

IN THE CROWN COURT AT SHEFFIELD

The Court House,
Castle Street,
Sheffield.

22nd May, 1985

Before

HIS HONOUR JUDGE G. COLES

REGINA

- v -

GREENAWAY and 14 OTHERS

APPEARANCES

For the Prosecution

MR. B. WALSH, Q.C. and
MR. K. R. KEEN

For Greenaway:
For Moore:
For Jackson:
For McLelland:
For Moreland:
For Barber:
For Coston:
For Marshall:
For Crichlow:
For Forster:
For O'Brien:
For Waddington:
For Newbigging
For Wysocki:
For Bell

MR. G. TAYLOR
MR. M. MANSFIELD
MR. M. MANSFIELD
MR. R. O'CONNOR
MRS. V. BAIRD
MISS M. RUSSELL
MRS. V. BAIRD
MR. E. P. REES
MR. P. O'CONNOR
MRS. V. BAIRD
MR. P. GRIFFITHS
MR. M. MANSFIELD
MR. E. P. REES
MISS M. RUSSELL
MISS M. RUSSELL

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INDEX TO TRANSCRIPT

	<u>Page</u>
<u>SUPT. KEITH POVEY Sworn</u>	
Examined by MR. WALSH	1.
Cross-examined by MR. TAYLOR	34.

REGINA -v- GREENAWAY AND 14 OTHERS

SUPT. KEITH POVEY (Sworn)

Examined by MR. WALSH:

- Q. Is your name Keith Povey? - A. It is.
- Q. Are you Superintendent of Police in the South Yorkshire force? - A. Presently Chief Superintendent, sir.
- Q. Are you attached at the moment to - I forget its proper name - the Inspectorate of Constabulary? - A. Yes.
- Q. Is that in London? - A. At the Home Office.
- Q. How long have you been there? - A. Since December 3rd.
- Q. In June of last year were your duties in the South Yorkshire area? - A. They were, sir.
- Q. Was that before your promotion to Chief Superintendent? - A. It was.
- Q. I am going to ask you principally, Mr. Povey, about the events of Monday the 18th June but before we get to that, can I ask you this. The Jury knows that there were, before the 18th June, a number of occasions when demonstrators and Police Officers were present at the Orgreave coking plant site. Were you present on any of those previous occasions? - A. Yes. I commenced duty as a Sector Commander at Orgreave on the 1st June and was there throughout June.
- Q. Does that mean you were there every day throughout June or on those days when there were large numbers? - A. I was there every day throughout June.
- Q. Does it follow from what you have said that you were not there on various days in May about which the Court has heard? - A. That is correct, sir.
- Q. I would like to come directly, therefore, to the 18th June. At what time did you arrive to commence duty at Orgreave? - A. At 4 a.m.
- Q. As a Sector Commander, did you already have your orders as to what to do or daily did you require briefing from the man in charge? - A. I was aware of my responsibilities from what had happened previously. There was an additional informal briefing on that day because of the numbers that were expected.
- Q. Generally speaking what were your duties as Sector Commander, not only that day but previously? - A. I was on that day responsible for an area to the south of the main entrance extending from the main entrance along Highfield Lane towards Handsworth. That area had become known as the top side.
- Q. Perhaps I should ask you this. Were you every day top side or did you rotate from place to place, day to day? - A. We varied, sir, sometimes top side, sometimes bottom, sir.

- Q. So one gathers you had been at the top side on one or more previous occasions? - A. That is correct.
- Q. What was your general role of duty on that occasion when you were there? - A. My responsibility was to ensure that the coking convoy had free access to the Orgreave Coking and Chemical Plant.
- Q. How were you to do that? - A. By the deployment of Officers in cordon formation across Highfield Lane and across an adjacent field about 100 yards from the plant entrance, ensuring that no demonstrators approached the plant entrance.
- Q. We know because we have explored the geography that that is uphill from the plant gates? - A. That is Correct.
- Q. Had you yourself been in command on previous occasions to the 18th June of cordon formation across at that place? - A. I had, sir.
- Q. On any of those days when you had been in charge prior to the 18th at that point, had any attempts been made to breach the cordon? - A. Yes, the most serious of which was on the 6th June.
- Q. Had that attempt succeeded or failed? - A. Failed.
- Q. You mentioned a moment ago about the numbers expected on the 18th. As you recall it, what were the sort of numbers there on the 6th? - A. As I recall there would be perhaps three to four thousand on the 6th. Certainly less on the 6th than there were on the 18th.
- Q. Are you talking now purely on the top side? - A. Yes.
- Q. You have in part answered the next question but compared with the 6th, how were the numbers on the 18th? - A. At the peak of the 18th I would say there was at least twice as many on the top side.
- Q. When you talk about the peak, what sort of point of time are you talking about? If you can either relate it to a specific hour, if you can do it that way, or in relation to some activity being carried out in relation to the plant, for example. It does not matter which way? - A. It would be between 8 and 10, the time during which the convoy went in and later came out.
- Q. What sorts, if that is the right word, of Police units did you have under your command? Perhaps before I ask that, you call yourself a Sector Commander. Were you the only Sector Commander at top side? - A. No, I was there with Chief Inspector Hale.
- Q. JUDGE COLES: Were you in charge? - A. I was, sir.

- Q. MR. WALSH: He was your immediate junior? - A. My deputy, yes.
- Q. Perhaps we ought to get the chain of command. If you required anything doing, for example, would you give a command to Mr. Hale or to somebody more immediately likely to take the action? - A. I would give the command to the people who I wanted to take the action, the PSU Commanders, Inspectors.
- Q. What was Mr. Hale's function in all this? - A. He was with me. He was mainly in charge of the Shield Units but it was a case of assisting each other.
- Q. What sort of units, therefore, did you have at your disposal? - A. We had the ordinary PSU, Police Support Units of officers in normal gear, normal uniform.
- Q. Did they carry shields or crash helmets or anything of that sort? - A. No, they were dressed in the traditional Police uniform.
- Q. I need not ask you to define the numbers of the PSU. We have already heard about that. We have got the ordinary Officers? - A. Then there were various specialised units.
- Q. Consisting of? - A. These were officers in protective head gear, NATO helmets, carrying long shields, mounted officers and officers again in protective head gear carrying short shields.
- Q. Are you able to give us any indication of, if you like, the proportions? For example, what proportion of the total numbers you have were officers in ordinary uniform, ordinary helmets without shields and that sort of thing? Do you follow? - A. Yes, sir. The vast proportion were in ordinary uniform. I would think 90% - 80% to 90%.
- Q. We know from another source how many horsemen there are so I need not trouble you with that and the remaining 10% or 15%, were they evenly divided between long shield and short shield officers or are the proportions different? - A. I would think they were evenly divided.
- Q. JUDGE COLES: Including the horsemen? - A. No.
- Q. MR. WALSH: I excluded the horsemen from my question because we had evidence. What was the purpose, first of all, of having available officers with long shields? - A. Officers with long shields would be deployed in a protective role to protect the men in the cordon from the missiles.
- Q. Prior to the 18th June had you deployed long shield officers on one or more days? - A. Yes, we had.
- Q. Where had you deployed them? - A. On the top side in front of the Police cordon.

- Q. Why had you deployed them? - A. Whenever missiles were being thrown and there was a risk of injury to officers in the line.
- Q. Prior to the 18th June had you on any of those occasions deployed the short shield officers? - A. No, not while I was Sector Commander at top side.
- Q. Had you deployed them lower down at all? - A. No.
- Q. For what purpose did you have short shield officers available to you? - A. Short shield officers would be used as a dispersal tactic but also to carry out arrests.
- Q. I asked you if you had deployed them on previous occasions. Had you had them available to be deployed if you had wanted them on previous occasions? - A. Yes.
- Q. Why had they not been deployed on previous occasions? - A. The missile throwing on previous occasions was not such as to warrant their deployment.
- Q. Just one further matter relating to the deployment and instruction. With your chain of command, would you and Mr. Hale be together, as it were, side by side, throughout the whole morning or would you be moving about in different places? - A. We would be moving about in different places and coming together at other times with Mr. Clement.
- Q. Let us just suppose a situation. If you and Mr. Hale are some distance apart, say 20, 30, maybe even 100 yards apart, did you have some means of communicating with each other without actually physically going to talk to each other? - A. Yes, we were in possession of personal radios.
- Q. So far as decisions to, let us say, deploy the long shield officers by putting them in front of the cordon or to send up horsemen or short shield officers, who took those decisions? - A. Those decisions were down to Mr. Clement.
- Q. If, for example, a situation arose where either you with your own eyes or Mr. Hale with his thought it necessary that, for example, long shield officers should go out in front, what was the way of doing it? - A. I would confer, as I did, in fact, with Mr. Clement.
- Q. So the suggestion would go from Mr. Hall to you, then Mr. Clement and he would OK the matter if he thought it appropriate and so do it. Was that the way it was done? - A. That is correct, sir.
- Q. Now I asked you at the beginning of my questioning if, first of all, you knew in general terms what you were supposed to be doing when you arrived and I think you said yes and you have told us about that. Was there each morning a briefing for the day given by Mr. Clement? - A. There was.
- Q. To what? Just you or to you and Mr. Hale? - A. To myself,

Mr. Hale, the bottom side Sector Commanders.

- Q. What were your instructions for the day for the 18th June?
- A. They were primarily the same as on previous days, to ensure that the coking convoy had access to and from the plant, to police the situation in a positive but good humoured manner and to deploy Police Officers in accordance with the build up of demonstrators.
- Q. Perhaps you will just elaborate on that last description? - A. Well as the demonstrators build up so it would be part of my responsibility to deploy Police Officers in traditional uniform - not to match the numbers but to ensure that we were in a position to cater for any eventuality.
- Q. Those being your instructions, as you saw the numbers of demonstrators build up and you would add more Policemen, was that a matter on each occasion when you had to refer to Mr. Clement or were you allowed to use your discretion about that?
- A. I would use my own discretion on it.
- Q. You say your instructions were to police in a positive and good humoured manner? - A. That is correct.
- Q. Would you just explain that, please? - A. It was a case of just not being over aggressive to the demonstrators. If I wanted them to move to go behind the cordon I would do it as good humouredly as I could, explaining why I wanted them to go there.
- Q. Had you done that on previous occasions? - A. Yes.
- Q. Were you intending to police Orgreave on the 18th June in any manner differently from the way you had done it on previous occasions? - A. No, not at all, sir.
- Q. Now, you have told us the time you came on was four o'clock?
- A. That is correct.
- Q. Can we move now to the time when you saw any build up and what time it was and approximately how the numbers were going?
- A. At about 6.50 that morning I was with Mr. Clement at the cordon. By that time there were 600 to 700 demonstrators in Highfield Lane and in the adjacent field.
- Q. How long had the cordon been out? - A. The cordon went out about 6 a.m.
- Q. With approximately how many men? - A. Probably at that time no more than three or four units. I say that because it took seven units to form a complete cordon across Highfield Lane and the field.
- Q. JUDGE COLES: Can you say in people? Do you mean one across? - A. That is right, your Honour.
- Q. MR. WALSH: A line of one man all the way across? - A. Yes.

- Q. That would need seven units? - A. Yes.
- Q. You say you think at six o'clock there were just three or four units? - A. Yes.
- Q. So does that mean there was not a complete cordon to begin with? - A. No. As demonstrators first began to arrive we would just form what we call a loose cordon instead of standing there in a formal standing to attention facing the demonstrators. Officers were not mingling but not in a complete straight line.
- Q. By seven o'clock, you said? - A. 6.50.
- Q. Were your numbers still the same or did you increase them as the demonstrators numbers increased? - A. No, they were increased.
- Q. By the time there were these 700 demonstrators, how many officers would you say were in the cordon, approximately?
- A. The line would probably be three deep.
- Q. JUDGE COLES: And a proper cordon by this time? - A. A proper cordon, your Honour, yes, which would be somewhere in the region of perhaps 300 officers.
- Q. MR. WALSH: What was the mood of things round about this time, 6.50? - A. The mood was fairly hostile. Many of the demonstrators were quite surly.
- Q. What was the evidence of hostility that you observed yourself?
- A. Well, in the past as demonstrators had arrived I would have a bit of a joke with them. I would say things like, "Good morning lads, welcome to Orgreave. I hope we are going to have a nice day" and things of that nature but there was no response to that sort of humour that morning, or there was a response but not a friendly response.
- Q. What sort of response? - A. There was various slang used and abuse.
- Q. How had it gone on previous days? - A. The atmosphere was different on previous days. They would have a laugh. I heard miners say things like, "We have only come for a ballot" or we would joke with them about "Are we going to have enough to have a ballot." There was a repartee developed between the Policemen and the miners.
- Q. On previous days? - A. On previous days.
- Q. We have reached 6.50 or thereabouts. You have described the atmosphere. What had you done, if anything, in relation to the Officers that you had available? - A. The Officers in the cordon remained there. Mounted officers were deployed behind the cordon shortly after when the stream of demonstrators started to build up. There was a steady stream of them.

- Q. As you recall it, you described the atmosphere and the demonstrators. What was the next thing of importance that happened and about when was it? - A. That would be when the first missiles were thrown. That was about 7.20.
- Q. JUDGE COLES: The first missiles were thrown? - A. That is correct, your Honour.
- Q. About 7.20.
- Q. MR. WALSH: Where were you round about that time? - A. I was behind the cordon on the entrance side of the cordon.
- Q. You mean the coking works gate side? - A. Yes.
- Q. So we may get the picture, about how far behind the cordon? - A. Five to ten yards.
- Q. Had you been out in the road and the surrounding area all the time that we have been talking about or would you have to go from time to time into the command post? - A. No, at that time I had been out all the time.
- Q. What sort of things were being thrown at this point? - A. The first missiles that were thrown were bad apples and these were followed by stones.
- Q. Still talking about this time, how light or heavy or long was this bombardment? - A. That was very light and it was quite spasmodic. Certainly no injuries were caused and it was not sufficient to deploy the long shield units.
- Q. Did a time come when the long shield people were deployed? - A. Yes, that was at about 8 a.m.
- Q. When you say 8 a.m., is that an approximation or a precise time or what? - A. An approximation.
- Q. Where were the long shield men deployed? - A. Along the front line of the cordon in front of the cordon.
- Q. Was that along the whole of the front line or part of it or what? - A. At first it was only part of that, across the whole of Highfield Lane and about half the field.
- Q. Did you say half Highfield Lane? - A. The whole of Highfield Lane.

JUDGE COLES: Half the field.

- Q. MR. WALSH: Was there any particular reason why? - A. Those had been on the way and that is where the missiles were being thrown. It became necessary a short time later to fill in that gap on the left-hand side of the field.
- Q. Around about this time had anything else happened that you observed? - A. The missiles thrown had increased tremendously.

- Q. JUDGE COLES: By what time are we talking about now?
- A. About 8 a.m., your Honour, and it was shortly before the arrival of the empty convoy wagons.
- Q. MR. WALSH: Round about the time you have been talking about did you see any person or persons that you recognised?
- A. Yes, I saw Arthur Scargill.
- Q. What did you see him do? - A. I saw him walk along the line looking officers up and down as though inspecting them.
- Q. Whereabouts in the line was this? - A. That was on the field, to the left of the field.
- Q. To the left of the field? - A. Yes.
- Q. We have all got in our minds eye and we have seen photographs, a picture of the road, the bushes that, as it were, divide up the border of the field and the road and then that field going over and trees on the left-hand side. Now, can you tell us whereabouts in relation to all that this episode that you saw was? - A. Yes. He was at the front of the line in the field nearer to the trees on the left than the bush on the right but he then went to the bush on the right of the road.
- Q. Were you able to see that happening? - A. I was not watching him all the time. I saw him at the front of the line, I lost sight of him some time between him leaving there and getting to the road. At that time I was also deploying shields.
- Q. JUDGE COLES: You lost him between leaving where? - A. Leaving the line, your Honour.
- Q. And reaching the road? - A. And reaching the road.
- Q. MR. WALSH: Do we gather you saw him towards the left-hand side? - A. Yes.
- Q. Near where the trees were? - A. Yes.
- Q. You saw him moving across towards your right? - A. Yes.
- Q. You lost sight of him? - A. That is correct.
- Q. Did you regain sight of him at all? - A. Yes, I did see him on the road. On the road there is quite a large bush and the cordon was in front of the bush. He was close to that bush.
- Q. But on the road? - A. But on the road, yes.
- Q. Where were you at this time when you saw him? - A. At this time I was in between the cordons and moving from one into the other and causing the cordons to break for the deployment of the shields.
- Q. When Mr. Scargill was on the road, what did you see him do, if anything? - A. I did not see him do anything in particular.

- Q. Was he stood still or what? - A. Yes. It was as he got to the road, it was more the hat he was wearing than the man I could see. He was wearing a very distinctive baseball type cap and it was the movement of that I saw on the road.
- Q. You followed the movement of the hat? - A. Yes.
- Q. What did you notice of the hat? Was it in one place or what? - A. Well, I saw, I caught a glimpse of it and him at the bush on the road but that was the last I saw.
- Q. How far away were you at that point from him? - A. Perhaps 30 yards.
- Q. When you saw him a little earlier, when you have described what you have done on the left, how close to him were you? - A. Probably 15 yards.
- Q. You had begun to tell us, Mr. Povey, about the time shortly before the arrival of the lorries was expected and the question of missiles. Can I take you back to that and ask you to tell us what happened? - A. Yes, the missile throwing increased tremendously.
- Q. At about what point, if you can help us? - A. My memory is that all this was occurring about 8 a.m., before the convoy came into the works.
- Q. JUDGE COLES: What about seeing Mr. Scargill in relation to the increase in throwing? Was the increase in the throwing before that time or after that? Can you say? - A. At the time of and immediately after, to the best of my recollection.
- Q. What was at the time of? - A. It was all happening at about that time.
- Q. The increase in missiles? - A. The increase in the missile throwing, yes.
- Q. MR. WALSH: You will have to try and describe to us what you mean by "increase"? - A. Well, prior to that, as I said, the missile throwing had been fairly mild and fairly spasmodic and certainly not sufficient to deploy long shields but there was a massive increase in the number of missiles that were coming over.
- Q. JUDGE COLES: A massive increase.
- Q. MR. WALSH: Where were the missiles landing? - A. They were landing on Police Officers. Some of them were going over the cordon and landing behind the Police Officers and some, in fact, were landing on demonstrators.
- Q. You told us it was at this stage that the long shields were deployed? - A. That is correct.
- Q. What effect, if any, did that appear to have? - A. Once, whenever shields were put out that would be met with loud

chanting from the demonstrators, shouts and things like "Sieg Heil" and shortly after there was a massive push against the line.

- Q. Did that massive push coincide with some other event happening?
- A. Yes, that coincided with the arrival of the convoy.
- Q. You have told us you had been there on previous days where there had been a push. On previous days was the timing similar or different? - A. No, it was similar. We had come to expect a push whenever the convoy of lorries went in or came out of the plant.
- Q. As you recall it, how substantial a push was it? What sort of numbers of people were involved? - A. It was a very prolonged and substantial push because I had to send in reinforcements from the holding area, the holding area being where we kept reserves of officers.
- Q. How far away was that? - A. Fifteen to twenty yards.
- Q. If you had not sent in those reinforcements, what did it appear would happen? - A. The line would have broken.
- Q. These reinforcements, what sort of units were they? - A. They were the officers wearing ordinary uniform.
- Q. Did they need to be deployed along the whole length of the cordon or in a particular part? - A. No, they needed to be deployed across Highfield Lane.
- Q. What was the effect of deploying them? - A. That held the line and eventually the push stopped.
- Q. While the push was on, what was the state of the missile throwing? - A. Missiles were still coming over, still being thrown.
- Q. You have told us that previously when it was light and spasmodic it had begun with bad apples and then stones and bricks. What was coming over at this stage? - A. As I recall.....
- Q. At the time of the push? - A. There was all manner of missiles coming over - bricks and stones, bottles, lumps of metal.
- Q. What was the effect of that? Were they all being stopped by the shields or not? - A. No because at that time the shields and the demonstrators were in contact so missiles were coming over and landing on Police Officers and landing on demonstrators. In fact a number of people at that time were taken from the line, Policemen and demonstrators, suffering injuries either caused by missile throwing or by the physical crush of two large bodies of men pushing in opposing directions.
- Q. Where were those people taken? - A. They were handed over to ambulancemen in fact that were deployed behind the cordon.

- Q. Did you see people being brought out behind the cordon? - A. Yes.
- Q. When this push of demonstrators met the Police line in that way you have described, did people remain on their feet or what? - A. Some in fact did not and some Police Officers and demonstrators were pushed to the ground.
- Q. What happened to them? - A. They were also taken out through the line and passed to the ambulancemen.
- Q. You have told us that the calling up of what I hope Mr. Rees will forgive me calling the back row of the scrum stopped the line of Policemen breaking? - A. That is correct.
- Q. Were any other Police units used round about this time? - A. Yes, the mounted officers were deployed at this time.
- Q. Where did they go? - A. They went into the crown up the field and the road.
- Q. In what manner? - A. What do you mean, "In what manner"?
- Q. Just describe what you saw, the pace at which the horses went, that sort of thing and how far they went? - A. Well, they walked through the cordon up the road, up the field for a distance of perhaps 50 to 60 yards and then turned and came back through the field and some came back down the road.
- Q. Who gave the command for the horses to go forward? - A. Mr. Clement.
- Q. Using what? Just his own voice? - A. No, a loud hailer.
- Q. How far back behind the cordon were the horses, as it were, positioned stationary before giving the order? -A. Five to ten yards.
- Q. I am asking you for your own recollection of it. When the horses went forward was it single file, a line abreast? - A. A line abreast.
- Q. About how many? -A. About eight or nine.
- Q. So as we can imagine in our own eye, eight or nine horses line abreast would cover quite a substantial frontage? - A. That is correct. They covered most of Highfield Lane.
- Q. As you recall it on this occasion, did the horses go into Highfield Lane, the field or both? - A. Both.
- Q. So in order for them to advance obviously there would have to be a break in the line of Police Officers? - A. That is correct.
- Q. For quite a substantial gap? - A. Yes. As unit commanders put their cordon into position, I would brief each commander where I wanted the break to come, should it be necessary to break.

- Q. What I am interested in is was there some sort of signal given so that the Police line would know when to break? - A. Yes. I had a loud hailer and I would call for the break.
- Q. Let us just take it in this stage. Mr. Clement has indicated to you that the horses are to go forward. You are the officer responsible for making sure the Police line opens up to let them through? - A. That is correct.
- Q. What did you shout on your loud hailer? -A. Break for horses.
- Q. When you broke for horses, the Police would have to what? Did they fan back on either side of a gap? - A. Yes, they moved to left and right and also dropped back. The gap was not sufficient for horses to go through eight or nine abreast. They would have to go through perhaps two or three abreast and form up as they were going up the road.
- Q. Following your announcement to break for horses and the men opening up, what did the men on the other side - that is to say the demonstrators - do while the Police were opening the gap? - A. They immediately turned and ran up the road and up the field which was the object of the exercise.
- Q. To what extent had they run before the horses actually emerged through the Police lines? - A. They were in front of the horses, quite a way in front of the horses. By the time the horses started going up the road they had gained perhaps 20 yards - 10, 20 yards.
- Q. Who had? - A. The demonstrators.
- Q. You say the horses went up and came back. What happened as the horses were coming back? - A. As soon as the horses turned to come back they themselves became targets of the missile throwers.
- Q. Did you notice anything in particular? - A. Yes, as they came back through the lines one Officer in fact came off his horse having been struck by a missile.
- Q. You have told us that as the Police lines opened up and before the horses came out, demonstrators ran back. Did the sending out of the horses cause the demonstrators to remain in the distance away from the Police lines or not? - A. No, as soon as the horses returned then the demonstrators would surge back.
- Q. What happened when they did? - A. Then the missile throwing commenced again.
- Q. What if anything was done, therefore, in relation to the horses? - A. The horses were sent in a second time.
- Q. Was that the same way as before or differently? - A. No, the same way as before.

- Q. Were the results in any way different from what happened previously? - A. No, it was just the same, sir.
- Q. Did the horses return to the Police lines? - A. Yes.
- Q. And the demonstrators? - A. They returned and regrouped also.
- Q. As far as you recall, about how long went by between the first manoeuvre of the horses and the second? - A. About ten to 15 minutes.
- Q. Now, I think you have indicated but perhaps you will qualify for me, by the time the horses first went out were the lorries already in the coking yards? - A. Yes.
- Q. So by this stage you have deployed long shield units across the line? -A. That is correct.
- Q. And used the horses. Had you yet deployed the short shield units? - A. No, we had not.
- Q. Do you recall approximately when they were first deployed and what happened? - A. They were deployed about ten minutes after the second deployment of the horses.
- Q. Can you describe first of all what made it necessary to have them deployed? - A. The missile throwing had not ceased at all and if anything had increased. Officers were being injured.
- Q. So? - A. So it was decided that short shield units would be used to disperse and arrest.
- Q. What happened? How was that done? - A. The short shield units were brought up from the holding area and they were placed behind the horses on the road and in front of the field.
- Q. This is still behind the cordon, is it? - A. Yes.
- Q. Where was Mr. Clement at this point? - A. Mr. Clement was also behind the cordon at this point.
- Q. Did he do something? - A. He went to the front of the cordon with his loud hailer and warned the demonstrators that if they did not cease throwing he would deploy the horses and the short shield units.
- Q. JUDGE COLES: He would do that if they did not....? - A. If they did not cease throwing.
- Q. MR. WALSH: What if any was the response to that announcement of his? - A. Again the announcement was greeted with loud chants and the missile throwing continued.
- Q. So what then happened? - A. So the horses and short shield units were deployed into the demonstrators.
- Q. It may be difficult to be precise but approximately what interval

of time elapsed between Mr. Clement giving the warning and the lines actually opening up to let the horses and the short shield units through? - A. It was a very short space of time indeed because Mr. Clement returned to the rear of the cordon, the missile throwing had not ceased so the units were deployed.

- Q. You have already described how the lines opened up on the previous occasion. Was it done in the same way? - A. Yes.
- Q. As you recall it on the field and in the road or just one or what? - A. Both.
- Q. You have told us on the two previous occasions as the lines opened up the demonstrators ran back before the horses came out. What was the situation like on this occasion? - A. The same happened.
- Q. About how far back in the end, as a result of this particular manoeuvre did the demonstrators go? Can you say? - A. Yes. Ultimately they went back as far as the top of the field.
- Q. Were arrests made? - A. Yes, a number of arrests were made.
- Q. Where were you while all this was going on? - A. I was at the cordon, at the main cordon.
- Q. Road side or field side? - A. Both.
- Q. JUDGE COLES: That means you were moving up and down?
- A. That is correct, your Honour.
- Q. MR. WALSH: So for a little time what was the situation like following the demonstrators going back that distance and the horses and short shield men returning? - A. There was a period of quiet whilst they regrouped but that period was of very short duration.
- Q. And then what happened? - A. Then they regrouped and the missile throwing started yet again.
- Q. When you say "regrouped", would you just explain what you mean?
- A. they just approached the cordon, filtered back into the field and back on to the road.
- Q. So what happened on this occasion? - A. Mr. Clement went to the front and gave a further warning in the same terms as the first one.
- Q. Did that seem to work on this occasion? - A. Yes but there was still a lot of chanting and shouting but the missile throwing did slow down.
- Q. Up to this particular point that we have just reached - I think we might be having a break in a moment - are the coking lorries still inside the works? - A. They are, sir.
- Q. I do not think anyone would want you to be precise to the minute

or second but if you were to be asked about what time we have reached now with Mr. Clement's second warning and things quieten down a bit, where would you put that? - A. Coming up to nine o'clock, to the best of my knowledge.

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

JUDGE COLES: Yes, by all means. We will adjourn for quarter of an hour.

(Short Adjournment)

- Q. MR. WALSH: We had reached somewhere round about nine o'clock, Mr. Povey? - A. Yes, sir.
- Q. Could I just go back to one matter. You have told us that when the shove started you called up reinforcements? - A. Yes.
- Q. Could you explain how you do that? Was it you yourself who did it or somebody else? - A. I would do that.
- Q. What did you in fact do? - A. I went through on a personal radio to the Command Centre and asked for reinforcements in the line.
- Q. Do you remember what you said and what reasons, if any, you gave? - A. I do not, sir, no. I would have just asked for reinforcements.
- Q. Was the shove the only occasion when you went on the radio to ask for reinforcements? - A. No, I would be on the radio frequently as the cordon build up, as we - or as I - matched the number of Police Officers to demonstrators, as I increased the strength of the cordon.
- Q. Are you able to remember the text of any messages you passed yourself to the command post? - A. The normal message I would pass would be to ask, I used to ask for Police Support Units in batches of five. I would keep asking for five more units. That would be the text of my messages.
- Q. Would you ever give any explanation for why or what purpose you wanted them? - A. No.
- Q. We have got to about nine o'clock when you say things, I think to use your expression, quietened down a little? - A. Yes.
- Q. What is the next relevant incident that you recall following this? - A. That was when the convoy left the plant.
- Q. Again as you recall about what time was that? - A. About 9.25.
- Q. What happened then? Perhaps I should ask you, do you yourself recall approximately how many lorries constituted the convoy and how long it would take, as it were, for the whole convoy from the first to the last getting out? - A. There would be 35 to 40 convoys in the lorry.

- Q. Lorries in the convoy? - A. Yes, lorries in the convoy and they were normally split into two. There was perhaps a one minute gap - no, I may be wrong about this - when they come in, I think they go out in one.
- Q. They come in in two, go out in one? - A. Yes, that is correct.
- Q. Let us do it both ways. Coming in, how long does it take? - A. To get the whole convoy in, two to three minutes.
- Q. And out? - A. About the same. There was no obstruction, nothing for them to slow down for. They used to go in and out at some speed.
- Q. What happened when they left? - A. Again, there was a major push against the Police line.
- Q. I would like you to tell us how that came about because you have told us that around about nine o'clock things were quiet and people had been moved back, well up the field, do you follow?
- A. Yes.
- Q. Now at what stage did they come back so that they were able to make a shove at 9.25? - A. Well, I think I said that they were pushed up the field by the horses and short shield. Then when they came back they regrouped so they were not that far away from the Police line and then they just - most of the pushes and surges were preceded by a chant of "Here we go" and following that there would be a major push on the line.
- Q. Are you saying that is what happened at 9.25? - A. Yes. -
- Q. Talking about numbers, were the numbers significantly different at 9.25 from the shove that went on when the lorries were going in at eight? - A. Not particularly, your Honour. If anything the numbers had increased. Of course, not all the demonstrators were pushing against the line.
- Q. Where were the others who were not? - A. There were many hundreds milling around in the background too far away from the line to push.
- Q. Describe what happened when this shove came. Well, could I just ask you this. Before the actual shove started, where was the nearest demonstrator to the Police line? Were they all close together or was there a gap or what? - A. There was a gap but that gap closed, of course, as they started to push.
- Q. When did the chanting start that preceded the push?
- Q. JUDGE COLES: What sort of gap was it before the push came? - A. About five yards, your Honour.
- Q. MR. WALSH: Just describe how that gap was reduced? - A. They just ran at the line.
- Q. JUDGE COLES: After shouting "Here we go"? - A. Yes.

- Q. MR. WALSH: What else happened as they ran at the line? - A. Again the missile throwing increased.
- Q. What were the results that you saw of this upon policemen and demonstrators? - A. Again as in the previous push, policemen and demonstrators were injured and taken through the cordon to ambulancemen.
- Q. Now where were you positioned when the run of demonstrators over that gap came up against the police line? - A. At the back of the cordon on Highfield Lane.
- Q. Were you able to see what in fact was happening, as it were, between opposing front lines which obviously would be some distance ahead of you? - A. No.
- Q. You talked about injuries. Were you able to see people being brought out? - A. Being brought through the line, yes.
- Q. Was that while the actual pushing by the demonstrators was continuing or after it ceased? - A. It was whilst it was continuing.
- Q. Did they succeed in breaking through? - A. No.
- Q. Did the convoy therefore get away? - A. It did.
- Q. Now, what happened then as this shove did not succeed? - A. The pushing on that occasion and the missile throwing continued for some time.
- Q. JUDGE COLES: After the convoy had gone? - A. After the convoy had gone, your Honour.
- Q. MR. WALSH: So what was done then? - A. We did not take any action. We just maintained the line. There was no danger of them breaking through the line and so we just maintained the cordons.
- Q. Now, we know - and I think there is no dispute about this - a time came when the police cordon advanced and in a number of stages went up the field and the road towards the bridge? - A. That is correct.
- Q. Where were you when that manoeuvre or series of manoeuvres took place? - A. I was at one stage behind the cordon, sometimes in front of the cordon moving up the field and the road towards the bridge.
- Q. JUDGE COLES: You were in every strategic point by the sound of it? - A. That is correct, your Honour. It was a case of endeavouring to keep the line straight, keep the officers compact.
- Q. MR. WALSH: What was your purpose in moving forward and

pushing the demonstrators back? - A. We intended to, at that stage, push them back over the bridge to take them away from the missiles and hopefully to disperse them.

- Q. You say take them away from the missiles. Where were the missiles so far as you could see? - A. They were gathering missiles from the field and demolishing stone walls on Highfield Lane.
- Q. By this time what, for example, was the state of the field so far as any stones, missiles and so forth were concerned? - A. The field was littered with stones and bricks.
- Q. JUDGE COLES: Do you mean it was littered with stones and bricks which had not been there before the incident started or stones and bricks which were there available to be picked up by anybody who wanted to do so? - A. The stones and bricks were not there, your Honour, prior to the whole incident starting.
- Q. MR. WALSH: As you went up through the field - that begs the question when you went up did you go through the field or on the road or both? - A. I did both at one time but the latter part of the push I was on the field - the top of the field bent round to the right and joined the road and I came on to the road at that point.
- Q. As you went up you were able to see the stones and things that you have described littering the field? - A. That is correct.
- Q. What else was happening that you saw during this three stage manoeuvre? - A. The short shield units were involved in hand-to-hand fighting with some of the demonstrators. Some arrests were made.
- Q. What instructions were given to the short shield units during this manoeuvre as to what their role was to be? - A. Their role was to disperse the demonstrators and arrest any that were committing criminal acts.
- Q. You said you saw individual fightings between demonstrators and short shield officers? - A. That is correct.
- Q. Did you see how those began and what caused them? - A. No, I did not.
- Q. Did you see arrests being made? - A. I saw arrested persons being brought back through the main cordon lines.
- Q. You saw the instructions were to disperse, to arrest those committing criminal acts. What sort of acts were those that the short shield officers were to arrest for? Was any specified? - A. Stone throwers were to be arrested and any attacking Police Officers.
- Q. So far as the demonstrators on the other side were concerned, as the Police lines gradually moved forward were all the demonstrators turning and running or some or what? - A. Just some. Not all the demonstrators went before us. Some

filtered off to the left where there was a large corn field. Some filtered off to the right down the railway embankment.

- Q. What about those who did not go back or to either of the sides? What were they doing when they did not go back? - A. Quite a lot were just standing about. Not all demonstrators were throwing missiles. In fact the vast majority of demonstrators were not throwing missiles.
- Q. What if anything was done so far as they were concerned, the ones who just stayed and did nothing? - A. They were just bypassed.
- Q. What about those who stopped and threw missiles? Did you see those? - A. Well, there were a number stopping and throwing missiles.
- Q. Did you see some of those? - A. Some of those were arrested, in fact.
- Q. You saw that happen, did you? - A. I saw Police Officers chasing demonstrators whom I assume had been throwing missiles.
- Q. You actually saw demonstrators throwing missiles yourself? - A. Yes, sir.
- Q. From what sort of positions were they? - A. Some were to the left of the field and quite a few were directly in front.
- Q. Of? - A. Of the cordon.
- Q. On the field or in the road? - A. On the field and in the road.
- Q. Now, moving up towards the bridge, we know that this particular field, as you have said, the left-hand edge of it bends in to the road and the field itself ends before we get to the bridge? - A. That is correct.
- Q. Because there is an electricity sub-station and one or two other things? - A. Yes.
- Q. As you went towards the bridge.....

JUDGE COLES: Got him on the road now, have you?

- Q. MR. WALSH: Well, his Honour has really asked my next question. Are you in the road now? - A. Yes I am.
- Q. What did you notice of things that were in or around the road? - A. There was a lot of rubble in the road. There was a wire lying across the road.
- Q. Can you describe that? - A. It was a thick, long wire that had obviously at some time been across the road. It was tied to a lamp, I believe, on the left-hand side and was lying across the length of the road.
- Q. Were you able to notice whether it was attached at the other side of the road? - A. No, at that time it was not, or if it was

attached it was not pulled tight.

- Q. Were you able to see at what height above the ground it was attached at the side you saw it? - A. Yes, on the left-hand side it was about shoulder, head height.
- Q. Any other things that you saw as still you are approaching the bridge? - A. As we were approaching the bridge I remember a large tyre being rolled down across the bridge and then we reached the bridge.
- Q. What was the condition of the road? - A. The road was littered with rubble, stones, bricks.
- Q. As you approached the bridge, did you notice anything across the other side before you got there or as you got to the bridge? - A. No, sir.
- Q. What was the next thing that happened when you got to the bridge or as you approached the bridge? - A. When the cordon of long shields reached the bridge, the far side of the bridge, we regrouped and recalled the horses and short shield units to behind the bridge.
- Q. JUDGE COLES: Recalled the horses and short shield units behind the cordon? - A. That is correct.
- Q. MR. WALSH: I would like you to help us, if you can. At this stage that you are now talking about, had you gone over the bridge or not? - A. The main cordon and I myself had not gone over the bridge but in the push forward some short shield units and horses had gone over the bridge, not far over the bridge.
- Q. About how far over? - A. About 30 yards.
- Q. This is in the move up to the bridge that you are talking about? - A. That is correct.
- Q. So those people having gone over, what was then done when you, the main cordon, got to the bridge? - A. They returned and came behind the cordon so we then had a gap between the cordon on the bridge and the demonstrators.
- Q. In this move up to the bridge and up to the coming back of those small number you say who had gone over, were you in contact either by eye or any other way with Mr. Clement? - A. Yes, we were behind the cordon, as I recall Mr. Clement was some way behind me but at one stage we ended up on the bridge together.
- Q. Up to the point when these advance people came back to behind the cordon, had either you or Mr. Clement gone over the bridge? - A. No.
- Q. So where, as you recall it, was the cordon formed? - A. Across the mouth of the bridge.
- Q. The bridge has two mouths, one on the coking plant side, one on the far side. Which one do you mean? - A. Initially on the far side.

- Q. Initially on the far side? - A. Yes.
- Q. That is uphill side? - A. Yes, the side furthest away from the coking plant.
- Q. Why initially was it formed there? - A. It was decided to take the bridge and form the line there with a view hopefully to the demonstrators dispersing from there.
- Q. Did you go up to the cordon at that stage so that you were able to see beyond it? - A. Yes, I was at the cordon at that stage.
- Q. So can you tell us how far away the demonstrators were? - A. Initially about 30 yards to 40 yards.
- Q. Whereabouts were they? - A. They were all over. They were on the road, there were some private premises on the left-hand side, they were in there, they occupied a scrap yard on the left-hand side, they were in a field on the right-hand side.
- Q. How far ahead up the road do you think you could see when you looked forward? - A. You could see to the brow of a hill. There is quite a sharp brow to that hill and that would be perhaps 80 to 100 yards.
- Q. So we have this position, the front cordon of the Police at the far side of the bridge and then about 30 yards away the nearest of the demonstrators? - A. Yes.
- Q. You described them being all over that road and the fields. In what sort of numbers and quantities? If you cannot put a figure on it you can tell us perhaps how thickly populated the area seemed to be? - A. Immediately we had taken up our positions it was not quickly populated but as they had realised we were holding a line there and not moving forward, bearing in mind we had been moving forward for whatever period of time it was, they then all started to filter back so in a short space of time it became densely populated.
- Q. What then happened, Mr. Povey? - A. Then we were subjected to missile throwing again and very heavy missile throwing from the scrap yard and from the road.
- Q. Again, what sort of things? - A. Bricks and stones in the main, lumps of wood, pieces of metal from the scrap yard.
- Q. Could you see from where the people who were throwing on the road were getting their ammunition? - A. No, I could not.
- Q. We have got this situation you have described. What was then done and why? - A. It was decided that we should try and disperse the demonstrators yet again. We were in a bad position on the bridge.
- Q. Why were you in a bad position? - A. Because the cordon across the bridge meant all the demonstrator had to do was lob the missile into the bridge area. There was high metal sides both sides and then he would be almost guaranteed to hit a Policeman.

- Q. You say that some of the missile throwers were in the scrap yard? - A. Yes.
- Q. How was that physically positioned in relation to the bridge? - A. It was to the left of the bridge.
- Q. What about its level? - A. It was higher than the bridge. They looked down on us.
- Q. How easy was it for them from that position to bombard Police stood where they were? - A. Very easy indeed.
- Q. So you said the decision was taken to disperse? - A. Yes.
- Q. What actual steps were taken? - A. Mounted horse again with short shield units pushed forward to the brow of the hill.
- Q. That would mean, as you said on previous occasions, the cordon would have to open up to let them through? - A. Yes.
- Q. Was that done? - A. Yes.
- Q. Who gave the command, as it were, to open lines? - A. I believe I did.
- Q. You have told us the words you used on previous occasions down in the field. Would the words be any different on this occasion? - A. No sir, they would be the same.
- Q. What happened to the demonstrators ahead of you, particularly on the road when you gave the command the lines open up? - A. Again they ceased missile throwing when they saw the horses, turned and ran to the brow of the hill.
- Q. You said horses and the short shield men went forward? - A. Yes.
- Q. Are you able to give us any indication of numbers? We will take it in stages. Horses, first of all? - A. There were not many horses, perhaps a dozen.
- Q. At this stage? - A. Yes, and short shield units would be about four or five, perhaps five.
- Q. JUDGE COLES: Five units? - A. Units, yes, your Honour.
- Q. MR. WALSH: From where you were were you able to see them advance? - A. Yes, I went with them.
- Q. When you say "with them", do you mean actually in their company? - A. Yes. At that time myself and Chief Inspector Hale actually went in their company at the front of them, in fact, up the road to the brow of the hill.
- Q. JUDGE COLES: Went ahead of them? - A. Yes, your Honour. Well, on a level with the front rank.
- Q. MR. WALSH: With the front rank of short shield men? - A. Yes.

- Q. With the horses ahead of you? - A. Yes.
- Q. As you went ahead what did you notice, if anything, about the condition of the road and anything at the side of the road?
- A. As I recall the road was again littered with rubble and about half way along its length there was a wreck of a car.
- Q. Is that on the road itself? - A. Yes.
- Q. Did you notice anything on either of - I think there is a footpath at one side and a verge at the other? - A. Yes.
- Q. Perhaps bank is the more correct way to describe it. Did you notice anything about the bank, for example? - A. Yes, I noticed a small group of people and Arthur Scargill standing on the bank.
- Q. Now, can you recall whether this was as you were going forward or at a later stage? - A. As I was going forward.
- Q. I do not know if you can answer this in relation to, for example, any landmark. You described a wreck lying in the road and that sort of thing. About how far had you gone on your journey forward when you saw him, or if there is any other landmark that helps, please tell us? - A. As I recollect he was before the car, between the car and the bridge. Perhaps 20 yards beyond the bridge, perhaps a little more.
- Q. JUDGE COLES: Perhaps a little more, 20 yards beyond the bridge, perhaps a little more, did you say? - A. Perhaps a little more, yes.
- Q. MR. WALSH: Now, just perhaps pausing there for a moment, you are going forward with the PSU units? - A. Yes.
- Q. The short shield men. How close to the road side or the kerb, if that is the right way of looking at it, was Mr. Scargill and his group? - A. He was well back from the road. He was actually on the bank, as I recall.
- Q. How far forward did you go with the short shield men with whom you were? - A. To the brow of the hill, initially. Ultimately to the crossroads.
- Q. Let us take it in those stages. To the brow of the hill initially. What happened there? - A. When we reached the brow of the hill I saw there were an enormous number of demonstrators between there and the crossroads.
- Q. What were they doing? - A. Some were running backwards, a number were in premises on the left of the road in people's gardens on the right and passageways down houses to the backs of houses and a lot of these people were throwing.
- Q. Throwing what? - A. Throwing stones and bricks that were being taken from boundary walls.

- Q. Yes. Now, you are at the brow of the hill, as you had told us with about five, you thought, units of short shield officers?
- A. Yes.
- Q. That is just in excess of 100 men? - A. Yes.
- Q. Something of that order? - A. Yes, that is correct.
- Q. How far behind you were the next log of police officers? - A. the short shield officers?
- Q. You have got your short shield officers there. You have gone forward with five units, you say, five PSUs.
- Q. JUDGE COLES: Were you still in the front rank when you got to the brow? - A. No, some of these had overtaken me now.
- Q. MR. WALSH: Some of those 100 men? - A. Yes.
- Q. How far behind is the next batch of Policemen? Are they still on the bridge coming forward or what? - A. I think there was a line of long shield men coming forward.
- Q. How far back would they be? - A. They were some way behind. I do not recall.
- Q. I interrupted your account. You described the scene ahead of you and the fact people were throwing missiles and so forth. What happened at that stage? - A. A number of arrests were made at that time. Officers were bringing arrested persons back through the line. Some of the short shield men formed a cordon across the brow of the hill and there was a bit of a stand-off situation where demonstrators were continuing to throw missiles but the sheer numbers meant we could not go forward.
- Q. Did you remain at that point or not? - A. We retreated a short distance and in the meantime I had requested further reinforcements of mounted officers.
- Q. Did they arrive? - A. Yes, they did.
- Q. As you had started your retreat before or..... - A. After I had started retreating a short distance.
- Q. Where did those horses go? - A. We then pushed forward to the crossroads.
- Q. Now, I would like to deal with the withdrawal or retreat, whatever is the appropriate word. About how far back did Police Officers withdraw at about this time? - A. About 30 yards.
- Q. Where were the main Police lines at this time? - A. On the bridge.
- Q. Had they come over the bridge at any stage or not, can you recall? - A. I do not know, sir. I was at the brow of the hill.
- Q. Now, can I go back for a moment or so. I have been asking

about where men were and that sort of thing. You have told us you saw Mr. Scargill and a group of men? - A. Yes.

Q. On the bank? - A. Yes.

Q. Doing what? - A. They were just standing there.

Q. Did you pay much attention to him or not? - A. No, not at all. I was too intent on keeping up with the short shield units.

Q. As you went past the place where he was, where were the short shield officers? - A. They were in the road.

Q. Did any of them go on the bank and collide with Mr. Scargill so far as you could see? - A. Certainly not to my knowledge.

Q. Now, just to summarise what you did. You went forward with the short shield men, this is from the bridge. Did you say there were horses ahead of the short shield men or did you not?
- A. There were initially, yes.

Q. What happened to them as you went up the brow of the hill?
- A. When we got to the brow of the hill and I realised how many demonstrators there were I sent them back to regroup with the ones, the reinforcements I had asked for.

Q. JUDGE COLES: Are you talking about the horses now? - A. Yes, sir.

Q. MR. WALSH: So you are on the brow of the hill with the short shield men? - A. Yes.

Q. Initially the horses had gone up ahead of you? - A. Yes.

Q. You sent them back to regroup with the other horses? - A. Yes.

Q. As far as you understood, where were the other horses and how far back would these have to go? - A. They were beyond the bridge.

Q. So when you sent them back you are with your line on the brow, right? - A. Yes.

JUDGE COLES: Had they formed into a line?

MR. WALSH: Yes, I said "line".

JUDGE COLES: Well he did say earlier some of the short shield men formed a cordon across the top of the hill.

Q. MR. WALSH: Is that right? - A. Yes, that cordon was formed as the horsemen withdrew, your Honour.

Q. So we have the picture in our minds, as the horsemen go back down the hill are there any Policemen so far as you can recall between the cordon on the bridge and your 100 men or thereabouts who are on the brow of the hill? - A. As I recall, no.

Q. While you and your men are there on the brow of the hill and

while the horsemen are being regrouped, what is happening to you and your men? What are you doing? - A. We were being stoned.

Q. Then do we understand the next thing that happens is that the full group of horses come up to you? - A. That is correct.

Q. MR. GRIFFITHS: I am sure my learned friend is doing it extremely carefully. He put it that the next thing that happened was the horsemen came up. At some stage this officer has referred to arrests being made. I am not sure where it fits in.

JUDGE COLES: Perhaps We had better.....

MR. WALSH: I am sure my learned friend will have chance to cross-examine.

JUDGE COLES: If you wish me to look at my note I will but for the moment I think it is probably just best Mr. Walsh continue.

Q. MR. WALSH: The matter having been raised, perhaps we can deal with it again. At what point do you say arrests were being made? - A. A number of arrests were made as we reached the brow of the hill whilst the horses and all short shield units were up there.

Q. Then you are in this line waiting for the horses regroupment? - A. Yes.

Q. Are you making any arrests during this time? - A. No, not at that time.

Q. What are you doing? - A. Just trying to protect ourselves from the missiles that were coming over.

Q. Again, approximately how long were you there waiting for the horses to come back? - A. I am not sure, sir. At the time it seemed an inordinate length of time but I am sure it was not.

Q. When they came back, what did you do? - A. Then we pressed straight forward to the crossroads.

Q. Who was leading? - A. The horses.

Q. Did you have to open the lines up in some way as before? - A. Yes.

Q. Did you give the same command as before? - A. Yes, I think so although there was only one line at that time.

Q. Just so we have the picture, as you and your line are standing on the brow of the hill and you are being stoned and waiting for the horses to come back, about how far away are the demonstrators? - A. They are about 30 yards in front of the line.

- Q. So is there a gap in the road before you come to them? - A. Yes.
- Q. When your line opened up in order for the horses to go through, what did the demonstrators do?- A. They turned and ran in all directions.
- Q. And in what manner did the horses go through? - A. They went at a fairly fast trot.
- Q. Prompted by Mr. Griffiths' intervention, were any arrests made at this stage? - A. Yes, I believe there were some arrests between the brow of the hill and the crossroads.
- Q. JUDGE COLES: Shall we leave it there and regroup at 2.15.

MR. WALSH: Might I deal with an administrative matter? It need not concern the Jury.

(The Jury left Court)

MR. WALSH: There is no need for Mr. Povey to remain. Your Honour, it just concerns a problem that we all seem to be having in relation to exhibits. Your Honour may remember the way matters caused us some anxiety yesterday was that I was anxious to find the two photographs that my learned friend Mr. Griffiths had put in because I wanted to ask Mr. Clements a question in re-examination. I dare say if I had not started looking for them at that stage we might still be wondering at the moment. We looked around the Court and they were not here. The best recollection any of us have - and it may be imperfect - was that after Mr. Clements had been asked about them in cross-examination, they remained either in the witness box or, as exhibits sometimes do, on the Clerk's desk.

Your Honour, they are nowhere to be found now. That does not cause insuperable obstacles because with photographs presumably there is a negative but what does cause me anxiety is that other property has gone missing as well.

JUDGE COLES: Other property?

MR. WALSH: Your Honour, yes. The Police Officer who has been very helpful doing all sorts of odds and ends, message running and so forth and collecting exhibits every day, has been gathering in photograph albums and so forth from the witness box and putting them in a little file near where this lady is sitting, so they are all there to be handed back the following morning. One day last week his file of items vanished and they have not been found. Again it may be some enthusiastic cleaners-up have just put things on one side. I am trying to find out what has happened but it is an unfortunate state of affairs and what I have asked to be done, I have told my learned friend Mr. Griffiths about it, he being principally concerned.

Unless your Honour has any observations to the contrary at all hours when the Court building is open but the Court is not exactly sitting, there should be a Policeman on duty at the Court door so that no-one who should not come in to the Court does come into the Court.

JUDGE COLES: I dare say that can be arranged. Cannot the Court be locked?

MR. WALSH: It can but that is an inconvenience sometimes to Counsel who may want to come in and look at something.

JUDGE COLES: Yes.

MR. WALSH: I am anxious obviously for that not to happen. It may be the explanation for it all is entirely innocent and it results from some meticulously tidy person coming in and collecting things up and putting them away.

JUDGE COLES: Indeed. Your enquiries will continue. What can be done so far as the administration is concerned about cleaners and instructions to them will be done. In the meantime can you arrange for the Policeman to be placed there?

MR. GRIFFITHS: I will get them copies of those two.

JUDGE COLES: Thank you very much. I am extremely sorry that that should have happened. It is very regrettable and, of course, it must not happen. We shall do what we can. Any other observations?

(Mid-day Adjournment)

2.15 p.m.

- Q. MR. WALSH: I think the last thing I was asking you about, Mr. Povey, was when you were in your cordon or line on the brow of the hill. You told us that the demonstrators were 30 yards away and when you opened the line the demonstrators ran? - A. That is correct, sir.
- Q. That you believe that some arrests were made at that time? - A. Yes.
- Q. So what did you and the short shield carrying men do from that point? You are going forward, as I understand it, from the brow of the hill? - A. To the crossroads.
- Q. What are the people who had previously been throwing stones, what are they doing at this stage? - A. Well, they had scattered to the left and the right and gone straight on. Still we went forward with the horses which formed a semi-circle around the crossroads.
- Q. As you progressed from the brow of the hill to the crossroads, was there any more stoning or had it ceased? - A. I think there was more stoning. I am almost sure some more arrests were made from the passageways of the houses on the right-hand side.

- Q. You get to the crossroads. Is that something that you had, as it were, instructed anyone to do, to stop the crossroads before you moved forward or was it a spontaneous decision to stop?
- A. No, they were instructed to stop at the crossroads.
- Q. By? - A. By me.
- Q. JUDGE COLES: You said they formed in a sort of semi-circle?
- A. The horses did, your Honour.
- Q. MR. WALSH: Any particular reason for that? - A. It was just a spontaneous sort of form-up and it had the effect of keeping the demonstrators on the outside perimeter of the horses and Rotherham Road and Orgreave Lane as it crossed the crossroads.
- Q. Was the semi-circle pointing outwards like that or inwards? - A. It was pointing outwards and we were on the inside of it.
- Q. What happened then? - A. After a short time there, during which an ambulance came up and took away an injured picket, we then withdrew back to the bridge.
- Q. Is it possible for you to tell us approximately how long had elapsed between you moving forward from the brow of the hill to the crossroads and then to the time when you decided to move back from the crossroads to the bridge? - A. At a rough estimate I would say about 15 minutes.
- JUDGE COLES: Fifteen minutes.
- Q. MR. WALSH: From the brow of the hill to the decision to move back to the bridge? - A. Yes.
- Q. Why did you decide to move back? - A. The crossroads was not a position that we could hold for any length of time.
- Q. How far ahead of any other Policemen were you at that point?
- A. The short shield units were still with me.
- Q. When I said "you", I meant you and the short shield units?
- A. As far as I was aware the rest of them were at the bridge.
- Q. All that way back down? - A. Yes.
- Q. So was that the reason why you decided to withdraw because you were that far ahead? - A. Yes, the crossroads were not a good position to stay and it had been decided prior that we would always return to the bridge.
- Q. So in what fashion did you go back? - A. Myself and the short shield units returned first and the horses last.
- Q. I would like to know how that is achieved. Does that mean you and the short shield units all returned to the bridge and when you are back there the horses return or is it done in stages? - A. No, we set off first and the horsemen, having given us a start, then followed.

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- Q. JUDGE COLES: They covered your retreat? - A. Yes.
- Q. MR. WALSH: About how long did that manoeuvre take to get back to the bridge? - A. About three to five minutes.
- Q. did anything happen on your way back? - A. No.
- Q. Were you able to see what the demonstrators whom you had driven back to the crossroads did at this point? - A. No, because we were intent on making the bridge. Once I had reached the bridge and turned round to see where the horses were and they were very close behind at that time, the demonstrators were coming over the brow of the hill after the horsemen.
- Q. Did you see anything or did anything happen as you went down towards the bridge before you got there? - A. No, nothing.
- Q. So what happened? You got to the bridge and what? - A. We decided to draw a line across the bridge on the coking plant side this time and stay there.
- Q. When you initially arrived back at the bridge, where was the main body of Police? - A. They were on the bridge and beyond.
- Q. When you say "beyond", do you mean beyond to you? - A. Yes, beyond to me.
- Q. That would be on the coking plant side? - A. Yes.
- Q. JUDGE COLES: The line was already there when you got back? - A. That is right, your Honour.
- Q. MR. WALSH: So it was decided to move the line back to the coking plant side of the bridge? - A. Yes.
- Q. It could have been moved back while you were up at the crossroads? - A. No.
- Q. When you got back to the bridge the Police lines were on the bridge and "beyond" meaning the coking plant side, then it was decided to move the front line of the Police back to the coking plant side of the bridge? - A. That is correct.
- Q. What happened then, Mr. Povey? - A. Then the demonstrators occupied the positions that they had occupied before in the scrap yard and the road and the missile throwing started again. It was at that time they started building barricades.
- Q. You told us earlier about a wreck? - A. Yes.
- Q. Of a car that you had seen? - A. Yes.
- Q. In the road. Is this something in addition to this? - A. Yes.
- Q. First of all, where were you when you saw this happening? - A. I was behind the cordon on the coking plant side of the bridge.

- Q. Were you keeping at this stage of events any note of what time it was as all these things were going on? - A. No, we were not.
- Q. Is it possible for you to tell us now, and if it is too difficult a question say so, for example what time it was approximately when you were up at the crossroads? - A. We were at the crossroads some time between 11.30 and 12.00
- Q. Is there any particular reason you have for giving that section of time or is it just an estimate or what? - A. It is because I was aware that the convoy came into the plant at about 12 noon.
- Q. That is the second convoy? - A. Yes and at about that time we were back on the bridge.
- Q. So you got back there by the time the second convoy arrived? - A. Yes.
- Q. What happened when the second convoy arrived? Where were you and where were the demonstrators? - A. We were on the bridge. The demonstrators were on the road and in the scrap yard. We also had a line of shields in a sub-station facing across the railway cutting on a direct line of sight with the scrap yard.
- Q. a We know the sub-station is on the coking plant side of the railway line? - A. Yes.
- Q. You said facing the scrap yard. You tell us would that be on the left side or the right side of the road as you are going away from the coking plant? - A. On the left.
- Q. When were they put in that position? Can you say? - A. No, they were in that position when I returned to the bridge.
- Q. Did you say short or long shields? - A. Long shields.
- Q. Why were they there? - A. Missiles were being thrown from the scrap yard across the bridge and also across the railway cutting.
- Q. Very few of those missiles actually reached the line in the sub-station yard because it was a considerable distance. The ones that did you could see their path? - A. They were in fact batted off with the shields.
- Q. You are back at the coking station side of the railway bridge. What did you see happening? - A. Missiles were continuing to be thrown. They were building the barricade across the road and also trying to and did in fact wheel a trailer down at the Police line, together with an oil drum.
- Q. JUDGE COLES: They wheeled it down, rolled it down? - A. Well, rolled them down. They did not actually come down with the trailer, your Honour.
- Q. And an oil drum? - A. Yes.

- Q. MR. WALSH: You could see that? - A. Yes.
- Q. What happened to it? - A. In fact they collided with the side-ran into the side of the bridge about half way along its length.
- Q. Where is the main body of the demonstrators at this time? - A. They were the far side of the bridge from the coking plant and in the scrap yard.
- Q. How far away from the far side of the bridge, those who were in the road? - A. As I was standing on the bridge the road bends sharply to the left and so you could not see from my position just how far back they were but if I went further back and stood on the parapet on the left-hand side, I could see into the scrap yard and on to the road and they were the far side of the barricade that was being built.
- Q. Did you do some standing on the parapet? - A. Yes, I did.
- Q. Do you remember on how many occasions you did that? - A. Quite a few occasions. It was a good vantage point to see over into the road and the scrap yard.
- Q. Tell us what you saw and what happened now that you are back here? - A. Well, because of the trailer and the oil drum being wheeled down we decided to deploy a wing transit vehicle. I do not now if the Court is aware.
- Q. We may have heard it described earlier. I do not think I need ask you because we have already had it described. If anybody wants you will be able to tell them, will you? What was done? - A. That was deployed on the bridge.
- Q. For what purpose? - A. To protect the front line of shield carrying Officers from anything else that may have rolled down.
- Q. What was going on while this vehicle was deployed? - A. The barricade had been set alight and they were throwing lots of material on it and there was quite a lot of smoke coming up from the barricade. At the same time missiles were continuing to be thrown but they were not causing us a lot of trouble at that time because of our position.
- Q. I think you said this was happening at a time when the second convoy was arriving at the coking works? - A. This was happening when the convoy was in the coking works.
- Q. Had it started before the convoy arrived or as the convoy arrived or what? - A. My recollection is that where I returned to the bridge at about the same time that the convoy went in and it was from then on.
- Q. You have said that as you returned to the bridge and the second convoy time came round, then people came back from the brow of the hill and into the yards and that sort of thing? - A. That is correct.

- Q. Can you give us any general picture of numbers now? How it compared with numbers that there had been previously, that sort of thing? - A. The numbers were gradually going down. Certainly many of the demonstrators that were at the crossroads - because there were thousands there - did not come back to the bridge.
- Q. When we talk about those who came back to the bridge and were either in the road or the scrap yard, are we talking of just a few dozen, many hundreds or what? - A. No, they still number hundreds.
- Q. How did things progress from there? The transit is put across, the stoning is continuing, the barricade is set alight? - A. Then it just continued like that. There was a gradual slow down of action. I feel the demonstrators began to lose interest. We were not going out from the position that we occupied.
- Q. Were they able to get any closer to the coking plant? - A. No, they were not.
- Q. So over what period of time are we talking about this throwing continues and then gradually dies away? - A. That was about an hour until the convoy went out.
- Q. When the convoy went out? - A. The vast majority had gone already before the convoy went out. It was not long after the convoy had left that we were able to move up forward into Highfield Lane.
- Q. That is over the bridge? - A. Yes.
- Q. When you went over had all the demonstrators gone by that time or most of them? - A. Yes. There were just small pockets of demonstrators who were not causing any problems, who were just watching the barricade and watching the scene.
- Q. Did you go forward then? - A. Yes.
- Q. What did you find? - A. I found the scenes in Highfield Lane were such that there was a barricade across the road that had been set on fire and in fact was still smouldering. Beyond that there was some sort of metal fencing and beyond that there were pointed stakes set at an angle to the road and supported by stones.
- Q. Would you like to look briefly at Exhibit 6. Has anybody left any albums of photographs there for you, Mr. Povey? - A. Yes but not number 6.
- Q. Are they all numbered? - A. Number 5, number 9 and one without a number.
- Q. Open the one without a number. It might be number 6. Is it one that you have to look at on its side and there is a fire fighting machine? - A. No, it is not.

(Exhibit produced)

- Q. Would you just briefly look through that album and say if you are familiar with those scenes? - A. Yes, sir. These are the scenes on the road on the Handsworth side of the bridge.
- Q. How does that compare - those, because you look through the several photographs - with the condition of the road at the time you went off to the brow of the hill and beyond it? Do you remember? - A. Yes. As we went up the brow of the hill and beyond it, the road was nothing like that. There was rubble in the road and there was that car in the road but there were no barricades, there were no pointed stakes.
- Q. JUDGE COLES: There was rubble, was there as much rubble as that? - A. No, your Honour, nowhere near that amount.
- Q. MR. WALSH: The photograph shows rubble perhaps in its clearest form, the fourth one? - A. Yes.
- Q. If you can tell us what the rubble was like at the time you went up to the brow of the hill and beyond? - A. Well, the rubble I am talking about then was of a size that can be thrown, that is much larger, and was not of that volume.
- Q. So it would appear from what you say that you spent a little time going forward and surveying this scene of damage? - A. That is correct, sir.
- Q. By now what time was it? - A. It was after one o'clock, after the convoy had gone out. Perhaps quarter-past one.

MR. WALSH: Thank you.

Cross-examined by MR. TAYLOR:

- Q. Mr. Povey, you have had a promotion since Orgreave happened. Is that right? - A. Yes, sir.
- Q. Before that what was the name of the department that you worked for? - A. It was West Bar Sub Division.
- Q. In that Division was Mr. Clement your immediate superior? - A. No, sir.
- Q. How did you come to be working with him in this operation at Orgreave? - A. I do not know. I was just sent for and told to report to Orgreave one morning.
- Q. He was the Assistant Chief Constable and then, in brackets, Operations? - A. That is correct.
- Q. Were you not in his department then? - A. No. Assistant Chief Constable (Operations) has responsibility for operations throughout the force. My immediate supervisor was the Chief Superintendent.
- Q. Can he call on any Officers he wants or has he a special department of his own or both? - A. No, he does not have a special department of his own.

- Q. As far as organising the men on the field was concerned, how did the decisions come to be made? What I mean is the line of demarcation between you and Mr. Clements? - A. It would depend on the nature of the decisions. If the decisions were to deploy specialised units, the long shields, short shields, horses, that decision had to come from Mr. Clements.
- Q. So any time that any of those specialist units that you have mentioned were deployed, that is always Mr. Clement's decision? - A. Yes, unless in a dire emergency he was not present.
- Q. Were there any dire emergencies on that day when he did not take the decision personally? - A. There were many dire emergencies but he took the decisions himself.
- Q. Can you remember when it was that the horses were first put out on to the field? - A. That would be about 7 a.m.
- Q. Was that Mr. Clement's decision? - A. Yes.
- Q. Did you ever decide at any early stage in the day to put the horses on the field or in the road? - A. No.
- Q. Do you make any distinction between deploying men and using men? - A. No.
- Q. Or deploying shields and using shields? - A. No, not really, sir.
- Q. Deploying horses and using horses? - A. Deploying tends to suggest they are there and immediately available. Using tends to suggest they are taking action.
- Q. Now, you have used "deploy" and "use" throughout in an interchangeable way? - A. Yes.
- Q. Did you make a decision on that day to deploy horses at any time? That is to say to have them at the ready just to call them out but not to use them? - A. You mean not to bring them to the cordon but to have them in a state of readiness?
- Q. To bring them behind the cordon line up? - A. No. Those decisions were Mr. Clement's.
- Q. JUDGE COLES: When you use the word "deploy" in the course of your evidence today, have you ever used it in the meaning of to have behind the lines ready for use or have you used it to mean being used, in the course of your evidence? - A. If I was talking about horses I have used the word interchangeably. If I have said mounted officers were deployed into the crowd, I would have meant sent into the crowd but I would also use the word "deploy" to show that they were standing behind the cordon not actually being used.

- Q. Just another one or two general questions, Mr. Povey, about the mechanics of the operation. If you wanted to call up reserves of Policemen you said you were in radio contact with the control room and you would simply call them and presumably somebody in the control room would receive that message and they would be sent to you? - A. Yes.
- Q. Can you say generally, not just dealing with this particular day but in general when you made such a request, how long would it take for the reserves to arrive to you? - A. Less than two minutes. The system we had was that we used to call up reserves in five units. The five who were next to be sent to the line would be waiting in uniform in a line in the entrance to the command block. That is about 20 yards below. As soon as they were deployed into the line, five more would be put on stand-by in that entrance.
- Q. Have you got an aerial photograph there? - A. No.
- Q. Perhaps Exhibit 10, I think it is.

JUDGE COLES: It is marked 1.

MR. TAYLOR: It does not matter. I just wanted to be sure Mr. Povey is talking about the command post that is shown:

- Q. Can you point out where the reserves of men would be held, please? If you can get your bearings on that? - A. I think that in fact is the command block.

JUDGE COLES: We have been looking at it the other way round.

MR. TAYLOR: I think you are pointing to the right place? - A. It is command block and reserves of officers would be held in that entrance there.

- Q. JUDGE COLES: Just look a little more carefully at the plan, would you, please? Do you see the railway bridge? - A. Yes. I am sorry, that is the sub-station, your Honour.
- Q. Just have..... - A. I will try again. That is the command block.

JUDGE COLES: Has he got it right that time? I cannot see.

MR. TAYLOR: Yes:

- Q. Behind that there was a marquee? - A. Yes.
- Q. What was that for? - A. Refreshments.
- Q. For Policemen? - A. Yes.
- Q. How often would they take refreshment? - A. It would depend on the activity on the day.

- Q. That is the men that were placed in PSU groups into the cordon. Would it take any longer for you to call up a couple of PSUs of long shields? - A. No because on the day long shields were in gear and on full stand-by.
- Q. The same thing presumably applies to short shields? - A. Yes. It took in fact a little longer to deploy short shield men on that day because some men had to be taken out of the line to go and get short shields.
- Q. When the long shields would be brought up by you then, it would take a couple of minutes, two to three minutes from the time you decided to put them into the front line and for them to arrive? - A. Yes.
- Q. And perhaps another half a minute or a minute for them to go out and stand in the front? - A. Yes.
- Q. You had a large number of Policemen at Orgreave from an early stage? - A. Yes.
- Q. Presumably enough in the opinion of people commanding - by that I mean in particular Mr. Clement and yourself - to contain pushes from the pickets? - A. Yes.
- Q. Pushes were to be expected? - A. Yes.
- Q. They had happened on many earlier occasions at Orgreave? - A. Yes.
- Q. You probably would have been flabbergasted if on this day there had not been a push? - A. I would have been surprised, yes.
- Q. You plan according to the numbers from intelligence that you had. You had enough Policemen there to contain those pushes? - A. Yes.
- Q. As events now prove your planning was right because the pushes were held? - A. Yes.
- Q. In fact you have said at particularly the 9.30 push, there was just no chance of them getting through whatsoever? - A. No.
- Q. Was anybody else in radio communication apart from yourself and Mr. Clement and Mr. Hall out on the field? - A. Yes, many of the PSU commanders had radios.
- Q. Back to the command centre? - A. Yes.
- Q. Could they be contacted by you? - A. Yes.
- Q. And controlled? - A. Yes.
- Q. Were you the person who was responsible for the action of the PSUs in the field? By that I mean in operation? - A. In the cordon?

- Q. In general? - A. I only hesitate because I was responsible for bringing out the PSUs reinforcing the cordon, passing that instruction of Mr. Clement if short shield units or horses were to be deployed.
- Q. Is this impression correct, if Mr. Clement said to you he wanted the road cleared of people, for example, that he would say something to you like "Clear the road" and leave it to you to decide exactly how that was to be done? - A. I would not be given that amount of discretion. If it was to be cleared with the use of horses and short shield units, he would say specifically, "Let's clear the road, let's clear the field and we will do it by use of horses and short shields."
- Q. Would he give any other instruction apart from that? - A. Yes, he would give instructions to the horsemen and the short shield men, as would I.
- Q. Now, you would not both be doing the same job. This is the point I am trying to get at. Would you? - A. No but there were two separate units almost, of short shield men and horses, one on the road, one in the field. Mr. Clement invariably gave the instruction to the one in the field and I more often than not gave the instructions to the one on the road.
- Q. Which way around was it on the 18th June? - A. As I have just described.
- Q. Were you in charge of the road and Mr. Clement in charge of the field? - A. No, it was not as formal as that.
- Q. Is that the way it worked in practice? - A. Yes but Mr. Clement had overall command of the operation. I also had overall command of the field and the road.
- Q. That is what I do not quite understand. Did you confer between each other before any major decision was made? - A. Frequently, sir, yes.
- Q. Can the Jury take it that before every major decision on this day to move horses or short shields, that you and Mr. Clement conferred? - A. Yes, and Mr. Hale as well.
- Q. So a little conference before the decision was actually taken? - A. Yes.
- Q. JUDGE COLES: Each and every major decision taken that day was preceded by consultation between the three of you? - A. Yes, your Honour, but I am talking about major decisions such as the use of horses, the deployment of short shield units, the decision to clear the field and the road, the decision to move out from the bridge. Those major decisions, yes, were preceded by discussion.
- Q. MR. TAYLOR: I want to take you back to the first time long shields were put out and you said it was about eight o'clock in the morning. Horses at seven o'clock, if my memory is right.

JUDGE COLES: I do not think the long shields went out. He said long shields were deployed at about eight o'clock, about 6.50, 7 o'clock, thereabouts, 7.20, the first missiles.

- Q. MR. TAYLOR: What I was asking, Mr. Povey, was this. I want to take you back to the first time long shields were used, which you say was about eight o'clock? - A. Yes.
- Q. The horses had already been out for an hour by then? - A. Yes.
- Q. Behind the main cordon? - A. Yes.
- Q. Whose decision was it to put the long shields out at that stage? Joint? - A. If my memory serves me right missile throwing was such that the decision was almost self-apparent but I believe I said something to Mr. Clement to the effect, "Can I use long shields" or "It's time we had long shields."
- Q. Was that because the throwing of missiles was so bad? - A. Yes.
- Q. That Police Officers were being injured? - A. Yes.
- Q. It was so heavy they could not get out of the way? - A. Well, there was nowhere for them to go if they were in the cordon.
- Q. Up until that point had there been any stone throwing at all? - A. Yes.
- Q. Therefore it must have been light enough for you to get by without shields? - A. Yes.
- Q. These sort of descriptions, light throwing and so on, are very difficult for other people to imagine. Can you give some idea in numbers of how many stones would be thrown before eight o'clock? - A. The number of stones in total?
- Q. Yes, at any given time. If people were standing in a cordon and stones were being thrown at them, how many would be coming over? - A. At that time the stoning was light enough for the men in the line to shout a warning when one or two or three were... they were shouting either "Stone" or "Heads" or "Watch out for your heads." That is what I mean when I say light.
- Q. The odd one every minute or two? - A. No. You perhaps went five, ten minutes without any and then there would be three or four, a sort of flurry.
- Q. At eight o'clock the number of missiles coming over was no heavier, was it? - A. The number of missiles coming over at eight o'clock had increased tremendously to the extent that it was not possible to give warnings for individual missiles.
- Q. That is your evidence, is it? - A. It is, sir.
- Q. How many missiles would have been coming over, say, at five to eight? How many would have been coming then? - A. Well, it

would have not been as many as were coming at eight o'clock because it was at eight o'clock we decided to put out the long shields.

- Q. Had you put out the shields as a response to an increase in stone throwing or did you put out the shields first? - A. No, the shields went out in response to the increase in stone throwing. That was the whole object of putting the shields out.
- Q. What you are saying is if there had not been this tremendous increase, as you call it, in stone throwing, no shields would have been used? - A. No, they would not.
- Q. Did not you - that is you and Mr. Clement and Mr. Hale - simply put out those shields as a matter of routine because you knew the convoy was coming? - A. No, not at all, sir.
- Q. Is it coincidence or is there some link? - A. The link is the stone throwing.
- Q. You say that happened just before the convoy arrived? - A. Yes.
- Q. The decision to put those long shields out was taken way before eight o'clock, was it not? - A. No.
- Q. When I say way before, I mean by a good ten minutes before you say there was any increase in the stone throwing? - A. No, sir.
- Q. That is not right, is it? - A. The decision to put the shields out was taken in response to an enormous increase in the stone throwing and they were deployed at about 8 a.m.
- Q. When the stones were being thrown, how far away were the demonstrators from the Police cordon? That is, what sort of gap would the nearest one have been? - A. I would say about five yards.
- Q. That is the figure that you mentioned before as being the gap between the front demonstrators and the Police line. Is that a general sort of situation? Was that the general gap that existed? - A. Yes. When there was no push the gap was five yards. Perhaps on some occasions even more.
- Q. But in general is that what you are saying, about five yards? - A. Yes.
- Q. Does that apply to the road as well as the field? - A. Yes.
- Q. So we have this in mind, the gap of about five yards running right the way along in front of the Police cordon? - A. Yes, give or take five yards.
- Q. At eight o'clock there then was this massive increase in the stone throwing and there was also the first push by the pickets? - A. Yes. Well, the push was after eight o'clock. I said the push was as the convoy was coming up Highfield Lane.
- Q. Would that have been about five past eight, something like that, ten past eight? - A. Yes, around that.

- Q. When the push came did it come down the field or the road? - A. The road.
- Q. How many people were involved in pushing as opposed to some who may well have been just carried along? Could you say? - A. I could not differentiate between who was pushing and who was being carried along, no.
- Q. How many people were in the press, in the crush of people coming down the road against the shields? How many there? - A. That is very difficult to estimate. I would put it at somewhere round 1,500.
- Q. 1,500? - A. Yes.
- Q. If you had, say, 1,500 people in a row across the road from pavement to pavement, that would be 100 deep? One hundred deep back up the road? - A. Yes, if you had got 15 across the road, yes.
- Q. That is obviously a lot of people. Is that your estimation of it? - A. That is a very rough estimate, yes.
- Q. JUDGE COLES: Do you agree with it? - A. Do I agree with 1,500?
- Q. What Counsel is putting is that assume 15 people stretched across the road, demonstrators, the cordon was 15 across the road and if there were 15 people there that would mean the cordon would be 100 rows deep? - A. No, I would not agree with that. The numbers - I would agree that I would think it would take more than 15 across the road.
- Q. MR. TAYLOR: I am just trying to get an idea of the size. If there were 20 across the road on that arithmetic they would only be 75 deep. In fact the front people, the front press of the demonstrators who were pushed up against the cordon were nothing like that deep, were they? They did not stretch back up the roadway at all. You say they did? - A. They did, yes, sir. I had a considerable number of Policemen deployed there and the line almost gave.
- Q. A very prolonged and substantial push, you say? - A. Yes.
- Q. Which lasted about a minute, did it not? The actual contact between demonstrators and Police? - A. No, it would have lasted longer than a minute, much longer.
- Q. How long do you say? - A. Well, it would ebb and flow but perhaps five minutes, ten minutes.
- Q. It was easily repelled, was it not, by Police shouting "One, two, one, two" and marching up in ranks? - A. In fact I used the loud hailer to get the men to march but it was very difficult, they were not easily repelled at all.
- Q. You lead this off each time, do you not, with your megaphone shouting "One, two" and then hundreds of the Policemen shouting

"One, two, one, two" and "March back"? - A. That is an accepted tactic, yes.

Q. JUDGE COLES: "March back"? - A. "March forward".

Q. MR. TAYLOR: March the pickets back. That is an accepted tactic? - A. If the line looks like giving.

Q. According to what is that an accepted tactic? - A. According to the training we undertook.

Q. What did that consist of? - A. The training I have undertaken?

Q. Yes? - A. Merely to go and observe the training of Police Support Units.

Q. Are there centres for that sort of thing, then? - A. Yes.

Q. Where are they? - A. One in the South Yorkshire, we take them to an old disused RAF site.

Q. Where does the tactic come from that is learned? - A. I do not know, sir. It has been in effect for a number of years.

Q. You must have seen that instruction written down to have employed it on this day. You have learned it from somewhere? - A. I do not think I have actually seen it written down but I am aware of it.

Q. When that push, you say it eventually came to a stop and I do not suppose there is anything between us at all because what I have suggested is that the Police Officers were able to stop it by marching in this way, "One, two" and sort of - I do not quite know how it is done, jogging up and down, that sort of action? - A. Yes.

Q. So it was repelled. At that point the demonstrators, people are still fairly close to the Police cordon when the push had ended. They were still there? - A. Yes, although once the pushing had stopped they always back away from the cordon.

Q. About how far did they do it on this occasion? - A. Perhaps about ten yards, five to ten yards.

Q. That was, that push was something that you had experienced at Orgreave on earlier occasions? - A. Yes.

Q. And it had been held? - A. Yes.

Q. Why then minutes later were horses sent into the field? - A. Because the missile throwing was such that the shields were not giving sufficient protection.

Q. Is the use of horses on this day every time because of missile throwing being too heavy? - A. Horses have two uses. One to disperse the crowd who are throwing missiles and they could be used to take pressure off the cordon.

- Q. On this particular day would one be right in saying that the use of horses was to disperse the crowd that was throwing missiles and the shields could not cope? - A. Yes.
- Q. You say, or you have said, that on this occasion, that is the first occasion that the horses are used, just after eight o'clock, they went up the road and the field? - A. Yes.
- Q. Might you be wrong about that? I will put the suggestion clearly to you. They in fact only went up to the field on that occasion. - A. No, I am almost certain they went up the road as well.
- Q. The road at that stage was densely populated with people, was it not? - A. Yes.
- Q. That would have been a dangerous thing to do, would it not, to put horses up there? I am suggesting that you did not because it would have been too dangerous and it did not happen? - A. It would depend at what speed the horses went up the road but I am sure they went up the road and the field, yes.
- Q. You said they walked through the cordon some 50 or 60 yards and then returned? - A. They walked through the cordon and then trotted up the road to a distance of about 50 to 60 yards.
- Q. It was not that sort clippety clop, clippety clop, was it, of horses because that would not have frightened anybody. What happened on this occasion was those horses caused a stampede of people? Would you agree that? - A. They caused the demonstrators to turn and run on every occasion they were used.
- Q. The idea of using horses is to frighten people, is it not? - A. No, to disperse them.
- Q. You disperse them by frightening them? - A. Yes.
- Q. If the horses just continued to walk through, clippety clop, clippety clop, that would not frighten anybody and they would have been ineffective? - A. Horses going at a trot would make the demonstrators disperse.
- Q. If they were going more than a trot that would make them disperse even faster. What I suggest to you is that they did not trot up that field. I am not sure of the horse world term, equestrian term, whatever it is.

JUDGE COLES: Canter.

- Q. MR. TAYLOR: Canter, may be gallop. What I am suggesting is they went up there at a really fast speed? - A. No, that is not correct, sir.
- Q. And caused people to turn and flee? - A. Yes.
- Q. The second time that happened some of them went up the road and the field? - A. Yes.

- Q. Fast, causing people to run away? - A. They went up the road and the field at a trot, yes.
- Q. Did anyone give any warning to the people in the crowd that horses were going to charge into them? - A. No warnings were given and the horses did not charge into them.
- Q. Let us take the first question first. Why is it no warning was given? - A. Mr. Clement decided against the use of a warning.
- Q. He decided against it? - A. Well, he did not just give a warning.
- Q. You had one of your little conferences before the first charge took place? All right, I will use the word "advance" for the moment. Before the first horse advance took place, did you have your little conference? - A. Yes we did but the conference was not, the discussion was not on the use of warnings. The discussion was on the deployment of horses.
- Q. A warning should have been given, should it not? - A. Well, I am not aware it should be given, no, sir.
- Q. It is an acceptable tactic, is it not, to use a warning first? - A. Yes, on occasions, yes.
- Q. Commonsense would tell you, would it not, that if you are going to use horses in a crowd of people you would give them some warning? - A. Well, it would depend what you are using the horses for, sir.
- Q. If you are using them to scatter people, to disperse, as you say, a warning should have been given, should it not? - A. No, sir, not on that occasion.
- Q. You would not have given a warning if it had been up to you, would you? - A. No, sir.
- Q. Even if you had given a warning, the megaphone that was available to you would have been totally useless, would it not? - A. Why, sir?
- Q. Well, the people at the back - think of the people at the back for a moment - they are the ones who are going to be affected by a stampede of people coming towards them and they would not have heard, would they? - A. No. No, sir. One of the reasons they would not have heard is because of the chanting of the demonstrators.
- Q. This operation cost thousands of pounds, did it not? - A. Yes.
- Q. I have no idea but it must have cost a lot. Did anybody ever think of having a little radio microphone and a tannoy system rigged up? - A. No, sir.
- Q. If it had been a village fete or something, no doubt the local Councillor, if he was giving an address to the people, would have had a little tannoy system put up. Perhaps you could have hired

one for about £20. A drop in the ocean compared to the total cost. Did anyone think of doing that? - A. No, sir, not to my knowledge.

- Q. The people at the back would not have heard and horses were used twice without a warning to them? - A. That is correct.
- Q. The main thing I want to ask you about, however, in this part of the day is the 8.30 time when the two lots of horses were used going up the field and road followed by two groups of PSU short shields? - A. Yes.
- Q. Did you have a conference before that took place? - A. Yes, sir.
- Q. What was decided? - A. That they would be used to disperse the demonstrators and stop the stone throwing.
- Q. Stop the stone throwing by dispersing them? - A. Yes.
- Q. How was dispersing them going to be done? - A. By the use of mounted officers and short shield units.
- Q. How were they going to do that? - A. The mounted officers were going to go into the group first followed by the short shield units who would make arrests where they could.
- Q. The object of this exercise, Mr. Povey, was not to arrest anyone, was it? - A. Yes, that was one of the objects of the exercise. That is why a number of persons were arrested.
- Q. The day as a whole arrests of people were very low. That was the least, was it not, of objectives? - A. Our main objective was to ensure the convoy was uninterrupted but if persons were committing criminal offences that could be arrested, then one of our objects was to arrest them.
- Q. If it was an objective - and I am putting to you it was not really one of the main objectives - if it was an objective the Police that day were singularly unsuccessful, were they not, because if you consider for the moment the top field, only 55 people were arrested out of, say, 5,500. That is one per cent. A pretty poor record? - A. Yes, it is. A lot more would have been arrested had we had the necessary resources.
- Q. What do you mean by that? - A. The more Policemen you put there I would suggest the more people are going to be arrested.
- Q. How many Policemen were there?. - A. In total on that day, about 4,500.
- Q. And 55 arrests? - A. Yes.
- Q. What I am saying to you is that the figures speak for themselves. Arrests did not come into it, really.
- Q. JUDGE COLES: How many Officers did you say? - A. About 4,500, your Honour.

- Q. MR. TAYLOR: If to arrest had been the objective of the exercise, undoubtedly more people would have been arrested? - A. That is not correct, sir. It is a very difficult job to arrest people in those situation.
- Q. Just before 8.35 when there is this - perhaps you will accept it is at 8.35 that the horses go through - just before that what was happening in the mass of demonstrators? - A. They were throwing missiles.
- Q. How heavily? - A. Very heavily.
- Q. So people in the Police cordon could not shout "Heads" and so on to avoid them? - A. That is correct. The missiles were coming over as heavily as they had been that morning at that time.
- Q. It is again very difficult for us to guage what that means. Do you mean thick and fast and raining over? - A. Yes, thick and fast.
- Q. What sort of gap was there between the demonstrators and the Police at the time? - A. The demonstrators were further back at the time, perhaps ten to 20 yards.
- Q. Any singing going on? - A. Not that I can recall.
- Q. If I can refresh your memory about it, at 8.23 we had one chorus of "Here we go" - I am just putting it to you for the moment - one chorus of "Here we go, here we go" and a bit of clapping. Do you remember that? - A. I do not. I would not disagree with that. The chant "Here we go" was used quite frequently, sometimes it preceded a push, other times there was not a push.
- Q. At that time, at 8.23, do you recall giving any of these instructions, "In your lines please, Inspector 31, get behind your cordon on the double." Do you recall saying that? - A. I recall at around that time straightening the line of the cordon because they had been badly dented by the push.

JUDGE COLES: I did not get that.

MR. TAYLOR: "In your lines, please, Inspector 31, get behind your cordon on the double."

THE WITNESS: No, I would not have used 'Inspector 31'.

- Q. MR. TAYLOR: Does that mean anything to you? - A. It means nothing to me at all. Inspectors do not have numbers.
- Q. Then there is a lot of walkie-talkie going on and then at 8.32 did you say this, "Inspectors up here, please. Staffs out, please." - A. Yes, I told the short shield units to try batons.
- Q. These are the men lining up behind the cordon? - A. Yes.
- Q. There are two PSU short shields on the field behind the horses. Were you in charge of those at that stage? - A. No, not particularly. I had the responsibility for those on the road.

and those still on the field.

Q. And then behind the horses on the road there was one PSU short shields and one, another PSU, boiler suited men on the road? - A. Yes.

Q. Did you then continue very courteously with your Officers - and I make no complaint about that - "Draw truncheons, please, behind the horses." That is it? - A. Yes.

Q. "Inspector here please, Inspector here please", pointing out where Inspectors are to go? - A. Yes.

Q. Those are the PSU commanders? - A. That is right.

Q. "Right, you know what you are doing. No heads, bodies. No heads, bodies"? - A. Yes, I was emphasising to PSU commanders and the short shield units batons were not to be used on heads. That is correct.

Q. They were to be used on bodies? - A. If necessary.

Q. Well, it was necessary at that stage. You are saying, are you not, to disperse the crowd? - A. Yes, the batons were not to be used to disperse the crowd.

Q. Was that order given? - A. Well, all Officers are aware that the only time a baton is to be used is when it is reasonable in self-defence.

Q. Was this the first time PSUs short shields had been used at Orgreave? - A. Yes.

Q. If demonstrators had been to Orgreave before when they saw horses coming, they knew that they should run. Is that the idea? - A. Yes.

Q. But on this particular occasion when they saw horses coming they would not necessarily know that they were being followed up by 100 men with drawn batons? - A. No, unless they had heard the warning.

Q. Now, let us come to the warning. This was given by one of those little megaphones, was it not? - A. Loud hailer, yes.

Q. Where was Mr. Clement when he gave that warning? - A. On the field.

Q. Did he go to the front line? - A. Yes.

Q. Did he stand out in front of the front of the line? - A. Yes.

Q. About how far? - A. Two or three yards.

Q. Were you able to see him? - A. Yes.

Q. You presumably heard what he said? - A. Yes.

- Q. You have given evidence today about the words that he used. Were you attempting to be accurate with the words that he used? - A. No, I cannot recall the warning word for word. I know the purport of the warning, which was to the effect that if they did not cease stone throwing and disperse, mounted Officers and the short shield units would be used.
- Q. It is a sort of conditional warning then, is it? If they stop throwing they could stay? - A. Yes.
- Q. Did not Mr. Clement say to the people who were at the front and able to hear, did he not say, "I am going to clear the area. No ifs or buts about it. I am going to clear the area"? - A. He may have used those words but the warning was also accompanied by the condition if they did not stop stone throwing. The object of the exercise was not really dispersal. It was to stop the missiles coming over.
- Q. With all these men lined up behind ready to go? - A. Yes.
- Q. There was no stone throwing at all going on at that stage, was there, 8.30? - A. Absolutely, sir, yes.
- Q. Have you been reading about this case in the papers? - A. Yes.
- Q. You have not discussed your evidence with anyone, have you, before coming in today? - A. No, of course not.
- Q. That would be very wrong if you had? - A. Yes.
- Q. Did not Mr. Clement continue with his warning, "I am going to use mounted officers. No ifs or buts. I am going to use mounted officers." - A. No, as I recall the warning was altogether to the effect if they did not stop stone throwing mounted officers and short shield officers would be used to disperse them.
- Q. Did he not finish that warning by saying, "I advise you to clear the area"? - A. No.
- Q. What was the instruction given to the horses, the mounted officers, just before they went through the cordon? - A. To go through the cordon at a walk and disperse the demonstrators.
- Q. Did they have batons as well? - A. They did not have batons drawn.
- Q. They had them in the rest position? - A. Yes, well, they did not have them out.
- Q. Did they have them out at all that day? - A. Yes. The only time I can recall mounted officers having their batons out was above the bridge when they were used to go from the bridge to the crossroads.
- Q. To go from the bridge to the crossroads to use a horse, not a baton. What were batons used for? - A. To disperse the crowd.
- Q. It is a nice phrase and we hear it over and over again. How do

you disperse people with a baton? - A. The missile throwing at the top side of the bridge was far and beyond any of the missile throwing at the bottom side of the bridge and it was necessary for the mounted officers to have their batons out as well as the short shield officers.

- Q. Why do you not just come out and say the batons were used to hit people? - A. Because that is not correct.
- Q. That is not correct? - A. No.
- Q. Any exceptions to that statement? - A. Yes, the exceptions are if Police Officers were attacked then they would be used to hit people to defend the Police Officer.
- Q. And only in that circumstance? - A. Yes.
- Q. Does what you saw on that day agree with what you have just said? - A. Yes.
- Q. That is your answer? - A. Yes.
- Q. At 8.35 when those horses first went through, how far were they told to go, if at all? Was a limit put on them? - A. I cannot recall if it was or not. When the short shield units were used, I do not think it was. I do not think there was a limit.
- Q. That is why, is it not, those horses went right to the top of the field and caused hundreds if not thousands of people to run in waves over the top fences and down over the embankment at the top of the field? - A. I did not see that.
- Q. Were you looking? - A. I saw the horses go to the top of the field from my position.
- Q. If the horses went to the top of the field, where did all the people go? - A. I did not see them go over. - did you say the railway embankment?
- Q. Yes? - A. I could not possibly have seen that from my position.
- Q. What I am putting to you in this section of the case is that it is absolutely crazy to send horses up the field when you have got a bottleneck at the top on a bridge which could not possibly take that many people? - A. Yes, but the alternative to that is not to use them and have Police Officers continually stoned.
- Q. This is the dispute between us because what I suggest is that those horses should never have been used on this day. They should have been kept behind the Police cordon and there was absolutely no reason to use them? - A. Had they not been used then the injuries sustained by Police Officers would have been far greater than the ones that they did sustain.
- Q. After the use in that period, you say the next relevant

incident was 9.25? - A. Yes.

- Q. What was happening in the meantime, roughly an hour there? What was happening for the use of those horses to 9.25? - A. The demonstrators regrouped and they continued to stone us. Then that died down and to my best recollection that would be about nine o'clock - between nine and the convoy going out stone throwing still took place but nowhere near the severity as that that had gone before.
- Q. Then the convoy left? - A. Yes.
- Q. When it left there was another big push? - A. Yes.
- Q. How many people do you say were involved in that push? - A. More than in the first one. Perhaps 2,000.
- Q. How long did that last? - A. That again on and off lasted some 20, 25 minutes, I would think.
- Q. Perhaps I had better ask the question in a different way. What I want you to confine yourself to, please, is the actual push and confrontation between the people on the road and, maybe, on the field that were pushing and the Police. How long did that last? - A. The actual push itself would be again in the region of five to ten minutes.
- Q. It lasted half a minute, did it not? - A. No, it lasted considerably longer than that.
- Q. How many people were dragged out of that injured if it went on for that length of time, do you say? - A. I do not know how many were dragged out. Quite a few Policemen and demonstrators were taken away injured.
- Q. I had better not describe it myself but that press of people, 2,000 people coming up against a wall of, I do not know, a thousand or so Policemen, you are saying there were lots of people injured in the middle? - A. Yes.
- Q. What happened to those injured people? Where did they go? - A. They were taken back through the Police line and handed over to ambulancemen.
- Q. Do you know what happened to them after that? - A. No.
- Q. I want you to come, if you would, to the three stage move that you - it may be a more stage move but the move up the field from the bottom up to the bridge. The idea of that was that you intended-by that do you mean you, Mr. Clement and Mr. Hale together? - A. Yes.
- Q. Intended to push the demonstrators right up to the bridge? - A. Yes.
- Q. And to take them away from the missiles? - A. Yes.

- Q. Is that a seriously considered answer? - A. Yes.
- Q. Their missiles, you say, were stones on the field and walls that were being knocked about and bits taken off, bricks and stones and things like that? - A. Yes.
- Q. It would not matter how far back you pushed people, if they were prepared to take things off walls they would always have a source of supply of missiles? - A. That is correct. We were hopeful once they got to the top side of the bridge they would in fact disperse.
- Q. The whole reason for pushing them up is because they were not dispersing? - A. Yes.
- Q. You thought if you pushed them they would disperse again? - A. At the top side of the bridge because that would be further away from the coking plant.
- Q. But in the houses? - A. Yes.
- Q. Is that a risk that was weighed up in the little conference you had before deciding to push up? - A. Yes, it was a risk that we were aware of.
- Q. And prepared to take? - A. Yes.
- Q. You were wrong, were you not, in taking that risk? - A. No, we were not wrong.
- Q. Why did you decide later to withdraw from the village, in that case? - A. Because it was always our intention to hold the line at the bridge.
- Q. So again pushing the people back, how many people do you say were there round about this time? - A. Which time?
- Q. When these pushes were going up the field. How many demonstrators were in the field at the time? - A. Demonstrators in the field at the time were quite light but the ones that were there were throwing missiles.
- Q. Are we talking about hundreds of people in the field? - A. Yes, in that field and on the road, but not thousands.
- Q. What sort of time - I appreciate it is very difficult but if you can give some sort of idea as to when that push started and when you got to the top, how long did that take? - A. That would perhaps be between half past-ten and eleven.
- Q. JUDGE COLES: That is the trip from where to where? - A. That is starting, the first movement of the three phase movement, your Honour, that took us from the field and the road up to the bridge.
- Q. Which took about half an hour? - A. No, it did not take half an hour. It took place somewhere between half-past ten and eleven

but I do not think it took that long.

- Q. MR. TAYLOR: Can you explain, please, in tactical terms why it was thought necessary to clear the area of hundreds, not thousands, of people? Does it come back again to that they were throwing stones? - A. That was part of it. At one stage I recall a discussion with Mr. Clement on the feasibility of pushing the thousands back but again we considered the village of Orgreave at that time and decided against it.
- Q. You waited until the numbers decreased? - A. Yes. Had they not been stone throwing we would not have carried out that manoeuvre.
- Q. At what time was it when you had the conference where you considered pushing the thousands back. When was that that you talked about that? - A. That was before the use of the short shields.
- Q. Before 8.35? - A. Yes.
- Q. Did your conversation go something like this, "No, there are too many at the moment. It cannot be done, or cannot be done safely. If we wait until the convoy has gone we will have a lot less people and if we need to do it then it will be more manoeuvrable" - something along those lines? - A. No, it was along the lines that yes, there were a lot of them but it would also have caused considerable chaos in the housing estate at the top side of the bridge.
- Q. That is why it was not done at an early stage? - A. Yes.
- Q. Did you say chaos would have been caused because there were so many demonstrators? - A. Yes.
- Q. Did you know from being at Orgreave before the 18th that in fact what happens every day when there was this two convoy system was that there would be a couple of pushes for the first convoy, one when it came in, one when it left, then numbers in the field would dwindle considerably late morning and then they would come back again for 12 o'clock or whatever, the second convoy. That was the norm? - A. Yes.
- Q. Did you know where they went when the numbers did dwindle late morning? - A. No.
- Q. Did they go into the village? - A. They may have done.
- Q. They did not come down Highfield Lane, did they, to the coking plant? - A. No.
- Q. They went away up the hill? - A. No, on many occasions they went down past the coking plant.
- Q. On this particular occasion, the 18th, they did not go down past the coking plant then? - A. No.
- Q. But the numbers did dwindle from thousands to hundreds during the mid to late morning? - A. Yes.
- Q. And is it reasonable - well, you were there, you could see,

perhaps you can say, did they go across the bridge, a lot of them, and away up to Asda? Do you know where that is? - A. Yes.

Q. Outside Asda there are some lawns, or some grassed area? - A. Yes, I believe so.

Q. Did you ever go up there during the course of June and see hundreds or maybe thousands of people sat around outside Asda? - A. No, never.

Q. You did not go up there? - A. No.

Q. On this occasion, the 18th, by the time you had got to the top of the fields by the bridge and were just going over the bridge, had you driven the hundreds who had been in the field over the bridge towards the village? - A. Yes.

Q. Or most of them, anyway? - A. Most of them.

Q. If you were looking from the bridge up the road, at that time how many people would you have seen? - A. When we first reached the bridge?

Q. First reached the bridge, they had gone, you pushed them over? - A. Again, there were several hundred, perhaps over a thousand at first.

Q. Was Mr. Clement with you then? - A. Yes.

Q. At that point did you climb up on the parapet of the bridge when you first arrived there? - A. After we had been there some time, yes.

Q. Perhaps if there is a photograph. I think you probably know the part I mean but I have not got the photograph.

(Short Adjournment)

Q. MR. GRIFFITHS: Your Honour, my client is concerned he has certain difficulties in travelling tonight. I wonder if your Honour would allow him to leave at quarter-past four?

JUDGE COLES: Yes.

MR. TAYLOR: The bundle referred to is Exhibit 9 and I think that Mr. Povey has one.

JUDGE COLES: If the Jury would be good enough to look, they can follow as well.

MR. TAYLOR: Does your Honour have that?

JUDGE COLES: Yes.

MR. TAYLOR: Would you look at photograph 6, please? It it taken at the bridge, looking up towards the village and we had arrived at the point when you had come up to the bridge

for the first time. You said that some few horses and men had gone over the bridge, 20, 30 yards, something like that, then they came back? - A. Yes.

Q. I was asking you whether at that point you had gone up on to the wall to have a look to try and see further, whether it was at that time that you had done it? - A. No.

Q. It was not? - A.No. It was - we gathered the line there, put the cordon there, arranged the long shields there, had men behind the line, brought reinforcements up to the line and it was some time thereafter, perhaps ten minutes later that I did in fact stand on that wall to the right-hand side.

Q. Are we now somewhere between 11 and 11.30? - A. Yes.

Q. Can you be any more precise than that or not? - A. No. It would be between 11 and 11.30. I would not like to narrow that down any further than that.

Q. Does photograph 6 help you to point out where it was you stood to have a vantage point when you did get up on to something?
- A. Yes, I stood on that wall to the right.

Q. Can you point to the Jury where it was you stood, please?
- A. Just there.

Q. JUDGE COLES: Do you mean well beyond the parapet of the bridge? - A. This a wall, in fact, comes up to a metal wall like that on the opposite side and it was on that wall, your Honour.

Q. MR. TAYLOR: Photograph 13 you will see, a shot taken from the other way. Again, if you would be good enough, please, turn the photograph to the Jury and point to the place where you stood? - A. This wall.

Q. There is a black coping stone on the top? - A. Yes.

Q. Were you actually on top of the coping stone or the wall? - A. I think I stood on both.

MRS. BAIRD: Could Mr. Povey please turn his hand a little further for us? I am obliged.

Q. MR. TAYLOR: If you would look now at photograph 8, please. Standing on your wall would that number 8 there approximately be the sort of view you would have of the top of the hill? - A. Yes. I think you could see a little beyond the brow of the hill from the parapet.

Q. Using as a point of reference that road sign, could you see on the left of the carriageway as you look out? - A. Yes.

Q. If you are standing where you say you were standing on the wall,

then looking directly at that sign, the brow of the hill is roughly at the bottom of the sign, is it not? - A. Yes.

- Q. So if you were looking in that direction a person standing roughly in the position of that sign would be visible to you only from the shoulders up? -A. Yes, that is probably right.
- Q. If you look over at photograph 9 you can see that sign and you see just past that road sign on the left but facing into the road is another white sign? - A. Yes.
- Q. The Orgreave Parish Council sign. If you are standing on the wall looking up towards the village, someone standing by that sign, the Council sign, could not be seen at all. Would you agree with that?

JUDGE COLES: Do you mean the notice board?

MR. TAYLOR: Yes, your Honour, the notice board facing in.

JUDGE COLES: It appears as a vertical piece of white.

MR. TAYLOR: That is right.

JUDGE COLES: Immediately to the left of the road sign.

MR. TAYLOR: That is right, your Honour. I am pointing at it. That one. In fact it is quite a big board. It is facing in towards the houses.

JUDGE COLES: What are you putting?

MR. TAYLOR: If a person was standing at that point then from the position Mr. Povey was in on the parapet, they would not be seen at all.

- Q. JUDGE COLES: Do you agree with that? - A. I would not like to agree or disagree, your Honour. The photographs are a little deceptive. I said when I looked at the first one that I believed you could see further than the brow of the hill but to say specifically whether I would see a man standing by that sign or not, I just cannot say.
- Q. When you say you agree a person standing in the position of the road sign would only be visible from the shoulders up, were you agreeing with that? - A, Visible, sir, if what has been said is correct. If that is the view from the parapet I am inclined to think that you could see a little further.
- Q. You are being asked about it? - A. And I did say in answer to the first question, I think, that I believe that you could see a little bit further than that.
- Q. MR. TAYLOR: When you looked - if you could take photograph 6, that is probably the best one, if you look at number 6 - when you were in that position looking up, were there any people

in the field to the right? - A. Yes, lots of people.

Q. Can you say about how many? - A. No, I cannot.

Q. What were they doing? - A. A lot of them were walking across the field away from the.....

Q. Leaving? - A. Yes.

Q. You have already said there were a few hundred on the road and then were there any at that time up to the left on any land to the left? - A. Yes, the road by this time had filled considerably.

Q. I am talking about when you first went over. I am sorry, I should have made that clear. When you first looked up the roadway.

JUDGE COLES: We have got him down to the parapet and back again.

Q. MR. TAYLOR: If you look a number 7, there you see a grass verge on this photograph? - A. Yes.

Q. You said when you were on the bridge and then decided to go up or did that, some PSUs, four or five may be, go up the road following some horses to the top? - A. Yes.

Q. To push people back? - A. Yes.

Q. If in fact I can just remind you of what you said. "I saw a small group of people standing on the bank. I saw a small group of people and Arthur Scargill standing on the bank." This is the part I want to ask you about, very briefly. When you say the bank, does that photograph help, number 7, you to say where it was roughly that you saw him? - A. Yes. I think he would be in a position on the bank that would be masked by that parapet on the left-hand side. He was some way from the road.

Q. In amongst the trees then, little trees? - A. No, beyond the trees.

Q. When you say "beyond", do you mean further up to the left? - A. Yes and further up.

Q. Further up the bank? - A. Yes.

Q. During the time you saw him, did he stay in that position? - A. Yes.

Q. Can you say how many people he was with? - A. Three or four to the best of my recollection and really it was the briefest of glimpses.

Q. You say you did not really concentrate on him because you were concentrating on keeping up with your men? - A. Yes.

Q. You were in the front row at any rate? - A. Yes, going up the hill.

- Q. Was it as you passed by him that you noticed him or were you coming up to him or just past? - A. It was as I passed him.
- Q. You looked across to your left and saw the baseball cap and then realised it was Arthur Scargill. No doubt about it? - A. No.
- Q. Did you see him again later? - A. No.
- Q. On the day, I mean, at all? - A. No.
- Q. Have you ever given to anyone a different account of how you saw Mr. Scargill on that day, anyone at all? - A. No.
- Q. The version you have given today is the version you have always given and consistently said? - A. Yes. I cannot recall giving a version to anyone.
- Q. When you got to the brow of the hill - just before we get to the brow of the hill, was it really necessary from a tactical point of view for you to drive on up to the brow? - A. Yes, it was.
- Q. Did you have a little conference then? - A. Yes.
- Q. What was decided? - A. To drive the demonstrators away from the bridge, that we would hold the bridge but to drive them up past the brow of the hill in the hope that they would disperse.
- Q. Just as an alternative, could you not have gone back down to the coking plant, back to 'Go'? Do you know what I mean? Like Snakes and Ladders? - A. Yes, I could.
- Q. Why was that not considered, or was it? - A. I cannot remember if it was. I do not think it was considered but it was not a good alternative.
- Q. Why not? - A. Because we had just had all the trouble and stone throwing to get to the position we were at and to return to the bottom of the field would have made the exercise rather pointless.
- Q. Thousands of people, on what you have said so far, had gone away, a lot were going off the field. Could you not just have withdrawn and started your cordon again at the bottom? - A. No because there were still thousands of people - they do not just disappear, there were still thousands of people there and the bridge was a very easy line, relatively, for us to hold.
- Q. If you had pushed hundreds of people over the bridge and up into the village, is that where you say the other people were? - A. Yes.
- Q. So they must have joined up with the main body? - A. Yes.
- Q. Prior to that there had been no trouble whatsoever in the village, had there? - A. Do you mean prior to us going up over the brow of the hill?
- Q. Yes? - A. Other than we had been stoned from the village.

- Q. JUDGE COLES: You knew of no trouble anyway? - A. No, your Honour.
- Q. MR. TAYLOR: Now, what was wrong, you say it is a bad option but what really was wrong with taking all your men and going back to the bottom cordon which had been the choice, the Police choice, of where to put that cordon on every day in June so it could not have been such a bad option. What was wrong with going down? - A. Because on all other days we had never been subjected to the violence we were subjected to on that day.
- Q. You had survived what had been done. You had survived it OK. You had survived the pushes. You had all the equipment. If - and I underline 'if' here - if there was going to be any further trouble between you and the pickets, would not it have been better for you to have withdrawn at that stage and if there was going to be anything more it should take place on the field and not in the village? - A. Had we done that we would have been back at square one, literally, where the ranks were being stoned and we had to deploy short shield men and horses to disperse them.
- Q. You know we are in dispute about that. Match that against what you say was occurring, if it was going to happen in the village, you were prepared to do that, or was it not really considered? - A. The move forward was considered but it was necessary to stop missile throwers and to arrest some of them.
- Q. When you went forward the first time with a few horses and four or five PSUs, were the PSUs in orderly groups under your command? - A. Initially, yes.
- Q. Did they take up a line at the brow of the hill? - A. Not directly. This was after some arrests had been made and there had been some chases and some hand-to-hand fighting.
- Q. During that period of time the PSUs, the short shield units, had batons drawn, did they not? - A. Yes.
- Q. They were to use them in dispersing the crowd and on arrested people who were throwing missiles? - A. Yes.
- Q. They were beating people up, were they not? - A. They were not beating people up. They would be using the batons if they were attacked by the demonstrators.
- Q. Self-defence? - A. Yes.
- Q. Each time, is that what you are saying? - A. Yes, I am saying that is what the instructions given - I am as a commander not present at the scene of any arrest.
- Q. Mr. Clement was not present either, was he, at the top of that hill? - A. No, he was not.
- Q. Is he right when he says whatever happened from the brow of that hill into the village is down to you? - A. Yes.
- Q. You are responsible for it? - A. Yes.

- Q. Do you accept responsibility for the acts of each individual member of the PSU that was in the village at that time? - A. Vicariously, yes.
- Q. That means just because you are the boss? - A. Yes.
- Q. Those men went wild, did they not, in the village? - A. They did not, sir, no.
- Q. They ran amok hitting everybody and anybody that came in their way? - A. No.
- Q. Did you see batons being used in the village? - A. No.
- Q. Not at all? - A. No.
- Q. How many people were arrested at that point, roughly? - A. I have no idea.
- Q. JUDGE COLES: You did not see a single baton used between the brow of the hill and the village? - A. No I did not, your Honour.
- Q. MR. TAYLOR: You were there throughout the time? - A. Yes.
- Q. That is your answer, is it? - A. Yes.
- Q. Did you see people covered in blood? - A. Yes, I saw persons coming back from beyond the brow of the hill.
- Q. JUDGE COLES: But you were not able to see what had happened beyond it? - A. No, your Honour. I was at the brow of the hill, the short shield units had gone out and made arrests in various places and then I saw persons being brought back.
- Q. MR. TAYLOR: Is this the period before you withdrew back down to the..... - A. Yes.
- Q. I would just like to read a short note that I took of what you said earlier. It is a very short piece. This is the part I am dealing with now, when you first went to the brow of the hill with four or five PSUs. "At that stage there were a number of arrests. Officers were bringing men back." That is the bit we have just dealt with. Then you said this, "The short shields formed a cordon on the brow but because of the sheer numbers we could not go forward." - A. Yes.
- Q. Then you carry on, "In the meantime I requested further reinforcements of mounted officers"? - A. Yes.
- Q. That was presumably by radio, was it? - A. Yes.
- Q. "They arrived after I had started to retreat." - A. Yes.
- Q. When you say that, the mounted officers, do you mean? This was when the full complement of mounted officers came up the road? - A. Yes.

- Q. The horses that were already with you, did they stay? - A. No. They had gone back to join the others.
- Q. All 42 came up and you say they came up after you had started to retreat? - A. Yes.
- Q. Did you have a little conference over the radio with Mr. Clement about this retreat manoeuvre? - A. No.
- Q. What was the object of sending the horses, all of them, to the top of the brow? - A. To assist the units that were deployed there because the stoning that we were taking at that time was very heavy.
- Q. To enable the men to retreat? - A. Yes.
- Q. So that policy decision or decision regarding that little piece of action was yours? - A. Yes.
- Q. Your cordon is then formed at the top of the hill? - A. Yes.
- Q. The horses come up the hill? - A. Yes.
- Q. Fairly quickly? - A. Yes.
- Q. What happened then? Did your men open ranks so they could come through? You gave your command "Break for horses"? - A. I do not know if I did or I did not or it was just apparent to break because you could hear quite distinctly 42 horses coming up the road.
- Q. That brow is very steep, is it not? - A. Yes.
- Q. If men are standing on the top in a Police cordon, it may be obvious to the first couple of rows of demonstrators that there are horses coming but people further back could not see they, could them? - A. Probably not, no.
- Q. You may have gathered from earlier questions of mine and these questions now that it is the people at the back that I am particularly concerned with. When your cordon, PSU cordon, opened, then those 42 horses charged into the crowd, would I be right in saying that? - A. No.
- Q. Why not? - A. Because they would not charge into the crowd. The mounted officers came at a trot. A charge is a gallop.
- Q. Is this when they had their batons out? - A. Yes.
- Q. Is this when mounted officers used those batons on people? - A. I did not see any mounted officers use batons on people.
- Q. Were you looking at that scene when those horses came through? - A. Yes.
- Q. Not one mounted officer you saw use a baton on someone? - A. I did not see any, no, sir.

Q. Were you seeing just what you wanted to see that day? - A. No, not at all. There were 42 horsemen going up the road.

Q. Were they in formation?

JUDGE COLES: Are you talking now at the crossroads?

MR. TAYLOR: Those just at the brow of the hill, the cordon of PSUs opens and horses come up the hill and then into the village.

JUDGE COLES: I wondered whether you have moved on.

MR. TAYLOR: No, I had not, your Honour.

JUDGE COLES: Good.

Q. MR. TAYLOR: My question was at that stage when the horses came through the cordon, were they in any sort of formation? - A. Yes they were a loose formation riding, perhaps, six or seven abreast.

Q. The Court knows that a PSU consisting of short shield men on the ground, footmen, comprises twenty ordinary Police Constables and two Sergeants and an Inspector in control, overall control, PSU commander? - A. Yes, sir.

Q. What is the make-up of a mounted unit? How many horsemen are in a unit? - A. Well, there is no such thing as a mounted unit as there is a Police Support Unit. It depends on the size of the mounted department. I think the size of South Yorkshire mounted department is somewhere in the region of twenty but we had horses there from other forces.

Q. On this particular day? - A. Yes.

Q. Who decided to use horses in rows of seven on the field? - A. That decision would be the officer in charge of the mounted as to however many he had got under his command.

Q. Before the 18th had horses been used to this extent? - A. No.

Q. What is the maximum number of horses that had been used at Orgreave before the 18th, roughly? - A. Up to twenty.

Q. Had they even been used to disperse the crowd with batons out? - A. No.

Q. Was Mr. Hale in charge of horses on that day? - A. No.

Q. When they went over the brow of the hill into the village, the idea was to allow your PSUs to retreat to the bridge? - A. Yes.

Q. Was there any need, if it happened, for horses to go beyond the crossroads? - A. No.

Q. Do you think that horses did go beyond the crossroads? - A. No, I do not.

- Q. You think that they went up to the mouth of the crossroads and formed that semi-circle? - A. Yes.
- Q. In an orderly fashion? - A. Yes.
- Q. Is there any substance in that suggestion that I make that horses were running in and out singly, individually in the industrial areas rather than keeping in a formation of lines? - A. I would say not, sir. When I arrived at the crossroads they were in orderly loose semi-circular formation.
- Q. You presumably had followed those horses from when they came through the cordon? - A. From the brow of the hill.
- Q. They were pushing the demonstrators back? - A. Yes.
- Q. And back and back and back to the crossroads? - A. Yes.
- Q. Is that how it happened? - A. Yes, the demonstrators were pushed back to the crossroads.
- Q. What I want to ask is whether or not they did so in the formation movement, in other words, on the field and road and push they back sort of bulldozed them? - A. As they passed me they were in the formation I have described.
- Q. Did you turn your eyes to look at them disappear up the road? What did you see? - A. Just that, the formation going up the road, the demonstrators running up the road and also into premises to left and right.
- Q. Were they chased there by men on horses? - A. No, the men on horses kept to the road.
- Q. In the mouthway, the entrance to those factories and so on, it is quite a lot of cars and things parked there, were there not? - A. Yes, I think so.
- Q. What I am suggesting to you is that the horses did not stay in formation on the road and go up but they chased people in and out of the factory area? - A. Well, I did not see that.
- Q. Not only that, when they were doing so they had their batons high in the air and were hitting people? - A. Well, I did not see that.
- Q. Mr. Povey, those horses were followed rather than there being a big retreat on. Those horses were followed by short shield units, were they not? - A. Yes.
- Q. Again, let me remind you of what you said. "In the meantime I requested further reinforcements of mounted officers. They arrived after I started to retreat." Then your next sentence was this, "We then pushed forward to the crossroads". - A. That is right. We had to retreat because of the amount of stone throwing that was taking place and we retreated until such time as the horses came along, thereby enabling us to move forward.

Q. That is a funny sort of retreat, is it not?

JUDGE COLES: I do not suppose you want to start tonight, Mr. Mansfield?

MR. MANSFIELD: I would prefer not to.

JUDGE COLES: We will adjourn until 10.30 tomorrow.

MR. O'CONNOR: May I enquire of something I heard informally as to what the plans are for next week as to the Court's sitting?

JUDGE COLES: You may certainly enquire. I think I would like to enquire as well. AT the moment I have no more idea than you have. I suppose you would like to know, members of the Jury.

I am told by the learned Clerk here that he is not going to be here on Tuesday so I think we may take it the Court will not be sitting next MONday or Tuesday.

MR. WALSH: I think this information had percolated through to us.

JUDGE COLES: That would be the position. We will be adjourning on Friday afternoon, probably rather early. We do not want to impinge upon this gentleman's holidays! We will sit again on Wednesday morning at 10.30 unless I hear any further application. I am not trying to tempt providence. Is there anything else? —

MR. REES: Can I make the same request of your Honour as was made to me?

JUDGE COLES: What was that?

MR. REES: To speak up a little more.

JUDGE COLES: Certainly. I am doing my best to say as little as possible.
