

IN THE SHEFFIELD CROWN COURT

The Crown Court,
Castle Street,
Sheffield

1st July, 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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1st July, 1985

MR. GRIFFITHS: May I mention one matter which has been seen to in the time that has elapsed since 2.15. If your Honour would look at Exhibit 45, which is the non-contentious photographs of the scene, five further photographs have now been added to each bundle. The usher did assorted bundles for the Jury and the Clerk saw to your Honour's bundle. Would you look, first of all, at 9. That was in the original bundle and another view, photograph 9a, has been added. It shows a view from the bungalow across down the road towards that factory building and finally there are, at the end of the bundle, four photographs numbered 13, 14, 15 and 16 - further views of the bridge end, so to speak, and the line of houses. That has all been done and I hope everyone has copies.

MR. REES: May I mention another matter? My two clients have not appeared today. The position is: firstly, Mr. Marshall who comes from Armthorpe near Doncaster, I am informed, and indeed your Honour has been informed, there is a bus strike in Doncaster. He lives ten miles outside and I understand from his phone call there is simply no transport in for him today. It seems there is little we can actually physically to to get him here.

JUDGE COLES: What is the position going to be tomorrow?

MR. REES: I do not know. I shall make enquiries about the strike. I do not know if it a one-day strike or what.

JUDGE COLES: We shall have to have him here. We cannot carry on with the trial in his absence.

MR. REES: No, your Honour. Mr. Newbigging

JUDGE COLES: Are his interests affected this afternoon?

MR. REES: I think not. I am not making any application to adjourn the case because of that. Mr. Newbigging comes from Scotland and the information I have comes from Waddington that he was not on the train with Mr. Waddington and I am hoping it is simply a case of having missed the train.

JUDGE COLES: Again, are his interests affected?

MR. REES: I do not think so.

POLICE CONSTABLE WILLIAM JAMES GALE
Cross-Examined by MRS. BAIRD (continued)

Q. MRS. BAIRD: We were, in fact, going through your statement but I will leave that for a few moments though there is more to be said between us about the contents of that statement and the Jury have copies of it. I think by the time we finished on Friday you had accepted, having looked at that statement, that the line you had put there as originally 40 yards in front of the wrecked car was, in fact, only five yards in front of that car? - A. Yes.

- Q. And it is then from that point, just five yards in front of the car, from which a quite short run took you to arrest Mr. Coston? - A. Yes.
- Q. I should like to help to better locate now where you, in fact, arrested him because I think plainly it cannot be where you originally said it was. I think that is right. Could we perhaps look at Exhibit 21, photograph 10. There you can see the car in question which you identified for my learned friend, Mr. Keen, on Friday? - A. Yes.
- Q. And I think it may be it was agreed then the car appears to be roughly equidistant between lampposts 2 and 3 on photograph 10? - A. Yes.
- Q. Turn now to Exhibit 45, which is Mr. Griffiths' exhibit, and to photograph 4, please. There I think you can plainly see a little further away lampposts 2 and 3 and can you see between them, perhaps $\frac{1}{3}$ of the way up the road, between them there is some kind of darkness across the road and there is what looks like a manhole cover or something there? - A. Yes.
- Q. Turn to page 5. There you can see that manhole cover a bit better. We have seen from photograph 4 it is about $\frac{1}{3}$ of the way between the two lampposts. Can you look now to your left up the waste ground to your left? - A. Yes.
- Q. There is a fence running parallel to the road? - A. Yes.
- Q. If you look at the Volkswagen car there you can see that, at that place, the fence has not got any mesh on it. It is just a post. We have heard from the owner that fell down some time ago. Going to where the lorry is, again there is no mesh on the fencing there and the mesh seems to start at that fence that has got legs coming out at each side? - A. Yes.
- Q. I do not know how clear it is from that photograph but I can perhaps show you somewhere else that that is the point at which the fencing starts. Look about the level of the cab roofs on the two lorries and you can see a different line running away which is the top of the fencing? - A. Yes.
- Q. Now, all those photographs were taken quite recently. I think the fencing was, in fact, of the same condition on the day we are concerned with last year, the 18th June. Now, it appears, does it not, as if that fence post with legs would be just a short distance in front of the wrecked car in photograph 10 of Exhibit 21? - A. Yes.
- Q. Five-or-so yards in front of it. Would you now please turn to Exhibit 30, which is the bundle of photographs, photograph 8. Photograph 8 is the blurred one? - A. Yes.
- Q. If you look at the fence at the back there, I think you can see, in fact, the same fence with leg supports on it? - A. Yes.
- Q. And you can see reasonably clearly there that the fence does only start at that pole going off to the right and the mesh

is down or disappeared to the length of that post. I think you agree it is reasonably plain? - A. Yes.

Q. And that probably then is the same fence-post as the one we have looked at? - A. Yes, it is possible.

Q. If this fence-post with legs is a few yards in front of where the wrecked car was, it must be that fence-post with legs is quite close to where you were standing in your cordon five yards in front of the wrecked car? - A. Quite possibly, yes.

Q. So I would like you to answer this: did you see, on that day, the scene in photograph 8? - A. No, I did not.

Q. Or the scene in photograph 9? - A. No.

Q. Your movement towards this cordon near the car was the first movement over the bridge by your squad, was it not? - A. Yes.

Q. I think you have told us that you were one of the front Officers in those advances? - A. Yes, to my recollection.

Q. And you have also told us that, in those advances, you were to the left-hand side of the road? - A. Yes.

Q. So if you would take it from me for the moment - this is not evidence but in due course it will be - that that photograph is taken on that first charge over the bridge, it seems rather puzzling you did not see that scene? - A. Not really. I just cannot remember it.

Q. You know who the person in photograph 9 is, of course - it is Mr. Scargill? - A. I believe so, yes.

Q. So I want to suggest to you that forgetting it is pretty unlikely because that is perhaps the memorable scene we have heard about many times when Mr. Scargill hits the deck on that day? - A. I cannot remember the incident, I am sorry.

Q. What I am suggesting is, if you saw it, you would not forget it, would you? - A. I did not see it.

Q. Yet if you are right you are on the left, you are at the front of the first charge and your cordon sets off just in front of that car and that photo is taken on the first charge, it is taken absolutely where you must be at roughly the same time? - A. It shows that could be part of my particular unit, yes, given that what you say is correct.

Q. You should be on photograph 8 if you really were where you say you were at that time on that day, should you not? - A. That being the case presumably there should be 24 other Officers on there with me.

Q. That is an interesting point, is it not? There is not a cordon across the road on either photograph 8 or photograph 9, is there? - A. No.

Q. But it seems a simple deduction that photograph 8 is the first arrival of Officers. They are arriving on that

photograph? - A. It looks to me as if those Officers have arrived for some time. You can deduce anything you like from that photograph whatsoever but it does not mean anything to me.

Q. I am not sure what you mean by "It looks like those Officers have been there for some time". They appear to be moving? - A. It looks to me as though only one of those particular Officers appears to be moving and that is the Officer on which would be the right-hand side. The rest of them seem fairly static to me. That is the fellow I am on about - the fellow who would be on the right-hand side.

Q. What about the man facing the chap in the blue shirt? - A. Again, it does not show the man running. It does not give any indication as to how long the fellow could possibly have been there.

Q. What are you saying? - A. I am not trying to give an explanation. I am not trying to give you any form of guidance whatsoever. I never saw the incident so I am not here to remark on it, I am afraid.

Q. But if you take it from me that is the first charge, that is taken about where you say you were about that time? - A. There or thereabouts.

Q. But you did not see it and you cannot explain why you did not see it? - A. No, I cannot.

Q. Can I suggest it is because you were not there? - A. As I have already said, you can suggest what you like. The fact that I am in this Court today proves the fact I was there. I was not an invisible man on that day, if you get my drift.

Q. I am not denying you were at Orgreave but you were not where you say you were in a cordon in front of that car or else you would have seen that scene? - A. I would say from that photograph I was two to three feet ahead.

Q. I do not want to argue - A. I am merely stating a point you have not brought in. You are saying why am I not in that photograph because they appear to be members of my unit. Presumably I could be slightly ahead of that.

Q. I think the point is either made or not. This is the first photograph which shows quite a distance along that fence, more-or-less exactly where you have put your cordon. What I want to suggest

Q. JUDGE COLES: What do you say about that? - A. It means nothing to me, sir, as I have already explained. If I was two feet ahead of the man in blue there I would be out of the photograph and this scene would be behind me and I would not be looking at it, sir.

Q. You say, "I was there. I could have been two or three feet ahead of photograph 8 and I may not have seen what happened behind me"? - A. Presumably, if what is said is true, that should be my unit. I cannot identify that as being my unit.

I do not recognise any faces from it.

- Q. MRS. BAIRD: But you are not on the photograph? - A. No.
- Q. You see, your account is not that you just passed by the area on that photograph. If you are a little bit ahead of that happening, nonetheless you were in the cordon for a few minutes just there so you must, by the time we are in photograph 9, have been aware of what was going on immediately to your left? - A. No, because, as I have already stated to you, that was not my contingent commander standing there.
- Q. I am suggesting you were not where you say you were. In fact, you told me quite plainly last Friday that you were absolutely sure you had been as far as the crossroads, did you not? - A. The crossroads?
- Q. Yes, to the brow of the hill? - A. Yes.
- Q. And you probably accept you never were as far as the brow of the hill? - A. I am afraid you have said nothing to me this afternoon to make me change my mind.
- Q. It is you who says your cordon was only five yards in front of this car and you ran to your left. It follows then you never got as far as the brow of the hill? - A. I am sorry, I disagree with you.
- Q. Well, you obviously did not look over and see the 3,000 people you told me about last Friday? - A. Obviously not.
- Q. I want to suggest you went through that fence into that industrial area just before the fence post that with legs where there is not any mesh. Do you remember going through there? - A. No.
- Q. You see, there are no bricks. You have told us you arrested Mr. Coston in an industrial area and he agrees. I am really just trying to locate where it is. Now, you have altered your cordon by 35 yards. I think it may be that it, in fact, is this industrial area? - A. The industrial area was on the left but I chased Mr. Coston a good deal further than that.
- Q. You chased up the road into that industrial area to a fence at the back of it? - A. All I can remember is chasing Mr. Coston in that area and arresting him while he was climbing over the fence.
- Q. Well, you now accept that is the area into which you chased him because on Friday you were chasing him in a completely different place? - A. No.
- Q. Yes, you were. Let us see if we can pin it down. There is yet another bundle of photographs which I would like to be exhibited

MR. WALSH: We have prepared a typed list of all exhibits to date. Can I hand your Honour one? Three of the exhibits are asterisked because they are the photograph albums that

have been put in in stages, the full bundle being Exhibit 30, the cut-down version Exhibit 17 and Exhibit 8 being the single photograph. The asterisk is to show they relate to each other.

- Q. MRS. BAIRD: I a moment I am going to ask you to look at those in some detail. Can you briefly look at Exhibit 27, photograph 22. There was a time when Police Officers chased pickets up the field as well as on the road to the railway banking shown in Exhibit 27, photograph 22. Can you say, were you aware of that, or where you were when it happened? - A. Not at all.
- Q. You were not aware of it? - A. No.
- Q. Can you say whether you ever looked over and saw a sight like that - exclude the Policemen for the time being - but look at the railway banking? - A. It does not ring any bells at all.
- Q. Can I ask you to look at this: there is something which looks like some corrugated iron steps? - A. Yes.
- Q. Now, turn to the new bundle, Exhibit 53, firstly to photograph 5. It may be fairly easy to see that the far side of the photograph from the camera, it may be fairly easy to deduce that the scene in photograph 22 is the same scene but a little more on the other side and those corrugated steps have disappeared and there is just a duct with cable coming down? - A. Yes.
- Q. Mr. Coston will say that, at a time that you are not aware of, the pickets were chased up the field, he ran down that banking on photograph 5 and up what you can see is now only a duct but, in fact, had, he would say, steps on the front of it just as they did on the opposite side. Do you see what I mean? - A. Yes.
- Q. Now, in doing that he brought himself to photograph 6 in the new bundle and, if you look at the right hand side on photograph 6 in the new bundle, the elegant figure of my instructing solicitor is visibly marking the spot where that duct comes to the top of the banking
- JUDGE COLES: You are saying that he came down the corrugated steps
- MRS. BAIRD: He ran down the banking and really the photographs show the steps were there but now they have gone. He arrives at photograph 6.
- Q. Can you keep in your mind's eye the Mini and yellow lorry there, please, and turn now to photograph 1 at the front. Putting the two together you can see he has arrived by a side road to the area behind the fence that we have just been talking about? - A. Yes.
- Q. Now, he has come up the banking where my solicitor is and gone across in front of those vehicles until he is on the edge of the road and, if you look at the photograph in Exhibit 30,

No, 7, Mr. Coston is, in fact, visible there just behind the fence. You have described him as a distinctive-looking man. Do you think you would recognise him on that photograph ...

MRS. BAIRD: There should not be any reason why I should circle round the man and ask the Officer if he agrees?

JUDGE COLES: No, if you want to put it to him do.

Q. MRS. BAIRD: Can you see somebody on there like Mr. Coston? - A. Yes.

Q. JUDGE COLES: Which is the man you recognise as Mr. Coston? - A. He would be dead in the centre

Q. He is actually leaning on that piece of fence with two legs straddling it? - A. Yes, if that is Mr. Coston.

Q. Is that the photograph you are talking about? - A. Yes.

MRS. BAIRD: Perhaps your Honour could draw a smaller circle.

JUDGE COLES: Yes.

Q. Is that the man you are identifying? - A. Yes, sir.

JUDGE COLES: We had better have that large photograph made an exhibit - Exhibit 54. It is a large colour version of Exhibit 30, No. 7.

Q. MRS. BAIRD: Mr. Coston is behind the fence, is he not, on the opposite side of the fence from the road? - A. Yes, at that stage.

Q. And the fence stops at that pole. There is no mesh to the left? A. Yes.

Q. Can you look at this man here who is visible on all the photographs. Look at the smaller of the two trees behind the plank. There is a man with sandy hair and a denim jacket who is Brian Moreland. I would like you to know that the evidence is that he is there. That is a photograph taken on the day, very shortly before the two we are concentrating on, particularly the blurred one, No. 7. Indeed, Mr. Moreland is on No. 8 crouching down in front of an Inspector? - A. That would be on exhibit?

Q. Exhibit 30, photograph 8

MR. WALSH: Your Honour, has this Officer seen Mr. Moreland? Does he know him? There is no evidence yet who that person is.

JUDGE COLES: No, that is absolutely right. I think what Mrs. Baird was doing is just using him as a point of reference.

MRS. BAIRD: No, in answer to the question, "Will you accept that is Mr. Moreland?" he said, "I will accept it is Mr. Moreland".

JUDGE COLES: I do not think anything turns on that but please bear in mind for present purposes all that counsel is doing is using the denim jacket as a reference point to assist the Officer in describing some person.

Q. MRS. BAIRD: Mr. Gale, evidence will be, in due course, that really that is as far as Mr. Moreland got - just a few yards before that scene took place. That photograph with Coston on it is taken very shortly before that next one because it seems as if you must have been on the bridge, or just coming over the bridge, when this big photograph was taken because your squad had got that far? - A. I see what you are suggesting.

Q. You can perhaps accept it from me for the time being? - A. Quite possibly.

Q. It is right that Mr. Coston is not on Exhibit 30, photograph 8. You cannot see him on there? - A. No, I cannot.

Q. So what I am suggesting to you is that, if photograph 7 with him on leaning on that pole with legs is taken a second-or-two before photograph 8 without him on, he must have gone some other way down the banking onto the road, must he not? - A. If I see what you mean, you are suggesting that that was taken seconds before that so this male on the floor that is being arrested is standing there and then you are saying a matter of seconds lapsed between that photograph of a peaceful-looking man and that photograph of a man arrested, I am afraid I cannot agree on what you are saying.

Q. My duty is to put my case to you and all the evidence, in due course, about this

Q. JUDGE COLES: Well, I think what is being suggested to you - and I want you to be under no misapprehension about it - first of all it is being said that Mr. Coston did not get arrested at the brow of the hill. He was arrested much closer to the bridge. Indeed, he was specifically arrested at or near the area shown by this legged pole inside the industrial area but it is sort of level rather than up on the brow of the hill and what counsel is saying is that, as you can see Mr. Coston in photograph 7, then photograph 8 can only have been taken a second-or-two later and the likelihood is that Mr. Coston has not gone very far before his arrest and you are being given the opportunity to comment upon that if you wish to. What do you wish to say about it? - A. At the present moment I believe it to be just pure speculation.

Q. You are saying from those photographs? - A. Yes.

Q. Do you saw now, because there was some confusion in my mind on Friday, you arrested Mr. Coston in this vicinity, that is, the vicinity shown by the photographs, beyond this fence and in the industrial area, or do you say the place where

you arrested Mr. Coston was much further up the road on the brow of the hill? - A. No, as I remember it it was much further up the road and set back behind the factory units.

- Q. MRS. BAIRD: Can I just specifically suggest this to you because it is important - you have said Coston was on the roadside? - A. On the grass.
- Q. Just off the road? - A. Yes.
- Q. Just in front of you when you were in a cordon five yards in front of the wrecked car? - A. I said about 20 yards ahead of me.
- Q. We have established that is where the wrecked car is, just behind that pole. What I want to suggest to you is this: if Mr. Coston was, as you suggest, by the roadside, just in front of that wrecked car, he did not go down the fence, the obvious way to get, because he is on that photograph but he is not on that one. Do you see the point? He has disappeared in some other direction than towards the road or along it? - A. Quite possible.
- Q. You have grasped the point now of putting those two photographs together indicating on one the presence of Coston and on two the absence? - A. Yes.
- Q. Where he went, Mr. Gale, and I really put it to you because it is the easiest way of getting him to where he is arrested, is shown on photograph 4 in the new bundle, Exhibit 53. You can see there this fence post with legs from the other side? - A. Yes.
- Q. Mr. Coston has come up where I said, come across to the point shown on that photograph where he has got a circle round his head, and having waited for a minute or two he has gone away again into this area and, specifically, Mr. Gale, from photograph 4 off to the right onto photograph 6 and then, after that, if you would turn to photograph 8 - I hope everybody can still get their bearings from that yellow lorry and the Mini car - Mr. Coston is going further back towards the railway banking, across photograph 8, across photograph 7, which really ought to come after photograph 8, it is to the right of photograph 8, and at the corner of that garage there with the red door on photograph 7, very near the blue van, Mr. Coston on his own there, overtaken by some people who I suggest you and your group were chasing because if you try to remember and use photograph 7 as a prompt and move round the side of that blue van on photograph 7, it brings you to photograph 9 - I think you may see the fence by which you, in fact, arrested Mr. Coston. Photograph 9 is to the right of photograph 8. Looking at photograph 7 you can see the fence that is shown clearly in photograph 9.

Now, it really is only a question of pinning down where this took place. Can I suggest to you that is where you arrested Mr. Coston. That is the fence

JUDGE COLES: Would not photograph 10 put it in more context? Photograph 10 shows across the railway lines with the concrete chute which appeared at the beginning of Mr. Coston's journey as depicted by counsel.

- Q. He came down the banking, across the flags, up the other side to where you see him in photograph 7? - A. Yes, sir.
- Q. And then he has made the journey which counsel has just described through these photographs until he has ended up near the low waist-high fence shown in photograph 10's foreground and it is suggested that is where you arrested him? - A. The fence is similar. The picture behind the fence, I just cannot see to be honest.
- Q. MRS. BAIRD: Did you agree that to be the fence? - A. The fence is similar to the fence that I arrested Mr. Coston climbing over, yes. However, the view behind the fence just does not mean anything to me.
- Q. It may be that is right and that is the fence in question? - A. Maybe that is the fence in question, yes.
- Q. Now, what I want to suggest to you happened is that, as I said, when you got to the garage at the corner, some men ran beside him and disappeared and, as he got to the fence and stood leaning on that fence in photograph 10, just looking at the scene in the field, another man ran past him pursued by you. Do you agree? First of all, pursued a different man to that fence? - A. No.
- Q. You see, I want to make absolutely plain what I am putting to you. Mr. Coston made that journey I have described shown on photograph 7, he is now back at this fence, never having touched a stone, never having been on the road, and you are there having chased a different man there, is that right? - A. No.
- Q. And I can describe the man in case that prompts you as well. He is a much younger man than either you or Mr. Coston with long, dark hair, denim jeans, no shirt, and his jacket tied round his waist. Do you remember such a man? - A. No.
- Q. Who presumably had done something that you saw to cause you to chase him. Now, do you remember that? - A. No, I do not.
- Q. What happened, I put to you, is this: that young man, much younger, ran past Mr. Coston's right shoulder as he stood looking at that view leaning on the fence. He

leapt over the fence headfirst, rolled away down the banking, picked himself up and ran away as fast as he could across the railway lines. You seize Mr. Coston by the scruff of the neck and say to him, "Right, I have missed that bastard and I am having you"? - A. That story belongs more in Jackanory.

Q. That is what happened, is it not

JUDGE COLES: So you are not putting this Officer made a mistake. You are putting he lost his quarry and deliberately arrested someone he knew was not the man he had been chasing?

MRS. BAIRD: Yes.

Q. You did that? - A. One word would describe that accusation and that is "rubbish".

Q. You accompanied these words with taking him by the scruff of his neck and sticking your truncheon in the middle of his back? - A. You are amazing honestly. You amaze me.

Q. He said, "Why are you picking on me? I have done nowt". Do you remember him saying that? - A. No, but I am still listening.

Q. And you said, because he still had his hand on the top of that fence post, "Get your fucking hand off there or I will break it", and you gestured with your truncheon as if you would do just that. Do you agree? - A. No.

Q. Do you accept, looking at photograph 10, that so far as can be seen, there would be nothing to obstruct a view of what happened on that fence, the view of people on the opposite side of the railway banking? There does not seem to be any reason why a person on the far banking should not see what happened at that fence? - A. I agree.

Q. Even less reason for somebody standing between the two railway lines to miss what happened? - A. Quite possibly.

Q. There is a small line which meets the main line and there is an island between the two which is elevated? - A. Yes.

Q. As far as one can see, anyone standing on that banking could see what happened at that fence? - A. I presume so.

Q. You have already made clear, in your view, Mr. Coston is a very distinctive person, quite easily recognised by someone who knows him? - A. Yes.

Q. Do you wish to accept that it happened the way I say - someone else ran away and you just grabbed him? - A. I do not accept that at all.

- Q. You turned Mr. Coston round and walked him back the way he had come to the front of that garage shown in photograph 7? - A. I do not remember that to be honest, no.
- Q. Do you remember coming upon a young man with dark curly hair wearing a red sweater who came out of that garage? - A. Not at all.
- Q. Have you ever met Mr. Manning who owns those premises? - A. Not at all.
- Q. Can you say whether there was somebody coming out of that garage at that time? - A. There might well have been. I cannot remember.
- Q. You got a little further towards the camera in photograph 7. You said to Mr. Coston, "How the hell do you get out of here?" and he said, "I haven't a clue". Do you remember that conversation? - A. No, I do not.
- Q. So what you did then was to change direction, coming towards the camera in photograph 7, you changed direction and came back to your left and you actually walked Mr. Coston up some steps which lead to the yard of Keeton's the undertakers, do you remember that? - A. I do not.
- Q. Look at photograph 9a in Exhibit 45. That, Mr. Gale, shows the yard of Keeton's Undertakers from the road. You came across the yard and through that gateway visible on 9a, do you agree? - A. Yes, quite possibly.
- Q. Halfway across that yard, before you got to the road, a Sergeant, I think you suggest it is Gradwell, ran up and took Mr. Coston's other arm? - A. No, I seem to recall Sergeant Gradwell taking hold of Mr. Coston's arm quite a bit further back than that towards the Police Station.
- Q. You told us he was behind the Police line. Why would he be behind the Police line? - A. I am not Sergeant Gradwell. I do not know what was going through Sergeant Gradwell's mind at the time so it is not for me to comment on it.
- Q. Your recollection is that most of your PSU were up with you? - A. Yes.
- Q. Well anyway, you could not say on Friday why Sergeant Gradwell should take Mr. Coston's other arm when you were safely behind the Police lines? - A. Yes, I agree with that now.
- Q. I suggest to you it is quite an unlikely thing for Gradwell to have done - taken hold of him at that stage.

What he did was take hold of him in the middle of the alleged riot and walked him down the road with you on the other arm? - A. Yes.

- Q. You know there is a photograph of you and Sergeant Gradwell? - A. Yes.
- Q. It is Exhibit 21, photograph 8. There you can see yourself and Sergeant Gradwell on the other arm? - A. Yes.
- Q. Just to complete my case, the thin cordon of advance Officers was across the road opposite Keeton's when you went through it. Do you remember that? - A. No, I do not.
- Q. You do not remember it? Do you say it did not happen or you just cannot remember? - A. I just cannot remember, I am sorry.
- Q. The main cordon, eight or nine deep, was on the bridge and you walked Mr. Coston through that and he was badly jostled and called some unpleasant names? - A. Yes, I can remember Mr. Coston being taken through the cordon and I did my best to get the other Officers away from him. However, I cannot remember them calling him names.
- Q. What were you trying to protect Mr. Coston from? What were they trying to do to him? - A. I was not suggesting that anybody was trying to do anything to Mr. Coston. I just was not going to take the chance with somebody there.
- Q. I have to suggest that you did not try to protect him at all. There was an ambulance slightly further down the road in the bridge area. Do you remember that? - A. No, I do not.
- Q. And there was a man with a head wound bending down being treated by the ambulance man. Mr. Coston said to you, "That looks nasty" and you said, "You could all do with a bit of that"? - A. No, I am sorry, ma'am. I said nothing like that at all. Nothing at all, and, if I may say so, that is a perfectly nasty allegation to make. I do not personally find it humorous or whatever. You would have to know me to realise that I would not make a statement like that.
- Q. You arrested Mr. Coston, you told us last Friday, for unlawful assembly? - A. Yes.
- Q. What did you understand, at that time, was unlawful assembly? - A. A large gathering of males acting in what I believe to be a riotous manner.

- Q. You thought it was a large gathering of males acting in a riotous manner? - A. Yes.
- Q. And everybody who was there was guilty of unlawful assembly to you? - A. Not particularly. I arrested Mr. Coston for what I believe was the offence of unlawful assembly. The Bridewell Sergeant, when he was booked in, saw no reason to refuse the charge.
- Q. But your understanding when you arrested him was that, if he was a member of a group of males who collectively were behaving riotously, you could arrest him for unlawful assembly? - A. At the time I believed that what I arrested Mr. Coston for was the offence of riotous assembly.
- Q. What I am trying to seek out is whether you felt that if anybody was merely there at that time, and there was this kind of assembly going on, you thought it was legitimate to arrest a person who was there. I am asking you, is that what you understood to be the position? - A. No, it is not an offence to just be there.
- Q. You see, I am wanting to be as fair as I can to you. It may be you thought it was legitimate to arrest him when you lost your real quarry because he was there and you might have thought that was enough? - A. No, I am afraid you are wrong.
- Q. Then I have to suggest you probably arrested him because you had had enough and wanted to get off the scene? - A. Again, I do not care for the remark you are making.
- Q. Rather like Sergeant Gradwell who just seized the arm of the nearest person to get away? - A. When you are actually faced with the situation that you are in, danger does not go through your mind. Doing your job goes through your mind. It might be hard for you to understand. I do not know what danger you face in your life - probably just crossing the road.
- Q. I would like to suggest it may be you just could not cope with being out there in the situation that there was and you just took out the first quarry that you could having lost your quarry? - A. If you were to suggest that, all I can do is deny it because you could not be further from the truth.
- Q. Because you have told a considerable number of lies to this Court, have you not? Do you accept that? - A. No, ma'am.
- Q. Can we look back at your statement and continue where we left off on Friday and there are copies of it for the

Jury now. It ought to be exhibited formally at this stage and it will be Exhibit 55. If we can come, please, to the only section of the statement which mentions Mr. Coston - the Jury can find it about 8 lines up from the very end of the statement - "I looked to my left and could see the Accused Coston among a large number of pickets at the side of the road on waste land who were throwing missiles at the Police lines" Now, let me put this as carefully as I can. You do not say in that statement, do you, that Mr. Coston, as an individual, threw any stones at all? - A. No, I say Mr. Coston was in a group of males throwing stones, missiles.

- Q. You actually say Mr. Coston was among a large group of pickets throwing stones? - A. Yes.
- Q. You agree that you can be among a large group of pickets throwing stones and not be a person throwing stones? - A. Yes, but had I meant that, that is what I would have said.
- Q. In a statement made a few minutes after the event, you said there was a person
- A. I mentioned in my statement collectively that another group of males were throwing missiles at the Police lines.
- Q. I am now among a group of barristers sitting down. That does not mean I am sitting down, does it
- JUDGE COLES: You know what he says he meant and we can all see what he said.
- Q. MRS. BAIRD: You told us on Friday about picking up several missiles and throwing them? - A. Yes.
- Q. So you are able to describe that in words, the men doing that? - A. Yes.
- Q. Would you now, please, tell the Jury why, if it happened, you did not describe it in words like that in here? - A. Had I described every bit of detail that happened on that day, I could still have been writing today.
- Q. Whether Mr. Coston was throwing stones or not is the most important thing in your statement, is it not? - A. Yes.
- Q. You see, I have to suggest to you it is not in there at all because he never did throw any stones at all? - A. You can suggest that as much as you like. All I am saying is, if Mr. Coston was not doing anything, I can assure you I would not have arrested him.
- Q. And you have lied about what he was doing but you arrested him in the way I said having lost your first

quarry? - A. No.

- Q. And you have lied about a considerable number of other things to this Court? - A. I have made an error with regard to the distance that we moved up the road....
- Q. You have lied to this Court about other things, have you not? - A. I am not in the habit of perjuring myself.
- Q. Let us come back to when you told me I did not understand the danger that was there. Can you remember you told me I did not understand that? - A. No.
- Q. It was in telling me why you had not told Mr. Coston what you had arrested him for. Do you remember telling us last week that it was so awful being there that you really did not have time to tell him what you were arresting him for and that it was silly of me to suggest that you should have because I did not understand the danger. Do you remember telling me all that? - A. If you suggest that it is possibly right, but it would appear that, looking at my statement, I did tell him what he was being arrested for.
- Q. So having said you did not tell him what you were arresting him for on oath and the reason you did not tell him was because of the danger, it is now quite plain that your statement says, "I cautioned the Accused and told him he was being arrested for unlawful assembly"? - A. Yes, it does.
- Q. Well, one of them is untrue? - A. Well, I was obviously mistaken but I did find time to tell him at the scene because the statement was written 40 minutes later.
- Q. And the great lecture you gave me about why you had not done it, that is the way you will tell this Court anything at all, will you not? - A. Again, you are suggesting something that is completely untrue.
- Q. Jackanory? - A. You are wrong again.
- Q. You certainly lied when you say there that the car was still smouldering? - A. The car was smouldering when I went past it.
- Q. You look at the photograph that follows photograph 9 and has got green branches on it? - A. But I say the green branches were on fire. The car itself was smouldering. I do not know how or where it was smouldering there but when I went past the vehicle it was smouldering.
- Q. That is a lie? - A. The fact that the car was smouldering would appear to have no bearing on my part of the case so why should I lie? The vehicle was smouldering when I

I went past it.

- Q. It is a lie to exaggerate what it was like there? - A. You would not know the exaggeration because you were not there.
- Q. You picked up that lie from somewhere else. You never saw a smouldering car? - A. Is that right, ma'am? You can suggest until you go blue in the face. That vehicle was smouldering when I ran past it - definitely.
- Q. You have lied too about there being barbed wire as a sort of obstacle left by the pickets? - A. Not at all.
- Q. I cannot see any barbed wire fence - A. This statement was made about 40 minutes after the arrest. I said in my statement that there was barbed wire there. From my vague recollection I can recall small bunches of barbed wire. I have stated so. It is not a lie. It is fact.
- Q. And another example of how you will tell this Jury anything is that you first of all told them you were 40 yards in front of the car and then you told them you were only five yards when I showed you your statement? - A. There again that was an error on my part. The statement was made shortly after the questions you are firing at me were made a year and nearly a fortnight later. I did not pace out how far I went. It is a road I had never been on before and have not been on since.
- Q. You are getting angry with me again. Do take your time. - A. It was an error on my part.
- Q. Let us be clear about this: your unfamiliarity with the terrain here has got nothing to do with you saying you were 40 yards in front of the car once and five yards in front of it when I showed you your statement? - A. The statement was made by me at the time and is correct.
- Q. But you cannot blame that mistake on the fact you do not know the name of the road the car is on, can you? - A. I cannot honestly see what you are getting at. I have already stated to the Court I was in error when I said that.
- Q. Why have you lied saying that you only had the first sentence of this statement dictated to you plus the reference to being on the southern side of the works entrance? - A. You are going to tell me different?
- Q. Have you lied to the Court about that? - A. No, you did not ask me. I told the Court the truth with regard to the making of the statement.
- Q. You said the first sentence was dictated to you, so was the reference to the south side and all the rest in your own words? - A. Yes.
- Q. Mr. Gale, the Jury already have two copies of statements which are almost identical in words for almost half their

length to the words in yours. Would you like to go through them or will you take it from me that Brophy's, Pimblett's and Browning's all have practically word for word at least two paragraphs the same, but in Brophy's case about five paragraphs identical? - A. If you tell me it is true. I take it you are not lying.

- Q. Would you please explain to the Jury, if you can, if you really did not have more than the first sentence dictated, how it is that the other Officers there on that day have word for word statements like yours and yours is word for word like theirs? - A. When you do a statement, statements are done in certain orders and orders is the way that mine was done. If mine happens to coincide with another Officer's, then I am afraid I cannot answer that. This is my own statement. The greater majority of this first part, as I have said, was dictated. The rest is mine.
- Q. The fact is you lied about that because a good deal of your statement was, in fact, dictated to you as it was dictated to a lot of other Policemen at the same time. That is the truth of it? - A. No.
- Q. And you have lied about that and the stones and all the other matters I have mentioned to you today? - A. No.
- Q. Most particularly, Mr. Gale, you have lied about Mr. Coston who did not throw a stone at all and was not on the road? - A. Have I? I am sorry, I do not believe you.

Cross-Examined by MR. MANSFIELD

- Q. MR. MANSFIELD: I represent Mr. Moore who you, I suspect, do not know but, so you understand why I am asking you the questions, he was in the path of an advance by Merseyside Officers. - A. Yes.
- Q. And I am going to make it plain to you at the start that you know a great deal more about what happened on the other side of the bridge than you are prepared to tell. Is there any possibility of that? - A. No, sir.
- Q. None at all? - A. No, none at all.
- Q. You have been shown particular photographs, the blurred ones, and you say you did not even see such scenes, is that right? - A. Yes, I did not see that scene at all.
- Q. Just so we can bear it in mind, the particular unit you were in is not an unlimited number - it is 23 - and the bit of it you were in with Mr. Gradwell included Mr. Austin? - A. Yes.
- Q. And it also included Mr. Browning? - A. Yes.
- Q. Mr. Browning claims he arrested Mr. Moore so, again, I am just putting you in the picture. He is claiming that he was on the other side of the bridge on the left hand side of the road where you say you were. All right? - A. Yes.

- Q. Now, in addition to those two Officers in the bit of the squad you are in, the half of the PSU you are in, comes Mr. Kearns who has already given evidence. Do you know him? - A. I would probably recognise him as being a colleague from Kirkby but I could not describe him
- Q. He was also on the other side of the bridge, one of the first up the road and he has put himself on the other side of the road on the right hand side as we go up, explaining he did not see anything on the left hand side. Now, that is the reason I want to ask you carefully because it only leaves a few other Officers who must have been involved with Mr. Moore and I suggest you know something more about this, do you understand? - A. I understand what you are suggesting, sir, yes.
- Q. I am going to ask you carefully what happened three weeks ago - not last year. Three weeks ago you were shown a lot of photographs, I think a dozen or more you said? - A. Yes.
- Q. Black and white? - A. Yes.
- Q. All of them? - A. No, I was shown one photograph, not the blurred one in question, but there was one since then I was shown. I think it is that one, the coloured one, so presumably that one might well have been a colour as well.
- Q. Looking at Exhibit 30, you were shown photographs 8 and 9, and you think that photograph 9 was not black and white when you saw it. It was the colour print we have here? - A. Quite possibly, yes.
- Q. Was it or not? It is only three weeks ago. If you were shown mostly black and white you would remember a coloured one? - A. I remember that one there being colour.
- Q. That one there is no. 9? - A. Yes.
- Q. So you saw no. 9 in colour and no. 8 you suppose was colour as it is in the same bundle here? - A. Yes.
- Q. The rest of the photographs you saw were black and white then? - A. Yes.
- Q. Just before we go on to these two, please keep the bundle open. The other photographs you saw in black and white were of people. You have made that clear? - A. Yes.
- Q. Were they of Police Officers? - A. Yes.
- Q. Police Officers doing what? - A. Just milling about mainly if I remember rightly.
- Q. Where? - A. It would be on Highfield Road.
- Q. Well, that is quite a long stretch of road. Which bit of road were they milling about on? - A. To be quite honest, I do not know. I only loosely browsed through the photographs.

- Q. First of all, who was asking you to look through these? -
A. Two detectives from the South Yorkshire Force.
- Q. Whose names you do not know? - A. No, I am sorry.
- Q. Were you alone when you were being shown those photographs? -
A. I was in company with Inspector Owens.
- Q. He was with you? - A. Yes.
- Q. Was he being asked the same questions as well? - A. No, sir,
we were using the Officer's dining room at the Police Station.
It is more private
- Q. Does that account for Mr. Owens' presence? - A. Yes.
- Q. He was not otherwise being asked questions? - A. Not while I
was there.
- Q. Was he asked questions after you, separately from you? -
A. Not while I was there, no.
- Q. So he is in the room looking at what you are looking at, is
he? - A. I do not know. He was sitting over the other side
of the table from me eating his tea.
- Q. JUDGE COLES: He was using the room for its proper
purpose? - A. Yes.
- Q. And you went in for convenience? - A. I believe it was a
Detective Inspector and a Detective Constable that came down
from South Yorkshire
- Q. MR. MANSFIELD: Owens is of particular importance.
Are you saying so far as you are aware, that Owens presence
in the room was sheer coincidence? - A. As far as I am
aware, yes.
- Q. He did not say a word, Owens? - A. With reference to the
case I cannot recall.
- Q. With reference to the photographs. Did he say, "I would like
to look at those. I was there on that day"? - A. Not that
I can recall.
- Q. Did he say anything about the photographs? - A. Not that I
can remember, no.
- Q. It is only three weeks ago? - A. Yes, I do not remember him
saying anything about the photographs.
- Q. Well, I want to be clear if it is a case that you do not
remember but he could have or are you saying he did not say
anything? - A. I am saying I do not remember but he may have.
- Q. We know he is on a photograph that we have so we know what
he looks like. He is in the room having his tea - throughout
the whole of the time you are looking at the photographs? -
A. I was only in there a matter of minutes.

- Q. How long did you look at this dozen-or-so photographs - five minutes? - A. Less than that.
- Q. The Officers said what to you when they showed you the bundle? - A. They asked me if I could identify certain individuals - two in particular.
- Q. So they named the individuals? - A. No, the fact they wanted me, I believe, was to see if I could name them.
- Q. What did they want you to do? Look through the photographs and see if you could recognise anyone from looking at particular photographs? - A. The photographs that were uppermost, they wished to know who the Inspector was in this photograph.
- Q. That is photograph 9? - A. And there was the one I was shown on Friday of Mr. Scargill with two or three Police Officers around him.
- Q. Which one is that? - A. Perhaps the lady
- Q. You have just said they wanted to know the identify of the Inspector in photograph 9 and you are now saying there was another photograph and you are looking at Mrs. Baird who was cross-examining you before the weekend about some other photograph - A. Sorry, no. That is the one I was talking about. They wanted to know who the Officer with the riot shield was.
- Q. There are two Officers with riot shields behind the Inspector? - A. No, the Officer on the other side here was the one they wanted me to identify.
- Q. JUDGE COLES: The one on the right? - A. There is an Officer here on the far right and they wanted to see if I could well, they wanted to see if I could identify three of them, one of whom was Coston. They asked in particular could I identify the Inspector as well.
- Q. They wanted the names of anybody in that photograph if you knew them? - A. All three Officers, yes.
- Q. MR. MANSFIELD: Wait a minute. There is a reason for asking you these questions. Did they say, "Have a look at this photograph. We want to know the identity of the man nearest Mr. Scargill who is bending down more than the other one" or "Have a look at that and identify anyone"? - A. They asked if I could identify any of the three but, in particular, they wished to know who the Inspector was.
- Q. Now, in addition to that, keeping that photograph, did they ask you those questions in relation to any of the other dozen or so photographs of Police Officers milling about? - A. No, none at all.
- Q. Now, of the other photographs, you cannot help us as to what was in them other than Police Officers milling about in Highfield Lane? - A. I could not even recognise them as being Merseyside Police Officers.

- Q. Was there any landmark on any of these photographs? - A. There might have been. I cannot recall. I just milled through the photographs.
- Q. JUDGE COLES: You say the other photographs you could not even recognise the Officers as Merseyside Officers? - A. That is correct.
- Q. MR. MANSFIELD: If you did it very briefly - looked at the whole lot for a matter of five minutes - how could you possibly tell that the man in the background is Eddie Austin? - A. Because I remember from the day, from speaking to Constable Austin
- Q. Let us take it in stages. I have given you plenty of opportunity. I suggest you know a great deal more about what happened on the other side of the bridge. Is that true? - A. No, I just know one of the Officers that was with Mr. Scargill was Eddie Austin.
- Q. First of all you do not recognise Austin in that photograph? - A. No, I just know he was there.
- Q. Why were you saying to this Court on Friday that you immediately recognised Austin when that in itself could not possibly be true, could it? - A. Because of the way it was described to me by Eddie Austin himself. The scene and the layout and everything was described to me where he was standing
- Q. Why did not you say on Friday that Mr. Austin told you? - A. I do not recall being asked.
- Q. You were asked in a little detail about what you had been shown and what you were indicating then was that you immediately recognised Eddie Austin. That is how you were putting it? - A. Yes.
- Q. Not "I saw the photographs and because of what Mr. Austin told me I thought that must be the same scene"? - A. No, but from what I know I immediately recognised that that was it. There was no doubt in my mind at all.
- Q. Really? When did you speak to Mr. Austin? - A. It would have been that day.
- Q. Which day? - A. The 18th June.
- Q. Would it? - A. Yes.
- Q. When? - A. Presumably in the evening.
- Q. When? - A. Or the next morning.
- Q. When? - A. Presumably the next morning.
- Q. Think carefully. Mr. Austin is coming to give evidence. He is a potential witness. Now, did you speak to him on the same day later on? - A. Yes.

- Q. Do not say 'yes' if you do not really know? - A. No, we were speaking that day. We were all part of the same PSU.
- Q. Yes, of course you were. Now, where were you having the conversation - in the PSU van on the way back or at the place where you were staying or what? - A. Possibly both.
- Q. What was Mr. Austin telling you on the day? - A. I do not recall how Mr. Austin came about having been put in that position. All he told me was that he was standing over Arthur Scargill with somebody else.
- Q. Do you want to add anything else? - A. Not from memory. I am sure Constable Austin will come and tell you himself what he did.
- Q. We will ask him a few questions but I want to ask you what he was claiming on the day as to how he came to be over Mr. Scargill? - A. He said he was there to protect Mr. Scargill from missiles. That is what he claimed on the day.
- Q. Was there some sort of little informal competition between Police Officers to see who might manage to bag Mr. Scargill? - A. No, not on our PSU.
- Q. But there was on others? - A. I cannot say.
- Q. Have you not heard that? I put it no higher than a rumour that that was what Police Officers had going behind the scenes. Is there any truth in that rumour? - A. Not on our PSU.
- Q. Did not you hear about it? - A. I dare say there might well have been the odd individual that might have done. I certainly did not speak to him.
- Q. It does not apply to your PSU? - A. No-one mentioned it if they did want to. Nobody mentioned it to me.
- Q. You were interested, presumably, in how Mr. Austin came to be shielding Mr. Scargill. Did you ask Eddie Austin how he came to be shielding him from missiles? - A. Presumably but I cannot remember any answer that he gave.
- Q. I would like you to think carefully? - A. I am sorry, no.
- Q. We have been furnished with a statement from Mr. Austin as to what he claims he saw on that day and that applies to Mr. Scargill, what he saw happened? - A. Yes.
- Q. Just think again carefully. Did Mr. Austin not tell you what he claims happened to Mr. Scargill? - A. No, not that I can recall.
- Q. Leaving aside Mr. Austin, did you talk to other members of your PSU at the end of the day about what they had been doing? - A. Well, as any person would. Yes, probably. Just general interest.
- Q. And did any of them say anything about Mr. Scargill other

- than Mr. Austin? - A. Not that I can recall.
- Q. None of them did? - A. Not that I can recall.
- Q. What was the general talk about at the end of the day? -
A. How we thought it had been pretty bad there. Basically it was just on those lines if I remember rightly.
- Q. Did you see Mr. Browning at all? - A. Only when I arrived back at the Police Office with Mr. Coston. I believe Mr. Browning came in either just before or just after me.
- Q. You did not see him over the bridge at all? - A. Not that I can recall.
- Q. Turn back to photograph 8. The man standing up next to the man in the blue shirt, do you see him? You were asked about him on Friday? - A. Yes.
- Q. Take a close look at that one. I know your answer on Friday was you were not saying it was not Austin but that is the build of Mr. Austin, is it not? - A. Yes, it is.
- Q. Did he, Mr. Austin, tell you about any incident that looked like photograph 8 as a whole? - A. No, sorry.
- Q. And you say still you did not see anything like that? - A. No, I did not.
- Q. You see Mr. Browning on the other side of the bridge and thought that looked like Mr. Austin. Can you tell us, please, any other Officers in your PSU you recall on the far side of the bridge going up to the brow? - A. No, sir, I cannot. I was more interested in my own safety.
- Q. Did you suffer any injuries? - A. None worth mentioning. I got hit a couple of times with light stones.
- Q. Did you have a shield? - A. Not on that particular occasion, no.
- Q. Did you have a bruise anywhere on your body? - A. No.
- Q. So you cannot tell us about a single other Officer in your unit the other side of the bridge, seeing them or anything that they did? - A. That is precisely it.
- Q. Keeping with that bundle, going back to the earlier photographs, one of which you have been shown, no. 7, no. 6 and no. 5. Now, in no. 6 the person on the right is actually there depicted in the middle of it, just a fraction away from Mr. Scargill. When you came over the bridge did you see any scene that was resembled by these photographs? -
A. Not that I can recall, sir, no.
- Q. So you say that the photographs 5, 6 and 7 effectively are not the scene you saw as you came over the bridge? -
A. Quite possibly. I just do not recall them.

- Q. I want to suggest to you you are exaggerating when the danger you faced as you came over the bridge you did not face a barrage of missiles from the crowd, did you? - A. Yes.
- Q. It certainly does not look like that on these photographs, does it? - A. No, they all look very peaceful, sir.
- Q. One other feature of the account you gave coming over the bridge - you say the road was littered you dealt with other items in the road? - A. Yes.
- Q. Which were? - A. Lumps of concrete or sandstone.
- Q. Quite big? - A. But not big enough you could not run over them. I got the impression at the time they were bits of a wall.
- Q. But if they were in the road you could not miss seeing them. Just demonstrate with your hands the size of the bits of wall in the road? - A. I already have done. It was what I believe to be, some of them, about a foot square. That is from my own recollection and it is a year or so later.
- Q. If you want to change it you can. You think they were a bit smaller and a few of them? - A. That is my recollection of them.
- Q. That size and quite a lot? - A. I did not say "quite a lot". I remember there being a fair number of them.
- Q. Just look in Exhibit 21 at photograph 10, taken after the advance up the road? - A. Yes.
- Q. Can you see what you are talking about there? - A. You can see the bricks
- Q. I am looking for the lumps of concrete and bits of wall - a fair number in the road. Where are they? - A. There is quite a lot scattered all over the road as you walk up to the cordon there
- Q. Do you see the lumps of concrete and bits of wall you are talking about - a foot square? - A. There is debris there that would appear to be slightly smaller than what I have mentioned. Certainly on the left at the top you can identify some bigger pieces.
- Q. I am not suggesting there was a clean road but you have exaggerated the details stage by stage, have you not? - A. No.
- Q. How long have you been in that particular PSU that I am dealing with at the moment? - A. That was the first day. We arrived out there on the Sunday and that was the first day.
- Q. Was this something you had volunteered for? - A. Yes.
- Q. When? - A. Presumably the Wednesday before we went when the lists were made up. The Wednesday or Thursday before.

- Q. You volunteered the Wednesday before? - A. Yes.
- Q. Had you done PSU work before that? - A. I believe that was either my fourth or fifth PSU.
- Q. The other occasions had also been during the miners' strike, had it? - A. Yes.
- Q. So you volunteered before the miners' strike to go on PSU work that would involve that strike? - A. No, the volunteer basis was done on a weekly basis. As a PSU was requested, volunteers would be requested. Presumably you would volunteer from week to week.
- Q. But you had not volunteered before the strike to do PSU work? - A. Well, there was nothing to do apart from Toxteth. I served over a four-five months stretch in Toxteth on similar PSU work.
- Q. Have you done training? - A. Not on a regular basis.
- Q. But you have done some? - A. Yes.
- Q. Well, the reason I am asking these questions is for a particular description that your squad was given by Mr. Owens? - A. Yes.
- Q. The Officer in the room when you were shown the photographs. Now, the booklet, if it is accurate, for your unit, not written by you but I want to ask you this, is described as a "snatch unit". Do you know what that is? - A. I have heard the term, yes. It is a group of Officers set aside, lightly shielded, for use in going out in dispersal and obviously to take prisoners again, but that is the function of all Police Officers to arrest offenders.
- Q. I want to understand what you understand a "snatch squad" to mean. You know perfectly well what a snatch squad's function is? - A. It is not a term I would use. Obviously it is a term that Inspector Owens uses so perhaps you had best ask his description of it.
- Q. I am asking you for your understanding? - A. From my understanding it would mean you go out and get prisoners
- Q. "Go out and get prisoners". Is that not, in fact, exactly what your function was on that day? - A. That is my function on any day - to go out and get prisoners. That is what I am - a Police Officer.
- Q. You enjoy it, do you not? It is not a question of danger. You actually enjoyed it that day, did you not? - A. I enjoy being a Police Officer 365 days a year. That is why I do the job and why I continue doing it.
- Q. And you particularly volunteered for this unit because that is the action you wanted to see, was it not? - A. Not necessarily. I must admit I did like the life away from home. At that particular stage I did not have anything to stay at home for.

- Q. A bit of extra money as well? - A. Not a great deal.
- Q. What do you think is not a great deal? - A. It would depend on what PSU you went on.
- Q. What were you getting paid for working extra at Orgreave? - A. If you worked overtime you would get overtime at time and a third. I am on £4.5 an hour. To be quite honest I cannot tell you what I picked up for that week.
- Q. Going through the cordon was a rather nasty business, was it not? - A. It was not very pleasant.
- Q. I suggest to you you let slip for one moment this afternoon that, in fact, what happened when you went through the cordon was that people got a little bit of physical aggravation from your colleagues? - A. You mean arrested people?
- Q. Yes? - A. When I brought Mr. Coston back I tried all I could to stop him getting assaulted which I believe I managed to do. I certainly never saw any prisoners assaulted but bobbies do get excited and I was not prepared to take the chance with my prisoner getting hit by someone who I cannot hold accountable for it.
- Q. I want to ask you about the charge. You have been asked in some detail what you understood it to mean. Are you saying that it was a separate and individual decision by you that the charge for which Mr. Coston was being arrested was unlawful assembly? - A. That was what I arrested Mr. Coston for.
- Q. I know. Do you know that the whole of your unit arrested, where they did arrest, for unlawful assembly. Did you know that? - A. No, I am sorry.
- Q. We have heard from Mr. Browning that there was a discussion before you ever went out that day, was there not? - A. No, because prior to us going out, as far as I am aware, we were just sitting in the van.
- Q. While you were sitting in the van there was a discussion? - A. Perhaps when Fred was there but not while I was there.
- Q. "Fred" is Mr. Browning? - A. Sorry, yes.
- Q. A discussion amongst members of the PSU that if people were going to get arrested that day it would be for unlawful assembly. Now, you say you were not present for that? - A. I am certain I was not present.
- Q. And you say there was no discussion anywhere at any time before you went out saying, "We will arrest for unlawful assembly"? - A. I cannot recall it if it took place.
- Q. Had you arrested anyone for unlawful assembly before that day on any other occasion? - A. No.

- Q. Ever in your working life? - A. No.
- Q. So what brought it into your mind that day suddenly you would arrest for that? - A. It seemed the only offence. I might have got the offence wrong but that is what I believed to be the make-up of the offence which is why I arrested for it.
- Q. Why not arrest for affray? - A. I have arrested on that before.
- Q. Was this not an affray? - A. When I saw the affray that I arrested for, the circumstances were slightly different. The affray I arrested for in Liverpool was a pub fight.
- Q. For example, you know the offence of threatening behaviour? - A. Section 5, yes.
- Q. What about that? - A. It did not seem serious enough at that stage for Section 5. Section 5 seemed a minor offence than what I arrested for.
- Q. So you say nobody had even told you that unlawful assembly might be appropriate for that day? - A. No.
- Q. And it is a complete coincidence that all your fellow Officers arrested for the same offence? - A. In my particular case that is what I arrested for, what I believed to be right at the time. What other Officers arrested for, I cannot say.

Cross-Examined by MR. TAYLOR

- Q. MR. TAYLOR: Mr. Gale, you have just said that, when you were going through the cordon, you tried your best to prevent Mr. Coston getting assaulted? - A. Yes.
- Q. What was happening in the cordon to cause you to take that action? - A. It was not actually what was happening. It was what I believe was within the likely bounds of possibility.
- Q. Where did you get that belief from? - A. I have seen Officers before. Not all Officers are meek and mild. Bobbies get excited and do things they would not ordinarily do. I was not prepared to take that chance. What I am saying is, I did not want to take the chance. I have seen bobbies of young service get excited and do things they possibly would not
- Q. Look at Exhibit 21, photograph 8. Do you see yourself on that photograph with Mr. Coston? - A. Yes.
- Q. Do you see in front of you a pair of Police Officers with an older man? - A. Yes.
- Q. Now, as that man, whose name is Greenaway, was approaching the cordon directly in front of you, did you see anything happen to him? - A. No, I did not.
- Q. Think about it hard, please? - A. I have thought about it hard.

- Q. When he went through the cordon did you see anything happen to him? - A. No.
- Q. Did you see Police Officers holding him on either side, holding his arms out in the air either side of him? - A. No.
- Q. Is that not what gave you cause for concern about what might happen to your prisoner? - A. No.
- Q. It is just something that came into your head? - A. No, it is something I would always consider - the safety of the prisoner. As I have stated, it would be a right situation to get your prisoner to a charge office to find he is bruised all over his body that you cannot explain and you cannot put a body to.
- Q. You said, "I tried all I could to prevent Mr. Coston getting assaulted"? - A. Yes.
- Q. What did you do? - A. I made us pick a way through the crowd of bobbies and pushed them to one side.
- Q. The Jury may want to know what was going on in that cordon? - A. There were bobbies just standing there but, as I went through, I pushed them to one side and kept them away from him as best I could.
- Q. You have raised this and it is something that coincides with my instructions. I want you to tell the Jury what it was? - A. There were bobbies standing around. There had been periods of time when there were items thrown at them. They were possibly agitated and I was not going to take the chance that any one of them was going to lose his bottle and assault my prisoner so, as such, I made as clear a path through the cordon of bobbies as I could.
- Q. First of all, were any Policemen swearing at prisoners as they were brought through? - A. I cannot say. Quite possibly. I just cannot remember.
- Q. JUDGE COLES: But you did not hear it? - A. If I did hear it I cannot remember it at this stage.
- Q. MR. TAYLOR: What was the atmosphere like going through that cordon? - A. I dare say for Mr. Coston it would not have been too pleasant.
- Q. Not friendly - that is putting it mildly? - A. Not friendly is an apt way of putting it.
- Q. Downright hostile to prisoners? - A. No, not downright hostile.
- Q. They were not getting a pat on the back? - A. No.
- Q. Did you see any prisoners actually being punched and hit as they went through those cordons? - A. No.
- Q. At all? - A. No, there is not a great deal that I can recollect about prisoner movement at that stage from the scene anyway.

- Q. Will you please try and find Exhibit 6 and look at photograph 4. Have you seen that before? - A. No.
- Q. No-one has ever shown you that particular photograph before? - A. No.
- Q. Have you ever seen the scene depicted there in any newspaper? - A. No.
- Q. No article you may have read? - A. No, none at all.
- Q. Did you see that sort of scene on the television about a year ago? - A. No, I did not.
- Q. The boulders in the road? - A. No.
- Q. You have not seen that before? - A. No.
- Q. Go back to Exhibit 21 and you can see - and perhaps I can tell you this - that Exhibit 21 is taken in order, it is taken in the right sequence so look at photograph 8 and let me remind you what you said last Friday. Talking about boulders in the road, a foot square, bigger all over, there were thousands of them. There was debris in the whole area of the road, on the grass and the railway embankment, all round there? - A. That was my recollection, yes.
- Q. Now, the impression you wanted to convey was of large boulders, that a wall had been ripped down, something like in photograph 4? - A. No, I never saw anything like that.
- Q. JUDGE COLES: Was that the impression you were trying to convey? - A. At the time, sir, I do not recall a scene like that at all.
- Q. MR. TAYLOR: I am showing you photograph 4 of Exhibit 6 and you do not recall ever seeing it like that? - A. No, sir.
- Q. Did you intend, on Friday, to convey a picture which was like that? - A. No, the picture I gave was intended to be nothing as bad as that.
- Q. Go back to photograph 7, a photograph of Mr. Crichlow, one of the Defendants in this case. The road there does not depict these boulders, does it? - A. No, nothing like that.
- Q. And no. 6, going back again in time, before you came down with Mr. Coston, shows a gentleman called Mr. Wysocki and the roadway there. If you bear in mind that particular gentleman, will you look again at Exhibit 30 and this time look at photograph 11. Can you see the last of those gentlemen coming down the hill - the one on the left? - A. Yes.
- Q. That is the same person - Mr. Wysocki - and you see this area of road here shown from the bridge to the bungalow at the top of the hill? - A. Yes.

- Q. That is the road you ran up? - A. Yes.
- Q. Under a constant hail of missiles? - A. Yes.
- Q. And where you described these boulders. Now, unless these boulders have some particular property and are of the vanishing variety, is this a photograph of the road with the boulders just after they vanished? - A. I do not know what time the photographs were taken at.
- Q. Well, I have gone through it very carefully with you because the photograph that showed you bringing Mr. Coston down is taken at a certain time. Before that photograph you have the photograph in this big book of this big man, Mr. Wysocki? - A. Yes.
- Q. Below the bridge. No boulders. You can see him on this bundle of photographs above the bridge showing that much expanse of road. That is the road you must have gone up in order to get Mr. Coston? - A. Yes.
- Q. Where are the boulders? - A. I have not got a clue.
- Q. Well, it is a small point perhaps but it indicates the lengths to which you are exaggerating? - A. No, I have not exaggerated. I know what was being thrown at us.
- Q. Will you answer the question then? Where have these boulders gone? - A. I do not know.
- Q. None of your PSU stopped and threw them into the field, did they? - A. I have not a clue. I do not know what was going on behind me.
- Q. Are these details like the smouldering car because you have got them from other Police Officers? - A. No, I know what a smouldering car looks like.
- Q. You say all those words in your statement, apart from the first sentence, are your own words? - A. The bit of geography at the start, yes, I have agreed was dictated.
- Q. If it turns out during the course of this case that at least eleven other statements have 26 lines identical to yours, does that mean that yours has been used as the prototype? - A. I do not know. I cannot say. Mine is my own statement. That is all I can say. That statement I made at that time was my own and nobody else's.
- Q. Did you notice, going up to the top of the hill, that there were four short shield units, two from Liverpool and two from the West Midlands? - A. No, I did not know there were any West Midlands bobbies there with us.
- Q. Did you regard yourself on that day as one of the "crack squad" being used on that day? - A. No, I am not a member of a crack squad. Far from it.
- Q. Did you think you were being unfairly used perhaps - that all the South Yorkshire Police were back in the cordon

behind the long shields and there you were at the top of the hill, drafted in from Merseyside. Did you see anything unfair in that? - A. At the time I was doing my job. I did feel a little bit like ransom fodder but it is not for me to question where the orders come from.

- Q. Will you look at Exhibit 45, please, photograph 8. This is taken showing from the brow of the hill into the village but more into the factory area. Before you made your run up from below the bridge up to the top, do you recall any orders being given to your PSU along these lines, "Draw your staffs but not on heads. I do not want anybody hit on heads"? - A. I do not recall that.
- Q. From a senior Officer? - A. No.
- Q. Did you hear that at all that day? - A. No.
- Q. Did you see any pickets hit on the head with batons that day? - A. No, I am sure I did not.
- Q. None at all? - A. None at all.
- Q. Did you see any pickets hit anywhere with batons that day? - A. No, I did not.
- Q. When you came over the top of the brow of that hill, did you see any pickets knocked down by shields? - A. No.
- Q. None at all? - A. No.
- Q. Did you see any pickets that day at all knocked down by shields? - A. None at all.
- Q. Did you see any Police Officers with pickets who had been arrested? - A. Well, I recall seeing Constable Browning with his prisoner back in the Police Station but, apart from that, no, I do not.
- Q. You have seen the photograph of the gentleman being taken down in front of you? - A. No, I do not recollect it.
- Q. So you did not see any Police Officers come into contact with any picket at all that day? - A. Not that I can recall, no.
- Q. In this particular scene, from the time you went over the brow of the hill into this area, just describe what was happening generally? - A. Generally just disorder. General disorder.
- Q. How many pickets were there? - A. It is hard for me to estimate.
- Q. A few hundred? - A. It could have been.
- Q. How many Policement were there? - A. Well, I was only aware of my own unit which would be 23.

- Q. You were alone facing them all? - A. I believe so, yes.
- Q. Could there have been four PSUs there? - A. When I say "my own unit", we were what I believe to be two separate units.
- Q. Do you know Inspector Bennett from Merseyside? - A. No.
- Q. Do you know Inspector Bennett from West Midlands? - A. No, I cannot remember seeing Inspector Owens up there.
- Q. You cannot remember who was in charge? - A. Not at that stage.
- Q. It is because, in fact, at that time, over the brow in this village nobody was in charge and Merseyside and West Midlands Police with short shields and truncheons were going berserk and hitting everyone in sight? - A. If that happened I cannot recall it. I did not see it happen. I would be telling lies if I did.
- Q. Could you just look at two other photographs

JUDGE COLES: No, we will call that a day.
