

IN THE SHEFFIELD CROWN COURT

The Crown Court,
Castle Street,
Sheffield

3rd July 1985

Before

HIS HONOUR JUDGE GERALD COLES, Q.C.

REGINA

-V-

WILLIAM ALBERT GREENAWAY

and Others

APPEARANCES:

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

For the Defence: See Attached Sheet

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Wednesday, 3rd July 1985

REGINA -v- WILLIAM ALBERT GREENAWAY and Others

POL. CONST. JACK SKELTON

Cross-Examination by MR. TAYLOR cont.

- Q. Mr. Skelton, yesterday I was asking you some general questions about the manoeuvres that you carried out and just to recap we had established I think that you took part in one shield charge through the cordon with mounted Officers which was fairly early on in the morning? - A. Yes.
- Q. You then retired for an hour or so having refreshments and then you took part in a staged move of Police gradually up the field pushing the pickets back to the bridge? - A. Yes.
- Q. I think that is where we left it last night. Now I want to ask you some more detailed questions about that and perhaps so that you know why I am asking you the questions and where my particular concern lies, I represent Mr. Greenaway in this case who was arrested by two people, Mr. Hanrahan and Mr. Jones who were members of your half of your PSU? - A. Yes.
- Q. Now you have said when you were in action you were in action under Sergeant Kelsey with your half of your PSU? - A. Yes.
- Q. And so that you know what has been said before, the only two Officers from your half of the PSU to have given evidence so far are Mr. Norris and Mr. Abson and they also say like you when you went into action it would have been with their half of the PSU? - A. Yes.
- Q. Can you describe to the jury please or explain to the jury the purpose of an Officer making a note in his notebook or making a statement shortly after an arrest in general? - A. In general it is done while the events are still fresh in the mind of the Officer of the events which have taken place.
- Q. So that you write them down in your notebook and then in six months' time or a year after when you have dealt with lots of cases you can look at that note and refresh your memory? - A. Yes.
- Q. And you will be in a position to tell the jury what went on on that particular day? - A. That is correct.
- Q. Now in this particular case would I be right in saying that the dictated part of your statement, that is to say the majority of your statement does not work in the way that you have just described, in other words it does not refresh your memory? - A. Certain parts of it, of course they do.

- Q. And certain parts of it don't? - A. Yes.
- Q. And when you were giving evidence yesterday to my learned friend Miss Russell you were saying the majority of it was dictated, you were losing track and just trying to get it down. Do you remember saying that? - A. Yes.
- Q. And also saying this: that the statement was a consensus of opinion and the reason why you wrote it down was because there was a lot going on that day and you could not think positively? - A. Yes, that is what I said.
- Q. And another reason you could say this: that everything was in disarray and it was difficult to get your thoughts together on the day? - A. Yes.
- Q. Just as an example of that, which has already been given, the position of the car in your statement is below the bridge? - A. Yes.
- Q. In evidence you have looked at a photograph and you have said the photograph refreshes your memory better than your statement? - A. Yes.
- Q. The photograph is right and your statement is wrong? - A. Yes.
- Q. Just as a side issue do you recall anything about that car when you passed it by? - A. Not really.
- Q. You saw a photograph of it yesterday. Was it much in that same position? - A. I believe so, yes.
- Q. Same condition? - A. I did not pay too much attention when we ran past it on the day.
- Q. It was not on fire or anything like that? - A. I did not notice if it was on fire.
- Q. You would have probably if there had been smoke coming out of it? - A. There was a lot happening. I did not pay too much attention to it.
- Q. Now then the other thing, the major thing I want to ask you about on the first charge, the first time that you would have used short shields in action in a picket situation, when you went out after the push on the cordon. - A. Yes.
- Q. That is shortly after the lorries went in, isn't it? - A. I believe so, yes.
- Q. When you did that you have told the jury that you rushed through the cordon first with your shields at the pickets and the horses followed? - A. Yes.

- Q. Could you be completely wrong about that and the horses went through first and you followed them? - A. No. As I have said my colleague got trampled by a horse which was coming up from behind.
- Q. Are you saying there were no horses in front of you? - A. I did not see any horses.
- Q. Did you know on the 18th of June that the action behind the Police lines and indeed over the cordon was being filmed? - A. I was aware of that, yes.
- Q. Filmed by a Police crew? - A. Yes.
- Q. Do you know where they were filming from? - A. I believe they were sort of perched standing on top of a wall of some description.
- Q. A flat roofed building? - A. Yes, by the Coke Works.
- Q. And you could see them? - A. Yes.
- Q. When you went through on that first charge do you recall Officers wearing boiler suits? - A. I cannot remember.
- Q. Running along with you? - A. I can't remember.
- Q. You have described how you were used in fives, three in the front or may be two in the front and two behind and the Officers in the front having shields and the ones behind not having shields? - A. Yes.
- Q. Is that how you were trained? - A. Yes.
- Q. What is the purpose of being trained in that way? - A. Obviously the Officers in front give protection to the Officers from behind and the Officers from behind are usually the ones to disperse the crowd.
- Q. Do they have their truncheons drawn? - A. They had their truncheon drawn, yes.
- Q. How do they disperse the crowd, charge at them with their batons in the air? - A. Yes.
- Q. To frighten them away? - A. Yes.
- Q. What happens if they don't move on? That day some were staffed on the lower part of the body. Did you see that? - A. I saw that, yes.
- Q. Where did that take place? - A. Going up the hill towards the railway bridge.
- Q. Did you do that yourself? - A. I may have done, I can't remember.

- Q. If you use your staff it is something that you would remember, isn't it? - A. Well I should remember it, yes.
- Q. It is something that should have gone in your statement if you had done it? - A. Yes.
- Q. It is not in your statement? - A. No.
- Q. Did you say you may have done it? - A. I may have done. I can't remember.
- Q. Would that have been to people who were not moving out of the path of the Police? - A. Yes.
- Q. You saw other Police Officers do it? - A. Yes.
- Q. Other Police Officers in your PSU? - A. I can't be specific on that. The Officers were using their truncheons.
- Q. And what were the pickets who were being hit in that way doing just prior to being hit? - A. Just standing there.
- Q. This is a dispersal technique, isn't it? - A. Yes.
- Q. And you do it on command? - A. Yes.
- Q. Have you heard of the manoeuvre whereby Police Officers in that formation that you have described are able to go out, disperse the crowd and incapacitate if necessary. Have you heard that word before? - A. Not "incapacitate", no.
- Q. What is the word you use then? - A. Just disperse.
- Q. And you dispersed by hitting? - A. Yes.
- Q. When you train to do that did you train with dummies in order to hit the correct parts of the body and have training in that? - A. No, I have never had training in the use of a truncheon.
- Q. What rules were operating on your mind on that day as far as use of a truncheon was concerned, your own Standing Orders? - A. No, they weren't.
- Q. What were the rules that were operating on your mind then? - A. Just self-protection and to disperse the crowd.
- Q. Self-protection and to disperse the crowd? - A. Yes.
- Q. We will take self-protection later on and if it does arise in your case please say so, but just dealing with dispersal for the moment in the first rush up the hill, the one shortly after the convoy? - A. Yes.
- Q. Most of the people ran away, didn't they, stampeded up the field? - A. Yes.

- Q. But a lot of people did not move and they were on the sides of the road and so on? - A. Yes.
- Q. And those were the people who were clobbered. Is that right?
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- JUDGE COLES: I don't think that is a word that is used. Staffed, I think is the word.
- Q. MR. TAYLOR: Staffed? - A. Yes.
- Q. Can you say by what right you did that, if you did it, or by what right any other Police Officer did it, hit people who were just standing there? - A. We are under instructions to disperse the crowd as I have already described.
- Q. You say acting on orders? - A. Yes.
- Q. Do you recall just before going out orders along these lines: "No heads. Bodies only. No heads"? Do you recall that order coming over? - A. No.
- Q. Over the loud speaker? - A. No.
- Q. What was the order that you had from your Sergeant or Inspector? - A. Just draw our truncheons and use them as we would normally.
- Q. Now then when you were carrying out that manoeuvre did you do it in the form that you have described with two shields at the front and two Police Officers following up without shields? - A. As far as I can remember, yes.
- Q. Who was your partner on the day? - A. I believe it was P.C. Pearson.
- Q. Well now P.C. Pearson and Spencer may have been working together on that day so could you be wrong about that? - A. I could be wrong, yes.
- Q. P.C. Hanrahan and Jones were working together? - A. Yes.
- Q. And P.C. Abson and Norris were working together? - A. Yes.
- Q. Let me remind you of the names Griffiths and Deakin? - A. Yes.
- Q. And then the only other one is Billington? - A. I was working with P.C. Billington till he got injured.
- Q. What did you do then? - A. Then I came back to the Police vehicle and waited for the other Officers from my PSU to return.
- Q. But did you team up with anyone in particular or not? - A. I don't think I did, no.

- Q. I am interested in P.C. Hanrahan and P.C. Jones in particular. On that first run out that you did can you recall whether they were in front of you, behind you or whereabouts. Can you say what they were doing? - A. I would say they were running up the hill at the pickets.
- Q. Just generally in your half of the PSU? - A. Yes.
- Q. If you worked in fours can you recall this, that P.C. Hanrahan and Jones formed a partnership with Mr. Norris and Mr. Abson and that was their four? - A. I cannot recall that.
- Q. Can you recall who your other three members were? - A. As I have said before I was working with P.C. Pearson and Billington. We were continuously being split up that day and I remember working with other Officers from another PSU.
- Q. JUDGE COLES: Was Billington your regular associate until he was trodden upon? - A. I did not belong to Sergeant Kelsey's unit. I was drafted in to make up that PSU.
- * JUDGE COLES: Yes, of course.
- Q. MR. TAYLOR: I will move to the next stage. This is after your refreshments. You have had about an hour or so and then you were called up, you moved up with Sergeant Kelsey and the rest of your PSU? - A. Yes.
- Q. Put behind the cordon and then the big move up to the bridge. Right? - A. Yes.
- Q. Every time you moved out in front of the main cordon you left the main cordon behind 30 or 40 yards. Is that right? - A. That is correct.
- Q. Did that happen on each successive occasion? - A. I believe it did, yes.
- Q. How many people were you driving back at that stage? - A. It is hard to estimate, thousands.
- Q. Thousands? - A. Well two or three thousand.
- Q. Are you sure about that? - A. I am not 100% sure. There was a lot of people.
- Q. When you moved forward in the PSU leaving the main cordon behind do you recall anything happening between you, that is you the PSU, the short shields and the main cordon? - A. No.
- Q. Do you recall a thousand people infiltrating and fighting hand-to-hand with the main cordon? - A. I was not aware of what was going on behind.

JUDGE COLES: You mean out flanking, coming round?

MR. TAYLOR: Yes, your Honour.

- Q. If that is something that happened, Mr. Skelton, that is something you would remember. You remember moving up the field ahead of the main cordon and all of a sudden a thousand people come round the side and start battling away with the main cordon? - A. Yes.
- Q. That is something you did not see? - A. I did not see that, no.
- Q. When you were moving up and get to the bridge who do you recall from your PSU at the bridge before you make your run up to the village. Who do you recall there if anyone? - A. I can just remember Sergeant Kelsey and members of the other PSU.
- Q. Sergeant Kelsey is obviously still in charge of your half of the PSU? - A. Yes.
- Q. Would it be right to say that your half of the PSU kept as close together as possible? - A. Yes.
- Q. When you set off from the bridge you say that you were one of the first? - A. Yes.
- Q. Didn't you get intermingled at that stage with Merseyside Officers, your PSU and another PSU from Merseyside? - A. I can't be sure on that.
- Q. You see that shield there? - A. Yes.
- Q. Can you recall any Police Officers using shields like that when they were running up, and I am pointing to the black edged shield? - A. I did see shields of that type being used on that day but I cannot specifically remember whether or not they were on the bridge when we moved off.
- Q. From the bridge up to the village? - A. Yes.
- Q. You say that that was one movement. Is that right? - A. From the bridge to the village?
- Q. Or are you saying it is two? - A. It is two.
- Q. So you move up a certain distance and then you are given an order to charge again? - A. Yes.
- Q. Let me put this to you as a possibility. Do you think this might be accurate, that you moved from the bridge half-way up the hill and then back to the bridge behind the main cordon four times before you ever got to the top of the hill? - A. No.
- Q. That is not right, is it? - A. No, that is not right.

- Q. Can you recall at the bridge a senior Police Officer wearing a white shirt? - A. No.
- Q. Do you know what Mr. Tony Clement looks like? - A. Yes.
- Q. Can you recall him being there? - A. At the bridge?
- Q. Yes? - A. No.
- Q. Can you recall any senior Officer in a white shirt with a loud hailer on the bridge giving orders who generally appeared to be in command? - A. No.
- Q. So as far as you are concerned you are in your little group with Sergeant Kelsey, is that right, in your half of the PSU? - A. Yes.
- Q. Now when you carried out that manoeuvre from the bridge up the road towards the village were you still in your formation of four, that is to say two shield carriers and two men who were assisting Officers behind without shields? - A. I don't think we were, we were split up.
- Q. Is it the case that from the bridge up to the top of the village in fact formation and training as far as PSUs is concerned went out of the window? - A. That is correct, yes.
- Q. I wonder if you would look at Exhibit 45 if you would. It is a series of photographs which only show the scene. Now if you look at Photograph number 8 please first of all. On the right-hand side of that photograph does that show roughly the area that you were in? - A. Yes.
- Q. Now when you got into that area where were the thousands of pickets then, where had they gone? - A. Well they were all over the place in front of us.
- Q. Well looking at the street were they packed up the street? - A. They were going into the village from the railway bridge.
- Q. And they were retreating you see into the distance in Photograph 8, right the way into the distance? - A. Yes.
- Q. Now then this area that we see in Photograph 8 is the area I am concerned with? - A. Yes.
- Q. When you made your arrest of Mr. Wysocki what was this area like? What was going on? Was it full of people? - A. I have no idea. I cannot remember.
- Q. Was it full of Policemen? - A. There was pickets there all in the road and all over the area.
- Q. I don't want you to be loose about this in any way. This

is the area I am concerned with. This is the area I am asking you about this forecourt. When you say there were pickets all over the place at the time you arrested Mr. Wysocki is this the area you are talking about? - A. Well the general vicinity, yes.

Q. And how many pickets then were in this forecourt area?

JUDGE COLES: Do you mean on both sides of that decorative wall?

Q. MR. TAYLOR: Yes, everywhere in this area? - A. I should say there was still several hundred in this area.

Q. And what were they doing? - A. Throwing stones.

Q. Did any hit you as you arrested Mr. Wysocki? - A. I was not aware of any stones.

Q. Now if you were in that position with Mr. Wysocki how many other Policemen were with you at that time? - A. I should say approximately 50 or so, 50-100.

Q. And where were they, what were they doing? - A. Generally pushing the pickets back down the road running after them.

Q. Will you look at this exhibit please, Exhibit 27, and look at the last but one photograph please. You were shown this yesterday? - A. Yes.

Q. Now that is a view of the area? - A. Yes.

Q. But it is taken from the other side, from inside? - A. Yes.

Q. And it is looking across to the bungalow? - A. Yes.

Q. Now if it is right and that is you with the Sergeant taking Mr. Wysocki down the road, there are no pickets in this area, are there? - A. There are no pickets in this photograph.

Q. There is three or four. You see what I am going to put to you is this: at the top of the hill the majority of the pickets ran back down the roadway, they were not in this forecourt area at all throwing stones, they ran back down the road?

JUDGE COLES: Towards the village?

MR. TAYLOR: Into the village.

JUDGE COLES: Away from the Police?

Q. MR. TAYLOR: That is right, away from the Police.

Am I right about that? - A. I can remember going up into the village; seeing several hundred pickets; they charged us; well they all threw stones together and we charged and that is where I saw the Defendant Wysocki. When we ran towards them the majority of the pickets ran into the village.

Q. Now the majority of the pickets ran off. What about the ones that did not run away, what happened to them? - A. I have no idea.

Q. Well you were in that group going over the brow of the hill. Do you recall this happening: five or six pickets at the top of the hill being knocked over by shields? - A. In the roadway?

Q. In the roadway? - A. No.

Q. By the front runners, by the first few who were up over the brow of the hill? - A. I was not aware of that.

Q. A mixture of Merseyside Officers and West Midlands Officers. You did not see that? - A. No.

Q. But you see like you did before people who were not willing for one reason or another to move off the pavement or the road being staffed? - A. I did not see it happen.

Q. Not at that stage? - A. Not at that stage.

Q. Are you sure about that? - A. Yes.

Q. Did you see any pickets in the area with blood on them, on their heads?

Q. JUDGE COLES: Just before you go on. You say you did not see it happen at that stage. Did you see it happen at any other time? - A. With regard to pickets being hit by truncheons?

Q. Being "staffed" as you put it? - A. I saw it earlier in the day. I suppose it happened throughout the day but I did not see it when I was on the brow of the hill going into the village.

Q. MR. TAYLOR: You see what you did, when I say "you" I mean the Police, the first ones over the bridge and you must have seen this, was to pick up a few stragglers, a few people who were not willing to move and just take them in and some of those were hit, weren't they? - A. I was not under those instructions.

Q. That is what was happening in effect? - A. I only saw what I have described earlier with regard to the Defendant.

Q. JUDGE COLES: Was the Defendant a straggler doing nothing? - A. No, he was arrested for throwing a stone.

Q. MR. TAYLOR: Did you see any other person throwing a stone in that area clearly that you had a good glimpse of? - A. There was a lot of pickets throwing stones.

MR. TAYLOR: All right. Thank you very much.

Cross-Examined by MR. O'CONNOR:

Q. One part of your training the theory is that Officers who are carrying shields are at the front and when you keep in formation Officers without shields behind hold on to the belt of a shield carrying Officer as he would advance in a group. That is part of your training, isn't it? - A. They sort of put their arm around the man in front.

Q. I wanted to clarify this and you told us that training in formation had gone out of the window by the time you were above the bridge. Was anybody holding on to you in that sort of way because you were carrying a shield, weren't you, above the bridge? - A. No.

Q. Did you see anybody else from your PSU in that sort of formation above the bridge? - A. No.

Q. You told us that you believed Mr. Norris and Abson were working as a pair that day? - A. Yes.

Q. Is that because you knew them as a pair, you had seen them training together and working together or because you actually saw them at a particular moment or moments during that day working together? - A. I cannot recall them working together but they normally worked together.

Q. Thank you and that is why you gave that answer, I quite understand that. You reached the brow of the hill and you were ordered to stop? - A. Yes.

Q. Then when you made your further advance you were ordered to charge? - A. Yes.

Q. Now it was important there that you kept together as much as possible, that individual Officers did not become isolated. Is that fair? - A. That is correct, yes.

Q. Did you see any other member of your unit at that point advance beyond the brow of the hill before there was the order to charge? - A. No.

Q. Now all day there had been Ambulancemen, may be Ambulancewomen as well, certain Ambulancemen in special yellow jackets, yellow tops behind the Police cordon? - A. Yes.

Q. You recollect? - A. Yes.

Q. And as the cordon advanced at various stages through the morning to the bridge? - A. Yes.

- Q. There would be Ambulance Personnel a short distance behind the cordon. Is that fair? - A. Yes.
- Q. I am sure you recollect at various stages an ambulance being present. I am not saying you should remember where but ambulances being present? - A. Yes.
- Q. Of course when you had made your arrest and you were on your way back down to the Command Centre, certainly let us call it something neutral, perhaps hostility is something neutral, hostilities had not terminated, they were not over for the day as far as we know? - A. No.
- Q. And ambulance and Ambulance Personnel certainly had not left the scene? - A. That is correct.
- Q. May I put a photograph to you and ask you if it rings a bell. 31B. It is an individual photograph, black and white. Can you just look at that.. None of the people in it need concern you, certainly not you or Mr. Wysocki or perhaps anybody that you would recognise. Does that ring a bell as the sort of scene you will have walked past going down from the bridge towards the Command Centre after you had made your arrest? - A. I cannot recall the ambulance being there in that location when we walked the Defendant down. I was not aware that they were in that position.
- Q. But certainly do you agree there will have been an ambulance around? - A. Yes.
- Q. And I think you have told us you only noticed Mr. Wysocki's injury when you reached the Command Centre? - A. Yes.
- Q. So you personally had no reason to be concerned about where the ambulance went. Is that fair? - A. That is correct, yes.
- Q. On your way back to the Midlands, I think you went back that evening did you? - A. I got home about 7 o'clock that evening, yes.
- Q. Can you recollect the discussion in your van about the events of the day in general, the sort of gossip that you have? - A. I think it was discussed but I cannot remember what in particular was discussed, just the general situation.
- Q. Part of the general situation would be who had been in arrests, involved in arrests that day? - A. I cannot recall any specific conversation regarding arrests.
- Q. Don't you recollect that your unit had in fact made five arrests or half of your unit, ten or eleven Officers had made five arrests. Do you recollect that arising in conversation? - A. No.
- Q. People not swapping stories about what they had done? - A. No, the majority of Officers were asleep on the way back.

- Q. Do you know who Police Constable Proud is. Does that ring a bell? - A. His name does not ring a bell.
- Q. Or the number 1184.. A number does not mean very much. Could that be a West Midlands number or from anywhere? - A. It could be from anywhere.
- Q. It could be a West Midlands number, could it? - A. It could be, yes.
- Q. When you came here to give evidence you went to Police Headquarters? - A. Yes.
- Q. And you went to a Detective's Room? - A. Yes.
- Q. That was to report in? - A. Yes.
- Q. You did not have to go there to collect a copy of your statement because you had had a carbon copy of your statement all year? - A. Yes.
- Q. You saw some Detectives, did you? - A. Yes.
- Q. And you had a conversation with them? - A. Yes.
- Q. Did you just say: "Well here I am, Mr. Skelton reporting in" and then go to your hotel or what happened? - A. They just generally outlined the procedure of what was happening at Court.
- Q. Certainly. Did they tell you when you might be expected to be called to give evidence? - A. Yes.
- Q. The stage the case had reached? - A. Yes.
- Q. Did you understand that two West Midlands Officers had already given evidence? - A. I was aware of that.
- Q. Mr. Norris and Mr. Abson? - A. Yes.
- Q. Did they tell you that? - A. I was aware they were up here last week. I have not spoken to them since they have returned.
- Q. You were aware they were up here last week. How were you aware of that? - A. Because initially we were all warned to attend Court together; then the warning came through that P.C. Norris and Abson had come up last week and myself and Sgt. Kelsey were on standby to come up last week.
- Q. So you would be interested obviously? - A. Yes.
- Q. I understand that and you are still at Bradford Street Police Station? - A. Yes.
- Q. And Mr. Norris and Mr. Abson are still there? - A. Yes.

- Q. Have you seen them since last week? - A. I don't think I have, no.
- Q. So the conversation with the Detectives they outline the procedure and the stage the case had reached? - A. Yes.
- Q. Anything else? - A. Not really, no.
- Q. Did you see any of the Detectives then that you had seen on the 18th of June in the Command Centre? - A. I have seen several of them before but whether or not they were there on the 18th I cannot say for certain.
- Q. Well when else could you have seen them before other than on the 18th of June? - A. We returned to Orgreave after the 18th of June on two or three other occasions.
- Q. Did you make witness statements on those two or three other occasions? - A. No I didn't but we had to visit the building.
- Q. So you think you had seen the Detectives that you spoke to in Police Headquarters here at Orgreave on one day or another? - A. Yes.
- Q. Were any of those Detectives the Detectives who were present in the Statement Room dictating? - A. I cannot say for certain whether or not they were there on that day.
- Q. Can you say nearly for certain? - A. I am unsure.
- Q. Can you say probably that they were the same? - A. There were several Officers there from the South Yorkshire Police. I would not like to say whether or not they were in the same room.
- Q. You see I suggest you ought to be able to remember if they were the same Detectives as those who had dictated the witness statement, parts of the witness statement to you. Can you not do that for us? - A. I suppose I should have made a note but I can't remember.
- Q. I am not criticising you for not making a note, just your recollection. You see you told us twice when asked about this, you immediately said that you would not be able to name those Officers? - A. Yes.
- Q. And I suggest you were very anxious to make that clear as soon as this subject was touched upon, Mr. Skelton, weren't you? - A. I have been here two or three days now. I still cannot remember the names.
- Q. Can you help us with what they looked like, any sort of description or nickname or rank that you heard that they had? - A. I was just aware that they were Detective Officers from the South Yorkshire Police. What rank they were I don't know.

- Q. Have you seen any of them in this Court building just in passing? - A. I may have done.
- Q. As you come in on this ground floor you do a little squiggle to the right and along through the public area and on the left are some security people and some telephones? - A. Yes.
- Q. And sometimes there are some Detectives there, aren't there? - A. Yes.
- Q. Any of the Detectives that you have seen there, were they or any of them in that room when parts of your witness statement were dictated? - A. I cannot say for certain whether or not they were.
- Q. Can you say probably? - A. Well they probably could have been. I am not certain.
- Q. You see there is one, can I suggest to you one who is quite young looking although quite bald who is one of the Detectives. Have you seen him as one of the Detectives who has been in that area quite frequently over the last few days or weeks? - A. No.
- Q. Have you seen any South Yorkshire Detectives in the West Midlands? - A. I have not, no.
- Q. Are you aware of any visit to the West Midlands area by any of them? - A. I have not seen any down there.
- Q. Are you aware of any visit by any of them to the West Midlands? - A. Not aware that they had visited the West Midlands.
- Q. Were you asked any questions when you went to the Police Station to report any? - A. What do you mean by "questions"?
- Q. Any questions at all apart from just passing the time of day. "How are you?" Any questions about you or your background? - A. No.
- Q. You obviously stayed in Sheffield last night, did you? - A. Yes.
- Q. You stayed at an hotel? - A. Yes.
- Q. And Sergeant Kelsey is he here now waiting to give evidence? - A. I believe he is, yes.
- Q. Did he come up this morning? - A. He came up yesterday.
- Q. Did he stay at your hotel last night? - A. Yes.
- Q. Was he the only West Midlands Officer at that hotel? - A. Yes.

JUDGE COLES: I think I have allowed you to fish almost long enough, Mr. O'Connor.

MR. O'CONNOR: I am about to draw in the line, your Honour.

Q. But presumably you spent some time with him last night? - A. We had a meal together then we left with a Detective Officer from the South Yorkshire Police and we spent an evening with members of the South Yorkshire Police.

Q. Detectives or uniform? - A. Detectives.

Q. Presumably you got to know them at least by their nicknames? - A. I got to know one, that is all.

Q. What is his name? - A. I only know him as Keith.

Q. Did you get to know if he was a Detective Constable or above? - A. No.

Q. So you eat with them and when Mr. Kelsey

JUDGE COLES: I am not going to allow you to ask what they had for dinner, Mr. O'Connor.

MR. O'CONNOR: Most certainly not.

Q. Did the conversation ever turn to the evidence in this case? - A. No, it did not.

Q. Never? - A. Sergeant Kelsey asked me when I got back how I got on and I told him about the duration in Court but we were informed not to discuss the case between us.

Q. Well I won't ask you what your own self-assessment was in marks out of ten.

JUDGE COLES: Or indeed his assessment of Counsel.
(Laughter)

MR. O'CONNOR: For artistic impression as well as technical proficiency.

Cross-Examined by MRS. BAIRD:

Q. Mr. Skelton, may I ask you one or two questions and I believe I will be helped if you would look at the aerial photograph. I cannot remember, I am afraid, whether you have had a look at it before or not? - A. No, I have not.

Q. Perhaps the best landmark is the railway bridge which is to the left of the centre? - A. Yes.

Q. You can see the Coking Plant is to the left at the top and the village to the right? - A. Yes.

- Q. You have made clear that you were one of the earliest Officers on to the bridge? - A. Yes.
- Q. I think you told my learned friend Miss Russell you were somewhere about the middle of the road when you got there. Is that right? - A. More or less, yes.
- Q. Did you continue to be one of the leading Officers as you advanced off the bridge? - A. Well I was not aware of any other Officers in front of me.
- Q. Can I ask you whether you looked at all or can help us at all with what was happening in the field to your right as you came over the bridge. If you find the bridge there there is an industrial area which would look to be to your left as you came off the bridge and a very large field to your right? - A. Yes.
- Q. Can you remember what was going on in there? - A. I was not aware.
- Q. You really did not look at all? - A. I was looking straight ahead.
- Q. Can you even help this far. Were there any people in the field? - A. I cannot answer that. I am not sure.
- Q. You have told us that there were some stones coming at you at that stage. Can I take it that none were coming from that side then since you were not alerted to look to that side at all? - A. I think if they were coming from that side we would have noticed.
- Q. Just I think two more questions really concerning when you were bringing Mr. Wysocki back under arrest with your colleague.

Could you look please quickly to Exhibit 21 and to Photograph 6. Can you now look back to Photograph 5 please, as it were look at the two together? - A. Yes.

- Q. My client Mr. Forster is not shown on any of those pictures but I have reason to believe that he came down that road under arrest between the man in 5 and yourself? - A. Yes.
- Q. I really just want to ask you Mr. Skelton if you would look at Mr. Forster please, if he would stand up, and just tell me: can you remember seeing him that day at all? - A. No, I cannot remember seeing him.
- Q. As you were walking back with Mr. Wysocki you would obviously come back on to the bridge passing the field I have referred to, this time on your left? - A. Yes.
- Q. At any time as you were approaching that area did you see any Officers climbing over the wall out of that field?
- A. No.

- Q. Are you telling me that it did not happen in front of you?
- A. I did not see any.

MRS. BAIRD: Thank you.

MR. GRIFFITHS: No questions.

MR. REES: No questions.

Re-Examined by MR. WALSH:

- Q. You said, and correct me if I have got it wrong, that after you and Billington parted company because of his injury "We were continually being split up and I worked with another PSU". Did I understand you to say that? - A. I think I said that. I can recall being with other Officers from a different PSU from the West Midlands.
- Q. So you did at some stage that day work with other Officers from another West Midlands PSU? - A. Yes.
- Q. Was that because you were told to do so or it just happened that you joined them when you got there? - A. Everything was in disarray. You were losing track of your colleagues moving about.
- Q. At what point was this, when you got back after Billington was above the bridge or what? - A. I think this occurred when we were advancing up towards the railway bridge.
- Q. And taking you further on that. You said that the formations went out of the window and everything was in disarray. What caused that to happen? - A. The general situation.
- Q. Meaning what? - A. Obstacles left in the road and the number of missiles being thrown.
- Q. And your training, which I understand you to mean the little five man group going forward? - A. Yes.
- Q. You say that went out of the window? - A. Yes.
- Q. Did you mean anything else when you said "The training went out of the window" other than the little five man formation? - A. Just the formation.
- Q. Why did that go out of the window? - A. Obviously something we had never trained for. We had never experienced anything like that before.
- Q. What had you not trained for and experienced before? - A. The number of pickets we were facing that day.
- Q. The training that you have had, what sort of numbers and situations had that envisaged? - A. We just trained mainly behind shields and missiles being thrown at us.

- Q. By how many people? - A. Not many people.
- Q. And how frequently had you done such training before Orgreave?
- A. Perhaps half a dozen times, that is all.
- Q. Over a period? - A. Of 18 months/two years.
- Q. You have told us that for some time you had been a member of the West Midlands OSU and you were about to tell us of the many tasks that the OSU perform? - A. Yes.
- Q. Would you in fact now tell us about the tasks that the OSU performs? - A. Essentially we are a mobile reserve for the West Midlands Police Force.
- Q. To do what? - A. To respond to any emergency within the Force area.
- Q. And what sort of emergencies are you trained or expect to deal with should they occur? - A. Obviously one is public disorder, murders, crime enquiries, searches.
- Q. Searches of what? - A. When there has been a major incident, murders, rapes, things like that, serious crimes. We also do assist the CID house-to-house enquiries, things like that.
- Q. "CID" being the Criminal Investigation Department? - A. Yes.
- Q. So whenever the Police investigate any particular matter and need extra strength and bodies to help them, is that when you are available? - A. That is when we are called, yes.
- Q. So from what you say that is a rather widespread area of activities? - A. It is, yes.
- Q. There have been two on the face of it rather different suggestions about the same thing that have been put to you by two different Counsel and I would like to explore those.

One suggestion by Miss Russell was that the Midlands Officers including yourself were not the first people who went out and over the bridge and as it were were not there at all but that it was the Merseyside people that went out first and initiated the charge. Do you follow? - A. Yes.

- Q. Mr. Taylor on the other hand has made the suggestion that you and Merseyside all went out together and were intermingled? - A. That could have been the case.
- Q. Now let us just have a look and see if we can get any assistance from the photographs. Would you like to look first of all I think at Exhibit 21. Those may not have any relevance, we don't know at the moment. Can you tell from that photograph whether some or any of those Officers are short shield Officers? - A. It does not appear so.

- Q. Let's look at Photograph 2. Do you see these, and you have been reminded by Counsel they are taken in the order they appear in the bundle so 2 comes after 1 and so forth. Do you see here the Police at the railway bridge and if you look at the bridge itself you can see certainly two people on it who do not appear to be Policemen. You see there is one head and shoulders and one just a head to the right and the Police are on the face of it this side of the bridge on the railway embankment in the middle of the photograph and on the right? - A. Yes.
- Q. Would you look carefully at the Officers towards the right-hand side just above that little stone wall and see if you can see any shields that may or may not be West Midlands shields? - A. There are Officers with round shields there, yes.
- Q. I see you pointing to one. It may be that the jury have already spotted a round shield in any event but if necessary can you point to it. I think there are two that we can see towards the right-hand side of that photograph? - A. Yes, the Officers on the extreme right of the photograph.
- Q. Is that the rim of the shield, it looks rather like a white circular mark on the photograph. Is that what you are pointing to? - A. Yes.
- Q. Now we go to Photograph 3 and

MISS RUSSELL: I wonder if my learned friend is dealing with the matter of shields and going to deal with it accurately, I wonder if he could ask the Officer for his opinion of what sort of other shields are shown on that bridge rather than just selecting out one or whether or not my learned friend is quite happy to make an admission that there appear to be Merseyside shields, long shields, the other sort of short shields before continuing on.

JUDGE COLES: I think you are doing that?

MR. WALSH: Your Honour yes, and (b) perhaps my learned friend will allow me to continue my re-examination.

- Q. Looking at Photograph 2 we all appreciate the difficulties from the smallness of it and the distance away. I don't know whether you have looked carefully enough to be able to say either "There are some round shields. There are no round shields" or "I am not able to tell". Are you able to say any of those things from that photograph? - A. Yes, there are Officers with round shields there, yes.
- Q. On this photograph? - A. On number 2, yes.
- Q. Sorry, number 3 I am looking at. I may have misled you by saying 2 when I mean 3? - A. I cannot see. It is hard to distinguish from the photograph.

- Q. Now let us look. Let us go through Photograph 4. We know that the Officer shown there is a Merseyside Officer. Do you follow? - A. Yes.
- Q. Photograph 5 we know and we can see from the chequered hat bands that they are Merseyside Officers? - A. Yes.
- Q. The next photograph is Photograph 6? - A. Yes.
- Q. Which is you? - A. Yes.
- Q. And you are West Midlands? - A. Yes.
- Q. The next photograph is 7 and that is West Midlands? - A. Yes.
- Q. And the next photograph is 8 and we know that those Officers are all I think Merseyside or at least three of them certainly are Merseyside?

JUDGE COLES: Which are you looking at now?

MR. WALSH: Photograph 8. Mr. Coston with two Merseyside Officers and I think we have been told by my learned friend it is Mr. Greenaway and the Officer nearest to the camera has got the Merseyside hat band.

JUDGE COLES: What about the Officer on the far side?

MR. WALSH: Your Honour, I don't know whether any evidence has been given about that.

- Q. Perhaps you can help us. From what we have been told it would seem that the Officer on the far side of the couple to whom I am pointing is not a Merseyside Officer because (a) he does not appear to have a chequered band on his helmet? - A. Yes.
- Q. And (b) on his protective visor there is a metal strip across the top? - A. Yes.
- Q. He also has a round shield? - A. Yes.
- Q. So are you able to help us as to what Force he would appear to come from. You may not be able to recognise him? - A. I don't recognise the Officer.
- Q. I think you can take it he can't be Merseyside. Do you follow? - A. Yes.
- Q. Is there anything about him which makes you say he cannot be West Midlands? - A. It is quite probable that he is a West Midlands Officer.
- Q. And then if we go on to number 9 again we have got an Officer with the same metal strip across the top of his visor? - A. Yes.

Q. Do you recognise him? - A. Yes.

Q. You do? - A. Yes.

Q. Then does it follow from that he must be a West Midlands Officer? - A. Yes.

Q. Who is he? - A. I think it is P.C. Spencer.

Q. I see nods of agreement so you are probably right.

Looking at those photographs and reminding yourself of what you have seen in all of them including Photograph 2, of the alternative suggestions put to you, one by Miss Russell that the Merseyside people went out on their own and the West Midlands were not there

MISS RUSSELL: My learned friend was not listening very carefully to my cross-examination obviously because that was not the suggestion.

My suggestion was that on the breaking out from the bridge as shown in Photograph 2, the Merseyside people went first; some of them detoured at that point to the left and some of them continued up and what I suggested was the West Midlands then came in a follow-up, as it were, sweeping up motion behind the Merseyside people. Now that was my suggestion. I am afraid I made it clearly. I do not see that is particularly inconsistent with what Mr. Taylor was suggesting in any event and that by the time they are up there then obviously there was intermingling, Merseyside in a sense going ahead.

JUDGE COLES: Well if there was any misunderstanding about it there clearly cannot be now.

MISS RUSSELL: I am grateful.

MR. WALSH: I am grateful to my learned friend having heard now the way it is put.

Q. Seeing the photographs are you able to answer either of those propositions put forward to you by Counsel? - A. As far as I can recollect we were one of the first across the railway bridge.

Q. Perhaps you would look at the colour photographs as well, Exhibit 30. Again would you please assume that these are taken in the order in which they appear? - A. Yes.

Q. The first photograph showing above the bridge is numbered 3 on the back of it. Do you follow? - A. Yes.

Q. Now we see some horses coming back down the hill? - A. Yes.

Q. Other than the two Officers in the foreground we cannot

see any other Police Officers at all. Do you follow? -
A. Yes.

Q. Those two Officers would appear to have entirely different types of shields? - A. Yes.

Q. And on the face of it from what you know to which Forces do those two belong? - A. I would say the West Midlands and Merseyside Police.

Q. If we look at the next photograph taken after the previous one and facing in a different direction we see, I think you have already said, a mixture of Merseyside and West Midland Officers? - A. Yes.

Q. And our photograph, may be yours doesnot, has a shoulder in the bottom left-hand corner of someone obviously going off the camera. You were asked whether you are on that photograph. Now is it possible for you to see sufficiently the various faces and statues of everybody who appears on that photograph, even if only the top of the helmet appears, for you to say: "I am not one of those people"? - A. I am not. I could be there. I am not sure.

Q. That is what I want to know. Can you say definitely whether you are or are not on that photograph? - A. I could not answer that.

Q. If we continue, there are some photographs of people, the crowd, and then 8 and 9 of which you have been asked and assume for the purposes of these questions that these photographs were taken after the other ones. Then there is Photograph 10 of an Officer who I think you say must be a West Midlands Officer or certainly not Merseyside because again he has not got the chequered band on the back of his helmet.

MISS RUSSELL: With respect I have no recollection at all of this Officer saying anything like: "This must be a West Midlands Officer". All this Officer said so far as that photograph is concerned I think, was that he could not say whether it was Merseyside or not, because my recollection of this Officer in relation to that was he was not even sure that Merseyside had chequered hat bands and I would hope in re-examination my learned friend would not make leading suggestions to the witness in the hope the witness will give an answer.

MR. WALSH: Your Honour, I thought I was asking something that was patently obvious.

JUDGE COLES: I am looking at my note of your cross-examination, Miss Russell, on this photograph. "I did not recognise the Officer or his Force. His helmet may be West Midlands. It is not me. I did not do that."

Q. MR. WALSH: Well you have been told that the Merseyside Officers have the chequered hat band at the back. Do you see any chequered hat band on that Officer's helmet? - A. Yes.

Q. You said to my learned friend Miss Russell, as His Honour points out, that he may be West Midlands? - A. Yes.

Q. Do you see anything about him to suggest he is not West Midlands? - A. No.

Q. Thank you.

Now I would like you to look at Photograph 11 which is the next one which you, your Sergeant and Mr. Wysocki appear? - A. Yes.

Q. And I am going to have to ask you to look at that in conjunction with one or two others first of all. There are three people being led back towards the bridge on that photograph? - A. Yes.

Q. We know who three of them are at the rear. There is someone at the front with a shield, a type of which you would recognise? - A. Yes.

Q. And with a different type of visor on the front of his helmet? - A. Yes.

Q. Is it possible so far as the middle Officer is concerned and the man in the blue shirt for you to see sufficient of that Officer to identify his Force? - A. I would say he is not from the West Midlands Police.

Q. Would you note please your position with Mr. Wysocki and Sergeant Kelsey. You are on the right-hand side of the road as you are walking down the hill? - A. Yes.

Q. That is where we see you. Do you follow? - A. Yes.

Q. Would you look please at Album 27, Photograph 26 while still keeping this open. It is the last but one in 27. That photograph is taken, we have already been told, some days or weeks ago at an angle across the road from some industrial premises. Do you follow? - A. Yes.

Q. If you want to follow the angle itself would you like to look at the aerial photograph. If I understand it, as Counsel put it some while ago, it is taken from about where my finger is, there is a fence running apparently between two premises at the right of a rear gable ended building. Do you follow? - A. Yes.

Q. If you eradicate the motor vehicles from your mind the camera is pointing at an angle across the road towards the general direction of the bungalow and the house next door to it? - A. Yes.

Q. Do you follow? - A. Yes.

MR. WALSH: Your Honour, I think there is another photograph in one of the albums that makes it even clearer.

MR. GRIFFITHS: As I put it I could not see it what my learned friend was pointing to and indeed if one looks at Photograph 9A in Exhibit 45 it is almost directly the opposite shot to which the cameraman is taking it there. The cameraman there is standing approximately by the bungalow looking in that direction.

Q. MR. WALSH: Have you got 9A? - A. Yes.

Q. Do you see there is the crane in the background? - A. Yes.

Q. I am sorry to jump from photo to photo but it is to give you the correct angle and perspective. I think it is agreed on behalf of the Defence that this colour photograph 27/26 is taken from about the place where the crane appears in 9A of Exhibit 45? - A. Yes.

Q. So that if you can imagine there is now standing by that crane, the colour photograph is looking at an oblique angle across Highfield Lane? - A. Yes.

Q. Not as it were straight across at right angles but at quite a slanting angle? - A. Yes.

Q. So that the bushes that you see are the bushes outside the bungalow and the road as it goes way to your right is going over further away from you into the distance as well as to the right? - A. Yes.

Q. It is suggested to you that the figures that you can see very faintly above what looks to be a greenish coloured motor car are your Sergeant, Mr. Wysocki and yourself? - A. Yes.

Q. Your evidence is that you arrested Mr. Wysocki further off towards the left up Highfield Road? - A. That is correct.

Q. So the first question is this: from the point where you say you arrested him in which direction did you walk? - A. We walked towards the Coke Works.

Q. As you walked towards the Coke Works would you have to pass this place? - A. Yes.

Q. It is suggested on behalf of Mr. Wysocki that this photograph indicates that Mr. Wysocki, you and the Sergeant are all on the pavement on the left-hand side of the road as you walk down the hill. Do you follow that question? - A. Yes.

- Q. Now first of all is there anything in that photograph to indicate on what part of Highfield Lane you are standing?
- A. There is not, no.
- Q. Would you look back at Exhibit 30, number 11, which shows you, your Sergeant and Mr. Wysocki walking not on the left-hand side but on the right-hand side? - A. Yes.
- Q. And the question I ask you: did anything happen to cause you, your Sergeant and Mr. Wysocki on the way back to go over on to the completely opposite side of the road from the one you had started off on? - A. I cannot recall anything happening.

MR. WALSH: One one or two more matters now.

- Q. JUDGE COLES: Just before you leave those photographs may I just ask the witness this: just ahead of you on Photograph 11 in Exhibit 30 there is an Officer. You say he is not a West Midlands Officer, that is all you can say about him, but he is leading down a man with a blue shirt and possibly slightly ginger hair? - A. Yes.
- Q. Would you look back please at Photograph 26 of Exhibit 27. Look in the top right-hand side of that picture. This may or may not help to confirm whether you appear in that photograph. Do you see anything that assists? - A. There is a man with a blue shirt, yes.
- Q. Does he also appear to have blue trousers? - A. He does, yes.
- Q. Does the man in Photograph 11 also appear to have blue trousers? - A. He does, yes.

JUDGE COLES: Yes, thank you. Sorry, Mr. Walsh.

MR. WALSH: Yes, I am much obliged, your Honour.

- Q. Is there anything to indicate in Photograph 26 on which side of the road he is? - A. No.
- Q. And he too, as His Honour points out, is on the right-hand side of the road ahead of you on Photograph 11 as you come down the hill? - A. Yes.
- Q. After the 18th of June you have told us you came back to Orgreave on a number of occasions. How many was that? - A. I believe to actually police Orgreave was about two or three occasions.
- Q. When was that in relation to the 18th of June? - A. I think the first time was round about a week later.
- Q. What did you do on any of the occasions on which you actually had to perform a duty rather than be on standby?

MISS RUSSELL: With respect, your Honour, what possible relevance to any of the issues in this trial can it have what this Officer was doing a week or so later at Orgreave one way or another? I cannot see that it has any bearing on any issues in this trial.

JUDGE COLES: To tell you the truth, Miss Russell, I rather thought the same myself when some other Counsel for the Defence raised the matter, but since it has been raised and I gave Counsel for the Defence that indulgence, I don't think it was you, I think I probably ought to give the Crown the indulgence to re-examine on them.

MR. WALSH: I only asked as the Defence had asked about it it should not remain in limbo and obscure.

Q. On any occasion you were called into active duty rather than on reserve in the car park what were you doing? - A. Just forming a cordon.

Q. Did you make any arrests on any other occasions? - A. No.

MR. WALSH: Thank you.

JUDGE COLES: I think we will take our break now.

MR. WALSH: The only other matter is for the benefit of my learned friend Mr. O'Connor. Perhaps may I repeat what I said in open Court weeks ago: the reason that witnesses are reporting to the Police Station and not at Court is to make sure that witnesses are kept apart.

JUDGE COLES: That was for your benefit, Mr. O'Connor. You do hear it?

MR. O'CONNOR: Thank you for that indication.

(Short adjournment)

MR. WALSH: Your Honour, one formal matter before we call the next witness. The witness statement and the carbon of it which have been cross-examined about, your Honour this should become Exhibit 57A and B I think is the correct number.

JUDGE COLES: Yes, it is.

POLICESERGEANT KEITH KELSEY Sworn

Examined by MR. KEEN:

Q. Your name, rank and Police Force please? - A. Keith John Kelsey, sir. Police Constable 3356 of the West Midlands Police.

- Q. Sergeant, on the 18th of June last year did you come to Orgreave as a member of a PSU? - A. I did sir, yes.
- Q. During the course of that day were you involved in an arrest? - A. I was sir, yes.
- Q. What was the name of the person who was arrested? - A. Mr. Stefan Wysocki sir.
- Q. I wonder if you would take up some photographs, Exhibit 9. Do you have those? - A. Yes sir.
- Q. If I could just take you through them, Sergeant. Would you have a look at Photograph 1 first of all. We understand that is a photograph looking up Highfield Lane. Do you recall that scene? - A. I do sir, yes.
- Q. Have a look at number 2 would you please? - A. That is a little further up the lane.
- Q. Do you recognise that? - A. Yes sir.
- Q. Number 3 the photographer there has moved further up the lane and you can see towards the end of the lane a bridge. Do you recognise that? - A. Yes sir, I do.
- Q. Number 4 and indeed 5 are closer views of the bridge. Do you recognise it? - A. I do sir.
- Q. Photograph number 6 is taken in the vicinity of the bridge looking over it. Do you recognise that? - A. Yes sir.
- Q. Number 7, the photographer appears to have moved a little further forward and across the bridge. He is looking up towards the brow of a hill. Do you recognise that? - A. Yes sir.
- Q. Have a look at number 8 will you please. The photographer there appears to have moved further forward towards the brow. Do you recognise that? - A. I do sir.
- Q. And finally number 9. We understand that that is taken at or about the brow of the hill looking over it. Do you recognise that one? - A. Yes sir, I do.
- Q. Using those photographs perhaps you could assist us in telling the members of the jury whereabouts you were when you first saw Mr. Wysocki? - A. Photo. number 7 sir.
- Q. On yours are the lampposts numbered? - A. 2, 3 and 4 sir.
- Q. If it assists use those numbers. Whereabouts were you on that photograph? - A. Lamppost number 3 sir.
- Q. Whereabouts in relation to the lamppost? - A. I was on the right. I would say just to the right of the centre line from memory.

- Q. Again using those photographs if they help you. Can you tell us where Mr. Wysocki was when you first saw him? - A. If you look at lamppost number 4 sir.
- Q. An entrance drive at the right-hand footpath just below the post of lamppost number 4? - A. He was in the road.
- Q. Whereabouts in the road? - A. Towards the kerb sir.
- Q. When you first saw him what was he doing? - A. When I first saw him sir he had a stone in his right hand and he threw that stone towards the Police line.
- Q. At that time was the Police line stationary or moving? - A. As I remember it we were stationary sir.
- Q. Having thrown the stone what happened next? - A. At that point we were given an order to charge at the pickets to disperse them sir.
- Q. Did you move forward as a result of that order? - A. I did sir, yes.
- Q. What happened to Mr. Wysocki? - A. He started to run away sir.
- Q. And where did you go in relation to him? - A. I was following him sir.
- Q. You say you were "following him". What were your intentions at that time? - A. To arrest him for throwing a stone at the Police line.
- Q. Were you aware of any other Police Officer heading in the same direction? - A. As we went forward there was anything upwards of 20 of us ran off together so I was aware of other Officers, yes sir.
- Q. Did you eventually get to Mr. Wysocki? - A. I did sir, yes.
- Q. Were you aware of any other Police Officer at that time? - A. Oh yes sir, P.C. Skelton had overtaken me by this time and he got to Mr. Wysocki first in actual fact.
- Q. Again using those photographs if they assist you, whereabouts was Mr. Wysocki when you caught up with him? - A. If you go to Photograph 9 sir you can see a signpost on the left-hand side for the City Centre. As I remember we were in the road about level with that signpost sir towards the left of the road, the left of the centre line that is.
- Q. So in the road to the left of the centre sign, in the area of that traffic sign? - A. Yes.
- Q. You say Mr. Skelton passed you and got to Mr. Wysocki first.

What happened when he got up the hill? - A. He took hold of him and told him he was under arrest for throwing stones at the Police line.

Q. JUDGE COLES: That is what P.C. Skelton did? - A. P.C. Skelton did that sir, yes.

Q. MR. KEEN: Whereabouts were you in relation to Mr. Skelton and Mr. Wysocki at that time? - A. I was right behind them sir because he was coming to a halt at that stage and I caught up.

Q. Other than telling Mr. Wysocki he was under arrest for throwing stones did Mr. Skelton say anything else to him? - A. Yes sir he cautioned him.

Q. Did Mr. Wysocki have anything to say? - A. Yes, he told us he was here to picket the lorries, that is all.

Q. Did you then escort him to the Police Detention Centre? - A. I did sir, yes.

Q. Did you come across anyone else during that journey? - A. What, arresting Officers you mean sir?

Q. Well any other Police Officers? - A. Yes sir, we had to pass through two shield cordons on the way back to the Detention Room.

Q. Was that an easy manoeuvre or not? - A. Not with the first one, no sir. We had trouble getting through, the shields were tightly wedged together. It took a bit of force to break them apart to get through.

Q. JUDGE COLES: Keep your voice up Officer please. "We had trouble getting through the first one where the shields appeared to be tightly wedged"? - A. Yes, they appeared to be tightly wedged together. We had to break them apart to make our way through.

Q. MR. KEEN: But eventually you got to the Prisoner Reception Centre? - A. Yes sir.

Q. Did you notice anything about Mr. Wysocki once you were there? - A. Yes sir, he had a bruise under one eye and a cut on his nose.

Q. Did any of the three of you have anything to say about that once you were at the Reception Centre? - A. Well I noticed them and I asked him how he got them and he alleged that a Police Officer had assaulted him, had done it, but refused to make any form of complaint, did not want to take the matter any further.

Q. Presumably you would leave your prisoner at the centre? - A. P.C. Skelton took Mr. Wysocki through to be booked in on the Person in Custody sheet sir, yes.

- Q. After you parted company with Mr. Wysocki where did you go?
- A. Went back outside to see what was happening. When I left there was still what we considered to be a riot going on and I found out there was nothing more happening. I came back to the Prisoner Reception Centre to see P.C. Skelton.
- Q. Did you find Mr. Skelton? - A. Yes sir.
- Q. Where was he? - A. He was in the building on I think it was the first floor in a room right at the far end.
- Q. What was he doing when you found him? - A. He was waiting for me and we made a statement together.
- Q. You say you made a statement together. Where did the words come from that went into that statement? - A. Well there was about 20 or so Officers in the room sir plus a Detective from South Yorkshire and they did dictate some of the statement to us in respect of what had happened, the overall picture, if you see what I mean. The actual words of Mr. Wysocki and the evidence against him were our own words.
- Q. You say "our own words". What was happening as you and Mr. Skelton were making your statements in relation to that arrest? Did you do it in silence or not? - A. No, we were talking to each other discussing what happened.
- Q. Who was writing down at that time? - A. P.C. Skelton was sir.
- Q. Were you making a statement at that stage yourself? - A. No sir.
- Q. The time was to come when Mr. Skelton finished his statement? - A. Yes sir.
- Q. What happened to it then? - A. I read it, agreed with it and signed it.
- Q. Did there ever come a time when you made a statement of your own? - A. I was sent a typed copy of P.C. Skelton's statement, the statement we both made. I was sent a typed copy which arrived in Birmingham. I read that, signed it and sent it back sir.
- Q. You say you were "sent a typed copy of Mr. Skelton's statement"? - A. Yes sir.
- Q. In whose name at the beginning of that statement was it? The jury know you see that a statement is headed: "Statement of" and then there is a Police Officer's name? - A. It should be my name. The typed copy should be mine.
- Q. JUDGE COLES: That was not signed by Mr. Skelton?
- A. No sir, that was signed by me.

- Q. Did you recognise the document as being in identical terms to the statement you knew he had signed? - A. Yes sir.
- Q. MR. KEEN: You signed that and sent it back? - A. Yes sir.
- Q. I have not asked you any questions about the events preceding Mr. Wysocki's arrest but presumably if anyone wants to know about it you can answer questions? - A. I will do my best sir.
- Q. Just have a look would you at Exhibit 57A. Just have a look at this document would you? (Document produced) Do you recognise that? - A. I do sir, yes.
- Q. What is it? - A. It is the statement read out by P.C. Skelton in discussion with myself and signed by us both sir.
- Q. You say "signed by us both". On how many pages have you signed it? - A. Both of them sir.
- Q. Turn through it? - A. I am sorry, I have signed it on all three of them sir.

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Cross-Examined by MISS RUSSELL:

- Q. Officer, let us begin with this statement. If I understand your evidence correctly what you are saying is after depositing the prisoner you wandered outside to see what was going on. Is that right? - A. I went out of the building yes ma'm.
- Q. Where did you go when you went outside? - A. I went up to the bridge at the top of the road.
- Q. You walked up to the bridge and what did you see when you got to the bridge? - A. Nothing ma'm.
- Q. Nothing? - A. There was nothing going on.
- Q. Nothing going on at all? No Police? No pickets? - A. Oh there were Policemen there ma'm, yes.
- Q. What about pickets? - A. There was one or two sitting on the walls and the road as I went up, yes.
- Q. How far did you go? - A. Just up to the bridge ma'm.
- Q. Did you ever go over the bridge? - A. No, I did not.
- Q. Could you see the other side of the bridge at all as you came up? - A. Yes, I could see over the other side of it yes.
- Q. Were there pickets over the other side of it? - A. Not that I could see ma'm, no.

- Q. Are you saying at the time you walked up there was nothing much going on, no missiles at the bridge? - A. Not that I remember ma'm, no.
- Q. No crowds of pickets? - A. No ma'm.
- Q. No things set on fire or anything like that? - A. Not that I remember, no.
- Q. I mean you would have certainly seen a thick column of smoke as you went up the hill, wouldn't you. You would hardly have missed that? - A. I hope not.
- Q. So having seen there is nothing happening about the bridge you come back down? - A. That is correct ma'm, yes.
- Q. Did not look for the rest of your PSU or anything like that, you just came back down? - A. That is correct.
- Q. So can we take it that at the time you go up if there was activity going on between Police and pickets it must have been much further up than the bridge itself? - A. As I remember it yes.
- Q. So then you come back down to the Reception Centre? - A. That is correct.
- Q. How long did that take? - A. I don't remember.
- Q. Well have a think about it. Was it an hour's stroll, ten minutes? - A. Bearing in mind the distance no more than five minutes.
- Q. You are back at the Reception Centre within five minutes or so? - A. From the bridge, yes.
- Q. And it has probably taken you five minutes to get up there? - A. Probably, yes ma'm.
- Q. So we are talking about ten minutes since the booking-in procedures have taken place? - A. Since I left them at the booking-in place yes. It had not started when I went, there was a big queue.
- Q. Now you get back to the Reception Centre and by this time despite the big queue you go up into a room and there is 20 Officers or so sat around? - A. Yes ma'm.
- Q. And nobody had started writing? - A. No, I did not say that. I do not know if anybody else was writing. P.C. Skelton had not started writing.
- Q. How long have you been in the Police Force? - A. Ten years ma'm.
- Q. And you are a Sergeant? - A. Correct.

- Q. You know the value of corroborative evidence? - A. I do.
- Q. And you knew apart from anything else this was a somewhat unusual and difficult day to put it at its fairest? - A. Yes, that is correct.
- Q. Were you going to make a note in your pocket book? - A. Yes, I was.
- Q. Because that is what you would normally do, wouldn't you? - A. Yes ma'am.
- Q. Why didn't you? - A. The instructions from the plain clothes' Officers was to do a C.J. statement.
- Q. So we can translate that for the jury "C.J. statements" a Criminal Justice Act 1967, Section 9 of the Magistrates' Court Act 1980, section 102; Magistrates' Court Rules 1981, Rule 70 statements.

JUDGE COLES: Gosh, I am impressed.

MISS RUSSELL: I read it.

- Q. That is what you are talking about, the heading of the various Acts it covers at the top of the statement, "C.J." being Criminal Justice? - A. A witness statement, yes ma'am.
- Q. You were told not to make a note which you were going to do but to make a statement? - A. No, we were told we could do our notes on a C.J. statement. If we wished to put a note in our books afterwards we were quite at liberty to do that.
- Q. But you wanted to make a note about those words didn't you? - A. Certainly.
- Q. It was the only one you made that day? - A. It was.
- Q. So having been told you were going to make your notes on statements and you could thereafter put them in your books if you wanted to what happened, did you have a sudden paralysis of the hands; did they run out of statements or couldn't you get a desk? Why didn't you make a statement? - A. Because P.C. Skelton was going to write it.
- Q. Forgive me, Officer. So far as the statement is concerned it may be not everything you and the P.C. did that day was going to be identical. That is right, isn't it? - A. That is correct, yes.
- Q. You had every opportunity then to make a statement if you wanted to? - A. Yes, if I had wanted to.
- Q. I mean P.C. Skelton was going to the trouble of getting a carbon copy wasn't he? - A. I don't know ma'am.

- Q. Oh well you must have been watching him as he wrote it because you were discussing it. Didn't you notice he had sheets of carbon paper? - A. I cannot remember ma'm.
- MRS. BAIRD: Your Honour, I have been asked by the Defendants to ask the Officer to speak up. Your Honour, it is very difficult in this Court.
- Q. MISS RUSSELL: Are you telling the jury you did not notice that P.C. Skelton took a carbon copy of his statement? - A. I am saying I cannot remember ma'm.
- Q. Well it is not every day of the week you make carbon copies of these sort of statements is it? - A. No ma'm.
- Q. I suppose it is something you would say was very unusual, isn't it? - A. No ma'm, it is not unusual to make carbon copies of statements.
- Q. It may be that Birmingham has a somewhat different approach to other parts of the country but there was certainly carbon paper there in the room, wasn't there? - A. I cannot remember ma'm.
- Q. You must have remembered if P.C. Skelton had taken a copy of his statement with him because he would have folded it up and put it in his pocket right in front of you, wouldn't he? - A. I cannot remember ma'm.
- Q. What explanation are you giving the jury for not making your own statement and just countersigning it? - A. The evidence we were going to give over that particular point was the same. I saw nothing wrong in endorsing the statement P.C. Skelton had written for us both.
- Q. There was a tacit agreement before P.C. Skelton starts making the statement that every word you wrote is going to be identical so you may as well not bother making your own individual statement. Is that what it comes to? - A. It is not quite like that ma'm, no. I just did not see the point in making one. I was endorsing the one P.C. Skelton had done for us both.
- Q. How much of the statement that then resulted was dictated by South Yorkshire? - A. As I remember it up to the point of the arrest ma'm.
- Q. So every single word of that statement that P.C. Skelton was taking down was dictated by South Yorkshire Detectives except for the paragraph that related to the arrest? - A. We were dictated the circumstances of the advances during the morning. We agreed these were correct and put them down.
- Q. You see if it turns out Officer that there is a clear

mistake about something that was dictated to you how does it come about that both you and P.C. Skelton then did not notice that mistake? - A. What mistake was that ma'm?

- Q. Well let's approach it in two different ways if I may with you. Firstly if that statement referred to things that you had not seen or experienced should P.C. Skelton have put it in a statement and should you have counter-signed it? - A. No ma'm, I would not.
- Q. I want you to tell me if you will about your first deployment that day. You arrived at Orgreave. Let's not worry about how you get there. What is the first thing that you do actual active service your PSU? - A. We went out on to the line of Policemen.
- Q. How many lines deep was the Policemen when you went on it? - A. I cannot remember exactly. There was more than two or three but I cannot say exactly.
- Q. Where did you go road or field? - A. We were in the road ma'm.
- Q. Would it be fair to say the Police line on the road was many lines thick? - A. I cannot remember. It was certainly thicker than two or three. There was more than two or three rows there.
- Q. You could not see the front line could you? - A. I could not, no.
- Q. Do you know what was at the front line when you first went out? - A. No, I could not see.
- Q. After you had been there for some time you are told to go and equip. Would that be right? - A. That is right.
- Q. What do you equip with? - A. We have on helmets and round shields. We call them short shields.
- Q. You go and equip with helmets and shields and come back to the line? - A. That is correct, yes.
- Q. Am I right that at that stage you could not actually see the front line of Police on the cordon? - A. That is correct.
- Q. And that is the position until you come back with your shields and your head gear? - A. Yes.
- Q. It is only when you actually go right the way through that you see the front line of Police? - A. I did not notice the front line there. I was not interested in them.
- Q. Can you keep your voice up? - A. I am doing my best ma'm.

- Q. I expect you have given evidence in Courts on a number of occasions. It is not the first time is it? - A. Yes.
- Q. I expect when you deal with junior Officers and you are telling Officers off you don't whisper to them? - A. No ma'm.
- Q. Do you think you could keep your tone of voice up for the jury and the Defendants? - A. I will do my best ma'm.
- Q. How does it come about and have a look at your statement if you want to, you assert in that statement that you countersigned that there were no shields being used when you first went up? - A. We were told there was none.
- Q. So in other words because you were told it you agreed it despite the fact it was not something you had actually seen yourself. Is that what it comes to? - A. If they were using shields on the front line they are usually used in conjunction with Nato(?) helmets and I could not see any Nato helmets so we were told there were no shields and I believed that to be true.
- Q. You could not see the front line we have already agreed that. You see Officer does it come to this so far as the dictated parts of this statement went, you were so little concerned about really trying to tell the truth that you just wrote down anything that you were told by South Yorkshire Officers? - A. That is not true ma'm.
- Q. Well let's turn to something else. In that statement that you countersigned you refer to a number of obstacles in the road? - A. Yes ma'm.
- Q. You describe charges forward? - A. Yes ma'm.
- Q. Tell the jury about the charges forward that you made. From the moment you first equip yourself with shields and helmets, movements before you got to the bridge. How many of them? - A. Three all together ma'm.
- Q. So there is three movements. If we can deal with it in this way: was there a refreshment break at some point or two refreshment breaks? - A. We went back to the vans at one point. There was not a refreshment break. We did not have any food that day at all.
- Q. Did you have drinks? - A. We had cans of pop, yes ma'm.
- Q. Let's call that a refreshment break for want of a better description. Where in relation to that break did the three charges come? - A. Afterwards ma'm.
- Q. All of them after? - A. As I remember it, yes.

- Q. No charge before a break at all? - A. Before the break we went through the Police cordon but it was not a charge, we just backed up the mounted Officers as I recall.
- Q. So before the break you did go through the Police cordon?
- A. Yes ma'm.
- Q. Behind mounted Officers. Did you see any truncheons being used at that stage? - A. Being used, no.
- Q. None at all? - A. No ma'm.
- Q. So far as your unit was concerned you were in charge in a sense of one half of the PSU? - A. Yes, one serial ma'm.
- Q. That is ten Officers under your command? - A. Yes ma'm.
- Q. So you obviously kept an eye on those Officers? - A. As best as I could ma'm, yes.
- Q. Were you near P.C. Skelton during that first follow-up of the mounted through the cordon? - A. I don't know ma'm.
- Q. Well think about it? - A. I don't know. I cannot say whether I was near him or not.
- Q. All right, you have no idea where he was at all? - A. He would have been with me in my section when we went forward but as to his exact location when we spread out I don't know.
- Q. What manoeuvre were you using when you went through the cordon that first time? - A. We were coming through in snatch squads, four Officers together, two with shields and two without.
- Q. What were those snatch squads meant to do? - A. They were meant to take prisoners ma'm.
- Q. Were there any other short shield units with you at that point from other Forces? - A. As I remember it ma'm no. There was only the West Midlands equipped with short shields that first time.
- Q. Did you go through on the road or the field? - A. We went through on the road.
- Q. You do not remember a whole section of men with boiler suits with no numbers just with "Police" on their back going up the road that first time? - A. No.
- Q. Do you have a good recollection of this day Sergeant or not? - A. Of bits of it yes ma'm. I remember the arrest and the events immediately before that but the rest of it was one long violent day.

- Q. Forgive me Officer but the first time you go out as short shield units is the very first time you have done that, isn't it? - A. Yes.
- Q. One can understand why other bits don't stick in your mind but the very first time you went out one might expect that would be something that would hold in your memory? - A. Yes, I do remember going out ma'm.
- Q. And you have no recollection of a whole PSU of boiler suited Officers with no numbers on in overalls going out on the road behind the mounted, they have completely banished from your recollection? - A. I don't remember them ma'm. If I did I would tell you.
- Q. Are you sure at this stage you were in as it were four man teams as opposed to five man units? - A. We were definitely in four man teams ma'm.
- Q. Just to be fair to you P.C. Skelton has indicated that at one stage you were trying to as it were keep in five man type units? - A. That is not my memory ma'm.
- Q. You have done short shield training haven't you? - A. Yes.
- Q. You know the tactical manoeuvres? - A. Yes.
- Q. We have had some of those tactical manoeuvres from an Officer in your PSU, P.C. Abson. Presumably as the Sergeant in charge of it your knowledge is certainly as good as his? - A. One would hope so, yes.
- Q. I am going to read to you a description of a manoeuvre that involves five men. See if that in a sense jogs your memory.

"Short shield teams deployed into group. Officers with short shields and batons are formed into two double five men files with the Sergeant at the back of each file and the Inspector between the two files. This unit will initially be protected by long shield Officers or personnel carriers and on the command will run at the crowd in pairs to disperse and/or incapacitate. Long shields will follow to gain ground and give additional protection for arresting Officers."

Do you know that manoeuvre? - A. I know it but I have never heard it with five men, that is a new one, it certainly is to me. I have always been trained to use four in snatch squads.

- Q. But you certainly know the word "incapacitate" don't you Officer? - A. I know what it means, yes.

- Q. What does a short shield snatch squad do to incapacitate?
- A. Arrests people.
- Q. So you are saying that the command will run at the crowd in pairs to disperse and/or incapacitate. The "incapacitate" there means making arrests? - A. Yes.
- Q. Nothing to do (inaudible) - A. You are not allowed to, you are only allowed to use those to defend yourself.
- Q. That is something I was going to ask you about. There is absolutely no power in law - I will deal with it in the rather general sense - for Police Officers to run at a crowd and hit people with truncheons, is there? - A. No ma'm.
- Q. I am going to put to you Officer that you well know that some of the things that your squads are trained to do are at the present time not legal and that is why you are seeking to cover up with what the word "incapacitate" means? - A. I am not seeking to cover up anything ma'm.
- Q. How do you disperse and incapacitate? - A. I have a theory behind it that we should go through a shield cordon; we should come through at speed in unison and it is supposed to put the frighteners on the demonstrators and they should run away.
- Q. What frightens the demonstrators Officer? - A. I don't know I have never been one. I don't know what would frighten them.
- Q. Do you think that having the truncheons out itself is frightening? - A. Well if I was there yes I would think it would be.
- Q. Of course it is even more effective if you see other people getting hit for no good reason, isn't it? - A. I think that would be true, yes ma'm.
- Q. You of course as a Sergeant in a PSU would listen carefully for orders from senior Officers? - A. I would, yes ma'm.
- Q. What about an order saying: "Staffs out. You know what you are doing. No heads, bodies". What would you think that order meant? - A. You are taking your staffs out. As I say they are for protection but you are taking your staffs out as an intimidatory measure, there can be no other reason for it. At first you certainly should not use it and if you do you go for arms and body and keep away from the head.
- Q. Take staffs out to intimidate but if you do use them? - A. They should only be in self-defence sir. I would not run at somebody and bludgeon them with it. That is not what it is there for.

Q. Or push them with a short shield? - A. That depends on the circumstances ma'm.

Q. JUDGE COLES: Are you suggesting if you use it in self-defence you should only use it on a particular part of the body? - A. You should never aim for the head sir.

JUDGE COLES: I am sorry to interrupt.

Q. MISS RUSSELL: What about pushing with shields, not somebody deliberately blocking but just someone who merely is walking away at the time but not as it were fast enough. Are you allowed to push someone aside with a shield? - A. Well you should not, no, not if they are not actively engaged in fighting you, no you should not.

Q. Presumably P.C. Abson made a report to you then about doing just that did he? - A. What, pushing someone out of the way with your shield?

Q. Yes? - A. No ma'm he did not.

Q. Are you sure about that? - A. I do not recall that at all ma'm.

Q. He did not come up to you and say: "Look Serg. I pushed a demonstrator out of the way with my shield. I don't think much happened to him. He was not doing anything at the time but he just got in my way." Anything like that said to you by P.C. Abson? - A. No ma'm.

Q. If he had said that what action would you have taken Sergeant? - A. I would have asked him if he injured the gent. for a start. If we had somebody injured we would have to find out who the bloke was.

Q. If P.C. Abson said: "I don't think he was injured" what would you have done then? - A. Report it to PSU Commander. There is a section in the back for injuries. There are sections for comments. We could put it in there.

Q. If that did not happen so far as your PSU booklet it is really because P.C. Abson does not come and tell you?
- A. That would be fair to say ma'm.

Q. JUDGE COLES: Let me understand this. You would report it to your PSU Commander whether there was an injury or not?
- A. If an Officer came and said he had barged somebody out of the way who had no part in the demonstration sir it is obviously an assault.

Q. "Who had no part in the demonstration"? - A. That is the idea.

JUDGE COLES: You know there are so many hypotheses.

- Q. MISS RUSSELL: What do you mean by "no part in the demonstration"? - A. If we were running at somebody with round shields only people that would be in our way would be able to stop us.
- Q. No, there may be demonstrators who when you run decide they will move off and start walking away but perhaps not as quickly as you would like. That still would not give you the right to push them aside with a shield, would it, or hit them with a truncheon, or do you think it would? - A. It certainly does not give you the right to do it, no ma'm.
- Q. The mere fact somebody is there does not give you carte blanche to start pushing them, hitting them, does it? - A. No ma'm.
- Q. They would have to be making some hostile or aggressive act? - A. Yes ma'm.
- Q. Now if you take it as read that they were not making a hostile or aggressive act but were just in the way but not walking away fast enough, what do you say you as the man on the field if you had got a report like that from any Officer, apart from reporting it what would you have done? - A. Nothing.
- Q. You see, Officer, you are a Sergeant, you are a leader of these ten men. Doesn't it occur to you that you might have an immediate word with that man and say: "Look, I am going to make a report on this and let me tell you for the rest of the day you don't use either your staff or your short shield on someone unless they are being directly aggressive to you." Didn't cross your mind you should say something like that as the leader of ten men? - A. No ma'm.

JUDGE COLES: I am just trying to find, to help you, Miss Russell, exactly what Mr. Abson said. I am just trying to find where you in fact cross-examined him about it. Would you just give me a moment?

MISS RUSSELL: I have got one part of it, I think in cross-examination by Mr. O'Connor. It begins

JUDGE COLES: Sorry, I was just looking at yours. It may be somebody else dealt with it first.

MR. TAYLOR: Your Honour, I have got a note of what was said. I will read it out. It comes fairly close to the start.

JUDGE COLES: I have got it.

MISS RUSSELL: In cross-examination it went further. "What I wanted to do was get it out of my way."

JUDGE COLES: Who was cross-examining?

MISS RUSSELL: It is Mr. O'Connor and if it helps it comes after there was a reference to Exhibit 30, Photos. 4 and 3. It is after that when he was asked to identify certain Officers.

JUDGE COLES: "I remember the picket he pushed. I pushed because he and Crichlow were the only pickets I came in contact with." Then: "If our training went as planned Norris would be already on to my part. The picket was moving up towards the hill but he was walking slower than us. There were other Officers around me and we were in a hurry." Is that right?

MISS RUSSELL: Yes.

JUDGE COLES: In chief he said: "I had no contact with pickets except for pushing one aside. He was near the cordon doing nothing but he was in my way so I pushed him aside. He just kept walking off."

MISS RUSSELL: Your Honour, I have got slightly more because there was also a reference, if I just read: "Of course what I wanted to do was get him out of my way. He was moving at a slow pace. Other Officers were with me moving forward. All I wanted was my advance to move as quickly as possible.

Then I have got something I cannot read. "Point of moving him out of my way, just pushed him aside with my riot shield." He agreed he had no training to push him away. He said: "If he had been on my right I would have pushed him with my right arm."

JUDGE COLES: That was in chief, was it?

MISS RUSSELL: That was in cross-examination.

MR. WALSH: Your Honour, it may be the bit my learned friend could not read in her note I have got in mine if I can read mine. This again is in cross-examination. "I wanted him to get out of my way. He was moving more slowly. We could not go round him." That is the additional bit. "We wanted to go as quickly as possible and there were Officers around me. I wanted him out of the way."

JUDGE COLES: What do you say comes after: "He was walking slower than us. We could not walk round him"?

MR. WALSH: It goes in this order: "I wanted him out of my way. He was moving more slowly. We could not go round. We wanted to go as quickly as possible and there were Officers around me." Then he added this bit: "If he had been on my right-hand side I would have used my

right arm but he was on my left so I used the shield."

MISS RUSSELL: I think Mr. Taylor has a full note of the matter in chief as well because it also referred to

MR. TAYLOR: Yes, your Honour, the part that your Honour read out, perhaps I can read my note because I think it may be helpful. My note reads thus: "It was one of the pickets nearest to the cordon doing nothing obviously. I had nothing to fear. He was in my way and my colleague's way so I just pushed him aside with my shield and carried on."

JUDGE COLES: It sounds very much as if that was in chief because it is the same as my note except you have obviously written a little more quickly and got a little more.

MISS RUSSELL: More legible than mine.

JUDGE COLES: Oh I would not say anything about that.

Q. MISS RUSSELL: If I can just as it were finish on that point, Officer. The reason why P.C. Abson did not report that to you and the reason why it never even crossed your mind that you should have given a ticking off is you know perfectly well that the whole of your training as short shield Officers is to disperse and incapacitate demonstrators and that means pushing them, hitting them, truncheoning them as you go out. That is part of the fear mechanism that you are there to create? - A. That is not true ma'm.

MISS RUSSELL: If I can leave that till the appropriate moment?

JUDGE COLES: Yes, until 5-past-2.

(Luncheon adjournment)

Q. MISS RUSSELL: Officer, before lunch we were talking about the manoeuvres; what your claim was; your understanding of the word "incapacitate" and the arrest? - A. That is correct ma'm.

Q. You are not telling the truth about that, are you? - A. Yes.

Q. Shall I tell you what manoeuvre number 6 says, which is just prior to the one I dealt with, the five men file one. "Short shield baton carrying team deployed into the crowd" is a brief description and again this was a manoeuvre that Police Constable Skelton was familiar with.

Detailed description: "Long shield Officers deployed into crowd and deployed across the road. Long shields are deployed and the short shield Officers run forward either

there or round the flanks of long shields into the crowd for not more than 30 yards. They disperse the crowd and incapacitate missile throwers and ringleaders by striking in a controlled manner with batons about their arms and legs or torso so as not to cause serious injury." - A. That is the first time I have ever heard that ma'm. As far as I know when we were there to disperse, to incapacitate stone throwers we arrest them.

- Q. How does it come about a mere Constable in your PSU is familiar with that except for the word "ringleaders" and you the Sergeant in charge are not familiar with that manoeuvre, Officer? - A. I don't know, ma'm.
- Q. It is odd, isn't it. Would you agree with that? - A. I would say yes.
- Q. It is exactly that manoeuvre striking out at people that those short shield teams were carrying out that day. That is right, isn't it? - A. No ma'm. As far as I was concerned we were going forward to make arrests.
- Q. Are you saying Officer, is it your evidence to this jury that at no time did you ever see an Officer using his baton that day? - A. I saw Officers using their baton that day, yes.
- Q. Let's hear about those incidents. When did they take place and where? - A. It was during the charge. I don't exactly know where but I was aware of Officers using their staffs. I can't remember who they were.
- Q. During which charge? - A. The one in the second part of the morning.
- Q. In other words the ones after your refreshment break? - A. Yes ma'm.
- Q. What did you see those Officers doing? - A. Swinging at pickets with their truncheons ma'm.
- Q. Swinging at pickets with their truncheons. Were they short shield Officers? - A. As far as I remember yes they were.
- Q. Because I think it is right that so far as cordon Officers were concerned there was no instruction to them to take their batons out, was there? - A. I don't know ma'm.
- Q. Well did you hear any at any time? - A. I don't know ma'm. I was not on a long shield party that day.
- Q. Tell us about swinging out then; tell us about striking out; tell us about how it happened and what you saw? - A. It was just a brief glimpse ma'm. As I was running forward obviously some Officers were catching up with the pickets

and they used their batons on them. That is it. There is nothing more to do than that.

Q. Officers catching up with the pickets, in other words Officers chasing the pickets? - A. Yes ma'm.

Q. Who were running away? - A. Some of them, yes.

Q. And they were striking them, were they? - A. Yes ma'm.

Q. Striking at the running pickets? - A. Yes ma'm.

Q. Did you think that was proper Police conduct? - A. I did not have a lot of time to think about it at all ma'm.

Q. Did you make any report when you went back to the Command Centre as a Sergeant that you had seen Officers striking at people who were running away? - A. No ma'm, I didn't.

Q. Why not? - A. I don't know.

Q. You would agree that if somebody is running away striking at them if you are coming up behind them can hardly be described as self-defence, can it? - A. No ma'm.

Q. You are well aware of that? - A. I am.

Q. So did you make any report to any Senior Officers that you had seen Officers behaving in that way quite improperly? - A. No ma'm.

Q. How many times did you see that going on? - A. Once or twice.

Q. Any Officers from your unit? - A. Not that I could recognise ma'm.

Q. Were these Officers in front of you? - A. Yes.

Q. JUDGE COLES: Could you see any reason for doing that? - A. For doing what sir?

Q. Striking people running away? - A. Well not at that point sir no. It was just a fleeting glimpse as I say. It did happen.

Q. Could you see any good that it would achieve? - A. It did disperse the pickets sir, yes.

Q. Well if it was done to disperse presumably it was done so that the pickets could see it? - A. I cannot answer for the Officers that were doing it sir.

Q. MISS RUSSELL: That certainly is something that is not mentioned in the statement you countersigned, is it? - A. No ma'm.

- Q. Why didn't you mention that? - A. It did not form any part of our arrest.
- Q. It was certainly part of the scene, wasn't it? - A. I think that would be correct, yes ma'm.
- Q. Now you were having the scene set for your or dictated to you by South Yorkshire Officers? - A. Yes ma'm.
- Q. But you had no responsibility to give the wrong impression in your statement of exactly what was going on, did you? - A. No ma'm.
- Q. And you as a Police Officer with ten years' service obviously wanting to give a complete picture? - A. As best I could, yes ma'm.
- Q. And if the South Yorkshire detectives were leaving out Officers running into crowds who are running away striking at them why didn't you put it in if you saw it? - A. You cannot put everything in your statement that happened that day ma'm. Lots of things were going on that I have not put in my statement.
- Q. I appreciate that, Officer, but this is a piece, would you agree, of gross Police misconduct to run at fleeing people striking at them willy-nilly. You would agree with that, would you? - A. If that was the case, yes ma'm.
- Q. That was what you glimpsed wasn't it once or twice. Why didn't you put it in your statement? - A. I did not feel the need to ma'm.
- Q. So far as that statement is concerned you read it carefully did you before signing it? - A. Yes ma'm.
- Q. Really carefully? - A. Well I read it, yes. I did not go into each word at a time but I read it and agreed with what it said.
- Q. Because you appreciate that what you were signing was in fact something which carried that warning at the top. That is right, isn't it? - A. It is ma'm, yes.
- Q. That you could be prosecuted if you stated anything in it which was false or you did not believe to be true? - A. That is correct ma'm.
- Q. I wonder if you could have a copy of your statement or the original, it does not make a lot of difference? - A. I have got the original here.
- Q. Is that the original of your statement? - A. No, it is the one P.C. Skelton wrote out, Exhibit 59, I think.

Q. Is that your statement dated the 16th of July? - A. It is ma'm, yes.

Q. With your signature on it? - A. Yes.

Q. The first paragraph deals with you being part of a large contingent of Police assigned to Orgreave.

"During the morning there had been a steady build-up of pickets. There were approximately 3,000 pickets facing us as we were blocking off Highfield Lane on the southern side of the works entrance. As we stood there in the line a steady flow of missiles came from the pickets into the Police line. There were no shields being used by the Police at this time. I saw a number of officers in the Police line hit and fall down."

A. Yes ma'm.

Q. The next paragraph deals with you being equipped and going on a charge? - A. Yes ma'm.

Q. There is no mention at all of you going forward in any way, having a refreshment break and then coming back out, is there? - A. No ma'm, there is not.

Q. So in fact although it is scene setting by South Yorkshire detectives it is not entirely accurate as to what your unit was doing. That is right, isn't it? - A. It has certainly left out the refreshment break ma'm, yes.

Q. And the charge or move forward before the refreshment break is left out completely. That is right, isn't it? - A. Yes.

Q. Well bearing in mind that your unit had something like 23 Officers, why did you agree to a consensus opinion or a dictation which did not include properly your unit's movement that day? - A. Because I did not believe it was necessary to deal with every movement my unit made ma'm.

Q. You then deal with a 40 yard charge and holding the line while the Police cordon moves up and repeat that twice more? - A. Yes ma'm.

Q. The three stages that you have referred to in Court today? - A. Yes.

Q. Then you go on:

"Throughout we experienced a number of obstacles and traps left by the pickets across the road. These included a car placed across the width of the road."

A. Yes.

Q. You continue:

"There were railway sleepers placed across the road. Approximately 30 yards before the railway bridge a piece of telegraph wire had been fixed across the road, head height."

You then go on to the main cordon forming on the railway bridge? - A. Yes ma'm.

Q. Now thinking about it now is there anything in that that is incorrect or that you yourself personally did not see? - A. No, everything in there I saw.

Q. Did you really see the car across the road before the main cordon formed on the bridge? - A. I saw a car in the road, yes.

Q. Before the main cordon formed on the bridge. That is how it reads in your statement, isn't it? - A. That is how it reads ma'm, yes.

Q. And it is wrong, isn't it? - A. Thinking about it now, yes, because they pushed the car from the scrapyard and that is just the other side of the bridge.

Q. Did you see them do that? - A. I remember seeing the car rolled down, yes.

Q. Where were you then? - A. I was somewhere on Highfield Lane ma'm. I cannot remember exactly where.

Q. Well I want you to think about it. Where did you say you were when you saw them bringing the car down? - A. On Highfield Lane. I cannot remember where. I just remember seeing it. It would be impossible for me to try and pinpoint it at this time.

Q. Well which side of the bridge were you? - A. I was the Works side of the bridge at that stage.

Q. Are you sure this is not something you have been told by somebody else? - A. It is not, no.

Q. Either way if you actually saw it happen all the more reason for noticing the mistake in the statement that was written by P.C. Skelton? - A. I don't think it was a mistake, ma'm. I definitely remember going past a car. As you pointed out that was after the bridge.

Q. So there is a mistake in the statement. How do you think it is that you missed it when you were reading through it on that day and signing it? - A. I don't know ma'm.

- Q. And much more to the point, Officer, how on earth do you think you missed it when you were reading through and signing a typed copy that was sent to you on the 16th of July? -
A. It was nearly a month afterwards ma'm.
- Q. But you can remember the car coming off the as it were other side of the bridge now and that is a year and a couple of weeks later? - A. Yes ma'm.
- Q. So when you were sitting in Birmingham Police Station or wherever you were at the time you were making your statement signing it, why didn't you put an asterisk then and say this: "My recollection is the car was the other side of the railway bridge"? - A. I did not realise that I had made that mistake ma'm.
- Q. So you didn't realise it really on two occasions, Officer. That must be right? - A. That is right ma'm, yes.
- Q. Firstly when the statement was written out by P.C. Skelton and secondly a month later when you signed it? - A. Yes.
- Q. What has helped you to remember now Officer if you did not remember it then? - A. Just talking about it ma'm.
- Q. In Court, you and I? - A. Yes.
- Q. Did you have dinner with P.C. Skelton last night? - A. I did, yes.
- Q. I don't suppose he mentioned to you to jog your memory that he had made a mistake on the car, did he? - A. No ma'm, we did not discuss the case.
- Q. Not at all? - A. Not at all.
- Q. Not to even tell you how long you were likely to be in the witness box for? - A. I asked him how he had got on. He said he had had a "hard time" and that was it.

JUDGE COLES: Did that make you feel better? (Laughter)

- Q. MISS RUSSELL: Officer the fact of the matter is when you took down or were there - and I am not challenging you were there - when this dictation went on you did not really care about any of this detail, you were just doing as you were told by the South Yorkshire Detectives weren't you, that is the reality? - A. No ma'm, I would not put anything in this that I did not believe to be true.
- Q. Well let's have a little look then at your movements from the bridge. All right? - A. Yes.
- Q. I am not going to take you in detail up to the bridge but I am concerned with what happens when you are at the bridge.

I wonder if you could turn to Exhibit 9. If you turn to Photograph 3 or 4. Tell us where the cordon was before you go over the bridge please, the cordon that you had to go through? - A. Was this the one where we followed the mounted branch through ma'm?

Q. I don't know, Officer. I am not the one who is giving evidence. You tell me. This is your first time over the bridge. Tell me about it? - A. As I remember the cordon formed was actually on the side of the bridge here, if you can see that ma'm?

Q. So you are looking at Photograph 4? - A. Yes, it is literally the far side of the bridge.

Q. And the cordon forms on that far side? - A. Yes ma'm.

Q. Had you been to that far side yourself before that? - A. No ma'm, I had not.

Q. So there is no question of you running up first and coming back and then the cordon going up or something like that? - A. No chance ma'm.

Q. "No chance"? - A. No.

Q. Why is that? You laughed at the suggestion. Tell me why? - A. To put it bluntly we would have got stoned. There were missiles being thrown.

Q. So what you are saying happens at the bridge is the long shields in effect move up and make a cordon? - A. That is right ma'm.

Q. That is your recollection of what happens at the bridge, is it? - A. That is correct ma'm, yes.

Q. Are you sure about that? - A. I am as sure as I can be ma'm, yes.

Q. Were you one of the short shield units up to the bridge behind the main cordon? - A. As far as I am aware we were, yes.

Q. Following the mounted or not? - A. No, behind the cordon. No, we weren't. The mounted came through that cordon and up Highfield Lane. We followed them then.

Q. I want you to have a look now please at Exhibit 30, Photograph 3 and then Photograph 4? - A. Yes, I have got that one ma'm.

Q. If you just flick back for a moment, Officer, at 0,1,2, you can see pickets going down the embankment and Police moving to the electricity sub-station. You can see that happening? - A. Yes, I can see that.

- Q. If we look at Photograph 3 we can see horses coming back down the road, can't we? - A. Yes, we can.
- Q. Is there any explanation that you can give the jury as to how the situation in Photograph 3 comes about because there is certainly foot Officers the other side of the bridge, aren't there? - A. There certainly is, yes.
- Q. Is that scene familiar to you at all? - A. No, it is not ma'm.
- Q. Have a look at the next photograph. Do you recognise anyone on that? - A. Is that Photograph 5?
- Q. Photograph 4.
- Q. JUDGE COLES: You were asked if you recognised the scene Officer which contained the horses on the road. That was the photograph you were referring to when you said you did not recognise it, was it? - A. No, I am sorry sir, I thought you meant that one.
- Q. He is looking at the wrong photograph, I am afraid. Would you turn back to the one with the horses on. Do you recognise that? - A. No.
- JUDGE COLES: That is not a familiar scene either. I think he has already told you Photograph 4 is not familiar.
- Q. MISS RUSSELL: I want to ask you about Photograph 4. You say it is not a scene familiar to you. Do you recognise anyone on that photograph? - A. Yes ma'm, I do.
- Q. Who do you recognise? - A. Sgt. Biddle is the Sergeant in the middle.
- Q. Is that the Sergeant walking back? - A. Yes ma'm.
- Q. With the visor up, round shield? - A. Yes.
- Q. Looking towards where the photograph is being taken from? - A. Yes.
- Q. That is Sergeant Biddle? - A. It is.
- Q. He was the Sergeant for the other ten, was he? - A. He was another Sergeant. I am not sure if he was in my PSU or with Mr. Bennett.
- Q. All right, we can check that but just for now anyone else you recognise on that? - A. Sergeant Darnell, he is the other Sergeant.
- Q. What was Sergeant Darnell's function that day? - A. He was my PSU Commander, ma'm.

- Q. So there is your PSU Commander on the bridge and if these photos. are taken in sequence you must have been lagging behind quite a bit at that point if he saw nothing like this at all? - A. I don't remember that, no.
- Q. Let's go on. If you turn back for a moment to Photograph 3 do you notice a figure walking up the footpath there? - A. On the right-hand side ma'm?
- Q. Yes? - A. I do.
- Q. Anything about that figure strike you as familiar? - A. He is wearing a white shirt and blue jeans which is what Mr. Wysocki was wearing.
- Q. Anything else Officer? - A. No.
- Q. You are a Policeman. You are taught to identify people by their size, their build and so on and so forth, aren't you, you are trained to do it? - A. Yes.
- Q. He is of the same general build as Mr. Wysocki, isn't he? - A. I think it is impossible to say from a photograph here. He is wearing similar clothing? I could not say from this.
- Q. Come Officer, the distance away and foreshortening he looks like quite a big fellow doesn't he? - A. I cannot agree ma'm. I don't think so.
- Q. If you now turn through those photographs to a scene you don't recognise at all. I want you to turn through Photographs 5, 6 and 7. Just look at them? - A. Yes ma'm.
- Q. Your description of the bridge at the time just before you go over is basically you are facing a hostile mass of stone throwing pickets. That is right, isn't it? - A. Yes ma'm.
- Q. If I was to suggest to you that that is a picture of the crowd and albeit a picture that is taken in a second, one can pick up a certain amount of atmosphere; that that is a picture of the crowd shortly before short shield Officers break out from the bridge, what would you say? - A. I don't know.
- Q. Was it anything like anything you saw on that day? - A. Certainly the crowd is similar and as you say it is only 100th of a second in time, things change.
- Q. That may be right, Officer, but if you turn through Photograph 6, go through 5 and 6, for a start the photographer has had to move from one side of Mr. Scargill to the other, hasn't he? - A. Unless Mr. Scargill has moved.

MISS RUSSELL: Yes, that is obviously always a possibility.

Q. JUDGE COLES: I think the background suggests that the photographer has moved, doesn't it? - A. It would suggest it is taken from a different angle sir certainly, yes.

Q. MISS RUSSELL: You don't see any arms raised there do you in a throwing gesture or indeed some of the people are even turning away at that point from the bridge, aren't they, through those photographs? - A. Yes ma'm.

Q. Now look at Photograph 7 and obviously if you look very carefully at the photograph there is somebody with what looks like a red woolly hat on and just in front of him is a very familiar baseball cap again. Got it? - A. I have ma'm.

Q. That is Mr. Scargill. Now agreeing he may have moved or the photographer may have moved, the fact of the matter it is obviously taken a little while after, isn't it? - A. After the other two?

Q. Yes? - A. I cannot possibly say ma'm. I don't know whether it is taken after, before or what.

Q. If you accept they are taken in sequence? - A. If you say they were I will accept that but I cannot argue with you one way or another.

Q. Again so far as that photograph is showing the crowd and it is now showing a very large proportion of the crowd, isn't it? - A. No, I don't think it is ma'm.

Q. Well you have a look Officer. You can see quite a section of road and quite a section of embankment, can't you? - A. Yes you can ma'm.

Q. So far as any throwing gesture or even people all concentrating towards the Police lines, not even that is happening there, is it? - A. No, they all appear to be concentrating on this group here doing something in the back.

Q. Who may well be pulling the car down from the embankment, something of that kind? - A. May be.

Q. Look at the very next photograph, Officer. Have you ever seen that photograph before? - A. I have not ma'm, no.

Q. Have you spoken to any South Yorkshire Detectives since being shown photographs before you came to give evidence? - A. Let's get one thing straight, ma'm, I have been shown no photographs.

Q. We have heard from leading Counsel for the Crown that he

specifically asked for Officers to be shown some photographs, so that has not happened in the West Midlands?
- A. No, I have not been shown any photographs ma'm.

Q. We have heard from other Officers that South Yorkshire Detectives made a special trip over to Liverpool to show photographs? - A. They may well have done. I don't work in Liverpool ma'm so I don't know what they have done.

Q. When you arrived here at Police Headquarters did no one show you that photograph? - A. They did not ma'm, no.

Q. Can we turn to the charge that you say you made through the railway bridge area. Turn to Exhibit 9. You say at the time you go over the railway bridge the long shield cordon is already the other side of the bridge. That is your evidence? - A. That is as I remember it ma'm, yes.

Q. You don't think you are wrong about that? - A. I don't know.

Q. So you run over the railway bridge then. From where did you start your run, just behind the cordon on the bridge?
- A. From close to where the lamppost The cordon moved forward in front of us and we did not run up behind them we moved up behind them.

Q. There are two lampposts on Photograph 4. Help the jury?
- A. The first one on the right prior to going over the bridge, this side of the bridge,

Q. You say you start your run there? - A. No, I say we started to move behind the shield cordon there.

Q. Where did you start your run. That is the question? - A. If you follow the bridge over you can see metal down the right-hand side of it, iron. Where that finishes I would say that is about where we started our run once the cordon opened up.

Q. The cordon must be between the brickwork and the lamppost?
- A. As I remember it ma'm, yes.

Q. There is a shield cordon across there. That is your evidence? - A. As far as I remember.

Q. Are you sure you remember this Officer? You are not making it up as you go along? - A. I am not ma'm, no.

Q. All right. So you run from about the metal piece to where? Turn to Photograph 6 or 7 if they help you? - A. We went behind the mounted branch. They come behind the shield cordon and we follow them.

Q. How many mounted Officers do you say you followed? - A. I don't know. There were horses. All I saw was the rear end of them. I did not count them.

- Q. JUDGE COLES: You say they came through the cordon after you? - A. No, from there we followed them.
- Q. MISS RUSSELL: What was the scene the other side, pickets? Is that right? - A. Yes ma'm.
- Q. So the horses go through? - A. Yes.
- Q. And disperse the pickets? - A. Yes.
- Q. And you follow them? - A. Yes ma'm.
- Q. Are you sure about that Officer? - A. Yes, I am.
- Q. Where did the horses go up to then? - A. I did not see exactly how far they went. We went though to lamppost 3 which I indicated this morning.
- Q. Straight run up to there? - A. Yes ma'm. As I remember it we had no interference at all in that run forward.
- Q. So any suggestion of pickets as it were stone throwing between lamppost 2 and 3 as you run up is a nonsense because you have got the horses ahead of you? - A. They were throwing stones at the long shield cordon, yes ma'm.
- Q. Listen to what I say. Any suggestion as you came over the bridge, in other words as you start your run there are pickets throwing between 2 and 3 is an obvious nonsense because the horses have gone up ahead of you? - A. There were still missiles coming over.
- Q. Where from? - A. A scrapyard on the left-hand side.
- Q. Leaving out the scrapyard, concentrating on the right-hand side of the road and the footpath, no pickets there presumably as you start on the bridge? - A. Not that I remember, no.
- Q. You get up to lamppost 3. What do you do there? - A. We stopped and formed a cordon.
- Q. Am I right in thinking that your evidence is that there is no question of you forming a cordon before lamppost 3? - A. As I remember it that is where we formed our cordon ma'm.
- Q. I expect you as a leader of men, Officer, were keeping an eye out for where your PSU were at this point? - A. I was doing my best. It was very hard.
- Q. Where was P.C. Skelton at this point? - A. Behind me to my right, as I remember it.
- Q. Whereabouts in the road are you, do you say? - A. I cannot remember exactly in the road, where in the road I was. I was not paying that much attention. I knew I was on the road but where I am afraid I could not say exactly.

- Q. He is to your right? - A. Yes ma'm.
- Q. And you formed a cordon there? - A. Yes.
- Q. How many of you formed a cordon there? - A. I don't know how many of us there were, I really don't.
- Q. Any question of pickets charging you before you get to lamppost 3? - A. I don't remember any pickets charging us before then, no.
- Q. When you get to lamppost 3 you form a cordon? - A. Yes.
- Q. Then describe in your own words what happened? - A. The mounted branch came back from up the road. I don't know where they had been. I remember them coming back through us. As they get through we request again we would need horsemen, shield cordon to come up behind us, the reason being they should come up in front of us. At this point the pickets came over the hill and started showering us with bricks, stones and bottles again.
- Q. Did they charge?
- Q. JUDGE COLES: Horses came back and went through the cordon while you waited for the long shields to come? - A. Yes sir.
- Q. The pickets then moved back towards you; the stoning recommenced? - A. Yes sir.
- Q. MISS RUSSELL: You are quite sure this is the first move out in strength. By "strength" I mean 20 and upwards of Officers from the railway bridge? - A. I am sure in my own mind it was.
- Q. According to you what happens next? The horses come through the cordon, then what happens? - A. Going back we formed our short shield cordon. They come back through us and then it was as if the pickets thought: "The horses have gone now we will follow them back up" and they come over the brow of the hill coming towards us and started throwing bottles, bricks and stones on us again.
- Q. How many of them? - A. They certainly filled the road, as I remember it. They were right across the road.
- Q. Did they charge? - A. No, they were walking towards us but they certainly did not run at us in what I would-describe as a "charge".
- Q. Then it is after that or as it were as that happens that you see Mr. Wysocki. You get the order to charge; you move out and he is taken? - A. Yes ma'm.

Q. If that is right, Officer, and you have just said to the jury you would not describe it as a "charge" by the pickets, why on earth did you sign a statement that had precisely that in it? - (No response)

Q. Do you want me to refresh your memory?

"The main cordon opened up allowing mounted officers through and we followed behind. We again formed a line in front of the main cordon. A huge barrage of missiles then showered us from all sides. Simultaneously the large body of pickets charged us. Our Police line moved towards the pickets."

A. They certainly came towards us. I describe it as a "charge but in retrospect perhaps that is not the way to describe it. They certainly came towards us and they were throwing bricks and stones all the time.

Q. You see the trouble with this bit, it is still part of the dictated bit isn't it Officer? - A. Yes ma'm.

Q. This is what you were being told, that there was a charge by pickets justifying forward action by the Police. That is what you were told by South Yorkshire detectives. There never was a charge, was there? - A. It depends what you mean by "charge" ma'm. They were coming at us. They certainly were not standing still. They were all advancing on us.

Q. Forgive me, Officer, but so far as Police Officers are concerned when you use particular words you are trained, aren't you, when you make your notebooks and statements to be quite accurate in the use of words? - A. We do our best to be so ma'm, yes.

Q. We all know what "charge" means, it means running at, that is the impression it gives? - A. Yes.

Q. That is completely wrong. What you are telling the jury
- A. When I put "charged" in the statement ma'm, I meant they advanced on us.

Q. Just so we can clear up one final point on this question of moves, Officer, there is no question of you forming a cordon lower down, a sort of charge then by pickets, just you and the pickets, then moving up to lamppost 4 and another little sort of move forward at that point by the-pickets is there, no horses in the way? - A. Not that I recall ma'm, no.

Q. And you were with P.C. Skelton were you? - A. When we made an arrest, yes.

Q. You must have been with him going up the hill, mustn't you, from the bridge? - A. Yes ma'm.

- Q. To be fair to you, Officer, do you think it is because you have got a really bad memory or is your memory clear on events? - A. It is clear on certain events, ma'm. It happened a long time ago.
- Q. Let's if we may turn to where you say you first see Mr. Wysocki. I wonder if you could turn to Exhibit 45 now. May be if you turn to Photograph 13. Got it? - A. I have ma'm, yes.
- Q. According to what you have told the jury your cordon would it be on that photograph or not? - A. No ma'm.
- Q. So your cordon is below that point. Where do you say is the position that Mr. Wysocki was throwing from according to you on that photograph or not? - A. Do you mind if I refer to Exhibit 9 sir. If I could see them both at once I think I can help you?
- Q. Not at all. - A. As I remember it on Exhibit 9 he was up the road by the I pointed out the driveway. The best I can remember it I think that is where he was I think on picture 13 which is may be the driveway between the two houses, a bungalow on the right and the semi on the left ma'm.
- Q. In other words by the garage door, the driveway into the first garage door, not the one with the car in? - A. No, not the one with the car ma'm, no, it would be the first one in this photograph here, number 7. It looks as if there is a lamppost opposite the driveway and I cannot see one here. It is the one further on. It must be the perception of the photograph.

JUDGE COLES: It is very misleading when you are looking up the road.

MISS RUSSELL: I think it is. That is particularly why I referred you to 13.

- Q. JUDGE COLES: There is a lamppost you see in 13, a telegraph post actually I think it is in the right-hand edge of the picture. Do you see? - A. Yes, I see that sir.
- Q. MISS RUSSELL: I think you may find that in Photograph 7. Have a look at Photograph 8 in Exhibit 9? - A. That is better. It is this first driveway here right by lamppost 4, so looking at that that is not on Picture 13.
- Q. So you are saying Sorry, can you show that around and show it to the jury? - A. It is Picture 8 ma'm.
- Q. Where is Mr. Wysocki when you say he was throwing? - A. As I remember it about here.
- Q. In the road by lamppost 4? - A. I think that would be the best description ma'm, yes.

Q. But right-hand side of the road? - A. Yes.

Q. Near the kerb? - A. Towards the kerb, yes.

Q. JUDGE COLES: The pavement appears to have a recess so that a car can drive across it on Photograph 3 compared with Photograph 13 where I cannot find that? - A. Yes.

MISS RUSSELL: Your Honour, you can because it starts in front of as it were the extension garage building and it continues in front of the bungalow.

JUDGE COLES: I think it is a different one.

THE WITNESS: That is not right. It looks like a driveway down the right-hand side of that bungalow ma'm.

JUDGE COLES: That is your impression but if you look at the bungalow in front of the bungalow in Photograph 13 does it not appear to have - I don't want to give evidence or comment - but if you just compare the two, of course Exhibit 45 was taken I think only last week.

MISS RUSSELL: Yes, quite recently. As your Honour has appreciated there is a lot of hedging that has been done.

JUDGE COLES: I think the "For Sale" has come down. It seems pretty clear there is no such wall in Photograph 8.

Q. MISS RUSSELL: Officer, were you worried about P.C. Norris? - A. No.

Q. Are you sure about that? - A. I don't remember worrying about him.

Q. You see he is one of the Officers under your command? - A. That is correct.

Q. He has already told the jury he was one of the first people over the bridge and there comes a time when he actually forms a cordon by lamppost 4 and the pickets are further up than that. Now you have put Mr. Wysocki throwing stones by lamppost 4 so I will ask you again: were you really worried about Mr. Norris? - A. Where we formed the cordon and where I saw Mr. Wysocki it is my recollection

Q. Would you accept you may be completely mistaken about it? - A. I am not mistaken about Mr. Wysocki throwing the stone ma'm.

Q. JUDGE COLES: What Counsel is saying is you say Wysocki was throwing a stone at lamppost 4. Mr. Norris says the cordon was there. She is suggesting one of you must be mistaken. Is it you? - A. I don't believe I am mistaken ma'm.

- Q. MISS RUSSELL: How did Mr. Wysocki throw the stone. What size was it? - A. From what I could see it was one that would fit into the hand and he threw it with his right arm.
- Q. Lots of things can fit into a hand, Officer, it depends how you describe it. Was it a small stone, half a brick, what was it? - A. It was smaller than a half-ender as I remember it.
- Q. How did he thrown it? How was he holding it? - A. Just like that in that manner.
- Q. Did you notice anything about his grip? - A. No ma'm.
- Q. Which hand did he hold it in? - A. His right hand as I remember it.
- Q. You did not notice him having any difficulty with that action of grasping something and throwing with the right hand? - A. No.
- Q. Nothing about the way he held his thumb or anything like that? - A. No.
- Q. Are you sure you are not mistaken about that and it was a left-handed throw? - A. I am sure it was right-handed ma'm.
- Q. Where did he get it from? - A. I don't know. I did not see him pick anything up.
- Q. Is he at the front of a group? What position is he in? - A. At that point he was to the front, yes.
- Q. No one else between him and the Police cordon? - A. No ma'm.
- Q. So he is right at the front? - A. Yes.
- Q. Then you get the command to charge? - A. Yes ma'm.
- Q. And you go after him. Where do you say he runs to? - A. As I remember it he went straight off up the road. We caught him, well P.C. Skelton caught him to my best recollection in the road about by the "City Centre" sign you can see there.
- Q. How many yards was that? - A. I don't know. It was not short. It was a good run.
- Q. 20 yards; 30 yards; 50 yards? - A. From memory and from looking at the photos. it was certainly in excess of 50 yards.
- Q. In excess of 50 yards this chase from the cordon to Mr. Wysocki, 50 yards? - A. It was in excess of 50 yards.

- Q. I am not going to do it on the plan, I think the jury can probably do that in their own time, but it was definitely by the "City Centre" sign? - A. That is how I remember it ma'm. I was looking round when we arrested him and saw the "City Centre" sign. As I remember the chase ending that is about how far we went.
- Q. Did he stay on the same side of the road? - A. As when he was throwing the stone?
- Q. Yes? - A. No, he moved over to the left-hand side by that stage.
- Q. So when you moved him down the road you moved him down the road on the opposite side from where he had been throwing. Is that right? Is that your evidence? - A. I remember walking him down the road ma'm but I didn't pay any attention to what side we were on.
- Q. Officer, I am going to suggest to you that you are lying to this jury; that what happened that day so far as any movement up from the bridge was that first across the bridge came from Merseyside Officers followed up by West Midlands Officers who charged up, various Officers peeling off to various ends and you eventually got up near that house where you say Mr. Wysocki was throwing and there were a group of Officers and there were some pickets in there and the Officers in there were telling the pickets to get out of there. Do you remember something like that? - A. No ma'm.
- Q. At that time P.C. Skelton was looking in fact, really as if he was after somebody else because he was running by or appearing to run by the house after a picket and somebody shouted out: "Get the big bastard in the white shirt, with the white shirt on". Do you remember something like that? - A. I don't ma'm, no.
- Q. Mr. Wysocki because he had been told to get out by Police Officers got to the garden wall. That is when that was shouted? - A. Excuse me, which garden wall was this?
- Q. The garden wall with the extension to the garage, Photograph 13, it is clearly shown. That is when he was grabbed by P.C. Skelton. That is what happened, isn't it? - A. No ma'm, it is not.
- Q. Then you came up and grabbed his other arm? - A. I was with P.C. Skelton when the arrest was made ma'm.
- Q. Let me get this clear: there is no question of any struggle on arrest, is there? - A. None at all.
- Q. So far as this is concerned, Officer, I am going to put to you in a sense that you were the dominant partner. Although Mr. Wysocki did not actually see it, it sounded like your

voice that shouted out: "Get the big bastard with the white shirt on" and thereafter you came up and grabbed his arm?
- A. No ma'm, it is not true.

Q. And it was him who asked what he had been arrested for. He asked you that, didn't he? - A. No, he was told by P.C. Skelton why he had been arrested.

Q. I agree with you something was said, something to the effect "Throwing stones at the Police or coppers" something like that and then Mr. Wysocki said: "Let go of my arms. Let go of my hands. You will see my hands are perfectly clean. I have not been throwing any stones." - A. I don't remember that.

Q. Your reply was: "They all say that the bastards when they are caught"? - A. No ma'm, that is not true.

Q. Will you have a look please at Exhibit 27, Photograph 26?
- A. Yes, I have got it ma'm.

Q. Have a look over by the blue garage door. Can you see a man in a white shirt there. There are two men in white shirts? - A. I can see two, yes.

Q. One is with a Sergeant with thick stripes on his arms?
- A. I can see Sergeants' stripes, yes ma'm.

Q. They appear quite thick because this is taken at quite an angle and quite a distance. Then if you look below that there is a man who is considerably taller than the Officer on his left, also in a white shirt. Got him? - A. Yes.

Q. If you look there is a Police Officer with a helmet on with a sort of silver band that is obviously catching the light in some way because it shows quite distinctly and on that man's right arm it looks as if there are Sergeants' stripes, doesn't it? - A. It is a white spot there.

Q. It could be interpreted as being Sergeants' stripes I suppose from the position of where the white spot is in relation to what you can see of that Officer. It is not a particularly unfair assumption that that could be Sergeants' stripes? - A. It could be, yes.

Q. Have a look at it. See if it rings a bell? - A. It certainly rings a bell. If that is us I am on the right side of Mr. Wysocki; Mr. Skelton is on the right side.

Q. I am going to put it to you that is within moments, seconds of you first coming up and grabbing him because that is more or less where he was taken. Do you see? - A. I see what you are getting at ma'm.

Q. There is no question of him having been walked back to that point. That is where he was actually grabbed? - A. No, it is further up the road where I pointed out before.

- Q. Because we can actually see two Officers grabbing somebody by the van here, can't we? - A. We can, yes.
- Q. I want you to observe one more thing before we turn from this photograph. Do you see the man in the blue shirt being led down by a single Officer ahead? - A. Yes.
- Q. Before we leave this bundle and assuming again that it is taken in sequence, turn over the page Officer to the next photograph. If that photograph is taken even within a minute or two your horses have dispersed, haven't they? - A. Well they disappeared anyway. They came back through our cordon before we moved forward.
- Q. What do you see at the very back of that crowd Officer? - A. I can see a Policeman's helmet.
- Q. When you ran up after Mr. Wysocki did you notice anything in particular as you ran past the houses on your right? - A. No.
- Q. Did not notice any picket with a particularly nasty head injury involving Officers of your unit? - A. No ma'm, I was watching the person I was chasing. I was not watching anybody else.
- Q. I want to go to what happened as you went down the hill? - A. After the arrest?
- Q. After the arrest. - A. Yes ma'm!
- Q. If you turn to Exhibit 30. I am sorry to keepst chopping and changing but that is the only way to do it? - A. No problem ma'm.
- Q. Photograph 11, have you got it? - A. Yes.
- Q. What does that show? - A. Officers leading the prisoners back down the road.
- Q. That is a nice general description. Which Officers in particular? - A. There is me and P.C. Skelton there and Mr. Wysocki.
- Q. This is part of the road because we can see a bungalow in the corner and where you say you were subject to a hail of missiles before you went up. That is right, isn't it, because the lamppost shown there is the one before the one by the bungalow. This is the part of the road where you say you were subject to a hail of missiles? - A. Yes, I believe it is.
- Q. So far as what happens to Mr. Wysocki he is then marched down and you come to a Police cordon? - A. Yes.
- Q. Are you the first people to come to that cordon? - A. I don't know ma'm.

- Q. Well just have a think about it. We can see how near to some other prisoners you are in Photograph 11, can't we?
- A. Yes.
- Q. Where was the first cordon? - A. I can't remember.
- Q. Was it the village side or works side? - A. I can't remember ma'm. When this photo. was taken we may already have gone through it.
- Q. I want to ask you about when that photograph was taken, do you remember as Mr. Wysocki was walking past that point seeing Mr. Scargill on the embankment and one man there in particular with a camera? - A. I do remember seeing Mr. Scargill.
- Q. Don't make any mention of that in your statement, do you?
- A. No.
- Q. Didn't South Yorkshire say it was important to mention Mr. Scargill, any sighting of him? - A. No.
- Q. Never asked about that? - A. Never asked me ma'm.
- Q. And somebody shouted out something, didn't they, in the direction of Mr. Wysocki, something like: "Never mind lads, we are winning"? - A. I do remember that.
- Q. My Wysocki was heard to mutter, not unreasonably under his breath: "You call this winning?" Do you remember that? - A. No, I don't.
- Q. You said something to the effect, and again it is not exact words, but something like: "I would like to get my hands on" or "I would like to kill that bastard", something like that? - A. Who was I talking about there?
- Q. Mr. Scargill? - A. No ma'm, I did not say any such thing.
- Q. You had no feelings about Mr. Scargill, as a Police Officer completely neutral? - A. I have got feelings about Mr. Scargill.
- Q. You did not in the heat of the moment on a June day let that out? - A. No.
- Q. Always in perfect control Officer, were you? - A. I never shouted anything at Mr. Scargill.
- Q. Would you turn to Exhibit 21 please? I will ask you again: are you saying that Mr. Wysocki was the first man through the cordon? - A. No, I have never said that at any point, ma'm. I said I did not know whether he was the first man through the cordon.
- Q. Forgive me, Officer, we can see from Photograph 11 the sort of situation when people are being brought back down.

Short of being completely blind you would know whether there were other people ahead of you and whether pickets were going through the cordon. That must be right? - A. If we had not already gone through it at that stage. I don't remember where it was ma'm.

Q. Now to go through it you would have to run past the two pickets in front of him for a start? - A. If we had not gone through it, yes.

Q. JUDGE COLES: If you had gone through it what Counsel is putting even then it looks as if you were not first through and if this photograph was taken after you went through the cordon it looks as if you have been overtaken by two? - A. I see what you mean sir.

Q. If it was taken before you went through the cordon it looks as if you overtook the other two and if there were others ahead of you what is being proposed is that those ahead would have had the trouble of getting through the cordon. Now what do you say about that? - A. I don't remember anybody else going through the cordon ma'm.

Q. MISS RUSSELL: Because of course your whole story about what happened at the cordon is by way of an explanation of how your prisoner got his injuries, isn't it? - A. That is where I felt they may have occurred ma'm, yes.

Q. That is why you add the little bit in the statement about: "We had to get through a tightly wedged shield cordon"? - A. That is perfectly true.

Q. Which sounds fine Officer if he was the first one out and he was not as it were one of a continuous stream being brought back down by the (inaudible) at that point. Do you follow? - A. I do ma'm, yes.

Q. Now the only way he could be first is if you ran him all the way down past those two. All right? - A. Yes.

Q. Turn to Exhibit 21. We have got photographs here which we are told are taken in sequence and these are Prosecution photos. Turn to Photo. 4. On that photograph we can see a prisoner and also a whole big group of Officers? - A. Yes ma'm.

Q. Carrying something heavy? - A. It looks like a propane gas cylinder.

Q. Coming down the hill - Photograph 5 - this is down by the electricity sub-station in sequence? - A. Yes.

Q. We can see a cordon there but there is no question of shields tightly wedged by that cordon, is there? - A. No ma'm, not at all.

Q. And it is not until after that that we get the photograph of Mr. Wysocki?

JUDGE COLES: It is after that in time. It is not after it in position, is it?

MISS RUSSELL: Your Honour, it is in a co-equal position more or less with the first one with Photograph 4, Mr. Morland, it is that end of the bridge.

JUDGE COLES: Yes, but you can see in Photograph 5 to the right of the Officer's sleeve the thin chimney which I think it was agreed was on the electric sub-station?

MISS RUSSELL: The picture of Mr. Morland is further down than the one of Mr. Wysocki. The photographer has gone down and come back up.

JUDGE COLES: That is right.

Q. MISS RUSSELL: So it would be that cordon you are referring to down by the electricity sub-station because there is no question of them having shields out, is there?
- A. It does not appear so ma'm.

Q. JUDGE COLES: Do you think Mr. Wysocki looks injured on Photograph 6? - A. It is hard to say. It looks as if he has got something on his left cheek sir.

Q. MISS RUSSELL: Look at the right side of his nose, Officer. Do you see a mark there under his right eye?
- A. Yes, I do.

Q. Those are the kind of injuries he had, those positions? -
A. Yes.

Q. JUDGE COLES: You think he looks as if he has got his injuries there? - A. Yes sir. To be fair he looked as if he had them there.

Q. MISS RUSSELL: Turn to Photograph 7, Officer. It shows in there a couple of Officers that you know? - A. Yes ma'm.

Q. Looking behind that we can see a number of Officers lounging around the bridge, can't we, standing obviously at ease?
- A. The Officers we can see are ma'm, certainly.

Q. You know perfectly well how Mr. Wysocki got his injuries, don't you? - A. I don't know.

Q. A complete mystery to you? - A. I could take an educated guess.

- Q. All right, let's hear your "educated guess"? - A. If you look at the size the visor is up on my helmet. When we came through those shields perhaps my visor hit him in the face. It has happened to us in training. When we have got Officers moving together with their visors up we have had occasion to poke each other in the eye. I felt that was may be one way he got his injury. I certainly cannot give any other reason for it ma'm.
- Q. And that really is your explanation? - A. It is ma'm, yes.
- Q. You may have caught him with your visor as you went through. Who went through first? - A. What, out of me and P.C. Skelton?
- Q. Yes and your prisoner? - A. I don't remember.
- Q. Think about it? If you think you caught him with your visor there must be something about the positions as you go through that makes you think that? - A. We could have gone through either way, me or him, the result could have been the same. I honestly cannot remember who went through the cordon first.
- Q. How tall are you? - A. 5' 10".
- Q. How high does the visor go up? - A. Looking at it it is about its maximum now. I think there is one on there. There is a bar that stops it going back any further. You cannot push them right back off your head.
- Q. You are telling a pack of lies about how he came about those injuries aren't you, Officer? - A. I am not ma'm, no.
- Q. Tell me this: as an experienced Sergeant were you a little worried about some of the Officers on that cordon as you went through? - A. In which direction, coming back?
- Q. Coming back with the prisoner, Officer, that is what we are talking about as you well know? - A. The second one, yes.
- Q. Why? - A. Well I opened up as we brought Mr. Wysocki towards them and I got the impression a couple of them were waiting to have a dig at him as he went past. My words sir, throw a punch at him perhaps.
- Q. So what did you do? - A. I stopped Mr. Wysocki before we got to the cordon and I shouted: "Don't you fucking dare".
- Q. I am going to put to you

JUDGE COLES: Are you putting to him that is a lie?

- Q. MISS RUSSELL: Your Honour, not necessarily that that bit of it is a lie but you added certainly so far as that is concerned what you were in effect saying: "Leave him alone because he has had enough already" because you knew perfectly well that when he went through the first cordon

he was run into the shields and then he was punched and kicked as he went through that first cordon and that is why you were concerned by the time he got to the second one because you really did not want your prisoner to be in too much of a mess by the time he was arriving back. That is the truth of it, isn't it Officer? - A. That is not ma'm.

- Q. Obviously, particularly if you thought you were responsible for causing an injury to your prisoner it was very important for you to make an accurate report of that, wasn't it? - A. At the end of the day we have to tell our PSU Commanders of any prisoners who are injured, yes.
- Q. Who took responsibility for that between you and P.C. Skelton about your injured prisoner? - A. I did ma'm.
- Q. You did not have an Inspector as such in charge of your PSU you had somebody who was acting as Inspector but in fact a Sergeant like yourself, Darnell? - A. That is correct.
- Q. I am putting this to you Officer so that you can have an opportunity of explaining how it comes about. Do you remember being with him and telling him that while he was making up the report? - A. Who, Sergeant Darnell?
- Q. Yes, you would obviously take care to do that, didn't you? - A. I did report it I think, I reported it to Mr. Bennett because he had overall charge of the OSU. I am sure I told Mr. Bennett of it.
- Q. What did you tell Mr. Bennett? - A. That sometime after the arrest my prisoner sustained injury to his nose and his eye. I told him I was not aware of how the injury had been come by. I also told him that he did not wish to make a complaint.
- Q. I will go into that matter in a moment. You could not possibly have said something like your prisoner struggled on arrest and got bruising to the left eye rather than the right eye, could you? - A. No it is not true, he did not struggle.
- Q. Or is it Officer that at the time it seemed that would be the easiest thing to say that he struggled on arrest? - A. There is no need for me to say that ma'm. He did not struggle. I did not know how the injury was caused. I was concerned that it was recorded when he did have some injury.
- Q. And because you were making your statements up later or earlier than those and because you had given a different explanation there you could not maintain the story of a struggle on arrest, could you? - A. There was no struggle on arrest ma'm, nor was there any story of such.
- Q. So if it comes about in your PSU book: "Prisoner Stefan Wysocki bruising to left eye following struggle on arrest"

that is as a result of an Officer senior to you taking your message quite incorrectly and carelessly. That must be right? - A. That is quite correct.

Q. JUDGE COLES: What you are saying is if that explanation has appeared in a document which we are to see later it had nothing to do with you? - A. That is not what I said to the Inspector sir. I did not write the book. I told him what had happened and he filled the book in. I never saw what he wrote. I knew he was writing down. I did not see what he wrote.

Q. MISS RUSSELL: What it comes down to Officer is if that is written there must be

JUDGE COLES: Let's not have

MISS RUSSELL: All right, we will leave that matter there.

Q. Just dealing with this matter of a complaint. Your prisoner gets injured and comes back to the reception area and says in effect that an Officer has done him injury? - A. I asked him what had happened because I had not seen the injury until we got there. I said: "What happened to you?"

Q. Didn't a Policewoman clean him up a bit? - A. We tried to but he refused because I offered him my hanky to stem the flow of blood from his nose.

Q. Did it ever occur to you, well it must have done Officer, you know perfectly well why he refused help having just been injured with your co-operation on the first cordon, it was quite clear he thought the offer of help at the stage when he got to the Reception Centre was a bit hypocritical. Did that occur to you? - A. No ma'm it did not.

Q. But either way he made it quite clear that he received that injury from an Officer? - A. That is the impression I got, yes.

Q. That is what he told you? - A. I cannot remember his exact words ma'm.

Q. Why not? - A. Because I can't.

Q. Isn't it rather a serious matter when a prisoner under your charge makes an allegation that he has been assaulted by an Officer? - A. If he wishes to make a complaint about it yes ma'm.

Q. What is in your notebook about this? - A. That I arrested him.

Q. No, the question is what is in your notebook about this, the subject of the complaint? - A. Well nothing ma'm.

- Q. Why not? - A. Because he did not make a complaint.
- Q. He told you he had been assaulted by an Officer? - A. And he also told us he did not want it to go any further.
- Q. In those exact words? - A. Not in those exact words ma'm, no.
- Q. Well what did he say? - A. I don't remember.
- Q. You think about it carefully because it is a very important matter. Here is your prisoner injured. He says it has happened from a Police Officer. Are you telling us you really did not bother to note carefully what he said or even remember it? - A. I did not take any notes down of it, no. He did not wish to pursue the matter any further ma'm.
- Q. Well why didn't you make a note of that and get him to sign it? - A. I did not think about doing that. I made a note of it on a statement with P.C. Skelton.
- Q. You see for all you knew, Officer, bearing in mind you were likely to be giving evidence in this matter, for all you knew he was going to come to Court and make up a pack of lies and say that Officer deliberately punched him in the face? - A. It would not be the first time that has happened.
- Q. I am sure it would not Officer and you would have absolutely no protection to that allegation, would you? - A. Yes, I have made a point of mentioning the injury and how I thought it was caused in my statement.
- Q. You have covered your explanation but his actual complaint you don't make any note of at all? - A. He did not make a complaint ma'm. That is what I am trying to say to you. He did not make an official complaint. As far as I am aware to this date he has not.
- Q. JUDGE COLES: What would you have done if he had? - A. Informed a Senior Officer, one of the charging staff. As I remember there was usually an Inspector in the room where the prisoners were being booked in and if he had made a complaint I would have brought it to his attention straightaway.
- Q. Is there a procedure that is followed there? - A. In the West Midlands there is a form WP 669. That should be filled in there and then no statement will be taken because of the sub judice rule.
- Q. MISS RUSSELL: Officer, forgive me. Here is a prisoner who is injured who says: "A Policeman has hit me", alleges that the injury is caused by a Police Officer. That is what he says. Not by you or by your colleague, so how does that conversation go on? - A. I cannot remember ma'm. I honestly cannot remember how it went on.

Q. Did you ask him: "Where did it happen? Which Officer?" You must have asked him something like that surely? - A. I don't remember ma'm.

Q. Look at your statement and refresh your memory.

JUDGE COLES: Would you like to do that after the break, the canteen looks very empty?

MISS RUSSELL: That is obviously an opportunity none of us should miss.

(Short adjournment)

Q. MISS RUSSELL: Officer, you have just been looking at your statement. What does your statement say about this complaint? - A. It says: "He alleged that a Police Officer had caused the injury but refused to elaborate or make a complaint."

Q. What do you mean by "elaborate"? - A. He refused to say who had done it.

Q. That rather presupposes he must have been asked "Who done it?" - A. I said to him when we got him in: "How did you get that?" or words to that effect.

Q. You can remember that now, can you? I said that to you earlier. What did he say, a Police Officer? - A. Something like "One of you lot". I took that to mean a Policeman.

Q. That is a pretty shrewd guess, Sergeant. What was he asked then? - A. I asked him if he wanted to make a complaint.

Q. No, you have got "But he refused to elaborate" so he said: "One of you lot". He must have been saying something else to have that phrase "refused to elaborate"? - A. All I remember he said: "One of you lot" and that was it. He would not go any further. I do not recall what questions I asked him ma'm. I only go by what I have put in my statement.

Q. Did you make a report to a Senior Officer in any event? - A. To Mr. Bennett, yes. I told him what had happened, that my prisoner was injured, yes.

Q. Did you when you told Mr. Bennett say that your prisoner was indicating that that was caused by a Police Officer? - A. No, I didn't.

Q. Why not? - A. Because he did not wish to make any complaint about it ma'm.

Q. That is not the point I am asking you. Why didn't you just as a matter of information tell Inspector Bennett that an

allegation like that had at least been made? - A. I cannot give any reason. I just did not. I did not think it was important.

- Q. You did not think it was important the picket was alleging that he had been injured by a Police Officer? You did not think that was important? - A. Not of Mr. Bennett, no. All he wanted to know was that the prisoner was injured. I had taken the initial steps to see if the lad wanted to make a complaint and he did not.
- Q. Is it normally the custom in Birmingham for the Arresting Officer to as it were follow up when a complaint is made or do you normally try and call in another Officer who has had nothing to do with the arrest to see whether a complaint is going to be made? - A. Normally you call in another Officer.
- Q. Why didn't you call in another Officer just to see whether it was correct he was not going to pursue the matter? - A. I felt I dealt with the matter perfectly well ma'm.
- Q. The fact of the matter is this, Officer, the reason he did not pursue it, as you know well, was because you knew perfectly well how that injury came about? - A. I do not know how that injury came about ma'm.
- Q. Because you were partly responsible for running him at the first cordon and the shields in any event? - A. I was not, no.
- Q. You are lying about that, Officer. You know how that injury came about? - A. I am not lying ma'm.
- Q. You are lying that you saw Mr. Wysocki throw a stone? - A. I am not lying ma'm.
- Q. Mr. Wysocki was by a garden wall where pickets were being cleared out of the garden at that particular point. That is how he was taken hold of as you stopped behind other Officers who were going past? - A. No ma'm, that is not true.

MISS RUSSELL: Yes, thank you. I have no further questions.

JUDGE COLES: Yes Mr. Taylor?

Cross-Examined by MR. TAYLOR:

- Q. Sergeant Kelsey, in the community you are a powerful person, aren't you? You have a power of arrest? - A. I was a Policeman, yes sir.
- Q. And as a Sergeant you have a power of control over Police Officers? - A. Up to a point sir, yes.

- Q. On this particular day you were in charge of and directing ten men. Am I right? - A. Yes sir.
- Q. Above you you were answerable to Acting Inspector Darnell? - A. Yes sir.
- Q. But in the field of operations when you were going out into action you would be in charge of your ten men? - A. I would be leading them, certainly.
- Q. Would you regard yourself as responsible for what they did on that day? - A. Not totally responsible, no sir. I can only supervise them to a certain extent.
- Q. If they did anything wrong it would be your duty to put it right or to report it? - A. If I was aware of it, yes sir it would.
- Q. Let me just go through the names of the ten that you had under your control. Mr. Pearson and Mr. Spencer. Do you recall those? - A. Yes sir.
- Q. Are you from Bradford Street Police Station? - A. I am sir, yes.
- Q. Those two are not, are they? - A. They are from Tipton sir.
- Q. Were those two Officers working in a pair that day, working as partners? - A. Normally they would. I cannot remember but normally when you get two Tipton Officers - I think all the rest of us were from Bradford Street - they would normally work together as they knew each other.
- Q. Do you recall on this day they were in fact working as partners? - A. I don't recall it sir. I assume it to be true.
- Q. Mr. Griffiths and Mr. Deakin. Do you recall those two? - A. Yes sir.
- Q. They are from your Police Station? - A. Yes sir.
- Q. You recall them there on that day? - A. Yes sir.
- Q. Were they partners? - A. They are partners anyway sir.
- Q. Mr. Norris and Mr. Abson were they working on that day as partners? - A. Yes, they were.
- Q. They don't usually, do they? - A. No sir.
- Q. But for some reason - which it is not important - but for some reason on that day they got mixed up and they stuck together for the rest of the day, Mr. Norris and Mr. Abson, and we have heard that they came to arrest a person by the name of Mr. Crichlow. Did you know that? - A. Yes, I knew they had made that arrest sir, yes.

- Q. Do you know incidentally who Mr. Pearson and Mr. Spencer arrested? - A. I don't sir, no, I can't remember.
- Q. Now there is another person here by the name of Billington. Is it your recollection that he got injured and left pretty early on in the day? - A. Yes sir, he did.
- Q. Perhaps I will ask you about that. It was to do with the horse, wasn't it? - A. Yes sir.
- Q. Mr. Skelton, we have heard from him. Was he originally Mr. Billington's partner? - A. I can't remember sir. I honestly cannot remember.
- Q. And the last two a Mr. Hanrahan and Mr. Jones also from your Police Station? - A. That is correct sir.
- Q. On the day were they working as a pair? - A. They ended up by working as a pair but as for Norris and Mr. Abson they did normally.
- Q. Is it true Mr. Abson and Mr. Hanrahan normally worked together? - A. That is true.
- Q. You know we have also heard from Mr. Norris and Mr. Abson and what they have said is on the first run out, the first shield use, for some reason they found themselves together so instead of reverting back to their normal pairs they stayed together. Does that accord with your recollection? - A. That would be right sir, yes.
- Q. Do you know who it was who Mr. Hanrahan and Mr. Jones arrested? - A. I don't know sir, no.
- Q. Does the name Greenaway mean anything to you? - A. No sir.
- Q. As for the preparation of the document that the support units have to fill in afterwards, an operational record or a log, it is sometimes called the MK34. In this particular case the MK34 was that the responsibility of Acting Inspector Darnell to fill in? - A. It should have been, yes sir.
- Q. Where would he have got the information from to put in it? - A. From the people who spoke to him; from the arresting Officers.
- Q. And the people in that PSU who had something to say to him they would say it? - A. Yes sir.
- Q. Can you remember what you said to him? - A. As I said earlier when I reported Mr. Wysocki's injury I believe it was Mr. Bennett I spoke to, not Sergeant Darnell.
- Q. Is that because Sergeant Darnell was only a Sergeant and

you thought you had better go one up? - A. Usually when we operate in two PSUs obviously we should have two Inspectors but that day Mr. Bennett was in overall charge. I remember when I came out of the building he was collating the details for the book and I remember telling him.

Q. I am not concerned with Mr. Wysocki directly? - A. I am sorry.

Q. What I am concerned about is the drill of this PSU and the half that you were in charge of. Am I right in saying this: that you operated with your shields on two occasions on the 18th of June? - A. That is as I remember it, yes sir.

Q. The first occasion was shortly after the convoy of lorries came in just after 8 o'clock in the morning? - A. I don't remember the convoy coming in sir. I cannot remember that.

Q. And then after that - if you cannot relate it to time it does not matter - after that you had a rest of an hour or so? - A. It was not an hour it was about three-quarters-of-an-hour but certainly I had a rest sir.

Q. Then you were called up again? - A. Yes sir.

Q. You took part in this move of driving the pickets from the bottom of the field up towards the bridge? - A. Yes sir.

Q. It was done in a number of stages? - A. Yes sir.

Q. You know what I mean by that? - A. Yes sir.

Q. On each of those occasions that you moved as a unit can you recall being in charge of the ten men? The names that I have just read out they would have been pretty close to you? - A. Oh yes sir. I told them to stick by me and we should stick together.

Q. That is the way you have been trained and that is the way you operated on that day? - A. Yes, as far as I am aware sir.

Q. Or would it be right to say that is the way you tried to operate on the day and things got a bit chaotic later on? - A. As we moved up obviously we did not stick in exact formation.

Q. I am not concerned with the first occasion so much that you moved out as the second. When you got your order to move out after your break and you started the pushing up the field can you recall your half of the PSU being told to kit up again and move up the road? - A. Yes sir.

Q. Did you give them that order yourself? - A. No, it was Mr. Bennett sir.

- Q. Directly? He did not tell you and then you told them? -
A. We were all together as I remember it.
- Q. When you moved up the road did you lead your group of ten men up towards the back of the cordon? - A. Yes sir.
- Q. When you came to make your statement in the room or rather when Mr. Skelton came to make it and you were sitting there talking it through with him and agreeing it was right and so on, did you think that was a good way of doing it? - A. I remember thinking that probably the pocket book may have been better but it was a case of getting it down on paper while it was still fresh quickly so we could be back out again in case we were needed.
- Q. The idea of making notes just after an incident, the jury appreciate this I am sure, is so you have got it fresh in your mind and you can put it down and then a bit later when you come to give evidence you can look at your notes and it will remind you of what happened? - A. That is what we do sir, yes.
- Q. If there are two Police Officers involved for example in catching a burglar then after you have caught that person you will sit down and you will put your heads together. Nothing wrong with that, I am not suggesting there is. You will say: "What happened then?" and somebody caught them. "I cautioned him" and you might say and then he replied such and such and you will gradually agree between you what the correct version is? - A. Yes sir.
- Q. That is the way it is done, isn't it? - A. Yes sir.
- Q. Did you see anything wrong sitting in a room with 20 or so people of trying to agree with a version of events. Is there anything wrong with that? - A. I don't think it was the best possible way but in the circumstances we had no choice sir.
- Q. Why isn't it the "best possible way"? - A. You have got too many ideas floating around.
- Q. Who was doing the talking when the statement was being made. Did you contribute? - A. To our statement, yes.
- Q. No, the general scene setting, the first 25 or 6 lines of that statement are general scene setting which came to be dictated, didn't they, by a Detective, the majority of it was. He is sitting at the front like a classroom and reading it out? - A. No, it was not like that. He was walking round standing up.
- Q. Was he reading from something? - A. Not that I remember sir, no.

- Q. Where did he get the version that he was giving, telling to everyone, where did he get it from? - A. I assume they would have been keeping observations off the building: they had been watching as we moved up.
- Q. This is where the television cameras were, is it? - A. I thought they were on the roof of the Command Block.
- Q. You knew that the Police were taking a film that day, didn't you? - A. Oh yes, yes.
- Q. How did you know that? - A. I could see the cameras.
- Q. How did you assume that they were Police taking the film? - A. The T.V. cameras have BBC or ITV on them and ours was on the top of the Command Block.
- Q. How did you know it was yours? - A. I assumed it was ours.
- Q. How did you assume? - A. As far as I knew the BBC or ITV cameras were not allowed on the roof.
- Q. JUDGE COLES: What about the people operating the camera? - A. I assume they were Policemen sir.
- Q. MR. TAYLOR: They did not wear uniforms though but they were not in Police uniform? - A. Not as I remember sir, no.
- Q. You knew they were being filmed and you have assumed that the person dictating or giving this delivery of a statement had been keeping observations on what was going on and that is where he got it from? - A. Yes sir.
- Q. Does that apply to the action that took place above the bridge? You see the point, don't you? - A. I think I do sir, yes.
- Q. Somebody keeping observations from a roof at the bottom could not have seen what was going on above the bridge and up into the village? - A. No sir.
- Q. Where did that information come from? - A. It was probably when we were all talking about it sir.
- Q. This is what I want to get at. When you were all talking about it who was leading the discussion? - A. I can't remember sir.
- Q. Was it a Detective? - A. I can't remember sir.
- Q. Was it a free-for-all, people saying this happened then this happened, then such-and-such happened? - A. It was not a free-for-all but there was certainly discussion going on.

- Q. Wasn't it a case of the Detective saying to everyone:
"We have got a version here and I am going to read it out.
This is the general scene setting. You take this down and
then you deal with it yourselves"? - A. I don't remember him
using those exact words sir, no.
- Q. Do you know P.C. Gale from Merseyside? - A. No.
- Q. Do you know whether he was the author of this dictation
or not? - A. No.
- Q. You did not have pieces of paper to copy the statement down
with "P.C. Gale, Merseyside" written on the top? - A. No sir.
- Q. So this Detective just walked around not reading from any-
thing you say? - A. Not that I remember sir.
- Q. And just coming out with this spiel? - A. Yes sir.
- Q. Now you have said that you and your ten stayed together
and moved from your position at the vans after refreshment
to the back of the cordon and went on a three stage move
up the field? - A. Yes sir.
- Q. Mr. Skelton has also said that but in your PSU, your half
of your PSU the two people who have given evidence, Mr. Abson
and Mr. Norris have also give evidence about this. They
have said also that you were altogether as a group in one
half of the PSU as you might expect but they did not move
up from the resting place to the cordon, they went straight
up to the bridge and the cordon was already at the top. Now
they were with you, weren't they? - A. Yes, as far as I
remember they were sir.
- Q. Is either of those versions correct? I suppose you would
say that yours is? - A. Well my version is as I remember
it sir.
- Q. You remember P.C. Abson and P.C. Norris being with you
do you on this move up? - A. I remember them being in
the van on that day sir. When you have got helmets on it
is very hard to distinguish who is next to you.
- Q. JUDGE COLES: No, that was not the question. The
question was do you remember them being with you when you
went on that last advance? - A. I cannot say that I do,
no sir.
- Q. MR. TAYLOR: They ended up on the bridge with you and
going on to the bridge up into the village? - A. As far as
I know sir.
- Q. When you all assembled at the bridge for your thrust up
into the village there was Abson, Norris, Hanrahan and
Jones, wasn't there? - A. As far as I know they were there
sir.

Q. If you had been four men short you would have noticed it wouldn't you in your ten? - A. I hope so.

Q. They got into the village and arrested people we know and you were there.

Now when this dictation of notes was going on were PCs Norris and Abson in your class or were they in somebody else's class? - A. I don't remember sir. I only remember myself and P.C. Skelton.

Q. You see how the system that was adopted on that day is open to abuse, don't you? - A. I do sir, yes.

Q. Would you like to explain how it is open to abuse? - A. Well you have got a number of Officers all with different ideas and if the one that everybody believes is true is put down turns out to be wrong.

Q. That is not what it is about, it is not a lot of people with different ideas who believe them to be right, it is a lot of different people being told different versions by Detectives. That is what is wrong with it, isn't it? - A. I don't see anything wrong with that. I agreed with what the Detective had said.

Q. Do you see anything wrong with this: that two people in your half of your PSU who are supposed to be under your control working on that day have got entirely different versions to you and what I am saying to you is the reason is because they were in a different class being taught by a different teacher? - A. I cannot say that.

JUDGE COLES: You don't say it has all got so chaotic the bridge, that explains why they are different?

MR. TAYLOR: Your Honour, I am not saying anything.

Q. Sergeant, I want to ask you about the use of truncheons and the use of shields. Will you please pick up the shield that you have, the round perspex shield. Did you see those shields, those particular ones being used on pickets on that day, not as a shield but as a weapon to push people out of the way? - A. I did not see that happen, no sir.

Q. Didn't you see P.C. Abson do it himself on the first charge out? - A. I didn't sir, no.

Q. Weren't you keeping an eye on your men? - A. I have got myself to look after sir. I cannot be watching what they are doing. They are experienced Officers.

Q. You see those nuts and bolts sticking through the front of that shield? - A. Yes sir.

- Q. They could cause injury to people couldn't they if they were used, that shield was used on someone? - A. Yes sir.
- Q. It would be a highly dangerous thing to do wouldn't it to push someone with that shield? - A. I don't think it would be dangerous. It might cause injury, yes.
- Q. Well that is dangerous I am putting to you. On the day a lot of people were wearing very light shirts, 'T' shirts or no shirts at all, weren't they? - A. That is correct sir.
- Q. Right, the first move out. Did you see truncheons being used on people who were just standing there who were not moving away from you? - A. On the first move out, no sir, I didn't.
- Q. It was going on all around you, wasn't it? - A. I did not see any sir.
- Q. People being hit on the limbs? - A. I did not see any sir, no.
- Q. You were in the same area as Mr. Skelton weren't you running out? - A. We were going out together, yes sir.
- Q. You were at the front were you? - A. Yes sir.
- Q. So he behind could see what was going on but you in the front could not? - A. I could see what was going on in front of me. I cannot see what is going on behind sir.
- Q. What was going on in front of you? - A. Pickets were moving away, they were dispersing.
- Q. No one was being hit? - A. Not in front of me sir, no.
- Q. Did you see the use of the shield or a truncheon on that first move up at all by any Officer? - A. I did not see it sir, no.
- Q. Sergeant, it was going on all day, wasn't it, the liberal hitting of pickets out of the way trying to intimidate them and push them back in a violent manner. I am right about that, aren't I? - A. You are right about truncheons being used. I said to Miss Russell before I did see some truncheons being used the second time but this time I myself saw no shields used as a sweeper or batterer.
- Q. In fairness to you I will move on to the time when you say you did see them, that is on the big sweep up to the bridge? - A. Yes sir.
- Q. What were your orders on that day? What were you supposed to be doing? - A. Clearing the pickets off the road.

- Q. Getting rid of them? - A. Yes sir.
- Q. Were you told to take no prisoners? - A. No.
- Q. Never was such an order given to your PSU? You never got an instruction: "Take no prisoners" did you? - A. No sir I didn't.
- Q. Because the PSUs, as we call them, the support groups, the 20 men are a specialist unit, aren't they, they have gone through specialist training? - A. Yes sir.
- Q. You cannot just take a bobby off the beat and give him some of this stuff and expect him to know what to do with it, can you? - A. I see what you mean. A bobby on the beat is trained to use them.
- Q. He is now. When you were moving up the field then just explain please what you saw as you moved up. What was going on? - A. I saw the pickets going back. They were dispersing in front of us. I did see some Officers using their truncheons. I don't know who they were.
- Q. How many did you see? - A. I saw two occasions. I remember seeing an Officer hitting out.
- Q. From your PSU? - A. No sir.
- Q. Were they the only two that you saw who came anywhere near pickets in order to do it? - A. Well no sir, a lot of us came near to the pickets.
- Q. You see your orders on that occasion were simply "Disperse" weren't they. "Get rid of them. Get them off the field"? - A. We were told to disperse them but nobody said don't take prisoners.
- Q. And you as a PSU with the others were going to do that just by force, just by getting them out of the way and if they did not move beat them out of the way. That was the idea? - A. That could have happened, yes sir.
- Q. And it is no secret, is it, that is what was going on on the day, you were driving them out of the field? - A. Yes sir.
- Q. JUDGE COLES: "If they did not move we would beat them out of the way and that is what was going on." Is that what you are saying? - A. I personally would not.
- Q. You are being asked what you saw happen. As I understand it that is just what you have said. Have I heard that right? The idea was if they did not move to beat them out of the way. That was the idea. Is that right? - A. The idea was to disperse them sir. If they did not move we did not receive any specific instructions on what to do then.

- Q. MR. TAYLOR: You see Sergeant I am not going to accept words like "disperse" or "encourage them to leave" or words like that. I want to know what the meaning is behind "disperse". What does "disperse" mean, frighten, get rid of them, frighten them? - A. Get rid of them, certainly.
- Q. How do you think that is achieved except by a show of force and the use of force that is what was going on on the day, isn't it? - A. Yes.
- Q. Right, thank you. Now I want to come to above the bridge. When you come to above the bridge and you drive on over the brow your policy is exactly the same, isn't it, you are still driving on up the brow. You want to get rid of them and so on? - A. Yes sir.
- Q. Did you see anything wrong with that, doing that in a village location? - A. No sir, I didn't.
- Q. You did not see anything wrong with it? - A. I did not.
- Q. When you got to the brow of the hill did you there also see the use of shields or truncheons as weapons against the pickets? - A. No sir, I did not.
- Q. Not by anyone? - A. No.
- Q. Come on, Sergeant, think about it please? - A. I was concentrating on my man sir. He was running away.
- Q. Tunnel vision if you like? - A. Yes.
- Q. Not concerned about the rest of the pickets and what they might have been doing. They might have been ganging up on you or something? - A. There was other Officers behind me sir.
- Q. So you were just concentrating on Mr. Wysocki; grabbed him and away to go? - A. Yes sir.
- Q. At the top of the hill were you, and when I say you I mean your PSU, West Midlands taking the lead from anyone else? - A. As far as I know we were one of the first up there.
- Q. Was one of the first up there also a Merseyside PSU? Pretty distinctive aren't they Merseyside? - A. There is some with chequered bands on their hats but I don't know who they were.
- Q. With shields with a black edge? - A. We were the only ones with round ones at the time. I was not sure what Force they were.
- Q. When you noticed them what were they doing? - A. When I first noticed them they were coming backwards.

- Q. Did they have prisoners with them? - A. I don't remember a prisoner.
- Q. Sergeant, are you sure they were coming backwards? - A. The ones I saw, yes.
- Q. The one person? - A. The one I was concentrating on I saw him coming back.
- Q. At the top of the hill what I am putting to you if you saw a Merseyside PSU coming down the hill you are not going to run past them and carry on, you would stick together wouldn't you for your own safety. That is what you are saying? - A. Yes sir.
- Q. Now at the top of the hill they were Merseyside Police Officers weren't they, chequered bands? - A. I remember chequered bands sir, yes.
- Q. What were they doing? I want you to answer that. - A. I am doing my best sir but I don't remember. I remember seeing one man with a chequered band. We moved forward, got Mr. Wysocki and then once we turned round with him it was chaotic up there.
- Q. Describe the chaos. What was it? - A. There was people running about.
- Q. Police Officers chasing pickets? - A. Yes.
- Q. Not the other way about? - A. Not that I remember, no sir.
- Q. Police Officers with shields and truncheons drawn? - A. Yes sir.
- Q. In the air carrying out the same manoeuvre that they had been doing all day frightening and chasing away pickets and hitting them when they got them right? - A. I did not see anybody hit sir.
- Q. Are you seeing only what you want to see? - A. No sir, I am telling you the truth.

Cross-Examined by MR. MANSFIELD:

- Q. Mr. Kelsey, the Officer in overall charge of the West Midlands combined PSUs was Mr. Bennett you said? - A. Yes sir.
- Q. Now he has come as a witness. Is this Larry Bennett we are talking about? - A. I believe his first name is Larry, yes.
- Q. Is he the one who witnessed your statement? - A. Yes sir, the typed one.

- Q. The typed one? - A. The typed copy myself and P.C. Skelton did on the day.
- Q. Have a look at it. I want to make sure there is no mistake. On the typed copy we have got the initial for Bennett, since there is more than one, on your statement is A. Bennett.
- Q. JUDGE COLES: What have you got there? You had better have a look.
- MR. MANSFIELD: It may be indecipherable.
- JUDGE COLES: It looks like Bennett.
- Q. MR. MANSFIELD: Certainly Bennett. What I am concerned to know is whether that signature on your statement is the same Bennett who was in charge of your combined Midlands units or another Bennett? - A. No, it is the same one sir.
- Q. Were you there when he signed this? - A. Yes, I took it into his office for him.
- Q. Did he read it? - A. As far as I remember he did, yes.
- Q. This is the typed version. On the 16th July 1984 on that date. Is that right? - A. Yes sir.
- JUDGE COLES: Could you just give me that date again please. It is not on my copy? |
- Q. MR. MANSFIELD: I think it is the 16th of July. Is that right Officer? - A. Yes sir, I have written that down myself.
- Q. Does he make any comment about your statement having read it? - A. He did not make any comment sir, no.
- Q. Just carrying on with this particular Bennett then his name is not A. Bennett as has been typed up? - A. That is probably a mistake.
- Q. It is Larry Bennett and I want to know about his movements in view of what he may say later in this case you see. First of all when did you first see him on that day, in the van I presume? - A. Yes sir.
- Q. Did you see him on the way up to the bridge in various manoeuvres there? - A. I cannot remember consciously noticing him sir, no.
- Q. Well I want to concentrate more particularly on the position at the bridge which you have described. Did you see him on the bridge before you moved up to the brow? - A. No, I cannot remember consciously noticing him sir, no.
- Q. In charge you see. Mr. Taylor was talking about control and

I am particularly concerned about control of the Officers above the bridge. Who was in charge above the bridge that you were aware of? - A. Sergeant Darnell sir.

Q. Did you see him? - A. I saw him, yes.

Q. where did you see him? - A. He was in our PSU line. We were on the right-hand side of the road. I remember he was to my left.

Q. What orders did he give? - A. When we moved through the main shield cordon he as I remember. it was the one that halted us.

Q. And then? - A. He was the one that said "Charge".

Q. "Charge"? - A. Yes.

Q. That is pretty indiscriminate, isn't it? What does that mean in asfaras you went 10 yards or what? What did you understand him to mean? - A. Usually you go no further than 30 yards sir.

Q. I appreciate that is what is in the Manual, isn't it? - A. Yes sir.

Q. Is that in fact what happened? - A. I think we went a bit further than 30 yards sir, some of us a bit more and we did make arrests after that charge.

Q. JUDGE COLES: You are dropping your voice again. - A. We went further because we had got a prisoner in view and we were chasing him.

Q. MR. MANSFIELD: That is your particular situation? - A. Yes sir.

Q. Well the order for charge that comes from Mr. Darnell, it would appear. You cannot say whether you saw Mr. Bennett there? - A. I cannot sir.

Q. You are standing in the middle of the road? - A. I am standing in the road sir. I cannot remember exactly where I was except I was over to the right.

Q. You said to Mr. Keen this morning you were just to the right of the centre line? - A. Yes sir.

Q. I don't want to pin you down too much. I appreciate the time distance and the difficulties. Now when you were in that position did you see Mr. Scargill? - A. No sir, I didn't.

Q. When did you see him? - A. On the way back with my prisoner, sir.

- Q. So we have a photograph. You have seen it. I don't want to look at it again of you walking down the hill. The jury have been looking at it this afternoon. Where was Mr. Scargill then when you saw him? - A. When I saw him he was up above us on a bank. That is all I remember.
- Q. Was he? - A. That is all I remember.
- Q. Standing on a bank above you as you walked down with Mr. Wysocki? - A. Yes sir.
- Q. Was he alone? - A. I can't remember sir. It is the first time I had ever seen him.
- Q. You cannot remember anything else other than him just standing on a bank? - A. Yes, that is all I remember sir, yes.
- Q. You see I am going to ask you a little more closely since that is what you say you saw. Just take Exhibit 30, would you? So you understand the suggestion what I want to suggest is as you say you are amongst the first units across the other side of the bridge you must have seen what units were doing there, the other side of the bridge, namely doing precisely what they were doing on the Coke Works side of the bridge dispersing people by force.

Now you have had that put to you this afternoon already by Mr. Taylor who sits beside me and you did not agree you saw that above the bridge. Is that right, you did not see the use of truncheons and shields above the bridge? - A. No sir, I was chasing my prisoner then.

- Q. If you just look at this album you will see a photograph you have already seen, Photograph 4, where you identified Mr. Biddle and in fact I don't know whether you went further but Mr. Darnell is there, isn't he? - A. He was there, yes.
- Q. The next photograph shows Mr. Scargill. You flicked through this before? - A. Yes sir.
- Q. He is on this as well and he is on 7. Then we get to Photograph 8. Now Photograph 8 and 9, it is certainly the suggestion in 8 and it is more clearly obvious in 9, Mr. Scargill is in fact in the path of a short shield unit along with other people who are in their path? - A. Number 9 sir you say?
- Q. Number 8 and 9. They are taken in that order. Did you see a scene like that? - A. No sir, I didn't.
- Q. You see this road above the bridge is not incredibly wide, is it? - A. No sir.
- Q. And if there is something like that going on even with the fact you might be concentrating on one person, you are not

saying you would have missed something like that, are you?
- A. Yes I did. I never saw anything like that.

Q. You see Mr. Scargill went down and was then attended to by West Midlands crew and he was seated on the verge, so if you say you saw him standing when you came back with Wysocki it indicates inasmuch as you are not telling the truth. Now do you understand what I am putting to you? - A. I do sir, yes.

Q. Now reconsider it please. When did you see Mr. Scargill?
- A. On my way down with Mr. Wysocki. As I remember it sir he was standing.

Q. Well I will suggest the sort of scene; that if you are telling the truth about it you must have seen the situation that is depicted in Exhibit 21. This other bundle where you see Mr. Scargill sitting on the bank and eventually a camera crew come, they are Photographs 11 and 12, in fact the whole series of them. I don't take up time. Have you got those? - A. I think so sir. Is that this one?

Q. Yes, there are a series there. He is sitting on a bank. He is sitting on a bank. He is getting in different positions on the banking but there are people around him attending to him after the assault, as we suggest, by a short shield unit which takes place I suggest before you come down the hill with Wysocki in Photograph 11. Therefore if you saw Mr. Scargill standing it must have been while you were going up the hill. Do you understand? - A. I understand what you mean sir, yes.

Q. Now just think again about whether you wish to amend it? - A. Sir, as I remember it we come down the hill with Mr. Wysocki and over to my right was Mr. Scargill.

Q. Now Mr. Bennett you spoke to. The reasons for asking this is to do with what he is going to say he saw that very day at the same spot as you virtually. Now did you talk to Mr. Larry Bennett later on that day other than reporting injuries? - A. No sir.

Q. No other conversation? - A. No sir, he was on another van.

Q. Did he ever talk to you about Mr. Scargill and what he had seen? - A. No sir.

Q. Did any other member of your unit mention to you what your Commanding Officer had seen with regard to Mr. Scargill?
- A. I don't remember anything sir, no.

MR. MANSFIELD: Thank you.

Cross-Examined by MR. O'CONNOR:

Q. Chief Inspector Allan, he is the Operational Support Unit

Commander for the West Midlands? - A. Sir.

Q. Do you remember seeing him there that day? - A. No sir.

Q. You don't? - A. I don't, no.

Q. So far as you understood it was Mr. Bennett then an Inspector?
- A. Yes sir.

Q. Not an Acting Chief Inspector? - A. No sir, he was not
Acting Chief Inspector.

Q. Did you come to know during that day of a Superintendent
Clarkson? - A. Mr. Clarkson, yes, oh yes, I remember
Mr. Clarkson.

Q. You say that as if there is a very good reason for it? -
A. He was always there when I was there.

Q. Do you mean always at Orgreave on every day you were at
Orgreave? - A. As I remember him sir. He always seemed to
be in charge Mr. Clarkson.

Q. From the way you are expressing yourself, which would not
go on the shorthand note, you are half smiling. Is he a
person who is a dominant person and makes it clear he is
in charge? - A. No sir, the opposite. He always used to have
to use a megaphone if I can remember. He was always the
one with the megaphone as I remember him, Mr. Clarkson.

Q. And on this day was it no different from any other day then,
he was the person with the megaphone in charge? - A. He was
there sir yes, but Mr. Clement I believe was in overall
charge that day.

Q. Do you recollect orders coming over the megaphone if any-
thing from Mr. Clarkson to you rather than from Mr. Clement
or both? - A. I don't remember any orders.

Q. You don't remember any orders what coming over a megaphone
at all? - A. No sir. I don't remember any orders coming
over a megaphone.

Q. At all that day? - A. No.

Q. Not even, can I ask you specially about this moment when
you are just about to go out for the very first time deployed
as a short shield unit? - A. Yes sir.

Q. You cannot remember any megaphone orders then at all? - A.
No sir, not that I remember.

Q. Mr. Bennett was outside the Command Centre collating some
information when you came out I think you told us before.
This is much later? - A. I am sorry, after the arrest.
Yes, he was in the van as I remember doing the MK 34S.

- Q. In your van? - A. No, in his van, the van he would have been travelling in.
- Q. Not the van in which you would have been travelling? - A. No, that is further down the line.
- Q. So why did you go to his van? - A. Because he was the overall Officer in charge of the OSU that day.
- Q. By collating information did you see him writing something? Was he then being told things and sitting and remembering?
- A. No, as I remember he was writing them down.
- Q. Now you are familiar are you with the form, a little booklet: Police Support Unit Operational Record? - A. Yes.
- Q. Was that, can you recollect, a booklet that he was filling out then? - A. I am sure that is what he was doing.
- Q. You are sure? - A. Yes sir.
- Q. Was it your understanding that he was filling in the relevant booklet for your unit? - A. Yes sir.
- Q. I don't know, he may have only arrived quite recently at Bradford Street Police Station, I really don't know, but have you worked with him for some time? - A. I have worked with him since I joined the unit in 1983. He was one of the Inspectors.
- Q. It may be during that time possibly that you got to know his writing. I am not asking you to be an expert. If you can would you recognise his writing possibly if I showed you a document? - A. I can have a look at it but I don't honestly think I can remember it. He was not my Inspector, he was OSU Inspector.
- Q. It would be dangerous to try so I won't if you think you might be mistaken.
- Did you report anything then to Mr. Darnell? - A. I don't remember reporting it.
- Q. Being in somewhat of a supervisory capacity. We have established Mr. Pearson and Mr. Spencer were in your half of your PSU? - A. Yes sir.
- Q. Were you aware - you have already said you don't know who you can't name them - are you aware that they did make an arrest each that day? - A. I was aware they had made an arrest.
- Q. An arrest? - A. Above the bridge. As I remember it I thought they only made one but I could be wrong.
- Q. But above the bridge? - A. As I remember it, yes sir.

Q. Now it may be that you know, tell us if you don't, somebody who might be a bit of a character at Bradford Street Station?
- A. I don't know.

Q. A Mr. Goucher or Goocher? - A. P.C. Goucher.

Q. P.C. 7877, I don't know if you know his number? - A. I can't remember his number sir, no.

Q. Does he or did he have a moustache. Can you remember that?
Does he have a moustache? - A. Yes.

Q. I ask you this because of and can I ask you to turn to Exhibit 30, Photograph Number 10, because that is just ahead of you. You remember you are on Number 11, aren't you. If you go one ahead we will know where you are because you are on number 11 with Mr. Wysocki so on number 10 ahead of you somewhere is a person you have already been referred to or a picture you have already been referred to, somebody being held in an armlock around the neck. Do you see?
- A. This is on Picture 10 sir?

Q. Just behind the car in the road? - A. Yes, I can see that.

Q. The person being held appears not to be wearing any top at all? - A. No sir, it looks like it is tied around his waist.

Q. Appears to be fairly thin, it is difficult to see but fairly thin and appears to have moderately long hair. Do you agree might have moderately long hair? - A. Yes.

Q. Can I ask you to look at this please?

JUDGE COLES: Is this a new one?

MR. O'CONNOR: It is indeed.

Q. It is very reflective but you can make out the face of the Officer there, can't you? He has got a moustache, hasn't he? - A. Yes sir.

Q. You can see most of his number. It certainly could well be 7877, couldn't it, you can see 77? - A. Yes sir.

JUDGE COLES: This will be Exhibit 58?

MR. O'CONNOR: Your Honour, yes. I can link it with another two photographs and make it 31C.

Q. Do you see there is somebody there who appears to be quite young and thin with no top on? - A. Yes sir.

Q. With fairly long hair? - A. Yes sir.

Q. Being held around the neck in a hold very similar to the hold in the photograph we have referred to? - A. I think that would be fair sir.

Q. Do you see the moustachioed Officer. Do you recognise him as Mr. Goucher? - A. Yes sir.

MR. O'CONNOR: Your Honour, I don't think there is any need for any copies if that can be handed around. It won't be referred to for some time.

JUDGE COLES: You can see the point, members of the jury. I am sure it is really that you identify the man in this photograph as Mr. Goucher.

MR. O'CONNOR: Your Honour, the expression on the face is he looks quite pleased with himself, as you will see.

JUDGE COLES: Oh you are talking about the man with the shirt on. Yes, I follow.

Q. MR. O'CONNOR: Your Honour, that is the end of that. Can I deal with two further short points and then I have finished, just procedure. Do you agree that there is a special section in the Operational Document for injuries to prisoners? - A. That is my memory sir, yes.

Q. Do you agree first of all that it is a matter of importance for an Arresting Officer to report any injury to a prisoner to the Officer in charge of his unit? - A. It should be, yes.

Q. And secondly it is a matter of importance for that Officer in charge to make an entry based upon the information he is given? - A. That should be what happens sir, yes.

Q. Finally, you had passages dictated to you by a Detective? - A. Yes sir.

Q. Any idea of his rank? - A. No sir.

Q. So he could have been a Detective Constable? - A. He could well have been.

Q. Dictating to you a Sergeant? - A. It is not exactly dictating. As you write this down he was dictating the events as they saw them. I recorded that is what happened and wrote them down, well P.C. Skelton wrote them down.

Q. Why did you tell us just before you do not think it was the best possible way to make these joint statements but you had no choice? - A. We had to get everything down as quickly as we could sir.

- Q. You had no choice, what because it was a matter of speed?
- A. It was everybody in the same room. There was no privacy as such. It seemed to be the only way to do it in the circumstances.
- Q. You could have left the room and made a statement somewhere else? - A. I don't think we could sir. There was no room, they were full.
- Q. You could have made the statement outside the building, couldn't you? - A. We could have done yes sir I suppose.
- Q. And as for speed you were told to wait weren't you until this dictation session started? - A. No, I was not told.
- Q. So the dictation session started as soon as you arrived in the room? - A. When I got in and spoke to P.C. Skelton the D.C. was there.
- Q. And the dictation started immediately? - A. I cannot remember when it started sir.

JUDGE COLES: I think we will call it a day. There are other questions to ask of this Officer, aren't there?

MR. GRIFFITHS: Yes.

JUDGE COLES: Yes, 10.15 tomorrow, members of the jury. I have not told you not to discuss this matter for some time because I have not thought it necessary to tell you. Let me just remind you.
