

IN THE SHEFFIELD CROWN COURT

The Crown Court,  
Castle Street,  
Sheffield

2nd July 1985

Before

HIS HONOUR JUDGE GERALD COLES, Q.C.

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REGINA

-v-

WILLIAM ALBERT GREENAWAY

and Others

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APPEARANCES:

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

For the Defence: See Attached Sheet

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2nd July 1985

P.C. WILLIAM JAMES GALE Recalled

Cross-Examined by MR. TAYLOR (Cont.):

- Q. Will you please find Exhibit 30, a package of coloured photographs - photograph 4 please - does that show a group of Officers on the bridge? - A. It does sir, yes.
- Q. We know that some of them at least are Merseyside. Can you identify, please, anyone there in that group? - A. No, sir.
- Q. No-one at all? - A. No-one at all, no.
- Q. Will you finally look at Exhibit 35 - another bundle of colour photographs. Look at B18 please. Does that show Inspector Owen? - A. Yes, sir.
- Q. On that photograph do you recognise anyone else? - A. Nobody at all sir, no.
- Q. You see, there is a Police Officer there with a Merseyside helmet on - he has his back to the camera? - A. Yes.
- Q. Perhaps you could recognise him. You see the person facing him on his right, he is also from Merseyside - do you recognise him? - A. I am sorry, I don't.
- Q. Not even by sight? - A. Not by sight at all, no.

MR. O'CONNOR: No questions, thank you.

Cross-examined by MS. RUSSELL:

- Q. Officer, I want to ask about your PSU. Do you know Constable Gray? - A. yes, madam.
- Q. Was Constable Gray in the van with you when you were having your refreshments? - A. If I remember rightly he was in the van - whether when I was having my refreshments, I don't know.
- Q. When you got to the bridge can you remember whether Constable Gray was with you at that point? - A. No, madam.
- Q. Not at all?- A. Not at all.
- Q. You see, we have evidence from the Officer you know as Fred - Mr. Brown. - A. Yes.

- Q. I wonder if you could take Exhibit 9, photograph 7? When you were coming over the bridge do you remember Fred Brown coming over the bridge with you? - A. No, madam.
- Q. We have heard from Fred Brown he was over by those vans on the left-hand side, right? - A. Presumably so, yes, if you say so.
- Q. He was one of the front people there? - A. Yes.
- Q. I think that is roughly similar to what you are saying? - A. If Fred was one of the front people presumably he would have been in my vicinity, yes.
- Q. You see, one or the other of you must be in front or behind? - A. Yes.
- Q. He didn't see you, which rather begs the presumption you must have been behind him. Did you see him? - A. I can't recall seeing Constable Brown, apart from in the Police van that afternoon, at all.
- Q. You see, forgive me Officer, we have had an awful lot of front runners in this case. Every Police Officer is the first one over the bridge, or amongst the first. We know Constable Browning, he is somebody you know well, where he puts himself, roughly similar to where you put yourself. - A. Yes.
- Q. As you go over that bridge, and you simply didn't see him? - A. I can't recall seeing him at all no, I'm sorry.
- Q. What about P.C. Gray, did you see him? - A. No, as I have already said, I can't recall the movements of any of the other Officers in my PSU from the start of the day.
- Q. So you have no idea at all where P.C. Gray was? - A. No, I'm sorry.
- Q. It may be, from what you are saying, that P.C. Gray was not up there on the bridge at all. you just don't know? - A. I just don't know, I'm sorry.
- Q. Did you see P.C. Gray later on? - A. Presumably so, yes.
- Q. Think about when you were making your statement. Did you see him then? - A. Not that I recall no.
- Q. How many other people were in the room with you when you were making your statement? - A. It's hard to say at this stage. I would say about ten.
- Q. About ten people in the room with you. Do you know of P.C. Skelton from West Midlands? - A. Only from the Court

here this week. I believe he has been in Court here this week or last week.

- Q. Have you been billeted in the same place, staying in the same place? - A. If it was Skelton, the fella's surname, quite possibly yes.
- Q. Have you been staying in the same place as a West Midlands Officer who was sitting outside Court yesterday? You must have seen him when you came out of Court? - A. Yes, there was a gentleman sitting outside, yes, we shared the same hotel last night.
- Q. Talk about the case at all? - A. No, talked about a number of other things.
- Q. Not a word about the case? - A. Not that I recall, no.
- Q. Did he have a Sergeant with him? - A. No.
- Q. Just you and he? - A. Just me and this gentleman, yes.
- Q. As you have met him at Court, thinking back on the day do you remember him being in the room when you were making your statement? - A. No, when I seen the gentleman yesterday it was the first time I had ever met him, in my opinion.
- Q. And you have told the Court on oath your statement is in your words, and was not dictated? - A. Most of it, yes.
- Q. Apart from the first sentence and the location? - A. Yes, apart from a certain amount of scene setting the statement is my statement.
- Q. You don't know Sergeant Kelsey at all? - A. Not at all.
- Q. What about an Officer called Hanrahan from the West Midlands, do you know him? - A. No madam.
- Q. I suppose it would follow then, Officer, that if some of those Officers have something like 20 identical lines in their statement to yours more or less, that you must ....

JUDGE COLES: That is comment.

MS. RUSSELL: If I can finish the question hopefully the rest won't be comment:

- Q. the only explanation for that must be either that was a statement that you copied, do you follow? - A. I don't copy statements, thank you.

- Q. Can I follow that up? Would it be quite wrong to copy another Officer's statement? - A. I have no idea. It is just not my practice.
- Q. How long have you been in the Police Force? - A. Nearly six years.
- Q. Would it be wrong even if two Officers have a similar recollection to an extent, for one Officer to merely copy another Officer's statement? - A. To my knowledge.
- Q. Is that a way you have seen it done? - A. In my Force we don't copy statements. There is a certain amount of corroboration goes on, but we don't sit down and copy each other's statements.
- Q. Something you have never seen happen in six years? - A. No.
- Q. So far as other explanations for identical line after line must be, if your evidence is right, either some copying has gone on, or some dictating, or I suppose as a final possibility some of the West Midlands Officers are possessed of psychic powers.

MR. WALSH: How can this Officer answer questions about what other people do?

JUDGE COLES: I agree.

MS. RUSSELL: Your Honour, I think it will be clearer later in the day why.

JUDGE COLES: Ask him about what happened, but don't ask him to comment.

- Q. MS. RUSSELL: Would it be a ridiculous suggestion, because you are very quick off the mark if you think something is ridiculous, would it be a ridiculous suggestion that, in fact, whole chunks of that statement of yours and other Officers were all dictated to you in a classroom by South Yorkshire detectives? - A. No madam, as I have already stated to the Court, that statement had a certain amount of scene setting set by the Detective of the South Yorkshire Police. From then onwards the majority of the statement was mine. I cannot comment on the content of other Officers' statements as I have not seen them and have no wish to see them.
- Q. But you have told this Jury on oath, Officer, so far as your statement is concerned, and the way that statement came about, it was the first sentence? - A. The scene-setting part of it, yes.

- Q. The first sentence, you were on Orgreave Lane and so forth, and then the reference to the southern side of the works - everything else you have said in your own words? - A. That is quite correct.
- Q. So it would be quite wrong, according to your recollection, that all the initial paragraphs, up until the arrest of the Defendant, were dictated by South Yorkshire Officers? - A. My statement is my own statement. It is as simple as that.
- Q. Can you now answer the question? - A. The statement was done by me. The scene-setting was at the dictation of the South Yorkshire Police, and the rest is my own statement.
- Q. Can you now answer the question? Apart from the first sentence and the reference to the southern side of the works, is it your evidence to this Jury that nothing else was dictated? - A. I am sorry, I thought I had answered the question. The statement is mine, not at the dictation of anybody else. The paragraphs I have said, or the part that I said were at the dictation I have already stated to the Court, and they are already aware of that.
- Q. So you are saying all the things about charges, equipping yourselves with riot gear and those things are in your own personal words and were not dictated? - A. It is my own statement, yes.

Cross-examined by MR. GRIFFITHS:

- Q. One or two questions about protective equipment, Officer. You told the Court that only about seven of your PSU had short shields? - A. That is correct, as I remember it.
- Q. So that is obviously under half of your PSU? - A. Yes.
- Q. Bearing in mind you were about to be deployed I suppose there was a rush, was there, for those seven short shields? - A. I was not quick enough.
- Q. You weren't quick enough. Would you like to tell the Members of the Jury who was? - A. I can't say.
- Q. Come on now, Officer, think will you? Tell us at least one person who was quick enough ahead of you to get a short shield in your PSU? - A. The only person I can remember is Eddie Austen.
- Q. Is that because you know we have got a photograph of him with a short shield? - A. No, it is because I have been refreshed on the subject.

- Q. Eddie Austen had a short shield. Name any one other Officer who had a short shield? - A. I'm sorry, I can't.
- Q. I suggest, Officer, throughout the course of your evidence you have refrained from putting any of your colleagues in any way in a position where they may be blamed for anything. Isn't that a theme of your evidence? - A. No, I am sorry sir, I just cannot recall at this stage who was doing what, apart from myself.
- Q. Let's see if I can check your memory. Look at Exhibit 30, photograph 9 of that, which shows Mr. Scargill, your mate Eddie Austen, and an Inspector in the foreground. Let's get the sequence correct. On the day of the incident, according to you, there was discussion later in the day with Eddie Austen, and you realised, or were told that Eddie Austen, according to Eddie Austen, was shielding Mr. Scargill on that day? - A. Yes.
- Q. Three weeks ago you were shown a photograph? - A. Yes.
- Q. You immediately recognised Arthur Scargill and immediately realised that the person or one of the persons over him must be your mate Eddie Austen? - A. Yes.
- Q. But there is another Officer standing next to Mr. Scargill, isn't there? - A. Yes.
- Q. Let's look at that Officer? First of all both Officers standing over Mr. Scargill have short shields with black edges, don't they? Look carefully. - A. Yes, they both appear to be the type Merseyside Police use.
- Q. Look at the helmets of both. So far as you can tell there is nothing inconsistent with the helmets and the shields belonging to - the other person with Mr. Scargill - another member of your PSU? - A. Not necessarily another member of my PSU, but certainly Merseyside Police.
- Q. Is there anything inconsistent from what you can see in the photograph, with the other person standing over Mr. Scargill being another member of your PSU? - A. No.
- Q. So in June of last year you hear from Eddie Austen there was this incident with Mr. Scargill, in which he was involved in shielding him or otherwise. You then are shown a photograph. No doubt you then had a discussion with Eddie Austen - "Look Eddie, they have a photograph of you standing over Mr. Scargill" - something must have been said? - A. No, you are wrong. I have not seen Eddie since then.
- Q. Not at all? - A. We don't work at the same Police Station.

- Q. Even though he is a good friend of yours? - A. We don't meet socially.
- Q. It was your own evidence he was a personal friend? - A. I consider him to be a personal friend.
- Q. You have spoken to him since seeing this photograph? - A. No.
- Q. Now are you saying to the Court you have no idea as to the identity of the other person? - A. I am positive.
- Q. Not even a possibility? - A. No.
- Q. That might help us you know, Officer? - A. No.
- Q. You haven't even heard loose talk amongst your PSU? - A. No.
- Q. I suggest you are not being frank? - A. I suggest the only person who could possibly help you is Constable Austen.
- Q. No doubt, and we will ask him, but I suggest you have been at pains during the course of your trial, that you could .... - A. I am sorry, if I knew who the Officer was I would gladly tell you.
- Q. Let me clarify one other matter. Do I understand you correctly to say you did not have your truncheon drawn at any time during this day? - A. No, I don't recall saying that.
- Q. I thought at some stage you said you did not have your truncheon drawn?
- Q. JUDGE COLES: He said at some stage he had it in his pocket? - A. I would have had it with me. At what stage it was drawn or not I can't say.
- Q. MR. GRIFFITHS: Above the bridge or on any of these charges did you have your truncheon drawn? It is not a difficult question is it? - A. Quite possibly. I just can't recall.
- Q. Did you or did you not in any of the charges have your truncheon drawn? - A. I can't remember.
- Q. Right. If that is the extent of your knowledge the Jury will mark it. You can't remember whether you had your truncheon drawn on any of these charges, even though you weren't carrying a shield? - A. Exactly, I can't remember.



- Q. The whole object of a charge with truncheons drawn, Police Officers in riot gear, is to frighten those who are charged, agreed, to make them scatter and disperse? - A. Disperse, yes.
- Q. Do you agree the object is to frighten them into dispersing? - A. Frighten would not be a term I would use.
- Q. Well they are not going to be happy about it? - A. I would agree.
- Q. And something must make them disperse? - A. Yes.
- Q. Aren't you prepared to admit the object of the exercise is to frighten them into dispersing? - A. The object is to get the crowds to disperse.
- Q. Call a spade a spade. - A. If you want to say frighten, quite possibly.
- Q. Another thing that will frighten a large crowd is this, the sight of Officers not only running, but striking people? - A. That would frighten them, yes.
- Q. But something else would as well, wouldn't it - the sight of Officers in riot gear running at the crowd and apprehending people, in other words, grabbing persons, arresting them in the sight of others, that would frighten people as well, wouldn't it? - A. Yes.
- Q. It has been put to you that your Inspector, who was in charge of your unit, described the proceedings - and we may or may not hear from him, I know not, it is a matter for the Crown - described the proceedings in which your PSU were involved above the bridge, as a short shield snatch squad. Remember that? - A. I remember that phrase, yes.
- Q. I am putting this to you to give you the opportunity of agreeing or disagreeing. One thing that was going on was that Officers were being sent into the crowd, apart from using the truncheon somewhat liberally, but to arrest people. not necessarily because they may have thrown stones, but to be seen arresting people, so that that, in effect, would frighten others to run away. What do you say? - A. That was not the particular instruction for my PSU I am sure. However, I can't state the instructions of others.
- Q. That is what I am suggesting was one of the things happening. People were being arrested for no good reason but to show force to the demonstrators in the hope that would cause them to disperse. You wouldn't accept that? - A. I don't deny it. I just never seen it.

- Q. So you accept it as a possibility, as one way of frightening a crowd into dispersing? - A. Yes.
- Q. Will you look at Exhibit 11C, the large photograph which the Members of the Jury have. A rather unpleasant one of my client. Did you see that? - A. No, sir.
- Q. I want you to think about this Officer. There are two possibilities, essentially, as to that man's injuries: either he could have fallen unfortunately and hit his head, or it could be he was hit over the head with a truncheon, right? Those are the two possibilities we have canvassed so far in this trial. If he was hit over the head with a truncheon somebody must have done it? - A. Presumably, if he was hit over the head, yes.
- Q. So far we have established that there were at least three short shield PSUs in action above the bridge. There was your PSU and Inspector Owen's - agreed? - A. Agreed.
- Q. You have been shown a photograph, a coloured photograph you have been looking at. We have heard that the Inspector shown in that photograph is Inspector Bennett. He had a PSU also from Merseyside - that is two. We have also heard that there was one other at least, from West Midlands. Do you remember you were shown a photograph of a number of Officers standing on a bridge? - A. Yes.
- Q. Some of those have been identified, one of whom is acting Inspector Darnall. When you were asked by my learned friend Mr. Mansfield as to any discussions you had in the evening with your PSU, do you remember being asked about that in the context of what Eddie Austen may or may not have told you? - A. Yes.
- Q. You said something like this, dealing with after the event, discussions amongst you and your PSU as any person would, just general interest, and you are talking about the conversation, just general interest as to what they had done, that is, the individuals had done. Now, you have told the Members of the Jury that you never saw a truncheon being used on anyone? - A. Yes, I didn't.
- Q. Did you after the event, from any member of your PSU, hear about truncheons being used? - A. Not to my recollection, no sir.
- Q. Not to your recollection Officer. Do your best. At any time following the incident when you are billeted together, having a drink with your colleagues, what is the truth, was there any talk about use of truncheons amongst your PSU? - A. Not to my recollection sir, no.

- Q. So do we take it then you saw no truncheons used and have not even heard of any truncheons being used? - A. That is quite correct, sir.
- Q. I suggest that simply couldn't be the truth. I suggest if you had seen a fellow member of your PSU use a truncheon, in circumstances which didn't give you ... in other words, clearly not necessarily in self-defence, if you saw him running and striking a picket, what would you have done? - A. What would I have done at that particular time, nothing at all?
- Q. I don't suppose you would have done anything afterwards, would you? - A. You are asking me to describe a hypothetical situation?
- Q. No, there is a reason for this. What would you have done, if anything? I am not suggesting you would have done anything? - A. I can't say what my actions would be.
- Q. The truth is you would not have done anything at all, would you? You would never have told on a fellow Officer? - A. If I can ask you, how do you know what the truth is? You don't know me, you don't know how I would react.
- Q. I am giving you the opportunity of telling us.

JUDGE COLES: He is telling you he says he does not know what he would have done. He would not have done anything at the time, and he does not know what he would have done later because it is hypothetical.

- Q. MR. GRIFFITHS: There was a reason, and the reason is this: the Police as a body are a very strong union aren't they, I don't mean union in the political sense, a strong body of men bound together with loyalty from one to the other, isn't that the truth? - A. The truth is you obviously judge each situation as it arises. If you know anything about my past, I have already arrested one Police Sergeant last year.
- Q. No doubt you had no alternative other than to do that.

JUDGE COLES: That was a comment and an unfair comment.

MR. GRIFFITHS: I apologise, your Honour:

- Q. When Mr. Taylor was putting to you yesterday that you must have seen Mr. Taylor's client, who the photographs clearly indicate was walking down in front of you, I suggest you weren't prepared to tell the truth as to what you have seen, because it would involve other Officers doing untoward actions against Mr. Taylor's

client, isn't that the truth? - A. No, that is not the truth at all, sir, I am afraid.

Cross-Examined by MR. REES:

- Q. I am not going to have a go at you, you will be pleased to know. I just want some information. My understanding of your evidence is there is a Police charge involving horses from just the plant side of the bridge, over the bridge? - A. Yes that is correct.
- Q. At one stage, I am not picking you up on this, you said that charge went about 40 yards beyond the car across the road, and then when my learned friend Mrs. Baird reminded you of your statement, you said the charge, in fact, went about five yards beyond? - A. Yes.
- Q. And you said your statement is the better version? - A. Obviously sir, as it was only made a short time after the event.
- Q. So the position is, sweep up involving horses, and your line was advancing, line ends up about five yards beyond the car, so is that the final position? Is it going up and coming back from that position, or stopping there? - A. No, we would have gone forwards.
- Q. How far beyond the car do you go before you come back to the five yards position? - A. No, I am sorry, I missed your point there. We would have stopped some five yards ahead of the vehicle.
- Q. So that is where it stops? - A. To my recollection.
- Q. Does it come back or remain there, the front line of foot Officers I mean? - A. I personally don't recall coming back from there. I went on from there.
- Q. So you will see my confusion. It is a sweep up, horses first and foot Officers stop about five yards beyond the car? - A. Yes.
- Q. What has happened to the horses? - A. The horses would have remained with us at that stage.
- Q. How do you mean, remained with you? The horses are stood ahead as a barrier. - A. Possibly. I don't recall that, I'm sorry.
- Q. Let's see if we can recall it between us. Are you all mixed up together, horses and foot men? - A. At that stage we would have been.
- Q. And this is about five yards beyond that car? - A. Yes.

- Q. How long do you remain there before you launch off after the person you say was Mr. Coston? - A. I can't recall.
- Q. Minutes, seconds? - A. I can't recall. It would only be a short time.
- Q. At that stage I think it is right that by now long shields, although not having gone up with you, have started to come up behind and join you? - A. Presumably so. As I have already stated, I can't account for the movements of the cordon.
- Q. Why presumably? - A. By the time I was walking back with Mr. Coston I believe they were quite a bit further on. I can't mention the movement of the cordon as I wasn't looking.
- Q. When you are lined up five yards ahead of that car, that is, five yards further up the hill, in case there is any confusion, you identify the position of individual Officers going off on private arresting sprees, when you move up from that five yard position, it is a move out of the line? - A. At that stage it possibly would have been the line, probably would not have been packed out with individual PSUs, we would have split up across the road.
- Q. Right, when there is an advance during which you go after Mr. Coston. It is an advance forward, it is not Officers going off on private arresting sprees? - A. Yes.
- Q. Yes, you agree? - A. It is an advance forward.

Re-Examined by MR. KEEN:

- Q. Officer, would you take up your statement please, and perhaps the Jury could have their copies - Exhibit 55. Turn to the second page, Officer. Can you find the passage that begins, "Again the main cordon opened up and allowed mounted Officers through, after which we followed"? - A. Yes.
- Q. It then goes on, "... and we again formed a line about 30 yards in front of the cordon, which was about five yards in front of a car."? - A. Yes.
- Q. Can you help with that? Some may think that is capable of two different meanings. What does it mean? Does it mean that you were five yards in front of the car, or the main cordon was? - A. I am sorry, it could mean either. I just can't recall at this stage.
- Q. So even reading that, you can't recall where it was, is that what you are saying? - A. Yes, precisely right.

- Q. Well, we will finish the sentence off, "... which had been placed in the road and was still smouldering"? - A. Yes.
- Q. Would you take up Exhibit 21? It is an album of photographs - number 10, the one with Clement on it. - A. Yes.
- Q. Now, we can see a motorcar between lamp-post number 2 and 3 - you see the car? - A. Yes, sir.
- Q. Can you help the Jury now as to whether or not the car was in that position when you saw it on the day? - A. No, I am afraid I can't.
- Q. You can't help us? - A. No, not at all. The vehicle was straddled across the road, but whether it had been moved before or after the photograph I couldn't say.
- Q. I want to go on with your statement because you were asked a lot about this on Friday. Does your statement go on to say, "As we stopped we were immediately showered by missiles which hit both us and the main cordon from all sides simultaneously"? - A. Yes.
- Q. And it then goes on, "We were charged by the pickets"? - A. Yes.
- Q. I want to ask you a little bit about that, as you were asked on Friday, you are in front of the main cordon somewhere beyond the car, wherever that may be, and according to your statement, at this stage you are charged by the pickets. Can you just describe that charge for the benefit of the Members of the Jury? - A. Yes, we would be static at that time. The pickets would run towards us with rocks, stones or whatever, and throw them from a distance of about 20 yards, then as we would advance they would fall back, we would cover the land and obviously that area would be safe then.
- Q. Let's go on with your statement. Does it go on, "I looked to my left and could see the accused Coston among a large number of pickets at the side of the road on wasteland, who were throwing missiles at the Police lines? - A. Yes.
- Q. Now what do you mean that to convey about what Mr. Coston was doing? - A. Mr. Coston was not on his own in the area first of all, he was amongst a crowd of men, and not only Mr. Coston but all the crowd of men were throwing at us and he was not making any individual act.
- Q. Does it finish off, "Together with other Officers I moved towards the Accused"? - A. Yes.

Q. You may put that down.

JUDGE COLES: He said a moment or two ago that he was not involved in any individual act. I don't know whether that might be misleading. Perhaps you might like to follow that up, Mr. Keen?

Q. MR. KEEN: What do you mean? - A. He was not the only one throwing at that stage.

Q. You have been asked questions about where he was arrested. Exhibit 53 was put by the Defence - you recall being shown a photograph of a fence? - A. Yes.

Q. Have a look at the aerial photograph, Exhibit 4. Can you see the bridge going across the railway line? - A. Yes.

Q. If we move right from that bridge. - A. Yes.

Q. Up the road, imagine going along the road and look to the left, you can see the area we know as (inaudible)? - A. Yes.

Q. I think the fence you were being shown was just to the right of those buildings? - A. That is correct.

Q. Can you see the railway line going further right from that stretch all the way along? - A. Yes.

Q. And if it is that that fence you were shown also stretches all the way along there, parallel to the railway line, do you understand? - A. Yes.

Q. Can you help us as to whether or not it must follow that you arrested Mr. Coston in the place you were shown previously on that photograph, or could it have been anywhere along there? - A. As I said, when I seen the photograph, I didn't recognise the area but the fence was the same.

Q. Could you look at Exhibit 35, B18? Move on to the next photograph - it may be of some assistance to us in relation to that which is being put to you. Do you have the next photograph, B20?

JUDGE COLES: Where is B19?

Q. MR. KEEN: Is it your B20? - A. Yes sir, it is.

Q. It looks as though we have not been given a B19. Do you see on the right-hand side there are some rather dilapidated wooden fencing? - A. Yes, sir.

Q. And beyond that some sort of stone wall? - A. Yes.

- Q. I think the suggestion is, having arrested Mr. Coston you walked through an area like that? - A. Yes.
- Q. Do you recall walking through an area like that with him? - A. I recall walking out on an actual roadway itself. That particular area means nothing to me.
- Q. While we are looking at that photograph, can you direct your attention to the road itself? Do you see there is some sort of cone that has been knocked over, and in front of that and to the left you can see the road? - A. Yes, sir.
- Q. There appear to be a number of objects on the road, do you see? - A. Yes.
- Q. How does that fit in with what you were describing to the Jury as seeing large rocks and the like in the road? - A. That would be more fitting to the scene that I seen, rather than the photograph I was shown yesterday with the lamp-post pulled down, and asked to describe that one.
- Q. While you are on that photograph take your eye upwards into the sky would you? - A. Yes.
- Q. Particularly to the left of that lamp-post, do you see something in the sky? - A. Yes.
- Q. How does that fit in with your view of the sky at times during the course of that day? - A. At times that was nothing. At times it was nothing at all.
- Q. JUDGE COLES: What do you think we are looking at? - A. That to me, sir, looks like obstacles being thrown and if that is the case, there was much more than that being thrown on the day, to my recollection.
- Q. What are the people doing in the photograph, as far as you are concerned? - A. The people in the photographs seem to me to be picking them up.

MS. BAIRD: Your Honour, has this anything to do with cross-examination?

MR. KEEN: Your Honour, it certainly has.

JUDGE COLES: I would have thought that many hours were spent on what was picked up.

MS. BAIRD: I am delighted to amuse Mr. Walsh, but since he was not here when I cross-examined ....

JUDGE COLES: I was, I am afraid, and these were matters very much the subject of cross-examination, and I am not going to stop re-examination.



MS. BAIRD: I would only say no-one as yet referred to people there doing what they are doing in that photograph, or not doing, either in cross-examination or in chief. This Officer is being led into territory which has never been explored by me.

JUDGE COLES: That is a Defence photograph, B18, which was put in evidence. I don't know where B20 is, but there are certain areas covered in cross-examination covering a good deal of the stretch of that road and it seems to me if the photograph was relevant this cross-examination must be.

MS. BAIRD: It is the front of Keetons, an area never dealt with by the Officer, or by me.

JUDGE COLES: Well, I am afraid so far we have not had any evidence and you are not allowed to give it.

- Q. MR. KEEN: Can you turn to the next, B21? - A. Yes, sir.
- Q. Do you see in that photograph the road going down left to right? - A. Yes, sir.
- Q. Can you see something towards the centre of the photograph? It looks like Police shields? - A. Yes, sir.
- Q. Those are long shields, is that right? - A. Yes, they are.
- Q. In front of those long shields can you see anything on the road? - A. Debris.
- Q. How does that accord with your recollection of the road surface as you sought to describe it? - A. It is perfect.
- Q. It is perfect. Cast your eye upwards again into the sky. What do you see? - A. It would appear to be missiles.
- Q. How does that accord with your recollection of the day? - A. Again that is only a minimum amount.
- Q. I am sorry, I didn't hear.

JUDGE COLES: He said that was only a minimum amount.

- Q. MR. KEEN: If you would put those photographs down  
....

JUDGE COLES: It is said - I don't know whether this is a matter which ought to be clarified or not - it is said, there is no evidence about it, that that is outside Keetons.

- Q. MR. KEEN: Can you assist, Officer? Have a look at B21 again, and your recollection, did you ever see a scene like that with a cordon in that position? - A. No, sir.
- Q. A number of other things have been put to you, and I want to deal with those briefly. You were shown photographs that appeared to have been of Mr. Scargill. Did you ever see Mr. Scargill on the 18th June? - A. Not me particularly sir, no.
- Q. You were also shown photographs - Exhibit 9 - you were telling the Jury they didn't help you at all? - A. They don't.
- Q. Had you ever seen those photographs before Friday? - A. No, sir.
- Q. And had you ever been back to the scene since the 18th June? - A. No, sir.
- Q. Just have a look at photograph 4. You told my learned friend Ms. Baird when you were shown that photograph, as you were being shown photograph 5, that the scene there looks completely different to that on the day? - A. It does sir, yes.
- Q. What was it like on the day? - A. Well, that to me could be any road at all. It is missing bodies, it is missing debris, it is missing everything. It is just a road.
- Q. If I can follow on from that, you said a number of other things on Friday to my learned friend Ms. Baird. She has already reminded you of them, I think: "You would have to have been there to have known the feeling. I couldn't turn round and say, 'Hello, nice to see you up here'. You weren't there", you told Ms. Baird, "You can't have experienced the hostility"? - A. That is correct.
- Q. And I don't know what dangers you have faced in your life. Just tell the Jury what it was like for you being there, and what you felt like? - A. I was obviously scared for the very short time I was there, I was never out of danger. There was a constant stream of missiles going all around me, although I myself consider myself to be extremely lucky I was only hit with minor stuff, and wasn't bruised. There was obviously a lot of anger there you know, and I am just saying it was, on the miners' side there was hostilities from all over, but generally I have only ever faced a scene like that once before, and that was in Liverpool, and I was just as frightened in Liverpool as I was at Orgreave.
- Q. If I could ask you on one final topic, a number of things that have been put to you are these: one of the things

that was put was that Officers, and I think you were included in this, just wanted to get away from there as quickly as possible, and therefore grabbed hold of someone to arrest them. Another thing that was put to you yesterday was that you enjoyed being there on that day. I want to deal with those two propositions. The first is that you just, and other Officers, grabbed anyone in order to get away as quickly as possible. Is there any truth in that? - A. In my particular case it couldn't be further from the truth. I can't speak for the actions of other Officers.

- Q. I am not asking you to. - A. Me personally, I was frightened yes. You know, if I wasn't frightened I would be a fool. I would class myself as a fool, because it was a frightening situation, but as for wanting to get away from it as quickly as possible, I am afraid that didn't enter my head.
- Q. Was it necessary to run through whatever type of situation it was, and off the road in order to grab someone, if that is all you wanted to do? - A. No, that would not have been necessary.
- Q. My learned friend Mr. Griffiths put to you, and I want to make sure you understand this, that people were being arrested just to frighten other demonstrators away, and if it was not said so expressly the implication behind the question was innocent people were being arrested in order to frighten others away. Was that happening? - A. No.
- Q. Just to finish off, Mr. Mansfield made this allegation, you enjoyed it all that day. What do you say about that? - A. It was far from an enjoyable place to be.
- Q. Very well. Thank you.

MR. WALSH: Your Honour, the next witness, page 293, P.C. Skelton. The defendant with which he and the following witness will deal with is Mr. Wysocki.

Pol. Con. JACK SKELTON Called (Sworn):

Examined by MR. WALSH:

- Q. Is your name Jack Skelton? - A. That is correct.
- Q. Police Constable in the West Midlands Police Force? - A. That is correct.
- Q. Stationed where? - A. At Bradford Street, Birmingham.

- Q. Speak up so everyone can hear. On Monday 18th June last year were you with other colleagues at Orgreave in South Yorkshire, just outside Sheffield? - A. I was.
- Q. Were you a member of a West Midlands PSU? - A. I was.
- Q. Who was in command of your particular PSU? - A. I was with Sergeant Kelsey. I believe the overall command was Inspector Bennett.
- Q. Do you happen to know how many West Midlands PSUs there were at Orgreave that day? - A. Quite a few. The numbers I can't be exact on.
- Q. Had you yourself been to Orgreave on any occasion before 18th June? - A. yes.
- Q. How many times? - A. Two or three times.
- Q. And were they during the Miners' Strike? - A. Yes.
- Q. About how frequently had you been with the other people who were the members of your PSU, that is to say, actively? - A. Once or twice but the position was this, we frequently were changing PSUs. We didn't always work with the same PSU.
- Q. How well known were your colleagues to you that day? - A. I had only been on this particular department since April, so I didn't know them personally.
- Q. On this particular department had you had any experience of public order work before April? - a. A little bit, but not a great deal.
- Q. And what was your normal job? - A. I was just an ordinary beat Officer.
- Q. Well now, do you remember approximately what time you got to Orgreave that day? - A. I believe it was just before 7 a.m.
- Q. And had you come direct from Birmingham? - A. We travelled up that morning.
- Q. And when you arrived were you in vehicles? - A. Yes we were in transits.
- Q. And once you parked up were you called immediately into action or not? - A. I believe we were, yes.
- Q. Do you remember what you did to start with? - A. Initially we were behind several lines of Police, the Police cordon.

- Q. Doing what? - A. Just a containment role. Sort of linking arms and securing the Police cordon in front of us.
- Q. So you were, in effect, part of that cordon, were you? - A. Yes.
- Q. Were you in --- what sort of clothing or equipment were you wearing? - A. Just normal Police uniform.
- Q. In protective gear? - A. Not at that stage, no.
- Q. Are you able, with any accuracy, to say for how long you formed part of that cordon? - A. It is hard to recollect. I would say an hour.
- Q. Did you keep any note or check of the time? - A. No.
- Q. And when you say you did it, does that mean you and all the members of your PSU or just some of them? - A. All the PSU we all went together.
- Q. We know that at some stage during that morning a convoy of lorries came up the hill and went into the gates of the coking plants, spent about an hour inside and then came out loaded. Did you see either of those two events happen? - A. I believe I probably heard the lorries going in because they made a bit of a noise, but as to actually seeing them going into the coking plant, I can't be sure.
- Q. Where were you when the lorries went in? What were you doing? - A. I believe I was still on the Police cordon.
- Q. Do you remember the lorries coming out or don't you? - A. I can't.
- Q. So obviously you are there on the Police cordon in your ordinary uniform. Did you remain there all morning or did something else occur? - A. I think after approximately an hour or so missiles started to come over the Police line and we were ordered to wear our protective Nato style helmets.
- Q. Did that mean you having to go somewhere to get them? - A. Yes, we all ran back to the vehicles and equipped ourselves with the headgear.
- Q. Anything else in addition to the headgear or only the headgear? - A. I believe at that stage it was just headgear, but eventually we were equipped with short shields.
- Q. Did you go back to the cordon before you were equipped with shields? - A. I believe we did, yes.

- Q. For what purpose - can you remember? - A. Just to strengthen the cordon.
- Q. So this would be your second visit to the cordon? - A. Yes.
- Q. Again, can you give us any approximation as to how long you spent on this occasion as part of the cordon? - A. I can't be exact.
- Q. Was it just a matter of a minute or two, or much longer? - A. Probably 10, 15 minutes.
- Q. What was happening while you were there? - A. Missiles were continually being thrown and there was a great deal of pressure put on the Police cordon - when I say pressure, there was pushing.
- Q. From where? - A. From the pickets.
- Q. Could you see that? - A. Yes.
- Q. Are you able to remember where, on this occasion --- do you remember where the cordon was in relation to the main gates of the coking plant? - A. I would say 50 yards.
- Q. From it? - A. Towards the railway bridge.
- Q. We know that that is uphill from the main gates? - A. Yes.
- Q. When you, on this second occasion, were there to reinforce the cordon and there was the throwing and pushing and shoving, can you remember whether you were stationed on the road and pavement or on grass field? - A. I can't remember because we were continually moving along the back of the cordon.
- Q. Do you mean by that, therefore you may have been on both? - A. I believe we were on both at some stage during the morning.
- Q. You are still with just your Nato helmets on, no other protective gear. Did you remain in the cordon so equipped or were you withdrawn? - A. We were withdrawn and told to equip ourselves with short shields.
- Q. JUDGE COLES: Was that at the end of the quarter of an hour you talked about? - A. I believe so.
- Q. MR. WALSH: How accurate an estimate is that quarter of an hour? - A. Time went so quickly, I can't be exact.
- Q. Who instructed you to withdraw? - A. The Inspector.

Name? - A. Inspector Bennett.

Where were your vehicles from which you collected your equipment? - A. I should say 30 or 40 yards away.

On the right in a carpark? - A. On the carpark adjacent to the coke-works.

Does all your PSU go back to the vehicle in which your equipment is? - A. Yes.

Did you happen to notice at that point any other West Midlands PSU you knew? - A. There were other members of the West Midlands Police there, yes.

Where? - A. On the carpark.

What were they doing? - A. Just on standby at this stage.

So your PSU goes back to equip itself with shields? - A. Yes.

What sort of shields did you take? - A. It was a round shield, a short, round shield.

Can you describe it? - A. Well, it is sort of about 3 feet in diameter. It's more like, sizing, a bit bigger than a car wheel.

A car steering wheel? - A. Tyre wheel.

What does it look like? - A. It is perspex and has the words "Police" written straight across the diameter of the shield on the outside.

Is it clear perspex? If you were holding it now and we were to look at it, would it look to us as transparent all the way through? - A. Yes, it is.

Even in the middle? - A. Yes, I think some are in the middle - there is different makes. Some you can see straight the way through, others where the reinforcing material does prevent the view.

We did have a short shield here earlier. Is it anything like that? - A. No.

You may be able to help us. If you look at Exhibit 30, number 4, do you see some Officers walking across a railway bridge? Do you see any Officer on that photograph carrying a shield of the sort you had? - A. Yes, there is one.

Yes - it is the one, Members of the Jury, I suppose the first complete Officer that we see in from the right-hand

side, just to our left of the white line - while we are there, do you happen to recognise any of the Officers on that photograph? - A. I recognise one Sergeant from my department, the taller one.

Q. Where is he positioned? - A. His back is towards the --- he is the one on the footpath. His back is towards the camera.

Q. Who is that? - A. Sergeant Darnall.

Q. Was he in your PSU? - A. I believe he was.

Q. Do you remember what role he was playing that day? - A. Not his specific role, no.

Q. Do I take it he is the only person on that photograph whom you recognise? - A. Yes. There is other Officers with different kinds of shields. I would imagine they are from different Forces.

Q. Yes. Any West Midlands there you recognise, you can name? - A. No.

Q. Would you look at this shield and tell us ...? - A. Yes, that is the sort of shield we were equipped with.

Q. How do you hold it? - A. You put your arm there and grip it like that.

Q. There are two lips on. - A. Yes, that is for storage.

Q. It is hinged? - A. Yes, there are different makes. Some have rigid handles.

Q. You equipped yourself with that sort of shield? - A. Yes.

Q. Do you recall what your colleagues in your PSU had? - A. Shields similar to that.

Q. Did everybody have a short shield? - A. No.

Q. Why not? - A. Basically there was not enough to go round.

Q. Did everybody have a shield of some sort? - A. No, I believe there was about two or three ... we were in groups of five. We tried to stay in groups of five initially.

Q. JUDGE COLES: Groups of five? - A. Possibly two or three Officers would have a shield.

Q. MR. WALSH: For the moment you are in the carpark? - A. Yes.



- Q. And as you equip yourselves, some have shields, some have not? - A. Yes.
- Q. Did a time come when you left the carpark? - A. There was.
- Q. Was that immediately upon equipping yourselves or after some delay? - A. I would say within a few minutes of being equipped.
- Q. Where did you go? - A. Eventually we found ourselves on the front line of the Police cordon.
- Q. Where did you go, not where did you find yourself. - A. We went to the Police cordon.

JUDGE COLES: Having got him there, I think we will have a break.

(Short Adjournment)

- Q. MR. WALSH: We have got you equipped and going up towards the Police cordon and where was the Police cordon - in the same position as when you left it? - A. In the same position.
- Q. What happened when you got to the cordon? - A. The cordon opened up.
- Q. Immediately, or did you wait behind for a few moments? - A. For a few moments, the cordon opened up, we went through with the round shields and our instruction was to try and disperse some of the pickets.
- Q. Who gave you your instructions? - A. The Inspector.
- Q. Which Inspector? - A. Inspector Bennett.
- Q. Were you on the field or the road? - A. On the road at that stage.
- Q. Do you remember whether any other Police unit of any sort went through at or about the same time as you did? - A. We went through again.
- Q. No, on this occasion? - A. I believe we were followed by mounted Officers.
- Q. Now, mounted Officers presumably go rather faster than people on foot. Tell us about the mounted Officers. - A. We went through, going about 20 or 30 yards then the mounted Officers came charging through.

- Q. Your instructions, you say, were to disperse. Did you know before you went through, and when you got your instruction, how far you were to go? - A. No.
- Q. So how far did you go and why did you stop? - A. I only went a short while. One of my colleagues was injured.
- Q. Who was that? - A. It was Police Constable --- I only know his first name.
- Q. First name? - A. Roger, I think it is Billington.
- Q. Does it follow from what you say you were with him when he got injured? - A. Yes, we weren't aware that the horses were coming through and P.C. Billington got trampled by one of the horses.
- Q. So up to the moment when he received his injury what had you yourself done on this move forward to disperse? - A. I ran about 30 yards.
- Q. Did you come into contact with any of the pickets during that 30 yards move? - A. No.
- Q. As your PSU went forward were you line abreast or behind each other? - A. As far as I can recollect we were abreast.
- Q. What happened to the pickets as you and your colleagues moved forward? - A. They retreated.
- Q. You have told us there had been stone throwing. What happened to the stone throwers, or throwing, as you moved forward? - A. It was continuing but the stone throwers were moving up the road.
- Q. When your colleague was injured did you stay with him and help him back? - A. Yes, there was myself and another Officer. I forget who the other Officer was.
- Q. And how far back within the scene of action did you go with him? - A. We had to go back through the Police cordon again and eventually he was taken to a nearby ambulance.
- Q. By you? - A. I helped him behind the line. I can't remember what happened after that.
- Q. Did the time come when you rejoined your PSU? - A. Unfortunately they had gone ahead further up the road and I believe I stayed behind the cordon until they came back.
- Q. So did they come back behind the cordon at some point? - A. Yes and I rejoined them.

- Q. When you rejoined them was there just your PSU there or was there any other PSU similarly equipped? - A. I think at that stage it was just our PSU.
- Q. What was the next thing that happened? - A. I think there was a lull in the proceedings. As far as we were concerned we returned to our vehicles for refreshments.
- Q. Did you take off your equipment and so forth? - A. Yes.
- Q. Did you have much time for break and refreshments? - A. I would say about an hour.
- Q. And then what? - A. We were immediately called back up to the Police cordon.
- Q. By whom? - A. I can only imagine Inspector Bennett. All our instructions were through the Inspector.
- Q. Did you put on any equipment to go back up to the Police lines? - A. Yes, protective headgear.
- Q. That is the Nato helmets? - A. Yes.
- Q. What about shields? - A. I can't recall if we had shields the next time we went up.
- Q. Did you reach the cordon? - A. Yes.
- Q. Can you say where it was in relation to this position last time you had seen it? - A. It was roughly the same, in the same position.
- Q. When you got there what was happening? - A. Apparently the pickets had collected a Police shield and it was set on fire in the field.
- Q. You saw that? - A. I didn't see them actually apprehend the shield. I saw it was on fire.
- Q. What else was happening when you got back to the cordon? - A. There was still stone throwing.
- Q. Can you say whether yours was the only PSU that went up at that time behind the cordon, or not? - A. I think there was others, but which Forces they were from I can't say.
- Q. When you rejoined the cordon did you have to form into any formation? - A. I believe we did line up, sort of line abreast behind the cordon.
- Q. And did you remain lined up behind the cordon? - A. Sorry?

- Q. Did you remain lined up behind the cordon? - A. No, I think it was only a matter of two minutes.
- Q. What happened next? - A. With other Officers we broke through the cordon towards the playing field side of the Police line and with other Officers we recovered the burning shield.
- Q. So you are now in the field, are you? - A. On the field.
- Q. What were the pickets doing as you went forward and recovered the shield? - A. They retreated a short distance.
- Q. About how far ahead of the cordon was the shield? - A. Not very far again, no more than 50 yards.
- Q. Having recovered the shield did you stay in that advance position, or retire? - A. We retired.
- Q. Where to? - A. Back to the Police vehicle.
- Q. That is in the carpark? - A. Yes.
- Q. How long were you there? - A. Again it was only a matter of minutes and we were deployed again up to the Police cordon.
- Q. On this occasion where was the Police cordon, compared with previously? - A. More or less in the same position.
- Q. What equipment did you have now? - A. Again we had the Nato protective headgear and short shields this time.
- Q. And on this occasion are you on the road or the field? - A. We are on the road.
- Q. What happened now? - A. Our instructions were to go through the Police cordon as it opened up and gain about 20 or 30 yards, then the main cordon was supposed to sort of come up with us and join us, so we could push the pickets back up the road.
- Q. Were you told how far ultimately this was to go? - A. No, the instructions were shouted to us as we were running.
- Q. Did the cordon open for you to go through? - A. Yes.
- Q. You have told us about horses on a previous occasion. Do you remember whether there were any on this occasion? - A. I believe there were, yes.
- Q. How far did you go approximately? - A. On the first occasion when we went through, it is hard to recollect, I am not sure.

- Q. Do you think in giving yards you would be anything like accurate or not at this stage? - A. We sort of ran for about 20 or 30 seconds, and stopped. In distance I can't say really. I should say no more than 100 yards.
- Q. Were you given some order to stop? - A. Yes.
- Q. By? - A. It was either the Inspector or the Sergeant.
- Q. Again on this short move did you come into physical contact with any of the pickets yourself? - A. I saw them, but I wasn't in any physical contact with them.
- Q. What were they doing? - A. They were throwing missiles of every description.
- Q. Did you notice whether there were any other PSUs with short shields doing the same thing as you, at the same time? - A. I was only conscious of the manoeuvre my PSU was doing.
- Q. How many manoeuvres of this sort - going forward to disperse and move them back, do you recall? - A. I should say about 3 or 4.
- Q. You told us how on previous occasions when you had gone forward to disperse you had then gone all the way back and behind the Police lines. On this occasion what happened to the Police lines when you made your move forward? - A. On those occasions we were in front of the Police line they were joining us from the rear.
- Q. And do you recall what Officers comprised the front of the Police cordon and what equipment if any they had? - A. We were at the front of the cordon. We just had round shields and the main cordon had long shields.
- Q. On these manoeuvres how far did you get ultimately? - A. Ultimately we gained two or three hundred yards. We got to the railway bridge.
- Q. Whereabouts at the railway bridge did you reach before stopping? - A. I am not too sure. I know we reached the railway bridge. I can't say whether we were the coke-works side of it or the other side.
- Q. Had you been given any instructions of the furthest limit to go forward or not? - A. No.
- Q. So whose decision was it on each occasion when to shout halt? - A. It was either the Sergeant or the Inspector.
- Q. Look at Exhibit 9, which is a bundle of photographs. Have you ever seen this album of photographs before? - A. No.

- Q. Photograph 1 is looking uphill, photograph 3 further up the road, nearer the bridge, photograph 4 likewise, nearer the bridge, photograph 5, the bridge from a different angle, across the right-hand side of the road. I know it is over a year ago. Does looking at this photograph bring back in general terms the scene to you or not? - A. I think we were the other side of the railway bridge.
- Q. No, do those photographs now help you to remember the road leading up to the bridge? - A. Yes.
- Q. If we go beyond 5, there is photograph 6, taken on the railway bridge, looking to the bend on the far side? - A. Yes.
- Q. And 7, a little bit further on, so you see what is round the bend, 8, further still. Now, do any of those photographs help you to say where it was you and your colleagues stopped in the vicinity of the bridge? - A. I would say it is approximately 10, 20 yards the other side of the railway bridge.
- Q. Would you help with a photograph? - A. Photograph number 7. I should say by the lamp-post where there is number 2 marked on it.
- Q. You think somewhere about there? - A. Yes.
- Q. Did you make any particular note on the day in question precisely where you were or not? - A. No, I didn't.
- Q. As you had moved up the road and to that position, what was the state of things on the road itself? - A. I can recollect the road was littered with broken glass and stones we had already passed. Further down the bridge there was abundant vehicles and railway sleepers and various other objects.
- Q. And as you went on those series of moves, what were the pickets doing as you went forward? - A. They were still throwing but retreating at the same time.
- Q. You got to this position on the far side of the bridge? - A. Yes.
- Q. That is you and your colleagues in your PSU? - A. Yes.
- Q. Any other Policemen you recall being there? - A. I can only remember colleagues from my own PSU being in the vicinity. There may have been other Officers but I wasn't aware of them.
- Q. When you stopped there, had the throwing of missiles ceased or not? - A. No, it was still continuing.

- Q. So on what were you concentrating your attention? - A. Basically just to disperse the pickets as far as possible from the railway bridge.
- Q. When you stopped at about the position you have shown us, how far away were the nearest pickets, as you recall? - A. I would say there is some on the brow of the hill by the first house?
- Q. The bungalow? - A. Yes.
- Q. What were they doing? - A. Throwing stones.
- Q. When you got to that position - you have told us previously about the presence of horses - were there any horses about at that particular moment? - A. No, I don't think there were.
- Q. And you stopped there for about how long? Is it possible to estimate? - A. A couple of minutes.
- Q. What was the next thing that happened, or perhaps before you got there, are you able to say where the main cordon of Police got to? - A. I couldn't say where they were.
- Q. Did you look back at all? - A. No.
- Q. What was the next thing that happened then? - A. Then a large number of pickets charged us throwing all kinds of missiles and we then received instructions to push them back.
- Q. From whom did you receive instructions? - A. There again I can only say it was either the Inspector or the Sergeant.
- Q. If it was the Inspector then that was? - A. Inspector Bennett.
- Q. And the Sergeant? - A. Sergeant Kelsey.
- Q. And where were the people who were charging at you? - A. They were on the brow of the hill by the bungalow.
- Q. How near to you did they get before your people moved forward at them? - A. 50, 75 yards.
- Q. What were they doing, or what was happening when they charged forward? - A. They were throwing missiles at us. I think at that stage we were a breadth across the road and we were outnumbered, and therefore they decided to charge us. There were more of them than us.
- Q. What sort of numbers did it look like that they were? - A. I would say 200 or 300.

- Q. You have described them being in front charging. Were missiles coming only from ahead of you? - A. No, there were people on both sides of the embankment I think. I was conscious there were people both sides of the embankment and they were having a go as well.
- Q. And your Sergeant or Inspector, whoever, told you to? - A. Charge forward.
- Q. To do what? - A. To disperse the pickets.
- Q. And did you do that? - A. Yes.
- Q. And what happened as you did that? - A. We got to the brow of the hill by the bungalow.
- Q. The bungalow - in fact, if you look rather more carefully, the bungalow is a little this side of the brow of the hill, so was it the brow or the bungalow? - A. I think it was the brow.
- Q. What happened there? - A. We were stationary for a few seconds.
- Q. Who is we? - A. My PSU.
- Q. Stationary a few seconds? - A. Then the pickets were coming forward at us again, throwing stones, and that is where I saw one of the Defendants.
- Q. And which Defendant was he? - A. Stefan Wysocki.
- Q. Whereabouts was he? Do any of these photographs assist you to show us where he was when you saw him? - A. I should say somewhere in the vicinity ....
- Q. Which photograph are you on? - A. Number 9.
- Q. Of Exhibit 9, yes. - A. He was standing in the road towards the footpath, facing us on the right-hand side.
- Q. In the roadway, you think? - A. In the roadway. I would say he was almost on the footpath.
- Q. About how far back, or towards the front of that photograph, would you say? - A. It is hard to remember exactly, but I would say towards the front of the photograph, this side of the lamp-post.
- Q. Camera side of the lamp-post? - A. Yes.
- Q. Are you able to be any more precise than that? - A. No.
- Q. Where were you when you saw him? - A. I was standing in the road.



- Q. Whereabouts - in the middle, left-hand side, right-hand side? - A. Towards the right-hand side.
- Q. About how far ahead of you was he when you first saw him? - A. I would say 30 yards.
- Q. Was he alone, with others, or what? - A. He was with others.
- Q. Did you notice anything about his appearance or clothing? - A. I remember he had a white shirt and was wearing a cap, a peaked cap. I think it was brown coloured, I am not sure.
- Q. What was he doing when you saw him? - A. He was facing towards us and I saw that he had an object in his hand. I was of the opinion it was a stone.
- Q. Did you see him do anything? - A. I then saw him throw indiscriminately at the Police line and then start to run away.
- Q. What do you mean indiscriminately? - A. I don't know if he aimed it at any particular Officer. He just threw it and ran.
- Q. Did you watch to see where the stone landed? - A. No, I didn't see where the stone landed.
- Q. What did you do instead? - A. We were then given the order to charge and I ran after the Defendant and caught him.
- Q. When you did that were you alone or with any other person? - A. I was on my own when I caught the Defendant but I was immediately joined by Sergeant Kelsey.
- Q. About how far had he managed to get by the time you caught him, in comparison to the photograph, from where he was when you had seen him throw the stone? - A. I should say 20 yards.
- Q. And so is it possible by looking at photograph 9 for you to say whereabouts you caught him? - A. He ran towards the middle of the road, somewhere opposite the terraced houses on the right-hand side.
- Q. JUDGE COLES: Did you say somewhere in the middle of the terraced houses? - A. No, in the middle of the road.
- Q. MR. WALSH: What happened when you caught up with him? - A. I took hold of his arm and told him he was under arrest.

- Q. Did you say for what? - A. For throwing stones at the Police line.
- Q. Did you say anything else to him? - A. I gave him a short caution.
- Q. Saying what? - A. You are not obliged to say anything unless you wish to do so but what you say may be put into writing and given in evidence.

JUDGE COLES: That is the long one.

MR. WALSH: I think there is a longer one.

- Q. JUDGE COLES: Anyway, that is your short caution? - A. That is my short caution.

- Q. MR. WALSH: Did he make any reply? - A. As far as I can remember he made some reply, saying, "I'm here to picket those lorries".

- Q. And what did you then do with him? - A. I was joined by Sergeant Kelsey and we escorted the Defendant back down towards the railway bridge, down Highfield Road to the Police detention centre situated opposite the coke-works.

- Q. Did that mean you had to go through Police lines? - A. I think we went through two Police cordons.

- Q. Do you remember where they were? - A. Further down the hill, I would say the first one was photograph 2, near to the lamp-post on the left-hand side, the first one.

- Q. The first lamp we see on the left? - A. Yes.

- Q. You think there was a cordon there? - A. Yes, and another one further down, approximately ....

JUDGE COLES: Are you sure the Officer has orientated himself with these photographs?

- Q. MR. WALSH: This is below the bridge, do you follow? - A. Yes.

- Q. You are telling us where the cordon of the Police was that you went through? - A. As far as I can remember, yes.

- Q. JUDGE COLES: That was the first one you came to? - A. Yes, there were two.

- Q. MR. WALSH: Where do you think the other one was? - A. The other one was approximately 100 yards or so behind.

- Q. When you say behind? - A. Towards the coke-works.
- Q. What was happening at the bridge? - A. To be honest, I can't remember.
- Q. Could you help us - there is another album of photographs, Exhibit 21. If you look at photograph 6, do you see anybody in that photograph you recognise? - A. That looks like the Defendant and myself.
- Q. And there seems to be something the Defendant is carrying in his right hand? - A. A cap, yes.
- Q. And that is the cap you say you saw him wearing? - A. Yes.
- Q. And the man with the stripes, is that Sergeant Kelsey? - A. That is correct.
- Q. There is you - if you look at the next photograph, which is taken a little later ....

MS. RUSSELL: Now the Officer has already looked at it, I am a little concerned my learned friend, having had the Officer's answer, is now in the process of showing him other photographs, presumably with the intention of getting him to change the evidence he has given. I think the Jury are aware of what photograph 7 shows, and this Officer has put two cordons below the bridge of his own volition. My learned friend is directing him to look at another photograph of the bridge, and saying, "Well Officer, do you think it is possible if there are other Officers...?". It is leading the witness via photographs to alter something he has already said, but it having taking place anyway any objection becomes foolish because the Officer has seen the photograph.

JUDGE COLES: Not yet.

MS. RUSSELL: He is holding the bundle, turned to photograph 7, that is the problem. If my learned friend is going to do this again, could he give me prior notice, because it is a form of leading his own witness.

MR. WALSH: I think there is nothing objectionable in asking a witness to look at a photograph to see if he remembers it or not.

JUDGE COLES: Well, I am sure you will refrain from cross-examining.

- Q. MR. WALSH: Could you look at photograph 7? Do you recognise that scene at all? - A. No.
- Q. I am going to ask you to look at photograph 10. Don't look yet, somebody might object.

MS. RUSSELL: I most certainly do in view of answers he has given in chief already.

JUDGE COLES: Are you going to object to the witness looking at any of these photographs?

MS. RUSSELL: I am quite happy in front of the Jury, without the witness present, but as a matter of law I object to the witness being shown this photograph unless the groundwork is laid by non-leading questions.

JUDGE COLES: Forgive me, I thought it had already been agreed, these photographs. Do you wish the witness to leave?

MS. RUSSELL: I think if the witness leaves.

JUDGE COLES: Would you mind Officer? Do you wish the Jury to leave?

MS. RUSSELL: Your Honour no, absolutely not.

(In the absence of the Witness)

JUDGE COLES: I had understood it was agreed first that these photographs represent what they purport to represent?

MS. RUSSELL: Absolutely, your Honour.

JUDGE COLES: Secondly, they were taken in sequence and indeed, I had understood cross-examination was proceeding on that basis. The nature of your objection is that they should not be used as an aide memoire?

MS. RUSSELL: Absolutely, and for this reason: this witness has said in evidence in chief, on the southern side of the railway bridge he passed abandoned vehicles. That is obviously a difficulty for my learned friend and one I shall deal with in cross-examination.

JUDGE COLES: If Counsel had led the witness by showing him the photographs first there might have been an objection, but the evidence of what he saw and where cordons were has now been given.

MS. RUSSELL: Your Honour, yes, the Officer has given his evidence so far as the cordon and where he was, and also obstacles and matters of that kind. My concern is that my learned friend is showing him this photograph in the hopes that the evidence he has already given so far as abandoned vehicles on the other side of the bridge, which he said clearly in terms....

JUDGE COLES: Why are you worried about that? When you come to cross-examine him that is exactly what you will seek to do, I would have thought, to say, "What you have said so far is incorrect".

MS. RUSSELL: Your Honour, that is because I am cross-examining. I don't want to give my learned friend Mr. Walsh the opportunity of cross-examining his own witness.

JUDGE COLES: Forgive me, I shall not permit him to cross-examine. What we are concerned with is getting some facts.

MS. RUSSELL: Your Honour, absolutely. If your Honour looks at the photographs in chronological sequence, one will see this Officer has passed to the southern side of the railway bridge - in other words, he is the other side of the railway bridge before, and one can assume, because one ....

JUDGE COLES: He was next over after Mr. ....

MS. RUSSELL: Absolutely, and one can see, so far as photograph 10 is concerned, it obviously was taken at some later time. If I could have the detention sheet ...?

JUDGE COLES: Forgive me, I shall not permit Mr. Walsh to cross-examine, but what is wrong in asking the Officer to look at a photograph of a state of affairs, I don't know, so many minutes after he has passed through it, and asking whether that represents the scene as he saw it?

MS. RUSSELL: Your Honour, with respect, the Officer has already described the scene as he went up the hill, including in that, as he had ample opportunity to, anything he wanted to include. He has described, according to him, the scene on the other side of the bridge as he went up. To show him the photograph taken, in any event, sometime after he must have passed by and gone, the only purpose of that is, in my submission, to try and refresh the memory of this witness from that photograph. If my learned friend asks first, without the photograph, can he tell us in detail what the scene was as he went up the hill ....

JUDGE COLES: He has done that.

MS. RUSSELL: He has already done that, your Honour, and it is precisely because in doing that he has not described what my learned friend sees in this photo - that is the reason my learned friend, in my submission, is trying to get him to look at that photo, to adapt what he has said.

JUDGE COLES: That is the trouble I am having understanding your objection, because if the witness says, looking at the photograph, "That is exactly what it was like when I went past", then you can cross-examine him on what he has already said. If he says, "No, it is not exactly what I saw", you can cross-examine him on the photograph, but there is no way Mr. Walsh can lead the witness with the photograph.

MS. RUSSELL: Your Honour, yes, because he has had a witness who has said to him, in terms, that abandoned vehicles he saw were on the southern side of the bridge.

JUDGE COLES: Well, if he looks at the photograph and says, "Oh, I must have been mistaken about that. The vehicle was on the other side of the bridge", how is that prejudicing the Defence in any way?

MS. RUSSELL: Because in effect, your Honour, it is the Prosecution cross-examining its own witness.

JUDGE COLES: It is not.

MS. RUSSELL: He has given his evidence of what he has seen. The photographs are not to be used as an aide memoire. The Officer has expressed no difficulty in remembering apparently. I would like, before your Honour makes any ruling, to hear the purpose for which Mr. Walsh wants to show him this photograph. It seems to me that the only purpose is to get an adaptation of the evidence that has already been given by this witness, because it cannot be a scene that shows him, that is the first point, it cannot necessarily - because his photograph shows him further down from this a few minutes before - it cannot be a scene he necessarily ever saw, that is one argument on what the witness has already said, so the only purpose, in my submission, if Mr. Walsh wants to explain a different purpose I would be happy to hear it, but I am asking your Honour to put Mr. Walsh to an explanation of why this particular photograph, why, what this Officer has said, or the difficulty he thinks this Officer is having, that he wants to refresh his memory from photograph 10.

JUDGE COLES: Thank you. What do you say?

MR. WALSH: Your Honour, I am not proposing to cross-examine this Officer. I am proposing, as with every other Officer who has been shown any other photograph, to ask him if he can help us as to whether that displays something he saw or didn't see, and that is not what, in my 20 years' experience of the Bar, could be called a leading question.

JUDGE COLES: I agree. Of course Mr. Walsh will not cross-examine this witness, but I can see no objection

whatsoever to showing the witness this photograph. It could have been objectionable earlier, it seems to me, before the witness was asked to describe what he saw, to have shown him that photograph could have been leading, but showing it now is not leading because the witness has already given his evidence, and it does not necessarily follow every question asked will be a question of cross-examination.

MR. WALSH: Your Honour, he may say, "I don't recall that scene at all", in which case I can ask him nothing further.

JUDGE COLES: Well, let us see what he does say.

(The Witness returned to the Witness Box)

- Q. MR. WALSH: Did you put that album of photographs down? Would you pick it up again? It should say "Exhibit 21". Would you look at number 10, please, first? Forget the presence of the gentleman walking down the centre of the road. That apart, does that represent a state of affairs that you saw at any stage? - A. I can remember the car, but I was of the opinion it was the other side of the railway bridge. As for anything else on that photograph, I can't say with certainty if I saw those things.
- Q. You remember the car. In which direction were you going - up the hill or down the hill? - A. Up the hill.
- Q. Was that before or after you arrested Mr. Wysocki? - A. Before.
- Q. Right, thank you. Now, you have told us you went through the two Police cordons? - A. Yes.
- Q. Do you remember how the front rank of the first cordon, for example, was formed when you reached it? - A. Yes, they were with long shields, which were clicked in together, and we had to force our way through that cordon.
- Q. We have heard how there is a way you can interlock the shields? - A. Yes.
- Q. Did you succeed in getting through? - A. Yes.
- Q. Now, you then arrived at the Police Control Centre, and you have told us where that was - that is you and Sergeant Kelsey, together with the man you had arrested? - A. Yes.
- Q. Did you have to report to somebody there, with the man you had arrested? - A. Yes. I am not sure if it was a Sergeant, or a Constable who was accepting the prisoners and obtaining details from them.

- Q. When you arrived did you, as the arresting Officer, have your photograph taken together with Mr. Wysocki? - A. I believe I did, yes.
- Q. Would you just identify formally the photograph which contains Mr. Wysocki and about three-quarters of you? (Exhibit 56 was produced to the Witness) - A. Yes.
- Q. When you were at the Reception Centre did you notice something about Mr. Wysocki's appearance, which I think, if you look carefully at this photograph you might just possibly see? - A. Yes, I can recollect he had some injury to his eye.
- Q. If you look very carefully, can you see the mark? I think it is slightly below and to the side of his right eye? - A. Yes.
- Q. Was he offered medical treatment? - A. Yes.
- Q. Did he accept or decline? - A. He declined.
- Q. Did he say anything at all about that injury, or how it had been occasioned? - A. As far as I recollect he said a Police Officer had done it, but he refused to say who.
- Q. Did he make any accusations against you or Sergeant Kelsey? - A. No.
- Q. Did he say anything about the circumstances in which he received it? - A. No, he didn't.
- Q. Was he asked? - A. He was asked but he refused to discuss the matter.
- Q. And so having booked him in with the Sergeant, what did you then do? - A. The Defendant was then take to a holding area, for want of a better word.
- Q. By whom? - A. Staff at the Detention Room.
- Q. What did you then do? - A. I went into the room where I prepared a written statement.
- Q. Why did you go into the room - was it your idea, did somebody ask you to, or what? - A. Well, this is where everyone went to make statements.
- Q. When you got there with your man under arrest, were you the only Police Officer, or were there others? - A. There were other people in there.
- Q. Do you remember where Sergeant Kelsey went? - A. Initially he came with me into the Detention Room, then he left for a short period and he returned later.



- Q. And you said you went to make a statement? - A. Yes.
- Q. And what happened when you went into the room to make a statement? Were you on your own, with others, or what? - A. There were other Officers there from other Forces.
- Q. And did you have a notebook with you? - A. Yes, I did.
- Q. Did you write anything in the notebook or was it all on a statement form? - A. It was all on the statement.
- Q. Whose idea was that? - A. It was an Officer from the South Yorkshire Police.
- Q. Was it from him that you obtained the statement form? - A. Yes.
- Q. Once you had got your statement form, how did matters proceed from there? - A. Initially we had a discussion as to what actually happened.
- Q. Who is we? - A. Other Officers there.
- Q. A discussion about what happened in relation to what? - A. The scene with regard to landmarks etc.
- Q. And then what happened? - A. Then it was agreed that we all more or less put the same opening paragraphs of the statement, then when it came to our actual arrests and the scenes we saw at that time, then we would deviate and make our own statements accordingly.
- Q. I am sorry, could you repeat that again? - A. Yes. We all sort of wrote the same opening paragraphs of the statement but when it came to our actual arrests and the scene, because we were all at different place at the time of the different arrests, then we deviated and made our own statements accordingly.
- Q. Did you all write the same opening paragraphs? - A. I believe we did, yes.
- Q. And when it came to describing the circumstances of your individual arrests what did you say? - A. I then made my note accordingly.
- Q. Do you happen to remember where Sergeant Kelsey was when you made your part of the statement that dealt with the individual arrest of Mr. Wysocki? - A. He was in my presence.
- Q. Did you discuss the circumstances of that arrest with Sergeant Kelsey? - A. Briefly, yes.
- Q. Was he able to see what you wrote? - A. Yes.

Q. When you had finished your statement did Sergeant Kelsey do anything that you recall? - A. I can't recollect, no.

Q. Did you remember if he did any writing at all? - A. I don't think he did.

Q. When you had written your statement, did you have it witnessed by anybody? - A. I can't recollect.

MR. WALSH: I wonder if he might refresh his memory as to the matter from the original document?

JUDGE COLES: Yes, I don't see any objection. Do you object to it?

MS. RUSSELL: Your Honour, if it is purely for the purpose of refreshing memory, I have no objection.

JUDGE COLES: Well, he can't remember when it was witnessed.

MR. WALSH: It is the equivalent of his notebook so he can look at it.

Q. JUDGE COLES: Has it been witnessed? - A. It has been, yes.

Q. MR. WALSH: Does that help you to remember the circumstances of it being witnessed? - A. I couldn't recall Sergeant Kelsey witnessing the statement.

Q. Whose signature is it? - A. It is his signature.

Q. JUDGE COLES: Do you know his hand-writing? - A. Yes.

Q. You do? - A. Well, I have seen his signature before. He is not my normal Sergeant so it is like his signature.

Q. MR. WALSH: You can't remember precisely when it was that he signed his signature there? - A. Obviously it was sometime during that day. I don't know whether it was immediately after I finished the statement or within a few minutes.

Q. What did you do with the statement once you completed it? - A. This was handed to an Officer from South Yorkshire Police.

Q. And did you have it in your possession again? - A. No.

MR. WALSH: Your Honour, that concludes my examination in chief, and I suspect is a convenient moment.

JUDGE COLES: Well, we will adjourn until 5-past-2.

(Luncheon Adjournment)

Cross-examined by MS. RUSSELL:

- Q. Officer, I am going to ask you some questions on behalf of Mr. Wysocki. If I can just start with a few general matters: when do you say you volunteered for PSU work? - A. I didn't volunteer on this occasion.
- Q. You didn't volunteer on this occasion. On what occasion did you volunteer? - A. It was sort of towards the end of the dispute, round about September, when people were being asked to go away.
- Q. When had you first begun doing PSU work? - A. I would say from the start of the dispute.
- Q. What training had you had before that? - A. Just normal public order training.
- Q. Well you see, normal public order training, as the Jury know now, varies a lot from Force to Force. What is the normal public order training in West Midlands? - A. I would say getting used to working with shields and working as a PSU.
- Q. When did you start training like that? - A. Possibly two or three years ago.
- Q. Two or three years ago. In your ordinary line of work you are an ordinary beat bobby? - A. Yes.
- Q. And two or three years ago you started doing public order type training. How often did you start doing it? - A. It was approximately once every three or four months.
- Q. Over that two or three years? - A. Yes.
- Q. When did you first start training with short shields? - A. Prior to the dispute I never trained with the short shields.
- Q. So before the dispute you had never actually yourself undertaken any training with short shields at all? - A. No.
- Q. Was the training that you did in that two or three years, training that every PC in West Midlands had to do, or could you opt out? - A. Not really, no. It became compulsory towards the last 12, 18 months.
- Q. So it is compulsory training in the West Midlands Force the last 12 to 18 months. Let's turn then to the Miners

Strike. When did you first become involved in any action that concerned that - what month? - A. It was in March, I think, probably, when the dispute was only about a week old.

- Q. So very shortly after the start of the dispute you yourself became involved. How did that come about? Did you volunteer, were you assigned? - A. I was assigned. It was literally at a moment's notice I was told I was going away.
- Q. Where did you go on that occasion? - A. That was into Nottinghamshire.
- Q. How many times did you go into Nottinghamshire through March and April? - A. On the first occasion it was just for a a 12, 18 hour duration and we returned home. On the second occasion I stayed a week away. That was in April.
- Q. Where did you go in May? - A. In May we came up to South Yorkshire but it was on a daily basis.
- Q. Again did you have to volunteer or were you ordered to do it? - A. We were ordered to do it.
- Q. So you could not say, "I don't want to go"? - A. We had no option.
- Q. In any of the West Midlands Police were there options as to whether or not people went? - A. Yes.
- Q. But not yourself? - A. Not myself, no.
- Q. How many times before the 18th June had you been to Orgreave? - A. I would say two or three occasions.
- Q. So far as the locations are concerned then, you had two or three occasions before this to familiarise yourself with places? - A. On those other occasions I never have been above the Police line. I was always down towards the coke-works.
- Q. The bottom area was very familiar to you, and the view up the hill you got? - A. Yes.
- Q. What about after 18th June? Did you go back then? - A. I believe I did, yes.
- Q. How many times? - A. Probably half a dozen times.
- Q. So that would make a total of about nine times to Orgreave, nine or ten? - A. Yes.

- Q. So there is no question about having only been there for a few hours? You had been to that location nine or ten times? - A. Yes.
- Q. I want to ask you another general matter: first, meetings with other Officers - don't look so worried, there is nothing to worry about if you are telling the truth - have you met any Detectives from South Yorkshire, either before the start of the case, or during the case? - A. I have.
- Q. Tell the Jury about those meetings with South Yorkshire detectives? - A. I don't know them by name. My first contact with them was at the Detention Room at Orgreave.
- Q. That is on the day of the incident? - A. Yes.
- Q. And have you seen those Officers since? - A. To be honest I can't remember, but they were --- I have seen faces I am familiar with but I can't say whether or not they were there on the 18th.
- Q. Are you sure you haven't seen some faces that were familiar to you from the 18th coming and speaking to you more recently, in the very recent past? - A. I have seen a few Detective Officers, but I can't say for certain whether or not they were there on the 18th.
- Q. And where and in what circumstances have you seen these few Detective Officers? - A. At the Police Station.
- Q. Were you told to report to the Police Station when you arrived in South Yorkshire? - A. Yes.
- Q. Have you been shown photographs? - A. No photographs, no.
- Q. What have you been shown since you arrived then, you tell us? - A. I haven't been shown anything.
- Q. Not even your statement? - A. I have got a copy, a carbon copy of my statement, written statement, which is in my pocket book.
- Q. A carbon copy of your witness statement - where did you get that from? - A. From the original statement.
- Q. Are you saying that the original statement was written with a carbon underneath it? - A. That's right.
- Q. Was that the system adopted for all the Officers? - A. I'm not too sure.
- Q. Think about it. You remember being in the room with them don't you, and discussing the general paragraphs you have already told the Jury about? - A. Yes.

- Q. Surely you would notice whether they all had a carbon copy of the statements you were writing out? - A. I believe one or two may have done, how many I don't know.
- Q. Have you got it here? - A. Yes.
- Q. Could I see it? (The Witness produced his pocket book) So this is a carbon copy of your original statement? - A. Yes.
- Q. You can see the smudging you always get from a carbon copy. Might I also see the Officer's original statement? Officer, I don't want you to look at your original statement in detail, but if you look on the second page, you can see a smudge which looks like a smudge you can get on a carbon copy? - A. Yes.
- Q. Tell me Officer about the room that you were in. You get handed out statement forms? - A. Yes.
- Q. And somebody must have been handing out the carbon paper, mustn't they? - A. It was not handed out. It was scattered all about the room on the tables.
- Q. So all about the room that you were in there was carbon paper. Somebody must have told you to make a carbon copy, because it is not something that is normally done, is it? - A. No. Normally we make our entry in our own pocket books.
- Q. Normally you make your entry in your own pocket book and normally if you make a written statement, thereafter you don't make a carbon copy of it, do you? - A. There has been occasions in the past when I have done that, yes.
- Q. Answer me this: how many Officers in that room were making carbon copies of their statements? - A. There were other Officers making copies, but how many I don't know.
- Q. You see if we look at the carbon copy Officer, normally if you start making a statement, the first thing that you fill in, obviously, it is perfectly logical, is your name, the Police Station and the date, things of that kind? - A. Yes.
- Q. Have a look at your carbon copy for a moment. Does that appear on the carbon copy? - A. No.
- Q. Is that because the first thing that happened in that room was that whole paragraphs were dictated to you, and you had to sit there and write the dictated paragraphs, and therefore there was no time to fill in that heading? - A. Certain parts were dictated to us, but I can't remember at what stage I put the carbon in. I used the carbon copy,

obviously, as far as I am concerned the first part is irrelevant, I was just interested in the facts.

- Q. JUDGE COLES: Would you need to refresh your memory of your name and address? - A. No, it was my statement.
- Q. MS. RUSSELL: No, but if you start putting the carbon paper in it is something you do at the beginning, isn't it? - A. Yes.
- Q. And the first thing you would normally do is fill in the heading, you have agreed, that's right? - A. Yes.
- Q. You have told the Jury before lunch that what happened was a sort of general discussion about things and then people putting it down? - A. Yes.
- Q. What I am going to suggest to you happened, Officer, is that in fact whole long sequences were dictated to you word for word by South Yorkshire Detectives, is that right? - A. Some parts were dictated, yes.
- Q. I will come back to that later, as to just how much of your statement was dictated, because I want to turn from that to another point: Sergeant Kelsey, according to you, you couldn't actually recollect this, signs your original statement, doesn't he? - A. Yes.
- Q. Can I look at the carbon copy? Would you tell me whose signature that is on the bottom of the carbon copy? - A. That's mine.
- Q. That is your signature? - A. Yes.
- Q. Does Sergeant Kelsey's signature appear on the carbon copy or not? - A. No.
- Q. If you look on the front page and if you can have your original statement so we can go through the difference in signatures, and by difference I don't mean the sort of difference referred to previously ....

JUDGE COLES: Before we go on, might I look at the carbon copy and the original? Thank you.

MS. RUSSELL: I have got a photocopy of the statement:

- Q. If we look at the original statement, Officer - and the Jury are familiar with this now - at the top there is a date and usually next to that there are signatures - those appear on the original, don't they? - A. Yes.
- Q. They don't appear on the carbon, do they? - A. No.

- Q. At the bottom there is a signature on the original? - A. Yes.
- Q. You say that that is your signature? - A. Yes.
- Q. Is it the same signature on the carbon copy? - A. There is no signature on the first copy.
- Q. No signature on the first page at all. What about the second page? - A. Yes, that is my signature.
- Q. Does Sergeant Kelsey's signature appear there on the carbon? - A. No.
- Q. But it does on the original? - A. Yes.
- Q. What about the last page on the carbon? - A. It is my signature.
- Q. Your signature there at the bottom? - A. Yes.
- Q. Is there any signature at the end of the statement? - A. No.
- Q. But on the original there are two signatures at the end of the statement? - A. Yes.
- Q. Yours and Sergeant Kelsey's, and then Sergeant Kelsey's at the bottom? - A. Yes.
- Q. But not on the carbon? - A. No.
- Q. Do you think going through that has reminded you of the sequence of events, how the Sergeant came to sign your statement? - A. On the original?
- Q. Yes. - A. No.
- Q. You have no recollection how that came about? - A. I could not recall Sergeant Kelsey signing my statement. Obviously he has done, but at what precise moment I can't remember.
- Q. So far as the statement is concerned, Officer, would you say that it represents what you have told the Jury today? Do you agree with the dictated paragraphs? - A. Yes.
- Q. Forgive me Officer, you don't really need to refresh your memory if you have had a copy for a year and over, you don't need to look at your statement to see what is in it do you? You must be very familiar with it? - A. With most of the facts, yes.
- Q. And you think that that statement represents a similar series of facts to those which you have told this Jury? -



- A. There is more details which I have given in evidence this morning, which is not in my statement.
- Q. Let's turn to the dictation part. Who was dictating? - A. It was a Police Officer from South Yorkshire Police. Who he was I can't remember.
- Q. Was he plain clothes or uniform? - A. Plain clothes.
- Q. What rank was he? - A. No idea.
- Q. Tell the Jury this, have you ever been in a room before when a number of Officers are having dictated to them a statement? - A. It is unusual.
- Q. Now will you answer the question? Have you ever been in that position before? - A. No.
- Q. Did you think to ask at least the rank of the Officer that was doing this? - A. No.
- Q. Let's have a look at your statement. Before we do, will you just tell me whether you know P.C. Brophy from Merseyside? - A. No.
- Q. Do you know P.C. Hanrahan from West Midlands? - A. I know him.
- Q. Good friend of yours? - A. No.
- Q. Was he in the room with you? - A. At Orgreave?
- Q. In the room where you are making your statement? - A. He could have been, I'm not sure.
- Q. Inspector Bennett, not from West Midlands but from Merseyside, do you remember him? - A. No.
- Q. And what about a Police Constable Gale - the Jury have heard from him about his own words only a little while ago? - A. No, I know there were Merseyside Officers there. I can't recollect who they were.
- Q. That is the Officer you were billeted with last night. You know him, don't you? - A. I met him for the first time yesterday.
- Q. When you met him for the first time yesterday didn't his face ring a bell? Didn't you think, that is an Officer that was in the room with me when my statement was dictated? - A. No.
- Q. If we can go through - I don't want to take a long time over this Officer - I want you to tell me at what point -

look at the statement - at what point it stops being dictated? - A. On the second page.

- Q. Just read the s sentence? - A. The sentence ends, "...simultaneously the large body of pickets charged us, our Police line moved towards the pickets."
- Q. That is where the dictations ends? - A. Yes, as far as I can remember.
- Q. So in other words, and the Jury will have a copy of this, in due course, as an exhibit, everything else in that statement was dictated to you? - A. The majority of it was dictated, but some of it, as far as I was concerned, I was losing track, so I was just trying to remember what had already been said.
- Q. We can all understand the problems people have trying to take down dictation. We have the same problem in Courts, Officer. It is not an easy thing to do, but you see it would be quite wrong to take down in dictation something which you yourself had not actually seen, that's right, isn't it? - A. Yes.
- Q. Let's go through something - the beginning of the day you are deployed behind the main cordon? - A. Yes.
- Q. Which is many lines deep? - A. Yes.
- Q. You can't see the front line of the pickets? - A. No.
- Q. Nor the front line of the Police? - A. No.
- Q. And after that you, go and put on your helmets? - A. Yes.
- Q. Well, you wouldn't then have been able to say whether shields were being used right at the front or not, would you? - A. They were being used, yes.
- Q. How does it come you have written in your statement exactly the reverse of that Officer? Is it just because it was dictated to you? - A. No.
- Q. Why is it then? - A. Shields weren't used when we first got there. I think it was on the second occasion when we moved up to the line.
- Q. So you are saying shields were not being used there when you first got there. When were the shields used then? - A. At what precise moment I can't say.
- Q. Forgive me Officer, for at least - and I think the number has been given - 140 or so long shields to go through the cordon is not something you are going to miss, is it? - A. There were different Officers going to the line from

different locations, some stationed by the Detention Centre, some stationed right opposite the coke-works.

- Q. But when you are at the line, Officer, wherever you are on that cordon, and we know the sort of distance, you are not going to miss 140 long shields trundling up, the cordon breaking, and them going through? - A. It all depends where you are located. I can't remember them going up there.
- Q. When do you say you first became aware of them? - A. When we went up there for the second time.
- Q. So this is after you have equipped yourself with just the helmet? - A. Yes.
- Q. No shields? - A. No shields.
- Q. Why did you say in your statement - check it if you want to - that you did have shields? - A. That is what I could recollect at the time obviously, when we made the statement.
- Q. Or was it that that is what you were dictated by the Officer and you just went along with it? - A. That was the consensus of opinion at the time when we made the statement, and that was, in fact, what was dictated to us.
- Q. So does it come to this, Officer, that we can take huge chunks of your statement as being the consensus at the time in the Police room with the South Yorkshire detective dictating, rather than your own individual recollection? - A. There was a lot happening that day. We couldn't sit down and think positively at the time.
- Q. Forgive me Officer, at the time you are making your statement there was not some burly superintendent on the door saying, "You've only got five minutes lads, or you are off the job". You had all the time in the world to make your statement? - A. No.
- Q. Why not? - A. There was a riot situation going on outside and we were told to be as quick as we could because we were needed on the line.
- Q. Are you sure about that? - A. Yes.
- Q. What time did you start making your statement? - A. Roughly 12 mid-day, or shortly afterwards.
- Q. Shortly after 12 mid-day did you go back on the line? - A. I didn't, no.

- Q. So although you, were told, "Make your statements because you've got to go back on the line", you didn't, in fact, go back? - A. I didn't.
- Q. Why not? - A. By the time I had finished my statement and various other things in the station, my own PSU had been ordered back to the vehicles on stand-by.
- Q. So even though you were writing this as quickly as you could, by the time you finished you had been stood down? - A. I was unaware of that at the time I was making the statement.
- Q. Let's go on with a few more words from this. You then go on to describe the charge through the cordon, when you gain about 40 yards and the Police cordon moved forward to join you? - A. Yes.
- Q. According to your evidence you have given the Jury, there was one charge, when the Police cordon remained in the same position, after which you took an hour's refreshment break? - A. That is correct.
- Q. There is not a word of that in the statement, is there? - A. No.
- Q. How long would it take to write that sentence? - A. A few seconds.
- Q. Why didn't you put it in the statement? - A. As I said before, up until that part what I mentioned, towards the bottom of the page, was dictated to us.
- Q. But Officer, this statement has at the top of it a threat, you could be prosecuted if you said in it anything which is untrue? - A. Yes.

JUDGE COLES: You are not suggesting what he said was untrue, but that he has left something out.

MS. RUSSELL: Well I will come onto another matter, but so far as untrue is concerned:

- Q. Officer, you can either tell direct lies or sometimes lie by omission, that is right, isn't it? - A. It can happen.
- Q. Why did you decide to leave out things? Were you going along with the consensus because you didn't want to argue? - A. As I explained before, it was a matter of urgency the statement was done at the time.
- Q. Let's turn to something else then. I want you to follow. I will read from the typed copy we have got. You describe this - I am going to read the whole of this paragraph.

You describe equipping yourselves with shields and head-gear, and being held in reserve? - A. Yes.

- Q. "Because of the hail of missiles thrown by the pickets my unit was deployed" - yes? - A. Yes.
- Q. "The main cordon opened up and together with other Officers I ran towards the pickets, who retreated. We gained about 40 yards then held that line whilst the main Police cordon deployed with long shields moved forward to join us. We repeated this manoeuvre twice more." - A. Yes.
- Q. "Throughout we experienced a number of obstacles and traps left by the pickets across the road"? - A. Yes.
- Q. "These included a car placed across the width of the road"? - A. Yes.
- Q. "There were railway sleepers placed across the road"? - A. Yes.
- Q. "Approximately 30 yards before the railway bridge a piece of telegraph wire had been fixed across the road head height"? - A. Yes.
- Q. "The main cordon then formed on the railway bridge"? - A. Yes.
- Q. You put all those barriers, don't you, before the main cordon forms on the railway bridge? - A. Yes.
- Q. Did you really remember that and go along with the consensus? - A. I was of that opinion, yes.
- Q. So your opinion was that the railway sleepers, the car and everything else was before you got to the railway bridge? - A. Yes.
- Q. Officer, what I am going to suggest to you is this: you were having a statement dictated to you by an Officer who was not there, all right? - A. Yes.
- Q. JUDGE COLES: You mean who had not been at the scene? - A. Yes.
- Q. MS. RUSSELL: Who, either because of the general discussion or things that had been said by others, had heard about various things such as the car, the railway sleepers and the wire, and he was dictating those things to you to put in your statement, regardless of whether or not you yourself had seen them? - A. I had seen them.
- Q. Are you telling the Jury you had seen a car before you got to the railway bridge? - A. I had seen a car. At the time

I couldn't remember, I still couldn't remember until today, whether or not it was before or after the railway bridge.

- Q. In your statement you can remember. You quite clearly put it before the railway bridge, don't you? - A. Yes.
- Q. And you did when you gave evidence to the Jury this morning put it before the railway bridge? - A. Yes.
- Q. And the only thing that has made you change your mind is Mr. Walsh helpfully showing you photograph 10 in Exhibit 21? - A. Correct.
- Q. Up until that point you had absolutely no idea really where that car was, did you? - A. I knew it was somewhere in Highfield Road. The exact location I couldn't remember.
- Q. Because you were told that by a detective. Your own recollection is based on your statement, isn't it? - A. There is certain things I remembered after I made my statement.
- Q. You completely forgot to tell us about the wire, so tell us about the wire. - A. The wire was across the width of the road, before the railway bridge, obviously intended for the mounted Officers.
- Q. Why do you say that? - A. Because of the height of the wire.
- Q. What was the height of the wire? - A. On estimation I would say approximately six feet.
- Q. Was it six feet when you went up to it? - A. I was one of the first up there. I would say yes.
- Q. Did you do anything about it? - A. No.
- Q. Why not? - A. Because at that time we were being showered with missiles and we were, in fact, pushing the pickets up towards the railway bridge. We had not got time to mess about with obstacles in the road.
- Q. Forgive me, Officer, this was an extremely dangerous item. If the mounted Officers had come up and not seen it, it could have had dire consequences. You passed it without a thought? - A. We were given orders and had to stick to them.
- Q. Who do you say you were getting your orders from? - A. Mainly Inspector Bennett and Sergeant Kelsey.
- Q. You see, you know presumably from PSU work a booklet has to be filled in? - A. Yes.

- Q. And you were in the same PSU as Mr. Abson? - A. I think that is correct.
- Q. He seems to think he was getting his orders from acting Inspector Darnell. - A. Yes, he was there. I think I pointed him out in the photograph this morning.
- Q. Was he or was he not in charge of your PSU? - A. I can't remember. I know Inspector Bennett was in overall charge of our unit from the West Midlands.
- Q. You say Inspector Bennett. What about Chief Inspector Ffelan, wasn't he there? - A. He wasn't there.
- Q. He wasn't there? - A. I don't think he was, no.
- Q. Are you sure about that? - A. Not one hundred per cent sure.
- Q. Well think carefully. - A. I think if he had been there he would have been in charge.
- Q. And there certainly would not have been any need for Mr. Bennett to go hopping around between two different PSUs, would there? - A. No.
- Q. We all know the system - two PSUs, 23 Officers, an Inspector, two Sergeants and 20 Constables? - A. Yes.
- Q. On a day like that, if Inspector Bennett had been in charge of one PSU he would have had his hands full? - A. Yes.
- Q. He is hardly going to take on extra men with an acting Inspector in charge? - A. No.
- Q. Or is it everything was such chaos nobody knew who was in charge anyway? - A. Inspector Bennett was in charge.
- Q. The other members of your PSU - you know Mr. Abson? - A. I know he is in the West Midlands Police, yes.
- Q. JUDGE COLES: Do you know him? - A. I know him to say hello to. He is not a friend.
- Q. MS. RUSSELL: Was he in the van with you? He is down in your ten in the PSU booklet? - A. He could possibly have been in the van, yes.
- Q. P.C. Norris, he is the sort of personality you would not miss. Do you remember him? - A. He may have been. I don't know whether he was in my van.
- Q. Think about it. - A. He could have been.

- Q. We have heard from those Officers that Sergeant Kelsey was their Sergeant? - A. Yes.
- Q. And if that is right, who was your Sergeant? - A. Sergeant Kelsey.
- Q. So that would seem to suggest that the PSU booklet is right? - A. Yes.
- Q. Because that shows them under Sergeant Kelsey with you. You have got no recollection about them at all? - A. It was not the normal unit I worked with. I wasn't familiar with the faces. They could have been there. It is only since I have been on this unit.
- Q. You are from the same Police Station aren't you? - A. Yes, but I only joined that department in April.
- Q. What department are we talking about? - A. The Operational Support Unit.
- Q. That is a sort of super riot squad? - A. It is not a riot squad.
- Q. Super public order squad? I appreciate you had only joined that unit in April. - A. Yes.
- Q. So you are the new boy are you? - A. Yes.
- Q. Is that why Sergeant Kelsey was looking after you that day? - A. No.
- Q. How clear are you now Officer, bearing in mind that most of your statement was dictated to you by a South Yorkshire Officer and it does not accord exactly with what you told the Jury, how clear are you now about the charge up over the bridge? How clear in your own mind? - A. I am clearer now compared to when I made the statement.
- Q. You are clearer now, a year and two weeks later, than when you made the statement on the same day? - A. It is the first time I have seen the photographs, today. It was the first time I had been up there on the 18th.
- Q. The first time you had been the other side of the railway bridge, but it wasn't ....
- Q. JUDGE COLES: Can I just establish what it is you are saying? A little clearer now as a result of seeing the photographs than you were when your experiences had just happened? - A. Everything was in such disarray. It was hard to get your thoughts together.
- Q. MS. RUSSELL: At the time you found it all rather confusing? - A. Yes.



- Q. But now you have seen a lot of photographs and it appears clearer? - A. Yes.
- Q. I want to deal with your recollection of the charge from the railway bridge? - A. Yes.
- Q. Take Exhibit 9. You have got back to your van for a second break. Look at photograph 4 - would it be silly to suggest from your van after that break that you came up to roughly the position by the lamp-post shown - the first lamp-post in photograph 4? - A. Is this the first time we came through?
- Q. Yes. That the cordon, in effect, was already up there and you joined behind it? - A. No, we were first up.
- Q. Would it be silly to suggest you ran from that lamp-post we have just seen on the works side of the bridge, right up until the lamp-post shown by the bungalow, no stopping, straight up, lamp-post 4 in photograph 6? - A. It is hard to say really. Looking at the photograph it is such a distance. We may have done.
- Q. Are you prepared to change your evidence from what you said this morning? - A. No.
- Q. This morning you told us that you had got to about lamp-post 2, and stopped for a couple of minutes? - A. Yes.
- Q. Forgive me Officer, it was a hot June day, there you were, your riot helmet and shield, shin pads? - A. No.
- Q. Gloves? - A. Yes.
- Q. Rushing up a hill. Now, unless we are all Olympic athletes in your PSU we can assume, even for fit people, running from the lamp-post shown in photograph 4, in other words from the lamp-post south of the bridge, or the works side of the bridge, running from there all the way up until you are practically by the first house, non-stop, is hardly an experience that you are likely to forget, because you would have been out of breath at the end of it? - A. We were that day, yes.
- Q. However, if you stop halfway up, and particularly if something dramatic happens and you stop halfway up, it is not something you are going to forget, is it? - A. No.
- Q. So which is it Officer? Do you remember? All the way up to lamp-post 4, or stop by lamp-post 2? - A. I can't be sure. I said this morning we stopped by lamp-post 2, so I should imagine that is probably right.
- Q. Because according to your evidence, there is a charge of pickets at you at that point. You are hardly likely to

- have forgotten that? - A. I can remember the charge, but I can't remember the exact location.
- Q. You have mentioned two charges of pickets, haven't you? - A. Yes.
- Q. Two charges of pickets the other side of that railway bridge? - A. Yes.
- Q. So there should not be a moment's hesitation in saying no, of course we didn't run up to lamp-post 4, should there? - A. No.
- Q. So why do you think you hesitated? - A. I wasn't sure.
- Q. Mr. Norris and Mr. Abson, who were in the same PSU, the same Sergeant, they both say they did run up all the way to lamp-post 4. - A. They may have done.
- Q. According to your evidence they have missed a charging mass of pickets halfway up the hill. - A. When you are running with a group of Officers, there is some go in front of you. If the Sergeant and other Officers are behind they are called back to come and join the main cordon.
- Q. According to you when you stop by the lamp-post to have a couple of minutes, there is a charging mass of pickets? - A. Yes.
- Q. If P.C. Abson and P.C. Norris are your front-runners and have managed to get up to lamp-post 4 you would have seen them, poor lads, caught up in the charging mass wouldn't you? - A. If they were that far, yes.
- Q. Or is it, Officer, your statement, like your recollection, is just a mish-mash of what you were told to say by South Yorkshire Officers, the gospel according to South Yorkshire, and it didn't matter whether it had any relation to the truth at all? - A. It did contain the truth.
- Q. Why then Officer, when you were making that statement, didn't you bother to put in two charges of pickets. It is a jolly important point, isn't it? - A. It is.
- Q. This charge of pickets by lamp-post 2 is very important, you would agree? - A. Yes.
- Q. But you have completely left it out of your statement, haven't you? - A. Yes.
- Q. Why is that? - A. I couldn't remember at the time I made my statement.

- Q. You could not remember it within an hour or so, sitting in a room, but you can remember it a year and two weeks later, that is what it comes down to isn't it? - A. Yes.
- Q. Would you say you were one of the first Officers to get to the other side of the bridge? - A. I would say so yes.
- Q. When you got to the other side of the bridge, if you were one of the first Officers over there, what was the scene that met your eyes? - A. There were pickets in front of us, several hundred, and the road was littered with missiles.
- Q. Would you to turn to Exhibit 30, the Wakefield photographs, so-called? Have a look at the photographs - start at the beginning. We can see pickets coming down the railway embankment? - A. Yes.
- Q. So we can take it this is the charge up you have talked about. Turn to photograph 3. That shows horses, doesn't it? - A. Yes.
- Q. We can see lamp-posts 4 and 3. Where do you think you are at this point? - A. I haven't got a clue.
- Q. Well, you are one of the first Officers there. - A. I was one of the first up there, but I can't recollect the horses being up there.
- Q. I want you to look very carefully at a figure strolling up on the right-hand side of the road. Do you see it? - A. Which figure is that?
- Q. How many figures are strolling up on the right-hand footway? - A. The one with the white shirt?
- Q. Very good. Ring any bells? - A. The Defendant was wearing a white shirt that day.
- Q. Yes. Someone has made the remark you might make a detective yet. I think that is a bit unfair. That is Mr. Wysocki isn't it? Look at the jeans, the shirt, the size of the fellow?
- Q. JUDGE COLES: Well, it is suggested that is Mr. Wysocki. What do you say? - A. It could be. I can't be certain.
- Q. MS. RUSSELL: If we turn on from there, we have the other photograph you have been shown, don't we? - A. Yes.
- Q. If you are one of the first onto the bridge would you like to tell us where you are in that photograph?

Q. JUDGE COLES: We are now looking at 4 are we? - A. No idea.

Q. MS. RUSSELL: Do we take it Officer what you have just told the Jury a few minutes ago about being one of the first to the bridge is absolute rubbish? - A. It is not, it is the truth.

Q. Where are you then? - A. I am not sure, obviously.

MR. WALSH: The Officer says he was one of the first. This shows some Policemen. My learned friend makes that allegation. It is absurd.

JUDGE COLES: You can't talk about photograph 4 as showing in an uncontested manner the first Officers to the bridge can you?

MS. RUSSELL: If I can deal with it in this way:

Q. If the horses are first, all right - we can see what looks like two Officers there? - A. Yes.

Q. You are neither of those two are you? - A. No.

Q. We can see Officers on the bridge, a whole body of them? - A. Yes.

Q. If the sequence is right, we can also see some of them are coming back at that point? - A. Yes.

Q. Rather like the Officers in photographs 2 and 3, and you are nowhere in that scene, whenever that scene took place, you are nowhere there? - A. It does not appear so, according to the photographs, no.

Q. JUDGE COLES: It is certainly right to say that is the first photograph in this sequence of Officers on the bridge and you are not in it? - A. I can't see myself there no.

Q. MS. RUSSELL: What is also clear Officer, if you will forgive me, is that if we look at that roadway there, and allowing for the difficulties with photographs, at this point there is not much in it, is there? - A. No.

Q. If we turn on in the sequence, go through photographs 4, 5, 6 and 7. Now, again assuming those are shown in sequence, that shows a group of people standing around a rather famous figure, doesn't it?

JUDGE COLES: Call him Mr. Scargill. I don't think there is any dispute.

Q. MS. RUSSELL: No. You see Mr. Scargill? - A. Yes.

- Q. That crowd don't appear to be doing a lot do they, when these photographs are taken? - A. No.
- Q. Except you can see possibly some people are doing something on the embankment. It looks like they may be pulling something? - A. Photograph 7, yes.
- Q. If we then turn to photograph 8, we see signs, I suppose we could call it neutrally, signs of Police activity? - A. Yes.
- Q. Would you turn to the bundle Mr. Walsh was so helpful to show you earlier, bundle 21, photograph 3, and again accepting these are shown in sequence, photograph 3 shows Officers coming over the bridge, doesn't it?- A. Yes.
- Q. And most of those Officers we can see appearing over the bridge at that point have a square shield, don't they? - A. Yes.
- Q. Photograph 4 shows somebody being brought down? - A. Yes.
- Q. A picket. Now, would you accept from me that the agreement is between Prosecution and Defence that that man being brought down is the man that is shown in the middle of photograph 6, with Mr. Scargill on it, that is Mr. Moore, one of the Defendants in this case, all right?

JUDGE COLES: Is that agreed?

MR. WALSH: I have no knowledge of it at all. I don't know whether that is Mr. Moore in photograph 6.

JUDGE COLES: I have got on my photograph the name Moore, with a question-mark. My practice is to put a question mark when the question has been asked and no-one has agreed. It thought it was put to Mr. Browning that that was Mr. Moore. He said - did he say yes?

MS. RUSSELL: I think he agreed it was.

MR. WALSH: In photograph 4, yes. Photograph 6 wasn't put.

JUDGE COLES: Photograph 4 of Exhibit 21 was put to Mr. Browning. Photograph 8 of Exhibit 30, I think it was suggested that was Mr. Moore, I don't think anybody has agreed.

MR. WALSH: That is correct. The photograph my learned friend is asking about at the moment is, I think, photograph 6 in bundle 30, which again it is suggested on behalf of the Defence is Mr. Moore. I don't know whether it is or is not. My learned friend is cross-examining about photograph 6 of Exhibit 30.

JUDGE COLES: The gentleman standing between Mr. Scargill and the gentleman with the yellow is said to be Mr. Moore?

MR. WALSH: That is what my learned friend says. I have not indicated whether I agree or not. No-one has ever asked me to.

JUDGE COLES: Well, perhaps somebody will.

MS. RUSSELL: Perhaps I will ask Mr. Walsh now. Is  
....

JUDGE COLES: You had better ask when we have the adjournment. Ask your questions of the witness for the time being.

- Q. MS. RUSSELL: I am putting to you that the man shown in the centre of the crowd there is Mr. Moore. You see the scar across his stomach, and there he is being brought across the bridge, in photograph 4 in Exhibit 21? - A. Yes.
- Q. So we can take it from the sequence, these Officers are charging out, we can see the first ranks with the square shields charging out from the bridge, within moments Mr. Moore is being brought down? - A. Yes.
- Q. By that I mean brought down over the bridge, then if we look again at photograph 8, it has been suggested that that is Mr. Moreland, all right - you see the figure in blue denim, Exhibit 30, that is Mr. Moreland, all right? - A. Yes.
- Q. That is the suggestion. Turn to photograph 5 in the black and white, and there is Mr. Moreland coming down the hill? - A. Yes.
- Q. Now, as these black and white photos have been served on us by the Crown and we are told the chronology is strict, the next thing we see, or the next person we see coming down the hill is who?
- Q. JUDGE COLES: Look at 21.
- Q. MS. RUSSELL: Yes.
- Q. JUDGE COLES: Well, who is it? - A. That is the Defendant.
- Q. Wysocki? - A. Yes.
- Q. MS. RUSSELL: And if you turn to the coloured bundle, past those first Police Officers who halt, there

is somebody being dragged in photograph 10, then if we turn to photograph 11, who do you see in that?

- Q. JUDGE COLES: Let's take them one by one shall we? Look at photograph 7. Do you recognise who that is? - A. No.
- Q. MS. RUSSELL: One thing we can say about that Officer, the one that is coming down in 10, is he does not appear to be Merseyside, does he? He has not got the chequered band on the back of the helmet? - A. I don't know who he is.
- Q. JUDGE COLES: It is a Police Officer who appears to have his right arm around the arrested person's neck? - A. Yes, who the Officer is and from what Force I don't know.
- Q. MS. RUSSELL: You know Merseyside have a chequered band, don't you? - A. I was not aware of that.
- Q. Well he has a helmet similar in style to West Midlands, hasn't he? - A. Yes.
- Q. It does not appear to have lettering on the back, does it? - A. No.
- Q. JUDGE COLES: Is it you? - A. It is not me, no.
- Q. Well what makes you say, "It is not me"? - A. I never did that. I wasn't there.
- Q. How about 11? - A. That is the Defendant in that photograph with Sergeant Kelsey and myself.
- Q. You are the two Officers escorting the man and you say that is Wysocki? - A. That is correct.
- Q. MS. RUSSELL: What I am going to put to you is the sequence the other side of that bridge Officer, is this: so far as the Midlands people are concerned, you were not the first people out from the bridge at all. The first people out were the Merseyside PSUs? - A. Well I was of the opinion we were one of the first up there.
- Q. And the Merseyside PSUs picked up a number of people and hit others and moved on up and you followed on up behind them didn't you? - A. I was unaware of that. If you are saying they were up there first I will take your word for it. I was not aware of that.
- Q. Think about when you were by lamp-post 2. The Jury may remember we have had P.C. Douglas giving evidence, when you were by the lamp-post 2 - waiting at the lamp-post at the corner of the street until a certain little picket went by - do you remember any other Officers from any

other units were there? - A. I was not aware, apart from my own PSU of any other Forces being there.

- Q. So if P.C. Douglas said he was standing there you just missed him? - A. There were other Officers there. I don't know who they were.
- Q. Officer, what happened was the Merseyside boys went first, didn't they, perhaps with some of you, but not all of your Midlands people, you followed up sweeping up behind them, didn't you? - A. No, we were one of the first to initiate the charge.
- Q. Have a look at photograph 3, Exhibit 21. Coming over that bridge we can see something like 16 Policemen back over the bridge?

JUDGE COLES: Just a moment, the Jury are being distracted. I think now you say that that, Ms. Russell, is happening about the same time, or just immediately after the events that are shown in Exhibit 3?

MS. RUSSELL: What I say, in effect it is two different views of the same thing. In effect that this, the famous incident in photograph 8 ....

JUDGE COLES: Let's not call it the famous incident.

MS. RUSSELL: Certainly. The incident in photograph 8 is the end result of this break out. That is where this lot got to.

JUDGE COLES: You say that photograph 3 in Exhibit 21 is part of the process which can be seen in photograph 8 of Exhibit 30?

MS. RUSSELL: Yes, the two things go together.

JUDGE COLES: It is a little unfair to ask the witness to look at the Officers who appear in that limited stretch of ground in photograph 3 and identify which Officers they are.

MS. RUSSELL: With respect, I don't think it is. It is the question of the shields which is important, and it is possible to see that none of those first Officers over, if they be ....

JUDGE COLES: If they be.

MS. RUSSELL: I will accept that qualification. It is up to the Officer to say.

JUDGE COLES: I am questioning there the first Officers over. You can't see in photograph 3 the host of



people who appear in photograph 7 of Exhibit 30 and it must therefore follow, mustn't it, it may be that there are Officers in front of those in photograph 3 who have passed out of sight?

MS. RUSSELL: Your Honour that could be.

JUDGE COLES: I know you don't want to take a bad point.

MS. RUSSELL: I think matters may transpire at a later stage. I am putting that proposition to the Officer to see what he says.

JUDGE COLES: That is fine, but I am sure you wouldn't want to make a bad point. If you are just asking him to identify the Officers, by all means do so.

- Q. MS. RUSSELL: It would be right to say from the shields and helmets in photograph 3, not West Midlands are they? - A. They don't appear so, no.
- Q. There obviously is a gap in time between the taking of photograph 3 and photograph 4, all right? - A. Yes.
- Q. We know that the first Officer coming back is, in fact, a Liverpool Officer? - A. Yes.
- Q. The next Officers coming back with Mr. Moreland are Liverpool Officers? - A. Yes.
- Q. And then we see West Midlands, right? - A. Yes.
- Q. I am going to suggest to you that what was happening that day is firstly, so far as Officers going up, the Merseyside Officers were making the running and some of those Officers were going berserk with their truncheons, all right?
- Q. JUDGE COLES: Do you agree with that? First, did Merseyside make the running? - A. I was of the belief we were the first up there. I didn't see any other Officers from any other Force.
- Q. If they were you didn't see them? - A. I didn't see them.
- Q. Right. Did you see the Merseyside Officers going berserk with their truncheons? - A. No I didn't.
- Q. MS. RUSSELL: And I am going to put to you Officer, what happened at the top of the hill was that effectively you were involved in sweeping out the pickets who were left in, as it were, the first few houses. That was part of your action, you follow that? - A. No, that wasn't our instruction.

MS. RUSSELL: Your Honour, I am coming to a different subject. I don't know whether this is an appropriate time?

JUDGE COLES: If you find it is appropriate, it is appropriate.

(Short Adjournment)

- Q. MS. RUSSELL: Officer, your evidence is this: you were one of the first over the bridge? - A. Yes.
- Q. You stopped by lamp-post 2? Are you sure of that or not? - A. Yes.
- Q. Don't say it just because you said it this morning. I don't want you to be agreeing to something just because I put it to you. Did you stop by lamp-post 2 or not, or can't you remember now? If you can't, say so. - A. To be perfectly honest I couldn't be 100% sure.
- JUDGE COLES: He said that earlier.
- MS. RUSSELL: I was recouping:
- Q. There is a charge of pickets at you and then you chase them up the hill? - A. Yes.
- Q. Are you sure about the charge of pickets? - A. Yes.
- Q. That charge of pickets, did you see Mr. Wysocki in that? - A. No, I didn't.
- Q. So it follows that the first time you see Mr. Wysocki is over the brow of the hill? - A. On the brow of the hill, yes.
- Q. You say you were one of the first Officers up? - A. Yes.
- Q. If I were to put to you had you been one of the first Officers up you would have seen Mr. Wysocki running away from you up the hill, what do you say about that? - A. I didn't see him running away. As I said earlier, it was about 2-300 pickets up there. He could have been amongst them. I didn't see him.
- Q. But towards the back of them he would have stuck out, because he is a big fellow? - A. He is. I don't recall seeing him.
- Q. In the charge? - A. Yes.
- Q. You then say you formed a cordon by the bungalow? - A. Yes.

- Q. Are you sure it was there? - A. There again I can't be 100% sure.
- Q. But somebody was on the top of the hill? - A. I'm not sure about that.
- Q. And the nearest pickets to you are 15 yards away? - A. Yes.
- Q. So we can have this clear: there is not a single picket on that right-hand footpath right at the front that you noticed? - A. It was at that stage that I saw the pickets.
- Q. Apart from the Defendant - take it I am not talking about the Defendant at this point - on the footpath did you see a single picket practically on top of you? - A. No.
- Q. Further back on the footpath and the road, 15 yards away from you? - A. There were people in between us, yes.
- Q. What were the people in between you doing? - A. I have no idea.
- Q. If they had been throwing stones you would have taken notice of them? - A. Yes.
- Q. So we can take it there was nobody throwing stones between you? - A. Not at this stage.
- Q. So there is no group of three or four between you and Mr. Wysocki throwing stones? - A. I didn't see anyone.
- Q. You could hardly have missed them, could you? - A. Obviously if they were throwing stones I would have noticed them.
- Q. Turn to Exhibit 9, photograph 8 - if we go up on photograph 8? - A. Yes.
- Q. We can see the lamp-post that is the other side of the houses in a terrace? - A. Yes.
- Q. And you are saying that so far as Mr. Wysocki is concerned, he is the other side of the brick entrance? - A. Yes.
- Q. The other side of that? - A. Yes.
- Q. And there are no stone throwers between you and him at that point? - A. I didn't see any then.
- Q. And you see the charge then do you? - A. Yes, there was a charge towards the pickets.

Q. Not a charge towards the pickets, the pickets charged you, didn't they? - A. They started throwing stones again and we charged.

Q. Didn't the pickets charge you? - A. There were people running towards us and throwing stones. I can't remember.

JUDGE COLES: When are you putting this happened?

MS. RUSSELL: Over the brow, just before the incident with Mr. Wysocki there was a charge by the pickets:

Q. That is the evidence you have given earlier? - A. No, I think I said this morning that there was a charge when the pickets were on the brow of the hill when we were further down by lamp-post 2.

JUDGE COLES: I have got my note of what he said, but I will read it only if you ask me to.

MS. RUSSELL: He first described a charge by lamp-post 2 and said, "A large number of pickets charged at us", and then later he said, "They were charging us by the bungalow. Numbers looked ..." - I am not reading all of it - "... numbers looked like 200-300. We were standing for a few seconds by the bungalow. Pickets coming forward at us again throwing stones".

JUDGE COLES: And that is when ...

Q. MS. RUSSELL: In effect, you were saying there was a charge further down and a charge up by the bungalow? - A. On the second occasion by the bungalow it was not so much of a charge, but they were running towards us throwing stones and then retreating.

Q. If that is right, why on earth didn't you put it in your statement? It isn't there is it? - A. No.

Q. In fact, you give an entirely different impression in the statement, don't you? Shall I read it to you? - A. It is the events which occurred.

Q. Let's have a look at what you say in your statement. "We again formed a line in front of the main cordon. A huge barrage of missiles then showered us from all sides. Simultaneously a large body of pickets charged us. Our Police line moved towards the pickets. I saw a man ...", and then you go on to describe Mr. Wysocki? - A. Yes.

Q. It gives a totally wrong impression doesn't it? - A. No.

Q. Forgive me Officer, what you are saying is, "We again formed a line in front of the main cordon.

Simultaneously a large body of pickets charged us. Our Police line moved towards the pickets"? - A. yes.

- Q. "We stopped at the brow of the hill"? - A. Yes.
- Q. "The nearest pickets were some distance away. A few of those pickets ran towards us and started throwing stones"? - A. Yes.
- Q. And then you should have Mr. Wysocki in, shouldn't you? - A. Yes.
- Q. But it is not anywhere in your statement like that is it? - A. No.
- Q. You give the impression you can see Mr. Wysocki on the charge of the pickets? - A. I was not trying to infer that in the statement.
- Q. Would you agree with me that is the impression it gives? - A. It does.
- Q. And I will say to you again, you would have taken down anything you were told in dictation by that South Yorkshire detective, wouldn't you? - A. That part wasn't dictated.
- Q. Which part? - A. The bit you have just read.
- Q. I am sorry I thought everything was dictated? - A. Sorry, "When I saw Mr. Wysocki ..."
- Q. I appreciate that part wasn't but everything up to then was? - A. Yes.
- Q. There is nothing to stop you, as you were going on to deal with your individual prisoner, to continue "Our Police line moved towards the pickets. We stopped at the top of the hill. They were so far away then some of them charged towards us again, or moved", is there? - A. No.
- Q. Why do you think you give a totally false impression unless it was dictated to you? - A. As I said before, it was a matter of time, trying to get the statement finished.
- Q. I want to be clear about what you are saying. There is no charge over the brow of the hill by the pickets? - A. No, there wasn't.
- Q. You are quite certain about that? - A. There was stones being thrown. I don't think it was a charge.
- Q. And you see Mr. Wysocki? - A. Yes.
- Q. You say he is standing in the roadway? - A. Yes.

- Q. Then he runs away? - A. Yes.
- Q. Having thrown a stone? - A. Yes.
- Q. And you catch him? - A. Yes.
- Q. All by yourself? - A. Yes.
- Q. There is no struggle? - A. I don't think there was a struggle, no.
- Q. Forgive me Officer, I wonder if Mr. Wysocki could stand up for a moment? You can see the size of him and the size of you. If you had had a bit of a struggle with him you would remember, wouldn't you? - A. Yes.
- Q. There wasn't a struggle, was there? - A. No.
- Q. Came very quietly did he? - A. I was immediately joined by another Officer, Sergeant Kelsey, so there is two of us.
- Q. Sergeant Kelsey isn't big either? - A. No.
- Q. If Mr. Wysocki wanted to struggle with you two being the size he is, even with all your gear it could have caused you difficulty, couldn't it? - A. Yes.
- Q. And it didn't? - A. No.
- Q. He walked down quite peaceably? - A. He was escorted down yes.
- Q. You are not telling the truth about where he was arrested are you, Officer? - A. I am. It is clear in my mind, that part.
- Q. Is it? - A. Yes.
- Q. Look at photograph 8 again in Exhibit 9. You have said you caught hold of him much further up? - A. Yes.
- Q. And you would have to go on to photograph 9 to see that? - A. Yes.
- Q. When you were running then, further up, did you trip over anyone? - A. No.
- Q. Are you sure? - A. Yes.
- Q. Well don't you remember a picket who managed to fall over and hit his head against a wall apparently, lying prostrate across your path, with two of your unit with him? - A. No.

Q. We know because they have told us, that they were the very first Officers up from that charge, P.C.s Norris and Abson, and we know where they say this happened. You would have had to trip over them to keep running up there. - A. I didn't see them.

Q. All right. Of course, I am going to suggest to you, Officer, that the arrest of Mr. Wysocki took place in front of, you see the garage door there - it is concealed by the "For Sale" sign in photograph 8? - A. yes.

Q. It took place by the wall there? - A. No, it didn't.

JUDGE COLES: It is concealed? I am sorry, you have left me.

MS. RUSSELL: The garage door:

Q. And if you look in Exhibit 45 we have a clearer picture, number 13? - A. This album ends at 12.

MR. GRIFFITHS: What has happened is that 9a was put in, but 13, 14, 15 and 16 were not, but I will ensure they are.

Q. JUDGE COLES: Have you got a copy now? - A. Yes, thank you.

Q. MS. RUSSELL: Photograph 13, Officer, you can see the garage door, can't you? - A. Yes.

Q. I am going to put to you Mr. Wysocki was arrested in the vicinity of the garden wall of that house? - A. No, he was not. He ran across into the middle of the road and that is where I caught him.

Q. And presumably you walked him down the roadway? - A. Yes.

Q. You didn't have to go on the pavement. You walked him straight down from where you caught him? - A. Yes.

Q. You are not telling the truth about that, are you? - A. I am. It is clear in my mind he ran from my right into the middle of the road and that is where I caught him.

Q. And turned him straight round and brought him back down the middle of the road? - A. Yes.

Q. So he was never in the vicinity of that garage? - A. He was on the right-hand side of the road.

Q. But in the roadway not by the wall? - A. He was in the road towards the pathway. I didn't see him by the footpath.

Q. That is where you say he was throwing? - A. Yes.

Q. When you bring him down you say it was in the middle of the road, and you walk him down the middle of the road? -  
A. Yes.

Q. You don't cross over to the path and then swing out again? - A. I don't think I did.

Q. I am going to put to you Officer, that is a pack of lies? -  
A. It is the truth.

Q. Will you have a look at a photograph in Exhibit 27. I want you to look at photograph 26 in Exhibit 27 - the one with the skip in the corner of it? - A. Yes.

Q. You see that photograph - is that scene familiar to you in any way? - A. Not really.

Q. If you have a look at the garage door you will see a single Officer.

Q. JUDGE COLES: You had better find the garage door first. - A. Yes.

Q. MS. RUSSELL: You see a single Officer standing in front of it? - A. Yes.

Q. And then if you look very carefully, just in front of that Officer? - A. Yes.

Q. Quite close in, you can see the distance between the Officer by the garage - who do you see there? It may be very difficult, but you were there. Tell us who you see? - A. There is somebody with a white garment, shirt maybe.

Q. And on his right-hand side there is a Police Officer? -  
A. Yes.

Q. And if we look very carefully indeed, admittedly it is a little photograph, it might be difficult.

JUDGE COLES: It isn't Mr. Scargill again is it?

MS. RUSSELL: No, he is in hospital by now, or on his way:

Q. You can see on that Officer's right sleeve stripes, as in Sergeant the use of? - A. It is hard to say from this photograph, other than that the Officer has stripes on his arm.

JUDGE COLES: Is that the Officer's arm that appears immediately before the red vest?

MS. RUSSELL: No, it isn't.

JUDGE COLES: Which one is it?



MS. RUSSELL: The Officer may be having difficulty - he has a smaller photograph than I have:

- Q. Do you see it now Officer? - A. Yes.
- Q. Let's start with the fellow with the red shirt by the van? - A. yes.
- Q. Following from him we can see another man in a red shirt? - A. Yes.
- Q. By him we can see somebody with the Sergeant's stripes? - A. Yes.
- Q. They are thick stripes, aren't they? - A. Yes.
- Q. And West Midlands Officers don't have thick stripes, they have thin stripes?

JUDGE COLES: That is the Officer in front of the red shirt?

MS. RUSSELL: He has thick stripes:

- Q. If we go down from him we can see what appears to be quite a tall figure in a white shirt, because we can see how tall, compared with the Officer on the left, that is? - A. Yes.
- Q. The Officer on his right again appears shorter. That Officer on the right he has got stripes on his arm, hasn't he? - A. It would appear so.

JUDGE COLES: Which Officer? I can't see this.

MS. RUSSELL: Mr. Taylor has got me a better copy, your Honour. If you go from the man in the beige shirt, to the right of that there is an Officer facing the camera, by the garage door, then there is a shorter Officer on the left.

JUDGE COLES: Then the tall man.

MS. RUSSELL: Then the tall man and then there is an Officer on the right side of the tall man. If you look carefully you can see a flash of white on the right arm of that man, the Officer by the tall man.

JUDGE COLES: Now that you say so I think I can perhaps just see a blob of white, but I would welcome your glasses, Mr. Taylor.

MR. TAYLOR: Yes, your Honour.

JUDGE COLES: The Jury will have to make their own mind up about that.

Q. MS. RUSSELL: Officer, my suggestion to you is that that is the Defendant that I represent and you and Sergeant Kelsey having hold of him right by that garden wall.

Q. JUDGE COLES: Well? - A. If you say it is me I accept it.

Q. MS. RUSSELL: Do you accept anything you are told, Officer, just because it is put to you? - A. It looks like me but you said it was so I accept that.

Q. Just like the South Yorkshire Officer told you all the things you were meant to have seen, so you put it down?

JUDGE COLES: Ms. Russell, let's get on. Do we know when that photograph is said to have been taken and do you say that figure shows the figure - if it is Mr. Wysocki and if it is Sergeant's stripes on the arm and if those Sergeant's stripes belong to the Sergeant ... that it shows them against the garden wall.

MS. RUSSELL: It shows them ....

MR. WALSH: Your Honour, with respect to my learned friend, the Jury will have to make up their minds as to what this photograph shows.

JUDGE COLES: Yes, I was inviting Ms. Russell to say what she said this picture shows, so the Jury could make their mind up about it.

MS. RUSSELL: My suggestion is this picture shows Mr. Wysocki within a moment of being arrested in the vicinity of the house with the garage door by the garden wall, and I will now go on to put in detail to the Officer what the Defence alleges about how his arrest came about:

Q. Do you follow? - A. Yes.

Q. And a number of pickets were in the vicinity of the house, that house. Mr. Wysocki was at that time sitting on a step, somewhat out of breath - with me so far? Sitting on the step of that house, somewhat out of breath? - A. I didn't see him if he was.

Q. And what then happened was that at least two or three Officers came into that garden with truncheons raised shouting out, "You bastards out", in other words clearing pickets out from those houses? - A. I didn't see that happening.

Q. Mr. Wysocki, because he had been sitting on the step, was the last one to reach the garden wall? - A. I didn't see him.

- Q. And at that point you were running up the road after somebody else? - A. No, that's not true.
- Q. And somebody helpfully shouted out to you, "Not him, get that big bastard with the white shirt on". Do you remember something like that? - A. No.
- Q. And because you always do as ....
- JUDGE COLES: Just a minute. "Not him get ...."
- MS. RUSSELL: "That big bastard with the white shirt on":
- Q. And because you do as you are told, Officer, you did exactly that, you then grabbed hold of Mr. Wysocki? - A. No, that's not true.
- Q. And the Sergeant came up and grabbed him by the other arm? - A. The Sergeant came and took hold of the Defendant's right arm after I arrested him.
- Q. The Sergeant was very out of breath and covered in sweat at the time, you remember that? - A. We were all covered in sweat.
- Q. And in fact it was Mr. Wysocki who said to you first of all, "What have you arrested me for?", and he was told, "Throwing stones at coppers, Policemen", something like that? - A. I told him why he was being arrested, throwing stones at the Police line.
- Q. And he said to you that if you let go of his arms and looked at his hands, you would see his hands were perfectly clean, and that he had not been throwing stones? - A. He didn't say that, no.
- Q. And the answer he got to that was, "They all say that, the bastards, when they're caught"? - A. No.
- Q. And you started frog-marching him down the hill? - A. I wouldn't say he was frog-marched. He was escorted down.
- Q. Escorted down. Do you remember a point as you were going down when you passed Mr. Scargill up on a railway embankment? - A. Yes.
- Q. There is a man with Mr. Scargill, a couple of men with him, one of whom was taking photographs? - A. I saw one gentleman with Mr. Scargill, an elderly gentleman, sitting next to him on the bank.
- Q. He was taking photographs, wasn't he? - A. I didn't see him taking photographs.

Q. You didn't notice that. Do you remember somebody shouting out something to the effect of "Never mind lads, we're winning"? - A. No.

Q. And Mr. Wysocki saying under his breath something like, "You call this winning"? - A. No.

Q. Your Sergeant made a remark about Mr. Scargill, didn't he? - A. If he did, I didn't hear him.

Q. Did you hear him say something to the effect?

JUDGE COLES: Well, it is up to you what you put.

MS. RUSSELL: I want to put it for the sake of completeness:

Q. Do you remember him saying something to the effect "I wish I could get my hands on ..." or, "I wish I could kill that bastard", something like that? - A. I didn't hear him say that, no.

Q. What happened when you came to the first cordon, Officer? - A. We had to force our way through.

Q. What happened to Mr. Wysocki, your prisoner, in that forcing through? - A. I am unaware of that.

Q. Unaware of what? - A. What happened to him.

Q. How can you be unaware? You were right on his arm. How can you be unaware of what happened to him? - A. It was a case of forcing our way through. I believe I went through first, dragging him through, and the Sergeant came behind.

Q. What did you notice about him when you had got through that first cordon? - A. That he had got an injury to his eye.

Q. And his knees? - A. I just noticed his eye.

Q. How do you think that was caused, if you went through first? How on earth did Mr. Wysocki, who is taller than you, get an injury to his eye?

Q. JUDGE COLES: Is it clear he had no injury at all beforehand? - A. I was unaware of any injury to his face.

Q. You didn't notice it after you had got there? - A. When we got back to the Police Detention Room, yes.

Q. MS. RUSSELL: You know how that injury came about, don't you? - A. I don't.

- Q. He was bounced off the shields first of all, run into the shields then dragged through, and Officers hit him as he went through that cordon. That is how he suffered those injuries? - A. That is not correct.
- Q. And you got worried about it, so you thought you would make up a story about tightly wedged shields? - A. That is what happened, what I have just said.
- Q. Have a look back through photograph 5 of Exhibit 26. That is where you told the Jury earlier the first cordon was, the other side of the road from the lamp-post below the bridge?- A. Yes.
- Q. That is Mr. Moreland coming down? - A. Yes.
- Q. Can't see any tightly wedged shields there, can you? - A. No.
- Q. That is the position of the first cordon. We can see Officers with their sleeves rolled up? - A. yes.
- Q. Mr. Moreland goes through the cordon first, and we know the suggestion of what happened to him. Mr. Wysocki is coming down after Mr. Moreland? - A. Yes.
- Q. You are lying about what happened at the cordon, aren't you, Officer, covering up for Officers at that cordon having a go at your prisoner? - A. I was unaware what happened. We had to force our way through.
- Q. Why? - A. Because they refused to open the cordon.
- Q. Refused to open? - A. Well, I wouldn't say refused.
- Q. You just did? - A. I just qualify that and say due to the position of the cordon and Officers behind them, it was very difficult for them to move out of the way.
- Q. Why? - A. It was several Officers deep.
- Q. You are saying that hundreds of yards away from the nearest picket - that must be right, mustn't it? - A. Yes.
- Q. Because the nearest pickets are right up in the verge, aren't they? - A. They were still milling about down the side of the embankment.
- Q. The railway embankment? - A. Yes.
- Q. They weren't leaping up over the bridge and you have put the cordon you go through on the south side of the bridge? - A. That is what I say.
- Q. On the works side of the bridge?

- Q. JUDGE COLES: Are you sure about that? - A. I was of that opinion, yes.
- Q. MS. RUSSELL: I will ask you again, what you are saying about the shields being tightly wedged and unable to move is absolute rubbish? - A. that is the truth, what I have said.
- Q. The shields are trained to break for your Officers, the short shields, to come through them at a moment's notice, aren't they? - A. It doesn't always happen like that. Sometimes when they are tightly wedged together it is very difficult to move them.
- Q. Did you get any injury going through the cordon to your face? - a. No.
- Q. You are as truthful on this as the fact you saw Mr. Wysocki throwing a stone? - A. Yes.
- Q. If we can go from there please to ....
- Q. JUDGE COLES: Before you do, would you look at photograph 6 first of all? That shows Mr. Wysocki after he has crossed the bridge? - A. Yes.
- Q. Has he been injured at that stage? Can you tell? - A. It would not appear so, no.
- Q. Look at the next photograph, 7. Do you see background in that? - A. Yes.
- Q. Do you still say the cordon was at the plant side of the bridge? - A. From that photograph it is not so much of a cordon, just a group of Officers gathered together.
- Q. Was there a group of Officers like that, that you came through when you got to the far side of the bridge? - A. There could have been. I can't say with any degree of certainty.
- Q. The Officers who you were asked to look at in photograph 5, look at that. That was taken before photograph 6. It is clearly taken further away from the bridge, isn't it? - A. Sort of, the estate side of the bridge.
- Q. Nearer the plant side? - A. Yes.
- Q. And therefore at the time photograph 6 was taken, Mr. Wysocki would still have to pass those Officers, one of whom has his uniform sleeve rolled up? - A. Yes.
- Q. So it would appear from those photographs, wouldn't it, that you and Mr. Wysocki had come through the group of Officers on the verge side of the bridge, had come

through that and crossed the bridge with no apparent injury to Mr. Wysocki? - A. That is correct.

- Q. Would you then pass the Officers in photograph 5, if they were still there when you walked through? - A. Yes.
- Q. And that you say is where you remember the line being, and after that you say Mr. Wysocki had an injured face? - A. Yes, he did.
- Q. MS. RUSSELL: You see, I am going to suggest to you, Officer, the first cordon you went through certainly did have shields there, and Mr. Wysocki was pushed on to those shields, then he was held while, as it were, the shields parted, not that they had been tightly wedged or anything, and basically that going through that first cordon he received a number of injuries, some to his face, some to his legs, and some to his body, basically blows coming from a number of Officers. By the time you got to the second cordon effectively at that point your Sergeant decided he had had enough and he told the second lot of Officers that in no uncertain terms? - A. I believe he did shout something when we went through the second cordon, yes.
- Q. "Leave him alone, he has had enough. If you don't leave him alone I'm going to have your arses". That's what he shouted to stop them having another go at Mr. Wysocki? - A. He shouted something. What he shouted I can't say.
- Q. You had arrested Mr. Wysocki, you say, for stone throwing? - A. Yes.
- Q. What appeared on his detention sheet as a reason for arrest? - A. I believe it was unlawful assembly.
- Q. What was unlawful assembly? - A. It is when three or more people get together for an unlawful purpose.
- Q. And that's it? - A. There may be more to it. That is all I can remember.
- Q. What was in your mind when you arrested him, as your reason for arresting him? You must have known what charge you were arresting him on? - A. Conduct likely to cause a breach of the peace.
- Q. You were arresting him for breach of the peace. When you got to the Detention Centre, is this right, you began to tell the Officer there why he had been arrested, and the Officer there told you that everyone was being done for unlawful assembly and that is what went down on the sheet? - A. Yes.
- Q. Which was not really why you arrested him in the first place. You were bowing, again, to a South Yorkshire

Officer telling you that that is what the charge was going to be today? - A. Yes.

- Q. Mr. Wysocki made a complaint in your hearing that in effect Officers were responsible for those injuries, didn't he? - A. We asked him how he got his injury and who done it but he refused to say.
- Q. He alleged a Police Officer had done it? - A. Yes.
- Q. You wouldn't expect him to know the name and address of a Police Officer, so asking him which particular Officer was not going to get you very far? - A. He could have taken his collar number.
- Q. Are you seriously suggesting if a man is manhandled as he goes through a cordon, you would let him write it down on a piece of paper so he would remember it? - A. If he wanted to make a complaint there is the procedure to go through.
- Q. Did you tell any senior Officer your prisoner had made a complaint against Police conduct? - A. He didn't make a complaint.
- Q. Yes, he did. He told you a Police Officer was responsible for his injuries didn't he? - A. He says, "One of you have done it". That is all he said.
- Q. In other words, a Police Officer caused him injury? - A. Yes.
- Q. Did you, as the arresting Officer, take any steps at all to see that the senior Officer was so informed of that complaint? - A. It wasn't my duty to do so.
- Q. Well whose duty was it? - A. Obviously the person receiving the prisoner.
- Q. But of course it would be your duty to tell the Officer responsible for your PSU whether a prisoner of yours had received an injury and what that injury was, wouldn't it? - A. I understand Sergeant Kelsey was going to see to that matter.
- Q. Sergeant Kelsey had seen the same as you, hadn't he? - A. I don't know what he saw.
- Q. Well so far as the arrest, the fact there was no struggle going through the cordon, all those matters, he was with you, wasn't he? - A. Yes.
- Q. And the injury to Mr. Wysocki, the visible one on his face, was to the right side of his face? - A. Yes.



Q. So presumably it was a bit careless of somebody to write down in your PSU ....

JUDGE COLES: I can understand your anxiety in wanting the Jury to know what is in the report, but unless there is something this Officer can assist with ....

MS. RUSSELL: I want to put what is in the record because it lays the groundwork for my following question.

JUDGE COLES: What can this witness know about what is in the PSU report?

MS. RUSSELL: He has agreed Sergeant Kelsey saw the same as him.

JUDGE COLES: He has not. He said he doesn't know what Sergeant Kelsey saw.

MR. WALSH: Sergeant Kelsey will give evidence. My learned friend can ask him.

Q. MS. RUSSELL: Officer, I am going to put to you - I will put the last bit of the question first - I am going to put to you, you treated your prisoner with absolute contempt that day, and that you made up, in effect, you and Sergeant Kelsey, the usual story to cover an injury to a prisoner?

JUDGE COLES: The usual story? That is a mysterious allegation to make.

MS. RUSSELL: I am alleging mysterious behaviour.

JUDGE COLES: You are alleging mysterious behaviour by this witness, to allege that this is the usual excuse implies this is a matter that frequently happens, and when it does this is the explanation. You don't need to go so far.

MR. WALSH: It is an allegation that cannot be based upon instructions.

JUDGE COLES: Of course it can't. Ms. Russell, you don't need to go so far. Do you really wish to do so?

MS. RUSSELL: Your Honour, in relation to the conduct of Police Officers at Orgreave on that particular day I do wish to go so far. I am putting to this Officer that what went down in that PSU booklet is a typical indication of the attitude you, your Sergeant, your PSU and everybody else on the Police Force that day, right up to Assistant Chief Constable Clements, had towards these men.

JUDGE COLES: If that is not a comment, Ms. Russell, I don't know what is. Not only is it a comment, it is a highly improper one. It may be one in which you believe, but your beliefs are of no concern to this Jury. This Jury is concerned with the facts and I am concerned to see that proper questions are asked, and none but proper questions, and I also have a duty to see that allegations which are not and cannot be based on facts this Court will hear are not made, and I rule they will not be made. If you wish to allege improper conduct by this Officer do so. Please, be careful.

MS. RUSSELL: Let's do it another way then:

- Q. Did you tell Sergeant Kelsey it would be a good idea for him to tell your Senior Officer making up that PSU book that Wysocki got his injuries in a struggle on arrest? Did you think that would be a good idea to tell the Officer? - A. It was only afterwards I was aware that prisoners' injuries went into that booklet.
- Q. JUDGE COLES: Did you tell Sergeant Kelsey that the best way of explaining these injuries would be to say that they were sustained during the struggle? - A. No.
- Q. MS. RUSSELL: On arrest? - A. No I didn't.
- Q. Because from your evidence that would be completely untrue, wouldn't it? - A. It is untrue.
- Q. There was no struggle on arrest? - A. No.
- Q. That could possibly have resulted in an injury to Mr. Wysocki? - A. That is correct.
- Q. Officer, you are lying about he received that injury from your knowledge of it? - A. I am not. It is the truth as far as I can remember.
- Q. You are lying about him throwing a stone? - A. No, it is correct.
- Q. And I am going to put to you that basically what happened that day was that you followed the lead of those who were telling you what to do. You followed the lead of the man who told you to grab him, you followed the lead of the South Yorkshire Officers who told you to make your statement, you followed the lead of the Sergeant as you took him through the cordon, and that you have told this Court a pack of lies about what Mr. Wysocki did that day? - A. No, it is the truth.

Cross-Examined by MR. TAYLOR:

- Q. Mr. Skelton, in your half of the PSU there were a number of people from the same Police Station as yourself? - A.

That is correct.

- Q. Do you know the following people, or did you know them then, on the day: a P.C. 84 Griffiths? - A. Yes.
- Q. And a P.C. 5914 Deakin? - A. I know him by name only.
- Q. He was in your half of the PSU? - A. I can't remember who was in what PSU but ....
- Q. Well your half of your PSU and operating on the 18th? - A. They were part of Sergeant Kelsey's unit so I would imagine they would be there.
- Q. Do you remember them being there? - A. No, I don't.
- Q. Well now, when you set off for Orgreave on that day you all went in the same van, your half? - A. Yes.
- Q. And it is a pretty long journey? - A. Yes.
- Q. Don't you remember them being in the van on the way there? - A. We made that trip so many times.
- Q. With different people? - A. With different people.
- Q. On the 18th, was that the longest day you had there? - A. One of them, yes.
- Q. Was it the most memorable? - A. I would say, yes.
- Q. Can you recall Mr. Griffiths and Mr. Deakin being there during the day? - A. To be perfectly honest I can't.
- Q. When you go back, when there is a refreshment lull, or something like that, don't you go back to your van? - A. Sometimes we do. Other times we just mill about.
- Q. But in general you would keep together in your half of the PSU wouldn't you? - A. Yes.
- Q. Under your Sergeant? - A. Yes.
- Q. So if any orders came you would be ready to move out? - A. Yes.
- Q. You don't particularly remember those. Do you remember P.C. Norris and P.C. Abson being there? - A. Yes.
- Q. Were they working as a pair that day? - A. I believe they were.
- Q. Do you remember Mr. Hanrahan and Mr. Jones being there? - A. I remember Mr. Jones being there.
- Q. Do you? Well, you have said you remember Mr. Hanrahan in

- the room writing when you were doing the statement? - A. Yes.
- Q. But before that do you remember him being out on the field? - A. It is hard to recall who was where. Once you have got your Nato helmet on and equipment it is hard to remember who was where.
- Q. You said you remember Mr. Norris and Mr. Abson being there? - A. Yes.
- Q. When they were in the cordon with you were they close to you? - A. I can't remember.
- Q. On your first deployment? - A. I can't remember.
- Q. When you went through with your short shield for the first time, were they with you in your group? - A. To be perfectly honest I can't remember.
- Q. Was Mr. Hanrahan and Mr. Jones with you in your group when you went through with the shields for the first time? - A. They could have been.
- Q. Who was next to you when you ran through? - A. I remember a P.C. Priestley and P.C. Newman.
- Q. Well they are not in your PSU. Where are they from? - A. From the West Midlands. They probably belong to another PSU.
- Q. I am talking about the first time that short shields were used at Orgreave when you went through on the road, shortly after 8 o'clock? - A. Yes.
- Q. The only people you remember are two Police Officers who were not in your PSU? - A. Yes. I can remember P.C. Billington. He got injured by the Police horses.
- Q. Anyone else from your PSU? - A. There was another lad there from another Police Station. I can't remember his name.
- Q. Pearson and Spencer? - A. I think it was Pearson.
- Q. Were those two people working in pairs? - A. I don't know. I can't remember who was working in pairs.
- Q. I am not concerned with the action of the day so much as this: would I be right in saying that you went out into action, if I can put it that way, with your short shields, as a PSU, on two occasions? - A. Yes.
- Q. And the first one was after there was a big push on the cordon? - A. Yes.

- Q. When the cordon was down the bottom of the field and then you were rested? - A. Yes.
- Q. For an hour or maybe more? - A. Yes.
- Q. The second time you went out was mid-morning, about half-past-10? - A. I was unaware of the time to be honest.
- Q. I put that as mid-morning, and then you came up for the second time with your shield and you were sent out again? - A. Yes.
- Q. Now, in between times, when you were resting, I want you to try and picture what you were doing. Did you go back to the van in the carpark? - A. We did.
- Q. And did you congregate there with the rest of your half of the PSU? - A. It was a hot day. A of of us weren't going back to the vans, just walking about.
- Q. Taking your tunic and helmet off and so on? - A. Yes.
- Q. But when the command came you were needed again and you had to go go back up, it was either the Inspector or Sergeant Kelsey that gave you that command? - A. Yes.
- Q. Did it involve you all putting your equipment back on and going up? - A. Yes.
- Q. Did you get that equipment out of the van? - A. Yes.
- Q. In other words, if you stopped for a break you would have a central point? - A. Yes.
- Q. So that was the van. Do you leave some of the stuff in the van? - A. All the vans were parked together.
- Q. When you went back up from the van to the place where you joined behind the main cordon, ready to go through on the second time, do you recall the people, the names that I have read out, your half of the PSU? Do you recall them going up with you? - A. To be perfectly honest, no.
- Q. If not by name, would you agree with this: if those names represent properly - I don't expect there will be much dispute about that - if the names of those 10 Police Constables, names I have read out, represent your half of the PSU, that is the half you would have gone up with? - A. Yes.
- Q. Can you remember being involved in pushing the pickets from the bottom of the field.

JUDGE COLES: Shall we leave that movement until tomorrow morning, or is it something you can deal with

quickly?

MR. TAYLOR: Your Honour, it is:

- Q. Do you recall being involved in a movement from the bottom of the field up to the bridge, in which the pickets were pushed back on a number of consecutive moves. Do you recall that? - A. I think on the second occasion, as I said this morning, the horses came through, one of my colleagues was injured and I returned to the line.
- Q. I don't want to be confused about this. I am not talking about the time when the horses went through. I thought you were saying Mr. Billington got injured on the first time you used shields. As a unit you went through and the horses? - A. Yes, it was the first time.
- Q. I am not talking about that time. You had a rest for an hour or more and you were called up again? - A. Yes.
- Q. Can I give you these two alternatives: either you were involved in the push of the pickets from the bottom, the entrance of the coke-works, up to the bridge, in a number of stages, or when you were called up you went straight from your van up to the bridge, where the cordon was already in position? - A. Yes.
- Q. Which of those two did you partake in? - A. I don't think the cordon was up by the bridge on the second occasion. It was down the bottom.
- Q. So you were involved in the push up to the bridge? - A. Yes.

MR. TAYLOR: Well, I will leave it there your Honour.

JUDGE COLES: Very well. You are free to go, Members of the Jury. I want a word with Counsel. 10.20 in the morning.

(In the absence of the Jury)

JUDGE COLES: Is there any help the Counsel can give the administration about time. Have you had a chance to discuss among yourselves?

(There followed a discussion about the possible length of the proceedings.)

(Overnight adjournment)