

REGINA v. WILLIAM ALBERT GREENAWAY, DAVID MOORE,
BERNARD JACKSON, GEORGE KERR McLELLAND FOULDS,
ERNEST BARBER, DAVID RONALD COSTON, KEVIN MARSHALL,
ARTHUR HOWARD CRICHLAW, GEORGE WARWICK FORSTER,
JAMES O'BRIEN, CRAIG WADDINGTON, ERIC SCOTT
NEWBIGGING, STEFAN WYSOCKI AND DAVID BELL.

Prosecution case continuing

POL. CON. DAVID FRANK SCOTLAND

Cross-examination by MR. TAYLOR continuing:

- Q. Mr. Scotland, I was just about to come on to ask you questions about your movements in the action that you saw on the 18th June, when you said yesterday very early on in your evidence - I don't know if you recall this, I will refresh your memory - you were answering questions from my learned friend, Mr. Walsh, and you said this: "We went straight along the main road and to a bridge where there was a line of police officers". That is when you were called to do action. Do you recall that? -
A. Yes, vaguely.
- Q. Well now, when you were called first of all, called into action, where were you? - A. As I recall possibly a couple of hundred yards away from the line itself.
- Q. By your van? - A. No, not by the van.
- Q. But held in reserve by the bottom of the field? - A. Further down, most certainly.
- Q. Towards the coking plant entrance? - A. Yes, that way. Certainly in that direction.
- Q. And then you were called up to an area behind the police cordon which was further up the hill? - A. That is correct, yes.
- Q. Did you go up in company with the rest of your PSU? - A. Yes. In fact, if I recall correctly, we all ran up together.
- Q. Now then, we have already heard from 5 members of your PSU. That is Mr. Pimblett, Mr. Davis Mr Brophy and Moore and Paul Douglas who is now a Sergeant? - A. Yes.
- Q. You say that you cannot recall the main cordon moving at all? -
A. No, I certainly did not see the main cordon moving at all.

- Q. Could it be that you, together with those people that I have just mentioned, were involved in the last stage, the final stages of following the pickets back over the bridge? - A. I certainly did not see that and I cannot comment upon it, I am afraid.
- Q. Let me just remind you what you have said so far. You have said that you were on the road. The road ran over the bridge and going up to the bridge there were a great number of missiles being thrown? - A. Yes, from the direction of the bridge, yes.
- Q. And then you said you completed two manoeuvres? - A. That is correct, yes.
- Q. And you described it in this way; "We ran at them and they all turned and ran to the other side of the bridge"? - A. Yes, they ran over the bridge. That is correct.
- Q. And when you stopped, they came back? - A. That is correct.
- Q. Now, in other words, you, as a member of the short shield units, were the spearhead of the police movement up the road? - A. Yes, I would say that was correct.
- Q. And so your evidence is, must be, must not it, that you were involved at a time before any police officers actually arrived on that bridge? You are pushing them back and they are coming back over the bridge? - A. Possibly so. Whether other pickets had got to the bridge before me and come back again, I am not aware.
- Q. You got to the main police cordon? - A. Yes.
- Q. It goes up a number of times and you are running through? - A. That is correct.
- Q. You are the spearhead? - A. It would appear so, yes.
- Q. And pickets are running away and when you stop, they come back? - A. That is correct.
- Q. It follows from that and what you have said already, you said this, on the second time you went up to the same point. That is just before the bridge, and you stopped again, you say after the second run we stopped just before the bridge and then returned to the police line? - A. That is correct.
- Q. Coming to the third time, that is your third run which you arrested Mr. Forster in? - A. Yes.
- Q. That third run must have taken you over the railway bridge? - It must have done. I can't recall going over it but obviously it must have ended up with me going over the bridge.

- Q. Well I think you have accepted that already? - A. Yes.
- Q. It is in the statement that you made on the day that you went over the bridge? - A. That is correct.
- Q. And so there is no doubt about it, will you look at some photographs. I don't think you have been referred to them, Exhibit 45. (Produced). If you look at the first photograph in the bundle you can see that is the bridge. There is no doubt about that. You can accept that? - A. Yes.
- Q. And that that is the roadway leading from the coking plant up to the bridge. You will see the area to the right of the bridge. What does it look like to you? - A. Well, it is pretty rural, fields.
- Q. Well, to the right of this road, on the way up? - A. Well, there appears to be what looks like a building of some sort or a wall.
- Q. A building. Can you see electricity installations there to the right of the building? - A. Oh, yes, I do.
- Q. It is part of an electricity substation and we know that if you look over at photograph two, you can see the area around that substation? - A. Yes.
- Q. If you look at photograph four, you can see this is taken from the bridge looking on up towards the village and on your right, just after the bridge, you can see a field, a corn field? - A. Yes.
- Q. That is the field you were talking about arresting Mr. Foster in, isn't it? - A. It would appear so.
- Q. What I want to ask you about firstly, is when you made your final assault over the bridge, what were the instructions given to you? - A. Merely to disperse the people again as before. Nothing more.
- Q. Merely to disperse? - A. That is correct.
- Q. You, along with the rest of the members of your PSU, Mr. Douglas and the others, were not you told specifically not to arrest people? - A. No. I certainly was not told that.
- Q. Not you personally, you as the PSU? - A. No. No such instruction was ever given to me or to my knowledge to the PSU.
- Q. Do you recall who it was in overall charge at that time, who was in control? - A. Well, the person in control with our unit was Inspector Bennet. I have no idea who was in control of the major operation, no idea whatsoever. I presume it was a senior officer but who I don't know.
- Q. At that point, just before going over the bridge, do you recall

someone with a megaphone saying these words to the short shield units, there being more than one, you and another one, "Right, short shield units, forward this way, staffs out, staffs out"? - A. I don't recall that at all, no. I certainly don't recall anybody using a megaphone on the day. The only person giving instructions to my recollection was Inspector Bennet.

- Q. And he was not using a megaphone? - A. No, he wasn't.
- Q. Has he got a loud voice? - A. He has got an ordinary voice.
- Q. Do you recall this being said with a megaphone at that point to you and the other units, "Not on the head, not on the head. I don't want anyone on heads at all"? - A. Certainly not, no. I certainly did not hear that. As I say, I didn't hear anyone with a megaphone at all.
- Q. Do you know what I am referring to when I say "not on the head"? - A. I think I understand the inference of what you are saying, yes.
- Q. What is it? - A. Well, the inference I get from what you are saying is that somebody was giving instructions not to strike anybody on the head. That is the inference I get from what you say.
- Q. Would you normally need to be told that? - A. I particularly would not strike anybody anywhere with my truncheon or anything else unless I was needing to protect myself.
- Q. Was that instruction given - I appreciate you did not hear it - but what I am suggesting is that that instruction was given and it was given because police officers had been hitting people on heads? - A. If that instruction was given, I most certainly did not hear it.
- Q. Did you see anybody being struck on the head that day? - A. I didn't see anybody being struck except police officers by missiles.
- Q. So you saw that side of the incidence, that side of the day as a whole, police officers being struck? - A. I did indeed.
- Q. But you did not see any officers striking any demonstrators? - A. No, I did not.
- Q. Not even brushing them aside? - A. As I say, I did not see anybody in other contact, any other officers in contact with others at the time. I was removed from the proceedings fairly early after making my arrest.
- Q. You had been held in reserve all morning up until that point hadn't you? - A. That is correct, I had been kept well back.
- Q. Had you been given any reason why the Merseyside PSU was being

- held in reserve? - A. No, I had no idea.
- Q. Did you have any idea about it? - A. No idea. We were just one of the reserves, just a reserve. That is all I knew.
- Q. When you went over the bridge you say Inspector Bennet was leading. Were there any horses around at that time in front of you? - A. No, I did not see any horses. The only time I saw a horse was before when they were stationary, just stood by.
- Q. Would you look at the photographs you have just looked at, Exhibit 45, photograph 4. That shows a scene as you go over the bridge. When you went over the bridge, with the order to "Charge and disperse", what did you see? - A. I saw a large group of people throwing missiles and as we ran towards them, they turned and ran away. I saw a lot of debris on the road.
- Q. Well, that agrees with what you have said earlier about debris being below the bridge and above the bridge? - A. That is right.
- Q. I will come back to that. Where were the people that you say were on this photograph, no.4? - A. Looking at the photograph it does not bring back any memories at all really. As I say, it is such a long time ago. Very difficult to say. There was people all over.
- Q. In the field? - A. Oh yes, over to the left. I can't recall any people in the actual cornfield except for this little splinter group but certainly all down the roadway there was thousands of people.
- Q. And on the left. That is a scrapyard on the left? - A. Whether they were in the scrapyard, I could not say, but there was just a mass build up of a lot of people.
- Q. And all throwing things at you? - A. Not all of them. A lot of people were running away but some were still throwing, turning and running.
- Q. When you ran up the road, you and your PSU and the other PSU that you didn't know which was from a different force? - A. That is correct, yes.
- Q. In fact we have had evidence in this case that it may have been a West Midlands PSU that was with you? - A. Possibly so.
- Q. What did they do, the PSU's? - A. As I say, ran to disperse the group of people.
- Q. Did you see any contact made with any pickets? - A. No, I didn't. I went off to the right fairly early and made my arrest. I did not witness anything else that might have happened.
- Q. Did you go into the field after that splinter group because you

could see some distasteful things happening in the roadway? - A. I think basically my main reason for going off into the field was because I had a missile thrown at me and I had to ward it off and I had to arrest that person. That was my reason for going into the field.

Q. And to assist that person for unlawful assembly? - A. That is correct, yes.

Q. When you were discussing that in the van, who was it that first suggested the idea of unlawful assembly? - A. To be honest, I just cannot remember. It was just something one of the officers put forward.

Q. One of the ordinary constables? - A. Maybe the sergeant, could have been one of the lads. I honestly could not say. Certainly somebody mentioned it and it was decided amongst our group that that would probably be the most appropriate charge to put to anybody arrested.

Q. Wasn't this the case, that a senior officer came round and told various PSU's that that was to be the charge? - A. We were certainly not told that by a senior officer at all. It was decided in the van together.

Q. So if other PSU's are sitting in the van discussing this and deciding on the same course, that is coincidence? - A. It must be, yes.

Q. I want you to look at another series of photographs now, if you will. Exhibit 21 and photograph 5 in particular. First of all, do you see a building in the background of photograph 5? - A. Yes, I do.

Q. That building is the electricity substation just below the bridge? - A. It certainly looks like it.

Q. And you recognise Mr. Brophy and Mr. Moore in the case? - A. I certainly do, yes.

Q. Taking the prisoner down the hill? - A. That is correct.

Q. That photograph, do you recall Mr. Brophy and Mr. Moore walking down the hill? - A. No. I didn't see Constable Brophy and Moore with any prisoners at all.

Q. Well, now, that particular person whose name is Moreland, was taken down that hill directly in front of you. Don't you recall them walking down? - A. No, I certainly don't.

Q. You see on the right, a number of police officers? - A. Yes.

Q. Across the road, do you recall walking through the cordon like that? - A. Yes, I did indeed.

- Q. With Mr. Forster? - A. That is right.
- Q. Was that the only cordon that you walked through? - A. Yes, just the one main cordon stretched across the road.
- Q. Would you look at photograph 7 please. Do you see a photograph of another prisoner being taken down? - A. Yes.
- Q. Do you see behind those people on the bridge another mass of police officers? - A. Yes, I see quite a number stood with shields and helmets on.
- Q. And you have to walk through those as well? - A. Well, I presume it was the same line.
- Q. Well it isn't because it is above the bridge and the other one is below the bridge. You had to walk through two cordons, didn't you? - A. Quite possibly, quite possibly.
- Q. What I want you to look at on photograph 7 and then back to 6 and 5 and 4, in fact in all the photographs, you describe the scene of the roadway, when you first arrived, you could see literally hundreds of missiles? - A. That is correct, yes.
- Q. Where are they shown on these photographs? - A. Well, they don't appear to be very many, well certainly not many on picture 7. There are some on no. 6.
- Q. You said pieces of wood, stones and bricks? - A. That is right. Perhaps if there was pictures of the roadway looking up to the bridge and the side of it, it might give a clear indication.
- Q. Well, let's have another clear photograph. Would you look at exhibit 30. (Produced). It is a different number of photographs. Can you look at photograph 3 please? - A. Yes.
- Q. That is the road where you can see the houses on the top of the hill? - A. Yes.
- Q. Look on the road? - A. Yes, the road appears to be quite clear but at the same time, how do I know what time this photograph was taken? It could have been taken at any time. Certainly when I advanced forward that road was literally covered with debris certainly.
- Q. Right. Photograph 11, the roadway again up to the top shows three people being taken down the hill? - A. Yes.
- Q. Which is in fact another piece of the same road? - A. Yes.
- Q. This is the way you have described it, when you were at the bridge and going up, "Thousands of people, bricks coming over, debris, oil drums rolling down". Well, you qualify that? - A. Yes.

- Q. You said there was debris all over the road, pieces of wood? - A. There certainly was.
- Q. A wall broken down? - A. That is correct.
- Q. Bricks all around. It looked like a disaster area? - A. That is a good way of putting it actually.
- Q. Where is the disaster area shown on these photographs? - A. It isn't shown on these photographs I must admit but I did see, believe me, it was...
- Q. These photographs were taken after, marginally after you took Mr. Forster down. What do you say about that? - A. I could not comment upon it. All I can reiterate is that the area was literally covered in debris, bricks.
- Q. Or is it perhaps that you were given to a little bit of exaggeration? - A. No, I am not exaggerating at all because they are just carefully selected photographs.
- Q. Perhaps they are but that will be for the Jury to decide, or perhaps your evidence is carefully selected? - A. No, it is just a clear recollection of what the place was like at the time.
- Q. Why was it yesterday that you remembered this oil drum? - A. I was asked about the debris on the road. It is something I remember, so obviously I mentioned it.
- Q. But it is not in your statement? - A. As I said before, I have made a statement. Literally thousands of things come to mind which would take reams of pages. I didn't list everything in my statement. I never do.
- Q. Was the fact that there was an oil drum and debris mentioned when the South Yorkshire Police officers came to see you in Garston? - A. No, certainly not. I was with the South Yorkshire officers for a very short time. That wasn't mentioned at all.
- Q. What I am going to suggest is this, when you stated in your evidence yesterday, you were very vague about the area. The photographs were shown to you by Mr. Walsh and they meant nothing to you? - A. Well, the actual place itself.

MR. WALSH: Your Honour, I did not show him any photographs taken on the day, as I recall it.

JUDGE COLES: No.

- Q. MR. TAYLOR: What place? - A. The actual place itself, looking at the photograph did not bring back any memory to me whatsoever but my recollection of the place at the time was that it was literally covered in debris.
- Q. We have established in evidence with you the fact of the charges

Before the bridge and the fact that you went over the bridge and so on? - A. Yes.

- Q. You were not sure about that yesterday when you started to give evidence? - A. I could not recall whether I went over the bridge at all. I knew I went off into the field either before or after the bridge. Where exactly it was I cannot recall.
- Q. What I am going to suggest to you is the reason that you as a member of this whole PSU were vague about it, is precisely because you missed the coaching session that was going on in Garston? - A. I am sorry. A coaching session?
- Q. Yes, you saw the first part of it, you took part in the first part of it? - A. I am sure nobody has coached me in any part.
- Q. That is precisely why I am saying you are vague about it? - A. I am not.

JUDGE COLES: You have asked him if he was coached. The rest must be...

MR. TAYLOR: Your Honour, I will go on to this question:

- Q. How often in your, 12 years as a Policeman? - A. That is correct.
- Q. How often just before you were to come to give evidence in a case, does a detective come to you and say, do you remember the name of the person you have arrested? - A. No, I can't recall it ever happening.
- Q. Most unusual, isn't it? - A. It is unusual but having said that, this is 13 months after the event. I believe what the officer meant was, do you recall an incident. Do you recall the name of the chap, etc., etc.
- Q. What business is it of his? - A. Well, these were detectives from the force...

MR. WALSH: Your Honour, with respect to this officer, that is not a proper question. My learned friend knows that these officers went to Liverpool with photographs upon my instructions. I have already made this perfectly plain.

MR. TAYLOR: And I am going to explore it, your Honour.

JUDGE COLES: Well, now, to what extent are you alleging...

MR. TAYLOR: I will explain it very clearly. We know from Mr. Walsh that officers from this force went to Merseyside with a particular mission and that was to show photographs, numbers 8 and 9 in this bundle, the (inaudible), and the one after, the idea being to ask officers if they could identify anyone in those photographs.

JUDGE COLES: Well, I don't want you to say any more with

this witness here, but you are going to see whether that was an (inaudible).

MR. TAYLOR: We already know because a witness has told this Jury that those detectives had a general discussion about the case, did he remember who his prisoner was, and what happened on the day. We talk in general terms about the whole day.

JUDGE COLES: Very well, if you wish to explore that.

MR. TAYLOR: Yes, I do, your Honour:

- Q. Now, what was the talk about in general terms. You can remember details about things, about who was there and so on. What was that discussion about? - A. I was only there a very, very short time. The only things that they ever asked if I could remember who my prisoner was, his name, if I still remembered what happened on the day, if it was clear in my memory, the general happenings of that particular day. That is basically it.
- Q. I don't want you to use reported speech. I want you to say to the Jury what they said? - A. I can't recall exactly what was said to me at all. It wasn't really important to me at the time.
- Q. Didn't you think this was really odd, police officers from another force discussing the things that took place which must touch on your evidence that you are to give in this court? - A. Not particularly, no. This was Officers from the force where the incident took place and obviously they were dealing with the case.
- Q. Don't you think it odd when you arrived in South Yorkshire and suddenly South Yorkshire Officers took the opposite course and told you they could not talk to you about the case at all? What do you think of that...

MR. WALSH: That again was done on my instructions.

MR. TAYLOR: Your Honour, I don't know whether to be grateful or not for my learned friend's interruptions. It does not matter two hoots whose instructions it was done on. I want to know what is in this Officer's mind and...

MR. WALSH: Whether this Officer thinks one thing or another, the fact is I gave those instructions. If my learned friend wants to complain about it, I am the person to complain to.

JUDGE COLES: When you are exploring, as I think you were, about other matters, whether instructions had been acceded to, and Officers had taken advantage of a particular (inaudible) in order to exploit it, I would not stop you.

MR. TAYLOR: I hoped that is what I am suggesting.

JUDGE COLES: What the Crown is saying, as I understand it, is that it is wrong for you to suggest that this Officer has been party to something improper and what was done was done on the Crown's instructions openly. To question him like this suggests that he was party to something which he knew was improper.

MR. TAYLOR: I am sorry, your Honour, I don't follow that. I was not being obtuse.

JUDGE COLES: You are suggesting this witness has done something improper.

MR. TAYLOR: No, your Honour. I want to know what the South Yorkshire Officers are up to and that is why I asked.

JUDGE COLES: Cross-examination is not designed to carry out altogether an investigation in the manner of a public enquiry into the conduct of the police. I have been patient in this case so far as that is concerned and I have given the defence latitude and I will not permit fishing expeditions designed to see whether there may have been some breach of police propriety in the elaborate investigation and preparation for trial in this case. Defence allegations, based on instructions, of course put them, but I can not and will not permit a general fishing expedition on the lines of a public enquiry. That would be improper.

MR. TAYLOR: Your Honour, my case is this on behalf of Mr. Greenaway; his statement is one of a number in the same form. That is something which started on the day and was directed, in my submission, by South Yorkshire Officers. What I am following up now is the fact that South Yorkshire Officers are somewhat concerned to go around, at least to Merseyside, whether on direction from the Crown or not, and to have Officers from different police stations brought to one police station where they are all having a general discussion about the case and I want to know if that affects this Officer's evidence.

JUDGE COLES: Well, as I said before in this case, we spend more time arguing than we would if we had asked the questions, but if you don't understand what I said by way of ruling, the Crown said that the initial giving of directions, the fact that there was a meeting by South Yorkshire Officers, is a matter which was indeed ordered by the Crown. It was not something which South Yorkshire Officers carried on. If it is contended they exceeded the instructions given and did something improper, well put it, but don't go on a general fishing expedition.

MR. TAYLOR: Your Honour, I accept your Honour's ruling on that:

2. Officer, there were certain instructions given to the South Yorkshire Officers, this court and this Jury knows it, but what

I want from you is what in fact those South Yorkshire Officers discussed when they came up to Garston? - A. Yes, I understand. As I have said before, the meeting was for a very short period and only a couple of questions were put to me and we discussed only a couple of things before, unfortunately, I was called away to go to a job.

- Q. I am sorry to press you. You have said time and time again that you had to be called away and you only discussed a couple of things. What were those couple of things? - A. I thought I said that I was asked, if I recall rightly, that if I remembered who my prisoner was, his name and what the circumstances were on that day, what it was like, if it was still fresh in my memory, if I could recall it. That is basically it.
- Q. And you just said 'Yes' and no more was said? - A. Yes, I could remember, I could not remember the surname, I remembered it was George something. Mentioned the name Forster, I remembered it, yes.
- Q. Did you have your statement to refresh your memory on things like his name? - A. I had many, many statements. I had a folder full of statements. I don't sit reading my statements all the time.
- Q. But what I am saying to you, in the normal course of events, making a statement that has got your evidence, if you want to refresh your memory as to who he is or what happened, you could look at your statement? - A. I don't think my statement was made at that time. I made my statement on the day and left it in Yorkshire and I never saw a copy of my statement again until two, maybe three days after the South Yorkshire Officers had left and when I found it in my folder, so perhaps they had either brought it or it had come through despatches, I don't know.

MR. TAYLOR: Thank you, very much.

Cross-examined by MR. O'CONNOR:

- Q. Very few questions. You described clearly to us in giving your evidence in chief about a group of 6 or 7 people off to the right? - A. Yes I did.
- Q. In the field? - A. That is right.
- Q. And then you spot Mr. Forster you arrested? - A. Yes.
- Q. And he threw a stone? - A. He did indeed, yes.
- Q. The rest of the group ran off. Mr. Forster stays his ground? - A. Yes.
- Q. And then there is a bit of a chase and you arrest him? - A. That is correct.
- Q. The fact of it is, when you first spotted him, part of a group, something clear in your mind? - A. Yes.

- Q. When you wrote your statement together with Mr. Jones, you obviously discussed that part of the statement concerning that arrest? - A. Yes, I am sure we would have.
- Q. And the fact that your first spotting of Mr. Forster was that he was part of a group and then the rest of the group ran away. I think you said you were surprised. That is the view of your evidence? - A. I was indeed. I was surprised the fact that he stood his ground.
- Q. Particularly since the rest of the group ran and he alone stood his ground? - A. That is right.
- Q. So that obviously is something they want your views about, going to be mentioned a few hours later when you make your statement, the actions of the others and the fact that he was part of this group when you first saw him? - A. Yes, of course. We mentioned the fact he was part of that group.
- Q. It is something that you would have a clear picture in your mind of and something that both of you could not have forgotten or ignored at that time? - A. No. He was part of that group and yes we did discuss it, the fact he was one of a group of 6 or 7 people.
- Q. Is there any mention in your witness statement of this group of 6 or 7? - A. I don't know.
- Q. Please look? - A. I haven't got a copy of my statement.

JUDGE COLES: Let him be given one. (Produced.)

THE WITNESS: Yes, there is mention of the accused Forster in the field but I have not put in that he was one of a group. I don't know if I have mentioned it before. At the time I made the statement I was not feeling exactly like sitting down writing a protracted statement. Maybe if I had made the statement a couple of days later, I could have put in a great deal more and made a much better job of the statement but at the time I was very tired and obviously did not feel like sitting down and writing reams and reams of evidence.

MR. O'CONNOR:

- Q. So the answer to my question is no? - A. That is correct. I have not put it in as I have not put a number of things in which I am sure I could have done if I had sat down and made a better job.
- Q. If it is something that you mentioned when you were discussing it, how come it is not written down? - A. Well...
- Q. For the reasons you have given? - A. Yes, I don't know why I have not.
- Q. Your account of the dealings with the person you arrested, is about four sentences long? - A. I agree...

- Q. And the events you describe must have lasted 30 seconds or a minute, you climbing over the wall, chase and arrest? - A. Yes. I admit it is not a very good statement. I could make a far better job of a statement. At that time I did not feel like writing evidence out.
- Q. It is not a very good statement. You managed to put in of course about the build up of pickets earlier, didn't you? Things like that? - A. That is right.
- Q. When it comes to the crucial individual bit of your evidence, the actions and circumstances of your arrest, you miss that out completely, don't you? - A. I don't miss everything out completely, no. I think I put in the main crux of it but I must admit I could have made a far better job of the evidence under normal conditions.
- Q. Normal conditions, when you have time to think up and reconstruct a credible scenario. Is that what you mean? - A. That is certainly not the case, no. I would never do anything like that. I make my evidence as it happens.
- Q. You were in some danger, were not you, because you have managed to restrain Mr. Forster. You are joined by Mr. Jones and what does this group do? - A. Yes, they advance and start throwing stones.
- Q. So far as you are aware, are you the only two officers in the field? - A. Yes.
- Q. And there is this group of 6 or 7 advancing on you? - A. There are.
- Q. You are possibly in some danger? - A. I had been in danger all morning facing a lot more people than 6 or 7.
- Q. You were in some particular danger then? - A. I would not say in particular danger then. Before, when I was meeting with thousands of people, not just 6 or 7.
- Q. That is for the Jury to decide. Have you any mention of that in your statement? - A. If I have not put it in its because of the reasons I have mentioned.
- Q. Because you have had time since the statement to think about a few more details to gild the lily? - A. That is certainly not the case. I would never ever do anything, as you say, to gild the lily.
- Q. But on reading of your witness statement, do you agree, Mr. Forster could have been alone in that field? - A. No, certainly not. He wasn't alone in that field.
- Q. But on a reading of your statement, that is how it could read, don't you agree? - A. Yes, I suppose it could reading the

statement, yes.

Q. Thank you very much...

MR. O'CONNOR: Could I ask for your Honour's assistance. I have tried to check this and it has not really succeeded because the notes just on this small subject, are not quite consistent. Evidence in chief of this witness, it is literally just as the witness first mentions Mr. Forster, he describes seeing a group of 6 or 7, said he cannot remember saying which side of the bridge it was, in a cornfield, "they were throwing stones at us. The lads had shields who were kitted out".

JUDGE COLES: Yes.

MR. O'CONNOR: Then we come to the first mention of Mr. Forster by name. Just before then, I have a note of bricks coming over.

JUDGE COLES: My note is, "The end of the bridge on the right-hand side, bricks were coming over, I saw Forster in a group and threw a stone which came over and I guided it away".

MR. O'CONNOR: I am very grateful:

- Q. Where are these bricks coming from? - A. From the field, the cornfield. There were others coming forward as well but there were also some coming from the right.
- Q. I understand but the bricks are coming from the cornfield? - A. Yes, there are some bricks most certainly.
- Q. You were quite careful to say though that the group, as His Honour has just read out and as my note does appear to read, that point about the bricks. You have described the group of 6 or 7 throwing stones on us? - A: Yes.
- Q. Were the bricks that were coming from the field being thrown by the group of 6 or 7 or not? - A. Oh yes, most certainly.
- Q. The bricks were? - A. The bricks, the stones, whatever you like to call them.
- Q. Exactly, exactly, Mr. Scotland. You see it is not just Merseyside people who frequently confuse bricks and stones. You do, don't you? - A. I call them bricks, stones, whatever, missiles, yes.

MR. WALSH: May I remind my learned friend, Mr. O'Connor, in case the Officer's answer has confused him, this Officer is from Merseyside.

MR. O'CONNOR: Your Honour, having been born and bred in Liverpool, I don't deserve that lesson from my learned friend.

JUDGE COLES: I thought it was a slip of the tongue.

MR. O'CONNOR: Before this trial, I used to be nostalgic about Liverpool:

- Q. This is the point, Officer, that is exactly the confusion, the use of words that you seem to say Mr. Forster used in those little answers to you that you deny you made up, isn't it? - A. I most certainly do deny I made them up. He most certainly used them.
- Q. And it is your use of bricks and stones? - A. I did indeed use those terms, yes, as do many, many people.
- Q. Just finally, I want to work out how many dealings or meetings, meetings is the wrong word, encounters perhaps, have there been between you and South Yorkshire detectives. Just for the moment, how many? - A. Well the only time I have come into contact with the South Yorkshire detectives was in that day at Garston for a very short period.
- Q. Can we go back. The Police riot room on the 18th, were there some plain clothed officers in that room or around that room at that time? - A. No, I didn't see any plain clothed officers. All the bobbies I saw were in uniform.
- Q. So when you arrived you can't recollect ~~any~~ plain clothed officers? - A. No.
- Q. Other uniformed police officers are there actually writing statements? - A. Yes, I think there was quite a lot of them.
- Q. So there is no question of a writing session, people all beginning writing statements at the same time? - A. Oh no, no, not at all.
- Q. So you could, in your own time, start writing your statement? - A. I found a little place to sit down with Constable Jones and we made a statement.
- Q. How did you start? You sit down with Mr. Jones and you start writing? - A. Before we started to put pen to paper, we spoke with other uniformed bobbies.
- Q. Who were writing statements? - A. Yes.
- Q. So you interrupted them and spoke to them? - A. Yes.
- Q. What did you say? - A. You said, 'How have you started', 'How have you led up to this incident'.
- Q. Why did you do that? - A. Well, it is just a way of making out my statement, just something we did.
- Q. So this is a way in which you and Mr. Jones chose individually and spontaneously thought you should do it? - A. Yes, indeed.
- Q. Who were the policemen you chose to ask? - A. There was a few

officers we spoke to, I don't know who they were, from different forces. Somebody mentioned, somebody said that this is the way, this is the phraseology we are looking at before your own incident takes place, before your own little incident itself, so we said, yes, OK, right, what they put and put it down ourselves.

- Q. Was that in response to your asking them? - A. Yes, we mentioned it to them first.
- Q. And they said, well this is the way it should be done? - A. Yes, that is right. There was other bobbies talking about it as well. It wasn't just a case of us going and asking them. There was bobbies talking about the lead up and what you should put down to the lead up to your own incident. This is why we put it down.
- Q. Is this something you have ever done before in the course of your career? - A. No, I can't say it is but different circumstances completely. I don't believe I have ever arrested somebody outside the Merseyside Force area before.
- Q. Now I began by asking you about numbers of dealings, meetings or anything. You cannot remember seeing a South Yorkshire detective on that day? - A. No, not at all.
- Q. We then have two dealings, the visit to Garston police station and your very brief visit to police headquarters? - A. Well, it wasn't a brief visit. I stayed there, sat in the office, waiting to meet them.
- Q. It was a very brief meeting with the detective? - A. Not a brief meeting. I have been with detectives for the past couple of days quite a lot and had a coffee and biscuit with them.
- Q. You spent time with them because you are out of your local area? - A. That is right.
- Q. Can you tell us if you have seen any officers who went to Garston Police Station over the last couple of days? - A. No, I have not.
- Q. There are quite different detectives? - A. Yes, from what I can recall I have not seen any of the bobbies that I saw but I was only there a very short time and I had never seen them before, but certainly the bobbies I have seen here, none of them spring to memory. I don't recall them at all.
- Q. You don't recall their names or anything like that? - A. Oh, no.
- Q. You don't recall the names or identities from when they came to Garston? - A. I don't believe they introduced themselves. I just knew they were detectives from Yorkshire.
- Q. Did you remember the name of your prisoner or not? - A. I remember his christian name, his first name. I could not remember his

surname.

- Q. It is pretty useless to remember his christian name, particularly if it is George? - A. It is just something, I could not remember the surname.
- Q. Your first version in answer to Miss Baird yesterday was that you remembered the prisoner's name. Pretty useless to remember George, isn't it? Could have been George the Fifth? - A. I doubt it, no.

Cross-examined by MISS RUSSELL:

- Q. One or two matters, Officer. Standing Orders are the rules under which you have to work? - A. Yes. In respect of what, please?
- Q. You tell me what Standing Orders are for, what they mean? - A. I don't understand what you mean by Standing Orders. In relation to what? There is hundreds of Standing Orders for different things. I don't understand.
- Q. Your force Standing Orders are there for what reason? Now, understand it, it is very simple? - A. To give us instructions and how to operate.
- Q. And what happens if you breach those instructions? - A. I don't know, certain proceedings.
- Q. They are instructions in disciplinary code for the control of police officers. They are the Force's own rules? - A. Yes.
- Q. You have to act in accordance with those rules? - A. Yes, you have to obviously.
- Q. So far as a constable like yourself, going out on duty on an ordinary day, you should have with you a notebook? - A. That is correct, yes.
- Q. A truncheon? - A. Yes.
- Q. Handcuffs? - A. Yes, well handcuffs, no. You don't particularly have to have handcuffs.
- Q. So you don't particularly have to have handcuffs? - A. No.
- Q. But so far as the truncheon and notebook are concerned, you have to have those with you? - A. Oh, yes.
- Q. And if a senior officer speaks to you on duty and said 'Can I see your notebook' and you say 'I have forgotten it' or 'I have left it in my locker', what is the likely outcome of that? - A. I don't know. It is up to him to make any decision. I

don't know what would be in his mind.

- Q. The decision he could make is that you have breached the rules and he could report you? - A. He most certainly could, I am sure.
- Q. On this particular day you went with your notebook? - A. No, no, no.
- Q. No? - A. No.
- Q. You did not travel at all from Merseyside with your notebook with you? - A. Yes, I took it with me from Merseyside but where we were based overnight, on realizing that I might be engaged in any trouble, in running, things like this, I entirely cleared the pockets of my tunic because they are cumbersome carrying things around in your pockets.
- Q. When did you decide to clear the pockets of your tunic, the morning, the night before? - A. I can't recall exactly when it was but I decided I would do it.
- Q. I want you to think about it. When did you decide to do that? - A. I am afraid I don't know.
- Q. So you decide in effect that you would ignore your own Standing Orders in relation to the notebook because it was so cumbersome it might stop you running? - A. I most certainly did. I felt myself it was special circumstances and I didn't want to be encumbered by a notebook and other papers.
- Q. Tell me about special circumstances? - A. Well I believed it was special circumstances. I knew I would possibly have to carry a heavy shield, possibly a heavy helmet. I didn't want to be further encumbered.
- Q. This is before you ever actually arrive at Orgreave, isn't it? - A. I knew we were going to be deployed somewhere in the area and I realized there was a possibility of some trouble or I may have to run, carry shields, etc., and because of this realisation, that was when I made the decision. I believed it to be the correct decision.
- Q. Did you ask any senior officer or even your sergeant, whether you had permission to ignore your own force rules before you ever arrived at Orgreave that morning? - A. No, I didn't. I took it entirely upon myself, my own initiative completely.
- Q. So you felt as a constable of 12 years service, that you could just ignore the rules of your own force because you yourself had decided special circumstances without even asking your sergeant? - A. That is correct. I made the decision myself and I believed it to be the correct one.
- Q. How big are Merseyside notebooks? Do you have one on you now? -

A. Yes, indeed. This one is a fairly new one but it isn't in the folder. I have quite a bigger folder it goes inside, so it doesn't give you a true indication. It is a big plastic folder, oblong.

Q. That is a (inaudible). Why on earth did you take it...

MR. WALSH: Can my learned friend ask questions and not make comments and speeches.

JUDGE COLES: Yes.

Q. MISS RUSSELL: You have got it out of the folder today? - A. Yes.

Q. We can see the size of it? - A. Yes.

Q. Why didn't you just say to yourself, well I will take it out of the folder and I will put it in my pocket, like the one I have got today? - A. Well, even so it is still cumbersome, still there. I entirely cleared my pocket of all paper work I had.

Q. Tell me what your Force standing orders were in relation to the use of truncheons? - A. I don't know exactly what the Force standing order was. I am afraid I don't read standing orders all the time but I am aware that you are entitled to use your truncheon when you need to protect yourself or if other people are endangered. If you go to somebody's assistance, then most certainly.

Q. What about handcuffs? - A. Yes.

Q. Any rules relating to handcuffs? - A. I am afraid I cannot recall. I have used handcuffs many, many times myself when I have found it necessary, and I use them entirely when I personally feel it necessary. I have not read standing orders as to when and when not to use them.

Q. Have you got your handcuffs with you? - A. No.

Q. Can you describe to us what Mareside handcuffs are like? - A. Like ordinary pairs of handcuffs, fold up into a pouch that go into your belt.

Q. They are sort of round? - A. Yes, I would say so.

Q. If we were to draw them, they would be oval in shape? - A. Yes.

Q. And sort of with a ratchet with keys? - A. Yes.

Q. They are round handcuffs, they are not (inaudible) handcuffs? - A. No.

JUDGE COLES: I assume the design of handcuffs is relevant.

MISS RUSSELL: Your Honour, indeed it is. It may seem a little subtle.

JUDGE COLES: I shall wait with as much patience as I can muster.

MISS RUSSELL: I am hoping sometime in the near future your Honour will discover the relevance of the handcuffs.

JUDGE COLES: Very good.

- Q. MISS RUSSELL: So these are Merseyside handcuffs? - A. Yes, I would think probably standard.
- Q. So far as the rest of your evidence, I am going to put to you that you have exaggerated it? - A. No. I have not exaggerated. I have tried to put as true a picture as I can.
- Q. You said yesterday to my learned friend, Mrs Baird, that you must have been in action for something like 15 minutes, from going up the road to the cordon the first time, to actually coming back with your prisoner, something like 15 minutes? - A. Quite possible, something like that I would think.
- Q. Even being generous and doubling up, not more than half-an-hour? - A. I would not say so, no.
- Q. You have told the Jury this morning, one of the comments you were making in answer to a question "I had been in danger all morning"? - A. Yes.
- Q. It is not true. You were in danger, even if we double the time that you were on duty, for about half-an-hour? - A. No, I don't exactly agree with that. There were thousands of people, hostile. I would say I was in danger.
- Q. That was really your thoughts from start to finish then. You get yourself ready for action, abandoning your standing orders. Even when you are sitting for a time doing absolutely nothing for hours on end, you take the view that there are thousands of people out there hostile to you and that was your frame of mind before you even went up to the line. Would that be fair? - A. Very fair, yes. I was aware of thousands of people there with bricks. I felt I was in danger.
- Q. Thousands of people there with bricks? - A. That is correct.
- Q. And that is not an exaggeration? - A. There was thousands of people with many, many bricks being thrown.
- Q. That is not what you said. "Thousands of people there with bricks". Is that right or is it an exaggeration? - A. I don't know how many people had bricks. I just know there were thousands of people there and an awful lot of bricks coming with them.

Q. No, you said a moment ago, "There were thousands of people there with bricks". Is that true or is it an exaggeration? - A. I don't know if all of them could have had bricks.

Q. All of them may have had bricks? - A. No.

Q. And you are not prone to exaggeration? - A. No, I don't believe so.

Cross- Examined by MR. GRIFFITHS:

Q. Officer, it has been put to you that you are a person who might exaggerate and you disputed that. The members of the Jury have to decide not only questions of honesty and dishonesty, but questions as to how accurate a person is, how carefully he describes a situation? - A. Yes, I understand.

Q. Would you describe yourself as a careful person who carefully describes an event, or would you be prepared to accept that you are perhaps a little loose on your description? - A. I would not say I was loose at all. I try my utmost to give an accurate (inaudible) of what happened, an accurate view of it.

Q. Let me get one matter of detail out of the way. When Mr Taylor was taking you through the members of the other PSU from Merseyside, he, I believe, inadvertently misread one name as Sutherland when it should have been, if I can read it correctly, Mr Rutherford 7002? - A. That means nothing to me.

Q. And the other matter...

JUDGE COLES: What he said was he does not know. He wouldn't, would he?

MR. GRIFFITHS: No, he would not:

Q. Well now, Rutherford the correct name is, you don't know that? - A. I am sure I don't.

Q. Inadvertently I think Mr. Taylor, in reading these, omitted to put in the name of Mr. Morton and he, if I read it correctly, is PC 628 Morton? - A. I am sure I don't know the gentleman, no.

Q. You don't know him either. Now you have been in the Force for 12 years? - A. Yes.

Q. And you are well aware, are you not, that after a person gives evidence in a trial, he should not speak about what has happened while he has been giving evidence, to witnesses who are due to give evidence in the same trial? - A. Most certainly, yes.

Q. Why is that? - A. Well, I believe so that you can not get together, discuss it, discuss the general thing of what has

happened.

- Q. So witnesses who are due to give evidence are not forewarned as to what awkward questions they might be asked. That is the reason or one of the reasons? - A. I suppose it could be.
- Q. If persons in a lengthy trial come from different areas, after they have given their evidence, it is unlikely, if they are from a different area, they are unlikely to come into contact with people who are due to give evidence? - A. Very true, yes.
- Q. On the other hand, we have a situation and we cannot escape it, when Officers have given evidence from certain areas, they return to those areas where they inevitably come into contact with Officers who are to give evidence? - A. Perhaps you mean Constables Brophy and Moore, yes.
- Q. Just an example. Would you agree that knowing people well who have given evidence when you are waiting to give evidence, there is unavoidably a desire to know what happened? - A. No. As you say I have got 12 years experience in the Police Force and I know only too well the dangers of doing anything like that and I would most certainly keep well away from anything like that, discussing the case with them, when I knew I was quite likely to be a witness myself.
- Q. But it is a little difficult, isn't it, sometimes when people are relaxed, possibly socially drinking alcohol and the like, it is a little difficult to hold back? - A. No, I don't agree at all.
- Q. Well, on this (inaudible) of yours, was Inspector Bennet there? - A. No, he was not.
- Q. You have told us that Mr. Brophy who has given evidence, was he? - A. Yes.
- Q. Mr. Moore was in some way incapacitated or was not able to attend? - A. That is right, yes.
- Q. Who else, as far as you knew, would be there because who were to give evidence in the trial were at your (inaudible)? - A. Constable Jones, Sergeant Armstrong.
- Q. He has not given evidence yet? - A. No. They are the only two I can recall.
- Q. What about Mr. Pimlet? - A. No.
- Q. Mr. Davis? - A. No.
- Q. Paul Douglas? - A. No.
- Q. Mr. Barnes? - A. No.

- Q. Mr. Stelland? - A. No.
- Q. Or Mr. McLaughlin? - A. No.
- Q. Those persons I have mentioned, or some of them, even though they were not at your (inaudible), would you come into contact with them inevitably in the course of your work? - A. Very, very rarely. They are at a different station.
- Q. When you arrived at Orgreave, you arrived in a van, you remained in the van for some time and then you were deployed? - A. Yes.
- Q. Once you left the van, did you return to the van at any time until after you had written your statement? - A. No, I didn't.
- Q. So the only time you are in the van is very early in the morning? - A. Very early on the way to Orgreave and on the way back from Orgreave.
- Q. Just on the way to Orgreave and you were deployed very shortly after arrival at Orgreave? - A. Quite quickly, yes.
- Q. If that is right, how on earth did you come to the conclusion that you were going to arrest, if anybody was to be arrested, you would arrest them for unlawful assembly? - A. Something we discussed. We could see and hear terrific noise...
- Q. Wait a minute. How long were you in the van to appreciate this? - A. Oh, I would say, difficult to say, under half-an-hour but more than 10, 15 minutes.
- Q. Where was this van? - A. Parked outside the actual gates.
- Q. But you have hardly, this is early in the morning? - A. Yes.
- Q. And you have not stood out of the van at all? - A. No.
- Q. So you have come to a conclusion amongst yourselves that if arrests are going to be made, you are going to arrest them for unlawful assembly when none of the persons in the van has been deployed at all? - A. Oh but we knew we were on stand by. We were aware that we could quite likely be deployed. We were aware of a tremendous build up of people. There was a high possibility of trouble that day which sparked off our discussion.
- Q. A high probability of trouble. The trouble had not started? - A. No. As I say, there was a high probability of it.
- Q. Could it be that what Mr. Taylor suggested to you, that a more senior officer came round to you and said, right, words to the effect, right, if anybody is arrested, arrest them for unlawful assembly? - A. No. That certainly was not the case. This was something that was discussed on the van. We came to our own decision on that matter.
- Q. Before any of you had been deployed at all? - A. That is right.

Well, we were on stand by, that is right.

MR. GRIFFITHS: Would you stand up, Mr. O'Brien:

- Q. I represent him. That gentleman is Mr. O'Brien. Did you see him in the hospital at all? - A. I can't recall. It does not mean anything to me. I don't remember the chap.
- Q. Have a look at Exhibit 11 would you please. (Produced). It shows my client in a state where you might have seen him. This is the large photograph of Mr. O'Brien with blood all over his face? - A. No, I certainly did not see this chap, certainly not like that. I am sure I would have remembered it.
- Q. It is a particularly unpleasant sight, isn't it? - A. Yes.
- Q. While you were at the hospital, did you see Mr. Douglas, Paul Douglas? - A. Yes, he was there.
- Q. It was Police Constable Douglas who arrested Mr. O'Brien? - A. Yes.
- Q. After, either at the hospital or at any time later on that day or at any time before you returned to Liverpool which was I think a few days later? - A. Yes.
- Q. Did you discuss with him or did P.C. Douglas explain why he was at the hospital? - A. No, he didn't. I had a very brief conversation with him. I did see him there but I was more intent on looking after my prisoner. I asked him if he was all right. He asked me if I was O.K. Just said what a bad do it was.
- Q. Did he say why he was there? - A. No. I didn't ask him. He didn't mention it. I assume he was there for the same reason as me. I don't recall seeing this person there.
- Q. You don't recall anything being said by PC Douglas about any rather violent person that he had been quite close to? - A. No. I was only there for a short period talking to him.
- Q. My questions are directed not only as to what PC Douglas could have told you at the hospital but also to what he could have said at any time later on, this was before you returned to Liverpool later that week. Now did he at any time tell you that he had in fact travelled to Rotherham Hospital with Arthur Scargill in the ambulance? - A. No.
- Q. JUDGE CCLES: He has never told you that? - A. Never.
- Q. That is news to you? - A. The first time I have heard it today.
- Q. MR. GRIFFITHS: Let me move finally to clearing up one matter which I am not clear about, about your description of the final move. I use the word 'final move'. I don't want to mislead anyone. Your descriptions in chief - Your Honour

this is my note and it is after Mr. Walsh has shown the witness Exhibit 9 the aerial photograph, all the photographs in exhibit 9 or most of them to generally familiarize him with those photographs, it comes shortly after that. This is what I wrote down: 'Officer, you earlier described two moves..... 5 or 6, or 6 or 7'. So here you are describing a third time, let us assume it is after you get to the point the other side of the bridge. We have clarified where the cornfield must have been. So, is it right when you said you stopped? - A. Oh, yes indeed I stopped. It must have been the other side of the bridge I stopped.

- Q. And I take it that the third move takes you to a point just the other side of, the far side of the bridge you stopped. So do your colleagues? - A. I don't know about my colleagues. I certainly stopped. Whether they carried on, I honestly don't know.
- Q. You would not disagree with the suggestion, would you, that that third move takes you to the other side of the bridge where you and your colleagues stopped and you see what you see? - A. That is correct. That is where I must have stopped, yes.
- Q. Look at Exhibit 45, photograph 4. This photograph was shown to you by my learned friend, Mr. Taylor. You have described how you very quickly, as I understand it, cut off the wall to the right into the cornfield? - A. Yes.
- Q. But you have also described that your colleagues continued to swoop, so to speak, forward? - A. Possibly so. I don't know whether they went forward or stopped.
- Q. That is what you have said? - A. I don't know. They may have gone forward or stopped. I know I stopped.
- Q. You cannot disagree with this story that you arrived after the third move just about on the bridge, just the other side of the bridge you stopped? - A. I stopped, yes.
- Q. And it could very well be that your colleagues in the same PSU did likewise with this PSU from another Force? - A. I am afraid I don't know.
- Q. You have no recollection that disagrees with that? - A. All I recollect is that there were bobbies all around me, whether they stopped or carried on, I don't know.
- Q. And it then follows, if you go off to the right, it could very well have been as part of a further charge up that road? - A. I am sorry?
- Q. You are not going to go off on a frolic of your own? - A. Yes. I took it upon myself, I went off on my own.
- Q. Yes, you went off on your own into the cornfield but I suggest

you went in that direction for reasons which don't concern me which have been cross-examined about, but when you did so, you went off in that direction at the same time with other members of your PSU sweeping up the road very simply. Do you think that could...? - A. I am afraid I can't comment on that because I don't remember. I don't know what my other friends did. I was aware of the fact there were bobbies around me. I had a missile thrown at me and decided to go into the field. That is all I can say I am afraid.

- Q. Don't you want to commit yourself? - A. I am afraid I have committed myself. I have said exactly what I can remember and what I did.

Cross-examined by MR. REES:

- Q. Officer, you are obviously a very confident man? - A. I would like to think I am a confident person, yes.
- Q. Have you ever been called cocky? - A. No, I don't believe I have, not at all.
- Q. You did tell my learned friend, Miss Russell, you did not know what your Force regulations were because you don't read standing orders all the time? - A. That is correct, yes. I am afraid I don't.
- Q. We are talking about your Force rules? - A. Yes.
- Q. That is what you are talking about? - A. Yes.
- Q. You don't know what they are? - A. I don't read them quite often. I read Chief Constable's Orders when they are published but not the actual standard orders as to procedure. I would say it is rather boring literature which I don't bother to particularly read.
- Q. I am not sure I am hearing this. You consider it rather boring? - A. Yes. It is not something I would sit down and read all the time, as something I would do.
- Q. I am talking about the 18 June at Orgreave. Would you accept, it is not a criticism of anybody, that it is very difficult for a commander of a PSU to keep control and to see what is going on around him? - A. I would imagine it was very difficult.
- Q. Well, not imagine, it was, wasn't it? - A. I would say it was.
- Q. And very much a commander has to rely on the integrity and discipline of his own men in that situation? - A. I would say so, yes.
- Q. And those men would look in turn to their commander to lead them properly through the day? - A. I would say so, yes.

to get it in writing as soon as possible before you forget it? - A. Yes, indeed.

- Q. Can you help me with some information about a helmet. Could you have the helmet we have in court and could you find on the photographs 31B, black and white photographs which is of you and Mr. Forster. You say your individual personal helmet did not have this chequered band on the background? - A. That is right.
- Q. And you thought it was similar to the one you are now holding? - A. I think I had got at the back...
- Q. Well, there are a few more things. Your helmet had the back flap? - A. Yes.
- Q. If you look at the helmet on the photograph, the one you are wearing, you have the word 'Police' on the front of the helmet itself? - A. That is right.
- Q. That one? - A. It is on the visor.
- Q. The other thing is this. I think you can tell from the photograph there is no metal strip on the top of the visor. Do you see the hinging bit is different? - A. That is right, it is different.
- Q. I think also, it may not be in the photograph, that helmet has got two...? - A. That is right, my helmet hasn't.
- Q. Two vents to the ears on either side? - A. That is right, my helmet does not have them.
- Q. Then the talking about unlawful assembly in the van? - A. Yes.
- Q. What came out of that collective discussion was that anyone arrested that day would be arrested for unlawful assembly? - A. No, by no means. We were not aware of exactly what was going to happen but the general circumstances of what we believed to be happening, the massive build up of an awful lot of people...
- Q. This is in the van? - A. Yes, a massive build up of a lot of people outside behaving in a disorderly manner, we decided this would probably be the most appropriate charge for anybody arrested that day.
- Q. You decided this would probably be the most appropriate charge? - A. That is right.
- Q. The selection of the charge is not that of the arresting officer, it is of the station officer? - A. I believe the arresting officer has a major say in it, most certainly.
- Q. Isn't the position this, it may vary, the theory is that a policeman arrests somebody on reasonable suspicion of having committed

an arrestable offence? - A. Yes.

Q. He detains that person and removes them to a police station? - A. Yes.

Q. Or something serving as a police station? - A. Yes.

Q. The officer then relates the facts which have led up to the arrest to the station officer, very often the station sergeant? - A. Yes.

Q. And it is then the choice of the sergeant, firstly whether to accept what has been said has justified that person being detained? - A. Yes.

Q. And if it does justify that person being detained, it is up to the station officer to decide on what charge? - A. Yes, together with consultation with the arresting officer.

Q. Are we to understand that you were not only making that view that if you made an arrest, the charge would be of unlawful assembly, but then you would persuade or seek to persuade the station sergeant that was the appropriate charge? - A. Not persuade, merely suggest. As you say the station sergeant has the final say. You can merely suggest things to him, and if he thinks it is an appropriate charge, well, yes, you would go ahead.

Q. This must have been cleared with Inspector Bennet, must not it? - A. I don't believe I discussed it with Inspector Bennet, no. I don't recall anybody else doing it either.

Q. May be you did not personally speak to him but it is most unlikely that a number of officers within Mr. Bennet's PSU would decide upon quite an unusual charge, unlawful assembly, without some consultation of their own command? - A. No, I don't believe so.

Q. You didn't? - A. No.

Q. You were told, were not you? - A. I most certainly was not told at all, your Honour.

JUDGE COLES: Take quarter-of-an-hour.

(Short adjournment)

Re-examined by MR. WALSH:

Q. Do you have your statement there with you on which you were asked a number of questions? - A. Yes.

MR. WALSH: Your Honour, I think this would become Exhibit 62, the statement of Police Officer Scotland.

JUDGE COLES: Yes.

- Q. MR. WALSH: The suggestion put to you is that when you say things today as having happened and they are not referred to in your statement, then you are telling lies and inventing them. Do you follow? - A. Yes, I understand so.
- Q. Put very simply, can we just test one aspect of it. Do you remember you have told us that before you went to hospital with the defendant, you took him in to the police station, had your photograph taken and so forth? - A. That is correct, sir, yes.
- Q. As I understand it there is no challenge from the defence that you are telling the truth about that and indeed the document actually shows that you signed in at the Police command post at 11.49, well before you went to hospital? - A. That is correct.
- Q. Is there any reference in the statement to going into the command post, having your photograph taken and a police woman attending to this man's head? - A. No, there is not, your Honour.
- Q. Have you invented that when you gave your evidence today? - A. I have not at all, your Honour, no.
- Q. Would you like to hand that statement in because...

MR. WALSH: Your Honour, I think it might be constructive to have a typed copy made for the Jury so they can compare, if need be, with I think Gales' statement in due course. Somebody performed the exercise the other day of reading out Mr. Gales' statement in cross-examination of another witness looking at his own statement.

JUDGE COLES: Yes.

MR. WALSH: I am not going to waste time by doing that exercise in the witness box but by letting the Jury see it and drawing their own conclusions.

JUDGE COLES: Very well. You say a typed copy.

MR. WALSH: Yes, it is easier for the Jury to follow on a typed copy.

JUDGE COLES: Are we going to call them a and b.

MR. WALSH: Probably not necessary. The original is the exhibit and if the Jury wish to see that, a typed copy will be available.

MRS. BAIRD: Can I remind everyone of that mistake that we corrected.

JUDGE COLES: Yes, thank you very much.

MR. WALSH: I will cause someone to strike through the word 'reception' and write the word 'hospital'.

JUDGE COLES: Do you see it, members of the Jury. You will remember that.

MR. WALSH: I am grateful to my learned friend:

- Q. You were shown a number of photographs and asked to comment as to whether you could see stones in the road to match up to your assertion that people were throwing quite a substantial number and you commented that you had only been shown a few photographs. Can I show you some others. Can you look please at 31C which is the photograph of you and Constable Jones and Forster and you can only see a very small bit of the road, but can you see anything in the road? - A. Yes, sir, I can see stones littering the road.

MR. WALSH: Does the Jury have 31E? Your Honour, they have:

- Q. Let us take the colour photographs you were shown. Exhibit 30 and you were taken straight from photograph 3 to photograph 11. Now you said in photograph 3, when you were asked about photograph 3, you said when you went over the bridge there was a mass of people both in front and to the left of the road? - A. That is correct.
- Q. Just look at photograph 4, I think one of my learned friends' asked you about that at some point. Do you see any objects in the road on photograph 4? - A. Yes, I do. I see beer cans and stones.
- Q. These photographs, it is said, are taken in sequence so that the next photograph you see will have been taken after the previous ones and in particular after photograph 3, the one that you said when you came across the road, ahead was full of people and to the left. Just look at the next 3 photographs. These are photographs of people in the road and at the left-hand road? - A. 4, 5 and 6, is it?
- Q. It should be 5, 6 and 7, if the numbers on the back are correct? - A. Yes, 5, 6 and 7, a number of people around.
- Q. Now, if we go on, photographs 8 and 9 of police going up the road and then the very next photograph, if these are in the right order, is 10 on the back. Do you see something in the road, objects either side of it? - A. Yes, on no. 10 there is the derelict car stretched across the road with planks of wood forming some sort of barricade I would say.
- Q. Do you see other things in the road? - A. Yes. There is certainly missiles and stones in the road as well.
- Q. Would you now turn to exhibit 21 which is another substantial bundle of photographs, photograph 4. Do you see anything in the road? - A. Yes, a number of stones littering the road.
- Q. 5 is mostly blocked by a policeman's arm. Do you see 6? - A. Yes, again a number of stones in the road.

- Q. And going briefly through 7 and 8, coming to 10, do you see that? - A. Yes, again a number of stones littering the road.

MRS. BAIRD: Your Honour, I don't wish to interrupt but I wonder if this is a fair point since 10 is clearly taken some time after Forster's arrest. It can have nothing to do with the state of the road before Forster's arrest.

JUDGE COLES: You have made your point. It is a matter for the Jury.

MR. WALSH: It is a matter to be taken into account when the stones got there.

JUDGE COLES: When was 31B taken?

MR. WALSH: Is that a loose one?

MR. O'CONNOR: Your Honour, I put that in. That is taken below the bridge on the way down from the bridge to the command centre.

JUDGE COLES: Thank you very much.

- Q. MR. WALSH: Have a look at 31B...

JUDGE COLES: That is Mr. Hargreaves, and Mr. Fisher.

MR. WALSH: I don't think anyone suggests this officer is on that photograph.

JUDGE COLES: No.

- Q. MR. WALSH: Do you ever recall a scene, walking past any ambulances? - A. No, I don't.
- Q. Then I won't ask you anything more about that. When you went down, now with the recollection from your statement and having been reminded that the arrest took place on the far side of the bridge in the cornfield, when you went down the road and the hill towards the command post, were there at that stage any ambulances in the vicinity of the bridge before you got to the command post? - A. As I recall I did see some ambulances near to the actual command post. I didn't see any further up at all.
- Q. Just questions about arrest. When an officer arrests someone, does he have to say anything to that person about the offence for which he is arrested? - A. Yes, he has to be told why he has been arrested.
- Q. So far as consideration of the offence, you arrest a person for, whatever the words you in fact use to him, so far as you recall, is there a criminal offence called throwing a stone? - A. No, no. Certainly not an offence called that.

JUDGE COLES: Not even throwing a brick.

MR. WALSH: Nor even throwing a brick, no:

- Q. You were asked in cross-examination by Counsel about the fact that in your statement you referred to police officers being struck by missiles and falling to the ground? - A. Yes, indeed.
- Q. Where did that happen that you saw? - A. Well in the column, the front column. They were exposed to the missiles.
- Q. And so we understand, when you talk about the column, you mean who? - A. Well, the column of officers stretching across the road. I saw quite a lot being assisted back, missiles having struck them, assisted back towards the coking plant.
- Q. Is this what we have been calling a cordon? - A. Yes, they were coming from the cordon down towards...
- Q. So far as your helmet is concerned, you have told us that I think you were issued with your helmet on some occasion either just or weeks before other people got theirs? - A. Yes, it was quite a long time after I was issued with mine, quite a long time after.
- Q. Do you know whether you were the only person from Merseyside that day who had a helmet that did not have a chequered band on it? - A. I am afraid I just could not answer that question.

MR. WALSH: Yes, thank you very much.

JUDGE COLES: I think you are free to go.

MR. KEEN: P.C. Jones, please.

POLICE CONSTABLE PAUL JONES Sworn
Examined by MR. KEEN:

- Q. What is your name, please? - A. Paul Richard Jones, Constable 6704.
- Q. Mr. Jones, I could not hear that at all. Can you shout up please so your voice carries to the back row of the Jury on your left and also the back row of the accused who are sitting in the well of the court. Can you make sure everyone hears? - A. Paul Richard Jones, 6704 of the Merseyside Police.
- Q. I am going to ask you about the 18 June last year when you came to Orgreave as a member of a PSU? - A. That is correct, yes.
- Q. Did there come a time during the course of that day when you were involved in an arrest? - A. There did, yes.
- Q. Who was the person arrested? You have no need to look around the court. It is the name I want? - A. Mr. Forster I believe.

- Q. I want you to tell the Jury about that arrest. Where was Mr. Forster when you first saw him? - A. I think it was, the name of the road, Highfield Lane, I believe, at the top of which was a bridge. We had advanced towards the bridge and were passing over the bridge. Mr. Forster was in the field on my right-hand side.
- Q. What equipment did you have? - A. I had a police riot helmet and a long shield. It is a full size one and protective shin pads.
- Q. When you looked into the field, what did you see? - A. Just on the right hand side of me in the field there were a number of pickets who were spread about the field. Mr. Forster was in there with a group of about 6 on my right hand side at right angles as I came over the bridge.
- Q. What were the group that contained Mr. Forster doing? - A. Most of them were throwing missiles.
- Q. In which direction were they throwing them? - A. They were throwing them at the police officers who were advancing over the bridge.
- Q. What about Mr. Forster. What was he doing? - A. I saw Mr. Forster throw a stone or a small missile which bounced off Constable Scotland's shield.
- Q. I am going to ask you a little more about that. When that incident happened, were you moving or stationary? - A. I was moving.
- Q. Where was Mr. Scotland in relation to you? - A. He was in front of me, about 4 yards, 5 yards.
- Q. Was he stationary or moving? - A. I think he was moving at the time.
- Q. What did you see of this missile that Mr. Forster threw? - A. It bounced off the shield that Constable Scotland was carrying. It was a short shield.
- Q. Tell us what happened next, would you? - A. Constable Scotland, there was a wall on the right hand side which dropped down into a cornfield. Constable Scotland went into the field and chased the accused. At first...
- Q. Just stop for a moment. What did you do? - A. Well, at first I did not go into the field, at first. I saw Constable Scotland was chasing him and I didn't see any danger at that point until the group who Mr. Forster was with...
- Q. People cannot write quickly enough. If you would slow down. Take it stage by stage. Mr. Scotland goes into the field? - A. Chasing Mr. Forster.

- Q. When he went into the field, what happened to this group that contained Mr. Forster? - A. Well, at first they all ran away.
- Q. What did Mr. Forster do? - A. He stood his ground a little bit longer.
- Q. As I understand it, this is while you are still on the road? - A. Yes.
- Q. While you were still on the road, did you see anything else happen, concerning Mr. Scotland or Mr. Forster? - A. Other than Mr. Scotland going into the field, not that I can recall.
- Q. JUDGE COLES: I think you said at first you saw no danger and then...? - A. To Constable Scotland. As a one against one situation, he was wearing protective clothing and after one person in particular.
- Q. MR. KEEN: Did that remain the situation? - A. No, which is why I went into the field.
- Q. What happened to make you go into the field? - A. The group who Mr. Forster had been standing with had run away. They were picking missiles up and throwing them at Constable Scotland and Mr. Forster who had fallen to the floor and was struggling...
- Q. JUDGE COLES: Just a minute? - A. In fact some of them had...
- Q. Just a minute. The group were picking up missiles and throwing them at Mr. Scotland. Is that right? - A. Yes.
- Q. Are you still on the road? - A. Until this point, yes.
- Q. MR. KEEN: At that stage, while you are still on the road, what was Mr. Forster doing? - A. He had fallen to the floor with Constable Scotland in the field about 30 yards from the road probably.
- Q. Did you see how that had come about? - A. I think that Constable Scotland had tried to catch hold of him but he had the staff in his right hand...
- Q. JUDGE COLES: Just a minute. Has he given that evidence? You indicated the back of your neck, did you not? - A. Well, I thought he tried to take hold of him by the top of his shoulder, somewhere across there.
- Q. Did you say he had his truncheon in his hand? - A. He had his staff in his hand.
- Q. MR. KEEN: Yes, carry on? - A. They made it difficult to hold him and I think as they struggled, they fell to the floor.
- Q. When they were on the floor, what was happening? - A. To be quite honest, the corn was very high and it was very difficult to see.

I could just see 2 figures moving around on the floor.

- Q. See 2 figures doing what? - A. Moving around on the floor. It looked as though they were struggling from where I was. I was in an elevated position as well, looking down on to the field.
- Q. What did you do? - A. I gave my shield, it was a long shield, to another officer, and then went into the field.
- Q. Where did you go? - A. Directly to Constable Scotland and Mr. Forster.
- Q. What were they doing when you got to them? - A. They were struggling violently on the floor.
- Q. What did you do? - A. I took hold of Mr. Forster.
- Q. You remember which part of him you took hold of? - A. Possibly, I think it was his hair.
- Q. What did you do then? - A. I told him to get up.
- Q. How did he respond to that instruction? - A. He got up straight away.
- Q. Once he was up, how did he behave? - A. He stopped struggling.
- Q. What about Mr. Scotland, what happened to him? - A. Constable Scotland got up as well and the 2 of us took him to the road way.
- Q. Did you notice anything about Mr. Forster? - A. Yes, his head was bleeding.
- Q. Could you see anything else other than it bleeding? - A. I don't think so.
- Q. Could not see the nature of the injury? - A. No, I didn't stop to examine it. Missiles were still being thrown at us at that stage.
- Q. From whom? - A. From the group who had originally been with Mr. Forster.
- Q. Did anyone say anything? - A. Constable Scotland, when we brought Mr. Forster up from the floor, cautioned him.
- Q. Other than cautioning him, did Mr. Scotland say anything else to Mr. Forster? - A. He told him he was being arrested for unlawful assembly.
- Q. Did Mr. Forster say anything? - A. He did but off the top of my head, the exact words, I could not remember.

- Q. What happened once you got Mr. Forster back to the road? - A. He was passed up the wall to other officers who were actually on their own.
- Q. Did you go back on to the road? - A. Yes, I did.
- Q. And Mr. Scotland? - A. Yes.
- Q. And once all 3 of you were up there, where did you go? - A. I collected my shield which I had given to another officer who was still on the road, and we then took him down Highfield Lane, I think it is, to where the prisoners were taken.
- Q. What did you do once you got him down there? - A. I left my shield outside and went in with Constable Scotland and the prisoner. They had the photograph taken and then I left the building and went back to the bridge.
- Q. When did you see Mr. Scotland again? - A. Sometime later the same day when we made the statement.
- Q. Where were you when you made the statement? - A. I don't know the name of the building but it was a large building on our left at the bottom of Highfield Lane.
- Q. We know where that is and you made the statement? - A. A lot of police officers in a large room all making statements regarding various arrests. A CID officer came into the room.

MRS. BAIRD: Slower, please.

- Q. MR. KEEN: Carry on? - A. And he briefly outlined an introduction to our statements in that we were part of a large contingent of police officers at Orgreave that day...
- Q. JUDGE COLES: 'In that we were part of a large contingent of officers at Orgreave that day'. Is that right? - A. That is right.
- Q. Officer, I find it impossible to believe that you cannot speak louder than this. Goodness knows how you made yourself heard at Orgreave. You really must speak up. It is most important to hear what you say. 'We were part of a large contingent of officers at Orgreave that day? - A. Yes, sir, and that we were deployed in a cordon across the Highfield Road and Top Side, I think it is called, and there was a large group of pickets, and from then on it was our own words, basically.
- Q. MR. KEEN: How many statements were you and Mr. Scotland making at that time? - A. Constable Scotland made the statement and I signed it.
- Q. Before you signed it, were you aware of what the statement contained? - A. Yes, I was sat with Constable Scotland while the statement was made.
- Q. How long after the arrest do you think this was? - A. Possibly

2 hours. May be, I am not sure.

- Q. Had you made any other note before this statement on what had happened? - A. No.
- Q. What had you been doing in the intervening 2 hours? - A. I had been redeployed back at the front line.

MR. KEEN: Perhaps he might refer to that statement to refresh his memory?

JUDGE CCLES: Certainly.

- Q. MR. KEEN: Ex.62. Just have a look at this document, please. (Produced). What is that? - A. This would appear to be the statement that Constable Scotland and myself made at the time.
- Q. Using that to assist your memory, can you now tell the Jury whether or not... Sorry, can you tell the Jury what Mr. Forster said after he had been cautioned? - A. 'I am peaceful usually but the others were doing it, so I just threw the brick. I only threw one, honest.'
- Q. Was he asked any other questions? - A. He was asked how he cut his head.
- Q. What, if anything, did he say about that? - A. 'I got bricked by mistake by my mates'.

MR. KEEN: Wait there, please.

Cross-examined by MRS BAIRD:

- Q. Mr. Jones, when you heard Constable Scotland tell Mr. Forster for what he had been arrested, were you surprised at the offence he used? - A. No.
- Q. It is an unusual offence, unlawful assembly, isn't it? - A. Yes, I agree.
- Q. Have you ever charged anyone else with it? - A. I have not.
- Q. Never? - A. No.
- Q. Why were you not surprised to hear him use it then? - A. A number of police officers at my police support unit had discussed the powers of arrest that might have been used in the different circumstances that might arise out of what we had seen on T.V. previously.
- Q. This was what you had based on, what you had seen on T.V. previously? - A. The type of public order situation.
- Q. Was this sometime before the 18 June that you had this discussion? A. No. This was on the day.

MRS BAIRD: Your Honour, his voice is still not too good. Perhaps he could move forward to here.

JUDGE COLES: The only trouble if he steps forwards, his voice is likely to carry even less.

MRS BAIRD: I was wondering if Mr. Forster can come into the dock.

JUDGE COLES: Yes, certainly.

- Q. MRS BAIRD: Were you there when unlawful assembly was discussed? - A. In the van, yes.
- Q. When was that? - A. It was on the morning that we went to Orgreave.
- Q. Whereabouts were you. Was it on the journey there? - A. I don't remember.
- Q. You don't remember? - A. I don't remember whether it was on the journey or in the van in the car park at Orgreave.
- Q. Can you remember anybody else who was there with you when it was discussed? - A. I know most of the officers who were in the van. They work in different stations in my division.
- Q. You know them, do you? - A. Yes.
- Q. Tell us who they were? - A. I don't know whether each and every person who was in the van actually took part in the conversation.
- Q. How big is the van? Is it a transit, something of that kind? - A. That is right.
- Q. Try to picture this conversation in your mind. Was the van full? - A. If we had been moving, the van would have been full. If we were in the car park, then may be some people would have been out of the van.
- Q. Do you mean you cannot say. You are only surmising that if you were moving everybody would be in? - A. No. Everybody would have been in it if we had been moving.
- Q. Try to remember rather than deducing...

MR. WALSH: What he is saying is he cannot remember whether the conversation was when they were moving or stopped. If moving, then everybody would have been in the van. If stationary in the car park, then they may not have been.

JUDGE COLES: I think it is axiomatic, he cannot remember who was there.

MRS BAIRD: Yes, he is deducing, not remembering:

- Q. I would rather you try to remember who was there. Can you remember this conversation. It must have been a very important conversation? - A. Not really. These things are discussed all the time among police officers.
- Q. How many times have you had chats about unlawful assembly? - A. Not in particular about unlawful assembly.
- Q. Well, it is an unusual charge, so it must have been for you to discuss it. Did you raise it as the right charge to use? - A. I don't think so, no.
- Q. Who did? - A. I don't remember.
- Q. Was it Inspector Bennet perhaps? - A. I don't remember who raised the subject. I don't even remember who took part in the conversation. I remember it was discussed in the van.
- Q. Can you remember Bennet being there? - A. Not really, no. He may have been.
- Q. Can I give you some names and see if I can prompt your memory. Was Mr. Brophy there. Do you know him? - A. Constable Brophy is in my section.
- Q. I am sorry? - A. Constable Brophy is still in my section now.
- Q. I dare say he is. Was he there? - A. I don't remember.
- Q. He is still on your section, you say? - A. Yes.
- Q. Do you work with him now? - A. Daily, yes.
- Q. When did you last see Mr. Brophy? - A. Monday of this week.
- Q. Still at work, is he? - A. No, he is on leave at the moment.
- Q. Do you know why he is on leave...

JUDGE COLES: Well, how can that be relevant?

THE WITNESS: His wife's just had a baby.

MR. WALSH: He has given the answer. He said his wife's just had a baby.

- Q. MRS BAIRD: When did he go on leave, this week or did you see him at home last Monday? - A. I saw him at his home address on Monday.
- Q. JUDGE COLES: At his home on Monday? - A. That is correct, yes.
- Q. MRS BAIRD: Do you know when he went on leave? - A. His wife had the baby, I think it was the Saturday, about 7 or 8

days before I saw him on the Monday, so he had gone on leave during the previous week some time.

- Q. You are conscious, are you, of having worked with Brophy until a couple of weeks ago? - A. Yes.
- Q. Do you share the same Panda car or anything like that with him? - A. At times, yes.
- Q. He has been a witness in this case. You must know that? - A. Yes, I am aware of that.
- Q. Do you remember him coming over to Sheffield, leaving your section to give his evidence? - A. I think I might have been off at the time.
- Q. JUDGE COLES: You think you might have been? - A. Off or rest day or something at the time he came.
- Q. MRS BAIRD: Anyway, let's talk about Mr. Brophy, if we need to, later on. Let me go through the list. You can't remember whether Brophy was in the van when unlawful assembly was discussed? - A. No.
- Q. Mr. Brophy had been with you in your section of 10? - A. Yes.
- Q. So if the conversation was whilst you were travelling, it is likely Brophy was there since he is in your section? - A. Yes.
- Q. And Moore, do you know him? - A. Yes, David Moore.
- Q. He is also in your section. Can you remember him being there? - A. I cannot remember who the conversation, who was there and who was not.
- Q. To try and cut it short, if I read you the names out, will you be able to remember whether individuals were there? - A. I don't think so, no. One other thing, I think when we were travelling that day, Inspector Bennet was actually with the other PSU. There was 2 vans came up, PSU units and he was travelling with his own section.
- Q. So it would depend whether the van was stationary or moving whether Bennet was there? - A. Yes.
- Q. What was the gist of the discussion that you were party to? - A. The different types of powers of arrest that could have been used, the public order situations.
- Q. Different types of powers of arrest? - A. Yes.
- Q. Mr. Jones, the fact that Mr. Forster has moved forward, does not mean you can drop your voice? - A. No.
- Q. What else was discussed apart from the words "unlawful assembly"? -

A. Breach of the peace. Section 5 of the Public Order Act. Threatening words and behaviour, etc. Rout and riot.

- Q. Rout was discussed, was it? - A. I think it did come into discussion; unlawful assembly, rout and riot are all taught at one subject in classes we have.
- Q. What do you understand unlawful assembly to be? - A. I could not give you the words, the definition of it.
- Q. I know that. I am asking you what you understand it to be since you were discussing it. You must understand what it means? - A. An unlawful gathering of 3 or more persons to effect a common cause. Something similar to that anyway.
- Q. What about the unlawful nature of it. How does that come about in your definition. What makes it unlawful? - A. I would consider throwing missiles unlawful.
- Q. So your view of unlawful assembly would include a group of people who were throwing missiles? - A. If there were more than 3 of them, yes.
- Q. With a common cause? - A. Yes.
- Q. What about other people who were there that were not throwing missiles? - A. There were not many people there on that day.
- Q. JUDGE COLES: I think you were asked, would it be unlawful to be present while doing nothing, while somebody else, one of the party of 3 with a common purpose, throwing missiles? - A. Unless they were actively taking part, I would consider they would not come under that.
- Q. Mere presence is not enough? - A. No.
- Q. MRS BAIRD: What about rout? - A. I think rout is when they do something together to carry out a common purpose.
- Q. Like throwing stones together? - A. Or take steps towards gathering stones, that would be rout.
- Q. Rather than unlawful assembly? - A. Yes.

JUDGE COLES: Well, this is all terribly interesting. Shall we continue this afternoon. I understand Counsel have certain duties and would like a little longer today, so shall we say 2.30.

(Midday adjournment)

- Q. MRS BAIRD: Mr. Jones, did you ever get hit by a missile that day yourself? - A. Not on the body but my helmet was hit and so was the shield I was carrying.

- Q. When was that? - A. It happened on a number of occasions during the period in which I was in the front line. I was in the front line for 3 hours wearing protective clothing.
- Q. Because you went back after this arrest? - A. Yes.
- Q. Was it then that you were hurt, I am sorry, hit, or before? - A. There had been 3 charges to move the pickets back. It was the third time we went forward when Mr. Forster was arrested. I had been hit prior to that and I had also been hit in the advance.
- Q. Did you have your notebook with you then? - A. Yes, I did have my notebook with me that day.
- Q. Now, the account you have given to my learned friend, Mr. Keen, is this, isn't it, put briefly, that you saw something, Mr. Scotland went over the wall, you watched him chase Mr. Forster, bring him down, and then, as they were on the ground, others came towards them or threw stones, and you at that stage felt you had to join in? - A. Yes, that is right.
- Q. You were standing where, watching all this? - A. When you pass over the bridge at the top of the hill, immediately over the top of the bridge there is the wall on your right-hand side. I was near to the wall.
- Q. Let us look, please, at some photographs which will enable you to show where you mean. Exhibit 9, if you go to photograph 6 that might help. On it you can see the edge of the bridge towards the village end and you can certainly see the wall on the right-hand side. Can you tell us whereabouts you stood and watched? - A. Looking at that photograph which way would Crgreave, the coking plant be?
- Q. Actually I am not looking at that photograph. I am looking at the next one, 6. Can you hold it up? - A. Yes, I would have been somewhere past this lamp post.
- Q. Yes, about a third of the way between lamp post 1 and 2? - A. Yes, somewhere there.
- Q. Is that whereabouts you had seen Mr. Scotland go over the wall? - A. No, I think Constable Scotland went a little bit further up.
- Q. Can you tell us whether it was as far up as lamp post 2 or even beyond? - A. I would think it was a little bit nearer than lamp post 2, though I cannot say definitely.
- Q. Did Scotland go over the wall as soon as his shield was hit? - A. I think so, yes.
- Q. Just to re-cap again. You were moving, I think you told Mr. Keen, when Scotland's shield was hit? - A. Yes.

- Q. But then you stopped? - A. Yes, that is correct.
- Q. And you saw Mr. Scotland climb over the wall or jump, go through the field, Mr. Forster stand his ground for a few seconds? - A. Yes.
- Q. Then turn and run away? - A. Yes.
- Q. And Mr. Scotland ran after him. Mr. Scotland caught him and brought him down. Then this confused period when they are around and you can't really see what was happening but you were watching, and then you see Pickets starting to return and you are aware of missiles raining down on your friend or near your friend and then you turn to someone and ask him to hold on to your shield. Is that right? - A. Yes.
- Q. And then you climb the wall yourself? - A. Yes.
- Q. And you say you had quite an undisturbed clear view throughout did you? - A. Yes.
- Q. So obviously you had no problems just standing there close to the bridge watching this sequence which what, lasted a minute, 2 minutes? - A. It happened very quickly actually although it sounds a lot when you are telling it, it happened very quickly.
- Q. But you had no problems being there? - A. Not at that stage, no.
- Q. Certainly not a lot of stones coming down on you at that stage? - A. I don't think so, no.
- Q. And indeed you really did not have much of a problem in the field, did you. You had plenty of time when you had arrested Mr. Forster? - A. My immediate reaction when Mr. Forster was arrested, was to get him out of the field as quickly as possible because we were having missiles thrown at us when I was trying to get him off the floor with Constable Scotland.
- Q. I wonder if that is true because you took the time to caution him? - A. I didn't take the time to caution him.
- Q. You stood there while Scotland did? - A. No. He was being moved while he was being cautioned.
- Q. Are you sure he heard being cautioned? - A. I am positive.
- Q. So it is not a position where you stood him up and you cautioned him? - A. No.
- Q. And then move him? - A. No.
- Q. Did you caution him or Scotland as soon as he has been arrested for unlawful assembly? - A. Yes.
- Q. Then there is the conversation that you have confirmed from

Scotland's statement? - A. That is correct, yes.

- Q. By the time you got to the part about being bricked by his mates, you must be quite a long way from where you had arrested him? - A. No. The missiles were being thrown while Constable Scotland was on the floor and while I went over to him and possibly even as we turned our back and brought him away. I was not looking over my shoulder to see if they were still running.
- Q. I was not asking you about the missiles. I was asking you about the fact that having got him to his feet and moved him at once, by the time he had been cautioned, told he was arrested for unlawful assembly, made the verbal you have attributed to him, been asked how he hurt his head, told you he had been bricked by his mates, you must have been a long way from where you had arrested him? - A. The conversation took place from the point from which he was being brought to his feet and the initial 4 or 5 yards, 6 yards may be away from the scene. I would have thought even 10 yards in view of what he said.
- Q. 10 yards? - A. Possibly as far as 10 yards.
- Q. Well, we have heard the caution before but I shall not bore the Jury with it again, but there are a considerable number of words in the caution? - A. Yes.
- Q. You are not obliged to say anything but anything you may say will be taken down and may be given in evidence. Yes? - A. Yes.
- Q. He was given a full caution, wasn't he? - A. I cannot say that I heard Constable Scotland say every word that was in the caution. I heard the gist of the caution that was being given.
- Q. Are you confident that he was cautioned? - A. I am confident he understood when it was being said to him, when he was cautioned, that he knew he did not have to say anything.
- Q. You are confident that he was fully cautioned? - A. What do you mean? Word perfect?
- Q. You have put in your statement that he was cautioned. Was he or not? - A. Well, I consider the caution personally, even if it is not word perfect, as long as I am satisfied a person being cautioned understands what is being said.
- Q. So that probably the whole of the caution was said to him? - A. Certainly the best part of it, yes.
- Q. Did he make his reply there and then before he was told that he had been arrested? - A. I think he started off with his explanation as soon as Constable Scotland gave him the caution.
- Q. So there was that, 'I am peaceful usually but the others were doing it so I just threw the brick. I only threw one honest? -

A. Yes.

- Q. Then he was told he was being arrested. Is that right? - A. I would have to refer to the statement again to be quite honest.
- Q. Do you see what I am saying. There are quite a lot of words there. I suggest you must have, if you are right that you were moving all the time, got practically back on the road by the time it was all finished? - A. We were only 30 yards from the wall at the farthest point where they were on the floor, so possibly we were near to the wall.
- Q. So you think you might have been near to the wall? - A. By the time the whole of the conversation had completely finished, yes.
- Q. So you are quite clear, it was not a position in which you stopped there whilst all this was said? - A. Certainly not.
- Q. Certainly not? - A. No.
- Q. Were there other policemen in the field? - A. Yes. Further up the road to my left. Well on my left as I look into the field where Constable Scotland was, they were in the same side of the road in the same field. ✕
- Q. Can you tell us how many. A lot? - A. Possibly 8 or so.
- Q. Eight officers in the field? - A. Possibly around that number I would have thought.
- Q. JUDGE COLES: As well as yourself? - A. As well as myself and Constable Scotland.
- Q. MRS BAIRD: Whereabouts would that be on the photograph? Between 2 to 3 lamp posts? - A. I would say it is just past lamp post 2.
- Q. So in fact quite close to yourselves? - A. Not too far away.
- Q. Were there lads from your PSU? - A. I have no idea at all.
- Q. I am letting you have this point in case it helps you. The kind of helmets which Merseyside men wore are quite distinctive. They have a chequered band? - A. Yes.
- Q. Think again now, having remembered that point, do you think there were (inaudible)? - A. I don't know. I know my units were on the left-hand side, because the West Midlands Units were on the left-hand side initially anyway. There may have been a few of them came back and got mixed up with each other, but I would say there is a good possibility of some of them were Merseyside Officers.
- Q. None of them went to Mr. Scotland's assistance? - A. No. Not that I saw any of them. There were pickets at and near to where

they had gone into the field. I presume they were dealing with them.

- Q. Were policemen involved with Pickets there, stopped with them or what? - A. I cannot honestly say. To be quite honest I was looking at Constable Scotland rather than the other officers who were further up the road.
- Q. Coming back to the bridge for a moment. How many men do you say were on it, in the charge that led to Mr. Forster's arrest? - A. Well there were definitely 2 police support units for a start in the very front line with short shields basically. There were also other officers who came then before they broke through with longer shields, possibly another 20...
- Q. I think you will have to speak up? - A. Another 20 or 30 officers with longer shields and also mounted officers. Each time we charged at them, they led the charge and we followed through behind.
- Q. I see. On the bridge there were longer shield officers at the front? - A. Yes.
- Q. In front of you? - A. Yes. Well, I was part of the front line at first and then we moved back to let the horses go through, followed by the short shield units as they are able to run faster with the short shield than carrying the long shield.
- Q. Whereabouts was that front line? Is it on photograph 6, the location? - A. I would say it was half-way across the bridge. I may have been mistaken.
- Q. This is a full cordon of men with shields like you had? - A. Yes.
- Q. Right across the road? - A. And across the top as well, some of them to stop missiles hitting them on the heads.
- Q. They moved apart? - A. On instructions.
- Q. And firstly the horses went through? - A. Yes.
- Q. And then short shield men? - A. Followed them immediately.
- Q. How did you come to get loose from the cordon? - A. As soon as the short shield units had gone through, we went through behind them and followed them through. The line that was static was then broke.
- Q. You were not actually with Mr. Scotland? - A. Initially, no. He moved through.
- Q. Why did you break from the cordon and follow him? - A. That is police practice. That is what we do. The idea is to move the pickets backwards away from where they were throwing missiles,

so they would be out of our range.

- Q. So, as Scotland went forward, he would be right behind the horses? - A. Immediately, yes.
- Q. I think you told Mr. Keen you were only a few yards behind Scotland. Was he in front of the short shield officers? - A. On our side of the road there were only about 15 short shield officers and 15 on the left hand side because 5 of our units had long shields, so out of the 15, I don't really know to be quite honest. I know Constable Scotland was in front of me about 4 or 5 yards. I don't know how many were in front. I think there were others in front of them.
- Q. So the reason you broke the cordon and moved forward was just to take it further on? - A. Yes.
- Q. You obviously got distracted to your right at some point. Where did the cordon go to? - A. The cordon broke up then. It was just the rabble following the main charge.
- Q. Can you look please at Exhibit 30, photograph 12. Did it look like that? - A. Yes. This is further up the road than where our incident took place. Cums was back to your right I think at this stage.
- Q. I don't know whether you have been to Orgreave before this day or since? - A. No.
- Q. I don't think it is much further up the road. If you compare it with photograph 6...
- Q. JUDGE COLES: You say it looked like this. What looked like this? - A. We are talking about the way the Police officers were moving.
- Q. MRS BAIRD: If you look back, it is the same sort of area? - A. Yes.
- Q. That is what was happening as you stood by the wall, is it? - A. I would think that was what was happening while I was in the field at that stage. I think most of the Officers who are in the photograph are holding long shields.
- Q. Most of the Officers in the field? - A. Most of the Officers on the roadway seem to have long shields so that would indicate they are the back of the cordon.
- Q. Can you look quickly please at Exhibit 1, photograph 10. Don't bother about the man, did you see that scene? - A. I think I did but at what stage of the day, I don't know.
- Q. Was that car there when you went past? - A. I don't remember.
- Q. You see you must have been standing about here? - A. No. That

is further up the road than I was. I was further back. I was between lamp post 1 and 2.

- Q. So you would be just off the edge of the picture? - A. Yes but if there were other Officers in front of me, they may well have screened that vehicle.
- Q. Was there ever a cordon in front of that vehicle? - A. To my knowledge, no.
- Q. People must have been rushing past you as you stood there? - A. The Policemen who were doing the rushing were the ones with the short shields. They were in front. They did not rush from behind me.
- Q. Well, wouldn't you say, it sounds then, whether there was a short shield cordon in front of them at all, they must have gone past you whilst you were standing? - A. I would imagine the Officers with the short shields were in the vicinity when I was in the field.
- Q. But you are quite sure you are not muddling this charge with any of the others? - A. What charge?
- Q. This charge on Mr. Forster? - A. The first 2 charges were actually on the hill going up to the bridge. The third charge was from the bridge towards the estate.
- Q. So it stands out quite clearly in your mind? - A. Yes, in fact when I got back having taken the prisoner to the building down the road, I think most of the officers were regrouping at the bridge and this had taken place while I was away. You see, the officers at the top of the road...
- Q. Can we get back to the field. You say that you moved Mr. Forster along as you were talking to him? - A. Yes.
- Q. And there were, at the time when you were watching and presumably as you ran through the field, about 8 other policemen in it? - A. I noticed them when I went into the field. I don't know what happened after that.
- Q. Had you seen them go into the field? - A. I had seen some of them dropping down off the wall into the field.
- Q. Did they go into the field higher up? - A. From the point where I went up, yes.
- Q. Did you see them coming back from any prisoners? - A. I took no interest at all in what was going on elsewhere. Once we had hold of the prisoner, my main interest was of getting him safely back to the building where he was lodged.
- Q. At the time when you were watching P.C. Scotland's shield being hit? - A. Yes.

- Q. You were standing with the long shield cordon on the bridge, were you? - A. No. The long shield cordon had broken and started to move.
- Q. You were carrying this and moving 5 or 6 yards behind him? - A. Yes.
- Q. And you think he was still moving as well? - A. Yes.
- Q. Were there a lot of stones at that stage? - A. They were still throwing stones but I think the vast majority of the pickets had started to run away and just a number of them had remained throwing missiles, the ones who could run fastest.
- Q. The vast majority would be on the road? - A. Yes, I think so. They went straight up the road towards the housing estate and they were in a yard on our left-hand side of the road.
- Q. That is the raised area? - A. Yes. I think it had a fence round it.
- Q. The real front was from there rather than the field? - A. Yes but I was on the right-hand side nearest to the field.
- Q. A lot of missiles were being thrown? - A. At what point?
- Q. As you were, 5 or 6 yards behind Scotland? - A. When the cordon was starting there were a good number of missiles being thrown. As soon as the horses broke through it immediately reduced the number because most people turned and ran on seeing a police horse charging towards them.
- Q. You really cannot be mistaken about the horses? - A. No.
- Q. All these people about then and you happen to cast eyes on the same chap that your mate Scotland casts eyes on? - A. He was in the front of a group immediately to my right at an angle. They were probably the nearest pickets to us. That's why he stood out.
- Q. But that is what must have happened. Out of all the pickets around, all the police officers on the bridge and on the road, it happened to be your friend Scotland and you who caught sight of this particular individual? - A. I am sure many other officers probably saw them throwing missiles as well.
- Q. How many missiles did he throw then? - A. I only saw them throw the one.
- Q. Describe how that was done, please? - A. It was thrown over-hand. Whether it was right or left hand, at this stage I have no idea.
- Q. It was right. If it was happening at all, I am sure the gesture would be right-handed. I am not interested in that. Perhaps what I should have said was that Scotland showed us the right hand. So whether with the left or right, how was it thrown?

Do the gesture for us? - A. I would say that way, rather than under hand.

Q. Over your shoulder? - A. Yes.

MR. WALSH: Would over arm rather than under arm be appropriate?

JUDGE COLES: Yes, probably so. I don't think we could be quite sure whether it was a googly or not.

MRS. BAIRD: Is that a cricketing term, your Honour?

JUDGE COLES: It is, yes.

- Q. MRS. BAIRD: Upwards, into the sky? - A. Slightly, yes. It did not go right in the air and down again. It went at an elevated angle and dropped towards the shield. It was at a lower level anyway so he would have to throw upwards to come on us.
- Q. Had you seen him before he threw the stone? - A. I had only seen him as one of a group when I was looking at the pickets when they were...
- Q. Were they all throwing stones? - A. Not all of them. Some of them.
- Q. Why did you notice him particularly? - A. I just happened to be looking at him when he threw one that was coming towards us.
- Q. So you had not cast eyes on him to notice him prior to seeing the arm movement? - A. I hadn't particularly singled him out in order that he could be singled out and chased after. It just happened naturally. We just seen him throw a stone. It bounced off the shield and I saw Constable Scotland go into the field or in his direction and he stood his ground a little longer than the other pickets.
- Q. What is important is that you had not noticed him as an individual particularly prior to the arm movement? - A. Probably not.
- Q. I presume it was this arm up in the air movement that drew your attention to him? - A. Fast movement. There is a difference between someone standing still and somebody suddenly letting go with a stone. You notice.
- Q. You did not see him pick it up then? - A. No, I didn't.
- Q. Are you sure you did see it? - A. I am positive I saw it.
- Q. It seems as if not only this, it happened to be you and your friend who saw the same picket, but you seem to see him at the same instant as he throws the stone. Not before, not later? - A. We were both facing in the same direction and generally in the same area until the matter of this arose.

- Q. You say you were facing in the same direction. Was Scotland looking into the field, standing in front of you like this? - A. Well, if Constable Scotland has said he saw the person throwing a stone at him, he must have been looking at him. So I can only presume he was looking in the same direction as me.
- Q. Well, please don't presume. Before Scotland went over? - A. I saw the back of Constable Scotland's head. I don't know where his eyes were looking.
- Q. If this was the wall, was he at right angles? - A. Yes, his body was pointing towards the person who threw the stone.
- Q. I am not making you stick to 90° but he was in the same sort of angle to the wall as I am to the bench, looking at the person who was throwing? - A. No. I would say he was at more of an angle to it.
- Q. Which way would he be? This way looking over to his right? - A. At right angles.
- Q. At right angles to what? - A. To the way he was going, you know. He was advancing along the road and going to his right slightly but the man was more to his right and threw the missile.
- Q. He was going ahead, the man was to the right. Are you saying he was at an angle like this, half-way between the two? - A. Yes.
- Q. Or further to the right or what? - A. 90° is there, isn't it?
- Q. Yes? - A. I would say more like 45.
- Q. Right. What I am looking at is how the stone hits the shield because that is the left arm, but presumably that is because he was facing in that direction? - A. Must have been.
- Q. How did you see the stone hit the shield if you were behind him? - A. I was 6 yards behind him. He was not blocking my view. He was also to my right.
- Q. He is to your right. Are you looking straight ahead. Are you pointing to the right a little as well? - A. I am sorry, I don't understand.
- Q. Scotland is 5 or 6 yards in front of you, angled towards the field? - A. Yes.
- Q. With his shield in its usual position in front of him? - A. Yes.
- Q. The missile hits the shield? - A. Yes.
- Q. I am asking you how you could see that missile hit that shield? - A. Because the person who threw it was to the right of Constable Scotland as I looked.

- Q. How did you see it hit Scotland's shield. That is your evidence? - A. I followed the line of the missile and saw it bounce off his shield.
- Q. As he stood there like this? - A. Yes, and fell to the ground.
- Q. When I say stood there like this, I am holding the shield in the ordinary position in front of my body. So you saw it hit and just bounce off? - A. Yes.
- Q. And at once he went over the wall? - A. Yes.
- Q. Can you tell us where the stone went when it hit the shield, back into the field? - A. I just saw it drop towards the floor. I don't know whether it went on to the ground.
- Q. It would drop towards the wall presumably? - A. I just seen it drop on to the ground in front of him. I cannot say whether it went to the left or the right..
- Q. What I want to establish is whether it was like that or whether in fact there was some of this kind of thing, trying to volley the missile and knock it down? - A. I don't think I noticed Constable Scotland raising his shield up at that sort of angle at any time. 70
- Q. You didn't see him moving his shield? - A. Not up here to protect his face. Your helmet protects your head, anyway.
- Q. Can I suggest that you saw nothing of this until Scotland went over the wall and that is what attracted your attention to the whole matter, isn't it? - A. You can suggest it but it is not a fact.
- Q. You did not see George Forster throw an over-arm stone, did you? - A. I did, yes.
- Q. And you did not see it hit the shield in front of the body just like you have described it? - A. I did, yes.
- Q. Are you sure it was not a sideways shot and he had to catch it like that? - A. No.
- Q. Quite sure? - A. Positive.
- Q. Isn't this the position, that you saw him go over the wall, help him out when he chases somebody, perhaps you thought he was in danger, and then just corroborate his account when he writes it out, whatever it said? - A. No. My salary is too important to me to go to court...
- Q. JUDGE CCLES: Sorry, what was that? - A. My salary is too important to me to go to court and perjure myself for...
- Q. MRS BAIRD: To come to court for what? - A. It is a small

job in my opinion, stone throwing. It is not the sort of job that I think would attract a great deal of (inaudible).

- Q. Right. We like to know where you evaluate it in the scale of what it means to yourself. If you saw all this, why didn't you make a note of it at the earliest possible...? - A. Make a note of what?
- Q. Of what you say you saw? - A. It is not practical to use your notebook when you are in the cordon of police officers having missiles thrown at you.
- Q. But you were not in a cordon of police officers with missiles thrown at you. Immediately after when Mr. Forster went into the command post, you had time to write up notes? - A. I returned to the front line where my unit was.
- Q. Don't you know that your Force Standing Orders say you cannot make your evidence up...? - A. As soon as it is practical, my Force Standing Orders say.
- Q. They say right away. Mr. Scotland told us? - A. No. As soon as is practical, to my knowledge.
- Q. What was impractical about doing it when you had taken Forster to the command post, when you had seen what you had had seen. You even had your notebook with you? - A. That is right. I thought it was more important to rejoin my unit and go to the place where you had originally been deployed. I did not have a prisoner. He was not my prisoner. I was not the arresting officer.
- Q. But your duty is to make up your note as soon as you can and you defied that rule all day? - A. No, I don't agree. I don't think it was practicable to write my note up as soon as I returned to that command post.
- Q. Numerous officers did just that? - A. Well, that is their prerogative.
- Q. JUDGE COLES: Some of us criticize for keeping out of the action. On the other hand, you decided you had better get back to the line? - A. I considered it more important I get back to my unit.
- Q. MRS. BAIRD: I am being asked to get you to speak up again, Mr. Jones. Were you not worried when you went back and got to the front line for another few hours, you would lose your recollection of the words, for instance, this man had spoken? - A. It is not something I gave a lot of thought to at the time.
- Q. This was not very important? - A. Not really, no.
- Q. You see the real reason why you did not make your notes up there and then was because you had to wait for Scotland to tell you

what to put in it, isn't it? - A. Not at all, no.

- Q. In any event whatever it was that you say you saw hit Scotland's shield, it was not a brick, was it? - A. It was not a brick, no.
- Q. There is a big difference between a brick and a small missile? - A. That is correct.
- Q. Do you think it odd then when Forster, according to you, said that he had thrown a brick? - A. Not particularly, no.
- Q. You did not say, no, hang on, have you thrown a brick as well because you certainly threw a stone this time. Get a little more evidence against him? - A. No, never entered my head.
- Q. You did not notice the difference between brick and stone at that stage? - A. Not at that point.
- Q. He did not say anything about throwing a brick in the field, did he? - A. He did, yes.
- Q. You remembered it word for word, did you, when you got back to the command centre and started to make up a note with Scotland? - A. That must have been what he said if that is what we put in the statement at the time.
- Q. Did you remember it word for word by the time you got back to the command centre? - A. I presume so. I can only presume. I cannot go back 12 months and say I am certain. It is not my habit to put things down which he might have said. I tend to put things in evidence what were said.
- Q. Right, let us clarify that. You are a precise and accurate policeman, are you? - A. I try to be.
- Q. You would never put down something you thought he said, only something he had? - A. If I thought he said it, I would put it in the statement, I thought he said.
- Q. So the words you wrote, it follows from your usual practise, are exactly what he would have said? - A. I would imagine so.
- Q. You remember it in your head on that occasion? - A. Two hours.
- Q. More like 3, wasn't it? - A. I don't know.
- Q. Let me give you this guidance. Mr. Forster, you know, he went to hospital? - A. I am aware of that now, yes.
- Q. He was brought by Scotland back to the command post at 3 o'clock? - A. I don't what time.
- Q. I am going from the detention sheet which is a police document. It is not evidence. Where were you at 3 o'clock? - A. By then

I had been redeployed sitting in the van at Orgreave in a car park and I was asked to go to the command post.

- Q. By whom? - A. I don't remember now. Somebody came over and said that you are required over...
- Q. Scotland? - A. It was not Scotland. No, I was told to go and see him.
- Q. So it must have been by the time you got yourself across there, I imagine the message whatever came before Scotland is back at the command post? - A. No, he was already back, he was.
- Q. So you were brought from the van, you commenced your statement? - A. Yes.
- Q. So that has got to be quarter-past 3 or so? - A. As I say I have no idea at the time the man was arrested or the time I got back. I didn't make a note of it.
- Q. He is arrested at 11.25 we understand. As a matter of fact it is more like 4 hours since the arrest? - A. It didn't seem like it on the day.
- Q. But it follows, if you accept those times? - A. I am sure that is right.
- Q. So 4 hours you kept his precise words in your mind? - A. What I thought he said, yes.
- Q. And you had no problems agreeing it with Scotland. He thought so as well presumably? - A. Must have done if he has put it in the statement.
- Q. When you made your statement up, were your recollections very much the same of the incident? - A. Yes.
- Q. So your recollection then was as it is today because you are confident you are telling the truth? - A. Yes, I would say so.
- Q. And you being a precise person, you have said you try to be, you would not tell this Jury anything from that witness box unless you were sure it was true? - A. Yes.
- Q. And accurate? - A. Yes.
- Q. Your recollection of the chase, in particular, all the way through from when it happened until today, has been that Forster stood his ground, was then pursued and he was taken hold of whilst running and brought down? - A. I think he fell as Constable took hold of... I think he was running as fast as he could.
- Q. You can see the two figures. Presumably Scotland gaining on him? - A. Yes.

- Q. And taking hold of him and they fall? - A. As he reached out towards the back of his shoulders or collar, as he was doing that, the other gentleman seemed to fall and Constable Scotland just went on top of him on the floor.
- Q. You have told us you could see Scotland was having difficulty getting hold of him since his truncheon was in his hand? - A. Yes.
- Q. And you thought he had hold of him on the shoulders? - A. Shoulders or the clothing at the back of his neck.
- Q. That is how you remember it all the way through that day to this? - A. Yes.
- Q. JUDGE COLES: Can I just clear this up. You are saying it was the grasp by Constable Scotland or it may have been the grasp on the back of this gentleman which caused him to fall? - A. Together with the impetus of his running probably, yes.
- Q. I was going to say or was it that he just lost his footing. You think it was a combination of both? - A. Yes.
- Q. MRS. BAIRD: So clearly it cannot have been that Mr. Forster fell whilst Scotland was still 6 or 7 yards away from him, say, as far as I am from perhaps the Jury? - A. No. within reaching distance of him when he fell.
- Q. You have gone further than that. You have told His Honour it was a combination of the two individuals touching...? - A. As I would have thought.
- Q. JUDGE COLES: But he cannot have been 6 yards away? - A. He can't have been if he was touching him.
- Q. MRS. BAIRD: So he cannot have taken a nose dive enabling Constable Scotland to catch him? - A. No, I would not have thought so, not 6 yards away.
- Q. And your impression was that Constable Scotland was gaining on him, so in your mind there would be no question but that Scotland was going to catch him? - A. I would have thought so.
- Q. Never any time when you might have thought he was going to escape? - A. That is why I never went into the field immediately.
- Q. You also watched that struggle in the field for some seconds? - A. There was a delay. In fact they were still on the floor by the time I had climbed off the wall and run across the field, some 30 yards, still on the floor struggling.
- Q. But in your mind they were also struggling on the floor prior to you going into the field? - A. No.
- Q. I thought you told Mr. Keen that it was him on the floor with

Forster as the pickets started to throw stones which made you realize he was in danger and that is when you went over the wall? - A. No. That happened while they were on the floor. The pickets started to move back after they had fallen to the floor. Some of them were only throwing when I was running towards them and when they saw I was running towards them, they stopped, and then I assisted Police Constable Scotland and helped him to his feet across the field.

- Q. So while you were on the wall, pickets were running back towards Scotland? - A. Yes.
- Q. Throwing stones as they ran? - A. Yes.
- Q. And having seen the two struggling, these people running, that is why you went over the wall? - A. Yes.
- Q. So it does seem that for a few seconds at any rate, they are struggling on the floor before you even went over the wall? - A. Possibly a second or two, yes.
- Q. And then you had to climb it and run 30 yards? - A. Yes.
- Q. How long do you think it took you from setting off, 5 or 10 seconds or more through the cornfield? - A. Yes, between 5 and 10 seconds probably.
- Q. But it would be very difficult for either Forster or Scotland to get the impression that you were there almost at once when they started to be together? - A. I was not. There was a delay before I got to them.
- Q. Who did you give your shield to? - A. I know he was not a Merseyside Officer. Apart from that, I don't know.
- Q. He was? - A. It was another officer with a long shield, with a few officers just standing there. Most people were watching what was going on in the field rather than doing anything. The ones at the back anyway.
- Q. You think other policemen were watching what was going on? - A. I would have thought so.
- Q. You just gave your shield to somebody and collected it when you came back? - A. Nobody else seemed to be prepared to go into the field and assist him, so I did.
- Q. There was even sufficient delay for you to evaluate that? - A. While I watched this just across the field, they also ran back towards me rather than away and there were a lot of other officers around. I was aware of their presence and some of them were looking in that direction and nobody else made any attempt to climb into the field.
- Q. So you definitely were not there almost at once. There was

really a considerable delay? - A. From what point?

- Q. From the 2 of them going down? - A. From when he fell on the floor, yes there was a delay.
- Q. When you came to make up your statement, you did not bother putting your own account, did you? - A. No. I asked a CID officer who was present at the time, if it was necessary to make 2 separate statements or could I sign Constable Scotland's statement as long as they were saying the same thing.
- Q. So this CID officer told you not to bother? - A. He said as long as you agree with his, you can sign it and then make a notebook entry saying as it was the statement made and signed.
- Q. There was a statement made by you at some later stage? - A. Yes.
- Q. 8th August last year? - A. Yes, approximately 2 months later.
- Q. Where did that statement come from? How did you get to sign it? - A. I made it myself. I asked for a copy of the original statement that was made to be sent through to Liverpool which came in the despatches and I made my statement from that.
- Q. You asked for a copy of Scotland's statement? - A. Yes.
- Q. It was sent to you and you made a completely new statement from that? - A. When I was told it was required for me to make a statement, I asked for a copy of Constable Scotland's statement.
- Q. JUDGE COLES: Which you had signed? - A. Yes.
- Q. MRS. BAIRD: So you then made it up word for word, that is except where he had referred to you, you referred to him? - A. Basically, yes.
- Q. So the statement, which you perhaps could look at, Constable Jones' original signed statement (produced). That is it, is it? - A. Yes.
- Q. Dated 8th August, signed by you and witnessed by who? - A. Sergeant Armstrong. He is my Section Sergeant.
- Q. And also a Sergeant on your Section with the PSU? - A. He was that day, yes.
- Q. That is the typed statement, is it? - A. Yes.
- Q. That you signed? - A. Yes.
- Q. You wrote it out and got someone to type it or typed it yourself? - A. I really cannot remember.
- Q. But you are responsible for every word in it and you have

changed Scotland? - A. I worked off Constable Scotland's statement.

- Q. You had not, I take it, seen Constable Scotland's statement between the 18 June and the 8 August? - A. No, I wouldn't think so.
- Q. Did you have any independent recollection of the incident by the time you made up your own statement or did you really just copy his? - A. Basically just went off his which was notes that were made at the time in my presence.
- Q. And that is all true? - A. Yes.
- Q. Can we look at it together? Can you see the next to the last sentence right at the end. How does that read? - A. 'He was not detained and was then taken to the Police command post at Orgreave Coking Plant where he was detained.'
- Q. I think that is the last sentence. The next to the last sentence? - A. 'Forster was then taken to the reception where he was treated for his injuries.'
- Q. 'Forster was then taken to the reception where he was treated for his injuries'? - A. Yes.
- Q. Do you remember putting that into this statement of yours? - A. Must have done if I signed it.
- Q. Does it make any sense? - A. I told you he had a cut on his head.
- Q. Were you there in reception when he was treated? - A. No, I was aware he had been treated.
- Q. So, in short, Scotland told you he had been treated? - A. Yes.
- Q. At reception? - A. No. It must have been after he had been treated he told me because I was not present when he was treated.
- Q. But Scotland told you he had been treated at reception for injuries because that is what you have put? - A. No, what I have put, 'Forster was then taken to the reception where he was treated for his injuries'. I left them after the photographs had been taken. I didn't see him being treated for his injuries.
- Q. Of course not. Scotland told you he had been treated. That is why he put it in the statement? - A. Yes.
- Q. He must have told you he was treated at reception because that is what you say, 'Forster was taken to reception'? - A. Yes.
- Q. That cannot have come from anywhere else than Scotland? - A. Yes.
- Q. What does the next sentence say. 'He was not detained', presumably at reception, and he was taken to the command post? - A. Yes.

- Q. Where did you understand the reception was? It obviously was not at the command post? - A. That is where I thought it was when they say reception.
- Q. If you took any care in making that statement, it cannot possibly have been at the command post? - A. I am not aware of where the prisoner was treated. I presumed from what has happened at the time, Constable Scotland has told me at the reception.
- Q. You are not aware of where he was treated? - A. No.
- Q. You told us a minute ago that when you were not sure of something you would not dream of putting it in a statement, didn't you? - A. I don't think that is material to the case against the gentleman. I don't think that is the sort of point I would argue over.
- Q. You said to the Jury that if you only thought he said that, whatever the sentence, you would not have said, I only thought it, you are that careful, and yet you put something in your statement which you just don't have any idea about? - A. I can only say that until you pointed that out to me I was not aware he had been treated anywhere other than that. That is all I can say.
- Q. So until I have just pointed it out to you that reception must have been somewhere else? - A. Yes.
- Q. You were not aware that he had been treated anywhere other than at the command post? - A. No.
- Q. So you didn't know he had been to hospital? - A. No.
- Q. You did not? - A. No.
- Q. You had better have a look at Scotland's statement because that plainly says he went to hospital? - A. That statement was made prior, about 2 months to this...
- Q. You had better have a look at it and see if I am right before you start explaining? - A. I am sure you must be.

JUDGE COLES: You are reading the original one there or the typed one?

MRS. BAIRD: The original one (produced):

- Q. Can you see, it says, 'Forster was then taken to the hospital'? - A. What page is that on?
- Q. It is the same page as yours because you copied his, didn't you...
- Q. JUDGE COLES: The last sentence but one? - A. Yes, 'taken

to hospital where he was treated for his injuries'.

- Q. MRS BAIRD: So 2 months ago you have told us you did not know until I said that he had been to hospital. Well, it seems you have counter signed a statement saying he had been to hospital right back on the day it happened? - A. I can only say on the day Constable Scotland must have told me he went to the hospital with him and that is when I seen the statement and 2 months later...
- Q. You are not accurate and precise after all? - A. I am not infallible. I would not suggest that for a minute.
- Q. But you happily signed a statement which says reception was where he had been treated? - A. I can only describe that as a genuine mistake.
- Q. It is perhaps another example of how low key in the evaluation this matter is. You did not take much care about it, did you? - A. I would not say that, no.
- Q. Did you know on the 18 June when you made up your statement that he had been to hospital? - A. I must have done if I have signed a statement and read it because I have read it before I signed it.
- Q. But you knew before he went to hospital he had gone to the command post because you took him there? - A. Yes.
- Q. That statement of Scotland's plainly says that he went to hospital and then went to the command post, doesn't it? You have just read it? - A. I would suggest that Constable Scotland's statement means that he was taken there originally, then he was taken to hospital and then he was returned to the command post.
- Q. I don't see how frankly saying he went there first and then went to the command post can possibly mean the reverse, but you say it does? - A. I think he has been to hospital and returned.
- Q. He plainly has done that but you have signed a statement putting it the wrong way round? - A. It is 2 months later.

JUDGE COLES: Well, it is entirely a matter for you, Mrs Baird, but you have established the statement was inaccurate. You have established what he signed and, well, it is a matter for you if you wish to take the matter any further. He has admitted he is not infallible, he has admitted he has made a mistake. I am tempted to say, how much more do you want?

- Q. MRS BAIRD: Two mistakes. Do you want to agree with that? That is how much more I want. One, the wrong order, two, the wrong place? - A. To my knowledge, as I say, I didn't know he had been to hospital. I presumed he had been treated at the post. I don't consider that a mistake. It is just lack of knowledge.

- Q. Which is the truth. You say now of that knowledge, you did not know he had been to hospital. I thought you said you knew he had been to hospital? - A. I must have, when I made my own statement up later, I obviously forgot.
- Q. Mr. Jones, this is not a suggestion of your deliberate lying, it is not so important, but it is a sign of how ramshackle your attempts at making an accurate statement have been, is not it? - A. I would imagine it is one indication, yes.
- Q. Were you hit by missiles as you went over the bridge? - A. I was, yes.
- Q. Where? - A. On my helmet and on my shield.
- Q. You have put that in the statement then? - A. That is right.
- Q. And also in Scotland's statement that he had been hit on the helmet and shield? - A. Yes.
- Q. You didn't just copy that with all the rest. That actually happened individually to you? - A. Yes.
- Q. You say in the statement that you saw Forster standing, before you saw him throw a stone? - A. Yes, he was with a group of 5 or 6 other people.
- Q. And you then go on to say this which I have to suggest to you is not true. 'Together with that officer I chased Forster through the field.' Not true, is it? - A. It is. Well, I didn't actually take part in the chase. I would say that is not correct.
- Q. Well why did you actually put in your statement that you had? - A. In my own statement is this or the one written at the time?
- Q. Your statement of course? - A. It technically is wrong, yes.
- Q. Sorry? - A. Technically it is incorrect. I went to Scotland's assistance in the field.
- Q. It is totally wrong. How did it get in there if it is totally wrong? - A. It is obviously taken from the original statement.
- Q. JUDGE COLES: As Counsel says, slipshod work. You copied it without noticing that it was inaccurate? - A. That is probably correct, yes.
- Q. MRS BAIRD: It is also in Scotland's statement that both of you chased him. Do you want to look at that? It is more sloppy copy? - A. Constable Scotland was not in a position to say whether or not I chased him, I would imagine, because I think he...
- Q. All right. Look at his statement. He says, 'Together with

Constable Jones I chased him'? - A. He obviously thought because I went to his assistance in the field that I followed him.

- Q. You were there to correct that on the 18 June but you did not do so, did you? - A. Constable Scotland wrote the statement. I sat next to him and read through it and never noticed the error.
- Q. He writing on his own and no consultation with you? - A. No. I consulted with him. He also put sentences in and then I agreed with them.
- Q. There is a lot of difference between chasing someone and watching him be chased? - A. Yes.
- Q. It is true that you chased him or watched him or...? - A. I watched him and then went to the assistance of the officer who was on the floor with him.
- Q. There are some glaring omissions in your statement and Scotland's statement as well? - A. Such as?
- Q. First of all, you say you saw Forster standing in a field and you don't mention a group of other men round him? - A. Is that relevant?
- Q. You don't think it is? - A. To prove a case?
- Q. You don't think it should be in your statement that there were other people there doing the same? - A. There were a lot of things that I could have said that happened that day which are not in the statement.
- Q. That is pretty central to the charge here of other people standing in groups and were picked out, and the point has been made that they were picked out from a group? - A. I am not denying the fact he was picked out from a group.
- Q. If you read the statement through, the impression it creates is that he was all on his own? - A. It may well do.
- Q. And the truth of it is that he was on his own, wasn't he, in the field? - A. No.
- Q. Another glaring omission I suggest to you is any mention of why you went over the wall to assist at all. 'Saw him in a field, he threw a stone, together with Scotland I chased him, we arrested him'. That is not true. You have told us you went over the wall for a particular reason? - A. It is just a play on words. Basically he was chased through the field and the rest. If you want to argue the technical point of it, then by all means go ahead.
- Q. The Jury will decide if they are technical or not...

- Q. JUDGE COLES: You say you put a sufficiently accurate summary? - A. I can only say this. Police officers are regularly given lessons on statement making. I had one myself only 2 weeks ago, because of the lack of quality of the statements. We are all human beings and we all make mistakes, like other people in other fields of work and it is just that they try to improve that standard.
- Q. MRS BAIRD: So you say having told us you are a precise and accurate person, you are lamentably sloppy in fact? - A. Not at all. I said I try to be precise.
- Q. So you need a lesson in being more accurate...
- JUDGE COLES: Well, I don't think we need to abuse him. If you put in too much detail, you will be criticized about it, and so if you don't...
- Q. MRS BAIRD: So this follows, it is safer to leave detail out? - A. We try to put relevance in the statement and a lot of what we consider is relevant is left out, although now they have changed the methods. Now hearsay evidence is put in a statement and whether it is used in court or not is up to the prosecution at the time.
- Q. JUDGE COLES: Put it in brackets do you? - A. No, it is all put in in the statement, in the Merseyside area anyway.
- Q. MRS BAIRD: But you have agreed with me before you started all that, that instead of saying that you watched and then because you saw danger to your colleague, joined in and you have put in your statement that you chased Forster from the start? - A. I have not noticed the difference when it was written, I would say.
- Q. Another glaring omission is any mention of a struggle in the field. The very thing that made you move, no mention of it? - A. It says in the statement I signed though, that he fell to the ground and was restrained. It does not say in great detail how he was restrained.
- Q. It does not say he struggled? - A. Well, if he had to be restrained it would infer he was struggling.
- Q. I think it infers you had hold of him. It does not infer that he was struggling? - A. (No reply).
- Q. The very thing that made you move, all this activity in the corn, your colleague being in danger from the pickets running. None in your statement. You see that is fairly central, if this man really fought with your colleague. You want to mention that, there might be a charge arising out of that? - A. Possibly, I could not see. All I could see were 2 bodies on the floor and when I got to them they were struggling. Mr. Forster was trying to escape from Constable Scotland's hold. He stopped immediately

I took part in it.

- Q. Yes, but you saw a struggle? - A. They were still struggling when I got to them, yes and that was some 8 seconds later.
- Q. Struggling before you go over the wall and all the time you ran. They must have been covered in dust and bits of corn and dirt, were they? - A. I think so, yes. I think Constable Scotland had blood on his uniform.
- Q. Where from? - A. I can only assume it was from the wound on the head of the defendant.
- Q. Where was it, on his tunic or shirt? - A. I think it was on his tunic on one side. I am not sure.
- Q. And he was covered in dust? - A. He would have had some rubbish on him from the field.
- Q. And also this gentleman covered in dust? - A. He looked rather bedraggled.
- Q. I don't suppose you had time to dust each other down before you got to the command post? - A. Not actually entered my mind.
- Q. Well, have a look at 31 C and point out all the dust and grime from this trouble you saw, (produced). It is a picture of Forster under arrest. Can you see any? - A. It is not a sort of photograph that has been taken to show, to highlight this sort of thing, is it?
- Q. Well, the truth of it is there wasn't any struggle at all, was there. You would certainly see corn coming out of Forster's hair, out of his shirt, all over his back, dust all over the front of Scotland, dirt and grime. His uniform is as clean and nice, as dark blue as yours? - A. I would say it is very difficult to know from that photograph. In fact, if you look on his right arm there, the top part, it looks as if there is some sort of debris on the sleeve.
- Q. Well, show me? - A. On his right arm.
- Q. Show the Jury. On Scotland? - A. Yes, on Constable Scotland.
- Q. Show the Jury? - A. It looks as though the top right hand sleeve of his jacket is... And the shield is possibly hiding the part where I said the blood would have been for a start.
- Q. Take as long as you like. Search it thoroughly. Point out every bit of grime to indicate there was a struggle 2 minutes before? - A. Half of Constable Scotland's tunic is covered by the shield.
- Q. There wasn't a struggle, was there, and that photograph catches you out? - A. There was a struggle.

- Q. Two minutes ago you said, 'We didn't have time to dust each other down before the reception'. You were agreeing with me, and now you can't see a sign of it? - A. I did point out where I think there is some debris on it.
- Q. How bad was Mr. Forster's head cut? - A. I didn't examine it.
- Q. But there was blood on it? - A. His head had blood on it.
- Q. And so did Scotland? - A. So did Constable Scotland's tunic.
- Q. When you left them, they, we know, went to hospital and came back, and you were soon to make a statement up with Scotland. You stood by or sat by whilst Scotland did the writing? - A. I sat next to him, yes. It is in his handwriting, the statement.
- Q. The comments in it are a combination of 2 sources you have already told us? - A. Yes.
- Q. Firstly, an outline of the events leading up which came from Yorkshire Detectives? - A. All they have said, 'we would like you to introduce your statement the following way, you were part of a large police contingent that was assigned to duty at Orgreave on the day in question. You were faced with a large group of pickets'.
- Q. Which gave you that outline. In fact you have almost recited word for word the first sentence? - A. Yes, I have seen my statement since.
- Q. So it follows that Scotland wrote it down as it was coming from the CID man presumably? - A. I don't think so, no. I don't think he wrote it down as he said it. It is pretty easy to remember a brief introduction like that.
- Q. You were given a sort of very short lecture saying we would like them all to start 'we were part of a large contingent'? - A. Yes, that is all it said. Just starting the statement off and put in your own words what happened.
- Q. So at some stage when you were comparing notes you must have become aware that Scotland had written down what you had heard the CID man telling you to write down? - A. Yes, because I signed it and I have read it.
- Q. Presumably you were watching him write? - A. Yes. His writing is not the best. It is rather difficult to read.
- Q. Are you saying that it went as far as this, dictating the first sentence to set the scene? - A. No. He stated what he wanted in it. It might not have been word perfect but it is the gist of what was said by the detective who came into the room.
- Q. Can you tell us how far down the first page. I would look at

your own statement because it is typed and easier to read and they are identical. How far down the first page this detective went? - A. 'During the morning there had been a build up of pickets.' I would say from there onwards the figures are probably our own idea, the 3,000.

- Q. JUDGE COLES: Where did you say it ends? - A. That is where it ends, where we decided on the number of pickets.
- Q. Just a sentence? - A. 'On Monday 18 June 1984 I was part of a large contingent of police officers assigned to duty at the Orgreave Coking Plant, Orgreave. During the morning there had been a build up of pickets', and from there onwards the wording would be our own.
- Q. That was the almost but not quite dictated part? - A. Sort of, yes.
- Q. MRS BAIRD: Are you sure it didn't go a little further than that. What about the reference to Highfield Road. You wouldn't know what that was called? - A. I think we would have asked advice.
- Q. It is important for you to remember because if you look at all that paragraph, 'I was standing with Scotland' right down to where you start to talk about Forster, all of it is fairly general stuff which probably applied to all the policemen there. Do you think the outline might have gone further than you remember? - A. No. Certainly never came to that part of it anyway. We might have gone and asked someone the name of Highfield Lane which I certainly was not aware of.
- Q. I suggest the whole of it was given to Scotland whilst you were there? - A. No.
- Q. Semi-dictated, wrote down to the mention of Forster? - A. No. Immediately the gentleman said that he went out of the room. There were about 20 police officers in the room all making statements, all different because with different circumstances they may not even have been for the same offence.
- Q. What I want to suggest to you is that you were given a script for a statement about the riot from South Yorkshire detectives? - A. That is totally untrue. It is not necessary.
- Q. That is all that that detective was about, write down the page? - A. Personally I was satisfied an offence had been committed and that what we have put in our statements was enough to prove the job. That is the main thing we tried to look for.
- Q. I suggest that what was going on was that all the people in the room, whilst you were there, were getting an account given to them, so that they could all agree the general events of that day, evidence of riot? - A. I have already told you what was said and that was all that was said.

- Q. One thing, you were here in this room at about 3.15? -
3, I accept that, yes.
- Q. Most of the Defendants here, all but 2, were arrested at same time as you arrested Mr. Forster. Please, just talk from me for the moment. Obviously so far as you know, they could have come and done their statements long, long before half-past 3. It was the fact that Forster had to go to -
- A. Most of them had an officer with them corroborating evidence. There was 2 on each job which means there was 10 people in the room dealing with each job. 91 people were arrested, that leaves another 80 people who were not in the room and whoever it is corroborating that evidence.
- Q. Between the arrest of Forster and your statement making, it was about 4 hours, the probability is that most of the arrested at 11.30 had already written the statements out before you did? - A. I presume some of them did in view of the fact that everyone was treated for injuries. I would imagine the ones who had been arrested earlier with no injuries would be so much quicker than we did.
- Q. There is even time between, if they could have been making statements up at half-past 3, for a complete file to be received by the CID men in the room, 4 hours? - A. I have no idea what hours they were working. I think they were working long hours.
- Q. If you were scripted you would probably get a different script from the ones who were there at 11.30? - A. We were not scripted in the first place, so it is not relevant.
- Q. Did you have any difficulties getting up the road to the bridge - A. We made 3 charges, 2 charges to the bridge and one from the bridge. Each time the pickets regrouped and came back, threw missiles and each time we were told to charge again.
- Q. Were there other obstacles to stop you getting through? - A. The hill part looking up to the bridge, I don't remember seeing other things, other than bricks being thrown. When we reached the bridge, all sorts of other missiles were being thrown, including a car on fire. It is possibly the one in the photograph. At what stage of the day, I don't know. Oil drums rolling down the road. I saw wire straight across the road.
- Q. You had better slow down because I think you have said you did not see any of these things when you were going up the road, you saw them at some other time? - A. Possibly after I had come back from taking the prisoner. I was up there for another 2 hours.
- Q. If the arrest is right at 11.25, these things that you saw would be 10 minutes at least after that, by the time you walked back from the command centre? - A. It is a good 7 or 8 minutes walk, notwithstanding there possibly 4 or 5 minutes and then another 5 or 6 minutes up the hill again.

- Q. JUDGE COLES: You did not notice the wire, the car or the oil drums prior to your coming back? - A. No.
- Q. MRS BAIRD: When you got back, the cordon was on the bridge, wasn't it? - A. I think they were returning to the bridge from the housing estate.
- Q. So the obstructions would be in this sort of region, using the photograph to locate? - A. Yes. I have also seen photographs of debris which was shown to me a couple of weeks ago by officers from the Serious Crime Squad in Sheffield. They came over to Liverpool.
- Q. That was a couple of weeks ago? - A. 3 weeks ago, I can't remember the date.
- Q. I think you have told us when you got back you saw that car on fire? - A. Yes, it was probably burning, well ablaze.
- Q. That will be around the 20 to 12 mark? - A. I have no idea of times but if you say so.
- Q. JUDGE COLES: But you saw it was burning? - A. It was well ablaze.
- Q. You saw flames? - A. Flames and smoke coming from the vehicle.
- Q. MRS BAIRD: To get the best time we can, if the arrest is right at 11.25, that would be about 25 to 12? - A. When I came back, that soon? I don't know. I would say it would be a bit later. I think we moved back off a few times from the bridge. That could have been at any time during those 2 hours when I saw the vehicle alight.
- Q. Would you come over the brow of the hill on the bridge and look down that stretch? - A. It is on a bend as well.
- Q. Did you see the car blazing then? - A. I don't remember. I can only say I saw a car blazing in the middle of the roadway. All sorts of debris littered over the road at some time in the afternoon.
- Q. JUDGE COLES: Between about 11.45 and the next 2 hours? - A. Yes. I could not pin it down.
- Q. MRS BAIRD: When the car was afire, was it left there? - A. I think it was pushed down the road, if I can remember. It is over 12 months ago.
- Q. Can you remember the car ever being there? - A. I can't say, no.
- Q. Whereabouts was the wire? - A. The wire was between lamp-posts stretched across the road.
- Q. In this section or higher up? - A. It was tied to a lamp-post

on the right-hand side of me, went across the road and was tied across the road.

- Q. That was intact? - A. No. It had been brought down by officers who had advanced and it was put down on the pavement for horse men to bring them down but I don't think it had its desired effect. I think it was brought down prior to that.
- Q. JUDGE COLES: Was it before or after the bridge? - A. After the bridge when I saw it.
- Q. MRS BAIRD: Does a photograph help you? - A. Not really. It is very difficult to say where exactly it was seeing so much happened that day in such a short time.
- Q. What else did you see when you got back. Oil drums? - A. Oil drums being pushed towards us. I don't know whether they were full, empty or what. I don't think they did any damage.
- Q. Anything else? - A. All sorts of damage, bricks, concrete, stones broken glass everywhere. There was also, I can't remember what it was, something large, sticking up, like a barricade that had been erected but it wasn't a very effective one, wasn't stopping getting past it.
- Q. JUDGE COLES: Something which was sticking up, like a barricade, not very effective...
- Q. MRS BAIRD: And this, you think, was while the cordon was where? - A. Which?
- Q. The cordon? - A. They were backwards and forwards at this stage from the housing estate to the bridge. Every time we reached them, we reached the bridge and they were throwing things. It was during this time.
- Q. During this kind of activity there were all these things you have described, as the cordon was moving backwards and forwards and as you were charging and coming back. Is there anything else over the bridge at that time? - A. I never went up as far as the housing estate at any time.
- Q. I only want to know what you saw? - A. I can't remember. Nothing distinctive. There was the car on fire at one stage. When it was, I don't know. I think some missiles were thrown from the yard on our right, scrap yard. A lot of stuff came from there into the road. I think they tried to block the road.
- Q. And then what happened to you? Did you just get stopped before the action ended or was it all over by the time you got back to the van? - A. I think most of it had finished. We had been in the front line for 3 hours when we were taken out. I think most of the pickets were starting to disperse and go home. They had had enough by then.
- Q. We have had discussion about whether you are accurate or sloppy.

Are you sure about all those things? - A. To the best of my memory.

- Q. After you got back from seeing Mr. Forster off? - A. Most of them occurred.
- Q. And none of them was before the bridge in the charges? - A. I don't recall. I had only just come over the bridge. Most of my view was blocked by officers in front of me.
- Q. I want to suggest to you that the road up to the bridge was quite clear? - A. There was debris on the road.
- Q. All over? - A. Nowhere near as much as there was on the other side.
- Q. Nothing to get in the way, small stones? - A. Bricks. Before I went on line, I was only 40 yards behind in the line when they called for short shields and they were called for because the pickets would not stop throwing stones at police officers.
- Q. I didn't think you knew why you were called? - A. Well, I could see police officers with no protective uniform were coming out of the line with serious injuries to the face and head and the pickets were told to go back, but refused to stop throwing stones.
- Q. I don't know where you have got all this from. You did not see that? - A. I did.
- Q. You heard the officers? - A. No. I heard a senior officer speaking to them with a megaphone. I can only assume they were. I did not hear what was being said.
- Q. Where were you? - A. I was in the car park, 40 yards behind the front line.
- Q. Could you hear it 40 yards away? - A. Yes.

JUDGE COLES: He said he could not hear what was said? -

THE WITNESS: With the megaphone, yes.

- Q. JUDGE COLES: We have gone right back to the beginning now, have we? - A. Yes, this is the beginning, before I went into the line.
- Q. MRS BAIRD: Are you sure you did not hear a senior officer giving policemen orders through the megaphone? - A. No. I think he was speaking to the pickets because it was as a result of the number of police officers who were being injured, that the short shield units were deployed, as far as I know.
- Q. How do you know that it was not orders being given to the policemen through the megaphone? - A. The policemen did not do anything when they were giving them the orders, unless he was telling

them to stand still.

- Q. You never saw a time when an officer spoke through a megaphone and policemen moved? - A. No, not at that stage.
- Q. Does it follow that no officer spoke through the megaphone at you? - A. That is correct. No-one spoke to me by a megaphone. Someone came running from the front line into the car park where there were hundreds of officers, some equipped with riot equipment, which my unit was, and they asked for the short shield units to go to the front line.
- Q. What did they ask you to do when they got to the front line...

JUDGE COLES: If we are going back to the beginning. I suspect you have had enough.

MRS BAIRD: I am not going back to the beginning.

JUDGE COLES: I was not suggesting... We are going to have to have this officer back on Monday.

MRS BAIRD: Obviously, yes. Might I ask one or two more points?

JUDGE COLES: Yes. Just keep an eye on the Jury.

- Q. MRS BAIRD: Can you tell us, before you go away, about the visit of the South Yorkshire detectives to Merseyside? - A. They showed us some photographs and they were trying to identify police officers.
- Q. How did photographs of the debris help you to identify police officers? - A. There was debris on some of the photographs.
- Q. What sort of debris did you see photographs of with policemen there? - A. They were just policemen in uniform. I could not identify any of them. They tried to identify a policeman who was standing near Arthur Scargill. He wasn't doing anything.
- Q. You didn't know him, I suppose? - A. I know one.
- Q. Austin? - A. Eddie, all I know, he admitted to being one of the two police officers. I did not recognize him. He said it was him. All he wanted to know was who the police officer was.
- Q. You didn't know? - A. No.
- Q. There wasn't any debris in the photographs? - A. I don't recall that.
- Q. Tell us about the photographs which had both debris and policemen in them? - A. They were just photographs of police officers who they were trying to identify. 'Did you know any of those'.

- Q. What debris was in the photographs? - A. Bricks and that on the road. I think in fact the oil drum was on one of them that I have mentioned.
- Q. Big bricks on the road? - A. Bricks, (inaudible), stones.
- Q. This is something tall you have described as a barricade. That was on a photograph, wasn't it? - A. I don't think so.
- Q. How many were you shown altogether? - A. I think there was only a couple of books, 2, like those things.
- Q. What were you told when you were asked to look at them? - A. To identify any police officers who we could recognize on them.
- Q. Would you have a look at Exhibit 6 and see if that is one of them. (Produced). You said a couple of books like this. That might have been one of them. That has got the sort of debris you have described on it? - A. This is not the book I saw, I don't think.
- Q. Was there a photograph like that? - A. Now having looked at it, it brings back memories that I remember of these things now but remember I would not have done without looking at the photographs. The barricades that I remember from memory were smaller than that.
- Q. JUDGE COLES: This was not one of the books which was shown to you by the Police from South Yorkshire? - A. No. It does not appear to be. I think I would have remembered all that.
- Q. MRS BAIRD: Were there books like that with all debris on? - A. Not to this extent. There was just bits of debris.
- Q. We have made use of that photograph. I thought you had never seen it before? - A. I don't recall having seen that before until today.
- Q. JUDGE COLES: You say this is far worse? - A. The photographs I saw were not anywhere near as bad as that.
- Q. The photographs? - A. On the day I remember seeing all this debris later towards the end of the afternoon. Having looked at the photographs it brings back memories.
- Q. MRS BAIRD: Don't worry about that. They are all much later than this. Were the photographs that you saw in blue covers? - A. They might have been. I think they might have been one book and a big blow up with the picture of Arthur Scargill.
- Q. Were they black and white or colour? - A. They were coloured I think. The ones in the book were black and white I think.
- Q. There was a book? - A. I think there was a book with some photographs in.

- Q. What puzzles me, I don't really know of any photographs in this case that show policemen and barricades and rubble? - A. I didn't say barricades and rubble. I said debris.
- Q. Debris. Debris significant enough for you to mention? - A. Well, stones on the floor and bricks is all I have said.
- Q. Is that what you are saying, you saw ones that had both policemen and debris in? - A. I think I have seen photographs with policemen and debris on, yes.
- Q. You would have your recollections prompted by seeing these photographs of the day in any event? - A. The main achievement of the visit I thought was to try and identify the officers. That was the purpose.
- Q. Don't speculate. You have told us...

MR WALSH: He has not been asked. Your Honour, if he was asked to identify people, he can say so.

MRS BAIRD: He has already said so.

JUDGE COLES: I was just wondering how he was speculating.

MRS BAIRD: Because he said the main purpose of it was that...

THE WITNESS: That was what I was under the idea I had been called to do, to identify.

- Q. MRS BAIRD: I accept that. That was your impression of what they were there for? - A. To show us photographs and identify police officers.
- Q. JUDGE COLES: That is what they did? - A. They showed us the photographs.
- Q. What did they ask you? - A. They asked us if we knew any of the police in the photographs.
- Q. Anything else? - A. They wanted to know who the officer was standing next to Mr. Scargill and that is about it. They had got 10 police officers in the room and the book was flitted round very quickly. I don't think everybody had much of a look at it. They didn't spend very considerable time on it.
- Q. MRS BAIRD: They came from Sheffield and they wanted to...? - A. It wasn't just our division. I take it they would have gone to other divisions.
- Q. You see what happened when I showed you exhibit 6. It prompted your memory. If you were giving evidence from scratch now, you would mention a lot more because this has prompted your memory? - A. Yes.

- Q. Inevitably seeing those photographs that you saw, would prompt your memory in the same way...
- Q. JUDGE CCLES: Did it, did it? - A. I would say no because I was also well aware of the fact that there were bricks on the floor - I didn't need a prompt for that - both on the bridge, to the bridge and on the bridge.
- Q. MRS BAIRD: I am sure other people will ask you these questions. Can you tell us if there is anything else you can remember from this visit of South Yorkshire police? Did they ask you who was present there? - A. No.
- Q. Can you remember if Scotland was there? - A. He came late on. He came the last 5 minutes. I was in the room for 10 minutes prior to Constable Scotland coming and he was in there for 5 minutes, maybe 10 from memory. I went out before Constable Scotland.
- Q. He came late and stayed on? - A. He, on the day in question, was in another half of the sub-division dealing with another job and because of this they could not get hold of him quick enough because I picked the other officers up in the car and took them to the station.
- Q. You seem to have stayed 10 minutes, then left? - A. He was still there when I went out of the room.
- Q. Were the photographs there when Scotland was there? - A. Yes.
- Q. Did you see whether Scotland was shown then or not? Presumably he was? - A. I cannot say. I seen them in his hand but that was the purpose of him being there.

JUDGE CCLES: Aren't you going to object to that?

MRS BAIRD: Your Honour, no. I am too tired. I think your Honour is right and we should leave it now.

JUDGE CCLES: Is there another point you want to put?

MRS BAIRD: No. There are plenty of points to make but not tonight.

JUDGE CCLES: We will leave it until Monday morning. Monday morning 10.15 members of the Jury.

- Q. You realize you have got to come back on Monday? - A. Yes.
- Q. And there will be some questions asked of you. Please don't discuss this case with anybody? - A. No.
- Q. I am sure you understand the importance of that? - A. Yes.
- Q. With anybody? - A. Right.

Q. And that includes those officers with whom you work and anybody else? - A. Yes, sir.

(The Court adjourned)