Q. What I want to do is to ask you just a few questions to see as to where the nearest were, the nearest of this line of pickets, this mass of pickets were to the bridge. I know you have been asked to look at one particular photograph and you have said, I think, at about between lamp-post three and four? - A. Yes.
- Q. Can I ask you this? Let's deal with a reference point I don't think you have been referred to. You have been referred to it, but it is a reference point that might help you. You were asked about a car. Let's forget about whether it was smouldering, but a derelict car anyway, and you didn't mention it initially, but you mentioned it in cross-examination, so can we take it that is something that you certainly saw but you didn't have, so to speak, a long view of it. It is something you must have seen without looking at it with any real great care. Is that fair? - A. Yes, that's correct.
- Q. Now, when you came round the bend, if there had been a derelict car, if you had seen it and were able to see it at that point, a derelict car as such, in the middle of the road, that would be quite a scene for you to remember, wouldn't it? - A. It would have remained in my mind.

- Q. Yes. Would it be fair to say that at some stage in your run up the hill you remember seeing a derelict car but it isn't as though it was sitting there right in front of you if you saw it as you came round the bend? - A. Yes. I do remember seeing the car, but the exact location I couldn't be precise about.
- Q. May I put it to you - it may help as to how close the pickets were to the bridge - might it have been that when you came round the corner and started your run up the hill that you didn't, you couldn't even see this car because there were pickets, so to speak, all round it and it's only as you run up and as the pickets retreat that you saw that car, as you passed it? Might that be a reasonable thing to have happened? - A. That's possible, but my first real recollection of pickets is between the third and fourth lamp-posts when I did notice the men.
- Q. You have been asked to try and help and you have referred to it by way of certain named lamp-posts. I am just trying to see if it is possible that the pickets were enveloping the car so you didn't see it initially, but when they ran away and as you ran up, you passed the car? - A. That is possible, as I don't remember where the car was, yes.
- Q. If that's possible, look at photograph number ten, Exhibit 21. This must follow, mustn't it, that as you round the corner, if you didn't have a view of the car in the road as you came round the corner, I must be right, mustn't I, that the pickets were closer to the bridge than the car? In other words, they would have been, instead of being between three or four, they would have been around and about and obscuring the car so you would have only seen it as you ran up? - A. Yes, that's possible, yes.
- Q. You see, I suggest that the pickets, in fact, were - that is, the mass of people were closer to the bridge than your first recollection and were, in fact, all around that car you can see in photograph number ten. So, instead of being a line between three and four, they would, in all probability, be across from about lamp-post number two? - A. That's possible, yes.
- Q. All right. I will leave that matter entirely. But, perhaps I ought to put this final thing to you about that point. If what I have suggested to you is possible, as you agree it is possible, then at least - would you look now at Exhibit 30? That is the colour photographs and, in particular, photograph number seven, numbered on the reverse for the members of the Jury. This is the picture before the blurred photograph. Do you find it, officer? - A. Yes.
- Q. Photograph number seven on the reverse. If what I have suggested is right, if you want to go back to photograph ten - I can see you want to, obviously, and you certainly can, I won't stop you doing anything. Now, the blurred photograph which has already been put to you, we are told, and certainly as I understand it, that they are in proper sequence and when they were taken, you see, the colour

photograph, or if you go back one from the blurred one you have got a view - of course, we don't know the time between the two, but, basically, we have a view of what was happening before? - A. Yes.

- Q. If what I have suggested to you is right, that the car was so and people enveloped it, pickets, they were further down the road, photograph seven becomes then more explanatory, doesn't it? It fits in? - A. Yes, it does, yes.
- Q. Now, let me move on to just something a little more contentious, officer. I was a little mystified yesterday. I didn't quite understand what you were, in fact, saying. You agreed with Miss Russell, the lady here, when the manoeuvre which was put to you, including the one with short shield officers, was set out and in certain circumstances you could strike ring leaders and stone throwers, incapacitating them - that is the word used in the official document - that you were familiar with those manoeuvres? - A. With the stone throwers, yes.
- Q. Yes. That is, striking stone throwers? - A. Yes.
- Q. Now, according to your evidence, on the day there were stone throwers. Right? - A. Yes.
- Q. And, according to your evidence there were short shield PSUs with drawn truncheons running at the stone throwers? - A. Yes, that's correct.
- Q. So, do we take it your evidence is that we are talking about a large number of running Police Officers in short shield gear with drawn truncheons? - A. Yes, a fair number, yes.
- Q. Running at stone throwers? - A. Yes.
- Q. And one of the manoeuvres is to use the truncheons to strike stone throwers? - A. Yes.
- Q. Are you really saying that we have got a large number throughout the day and you never saw a truncheon come into contact with anyone? - A. Yes, we are, yes.
- Q. I am very sorry to suggest it, but I suggest you are not telling the truth about it. Do you think that in the course of giving your evidence you have said what you think ought to be said as opposed to the truth? - A. No, not at all.
- Q. Do you understand the question? - A. Yes, I do understand the question. Not at all.
- Q. Because I suggest you are not being frank, you are not calling a spade a spade in the course of giving your evidence. Do you remember saying this to my learned friend, Mr. Mansfield? Now, did I get this down correctly? "If I had seen any officer using a truncheon that day I would have reported it to my Sergeant"? Now, did I get that down correctly?

JUDGE COLES: Yes, "and made a statement".

THE WITNESS: Yes, that's correct.

- Q. MR. GRIFFITHS; Now, that is absolute nonsense. -
A. No, it isn't.
- Q. You would have seen a fellow officer using a truncheon and you would have gone up to your Sergeant, tapped him on the shoulder and said, "Sergeant, that officer, one of our team, has used a truncheon"? Now, come on, tell the truth. Are you telling the Jury that you would have gone up to your Sergeant and told on a fellow officer, got him into trouble? - A. If not there and then, then afterwards. If there was unnecessary use of that truncheon I would have informed my Sergeant or supervisory officer, yes.
- Q. How many times in the course of your service have you told on any officer essentially to get him into trouble? - A. I have had no need to.
- Q. JUDGE COLES: Have you ever done that? - A. No.
- Q. MR. GRIFFITHS: Have you ever played rugby? - A. No.
- Q. Soccer? - A. Yes.
- Q. It's exactly like one member of a team wishing to foul up some dirty play on behalf of his own fellow member, going up to the referee and saying, "Oh, send my"
- JUDGE COLES: Well, that happens all the time.
- Q. MR. GRIFFITHS: Now, come, officer, tell the truth. Will you retract what you say to Mr. Mansfield, "If I had seen any officer using a truncheon that day I would have reported it to my Sergeant"? - A. I won't retract that at all, no.
- Q. I suggest you are telling the Jury what you feel ought to be said as opposed to the reality
- Q. JUDGE COLES: This is what is really being put, officer: You told Mr. Mansfield that you had not seen truncheons used? - A. That's correct, sir.
- Q. And if you had seen them used you would have disapproved of it being used unnecessarily? - A. Yes.
- Q. And when you were asked questions about Police tactics it was put to you that it was recognised procedure not only to draw batons but to use them to incapacitate wrongdoers? - A. That's correct, yes.
- Q. Now, what is being suggested to you by Mr. Griffiths is that those two propositions are incompatible. If it's all right to use batons to incapacitate wrongdoers why would you report the matter if you saw a Police Officer

using a truncheon to strike a stone thrower who is a wrongdoer? - A. My apologies, sir.

- Q. Would you explain? - A. Yes. With respect, I would not report to my supervisory officer with regard to a Police Officer striking a stone thrower because that is not wrong, but with somebody using unnecessary force on another person who has not done anything wrong, then, yes, I would have reported it.
- Q. MR. GRIFFITHS: How would you know, unless you have eyes in the back of your head, when you saw another officer striking a person whether that particular officer had seen that person throwing stones? - A. That's something I would have to be very careful about. If possible, that is what I would have to be very careful about, not to make false accusations like that.
- Q. I am suggesting you are simply not telling the Court frankly and honestly the truth when you answer that question. - A. I am telling the court the truth with regard to that matter.
- Q. Another matter I am concerned about, officer, is this: Before you came, you and Police Constable Norris give evidence as to the arrest of Mr. Crichlow. Now, at no time during the course of your evidence did you need to refresh your memory from any document until an actual statement was put to you. Is that right? - A. That's correct, yes.
- Q. Now, normally in a case you would have, of course, referred for conversations and the like to a notebook, wouldn't you? - A. Yes.
- Q. How many times have you given evidence in the past when you have asked the Judge or Magistrate, "May I refresh my memory from my notebook?" - A. Depending on the size of the conversation, a few times, yes.
- Q. Quite a few times, and, just so the Jury know what happens, a Police Officer asks a Magistrate or the Trial Judge if he may take his notebook out and refresh his memory. That is, basically, what happens? - A. It is.
- Q. You didn't do that, did you? - A. No.
- Q. You didn't make any notes, but your notes are a statement you made? - A. Yes, that's correct.
- Q. Now, you were able to rattle off to the Jury the precise words - I wasn't checking, but I am told they are the precise words which were allegedly said a year ago by Mr. Crichlow. - A. Yes.
- Q. Without referring to anything? - A. Yes.
- Q. Now, do we take it that at home, or somewhere, in your

- bed, or somewhere, you have rehearsed what he said so you were able to tell the Jury a year later what he did say? - A. No. You can take it I saw my statement when I came to work and I remember as much as possible.
- Q. A little bit more than that? - A. No, it isn't.
- Q. You must have sat down, thought, "I must remember this", you must have gone over it more than just quick reading? - A. Of course I did, yes.
- Q. So, you went through that statement and rehearsed what you were going to say? - A. I tried to remember as much facts as possible. It's a more professional approach to remember facts without having to refer to notes.
- Q. Looks better to the Jury? - A. It looks better, professionally, to the Court.
- Q. I am getting at what you answer, but do we take it you went over that statement on a number of occasions, memorising it, so you were able to rattle off what he allegedly said? - A. I just refreshed my memory with the statement, yes. I have been here five days. I had no idea when I was coming into court. Every day I checked my statement to make sure I do know what I'm saying when I do come into court.
- Q. That is precisely my concern. It is something I put to the arresting officers of Mr. O'Brien: Is it the case that you have been giving to the Jury, parrot fashion, a version you and Norris came to decide upon as to what had happened as opposed to the truth? - A. The truth is what we put in our statements, which is what I read out to the court.
- Q. Before coming to Sheffield, did you discuss with Mr. Norris what you remember happening before you gave evidence? - A. We didn't remember a great deal without referring to our notes.
- Q. You refer to "we". Do we take it you and Mr. Norris at some point - you are working in the same Police Station - whether it was over a pint or on duty or socially, that you have come together before giving evidence to discuss what you were going to say to this Jury? - A. We did talk about the case, yes.
- Q. Now, this push of this person - do you remember mentioning that to my learned friend? - A. On the first charge, yes.
- Q. Now, he didn't fall over? - A. Not to my knowledge.
- Q. No injury caused to him? - A. No.
- Q. Amongst all the other things that happened that day, it was all absolutely of no consequence at all? Am I right? - A. Yes. As I said yesterday, the only two occasions

I came into contact with any other person apart from a Police Officer, were those two occasions, so I remember them. That's all there is to it.

- Q. What you remember is pushing aside a person who was not injured, you never spoke to him, it was over in less than half a second. You honestly say that was of sufficient importance that you remember it a year later? - A. Yes, I do remember it.
- Q. Did you put it in your statement? - A. No, I did not.
- Q. Now, this may be a matter of some importance, officer, this brushing aside of a person. I am not taking you to task for doing that. What I am interested in is why you, a year later, can remember such an inconsequential matter now
- Q. JUDGE COLES: Well, can you remember why you remember? - A. No, sir. I can remember several inconsequential matters regarding that day. There are things that just stick in the mind. I can't explain why or how, but they do. I'm sorry.
- Q. MR. GRIFFITHS: Did you ever discuss, at any time, with Mr. Norris, this pushing past a Police Officer? - A. No.
- Q. So, you say you have never discussed it with Mr. Norris at any time? - A. Not to my recollection, no.
- Q. This is something that just happens to stick in your memory? - A. It sticks in my memory, yes.
- Q. Or could it be, I put it to you because comment may be made later, could it be that you volunteered that because Mr. Norris mentioned it to you, that he had told the Jury that you had come into contact with a person? - A. Since coming up to Sheffield I have had no conversations with P.C. Norris as regards this case at all.
- Q. While he has been giving evidence? - A. As regards this case I have had no contact with Constable Norris since he set foot into the witness box. I have had to stop at the same hotel.
- Q. Are you quite a friend of Mr. Norris? - A. I've worked with him for two years. We are working colleagues.
- Q. You stayed at the same hotel? - A. Yes.
- Q. JUDGE COLES: Since he gave evidence? - A. Yes, sir.
- Q. MR. GRIFFITHS: In the same room? - A. No.
- Q. So, can we get, approximately, a time-span? I cannot now, on my feet, remember precisely the days that Mr. Norris was giving evidence, but do we take it that while he was giving evidence, each night he would be going back and staying in the same hotel as you were? - A. On just one

night, yes.

- Q. And when he had completed his evidence did he remain at the hotel, or what? - A. He stayed at the same hotel, yes.
- Q. After he had completed his evidence? - A. No. He went straight back to Birmingham, I think. Well, as I came in the afternoon and I went back to headquarters, he had gone by then. I hadn't seen him at all that day.
- Q. JUDGE COLES: Don't rush it. I have two notes, what I think was said, but I don't know whether it was said or put. You stayed in the same hotel? - A. Yes, sir.
- Q. With Mr. Norris? - A. Yes.
- Q. For one night? - A. Yes, sir.
- Q. While he was giving evidence? - A. He was in the process of giving evidence.
- Q. And did you discuss his evidence with him that night? - A. No, sir.
- Q. Did he tell you what he had said that night? - A. No, sir.
- Q. The following day, he continued with his evidence? - A. Yes, sir.
- Q. Now, did you stay that night with him? - A. No, sir. I haven't seen him at all since the first night he gave evidence.
- Q. So, when he had given evidence he went back home and you have not seen him since? - A. At no stage, sir, no.

MR. GRIFFITHS: Your Honour, on my feet I have been unable to check at what stage that particular matter came up.

JUDGE COLES: I am not blaming you. It was just my note was unclear.

MR. GRIFFITHS: Certainly. Your Honour, for your Honour's assistance, my recollection is that that pushing incident was testified to by Mr. Norris in-chief. That is my recollection.

JUDGE COLES: Well, I don't remember. We can look it up, but you have this witness's evidence. Whether you accept it or not is another matter. Don't feel inhibited by the fact I have made enquiries of him.

MR. GRIFFITHS: In-chief, your Honour, so it would have been earlier than

MR. KEEN: Your Honour, that recollection concurs with my note

JUDGE COLES: Yes. Thank you. It was in-chief.

MR. GRIFFITHS: Yes. I am grateful:

Q. Officer, so that you understand, and I am giving you an opportunity to deal with this now, what I am putting to you is this: I am not a fly on the wall. I put it to you because it has occurred to me as a matter you ought to deal with. I am told it was in chief, during the course of his evidence, when asked by my learned friend, Mr. Walsh, which was on Tuesday

JUDGE COLES: It was last Tuesday morning.

Q. MR. GRIFFITHS: Last Tuesday morning, your colleague mentioned about you pushing another person in the course of one of these charges. Now, I take it that you certainly were staying in the same hotel that night as Mr. Norris, the following night, it must follow? - A. Yes.

Q. And you now, voluntarily, in-chief, what I would submit is something inconsequential, something you have not a note about, have you? - A. No.

Q. You can remember, if you haven't spoken to Mr. Norris, if he hasn't forewarned you, like I told the Jury, you pushed somebody. How is it that you can remember that little incident just like that? - A. I have not been forewarned by Mr. Norris at all.

Q. Do we take it your evidence is - I make no comment - you stayed in the same hotel, talked to each other? - A. Yes.

Q. Spent time with each other? - A. Yes.

Q. Good friends? - A. We have worked together for two years, not good friends.

Q. No way, do you say, Mr. Norris forewarned you as to what you were to say? - A. Not at all, no.

Q. I think I ought to put this, as I am on my feet and Mr. O'Connor is not here: Is it possible he not only, I suggest, might have mentioned that, forewarning you about the pushing incident, but he told you as to where he said Mr. Crichlow was supposed to have ended up on the deck? - A. He most certainly did not. At no stage did we converse with regard to this case whilst we were in Sheffield.

MR. GRIFFITHS: No further questions.

Re-examined by MR. WALSH:

Q. Just a few matters. You have told the members of the Jury about the training that you received and we have heard about four-man teams? - A. Yes, that's correct.

- Q. And this morning you have told my learned friend, Mr. Griffiths, about your four-man team. Once you started moving up towards the pickets was it possible to keep that strict training in force? - A. No.
- Q. So, did the four-man teams remain together or not? - A. No, no. We did split at that time.
- Q. Yes, and again this morning you have been asked something about the manual of tactics? - A. Yes.
- Q. And part of that manual says that you can incapacitate people in certain circumstances? - A. Yes.
- Q. I just want you to envisage these circumstances, if you would, that being allowed to incapacitate, you saw officers striking throwers. Do you understand? - A. Yes.
- Q. With their staves. Would there be any reason why you should not tell the Jury of that, if you had seen it? - A. No, none at all.
- Q. Has anyone told you not to say that? - A. No, nobody at all.
- Q. Now, we understand from your evidence that you have been to Orgreave both before and after the 18th June? - A. Yes, that's correct.
- Q. In connection with the miners' dispute? - A. Yes, that's correct.
- Q. Do you remember now on how many occasions you have been to Orgreave prior to the 18th? - A. It would be a rough guess, sir. I would say five or six times.
- Q. Is it possible now to remember the dates? - A. No, sir, I'm sorry.
- Q. JUDGE COLES: Five to six times? - A. Yes, sir.
- Q. MR. WALSH: And on any of those occasions, had you gone over the bridge? - A. No.
- Q. So, it follows from that that the 18th was the first occasion when you had gone over that bridge? - A. The only occasion, yes.
- Q. When you say, "the only occasion", after the 18th, when you went back to Orgreave, you stayed down by the coking plant? - A. Yes, the holding area, yes.
- Q. I want to ask you now about the time when you were behind the cordon. That is just before the bridge. Bring that to mind. You have been asked a number of questions about that. I wonder if you can try and describe to the Jury in your own words what it felt like, to be at that position at that time? - A. Apart from being tired, very, very frightened. In my eleven years in the Service I have never

been as frightened as I was on that day, June 18th. I have never seen violence like it in my life and I was quite frightened.

- Q. A time then came when you moved through that cordon across and over the bridge? - A. Yes, that's correct.
- Q. Once you had just got across the bridge, what was the situation like ahead? - A. There was a large number of pickets who were continuing to throw missiles towards the Police line, i.e., towards us.
- Q. Were your feelings any different at that time? - A. I was just as frightened, more so, because I hadn't a long shield parading in front of me to protect me.
- Q. I wonder if you would just take that, please, Exhibit 9, the album of photographs, and turn to photograph number five? That is a photograph before you get over the bridge, looking up towards it, and do you see the two motor cars to the left of the bridge? - A. Yes.

JUDGE COLES: Which bundle?

MR. WALSH: Exhibit number nine, your Honour, photograph number five.

JUDGE COLES: You are referring to two motor cars?

MR. WALSH: Yes.

- Q. Does that embankment come to mind? Have you seen that photograph? - A. I do remember people being on there, yes.
- Q. That's what I want to ask you about. You remember people being on there. What were those people doing? - A. They were missile throwing, coming from that direction towards us.
- Q. If you would like to put that down, please, I want you to have a look at another photograph which was shown to you, I think, by my learned friend, Mr. O'Connor, which is Exhibit 49. (Handed) Now, it is my recollection that you pointed out on that photograph the place where Mr. Crichlow was, but I don't think all of us saw where you pointed. Can you do it again, please? Just hold it up so we can all see where you say he was. - A. The wall there. He was on the kerb-side, just there, which is the other side of the left-hand pillar as you look towards the front of the house.
- Q. May I just see that, please? (Handed) Now, you were shown another photograph by my learned friend, Miss Russell. Just have a look at this, Exhibit 45, would you, please? Photograph eleven. (Handed) Do you have that? - A. Yes, I have, yes.
- Q. You were asked a number of questions about that photograph and, of course, it is a view in the opposite direction from that which you came? - A. Yes, that's correct.

- Q. Did you ever have a view like that? - A. No, at no stage.
- Q. So, does it help you at all when trying to assist this Jury as to what was happening and where things were happening? - A. Not really, no.
- Q. My learned friend, Miss Russell, also asked you about a movement forward and she was also using the word "charge" by the pickets once you were over the bridge. Do you recall? - A. Yes, I do.
- Q. And you said that you had seen a movement forward by the pickets. Is that right? - A. Yes, that's correct.
- Q. Now, again, in your own words, please can you tell the Jury exactly what you recall of that movement forward by the pickets? - A. As I say, most of my attention was drawn to the prisoner that we were dealing with and just out of the corner of my eye, it was just a movement of people from my left towards me, didn't seem too fast a movement, didn't seem a run or a charge, just a noise of a movement towards me, that's the only way I can describe it, really.
- Q. That is out of the corner of your eye? - A. Yes.
- Q. Were you able to see what happened to those moving forward once they had passed out of your vision? - A. No, I didn't.
- Q. So, there is no point in me then asking you how their numbers altered, stayed the same or increased? - A. No, I'm sorry.
- Q. You just can't help us? - A. No, I'm sorry.
- Q. Now, I want to ask you these two questions, I hope, about Mr. Crichlow's condition. He was taken to hospital and released from hospital? - A. Yes, that's correct.
- Q. And his condition at that time has been put to you, so perhaps you can help. When you have a prisoner at a hospital can you just walk away from that hospital with the prisoner? - A. Not without the hospital's permission, no.
- Q. So, given this example, Mr. Crichlow being at the hospital, receiving treatment. After that treatment, can you take him away without the Doctor's permission? - A. Not really, no. Unless the Doctor is satisfied that the man is capable of being discharged, then he stays there.
- Q. And did you take him away from hospital on this occasion without treatment? - A. No, we did not.
- Q. We are told, and I understand eventually we are going to hear evidence, that in your PSU booklet there is no reference to Mr. Crichlow's injury. Did you fill that book in? - A. No.

- Q. Were you trying to conceal Mr. Crichlow's injury from anyone? - A. No, at no stage. It would have been a futile move.
- Q. You say "a futile move". I just want to ask you about that. When someone is arrested and their details are entered upon a detained person's sheet, do those details include the names of the arresting officer or not? - A. Yes, it does.
- Q. So, if it is found that an arrested person has an injury, is there any difficulty in finding out who arrested him? - A. Not at all, no.
- Q. I just want to ask you about another photograph, Exhibit 30, number eight. Probably the people in this Court don't even need to pick it up - it is the blurred photograph. Do you recall it? - A. Yes, I do, yes.
- Q. Very well. You were shown that photograph, as I understand it, before you came to Court? - A. Yes.
- Q. And you were asked questions about that by my learned friend, Mr. Mansfield? - A. Yes.
- Q. Is this right? You had originally taken the view that that was prior to going over the bridge, that photograph? - A. My impressions were, yes.
- Q. When you were shown that photograph before coming into Court, did anyone show you any other photographs of the scene in order for you to get your bearings? - A. I didn't/ see any more photographs, no.
- Q. You see, we have the advantage of Exhibit 9, the album of photographs. Did you see those? - A. I haven't seen any further photographs apart from that one.
- Q. Very well. Finally, you have been asked today about being able to remember that which Mr. Crichlow had to say to you. When you were making your statement were you able to recall what Mr. Crichlow had said or not? - A. Yes, we were.
- Q. Were you then writing down anything that was untrue? - A. At no stage, no.
- Q. You see, this is what is put. It is put that a short time after the arrest you have written down lies about the conversation that took place. Do you understand? - A. Yes. That's nonsense.

MR. WALSH: Your Honour, he was asked a number of other questions about the statement. It was shown to him. It is my belief that that should now be made an exhibit.

JUDGE COLES: Yes, certainly. That must be right, and that takes us to exhibit?

MR. WALSH: It should be Exhibit 52.

JUDGE COLES: Yes, that's right.

MR. WALSH: I have no further questions for the officer unless your Honour has?

JUDGE COLES: No, thank you.

POLICE CONSTABLE WILLIAM JAMES GAYLE Sworn

Examined by MR. WALSH:

- Q. What is your name, please? - A. William James Gayle, Constable 6365C, Merseyside Police.
- Q. Mr. Gayle, I want to ask you about last year, the 18th June. On that day, were you at Orgreave? - A. I was, sir, yes.
- Q. And I think, if I might say so, I can already detect you are going to speak quietly. Can you keep your voice up because the Jury must hear, as must the Accused? - A., Yes, I'm sorry.
- Q. On what day did you go to Orgreave? Was it the 18th or the day prior to that? - A. We started the support unit duties on the Sunday afternoon, the day before, and we stayed overnight at a barracks and were deployed to Orgreave on the Monday morning.
- Q. Do you know the time at which you arrived at Orgreave? - A. Unfortunately not, sir.
- Q. Did you arrive in some transit vans? - A. We, at that stage, were using transit vans. However, we did have one other vehicle which could well have been a mini bus.
- Q. Where did you park? - A. I don't recall. We were a short distance away from where we were actually deployed.
- Q. When you arrived at Orgreave were you immediately deployed or was there some space of time? - A. No, there was a space of time. How long there was, again, I just can't remember. I'm sorry.
- Q. From where you were parked, were you able to see anything of that which was happening? - A. No. We were parked down the side, sir. I believe it might have been by the canteen area of the coking plant. From where we were, we were unable to see anything of what was going on, I'm afraid.
- Q. What were you wearing at the time you were just waiting with the vehicles? - A. I would be wearing what I am wearing today apart from a blue shirt, normal Police uniform.

- Q. Did there come a time when you had to leave your vehicles and go to where the action was? - A. Yes, we were requested to attend, yes.
- Q. And when you received that request, what did you wear then? - A. Again, we didn't have protective uniforms, but the uniform I am wearing now is what I was wearing at the time. However, I was equipped with protective head gear, that being a blue NATO-type helmet that we were issued with.
- Q. Did you have any other equipment with you when you first left your vehicles? - A. A number of officers had small riot shields. However, out of a contingent of, I believe, 25, there must have been only about seven short shields.
- Q. That is your PSU? - A. As a contingent, yes.
- Q. What about your staff? As you left the vehicles to move forward, was that drawn or in your pocket? - A. No. It would be in my side pocket.
- Q. Well, equipped in that way, where did your PSU go? - A. We went to the back of the Police line.
- Q. JUDGE COLES: You didn't have one of the short shields? - A. No, sir.
- Q. MR. WALSH: So, you went to the back of the Police line? - A. Yes, that's correct.
- Q. It may help us in establishing times if you can assist with this: Were you aware of when lorries were entering and leaving the plant? - A. No, sir.
- Q. What was the state of the Police line when you got to it? - A. It was quite a large Police contingent at that particular location. All I can remember was that they weren't equipped with the kind of protective head gear that we were. They had their normal Police helmets and, I believe, at the time they weren't using riot shields on that cordon.
- Q. The Jury know there is a field and a road alongside. Where was the cordon in relation to those two places? - A. The cordon was stretched right across the road area.
- Q. What about the field? - A. I can't help you there, I'm afraid.
- Q. Very well. Well, help us with this, would you, please? What was happening on the other side of the cordon? Could you see? - A. I couldn't really see people throwing or anything at that stage because of the Police line. However, I was aware that missiles were being thrown and Policemen were being hit.
- Q. And why were you aware of that? - A. Because there were bobbies falling over injured and going back for medical attention.

- Q. When you got to the cordon, what did you do? - A. We waited for a short time for instructions there. We didn't have personal radios. An Inspector of the contingent had the radio and I presumed he received instructions and we were told to make a way through the Police cordon.
- Q. Just pause there....
- Q. JUDGE COLES: Did he tell you? - A. The Inspector did, sir, yes.
- Q. MR. WALSH: What is his name? - A. Mr. Owens.
- Q. Mr. Owens? - A. Mr. Owens, yes.
- Q. JUDGE COLES: Told you to make your way through the line? - A. That's correct, yes.
- Q. And? - A. Advance to a stage where he would tell us to stop.
- Q. MR. WALSH: Would you keep your voice up, please?
A. I'm sorry. I apologise.
- Q. JUDGE COLES: Advance? - A. Until he told us to stop. That was my recollection at the time, sir.
- Q. MR. WALSH: Were you told what to do during the course of the advance? - A. Just to make ground, at this stage, I believe was the instruction.
- Q. Did you do that? - A. Yes. When the cordon opened we filtered through and when we were on the other side we made an advance of about 30 yards.
- Q. Road or field? - A. Road.
- Q. Were there any other Police units involved in that? - A. I believe it was only my own unit of 25 Policemen.
- Q. Until you got through that cordon you couldn't see what was going on? - A. That's correct, yes.
- Q. Once you got through you obviously could see the scene that greeted you as you got through the cordon? - A. Yes. I could see up an amount of people I believed to be about 3,000 in the road ahead, on the left, mainly straight ahead and some on the right. At this stage they had retreated when we ran and then when we stopped they stayed. We were getting hit by stones at that time and other obstacles were being thrown at us.
- Q. So, you go through, they retreat? - A. And we held the line.
- Q. Then, you held the line, and at this stage you are being stoned? - A. Yes. The rear cordon was supposed to keep up with us, the main cordon of Policemen. However, they

didn't go as far as we thought they were going to, so we went back to meet them rather than get cut off.

- Q. Yes, and in what manner did you go back to re-join the cordon? - A. We walked backwards towards them so as we could see things being thrown at us and avoid them.
- Q. When you got to the cordon, whereabouts did you go? - A. We filtered through as best we could, back again.
- Q. Once you had filtered back through, what had happened to the position of the pickets?
- Q. JUDGE COLES: Well, could we just establish where the cordon had moved? - A. The cordon had moved a very short distance, sir, not as much as we expected it to.
- Q. MR. WALSH: I think you said it had moved forward not as far as you had gone and that is why you had to go back and join them?
- MISS RUSSELL: "A very short distance", he actually just said, the cordon had moved up a very short distance.
- Q. JUDGE COLES: Is that right? - A. They were the words I used, yes.
- Q. MR. WALSH: Is that the only time you carried out that sort of manoeuvre? - A. No. We did make another advance, possibly two more.
- Q. I'm sorry - say that again. - A. We did make one more advance, possibly two more.
- Q. Were those advances any different to the one you have described? - A. The one that immediately springs to mind was the cordon opened, mounted officers went through, we followed the mounted officers through the Police cordon and advanced.
- Q. Yes. Are you aware there is the bridge as one goes up in the direction you were going? - A. That was where this advance was to make up to.
- Q. So, we are still below the bridge, but this advance with the horses is to take you up to it? - A. Yes.
- Q. Was there anything in your path as you made that journey up? - A. Yes. On this one we had gone further than we had gone before. There was a number of things immediately recognisable in the path, particularly a motor vehicle was in the centre of the road. I can't remember what type of vehicle. It appeared to be a scrap one.
- Q. Pause for a moment. I'm sorry. I am asking you now about before you get to the bridge. - A. Yes. I can't honestly say, but we did experience them on this particular advance.
- Q. JUDGE COLES: Does that mean you must have gone some distance beyond the bridge? - A. That's correct, sir. On this advance we did actually finish up over the bridge.

MRS. BAIRD: I'm afraid I missed that.

JUDGE COLES: "We did finish up over the bridge on this advance".

MRS. BAIRD: I'm obliged.

Q. MR. WALSH: In relation to the motor vehicle, whereabouts did you stop? - A. About perhaps 40 yards ahead of the motor vehicle. It's hard to remember the distances, but we did go past the motor vehicle.

Q. You will have a bundle of exhibits, photographs, there, Exhibit 21? - A. Yes.

Q. Just turn to photograph 10, would you, please? - A. Yes.

Q. Do you see the motor vehicle there in the road? - A. Yes, that's the one.

Q. You said what? - A. That's the vehicle I was talking-about.

Q. That's the one? And you had gone past that? - A. Yes.

Q. When you halted? - A. Yes.

Q. Can we see on that photograph how far you had gone? Can you help us? - A. That would be where we stopped, where the line of Police Officers is now.

Q. JUDGE COLES: Where the two officers are in that photograph? - A. Yes, that's correct, sir.

Q. MR. WALSH: Did you remain in that position? - A. For a very short time, yes.

Q. We can't see from that photograph what is on the other side. What was the scene greeting you when you were in a similar position? - A. When we were at that location again we were being hit by missiles that were being thrown at us from the left, from the centre of the road and also, I believe, from the right.

Q. JUDGE COLES: You are suggesting from the right was rather less than the centre? - A. As I recall, sir, yes.

Q. MR. WALSH: You say you were there for a short time? - A. A very short space of time.

Q. Where did you go then? - A. Another advance which we made would only have been quite a short distance from I went to the left-hand area where I could see a number of males throwing.

JUDGE COLES: Might that be a convenient moment to have our break?

MR. WALSH: Yes, of course.

(Short Adjournment)

- Q. MR. WALSH: Mr. Gayle, you were just telling the Jury about a movement up the road preceded by horses that left you towards the top of the road on photograph number ten. Is that right? - A. Yes.
- Q. That movement forward that you have described, where had it started in relation to the bridge? - A. It's hard to say, obviously, but I would say we would have been on the far side of the bridge on the roadway.
- Q. Can I just make sure I understand that? Are you saying that that movement started when you were already across the bridge or that it started before you moved over it? - A. The advance that we made past the vehicle, you mean?
- Q. Yes. Was there one side of the bridge over there where the Police cordon was, at the back of the bridge, up over the top
- Q. JUDGE COLES: There was an advance to the back of the bridge by the cordon? - A. We had advanced to the bridge, sir, and had to fall back and on this particular one we advanced from before the bridge over, to over the crown of it.
- Q. This last advance that we are now talking about, the one that takes you, looking at this photograph, to about the brow of the hill, what happened to the main cordon? - A. They were falling behind, I presumed. I wasn't taking much notice of them, to be honest.
- Q. Once you halted that advance, what did the pickets do? - A. Well, all the time we were under a barrage of stones from the very outset and that had only ceased as we were advancing. As soon as we stopped the barrage would continue again.
- Q. And how far away from you, approximately, were the nearest pickets? - A. 20 yards, I would say.
- Q. Is that throughout? - A. No, sir. That is after this advance that I was prior talking about.
- Q. After the final advance? - A. Yes, sir.
- Q. MR. WALSH: But, once you were towards the brow of the hill, did the pickets remain in that position in relation to you? - A. At that stage, yes.
- Q. You say, "At that stage". Did there come a stage when they altered their position? - A. Yes, when we went further forward.
- Q. Again, just have a look, would you, please, at photograph ten in Exhibit 21? You see the officers at the top there? - A. Yes.

- Q. Do you mean when you moved on from that sort of position?
- A. Yes.
- Q. What brought about that movement forward by yourselves?
- A. We were being we had missiles being thrown at us all the time.
- Q. Had you just moved forward of your own volition or had there been some sort of order? - A. At that stage, we had re-grouped and we went then - you see, there was an area to the left which we were particularly being bombarded from
- Q. JUDGE COLES: I think I am being very stupid, but I can't quite follow this. Photograph 10? - A. Yes, sir.
- Q. Showing a line of officers at the top of the hill? - A. Yes, sir.
- Q. To get to that position you had started from the coking plant side of the bridge? - A. Yes, sir.
- Q. When you left the coking side of the bridge, presumably you mean there was a cordon there? - A. Yes.
- Q. Further down than where / ^{the} Police Officer is? - A. Yes.
- Q. Round the corner, perhaps? - A. Yes.
- Q. But, it was from that position that there was an advance of the short shields behind the horses? Is that right?
- A. We made perhaps two advances before the horses were used, sir, and on this occasion, the first occasion in particular, we had to drop back, so as such the advances that we made weren't for any great distance.
- Q. It follows that the second advance, on that you didn't have to drop back? - A. They came and met us there, sir, yes.
- Q. Does it follow it is past the cordon, somewhere short of the bridge, or at the bridge? Which? - A. I would say possibly at this stage they were still short of the bridge and after that I can't honestly say, sir, whether they did actually cross the bridge.
- Q. So, a third advance with horses to the brow of the hill? Is that correct? - A. Yes, sir.
- Q. Now, you are being asked, and I'm sorry to interrupt, by Mr. Walsh about the advance, moving forward again after you had re-grouped in the position shown in photograph ten? - A. That's correct, sir, that was my view of events.
- Q. And you were talking about missiles from the left? - A. That's correct, yes.

- Q. MR. WALSH: Just have a look at another album of photographs to see if it helps you, Exhibit 9. Just have a look at photograph eight. Do you have that? - A. Yes.
- Q. That is taken a little closer to the brow of the hill than the one you were previously looking at. Do you recognise that scene? - A. I do recognise it. It's my memory is very vague, you know.
- Q. Have you ever been back to Orgreave since 18th June? - A. No, sir.
- Q. Now, would you turn, please, to the next photograph, photograph number nine? That is a photograph which is taken from about the brow of the hill. Did you ever see that scene? - A. Presumably so, yes.
- Q. Well, does that help you to place the pickets? - A. It only shows me the road area. There was an area to the left of that which is where I particularly made to, some small factory unit, if I remember rightly.
- Q. Have a look at photograph number ten, then. That is looking in the opposite direction, from some crossroads, towards the brow. - A. Yes.
- Q. You see on the right-hand side that there is a verge and then some, what appear to be factory units? - A. Yes.
- Q. Does that help you? - A. That is the area on the left I am talking about, yes.
- Q. You were telling the Jury about being stoned and did you say that the main part was coming from the left? - A. Not necessarily the main part, but the most damaging part was coming from the left.
- Q. Just on the left? Were they on the road, the verge or in the factory premises? - A. Some were on the verge and some were in factory premises.
- Q. Did you notice anyone in particular? - A. Yes, Mr. Coston, the Accused.
- Q. I'm sorry? - A. Mr. Coston.
- Q. Now, where was he when you first saw him? - A. He was on the left-hand side of the road by the verge.
- Q. Does that mean on the road or on the verge? - A. No, on the left-hand side, off the road.
- Q. JUDGE COLES: So, on the verge? - A. Yes, sir.

MRS. BAIRD: If I can be clear, I think he said, "Off the road", then, "On the road".

JUDGE COLES: What he said was he was on the left-hand side of the road by the verge and then he was asked, "Do

you mean on the road or off the road?", and he said, "Off the road".

Q. MR. WALSH: Was he on his own or with others? -
A. No. There was a group of them.

Q. Just dealing with him first, what was he doing during that particular time? - A. During that particular time I was watching him he had thrown a number of obstacles at the Police line.

Q. JUDGE COLES: You had seen him do that, had you?
- A. Yes, sir.

Q. MR. WALSH: You call them "obstacles". Were you able to see what he had thrown? - A. No, sir.

Q. Did you see where he had got an object from, if I can use that word? - A. There was amounts of stuff - I saw stuff all round the place. I can't exactly state what the objects are, but there was plenty of throwable material around the whole area.

Q. And the objects that he had thrown, did you see where they went? - A. They were coming directly at the Police line. If you can imagine there were people throwing in front at the Police line which you could really - a lot of which was going on over us, but from the side they were coming right across the Police line.

Q. That is what you saw him doing. What about the group that he was with? What were they doing? - A. They were all acting the same, sir.

Q. How large a group are we talking about? - A. It's hard to say. There were small, sporadic groups on the left-hand side.

Q. Small, sporadic groups? Keep your voice up. - A. Yes, and larger groups all over the area because there was quite a lot of people there, as I said before.

Q. Was Mr. Coston in any recognisable group or not? -
A. They were very recognisable, the group Mr. Coston was in.

Q. I want to know about that group. - A. I saw a number of people in the group. I can't say - it wasn't a large group of people, but there were articles being thrown by that group at the Police lines and I just fixed myself on Mr. Coston at that stage.

Q. Pause there. Now, did a time come when you moved forward?
- A. Yes.

Q. And when you moved forward where did you go? - A. For Mr. Coston.

- Q. Why were you making for him? - A. Because I particularly had seen him doing something.
- Q. As you start to move forward, what does Mr. Coston and his group do? - A. They ran in the opposite direction or they ran away from us.
- Q. He is on the verge. What did he run along? - A. He went away from the roadway down in towards the factory units on the left-hand side.
- Q. Did any others run in the same direction as him? - A. Yes.
- Q. Did you catch up with him? - A. Yes, I caught Mr. Coston climbing over a wire fencing at the rear of a yard area, which I believe it was.
- Q. From the time you see him throwing objects until the time you catch up with him, had he ever been out of your sight? - A. No. No. I made immediately for Mr. Coston. I never took my eyes off him. I ran past a number of other people in the chase for Mr. Coston, who I could easily have caught, but, you know, there was no point, at that stage, in looking anybody else up that I hadn't seen doing anything just because they couldn't run faster than myself. I just made straight for Mr. Coston.
- Q. What did you do when you caught up with him? - A. He was halfway over the wire fencing when I caught him. I brought him back over the fence, told him he was being arrested and cautioned him.
- Q. Did you tell him what offence you were arresting him for? - A. At that stage I must admit, no, I just told him that he was being arrested.
- Q. Did Mr. Coston make any reply? - A. Yes, he said, "We've got to stop the wagons. You have to earn a living".
- Q. What did you do with him then? - A. I marched Mr. Coston from the area on the left-hand side through the advancing Police cordon, down to the Police room which I believe is at the coking centre itself.
- Q. Did there come a time when you told him for what offence he was under arrest? - A. I believe I did tell him at the Police room what offence it was.
- Q. What offence did you tell him? - A. Unlawful assembly.
- Q. Don't let your voice drop. - A. Unlawful assembly, I'm sorry.
- Q. And at the Police room were both yourself and Mr. Coston photographed together prior to going into the Police room? - A. There was, as you can imagine, quite a queue of Policemen waiting to enter the room and have photographs taken.

- Q. Yes. Just have a look at this photograph, please.
(Handed) Is that a photograph of the pair of you? -
A. Yes.
- Q. Just let his Honour have a look, would you? (Handed to Judge)
- If I can now just hold that up for the members of the Jury.
Now, having taken Mr. Coston there, what happened next? -
A. Mr. Coston was processed, mostly by the Police that
were situated there to do that specific task and I then
stayed in the building and made my statement.
- Q. Do you now recall where you went in the building to make
your statement? - A. I think it was the C.I.D. department
that was being used by that stage, at the building used by the
C.I.D.
- Q. Could you tell the Jury, please, how you made your statement?
- A. It was a written statement by myself and in my own
hand-writing. The first part of the statement, the location
around the site we were, was partially dictated by an
officer present. I had no indication at all of what the
road names or whatever, at that stage, was, and at the very
start of the statement we dictated - it was dictated by
the C.I.D. officer, and then the incidents leading from
the area were all my own.
- Q. And after making that statement, what did you do next? -
A. I went back to my unit and we left Orgreave.
- Q. Where were they when you rejoined them? - A. The van had
been moved to the back of the building that was being used
by the Police.
- Q. JUDGE COLES: You didn't see any more action? -
A. No, sir.

MR. WALSH: Yes. Thank you.

Cross-examined by MRS. BAIRD:

- Q. Mr. Gayle, I am asking questions on behalf of Mr. Coston.
Would you mind standing for a moment, Mr. Coston?
(Defendant Stands) There he is, well recognisable from
his photograph with you, I think? - A. Yes.
- Q. Can I just ask you to observe and agree with me that
Mr. Coston is quite a big man? - A. Yes.
- Q. Considerably bigger than you? - A. I would say so, yes.
- Q. Yes, thank you. How long do you think you were in action
that day? - A. A very short time.
- Q. A very short time? - A. Yes, a very short time.
- Q. Can you give us an estimate? I think you have been precise
about times at one stage, the time you arrested him is
precisely recorded on the Detention Sheet. - A. I presume

so. As to actual times during the day, I'm afraid I can remember very little timewise.

Q. Yes. I appreciate that you can remember very little about times. You have made that clear to my learned friend.
- But, have a look at this, or if you like just take it from me - it says, "Time and date of arrest" on this Detention Sheet, "11.23". - A. That was not written by me. I would presume that at that time - can I ask you what time it was that the prisoner was actually booked in at the Police Station?

Q. Yes, certainly....

JUDGE COLES: Keep your voice up, please.

Q. MRS. BAIRD: "Time of arrival at Police office 11.28".
- A. Well, the Sergeant has obviously asked me at this stage how long it has taken me to walk from the scene of the arrest down to the actual Police office and I've said to him, "Five minutes", and he then said to me, "So, the time of arrest would be 11.23".

Q. And you would have accepted his arithmetic? - A. Yes.

Q. So, you were in the, I think it is really a sort of centre that the Police were using, at 11.28? - A. If it says so on the form, yes, I was.

Q. I am quite interested in that time, so I would like you to cast your mind back and tell us how the time came about ...

JUDGE COLES: Well, that precise time that you are putting, 11.38

MRS. BAIRD: No, 11.28, your Honour, is written down as the time of arrival at what I call the Police Station.

Q. JUDGE COLES: And you have no reason to disagree with that? - A. Not if it is on the form, sir.

Q. MRS. BAIRD: Can you remember, did the Sergeant just state the precise time, did he look at his watch? -
A. I can't remember.

Q. Did you have a watch on? - A. No, I never wear a watch for something like that.

Q. And you agree it was 11.28 without being able to say a year later what it was? - A. Yes.

Q. So, how long do you think you were in action prior to 11.23? - A. I would presume from that time about eleven o'clock we were then put in action.

Q. About eleven? - A. As I say, I can only estimate that. I could be out quite a lot. I can't say.

Q. Well, we have got your PSU booklet here, Mr. Gayle. Can you tell me who would fill in that booklet? It wouldn't be you, obviously? - A. No, it wouldn't be me.

- Q. Who would it be? - A. I would presume Inspector Owens.
- Q. Inspector Owens? - A. Yes.
- Q. What sort of person is he, a person who is reliable? -
A. A person I never worked with.
- Q. You don't know him? - A. No.
- Q. Well, he has written in here - and I put it to you merely for your comment, it isn't evidence of any kind, but he has written here, "11.25, front line". - A. I can't say. The note wasn't made by me, it wasn't made on my behalf.
- Q. Do you think it might be that you were deployed to the front line at 11.25? - A. I have already said to you, and I will repeat it, I didn't have a watch on, I wasn't watching the clock at the time, I have no idea.
- Q. I would like your comment on whether it is possible that you arrested Mr. Coston a matter of only a couple of minutes after you were deployed - A. The notes are made by our Inspector. If that's the case, I wasn't even there
- Q. JUDGE COLES: Just a minute. I have to know what you are saying. I don't think you are telling counsel this: "I wasn't there" - are you? - A. No.
- Q. You were there, I take it? - A. Yes, I was there, yes, sir.
- Q. Is what you are saying that you were there for more than three minutes? - A. Yes, sir.
- Q. MRS. BAIRD: You were? - A. Yes.
- Q. You said, "11.23, time of arrest", your Inspector says you were there until 11.25. I am not doubting you were there. One of you is a little bit out. It may be the Inspector who rounded it up - A. If I can make a point?
- Q. Please do. - A. I presume the Inspector had a watch on. I don't know. When I arrived at the charge office it was indicated to me that the time was 11.28. I was then asked how long it had taken me to get from the place of arrest to that office and I said, "Five minutes" was the time, so the time we put for the arrest was 11.23. That book by the Inspector, presumably, was not done at that time. That book, presumably, was done at the end of the "watch", which, in actual fact, would indicate that the times issued in that book were incorrect by the Inspector.
- Q. Well, it does sound as if he is a little bit out because you obviously were on the bridge more than three minutes before you were back with Mr. Coston. - A. Yes.
- Q. But, I am anxious, really, to try and get your best estimate of how long you were in action and I am giving you that as some guidance to see that it seems to have been a very short time indeed. - A. Well, I've already said to you I can't be accurate on times of anything because I wasn't

wearing a watch. When you are on PSU work you start at very early hours of the day. You might, then and there, record, "We are starting at 3.00 in the morning"

- Q. It says, "4.55", but it doesn't matter. - A. We are on duty for quite a time. By the time we were deployed I had absolutely no indication whatsoever as to what time it was.
- Q. You had, in fact, been somewhere else within Orgreave, at least on alert? - A. We had been parked up. If I remember, before we actually went into action I was eating my lunch in the van.
- Q. Your lunch? - A. Yes.
- Q. Is your recollection of that day, then, that you were in the van all the time, or around it all the time before you were deployed at eleven-ish? - A. From my own recollection, which could be inaccurate, I would presume that before the time we were actually in action we were, for most of the time, in the van or, if not, either walking to or from the toilet.
- Q. So, I think you had come on duty a long, long time before this incident happened and you actually hadn't done anything? - A. Yes, that's quite right.
- Q. And when the time came for you to do something you really just were guessing back from about 11.28 when you got to the Police Station that you might have been deployed at about eleven? - A. I would, roughly, say, if that is the case, I would presume it would be, I imagine, about twenty minutes, but I wasn't clock watching. I could be miles out.
- Q. How many miles could you have been out? - A. I could be ten or fifteen minutes out.
- Q. I want to be entirely fair to you. We have got to say you might have been in action, on your recollection, as early as quarter-to-eleven? - A. Quite possibly.
- Q. But no earlier than that? - A. As I say, about times I can't be accurate.
- Q. But, do you agree, no earlier than that? - A. I'm not agreeing with you. I am making the point that that is possibly the time when we could have started.
- Q. I have asked you whether half-an-hour is about right and you said you could be miles out? - A. I could be.
- Q. I'm trying to ask you how many miles you could be out and you have said not two hours but maybe ten or fifteen minutes. - A. Yes.
- Q. So, is it safe to say, then, counting back from 11.28, your first guess was eleven o'clock, that you could be

ten or fifteen minutes out? - A. I could be.

Q. But, the earliest you can have come on duty and been deployed - don't worry about precise minutes - the earliest would be approximately quarter-to-eleven? - A. Quite possibly.

Q. Quite possibly?

Q. JUDGE COLES: It is very unlikely, in your view, you could have come on any earlier? - A. No, sir.

Q. You agree with that? - A. Yes, I agree with you.

Q. MRS. BAIRD: May I ask you to look at a photograph straightaway? It is part of a very large bundle, which is Exhibit 35, a bundle of colour photographs, the thick one. The photographs are numbered, Mr. Gayle, on the back. - A. Yes.

Q. The first ones have got 'A' on the number and I want you to turn to the next lot, which are 'B', and turn to B18, about three-quarters of the way through

JUDGE COLES: We haven't looked at these very much, members of the Jury, so take your time and make sure you have the right one.

Q. MRS. BAIRD: Have you found that photograph? - A. Yes, B18.

Q. It is a photograph of some Merseyside officers and some horses. I say they are Merseyside officers because we have come to know over the last few weeks that Merseyside Policemen wear that distinctive kind of helmet which is shown there. Do you agree? - A. Yes. That is Inspector Owens, the man in the middle.

Q. That is what I was going to ask you. Is that the person milling in front of the horses? - A. The Inspector is the one with two pips (?) on his shield, immediately in front of the horses.

Q. So, that is Owens. You have told us that when you were deployed you were wearing riot helmets, presumably like that one? - A. Exactly the same, yes.

Q. I think, although you have omitted to mention it, and I don't blame you for it, you were also wearing shin pads as most officers have been doing? - A. Quite possibly, yes.

Q. Do try to remember. Were you wearing shin pads? - A. I presume so. I can't say definitely, "Yes". I would presume I was, yes. We did take shin pads with us and if we were going into a situation like that we would have been wearing them, yes.

Q. That seems logical, and the Inspector, presumably, was wearing shin pads? - A. Presumably, yes.

- Q. Can you tell us what kind of shin pads you were wearing?
We have heard about three different kinds. - A. The padded set of blue shin pads with like Velcro on both sides that wraps around the back of your leg and pats together from just below the knee and downwards.
- Q. They go on under your trousers? - A. They could go on under or over.
- Q. Mostly under trousers? - A. Yes.
- Q. I don't know if we can tell from that photograph but if he has shin pads on, I would say - could I have your comment that he is wearing them under his trousers? - A. Yes, because if they are ones that are on top they bind the trousers to the leg and the whole leg looks thicker. It doesn't look thicker, it just looks heavy.
- Q. Looks heavy? Right. Will you hold on to that photograph for a moment, please? One of my learned friends thinks you can actually see a strap of a shin pad under a shoe. I didn't spot that because the shoe is cut off of my photograph. I don't know whether the Jury have the shoes?
- Q. JUDGE COLES: Do you have the shoes on your photograph?
- A. Yes, sir.
- Q. What do you say to counsel? Do you think there is a strap shown? - A. Well, I don't think the photograph really shows anything. It could be anything. There is undoubtedly some bright mark on the bottom of his shoe. Whether that is a strap of one of the shin pads ... generally, they are dark.
- Q. MRS. BAIRD: Don't worry. We are just trying to build up a picture of what the officers looked like that day. You are not disagreeing with me that it might be a strap of a shin pad? - A. Possibly.
- Q. Do you know Inspector Bennett, a Merseyside Officer? -
A. Never met him, no.
- Q. Do you know Constable Austin? - A. Yes.
- Q. Part of your PSU, isn't he? - A. Yes, that's correct.
- Q. I can't remember, but is he in the same, as it were, ten-men as you? - A. It's hard to say. There is a distinct possibility that he would have been, yes.
- Q. That day? You can't remember, I suppose? Can you remember?
- A. Well, I know he was with us. Whether he was actually in the same van as me, I can't remember. I'm sorry.
- Q. Who was your Sergeant? - A. Sergeant Gradwell.
- Q. It looks from the record as though he was - I don't blame you for not remembering that

- Q. JUDGE COLES: Is that Gradwell or Bradwell? -
A. It's Gradwell, sir.
- Q. MRS. BAIRD: Mr. Kearns, I believe he works at Kirby?
- He seems to be in your ten as well that day? - A. Yes.
- Q. Do you know a Policeman called Lynam? - A. Yes.
- Q. He was also in your PSU that day? - A. Yes.
- Q. Do you know him well? - A. No.
- Q. Does he work in the same station as you? - A. No.
- Q. Do you know what he looks like? - A. Yes, a very tall lad,
blonde hair.
- Q. That's right. Now, I wonder if we are being quite fair to
you so far. You don't know this territory very well at all,
do you? - A. Not at all.
- Q. Because you, I think, agreed that you - well, you didn't
agree, you told Prosecuting Counsel that the motor car
was on the coking plant side of the bridge? - A. Yes, we
had run past it.
- Q. You said photograph ten of Exhibit 21 showed that car? -
A. As I remember it, yes.
- Q. And photograph ten of 21 is actually taken on the other
side. - A. Is it? I'm sorry about that.
- Q. Now, does that help you at all? - A. Not at all, I'm
afraid, no.
- Q. Not at all? Well, you did tell us that the motor car was
on the coking plant side. Are you saying there may have
been two? - A. I don't recall saying it was on the coking
side. I remember saying we ran past the car on one of
our advances from the coking plant side.
- Q. Well, you did say it was on the coking side because
Mr. Walsh, in fact, said to you, "I am talking to you about
before you have got to the bridge", and you said, "Yes".

JUDGE COLES: I think you might be misunderstanding
his evidence. My note says, "There was a vehicle in the
road. It appeared to be scrap. I can't say if this was
before the bridge. We finished up over the bridge on this
advance. We stopped perhaps 40 yards past the vehicle.
It's hard to remember distances, but we did pass the vehicle".
He then identified the vehicle and he pointed out that
photograph ten also showed a line of officers and he said,
"That's where we went and we stayed there a very short time".

MRS. BAIRD: Yes, I have a note, "We advanced to the
top of the road. That was from the far side of the bridge
on the roadway. We advanced past the vehicle, went over
the top of the bridge and the main cordon followed".

JUDGE COLES: My note continues: "After that very short time we made a very short advance. I went to the left area where I saw a number of males throwing. I didn't take much notice of the cordon. They followed us, presumably" Well, there it is.

MRS. BAIRD: Yes. Perhaps I can try and work my way through the various advances, because I am far from clear when they were or where they were:

- Q. Now, you have seen photograph ten. Do you want to say what was your recollection of that vehicle? Do you recall it on one side of the bridge or another? - A. I don't actually recall the exact location of the vehicle at all. All I recall is on one of the advances we made we passed the vehicle, which I have already stated.
- Q. And when you ran past it, was it burning? - A. No, it was smouldering.
- Q. We must be precise in this case. When you say "smouldering", I presume you to mean that smoke was coming from it at that time? - A. Yes.
- Q. Was there much smoke from it or was it virtually out? - A. To be quite honest with you, I can't recall. The only thing I can recall from the incident is that the vehicle was smouldering.
- Q. Let me try to keep this precise. How far past the vehicle did you say you formed a cordon? - A. I've already said I believe it to be about 40 yards.
- Q. 40 yards? - A. Yes.
- Q. So we are not at cross-purposes anymore, was there any other cordon formed by your officers between the vehicle and the stopping point at the brow of the hill?

JUDGE COLES: Again, I hesitate to interrupt, but might we not cause confusion if we use the word "cordon" indiscriminately, because what we have been referred to as the cordon are officers with long shields and then you have what I think this officer and others have called a grouping and re-grouping of short shield officers. Can we try to keep the two separate?

MRS. BAIRD: Yes, I will try to:

- Q. You have probably got his Honour's point that there are two sorts of cordon, aren't there, the main cordon, which is a big line of Policemen? - A. Yes.
- Q. And the sort of advance groups that you were part of which formed up into a semi-cordon from time to time?
- Q. JUDGE COLES: Is that right or not? - A. Well, yes. The word "cordon" is if you mean a long line of bobbies across the road, and if that is the case then, no, you can't

call us a cordon because we weren't.

- Q. MRS. BAIRD: You say you weren't a cordon? -
A. Not as such. We made an advance and the cordon then caught up with us and we then remained in our group until they arrived.
- Q. When you are formed up 40 yards in front of this vehicle, can you tell us what is the best word to use to describe how or what you were called, the group? - A. Well, it was my support unit.
- Q. That more than helps me. That is what it was. If it wasn't a cordon, it was a line of Policemen? - A. A line of policemen. If you want to call it a cordon
- Q. JUDGE COLES: All we are doing is trying to get clear in our minds, a long line of officers with long shields, providing protection for people behind? - A. Yes, sir.
- Q. And then a lot of officers who go off in front, do a certain kind of work, but from time to time group themselves for one reason or another? Do you see? - A. Into our support unit, yes. There were about 25 of us.
- Q. MRS. BAIRD: I think there are 23. - A. Well, 23, yes.
- Q. JUDGE COLES: But, when you went this 40 yards and didn't form a full cordon, that was your support unit? - A. That was just our support unit, yes.
- Q. MRS. BAIRD: Do you think you were on there? -
A. To be quite honest with you, I don't know. Policemen will have strayed off for one reason or another. You see, it's hard to stand in Court and say, "Yes, we all formed up, as you are supposed to", but things happened, bobbies got injured from the support unit that day. They might not have been there. I don't know.
- Q. Is it fair to say that your impression of numbers at the brow of the hill would lead you to believe that most of your men were there or what? - A. Yes, I would say so, from the numbers.
- Q. I think you have made it clear that your PSU was on its own throughout this advance? - A. Yes, as I remember it, yes.
- Q. Now, when you were at the brow of the hill, can you remember whether any of the three officers I have mentioned to you were with you? - A. I'm sorry, no.
- Q. You can't remember whether Lynam was because he actually was hurt, so what about Mr. Kearns? - A. No.
- Q. He was not there or you can't remember? - A. I can't remember.

Q. What about Mr. Austin? - A. Again, I can't remember.

Q. What about Inspector Owens? - A. I can't remember Mr. Owens being there either.

JUDGE COLES: I'm sorry. You have left me behind. Can I just have those names again, please?

MRS. BAIRD: Kearns, Lynam and Austin and Inspector Owens, none of whom this officer says he saw at the brow of the hill.

JUDGE COLES: Yes, that I had appreciated.

Q. MRS. BAIRD: What about Sergeant Gladwell? - A. Again, you would have to have been there to know. I couldn't turn round and say, "Hello, Bill, nice to see you up here with me". I'm too concerned at looking out and dodging things.

Q. Was Mr. Gladwell there or can't you remember? - A. I can't remember.

Q. What about the other Sergeant? - A. I can't remember.

Q. Who was in charge of it? - A. Presumably somebody was. You can't say who was giving the orders at this stage. Somebody was there. I don't know.

Q. Was it you? Were you giving the orders? - A. No.

Q. Well, who? If your PSU is on its own and you can't remember who was telling you what to do? - A. You're talking

Q. Answer the question, officer. - A. We're talking too long after this. Well, I can't remember.

Q. JUDGE COLES: Were you getting orders or just doing what you felt like doing? - A. Originally, we were getting orders, but by the fourth advance the orders could have come from anywhere.

Q. MRS. BAIRD: You are sure it wasn't Arthur Scargill who was giving the orders, or anything like that? Can you recall any orders being given? - A. No.

Q. No. Well, when you did things, why did you do them? - A. Because we were told to do them.

Q. But, you can't remember any orders, you said. - A. Not at this stage, no.

Q. Well, what do you mean by saying you can't remember any orders and yet when you did things it was because you were told to? - A. Well, because orders that were given to us weren't given to us a year prior to us advancing. This is now a year later you are asking me to say I saw specific things and specific things were said, but I'm afraid I just can't remember. I'm sorry.

- Q. You are confident someone would be giving orders at this stage? - A. Yes.
- Q. You can't tell us who it was? - A. Precisely.
- Q. Do you think you knew who it was at the time? - A. Yes.
- Q. You did? - A. Yes.
- Q. You have just forgotten? - A. Yes.
- Q. You are sure you got to the brow of the hill, are you? - A. Yes.
- Q. Absolutely certain of that, are you? - A. Yes.
- Q. No doubt in your mind at all? - A. No doubt in my mind whatsoever that I actually got to the brow of the hill.
- Q. Let's go back to the question I tried to put to you earlier and didn't put very well. From going over the bridge and past that car you didn't form up with your PSU until 40 yards on? - A. Approximately until 40 yards, yes.
- Q. And between the car and that formation 40 yards on you didn't form up any more times? - A. No.
- Q. You wouldn't stop to form up? - A. You wouldn't.
- Q. I would like to try to find out a bit more information about your location at various times, please, and I think Exhibit 9, which you probably have already got, might help. Would you look at photograph one, Exhibit 9? Now, does that, to use Mr. Walsh's phrase, ring any bells? - A. No.
- Q. So, you just don't recognise that at all? - A. No, not at all.
- Q. Go to '2', then. Can you tell us whether you have ever been there? - A. Quite possibly. I don't remember the actual scene itself. It doesn't ring any bells, as you put it.
- Q. That is Highfield Lane, where this action all took place
- Q. JUDGE COLES: Have you been there since the 18th? - A. No, sir.
- Q. MRS. BAIRD: Go to '3'. Does that ring any bells? - A. No.
- Q. '4'? - A. No.
- Q. You don't recognise that railway bridge? - A. It could be the one I ran over. It probably is.
- Q. Could be? - A. But the scene looks completely different.

- Q. Don't you want to commit yourself to saying whether it is or not? - A. No.
- Q. '5', a different view, the same thing, might help you recognise something. Do you feel able to commit yourself now? Is that the bridge or not? - A. Quite possibly.
- I was only there for, as I say, a very short time. I haven't been there before and I haven't been there since.
- Q. '6', coming over the bridge. Does that ring any bells? - A. No.
- Q. Somewhere between lamp-post two and three. - A. Are they numbered?
- Q. Yes, somewhere between lamp-post two and three. Does that help? - A. If you say so, I believe you.
- Q. JUDGE COLES: Have a look back at photograph ten in Exhibit 21, in front of you, officer. Have you got that? - A. Yes, sir.
- Q. Now, have a look at that one and have a look at photograph six and seven and see if it helps. - A. Yes, that's the place.
- Q. It is the place or not? - A. Presumably, it is. The house looks the same, but then again, looking at the two photographs the houses look on the opposite side of the road. No, that's it. I've got it.
- Q. MRS. BAIRD: You recognise that, but really you are only saying the two photographs are the same. You still can't remember it. - A. The two photographs are the same.
- Q. But you can't remember being there? - A. If that is Highfield Lane, I was there, but the actual place, no.
- Q. Does '7' help at all or not? - A. It is the road area.
- Q. Do you recognise it or do you just say because that is on the same photograph as the last one, "I accept that's it"? - A. I don't recognise the road area. Presumably, you know
- Q. Well, what about '8'? - A. Now, you are getting near the fencing on the left-hand side.
- Q. Does that ring a bell? - A. Yes.
- Q. Which fencing on the left on photograph 8? - A. You see the car parked up on the right-hand side about mid-way up the photograph?
- Q. There is a man walking towards a car? - A. Yes.
- Q. That rings a bell, does it, that area? - A. That area rings a bell, yes.
- Q. What do you say is off the photograph to the left there? - A. The smaller factory units.

- Q. And I think with the assistance of counsel you might find the brow of the hill and then perhaps say where you met the cordon for the first time. Can you help or not, using those landmarks? - A. Quite possibly, yes.
- Q. Don't guess. Don't help unless you can. Where do you think that that cordon was when you first went up to it? - A. I only seem to recall moving about three or four hundred yards because we didn't walk it, we ran it.
- Q. MRS. BAIRD: You ran it? - A. Yes, and we were only running for a very, very short time.
- Q. Can you remember if you were running sharply uphill? - A. We were running uphill, yes.
- Q. Could you see anything at all on the other side of the Police line when you got to the back? - A. Very little indeed.
- Q. Could you, at that stage, see the railway bridge or not? - A. No.
- Q. How many runs or advances did you personally make before you were conscious of being on the railway bridge? - A. We were actually on the railway bridge on the fourth advance.
- Q. The fourth advance? - A. Yes.
- Q. So, it was in the course of the fourth advance that you were on the bridge? - A. That we went right over the bridge, yes.
- Q. Can I ask you about the first advance you made? I am not meaning when you have run up to the back of the line. That is not an advance

JUDGE COLES: Let's start that at two o'clock. Members of the Jury, I should say we will be sitting on Monday at 2.15, if that helps.

(Mid-day Adjournment)

2.00 p.m.

- Q. MRS. BAIRD: We got as far as you arriving at the back of the cordon, which you describe as thick? - A. Yes.
- Q. You have told us you were around that point and it wasn't far because it didn't take you long? - A. That's correct, yes.
- Q. Now, having got there, did you wait at the back of the cordon at all or did it open almost at once and let you through? - A. We waited for a short time, seconds.
- Q. Seconds? The cordon then opened and you went through and made an advance. How far? - A. About 40 yards.

- Q. Did you then re-form as a sort of group? - A. Yes.
- Q. And at that stage was the main cordon coming up behind you or what? - A. No. They remained static at that point, which is why we went back.
- Q. They didn't move at all. You made an advance. You had to retrace your steps? - A. Yes, that's correct.
- Q. Did you go back behind the main cordon at that point? - A. Yes.
- Q. Was that main cordon still as you have described it when you joined it? - A. I can't remember, to be honest. I remember looking back at one stage, seeing a number of riot shields, the long shields. Where that was at that time, I don't know. Originally, when we went through the cordon, I don't remember any riot shields being used at that stage, so I imagine at one point it must have been strengthened slightly.
- Q. JUDGE COLES: You are being asked whether the cordon had stayed in the same place or had it moved. - A. They moved off slightly, but not very far.
- Q. MRS. BAIRD; Just a few yards? - A. Yes.
- Q. I am interested in the fact that it appears that after you were deployed, riot shields, long shields like this one were brought to the front of the cordon. - A. I say that, when I went through my particular part of the cordon I don't remember any, passing anybody with riot shields at that point. Whether they were actually used further along and perhaps moving along as we advanced, I don't remember.
- Q. But, you went onwards, forward on the road, didn't you? - A. Yes.
- Q. So, your evidence is that when you went through the cordon for the first time on the road, at any rate, you saw no riot shields? - A. Not for the first time, when I went through, no, not to my recollection.
- Q. Are you agreeing with me? - A. Yes, there were none, to my recollection, yes.
- Q. At some stage after that you say you were conscious of returning back to the line, of seeing that there were long shields? - A. Yes.
- Q. Did you see from where the long shields came at all? - A. No, I didn't.
- Q. Having made an advance and gone back, I think you have told us you went behind the line. Did you wait there long or were you almost at once advancing again? - A. I can't remember specific times. It wasn't long after when we made another advance, minutes perhaps.

- Q. Minutes, perhaps? Now, this second advance, how far did it go? - A. About the same distance, about another 40 yards.
- Q. About another 40 yards? - A. Yes.
- Q. And what happened to the main cordon then? - A. Well, they then came up to meet us when we secured that area.
- Q. And is the pattern this, that you go forward that distance, the pickets retreat, the cordon joins you and you go back inside the cordon? - A. At that stage, yes.
- Q. Now, that is the second charge, if I can call it a charge. The third time you go out, what happens then? Again, is there a very short interval before you are out? - A. Yes, and each advance was made after a very short interval.
- Q. What happens when you advance for the third time? - A. Again, we secured the land.
- Q. Another similar distance of 40 yards, or less? - A. It's hard to say on that particular one. I can't remember a great deal about that.
- Q. You can't remember any detail? - A. No.
- Q. Is there any reason to think that the third advance differed from the second? - A. Not really.
- Q. It was just a repeat? - A. Yes.
- Q. Did the main cordon then follow up? - A. Presumably. I can't remember.
- Q. JUDGE COLES: Could you slow down a little? - A. Yes.
- Q. Did the main cordon follow up? - A. I presumed so, your Honour. I don't really remember looking back and thinking that the cordon had advanced with us.
- Q. MRS. BAIRD: It must be then that at the end of the third advance you didn't go behind the main cordon, you stayed at the front of it, or you would remember it? - A. At the end of that one, or when we went through with the mounted officers, the mounted officers came through and positioned themselves in front of us. They then advanced and we advanced behind them.
- Q. So, at the end of the third advance you remained at the front of the main cordon? - A. Yes.
- Q. The mounted officers came from where? - A. From behind the main cordon.
- Q. From behind the main cordon? - A. Yes.
- Q. Came through and stood in front of you? - A. They came through the cordon in front of us and then we went behind the mounted.

- Q. Did you have to separate, part the horses to go through?
- A. Very little. There wasn't that many of us there.
- Q. JUDGE COLES: Is this at the beginning of what is called the third advance or after the third advance? -
A. This is after the third advance.
- Q. So, this is all part of the fourth advance? - A. Yes.
- Q. MRS. BAIRD: Is that right that when you describe yourself standing behind the horses for the first time you are about to start on the fourth advance? - A. Yes, the main one, which is the one we covered most ground on.
- Q. You told me earlier that it was on the fourth advance that you crossed the bridge? - A. Yes.
- Q. So, there had been three advances through the line and you are standing somewhere on the coking plant side of the bridge? - A. On the fourth advance?
- Q. No. I haven't made it clear. There were three and at the start of the fourth you are assembled behind the horses in front of the main cordon on the coking plant side of the bridge? - A. Precisely how far over the bridge I can't say, to be honest.
- Q. I don't mind that, but was it on the coking plant side? -
A. I can't remember precisely where we were.
- Q. JUDGE COLES: Well, if this is the occasion when you cross the bridge it must have been, or don't you remember crossing there? - A. We crossed the bridge but how far we were when we were positioned before this, I can't honestly remember.
- Q. You are not being asked how far, but if you were on the coking plant side before the advance started? - A. Yes, presumably so, yes.
- Q. MRS. BAIRD: So, on the commencement of the fourth advance the picture is, horses, short shield men and yourself and behind that, the cordon? - A. Somewhere behind us, the cordon, yes.
- Q. For how long is that scene frozen like that? A matter of seconds, or is it longer? - A. Yes, seconds.
- Q. Merely seconds? You then advance across the bridge up to the brow of the hill in a single movement? - A. That particular movement, yes.
- Q. JUDGE COLES: That is horses and short shields? -
A. Yes, sir.
- Q. The cordon? - A. It was an advance. They were very sporadic. You couldn't keep an eye on who was with you at that stage or who was going in a particular direction at that stage. It was an advance.

- Q. MRS. BAIRD: His Honour was asking you where the main cordon was. - A. The main cordon, I didn't honestly keep an eye on them. They were, after the second or third advance, behind.
- Q. This fourth advance is obviously the longest you have made so far? - A. Yes.
- Q. You go over the bridge on the fourth advance, behind the mounted officers? - A. Well, together with the mounted officers.
- Q. You couldn't actually say you were actually behind them, you were with them or even, at some stage, alongside them. Can you recall how many mounted officers, approximately? - A. No, I couldn't, to be honest. I haven't got a clue.
- Q. 10 or 20? - A. I don't know. I haven't a clue.
- Q. 46? - A. I don't know.
- Q. 3? - A. I haven't a clue.
- Q. No idea at all? - A. No idea whatsoever.
- Q. I don't want to be facetious, but you were there, were you? - A. Oh, I can assure you I was there.
- Q. Now, you proceeded to that point, to the brow of the hill? - A. Yes.
- Q. Did the pickets run ahead of you all the way? - A. The pickets retreated, all of them retreated.
- Q. I see. So, we have this scene from some position on the coking plant side of the bridge, that you are advancing all the time with officers and the pickets are all the time keeping some distance from you, roughly? - A. Roughly, yes.
- Q. You get to the brow of the hill and there, as you have told the court already, re-grouped for the first time over the bridge? - A. Yes.
- Q. Now, you have told us about a car in the road and you have seen the picture of it. Were there any other obstacles? - A. Yes, there were.
- Q. Please tell us what those were. - A. I recall a piece of wire coming from a tree across the road, roughly at my head height, on to a lamp-post, and there were quite large rocks in the centre of the road which we had to run over or past, or whatever we could.
- Q. Was there this one piece of wire, or several? - A. I only recall one piece of wire.
- Q. Did you have to duck under it? - A. I presume so, yes.

- Q. You would remember that, wouldn't you? - A. Yes.
- Q. Yes, because you must have come on it as a shock, as it were, realising it was there and ducking under it? -
A. Yes.
- Q. Can you tell us on which side of the bridge that was? -
A. I don't know, to be honest. I can't remember.
- Q. You can't remember? - A. I can't remember.
- Q. How do you know that you needed to duck under it? -
A. Because I seen it.
- Q. You saw it as you ran into it? - A. As I was runnig towards it I seen it.
- Q. You can't say which side of the bridge it was on? - A. No.
- Q. Did any officers come to grief on that wire? - A. Not to my knowledge, no. I didn't hang about to find out.
- Q. Did you do anything to warn your colleagues behind you that there was this wire? - A. I can't remember if I did.
- Q. Whereabouts were you on this long charge? Were you at the front or in the middle or back? - A. I was at the front.
- Q. Were you on the right kerb or the left kerb in the road? - A. I was on the road towards the left-hand side.
- Q. At the front? - A. Yes.
- Q. Were you one of the first officers to attend the bridge? - A. Quite possibly, yes.
- Q. You have told us about lumps of concrete. Please tell the court about that. - A. Just like boulders that had been rolled or thrown that were still in the road.
- Q. Can you indicate what sort of size they were? - A. Yes, I remember some of them were pieces of stone that had come from the wall on the side of the road, which would be roughly about that size.
- Q. There is a shorthand note. We will have to estimate it in inches. - A. One foot sqaure, some bigger, some smaller.
- Q. Stone, you say? - A. Yes, some form of stone, possibly sandstone.
- Q. How many of those were there? Give us an idea. All across the road or on the pavement, or what? - A. The scene was very remeniscent of what I had experienced before. You couldn't actually count the amount of bits of debris that was all over the place. It was littered, literally scattered all over the road.

- Q. Are we to imagine just perhaps one or two pieces? -
A. No, more than one or two. There were dozens.
- Q. A sufficient number of them to present a very real obstruction to your advance? - A. There were dozens of them there, I would say.
- Q. Dozens? Did you manoeuvre round them, or what did you do? - A. Ran over them.
- Q. You ran over them? - A. Yes.
- Q. Was there any other obstruction? - A. Not to my knowledge. there were a couple of little bits of barbed wire but they were no problem.
- Q. Tell us about the little bits of barbed wire. - A. It was just wire that had been taken off things and just left willy-nilly on the side of the road.
- Q. JUDGE COLES: Barbed wire all over the place? -
A. No, just little bits of barbed wire, your Honour.
- Q. MRS. BAIRD: How much? Whereabouts? - A. Just a small bit of it on the left-hand side which caused no problem.
- Q. Small bits? What do you mean? - A. It had been taken off between posts like that which were five or six feet apart, just wrapped in little coils.
- Q. They weren't particular obstacles that bothered you? -
A. If anybody had fallen over them they could have been injured, but as you're running along they presented no problem.
- Q. We have got you at the brow of the hill and it is, I think, prior to your fifth charge that you see Mr. Coston?
- A. Yes.
- Q. And he is walking specifically off the road to the left?
- A. Yes.
- Q. Is he just on the verge or beyond the verge or what? -
A. Set back slightly further on the road, on the verge.
- Q. On the verge? And you see him throw what you call these several obstacles. I suppose you mean missiles? - A. Yes.
- Q. Can you tell us how many he threw? - A. Not precisely, no. It was three or four.
- Q. Three or four? - A. Can you tell us whereabouts in relation to you, personally, they went? Were any a danger to you?
- A. Every stone that was thrown from that area was a danger to me, not from just Mr. Coston but from everybody because they were all coming in our direction.
- Q. I would like you to specify whether the stones he threw were coming at you or were coming ... - A. No, they were coming in my direction.

- Q. They were? Can you tell us which way they went? Did they pass you over the top or sides or what? - A. I can't tell you the particular direction that the stones he threw took, no.
- Q. But, they were coming at you? - A. They were coming in my - direction.
- Q. It may be that is why you took particular notice of him because they were coming at you. - A. I took particular notice of Mr. Coston and kept an eye on Mr. Coston because he was a very easy man to keep an eye on. If you look at Mr. Coston, he is quite noticeable, even in a crowded court, which is why I noticed him on the scene, which is why I kept an eye on him at the scene, which is why I went for him when I had an opportunity to.
- Q. You have told us there was plenty of throwable material around? - A. Yes.
- Q. Did you see where he was picking it up from? Was it on the roadside? There is, obviously, debris about? - A. There was debris in that whole area, the grass, the roadside, the railway embankment. There was debris down everywhere.
- Q. So, can you answer my question? Where did he pick the debris up from? - A. From roundabout where he was.
- Q. He did? - A. Yes.
- Q. You obviously kept an eye on him for some time, some seconds? - A. Yes, seconds.
- Q. You saw him throw three or four missiles in your direction? - A. Yes.
- Q. Did you see him stoop to pick up more than one? - A. Yes.
- Q. Did he pick up more than one or was he loading himself up and then throwing? - A. No, he wasn't loading himself up.
- Q. So, he picked up a missile and threw it, then picked up a missile and threw it? - A. Yes, to my recollection.
- Q. And you saw that procedure three or four times? - A. Roughly.
- Q. Now, at some point you gave chase to Mr. Coston? - A. Yes.
- Q. When he was throwing the last missile, before you gave chase, how far from you was he, approximately? - A. Approximately 15 - 20 yards, I would say.
- Q. As close as that? - A. Yes.
- Q. There really could be no mistake? - A. No, there is no mistake.
- Q. And you chased him. How far did you have to chase him? - A. From the left-hand side of the road down a gateway by the small factories and into a yard area at the back

where he was climbing over a fence where I caught him.

- Q. The question was - I understand why you describe it - how far? Can you give us some guidance about that?
- A. No.
- Q. 20 yards? 100 yards? - A. I couldn't honestly say distances. The distance involved was not at the back of my mind. I wasn't thinking of distance.
- Q. How long were you chasing him? - A. That, again, was only a matter of seconds.
- Q. Just seconds? So, you caught him up with the 20 yards he was in front of you pretty quickly? - A. I would say so, yes.
- Q. And what sort of fence was he climbing over? - A. It was a small, wire fence.
- Q. A wire fence. How high was it? Waist high? Six feet?
- A. I would say it was just over waist high.
- Q. So, he went off on one side, you went on the other? -
A. He was in the process of climbing over the fence.
- Q. You took hold of him. How? - A. With both hands on one of his arms.
- Q. Both hands on one of his arms? - A. Yes.
- Q. Do I understand that you didn't have your truncheon drawn, then? - A. If I did have my truncheon, it was in my pocket at that stage.
- Q. If you did have it, it was in your pocket? - A. Yes, at that stage.
- Q. You accept you had it, don't you? - A. It would have been in my pocket at that stage.
- Q. Any reason why it wasn't drawn? - A. Not particularly, no.
- Q. You see, we understand - correct me if you have never heard this - that there had been an instruction to draw truncheons. - A. There might well have been an instruction to draw truncheons, but I, at that particular situation, don't recall having my truncheon out.
- Q. No, because, of course, if you did have your truncheon out at that stage you couldn't have got hold of him the way you have just described? - A. Possibly not, but probably, yes I'm not a weak man.
- Q. You are a strong man? - A. Quite possibly.
- Q. And fit too? - A. Obviously I was fitter then than I am now, yes.

- Q. Quite an athlete? - A. Yes.
- Q. You took hold of him with both hands on one arm? -
A. One of his arms, yes.
- Q. What did you say to him? - A. I pulled him back towards me
and told him that he was being arrested.
- Q. You didn't tell him what for? - A. Yes.
- Q. Yes, you didn't? - A. I didn't tell him at that time what
for.
- Q. You didn't say, "You are being arrested for throwing stones"?
- A. No, I didn't.
- Q. You do have a duty to tell a man as early as you can why
he is being arrested. - A. Exactly. As I have already
stressed, you weren't at the area at that time, you can't
have experienced the hostility at that time and I'm afraid
you don't hang about with a prisoner to say that to him,
"You're being arrested for such and such". You just caution
him as best you can. You immediately have to think of your
own safety. The safety of your prisoner is also paramount.
You have got to get your prisoner away from the scene as
quickly as possible.
- Q. Are you saying that there was danger to you all the way
to the back of those industrial buildings? - A. Yes,
because at that stage I was, when I turned around, if there
was more than one officer behind me I was very, very lucky
and there were still a number of the people that had been
gathered around Mr. Coston in that area.
- Q. It isn't that you didn't tell him why you had arrested him
because you were out of breath? - A. I was at the time, yes.
- Q. I accept you were hot as well. - A. I was roasting.
- Q. And at the time

JUDGE COLES: You have left me behind. I don't know
how the shorthand writer feels, but I don't feel I am able
to keep up with you.

- Q. MRS. BAIRD: You were fed up? - A. No. You don't
think about being fed up in a situation like that. You
merely think about how to protect yourself. The fact that
you are fed up doesn't enter into your mind at all.
- Q. But you did want to get out of that area as rapidly as
possible that day, didn't you? - A. I presume most people
would.
- Q. Answer the question, please. - A. Yes, I did.
- Q. You wished to get away from the missiles as fast as ever
you could? - A. After I had a prisoner, yes. There was
no way I wished to stand around to fight off missiles.

Before

- Q. / you got a prisoner, I imagine you, at that stage, wanted to get away as fast as possible, didn't you? -
A. No.
- Q. You are not going to tell us you were enjoying being there?
- A. You are using terms like "enjoying" and "fed up".
- As I say, you have not experienced it yourself, you can't possibly know about it because that didn't go through your mind at all.
- Q. I am happy to accept your description of your state of mind. Before you had a prisoner were you content to be where you were, anxious to get away or what was your state of mind? -
A. When I had arrested Mr. Coston?
- Q. No. I have told you, before you arrested Mr. Coston? -
A. Before I arrested Mr. Coston I didn't have any thoughts on the subject at all. The thought that was paramount in my mind was to remain safe, as safe as was possible under the circumstances.
- Q. Having seized Mr. Coston in that way, you told him he was arrested, you helped him back over the fence? - A. Yes.
- Q. And how did you take him back to the road? - A. He was very peaceful. He walked back to the road with me. He then walked down through the main Police cordon with me, at which stage we were met by another officer, Sergeant Gradwell, who took hold of Mr. Coston, the other arm, and between us we marched down to the Police office.
- Q. JUDGE COLES: Stop. Thank you. I'm sorry, but I have to keep a note. Both of you appear to be having a competition to see who can speak the fastest. You have a very bad effect on each other. - A. I'm sorry, sir.
- Q. MRS. BAIRD: You found him peaceful, took him down the road, but through the cordon you were joined by Sergeant Gradwell? - A. That's correct, yes.
- Q. Whereabouts was the cordon when you went through it? -
A. I can't remember. I can't honestly remember.
- Q. Do you think it had reached the bridge by then or not?
- A. I could say yes and I could say no. I don't know. I've already said to you on a number of occasions today, I didn't keep an eye on the cordon whatsoever once I had left it. If you turn your back in situations like that you can't see what is going on about and if you can't see what is going on about then you are liable to get injured and you are no good to anybody injured.
- Q. But, it was after you had gone through the cordon when Mr. Gradwell came? - A. Yes. There was no need for Mr. Gradwell to accompany us through. He just felt it was for my own personal safety had Mr. Coston done anything, but there was never any suggestion of that either.

- Q. Once you were safely through the cordon, Sergeant Gradwell thought you might be under threat and he had better join you? - A. I can't tell you what was going through his mind. All I know is when I got through the Police line Sergeant Gradwell joined me and between us we marched Mr. Coston back.
- Q. Did he tell you why he joined you? - A. Presumably at the time he would have said, "Come on, I'll help you", presumably. He wouldn't just come up and just take hold and not say anything.
- Q. And you weren't surprised? - A. Not at all, no.
- Q. Did he go with you all the way to the Police H.Q.? - A. Yes.
- Q. Had you seen this happening more that day, that an officer would have a prisoner and another would join in just to be on the safe side? - A. I never took any notice of other officers' prisoners to be honest with you.
- Q. Sergeant Gradwell didn't say anything to you about the (inaudible) - A. He might possibly have at the back of his mind. I don't know if it was at the back of his mind. I don't know.
- Q. Having got him back to the centre, you have told us that Mr. Coston was processed and you then went away upstairs or wherever it was? - A. I think it was up a couple of flights of stairs.
- Q. To write your statement? - A. That's correct.
- Q. You have told us the location only was dictated to you? - A. Yes.
- Q. So, that was what? The name of the street? - A. The name of the place we were in, the fact that we were on the southern side of the(inaudible) ..., the fact that it was actually Orgreave coking plant, which I wasn't aware of prior to my arriving there, and other information, non-relevant things that just set the scene for the rest of the statement.
- Q. What non-relevant things? - A. Precisely what I have already told you, the name of the road
- Q. And you said "and other non-relevant things". Now, what are they? - A. Can I have a look at my statement? Is it any problem? It was my
- Q. You can look at it in a moment, but can I ask you to try to remember for us what those things you have mentioned were? You have mentioned them so they must be in your mind at this minute. - A. I've already said to you about the fact we were on Highfield Road, the southern side, plus this, the fact that there had been a steady build up of pickets there all day, which is something I couldn't have witnessed myself.

- Q. You took it from another officer that there had been a steady build up of pickets? - A. I knew that for myself but that was set inside the original description of the scene itself.
- Q. How did you know there had been a gradual build up of pickets? - A. You could see, they had the buses and coaches and cars, we could see them going all the way in ourselves.
- Q. I'm sure you told us you could see nothing of what was happening from where you were parked. - A. That referred to the incident at the other side. The motorway, as we drove towards Orgreave, then you could see people going in.
- Q. This is three o'clock in the morning? - A. Did I say I got to Orgreave at three o'clock in the morning?
- Q. As a matter of fact you did. - A. I said I had been on duty since three o'clock.
- Q. What time did you get to Orgreave? - A. I haven't a clue. That's why I didn't tell you any time.
- Q. Will you take 4.55 from Inspector Owens or not? - A. No, I won't.
- Q. No idea when you got to Orgreave? Was it dark? - A. Quite possibly.
- Q. Well, anything is possible. Was it dark? - A. My first recollection of Orgreave, the farthest I can go back to you, was prior to me having my lunch. We started at four o'clock in the morning. Myself and other officers on the bus were fast asleep.
- Q. So, you were asleep all the way? - A. I'm not saying I was. I could have been. I had been asleep.
- Q. Give us a clue. Were you asleep or awake? - A. Seeing as we're playing guessing games with each other at the present moment, I had been asleep once I got into the bus, I had been asleep perhaps for some time after I had got into the bus. When I arrived at Orgreave I was awake. I wasn't wearing a watch. I didn't wake up and say "There's people going into Orgreave, what time is it?".
- Q. JUDGE COLES: Slow down and don't get angry. I'm sure that the whole experience of giving evidence and being cross-examined - I won't say crossly-examined, because that wouldn't be fair either - is upsetting, but just don't rush at it. Take it gently and let's none of us get emotional about it. As I understand this, on the bus some of you were asleep but there were some times in that morning when the bus was moving that you were asleep and you may have had a sleep when you were parked up waiting to be deployed? - A. Quite possibly, sir, yes.

- Q. MRS. BAIRD: So, the first thing you can remember for us is having your lunch? - A. Yes.
- Q. Well, roughly how long before you were deployed at about eleven o'clock did you have your lunch? - A. As I have already said in Court today, I was halfway through my lunch when we were deployed.
- Q. So, you can't really remember back before that? - A. No.
- Q. Well then, you said that you knew for yourself that there had been a gradual build up of pickets that morning? - A. As I have already said, when we were going into Orgreave, when I was awake, you could see a number of people milling around, people were coming from everywhere, plus we would also have what we call personal radios which are broadcasting all the time, which indicate to you the amount of people that are there because there are steady updates all the time.
- Q. You had your radio with you? - A. No, the Inspector in the front of the van had a radio.
- Q. Well then, you knew for yourself that there had been a gradual build up of pickets. That can't be one of the other non-relevant things that this Detective told you, because you knew that, didn't you? - A. It was the order in which these things are done. You put things in chronologically and in perspective order and the scene was set by myself but with the aid of a C.I.D. officer.
- Q. Will you tell us how this aid was applied to you? Did he dictate part of your statement? - A. Yes.
- Q. How much of your statement did he dictate? - A. The very first part of the statement, the very first paragraph which states the date we were at Orgreave coking plant.
- Q. You don't need to repeat it. The first paragraph, is that where the Detective stopped? - A. Once I heard the location, what the actual plant was, I switched off and took my own statement from that, once I knew the location of the roads and all that.
- Q. So, the amount of dictation you took down personally obviously varied from officer to officer, would it, a paragraph, a few lines? - A. Very little.
- Q. Very little indeed, and after that very little indeed had been dictated to you did you take yourself away somewhere and do the rest? - A. No, I stayed where I was and just concentrated on writing my own statement.
- Q. Were you rushed or in any way impeded from having every opportunity to put down in your statement all that you wished to say? - A. No.

- Q. Now, you had just come from the point where you had arrested Mr. Coston? - A. Yes.
- Q. You had taken perhaps five minutes to walk there? - A. Yes.
- Q. Because there is this 11.23/11.28. You had him processed. How long does - A. That took an unusually long amount of time, perhaps over half an hour, because there was a long queue of people.
- Q. So, we are bound to be perhaps 40 minutes after the incident by the time you write your statement? - A. Quite possibly, yes.
- Q. But, then you had this little bit of dictation and you carried on? - A. Yes.
- Q. Now, 40 minutes is neither long or short as Policemen's notebooks go. Were matters fresh in your memory when you wrote the statement out? - A. They were fresh.
- Q. You are confident everything you put in that statement would be true? - A. Yes.
- Q. Is everything you put into it what you had seen personally except for that introductory paragraph? - A. Yes.
- Q. And you left nothing out that was relevant or important? - A. I left nothing out that seemed relevant and important at that time, yes.
- Q. Now, after you had made the statement, did you give it to perhaps one of the Detectives who was there? - A. Yes, I did.
- Q. And you signed it and it was witnessed by a Detective? - A. That's correct, yes.
- Q. And have you seen that statement since that day? - A. Yes, I have.
- Q. When did you see it, Mr. Coston? - A. I received a copy of the statement about three weeks ago.
- Q. Yes. Through the post or by hand? - A. No. I was interviewed by the Police in South Yorkshire regarding another matter, well, not another matter, a matter relevant to this case, and I requested a copy of my statement then and was handed one.
- Q. You were interviewed by the South Yorkshire Police about matters relevant to this case? - A. Yes.
- Q. Not relevant to Mr. Coston? - A. Not relevant to Mr. Coston.
- Q. Three weeks ago? - A. Yes, approximately three weeks ago.
- Q. In Merseyside? - A. Yes.

- Q. And you were at that time given a copy of this statement?
- A. Yes, I was given a copy of the statement to refresh my memory.
- Q. Have you had it with you ever since? - A. Not with me.
- Q. I'm sorry. Did you have to give it back at once or were you allowed to keep it? - A. I was allowed to keep it.
- Q. Have you been shown, since you came over to Yorkshire, any photographs in connection with this case? - A. I was, again, shown photographs at Merseyside.
- Q. You hadn't been shown them over here? - A. No.
- Q. Can you tell us what photographs you were shown? I don't expect you to remember the size. How many? - A. A few dozen.
- Q. Of what kind? - A. With reference to particular officers. They wanted to see if I could name particular officers from particular incidents.
- Q. But were there a couple of dozen photographs of officers? - A. Yes.
- Q. There were? Are you talking about the time when you were interviewed in Merseyside, when you were shown these photographs? - A. Yes.
- Q. Were you ever shown any views of the scene like the ones you have seen today? - A. Not like the ones I've seen today, but some views of the scene.
- Q. JUDGE COLES: Well, what do you mean by "scene"? Do you mean photographs of what was actually going on on the day or photographs of the terrain without people in them? - A. No, it was purely and simply photographs of people at the scene that I was shown.
- Q. MRS. BAIRD: Did you see all colour photographs? - A. No.
- Q. None? - A. Not to my recollection, no, they were all black and white.
- Q. Were you able to identify any officers on the photographs you were shown? - A. Yes.
- Q. Can you help us with which officers you could identify?

JUDGE COLES: I don't want to stop you, but you are going into territory I don't know, talking about unknown photographs and maybe you are opening up a new line of enquiry. I just thought I had better mention it. I don't know whether you are but, of course, you might be.

- Q. MRS. BAIRD: Let me ask you a more specific question. Were you shown a photograph of Mr. Austin? - A. Yes.
- Q. Could you identify him? - A. Only because I knew him, yes. The photograph, it was very blurred. Had he not been a personal friend of mine or been an officer of the PSU, not as such a personal friend, I probably wouldn't have been able to recognise him.
- Q. I think that photograph was coloured. - A. No, it was black and white.
- Q. But it was blurred, was it? - A. I thought so.
- Q. What was Mr. Austin doing on that picture? - A. He appeared to be shielding Mr. Scargill.
- Q. With his shield? - A. With a shield, yes.
- Q. Can you describe their relevant positions in the photograph? - A. As I say, I've only seen it briefly and I said, "That's Eddie Austin on there".
- Q. JUDGE COLES: I didn't hear that. "I only saw it briefly"? - A. I immediately recognised who it was and then I didn't take a great deal of notice of the picture itself, but it appeared to me he was on the far side of, I presumed it was of Mr. Scargill. I don't know. He was possibly stopping things from hitting him.
- Q. MRS. BAIRD: Was Mr. Scargill on his feet or not? - A. No.
- Q. Sitting? Lying? - A. I think he was sitting.
- Q. In the photograph I think there is another Policeman there? - A. Yes. I couldn't identify the other Policeman.
- Q. It certainly looks like a Merseyside Policeman, doesn't it? - A. Quite possibly, yes.

JUDGE COLES: Hadn't you better check we are talking about the same one?

MRS. BAIRD: Yes:

- Q. Have a look at Exhibit 30, photograph nine. That is a bundle of coloured photographs. Can you see nine? - A. That one?
- Q. Yes. Now, does that resemble the photograph, albeit it might have been a black and white version? - A. Yes.
- Q. JUDGE COLES: Photograph nine does? - A. Yes.
- Q. MRS. BAIRD: Is Mr. Austin the person holding a shield in his left arm or helping Mr. Scargill up? - A. He would be the one helping Mr. Scargill up.

- Q. JUDGE COLES: They both could said to be doing that. One holds a shield and of the other that you can see is a helmet and a piece of face. You say you recognise which one? - A. The one on the far side, sir.
- Q. You say that is Austin? - A. Yes, sir.
- Q. MRS. BAIRD: Do you recognise the Inspector at the front? - A. No, I don't know him. It isn't Mr. Owens, who was our particular contingent commander.
- Q. No, I didn't think it was. Could you look back to number eight, please? Have you see one that looks like that before? - A. Yes, I seen this. I don't know who is on that one either.
- Q. You can't identify anyone? - A. Not one person on that one, no.
- Q. Can you see a man in a blue shirt, a rather tall gentleman on the right of the picture? - A. Yes.
- Q. The officer behind him? - A. Yes.
- Q. Can you identify him at all? - A. No, not at all.
- Q. You don't think that is Mr. Austin? - A. No.
- Q. You think it isn't Mr. Austin? - A. Well, it's impossible to say. It could be anybody.
- Q. What about the next photograph, to the left?
- Q. JUDGE COLES: You say it could, therefore, be Austin? - A. I'm not saying it isn't Mr. Austin.
- Q. Anything about it which suggests to you it isn't? - A. No, I just can't say myself with this, sir.
- Q. MRS. BAIRD: The next photograph, to the left, bending over, a man in a denim suit? - A. Yes.
- Q. It appears to be an Inspector. Do you see his features? - A. I can see something shining on his collar.
- Q. Can you say whether that is Mr. Owens or not? - A. No.
- Q. You can't say? - A. I can't say.
- Q. If you look at his trousers, I think he has got shin pads on the outside of his trousers. Do you agree he might have? - A. He might have, yes. It's quite possible.
- Q. Apart from those photographs, could you recognise anybody, off-hand, on the other photographs? - A. No, it was just that one in particular.
- Q. Could you now have a look at your statement, please? (Handed) - A. Yes.

- Q. You have got the original there in your own hand. You will be able to read it? - A. Yes.
- Q. Good. Now, can you tell us this, presumably on the front page, whereabouts did the Detective stop? - A. It was just four or five lines along.
- Q. So, can you see the line that starts, "As we stood there in the line a continuous stream of missiles"? Do you think you were making your own statement by then? - A. Yes.
- Q. You were? - A. Yes.
- Q. Well, let's go a sentence back. "During the morning there had been a steady build up of pickets. There was about 3,000 as we were blocking off Highfield Lane". Was that sentence dictated to you as part of the scene setting? - A. No, that was my own estimation.
- Q. The whole sentence was your own then? - A. Yes, my own estimation.
- Q. So, it really does appear as if all that has been dictated to you on that statement is the first sentence? - A. Yes.
- Q. Which simply reads, "On Monday 18th June I was part of a large contingent of Police Officers assigned to duty at the Orgreave coking plant, Highfield Lane, Orgreave"? - A. Yes.
- Q. And a little bit further on when it says, "Southern side of the works entrance"? - A. Yes.
- Q. So, in the next sentence the estimate of 3,000 pickets is your own? - A. Yes.
- Q. But the reference to the southern side of the works entrance came from elsewhere? - A. Yes.
- Q. In the way you have described? - A. Yes.
- Q. Once we have got to the "I" of that sentence I think you are confident that all the rest of the statement is in your own words? - A. Yes.
- Q. So, that is from "as we stood there in the line", right? - A. Yes.
- Q. Mr. Gayle, as I understand your account of this afternoon's events, this morning's events, there was never a time when you were in a cordon on the bridge? - A. No, I was never part of that strengthened cordon on the bridge.
- Q. So, it follows, I think, also from what you said that there was never a time when the main cordon was on the bridge and you came out from behind it? - A. No.

- Q. You see, I say that because you have made it clear that you were somewhere on the coking plant side of the bridge when the last charge, the fourth charge, started? -
A. When the fourth charge started, yes.
- Q. So, it is obvious there wasn't a main cordon in front of you on the bridge then? - A. Not to my recollection, no.
- Q. And just so I am absolutely clear, you have told us the next time you formed up after starting that run, it was 40 yards after the smouldering car or thereabouts? -
A. That is to my recollection, yes.
- Q. Can we now read your statement together? Can you find the bit where you say, "About 30 yards before the bridge a piece of telegraph wire had been tied between a lamp-post and a tree at about head height"? You have told us about that again today. - A. Yes.
- Q. I will read from my copy. Stop me if I am reading anything that is not written there. - A. Yes.
- Q. "The main cordon then formed across the bridge". That is what it says, isn't it? - A. Yes.
- Q. "..... across the bridge at Highfield Lane, still under a constant barrage of missiles"? - A. Yes.
- Q. "Again the main cordon opened up and allowed mounted officers through, after which we followed"? - A. Yes.
- Q. "We again formed a line about 30 yards in front of the cordon - A. Yes.
- Q. "About five yards in front of the car which was still smouldering"? - A. Yes.
- Q. "Five yards in front of the car which was still smouldering" - that is the one in photograph ten of Exhibit 21, isn't it? That is the one you identified for my learned friend? - A. Yes.
- Q. So, in the statement you are five yards in front of it whereas today you are 40 yards in front of it. Do you wish to say anything to the Jury at this stage? - A. Not at this stage, no.
- Q. You don't have any comment like, "Well, I confess it's an apparent inconsistency"? - A. I am probably mistaken. If I said five yards in my original statement that was probably more accurate than what I said this morning.
- Q. You think you were, in fact, only five yards in front? -
A. That's what it says in my statement. That's more accurate than a year and a week later.
- Q. It isn't always that easy to mistake 40 yards for five, is it? - A. I dare say not, but I did it.

Q. Well, which is right?

JUDGE COLES: Well, he has said his statement.

THE WITNESS: Well, it must be. I've signed it.

Q. MRS. BAIRD: Well, you said we were playing guessing games, Mr. Gayle. Are you confident you want to tell the Jury you were only five yards in front of the car? -
A. If my statement says I was only five yards in front of the car, that statement was made on the day and what I told the court this morning was made a year and a week later.

Q. What about the fact you say in that statement the main cordon was formed across the bridge before you went out with the mounted and you have told me two minutes ago there was never a time when the main cordon was on the bridge and you went through it? What about that? - A. Like I said to you, I didn't keep an eye on the position or involvement of the cordon once I had gone out.

Q. Pause there, Mr. Gayle. What we are actually talking about here is before you had gone through it? - A. Yes.

Q. Did you keep an eye on it then? - A. It was ... well, I had to, I was going to go through it.

Q. I would have thought so. You have told us it was never on the bridge when you went through it with the mounted in front of you or together. - A. Yes.

Q. Your statement says it was just there, across the bridge. What do you say about that? - A. Across the bridge doesn't mean across the bridge. It could mean across the front of the bridge.

Q. What makes you say it is across the bridge when it isn't, on your evidence? - A. As you can appreciate, I come from a different part of the world than a lot of people, or a different part of the country than a lot of people and perhaps a lot of people have already noticed where I come from. It's dialect. We say things slightly different. Presumably, when I have wrote that in there, "They were formed across the bridge, blocking the bridge off"

Q. You wrote what? - A. The pickets, the cordon was across the bridge at the front of the bridge, blocking the bridge off.

JUDGE COLES: I think I know what you are attempting to say. I'm not going to say what I think the witness is attempting to say, but do give him a chance. I think the witness deserves to have an opportunity to express what he may not find it easy to express.

MRS. BAIRD: Yes, your Honour.

Q. JUDGE COLES: Now, when you said in your statement, "The cordon formed across the bridge", what do you say now that you meant? - A. That the cordon was formed across the front of the bridge. If I meant on the bridge I would have

said, "The cordon formed on the bridge".

- Q. MRS. BAIRD: So, when you said "across", you meant on the front? - A. I meant across the base of the bridge, blocking the bridge off.
- Q. Which side of the bridge was it? - A. On the far side at that time, on the coking plant side.
- Q. On the coking plant side? - A. Yes.
- Q. JUDGE COLES: Isn't that the use of the word "across" that is sometimes used in Newcastle? - A. Yes.
- Q. You are either on this side of the bridge or across the bridge? - A. Yes.

MRS. BAIRD: The difference is that the officer appears to be on the same side as the cordon when he is using the word that it is "across" the bridge.

JUDGE COLES: That, I think, is what he is saying.

MRS. BAIRD: Yes. I hope I'm not being unfair. I will take it as slowly and fairly as I can.

JUDGE COLES: I was just anxious the officer should have an opportunity to explain what he was trying to say at some time.

- Q. MRS. BAIRD: Do you say that the cordon was at this time on the opposite side of the bridge from where you were? - A. No, I'm not saying that. The cordon was formed across the bridge.
- Q. And when you say across the bridge, it is true you mean "blocking"? - A. Width-ways, not length-ways, but width-ways across the bridge.
- JUDGE COLES: A third possibility.
- MRS. BAIRD: Yes. I am obliged:
- Q. What you were being given an opportunity to say was that when you say it is across the bridge you mean on the other side, but you weren't trying to say that it was on the other side? - A. The cordon was where I said it was this morning. It was across the bridge, length-ways, blocking the bridge off. It just opened and we went through it.
- Q. But, where, in relation to the fabric of the bridge? - A. To my recollection it was on the Orgreave side of the bridge.
- Q. On the coking plant side? - A. I've already said that two minutes ago.
- Q. Actually on the bridge? - A. Across the road in front of the bridge, across the bridge, blocking it off.

- Q. This morning you have told us, and repeated it this afternoon, that there was no time on that charge when the cordon was across the bridge. - A. I didn't say that. I said to my recollection at no time did I see them follow me across the bridge. I've already stated when I saw Mr. Coston's back I didn't particularly take a note of where the cordon was.
- Q. I specifically asked you just a few minutes ago when you went through the cordon was there ever a time when it was on the bridge. I think you said, "No". - A. When I went through it, yes, but after I had gone through it on the last time I don't know where they went.
- Q. JUDGE COLES: Was the cordon on the bridge? - A. No, sir, just before the bridge, blocking off the bridge across.
- Q. Where was it in relation to the bridge? How would you describe it? - A. It's hard for me to say. The statement says, it indicates, my statement, that it was right at the base of the bridge, across it.
- Q. That is what you mean, anyway? - A. Yes, sir.
- Q. MRS. BAIRD: "We formed a line about 30 yards in front of the cordon, about five yards in front of the car, which was still smouldering". You say that must be right? - A. Yes.
- Q. That doesn't put you anywhere near the brow of the hill. Would you look at photograph ten, Exhibit 21 again? Can you see the car? - A. Yes.
- Q. Five yards in front of that car, that is going to be somewhere camera-side of lamp-post three, isn't it? - A. Quite possibly.
- Q. Isn't the answer, "Yes", officer? - A. The answer to that bit is yes.
- Q. Good. Well, that is a long way from the brow of the hill. We have all walked it. My guess is this is 30 or 40 yards from the brow of the hill. - A. To where that cordon is now, yes.
- Q. You say in your statement that is where you were, five yards in front of that car, when you saw Mr. Coston. Do you want to read that? Five yards in front of the car which had been placed in the road and was still smouldering. - A. Yes.
- Q. That's right, isn't it, because you have told us there was smoke coming out of it? - A. Yes.
- Q. Can we just pause there and look together at Exhibit 30, photograph ten? Exhibit 30 is the coloured bundle. Have you got it? It shows the car there from a different angle? - A. Yes.

- Q. Can you see that green bit of leaf in the middle of the car?
- A. Yes.
- Q. I think the evidence will be that that photograph was taken at about 11.30. - A. Yes.
- Q. Do you still want to tell the Jury when you passed that car it was smouldering? - A. Yes.
- Q. You do? Very well. You then say the cordon was being "showered with missiles, which hit both us and the main cordon simultaneously". - A. Yes.
- Q. Well, you have been at pains to tell all of us this morning that once you had gone through the main cordon you didn't know where it was? - A. Yes.
- Q. Well, how, then, did you know it was being showered with missiles, Mr. Gayle? - A. Because the main cordon was only a matter of yards behind us and the missiles were going over us that far that they couldn't have missed the cordon.
- Q. So, they are how far in front of you? - A. I've already said they weren't in front of us and as we advanced they retreated about 20 yards.
- Q. How far is the main cordon behind you, do you say? - A. As I say, I don't know.
- Q. How do you know it was being hit with missiles? - A. As I've already said, the missiles were going over us that high that they couldn't have missed the cordon.
- Q. They could have missed the cordon if it was right down by the coking plant. - A. Let me put it this way to you. We were aware of the cordon. The cordon had not retreated. The cordon was behind us, but what distance behind us it was, I don't know.
- Q. We're in a bit of difficulty about knowing that the main cordon was being hit with missiles if you are actually at the brow of the hill, where you said you were this morning. - A. No, the main cordon was being hit. No doubt about it whatsoever.
- Q. "We were charged by the pickets"? - A. Yes.
- Q. You were? - A. Yes.
- Q. Tell us more about that because we haven't heard of it before from you. - A. As we were creating the lines, every time they saw us stop we would be charged by them.
- Q. This is when you are five yards in front of the car that they charged you? - A. Yes.
- Q. Did somebody push you? What happened to this charge? - A. It fizzled out every time we approached them.

- Q. But this, we read in your statement, with great care, is whilst you are in a line five yards in front of the car, not moving, standing still, you are charged by pickets? -
A. Yes.
- Q. Well, did they run through you? - A. No, no. They were, - I would say, running to a steady distance and then remained there.
- Q. Well, how far away do you say that they ran? - A. They were running as close as 20 yards.
- Q. I see. So, that is what you mean by being charged, when someone runs to a distance of 20 yards away? - A. And throws articles at you, yes.
- Q. That may be dialect again. Is that the meaning of the word "charge" in Liverpool? - A. Yes.
- Q. When somebody runs to within 20 yards and throws a stone? - A. Yes, it is.
- Q. Yes? - A. Yes.
- Q. You don't want to change your mind from this morning at all when you told us that every time you moved forward they retreated? - A. They were retreating every time we advanced, yes.
- Q. Was there no difference between what they did when you were beside that car and what they had done on every other advance? - A. The first advance in particular was worse than any of the others because as we advanced they had thrown articles at us and as we retreated they were again able to throw those articles. The difference was that one in particular was worse because we had like a barrage of the same kind of stuff, which is why we kept on moving forward to cover the stuff and clear it away so they couldn't use it again.
- Q. After the first charge, which was worse, was what the pickets did on the second and third and fourth charges the same? - Had they always retreat 20 yards? - A. No, they would advance and watch us up to about 20 yards.
- Q. JUDGE COLES: You are speeding up again. - A. We would then push forward and we would retreat.
- Q. MRS. BAIRD: So, that happens every time? - A. Yes, from my recollection, yes.
- Q. In your statement you have only mentioned it on the one occasion as if it's something new. - A. I see what you are getting at, yes.
- Q. You really want to say, rather than one charge, that there were three or four charges by the pickets? - A. I dare say during the afternoon there would be a great deal,

probably these four or five charges, but to my personal knowledge we had to retreat the first time because, yes, we were being charged, which is why we again formed behind the cordon. When we again go out we are again being stoned and the cordon came up to us and we had a bit of protection.

- Q. You are standing there being charged in this Liverpool way and you then stop. You saw Mr. Coston where? - A. On the left-hand side. I looked to my left.
- Q. Men immediately to your left? - A. No, I've just said "left"
- Q. You told us he was, what, 15 yards away from you when you saw him? Don't read from the statement. - A. I didn't intend reading from my statement. Mr. Coston was on the left some yards in front of me.
- Q. 15, about? - A. 15 - 20 I said.
- Q. That would be fair. - A. On the left-hand side in front of me.
- Q. So, let's be clear about it. He really is absolutely nowhere near the fence which you said he was near this morning and recognised on the photograph? - A. No, I said I ran past the fence after Mr. Coston.
- Q. Yes, and it was a fenced area? - A. Yes, it was a fenced area that I did recognise on the photograph this morning.
- Q. But, you appreciate that this morning you put Mr. Coston beyond the brow of the hill, don't you? - A. I put Mr. Coston 20 yards in front of me on the left-hand side.
- Q. JUDGE COLES: What I think is being said is simply this: Go back to where that car is in the road. What you are suggesting in your statement is that it was when you were a few yards, five yards, past that car that you looked to your left and saw Coston, whereas what you said in your evidence this morning was that you were way up the road at the brow of the hill before you looked left and saw Coston. Which account is right? Which is wrong? - A. Well, as I said this morning, he was on the left-hand side of the road, 15 to 20 yards in front of me, and it was from that distance when we started the fifth charge that I was able to chase Mr. Coston up through that fenced area which was pointed out to me on the left-hand side this morning and out to the back of the factories.
- Q. MRS. BAIRD: You had difficulties with photographs this morning in finding exactly where it was, but what do you say now you have had a chance to look at all the photographs and consider your statement, where do you say that happened? - A. Mr. Coston was on the left-hand side of the road, 20 yards in front of me, when we formed the final line before the final push. He had moved 20 yards in front of me on the left-hand side of the road and it was there that I observed him and chased him.
- Q. Looking at the photographs, including the aerial photograph, precisely where on the ground do you say that happened?

Look at the aerial photograph. You see that motor car that you have seen in the photograph which in your statement you said was only five yards or so short of where you saw Mr. Coston to the left? - A. Yes.

Q. That's about where that white car is near the bridge. Do you see a little further up, perhaps about there, do you see the bridge here, do you see the white car? Now, have a look at that photograph, number ten, Exhibit 21? It shows you where the car is in the road, doesn't it? Take your time

JUDGE COLES: If the Accused are missing trains, they may leave. In fact, they are doing it without permission.

MR. GRIFFITHS: As far as Mr. O'Brien is concerned, he did ask my instructing solicitor and I remember your Honour said if they had trains to catch they could, in fact, leave. I took it upon myself

JUDGE COLES: If he sought permission, that's fine.

- Q. MRS. BAIRD: Let's read that off your statement. "I looked to my left. I could see the Accused, Coston"? - A. Yes.
- Q ".... among a large number of men who were throwing missiles at the Police line"? - A. Yes.
- Q. "Together with other officers, I moved towards the Accused"? - A. Yes.
- Q. You have told us that you had ample time to put everything you wanted to say about Mr. Coston into that statement. Do you tell us anything about him picking up and throwing any missiles at all? - A. I said he was amongst a number of males who were throwing missiles, yes.
- Q. But, you didn't actually say he was throwing, did you? - A. I said he was amongst a number of males who were throwing missiles.
- Q. It doesn't get better with repetition. - A. You are aware of what I mean. You are fully aware of what I said this morning and what I mean.
- Q. Do you say anywhere in the statement written in your own hand 40 minutes after it happens that Coston threw a stone? - A. Yes, I said he was amongst a number of males who were throwing missiles. To me, that means he was there with them, throwing missiles, which is what I have stated in my statement.
- Q. That's your version of it? - A. Yes.
- Q. Given all the time you have had to write it down, you don't bother to put it into your statement, but you have chosen to tell us today that you saw him pick up stones and throw them at you. - A. No. I said to you this morning that he was amongst a number of males. You asked me specifically, did I see him, and I replied, "Yes".

Q. You didn't bother to say in your statement

JUDGE COLES: Well, that's right. It doesn't improve with repetition. The point is made, I think.

THE WITNESS: Yes, I do say in my statement.

Q. MRS. BAIRD: So the Jury are not confused, we are talking about the only paragraph in your statement that mentions Mr. Coston at all

JUDGE COLES: You will get the statement in due course, members of the Jury. It is an Exhibit now. Mrs. Baird, you have a better point than that, surely, haven't you? Don't sit down on that, surely?

MRS. BAIRD: Would your Honour put it to the officer on my behalf?

JUDGE COLES: I don't think I ought to. We will leave it until Monday, I think. Over the weekend could we give some real thought to the length of time of this trial because we surely should be able now to find some pattern. The pattern of examination and cross-examination is clear, but it will be of some assistance if we could give some consideration at least to the planning of the autumn programme.

MR. WALSH: Perhaps all counsel can discuss it and notify your Honour in due course.

JUDGE COLES: I don't mean to say things must go quickly or quicker, but to be able to give some assistance to those who must look after this court and we must also plan what will happen in August.

MR. WALSH: Yes, your Honour.

(The Court adjourned until 2.15 p.m.
on Monday, 1st July, 1985.)