

IN THE SHEFFIELD CROWN COURT

The Crown Court,
Castle Street,
Sheffield

14th June, 1985

Before

HIS HONOUR JUDGE GERALD COLES, Q.C.

REGINA

-v-

WILLIAM ALBERT GREENAWAY

and Others

APPEARANCES:

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

For the Defence: See Attached Sheet

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14th June, 1985

POLICE CONSTABLE NIGEL GEORGE PIMBLETT

Cross-examined by MR. MANSFIELD (continued)

- Q. MR. MANSFIELD: Now, we were dealing last night with a statement. Look at the handwritten version and just confirm that that is the handwritten version of the typed one that you looked at last night. (Handed) - A. Yes.
- Q. Now, the point that I am dealing with at the moment is essentially Mr. Davis who is giving evidence next? - A. Yes.
- Q. You said that you did not know that Mr. Davis had only made a statement a few days ago? - A. That is correct.
- Q. Did you talk to him last night about the case? - A. No.
- Q. You saw him last night, I presume? - A. Yes.
- Q. Stayed in the same place as him last night, did you? - A. Yes, I did.
- Q. And the point with regard to the statement - and may I make it plain that I am asking the question so everybody understands the reason - I am going to suggest Mr. Davis had nothing whatever to do with the arrest or detention or restraint of Mr. Jackson, do you understand? - A. That is incorrect, your Honour.
- Q. I know that is what you said yesterday but when we look at your statement written on the 18th June, may I just read with you the paragraph that deals with Mr. Jackson? It will come towards the end of the handwritten version. It is a paragraph beginning on the typed version,

"As I did so, my attention was drawn to the accused, JACKSON, who was standing approximately ten yards in front of me, shouting various obscenities, and gesticulating with one of his hands. He was holding a plastic bag in his other hand. I went to him and he raised his arm. I took hold of him and restrained him. By now he was extremely abusive and struggling. I cautioned him and told him that he was arrested for unlawful assembly and he continued to struggle. I was eventually able to walk him way from the crowd. He replied, 'Fuck off, you don't need to grab me. I done fuck all except stop the wagons'".

That is the paragraph dealing with Mr. Jackson? - A. Dealing with the arrest of Mr. Jackson but I failed to

mention Constable Davis. I have mentioned it at the beginning of the statement.

- Q. You agree you failed to mention Constable Davis in that paragraph and never said, for example, "We took hold of him and restrained him" and so on? - A. It is what I did in my statement.
- Q. But you appreciate your statement is an account of what happened and, if another Officer is dealing with him, usually you would put that in? - A. No, it is what I did in my statement. It may be poor English, that is all.
- Q. Poor English? - A. Yes.
- Q. You know perfectly well, Officer, that when you describe events normally it is in a pocket book, is it not? - A. That is correct, yes.
- Q. This is a fairly unusual procedure, is it not, this one? - A. Sorry?
- Q. The procedure adopted in relation to June 18th whereby you are taken into an office and told what to write for the first few paragraphs and you fill in the rest for your own particular arrest is pretty unusual? - A. I have made statements in the past which have been my evidence and the statements were made directly after arrest. There was no need for a pocket book entry.
- Q. You are told what paragraphs to put in at the beginning. That is unusual, is it not? - A. Yes.
- Q. And normally, whether it is on a statement or in a notebook, if two of you are concerned in an arrest and both of you do something in relation to that arrest, you do not exclude describing the presence of the other, do you? - A. I have not excluded the other Officer.
- Q. Where is it mentioned in that paragraph? - A. He is mentioned in the statement. It is my poor English.
- Q. While we are on that paragraph, you put in "I cautioned him"? - A. That is incorrect. I have explained.
- Q. You did not caution him? - A. No, I told him he was locked up. I took that to be a caution at the time.
- Q. You know perfectly well, as you said yesterday, what a caution is? - A. I know what the formal one is.
- Q. And when you put in a statement "I cautioned him", you mean that to be, and everyone to understand it to be, the kind of caution just tell the Jury what it is? - A. You are not obliged to say anything unless you wish to do

so but what you say will be put into writing and given in evidence.

- Q. Repeat it slowly so everybody can hear because you are very softly spoken? - A. You are not obliged to say anything unless you wish to do so but what you say could be put into writing and given in evidence.
- Q. How are people supposed to know from your wording they are locked up? - A. As I explained, it is the way I have always done it when I have been unable to do a proper caution. People know they have been arrested when they have been cautioned.
- Q. Why not put in "I was unable to caution him and merely said" - A. I did caution him. I told him he was locked up.
- Q. First of all, you did not caution, did you? - A. Not the formal caution, no.
- Q. Why did you not put in your statement "I was unable to give him the formal caution. I told him he was locked up for unlawful assembly". Why not put that in? - A. Because I did not.
- Q. Why did you not? - A. I did not see the need to do that.
- Q. Why did you not? - A. I did not.
- Q. Why? - A. I did not see the need.
- Q. Like you did not see the need to ask him his name or ask him any questions? - A. That is correct, yes.
- Q. I am not suggesting you did caution him for one moment but when you came to write your statement up you wanted to make it look as though you had gone through the formalities? - A. No, that is incorrect.
- Q. The Judges' Rules were mentioned yesterday. Do you know what they are? - A. I know the basis of the Judges' Rules.
- Q. What is that? - A. I know the cautions.
- Q. Just explain to the Jury what they are meant to be? - A. They are a guideline when a person is arrested which you must follow.
- Q. What is the importance of them? - A. I am sorry
- Q. Well, think about this. I am asking you to see whether you are at all interested in anybody you arrest. What is the point of a caution? What is the point of the

guidance in the Judges' Rules? - A. It is to tell a person he has been arrested and he does not have to say anything.

- Q. What is the importance of that? - A. I am sorry, I do not understand
- Q. It is telling ordinary citizens they have certain I am not going to call them 'rights' because that may be in issue, but certainly certain facilities, is it not? - A. If you say so.
- Q. What do you think? Do you think it is not important? - A. No, I think they are important.
- Q. If you think they are important and you did not have time to caution him when you were arresting him, why did you not caution him when you went down the road? - A. Because I did not.
- Q. Why did you not? - A. I did not think to caution him.
- Q. It is basic training, is it not? - A. I was on basic training that day. It was a demonstration.
- Q. Somehow or other this sort of situation does not involve the basic procedures? - A. On this day, yes.
- Q. Now, just going on with Mr. Davis who you say played a part. Now, if I am clear about it, the part you suggest he played is that at some stage, whilst you were arresting or rather taking hold of Mr. Jackson, Mr. Davis comes up and takes hold of the other arm, is it not? - A. That is what I said, yes.
- Q. And then helps you to walk him away? - A. Restrain him.
- Q. Helps you to walk him away? - A. We were able to walk him towards the lines.
- Q. "We were"? - A. Yes.
- Q. Did Mr. Davis accompany him through the lines of Police Officers? - A. I cannot remember that. I remember Constable Davis assisting me to restrain Mr. Jackson and at some stage Mr. Jackson relaxed or calmed down and I cannot remember where Constable Davis left me but he did leave me at some stage.
- Q. Where were you and Mr. Jackson when, according to you, Mr. Jackson said, "Fuck off, you don't need to grab me" and so on? - A. I cannot remember.
- Q. Well, you arrested him. I am not, I hope, concentrating on minor details. It is something you have written in

capital letters in your statement so you obviously thought it was important enough. When was it said? - A. When I had arrested him.

Q. When? As you were standing with him, as you were walking through the Police lines - A. As I was standing there with him, arresting him.

Q. You are quite sure? - A. Yes.

Q. You are quite sure that he said it as you were standing there having arrested him? - A. Yes, that is correct.

Q. Now, I want to ask you how it comes that Mr. Davis signs your statement if he disappears shortly after that. Did you go to the Command Centre with Mr. Davis? - A. No, I was at the Centre.

Q. There are certain things you remember in great detail and others it appears you have absolutely no idea on. He does not walk down to the Command Centre with you, right? - A. Yes.

Q. Does he come to the room in the Command Centre whilst you are there writing out your statement? - A. No.

Q. And you are quite sure, are you, that you wrote out your statement some fairly short time after taking Mr. Jackson to the Command Centre? - A. Yes, it appeared to be a short time afterwards.

Q. Was it later in the afternoon? - A. To me it appeared shortly after the arrest.

Q. Well, because of the confusion and the terror of the day you have mistaken half-past-12 for half-past-six at night. When did you write out this statement? - A. Shortly after the arrest. That is what I have been saying.

Q. We know the arrest is in the 11.30 region. Is that fair? - A. I did not know that. I was not concerned with time.

Q. I am working off a sheet of paper yesterday which you were showing which gives times so if you did not know that the Officer who writes times on here must have got them from somebody else? - A. He must have done, yes.

Q. He has got the time of day and arrest - arrest has been altered once, the first is 11.25 and then 11.23? - A. it is down to the Office who wrote that down.

Q. The Officer says that is the time of arrest? - A. I cannot remember. He did not mention anything like that. It is not down to me.

- Q. If it is right it is shortly after that you are in the room with a lot of other people? - A. That is correct.
- Q. So, on anybody's view, it is likely to be between 11.30 and 1 o'clock? - A. That would be fair, yes.
- Q. Now, you have gone into the room. Does Mr. Davis come into the room while you are there in that time? - A. I cannot remember him coming in.
- Q. Having written the statement out in your own handwriting is it counter-signed then? - A. At the time? It was counter-signed by a Detective who witnessed my actual signature because I was on my own.
- Q. Give us the name of the Detective. It is not on the typed copy? - A. I cannot read it. It has been crossed out on the original. I cannot read the signature.
- Q. In fact, so His Honour may follow, at the top of the statement under your signature it is not P.C. Davis - it is D.C. Wyatt, is it not? - A. It looks like 'Wyatt'.
- Q. Well, it is not Davis' signature at the top, is it? - A. That is correct.
- Q. It is a D.C. and I am suggesting it looks like 'Wyatt'. At the bottom of that page, or copy of it, P.C. Davis has counter-signed it underneath the same Detective? - A. That is correct.
- Q. Now, did the Detective counter-sign your statement there and then? - A. The Detective did, yes.
- Q. Now, did Mr. Davis do it there and then? - A. No.
- Q. He did not. You are quite sure? - A. Quite sure.
- Q. So having done all that the statement was then left in the possession of the Detective? - A. That is correct.
- Q. You then go off to find your unit and you cannot find them and you join up with others? - A. That is correct.
- Q. And you are somewhere else on the coking plant down on Highfield Lane? - A. At the time, yes.
- Q. As Mr. Davis is coming next, where were you, roughly, after making the statement and before you went off duty? - A. I was deployed with other Officers and at some stage I returned to the building.
- Q. I want to know where you were? - A. When?
- Q. Between making the statement and going back to the

building. Where were you? You must remember where you were? - A. Between making the statement and going back to the building I was deployed as I have stated.

- Q. I want to know where you were? - A. Around the side of the colliery or the pit.
- Q. It is not a pit. By the side of the coking plant? - A. Yes.
- Q. Were you on a field, in a road? - A. I remember being in full protection equipment at the side of the works. I do not remember what I was on, what the ground was.
- Q. You appear to have this memory of Mr. Jackson but you cannot even remember where you are standing for what must be a couple of hours? - A. That is correct.
- Q. Were there trees there? - A. There may have been. I did not look at the trees. I was not interested in the trees.
- Q. What were you looking at? - A. I was looking after myself.
- Q. Is that the tenor of your evidence from start to finish? Just looking after No. 1? - A. Yes, it is, in a situation like that.
- Q. Did you help any of your injured fellow Officers? - A. No.
- Q. You saw them getting injured, did you? - A. They were being assisted by other Officers.
- Q. Did you see them being injured? - A. Yes.
- Q. Did you think "I must go forward to help"? - A. No, they were being assisted by a number of other Officers. There was no need for me.
- Q. Do you think of yourself as a bit of a hard man? - A. No.
- Q. So for a matter of some time - I am not going to ask you precise times - but for some time after making your statement you cannot give this Court the slightest idea as to where you were or what you were doing? - A. I have stated I was deployed around the side of the works in full protection gear.
- Q. Are you looking for miners? Are you wandering around looking for miners? - A. No, I am just obeying orders. I was told

- Q. What were the orders? - A. If I can remember it was to stand with the protective gear and the shields.
- Q. That appears to have been all you were doing before you went up to the area where Mr. Jackson - A. That is right.
- Q. Just standing there? - A. Yes.
- Q. You do not know where it was? - A. No.
- Q. You do not know why you were standing there? - A. I was following orders.
- Q. And the order was merely "Stand there"? - A. Everyone else stood there.
- Q. I suppose occasionally it might cross your mind to ask someone why you were standing there, did you? - A. No, if the supervising Officer gives me an instruction I follow it out.
- Q. But occasionally, presumably, you find an order which is a little odd? - A. I did not find this order odd.
- Q. What was sensible about standing there for hours? - A. It seemed the thing to do.
- Q. You go back to the Centre. Why? Because you are ordered to? - A. No, to get a drink.
- Q. What happens when you get to the Centre? - A. I was in a classroom and Constable Davis came in.
- Q. Did he? - A. Yes.
- Q. You remember that? - A. This was later, yes.
- Q. How much later roughly? - A. During the end of the day.
- Q. And he comes and says what to you? - A. I cannot remember but I think he signed my statement.
- Q. He comes in and what does he say to you? - A. I cannot remember.
- Q. What do you say to him? - A. "Hello, John".
- Q. That is all? - A. I may have asked him how he was doing and if he was all right.
- Q. If he is involved in your arrest do you say he does not say, "Look, what happened to that man? Did he calm down or assault you?" - A. You are asking me what I said to him?

- Q. And what he said to you? - A. He asked me if everything was okay, if I had done everything
- Q. I have asked you carefully, as I did yesterday, what was said by him to you and you are now saying - A. He may have said something like "Are you all right? Is everything done?"
- Q. What did you say? - A. I must have said "yes".
- Q. So he would have thought "That is fine then"? - A. Yes.
- Q. How does he come to countersign your statement? - A. Because he witnessed the arrest.
- Q. How does he come to countersign? Did you say, "Would you like to make a notebook up or make a statement?" - A. There is no need to make a pocket book entry. He can sign my evidence. I just remember Constable Davis signing this.
- Q. Did you say to Mr. Davis "Go and sign my statement"? - A. I cannot remember. I honestly cannot remember.
- Q. If you remember him countersigning you must remember whether you had to walk into an office - A. I remember the Officer signing my statement.
- Q. You cannot tell me anything else? - A. Unfortunately, yes.
- Q. Did Mr. Davis read it? - A. Every Officer reads his statement.
- Q. Did Mr. Davis read the statement before he countersigned it? - A. He must have done.
- Q. Did he or are you just saying that? - A. No, he must have done.
- Q. You do understand the question? - A. Yes.
- Q. I am not asking you what he must have done or what he may have done. Did he read the statement? - A. I do not know.
- Q. Did he alter anything on the statement? - A. I do not know. It is his turn to read it. I am not concerned.
- Q. You do not know whether he read it? - A. He did. He must have read it. Every Officer reads his statement. It is only commonsense.
- Q. You do not know whether he read the statement. Did he

- alter anything on the statement? - A. I do not know.
- Q. Did he say to you, "Look, I do not agree with some of this"? - A. I cannot remember.
- Q. Did he say, "Oh, by the way, I do think it would be important if you just included in the paragraph dealing with Jackson I actually helped you to restrain him"? - A. I cannot remember, I am sorry. It is that long ago now.
- Q. But you can remember Mr. Jackson, can you? - A. Oh, yes.
- Q. Having countersigned, and that is all you can remember happening, what then happened? - A. If my memory serves me right going back to the vans and we were stood there for a while after instructions from a senior Officer.
- Q. And you then left the area? - A. We left, yes.
- Q. Now, just one other matter whilst the statement is still there. When you first went out - I do not mean that you were doing other things, you do not remember what - but when you were brought up behind the cordon, do you remember that? - A. Behind the main body of Police Officers? Yes, I remember that.
- Q. At that point in time when you were first brought up behind the main cordon, did the Officers in the front line of the cordon at that stage have their protective shields out? - A. I cannot remember, sorry. I saw about 60 Officers. I do not remember seeing shields. I do not think so, no.
- Q. I am going to suggest when you went out as a short shield unit, and working again on your PSU book you know what that is? - A. The booklet, yes.
- Q. It gives certain times in there as well, does it not? - A. It gives times.
- Q. I know you are not responsible for drawing it up but I believe there is something about 11.15 for being deployed up there? - A. Well, I would not know. I did not write the booklet.
- Q. You do not know anything about times? - A. No, I was unable to tell the time.
- Q. I suggest when you went out the long shields were already out. That was the position? - A. As I have said, I cannot remember, I am sorry.
- Q. Because in your statement, in the general paragraph part of it, you have put,

" I could see that there were no shields being used at this point."

Is that right? - A. As I say, thinking about it now at the time I wrote it there were no shields but now there must have been shields.

- Q. Or are you just writing it. You are just told to do it and you write it out? - A. It was mentioned at the beginning about the shields, about the contingent build-up of demonstrators
- Q. Can I get this clear? These initial three paragraphs in your case - same wording as the last witness and the next one. Are you saying this was dictated to you and you wrote it out as it was dictated or you wrote it out in your own words having agreed the rough outline with others, or what? - A. The first couple of paragraphs we discussed and it was dictated, the first two-or-three paragraphs, and we were advised and told that the circumstances relating to our own prisoners must come in the statement then.
- Q. Now, was it Mr. Wyatt who has countersigned your statement who was telling you what to write? - A. I cannot remember, sorry.
- Q. It was a man in plain clothes? - A. It was a man who was not in uniform, in a suit.
- Q. And just tell us how many people were in the room discussing this? - A. Approximately 15-20. There may have been a few more.
- Q. Did you know any of the other ones? - A. No, they were Officers from other Forces. I did not know them.
- Q. How did the Detective know what you had seen? - A. I have just said we discussed at the beginning what we had seen. It was a quick discussion on what had happened beforehand - the build-up of pickets.
- Q. And, having had a quick discussion, the Detective said, "Let's put it down like this"? - A. "At the beginning of the statement it should say something like if you mention the contingency of Police Officers, the build-up of pickets"
- Q. But you had not seen a build-up of pickets? - A. I had seen them I had seen 6000-8000 pickets build up.
- Q. That is not in the statement, is it? - A. No, I just said I had seen 6000-8000 pickets that day. That was through the whole day.

Q. During the morning there had been a steady build-up of pickets? - A. Yes, for the full day I saw 6000-8000.

Q. Where you were for the first bit of the morning, that is, prior to 11.15, you told us you saw no action and you just stood there? - A. I saw pickets, yes.

JUDGE COLES: He did say that.

Q. MR. MANSFIELD: Let us go into that then. You were on a railway? - A. I was near some railway lines.

Q. I want to know exactly where you were if you are going to talk about 8000? - A. I cannot tell you exactly where I was. Minor detail

Q. Minor detail? - A. I was not concerned with that at the time.

Q. Or is that the agreed figure - 8000? - A. No.

Q. Where did you get that figure from

JUDGE COLES: He said 6000-8000.

Q. MR. MANSFIELD: Where did you get that figure from? - A. I saw the pickets and that is what I think was there. There may have been more.

Q. If you thought that was the figure, why did you not put that in your statement? - A. I did not think it was relevant. You know what went on that day.

Q. If you could afford to get away without making a statement do you think you would? Do you think making a statement is relevant? - A. Yes.

Q. Do you think being accurate is relevant? - A. As you can be.

Q. Your estimate here in your statement is 1000. You are now saying it is 6000-8000? - A. At the beginning it was 1000. There was a steady build-up.

Q. When do you say there were 1000? - A. When I first got there. It only looked like a thousand. In the classroom we discussed how many pickets were there.

Q. I am suggesting you will put your name to anything. "If the others say probably 1000, I will say 1000. If the others say 6000-8000, I will say 6000-8000". That is the approach? - A. No, you are totally incorrect, sir.

Q. When did you see 1000 facing you? - A. I would say when I first went into the plant and looked out there was a good

number.

Q. What time was that? - A. It was early on in the morning.

Q. What time was it? - A. I cannot remember.

Q. 7 o'clock? - A. I cannot remember the time.

Q. In case you may be proved to be wrong? - A. No, as I have said, I was not concerned with time and minor detail about railway lines. I was concerned with looking after myself.

Q. "During the morning there had been a steady build up of pickets of approximately one thousand in number facing us"?

A. Yes.

Q. Were there 1000 facing you before 11.15? - A. There was a large number.

Q. Was there - A. I cannot remember what time. I remember facing them.

Q. Where? You cannot tell us, I suppose? - A. I remember standing with the other Officers, as I have said, behind the large cordon.

Q. Before that? - A. I was stood round the side I would have been deployed to earlier on.

Q. You saw 1000? - A. I thought it would have been 1000.

Q. "As I stood at this location, I saw a continuous stream of missiles"?

A. I did see missiles

Q. Then you will be able to tell us where you were? - A. I was round the side of the plant with a short shield. I am sorry, I cannot be more elaborate.

Q. You are there as a trained Officer to pick out stone-throwers? - A. I was stood there.

Q. Just describe a few of the people who were throwing stones round the side of the coking plant? - A. There was a build-up of pickets and there were bricks coming over and missiles.

Q. You were sent out to arrest anybody, were you? - A. No, we just stood there.

Q. Yesterday, when you were being asked about this part of the day, you indicated nothing much was happening at

all? - A. I just stood there.

- Q. You did not indicate there were missiles coming over just take it steadily. Yesterday, when you were describing to Mr. Walsh the earlier part of the day, you made absolutely no suggestion that where you were stationed there were 1000 pickets, some of whom were throwing bricks, did you? - A. I was not asked if they were throwing bricks.
- Q. So now you are not asked about - A. I was not asked. It may have slipped my memory. A lot happened that day.
- Q. Either you were not asked or it slipped your memory or you are just making it up? - A. No, a lot happened that day, sir.
- Q. Not for you, did it not? - A. It did.
- Q. All you did was nick Mr. Jackson and you were back inside? - A. I did not say "nicked". I locked him up.
- Q. That whole little operation for you did not last very long, did it? The little bit of action you saw lasted ten minutes? - A. Action?
- Q. Going up the road and arresting Mr. Jackson? - A. I cannot say.
- Q. That is about all it lasted, is it not? - A. The actual arrest was very quick.
- Q. And the bit before that while you were at the cordon at 11.15? - A. To me that appeared to be a full day
- Q. You are young. You told us yesterday you are fit, wanting to do this duty. According to the book you are deployed at 11.15 and the arrest, according to the sheet there, was at 11.23, so that is about 8 minutes. Now is that the whole day for you? - A. 8 minutes must have been involved in the arrest. The whole day appeared a very long day.
- Q. The amount of action you saw was 8 minutes, was it not? - A. What type of action do you mean?
- Q. What do you understand by "action"? - A. Actual arrest?
- Q. I mean going into action? - A. I was in action all day. I had full gear on.
- Q. You did not, in fact, take part in any action that side of the coking plant, did you? - A. I was stood there.
- Q. You did not take part in any action wherever after you

made your statement, did you? - A. No, I did not arrest anyone else if that is what you mean.

Q. So the day for you was standing save for 8 minutes, is that right? - A. Standing for 8 minutes? No.

Q. Please listen. The day, it would appear from what you have said, was principally standing around except for 8 minutes, that is right, is it not? - A. When I was involved in the arrest. The other time I was involved in standing with full riot equipment.

Q. JUDGE COLES: You were in reserve for the rest of the day? - A. Yes, sir, I was standing with other Officers just waiting to be deployed.

Q. MR. MANSFIELD: Coming back to the statement, because you were standing at the side of the coking plant, there was no way which you could properly verify the paragraph in there,

"During the morning there had been a steady build-up of pickets of approximately one thousand in number, facing in us as we were blocking off Highfields Lane".

You could not say that? - A. Why not?

Q. According to - and I put it to you so you know the picture - Mr. Clements, he is telling us we have a number of 4000 or 5000 on the top field long before 11.15 so if only 1000 are facing you that is hardly a build-up? - A. It is what I consider was a build-up at the time. Mr. Clements has his own views.

Q. I want to go through it with you because I want to know where it was you say Mr. Jackson was arrested and so, again, it is clear why I am doing it, I suggest your description of what Mr. Jackson did is entirely untrue? - A. No, that is incorrect.

Q. If you have a recollection of nothing other than Mr. Jackson, it would appear, I am going to ask you, first of all, where it was that you arrested him? - A. Well, I can remember us being able to move forward and Mr. Jackson was about ten yards in front of me. I do not know where. I could not say where. I was not concerned with the surrounding area.

Q. You have said it often in your evidence that you are not concerned about this, you are not concerned about the other. What are you concerned about? - A. Looking after myself in a situation like that.

Q. I am going to ask you to look at Exhibit 9 please. Just

flick through them and see if you recognise any of them. There is another bundle that might help as well - Exhibit 5. It is views of the same thing only the other way round, looking down the hill instead of up. I would like you to take your time and say whether you, first of all, recognise any of them? - A. No, I am sorry. It is all very vague to me.

- Q. Well, I am afraid I am not going to let you off with that. You see, you are claiming all sorts of things that Mr. Jackson did but, when we come to the detail of it, even recognising any of the places, and I appreciate you have not been to Orgreave before and not back since. - A. Yes, I have. Once
- Q. Was Mr. Jackson on a road or in the middle of a field? - A. I cannot remember, sorry.
- Q. Are you frightened that, with Mr. Davis following you up and with none of these details in the statement, you might just get it different? - A. No, sir.
- Q. Or is it you have got an appalling memory? - A. In this instance, yes, I am afraid I have.
- Q. You see, I am not asking whether there were three trees or four trees. I am asking just roughly where it was Mr. Jackson was - in a field or in a road - and you cannot say that? - A. No, I cannot.

JUDGE COLES: When do you mean?

MR. MANSFIELD: When he was arrested.

- Q. In fact, he was arrested where you first saw him? - A. Yes.
- Q. He did not move away? - A. I had just seen him approximately 10 yards in front of me. I was not concerned with where he was.
- Q. Well, I will deal with the cordon which is behind which you were placed. Roughly how long had you been behind the cordon before you had to move up the road - a matter of minutes or hours? - A. It could have been a matter of half-an-hour. I cannot honestly say.
- Q. You remember at least at that stage you were in the road, do you? - A. I remember standing behind Police Officers on a road.
- Q. Now, were you facing up the hill or down the hill? - A. I cannot say, I am sorry. I remember facing Police Officers. I was not concerned with the way the land

lies.

- Q. Well, I am sure once you started running you realised whether you were going uphill or downhill? - A. No, I just ran. I was not concerned whether it goes up or down.
- Q. Were you at the front of the short shield Officers running? - A. I was, yes.
- Q. One of the first Officers up the road? - A. I do not know. I did not look at other Officers.
- Q. Were there any Officers in front of you running up or down the hill? - A. There were Officers everywhere.
- Q. Were there Officers in front of you or not, or do you not know? - A. I do not know.
- Q. So if you do not know, you do not know if you are near the front either? - A. I stood at the front. That is what I said.
- Q. I am asking you as you go through the Police cordon to go up or down, whichever it is, whether you are still at the front? - A. When I am actually running?
- Q. Yes? - A. I do not know. I think we were in a line by this time. Everyone was in a line.
- Q. You told Mr. Walsh, I think, this bit with the horses, you do not recollect horses, is that right? - A. I think I did see some horses. I do not know. I saw some horses through the day.
- Q. But on this particular advance were there horses in front of you

JUDGE COLES: "I did see horses in front when we were stood waiting. I do not remember what they did when we ran."

- Q. So you do not remember horses - A. When we were stood there I remember seeing the horses but I do not know what they did when we went forward.
- Q. Well, after the break I would like you to see a bit of Police video tape. Did you know there was a Police film taken? - A. No.
- Q. I am going to suggest you are part of a squad of short shields that advanced in front of the horses and you are really the final stage up to the bridge. Now, as far as you are concerned that might be right. You might be in front of the horses going up? - A. Could be.

- Q. And so it is clear to you, in fact, you are going uphill if that helps you? - A. Thank you, yes.
- Q. Now, having got through the Police lines, the cordon, how far did you have to go before you came upon Mr. Jackson? - A. It was not very far.
- Q. Just roughly or can't you tell me that either? - A. Not really. I was not concerned with distance.
- Q. It might have been ten yards, it might have been 100 yards? - A. It could have been, yes.
- Q. You see, it is quite important because I want to know whether Mr. Jackson you are claiming he is an agitator, are you not? - A. No, I did not say that.
- Q. So he does not get arrested as an agitator? - A. He was arrested, yes.
- Q. But not as an agitator? - A. No, not as an agitator.
- Q. Now, would this be right, when you broke through the cordon and started running up the hill, any demonstrators that were in front of you turned round and ran away, is that right? - A. They may have done.
- Q. Well, please think. It is the only bit of action you saw that day in which you were involved directly? - A. Yes.
- Q. The first suggestion is that the demonstrators, such as were there, turned round and ran back up the hill seeing the advance of the short shields? - A. Must have done, yes.
- Q. Well, as I said earlier, I only want you to say what you remember. Are you saying you just do not remember either? - A. Yes.
- Q. And what I want to put to you is that the demonstrators who were running away up the hill were quite a distance I cannot give you a number of feet away from the Police cordon when you came through, were they not? - A. I cannot say.
- Q. And you had to run quite a way before you caught up with any demonstrators, did you not? - A. I remember running. That is about all.
- Q. Quite a way - A. I remember running. I did not take into account the distance.
- Q. When was it you were subjected, you personally, to missiles being aimed at yourself? - A. It appeared when I

was running. Everytime I was running my shield was getting hit with missiles and ricochetting off it.

- Q. Or were there just people who had turned their backs on you? - A. No, I said
- Q. You are saying you were showered with missiles. Demonstrators are some considerable distance away. There has been some missile-throwing. When you break through the cordon demonstrators, some distance away, ran back up the hill? - A. I do not know.
- Q. You have got a fair distance to cover before you get anywhere near them? - A. I am sorry, all I remember is running.
- Q. If there were missiles being thrown at you personally did you, trained as you are to pick out missile-throwers, pick anybody out? - A. No.
- Q. Why not? - A. At the time I was too concerned with protecting myself.
- Q. You are trained. Are you saying you have not been trained very well? - A. I am saying that on that day I did not pick anybody out who was actually throwing stones at me.
- Q. Or is it a bit of an elaboration to make it sound as though you are under a bit of pressure yourself? - A. I am saying I did not pick out anybody who threw a stone at me.
- Q. Could you be mistaken about the shield you were carrying? - A. No.
- Q. Please be careful. Pick this shield up? - A. These are the type used by the Merseyside Police.
- Q. You had a short shield? A. Yes.
- Q. But not like that? - A. Similar to this.
- Q. What about this one with the black edging? - A. No, this is the one I had, similar to this. I do not remember that type being used.
- Q. Look at this photograph. First of all, does that show Mr. Jackson? - A. Yes.
- Q. Anyone else arrest him, did they? - A. I brought him back. This is when I am bringing him back.
- Q. And you agree that is you? - A. Yes.

- Q. With His Honour's and the Prosecution's permission I would like that to be made an exhibit.
- Q. JUDGE COLES: Which one is you? - A. The far one, your Honour.
- Q. MR. MANSFIELD: Is there any Police Officer in that photograph that is Mr. Davis? - A. No.
- Q. Just have a look at the shield? - A. Yes.
- Q. You are wrong? - A. I have made a mistake.
- Q. I asked you a minute ago whether you would consider that - A. As you can see, I have got a very poor memory.
- Q. Now, are you really saying from your answer I asked you about it yesterday - you at 6'2" and Mr. Jackson at 5'5.5" - it was necessary to take that man down the road in an armlock like that? - A. Yes.
- Q. Now, we have got you through the cordon, or at least I have got you through the cordon, up the hill, and I would like you to look at another set of photographs, Exhibit 27, to see whether that helps you at all and I will be precise about the photograph. Now, look at 19, 20, 21. I am going to suggest those photographs are taken just as the short shields are coming up the hill, particularly No. 21, which shows them quite clearly up the hill and if you look at it carefully, No. 21, you will see there is a woman there running? A. That is correct.
- Q. I mention that so it is clear, when we have a look at the piece of video tape for the same period but taken from a different angle, that woman appears. Do any of those three photographs remind you of your situation or not? - A. No.
- Q. Before we go any further I want to deal with the instruction that you had before you left. What were you told to do just before you went up the hill? - A. I remember us being told to go up the hill. There was an order of some sort and we went up the hill.
- Q. Well, it is an important matter as to what you were told to do. Some sort of order - what was it? - A. I did not really hear it. I went up with the rest. There was an order saying "Go up the hill".
- Q. You are someone who relies heavily on orders. What was the order on this occasion? - A. As I said yesterday, I do not know. There was some order.
- Q. How did you know what to do? - A. Because of everyone else.

- Q. Did you ask, "Where are we going?" - A. No.
- Q. So you just trundled up the road, did you? - A. Yes.
- Q. Had somebody said "Look, a senior Officer" - A. I remember a senior Officer with a loudhailer.
- Q. That is why I am going to show you a bit of tape. I wonder if you would look at the same bundle. Look at photograph 10 and 11 and 12. There is an Officer there in a white shirt. Is that where the Officer was who was giving you the commands? - A. I do not know.
- Q. He also appears in 17 if it is the same one. Anyway, an Officer in a white shirt, and you have described him yesterday, gave you an order which you do not really know? - A. That is correct.
- Q. Did he say, "Do not go further than the bridge"? - A. No, I do not remember. All I remember is him saying something and then everyone moved forward.
- Q. So you do not recall an order which went "Do not go further than the bridge"? - A. No.
- Q. We have been told that the instructions to the short shield commanders was, in fact, quite strict and limited. We have been told, and so it is clear, first of all by Mr. Hale and then by Mr. Povey in Mr. Hale's case the instruction was to arrest stone-throwers or those committing criminal damage." Were you ever told that? - A. I did not hear that
- Q. Mr. Povey put it slightly differently. He said the instruction to your commanders was to arrest stone-throwers or those committing assault. But you did not get that instruction either? - A. No.
- Q. If you had had that instruction would you have arrested Mr. Jackson? - A. If he had done that, yes
- Q. Well, he had not thrown any stones. had he? - A. No, I did not see him throwing stones.
- Q. You did not see him committing criminal damage? - A. No.
- Q. And you did not see him committing an assault? - A. No.
- Q. So if you had had that instruction which was given to the commanders, you would not have arrested Mr. Jackson, would you? - A. If I had had that order?
- Q. Yes? - A. Yes, I would still have arrested. I arrested him for what he was doing.

- Q. If you had had that order, "Arrest stone-throwers or those committing criminal damage or assault" you would not have arrested Mr. Jackson, would you? - A. No, I arrested him for what he was doing.
- Q. We know what you arrested him for. Before you got to Mr. Jackson is there anything else you remember that you did? - A. Ducking under a barbed wire.
- Q. Now, first of all, it was barbed wire, was it? - A. It was wire.
- Q. All right. Can you help us as to where that was? - A. No, just the fact that I had to duck under it.
- Q. Now, you did mention it yesterday to Mr. Walsh and you indicated its height and so on, so as far as your recollection is concerned it was not cut down? - A. I cannot remember, no. I remember going under the barbed wire. I do not remember anything after that.
- Q. It may be you are not understanding the question. Clearly from your account it had not been cut down and was not lying across the road by the time you went? - A. Oh, no.
- Q. How soon after leaving the cordon was it that you had to duck under some wire - roughly - a few seconds? - A. Quite quickly.
- Q. And was Mr. Jackson near the barbed wire? - A. I cannot say.
- Q. Well, the reason I am asking these questions: are you saying now you cannot say whether Mr. Jackson was near the barbed wire or not? A. Yes.
- Q. Take your statement please. Come straight to the point. The statement describes it in this way.

" there was a line of barbed wire across our path which we were forced to duck under. As I did so"

A. You did not ask me how far. I remember that had come out but it happened quite quickly.

Q. I asked you a minute ago and you said

Q. JUDGE COLES: "I cannot now say whether Jackson was near the wire or not"? A. I cannot. It happened so quickly.

- Q. MR. MANSFIELD: But, according to the statement, you see Mr. Jackson as you ducked under the barbed wire? - A. It appeared to me quite quickly.
- Q. JUDGE COLES: Have you forgotten what you put in your statement? - A. I had, your Honour, until today. I saw the statement yesterday.
- Q. MR. MANSFIELD: Well, did you see Mr. Jackson as you ducked under the wire? - A. As I came under the wire it seemed to happen so quickly - under the wire and I was running. I might have run a distance, I do not know, but I saw Mr. Jackson.
- Q. I know, you keep saying that, and I cannot get from you where or when all this happened. So now you cannot say you were ducking under the wire when you saw Mr. Jackson, is that right? - A. Sorry?
- Q. I am asking you now what your recollection is and is it right you do not now know whether you were ducking under the wire when you saw Mr. Jackson or whether you were running along up or down or whatever? - A. All I can say is that I ducked under barbed wire. Between that and running I just saw Mr. Jackson.
- Q. JUDGE COLES: What you are saying is, "I must have remembered that at the time I made the statement. I do not remember it now"? - A. That is correct.
- Q. "I do not remember now what I was doing"? - A. That is right, your Honour. It has been a year.
- Q. MR. MANSFIELD: I appreciate that but, of course, you see, the statement is a memory-refresher. is it not? - A. Yes, it is.
- Q. And you looked at it before you came to give evidence and answer Mr. Walsh's questions? - A. That is correct.
- Q. So are you saying the statement did not refresh your memory sufficiently? A. It has not refreshed my memory that well. I remember the basic incidents that stand out to me.
- Q. What stands out then is Mr. Jackson? - A. Yes.
- Q. Did you do anything to him that could have caused him any kind of injury? - A. I took hold of him.
- Q. Did you do anything to him? - A. How do you mean?
- Q. I am going to ask you because the moment I put it to you you will say, "Oh, yes". Did you do anything that could conceivably have caused him any injury? - A. I grabbed hold of him and he was struggling and I had my shield and

my staff. He did sustain an injury. It was very slight. It was when we were struggling. He caught his face on the side of my shield, somewhere on his face. It could have been his lip. I remember that.

Q. Why did you not mention that before? - A. Because no-one asked me.

Q. When you make your statement of what happened that day, if somebody you are taking into custody has received an injury, however slight you may think it is, you ought to put it down in your account, ought you not? - A. I never do.

Q. So if you hit someone over the head with your truncheon, you do not put that in? - A. In the statement?

Q. Yes? - A. I do a full report.

Q. Do you put it in a statement? - A. Not usually, no.

Q. Is that what they do in Liverpool? - A. It is what I do.

Q. JUDGE COLES: Well, in fairness, you say if you hit someone over the head with your truncheon, you would not put in in your statement? - A. No, but we have to do a full report.

Q. To whom? - A. Our supervising Officers.

Q. MR. MANSFIELD: You have to do that as well as putting it in the account you have in the statement
- A. At the time of the arrest it was necessary to use the baton. A full report has been forwarded. That is what I have done.

Q. What I want to know is why, in this whole account, there is no reference to Mr Jackson's injury? A. There is no need. No-one has asked me about the injury yet.

Q. The DC doing this statement would not know about this injury unless you told him? - A. No.

Q. So do you wait to be asked before you put in matters? - A. Yes.

Q. Is that your approach? A. Yes.

Q. JUDGE COLES: You are being asked now not about what you say in Court. It might be prudent to wait until you are being asked about what you do when you make a statement, do you understand? - A. Yes.

Q. And you say your approach is to wait to be asked? - A. I put in my statement facts which I feel are relevant towards the arrest.

Q. MR. MANSFIELD: And, on your own agreement, this man is injured during the arrest? - A. I remember him being cut.

Q. By you? - A. By the shield.

Q. No, it was not by the shield? - A. It was by the shield.

Q. Are you sure? - A. Yes. it must have been

Q. What were you going to say? - A. It must have been the shield.

Q. How? - A. It is the only explanation I can offer.

Q. Is it? - A. Yes.

Q. Just think.

A. Yes.

Q. If you consider

Q. JUDGE COLES: It is the only explanation you can offer, you say? - A. Yes.

Q. What were you going to say? - A. I was holding the man in a certain way. I had my baton out and my shield. He was struggling. He must have knocked his mouth. That is all I can remember.

Q. MR. MANSFIELD: Just put the shield on your left arm as you would have had it. Now, I am going to give you an opportunity to consider that you might be mistaken about how the injury was occasioned. Might you be mistaken? - A. It is the only explanation I can offer with the shield.

Q. Just show the Jury which bit of the shield came into contact with his mouth? - A. I do not know. It is the only explanation I can give.

Q. You did have something else out? - A. Yes. my baton.

Q. Which hand was that in? A. My right hand.

Q. What did you do when you went up to Mr. Jackson? - A. I took hold of him round the throat.

Q. With the truncheon in your hand? - A. Yes.

- Q. What sort of area are we dealing with when the truncheon is going round the front of the face to grip him round the neck? - A. The truncheon went past him.
- Q. And what did it do? - A. He was still struggling
- Q. Are you saying he knocked himself on your truncheon? - A. No, I did not say that.
- Q. What did the truncheon do? - A. It did nothing, my truncheon.
- Q. So that it is clear, it is your truncheon that caught his mouth as you put your arm round his neck? - A. My truncheon did not touch the gentleman.
- Q. And so it is clear, the photograph you were shown, and you smiled at yesterday and said that was you, showed the injury, did it not? - A. I do not know. Can I see?
- Q. Yes, certainly. (Handed) A. A slight injury on the lip there.

JUDGE COLES: We had better have another look at this photograph.

MR. WALSH: The reason why the Jury have only seen it from a distance is because it is pinned to other things.

JUDGE COLES: Is there any objection to having it made an exhibit?

MR. WALSH: Not at all.

JUDGE COLES: Exhibit 32. The photograph had better be removed and an exhibit number put on it before it is passed to the Jury. We will have our break now.

(Short adjournment)

(In the absence of the Jury and the witness the question of references to Toxteth during the giving of evidence was raised and discussed and it was agreed that it was of no evidential value)

(The witness and Jury were brought back into Court)

- Q. MR. MANSFIELD: Mr. Fimblett, dealing with the injury to Mr. Jackson, can I now put to you the events that led up to that on behalf of Mr. Jackson. Take Exhibit 9, photograph 3. I make it clear I am not going to go through the tape with you because it appears that, at almost every juncture, you are not able to help on any detail whatsoever so I am now going to put to you where

Mr. Jackson was in fact. Now, do you see photograph 3? -
A. Yes.

Q. There is the roadway. Can I suggest you had been charging up the road with other Officers. I am not saying Mr. Jackson saw you particularly coming but your squad coming up the hill. He had been near the edge of the road and a woman photographer came running up. I am not suggesting it is the one in the other bundle. Do you see a woman photographer? - A. No.

Q. He had conversation with her and she and others you were with went into the mouth of the electricity sub-station there on the left. There is a little entrance. This is the best photograph we have got of it. I think it is gravel or Tarmac. Mr. Jackson had gone in there. You are not on the road at all.

JUDGE COLES: You are pointing to the left-hand side of Highfield Lane as you come up - just inside the entrance to the electricity sub-station.

Q. MR. MANSFIELD: You agreed, I think, he has got with him a white plastic bag which is barely visible in that photograph and a thermos flask? - A. I remember seeing the flask.

Q. That was in his right hand, or may have been his left, but he had it in his hand? - A. That is correct.

Q. And, as it turned out, you came up to him from behind, did you not? - A. No. I did not.

Q. You started to push him? - A. No, I did not.

Q. And started to combine push and hit - I demonstrate - with your shield at Mr. Jackson? - A. No, that is incorrect, your Honour.

Q. You would have had it on your left arm. Mr. Jackson told you to get off, did he not? - A. No, he was swearing and was abusive.

Q. And you tried to grab him round the neck. You agree with that? - A. I grabbed him round the neck, yes.

Q. Did Mr. Jackson actually hit you at all? - A. No, he did not get the chance.

Q. But the impression you gave yesterday - A. Because I grabbed him round the throat.

Q. And it was when you were doing that that your truncheon hit his mouth, bottom lip? - A. No, my truncheon did not hit his mouth. I have just stated.

- Q. He also asked you if you would get the shield out of his face? - A. No.
- Q. And then, you having got your arm round his neck and your truncheon there, you squeezed pretty hard? - A. At the time he was struggling and I had a firm grip on him and when he calmed down I relaxed a bit.
- Q. At this stage, and later for that matter, he asked particularly to see somebody, did he not? - A. No.
- Q. Mr. Pimblett, please think. We have a record. I am going to suggest outside the sub-station and down in the Command Centre he asked to see somebody? - A. I do not remember seeing anything like that.
- Q. Have you ever heard of Chief Superintendent Nesbitt? - A. Yes.
- Q. The name rings a bell? A. I know him.
- Q. Are you going to say Mr. Jackson never once mentioned the name Chief Superintendent Nesbitt? - A. I cannot remember him mentioning the name Nesbitt, no.
- Q. What he said, once you had him round the neck and he having difficulty breathing, was "I want to speak to Chief Superintendent Nesbitt"? - A. I do not remember him saying that.
- Q. Because you retorted to that "I will break your fucking neck if you do not shut up"? - A. No, your Honour, I did not.
- Q. That is your approach. is it not? - A. No. I do not need to swear.
- Q. You just leave out the swearing and do the rest? - A. No, I do not need to talk like that.
- Q. You go down the hill through the cordon? A. I accept that, yes.
- Q. And an Officer - I do not know who it was - said, "Just watch it. There are cameras down there" to you? - A. No, I do not remember anything like that being said, no.
- Q. And other Police Officers in the cordon were having a poke at Mr. Jackson as he went down the line? - A. No.
- Q. Once he got to the Command Centre Mr. Jackson asked again to see Chief Superintendent Nesbitt as he went in? - A. No, I do not remember him saying anything like that.

- Q. You remember the security Policeman do you remember somebody on the door with a red flat cap? - A. No.
- Q. Saying "Shut up. fucking moaning. You should not come if you do not like it rough"? - A. No, I remember no Policeman or anyone saying anything like that.
- Q. Once you got inside the building you had that photograph taken? - A. Yes.
- Q. And you got your shield and just pushed Mr. Jackson up against the wall with the shield, did you not? - A. No.
- Q. And then, after you had done that and got him up against the wall, the photograph was taken? - A. No, that is incorrect. I remember standing with him and someone came along with a camera and photographed him.
- Q. You treated him with great deference? - A. There was no need. He had calmed down.
- Q. His pockets were emptied, is that right? - A. He must have been. In Liverpool we always search prisoners.
- Q. Were you taking any interest whatsoever in your arrest? - A. I was taking interest in the arrest. I cannot remember. It is too long back now. It is a year.
- Q. And then he was asked by the Bridewell Sergeant, or whoever it was, by an Officer behind some desk, whether he wanted to contact anybody, do you remember that? - A. No.
- Q. Are you saying he was not asked? - A. I cannot remember, no.
- Q. And when he was asked that he said, "Chief Superintendent Nesbitt" and there was a whole conversation about whether he knew Nesbitt and Mr. Jackson said he did because he had allowed Mr. Jackson and some others to put a six-man picket on the gate and go into the plant and speak to lorry drivers? - A. I do not remember any conversation like that taking place, your Honour.
- Q. You are not saying it did not? - A. I am saying I do not know. I cannot remember.
- Q. Would you look at the sheet to which the photograph was attached? (Handed) This sheet is made out while you are there. It is the detention sheet, is it not? - A. I do not know. I have not seen this sheet before.
- Q. Just look at the detention sheet - record of detention and charge for Mr. Jackson. Do you see the top of this it has got "Detention Sheet"? - A. "Record of Detention".

Q. I appreciate a lot may not be done in your presence but some of it, namely, the name of the person coming in, is that done in your presence

MR. WALSH: There is a statement in the bundle of Inspector Gunn whose name and signature appears on that document and I think one will find quite a lot of it was written, I think, at 4 o'clock in the afternoon.

MR. MANSFIELD: I accept that.

Q. But some of it is written whilst you are there? - A. Possibly.

Q. There is also some detail about the arrest. He is not going to get those details from Mr. Jackson. He gets them from you, does he not? - A. No, he asks his name. Mr. Jackson must have given his name.

Q. We know from you you never asked it so it cannot be from you. But there is a paragraph called "Reason for detention", is there not? So the Jury can understand - Record of Detention, first line his name, second line his address, third line is date of birth, fourth line, date and time of arrest, time of arrival at police station, physical condition on arrival - that mentions the lip thing - reason for detention if not immediately charged, arresting officer's number and name - that is you - and the Officer accepting detention. Do you see all that? - A. Yes.

Q. Now, perhaps you will be able to see it on there. Most of that is written out with you there, is it not? - A. I cannot say.

Q. If you look a bit further down the page a record is kept of whether he is asked if he wants to contact anybody and what his answer is, do you see that? - A. That is correct.

Q. And do you see there written the name of Chief Superintendent Nesbitt? - A. Yes, it is written down and it is crossed out.

Q. I appreciate someone has crossed it out as well. - A. It has also got the name Silverwood and a phone number on it.

Q. The conversation about Mr. Nesbitt was happening whilst you were there? - A. No, it was not.

Q. And that an Officer who looked to be an Inspector wondered, in the way he phrased his question, whether Mr. Jackson knew that Mr. Nesbitt was in hospital with a broken nose and added he had got it at Maltby at the

weekend and so on. You do not remember any of that? - A. No.

Q. So really, as far as this part of it is all concerned, your recollection is merely just putting Mr. Jackson over to the Officer? - A. That is correct.

Q. There is only one other thing to ask you. You can put the sheet down. You say that Mr. Jackson said as you were arresting him, "Fuck off. You don't need to grab me. I done fuck all except stop the wagons"? - A. That is what he said to me, yes.

Q. Now, what did you understand him to mean by that? - A. I was not thinking about it at the time. They were there to stop the wagons going out.

Q. Well, of course, he has not done anything that you suggest he did and he certainly never said that? - A. That is incorrect. He did say that.

Q. If he did I want to ask you just one-or-two questions about it. First of all, when he said it what did you understand him to mean by "I done fuck all except stop the wagons"? First of all, had the wagons been stopped? - A. They got out.

Q. So the wagons had not been stopped? - A. That is correct.

Q. So that does not make much sense on the face of it? - A. That is what he said.

Q. On the face of it it does not make much sense, does it? - A. On reflection, no.

Q. If, in fact, he said something like that, why then did you not say to him, "Well, I do not understand what you mean"? - A. I was not in a position to have a conversation with him.

Q. Oh, Mr. Pimblett! You do not ask his name, you do not - other than you say you told him he was locked up for unlawful assembly - tell him what he is supposed to have done and you say you do not have time to caution him properly? - A. That is correct.

Q. Or at all? - A. I told him he was locked up. I cannot explain in great length

Q. You are walking down the road. He has calmed down on your version of events? - A. Yes.

Q. And you say you do not have time to say "What do you mean - stop the wagons? The wagons have gone out today. What have you done?" - A. That is right.

- Q. Why not? Were you not interested? Is this the first and only arrest you have had for unlawful assembly? - A. That is correct.
- Q. Were you not interested to find out how long he had been there that day, whether he had been there on previous days, what he thought he was doing there? Were you not interested in any of that? - A. No.
- Q. Or did you write that up because that is what you thought everybody was there for, as you said yesterday? In other words, to stop the wagons? - A. It is what he said at the time.
- Q. You thought everybody was there for that purpose, is that right? - A. No.
- Q. It is what you said yesterday? - A. I am saying the idea, the reason, they were there was to influence the drivers to stop the wagons and that is what I took him to mean when he said that to me.
- Q. And did you write that bit up to make it look as though that is what he did mean? - A. No, I did not.

Cross-Examined by MS. RUSSELL:

- Q. MS. RUSSELL: You are from Merseyside? - A. Yes.
- Q. And the Standing Orders, in other words, the rules, that Police Officers have to obey are the same throughout Merseyside? - A. Yes.
- Q. It does not vary from police station to police station? - A. No, it covers the whole Merseyside Police Force.
- Q. The first thing I want you to tell me is in what circumstances, under the rules, the Standing Orders, can you apply handcuffs? What do the rules say about the application of handcuffs to a prisoner? - A. I do not know, I am sorry
- Q. There must be some kind of rules and regulations? - A. Yes.
- Q. How long have you been in the Police Force? - A. Four years nearly.
- Q. And you have no idea what the actual regulation is? - A. Not the regulation, no.
- Q. What about the use of truncheons? What does the actual regulation say, Officer? - A. I am sorry, I cannot help you there. I do not know. I know that when a staff is

required to be used that there are certain places that it should be used.

- Q. Tell us what you know? - A. If you are required to use your baton it should be when necessary when somebody is overpowering you and there is no other option and you are required to use your staff. You use it there on the collar bone and there.
- Q. You are pointing on the shoulder? - A. Yes, if somebody has any object for violence it is the only way to restrain them. If he is violent and there is no other option and you use your staff to restrain him, you must use it there.
- Q. Any object? - A. Any object for violence then there is no other option.
- Q. So would this be a fair summary of what you have just said - you can only use your baton in the direst of emergencies? - A. Yes.
- Q. When you are being overpowered and somebody is coming at you with a weapon? - A. Yes.
- Q. But you do not know the exact words or even roughly the words of the regulation? - A. No.
- Q. Did any of the senior Merseyside Officers you were under during the course of that day, or any senior Officer, give any order so far as the use of batons were concerned that you can remember now? - A. There must have been because we all had our batons drawn at the time. All the Officers I saw.
- Q. All the Officers you saw? - A. All the Officers I saw had their batons drawn.
- Q. It was not, in fact, just the short shield Officers that had batons drawn? - A. No, I saw Officers with long shields with batons drawn.
- Q. And even ordinary-uniformed Officers in helmets and tunics had their batons out? - A. Yes.
- Q. Now, at the time you got there practically every Officer you saw - A. The Officers I saw had batons drawn.
- Q. But "the Police were everywhere" is one of the expressions you used? - A. Yes.
- Q. And of the Police who were everywhere when you saw them, would it be fair to say the vast majority, whether they had long shields, short shields or were just in ordinary uniform all had their batons out? - A. Yes.

Cross-Examined by MR. GRIFFITHS:

- Q. MR. GRIFFITHS: Officer, I think it has been mentioned to you as a piece of information to you that your particular PSU under Inspector Bennett arrested just under half of the Defendants in this case. Has that been mentioned to you? - A. No.
- Q. Well, I am telling you now
- Q. JUDGE COLES: Did you know that? - A. No, your Honour, I did not.
- Q. MR. GRIFFITHS: Just help me on this: how did you return to Liverpool from the Yorkshire area? Did you all go back on one bus or separate vehicles? - A. We returned in separate vehicles.
- Q. In how many vehicles? - A. I cannot remember whether we returned on a coach or on support carriers
- Q. Were you, as a PSU, together - whether you were with other PSUs I am not bothered - but did you travel back home together as a PSU? - A. Yes.
- Q. And if you did I presume it must have been in a coach then? - A. I remember returning from one PSU on a coach.
- Q. But certainly you went back together in some vehicle. That is 20 of you plus the two Sergeants and the Inspector? - A. Yes.
- Q. And do you know Police Constable Douglas who was a member of your PSU on that day? - A. I know him to look at him.
- Q. You do know him. We will hear from him in due course. Also do you know Police Constables Stannard and Barnes? - A. Yes.
- Q. When the dust had settled and you were on your way home, did you go home that night or the next morning? - A. To Liverpool?
- Q. Yes? - A. No, we stayed a week.
- Q. Were you deployed anywhere? - A. We were deployed at a number of collieries.
- Q. Actively? - A. No, we never saw any further disturbance.
- Q. So, as far as action is concerned, your trip to Orgreave was the only time you were actually deployed actively? - A. If I can remember, yes.

- Q. Well, at any stage when all your PSU were together, or whether you are amongst members of your PSU after the events of the 18th, was there any discussion about the injuries sustained by the Defendants who had been arrested by your PSU? - A. I cannot remember, no. I cannot remember any discussion.
- Q. Just think a little about it?- A. No.
- Q. So - A. I cannot remember any discussion about injuries.
- Q. You cannot remember one word being mentioned - A. About injuries, no.
- Q. By any member of your PSU as to injuries sustained by any prisoners arrested on the 18th? - A. Yes, that is true. I cannot remember any discussion whatsoever.
- Q. Well, that is your evidence. I will make no comment on it. Did you speak to Police Constable Douglas, so the Jury can follow, or the arresting Officer of my client, Mr. O'Brien, did you speak to Police Constable Douglas about the circumstances of his arrest? Did he mention anything to you about the circumstances of the person he arrested? - A. No.
- Q. Well, what, in fact, did happen so far as conversations are concerned, Officer? Are the Jury to believe that all of you had come from Liverpool and been deployed on only one active occasion where things have actually happened and, as I understand what you are saying, not one word is talked about it amongst you? - A. About injuries, yes.
- Q. Anything else? - A. Oh, yes. We spoke about other things.
- Q. About the action on the day? - A. We spoke about what we felt.
- Q. Well, I ask you this a final time to give you the opportunity to reconsider, despite the fact that there was discussion amongst your PSU about the 18th, not one word was mentioned about any of these Defendants getting nasty injuries? - A. I cannot remember, no.

Cross-Examined by MR. REES:

- Q. MR. REES: Two matters. My clients were also arrested by your PSU - one by Inspector Bennett. Had you worked with that Inspector before? - A. Yes, he was my Inspector.
- Q. What do you mean? - A. Prior to my going into the department I am in now he was my Section Inspector.

- Q. At the same Police station? - A. Yes.
- Q. Did that relationship apply to others within your PSU, namely that he was their Inspector also? - A. No, what happens, when a PSU is formed, Officers from individual stations volunteer or are selected. I do not think they worked together at the time. About two Officers from every station might get into a PSU. I was with Constable Davis from my station. Inspector Bennett happened to be in charge of the PSU at the time.
- Q. So there are three of you from there. Do you know Police Constable McLoughlin in your group? - A. Yes.
- Q. Did you work with him before? - A. Yes, I had worked with him in fact, I think there was another Constable
- Q. The information we have, going on Police Officers' statements - you know the Defence is supplied with Officers' witness statements - we get a number and name and a police station, so if we see that particular police station on a statement, does it inevitably mean that the Officer is attached to that station? - A. At the time they made the statement, yes. They could have moved by now.
- Q. So it is Mr. Bennett, you, Mr. Davis, Mr. McLoughlin and the other Constable? - A. Yes.
- Q. Presumably you knew fairly well what Inspector Bennett looked like? - A. Yes.
- Q. And he would be wearing a distinctive Liverpool helmet with the checkered band on the back and the padding on the neck and "Police" across the front? - A. No, I would have to look at the helmet. I think we had got "Police" across the front.
- Q. Look at a photograph and see if you can see. It is already exhibited - Exhibit 8. We see a Liverpool Inspector in the forefront of that photograph? - A. Yes.
- Q. Do you recognise him? - A. I could not say for sure.
- Q. You could not say for sure that that is Mr. Bennett? - A. I could not say for sure that is Inspector Bennett.
- Q. But it could be, yes? - A. Yes.
- Q. Same sort of build? - A. I suppose so, yes.
- Q. The position is that it looks like him. I am not going to insist on it but you are not prepared to say on oath it is? - A. I cannot say on oath it is.

MR. WALSH: I did say about four day's ago the Crown's understanding was that it was Inspector Bennett.

Q. MR. REES: You do not recollect any of the commands that you were given on the day when you went into action? - A. That is correct.

Q. None at all? - A. Not the wording, no.

Q. Do you remember who was giving commands if anybody? Do you remember specifically if Inspector Bennett was uttering commands to your PSU? - A. He was uttering a number of commands. I cannot remember what they were. He must have made some orders.

Q. Why do you say "must have"? - A. He is an Inspector and he is in charge of us.

Q. And you take it that if you move forward it must have been on command from him? - A. On the command of someone. I do not know if it was him.

Q. That is what I am anxious to establish. On the command of someone but you do not know if it was him? - A. No.

Q. Can you recollect him giving any command on you - never mind the content of it - but at the time you moved out from the cordon do you remember him giving any command? - A. No.

Q. Did he give a command? A. I cannot say. He must have.

Q. You say he must have? A. He must have. He is in charge of our PSU unit.

Q. But there were people who were superior to him? - A. Yes.

Q. The Superintendent. One in particular we know of? - A. Yes.

Q. JUDGE COLES: You say you do not remember him giving a command? - A. No, I do not remember he may have given commands but I did not hear them.

Q. MR. REES: It is not a question of forgetting what his commands were. You did not hear? - A. If he had given commands I might not have heard them. He may have given commands but I did not hear them.

Q. It was not an easy situation for a senior Officer to exercise control. That is an example of it. There was a very high noise level in general? - A. Oh, there was, yes.

- Q. And the position must have been that people like Inspector Bennett may have been giving commands and the troops did not hear them? - A. A possibility, yes.
- Q. A very real possibility, is it not? - A. Yes.
- Q. The whole situation at the time moving forward, confronting pickets, arrests being made, horses there, high noise level and so on - it must have been chaotic? - A. It was. I have said it was chaotic.
- Q. And it was during a time when various PSUs became mixed up with each other - long shields, short shields, Liverpool, South Yorkshire? - A. Yes.
- Q. This is before the bridge? - A. This is after I dealt with Mr. Jackson. I was with other people from other Forces.
- Q. But at the time you are moving up and you get Mr. Jackson, there is a complete mix-up then? - A. Oh, yes.
- Q. And if I suggest to you, as Mr. Mansfield has, that Mr. Jackson was arrested before the bridge, you are not going to argue with that? - A. No, I do not know.
- Q. Mr. Bennett's role would be, so far as possible, to keep up with his troops? - A. He is the Inspector, yes.
- Q. And you would expect him to be up there with you at the front as you moved forward? - A. I would expect him to be there, yes.
- Q. Do you remember seeing him? - A. No.
- Q. On the way up from the cordon, you have told us about seeing some barbed wire across the road? - A. Yes, wire. I could not say it was barbed but it was wire.
- Q. Did you see any barbed wire? - A. I saw wire across the road and I was forced to duck under it. As I ran I realised that it was virtually in front of me.
- Q. Did you see barbed wire? - A. Not barbed wire. I have explained it was wire.
- Q. Was it just one lot of wire across the road? Were there two places in which wire was across the road? - A. I do not know. All I saw was the one barbed wire.
- Q. After you arrested Mr. Jackson and you had gone down to the control centre and you have told us about the Detective dictating the introduction to Officers' witness statements - do you remember Inspector Bennett

being in that room at any point during that session? - A. I do not remember seeing Inspector Bennett there, no.

Q. You have described that room as a classroom? - A. It was like a classroom.

Q. You called it a classroom? - A. There were desks and chairs and that and it resembled a classroom. The atmosphere was like a classroom.

Q. And a teacher at the front? - A. That sort of thing, yes.

Q. And the pupils at their desks? - A. Yes, in uniforms. It was like a classroom. We were all sat down and it was like a classroom.

Q. There must be a stage during the compilation of statements when you have arresting Officers, generally in pairs, discussing final points of their arrests before they make their statements? - A. I do not know. There must have been.

Q. Well, did you see Officers sitting around in clusters discussing the arrests? - A. I remember them sitting at tables.

Q. Did you see them sitting in little pairs or groups? - A. Yes, they could have been sitting together.

Q. And discussing and writing? - A. Talking. I do not know what they were discussing.

Q. Who were you talking to? - A. I do not know.

Q. You were on your own? - A. I was on my own. I was doing my statement. I did not talk to anyone.

Q. You were asked by Mr. Mansfield whether your unit was instructed to arrest people for unlawful assembly and you said you did not remember? - A. I do not remember.

Q. Will you take it from me that from documentation we have got your unit arrested six people - all for, according to the documentation, unlawful assembly

JUDGE COLES: Is this anything this witness can assist you about or are you going to have a discussion about documentary evidence?

MR. REES: No.

JUDGE COLES: Is this documentary evidence concerned with this witness?

MR. REES: With this witness's credibility.

MR. WALSH: This is not a document which this witness ever wrote so far as I am aware from questions and answers or a document he has ever seen either.

MR. REES: I am not about to cross-examine him on the documentation. I am asking the Officer to take it from me, I do not think it is challenged, that there were six arrests all for unlawful assembly.

JUDGE COLES: What are you asking the witness to assist about?

MR. REES: I am asking him to assist as to how that comes about, if he can?

JUDGE COLES: How can he?

MR. REES: Because I wish to challenge him on the evidence he does not remember.

JUDGE COLES: What you really want to do is to comment on the fact that if there are six it must follow from that that they were given instructions to arrest for unlawful assembly?

MR. REES: That may be right.

JUDGE COLES: How can that be proper? That is a matter of comment?

MR. REES: I can ask him if his recollection is advanced by knowing, as he now does, that six were arrested for unlawful assembly

JUDGE COLES: If you think that is helpful I will not stop you asking it but you can put it very quickly.

MR. REES: I had intended to.

- Q. The position is that all six of the people arrested by your PSU were arrested for unlawful assembly? - A. Yes.
- Q. Now, you have never arrested anyone yourself for unlawful assembly before this? - A. That is right, yes.
- Q. It was a unique event for you? - A. As an arrest, yes.
- Q. You did not think it up yourself? - A. I knew there was an offence of unlawful assembly.
- Q. Is it your evidence to this Jury that you, coincidentally with five others, thought up "I will arrest this person for unlawful assembly"

JUDGE COLES: That is a comment. We shall be in this Courtroom until Christmas if I permit counsel to put comments. I am not trying to pick upon you but we must really distinguish between asking questions as to fact and making comments, particularly in a case like that.

MR. REES: I appreciate that.

- Q. I put it another way. Did you independently think of arresting Mr. Jackson for unlawful assembly? - A. Yes, I had an idea it was unlawful assembly.
- Q. You did independently think of arresting him for unlawful assembly? - A. Yes, I thought about it.
- Q. Nobody told you? - A. It may have been directed it was unlawful assembly.
- Q. Did Inspector Bennett, who is in charge of this PSU, tell his men if they were to arrest it was to be for unlawful assembly? - A. No, I do not remember him saying anything about that.

Re-Examined by MR. WALSH

- Q. MR. WALSH: It has been pointed out to you that it happens that, of the 15 people presently in this Court, about half-a-dozen were arrested by your PSU. Had you any idea of the numbers of people that were, in fact, arrested in total? - A. No idea, no.
- Q. You remained in Yorkshire for a week? - A. Yes.
- Q. And to what extent of the time were you at leisure or rest as opposed to outside somewhere available for duty? - A. If I can remember we had about 8 hours to rest from the time we were stood down to when we were needed again. About 8-10 hours.
- Q. JUDGE COLES: A day? - A. Yes, it was very short
- Q. MR. WALSH: Does that include sleeping time? - A. That is correct, yes.
- Q. You have been asked about whether any such times as you had for conversation you and your colleagues were talking about whether any of you saw any injuries at Orgreave to pickets on Monday, 18th June, do you follow? - A. Yes.
- Q. What sort of things did you talk about to your colleagues when you were off duty? - A. We talked about how they felt towards the incident itself - talked about private matters.

Q. What sort of things? Was it all talk about the strike? -
A. We spoke about personal things, about wives, girlfriends, leisure activities we followed and what we were going to do. As far as I was concerned we did not want to know about the dispute. I wanted to relax.

Q. You say you knew of Mr. Nesbitt? - A. Yes.

Q. Had you seen him on some occasion? - A. I had seen him on TV.

Q. Did you know he was in hospital with a broken nose? - A. No.

MR. MANSFIELD: I was indicating it was not this Officer who said that. It was an Inspector so it is clear.

MR. WALSH: I understand.

Q. Until Mr. Mansfield raised the matter this morning, did you know of any injury to Mr. Nesbitt and his being in hospital? - A. No.

Q. Had you heard about it? - A. No.

Q. This series of documents which are in different coloured pages because we all know that they are carbons to be used and that sort of thing, did you have anything to do with the writing of this? - A. No.

Q. Did you keep the documents? - A. No.

Q. Who was responsible for looking after it or writing upon it? - A. That would be the Bridewell Sergeant.

Q. You have been asked about a certain part of it in which the Defendant's name appears and your name as the arresting Officer and there is a signature which Mr. Mansfield mentioned to you which could either be Johnson or Robinson. Do either of those names ring a bell to you? - A. They do not. no.

Q. Do you remember whether, at the time you took Mr. Jackson to this Sergeant, there was any comment or attention about this injury that was there? - A. I can remember a Policewoman dabbing his lip with cotton wool and that was all.

Q. We know, you see, that there were available medical attendants, ambulancemen and that sort of thing. Were any of them asked for or brought? - A. No, I cannot remember seeing any medical attendants.

Q. Now, the other matter I want to ask you about is this: your statement. You have got a typed copy, have you? - A. Yes.

Q. Can we just look at the first paragraph about which you have been asked. Does it read as follows:

"On Monday 18th June 1984 I was part of a large Police contingent of Officers assigned to duty at the Orgreave Coking Plant, Highfields, Oakfield (or something). I was in company with Police Constable 5972 'F' Davis"?

A. That is correct.

Q. Were you there, as you have told us, with Inspector Bennett and a number of other people whose names you knew from Merseyside? - A. That is correct.

Q. Why did you mention the name of Davis rather than the names of anybody else? - A. As I have stated already, an Officer assisted me in the arrest of the gentleman. It is poor English. I admit I should have put it there.

Q. What is being put to you, so that there should be no misunderstanding on your part, is that the paragraph in this statement which relates to Mr. Jackson and which you wrote down that day shortly after you handed Mr. Jackson over is just invention on your part? - A. No, it is the truth of what happened at the time.

MR. WALSH: I think this document has been made an exhibit but no-one has stuck a label on the back so I think it should be.

JUDGE COLES: Yes, it ought to be made an exhibit - Exhibit 33.

Q. MR. WALSH: One final matter on it because I am looking at the handwritten one which is obviously your original. The whole of the handwritten one is in handwriting - joined-up writing as it were? - A. Yes.

Q. One piece is in printed capital letters and that is what you would say Mr. Jackson said? - A. Yes.

Q. Now, is there any reason why the handwritten one is in handwriting and the answer of the man you arrested is in capitals? - A. It is just the way that myself and Officers from Merseyside have done it. Any verbal admissions are always put in print to make it stand out.

Q. And you describe what is going on in ordinary handwriting? - A. Yes.

Q. Is that a common practice? - A. It is a common practice, yes.

JUDGE COLES: We will break now for lunch.

(Luncheon Adjournment)

POLICE CONSTABLE JOHN VINCENT DAVIS Sworn

Examined by MR. KEEN

- Q. MR. KEEN: What is your name, your rank and your Police Force? - A. John Vincent Davis, Police Constable 5972 of the Merseyside Police.
- Q. What Police Station do you work at? - A. Admiral Street Police Station in Liverpool.
- Q. On 18th June of last year, together with other Officers from your Police Force, did you find yourself at Orgreave? - A. I did.
- Q. Were you a member of a PSU? - A. I was.
- Q. The same PSU that contained Police Constable Pimblett amongst others? - A. That is correct.
- Q. Did there come a time when you started to perform some active duty at Orgreave? - A. That is correct.
- Q. Can you now help us with what time that would have been approximately? - A. Some time after 9 o'clock in the morning.
- Q. Did you have to don any type of equipment when you started performing active duties? - A. Yes, protective head-gear, shin pads and a riot shield.
- Q. Did you have a truncheon with you? - A. Yes.
- Q. Was that drawn or not? A. I did draw it.
- Q. You told the Jury you started to perform some active duty. Whereabouts did you go? - A. Highfield Lane I think it is called.
- Q. The Jury know that there was a cordon of Police Officers in that area. Did you see that cordon? - A. I did.
- Q. When you first went out there, whereabouts were you in relation to the cordon? - A. We were in a car park opposite the main building and the cordon was about 50-70 yards up the road towards the railway bridge.

- Q. When you say 50-70 yards up, does that mean up from you?
- A. Up from me, yes.
- Q. Did your PSU ever go through that Police cordon? - A.
Yes, we did.
- Q. Can you help approximately with what time that would have
been? - A. I cannot. All I can say is it was after 9
o'clock.
- Q. Did you see anything of any Police horses? - A. Yes.
- Q. Can you help us with where the Police horses were when
you went through the cordon? - A. I think on the first
charge they were in front of us. They went through the
cordon first and we followed them behind.
- Q. You said "on the first charge". How many such movements
did you make? - A. Approximately four or five during the
morning.
- Q. Those four or five manoeuvres, can you say whereabouts
they were in relation to the railway bridge? - A. Across
it. I went up to the top a few times.
- Q. Let us deal with the first charge if we may. What was on
the other side of the Police cordon as you were going
through? - A. A large number of pickets.
- Q. What were they doing? - A. They were throwing stones,
bricks and other items.
- Q. In which direction were they throwing them? - A. They
were throwing them at the Police lines.
- Q. What did the pickets do once you went through the cordon?
- A. I think most of them ran.
- Q. And how far forward did you go? - A. I cannot recall if
we went over the bridge on the first charge or up to near
a building which was on the left-hand side. There was
some sort of power station or something.
- Q. Did you stay in front of the cordon having covered that
distance? - A. I think after we gained some ground long
shields were brought up behind us and we retreated behind
the long shields.
- Q. You told the Jury when you went out the pickets had run
away. What happened when you went back behind the line?
- A. They returned towards our lines and started
throwing missiles again.
- Q. When you say 'throwing missiles', the Jury have heard a
lot about this case but they were not there. Can you

try and describe for the benefit of the Jury the number of missiles that were coming over? - A. Almost like a continuous barrage.

Q. Where were they landing? - A. Most of them were hitting shields or going over the shields and hitting Officers behind the shields.

Q. Now, you have described taking part in other charges forward. Were any of them any different to that first one you have told the Jury about? - A. Not really.

Q. Other than pickets being in front of you as you moved forward, did you come across anything else in front of you? - A. During the course of the rest of the charges?

Q. Yes? - A. Yes.

Q. What did you come across? - A. At one stage we came across wire across the road. There was also a bedstead at one stage. I remember going over the springs. A burnt-out car, gas bottles that is all I can remember.

Q. Do you recall the bridge? - A. Yes, vaguely.

Q. The wire was the first item you mentioned. Whereabouts was that in relation to the bridge, do you recall? - A. I remember ducking under the wire which was attached to lamppost.

Q. That does not help us with where it was in relation to the bridge? - A. It was after the bridge as you go up.

Q. How far off the ground was this wire? - A. It would be about neck height.

Q. Do you recall what it was fastened to? - A. The end I went under was attached to a lamppost.

Q. Is that on the right or the left? - A. On my right.

Q. What about the mattress? Where was that in relation to the bridge? - A. That was after the bridge, just before the wire.

Q. The car, where was that? A. I saw that on a later charge. That was past where the wire was, near the top of the brow of the hill.

Q. You mentioned gas cylinders. Where was that? - A. Near the car as far as I can recollect.

- Q. You told the Jury you had to duck under the wire, is that right? - A. That is correct.
- Q. Do you remember which of the charges this was on? - A. That was the second charge.
- Q. Did anything in particular attract your attention? - A. Bernard Jackson, the Accused.
- Q. Where were you when you saw that gentleman? - A. Just before I ducked under the wire I saw him.
- Q. Whereabouts was he? - A. He was in front of me. I think he may have been to my left, 10 or 15 yards away.
- Q. Was he standing? - A. He was standing.
- Q. On what? - A. As far as I can recall, the road.
- Q. What was it that attracted your attention to him? - A. He was stood with a carrier bag gesticulating towards us and shouting at us and he did not appear to want to run away.
- Q. So he did not appear to want to run away. What were the other pickets doing? A. Quite a number of them were running. Others were stood still throwing stones at us.
- Q. Where were those throwers in relation to Mr. Jackson? - A. They were all round him I think.
- Q. "All round" means back, sides and front? A. Not the front.
- Q. How far away from him was the nearest one to him approximately? - A. I cannot say with all honesty.
- Q. You say he had got a bag in his hand? - A. A plastic bag, yes.
- Q. And that he was gesticulating? - A. That is correct, with his free hand.
- Q. Just show us what he was doing with his free hand? - A. I recall he was doing a 'V' sign and also that action.
- Q. You indicate his thumb and fingers touching and moving his hand up and down? A. That is correct.
- Q. Was he doing anything else with his hand? - A. I cannot recall.
- Q. JUDGE COLES: What did you understand that second gesture to mean? - A. Wankers.

- Q. Are you able to recall the words that Mr. Pimblett used?
- A. I think something like "You are locked up".
- Q. Was there any reply from Mr. Jackson? - A. No.
- Q. Whilst you were up with the pair of them, did you hear Mr. Jackson say anything? - A. Not at that stage, no.
- Q. Does that mean you did at some stage? - A. Yes, as we were walking back down towards our lines.
- Q. So the pair of you had hold of him and he is told he is being locked up? - A. That is correct.
- Q. What happened then? - A. We then started walking him back towards our lines.
- Q. How was he behaving as you went towards the Police lines?
- A. He quietened down.
- Q. Presumably he had to be taken through the Police line? -
A. That is correct.
- Q. Who took him through the line? - A. I cannot remember if I went through the line with him but Constable Pimblett took him through the line definitely.
- Q. The Jury know that an arrested person is taken through the line and then to the Control Centre. Who took him to the Control Centre? - A. I would imagine Constable Pimblett would be the arresting Officer.
- Q. What happened to you? - A. I went back and joined my PSU.
- Q. That means you had to let go of Mr. Jackson at some time. Can you help us where that was in relation to the cordon?
- A. I cannot.
- Q. You told the Jury at some time you heard Mr. Jackson say something? - A. That is correct.
- Q. What did he have to say? - A. He said, "Fuck off. You don't have to grab me. I've done fuck all except stop the wagons."
- Q. Having let go of Mr. Jackson and Mr. Pimblett presumably having taken him off, what did you do? - A. I returned to my PSU with a few more charges.
- Q. Were those any different from the ones you have already described? - A. One of them was.
- Q. You had better tell us about that?
A. I was left on my own.

- Q. Tell the Jury how that happened? - A. I ran up on one of the charges. I thought we were going to the top of the hill. I made the top and when I looked back the rest of the PSU were behind the long shields halfway up the hill.
- Q. Were there any other Police Officers up there with you? - A. I think there were three or four others to my left behind me.
- Q. What about the pickets? Where were they? - A. They originally were running away. They then stopped, turned round and started walking back towards me.
- Q. Again, it is difficult to assess numbers, but how many do you think were moving towards you? - A. The whole road was full of them.
- Q. What were they doing as they came forward? - A. Throwing bricks, bottles and liquid from bottles.

JUDGE COLES: I do not understand that.

- Q. MR. KEEN: Can you help us with that? - A. When they got close to me I had. I think, cider, beer and lemonade thrown at me.
- Q. From the container? - A. Yes.
- Q. So how close up to you did they get? - A. About the same distance from here to the end of this bench. Four or five yards.
- Q. JUDGE COLES: To the far end of this bench you say? - A. That is correct.
- Q. MR. KEEN: What was that like for you? - A. Very scary.
- Q. What did you do faced with that? - A. Turned and ran.
- Q. Did you manage to get back to the line? - A. I did.
- Q. After the charges were finished what happened to you? - A. I went back to our PSU van.
- Q. When did you next see Police Constable Pimblett? - A. I do not know what time it was.
- Q. Was it after you had been stood down? - A. I think we were waiting to be officially stood down. yes.
- Q. Did you remain with the van or did you ever go anywhere else before you left Orgreave? - A. I went over to the control building.

- Q. Where did you go at the control building? - A. I think I went upstairs.
- Q. Into a room upstairs? - A. Yes.
- Q. What sort of room? - A. I think it was a small office.
- Q. What did you do there? - A. I saw Constable Pimblett. There was also a plain clothed Officer I believed to have been CID.
- Q. What happened? - A. I informed the CID Officer I had witnessed Constable Pimblett's arrest.
- Q. Did you do something in relation to that arrest? - A. Yes, I signed the statement which Constable Pimblett made.
- Q. Can we just be clear about this. You signed Police Constable Pimblett's statement. Had you been there when Police Constable Pimblett had made the statement? - A. I had not.
- Q. And what was your purpose in signing that document? - A. I read through the statement and, to the best of my recollection, that was an accurate account of what had happened.
- Q. Presumably after that you would go back to wherever you were staying? - A. That is correct.
- Q. You have told the Jury in some brief detail of what happened on the charges that day. Can you try and tell the Jury what it was like being out there while all this throwing was going on? - A. Terrifying.

Cross-Examined by MR. MANSFIELD:

- Q. MR. MANSFIELD: Now, Mr. Davis, I represent Mr. Jackson. Do you see Mr. Jackson in Court today? - A. I have not got a clue what he looks like.
- Q. I thought you witnessed the arrest? - A. I did.
- Q. You see, I am going to suggest you had absolutely nothing to do with the arrest of Mr. Jackson, did you? - A. Yes, I did.
- Q. Can you remember anything about what he looked like - this man you are supposed to have witnessed the arrest of? - A. No.
- Q. Was he wearing clothes? - A. Yes.

- Q. What were the clothes he was wearing? - A. I cannot remember.
- Q. I am going to suggest, unless you have been told what to say, you have not a clue as to how to answer the questions. Is there any truth in that? - A. I am sorry, I do not understand that question.
- Q. JUDGE COLES: It is being suggested that you were not there, you did not witness the arrest and that all you can say is what you have been told to say about it, is that correct or not? - A. That is not correct.
- Q. MR. MANSFIELD: If you cannot say what he looks like, perhaps you can help us by looking at some photographs as to where this took place. Would you kindly look at Exhibit 5 and Exhibit 9. Just look through them and tell us if you recognise any of the photographs and if you do then I will deal with those, particularly as to if any of them depict the area where Mr. Jackson was arrested according to you? - A. The aerial picture 7, Exhibit 9.
- Q. That is over the railway bridge towards the village, is that correct? - A. Yes. that is correct.
- Q. Give us some idea where on that photograph, can you? - A. No. It is just in that stretch.
- Q. I am sorry, Mr. Davis? - A. I cannot give you an exact location. It is just in that stretch of road.
- Q. You have mentioned various items, like a bedstead, gas cylinders, cars I think you said, but it may be a mistake
- Q. JUDGE COLES: A burnt-out car. I think you said it was burnt out? - A. I seem to recollect fire on it, yes.
- Q. MR. MANSFIELD: You recollect fire on the car, do you? - A. Smoke and flames, yes.
- Q. Do you, Mr. Davis? - A. Yes.
- Q. This is about the time of the arrest of Mr. Jackson you remember a smoking car, do you? - A. No.
- Q. When do you remember a smoking car? - A. After that.
- Q. How long after that? - A. I cannot say.
- Q. Well, at the time of the arrest of Mr. Jackson, was the car there? - A. I do not recall it.

- Q. Were there gas cylinders there at the time of the arrest of Mr. Jackson? - A. No.
- Q. Was there a bedstead there at the time of the arrest of Mr. Jackson? - A. Yes, that was before the wire, just before the wire.
- Q. Looking at the photograph, where is the wire? - A. It would be one of those two bottom lampposts. I am not sure which it was.
- Q. Where did it go to on the other side - to what? - A. I do not know.
- Q. One of the two lampposts on the road it was tied to. Which other Officers besides Mr. Pimblett do you recollect being up with you over the bridge ducking under the wire? - A. I cannot really recall anybody.
- Q. Well now, I have to go through the names in your unit. Are you saying there was no-one else from your unit that you recollect up there? - A. No, I am saying I cannot remember if any of them were.
- Q. Well, this is only the second charge. There were two more after this? - A. Two or three more.
- Q. After each one do you go back to the long shields on the bridge? - A. Whether it was on the bridge I cannot remember. We did fall back virtually every time we made an advance.
- Q. JUDGE COLES: I think the main question is, did you fall back behind the long shields or just fall back? - A. I think the long shields were placed across the road, yes.
- Q. Did you fall back behind them? - A. Yes.
- Q. MR. MANSFIELD: And horses went ahead of you each time, did they? - A. Everytime apart from the second charge. I do not recall horses being used then.
- Q. But on every other occasion they went up ahead of you, did they? - A. Yes.
- Q. Are you mistaken about that, do you think, or have you got a fairly clear recollection? - A. About the horses?
- Q. About the horses going up first on every occasion except the second one? - A. Yes, I seem to recall seeing the back end of horses quite frequently.

- Q. The first time you were brought into action on this day, and you are charging up to the bridge or thereabouts, were you following the back end of horses then? - A. Yes.
- Q. Are you sure? - A. Pretty sure, yes.
- Q. I am going to suggest you are wrong about that. The first charge up the bridge - you were not following the horses. They had the view of your rear end? - A. No, to the best of my recollection we were following the horses.
- Q. The second time no horses, third or fourth well, on those later occasions, third or fourth, are you following up horses on your own basically? - A. No, there were no horses there then.
- Q. JUDGE COLES: That was when you were on your own? - A. Yes.
- Q. MR. MANSFIELD: Now, you say once you are over the bridge on this second charge, that the wire you are ducking under, you cannot help as to who else was with you other than Mr. Pimblett. What about Mr. Bennett, for example? He is your Inspector, is he not? - A. Yes.
- Q. He is actually at the same Police station as you? - A. No.
- Q. Well he was? - A. Yes, he was.
- Q. At Admiral Street? - A. Yes, he was my Section Inspector.
- Q. Well, was he there? - A. I assume so, yes.
- Q. If Mr. Jackson is being arrested on this stretch of road, I want to know who else is in a position to have witnessed this. Mr. Bennett would have kept up with you, would he? - A. Yes.
- Q. Do you know Inspector Owen of another Merseyside unit? - A. Do you know his name? I have an Inspector called Frank Owen. I do not know if he was there or not.
- Q. I do not have his christian name, I am sorry. Do you know a Mr. Austin, a Merseyside Police Officer? - A. No.
- Q. A Mr. Browning, a Merseyside Police Officer? - A. Yes, I do but not then.
- Q. You have met him this week? - A. That is correct.
- Q. Now, do you know what he looks like? Did you see him in that stretch of road? - A. I cannot say whether I did or I did not.

- Q. Did you see a rather famous person in that stretch of road? - A. No.
- Q. You know who I mean? - A. Mr. Scargill.
- Q. Yes? - A. No.
- Q. Was Mr. Jackson on the road or on the grass or on the pavement? - A. In the roadway.
- Q. I would just like you to look at a single photograph - Exhibit 8. Photograph 9 and Exhibit 30. A photograph taken on this stretch of road you see. Exhibit 8. Look at that senior Officer standing in the road there. Do you recognise him? - A. It looks like Inspector Bennett.
- Q. Do you recognise the person in the background? - A. I recognise the hat.
- Q. It looks - and I appreciate you may not be able to tell - like Mr. Scargill? - A. It looks like the hat he was wearing on the day.
- Q. I want to ask you a little more about this stretch of road you were running up. Are you in the middle of the road or left-hand side or right-hand side? - A. Towards the right-hand side.
- Q. Did you stick to that side all this time or did you veer over to the left at any time? - A. I do not think I stuck to the right-hand side.
- Q. You are not sure? - A. No. I do not think I did.
- Q. Just turn back to photograph 8. Now, I may be wrong but it looks as though Exhibit 30. Photograph 8 and 9. Those are taken in sequence as I understand it. It looks as though the Officer you have identified as Bennett, or you think is Bennett, is actually running in the previous photograph? - A. That is Inspector Bennett.
- Q. Now, look at photograph 8. It looks as though Bennett is running in that one? - A. I cannot tell.
- Q. You see the group of Officers behind? Again, they appear to be Merseyside Officers, do they not? - A. Yes.
- Q. Are any of them you? - A. I do not know.
- Q. Were you ever in a situation like that? - A. On the grass?
- Q. Yes? - A. Yes.
- Q. You were? - A. Yes.

- Q. Was the situation you were in like that as you were going up this stretch of road, in other words, roughly where that photograph is? - A. There were no pickets there. I ran over the grass and went into a yard.
- Q. Is this when you are on your own? - A. No, this is later on.
- Q. You are with other Officers? - A. Yes.
- Q. Which other Officers - do you know? - A. I do not know but I do not think they were Merseyside Officers. I do not think they were.
- Q. There may be some occasion you ran over the grass. It appears from this particular photograph, photograph 8, as though they are all Merseyside Officers? - A. Yes, the helmets appear to be Merseyside helmets.
- Q. Were you ever in a situation on the grass verge like that with somebody who appears to be a civilian or non-Police Officer nearly on his knees on the verge? - A. No.
- Q. Did you ever see anything like that, Mr. Davis? - A. I do not recall.
- Q. You see, it is on this particular stretch of road you are talking about seeing Mr. Jackson? - A. Yes.
- Q. You can roughly recognise it? - A. As you come up, that is the left-hand side
- Q. That is right. Just think again. Did you ever see that situation even if you were not in it yourself? - A. I do not recall seeing it.
- Q. Did you see contact made with any demonstrators or civilians or miners as you went up? Leave aside Mr. Jackson. Did you see contact made by your unit or any other members of the Police force or the demonstrators? - A. During all the charges?
- Q. Yes? - A. Yes.
- Q. Describe what happened when Police Officers came into contact with demonstrators as you recollect it? - A. As I recollect some were hit with shields, pushed aside by shields.
- Q. What else? - A. That is all really I can recall seeing.
- Q. You do not recall seeing any truncheons being used, I suppose, or do you? - A. Personally, no.

- Q. I cannot suggest you did as far as Mr. Jackson is concerned. I am not suggesting he was hit by you with a truncheon but did any other Officer in your eyesight use his truncheon on any of these four charges? - A. I cannot recall seeing a Police Officer hit anybody with a truncheon.
- Q. Did you see any serious injuries? - A. I saw a number of people coming back with blood from the head, yes.
- Q. But you did not see how they got that? - A. No.
- Q. You had been working with Mr. Pimblett for two-and-a-half years, is that right? - A. Approximately, two-and-a-half years, yes.
- Q. When did you volunteer to be a member of a PSU or were you one of the chosen ones? - A. I am not too sure what the system was in selection at that time. It used to be, when it first started, that one whole section would go, members from one section, and then it later changed to various members of sections going.
- Q. When did you first, as it were, become a member of a unit that saw some service or action? - A. That was my first one.
- Q. June 18th? - A. Yes.
- Q. So you had not been with Mr. Pimblett on his other excursions to North Wales, Doncaster, and so on? - A. No.
- Q. Had you volunteered for that day or that tour of duty? - A. For the week I think I had.
- Q. Well, that is something you can remember. Whether you were told to do it or you volunteered you cannot? - A. No.
- Q. You cannot remember that? - A. No.
- Q. And had you had any training? - A. In the use of shields?
- Q. Yes? - A. Yes.
- Q. Did you have a shield that day? - A. I had a short shield.
- Q. What did it look like? - A. It was one with a black edging on it.
- Q. Look behind you? - A. Yes, I started off with one of those and one of those later on.

- Q. Early in the morning no black edging - later on in the day black edging? - A. Yes, that is correct.
- Q. You had used, in the training, short shields? - A. I had training in the long shields.
- Q. No training with short shields? - A. No.
- Q. How many day's training had you had? - A. Three days.
- Q. Training with truncheons? - A. No, we do not train with truncheons.
- Q. What is your understanding of when you are allowed to use them? - A. When I feel threatened and my only recourse is to use a truncheon to minimise any harm.
- Q. Now, I want to ask you a little about going to Orgreave. I do not mean actually getting there but going up behind the cordon and so on. From whom are you taking your instructions on that day? - A. I recall Mr. Bennett gave us most of our instructions.
- Q. So when you had to 'form up', he told you to do that, did he? - A. He did, yes.
- Q. What did he say? Tell us the instruction you received? - A. Just before we got our equipment on, the protective gear, we were back at the vans and I think we were having something to eat, sandwiches, and then somehow our attention was attracted over to the Police cordon which was up Highfield Lane and, as we looked over, we could see missiles being thrown, or I could see missiles being thrown, at the Police cordon.
- Q. I actually asked what the instruction was. Are you leading up to it? - A. Yes. On seeing that, Mr. Bennett told our van and the other 'F' division van to get kitted up.
- Q. That took you a few minutes? - A. Yes, I had to put my shirt back on.
- Q. JUDGE COLES: You were sunbathing, were you? - A. I was but I was told off about it, your Honour.
- Q. MR. MANSFIELD: You were told to go up to the cordon or what? - A. We were then told to follow him.
- Q. Follow him? - A. Yes.
- Q. And you did? - A. We did, yes.
- Q. And he stopped behind the cordon, did he? - A. Yes, we were behind the Police cordon.

- Q. You do not know the time for this, do you? - A. No, it was after 9 o'clock.
- Q. Quite considerably after 9 o'clock? - A. I do not know.
- Q. Getting close to midday?- A. I do not know, it could have been.
- Q. If you had been asleep in the sun, you might have lost track of time? - A. No.
- Q. I suppose you did not have a watch on? - A. No, I did not have a watch on.
- Q. But you have got a rough idea of whether it is breakfast-time or lunch-time, do you not? - A. Not really.
- Q. According to the book - I appreciate you do not write it up - was it about 11.15 that you were deployed behind the cordon? Would that be about right? - A. I cannot really say.
- Q. How long after getting up behind the cordon were you told to go and do something? - A. We obviously were but I cannot remember.
- Q. Did you have to wait there a long time? - A. I cannot remember.
- Q. Well then, what were you told to do? - A. We were obviously told to charge.
- Q. Why were you? You might have been told to "Go and arrest that stone-thrower over there". Were you told that? - A. No.
- Q. Do not guess. Do you have any recollection of what you were told to do? - A. Not really.
- Q. You were paying attention, were you, or were you just following the rest? - A. I was paying attention but I cannot remember exactly what was said.
- Q. This is the first action on this day you were actually going into - active service? - A. We had been running back to the plant and deployed round there but we had not done any charges.
- Q. So the first action you are getting into, some kind of active service, and you say you cannot remember what you were told to do? - A. I cannot remember the exact words. The gist of it was to charge the pickets in order to break them up, to disperse them.

Q. So was that what was on your mind as you were going up the hill? - A. Yes.

Q. Having got through the cordon of Police Officers I am going to suggest short shields are going up the road first, horses afterwards on this particular charge. Do you remember any barbed wire across the road on this stretch of road going up to the bridge? - A. On the first occasion?

Q. Yes? - A. No.

Q. When you got through the cordon how far away were the demonstrators

JUDGE COLES: Do you want to ask him if there was any wire?

Q. MR. MANSFIELD: Was there any barbed wire? - A. Not on the first charge.

Q. Now, you are going up and you recollect some sort of power station? - A. Yes, some sort of building on the left-hand side.

Q. Now, in fact, that is in the photographs so if you have a look at it, Exhibit 9, we can begin to place it. It is in photographs 1 and 2 of Exhibit 9? - A. No. 3 on the left.

Q. The first three photographs on the left. As you got through the cordon roughly how far away were the nearest demonstrators at that point? - A. I cannot really say.

Q. Were they running away? - A. Some did run. Some continued throwing.

Q. In fact, just so I can put it precisely to you, the numbers who were throwing things at this stage were quite limited, were they not, and they were in a quite well-defined area, do you agree? - A. Yes.

Q. And the limited numbers who were throwing in the defined area were just, in fact, in and around the wall that is seen in the first three photographs. The whole of the wall is in the first one, a bit of it in the second the one on the left-hand side as you go up the road. The limited number in the defined area were around that wall on the left-hand side as you go up. Do you remember that? I am saying it was beyond the bush and either on the field side of the wall or on the right side of the wall? - A. It could well have been, yes.

Q. I am going to finish today with you since we have got to the sub-station. That is in photograph 3. I am going to

suggest to you and I want you to think about it very carefully over the weekend and see whether you are prepared to alter anything by Monday - the place where Mr. Jackson was arrested was in the mouth of that sub-station. There is a little gravel path. Do you think that might be right? - A. To the best of my recollection, no, it was over the bridge.

- Q. He had just gone in there carrying his bag and Mr. Pimblett, who you say you witnessed the arrest of, came up behind him, did he not? - A. No.
- Q. Do you think there is any possibility you are just totally mistaken? - A. No.

MR. MANSFIELD: Well, your Honour, it is quarter-past.

JUDGE COLES: Yes, we will break off there.