

IN THE SHEFFIELD CROWN COURT

The Crown Court,
Castle Street,
Sheffield

5th July 1985

Before

HIS HONOUR JUDGE GERALD COLES, Q.C.

REGINA

-v-

WILLIAM ALBERT GREENAWAY

and Others

APPEARANCES:

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

For the Defence: See Attached Sheet

From the Shorthand Notes of J.L. Harpham Ltd.,
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5 JULY 1985

REGINA V. GREENAWAY and OTHERS

P.C. LEE HOLMES (Continued)

CROSS-EXAMINED BY MISS RUSSELL:

- Q. Officer, at the end of yesterday I was asking you some questions about part of the incident. I want to go from there, if I may, to a slightly different topic. In the Police Force, do you have training in first aid? - A. Initially, yes, Your Honour, we do. The first time we go to Training School, we are given first aid knowledge.
- Q. Do you have refresher courses on that? - A. I have not, no.
- Q. Have you ever broken a limb yourself, Officer? - A. I have not, Your Honour, no.
- Q. Sprained an ankle? - A. No, Your Honour.
- Q. Sprained a wrist? - A. No, Your Honour.
- Q. There came a time when you were leaving that building with Mr. Bell, the substation building. Had you looked at his leg at that point? - A. I can't remember that, Your Honour.
- Q. There had been reference to his leg being injured, had there not? - A. Yes, Your Honour.
- Q. And I suppose as an ordinary human being, if somebody says they are injured, you tend to glance and see what they are talking about, do you not? - A. Yes, Your Honour.
- Q. Did you notice that his leg was swollen? - A. I had noticed that he was injured, Your Honour, due to the fact that he was limping.
- Q. Just help with this: you say that that picture, and it is in Exhibit 35, photograph B15, is you helping him away? - A. Yes, Your Honour.
- Q. That is your description of it? - A. Yes, that is correct.
- Q. It would be fair to say, would it not, even looking at the picture and probably going on your own recollection, he was in some degree of pain? - A. I can't answer that. Only the defendant can answer that, Your Honour.
- Q. Well, Officer, look at this face on that picture. Your explanation for that picture, the black and white picture, was that he was putting his arm up to say, "Look, my leg hurts" and that is just an expression of pain at that point, rather than terror? That was your own explanation? - A. Can I have a look at the black and white photograph?
- Q. It is 31D (Handed to witness). Have you got it? - A. Yes.
- Q. When you explained that picture to the Jury yesterday, you told them he had his arm up like that because it was a

reference to, and his face was like that because he was in pain? - A. I did not make that reference, Your Honour.

Q. Officer, we can check the transcript, but that was what you said yesterday? - A. I would like you to do that.

Q. You would like the transcript checked? I do not know whether my learned friend for the Crown is going to challenge that. What you were saying about this matter - having his arm up and the expression on his face - was that it was to do with the pain he was in from his leg. That is what you said yesterday. Are you challenging that now.....

JUDGE COLES: Let us have a look and see what he said. You asked him about the expression on Mr. Bell's face and according to my note, and I have not taken it word for word, but my note reads: "Well, he is injured and he is stretching his arm out hoping his leg won't be injured."

MR. WALSH: I have not got quite that in my note. My learned friend said, "Look at Bell's face" and the answer I have got is, "Well, he is not going to be smiling with a broken leg." Can I just say one thing, Your Honour? With respect, are we not falling into the trap that Your Honour warned us about well over a week or a fortnight ago of asking witnesses to give evidence of what somebody is thinking or doing based on photographs, rather than of what the witness saw at the time?

JUDGE COLES: I think the witness has already said that.

MISS RUSSELL: In any event, this was a witness who was there and is shown on the photograph, who must have seen this scene, if he was there, and therefore with this witness I am entitled, in my submission, to ask for his explanation of an incident where he himself is actually shown. "It is a different thing."

JUDGE COLES: Yes, perfectly proper, but a little earlier he did deal with the expression on his face.

MR. TAYLOR: Your Honour, I have got a note of this part and it reads as follows: "This was a straightforward arrest of Bell." Question: "What about the expression on his face?" Answer: "He looks like that because he is injured." Question: "Why raise his arm in that way?" Answer: "He is hoping he does not get his leg further injured."

JUDGE COLES: Yes, our notes appear to agree very substantially.

Q. MISS RUSSELL: In other words, Officer, paraphrasing it, your explanation for this photograph and the sort of expression you see on it and the gestures on it were all to do with the injury. That is right, is it not? - A. Yes, Your Honour. Yesterday that was not the explanation that you gave to why his arm was in the air.

JUDGE COLES: Let's not have a quarrel or discussion about it.

MISS RUSSELL: I used the word "pain".

- Q. JUDGE COLES: Did you take the view from what you saw that he appeared to be in pain? - A. I had already made that opinion myself earlier, Your Honour.
- Q. MISS RUSSELL: Now, Officer, if we can look at the situation at the time this photograph was taken, the one where he is being walked down, it is right to say, is it not, that if we look at the police officers there, it would appear that there is nothing going on in the background? - A. The photograph shows several policemen by the building. Just before this photograph would have been taken, there were several miners at the back there. Prior to the other photograph, the black and white one, stones were being thrown at the police, Your Honour, at the time.
- Q. JUDGE COLES: You say what is happening is happening beyond the police officers you see in B15 and that the action has moved in the time it has taken to bring Bell from the position shown in 31B to the position shown in B15? - A. Yes, Your Honour.
- Q. MISS RUSSELL: I can appreciate that is what you are saying. Would you turn to the photograph before that one? That is a photograph we have had in this case as well. That is Mr. Foulds being walked down? - A. Yes, Your Honour.
- Q. You can see the police line there, we can see the railway bridge and we can also see, if you look carefully across the railway bridge, horses? - A. Yes, Your Honour.
- Q. That must have been taken before Mr. Bell's picture, at some point on the road, so we can see the situation on the road at that point? - A. Yes, Your Honour.
- Q. There are an awful lot of policemen there, are there not? - A. Yes.
- Q. Where are the pickets, do you say? - A. Earlier, Your Honour, there was a photograph of an embankment that I did not reach, and it shows on that photograph some pickets on the other side of the embankment. I would assume the missiles I was talking about are coming from that direction.
- Q. You mean across the railway embankment? - A. Yes, Your Honour.
- Q. In other words, the missiles you are talking about that were causing you problems the other side of the electricity substation were coming from the other side of the railway embankment? - A. No, the original question was that nothing was happening by myself. No, there was not on this photograph, but it was further up by the police line, Your Honour.
- Q. That is the point I am making. Turn back to the photograph before the one I have just shown you. Turn back to B13. If it helps you, we can gather the movement in time because we can see, if you look at that photograph carefully, looking first of all at Mr. Foulds' photograph, we can see the sort of time

that must have elapsed between the taking of the two photographs. We can see a notice board on the right, can we not, when it is just the two police officers - a white notice board..... - A. Is this B13?

Q. B12. - A. Yes, I have got that.

Q. On the left-hand side there is a man in a civilian's suit. Do you see him? - A. I have not got that on my photograph.

Q. You are looking at the wrong photograph. It is B14. I am sorry, I told you the wrong number. - A. There is a little bit of this man showing.

Q. But look at the centre of the police line. You can see a man, a picket, with two police officers and what appears to be a white shirt being brought through? - A. Yes.

Q. A very thick police line at the bridge? - A. Yes.

Q. Now turn to the photograph before that, B13, and look at the notice board. You can see at this stage there is an officer in a white shirt in the middle of the road, is there not? - A. That is correct.

Q. And there are two pickets being brought down? - A. That is correct.

Q. Have you got the man in the civilian suit on the left-hand side? - A. Yes, Your Honour.

Q. Now go to B12. You can see a slightly different shot of a similar scene, but this is obviously taken some time before the picket in the white shirt. Look at the police line. - A. Yes, Your Honour.

Q. All those photographs - the reason I have gone through them quite quickly - they are all taken before the one of you bringing Mr. Bell down? - A. Yes, Your Honour.

Q. Now, there has been no suggestion, Officer, and I want to be quite clear about this, but not a single other witness has suggested that apart from the roadway, once the police line-up got to the bridge, there was a mass of pickets or any, as it were, incidents going on in the area behind the substation. Do you follow? - A. Yes, I understand that.

JUDGE COLES: Is that right?

MR. WALSH: With respect, there have not been any witnesses called from that part.

MISS RUSSELL: Are there any to call is one question, but we have not heard from them.

MR. WALSH: The inference behind the question is there was nothing going on. No witnesses have been called from that part of the area.

JUDGE COLES: I thought the evidence was - no, I am not

going to interfere, but do not assume anything, in any event.

MISS RUSSELL: If the witness would turn to Exhibit 21, photograph 1, this confirms the point once more. This is a Prosecution bundle, the first one of the "Christopher" bundle:

- Q. Officer, that is the scene that has the officers finally come up on the field side because you can actually see there, if you look on to the side of the photograph, the electricity substation fence. - A. Yes, Your Honour.
- Q. Turn to the very next photograph in sequence. You see the officers on the embankment? - A. Yes, Your Honour.
- Q. We have had that little detour round the photographs, Officer, for one reason only: you are justifying walking a man with a broken leg down the field, are you not? - A. I do not understand the question.

JUDGE COLES: I do not think I do either.

- Q. MISS RUSSELL: Let me put it like this: what was stopping you at this stage with somebody who obviously was in pain and had a serious injury from going and calling the ambulance men or men with stretchers to take him in? What was stopping you? - A. Simply safety.
- Q. What safety? - A. His and our safety, Your Honour. That is the photograph you have just shown me, but No. 2 of the black and white pictures - you are saying this is at about the time when I am escorting Mr. Bell away?
- Q. Yes. - A. Why have the officers got their right shields up at the front? It would be a hindrance unless they were using them for their own safety, Your Honour.
- Q. Officer, this is the other side of the building. Look at the photograph across the railway embankment. This is what you are not taking into account. This photograph, No. 1, is taken to your right near the railway embankment. You are many yards down from the bridge.

JUDGE COLES: That is his point.

WITNESS: Your Honour, what I am saying is at the time we escorted that man away, this photograph would have been taken after. This photograph, for the officers to get to that point, would have been taken afterwards. At the time we were escorting this man away, stones and missiles were still being thrown at the police. It was our main priority, for our own safety as well as Mr. Bell's safety, to get him away from this environment, Your Honour.

- Q. MISS RUSSELL: You are lying.....

JUDGE COLES: I think the issue between you both is clear.

- Q. MISS RUSSELL: You are lying about that, Officer, in the

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JUDGE COLES: I think the issue between you both is clear.

- Q. MISS RUSSELL: You are lying about that, Officer, in the

same way you are lying about helping him down. Just help with this: why did you not give him a chair lift down? Why.....

MR. WALSH: If that is a question, can he be allowed to answer? If it is a statement, it should not be made.

- Q. JUDGE COLES: Are you lying? - A. I am not, Your Honour.
- Q. MISS RUSSELL: Tell me this then, Officer: why did you not give him a chair lift down when he had a broken leg? - A. We just took that position up, Your Honour. There is no reason why we gave him one position or another.
- Q. He is not the biggest of people, is he? - A. No, he is not.
- Q. Or, even if that did not strike a chord in your imagination, why did you not at least allow him to put his arms around your shoulders in the way one normally would with someone with that type of injury? - A. This is not a normal circumstance by any means.
- Q. The reality..... - A. If I had known I had all day to deal with this man, Your Honour, I would have dealt with it in the way she is implying. I would have got a stretcher up there, but it wasn't that sort of environment to deal with this sort of instance and we had to get him away as quickly as we could.
- Q. So far as Mr. Bell is concerned, you are saying the reason for that was his safety and your safety? That is your answer, is it not? - A. Yes, Your Honour.
- Q. So far as what happened then, you say you did not take him to the first ambulance, is that right? - A. What I remember saying is that we took him to the nearest ambulance to provide a quick exit, if I am correct.
- Q. Was it the first one you came to? - A. I can't answer that. I can't remember.
- Q. I thought yesterday you said it was not the first, but it was the nearest to get a quick exit? - A. That may be correct. I can't remember, Your Honour.
- Q. Did you call anyone from the first ambulance you came to just to see whether that was a sensible thing to do or not? - A. How do you mean? I don't understand.
- Q. It seems to suggest you were going past ambulances with this man to get to another one.....

JUDGE COLES: Is this issue directed towards credit or is it directed towards.....

MISS RUSSELL: Your Honour, it is directed towards both credibility and, indeed, the actions this Officer took that day, namely that the whole of this story about Mr. Bell at the

substation is a lie, and that so far as taking him to an ambulance is concerned, it was only because another officer in fact intervened that Mr. Bell went into an ambulance at all.

JUDGE COLES: It seems to me that the question is really directed at suggesting he behaved in an inconsiderate, perhaps even brutal, way towards the defendant.

MISS RUSSELL: Yes, Your Honour, and it goes further than that because I would say it was part of a malicious code of conduct which started with coming across Mr. Bell, lying about what Mr. Bell was meant to have done to fall, and continued all the way through, while, in fact, having come across Mr. Bell, who is sitting with an injury, this Officer has taken advantage of that situation, both to treat him with contempt and to also lie about what he had seen Mr. Bell doing earlier.

JUDGE COLES: If you think it is necessary to your case to pursue that line, so be it.

Q. MISS RUSSELL: You see, Officer, what I am going to put to you is that the time just before that photograph was taken - if I put the defence part of the case concerning that, so it is quite clear - Mr. Bell was sitting by a wall with his back to the wall, a lot of police were running past and another young man - somebody Mr. Bell knew - who was concerned about Mr. Bell's leg, shouted to police officers, drawing attention to Mr. Bell by saying Mr. Bell had injured his leg, in other words saying, "Come and help the boy, he's got a sore leg." Do you remember that? - A. I cannot, Your Honour. Is this man on any of the photographs?

Q. I thought, Officer, that your whole point about these photographs is that they are so wholly unrepresentative of the day that they are really useless.

JUDGE COLES: You are not going to accept the Officer's argument, are you?

MISS RUSSELL: No:

Q. What I am going to put to you, Officer, is the only photograph we have, unfortunately, is that one? - A. Yesterday you brought a picture.....

Q. Officer, I am talking about what happened before.....

JUDGE COLES: Let's not quarrel. Miss Russell, put your case. Another young man was walking by.

WITNESS: He was not - well, if he was, I did not notice him.

Q. MISS RUSSELL: And a couple of police officers stopped and came over and said, "What's wrong with you?" and Mr. Bell told those officers that he thought he had broken his leg? - A. I can't remember that at all, Your Honour.

Q. Those officers, and he cannot identify them in this situation

because he was in considerable pain, told his friend to get a move on and then - by that time there were four or five officers around, some of whom had their truncheons out and some of whom hit that other young man so that he would go away. They told him to go away.....

Q. JUDGE COLES: What do you say about that so far? - A. I did not see any of this, Your Honour.

Q. MISS RUSSELL: One of the police officers who was present at that time hit out at Mr. Bell and Mr. Bell did put his hands up, but that was in a protective way? - A. I did not see that at all, Your Honour.

Q. That happened two or three times. One blow landed on his shoulder and another was a glancing blow across the side of his head, and one of the blows missed.

Q. JUDGE COLES: Did you see any of that? - A. No, I did not.

Q. MISS RUSSELL: It was while that was going on that he was kicked, or trodden on, in the leg. I say that because obviously his attention was elsewhere because of the blows that were coming. What he felt was contact of a foot on his leg, the injured leg? - A. Are you saying this happened whilst I was present?

Q. Let me make it quite clear to you, Officer. So far as Mr. Bell is concerned, he cannot say at this stage whether one of them was you. - A. How can I say? I did not see this.

Q. JUDGE COLES: If you did not see it, you did not see it.

Q. MISS RUSSELL: And then what happened was "one of the police officers, having done that, one of them grabbed him up and said, "Get lost, you" and started to push him away? - A. Once again, Your Honour, I was not present when that happened.

Q. And Mr. Bell tried to move off at that point?

JUDGE COLES: I take it the young man who was told to get a move on had gone?

MISS RUSSELL: Had long since, in the interest of discretion, left the area:

Q. When Mr. Bell was grabbed up and told to get away, he tried - I am paraphrasing because he cannot remember the exact words, but that was the effect of it - he tried to move away, but because of his severe injury, he fell forward-onto the chest of a policeman. Do you remember that? - A. I cannot, Your Honour.

Q. He fell on to the policeman, continued on down and then was grabbed by two officers? - A. That would be the point that we saw him on the floor then, Your Honour.

- Q. You are saying all this could have happened, but it would have been just before you got there? - A. Your Honour, going back to this photograph, this is the corner of the building (indicating) on the overhead photograph.
- Q. JUDGE COLES: Which corner? - A. That corner, there. I think that is where Mr. Bell was (indicating).
- Q. Just describe it in the sense of the aerial photograph. The long side of that substation is nearest to the road? - A. Yes, Your Honour.
- Q. The bottom corner, stretching away at rightangles to that, is what we might call the bottom wall, the wall nearest the railway? - A. Yes, Your Honour.
- Q. Is either of the walls the wall you are referring to? - A. No, Your Honour.
- Q. Which is your wall? - A. On the top side of the photograph, Your Honour, there is a similar building which is attached to the other two blocks. If you go along that and then down the side towards the bottom, that becomes the corner. I think that is where Mr. Bell was seen by my fellow officer and myself.
- Q. You put him in the rectangle of ground immediately behind and on the plant side.
- Q. MISS RUSSELL: If you can mark it on the plan. I think that is probably the only way we can follow this. - A. Somewhere in that area, as far as I can recall (indicating).
- Q. You have put that half-way, more or less, on the side of the top part of the building, is that right? - A. Just round the corner.
- Q. The side furthest away from the main road? - A. Yes, Your Honour.
- Q. You are saying it is round the corner. Do you mean you had to go round the corner? - A. I am saying, Your Honour, that when I came across Mr. Bell, he was on the floor. We had not seen him for a short while before, as I have already said, and then when I came round the corner, he was on the floor. There may have been other officers there, there may not have been.
- Q. What it comes to, Officer, is that you are saying if this happened, it happened before you came on the scene? - A. If what happened?
- Q. JUDGE COLES: What you have had put to you - this whole story of being hit with truncheons? - A. Yes, Your Honour, I did not see that.
- Q. MISS RUSSELL: At that point, he was grabbed up again by officers, one of whom said something like, "So, what's wrong with you?" or "What's wrong with you then?" and again he repeated that he thought his leg was broken, and that is

when he was told in effect that he was a prisoner. Do you remember some sequence like that? - A. No, Your Honour.

- Q. I am putting to you he was forcibly marched down that field, and that is not a photograph about helping him, but it was only because, as he was being walked down, another officer intervened and said, "What's wrong with him?" and Mr. Bell made the same complaint again that he was taken to an ambulance? - A. That is quite the opposite, Your Honour.
- Q. What do you mean it is quite the opposite? - A. It was myself who decided to take him to an ambulance, no senior officer.
- Q. I did not say a senior officer. - A. I could have taken him to the first aid tent.
- Q. Stop there, Officer. I did not put it was a senior officer that told you to take him, I just put it was an officer. - A. An officer, in my mind, is a senior officer. In your books it would be any police constable.

JUDGE COLES: Do you suggest it was a senior officer?

MISS RUSSELL: So far as Mr. Bell is concerned, he is not familiar with police ranks. All he knows is it was another officer who said to take him to the ambulance, and that is how he ended up in the ambulance.

WITNESS: That is not correct, Your Honour.

- Q. MISS RUSSELL: I suppose, Officer, before we leave this and go to the hospital, it would be right to say you had no idea of the timing of this at all? - A. The timing? You mean how long it had taken?
- Q. You have said so far as the morning was concerned, you had no idea of the time of any of these events? - A. I know what time it was we arrested Mr. Bell, Your Honour.
- Q. What time was that? - A. About 25-past-11.
- Q. About 25-past-11? - A. Roughly, yes, Your Honour.
- Q. Can I see your note-book (handed). If we take your timings for that day, on duty 6 o'clock, 7.30 on picket line and then you have got "11.25 arrest". - A. Yes.
- Q. Indeed, your statement begins at 11.25? - A. Yes, Your Honour.
- Q. Why did you not put "At approximately 11.25"? - A. There is not room in the column, Your Honour.

JUDGE COLES: There really is not time to deal with points like that.

MISS RUSSELL: I appreciate that, but so far as this particular arrest is concerned, timing is of some importance. In due course I am going to ask for both the officers' note-books and indeed the statement to be exhibited.

JUDGE COLES: Certainly. Perhaps the note-book might be photocopied.

MISS RUSSELL: I would be quite happy with that, Your Honour. That would serve my purpose.

WITNESS: The reason why I made a note of the time is as soon as I got in the ambulance I realised we had made an arrest and I made a note of the time. That morning I did not have my watch on my arm as such, It was in my pocket so that I did not lose it.

- Q. MISS RUSSELL: As soon as you got in the ambulance you realised you had made an arrest? - A. Within two or three minutes.
- Q. JUDGE COLES: You made a note of the time? - A. Yes, Your Honour.
- Q. MISS RUSSELL: You go with him to the hospital, do you not? - A. That is correct, Your Honour.
- Q. What treatment does he receive? - A. I have no idea.
- Q. None at all? - A. He was taken to casualty first of all. We had to join the queue and wait.
- Q. We can all imagine that, Officer. It does not take a great deal of imagination.
- Q. JUDGE COLES: Were you allowed to stay with him whilst he was given treatment? - A. No.
- Q. MISS RUSSELL: There came a time after this happened at 11.25 when you saw him again? - A. That is correct, Your Honour.
- Q. What had been done to him in those hours? - A. I have no idea at all.
- Q. None whatsoever? - A. We had not seen him, Your Honour. He had been dealt with in casualty.
- Q. I appreciate that, but when you saw him, was there anything different about him? - A. He was either in a bed or on a bed. I can't remember, Your Honour.
- Q. Did you not notice that his leg was encased in plaster from toe to groin? - A. It may well have been, Your Honour.
- Q. Did you speak to the doctor to find out what medication he had had, if any? - A. I spoke to the doctor concerned and found out what was wrong.
- Q. What was wrong? - A. He had broken his leg in the same place where he had broken it some time previously.
- Q. Yes, and? - A. That's it.
- Q. That is all you found out? - A. Well, what would I need to find

anything else out for?

- Q. If you were going to interview a man, you might try and find out whether he was in pain, had recent medication, was fit to be interviewed - those are the sorts of questions we might imagine would have crossed your mind after three years in the police force. - A. I would like to answer that. We spoke to this gentleman quite civilly and openly, Your Honour. We explained why we were there and he was telling us things about himself. He was in a happy mood and did not appear to be in any pain at all and was talking quite freely. He was telling us about his past, about the fact that he had not been at work for six months due to the injury, and that he travelled down from Scotland through the night or that morning on a coach.
- Q. Go on. - A. That is all I can remember off-hand.
- Q. There is not a single word of that in your note-book, is there? - A. What relevance does that present towards this?

MR. WALSH: Well really!

- Q. MISS RUSSELL: My friend says "Well really." I will tell my learned friend and you, Officer, what the relevance is. Mr. Bell does not remember the happy situation you recall. What he remembers is lying there in a certain amount of pain, to say the least, and you coming in and asking him an awful lot of questions. - A. There was not an awful lot of questions. May be the nurses would be able to help in this instance because they were coming in and out of the room and they would have noticed what sort of atmosphere there was, whether Mr. Bell was in any pain or whether he wanted to be spoken to.
- Q. Who asked to speak to who, Officer? You had not been allowed in in casualty or while he had the plaster put on, you had not found out what medication he was on, but did he ask to see you? Did he say, "Can I speak to the nice policeman?" - A. What was requested was that I spoke to the doctor, who I think was called Dr. Bahamra, and I asked him if he would allow us to speak to Mr. Bell. He had no objections at all to this.
- Q. No dispute on that? - A. No, quite happy, no problem at all - "He's all right, he's fit, no problem. He's sat up in bed."
- Q. I am going to put to you, Officer, that so far as Mr. Bell is concerned, and his recollection of it is somewhat hazy, but he was asked a number of questions, not just the one or two you gave got noted, but a number of questions and, so far as his memory is concerned, he made no admission about throwing stones or being concerned with throwing stones at all? - A. Your Honour, after the interview had concluded, I asked Mr. Bell to read over the note-book. I then gave it to him and he read it from the beginning to the end. I then asked him if he agreed with it. He did, and I asked him if he would mind signing it, and he did.
- Q. Is there a word of that in your statement that you made on that day? - A. Can I have a look at the statement, please?

- Q. Yes, by all means. (Handed) It will be on the last page, Officer. - A. No, Your Honour, the only reference is the signature in my pocket-book.
- Q. I am going to suggest to you that after you asked him a number of questions, some of which were about whether he had been up to no good that day and some of which were of a general nature, and he cannot remember all the questions because there were a lot, you then told him he was going to be reported for, effectively, a public order offence. Do you remember telling him that? - A. That is correct, Your Honour.
- Q. Then you said to him, "Sign here", and he did? - A. That is not correct, Your Honour.
- Q. You cautioned him, said, "You are going to be reported for this. Sign here." He then said, "Okay" and signed? - A. That is not correct, Your Honour.
- Q. Of course, bearing in mind you were being careful enough to get him to sign your pocket-book, I suppose it follows that on each and every page where he had made an admission or an answer to a question, his signature appears, does it? - A. Your Honour, this would be new practice to me and fellow officers. He was asked to read from the beginning to the end. Only on a statement form would you sign the bottom of each page, but never in a pocket-book, Your Honour.
- Q. What do you do if you make alterations in the pocket-book? - A. I myself cross it out.
- Q. Do you initial it? - A. If I can remember, yes.
- Q. Do you get somebody to initial it if there are crossings out when they are reading through, like in a statement? - A. I would make a point of doing it on a statement, Your Honour.
- Q. Just help with this: were there forms, and it varies from police force to police force, for interviews that are recorded? Have you come across those forms, separate interview forms? - A. Yes.
- Q. On those forms, when you are doing that sort of interview, how many times does the person sign it? Is it just on the last page or on each and every page? - A. On each page, Your Honour.
- Q. Yes. - A. This is not a statement form, Your Honour, this is my pocket-book.
- Q. If I were to ask you, "Why didn't you do it on a statement form?", you would say, "I was at the hospital. It was rushed and difficult" and so on. Could I have your pocket-book for a moment? (Handed).

MISS RUSSELL: Your Honour, before this is copied, I would like the Jury to see the actual book:

- Q. It is right to say that where his signature appears - what

is that written at the top? There is an "R". - A. Yes.

Q. What does that mean? - A. That is for "reply".

Q. I appreciate you know that. - A. They might not know that.

Q. Mr. Bell, in his hospital bed, might not know that. Underneath that appears, "I formally cautioned him and told him the facts would be reported re. public order." - A. That was for my reference, Your Honour.

Q. Then there is a reply, "Okay" and then there is his signature. That is the only writing that appears on the page where his signature is, is it not, so far as the incident is concerned, and then it goes on to the doctor and so on? - A. Yes, Your Honour.

Q. So, in other words, we have to take your word for it that he had read all the preceding pages before signing it? - A. Yes, and my fellow P.C. will verify that, I am sure, Your Honour.

Q. Yes, I am sure he will. I will say to you again, Officer, that what happened at the end of him being asked a number of questions, which he cannot recall in detail..... - A. Well, he won't do, will he?

Q. Why not? - A. Because what I am saying is what happened, Your Honour.

Q. He did not make an admission that he had thrown stones that day, did he? - A. He did, Your Honour, yes.

Q. Even if we look at that, Officer, it is ludicrous on your suggestion. You say to him, and I am referring to one bit, "Finally, what were you throwing - stones?" "We saw you with a bottle" and, according to you, he said, "Yes, but I didn't throw that. I only threw stones. I threw down the bottle." - A. What I said was, "What were you throwing?" and he replied, "Stones."

Q. I did not say.... - A. But it sounded like you meant.....

Q. All right, we will go through the whole interview: "Do you understand why you have been arrested?" "Yes, it's obvious." "So you admit throwing missiles at the police?"

MR. WALSH: It is "Do you", not "So you."

Q. MISS RUSSELL: Could I see your note-book because we appear to have a typing error somewhere? (Handed). It is "So", is it not, not "Do"? - A. It is "Do you" in the note-book.

Q. JUDGE COLES: You said "Do" in your evidence-in-chief because I altered my statement.

MISS RUSSELL: Perhaps I have looked at the wrong bit.

JUDGE-COLES: Which part are you looking at? "Do you

understand why you have been arrested?"

MISS RUSSELL: Underneath that, Your Honour: "So you admit", which is exactly what I was putting a few minutes ago.

- Q. JUDGE COLES: When you gave your evidence-in-chief, Officer, you said not "so" but "do". - A. I have mixed it up with the line before, Your Honour.
- Q. But the note-book in fact says "so"? - A. Yes, Your Honour, sorry.
- Q. MISS RUSSELL: Now that we have clarified that little mix-up, "So you admit throwing" - how on earth does the fact, "So you admit throwing and not dispersing...." - A. "Throwing missiles at the police and not dispersing when you were requested."
- Q. How does that follow he is making an admission at that point, Officer? How on earth does that follow? - A. He must have realised he had been seen throwing missiles, Your Honour.
- Q. Why? - A. I have no idea.
- Q. He could have thought he had been arrested for obstruction. He could have thought he had been arrested because he was a miner. He could have thought he was being arrested because you did not like his face.

JUDGE COLES: It was not obvious if there were so many possible explanations.

MISS RUSSELL: With respect, I am going to put it was obvious on that day, in my respectful submission, to anyone who was a miner that they were a target for police officers to do anything they liked with:

- Q. Why do you think the fact that he said it was obvious is an admission he was throwing missiles and not dispersing? - A. I can't answer because it is 13 months ago. I cannot say what my thoughts were at that time. I wrote down the question and then I made a note of his reply, and then I wrote another question down and asked him the next question, Your Honour.
- Q. You asked him, "What were you throwing?" and the answer was "Stones." "We saw you with a bottle." - A. Yes, that is correct.
- Q. "Yes, but I didn't throw that. I only threw stones. I threw down the bottle." - A. That is correct.
- Q. Why was your next statement not, "That is not true, I saw you throw a bottle." Why did you not say that to him, if it happened in this way? It was the obvious thing to say. - A. It is obvious to me now, but it was not at the time.

Q. I am going to put to you it is obvious, for example, if I hit Mr. Taylor gently over the head with a bundle of photographs and Mr. Taylor says, "You have hit me over the head with a bundle of photographs" and if I say, "No, I thumped you in the shoulder with the bundle", Mr. Taylor's reaction will be, "No, you didn't, you hit me over the head with photographs." It is obvious human reaction.

JUDGE COLES: You might do it and find out!

Q. MISS RUSSELL: So far as this is concerned, Officer, if he had denied to you at that point throwing the bottle, your ordinary human instinct, let alone the fact that you are a policeman, would have caused you to say, "But I saw you do it", but you just ignore it and say, "So you admit throwing stones" - thank you very much - and that is the end of the interview, more or less? - A. That is correct, Your Honour.

Q. Yet, according to your evidence, you thought you had seen him throw a two quart glass bottle? - A. Yes, Your Honour.

Q. At police lines? - A. Yes, Your Honour.

Q. There is not a word of truth in any of this, is there, Officer? - A. It is all the truth, Your Honour.

MISS RUSSELL: I have no further questions.

CROSS-EXAMINED BY MR. O'CONNOR:

Q. Can you look at Exhibit 3, the plan, and look at the part showing the electricity substation? - A. Yes.

Q. You see there the gap between the fence and the smaller of the two substation buildings - the thin line going away from the road across the front of the substation? - A. Yes.

Q. As you approached the substation building, do you recollect seeing short shield officers in riot helmets moving from the road on the opposite side of the fence from you and then between the fence and the substation, going down the plan northwards? Do you remember seeing that? - A. There were several officers about, Your Honour, but I do not know whether they were short shield, long shield, plain uniformed officers, or what. There were several officers about in the vicinity.

Q. I am not talking about in the vicinity. Are you accepting there were several officers, but you are not sure how equipped, moving from your right to left between the fence and the substation building as you were approaching it? - A. I can't say for certain, Your Honour.

Q. Well, when you just said about "in the vicinity".... - A. Yes, but I did not know whether they were moving from right to left. They were there. I do not know whether they were moving.

Q. Do you accept on the other side of the fence I am talking

about there were several officers, but you cannot say where they were moving? - A. I can't remember whether they were in front or behind me at the fence, Your Honour. I can remember several officers being nearby.

Q. Ahead of you? - A. I can't remember whether they were in front or to the side.

Q. Officer, forgive me, but that is completely useless. You cannot recollect if there were any officers ahead of you either; is that so? - A. There might have been, there might not have been.

Q. It is therefore fairly pointless to ask you further questions, but I am going to anyway: did you see any arrests taking place as you approached the fence? - A. Just the other side between.....

Q. The fence and the substation building? - A. I did not make a note of it. As I say, Your Honour, there may have been, there may not have been, I don't know.

Q. JUDGE COLES: Did you notice one, do you remember? - A. I can't remember seeing one, Your Honour, but that does not mean one wasn't happening.

Q. MR. O'CONNOR: You were looking ahead obviously, were you not, for many different reasons? as best you know, you were looking ahead, that is as the cordon approached the fence, were you not? - A. I was looking all around.

Q. Do you have a picture in your mind of those moments or not? - A. No, it is some time ago now.

Q. Can I just take Mr. Foulds' incident up and see if your memory is jogged as to whether you saw him at any time? - A. I would not recognise him, Your Honour.

Q. May be you did, may be you didn't.

CROSS-EXAMINED BY MR. MANSFIELD:

Q. Officer, I want to ask you generally about your role that day. I am going to call you a cordon officer, in other words, an officer who was in the line. Is that a fair description of your role that day? - A. Yes, Your Honour.

Q. Now, what instructions did you have as an ordinary officer of the line that day? - A. To stay with my partner, not to break free, and await instructions.

Q. Not to..... - A. Not to become separated.

Q. Not to become separated and to await what instructions and from whom? - A. Whoever - the Sergeant or the Inspector.

Q. The Sergeant or the Inspector? - A. Or the Chief Inspector or Superintendent.

Q. Let's have the names of the various people to whom you

would be, as it were, responsible. Who is the Sergeant we are talking about? - A. I can remember the Inspector.

- Q. Who is the Sergeant? - A. I can't remember who the Sergeant was that day. As I said, Your Honour, I have been with that many lines and the officers vary, my senior officers vary. I can definitely remember who the Inspector was.
- Q. All right, who is that? - A. Inspector McDougal.
- Q. You mentioned a Chief Inspector; who would that be? - A. I have no idea.
- Q. Superintendent? - A. He may have been a Superintendent at the time, but Mr. Clarkson was there.
- Q. There is a reason for asking all those questions. Did you get further instructions about your role besides not separating? - A. We had been given instructions throughout the day to move forwards, move backwards, let horses through.
- Q. Move forwards, move backwards, let horses through? - A. A lot of those were word of mouth, Your Honour, from one Police Constable to another because it was noisy. There was shouting and it was not a peaceful climate.
- Q. And there were missiles coming over all the time; is that right? - A. Not all the time. There were bricks.
- Q. Were there? So far then, stick together with your partner, which you have described, and the other instructions by word of mouth from officers in the line to move forwards, move back, let the horses through? - A. Yes, that is right.
- Q. Any other instructions that day? - A. From word of mouth, I think there was, Your Honour. There was an instruction to disperse the miners.
- Q. Was there? Was there ever an order of an officer in the line to disperse the miners? - A. I can't say.
- Q. I want you to think very carefully when you give this answer because I am going to ask you who gave it. We have heard about the orders and to what officers they applied. Now then, was there an instruction to the cordon officers to disperse miners? - A. Do you mean to my Inspector or.....
- Q. No, Officer, I was not there. You are in the line. You tell the Jury what your instructions were with regard to the dispersal of miners, if there were any? _
- Q. JUDGE COLES: Counsel is concerned about instructions to you as a member of the cordon? - A. I was not personally given an instruction from an officer.
- Q. Counsel is not asking you about orders given to other police officers. I think he is asking you at the moment

about what orders you heard given to the cordon. Do you see? - A. Yes, Your Honour. I can't say I remember any clear order given at all.

- Q. MR. MANSFIELD: I tell you why I am asking those questions: I am not representing the person shown in photograph 31D, I am interested in the general situation as to how it ever came about that you are making an arrest, you see? Now, the position seems to be that, as a cordon officer, you were given no instructions, were you, to disperse and arrest? - A. As I have said, Your Honour, from word of mouth I realised that an instruction had been given to disperse.
- Q. Did you? - A. To disperse the crown.
- Q. Did you? Your fellow officer is just outside court, is he? - A. Yes, Your Honour.
- Q. We will ask him. Was he standing next to you, the fellow officer you had to stick with? - A. Of course.
- Q. He would have heard the same instruction? - A. If it was coming from the right, he would, if not, he may not.
- Q. What did you do once you heard the instruction - not tell your partner? - A. It was obvious everyone was moving forwards in order to disperse the crowd.
- Q. That is what I want to deal with. We have seen the video yesterday. Your role as a cordon officer was merely to move forward in a cordon and hold the line, was it not? - A. I was not given that instruction.
- Q. Stick together, move forwards, move backwards, let the horses through? - A. This is throughout the morning. I have said this, Your Honour.
- Q. And this was part of the morning, was it not? - A. Yes, Your Honour.
- Q. What you did that day was really on your own initiative, was it not? - A. I would have been the only officer making an arrest that day, if that is what you are saying.
- Q. There were squads there specially trained for making so-called arrests, were there not? - A. Yes, Your Honour.
- Q. You knew that? - A. Yes, Your Honour.
- Q. You knew it was their function to disperse and arrest, did you not? - A. Yes, Your Honour.
- Q. What were you doing making an arrest? - A. I don't think it would have been right for me not to make an arrest in those circumstances, Your Honour.
- Q. What were you doing making an arrest? - A. I had seen this man throw a bottle at the police. He had not dispersed when he had been told to do so. He was still there and he was arrested.

- Q. It was not the first time that day, was it, that officers in the cordon had decided to, as it were, take the law into their own hands? - A. Can you explain what you mean?
- Q. I am not going to go through the whole morning, just one incident. That day we have heard short shield riot squads were used for the first time. Did you know that? - A. I did not, Your Honour.
- Q. But you did notice them when they first were used that day, did you? - A. I think they followed the horses, yes, Your Honour.
- Q. It is that occasion because you have said you are in the second or the third row of the cordon on the field near the road? - A. Yes.
- Q. I am not asking you times and precision in that way. I want to ask you about the first occasion the horses went out, followed by short shield units. Do you remember that? - A. I can remember the horses going out, followed by short shield unit officers, yes, Your Honour.
- Q. You can remember it? - A. I can't remember whether they were on my left or to my right. I know they went out on the left during the morning and on the right.
- Q. Well, I am not going to put particularly.... - A. The photographs show it to my right, Your Honour, and I can recall it also happened to my left.
- Q. What photographs do you mean show it on the right? - A. The horses are on the right going up hill, so they must have been to my right.
- Q. But I want to ask you about the ones on the field to your left? - A. That was earlier, I think.
- Q. On the earlier occasion when the horses went through that field, followed by the short shield units, you presumably took a little interest in what was going to happen when this squad first went out, did you not? - A. I glanced towards them, yes, Your Honour, of course I did.
- Q. You took a little more than a glancing interest in what was going to happen, did you not? - A. You are forgetting one thing.
- Q. Yes? - A. As I have explained earlier, Your Honour, most of the time we were looking up for missiles and then putting our heads down. We did not have time for wondering what was happening.
- Q. Are you saying when the horses went through with the short shield unit for the first time, there was a lot of missiles? - A. There may have been.
- Q. If you can't say, don't say it. - A. All right.
- Q. If you can't say, don't say - is that fair? - A. Yes.

Q. When you glanced at the short shield unit that went out for the first time, what did you see them do? - A. I saw them run up the field, Your Honour.

Q. What did they do? - A. Disperse the crowd.

Q. How did they do it? - A. The crowd ran away.

Q. How did they do it? - A. The crowd just ran away, Your Honour.

Q. Did they have their truncheons out? - A. I can't say for certain, Your Honour.

Q. You can't say for certain? - A. If it is on the video, they will have done, but I can't say for certain.

Q. I am not cross-examining the video, I am cross-examining you.

JUDGE COLES: You did tell him if he did not see it, he did not know, he had not to say.

Q. MR. MANSFIELD: That is true. I am cross-examining you. Do you say you cannot now recall whether those officers had their truncheons out? - A. I can't recall. They may have, they may not have. Some may have, some may not have.

Q. There was a very serious incident in front of the cordon the first time the short shield unit went out, was there not? - A. There may have been, I don't know.

Q. There may have been? Are you saying - I know it is a long time ago, but this was an unusual day, was it not? - A. It was one of many unusual days, Your Honour.

Q. What it comes to is this: you cannot say whether the short shield unit had their truncheons out. I suppose you can't say whether they used them or not? - A. I did not see anybody use their truncheons, Your Honour, that morning. I was not bothered what other people were doing.

JUDGE COLES: Do you want to put specifically what the serious incident was?

Q. MR. MANSFIELD: You were not bothered about what? - A. What other people were doing. I was more concerned with P.C. Grundy and myself that day.

Q. The serious incident I am going to suggest to you is an officer from the cordon went out, as you did, up the top of the field, truncheon drawn and hit a miner over the head, or towards the head, at least three times. Did you see that? - A. I did not, Your Honour.

Q. You did not see that? - A. No, Your Honour.

Q. Did you see it later on television? I think you said you watched the T.V.? - A. I watched the T.V. that night,

- Your Honour, but I can't remember, it is so long ago.
- Q. On television that night, Officer, did you not see an incident of this kind broadcast to the nation? - A. If it happened and was on T.V., Your Honour, I would have seen it.
- Q. I am asking you? - A. I can't remember, Your Honour.
- Q. Can't you? Were you really watching with interest? - A. At the incident you are referring to?
- Q. Yes? - A. No, Your Honour.
- Q. I want to ask you about your own truncheon which you drew. Did you get any instructions in the cordon to draw your truncheon? - A. I can't remember, Your Honour. The other officers had their truncheons in their hands.
- Q. I am not worried about the other officers. - A. Well, I can't say whether we were given an instruction or not. I just did what every other officer was doing.
- Q. You appreciate, do you not, that the drawing of a truncheon is a very important matter? It is not a matter to be treated lightly, is it? - A. Well, I have drawn my truncheon several times, but I have never, ever used it.
- Q. We will come to why you drew it out on this occasion. It seems to be the fact that you did not get an instruction to draw your truncheon, did you? - A. That may be the case, Your Honour.
- Q. That is the case, is it not? - A. I have no idea, but all I have said is that I saw other officers had their truncheons in their hands and I did the same.
- Q. Why did you just follow suit? If the other officers had run up the road, would you have done the same? - A. The officers next to me, yes, of course I would.
- Q. If they had all run back down to the coking plant, would have have done that? - A. You stick together in a situation like this. You don't want to be isolated.
- Q. And if they are pushing and baiting miners, you would do the same thing, would you not? - A. No, Your Honour. As I said, I have never hit anyone with my truncheon. Has Mr. Bell said I hit him with my truncheon?
- Q. No. - A. Thank you.
- Q. The case has been put to you essentially of harrassment, rather serious harrassment, has it not? - A. Not as far as I am aware.
- Q. What? Were you not listening yesterday to what was being put to you? - A. Yes.

- Q. What do you think was being suggested? - A. That I didn't see him throw the bottle.
- Q. Is that all? Is that all you thought was being put to you yesterday? - A. Can you tell me what was put yesterday?
- Q. No, I am not going to remind you. I want you to say whether that is all you thought was being put to you yesterday when you came out with the answer "That's absurd". Do you remember? - A. Can you refresh me?
- Q. No, I am not going to refresh you. - A. Well, I can't answer then.
- Q. I can remember what was put, but I am going to suggest that you are not really interested in what a defendant says, are you? - A. That is not correct.
- Q. Why can't you remember what was put to you? - A. I will do if you tell me what I said.

JUDGE COLES: We will have no laughter from the public!

- Q. MR. MANSFIELD: Yesterday something specific was put to which you said "That's absurd", and I can remember precisely.....

JUDGE COLES: Give the officer an opportunity to say in general terms what he believes it is suggested he did. Never mind yesterday or today: I

- Q. In general terms, what do you think Miss Russell has accused you of doing, Officer? - A. Being insensitive, Your Honour.

MR. MANSFIELD: I have no further questions.

JUDGE COLES: We will have an adjournment and resume at mid-day.

(Short Adjournment)

RE-EXAMINED BY MR. WALSH:

- Q. If I understand Miss Russell's cross-examination correctly, it is not alleged that you inflicted any violence upon Mr. Bell whatsoever; do you understand? - A. Yes, Your Honour.

MISS RUSSELL: Your Honour, I must make the position clear. Mr. Bell is not in a position to identify the officers. That is the correct position.

JUDGE COLES: Yes.

MR. WALSH: Your Honour, what was put in the way my learned friend put it, whether she intended it or not, was that if anybody inflicted any violence upon him, it seems to have been somebody other than those who arrested

him because I made a very careful note of the way she was putting it.

JUDGE COLES: I think it was put with the incident where he was kicked or his leg was trodden on.

MR. WALSH: That it might have been by some other person.

JUDGE COLES: It might have been some other person, it might have been him, although probably left in general terms; is that right?

MISS RUSSELL: Absolutely, Your Honour. Mr. Bell had at that stage a number of officers all around him and he finds it quite impossible to identify them.

JUDGE COLES: It is quite right that you did not say your client accused this officer of any violence?

MISS RUSSELL: Not specifically. He cannot identify the officers.

- Q. MR. WALSH: I am going to ask you a direct question: did you inflict any violence upon this man? - A. None whatsoever, Your Honour.
- Q. Did any person, to your knowledge, inflict any violence upon this man? - A. Not to my knowledge, Your Honour.
- Q. Did you see any person trying to inflict violence upon this man? - A. Not to my knowledge, Your Honour. Mr. Bell never complained to me that anybody had inflicted any pain on him either, Your Honour.
- Q. How long were you with him that day from the time of his arrest, first of all, to when he was taken away by the casualty doctors? - A. We could not find the hospital, Your Honour, because the ambulance was not a city ambulance, so it took some time. In that time we were reassuring Mr. Bell it would be all right and we would get his leg seen to as soon as we got to the hospital. He was quite happy about that. We would have spent at least half an hour with him, trying to find Rotherham General Hospital and then we saw him for a short time whilst we interviewed him, a short while before that - not long - a couple of minutes or so - and then we interviewed him and then left him.
- Q. Taking that last bit first, when someone is in hospital under the care of doctors, are policemen just allowed to interview when they want or do they have to obtain permission? - A. Correct, Your Honour. We are never allowed just to walk in and speak to someone who is in the care of the hospital at that time as well as ourselves. You first talk to the medical officer in charge of that person directly, not the nurse, but the person who is directly in charge of that person, Your Honour.
- Q. Did you do that before you interviewed him? - A. Of course I did, Your Honour. I made a note of the doctor's name.

- Q. That name is in your note-book, is it? - A. Yes, Your Honour.
- Q. Going back therefore to the scene, you have told us that the place you arrested him was round the side of that building, on the wall, the other side from the main road? - A. As far as I can recall, yes, Your Honour.
- Q. Now, you told us yesterday, and I would just like to explore this for a moment, that the first time you saw him was lower down the field when he threw the bottle? - A. Yes, sir.
- Q. The second time you saw him was when he was, you have told us, near the substation? - A. Yes, Your Honour.
- Q. Is it possible for you to say in relation to the final time, the point of arrest by the wall, where he was the second time you saw him - an approximation? It may be you have marked it on the ariel photograph, have you not? - A. I did, Your Honour. It is in that circle, somewhere in that area.
- Q. Would you point with your finger so that we can see the mark? (Witness does as requested.) That is, as it were, technically the north side, but it is the coking plant side of the electricity substation you are pointing to? - A. Yes, Your Honour.
- Q. What was he doing at that time? - A. Making his way away from the police, Your Honour.
- Q. That is occasion No. 2? - A. Yes, sir.
- Q. Occasion No. 3 is shortly before you arrest him and you described him falling over? - A. Yes, Your Honour.
- Q. Just to confirm, perhaps, something you said, would you like to look at the photographs because I think it might become a little clearer? Would you look at photographs 31D and perhaps B15 in 35? - A. Walking him down, yes.
- Q. The one where you and your colleague are walking him down the grass? - A. Yes.
- Q. Just look at 31D. Do you see coming down the wall there is a drainpipe? - A. Yes.
- Q. If you look at 35, B15, remembering that the drainpipe is not on a corner but is in the central part of the wall, is there any drainpipe on that part that we see in 35? - A. No, Your Honour.
- Q. You can see even more clearly though at a distance in photographs 1 and 2 in the black and white album, which is showing the scene taken many months later? - A. Yes, Your Honour.
- Q. By looking at the two photographs you can see the whole of the wall of the end that faces the coking plant? - A. Yes.

- Q. Is there any drainpipe on that? - A. There is not, as far as I can see.
- Q. Again we can see a full view of the side of the building that faces the main road, if we look at photograph 3 again, although we can see there is no drainpipe there? - A. That is correct.
- Q. Unfortunately, no-one has taken a separate photograph of the far side of the building, and that is where you say this is? - A. Yes, I think it is, Your Honour.
- Q. Well now, at the time when you arrested him, what is it that you say the other pickets were doing in the vicinity? - A. Throwing missiles, Your Honour, and some were, I think, even fighting with the police.
- Q. Bearing in mind that photograph 35, B15 - that is the colour one. - A. Yes.
- Q. That the point of arrest is out of sight of the cameraman and round the corner of that building, to the left - do you follow? - A. Yes.
- Q. Is it possible for you to tell us approximately how much time, how long it took to get from the point of arrest to where the camera shows you with him? Were you moving quickly, slowly, or what? - A. We were moving as quickly as we could under the circumstances, Your Honour, due to his injury.
- Q. But is that at what would be a normal walking pace or hurrying pace for you? - A. It was a hurrying pace.
- Q. But in your normal hurrying pace, or quicker, or slower than that because of his injury? - A. Slower than that because of his injury, Your Honour.
- Q. So, are you able to help us in any way at all as to the sort of time that must have elapsed between photograph 31D and photograph B15? - A. I would say between a minute and two minutes, Your Honour.
- Q. You see, it was suggested to you that you were lying about there being people around fighting and throwing stones at the time of 31D because they do not appear on this photograph taken some time later. Do you follow? - A. Yes, Your Honour.
- Q. What do you say about the suggestion that you were lying? - A. That is wrong, Your Honour.
- Q. When was it that you first found out either from the defendant himself or from any other person that his injury was a fracture or a break? - A. At the hospital, Your Honour.
- Q. Did you know anything about the fact that it was a break before you got to the ambulance? - A. No, Your Honour.

- Q. Or whilst you were walking him down the hill? - A. No. It was obvious he was injured, but to what extent, we could not possibly know.
- Q. Did he say anything to you to indicate that you might, instead of walking him down, need to carry him or get a stretcher or an ambulance? - A. He did not, Your Honour, no, but from the fact that he could not run of his own accord and that I had seen him limping, it was common sense that he had some injury to his leg.
- Q. Of course. We understand that. But was there anything about his condition to indicate to you that it would be wrong, dangerous or anything else to attempt to move him in the way that you did? - A. No, Your Honour. I am sure he would have tried to stop us or screamed out in pain if he could not have been moved in the way that we did, but he did not. I am sure he wanted to get out of the situation just as quickly as we did so that we could get him to an ambulance.
- Q. Going back for a moment, you have told us of having seen him throw the bottle and then you progressing up the field? - A. Yes, Your Honour.
- Q. You said in answer to Miss Russell that you were not going straight, in a straight direction up the field, but you were diagonally because of obstacles that were there? - A, Yes, Your Honour.
- Q. What were those obstacles? - A. The bushes, the wall, stones, boulders, bottles, other policemen. It was just generally finding your nearest point and making your way forwards, Your Honour.
- Q. Do you remember watching the video yesterday and in the end amongst the crowd you were able to recognise going away from the camera, and therefore I think it must be with his back to you, a person whom you agreed was hopping? - A. Yes, Your Honour.
- Q. I think you agreed that was the defendant? - A. Yes.
- Q. Did you notice, as you saw the video, about how far away from the electricity substation he was at that point? Was he at it or some distance away from it? - A. Some distance away from it, Your Honour.
- Q. And hopping even then? - A. Limping. Well, in my opinion, he was limping, Your Honour.
- Q. But the description of hopping you apparently would not disagree with from what you said yesterday? - A. Yes, Your Honour.
- Q. From what you saw on television? - A. That is correct.
- Q. In the end he was pointed out to you being in a crowd of people? - A. Yes, Your Honour.

- Q. Again, from what you saw on the video, were there any policemen close to him at that time? - A. Not directly close to him, no, Your Honour.
- Q. But, as you acknowledged to Miss Russell, although you saw him on the video, on the day in question you did not notice him at that particular stage? - A. That is correct.
- Q. Going back to taking him down the hill and putting him in an ambulance, you have told us that during the journey you talked with him? - A. That is correct, Your Honour.
- Q. You have also said that when you got into the ambulance - I think that is the way you put it - you started making your notes or recording something because you looked at the time then? - A. I did not make the pocket book entry, I made a mental note of the time.
- Q. When did you first start your pocket book entry? - A. At the hospital prior to interviewing Mr. Bell.
- Q. Was it after you had taken him through casualty or before? - A. After, Your Honour.
- Q. Working on times, even allowing for not finding the hospital at first, if the arrest was at 11.25, doing the best you can, what time do you think it was you arrived at the hospital? Indeed, I think you have written it down in your note-book. Is that likely to be right, do you think? - A, What time?
- Q. I will show it to you. It says here "12 o'clock arrived at hospital". - A. That would have been approximate.
- Q. I will just read the continuation of that entry and ask you something about it.
- Q. JUDGE COLES: You had to look for the hospital? -
A. We did, Your Honour, that is why it took some 35 minutes.
- Q. MR. WALSH: "12 o'clock arrived at hospital. Bell dealt with by doctors. Injuries were a broken leg (small fracture of a previous break)". That is the note under the heading of 12 o'clock. - A. That is correct.
- Q. Where did you get that information from that it was a small fracture of a previous break? - A. When that was made, it would have been some time after 12 o'clock, prior to us interviewing Mr. Bell.
- Q. JUDGE COLES: From where did you get the information? -
A. From the doctor.
- Q. MR. WALSH: What about the fact that there had been a previous break? - A. The doctor mentioned that to us.
- Q. When was it that Mr. Bell himself told you about a previous break, because you mentioned that yesterday? -
A. Either prior to interviewing him or in the ambulance. I am not quite sure when he mentioned it because I have not made a note of it in my pocket book.

- Q. The Jury will have a look at the note-book in a few moments, but you say that the record that you made relating to the circumstances of the arrest were written in your book before you interviewed him? - A. That is correct.
- Q. And your note-book records that you interviewed him at 20-past-2 in the afternoon? - A. Yes, Your Honour.
- Q. Or 14.20. The police use the 24-hour clock, do they not? - A. That is correct.
- Q. The allegation made against you about the interview that took place is, as I understand it, that this is sheer invention on your part. - A. I understand that, Your Honour.
- Q. That none of these things written down by you in your note-book were ever said by the defendant. - A. That is the allegation, Your Honour.
- Q. And therefore that you must have made them up yourself. - A. I understand that.
- Q. Out of your own imagination. Would you just look at the note-book? Does the account of the incident written before the interview record your seeing this man throwing a bottle? - A. That is correct.
- Q. Does it have any entry in it suggesting that he threw a stone? - A. No, Your Honour.
- Q. What is suggested is that having decided to tell lies and invent a story about him throwing a bottle, you then in your note-book invent a story which says he did not throw a bottle but he threw stones. What do you say about that suggestion? - A. That is not correct, Your Honour. I did not invent this.

MR. WALSH: Your Honour, this may be an appropriate time for the Jury to see the note-book. So far as I am aware, because it is a note-book that is now full and a year old, there is no objection in principle to the note-book being made an exhibit and what can be done in the usual way is that rubber bands or some clip can be put around it so that, as it were, other matters that relate to other people on other days that are not relevant to this inquiry remain there and are not seen.

JUDGE COLES: Members of the Jury, I am sure you understand perfectly, looking at the note-book, that other people's cases that are of no interest to us are mentioned, and I am quite sure that if you were interviewed by a police officer, you would not want other Jurors seeing it at a later period.

MR. WALSH: Your Honour, what I have done is put a rubber band around page 8. Inevitably the Jury will see an investigation into another incident, but I do not think they will be particularly interested in that. The entry relating to this day starts at the very bottom of that page and goes over about three pages and then they will

see 12 o'clock the arrival at the hospital and on the next page at 14.20 the interview with the accused and the accused's signature half-way down page 16. Perhaps the Jury could look at that briefly?

JUDGE COLES: Do we need a photostat?

MR. WALSH: I would submit not in the circumstances as they will have plenty of opportunity to see it in detail later. Might I suggest a short look through?

JUDGE COLES: Certainly. Don't read it, members of the Jury, just have a glance.

(Shown to Jury.)

MR. WALSH: Your Honour, while they are doing that, the Exhibit No. for the statement and the note-book will be 59 A and B. Your Honour, I suggest A for the note-book and B for the statement, because that is the order in which they came into existence.

JUDGE COLES: Certainly.

Q. MR. WALSH: One final matter: you have been asked questions about orders and instructions. If a police officer sees an offence being committed, does he need to have instructions from any other person before he arrests someone for committing it? - A. No, Your Honour.

MR. WALSH: Thank you.

JUDGE COLES: That leaves 11 more arresting officers; is that right?

MR. WALSH: I think that is about right. I call Constable Grundy.

POLICE CONSTABLE BERNARD GRUNDY Sworn

EXAMINED BY MR. WALSH:

- Q. Is your name Bernard Grundy? - A. It is.
- Q. Are you a Police Constable in the West Yorkshire Metropolitan Police? - A. I am, Your Honour, yes.
- Q. Are you stationed at Silsdon? - A. I am.
- Q. For the benefit of those not fortunate enough to live in West Yorkshire, is that near Keighley? - A. That is correct.
- Q. On Monday, 18 June of last year, were you in the vicinity of the premises of the Orgreave coking plant outside Sheffield? - A. I was, Your Honour.
- Q. Had you come there to do duty as part of a P.S.U attached to the West Yorkshire Police? - A. That is correct.
- Q. Had you yourself ever been to Orgreave before that day? - A. No, Your Honour.

- Q. Have you been back since that day? - A. No Your Honour.
- Q. It may be that during the course of your evidence you will be asked to look at certain photographs and plans. Have you ever seen, until very briefly in the witness box, any photographs of the area? - A. I have not.
- Q. Either aerial photographs or in album form? - A. No, Your Honour.
- Q. Or any plans? - A. No, Your Honour.
- Q. Have you seen any video film relating to the events of 18 June? - A. Only what has been on the television, Your Honour.
- Q. You mean by that the public television? - A. That is correct.
- Q. Now, on 18 June last year, were you at some point during that day involved in the arrest of somebody? - A. I was, Your Honour, yes.
- Q. Who was that person? - A. David Bell, Your Honour.
- Q. What were the circumstances in which you were involved in that arrest? - A. Well, I was with P.C. Holmes, who did the actual arrest.
- Q. You are going to give us your account. Can I ask you to do two things? First of all, keep your voice up so that everybody can hear you and, secondly, perhaps watch my hand to stop you before you have gone too far for everyone to catch up writing the circumstances in which you were involved. - A. It was 11.25 that particular day. I was in a police line about the sixth in depth from the front of the police line, and there were stones being thrown etc. and missiles towards the police. At that time I saw the defendant Bell with a bottle some 20 yards in front of the front of the police line.
- Q. Yes? - A. Due to the missiles being thrown we were ordered to give chase to disperse the people in front.
- Q. When you saw him with the bottle, was that before or after the order to chase and disperse? - A. It was just before, Your Honour.
- Q. Did you see what, if anything, he did with the bottle? - A. As we started to run, Your Honour, he threw the bottle towards the police.
- Q. Having thrown it, did you see what he did then? - A. He turned round and started to move quickly up the hill.
- Q. And you? - A. We gave a general chase towards that direction.
- Q. That was ahead of you, uphill? - A. That is correct.

Q. Tell us what happened next? - A. Well, I had noted what the lad was wearing and shortly afterwards, at the top of the embankment, I saw him fall over a fence.

Q. Did you say the "banking" or "embankment"?

MISS RUSSELL: "Embankment".

Q. MR. WALSH: Would you like to tell us what you said? -
A. At the top of the hill, the top of the embankment.

Q. What do you refer to as an embankment? Some people may use the word "embankment" in a particular way. Some people may use it in a general way and some in a particular way. What are you referring to as an embankment? - A. A slope to the top and then it flattens off. There was a flat roofed building, Your Honour.

Q. Do you reach the embankment before or after you get to the small building? - A. It would be just before.

Q. The reason I may sound a bit precise is that we know on the far side of the hill there is a railway embankment and I wanted to see whether it was that you were talking about or something else. Did you know there was a railway embankment? - A. I did not, no, Your Honour.

Q. I am sorry, you saw him fall over a fence, did you say? -
A. That is correct.

Q. What happened next? - A. Well, it was shortly afterwards we arrived there.

Q. Who is "we"? - A. P.C. Holmes and myself.

Q. At what point or position did you arrive? - A. The lad was lying on his back.

Q. Where was that? - A. Just over the fence near to the flat roofed building.

Q. Did you both arrive there spot on together or one shortly ahead of the other, or what? - A. P.C. Holmes would be just a matter of a couple of yards in front of me.

Q. Why is it that you two were together? - A. It is common practice that two officers are together.

Q. Common practice in what situation? - A. In that kind of situation.

Q. How long had you been together with him that day? - A. From arriving at Orgreave.

Q. When you were stood on the line, had you been together with him then? - A. That is correct, Your Honour, yes.

Q. As you went up the field, had you been together with him or separate, or what? - A. Well, more or less together. As I say, I was just a couple of yards behind him.

- Q. You reached the defendant? - A. That is correct.
- Q. What happened then? - A. P.C. Holmes arrested him.
- Q. By doing what? - A. By getting hold of his arm to lift him up and I got hold of the other one. He was cautioned and then we started taking him down the hill towards an ambulance.
- Q. When he was cautioned, do you remember what was said - not the words of the caution - was anything else said apart from the words of the caution? - A. He was just told he was being arrested for throwing bottles and public order.
- Q. Did he say anything? - A. He just said, "Okay", Your Honour.
- Q. Did you become aware of something about his condition? - A. I did, Your Honour, yes.
- Q. What was that? - A. He complained about his left leg hurting.
- Q. Do you remember what it was he said? If not the precise words, the general nature of them? - A. He just complained about his leg hurting, that's all.
- Q. Do you remember at what stage he first mentioned that? - A. I can't remember off-hand definitely.
- Q. Having arrested him and he said "Okay", what did you do? - A. Due to his leg being injured, took him to an ambulance.
- Q. It follows from that that at some point before you got to the ambulance, you must have known his leg was hurt? - A. That is correct.
- Q. Is it possible for you to tell us about when it was that you discovered that? - A. I had seen him earlier, more or less earlier in the day, limping about on the field, but there again, when he complained about his leg hurting after he had been arrested, we just took him to the ambulance.
- Q. You say earlier in the day? - A. Yes.
- Q. How long are you talking about? - A. Prior to the chase.
- Q. In relation to the time when you saw him throw the bottle, when was it that you saw him limping? - A. It was just about that time.
- Q. That small building, by the way, is the electricity substation, so if anybody refers to the "substation" when questioning you, that is the building we are talking about; do you follow? - A. Yes.
- Q. Coming away from the substation, did you find an ambulance? - A. I did, Your Honour, yes.

Q. Do you remember where that was? - A. It was on the roadway towards the coking plant itself.

Q. Would you look, please, at the photographs? There is a bundle, Exhibit 35, and the reference No. of the photograph is B15.

MISS RUSSELL: Again I am going to ask my learned friend if he is going to ask the officer to refresh his memory from the photographs to lay the ground work for that before, in effect, showing the witness the photograph. I would be grateful if he would conduct it in that way because otherwise I will make the suggestion in due course that the officer is about to be led when being examined in chief by the Crown.

JUDGE COLES: We have had this point several times now.

MR. WALSH: Your Honour, I still do not understand it.

JUDGE COLES: I think the point is if there is any issue as to how, for example, he was holding the man, then this photograph may work in the way that it is leading. I do not say you are not entitled to show him the photograph because it is the police bundle, but mainly that the defence may choose to comment about that later.

MR. WALSH: I bear that with as much fortitude as I can muster.

Q. MR. WALSH: Would you look at photograph B15? Do you recognise the people in that photograph? - A. Yes, Your Honour.

Q. Who are they? - A. Myself and P.C. Holmes. and David Bell.

Q. Which is you? - A. I am on the right-hand side.

Q. As we look at it? - A. Yes.

Q. So, you are on the defendant's left? - A. That is correct.

Q. Are you able to say from that photograph approximately where it was that he was arrested, or does it not help you? - A. It does not really help me.

Q. Again, are you able to say, looking at the photograph, about how far you had to go to get an ambulance? - A. It would be about 250 yards, I think, Your Honour.

Q. From where? From the photograph or the point of arrest? - A. From the point of arrest.

Q. On the journey from the point of arrest to the ambulance, how was he behaving? - A. He was behaving in a normal manner. We just had hold of him.

Q. Did he say anything? - A. He just kept complaining about his leg.

- Q. Anything else? - A. Not that I can remember.
- Q. Was there any complaint about the way you were treating him? - A. No, Your Honour.
- Q. What did you do when you reached the ambulance? - A. The ambulance man came and we all went into the back, P.C. Holmes, myself and the defendant.
- Q. You say that the ambulance man came. Did someone call for him or did he see you coming? - A. He saw us coming.
- Q. Did he conduct any preliminary examination or not? - A. I can't remember.
- Q. The defendant went into the ambulance and did you all go eventually to Rotherham District General Hospital? - A. That is correct, Your Honour.
- Q. After having to wait for some time, was the defendant admitted into the Casualty Department and examined? - A. He was.
- Q. Some time later did you and your colleague see him again? - A. We did, Your Honour, yes.
- Q. Where was that? - A. It was in a ward. I think B2 was the number of the ward.
- Q. What happened when you and Mr. Holmes saw him? - A. He was interviewed.
- Q. Was any record made of that interview? - A. There was, Your Honour, yes.
- Q. By whom? - A. P.C. Holmes, Your Honour.
- Q. Did you see it being done? - A. I did, Your Honour, yes.
- Q. On or in what did he make it? - A. It was question and answer form, Your Honour, in his pocket book.
- Q. Did you make a record at any stage of the interview? - A. I did, Your Honour, yes.
- Q. On or in what? - A. In my pocket book likewise.
- Q. When was that? - A. At the same time.
- Q. You mean you were writing together? - A. Yes.

MR. WALSH: Your Honour, may he refresh his memory?

HIS HONOUR: Yes.

- Q. MR. WALSH: Have you got that with you? - A. Yes.
- Q. Very well. would you deal with the interview, please? - A. P.C. Holmes reminded him that he was still under caution and then the first question was, "Do you understand why

you have been arrested?" He replied, "Yes, it's obvious."
"So you admit throwing missiles at the police and not dispersing when you were requested?"

Q. Who asked the questions? - A. P.C. Holmes.

Q. Did you ask anything? - A. I did not, no.

Q. "So you admit throwing missiles at the police and not dispersing when you were requested?" What was his reply?
- A. "Yes, what can I say?" P.C. Holmes said, "What were you throwing?" He replied, "Stones." He was then asked, "We saw you with a bottle." He replied, "Yes, but I didn't throw that. I only threw stones. I threw down the bottle." The next question was, "So you admit throwing stones at police who were on duty at the picket line?" and he replied, "Yes,"

Q. What did Holmes then do? - A. He formally cautioned Bell and told him the facts would be reported and he replied, "Okay."

MR. WALSH: Would that be a convenient moment, Your Honour?

HIS HONOUR: Yes.

(Luncheon Adjournment)

MR. WALSH: Your Honour, I have completed my examination-in-chief.

CROSS-EXAMINED BY MISS RUSSELL:

Q. Officer, where did you have lunch? - A. I beg your pardon?

Q. Where did you have lunch? - A. At the police canteen, Your Honour.

Q. Was P.C. Grundy there? - A. That is myself.

Q. P.C. Holmes? - A. He was, yes.

Q. Did you have lunch together? - A. We did not, no.

Q. He was in the same canteen? - A. He was, Your Honour, yes.

Q. Did you speak to him at all? - A. I did speak to him, yes.

Q. You did speak to him? - A. Yes.

Q. What did you speak to him about? - A. Nothing about the case, Your Honour.

Q. That was not the question. What did you speak to him about? - A. About furniture

Q. Were you sitting together then? - A. No.

- Q. When did you have a conversation about furniture? - A. When he was leaving.
- Q. Not a word about the case? - A. That is correct, not a word about the case, no.
- Q. When did you last see him before that occasion in the canteen? - A. When he walked out of the court as I was coming in.
- Q. And before that? - A. This morning.
- Q. When this morning? - A. We are in the same hotel.
- Q. Sorry? - A. We are in the same hotel.
- Q. You are staying in the same hotel with him? - A. That is correct.
- Q. When did you come and stay in the hotel with him? - A. I went last night.
- Q. How long does it take to get from Keighley to here driving? - A. Two hours.
- Q. I see. What did you talk about in the hotel last night? - A. All sorts. If you are trying to refer to the case, we have kept it completely out of the conversation.
- Q. Not even to comment that he had been quite a long time and how long did he think he would be - not even that sort of question? - A. Well, I knew how long he had been.
- Q. Whether he had any idea how long it would be before you got on today - nothing like that at all? - A. Nothing like that, no.
- Q. I want to go through to see if I understand you correctly. At about 11.25 you were about sixth in depth from the front line of police officers; is that right? - A. That is right, yes.
- Q. So there are five lines of police officers in front of you? - A. Approximately, yes.
- Q. You are side by side with P.C. Holmes at that time? - A. That is correct, Your Honour.
- Q. And it is at that stage you say you see the defendant, Mr. Bell? - A. That is correct, yes.
- Q. Where was he? - A. Approximately 20 - just a bit more - yards in front of the front police line.
- Q. Approximately 20? I presume if you say "approximately 20", it could obviously be 25? - A. Yes.
- Q. It could not be double that and be 40, could it? - A. I wouldn't have thought so, no.

- Q. And it is unlikely to even be as much as 30 yards away really because, again, if it was nearly 30 yards, you would put it at 25, may be? - A. That is right, yes.
- Q. Can we take it from the evidence that when you see him, Mr. Bell has come up to 25 but probably not more than 25 yards away? - A. That is what you can assume, yes.
- Q. Where is he apart from being in front? Is he directly in front or to the side of you? Just explain. - A. More or less directly in front.
- Q. It is a straight look up to him? - A. Yes.
- Q. Whereabouts are you at this stage? You are in the cordon six back. What are you looking at? - A. Well, I was dodging quite a lot of missiles at that time.
- Q. I appreciate that. What are you looking at when you are not dodging missiles? - A. Just generally looking in the direction in front.
- Q. And what was in front of you? - A. A lot of pickets.
- Q. Hundreds? Thousands? - A. Hundreds in that area.
- Q. Hundreds in that area? - A. In that field, yes.
- Q. The next thing I wanted to ask you about - this is on the field, is it? - A. That is correct.
- Q. How many times had you been to Orgreave? - A. Just that once.
- Q. When you are referring to being in the line, is that the cordon you had been taken into that morning? - A. That is correct, yes.
- Q. Would it be right to say that cordon was obviously people doing a pace or two here and there, but a static cordon? - A. Well, it is static, but there was movement up and down, yes.
- Q. I appreciate that. It is obviously going to move a little bit to the front and a little bit to the back from time to time and things might happen to cause the cordon to break open if horses are going through or something like that, but basically, as far as its position is concerned, it is in a static position? - A. More or less.
- Q. Is the field in front of you, would it be fair to say, full of pickets, half full of pickets - what would you say? - A. Well, there's a good scattering all over the field.
- Q. Scattering suggests that there are not that many around? - A. As I say, there are hundreds. It is a big field.
- Q. As many as a thousand at this time? - A. No, I would not say that.

- Q. Has the cordon made any advance at this time? - A. Yes, we have moved forward on a few occasions from where we were originally.
- Q. When you say you had moved forward on a few occasions, did you stay in the new position or move back to the old one? - A. Stayed.
- Q. So you had moved forward on how many occasions, do you say, before you see Mr. Bell? - A. That is something I cannot answer. I do not know how many times.
- Q. You are having to look then through five ranks of police officers? - A. That's right.
- Q. How far away from the roadway are you on the cordon? How far into the field are you? - A. Roughly?
- Q. I appreciate that. - A. About 40 yards from the road, 40 to 50 yards.
- Q. I wonder if you could take the plan, Exhibit 3? Can you familiarise yourself with it? Shall I help you? - A. - I presume that is the field there (indicating)?
- Q. Yes, that is right. - A. Right.
- Q. So, whereabouts, given that you have picked out the field very quickly, is the cordon approximately? I appreciate it could be a few yards out. - A. I presume these are trees by the road?
- Q. Yes. - A. I should say the middle tree of the three.
- Q. The middle of the three trees? - A. Yes.
- Q. I wonder if you could have a look at photographs 11A and B, the big aerial photographs? Can you hold them up and show us which is 11A? - A. That one (indicating).
- Q. You can see the cordon there and see how many lines deep it is? - A. Yes.
- Q. At the time that photograph is taken? - A. Yes.
- Q. Is that the sort of scene you are talking about, Officer? - A. With half the amount of police that there are now on this photo. Quite a few had gone for lunch.
- Q. JUDGE COLES: At the time you are talking about, which is when? - A. At about 25-past-11 in the morning.
- Q. You say you were about half as many as appear in the photograph? - A. That is correct
- Q. MISS RUSSELL: But they are in that position? - A. More or less, yes.
- Q. Now, you see Mr. Bell when you are in that position 20 yards in front of the line? - A. Yes.

- Q. And he throws or does something with a bottle? - A. That is correct, Your Honour.
- Q. Were there other people throwing at that time? - A. Missiles were being thrown at that time, yes.
- Q. Were there other people around Mr. Bell at that time? - A. I just noticed Mr. Bell throw that bottle.
- Q. That is not my question, Officer. - A. Well, I was not taking any notice of any other people around, if there was.
- Q. I want you to describe the actual situation when you saw Mr. Bell. Was he right at the front? - A. He was stood by himself, but other people were nearby.
- Q. In front of him or behind him? - A. I can't remember, Your Honour.
- Q. Or to the sides? - A. There were people in the general area.
- Q. You are saying you are 40 yards in from the roadway? - A. Approximately, yes.
- Q. So, if we look at the plan again, would that put you towards the centre, if we look up the field towards the centre, left-hand side of the line of police? - A. I would say about one third of the way in from the roadside in the cordon.
- Q. You have told us, you see, that you thought you were about 40 yards away from the road? - A. Yes.
- Q. The field itself is only about 45 yards wide, so is the measurement you have just given us completely inaccurate? - A. That field stretches way over.
- Q., JUDGE COLES: Which do you prefer, the distance you have estimated of 40 to 50 yards or a third of the way across from the road? - A. A third of the way across from the road, Your Honour.
- Q. MISS RUSSELL: I want you to tell me a little more about the situation that was going on at that time. Were you ducking down from missiles? - A. I was, yes.
- Q. Were there a lot of missiles at that time or just a few? - A. There were quite a few at that time, Your Honour.
- Q. Does "quite a few" mean a lot? I am sorry to pinpoint you, but I want to know accurately? - A. Yes, there was a lot.
- Q. Are we talking about three or four things in the air or a dozen or so things in the air or 40 things? - A. Oh, no, three or four in the air at any one time.
- Q. You, as a cordon officer, thought that was quite a few missiles for that day, did you? - A. In the particular

instance, yes.

- Q. We know where you say you are then - about one third of the way in - and Mr. Bell is in a straight line, more or less in a straight line, in front of you? - A. That is correct, Your Honour.
- Q. There is no picket between you had him? - A. Not that I noticed.
- Q. If there were, you would have had to have seen because you would have had to have looked through them to see Mr. Bell. So, can we take it there were no pickets between you and Mr. Bell? - A. That is correct.
- Q. What do you say he was doing that caught your attention? - A. He had a bottle in his hand.
- Q. Yes? - A. At that time, we were told to move forward and disperse and, as I say, as he turned he threw the bottle towards the police.
- Q. Threw the bottle? - A. Towards the police.
- Q. Who gave the order to move forward and disperse to the cordon officers? - A. I can't really say. There were plenty of Inspectors etc. with megaphones around. It came from behind - let's put it like that.
- Q. That was an order to the cordon to disperse? - A. No, to disperse the crowd.
- Q. An order to the cordon to disperse the crowd? - A. That is correct.
- Q. How were you going to do that? - A. It was just a matter of chasing the people in front to get them out of the way.
- Q. In what formation, if any, were you going to chase them? - A. There was no formation, it was just a chase.
- Q. So it is a completely kind of loose movement up - that is what you are saying? - A. For a start off, yes.
- Q. You are not moving up as a cordon or anything like that? - A. No.
- Q. Are you sure you are telling the truth about that? - A. I am, yes, Your Honour.
- Q. Is this the first time you have been given the order to disperse? - A. Previous to that horses had gone through on other occasions to disperse them.
- Q. We know about that. That was not the question. Was this the first time you had been given the order to disperse as a cordon officer? - A. The shield men had been given the instruction on previous occasions and we stayed.
- Q. Which shield men? - A. The front line men.

- Q. You mean the long shield officers on the front line? -
A.No, they open up for the small shield officers.
- Q. Again we know about the orders given to the short shield men to disperse the crowd and we have had descriptions of this over many days in court - days and weeks - of just how they do it. What I am interested in is how you, as a cordon officer six rows back, were going to disperse? - A. I have mentioned that it was a chase.
- Q. So you were told in effect to break the cordon? That must be right? - A. That's right, yes.
- Q. Who gave that order? - A. I can't say. Somebody with a megaphone from the back.
- Q. Who was your Inspector that day? - A. I couldn't tell you, Your Honour.
- Q. Who was your Sergeant? - A. I can't remember that either, Your Honour.
- Q. How did you know the order was for you if it is just coming from the back and shouted out by somebody who you do not obviously recognise? As you cannot say whether it is your Inspector or Sergeant, how on earth did you know the order was for you? - A. Everybody started to move and start running.
- Q. You just went along with what everybody else did? - A. Exactly.
- Q. Was any order given to you about truncheons? - A. Not that I can remember, Your Honour.
- Q. Would it be wrong of me to suggest that everybody had their truncheons out? - A. Yes, I would say that would be wrong. Not everybody.
- Q. Would I be wrong in suggesting that practically everybody had their truncheons out with one or two exceptions? -
A. I can't say.
- 25 Q. Did you have yours out? - A. I did, yes.
- Q. When did you take your truncheon out? - A. As I started running.
- Q. Why? - A. It was just a matter of dispersal, just to scare them into getting out of the way.
- Q. Did any senior officer give you that order? - A. I didn't hear anybody say that, no, Your Honour.
- Q. So, you were given an order to disperse the crowd and you felt that you wanted to scare them into running away by drawing your truncheon? - A. That is correct, Your Honour, yes.

- Q. Tell me your Force's standing orders for the use of truncheons, Officer? - A. As far as I can relate, if you are being severely assaulted yourself, but I am not quite sure.
- Q. How long have you been in the Police Force? - A. 17 years.
- Q. And that is the best you can do on the rules that govern you as a police officer for the use of your truncheon: severely assaulted yourself? That is the best you can give to the Jury on what the rules that govern you are? - A. Yes.
- Q. What made you believe yourself that you had the right to run at people with a truncheon if they were not assaulting you? - A. It was just a matter of dispersing them, not to hit them at all.
- Q. What made you think you had the right to run at them with the drawn truncheon to scare them even? - A. It was a terrifying experience.
- Q. You are talking about the experience of the pickets, are you, Officer? - A. Exactly.
- Q. I suppose it was terrifying for them having officers running at them with truncheons drawn? - A. It was terrifying for the police officers to keep taking stones and other missiles.
- Q. Just before this you have told us that the most that was in the air at any one time was three or four missiles? - A. That had been going on on and off all morning.
- Q. But you had shields out, Officer? - A. I did not have a shield.
- Q. No, but those in front of you did? - A. Right at the front.
- Q. There are other formations - you have probably been trained in them, have you - where you can put the shields up over the officers at the back. That was not even tried, was it?

MR. WALSH: There were several questions there. One, does he know about it? Two, was he trained in it? Three, was it tried?

JUDGE COLES: Quite right.

MISS RUSSELL: Absolutely right:

- Q. Have you been trained in the use of shields? - A. Approximately 10 years ago, yes.
- Q. 10 years ago? - A. Yes. I am not one of those police cordon officers now and have not been for about four or five years.
- Q. What do you normally do, Officer? - A. I am a community

constable.

Q. Mining community, is it? - A. No, it is not.

Q. Have you ever before in your 17 years in the police field thought you had the right to run at demonstrators with your truncheon drawn to scare them? - A. I have never been in that situation before, Your Honour.

Q. JUDGE COLES: Have you ever taken your truncheon out and run at citizens with your truncheon drawn? - A. No, Your Honour.

Q. MISS RUSSELL: If there were hundreds of people there, Officer, and only something like three or four missiles in the air at any one time, I suppose it would follow that the missile throwers were a very small proportion of those hundreds of people? That must be right, must it not?

JUDGE COLES: I don't think.....

MISS RUSSELL: I will hear the answer.

Q. JUDGE COLES: What is your view? - A. I can only say what I saw that particular instance.

Q. What was that? - A. Mr. Bell with that bottle. Other people had been throwing stones. I never saw Mr. Bell throw a stone.

Q. MISS RUSSELL: That was not the question. Those hundreds of people facing you, Officer, would it be fair to say that of the hundreds there were very few who were throwing stones? Would that be a fair comment? - A. There were quite a few.

Q. Are we talking now about 20 out of many hundreds, or 150 out of many hundreds - what sort of proportion? - A. That is an answer I can't make.

Q. Well, try, Officer. Did you get the impression that the whole of the crowd one way or another - many hundreds of people - were all bent on throwing stones at you? - A. No, not all of the crowd by any means.

Q. Did you get the impression that it was as many as half of the crowd that were throwing stones at you? - A. No.

Q. A quarter of the crowd? - A. Approximately.

Q. And you felt that because of that, that gave you the right to draw a truncheon and run at them to scare them - that is the other 75 per cent as well - without any order from a senior officer? - A. It was an automatic reaction.

Q. You are just saying that you personally only had your truncheon out to scare people? - A. That is correct. I did not have it out for long.

- Q. Did you see anybody hit that day with a truncheon by a police officer? - A. I did not, Your Honour, no.
- Q. Not a single person? - A. Not a single person, I did not.
- Q. But you watched the television news that night? - A. I did, yes.
- Q. Do you remember it now? - A. On television?
- Q. Yes? - A. Yes.
- Q. Do you remember an incident earlier than this when the short shields had first been used? - A. What incident?
- Q. You watched the news. Didn't anything hit you from that news?
- Q. JUDGE COLES: I think you are being asked if you remember something being on the news - not whether you remember it - in the course of the actual events? - A. No, I can't remember what you are referring to.
- Q. MISS RUSSELL: Do you not remember seeing that in front of the cordon, which would have been to your left in a diagonal, when the short shields ran out, there was an incident where.....

MISS RUSSELL: I see Mr. Walsh shaking his head. I think I am entitled to put this. If you want to object, I would be quite happy.

MR. WALSH: All I am concerned about is this officer is being asked about what happened on the day. Whether it helps anybody as to what he may or may not have seen on the television news that day or some other time, I do not see how that can be relevant to what he did or saw during the day.

JUDGE COLES: I do not know what Miss Russell has got in mind.

MISS RUSSELL: I am quite happy to say the relevance of it:

- Q. Did you see a cordon officer striking repeatedly an already fallen picket.....

MR. WALSH: That is a question and not an explanation of the relevance of it.

JUDGE COLES: What is the relevance of it?

MISS RUSSELL: This officer has said he drew his truncheon. I want to know, if he saw that on the news, what his attitude is to it because it might help the Jury to assess the attitude to the use of truncheons that day and the activity of police officers.

- Q. JUDGE COLES: If you had seen somebody striking a picket on the ground, I think you are being asked would you approve of it? - A. No, I do not approve of violence.
- Q. MISS RUSSELL: Did you see that incident on the news? - A. No, I did not.
- Q. Did you watch the news that night? - A. I saw part of it - at least I must have done.
- Q. So far as Mr. Bell is concerned, he catches your eye because he has a bottle. I suppose then he must be the only person with a bottle? - A. I did not see anybody else with a bottle, let's put it like that.
- Q. At any time that day? - A. I cannot remember ever seeing anybody else with a bottle, no.
- Q. At any time that day you cannot remember ever seeing another person with a bottle? - A. No.
- Q. Not one single person? - A. No.
- Q. That is why Mr. Bell stuck in your mind, I suppose? - A. I saw him do the action.
- Q. What caught your attention was not him doing the action, but you saw him with the bottle first? - A. I saw him with the bottle, yes.
- Q. What was he doing with the bottle when you first saw him? - A. He just had it in his hand.
- Q. Like that (indicating)? Like that (indicating)? - A. I don't know which hand it was in.
- Q. You don't know which hand? - A. No.
- Q. Was it like that (indicating)? - A. I can't remember.

MR. WALSH: This is causing trouble for the shorthand writer.

JUDGE COLES: Immense trouble, I should think. Can we summarise it by saying counsel has been holding the bottle at almost every point of the compass?

MISS RUSSELL: Three points so far.

JUDGE COLES: You are about to do the fourth.

- Q. MISS RUSSELL: Out to the side like that, Officer, (indicating), on the right-hand side or the left-hand side, about waist height? - A. I just saw him with a bottle and, as we moved forward, he threw it.
- Q. After he moved? - A. After we moved forward.
- Q. After you moved forward he threw it? - A. That is correct.

- Q. How far had you moved when he threw it? - A. Only a matter of a yard or two.
- Q. You had gone a yard or two; had he remained in the same position? - A. He turned, threw it and then started running away.
- Q. How long did you have him in view before he started to run away? - A. I just saw the bottle being thrown - a couple of seconds.
- Q. A couple of seconds and he then runs off? - A. That's right, yes.
- Q. Would it be fair to say that so far as your opportunity for seeing him is concerned, what you are relying on for identification is his clothing? - A. Plus that he was limping.
- Q. When do you say he was limping? - A. Just prior to it.
- Q. Just prior to what? - A. To the actual throwing of the bottle.
- Q. I asked you whether Mr. Bell moved when you had seen him with the bottle and I thought you said "No". I am sure somebody will leap to his feet if I am wrong. I ask you again, Officer, because you seem to be changing it now: did he move before he threw the bottle? - A. Yes.
- Q. How did he move from the moment you first saw him? When did you become aware he was limping? - A. At that time.
- Q. At the time of throwing or after that? - A. Just before he threw
- Q. Was he facing you when he turned around? - A. Well, he turned sideways.
- Q. And then what happened? - A. He threw the bottle towards the police at the front and then started to run up the hill, limping up the hill at a fast rate of knots.
- Q. Limping up the hill at a fast rate of knots? How was he limping? - A. Well, just limping on one leg.
- Q. Dragging it behind him? - A. No, not dragging it behind him.
- Q. How would you describe it? - A. Well, as though one leg was - not dragging but a pronounced limp.
- Q. Sort of lurching from side to side? - A. On one leg.
- Q. What do you mean "on one leg"? - A. One leg obviously was injured somewhere.
- Q. We have all established that, Officer. There is no dispute about that. How was he running? "Running" is

your impression. How was he running away? - A. He was running fairly fast, but not as though an ordinary lad of his age could run. He was not running as fast as a normal lad of his age.

- Q. But running like a lad with a limp and nothing more than that? - A. Not much more, no.
- Q. I do not want in any way to leave any stone unturned or be unfair to you. What do you mean? - A. He could not race away, if that is what you are trying to say. At an average speed.
- Q. He was going at an average speed. Was he using both legs? - A. yes.
- Q. He was? - A. Yes.
- Q. So he was not hopping, for example? - A. No.
- Q. Any description of him hopping away would be ridiculous? - A. Yes.
- Q. I suppose it follows from that, Officer, that you then make your chase and disperse up the field? - A. yes.
- Q. And you saw him very shortly after that? - A. Yes.
- Q. There is no question of, as it were, the cordon coming to a complete halt as a line further up? - A. No.
- Q. What you are saying is from your recollection - take the aerial photograph - you were in the cordon, although it was thinner, but in the same position as that photograph when you saw this happen? - A. Yes.
- Q. And that you go from there up and the cordon, as a cordon, does not come to rest again? - A. That is correct.
- Q. Are you sure about that, Officer? - A. If they did behind me, I did not know.
- Q. Sorry? - A. We just gave chase. Everybody was chasing.
- Q. There is no question - you can see a little bush further up - of, at some stage, the cordon forming a line across there and stopping with shields in front or anything like that? - A. I can't remember that off-hand.
- Q. So, it is a straight chase up? Do you have him in view most of the time? - A. On and off, yes.
- Q. As you have him in view, is he amongst the crowd, at the back of the crowd, or what is the situation? - A. Mingling into the crowd.
- Q. He mingles into the crowd? Just help with this, Officer: we can see the wall, and would you accept from me there is a wall alongside the field? - A. Along by the road.

- Q. Yes, all right. - A. Well, yes, I will accept it. I don't know off-hand.
- Q. If your evidence is right, you are chasing him from down there up past the bush, past the wall - that must be right? - A. Yes, in the field.
- Q. Any question of having him clearly in view by that wall because he is almost single in the field must be nonsensical as he is part of a fleeing crowd? - A. Yes.
- Q. And not standing and leaning against the wall watching the horses going up and down or anything like that? - A. No.
- Q. So, you chase him up and he is running quite quickly? - A. Yes.
- Q. And you see him shortly afterwards. I suppose you mean within a minute or so, approximately? - A. Yes.
- Q. At the top of the hill near the embankment? - A. Yes.
- Q. Where he falls over a fence? - A. That is correct.
- Q. That is an actual fall down over the fence, is it? - A. Yes, that's right.
- Q. JUDGE COLES: He fell to the floor? - A. He fell to the floor.
- Q. MISS RUSSELL: By the fence? - A. Over the fence.
- Q. If you fall over something, you go over, but if I fall over this bench, I am not going to fall over His Honour, am I, I will fall roughly in the vicinity? - A. Yes.
- Q. And that is when you next see him, when he is falling over that fence? - A. Yes.
- Q. It is at that point P.C. Holmes is a couple of yards in front of you? - A. Yes.
- Q. A couple of yards, and the lad is on his back by the fence - right? - A. Yes.
- Q. P.C. Holmes goes over and helps him up by the arms? - A. We both did.
- Q. So, you go over and, as it were, the other side of the fence, within a couple of feet probably of the fence, you and your colleague help him up, do you? - A. That is correct.
- Q. By taking him under the arms and lifting him to his feet, and from there he goes down the field to the ambulance? - A. That is correct, yes.
- Q. Is there anything else you would like to say, Officer,

about that arrest by the fence that either you or your colleague did? - A. I don't know what you are referring to. It was just a normal arrest.

- Q. He is flat on his back when P.C. Holmes first gets to him? - A. When we both get to him, yes.
- Q. He is flat on his back when P.C. Holmes gets to him - right? - A. Right.
- Q. And you get there apparently a couple of yards behind, quite quickly? - A. That is correct, Your Honour, yes.
- Q. And you help him to his feet? - A. We do, yes.
- Q. Telling him he is being arrested? - A. Yes.
- Q. And you then help him down to the ambulance? - A. That is correct.
- Q. And now, Officer, having had a good little laugh about this, how does it come that a community policeman of 17 years experience is telling such an utter pack of lies?

MR. WALSH: Your Honour, with respect, that is not a proper question or a proper observation by counsel, however experienced or inexperienced.

- Q. MISS RUSSELL: It is a question because I am putting to you that what you have just told the Jury is a total pack of lies, is it not, Officer?

JUDGE COLES: That is another matter. Try to keep calm about it, Miss Russell. It does not help to do otherwise.

- Q. MISS RUSSELL: Could you look at Exhibit 31D and tell me, Officer, who is that young man in the centre? - A. David Bell.
- Q. Who is the officer behind with his truncheon out, grabbing the tee-shirt? It is not you, is it? - A. It is not, no.
- Q. Well, who is he? - A. I don't know. I don't recognise him.
- Q. He is not even from your Force, is he? Look at the band round the bottom of his helmet. Your Force has silver bands, does it not? They show clearly on the colour photograph. - A. Yes.
- Q. That is a sort of black plastic band, is it not? He is not even from the same Force. Who is he? - A. I don't know.
- Q. How did he come to have hands on your prisoner? - A. I don't know.
- Q. Can you give any explanation of this photograph at all? - In so much as.....

Q. Where are you....

Q. JUDGE COLES: What were you going to say? - A. It does not look as if I have arrived as yet.

Q. The next question was can you identify yourself on that photograph? - A. Not definitely, unless that is me with my back to the photo, but I am not sure.

Q. You mean in the foreground? - A. Yes.

Q. Do you think that is you? - A. I am not definite on that, Your Honour.

Q. MISS RUSSELL: That is not Mr. Bell being helped to his feet by the fence, is it? - A. No, it is not.

Q. How does it happen? There is no explanation in your evidence for this, is there, at all? - A. There is not, no.

Q. Do you recognise anybody on that photograph? - A. I do, yes.

Q. Who? - A. P.C. Holmes.

Q. Well, he is not helping the lad up from the floor, is he? - A. No.

Q. In giving your explanation, Officer, what do you think the officer who is grinning with his truncheon out is doing? You are a man with 17 years' experience. What is he doing at that point? Have you any idea? - A. Well, he has got hold of him, but that's all. I don't know what he is doing.

Q. I suppose you would agree with me that he appears to be smiling, does he not? - A. Yes.

Q. On your account, Officer, and I want you to look, please, at an aerial photograph now, another one.

JUDGE COLES: Has it been marked?

MISS RUSSELL: There is no mark that may be concerned with this.

JUDGE COLES: I think I marked something.

Q. MISS RUSSELL: Just have a look at that photograph, Officer. - A. Yes.

Q. Where do you say he fell over the fence? - A. He was near to that flat building that I mentioned.

Q. How near to it? - A. Just by the side, the corner of it.

Q. JUDGE COLES: Which corner? - A. It was the far corner, Your Honour, but I am just at a loss how.....

- Q. It is very difficult to describe, I know. You are not the first to discover that. Is it the corner near the road or away from the road? - A. Away from the road.
- Q. Near the railway or away from the railway? - A. If the railway is at the back of that, yes.
- Q. Can you see the railway line here? - A. Yes.
- Q. Is it the corner near the railway or away from it? - A. There.
- Q. You are pointing away from it? - A. Yes, it is at that corner (indicating).
- Q. Towards a recess? - A. Yes.
- Q. You say he fell over the fence in that area? - A. In that area, yes.
- Q. MISS RUSSELL: Take a look, please, at Exhibit 45, photograph 3. That shows the fence in front of the substation - right? - A. Yes.
- Q. Now, although we cannot see the other side of the building, whereabouts on that fence do you say it was he fell over? - A. As far as I can remember, it was towards the far corner.
- Q. The far corner? - A. Yes.
- Q. It would be quite impossible for someone to fall over on their back and land 20-odd feet away, would it not, Officer? - A. Yes.
- Q. Would you accept that the photograph that is taken of this young man on that day is taken at a point which is approximately, working it out from the plan and seeing the drainpipe is half-way down the building - it might be a bit further up, I don't know - a good 20 feet away from where you say he fell over the fence? How does it come about? - A. I can't answer that, I don't know.
- Q. What you are saying is you did not see anything like that that day, did you? - A. I saw him on his back, yes.
- Q. You are not helping him to his feet with P.C. Holmes, are you? - A. Not in that instance, no.
- Q. JUDGE COLES: I think what you are being asked, unless I am mistaken, in which case I shall be stopped, is is photograph 31D taken before Bell went on his back or after Bell was helped to his feet? - A. I don't really know, Your Honour.
- Q. MISS RUSSELL: Well, you think about it, Officer, because I want you to think about it very carefully. He is on his back near the fence. You have seen him fall over it, have you not? - A. Yes.

- Q. There were not any police officers helping him to f. over it, were there? - A. There was not, no.
- Q. And the first police officer to him is P.C. Holmes? - A. Yes.
- Q. You have just told the Jury that - right? - A. Yes.
- Q. And he helps him up by his armpits? - A. Yes.
- Q. And then you help him up? - A. Got hold of his arm, yes.
- Q. Did you let go of him after that and take a little walk around? - A. I did not, no.
- Q. You then walk him back to the ambulance? - A. Yes.
- Q. Nothing like that happened on the way back to the ambulance, did it? - A. No.
- Q. And P.C. Holmes was always in front of you? - A. Going up the field, you mean?
- Q. Yes? - A. Yes.
- Q. And the first obstacle that you saw Mr. Bell come to was the fence? - A. It was, yes.
- Q. Once he was flat on his back and you helped him up, you never let go of him? - A. I did not, no.
- Q. So he can't have got up to the building with P.C. Holmes, can he, because you were on the other arm and you are up there after that happened? - A. As I say, I was just a matter of two or three yards behind him.
- Q. Mr. Bell was flat on his back, was he not? - A. He was, yes.
- Q. P.C. Holmes helped him up? - A. Yes.
- Q. Officer, you are standing there telling bare-faced lies about a seriously injured man, aren't you? - A. No, Your Honour.
- Q. What does it appear to you then, Officer, Mr. Bell is doing in that photograph? - A. What it appears to be.
- Q. Yes? Do you really find that photograph funny, Officer? - A. It is not funny, no.
- Q. Stop grinning at it and give an answer.

MR. WALSH: Will my friend please behave properly?

JUDGE COLES: There is no need to add to the heat of the afternoon. I don't think it assists the Jury, yourself or your client.

MISS RUSSELL: The Officer gave an enormous grin as

he looked at the photograph.

JUDGE COLES: We must all the the judges of that, Miss Russell.

Q. MISS RUSSELL: What do you think Mr. Bell is doing in that photograph? - A. He is obviously holding his arm up towards P.C. Holmes there.

Q. Why do you think he is doing that? Have you any idea?

JUDGE COLES: Can he have?

Q. MISS RUSSELL: You were a couple of yards behind him. Did you see anything like that? - A.No, I did not.

Q. On your version, Officer, this cannot have happened, can it? - A. I did not see it happen, no.

Q. I suppose it follows from that, Officer, that if I were to put to you that what happened to Mr. Bell is that he was sitting by that wall when the cordon made its final move up, he having got up there and sat because his leg was causing him a great deal of pain, and he had a friend with him at the time, and what happened then was a nasty piece of bullying by police officers, who hit at him, kicked or trod on his leg, dragged him up, pushed him to get him to move, and then he fell. At that point, he was then picked up and arrested. I suppose that suggestion, you would say nothing like that happened either? - A. Well, I did not see it, no.

Q. And then, Officer, you helped, did you, Mr. Bell down to the ambulance? - A. We took him to the ambulance, yes.

MISS RUSSELL: Your Honour, I could probably complete the rest of my cross-examination by about half-past, but I think I would be very unpopular with certain of my colleagues if I continue.

JUDGE COLES: Very well. It is a matter for you. I shall not comment adversely or otherwise if you fail to put everything to this officer that you have put to the other officer. On the other hand, if you wish to go through it, that is a matter for you.

MISS RUSSELL: I really only have about another quarter of an hour.

JUDGE COLES: I think we had better adjourn now. Quarter-past-10 on Monday morning, Members of the Jury. Please do not discuss the case with anybody. Officer, you are quite a way through your evidence already, but it would be quite wrong to discuss this case or your evidence with anybody else, particularly with any brother officer.

MR. WALSH: Can I say before I forget, and I have

forgotten more than once, we have prepared copies of Exhibit 3 with the house numbers actually written in, and so perhaps on Monday, when this officer has finished, I can hand these to the Jury.

JUDGE COLES: Yes.

(The Court adjourned until 10.15 a.m. on
Monday, 8th July, 1985
