

IN THE SHEFFIELD CROWN COURT

The Crown Court,
Castle Street,
Sheffield

17th June 1988

Before

HIS HONOUR JUDGE GERALD COLES, Q.C.

REGINA

-v-

WILLIAM ALBERT GREENAWAY

and Others

APPEARANCES:

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

For the Defence: See Attached Sheet

From the Shorthand Notes of J.L. Harpham Ltd.,
Official Shorthand Writers, 55 Queen St.,
Sheffield S1 2DX

17th June, 1985

P.C. DAVIS Recalled

Cross-examined by MR. MANSFIELD (Cont.)

- Q. Mr. Davis, as you recall, I represent Mr. Jackson, and we were dealing on Friday with where - just to remind the Jury, you don't now, and never have been, able to identify Mr. Jackson at all. You haven't got a clue what he looks like? - A. I can't recall what he looks like, no.
- Q. And I was working backwards as to the place where he was arrested, which you have described so far as being over the bridge towards the brow on a second charge from the cordon, right? - A. Yes, between the bridge and the brow of the hill.
- Q. What I put to you late on Friday so you could think about it over the weekend, just in case there is a mistake, is that you are completely wrong, he was not arrested there, he was arrested in front of the sub-station - Photograph 3, Exhibit 9. Now, have you thought about that over the weekend? - A. I have thought about it. To the best of my recall it is where I stated in the first place.
- Q. Are you prepared to change any part of your evidence at all? - A. No.
- Q. You are not. We have had already two Officers - their names are Mr. Kierns and Mr. Langham. Do you know them - both Merseyside? - A. I met Constable Langham. I saw him in the office.
- Q. We have heard from them they talked about the charge up from the bridge to the brow and neither of them - did you see them? - A. I cannot recall seeing them.
- Q. Not a word from them of seeing this rather shorter man, rather older man, standing in the middle of the road gesticulating and swearing. Are you quite sure that you have got this right? - A. To the best of my recollection, yes.
- Q. I want to ask you about recollection. It is perfectly clear on the day itself you did not make a statement? - A. I didn't.
- Q. You didn't even make a note? - A. I didn't.
- Q. We will come to what happened on the day but I want to deal with what has happened since. So far as you were concerned, did you think you were going to be a

witness in this case until very recently? - A. I didn't think it was going to the Court for trial, no.

Q. You didn't think the case was going to Court for trial? - A. No.

Q. No-one approached you about giving evidence, did they, until very recently? - A. Nobody asked me to make a statement until recently, no.

Q. Very recently? - A. Two weeks ago, I believe.

Q. Who approached you two weeks ago? - A. First of all I received a 'phone call from a CID Officer from South Yorkshire, stating the case was going to trial, and evidence would be required from me. No arrangements were made at that time for a statement to be made. I then received a letter and a copy of Constable Pimblett's statement through the post, two weeks ago today.

Q. Let's deal with that. You got a 'phone call while this case is on, saying the case was going on, or was about to, and you were going to be required? - A. I think the 'phone call was prior to two weeks ago.

Q. When do you think the 'phone call was? - A. I think it was ... it may well have been four weeks before that, on my last tour of nights.

Q. When was the 'phone call - two weeks ago, three weeks ago, four weeks ago? - A. It would have been six weeks ago I was on a tour of nights.

Q. Who was the South Yorkshire Officer who telephoned you? - A. I don't remember his name.

Q. And have I got it right - all he said was, "You will be required as a witness and you will be hearing from us", or something like that? - A. He did ask me to clarify whether my signature on Constable Pimblett's statement - to clarify if the signature on the statement was to witness Constable Pimblett's signature, or to witness the evidence itself.

Q. What did you say? - A. I said it was to witness the evidence itself.

Q. What else was said on the telephone conversation? - A. Well, I was told I would have to make a statement, but no arrangements were made at that point.

- Q. How did you know what he was talking about - Mr. Pimblett's statement - you have worked with Pimblett for a long time? - A. Yes.
- Q. How did you know what statement he was talking about? - A. Because I remember signing his statement, and I remember the incident with Jackson.
- Q. You don't know who Jackson is. So far all the Officer has said is you will be required in a trial. He doesn't tell you what the trial is, and asks you about counter-signing a statement by Pimblett. Were you told what the trial was about? - A. Orgreave.
- Q. There are many days there - I appreciate you may not have been there on all of them - was the date given to you? - A. Possibly.
- Q. You weren't approached on the basis of were you at Orgreave on the 18th, answer yes - can you remember anything about it - were you? - A. No.
- Q. You say on the telephone that the signature on the statement means that you witnessed his evidence? - A. That is correct.
- Q. What does the person then say is going to happen? - A. He said, "We'll have to get a statement off you eventually", and then there was some mention of when I was called to attend the Crown Court, and making a statement then.
- Q. Anything else? - A. I don't think so.
- Q. Now the next stage you have said was a letter arrives and included in it is Mr. Pimblett's statement? - A. A copy of his statement, yes.
- Q. So would this be right, you never sit down on your own and try and remember the events of last year, do you? - A. Two weeks ago, no.
- Q. What happens is that having seen Mr. Pimblett's statement and your signature on the bottom, subject to one or two things you virtually copy it out, don't you? - A. Yes.
- Q. Do you make any alterations to Mr. Pimblett's statement? - A. Only in the part I took in the arrest and what I saw Jackson doing.
- Q. Let's deal with those alterations in Pimblett's statement. So far as you are concerned there are two aspects - first of all the part you played in the arrest - well, does that mean the original

statement would I be right in saying, does not include you playing any part in the arrest at all ?
- A. Constable Pimblett - I don't believe so.

Q. And considering the description you have given of what part you played, namely that you did actually assist in the arrest, is that right? - A. Yes.

Q. It was something that was fairly obviously missed out on the original statement, wasn't it? - A. I am not aware of what Constable Pimblett saw.

Q. What? - A. I am not aware of what Constable Pimblett saw.

Q. Where was Constable Pimblett when you assisted in the arrest? - A. In the process of arresting Jackson.

Q. How many feet away was he from you? - A. Two feet, three feet.

Q. Did you walk him back through the Police lines with Mr. Pimblett? - A. Part of the way back.

Q. Towards the Police lines and through them? - A. I think we went through a few Police Officers, yes.

Q. Are you saying Mr. Pimblett was not aware that you had helped in restraining Mr. Jackson and in walking him back to the Police lines, and through some of them? - A. I am afraid I cannot answer for Constable Pimblett.

Q. But it must have been obvious to you the original statement didn't include your part in any of it, did it? - A. It was obvious to me that Constable Pimblett didn't mention me, no.

Q. I will come back to that. What is the other thing that you altered in his statement - you say that is the inclusion of you in it - what else - you said what you saw Jackson doing? - A. Yes.

Q. Well, what did you alter on that, or add or amend or whatever? - A. I can't recall, without seeing the statement.

Q. All right, I will let you see your statement in one moment.

Q. JUDGE COLES: I think he meant Mr. Pimblett's statement. - A. Mr. Pimblett's and mine, your Honour.

Q. MR. MANSFIELD: Before we go to Mr. Pimblett's statement, which is Exhibit 33, I want to now ask

you how that came about, your signature on that statement - first of all you go on doing separate charges and then go back down to what, your transit vehicle? - A. That is correct.

Q. What time of day would that be roughly - middle afternoon or something? - A. I cannot say.

Q. Who is at the transit vehicle when you get there? - A. I can't remember.

Q. Was there anybody there? - A. I think so.

Q. What did you do when you got there? - A. I think I sat in the rear.

Q. Sat in the rear? - A. Yes.

Q. Then what? - A. I remember speaking to Inspector Bennett.

Q. About? - A. About what had gone on in the afternoon, and the fact I had seen Constable Pimblett arrest somebody.

Q. Can you tell us exactly how it went? You told Bennett in the transit van you had seen somebody arrested? - A. I assisted in the arrest.

MR. WALSH: Your Honour, he said it was Pimblett who had done it.

Q. MR. MANSFIELD: Seen somebody arrested by Mr. Pimblett? - A. That is correct.

Q. What happened after that? - A. I then asked him if it would be necessary for me to make a statement that day. He said to go over to the Control and ask over there because ... that is where I went.

Q. So you go to the Control - that is the Command Centre? - A. Yes.

Q. Then what? - A. I believe I went to an upstairs room. Constable Pimblett was there.

Q. Mr. Pimblett was there, was he? - A. Yes.

Q. Are you sure? We have heard from him and when he was there - was he in the upstairs room on his own? - A. I don't know if there was any other Officers there.

- Q. I want you to think as to how your signature gets on his statement? You go to the upstairs and there is Mr. Pimblett? - A. Yes.
- Q. Who else was in the upstairs room? - A. A plain clothes Officer, I believe, from South Yorkshire.
- Q. What was Pimblett doing? - A. I think he completed his statement. I don't know if he was in the process of doing the processing of his prisoner - I don't know what he was doing.
- Q. He had done his statement much earlier than this, and had left the Command Centre, Mr. Davis, hadn't he? - A. I don't know. All I know is when I got there Constable Pimblett was in the room.
- Q. Statement on the desk all ready and waiting? - A. I don't know if it was in a file of other statements or where it was exactly.
- Q. What is the conversation then? - A. I know there was another signature on the statement, witnessing Constable Pimblett's signature, that of a South Yorkshire Officer.
- Q. The name is a D.C. Wyatt - I don't suppose you know that? - A. No.
- Q. And what was said to you that you should do? - A. I informed the Officer that I had seen the arrest and witnessed it and taken part in the arrest.
- Q. Seen what arrest? - A. Constable Pimblett's arrest of Jackson.
- Q. You didn't know the name then? - A. Constable Pimblett told me. He must have told me when I looked at the statement.
- Q. Before you looked at the statement how did you know who you were talking about? Pimblett could have arrested three people. How did you know who he had arrested? - A. He told me. He didn't mention arresting anybody else.
- Q. Then what did you do? - A. I asked if it would be necessary for me to make a statement. I believe the CID Officer said it would not, at that stage.
- Q. You see, are you aware that the whole of your Unit, where two Officers either witnessed or participated in arrests, both Officers that day made statements now, or within a day, give or take. You are the only one who appears not to do this. Do you say

that is because the CID told you not to? - A. I believe so, yes.

Q. So it is the same detective whose signature appears on the statement who is telling you that? - A. I don't know if it's the same detective who signed the statement.

Q. The detective told you you did not have to make a statement? - A. That is correct.

Q. The reason I am asking you these questions, I suggest you weren't having to make a statement because you had not witnessed any arrest. That is the point, isn't it? That is why you didn't make a separate statement then, wasn't it? - A. I have witnessed the arrest.

Q. I know that is what you are saying now. You took the statement that Mr. Pimblett's has made, I suggest earlier in the day, according to him anyway, and you read it through, do you? - A. Yes.

Q. Carefully? - A. Yes.

Q. And it is accurate? - A. To the best of my recollection then it would have been, yes.

Q. To the best of your recollection it would have been. Well you know perfectly well to the best of your recollection then, the one thing it did not include, and you have just said it, was your participation in the arrest, is that right? - A. That is correct.

Q. Why didn't you say to the detective, "Look, the statement is all very well but it doesn't say what I did"? Did you say that? - A. I don't think I did.

Q. Why not? - A. Because the actual arrest and the reason for the arrest were accurate.

Q. Yes, but this is to do with what you saw yourself, isn't it, what you are dealing with? - A. Yes.

Q. There is no suggestion on the face of the statement I have got, and you can see the original - did you alter anything on the statement Mr. Pimblett made then - did you? - A. At that time?

Q. Yes. - A. I don't think I did, no.

Q. So what it comes to is you signed a statement then which didn't include you playing any part in the arrest whatsoever, and didn't say anything about it, did you? - A. Then, no.

Q. Now, take the statement, because I am going to suggest you cannot have even read it, otherwise you would have seen one or two other things missing. Could he have Exhibit 33, and a copy of his own statement?

JUDGE COLES: We had better wait until the Court Clerk comes.

MR. MANSFIELD: I have a typed copy of Mr. Pimblett's statement:

Q. Can you take that for the moment? Now, not only does Mr. Pimblett's statement not indicate that you came up or did anything, there are other things that are not in the statement. First of all, there is absolutely no description in that statement that the charges up the hill, in other words that the first manoeuvre, was a manoeuvre up to the bridge, or just before it, and then you saw Mr. Jackson on the second charge over the bridge, is there? None of that is in there, is it? - A. No.

Q. So you thought that does not matter, did you, when you read it? - A. Yes.

Q. Yet this is actually pinpointing where the arrest took place? - At that time I wasn't aware of the name of the road.

Q. At that time you could have asked the detective who dictated the beginning of this statement to Mr. Pimblett the name of the road, couldn't you? - A. Yes.

JUDGE COLES: The name of the road is there, isn't it?

MR. MANSFIELD: It is in the first paragraph. Highfield Lane, Orgreave:

Q. So that is not a problem, is it? - A. No.

Q. You didn't bother to really read this statement at all, otherwise you would have noticed that it does not describe what you have told this Court, does it? - A. Yes.

Q. It doesn't describe the number of charges and the particular time of this man's arrest was on the second charge from the bridge up to the brow, does it? - A. It doesn't describe that, no.

Q. Now, if you go on and deal with Mr. Jackson's arrest that is not there, then you read the paragraph in

Mr. Pimblett's statement - "As I did so my attention was drawn to the accused Jackson" - it may be a small point, but I am going to ask you in case it mattered to you - of course, you didn't know his name was Jackson did you, other than what Pimblett was saying his name was? - A. Other than Constable Pimblett telling me I was unaware of his name.

Q. Did you consider it might be an idea to check the arrest photograph to make sure you were both talking about the same person? - A. I probably would not have been able to recognise him.

Q. Even then? - A. Even then.

Q. We will go on.

JUDGE COLES: Why did you say you used the word Jackson?

MR. MANSFIELD: Because Pimblett told him and he didn't check the arrest photograph, because he would not have been able to recognise him even then.

MR. WALSH: Can we have a moment? I am not aware of which statement - might I ask Mr. Davis if he has in front of him the statement he has signed?

THE WITNESS: No.

MR. MANSFIELD: I didn't use it on Friday but I did ask if it could be looked out, and it was looked out then but I didn't reach it.

MR. WALSH: I think we ought to take the opportunity now of making sure we have it. Yes we have. (Produced)

Q. MR. MANSFIELD: Mr. Davis, the last point we are dealing with is in Mr. Pimblett's statement. You said you only knew that name because Pimblett told you and you didn't check the arrest photograph because you didn't think you would have recognised him even then, never mind now. That is the last point. Now, Mr. Pimblett in his statement, which you claim you read, gives the description of what Jackson was doing. Now what the statement does not indicate is what the details were, does it? - A. No, it doesn't.

Q. Are you aware that your account of the details is quite different from Mr. Pimblett's? - A. I am not aware.

- Q. "He was holding a plastic bag in either hand, I went to him and he raised his arm"? - A. Yes.
- Q. Did you see that? - A. Yes.
- Q. Did you? - A. Yes.
- Q. You were asked very carefully by junior Counsel, not the Counsel sitting here today, but there was a Counsel standing there on Friday? - A. Yes.
- Q. And he asked you very carefully twice whether you had seen Mr. Jackson do anything before Mr. Pimblett approached him, and you said no - you remember that? - A. I don't.
- Q. You were asked that twice. You are saying yes, because it is in the statement, aren't you? - A. Because I have got it in front of me now, yes.
- Q. You don't remember it, and when you were asked without the statement, you said you didn't recall Mr. Jackson doing anything else, you see. You don't have any recollection of this at all, do you? - A. Yes.
- Q. Do you? - A. Yes.
- Q. How do you explain that Friday you had no recollection of it, when you see the statement you do? - A. My mind has been refreshed this morning.
- Q. Well, tell us what he did then. What did he do? Describe it. - A. He was raising his arm.
- Q. Which arm? - A. I cannot remember which arm.
- Q. How did he do it? - A. He raised it with a clenched fist towards Constable Pimblett.
- Q. Did he? Give a demonstration with your own arm. - A. Like that.
- Q. Waist level, like this? - A. No, striking a blow.
- Q. Striking a blow? - A. That would be the intent I would imagine.
- Q. That would be the intent you would imagine. You are imagining it now are you, Mr. Davis? - A. No.

JUDGE COLES: We had better note for the Shorthand Writer, his first demonstration was of a stationary fist at waist level.

- Q. MR. MANSFIELD: And your second demonstration was the arm coming across the body, the right arm towards your left shoulder. You see what the statement says is that he raised his arm. It doesn't say anything about the fist and attempted blow, does it? - A. No.
- Q. So that is not a particularly accurate description of "attempted", it would appear, from your imagination as you put it. You said, "I would imagine". What you mean is what you thought was meant. There is no indication in there that is what he was about to do? - A. There is no indication there, no.
- Q. "I took hold of him", that is Mr. Pimblett's statement, "and restrained him. By now he was extremely abusive and struggling". Well, you have agreed none of that includes you, on the face of it anyway. Look at the next sentence, "I cautioned him". You see that? - A. Yes.
- Q. That didn't happen, did it? - A. The caution?
- Q. Yes. - A. I don't remember hearing the caution.
- Q. There wasn't any, was there? - A. I don't remember hearing one. There may have been. I don't recall hearing one.
- Q. So that is not accurate, is it, because you are there by this stage? - A. Yes.
- Q. And you told the Jury what you heard Mr. Pimblett saying, being locked up, and so on. You told us that on Friday? - A. Yes.
- Q. Did you point out to the Officer, "Look, there are one or two points here". This is in addition to the ones we have been over. This business of cautioning, "I certainly didn't hear that" - did you tell anybody that? - A. No.
- Q. Why not, Mr. Davis? This is no minor matter, you witnessing not just a signature, but according to you his evidence as well? - A. No, I didn't witness the signature.
- Q. I know. that is your point - you didn't witness the signature on the statement but when we go through it there is quite a bit you didn't see. It is not an accurate statement, from your point of view, is it? - A. No.

- Q. Why did you sign it as an accurate account, as far as you are concerned? - A. Because the main particulars were accurate.
- Q. In the statement Mr. Pimblett makes he indicates the words used by Mr. Jackson when arrested or soon afterwards and Mr. Pimblett has told us now in Court where and when those were said, those words. When do you say they were said? - A.. As far as I recall, walking him back, and I think we were going through the Police lines.
- Q. You don't really know at all do you? Do you? - A. I don't know exactly where the words were spoken, no.
- Q. Now, look at your own statement, if it can be found, dealing with that point. Look at your statement. There is a paragraph separately set out. You see what it says? - A. Yes.
- Q. "On the way back through the Police lines the Accused said ..." - it's rubbish, isn't it? You don't know it was said then? - A. I said on the way back, yes.
- Q. What your statements says is, "On the way back through the Police lines the Accused said ..." - this is a statement you only made two weeks ago, 4th June. Do you honestly say when you wrote that you recollected that is when he said it? - A. I remember walking back, yes.
- Q. You specified he says this on the way back through the Police lines? - A. Yes.
- Q. You don't have any memory of that, do you? - A. Yes.
- Q. Was it going through the Police lines? - A. It was on the way back and there were other Officers there, so it would be Police lines. I suppose.
- Q. Was it going through the Police lines? - A. Walking back, yes.
- Q. Through the Police lines? - A. Past other Officers possibly, yes.
- Q. You see, Mr. Pimblett tells us that was not said in that way. It was said upon arrest before moving off. Is that right? - A. No.
- Q. Or perhaps, Mr. Davis, it was not said at all. Is that right? It wasn't said at all? - A. It was said.

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Q. That is one of the alterations that when I asked you before you made to Mr. Pimblett's statement about Mr. Jackson, isn't it, because that is not in Pimblett's statement, where it was said, is it? Check it yourself.

MR. WALSH: Your Honour, my learned friend uses the word "alteration" as though the Jury might see some alteration. What it is, is a difference. He was able to walk him away from the crowd, he replied, and the reply.

Q. MR. MANSEFIELD: That is what Pimblett's statement says. What I suggest you did is, having read Pimblett's statement, through the post, is that "He must have said it as we were going through the lines, so I will put that down", but you didn't know what Pimblett said in Court, is that right? - A. To the best of my recollection he was walking back when he said it.

Q. Have you spoken to Mr. Pimblett over the weekend? - A. No, I haven't.

Q. You signed, you counter-signed, not only that part of the statement, the lead-up and dealing with Mr. Jackson's arrest, you signed the rest of it as well, didn't you? - A. Yes.

Q. The general part of the statement, the paragraphs dealing with being on duty and during the morning there had been a steady build-up of pickets? - A. That is correct.

Q. Well, let's deal with that. Strictly speaking you could not give evidence about that, could you? - A. Yes.

Q. Had you been on the cordon during the morning, watching the build-up of pickets? - A. I had been round the back of the coking plant, seeing the build-up round the back, and when we came round the front early in the morning there was a build-up again.

Q. The statement is dealing with the front, "During the morning there had been been a steady build-up of pickets. The pickets numbered in excess of 1000. They were facing us as we were blocking off Highfields Lane". It is dealing with the front? - A. Yes.

Q. During the morning there had been a steady build-up of pickets round the front? - A. Yes.

- Q. You had not been round the front, had you? - A. Yes, for some part of the morning.
- Q. Tell us how long you had been round the front? - A. I cannot remember.
- Q. You tell the Jury. - A. I cannot.
- Q. You had been round the front prior to Mr. Jackson's arrest - times I have taken from documents the Prosecution have shown us - if they are accurate. I am going to put it to you, how long do you say you had been on the top side watching the build-up of pickets? - A. I cannot recall.
- Q. If the documents are accurate, you are not deployed to the top side until 11.15 and Mr. Jackson's arrest is 11.23, possibly 11.25. It would mean ten minutes at the maximum you had been on the top side watching any so-called build-up, is that right, ten minutes? - A. That was at the front of the cordon, yes.
- Q. Where were you before that? - A. In the holding area opposite the Control. -
- Q. When you were in the holding area what did you see? - A. We could see up Highfield Lane.
- Q. What did you see? - A. Police cordons and pickets.
- Q. Doing what? - A. As I recall, pickets were throwing at the Police Cordon.
- Q. Were they? - A. Yes.
- Q. All the time? - A. No, I think there was a respite.
- Q. When? - A. I cannot recall.
- Q. There when the lorries went out were you? - A. We were stood by an ambulance, behind the Police Cordon when the lorries went out.
- Q. How many pickets were there when the lorries went out? - A. I didn't count them. There was quite a few.
- Q. Well roughly? - A. Over a thousand.
- Q. When the lorries went out? - A. Yes.
- Q. And then what happened after that? - A. That is when it went quiet.
- Q. How long? - A. I don't know.

- Q. Roughly? - A. I can't say roughly.
- Q. What the statement says is the pickets numbered in excess of one thousand. Did you mean that is the number that had been reached by the time you were on the front line, or what? What did you mean by that in this statement you have been prepared to sign and re-write? - A. A thousand when we were up to the front.
- Q. A thousand? - A. Over, and when we saw them from the holding area.
- Q. Is that a build-up from the numbers you had seen in excess of a thousand around the time the lorries left? Is that the build-up you are talking about? - A. It would have been from early morning, yes.
- Q. Were you on duty at the top side in the early morning? - A. I think we went through there in the vans to the back of the plant.
- Q. How many pickets were at the top side when you went through early morning? - A. There would be a large number there as well.
- Q. No idea? - A. Not to exact numbers, no.
- Q. You have put in that number there because, in fact, it is an agreed number, isn't it? I would not play the numbers game with you except you have put it in here, you see. If you really had no idea I suggest you don't put anything in. The point here is it is an agreed number, isn't it? - A. Yes.
- Q. "They wre passing us as we were blocking off Highfields Lane. As I stood at this location" Which one do mean - round the back, at the top side? - A. That would be in the holding, or while we are stood by the ambulance, and also for the ten minutes we are at the front of the line.
- Q. Well that sentence isn't true, is it? "I saw a continuous stream of missiles ..."? - A. Yes, there was.
- Q. There was not a continuous stream of missiles top side, given the location as you have just described it, was there? - A. There was.
- Q. You just said minutes ago there was a respite? - A. Yes, that is when the lorries left.
- Q. There was not a continuous stream of missiles while

you were at that location? - A. Yes, while we were in the holding area we saw a continuous stream and when we went up to the front.

Q. What about the respite then - your words, your description, months ago, of what you remember? - A. Yes.

Q. So a respite? - A. Yes.

Q. No continuous steam of missiles, is that right?

MR. WALSH: We are playing with words, with respite.

JUDGE COLES: That may be, it may not be. I don't know whether you think this is helping the Jury terribly, Mr. Mansfield? You have made some ...

MR. MANSFIELD: Your Honour, it is when it comes to the general part, he puts his name to pretty well anything there.

THE WITNESS: Continuous steam would be when they were throwing - there was a large amount of missiles coming over.

Q. JUDGE COLES: You say it is not inconsistent with there being a respite? - A. I would say it was not, your Honour.

Q. MR. MANSFIELD: "I could see there were no shields being used at this point". Do you agree you just signed an agreed version? - A. Yes.

Cross-Examined by MISS RUSSELL:

Q. Officer, can you tell me who did you come up from Merseyside with today? - A. Today, on my own.

Q. Are there other Merseyside Officers here? - A. Not to my knowledge.

Q. A second point: what are your Force's regulations in relation to truncheons? - A. Use of the truncheons - they should only be used when serious injury is contemplated to yourself, cases of serious disorder, when a senior officer should give the order to traw batons, and it should be aimed at a muscle, preferably on a part of the body, but not at the head.

Q. When a senior officer gives the order in a scene of public disorder, which is one of the things that you

have just quoted - does that mean if the senior officer gives an order that you can use the truncheon without anything else happening? - A. I would use my own judgment as to whether it was necessary to use my baton.

- Q. Well, what would make it necessary to use your baton? - A. If I fear serious injury myself.
- Q. The fact that a senior officer has given an order to draw batons in a scene of public disorder does not permit you to just go and hit anyone, does it? - A. It does not.
- Q. Would it be fair to say on the whole you should only use your baton in self-defence? - A. I would say that was fair.
- Q. The second point that you mentioned is it should be used to hit a muscle? - A. That is correct.
- Q. What about striking, for example, on the collarbone? Would that be a place where you would be instructed to strike someone, actually on that exposed bone? - A. Yes.
- Q. I wonder if you could tell me your Force's regulations in relation to the use of handcuffs on prisoners? - A. They should not be used on juveniles; they should only be used if you fear that the prisoner you have arrested is likely to escape, and he was arrested for a serious offence - I think there are some others, but I can't remember them.

Cross-Examined by MR. REES:

- Q. Officer, a very short matter - you told my learned friend Mr. Mansfield - one of the first things you said this morning was that you spoke to Inspector Bennett in one of the transit vans? - A. That is correct.
- Q. And asked him if it was necessary to make a statement that day? - A. That is correct.
- Q. Was the question in fact you were asked whether it was necessary to make a statement ever, or necessary to make one there and then? - A. Was it necessary to make one there and then.
- Q. And his reply - I appreciate it is not word perfect - he said something to the effect of "Obviously", and then he sent you off to the Command Centre, is that right? That is what I noted you as saying - I am not saying you got the precise words. - A. I

don't think he said "Obviously".

- Q. Maybe I misheard. Do you remember what you did say?
- A. "You probably will have to, you will have to go to the Control Room", or something like that.
- Q. Meaning you probably will have to make one today? -
A. Yes.
- Q. When this conversation took place was he doing anything in particular, or were you all just sitting in the van? - A. I can't remember. We were sitting in the van. I can't recall whether we were doing anything specifically.
- Q. You already may have said this: do you remember roughly when this would be in the day? - A. I don't.
- Q. A long time after you had been stood down from action; as it were? - A. Yes, we would have been, because we were back at the van.
- Q. Waiting to go? - A. Yes, I think we were.
- Q. Did he come - when I say "he", I mean Inspector Bennett - did he come to the Control Centre with you? - A. I don't think he did.
- Q. Certainly the impression you got from him in answer to your request was that yes, it was appropriate you should make the statement that day? - A. That is the impression I got.

Cross-Examined by MR. TAYLOR:

MR. TAYLOR: Your Honour, I didn't have questions on behalf of Mr. Greenaway, but on behalf of Mr. O'Bryan, who I am looking after today, in the absence of Mr. Griffiths, I do have questions:

- Q. Mr. Davis, I would like you to look at a bundle of photographs, Exhibit 9, which shows the general area. Photograph 7, to get your bearings, if you look at number 6 first, it shows a photograph taken from the bridge and the road bending around to the left, going up to the village? - A. Yes.
- Q. And then photograph 7 is taken just at the mouth of the bridge on the village side, looking up the hill? - A. Yes.
- Q. You have said you did four or five charges during the morning, and that the manoeuvres were across the bridge and you went up to the top a few times? - A. That is correct.

- Q. When you say the top, do you mean the brow of the hill, roughly where the bungalow is on this photograph? - A. Yes, I recall stopping there.
- Q. You did that particular manoeuvre four or five times? - A. No, a couple of other times I went as far as the crossroads. Photograph 10 shows where I got to.
- Q. Let me deal with the first part first then, that is to say the times when you went up to the top of the hill. In doing so, would I be right in assuming it was the manoeuvres from the bridge to the brow of the hill that took place and were completed before the manoeuvres right the way to the crossroads? - A. That is correct.
- Q. So if I am dealing with them only to the brow of the hill I have got the right sequence in time? - A. Yes, if you go to the brow of the hill first. We later went down to the crossroads.
- Q. How many times did you go to the crossroads? - A. I think twice.
- Q. Well I will come to that. Dealing with the position that you were in when you first arrive on the rbridge, can you recall your Inspector and your Sergeant being there with you? - A. I don't know if it was the rbridge or the charge up to the bridge, but the Inspector was with me.
- Q. There is a regrouping on the bridge, isn't there, a regrouping of all the men? - A. Yes.
- Q. And was there a cordon of long shields across the bridge on the on the village said as we see roughly on photograph 7, or maybe 6? - A. Maybe just after the bridge, the cordon of shields.
- Q. when you say after, you mean downhill towards the coking plant? - A. No, towards the bungalow.
- Q. Look at photograph 6? - A. Round about where the first lamp-post is, just after that.
- Q. This is before the first charge up the hill? - A. Yes.
- Q. Before the first charge up the hill there is a cordon of long shields across the road? - A. Yes.
- Q. Were there ordinary Policemen behind those in ordinary uniform? - A. I think there were some stuck

on the bridge itself.

Q. Behind those were there PSUs with short shields? -
A. No, we would be in front of that.

Q. You are behind the long shields? - A. With the short shields.

Q. Could you recall somebody giving you an order to move this way? - A. I can't recall the order, no.

Q. You can't recall the order? - A. Not the exact words.

Q. Is it a case of everybody running, so you joined in and ran? - A. I think that would be fair enough.

Q. You didn't have any objective in mind, any place you had to get to or any reason for running? - A. There was no specific place, we wanted the top of the hill.

Q. JUDGE COLES: Do you mean the long shields ran, and the short shields and the ordinary Officers? - A. Sorry, your Honour, no the short shield teams ran.

Q. So by everybody you mean the short shields? - A. To my knowledge just the short shields.

Q. MR. TAYLOR: And they were running at the hedge - there was nothing in front of them, no long shields, no horses? - A. The first charge?

Q. I will take each charge one after the other.

A. As far as I recollect the first charge took us to the bridge.

Q. Right, we will start from the bridge. - A. That was my second charge.

Q. So the second charge you made was the first charge from the bridge, is that right? - A. Yes.

Q. On the charge up to the bridge had you been one of the frontrunners, not necessarily in the front line, but in amongst the first group? - A. Behind horses.

Q. And had those horses gone over the bridge? - A. I can't recall whether they went over the bridge or not. They may have done.

Q. So you arrived at the bridge and you set up camp? -
A. The long shields, yes.

- Q. The long shields set up camp. What I am concerned about, and forgive me for calling it this, I know it is your second charge - might we refer to it now as the first charge from the bridge - on the first charge from the bridge how far did you get? - A. I ended up near the top.
- Q. Alone? - A. No, there was already other Officers there.
- Q. Short shield? - A. To the best of my knowledge, yes.
- Q. Any long shields? - A. I can't recall any.
- Q. How many short shields were there? - A. I can't say.
- Q. How many of you running up the hill together - 40 or 50? - A. It would be about 40 or 50, yes.
- Q. When you got to the top of the hill what did you do? - A. I think we went back down.
- Q. Did you see any Police Officers come into contact with any of the demonstrators? - A. I can't recall whether it was on the second charge.
- Q. this is the first time from the bridge now, to brow. Any Police come in contact with any demonstrators? - A. Well, there was the arrest of Jackson.
- Q. That is when the arrest of Jackson took place? - A. On the second charge, yes.
- Q. Which is the first from the bridge?
- Q. JUDGE COLES: Counsel is talking about the first charge from the bridge. You call that your second charge, don't you? - A. Yes.
- Q. Can we all call it the same thing? Let's forget about the charge to the bridge now and talk about the charged from the bridge. The first charge from the bridge is the first charge, all right? - A. Yes, your Honour.
- Q. MR. TAYLOR: And that is when you see Jackson arrested? - A. Yes.
- Q. Did you see anybody else arrested? - A. I can't recall seeing anybody else arrested.
- Q. So what did you do then? - A. After he arrested Jackson, that is when I walked back part of the way with Constable Pimblett and at some stage left him, and ran back up the hill.

- Q. How long did all that take? - A. Not long, minutes, if that.
- Q. A few minutes? - A. If that.
- Q. Do you know if there had been any charges while you were away from the bridge? - A. I don't know.-*
- Q. When you got back to the bridge what was the state of play? - A. I think they were coming up the bridge. I think they were Officers with normal helmets on.
- Q. Where were the ...? - A. And long shields near there.
- Q. Where were the short shield Officers? - A. I think most of them had gone on the charge.
- Q. On another charge? - A. They were already on the charge.
- Q. What did you do? - A. I went back up.
- Q. On your own? - A. I can't recall if other people were running up with me, but there were Officers all the way up the hill.
- Q. Did you rejoin your unit? - A. I don't think I rejoined my own unit.
- Q. Who were you taking orders off for the remainder of the time? - A. I don't know. I remember a Superintendent with a flat cap and a loudhailer.
- Q. Did he have a white shirt with short sleeves? - A. White shirt, I don't know if he had short sleeves.
- Q. How do you know he was a superintendent? - A. He had a crown on his epaulettes.
- Q. Were you able to hear the orders he was giving? - A. Not really. All I remember was at some stage I ran past him and he was nearly hit by a brick and another Officer brought a reinforced helmet over for him.
- Q. Another Officer brought a reinforced "Nato" style helmet for the Superintendent? - A. Yes.
- Q. Did he put it on? - A. I think he did.
- Q. Did this Superintendent have a shield? - A. I don't recall him having a shield. Thinking back, I

remember thinking how silly, he was stood out there with all the stones going, no shield, and no hard hat.

Q. When you came back up and wanted to rejoin your unit but didn't, can you say where it was you ran to? - A. In the area of there.

Q. Up towards the bungalow again. What was happening up there? - A. The line was static I believe.

Q. Long shields? - A. Short shields.

Q. Short shields only? - A. To the best of my knowledge, yes.

Q. In a straight line across the road? - A. Yes, and there were Officers behind.

JUDGE COLES: Where are we now?

MR. TAYLOR: He has finished with Jackson; he has walked back up; he does not rejoin his unit and he is up by the bungalow with a straight line, short shields across the road:

Q. How many? - A. I can't really say.

Q. What did you do then? - A. That is when we went back down the hill behind the long shields.

Q. Where were they? - A. Just after the bridge, roundabout that first lamp-post I pointed out earlier.

Q. Had there been barricades or anything in your way up to this point? - A. There had been the wire.

Q. When was that? - A. I recall the wire being after the bridge tied to one of those lamp-posts.

Q. Was it still there when you retreated? - A. No, I don't recall it.

Q. What else was there? - A. Some sort of ... when we retreated, stones, and I think the bedspread type thing had gone over just prior to the wire.

Q. Was there a car there smouldering? - A. I can't recall it at that stage, no.

Q. So you retreated behind the long shields - what then? - A. I was with some other lads. We thought we were going to do another charge. That's when I was left on my own.

Q. You ran up on your own? - A. Yes.

Q. And ran back on your own? - A. Yes.

- Q. You see this grass on Photograph 7 - did you run across that on any of your charges? - A. The top end, into the works yard, but not this particular area.
- Q. So you ran into the works yard. If you look at Photograph 8 you see where that man is walking, did you run in there? - A. No, it was after there.
- Q. Does Photograph 9 show it? - A. I think that might be just this side.
- Q. What about No. 11?
- Q. JUDGE COLES: You are looking beyond the sign? - A. Beyond the sign ... I have got it wrong there - it was not that sign, it was up here.
- Q. You are looking at No. 11? - A. Across this grass verge there was a wire fence.
- Q. It looks as though there is something more than a wire fence? - A. It was a broken down wire fence.
- Q. You are pointing in Photograph 11 on the right-hand side, the far side of the road-sign, the back of which appears in this photograph? - A. That is correct.
- Q. MR. TAYLOR: When you did that how many of you went in? - A. There wouldn't be very many - about five or six.
- Q. Do you know Mr. Kearns from Liverpool? - A. I didn't.
- Q. Do you know if he was one of the group of five or six that went in? - A. He could have been but I have no knowledge.
- Q. Were you all people who had Nato helmets on? - A. Yes.
- Q. Did you all have shields, or most of you? - A. I think most of us had shields. I can't recall anybody not having a shield.
- Q. Do you recall Inspector Bennett being one of you? - A. No, I don't.
- Q. Could he have been? - A. He could have been.
- Q. Look at Photograph 12 - when you had gone in that area, did you then come out through ... do you see those little trees on the verge on Photograph 12? - A. Yes.
- Q. Did you then come out in that sort of area? - A. No, I came out back over the wire fence where I had gone in.
- Q. Did you see any of the group that ran into the top area with you go down through the yard and through that area there? - A. I didn't, your Honour.

- Q. So having come out through that fence, where did you go then? - A. We went back down the hill again.
- Q. In that charge into the yard was Mr. Lynam with you? - A. I didn't know him. I wouldn't know if he was or not.
- Q. So when you came out, where did you go then? - A. I think we went back down the hill again.
- Q. But how far? - A. About halfway.
- Q. And where were the long shields? - A. I think they were forming a line there.
- Q. Halfway up the hill? - A. Yes.
- Q. That we see in Photograph 7? - A. Yes.
- Q. What did you do then? -

JUDGE COLES: We have had two charges have we now?

MR. TAYLOR: From the bridge yes:

- Q. What did you do then? - A. I think we did another charge.
- Q. To the top of the hill? - A. Yes, and further down the road.
- Q. And you carried on over the brow that time? - A. Yes.
- Q. On this occasion were you preceded by horses or in the front? - A. I think at that time there were horses first.
- Q. How many? - A. I think about ten.
- Q. About ten? - A. About ten yes.
- Q. How far down the road did they go? Let's look at Photograph 9, Exhibit 9 - it is taken roughly from the brow of the hill. - A. I think as far as the street sign.
- Q. As far as the ...? - A. Street sign on the left.
- Q. The big road sign you mean - is that as far as you went? - A. The city centre sign, A57.
- Q. That is as far as you went on this charge? - A. I think I went to the houses here, because there were people in the back-yards.
- Q. Did you go into the yards? - A. No.
- Q. Did you see anybody go in - any Police Officers? - A. I saw Officers go in, yes.
- Q. Is there an alleyway around there you recall? - A. Yes.

- Q. Leading down to fields? - A. I think I went through a back-yard and then you could get into the fields behind.
- Q. You didn't yourself go into that alleyway? - A. No.
- Q. Did you see Police Officers in the alleyway? - A. Yes.
- Q. What were they doing? - A. Getting some of the pickets out of the back-yards.
- Q. Did you see any pickets being struck by batons? - A. I didn't see any being struck but I saw some with blood on their heads.
- Q. Will you look at Exhibit 11C - does that look familiar to you? Do you recognise anyone in that photograph? - A. No.
- Q. None of the Officers? - A. No. One of them is a Merseyside bobby.
- Q. But you don't recognise him? - A. I can't recognise him, just half his face.
- Q. Point to the one who is a Merseyside Officer. - A. This one.
- Q. When you were around that area of the houses did you see people who looked like that man, that demonstrator on the photograph here? - A. Yes, I have a recollection of seeing the two males come out from a back-yard.
- Q. JUDGE COLES: Looking like that? - A. With blood coming from, presumably, cuts.
- Q. MR. TAYLOR: You were looking into the alleyway - did you see anything that happened in the alleyway? - A. No.
- Q. When you were in this area, how many pickets were close to the Police Officers? - A. I think most of them had been driven back towards the crossroads. There was only a few left in gardens.
- Q. There was a few left in gardens on the other side of the road - they were being dealt with by the short shield Officers, weren't they, in a violent way? - A. They would have been dealt with.
- Q. You have answered the first part of the question - they were being dealt with. They were being caught hold of, do you mean? - A. Yes.
- Q. And they were being treated in a violent way, weren't they? - A. I think that would be fair to say, yes.
- Q. With the use of batons? - A. Quite honestly, throughout the whole day I never saw a baton being used.

Q. How can you say that? Are you seriously saying that at the top of the hill you didn't see batons being used? - A. Yes.

Q. All you saw is the charge, people being caught hold of, treated violently, as you say, and then the aftermath, people like that gentleman in that photograph, with blood on his head, but always missing out the middle bit? - A. I can't recall ever seeing a baton used.

Q. JUDGE COLES: When you say they were being dealt with, and indeed being dealt with in a violent way, are you saying you saw violence used, or are you saying you saw the effects of violence, which must have been used? - A. I saw the effects. There obviously was violence - the manner in which some of the pickets were pushed to the ground with the use of shields would be considered violent.

Q. MR. TAYLOR: When the charges were made, is this what you are saying, that if people didn't run they would be knocked over by shields? - A. Some were, yes.

Q. JUDGE COLES: Let us be careful what we are saying here. Are you agreeing that all you had to do to be knocked down with a shield was to fail to run? - A. Not fail to run. I was saying what they did if somebody had been part of the crowd that had been throwing stones and had remained static - he would be dealt with.

Q. MR. TAYLOR: Officer, I am not really interested, not asking you at this stage about what people had been doing. All I am asking you to say is when you were in that situation did you see, and you have agreed, did you see the Police Officers using violence, and you said yes, that is fair to say. In what respect now

MR. WALSH: With great respect, that is one thing he didn't say. My learned friend's question was not, "Did you see ...", my learned friend's question was, "Were people being dealt with in a violent way?", to which the Officer said, "It would be fair to say that". Your Honour asked a question as to whether he saw it, and he said no.

JUDGE COLES: What he said was, "I saw the effects of the violence, and the manner in which some pickets were pushed to the ground with shields would be considered violent".

MR. WALSH: That is right. The way my learned friend put the question was not right.

JUDGE COLES: That may be so, but he went on to say some who didn't run were dealt with and he said if they had been part of the crowd throwing stones and failed to run with the rest they would be dealt with in, presumably he means, a possibly violent way.

Q

MR. TAYLOR: Yes, you are not saying, are you, of the people you saw being pushed over by shields, each one of those you saw throwing a stone? - A. I am not saying that.

Q. You couldn't possibly? - A. No.

Q. What did you actually see? "And when we come to the top of the hill ..." - if you don't agree say so - "... when we come to the top of the hill there are some people who are not driven back by the horses, who remained there, who were then hit over by Officers with shields", right? - A. Yes.

Q. JUDGE COLES: People standing there? - A. People who were stood yes, your Honour.

Q. MR. TAYLOR: Were those people standing on the road, across the road, in the fields, or where? - A. Across the verge and the roadway.

Q. You see Photographs 8 and 9 - it shows the grass verge coming up to the brow and shows the grass verge just over the brow. The horses are driven on, there were people around that area, and the short shield carriers followed into whoever was straggling - you said whoever was left, they would be dealt with? - A. I did see a couple of people knocked to the ground by shields, yes.

Q. JUDGE COLES: That is on the grass verge or roadway? - A. Grass verge and the roadway, your Honour.

Q. I am sorry to keep interrupting - does that mean a couple on the grass verge and a couple on the roadway, or one on the grass verge, one on the roadway, or what? - A. Sorry, your Honour. When I say a couple I mean possibly more, three or four, and whether they were on the grass verge or the roadway, I can't recollect the numbers, but I did say on the grass verge and the roadway.

Q. MR. TAYLOR: In relation to those people who were knocked over by shields, you saw a couple coming out of the alleyway with blood on them, like the gentleman I have just showed you in the photograph? - A. The alleyway between two houses. I remember an older chap, a picket I presume, wearing badges, came out, and he had a head cut.

Q. JUDGE COLES: You said two people - A. There was another younger fellow being brought down by a short shield team, but he didn't come out of the alleyway.

Q. You only saw one coming out of the alleyway then? - A. Yes.

Q. MR. TAYLOR: Any more people with injuries like I have showed you on that photograph? - A. On a couple of the charges there were people brought through the lines with head injuries, yes.

- Q. Look at Exhibit 21 please, Photographs 3, 4 and 5. Now, when you say that you saw people being brought back through the cordons with head injuries, you see Photograph 5, you see the Police Officers standing there in ordinary uniform? - A. Yes.
- Q. Is that where the position of the cordon was? - A. No, that is before the bridge on the coking plant side.
- Q. That's right - in your bundle number 9 would you look at Photograph 3? I want you to do a little bit of cross-referencing - Photograph 3, bundle 9, and Photograph 5? - A. Yes.
- Q. Let me point out something to you on No. 3 - you see that chimney? - A. Yes.
- Q. On top of the brick building on Photograph 5, in the other one, can you see the brick building - it is nearly obscured by the Police Officer's arm - you can just see that chimney? - A. Yes.
- Q. And that brick building? - A. Yes.
- Q. You see on Photograph 5 where the cordon is? - A. Yes.
- Q. There are a number of Police Officers there - you can see them in ordinary uniform. Is that the position, looking at Photograph 3, where the cordon was, below the bridge? - A. There were a number of cordons behind the long shields, a number of groups, as I remember.
- Q. Did people who were brought back have to come through each cordon? - A. They would have had to have done.
- Q. So there was more than one cordon below the bridge. Now what part did you play in the action going on at the top of the brow of the hill? When you arrived there what did you do? - A. Not a lot, just ran up the hill, went into the yard to try and arrest some offenders who were throwing stones, but they ran off behind the building.
- Q. So this is the occasion when you are going up on the right - you go to those buildings by the alleyway, then veer off and go across into the yard? - A. No, I can't remember which way round it was. It may well have been two separate occasions.
- Q. So then you retreated after your action, back down the hill to halfway? - A. Yes.
- Q. Do you recall the horses coming back? - A. Vaguely.
- Q. Do you recall a cordon or any horses remaining at the top of the hill while you retreated? - A. No.

JUDGE COLES: This is after the third charge?

MR. TAYLOR: Yes:

Q. And when you retreated to the bottom of the hill, did you then see any more prisoners coming back? - A. Not once we were behind the long shields.

Q. Is it after this you go to the junction for the first time? - A. Yes.

MR. TAYLOR: Your Honour, if I am moving on to that, would this be a suitable time to have a short break?

JUDGE COLES: Yes, I suppose it would be.

(Short Adjournment)

MR. TAYLOR: Your Honour, may I recoup with the evidence the Officer just gave:

Q. Will you look at Photograph 9 in bundle 9? You said, I think, that the horses went up ahead of you, you went as far as the "City Centre" sign, and then you retreated back to the long shields, is that right? - A. The shield units went between the sign and I think some actually made it to the junction.

Q. On this first ... the horses as well? - A. Yes.

Q. If some of the short shields made it to the junction, did the horses also make it to the junction? - A. They would have done.

Q. In what sort of formation were they? - A. Abreast going along the road.

Q. What sort of speed? - A. They were walking.

Q. Trotting? - A. Yes.

Q. Quickly? - A. Yes.

Q. Batons out? - A. I can't remember if they had their batons drawn. I think they may well have done.

Q. Using them? - A. I didn't see them use them.

Q. Didn't see any mounted Officer attempt to strike a demonstrator? - A. No.

Q. So they are moving lined abreast across the road in an orderly fashion, is that what you, are saying? - A. As orderly as possible I suppose.

Q. Were they in an orderly fashion or not? - A. Yes.

Q. How far did they get in relation to that junction? - A. It was either this charge or the next charge, the horses

split up and one side went up the road and the other went up the junction a short way.

- Q. JUDGE COLES: You say that was this charge or the next? - A. Either this charge or the next, your Honour.
- Q. I must make a note - what is the name of the road to the right? - A. Orgreave Road.

MR. WALSH: Orgreave Lane, your Honour - the continuation is called Rotherham Road.

- Q. MR. TAYLOR: Mr. Davis, when you gave that answer you pointed on Photograph 9 - and not everybody may have seen it - you said either on this charge or the next charge the horses split, some went straight up - that is up Rotherham Road? - A. Yes.
- Q. And some went up the junction, and you indicated they turned right? - A. To the right, yes.
- Q. If you turn over to page 10, Photograph 10, you can see a photograph of that junction, taken from the other direction? - A. Yes.
- Q. And you see it would be on your left. Now there is the junction they turned into? - A. Yes.
- Q. Now, did they do that once, that is to say, split up on one occasion, or on both occasions? - A. As far as I can remember I think they split up just the once.
- Q. Do try and think whether it was the first time the horses reached the junction, or the second - can you say? - A. I can't really say.
- Q. Let's take it in stages then - looking at Photograph 9 again, you only got as far as about the sign which says "City Centre"? - A. Yes.
- Q. But some of the horses reached the junction and you say there were only about ten horses? - A. Yes.
- Q. On the first time? - A. There may be more, I don't know.
- Q. Try to help - is it that action with horses splitting up or with the orderly dispersion you have described? - A. It could be either.
- Q. Are you saying the second time the horses went up they were also orderly, abreast across the road? - A. I think they were.
- Q. The first one you are running behind the horses, you reach the sign, the horses went on in a line abreast across the road, and they reached the junction. What did they do then? - A. I don't know.

- Q. What did you do then? - A. I stopped.
- Q. And then? - A. Stood around.
- Q. Doing what? - A. Protecting myself from stones being thrown from my left.
- Q. Within the trees? - A. Yes, I think there is a yard there.
- Q. How long did you stand there protecting yourself? - A. I can't say.
- Q. Five minutes? - A. No, it wasn't that long.
- Q. What did you do then? - A. I think I walked back towards the bridge. I didn't go that far.
- Q. When you walked back towards the bridge were you facing the bridge? - A. Walking back - backing up.
- Q. Walking backwards? - A. Yes.
- Q. With others? - A. There would have been.
- Q. How many? - A. I can't say.
- Q. Try? - A. I really can't say.
- Q. Really trying? - A. I really can't say because there were Officers all over the place.
- Q. Not the exact numbers, just an idea - half a dozen, a dozen, 20 or what? - A. More than 20 I would say.
- Q. All retreating? - A. Some were standing, some walking back.
- Q. Who was your Commanding Officer? - A. Inspector Bennett.
- Q. Was he there? - A. I don't recall that.
- Q. Who was in charge of you? - A. Effectively nobody.
- Q. Does that apply from the time you reached the brow of the hill to the time you went off duty - what your exact orders were and who gave them and so on, you would not be able to say, would you? - A. I would not.
- Q. JUDGE COLES: That really applies throughout? - A. It does, your Honour.
- Q. MR. TAYLOR: Why were you there at the top of this hill in this village? What were you doing? - A. Trying to disperse the crowd.
- Q. And your fellow Officers, were they doing the same as far as you could see? - A. As far as I could see.

- Q. But not under particular direction or instruction? - A. I think we were told at the beginning of the charges not to take prisoners, to disperse the crowd.
- Q. Not to take prisoners? - A. Not to take prisoners. I seem to remember that - don't take prisoners, disperse the crowd.
- Q. Who gave that order? - A. I don't know who gave it.
- Q. Was it an order just passed along the line to you from somebody else? - A. I think it was.
- Q. Is that the way it is normally done? - A. It shouldn't be, no.
- Q. Did anything you did that day above the bridge accord with any of the training you have had? - A. I have had no training with short shields.
- Q. None at all? - A. None at all.
- Q. Why did you get one then? - A. Because they are a lot easier to run with than the long shields.
- Q. JUDGE COLES: You have had training with long shields? - A. I have, your Honour. I have also had cause to use them as well.
- Q. Did you see other Officers who had not had training using short shields? - A. There were a number.
- Q. How do you know they had not had training? - A. Because the training for short shields is very spasmodic. Most of the training we do is with long shields.
- Q. MR. TAYLOR: Look at Photograph 9 again. I want you to picture this in your mind's eye. You are in the roadway by the sign, retreating backwards with your shield, looking ahead of you. In front of you, there is a line of horses abreast across the road, and they have just reached the crossroads. Can you recall that picture? - A. Yes.
- Q. As you were retreating backwards - what were the horses doing? - A. They were remaining in that area of the junction.
- Q. In a line? - A. No, they were not in a line.
- Q. What were they doing, turning round? - A. They were just static, as far as I can remember.
- Q. Static in a line? - A. No, one horse there, one here, not in a specific line.
- Q. Just across the road, all standing still? - A. As far as I recall, yes.

- Q. Any sort of formation? - A. No particular formation.
- Q. Where were the nearest demonstrators to those horses? - A. They were in front of them.
- Q. How far? - A. From the distance I was I could not say.
- Q. The other side of the junction? - A. Oh yes, the other side of the junction - there were some coaches parked up there, they were near the coaches.
- Q. So they had gone over the other side of the junction into Rotherham Road? - A. Yes.
- Q. And there were some coaches there and the horses remained on this side of the junction, that is to say the Orgreave Works side of the junction? - A. No, the Rotherham Road side.
- Q. The horses were Rotherham Road side, just standing around? - A. Yes.
- Q. All of them, all the horses? - A. As far as I could see.
- Q. Then what did they do? - A. I am not really sure what they did. I remember them coming back.
- Q. When you retreated did you go back to the long shield cordon? - A. I think there were long shields there.
- Q. Where? - A. Back by the bungalow again.
- Q. They had come up the hill? - A. I think so.
- Q. Long shields up the hill, to the top of the hill on Photograph 8? - A. Yes.
- Q. You went behind them, is that right? - A. Yes.
- Q. And did the cordon open up to allow the horses back through? - A. Yes.
- Q. Where did the horses go? - A. I think they went part of the way back down the hill again.
- Q. Back down to the bridge? - A. Yes.
- Q. You did one more charge after that? - A. Yes.
- Q. Back up to the crossroads. Were horses used this time?

JUDGE COLES: We reached the stage where he was not sure whether he was talking about the third or fourth charge. I think we have stayed on that. Are we moving on to a fifth or fourth?

MR. TAYLOR: Your Honour, I think it is perhaps the fifth. It is the point we had reached - I don't think it

is all that important - the point we reached before the break was coming up to the first horse charge, so that we have dealt with that. Now what we are coming on to is the last, probably the fifth, or the second horse charge:

Q. When you were in that position at the top of the hill, did the horses go up the hill again? - A. Yes.

Q. A lot? - A. I think there were.

Q. About 40? - A. I didn't know there were that many.

Q. It seemed like a lot? - A. Yes.

Q. Just before the horses came up the hill could you see over into the village? Could you see over the long shields into the village? If you can't, say so. - A. I don't think ... no, I can't have had a good view.

Q. When the horses came through, just before the horses coming through, can you recall breaking, that is the cordon breaking, to allow the horses through? - A. We would have broken to allow them through.

Q. Once the horses had gone through who followed them? - A. It would be short shields.

Q. Were you in the front of those short shields again? - A. I don't think I was in the front of them.

Q. Where were you? - A. Towards the end.

Q. When those horses - going back to Photograph 9, taken from the brow of the hill, looking the way it was going when you were following those horses, what sort of formation were they in, if any? - A. En masse, nine abreast across the road.

Q. Nine abreast? - A. No, a line abreast.

Q. Were there enough horses to fill all that width? - A. I think there were, yes. I think the roadway was blocked by them.

Q. So they went on in a pushing action, like a snow-plough gets snow out of the way? - A. Yes.

Q. One line, or more than one line? - A. I think there was more than one line went through.

Q. What happened to the pickets? - A. Obviously ran.

Q. Did you follow? - A. I did.

Q. And did they maintain that straight line all the way up to the junction? - A. I can't remember if they did or not.

- Q. As you got to the junction what was the scene there? - A. When we got to the junction I remember there was a large crowd ahead of us in Rotherham Road and there was a crowd in the road to the right, and there were horses there. I seem to remember an ambulance as well.
- Q. On the second charge, second horse charge? - A. I think it was the second one.
- Q. On that second horse charge I want to ask this: when you see an ambulance there - have a look at Photograph 10 - can you recall the horses reaching the junction and getting themselves into any particular formation? There is a reason why I am asking this, and if you can just look at that photograph and answer that? - A. I can't remember any particular formation.
- Q. No particular formation? - A. I can't remember any.
- Q. Where were they, these horses, when they reached the junction? Is this when they split? - A. All I can remember is horses in the junction. They may have split, I can't remember.
- Q. JUDGE COLES: Don't remember any particular formation? - A. No.
- Q. MR. TAYLOR: Mr. Davis, these two charges by the mounted Police were nothing like you have described them, were they, in orderly fashion across the road? - A. To the best I recall, yes.
- Q. How good is your recollection? - A. On the horses, all I can envisage with the horses is them going up line abreast.
- Q. Are you remembering that or just imagining it? - A. No, remembering it.
- Q. It was chaotic wasn't it - horses running everywhere? - A. Yes, but going up in formation.
- Q. Look at Photograph 10. You see that industrial area with the extension of the grass verge, those little trees, the road sign in the distance, and then it opens out wider, with cars and vans parked? - A. Yes.
- Q. Horses were all over that area, weren't they? - A. I can't recall if they were. I don't recall seeing any on there.
- Q. And the mounted Officers all had their batons drawn? - A. They may well have done.
- Q. And using them? - A. I didn't see them using them.
- Q. Look at Exhibit 22, which you will find on the table by you - a single photograph. - A. Yes.

Q. I don't know if the Jury have copies of this. We will have to get some copies.

JUDGE COLES: The photographs are getting a little out of hand. Loose ones are very easily misplaced - that was one of the reasons I was so anxious to have them added carefully.

MR. TAYLOR: Perhaps the Jury can see the Officer's copy - it is "Rock on Tommy", your Honour.

JUDGE COLES: I don't think we have had copies of this.

MR. TAYLOR: It is called "Rock on Tommy" because you can see the icecream van there with the name on:

Q. Does that scene come back to your mind? - A. No.

Q. You didn't see anything like that? - A. I didn't.

Q. You say you were there on these two runs up to the village? - A. Yes.

Q. Did you get as far as the junction with the second one? - A. Yes.

Q. Have a look at Exhibit 18, which you will find there. Is that a scene you recall? - A. Yes.

Q. Look into the distance, into Rotherham Road. What do you see there? - A. Horses.

Q. How many - try to count them. - A. In excess of 15 I would say.

Q. What are they doing? - A. Charging further down Rotherham Road.

Q. There was no orderly pattern to this horse charge at all was there? - A. To my recollection there was.

Q. How does your recollection fit in with those two photographs I have just shown you? - A. They are not orderly there, no.

MR. TAYLOR: Your Honour, copies will be made.

JUDGE COLES: Exhibits 18 and 22, I think copies should be made of those.

MR. WALSH: My recollection is they were shown to a Witness, but we have never had any copies.

JUDGE COLES: Has someone on the Defence side undertaken to procure copies of those? Yes, very well. The Jury are now looking at both exhibits.

- Q. MR. TAYLOR: One final thing, Officer - if you look at Exhibit 17, the last but one photograph shows a number of Officers on the bridge, an assortment of short shield Officers? - A. Yes.
- Q. Can you recognise any of those? Take your time. - A. One looks like Inspector Bennett.
- Q. Which one is that? - A. This Officer here, second from the left, your Honour.
- Q. Would you point again to the Officer in the photograph you are looking at? There are three Policemen on the left-hand side of the photograph, one on the pavement carrying a shield just like a Merseyside shield, isn't it? - A. We had that one as well.
- Q. And then on the other side, near the middle of the photograph, there is a Sergeant with his face towards the camera, and he is walked back down the bridge? - A. Yes.
- Q. Do you recognise him? - A. He isn't a Merseyside Sergeant.
- Q. In between those two Officers there is one with a shield like that?

JUDGE COLES: You are pointing at the transparent, oblong one.

- Q. MR. TAYLOR: He is facing uphill and that is Inspector Bennett? - A. It looks like Inspector Bennett.
- Q. The one nearest to the camera by the coping stone, who is he? He has a Merseyside shield. - A. I don't recognise him.

JUDGE COLES: Do you mean literally nearest the camera?

MR. TAYLOR: Yes.

JUDGE COLES: By Merseyside shield, you mean one with the black edging?

MR. TAYLOR: Yes:

- Q. But you don't recognise him? - A. No.
- Q. Do you recognise anyone else there? - A. No.

JUDGE COLES: May I see those two exhibits please, 18 and 22? (Produced)

MRS. BAIRD: Your Honour, although I am out of order I wonder if I may ask one or two questions?

JUDGE COLES: Yes.

Cross-Examined by MRS. BAIRD:

- Q. Mr. Davis, I am concerned with the time when you went into the yard of the industrial premises. If you would like to look again at Exhibit 9, Photograph 11, you pointed to that area of the wall as being where you think you went into the yard? - A. No, that was on the other photograph - that sign on the side, that is where I went in. Looking at this one, it is further up by here.
- Q. Where on that photograph, please, do you say you went into the yard? - A. Over there. There is a wire fence.
- Q. JUDGE COLES: The place that now shows what appears to be a decorative concrete fence, blocks with patterns, wasn't there then, you say. You say there was a wire fence? - A. The wire fence was further up here.
- Q. Do you remember the concrete wall being there? - A. No.
- Q. So you would say you were going in somewhere near the car parked? - A. Yes.
- Q. Between the uprights of the road sign? - A. That is correct, your Honour.
- Q. MRS. BAIRD: Can I compare that with what you said on Friday in answer to Mr. Mansfield in cross-examination, to confirm whether my impression is right or wrong? If you could take hold of Exhibit 30, Photograph 8, the one you looked at with Mr. Mansfield on Friday, you were asked by him then whether you had been on the grass in that sort of area, and you said this: "Yes, I ran over it and went into a yard later on with other Officers"? - A. That is correct, that is further up.
- Q. So you ran across that piece of grass and went into the yard - is that the occasion you have told us about? - A. Over a wire fence, yes.
- Q. I want to be clear about this: you see in the background of that photograph there is a wire fence? - A. Yes.
- Q. That is Photograph 8 of Exhibit 30, and I think we have heard from a Witness that in places that was broken. I am wondering whether you have made a mistake and in fact you have run into those yards through that wire fence, rather than further up the road? - A. No, it was further up the road.
- Q. When you told Mr. Mansfield you had been on the grass there, you were really just saying that was later on and it was in the course of the charge which ended up with you in the industrial area? - A. If I ever went on the grass that was further up.

t you said was, "I was on the grass, I ran over it and
t into the yard later on with other Officers"? - A.
t is right, but not this grass.

didn't go on that grass verge at all, there? - A. No.

went on the grass further on, where you have shown us
the other photograph? - A. That is correct.

ing run into that industrial area, can you remember how
you went? You told us you were chasing some people
had been stone-throwing? - A. Yes. There is a
warehouse that was in front of me, and some of the pickets
round the left-hand side of the yard, round the back
the building, and I went as far as the front of the
lding.

ing a look at Photograph 11 again on Exhibit 9, do you
ink that building which is immediately behind the left
right of the road sign, do you think that building is
e one you are calling a warehouse? - A. No, I don't
ink it was that building.

you think it was something further back than that? - A.
rther back here there is a yard and there is an oil tank
the yard.

you look at the aerial photograph see if that will
lp. The easiest way to track down roughly where you are
to pinpoint the railway bridge and move to your right -
e building you have just said is not your warehouse is a
ng building, the first long building after the bridge. -
That is not the one.

at is not the one. What about the one further away from
e bridge? - A. The one there, yes.

an you point again? - A. The next large building.

ie bigger building further up? - A. Yes.

JUDGE COLES: I think that is Eastern Counties,
sn't it?

MRS. BAIRD: I think that is right:

o what happened to you was that you ran roughly to the
ront of that building, the pickets a good deal away from
ou, running round the back? - A. Running round the back
owards the road.

nd you gave up at that stage because they were too far
head? - A. Yes.

nd having gone up did you just go straight back out onto
he road? - A. Back over the wire fence, yes.

You have told us that various other Officers, you thought five or six, went in there with you? - A. About five or six.

Can you say anything about when they came out - before you, after you, or what? - A. I think a number came out after me.

Do you know any of them? - A. I don't.

Is that to say that you saw men but didn't know their names, or you really just can't remember whether they were any of your colleagues or not? - A. I saw men but I can't remember their names.

Prior to you running into that industrial section do you recall any other Officers running in there? - A. No.

So you think your expedition in there was the first? - A. Yes.

The other Officers who went in with you, some of whom came out later, did they all go in roughly where you, went in or nearer the bridge or what? - A. Roughly where I was.

I am particularly concerned with an Officer who may have gone in and run up first, the side of the first building.
- A. Yes.

. Not Eastern Counties, in fact, it is the undertakers shown in Photograph 11, the one you specifically said isn't your warehouse. Can you recall seeing an Officer run to the left of there, as you, went in? - A. I recall some Officers running in, yes.

Q. In that region, considering the area to the left of the undertakers, can you tell us how many Officers went in there? - A. Only a handful, five or six again.

Q. Did you whereabouts they went? - A. No.

Q. Can you say whether they ran right through to the fence behind? - A. I can't say.

Q. You lost sight of them? - A. Yes.

Q. Some of those were Liverpool Officers, weren't they? - A. There will have been some Liverpool Officers there.

Q. But you can't tell us who they were? - A. I can't tell you the names.

Q. As they were going in were they in a tight group of Officers or spread out? - A. Spread out.

Q. Individual Officers going to different parts of that yard?
- A. Yes.

- Q. When you came out of what we now know is Eastern Counties, where you had been, some of the Officers who had gone into the area had come out already, some came out behind you. Did any of the Officers who came out in front of you have a picket with them? Had anyone arrested anyone? - A. I can't recall seeing that.
- Q. Are you able to say it didn't happen, or there may have been? - A. I am not able to say categorically it didn't happen, no.
- Q. Of those Officers who ran to the left-hand side of the undertakers, did some of them not have shields? - A. I can't say, I don't remember.
- Q. So it may be is your answer? - A. Maybe, yes.

Re-examined by MR. WALSH:

- Q. On the occasions when you were doing these various charges, what were the general conditions like, facing you? - A. Very frightening indeed.
- Q. What was happening to cause you that fright? - A. We were having stones, parts of masonry, metal bolts and in my case bottles, thrown at us.
- Q. In those conditions, do you keep looking to your left and right in order to identify the face of any particular Officer who may happen to be with you? - A. You do not.
- Q. You have been asked a lot of questions about whether "x" was with you, or "y" was with you. Would you be paying any attention to the name or face of anybody with you? - A. I wouldn't.
- Q. On what would you be concentrating? - A. I would be concentrating ahead of me to make sure any missiles that were thrown at me landed on my shield.
- Q. On these occasions, and I am going to use the same numbers, if you like, as Counsel and his Honour have used, the moves up from the bridge, let's forget about your first charge which was below the bridge, do you follow? - A. Yes.
- Q. On each occasion when you and your colleagues charged forward did you do that just of your own volition, or because someone gave an order? - A. Somebody will have given the order. On one occasion I did it of my own accord.
- Q. Apart from that, somebody gave an order? - A. Yes, and we moved en masse.

MRS. RUSSELL: What the Officer said was somebody will have given an order, which is slightly different.

- Q. MR. WALSH: I would like you to think about it. Why do you say on each occasion, apart from the one where you were caught on your own, somebody will have given an order? - A. Because we would not move forward unless an order was given.
- Q. We are now remembering one day a year later, can you remember who it was who gave the order? - A. No.
- Q. Or what the order was? - A. No.
- Q. You have explained how the charge went forward. Let's take the first charge from the bridge up the hill. I think you have told us you stopped somewhere in the region of that bungalow near the brow of the hill? - A. That is correct.
- Q. How did it come about that you and your colleagues stopped? - A. I don't know. They had already stopped when I got back up to them.
- Q. You were behind them, so you caught up with them by which they they were stopped? - A. Yes.
- Q. And I think you told us the next move was backwards down the hill towards and to the cordon at the bottom, where the long shields were? - A. That is correct.
- Q. And that you walked back and backwards, if you follow me - I think that is what you told us? - A. That is correct.
- Q. How did it come about from that stationary position you walked back and backwards down to the cordon? - A. We were told to withdraw to behind the cordon.
- Q. Can you remember who it was who told you? - A. I can't remember who told us.
- Q. When you did that were you obeying an order from somebody? - A. Yes.
- Q. What was the situation facing you just before that withdrawal back to the cordon? - A. The pickets had stopped running and were coming back towards us and beginning to throw missiles again at our line.
- Q. I hope I need not take it at great length, but this is the second charge and back. Apart from the occasion when you found yourself stranded on your own, on all the other occasions when you, either moved forward or backwards, was that just because you felt like it, or because someone gave an order? - A. Because somebody gave an order.
- Q. And in relation to the remainder of those occasions, can you, remember who the person was who was in charge at that time? - A. I can't.

- Q. You have said that, when asked whether your Inspector, Mr. Bennett, was there, you used the words, "I can't recall" - do you follow? - A. Yes.
- Q. I would like to establish this: are you saying he was not there, or that if he was it is just that you didn't see him? - A. He could well have been stood next to me, I wouldn't have noticed.
- Q. Likewise when, for example, you are in a cordon and the horses come up and one Counsel has put to you, well obviously the line must have been broken to allow the horses to come through - you follow? - A. Yes.
- Q. Was that done just because you all felt like it, or because somebody gave an order you should do so? - A. An order will have been given.
- Q. If you could help us please, on the occasion when you moved forward following the horses, there were two of those? - A. Yes.
- Q. What were the circumstances like facing you, immediately before the horses went through? - A. I can clearly remember bricks being thrown and hitting the horses.
- Q. Could you see what, if anything, it was that made it necessary, for example, for the horses to go through ahead of you? - A. Because the pickets were throwing stones and causing injury.

MR. WALSH: Can I pause there, your Honour?

JUDGE COLES: Certainly - quarter-past-2.

(Luncheon Adjournment)

- Q. MR. WALSH: Officer, you told us that apart from the one occasion when you got stuck on your own, you had gone forward and backwards in response to orders? - A. That is correct.
- Q. And you have told us, so far as Inspector Bennett is concerned, he may well have been next to you without you seeing him at all? - A. That is correct.
- Q. You said, you agreed to this proposition from one of my learned friends this morning, that effectively no-one was in charge. Now, what do you mean by that? - A. There was no chain-of-command, no discernible chain-of-command.
- Q. From whom? - A. From the senior Officer, whoever he was, in charge, down to the Constables, the normal chain-of-command is senior Officer to the Inspector of the group, and the Inspector to the Sergeant of the section.

Q. So when the order was given to charge or retreat, you have told us you don't know who gave that order? - A. That is correct.

Q. Does one gather from what you say that because you are familiar with Inspector Bennett's face, you are assuming it was not him, or what? - A. I am saying I don't know who gave the order.

Q. So may it have been Inspector Bennett? - A. It may well have been.

Q. Let's assume for the moment that it was, for argument's sake.

JUDGE COLES: Which order are we talking about?

MR. WALSH: The order to charge or retreat:

Q. If it was Inspector Bennett, do you know whether he received orders from anybody else? - A. I would imagine he will have done, yes.

Q. How does that differ from there being a chain-of-command? - A. When I say there was no discernible, you could not say the Superintendent definitely told the Inspector who definitely passed it on to the Sergeant.

Q. You didn't see that? - A. I didn't.

Q. Are you aware whether it did or didn't happen? - A. I am not aware.

Q. JUDGE COLES: Would you expect to be aware of it? - A. In a situation like that, no, your Honour.

Q. MR. WALSH: Whether or not there was a chain-of-command, you just don't know? - A. I don't.

Q. Can you help us with one or two questions about photographs. You were asked to look at our Exhibit 17, No. 4, which shows some Officers on the bridge? - A. Yes.

Q. Now, you said that so far as the man next to the Sergeant is concerned, the Sergeant was walking one way, let's call it back to the coke works, and the man next to him was walking up - you think that might be Mr. Bennett? - A. It does look like him.

Q. Is it the face or anything else you think you recognise? - A. It is the face, his build and stature.

Q. But so far as the man on the right is concerned, the extreme right, you can't recollect him? - A. No.

Q. Do you say he is Merseyside? - A. He is, yes.

- Q. And what about, for example, you told us the Sergeant was not Merseyside? - A. No.
- Q. What is it that makes you say that? - A. The helmet, face forward - the Inspector and this other Officer are Merseyside - the helmets are different - the visors are a different shape. They have a chequered band round the rear of the helmet. The Sergeant's visor is different.
- Q. His visor looks to be up, as we see it? - A. Yes. He also has different stripes to what the Sergeants on Merseyside have.
- Q. It may turn out to be of some value later, but what is the difference? - A. Merseyside Police have a thicker white stripe.
- Q. Looking at that photo, it would appear from what you have said that there is a mixture of Officers on that photograph, some who are from Merseyside and some who obviously are not? - A. That is correct.
- Q. And so whenever we see, for example, an Officer with a silver looking band across the top of the visor, he is not Merseyside? - A. He is not.
- Q. Where we can see where the silver band might have been, where we see Police in black or blue on a white background at the front, and/or a chequered band at the back, that is Merseyside? - A. That is correct, and the visor is also different.

JUDGE COLES: Don't you mean white on a blue background?

MR. WALSH: No, your Honour:

- Q. The word "Police" is a white background on the helmet with blue writing on the white? - A. That is correct.
- Q. Likewise, it might help us, there seem to be three different shields visible here, one is the one with the black edging you have got, one is the one that the man who may be Inspector Bennett is holding, which is like that. Do I gather from you Merseyside had shields of both these types? - A. Yes.
- Q. There is, if we look at the photograph and concentrate on the Sergeant who is walking back, but looking towards us, and the man further down the road to whom he is walking, each of them has a round shield, and one of them from the front you can see has the word "Police" written on that shield. Do Merseyside have any of those shields? - A. We didn't.
- Q. So that is another identifying feature to show they are not Merseyside men? - A. That is correct.

- Q. I don't suppose you know what Force they belonged to? - A. The clear one is West Midlands, they use those. The solid black one is South Yorkshire. Round clear plastic, with the word "Police", West Midlands use those. South Yorkshire Police use the solid black ones - they look like a dustbin lid.
- Q. Would you look at Exhibit 18? Do you remember looking at that, the one at the crossroads - there is a coach, horses, and in the foreground there is someone being attended to on the pavement. You have told us you actually went to the crossroads? - A. That is correct.
- Q. Did you actually see that which is shown on the photograph? - A. I did.
- Q. Can you remember at what stage that was, whether it is the first time you go to the crossroads, or the second? - A. I think it was the second time.
- Q. And when you got to the crossroads on that occasion, how far behind the horses were you? Had they stayed at an even distance ahead of you, gone on, or what? - A. They had gone on. They had got ahead of us.
- Q. Could you see what it was that had caused them to go ahead of you? - A. No.
- Q. What was ahead of them? - A. The pickets.
- Q. What were the pickets doing? - A. I could not see clearly, but I think they were running. I didn't see any missiles being thrown at that stage.
- Q. It might just help us, if that is a scene you actually saw, the one that is in the photograph, where do you think you were at the time when you saw that? - A. I think I was just off here. I know this Officer with his back to us.
- Q. Is he holding a long shield? - A. Yes.
- Q. And you say you were where? - A. Just over to the left.
- Q. If I were to ask you if you were, in relation to the Officer, if you know whether you were level with him, ahead or behind? - A. I would be slightly behind him.
- Q. If one were to draw a straight line across the road, you would be slightly behind? - A. Yes.
- Q. When you say that is an Officer you know, is that because you recognise him from the photograph, or because you, remember the incident and the Officer from the occasion when it happened? - A. I remember the incident, but I know that is Constable McCosh (sic) - I can tell from his

stature and the fact he has got a long shield, and I remember him being there with us.

- Q. Was Mr. McCosh a member of your PSU? - A. He was. He is a member of my section and still is.
- Q. And why was he up there with a long shield, as opposed to a short shield? - A. I don't know. I think we didn't have enough short shields to give to the whole van, so certain personnel had to use long shields. Quite honestly, your Honour, there is not such a thing as a short shield section, it is just people who get the short shields use them.
- Q. You said you didn't have enough short shields to go round? - A. That is right, so they used the long ones.
- Q. As you actually witnessed the incident that that photograph shows, in relation to Constable McCosh, what was it that happened? What did you see? - A. As I came up I saw this gentleman on the floor. There were a number of other pickets round him, as we were going up.
- Q. As you were coming up there was this man on the floor and a number of other pickets round him? - A. Yes.
- Q. When you first saw him, were there any Policemen round him? - A. Not when I first saw him, no.
- Q. Approximately where was the nearest Policeman to him when you first saw him? - A. About 15, 20 yards away.
- Q. In which direction? - A. Ahead of us.
- Q. 15 to 20 yards from that man on the ground, but in which direction was he 15 or 20 yards away from the man - to the side, in front? - A. It would be behind the man, down the road.
- Q. The nearest Policeman was 15 yards or so away towards the bridge? - A. Yes.
- Q. Was the man on the ground when you saw him? - A. He was.
- Q. And you say there were a number of pickets? - A. Yes.
- Q. Tell us what happened as you went up and kept your eye on it? - A. I think the remainder of the pickets ran round the corner, leaving these two, Constable McCosh and another Officer.
- Q. JUDGE COLES: As the Police approached, you mean? - A. Yes.
- Q. Leaving the two you can see in the photograph? - A. Yes. Constable McCosh and this other Officer were the only ones I saw who went over to them.

- Q. MR. WALSH: What did they do? - A. I don't know what happened then.
- Q. Do you know who the other Officer is who is not Constable McCosh? - A. I don't know him. He doesn't work with me.
- Q. You were moving along on the left-hand side of the road, you have told us. What was the next thing you did? - A. I went round the corner, which is where I saw the other crowd.
- Q. You turned right into Orgreave Lane. Why was that? - A. There were other Officers going round there so I just followed them.
- Q. You said a lot of Officers? - A. Other Officers.
- Q. What did you do? - A. We stopped in Orgreave Lane. We had a look at the pickets dispersing up Orgreave Lane. There was nobody throwing stones at that time and we walked back.
- Q. When you came back did you notice what, if anything, had happened to Constable McCosh and the man on the ground? - A. I don't know what happened to them.
- Q. Were they still there or not? - A. No.
- Q. In relation to this incident, can you say when it was that you saw the ambulance you talked about a little earlier? - A. I think it was when I was walking back round. The ambulance had backed up - it came through here.
- Q. You think it was when you were walking back from having gone round into Orgreave Lane? - A. Yes.
- Q. When you saw the ambulance, was it moving or stationary? - A. It was stationary.
- Q. Did you pay any attention to what it was doing? - A. No.
- Q. Where did you then go? - A. Back down towards the coke works.
- Q. JUDGE COLES: And then past the bridge and on? - A. I think that is the time we did withdraw and go back to the bridge.
- Q. MR. WALSH: As a result of you saying you recognised Constable McCosh I have asked you a few questions, but I had asked you about you seeing that scene and the horses and you have told us where you were when that photograph was taken? - A. That is correct.
- Q. Were you able to see, for example, how far down - it is called Rotherham Road - the horses went? - A. I don't

think they went much further than is shown on the photograph actually.

- Q. Were you able to see whether they came into contact with the pickets? - A. I was not able to see that.
- Q. If you are right and the photograph shows approximately the furthest extent they went, what did they do having gone that distance? - A. They just remained there and then came back.
- Q. When you say they remained there and then came back, what sort of length of time are you talking about? - A. By the time I got back to the bridge, they had come back. They were just coming back to the bridge, because we made way for them.
- Q. That is a bit later, but after that photograph is taken you have turned right and then come back. When you came back did you notice where the horses were? - A. No.
- Q. Do you see on the photograph at the place where you turned right at the cross-roads, there appear to be, I can't remember how many, a number of horses at that side of the junction? - A. There are two there.
- Q. One of which is a white horse? - A. Yes.
- Q. Do you recall what they were doing at that point? - A. I don't.
- Q. Did they go up that road, turn right, or not? - A. I don't know if those two particular Officers did.
- Q. Did any horses go up? - A. Yes.
- Q. You saw that? - A. Yes.
- Q. How far did they get? - A. I couldn't say.
- Q. Can you give us any approximation? - A. I don't think they went up as far as these Officers have gone down Rotherham Road.
- Q. How close did they get to any of the pickets who were up the road on the right? - A. I don't think they got very close.
- Q. And so what did they do? - A. I think they just stood round the area for a while and then they returned as well.
- Q. You have described what happened as the charge went forward on more, or one or more of these occasions, and that you said a couple of people, then you said that really meant perhaps three or four or more, were knocked to the ground with shields? - A. That is correct.

- Q. Did you actually see that happening? - A. I did.
- Q. Tell us exactly what it was you saw? - A. As Officers ran forward pickets in front of them were pushed to the ground with the shields.
- Q. Are you talking about any one particular charge of the several that you have described? - A. Not any specific one.
- Q. What were these pickets doing, can you recall? - A. When I saw them, nothing.
- Q. When did you see them - at the moment they were being pushed, a long time before, or what? - A. At the moment they were being pushed.
- Q. Are you able to say what they had been doing just before that? - A. I am not.
- Q. When, to take an example, one of these charges started, that resulted in one or more pickets being knocked to the ground with a shield. At the moment the charge began how far ahead of the Police line were the nearest pickets? Can you tell us approximately? - A. About the width of this court-room.
- Q. So really from where you are standing to the far wall? - A. From this wall to that.

JUDGE COLES: That was when?

MR. WALSH: Your Honour, when the charge began.

JUDGE COLES: Which charge?

MR. WALSH: I said to him in relation to any charge:

- Q. Did it differ from charge to charge, or was it about the same on each occasion, or what? - A. It would be about the same.
- Q. When each charge began and you were there charging and you saw the pickets the width of the court away, what quantity of pickets did there appear to be, and no-one is going to ask you about precise numbers, a small amount, medium, large or what? - A. The actual stone throwing element was a minority. The whole road, from where we were, right back past the coaches, was choc-a-bloc with people.
- Q. You say the stone throwing was the minority. Could you actually see the stone throwers? - A. If you were at the front of the line, yes?
- Q. Were you at the front of the line? - A. On occasions I was.

Q. When the charge began, and you have told us how far apart the opposing factions were, what happened to this large number of people ahead as the charge started? - A. Some remained throwing at us, others dispersed into fields by the bungalow, through the gardens into the works which you have seen on the photograph to the left, or back up Highfields Lane itself.

Q. JUDGE COLES: Most people scattered did they? - A. I would say so, your Honour.

Q. MR. WALSH: So when you say some remained throwing, it was what sort of numbers are you talking about? - A. I am talking about ten at the most.

Q. When the Police lines had covered the width of the Court can you say what had happened to those who had stood throwing at you? Did you take any notice? - A. Not really.

Q. In relation to another incident you saw, where someone was there and was knocked down by a shield, are you able to say approximately how far the Police charge had gone by the time that happened? - A. Not really.

Q. Can you give us any idea at all? - A. Well, from where they would have been when we started the charge, back a number of yards.

JUDGE COLES: I don't follow what that hundred yards represents.

Q. MR. WALSH: Back a number of yards from where? - A. Towards the way we would have been retreating.

Q. If one imagines it in the sense of a front line of the Policemen at the back of the Court there, and the front line of the pickets being that wall there, on the occasion - just take a typical one - where you saw this sort of thing happen, about how far along on this charge had the Police line come when you saw someone in contact with the shield and go to the ground? - A. It would be just where they were standing when they started the charge.

Q. JUDGE COLES: You said a moment ago you didn't take notice of what happened to the stone throwers at that stage? - A. That is correct.

Q. But you say that is the stage at which people were going down? - A. Yes.

Q. MR. WALSH: Were you able to see whether any of those who went down were arrested? - A. I don't think I saw anybody taken away, walked away.

Q. When you presumably, were you, still running at the same time? - A. Yes.

- Q. Did you stop or run on? - A. Ran on.
- Q. And when you saw these incidents happen where were the majority of the pickets? - A. They had dispersed.
- Q. You were involved in these charges across the bridge, at a time before you, went to the room in the command post, or headquarters, and signed your signature on Mr. Pimblett's statement? - A. That is correct.
- Q. It is alleged against you that the statement that you have written, and the statement that you signed, are false from beginning to end - do you understand? - A. I understand.
- Q. And so I ask you this, I suggest, so it may be seen what it is alleged against you, first of all, did you take part in the arrest of a person that day? - A. I did.
- Q. Did you know at the time who that person was? - A. I did not.
- Q. Did you know at the time who the other Officer was who was involved with you? - A. I did.
- Q. And who was that Officer? - A. Constable Pimblett.
- Q. Were you involved in the arrest of any other person that day? - A. I was not.
- Q. When you went into the Police headquarters and signed this statement were you signing a pack of lies? - A. No.
- Q. Do you remember whose pen you used? - A. I don't.
- Q. You might like to look at the original, on which all the writing, including your signature, appear to be in a black ballpoint? - A. Yes.
- Q. Do you have any recollection of whose pen you used? - A. No.
- Q. And when you signed that statement, do you see there are some signatures already on it? - A. Yes.
- Q. I think the name Wyatt, if that is the right one, has been pointed out to you, and Mr. Pimblett's? - A. That is correct.
- Q. At the time you signed that statement were those signatures already on it? - A. Constable Pimblett's and Wyatt, yes.
- Q. Did you see either of those two gentlemen writing their signature? - A. I didn't see that, no.
- Q. When you signed that statement what were you witnessing? - A. The contents within the statement.

- Q. Did those contents appear to you to be true when you signed them? - A. They did appear to me to be true and I signed them.
- Q. When you made your statement a short while ago, in June of this year, it has been pointed out to you that your statement differs to some extent from that of Mr. Pimblett's - for example, Mr. Pimblett's says he cautioned him and you, for example, don't suggest that Mr. Pimblett cautioned him? - A. That is correct.
- Q. Did you read Mr. Pimblett's statement when it was sent to you a few weeks ago? - A. I did.
- Q. Did you consider it carefully before you wrote your own? - A. I did.
- Q. Were you just, as appears to be the suggestion, copying Pimblett's statement word by word? - A. Not all of it word for word, no.
- Q. Where your recollection differed from Pimblett's statement, what did you do? - A. I put in what I had seen, what I had done.

MR. WALSH: Pimblett's statement is already an exhibit, your Honour. I think it is probably proper this witness's statement should be likewise.

MR. MAGNIFIED: Your Honour, yes.

MR. WALSH: I have no more questions.

JUDGE COLES: So Mr. Davis's statement will be 34.

STEPHEN GARY HILL Called (Sworn)

Examined by MR. WALSH:

THE WITNESS: My name is Stephen Gary Hill, Police Constable 2421 of the South Yorkshire Police, presently stationed at Attercliffe, sir, in Sheffield.

- Q. MR. WALSH: On Monday 18th June of last year were you at the Orgreave Coking Plant premises, Highfield Lane? - A. I was.
- Q. Were you a member of a PSU? - A. I was sir, yes.
- Q. Obviously that would be a South Yorkshire PSU? - A. That is right.
- Q. And your Inspector? - A. Inspector Parrish.
- Q. What time did you get there? - A. We arrived there round about quarter-to-6.

- Q. In the morning? - A. Yes.
- Q. Did a time come when you were involved in an arrest? - A. Yes.
- Q. And when you had arrested that person did you, following that, write a statement? - A. Yes, sir.
- Q. And about when, shortly after the arrest, did you write your statement? - A. The man was arrested, he was booked in at the reception centre down at the plant, and it was approximately ten minutes after that.
- Q. Was any other Officer involved with you in the arrest of that man? - A. Yes.
- Q. Who was that? - A. P.C. Thomson.
- Q. And do you remember what Force he was from? - A. I think he was from Northumberland.
- Q. When you wrote your statement where was he? - A. Sat next to me.
- Q. And what did he do at the time when you were writing your statement? - A. He was writing his own statement.
- Q. At the time when you wrote your statement did you confer with Mr. Thomson? - A. I did.
- Q. And was the incident relating to the arrest fresh in your mind at the time? - A. Yes, sir.

MR. WALSH: Subject to anything your Honour says, the statements in this case seem to take the place of the Police Officer's notebook, and it may be, unless my learned friends have any objection, they could be used in the same way for the purposes of evidence?

JUDGE COLES: Any objections?

MR. O'CONNOR: I would submit that is undesirable. It is the first time it has been suggested. It is a very short incident, indeed I have no doubt the Officer has read his statement outside Court, and in my submission it unfairly devalues his evidence for him to have in front of him a statement which I have no doubt he will simply read.

JUDGE COLES: Anybody else?

MRS. BAIRD: I would be somewhat concerned, since we have heard from other Officers how the statements came to be made.

JUDGE COLES: Anybody else?

MR. WALSH: Your Honour, it seems to me, with respect, I have no strong feelings either way, it merely seems to me this is in no different a position in relation to the arrest than the thousands of occasions when Police Officers give evidence refreshing their memories from their notebooks.

JUDGE COLES: This is probably right. Equally, I think it would be open to defending counsel properly to comment about the value of the Officer's evidence if it is given in that way. I will not rule against you. It seems to me it is a contemporaneous document which could be used to refresh their memory, if they wish, but in making that rule I also accept if Counsel for the Defence wish to make a comment there is nothing improper in that.

MR. WALSH: Your Honour, no, it was merely a speedy way of doing things, but I will continue without:

- Q. Can you help me with this, Constable? At the time you, were involved in the arrest you are talking about, were you wearing any form of protective clothing or equipment?
- A. Yes, sir.
- Q. What was that? - A. Padded gloves, sir, and a cricket box.
- Q. What about a shield? - A. I had not got a shield, sir.
- Q. Or a helmet? When I say helmet, I mean one of these riot helmets, as opposed to your ordinary one? - A. No, just an ordinary Police helmet.
- Q. And what sort of duty or duties had you been doing from the time you got to Orgreave to the time of the arrest? - A. Well, we formed, we blocked off Highfields Lane, and formed a cordon across the road, blocked it off. That was from about 6 o'clock in the morning, then I had just been employed standing on that line keeping the road blocked off.
- Q. Had you done duty at Orgreave on a previous occasion? - A. Yes, several times.
- Q. So you are familiar with the place we are talking about? - A. Yes.
- Q. And you know the name top site? - A. That is right.
- Q. So you had been in the cordon top site of the main gate? - A. Yes.
- Q. Were you there at the time when the convoy of lorries came in, shortly after 8 o'clock? - A. I was.
- Q. About how long had you been there? Is it possible to give us a precise estimate? - A. Prior to the arrest?

- Q. No, prior to the convoy coming in? - A. I should think probably three hours.
- Q. And you had been in the cordon that length of time? - A. That is right.
- Q. JUDGE COLES: I think you said you had been there since 6 o'clock?
- MR. WALSH: Yes, 6 o'clock. I don't think he said he had been in the cordon:
- Q. Do you know in what rank of the cordon you were? - A. Either the first or second row.
- Q. And you are still in the cordon when the convoy left? - A. Yes.
- Q. Did you ever come out of the cordon before you were involved in the arrest? - A. We did advance up the field, yes.
- Q. That apart, did you ever stand down or have a break? - A. No, sir.
- Q. Briefly, at the time the cordon arrived what were conditions like? - A. As regards the pickets?
- Q. What was happening? - A. There were a number of missiles being thrown at us, sir.
- Q. We know this cordon extended across the road and along the field. - A. Yes.
- Q. Where were you? - A. I was, as the road goes up I was off to the left-hand side, approximately 15 to 20 yards off, inside, into the field.
- Q. You were actually in the field? - A. Yes.
- Q. At the time the convoy left what were conditions like? - A. Still the same. We were still being subjected to a large number of missiles being thrown at us.
- Q. You say a time came when you advanced? - A. Yes.
- Q. If this is a question you cannot really answer, say so, but if you can, are you able to give any estimate of how long it was after the convoy left that you advanced? - A. I really cannot remember.
- Q. Or what had been happening between the time when the convoy left and the time when you advanced? - A. Well, before we advanced, because we were being subjected to a barrage of missiles, the shield unit was called for and our lines did open to let the shield unit go through, to protect us from the missiles.

- Q. So the time came when you did advance? - A. That is right.
- Q. Do you remember who gave the order or how it happened? - A. I believe the order was given by Mr. Clements who was in charge of operations.
- Q. And so as you advanced you are in the field? - A. Yes.
- Q. We know that there is a pavement on the road as you go up, on the left-hand side of the road - that means on your right if you are in the field? - A. Yes.
- Q. And that there is a stone wall running up towards the bridge? - A. Yes.
- Q. In relation to the pavement and that stone wall, about where were you, do you think? - A. As we advanced, roughly in the same position as I described before, to the left-hand side about 15 to 20 yards in that field.
- Q. Still in the second rank? - A. Yes - the third rank - there was a shield unit in front of us by this time.
- Q. And what happened as you advanced? - A. As we advanced, prior to us advancing horses had come through, and then we started to advance up the field, but we were still being subjected to missiles being thrown at us.
- Q. JUDGE COLES: Which shield unit - long shields, short? - A. Long shields, as far as I can remember, your Honour.
- Q. Those are the shields in front of the cordon? - A. Yes.
- Q. Then you had normal foot soldiers like yourself? - A. That is right.
- Q. When the advance came you say the cordon opened and horses went through, and the cordon closed together again? - A. That is right.
- Q. MR. WALSH: And you said you continued to receive missiles? - A. That is right.
- Q. Where were those missiles landing as you went forward? - A. Most of them were coming over our heads. There were several missiles hitting Police Officers.
- Q. Were you able to see ahead as to what the pickets ahead of you in the field were doing? - A. As we were advancing they were retreating back up the field.
- Q. As they were retreating where was the stone throwing coming from? - A. As they were running back up various pickets were picking up stones, throwing them, and running off again back up the field.

- Q. From where were they throwing? - A. From off the field on the roadway.
- Q. As you progressed up the field did you notice something? - A. I did, I noticed a group of six to eight men. Amongst those men I noticed the defendant Mr. Foulds.
- Q. When you first saw them where were they? - A. Stood in the field.
- Q. The same field, the one on the left-hand side of the road at top site, looking up towards the railway bridge? - A. yes.
- Q. As you advanced, what did they do? - A. As we were advancing I saw this group of men involved in the missile throwing, including the accused, Mr. Foulds.
- Q. What did you see him do? - A. I saw him throw several stones towards the Police line, sir.
- Q. Are you able by pointing to anything in here, to say how far away he and his group were when you first saw them? - A. The group of men I saw him amongst were probably 15, 20 yards ahead of us, directly ahead of where I was moving up the field.
- Q. Did he and they stay in that position as you advanced? - A. They were doing what the other pickets were doing, throwing stones and then retreating back up the field.
- Q. And where did you get to? - A. Well eventually we followed them up, and we saw Mr. Foulds and these other six to eight men, they had climbed over a wooden fence which surrounds a small electricity sub-station.
- Q. Would you look at an album of photographs, Exhibit 9? Would you look at Photographs 2 and 3? Do you see the place you are talking about? - A. I do.
- Q. Hold the photograph up so we can see. You are on No. 2 at the moment, are you? - A. Yes, that is the sub-station.
- Q. The one on the left-hand side of the road? - A. Yes.
- Q. What did they do when they got there? - A. They climbed over the fence and went into or inside the electricity sub-station.
- Q. Did you see what they did once they got there? - A. Yes, as we went towards them they were continuing to throw missiles, one of which hit P.C. Thomson on the chest.
- Q. Where was the Defendant, the man you later arrested, while this was going on? - A. Stood with this group of men inside the electricity sub-station. There were six to eight men, most of them throwing missiles at us.

- Q. What was he doing? - A. He was amongst the stone throwers.
- Q. Could you see if he was throwing? - A. Yes I did, he was throwing stones.
- Q. You are moving up there, over the other side of the fence in the area of the generating station. What did you and Constable Thomson do? - A. We saw these men throwing stones; we went towards the sub-station.
- Q. Did you reach the fence? - A. That is right, and started to climb over it.
- Q. This is Thomson and yourself? - A. Yes.
- Q. When you started to climb the fence, how close were you to these men? - A. Approximately from where the wall of the Court is over there.
- Q. About 30 feet. Did you climb over the fence? - A. I did.
- Q. And approach these people? - A. Yes.
- Q. What happened as you approached? - A. As I approached I heard Mr. Foulds say, "For fucks sake let the cunts have it".
- Q. Who did he say that to? - A. He appeared to be talking to the other six or eight men, sir.
- Q. Having heard that what did you do? - A. I went to Mr. Thomson and had a conversation with him.
- Q. You talked to Mr. Thomson? - A. Sorry, I went to Mr. Foulds, the defendant.
- Q. Was Thomson with you when you spoke to the Defendant? - A. He was.
- Q. So you spoke to Mr. Foulds. What did you say? - A. I cautioned him and told him I was arresting him for threatening behaviour, sir.
- Q. Did he make any reply? - A. He did. He said, "I haven't been throwing or owt. I'm here to stop the lorries".
- Q. What was done then? - A. Both P.C. Thomson and myself took hold of him and he was taken back down the field to the reception centre.
- Q. Is that the rectangular shaped building opposite the main gate to the coking plant? - A. That is right.
- Q. Was he taken there by one of you or both of you? - A. Both P.C. Thomson and myself.

Q. And what happened at the reception centre? - A. Well, he was booked in at the reception centre and then I took no further part in dealing with him.

Q. When you say booked in, does that mean you have to hand him over to a Sergeant in charge? - A. Yes.

Q. When you arrived at the reception centre was a photograph taken of the two of you? - A. That is right.

Q. And would you just briefly identify that photograph?
(Photograph produced) - A. Yes.

MR. WALSH: Can the Jury just see that?

JUDGE COLES: Had that better be exhibited? I don't think we exhibited the others did we? Well, we will see.

Q. MR. WALSH: And you took no further part in dealing with Mr. Foulds? - A. No, sir.

Q. What did you then go and do? - A. I returned back into the field to a position with other Police Officers.

Q. When did you write your statement? - A. After I booked in Mr. Foulds.

Q. And before you went back into the field? - A. That is right.

Q. When you went back into the field, whereabouts did you go? - A. By this time the Police Officers had pushed up to the bridge. I went and rejoined Officers up there.

Q. What duties did you perform then? - A. Just blocking off the road again.

Q. About how long were you out before you were finally stood down? - A. I believe we were stood down roundabout 4, probably 5 o'clock.

Q. About how long had you been back in the line from the time that you had taken Mr. Foulds to the Police headquarters? - A. Probably two hours, I should think.

Q. Were you yourself involved in any of the activities that took place on the far side of the bridge? - A. No.

Q. So far as time is concerned, we know a second convoy of lorries came in and went out? - A. Yes.

Q. Can you tell us whether you had finished your business at the command post by that time, or whether you missed some of it or what? - A. If I can remember properly, the convoy was re-entering as I was making my statement with P.C. Thomson.

Q. Right, well we know when that was. What about when the convoy came out loaded up? - A. I think I was still inside doing the statement, sir.

Q. You think it was after that you went back out on duty? - A. Yes.

JUDGE COLES: Perhaps we should have the break now.

(Short Adjournment)

Cross-examined by MR. O'CONNOR:

Q. Mr. Hill, could you have the arrest document, please - the detention sheet? You were present, were you, when those details were taken at the command centre by a Sergeant? - A. Yes, sir.

Q. Do you remember anything distinctive about Mr. Foulds from that part of your experience of him? - A. Anything distinctive?

Q. Yes. - A. He was Scottish.

Q. His full name is George Kerr McLelland Foulds? - A. Yes.

Q. His address is in Mauchline in Ayrshire in Scotland? - A. Yes.

Q. What is it that you say Mr. Foulds said after you cautioned and arrested him? - A. He said, "I haven't been throwing or owt. I'm here to stop the lorries".

Q. You are sure about that? - A. Quite sure about that.

Q. Have you ever been to Ayrshire in Scotland? - A. Never.

Q. Do you know many Scottish people? - A. Yes, sir.

Q. You do? - A. Yes.

MR. O'CONNOR: I am quite inadequate to put in both the words and style of what I must suggest was, in fact, said by Mr. Foulds. I would ask your indulgence so that, as it were, through him I can put to this Officer what was said, and how it was said. I simply couldn't do it.

JUDGE COLES: With a name like yours you ought to be able to do it in Gaelic.

MR. O'CONNOR: Would your Honour mind if I asked Mr. Foulds to ...?

JUDGE COLES: Yes.

MR. O'CONNOR: Could you do nothing than say to the Officer, Mr. Foulds

MR. WALSH: Your Honour, I don't think that is a proper way.

JUDGE COLES: It is requiring the Accused to give evidence, and it is not proper.

MR. WALSH: My learned friend must put the words, your Honour.

Q. MR. O'CONNOR: "Get to fuck you bastards, I didna do fuck all".

JUDGE COLES: Wait a moment, I must write that down.

Q. MR. O'CONNOR: If you can double the speed of that and add a tinge of Scottish to it, does that ring a bell with you? - A. If you are saying that he didn't say it, I said he made that reply earlier on, "I haven't been throwing or owt".

Q. You didn't translate what he said into Yorkshire? - A. No.

Q. Mr. Hill, appropriately named, the hills and dales of Ayrshire don't echo to Scotsmen saying, "I haven't been throwing or owt", do they? - A. I have no idea, sir.

Q. I suggest what Mr. Foulds in fact said was first of all almost completely incomprehensible, and secondly didn't have a trace of Yorkshire in it? - A. That is what he said.

Q. Can I go back to the beginning? You didn't have any shield at any time? - A. That's right.

Q. Did any of your PSU have a shield at any time? - A. No, sir.

Q. You were a cordon PSU? - A. Yes.

Q. You have told us you were 15 to 20 yards to the left of the road? - A. Yes.

Q. And it seems you stayed roughly that distance from the road until your advance up to the top of the field? - A. Yes.

Q. Would that put you as the cordon was at its starting point, roughly in front of what we are calling the medical centre? - A. Yes.

Q. You told us in evidence just before about the convoy arriving, and what happened then. Then you told us that the time came when you advanced and you could not remember how long that was after the convoy had left, but a shield unit was called for because of the barrage of missiles? - A. That is correct.

- Q. Do we take it the order of events is the convoy, then the shield unit, and then the advance? - A. Yes, as far as I can remember.
- Q. By shield unit we mean long shield unit? - A. Yes.
- Q. Convoy, long shield unit, advance? - A. That is how I remember it, sir.
- Q. Whatever the order of events was, what was happening, as you remember it, when the long shields were deployed at the front? - A. The long shields were employed because we were under a barrage of missiles.
- Q. Can you try to describe that barrage a little further? - A. There were a lot of stones and other missiles coming towards us. I would describe it as raining missiles.
- Q. You are sure about that? - A. Yes.
- Q. Who was in overall charge of the cordon? - A. The hill cordon, sir, as far as I know it was Mr. Clements.
- Q. And do you agree - I don't know if you have had training in cordon duty? - A. Yes.
- Q. That perhaps the most important priority is to keep the cordon, to keep in line? - A. Yes.
- Q. And were those your orders, as well as having been your training? - A. They were.
- Q. Can you recollect anything else happening, thinking back? You have described the convoy, you have described the long shield units and the advance? - A. Yes.
- Q. And you have described what was happening in front of you? - A. Yes.
- Q. Thinking back, anything else that happened of any significance before the actual advance of the cordon? - A. Other than missiles being thrown?
- Q. Anything else? - A. No.
- Q. To be fair to you, you mentioned some horses? - A. Yes.
- Q. And the cordon had to break to let them through? - A. Yes.
- Q. Can you remember anything else? - A. No.
- Q. Are you sure? - A. I can't remember anything else, no.
- Q. You had been on duty at Orgreave on previous occasions? - A. Yes.

- Q. Were you on duty on later occasions than the 18th? - A. I was.
- Q. Have you completely forgotten your cordon breaking to let through not only horses but two units of short shield Officers, carrying drawn truncheons? - A. Have I forgotten it? I honestly had forgotten it, yes.
- Q. Do you remember it now? - A. I remember it, yes.
- Q. Do you agree, was it the first time you had ever seen short shield units deployed? - A. I believe it was sir, yes.
- Q. Have you ever seen short shield units deployed since? - A. I saw them deployed after that.
- Q. But this was the first time? - A. Yes.
- Q. And that is something you forgot? - A. Yes.
- Q. Did you watch them go through? - A. I did, yes.
- Q. Did you watch what happened in front of the cordon after they had gone through? - A. Yes.
- Q. As best you could? - A. Yes.
- Q. I recognise there are long shields in front of you? - A. That is right.
- Q. Can you tell us what did happen? - A. Well, obviously the horses went through. They were followed by these lads with short shields, and they made an advance up the fields.
- Q. Anything else? - A. I can remember the pickets retreating and there was scuffles between those Officers and certain pickets.
- Q. Scuffles between those Officers and the pickets? - A. As far as I can remember, yes.
- Q. Those Officers being short shield Officers? - A. That is right.
- Q. Anything else?
- Q. JUDGE COLES: Who were they with? - A. They were following the horses up.
- Q. Who did they scuffle with? - A. With the pickets, certain members of the pickets.
- Q. MR. O'CONNOR: Can you describe these scuffles to us please? - A. It is hard to say, sir, there were that many going on.

- Q. So there was a lot of scuffling? - A. As far as I can remember, yes.
- Q. Involving what, more than a dozen Police Officers and pickets? - A. I can't remember the exact amount.
- Q. Those short shield Officers have truncheons drawn? - A. Yes.
- Q. Can you describe to us the use of those truncheons during the scuffles? - A. Obviously certain Officers probably did use their truncheons, sir.
- Q. Were you watching? - A. Yes.
- Q. What did you see? - A. As I have described before, scuffling taking place between Police and pickets.
- Q. Did you see short shield Officers using truncheons? - A. Yes.
- Q. On pickets?- A. Yes.
- Q. How? - A. They were defending themselves, sir.
- Q. Against what? - A. Against being attacked. Some of them were being attacked and they were defending themselves.
- Q. How were they being attacked? - A. They were surrounded by small groups of pickets who were attacking them.
- Q. What were the pickets wearing? - A. Most of them were wearing casual clothes.
- Q. They were all wearing ...? - A. Teeshirts, jeans, that type of thing.
- Q. Pumps? - A. Some of them.
- Q. And the short shield Officers were wearing riot helmets, shield, truncheon? - A. Yes.
- Q. And describe to us how the truncheons were used? - A. I can't really recall. They were just defending themselves with their truncheons.
- Q. How? - A. Striking them about the body, I think.
- Q. Hard? - A. I have no idea, sir.
- Q. Striking pickets with truncheons while they were on the ground? - A. I didn't see that.
- Q. Did you see a truncheon broken? - A. No, sir.
- Q. Over somebody's head? - A. I didn't see that, no.

Q. Did you see any Officers other than short shield Officers out there involved in this fighting? - A. I can't recall ever seeing that, no.

Q. Are you sure about that? - A. As far as I can remember, sir.

Q. Some Officers rather close to home, Mr. Hill, Officers part of your half of your PSU? - A. Are you saying they were using truncheons, sir?

Q. Did you see them out in front of the cordon involved in the fighting? - A. I didn't see any of them, no.

JUDGE COLES: You are putting ordinary Officers from his group, non-short shield Officers?

MR. O'CONNOR: Exactly. That is why I established no Officers from his unit were shield Officers of any kind:

Q. May I ask you to look at this, please? Do you see there your name in the middle of the top half of your PSU? - A. Yes.

Q. Is there a Sergeant Harper, 395? - A. Yes.

Q. Who is the Sergeant in charge of your half? - A. That is right.

Q. You know him? - A. Yes.

Q. And Constable Shillitoe? - A. Yes.

Q. In your half of the PSU? - A. That is right.

Q. You know him, do you? - A. Yes.

Q. The document you have in your hand is the operational record of your unit, isn't it? - A. Yes.

Q. And Inspector Parrish is the Officer responsible for completing that record? - A. Yes.

Q. You see Sergeant Harper and Mr. Shillitoe were out in front of that cordon, weren't they? - A. I didn't see them, sir.

Q. During that fighting? - A. I didn't see them.

Q. Can I ask you to turn over a few pages to arrests by PSU? You see the fact that you were party to arresting Mr. Foulds? - A. Yes.

Q. Above it do you see Mr. Shillitoe? - A. That is right.

Q. And he arrested somebody called Neil Blezzard? - A. Yes.

Q. That arrest was carried out at the very moment we are describing, wasn't it? - A. I have no idea, sir.

Q. I am suggesting to you that - I will come to you, of course, as I must, later - but the Officer senior to you and a Constable colleague from exactly your half of this PSU broke discipline and fought with truncheons drawn in front of that cordon at 8.30, after the short shield units had gone through. Is that true? - A. I didn't see it, sir.

MR. O'CONNOR: Your Honour, this is something that it is difficult for the Defence to prove, may I say.

MR. WALSH: Your Honour, those who allege take upon themselves the responsibility of making allegations in a proper form.

JUDGE COLES: I don't think it is proper to make comments in front of the Jury. If there is some submission you wish to make it ought to be made in the absence of the Jury.

MR. O'CONNOR: I don't think this will upset my learned friend. I am just saying that my suggestion is that Mr. Blezzard was arrested in that incident, and I invite an admission to that effect.

JUDGE COLES: I don't know whether the incident is admitted.

MR. WALSH: I am sorry. If my learned friend had approached me earlier I might have considered the matter, but I am not prepared to do that at the moment. If my learned friends wants to put proper questions to this Officer he can do so.

JUDGE COLES: Yes.

Q. MR. O'CONNOR: You, I am sure, weren't able to see everything that was going on directly in front of your unit at that time, but you are a citizen like the rest of us, and I am sure you saw the television news, did you not, later that day?

MR. WALSH: Your Honour, we are in the same problem - this Officer can be asked what he saw at the time.

JUDGE COLES: There can be no doubt about that in my mind, I am afraid.

Q. MR. O'CONNOR: If I put to you the P.C. Martin incident, does that mean anything to you? - A. Yes.

MR. WALSH: Is it hearsay, or did he see it? There are only two alternatives.

JUDGE COLES: Yes.

Q. MR. O'CONNOR: You wouldn't then know who P.C. Martin was? - A. No, sir.

Q. Did you see what we know to be the P.C. Martin incident?

MR. WALSH: This Officer doesn't know what we know to be the P.C. Martin incident.

JUDGE COLES: I think what he is saying is he understands what you are referring to when you talk about the P.C. Martin incident:

Q. Did you yourself see it? - A. Did I see it on the day, no sir.

Q. MR. O'CONNOR: Do you agree that took place right in front of your unit?

JUDGE COLES: He didn't see it, how can he?

MR. O'CONNOR: Your Honour, questions have been allowed of other witnesses, of Mr. Clements, about his seeing this incident on television.

JUDGE COLES: If seeing it on television has some relevance, by all means. I don't think any question has been allowed which is directed towards proving an event by means of what someone has seen on television. You can call the photographer who took the pictures. That can prove the television shot, but it cannot be evidence of what happened, that somebody saw an image on a television set later, which was described as being something that happened that day at Orgreave or whatever.

MR. O'CONNOR: I obey your Honour's ruling. May I approach the matter in a different way:

Q. Did you see Police Officers use truncheons on pickets at any other part of the day? - A. I cannot remember, sir.

Q. JUDGE COLES: Do you mean you cannot remember whether they do, or what is it? - A. I may have seen them sir, I cannot remember.

Q. MR. O'CONNOR: So is this the time, the only time, during that day when you can specifically remember Police Officers using truncheons on pickets? - A. That is right, yes.

Q. And in remembering that, which you must be able to do, that is something you associated in your memory, isn't it, with short shield Officers having gone through your cordon just before? - A. Yes.

- Q. Why is it that you were able completely to leave that out of your account of these events when asked by my learned friend? - A. Why? Just because I forgot it, sir.
- Q. Or is it because you know that close colleagues of yours were involved in that incident? - A. Purely I just forgot it, that is the only reason.
- Q. I suggest that is quite wrong Officer. You could not have forgotten that? - A. Just something I forgot, sir.
- Q. What were your orders as the cordon advanced? - A. To advance up behind - to advance further up the field.
- Q. To keep in line? - A. Yes.
- Q. Was there ever a time when Police Officers were outnumbered by ... I am sorry, pickets were outnumbered by the Police three or four to one, a very much greater number of Police Officers in the cordon than pickets in the field ahead of them? - A. I can't ever recall that, no.
- Q. Can I ask you about the last advance? Were your orders any different for that advance? - A. No, it was just to gain more ground, sir.
- Q. With the priority to keep the cordon? - A. Yes.
- Q. What was happening just before that last advance? - A. Again there were missiles being thrown.
- Q. As bad as before, worse? - A. About the same, sir.
- Q. About the same as before. Was the missile throwing then fairly continuous, at roughly the same level? - A. I would have said that, yes.
- Q. Certainly no lull or stopping of missiles for something like a half or three-quarters of an hour? - A. There was a lull during the day, various lulls during the day.
- Q. How long a distance do you think you covered in that last advance? Was it the same sort of distance as before, or further or less? - A. Probably a bit further.
- Q. What sort of distance are we talking about? - A. Probably 30 yards, something like that.
- Q. So you started this last advance 30 yards before the electricity sub-station fence? - A. I would have said that, yes.
- Q. So if the missile throwers are 15 to 20 yards ahead of you they are what, 10 to 15 yards from the sub-station fence? - A. Probably, yes.

- Q. There is no question about being completely wrong about that being what, a sort of 200 yard advance, something like that? - A. I don't think it was as far as that. As far as I remember it was about 30 yards.
- Q. There is a big difference?- A. A lot of difference.
- Q. You would expect 30, 40, 50, but nothing like 200 yards? - A. Yes.
- Q. Were you then 15 to 20 from the road? - A. At the last advance?
- Q. Yes. - A. No, I had come nearer the road.
- Q. So how close were you to that wall? - A. The wall on the other side of the road?
- Q. No, there is a wall on your side of the road, isn't there, to your right? - A. Yes, on the other side of the road.
- Q. Do you recollect there was a wall on your side of the road? - A. On the field side of the road?
- Q. Yes, on your side of the road? - A. No.
- Q. You don't recollect that? - A. No.
- Q. Let's keep it to distance from the road. You are closer than 15 to 20 from the road? - A. Yes.
- Q. Could you look at Exhibit 4, the aerial photograph, and Exhibit 3, the plan? We can position you from what you told us - you are about 30 yards from the sub-station fence? - A. Yes.
- Q. And somewhat closer to the road than 15 to 20 yards? - A. Yes.
- Q. So are we talking about something like half way between the two "ELS"s printed on the road just to the right of the sub-station? - A. Yes, that is right.
- Q. About half way between those two but a little into the field? - A. Yes.
- Q. I think that is reasonably precise, we need not ask you, to mark the plan and have it handed round - and that is where you say the cordon was? - A. Yes.
- Q. Before the last advance? - A. No, it was not as far up the field as that.
- Q. That is where I am asking you, I have asked you very clearly, how long the last advance was? - A. The cordon was not down there. It was further down towards the coking plant.

- Q. So the last advance was longer than 30 yards? - A. It could have been, yes.
- Q. You were prepared to concede up to 50? - A. That is right.
- Q. Do you want to change that? - A. I should still say about 50.
- Q. JUDGE COLES: You see the scale at the bottom of that plan? - A. Yes, I do.
- Q. You can see somebody has marked the scale. We can measure off from there 100 yards and do you see also that the fence round the sub-station is also marked in? - A. Yes, sir.
- Q. So you can mark in 100 yards from the fence. That still brings you, doesn't it, about half way between the two "ELS" markings? - A. It was probably further than 50 yards then.
- Q. Perhaps it would be more helpful if you show on the plan where you say the cordon was. You can draw a line. Distances are very difficult.
- Q. MR. O'CONNOR: Could you also mark perhaps with an "x" where this group of people was when you first saw them, and then could you mark with an arrow or line how they went across to the sub-station, where you and Mr. Thomson climbed over the fence and then with a circle where you say you got hold of and arrested Mr. Foulds. You have marked a line to the right where the cordon was, the first "x" is where you first see the group, then a slightly curved line and arrow to the point where they ran towards the sub-station. Where you cross the fence a little circle, you have put a line by the road, have you crossed that out? - A. Yes.
- Q. What was that supposed to be? - A. Well I was drawing the line where you said, how far we advanced up, or to where the blokes had run.
- Q. That was a mistake was it? - A. Yes.
- Q. Did you think they had run up the road? - A. No, I started to draw it then I realised it wasn't there, it was off more to where I have drawn the line.
- Q. Did you not understand you were drawing a line on the road then? You are familiar with this area - you have been there several times. - A. Yes, it is just a sketch plan.
- Q. JUDGE COLES: Did you make a mistake in remembering where it happened or did your hand make a mistake when it came to drawing on the plan? - A. My hand made a mistake.

- Q. MR. O'CONNOR: Did you make a mistake because you didn't realise that was the road? - A. That is right, sir.
- Q. Can that be handed round, please? You have described the group of men as being approximately six to eight? - A. Yes.
- Q. Does than mean it could have been five? - A. No, I should say more, six to eight men.
- Q. Does approximate mean it could have been nine or ten? - A. Possibly, yes.
- Q. There is a bit of a difference between six and nine or ten? - A. Yes.
- Q. How many were there? - A. Six to eight.
- Q. Not approximately six to eight? - A. Approximately six to eight then, sir.
- Q. When you first saw them were you in the cordon? - A. I was advancing up with the cordon, yes.
- Q. The cordon was moving? - A. Yes.
- Q. Were you therefore behind the long shields? - A. Yes.
- Q. I would like you to explain how it is that you, with the orders and training you have been given, did what you did? - A. You mean leading up to the arrest of Mr. Foulds?
- Q. Yes. - A. Well eventually the shield unit at the front opened up and Officers following behind went through .
- Q. So there was a time, was there, when you, after you had seen this group of men, when you were still behind the long shields? - A. Yes.
- Q. And the long shields were advancing? - A. That is right.
- Q. And you could not run past them? - A. No.
- Q. And what did you do then? - A. When the shields opened up I went to the electricity sub-station and arrested the Accused.
- Q. Did you draw your truncheon? - A. I didn't, no.
- Q. At any stage? - A. No, sir.
- Q. You are sure about that? - A. As far as I can remember.
- Q. You see, this is approximately 11.30, shortly before 11.30? - A. Yes.
- Q. You had been in the cordon since about 6 o'clock? - A. Yes.

- Q. 5½ hours? - A. That is right.
- Q. No break? - A. There was a break, yes.
- Q. I thought you had said, well maybe there was a break, and you weren't stood down. You said there was no stage when you were stood down for a break? - A. We were never stood down. There was a lull. We were never stood down and sent back to the holding area.
- Q. You never left that cordon for 5½ hours? - A. No, sir.
- Q. And this was your chance to do something about the events of that day? - A. It was my chance to go and arrest the Defendant, yes.
- Q. You do realise the importance of describing what the person you have arrested did as carefully as you can in your witness statement, don't you? - A. Yes.
- Q. I am sure you understand. It is basic fairness, isn't it? - A. That is right, sir.
- Q. You understand the definition of the witness statement. It is prepared by you and served on the defence? - A. Yes.
- Q. So that an accused person knows what is alleged against him? - A. That is right.
- Q. And really all you have said in your witness statement, isn't it, is that he is one of a group of men who were throwing missiles? - A. Yes.
- Q. You don't really describe what he did, do you, as an individual? - A. Well, I don't know. It just depends - I think I did, sir.
- Q. You see you put him, don't you, as one of a group all doing something? - A. Yes.
- Q. You don't say how many missiles you saw him throw? - A. No.
- Q. Did you see him pick any missiles up to throw? - A. Yes I did.
- Q. You did? Do you say that in your witness statement? - I can't remember if I did or not.
- Q. You don't do you? - A. If you are telling me I didn't, I didn't.
- Q. Why not? - A. Because I thought I mentioned it on there by saying he was amongst a group of men who were picking stones up and throwing them at us.

- Q. That is what this day is about. There is a very small part in it, treating these miners not as individuals but collective retribution, that is what it is about, isn't it Officer? - A. No, sir.
- Q. Where do you say he picked up missiles? - A. Lying about on the field.
- Q. Where? - A. On the floor.
- Q. Which part of the field? - A. All over the field.
- Q. As they were running or before they ran? - A. As they were running.
- Q. You saw him stop and pick up a missile and throw it? - A. That's right.
- Q. You saw him do that once or more than once? - A. Just once.
- Q. You saw him do that once. Before then how many missiles had you seen him throw? - A. Probably two or three, something like that.
- Q. And at the sub-station how many did you see him throw? - A. I can't remember. Probably one to two.
- Q. You see, we are almost a year to the day, Officer, after these events and you are giving those details for the first time, aren't you? - A. Not giving the details. I have mentioned them in my statement.
- Q. Would you like to see your witness statement? It is just there. These are the terms you have used, "I saw a small group of pickets of approximately six to eight men throwing missiles at the Police lines"? - A. Yes.
- Q. Nothing about Mr. Foulds there? - A. "He was among six to eight men" - I would say that was mentioning him.
- Q. Anything about what he specifically did? - A. No.
- Q. "As the Police line advanced this man ... sub-station". Anything about Mr. Foulds stopping and picking a missile up? - A. No.
- Q. Anything about anybody doing that? - A. No.
- Q. Why not? - A. Because I had mentioned it earlier on.
- Q. Where? - A. I say that I saw a group of approximately six to eight men throwing missiles at Policemen.
- Q. So that covers him stopping during the run across the field, does it? - A. Yes.

- Q. "Together with Police Constable Thomson we approached the sub-station. We saw these men, including the accused Foulds, continue to throw missiles, one of which struck P.C. Thomson on the chest"? - A. Yes.
- Q. Treating him as one of a group, not an individual? - A. Yes.
- Q. Why don't you say exactly what you saw him do, please? - A. Because like I said I have mentioned there was a group of six to eight men throwing missiles.
- Q. And that is good enough? - A. I thought it was at the time.
- Q. Do think it is good enough now? - A. Yes.
- Q. Mr. Thomson isn't a South Yorkshire Police Officer? - A. No.
- Q. He is, you think, from Northumberland? - A. I think so.
- Q. Don't you know? - A. I can't remember.
- Q. Were the two of you alone running to the fence? - A. No.
- Q. So there were lots of other Police Officers. - A. Yes.
- Q. In ordinary uniform or shield carrying Officers? - A. Ordinary uniform.
- Q. So there is nothing ... there is just two of you amongst dozens of other Officers? - A. That is right.
- Q. Moving in the same direction as quickly as you can go? -A. Yes.
- Q. Had Northumberland Officers been the next group of Officers in the cordon, had you noticed, to right or left before you broke ranks? - A. There were foreign force Officers, but I can't remember which force they were from.
- Q. What was the missile that hit Mr. Thomson? - A. A stone.
- Q. Where was he in relation to you when that happened? - A. Mr. Thomson would be on my left-hand side.
- Q. What happened to Mr. Thomson? - A. He carried on going.
- Q. Did it have any effect on him at all that you saw? - A. It didn't seem to. He winced as the stone hit him and carried on.
- Q. You saw him wince? - A. Yes.
- Q. You weren't looking ahead of you? - A. I saw the stone coming. I saw it hit Mr. Thomson and saw him wince.

- Q. Anything said? - A. I can't remember. I don't think there was.
- Q. Did the other Officers, apart from you and Mr. Thomson, stop at the fence or did lots of you climb over the fence?
- A. Other Police Officers did climb over the fence.
- Q. At the same time as you? - A. Yes.
- Q. It is not a two-man show, there is a wave of Police Officers advancing as quickly as they can and going over the fence? - A. I wouldn't describe it as a wave of Police Officers going over the fence. Other Officers came over the fence.
- Q. When you arrived at the fence were there not already there short shield Officers and others, on the other side of the fence, having entered from the road? - A. There were, yes.
- Q. There is direct access from the road towards that narrow gap between the sub-station and the fence, where you put a "x" in fact, on the original - there is a small gap between the fence and the right-hand side of the sub-station, and there is access to that? - A. Yes.
- Q. You remember short shield Officers had made their way from the road to that gap when you arrived there? - A. Yes.
- Q. Going from, as you were climbing the fence, from right to left? - A. Yes.
- Q. And this is the moment, is it, when Mr. Foulds is shouting something about "Let the cunts have it"? - A. After we climbed over the fence, yes.
- Q. And I suppose these short shield Officers immediately go over and arrest him, do they? - A. No.
- Q. They don't? - A. No.
- Q. What did they do? - A. They just carried on going, advancing, as far as I remember.
- Q. What, past him? - A. Yes.
- Q. Him shouting out, "For fucks sake let the cunts have it", yes? - A. That's right.
- Q. He having been throwing missiles at you from the very area where those short shield Officers are? - A. yes.
- Q. And they ran past him? - A. Yes.
- Q. That is ridiculous, isn't it? - A. I can't speak for the other Officers.

JUDGE COLES: That is a comment.

- Q. MR. O'CONNOR: It certainly didn't happen, did it? -
A. It did.
- Q. What happened to the other five, six, seven, eight or nine in this group? - A. The other men Mr. Foulds was with?
- Q. Yes. - A. No idea, sir.
- Q. Well help us. You told us, and I noted it carefully, after you crossed the fence you are approaching them as a group? - A. Yes.
- Q. So these short shield Officers having just gone past Mr. Foulds, they have gone past the others standing there? -
A. That is right.
- Q. They have gone right past them? - A. Yes.
- Q. And you go up to Mr. Foulds? - A. yes.
- Q. Does he try and run as you approach him? - A. No.
- Q. What happened to the other members of this group? - A. When I reached Mr. Foulds I took hold of him and arrested him. My attention was purely with Mr. Foulds. I can't say what happened to the other men. They may have been arrested. I can't say they were.
- Q. They didn't come to Mr. Foulds' rescue? - A. No.
- Q. There is a route for Mr. Foulds to run away isn't there? -
A. Yes.
- Q. You can go round the back of the sub-station and down the embankment? - A. Could do.
- Q. He didn't try to do that? - A. No.
- Q. Did he resist in any way when you got hold of him? - A. No, he didn't.
- Q. So no fighting, he didn't fall to the ground, nothing like that? - A. No, sir.
- Q. You didn't have to strike him? - A. No.
- Q. And so nothing during the course of these events happened that you could see to Mr. Foulds which could have caused him injury? - A. I didn't see anything, sir, no.
- Q. Can I ask you to look, just before we rise, at Exhibit 31, please? You see yourself, Mr. Hill? - A. Yes.
- Q. And you see Mr. Foulds? - A. Yes.
- Q. And you see Mr. Thomson? - A. Yes.

Q. And you see Mr. Foulds' face? - A. Yes.

Q. And you see his lower lip? - A. Yes.

Q. What do you see on his lower lip? - A. I don't see anything.

Q. You don't see anything on his lower lip at all? - A. No.

Q. Mr. Hill, that is a freshly bashed person in the mouth by you, isn't it? - A. That is totally untrue, sir.

Q. JUDGE COLES: Can you identify the people in the photograph, all five of them? - A. Just myself, my colleague and Mr. Foulds.

Q. Just identify those for us, so we have it clear for the record. Where are you? - A. This is me here.

Q. You are in the foreground? - A. Mr. Foulds in the middle, Mr. Thomson to the right on the other side of Mr. Foulds.

Q. You say you can see no sign of an injury? - A. There could be an injury on his lip, it is hard to tell.

Q. Do you remember seeing one at the time? - A. I can't remember, your Honour, no.

JUDGE COLES: Is that a convenient moment to adjourn? We will resume at 10.15.

(Overnight adjournment)
