

IN THE CROWN COURT AT SHEFFIELD

The Court House,
Castle Street,
Sheffield.

17th May, 1985.

Before

HIS HONOUR JUDGE GERALD COLES, Q.C.

REGINA

-v-

WILLIAM ALBERT GREENAWAY,
DAVID MOORE,
BERNARD JACKSON,
GEORGE KERR McLELLAND FOULDS,
BRIAN IRVINE MORELAND,
ERNEST BARBER,
DAVID RONALD COSTON,
KEVIN MARSHALL,
ARTHUR HOWARD CRICHLOW,
GEORGE WARWICK FORSTER,
JAMES O'BRIEN,
CRAIG WADDINGTON,
ERIC SCOTT NEWBIGGING,
STEFAN WYSOCKI and
DAVID BELL

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APPEARANCES

For The Prosecution:

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

For William Albert Greenaway:
For David Moore:
For Bernard Jackson:
For George Kerr McLelland Foulds:
For Brian Irvine Moreland:
For Ernest Barber:
For David Ronald Coston:
For Kevin Marshall:
For Arthur Howard Crichlow:
For George Warwick Forster:
For James O'Brien:
For Craig Waddington:
For Eric Scott Newbigging:
For Stefan Wysocki:
For David Bell:

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

17th May, 1985

ANTHONY RAYMOND CLEMENT Recalled

Cross-examined by MR. TAYLOR:

- Q. Mr. Clement, what I want to deal with next is the time when the P.S.U.s are first used behind the horses. - A. Yes.
- Q. 8.35 or thereabouts. When those men, the two P.S.U.s behind each of the horses, were standing ready to go they could not see over the horses and over the cordon, could they? - A. No.
- Q. They could not identify who, if anyone, was throwing stones at that time? - A. Right.
- Q. When they went through were their orders really to arrest people committing criminal offences? - A. Yes.
- Q. But you have put them then in quite an impossible position, have not you? - A. No.
- Q. Because if you consider the difficulties that exist in ordinary identification evidence, you accept that there are many difficulties? - A. Of course.
- Q. And those men are running behind horses. They have got their visors down presumably. What was the condition of the ground like at that time? - A. You mean rough, rock-strewn, high grass, that sort of thing?
- Q. Yes. - A. Well, flat. Some stones on it certainly.
- Q. And very hot and dry in that summer, dust coming up from behind the horses' hooves, no doubt? - A. Possibly, yes.
- Q. Small stones and things. How could those Officers possibly see who, if anybody, was committing offences? - A. Well, this has got to be an opinion of course because I was not with them. As the horses went through of course there were some Officers following, they went to the right and to the left, and presumably if they arrested a man for throwing a stone which is a criminal offence in those circumstances - they would arrest him.
- Q. The idea behind, was not it, putting those P.S.U.s into action was to give protection to the horses? - A. To some extent, yes.
- Q. And to stay close to the horses to try and protect them? - A. To some extent.
- Q. That is the evidence you have given any way. - A. Yes.
- Q. In fact what happened, is not it, those P.S.U.s just ran

out into the field hitting anybody in sight? - A. That is not my recollection and I am not sure that was shown.

Q. And that is what you would call crowd dispersal, is not it? - A. It was the dispersal of a riotous crowd, yes.

Q. Nothing to do with arresting people really, is it? - A. Certainly arrested people they saw committing criminal offences.

Q. On that top side, out of the five or six thousand there, how many were arrested that day? - A. On the top side I do not know. I know the total figure of people arrested in Orgreave.

Q. That would include the middle holding area, the bottom holding area and all around Orgreave? - A. I am not sure how many were arrested in the middle holding area, if any.

Q. Will you accept, the top side, from 6 o'clock to half-past-1 55 people were arrested and are now in this trial? - A. Right.

Q. Not in this trial. Out of five or six thousand that is a very, very small number, is not it? - A. Yes.

Q. What I am suggesting to you, your operation was not geared at all to arresting people; it was geared to dispersing a large crowd? - A. Obviously that is the main reason for sending the horses forward accompanied by the short shield Officers, to disperse a riotous crowd, yes.

Q. That being the main idea - A. I am sorry. I have not finished my answer.

Q. I am sorry. - A. And to arrest people they see committing criminal offences.

Q. That being the object - at least I am putting to you the object was to disperse the crowd - you did so by engendering fear in the minds of those people on the fields, did not you? - A. Did not seem very much like it to me because they certainly came back again very quickly. They did not go home. Were not terrified to the extent they ran away from the area. As soon as the horsemen returned, filtered back to their original position.

Q. They were not terrified, were they? - A. You must ask them that. Certainly they did not act like terrified men. A terrified man, I would suggest - "That's it. I've had enough of this. I'm off."

Q. At 8.35 you caused those horses to go right to the top of the fields, did not you, not just 80 or 100 yards as you have said? - A. In fact they went a little further than I expected they would.

Q. They were out of control, were not they? - A. No, they were

not.

- Q. They pushed people wave after wave over the top fence of that field. Is not that right? - A. That is not what I saw.
- Q. Down over the railway embankment running for their lives? - A. Rather dramatic because those people who were running for their lives were the very same people who returned to the field as soon as the horsemen returned. If you say they were out of control I would suggest for horses to go up a field in this sort of situation with stones being thrown at them and keep almost a straight line for a good part of the way and not to break into a gallop but keep a very firm, controlled trot shows amazing discipline and control of horses.
- Q. Your decision to clear that area was taken even before 8.35, was not it? - A. No.
- Q. Why do you disagree with that statement I have just put to you? - A. Because I was prepared to see what happened after the lorries went in and the period during which the lorries were loaded and what happened when they came out and whilst I was expecting a great deal of violence I was conscious of the fact that very many miners who went to all the situations I have been in control of have been anti-violent.
- Q. Yes. All right. So your answer is you were prepared to wait until the convoy left at half-past-9 before making a decision whether or not to clear the area completely? - A. Yes. The object before that was to hold them away from the lorries and the gates.
- Q. And you would not have driven them up and over the bridge until at least after half-past-9. That is your answer? - A. It all depends what happens before half-past-9 of course.
- Q. Yes. But I am suggesting to you in the clearest terms I can you took the decision to clear the area and go over the bridge if necessary before half-past-8. - A. No.
- Q. Well now, you disagree with me on that. I would just like to remind you of what you said in evidence after the second time the Police horses were used. That was about 20-past-8, something around there. You said this. "I looked at the situation. I thought we are in for a long day and the demonstrators have no intention of leaving Orgreave. The cordon was static. They were still being stoned. Their instructions were to stand and take it. I could not tolerate this any longer. Police were being injured and looking to me." Do you remember saying that? - A. Yes.
- Q. I am just refreshing your memory now of that. - A. Yes.
- Q. "I decided I would have to clear that top side of demonstrators. I meant to take them back to the bridge and maybe over the bridge, depending on how I could hold the

bridge"?- A. Exactly right.

Q. And then your warning. So you say there, "I am going to clear the area"? - A. Right.

Q. "I am going to use mounted Officers." Well, what is that if it is not in your mind you are going to clear the area and go back to the bridge and maybe over it? - A. You said I had made the decision at that time to clear the whole of the Orgreave area. I had not. I had decided, as you are saying there, to clear that area and take them up to the bridge and hold it. Now, if they had gone over the bridge and they had been non-violent that is where the static line would have been. They were then within a couple of hundred yards of their coaches and their cars and their vans. There was no intention to chase them through the village, to battle in the village.

Q. Not at that stage. - A. They could have gone to their coaches and gone home.

Q. All right. When you said that to them, "I am going to clear the area. I advise you to clear the area" - A. Yes.

Q. you say you were standing out in front of your men, in front of the front line? - A. I was with the front line.

Q. With the front line? - A. Yes.

Q. You were behind the front line, were not you? - A. There were two Officers on either side of me with the front line with their shields and I was there.

Q. The megaphone you used, you say as far as you are concerned sure everyone heard what you said? - A. Well, it is a standard sort of megaphone with a very good carrying range, it was in perfect working order, I was at the front of the line and I gave a warning to a large crowd of riotous people to clear the area.

Q. What about the people at the back? Do you think they could have heard? - A. At the back of?

Q. Back of the field, all the way back. - A. What? The field that goes up to this line of trees?

Q. Up by the bridge, say 250 yards away. - A. I do not know about that. No idea. I do not know.

Q. Because they are going to be the people most affected by what you did, are not they? - A. Who?

Q. The people at the back. - A. I do not follow that.

Q. Well, you have said eventually the only lawful way out of that situation was across the bridge. - A. No. I am sorry.

That is not right. That is not right.

- Q. All right. Let's leave that for the moment. Be impossible in the situation of someone at the top of that field? - A. We are talking about what we call the top holding area.
- Q. Top holding area up by the electricity generating station. - A. You have gone past the top.
- Q. I have gone past it. About 250 yards away from the Police cordon, is not it? - A. At least 250 yards, yes.
- Q. The people you describe as non-violent, supportive of their Union, who would not have used violence, the 70 per cent. That is really who I am talking about. - A. Yes.
- Q. Not the violent ones you say were down the front. - A. Right.
- Q. Well, you did. You send in horses followed by P.S.U.s and the result was a stampede backwards, was not it? - A. I would not describe it as that.
- Q. It was a stampede. - A. A lot of people ran away, yes.
- Q. Describe it as you will. Thousands of people ran away to the top. Where are those people going to go, those people at that back? They suddenly see a crowd of people coming at them followed by horses and so on. Where are they going to go? - A. A great deal of this was at the top of the field by the electricity substation and, in any case, once the Police lines opened and the horses came through at a walk those people could see it quite clearly. They knew the situation they were in. They knew the responsibilities of the Police. They knew they could go home and they did not.
- Q. Everyone has seen it. I am sorry to cut you short. We have seen what happened when the Police went through and people running away. - A. It is fair
- Q. What I am asking you really
- JUDGE COLES: Let him finish:
- Q. Fair what? - A. Fair to say we have also seen what happened when the horses came round and came back to the Police lines. Those terrified people stampeding away came back and started throwing stones again.
- Q. MR. TAYLOR: We have a big distinction going on here between the 70 per cent law-abiding, just demonstrating, supportive of their Union, and the 30 per cent you say were violent. Did you actually make that distinction on the day? - A. No. It is something that over the months we have thought is about right at most of the demonstrations we go to.
- Q. Looking back on this - A. Pardon?
- Q. Looking back on the 18th - I am not really concerned about

any other day. - A. This is about the proportion of violent and non-violent people one would expect at a place like Orgreave at any day the coke runs were coming in.

- Q. Was it true of the 18th? - A. Yes.
- Q. Was it in your mind on the 18th? - A. We knew we would have a lot of non-violent people there.
- Q. Who is we? - A. My Senior Officers and myself.
- Q. Did you communicate it to any of the P.S.U.s, any of the ordinary Policemen in the P.S.U.s? - A. Probably not on that day because they had been with me so long.
- Q. Did any Officer go to the ordinary Policemen and say, "Look, boys, you had better take it easy here. Do not forget there are 70 per cent out there not doing anything wrong"? - A. They would be aware of that. Could see them.
- Q. They were just sent in, were not they? - A. No.
- Q. Sent in indiscriminately. Had no idea of this distinction in your mind? - A. Because if you look at the horses going through you will see to the extreme left of the picture a lot of people just standing watching the movement of the horses. There were some up in the trees. Police Officers did not go across and pull them down and start beating them about the head. They went for the violent people.
- Q. Beat them about the head? - A. You said so.
- Q. I want to go to the village now because really that is the part of the case the jury is going to be most concerned about to try and get a few ideas of what went on there. At 11.15 you say the Police were at the bridge? - A. About that time, yes.
- Q. Can I just ask this before arriving at the bridge? Just before the bridge there were, were there not, about 12 or so people who stood out in the crowd, clearly throwing stones at the Police? - A. There may have been. There may have been. I do not know. There were a lot of people throwing stones.
- Q. Why were not those 12 or so obvious people arrested? - A. I cannot answer that. I am sorry. I did not even see them to start with.
- Q. Were you in link with the cameraman at all? Did you have a radio communication? - A. The cameraman that took these films?
- Q. Yes. - A. I did not.
- Q. Would not that have been a good idea? - A. To do what?

- Q. To be in link with him. Could have then pointed out from his vantage point. Do you see what I mean? - A. Yes.
- Q. Any way that was not done. When you got to the bridge at 11.15 a lot of the people who had been on the field earlier were now up in the village any way, were not they? - A. Yes.
- Q. Would you agree with this, that there must have been thousands of people stretching from the bridge up to Asda and around Asda? - A. Yes.

MR. TAYLOR: I am not sure if we went as far as that on our view.

JUDGE COLES: Some of us did.

MR. TAYLOR: Some people did:

- Q. And around Asda, on the lawns and so on, was a congregating point for pickets? - A. I never went up as far as Asda of course.
- Q. When you went to that point, you have gone over it, how you went over the bridge, there was no barricade. You went up. There was the incident that has been spoken about. You were over the bridge for some minutes, ten minutes or so. Then you went back to the bridge? - A. Right.
- Q. At that time there was, was not there, a P.S.U. further up the hill away from the bridge into the village? - A. A P.S.U?
- Q. You followed, you say, a P.S.U. - A. I am sorry. Yes.
- Q. Or above you a P.S.U. - A. There were a lot of people above me. They were probably all the horses. 42.
- Q. I am not talking about that. - A. Six P.S.U.s.
- Q. Can I take you just before that, before you call up the reserves? When you first went over the bridge was not there a small number of horses or a small number of men? One or two P.S.U.s and six horses? I think that is what you said earlier. - A. When I first went over the bridge there was a number of horses. The rest were back over the bridge. In front of me there were something like six short shield P.S.U.s.
- Q. What were they doing? - A. They were holding the crowd way over the brow of the bridge.
- Q. Over the brow of the hill? - A. Yes.
- Q. So you could not see what was going on? - A. No. I never went up there.
- Q. Were those P.S.U.s organised? - A. Every P.S.U. is organised.

- Q. Were all the men in the big cordon organised in P.S.U.s?
- A. Yes.
- Q. So every Policeman on that field that day was a member of a P.S.U? - A. Except the Senior Officers.
- Q. Except the Senior Officers, which is 20 men, two Sergeants and an Inspector? - A. Right.
- Q. Highly organised and highly mobile? - A. They are trained.
- Q. When they went into the village did they form a line? Did they form a cordon? - A. I am sorry. You are asking something now - I keep saying I never went that far. I do not know. There were other people with them. Chief Inspector Hale as he was then.
- Q. Yes. - A. He would be with them.
- Q. All right. When you called up the reserves, the 42 horses, and sent them into the village did you also see them disappearing over the brow of the hill? - A. Yes. As I have explained, the residue of the 42. Some already up there.
- Q. They, along with the other Officers, were in the village for how long? - A. When you say in the village I do not know I can answer that because I saw them over the brow of the hill and I next saw them returning after the incident we have spoken about and when I decided to return to the far side of the bridge.
- Q. Let me try and help you. The 42 horses must have gone up some time a little after 11.15, 11.25 perhaps, something like that, or maybe just before, and they returned, I think you said, all the horses back by 12.15, bottom side of the bridge. - A. Very approximate, yes.
- Q. Did it take three-quarters-of-an-hour really to do the operation you have said was supposed to be completed? Was it really that operation of just retreating that went on in the village? - A. I am sorry. I do not understand you.
- Q. The instructions you say you gave to the Officers that went over to the horses, the 42 horses, was to hold the line where the short shields were? - A. Right.
- Q. Then to return themselves? - A. Right.
- Q. That implies, does not it, there was a line of short shields? - A. That implies that, yes.
- Q. Then to return themselves? - A. When they considered it the proper time to do so.
- Q. So what really went on in the village you do not know? - A. No.
- Q. You do not know if they were out of control or not? - A. No,

but they had supervising Officers with them.

- Q. Why was it necessary when the P.S.U.s went into action to instruct them not to hit heads? - A. Why was it necessary?
- Q. Yes. - A. Well, because this was a unique occasion as far as most of the Officers were concerned, a highly volatile situation, been subjected to stoning. They were possibly more excited than normal. It was prudent of me, I believe, to give them the warning if you use your truncheons not to the head.
- Q. That was said over and over by you and other Senior Officers to them? - A. I certainly heard it myself said yesterday on the television.
- Q. Is that because those P.S.U. Officers had been hitting heads? - A. No. I have just given you the reason why I told them to do that, a very volatile, dangerous situation.
- Q. And you were afraid they might get out of control and hit heads? - A. I was afraid that some of the men might become excited, the odd individual might become excited and hit out at somebody's head. That must always be considered in a situation of this sort.
- Q. The situation you put them in caused them to be excited? - A. The situation they were put in was caused by 10,000 demonstrators who turned up at Orgreave. If demonstrators were not there, Police Officers would not have been there. There would have been no excited Police Officers. There would have been no injured pickets.
- Q. They were troops, were not they? Does not matter whether you call them Policemen or not. - A. They are not troops. Ordinary Officers who receive one day's training per month.
- Q. They were organised in platoons, were not they? - A. No. They are organised in Police Support Units.
- Q. They went in without thought for the individual picket, the individual demonstrator, did not they? - A. They went in with the same thought and the same discipline that I would expect them to use at a violent football match or a violent march through the city or any other violent situation.
- Q. So there is no difference really between this and any other big crowd, is there? - A. I did not say that. I have already described Orgreave as a unique situation.
- Q. You take credit, so you say, for the way this day was handled? - A. Absolutely right.
- Q. Would you turn to the jury, please, to answer this question? - A. Yes, I will.
- Q. Do you also take responsibility for the fear and horror you

put into the minds of the demonstrators that day?

JUDGE COLES: That is hardly a proper question.

- Q. MR. TAYLOR: Do you take credit or responsibility for the injury caused to the pickets that day? - A. I certainly do not. I take credit for the fact that Orgreave was policed in a humane and compassionate way and would not have been policed in that way in any other country in Europe or Spain or America or anywhere of that sort. In that sort of situation the Police Officers would not have been unprotected. They would have had water cannon, CS gas, they would have had smoke, they would have use of dogs and armoured cars. Now that did not happen at Orgreave. It was policed in the main by unprotected Officers.

JUDGE COLES: I think it is your turn, Mr. O'Connor.

MR. O'CONNOR: May I be allowed to tell the jury I am Mr. O'Connor in case they do not already know and I represent, if each of them could stand up, Mr. Foulds and Mr. Crichlow? May I make it clear I ask these questions now of Mr. Clement on behalf of Mr. Crichlow, these areas affecting him more than Mr. Foulds?

Cross-examined by MR. O'CONNOR:

- Q. A humane and compassionate word for you, Mr. Clement. - A. Yes.
- Q. To begin with at any rate. You are at Orgreave at 4 o'clock on the 18th of June? - A. Yes.
- Q. Get up about - what - 3 o'clock, 3.30 in the morning to get there? - A. About 3 o'clock, yes.
- Q. It is a long day for you? - A. And it had been a long night previously.
- Q. Is this the - tell me why you say that. - A. Because there had been a riot in a village in South Yorkshire and I had gone there.
- Q. So your duties - and of course we both understand we do not go into another incident in detail at any rate - but you had been on duty the night before you went to Orgreave? - A. Yes. Turned out about 9 p.m. and went home about midnight.
- Q. I understand. So you have had a couple of hours sleep? - A. Three.
- Q. Then we go through the 18th of June? - A. Yes.
- Q. And you are spending most of that day, certainly until 1.30 - A. Yes.
- Q. perhaps a bit later, on your feet? - A. Yes.

- Q. Thereafter you are able to sit down and get some paperwork done? - A. Yes.
- Q. 2.30 to 5.30? - A. Yes.
- Q. Writing in your notebook? - A. Yes.
- Q. Having at the same time helpfully a witness statement prepared for you, typed for you? - A. Yes.
- Q. And by the time you have finished about 5.30 - A. Yes.
- Q. you sign it? - A. Yes.
- Q. And could it be shown to you, please, your witness statement in this case, and we will see - could you just show it to me, please? Can you just turn it round to me? Thank you very much. Detective Inspector Smith was the person typing it for you? - A. Yes. Detective Inspector Derek Smith.
- Q. It is a form - maybe later the jury can see it - which is familiar to us and you signed it? - A. Yes.
- Q. It is dated 18th June of course? - A. Yes.
- Q. Underneath your signature, signature witnessed by? - A. Yes.
- Q. The signature of Detective Inspector Smith? - A. Signature on the right-hand side is Smith, yes.
- Q. And that means what it says, that person signing there is witnessing your signature? - A. Right.
- Q. Right. If you could put that down for a second. If you could keep it there with you though. What do you do then? 5.30. You have had perhaps three hours sleep a long time before. I have no doubt you are dying to get home and get to your bed or to your family? - A. No, not at that time.
- Q. Tell me then what happened. - A. I went to Police Headquarters, I had a meal and then I spoke to other Senior Officers about what we were going to do the next day if they came back.
- Q. I understand. Planning for the next day? - A. Right.
- Q. Did you in fact go back the next day yourself? - A. Yes, I did.
- Q. At 4 in the morning? - A. 4 a.m., yes, but fortunately it was very quiet.
- Q. All right. So it is in the Police Command Post at Orgreave, the building we have all seen, sign that statement? - A. Yes.
- Q. Have a meal there? - A. No, no.
- Q. Have a meal at Police Headquarters in Sheffield? - A. Yes.

- Q. Meet other Senior Officers for a planning meeting? - A. Basically, yes.
- Q. Anything else you can remember? - A. Some of them were having a meal with me.
- Q. I understand. You will have talked professionally and gossiped. Right? - A. Yes.
- Q. So trying to remember your movements, you will have left the Command Post at Orgreave shortly after 5.30, 5.30, 6 o'clock, 6.30? - A. Do not know. Very difficult to say. I do not know.
- Q. Can you remember doing anything else of significance at the Police Command Post before leaving and going and having your meal once you had finished the notes and signed that witness statement? - A. Of any significance to your client?
- Q. To this case. - A. No. If you could prompt me I could obviously think.
- Q. By the time you made your notes and that statement you were aware there had been quite a large number of arrests that day? - A. Yes. People were coming in and updating Receiving Officers. That is correct.
- Q. By the end of the day you had a rough total figure in mind. Is that right? - A. Yes.
- Q. About 90, I think? - A. I think it was 93 somebody told me.
- Q. Yes. But of course those people who had been arrested - certainly may I say on behalf of these defendants if you are aware of this - they were not even charged with an offence until 11.30, 12 o'clock, that night. Do you follow? I am just trying to get the chronology in order. Do you accept that? - A. I will accept it. I do not know it but I will accept it, yes.
- Q. Your position in regard to the arrests that day is you are aware there is a large number, something about 90? - A. Something like that, yes.
- Q. But effectively, to your knowledge then, charges had not even been preferred certainly against, for instance, these defendants by then? - A. Can you be
- Q. These defendants, all of them. - A. I do not know.
- Q. You had not been told they had been charged by the time you are making your notes and witness statement? - A. I am sorry. I had other things to do besides that.
- Q. Absolutely. - A. Long hot day. Other people's responsibility, preparation of charges, charging people, getting them away. Somebody else's responsibility.

Q. That is right. For somebody who is an Assistant Chief Constable (Operations) you get your paperwork done, you have done your notes, signed your witness statement, typed, paperwork finished, off planning for the next day? - A. Right.

Q. Can I ask you to look at the witness statement you have made, signed, dealing with the events of this day, may I say in exactly the same words as that witness statement in the case of Green and others, please?

JUDGE COLES: You say it is in exactly the same words?

MR. O'CONNOR: It is:

Q. Now, in fact it is not my fault. What is on the Court file is a Xerox copy. Could you just turn the front page to me so I can see? Thank you very much. It is a Xerox copy and your signature is on it. Do you see what I mean? - A. Yes.

Q. Is that dated the 18th of June? - A. Yes.

Q. Your signature on it although in copy form? - A. Yes.

Q. Witnessed by Detective Inspector Smith? - A. Yes.

Q. Typed completely differently? - A. Right.

Q. On the 18th of June? - A. Yes.

Q. When? - A. There was a team of typists at the control room who took over the typing of all statements.

Q. Tell us how that happened. - A. Well, I am not sure that I can. There was a team of female typists at Orgreave on every day of significance preparing all the statements and charge forms.

Q. It is fairer to you and myself for you to see the original. You were given a copy. So if you could hand back the copy. Mr. Clement, tell us about this. You have not mentioned it before. - A. Never been asked.

Q. That has not stopped you saying an awful lot of things.

JUDGE COLES: Now then, Mr. O'Connor, we will have no comments.

Q. MR. O'CONNOR: How did this team of typists come to be typing out different typed copies of your first witness statement and why? - A. I am afraid you must ask the typist.

Q. Well, presumably they were told to do so? - A. They were told to prepare statements. They are experienced statement typists.

Q. Yes. What is wrong with Mr. Smith's typing? - A. Well,

there are a lot of mistakes in it.

- Q. Corrected by you. Tell us how many you can see. - A. One, two, three - well, I would have to take some time to read it all. I will go quickly. One, two, three that I can see that I have altered. Four.
- Q. Crossing out a letter here and there? - A. That is right.
- Q. So it was because of the spelling mistakes, was it, that you asked typists to retype this same witness statement?
- A. Oh, no, no, no. No, no, no.
- Q. Well, tell us - A. As far as I was concerned that is my statement. That is my statement. There would then be a full file prepared of professionally typed statements.
- Q. Yes. - A. Which will again be signed.
- Q. This is all on the same day, 18th of June, is it? - A. No. The statement would be exactly done as per the statement there, so the date would be put on the 18th of June.
- Q. Yes. - A. Now, if that professionally typed statement had been completed before I went home that night I would have signed it that night but that is the statement that I signed as being a statement of what occurred at Orgreave that day.
- Q. JUDGE COLES: Did you ever make another statement, that is to say, put the first one aside and make a completely fresh statement? - A. Your Honour, no.
- Q. Just made the one statement? - A. One statement.
- Q. And you signed it? - A. Yes.
- Q. Did you ever have any other copies of that statement to sign? - A. Yes, I did. There was certainly another incident where I was asked if I could supply a copy of my statement and I said yes and a copy was made which I again signed and that was something for the Director of Public Prosecutions.
- Q. MR. O'CONNOR: I understand that is to do with the Russell Broomhead incident? - A. Yes.
- Q. May I pursue this a little further, your original statement in this case? Look at that. That has two other signatures at the bottom, has not it? - A. Yes.
- Q. Mr. Povey, Superintendent Povey, and Mr. Hale? - A. Hale, yes.
- Q. As I understand it you cannot - as I remember your words - begin to offer an explanation as to why those signatures are on there?
- A. I could offer an explanation.
- Q. Would that be theory or an explanation you know is the

explanation? - A. No, I do not. I signed my statement and that was it.

Q. Something has been whited out at the bottom of your statement retyped in the Green case, has not it? Look at the bottom of the first page. - A. I am not sure which case we are talking about.

Q. The second statement given to you, the one retyped so nicely on the same day, you say. Has there been some Tipp-Ex-ing out at the bottom? - A. You will have to point it out to me.

Q. I will have to point it out to you. I can see it from here. - A. Good Lord! I was looking at the statement here.

Q. I said at the bottom. - A. I was looking at the bottom paragraph of the statement.

Q. Any explanation for something Tipp-Ex-ed out at the bottom there? - A. I have no idea at all.

Q. No idea.

Q. JUDGE COLES: May I have a look? - A. It is the very bottom of the page.

MR. WALSH: I wonder if I may have a look?

JUDGE COLES: Certainly, and the jury ought to have a look if this is of any significance. I do not know how many of you work in offices. Tipp-Ex is - I have seen you are nodding. I am sure

MR. WALSH: Would it be opportune for the jury to see it at the moment? Perhaps the Usher could just point her finger to the relevant place. (Shown to jury)

Q. MR. O'CONNOR: Now, do you see yet another statement signed by you dated the 18th of June, same day? Yes? - A. Yes.

Q. In another case arising out of the same incident or incidents at Orgreave. Yes? - A. Yes.

Q. Now, that is in the retyped version, is not it? - A. Yes.

Q. Can you see the retyped layout? - A. That is right.

Q. Who has witnessed that signature by you? - A. Sergeant Cannon.

Q. Who is he? - A. He would obviously be the Sergeant who brought me the statement and said, "Mr. Clement, here is a statement for you to read and to sign if it is correct" and I would have read it and signed it and he would have witnessed my signature and then taken it back to the Officer in charge of preparation of the files.

- Q. But, you see, Mr. Smith has signed the first of the retyped versions, has not he? - A. Right.
- Q. Can you remember anything about this welter of paperwork, Mr. Clement, you are getting through at the end of this long, exhausting day? - A. Oh, I am sorry, that is not at the end of this long, exhausting day. That statement may well have been presented to me some time after.
- Q. When? - A. I do not know.
- Q. When? That day? - A. Oh, no, no. No, no, not necessarily.
- Q. Right. - A. Not necessarily.
- Q. But it is dated the 18th of June. - A. Of course it is because it is a copy of my original statement.
- Q. Have you signed a statement, Mr. Clement, on the basis that it has been backdated? - A. On the basis that it has been?

JUDGE COLES: Mr. O'Connor, there are substantial points in this case. Do you really seriously persist in this one? If there is something sinister put what is sinister. I understand it, what the Officer has said is that Sergeant Cannon has witnessed his signature, not so much the statement as the signature. Do you object to that?

MR. O'CONNOR: Oh, yes, I do. May I be uncharacteristically modest and say if the points were to remain here I think I would not bother, in contrast with the substantial points that are made, I would agree. Unfortunately I have a further area of exploration of this witness about witness statements. It is as part of that I am making this point.

JUDGE COLES: In that event I won't stop you.

MR. O'CONNOR: I am grateful. I am asking for a lot of indulgence. I am conscious of this:

- Q. Are you saying you did not sign that witness statement on the 18th of June even though it says 18th of June and bears your signature? - A. I would think it very unlikely.
- Q. That you signed it on the 18th of June? - A. I would think it is unlikely, yes. In fact, I doubt whether it is possible for me to have done so.
- Q. Looking back on it now we have developed it, do you think that may also apply to the retyped version in Green and others, that may well have in fact been signed by you not on the 18th of June? - A. You are talking about that one now?

- Q. That is right. - A. It may not have been. There was a team of typists typing out statements. They may have got through most of them. They may not have got through hardly any of them. But certainly in every situation where there are vast numbers of files to be prepared one can never expect to have professionally typed statements typed ready for signature on the day the original statement was made and when a typist is copying an original statement she will put the date the original statement was signed.
- Q. With a flick of your Biro you can alter the date yourself when you are signing it? - A. No, I would not do that because I would know that that is a copy of my statement signed by me on the 18th of June, 1984.
- Q. I do not dwell on this because you have conceded sufficient for my purposes, but in the statement signed by Mr. Cannon, witnessed by Mr. Cannon, do you see, if you look at it carefully - A. Yes.
- Q. do you see there has obviously been some whiting out there, very clearly on the second page, Mr. Clement? Do you see the bottom, Mr. Cannon's signature, and there has obviously been a blanking out of somebody else's witnessing signature, has not there? Yes, not in Tipp-Ex because it has been done on a copy. Do you follow? - A. Some blanking out there?
- Q. That is right. You do not see it. Show it to me. If you do not see if you say so and that is your answer. - A. Well, I certainly cannot see it. I am sorry. Are you sure it is not an indentation from the previous page and it is Cannon? If you put the first page on to the second page and then write Cannon
- Q. What has happened - finish, please. - A. you may well see the indentation under Sergeant Cannon's name from the signature on his first page and that is what it looked like to me. Does not look as if it is Tipp-Ex-ed out.
- Q. I will put what I suggest. The whole of the dotted line you are supposed to have signed underneath the name Cannon disappeared, I suggest disappeared under some Tipp-Ex-ing before it was copied.

MR. O'CONNOR: Can that be shown around so everyone sees what I mean:

- Q. Do you agree with me or not? If you do not we leave it.

MR. O'CONNOR: I just ask it be shown very quickly to the jury and move on.

THE WITNESS: No, I certainly cannot agree with that because there is no evidence of any Tipp-Ex-ing.

JUDGE COLES: Better look at it first. (Shown to Judge) (Shown to Mr. Walsh)

MR. WALSH: I have left it open at page 2. At least I hope it is.

MR. O'CONNOR: Pages two and three are the
(Shown to jury)

Q. MR. O'CONNOR: I leave that point entirely. Go back to your original witness statement you have there. I do not want to confuse matters further. Can I ask you if these passages appear? Be your second or third page.

JUDGE COLES: Which statement? Perhaps it does not matter because they are all the same, are not they?

MR. O'CONNOR: The wording is the same exactly. On Your Honour's copy and mine, bottom of the ...:

- Q. Yours is slightly different. The paragraph beginning "On a number of occasions I have personally briefed" with me. "On a number of occasions" on my copy. I am just going to read out several sentences, so please follow me. "On a number of occasions I have personally briefed the Operational Commanders relative to their role at Orgreave. I believe my instructions have been quite clear in that the duty of the Police was to ensure the free passage of the lorries into and out of the Orgreave Coking Plant and to use as little force as possible in achieving that objective." Yes? - A. Yes.
- Q. "I have insisted that the Police build up has been progressive. By this I mean that initially when only a few demonstrators were present there would be a minimal number of Police Officers" - A. Yes.
- Q. ".... and that the deployment would only increase as the numbers of demonstrators increased." - A. Yes.
- Q. "Likewise I have always insisted that the Police should so far as possible be friendly." -A. Yes.
- Q. "By this I mean that whenever possible demonstrators should be asked to move and the reason for their being moved explained to them. Quite obviously from previous experience of NUM demonstrations in Sheffield, Barnsley and Rotherham where I have been in command of large numbers of Police Officers, violence from the demonstrators was something I could not ignore." - A. Yes.
- Q. "In my briefings I made it" - I am only going to the next paragraph - "In my briefings I made it clear to the Area Commanders that if necessary I would use all my options available to me to prevent the unlawful stopping of the vehicles and injury to Police Officers. The options I refer to include the use of mounted Officers, use of

Officers carrying long shields and wearing protective helmets and the use of Officers carrying short shields and wearing protective helmets and carrying drawn batons. I emphasised that this decision to use these options was other than in the direst emergency mine and mine alone." Yes? - A. Yes.

- Q. And I am just going to ask you about two much shorter passages if I may further on, please.

MR. O'CONNOR: It is Your Honour's page 7 at the bottom:

- Q. Mr. Clement, guessing, it is going to be about your page 5. Paragraph beginning, "At 8.35 a.m." - A. Yes.
- Q. "At 8.35 a.m. I went to the front of the Police lines and with a loud hailer told the demonstrators that if they didn't stop the throwing specialised Police units using short shields together with mounted Officers would be used to clear the area. This announcement resulted in a further hail of missiles. I then ordered the Police lines to open both on the road and on the field and I directed mounted Police Officers and short shield carrying Officers with drawn truncheons to advance through the lines and using such force as was necessary to disperse the demonstrators and arrest those committing criminal offences." Yes. "This initiative had the effect of moving the demonstrators well back along Highfield Lane and towards the top of the field in the direction of the railway line and iron bridge and I saw Officers returning with prisoners. It was not my intention at that time to drive the demonstrators across the bridge and into that area of Orgreave," etc. "where there are private houses" Right? - A. Yes.

JUDGE COLES: Perhaps read on.

MR. O'CONNOR: Most certainly, yes:

- Q. ".... where there are private houses and small firms and after an advance of about 80 to 100 yards the advancing Police lines stopped." Those are your words? - A. Yes.
- Q. You wrote them in your notebook between 2.30 and 5.30? - A. Yes.
- Q. Nobody was dictating them to you? To you. - A. Dictating them to me?
- Q. H'm. - A. No.
- Q. You did not copy them from anyone? - A.No.
- Q. Your words? - A. Yes.
- Q. Who is Superintendent Pratt?- A. Superintendent Pratt is a Superintendent who was on the 18th of June in the Control

Room at Orgreave.

- Q. Is he Superintendent (Operations)? - A. Yes, he is, part of my department.
- Q. You are Assistant Chief Constable (Operations)? - A. Yes. I am sorry. Part of the department I head.
- Q. Does he have an office close to yours in the same building? I do not know. Did he? - A. What? At Police Headquarters?
- Q. Yes. - A. He is two floors below, yes.
- Q. Two floors below. Were you at Brodsworth Colliery on the 9th of October, 1984, a Tuesday? - A. I can probably only say yes or no to this. 20....
- Q. No. It is the Tuesday, 9th of October, 1984. - A. Tuesday, the 9th of October. Almost certainly not. Almost certainly not. Had I better explain this, Your Honour, as to why I can say that?
- Q. JUDGE COLES: If Counsel wishes you to.
- Q. MR. O'CONNOR: Can you say almost certainly not because you were almost certainly somewhere else? - A. Well, yes, in effect.
- Q. Well, we will leave it at that. - A. All right.
- Q. Did you help Superintendent Pratt to draft his witness statement dealing with those events four months after this incident at Orgreave and at a completely different place? Think. - A. Did I help him to what?
- Q. Draft his witness statement. - A. No. But what I did is that at the time of Orgreave I briefed all the Senior Officers who were going to be in command at these or other locations and I told them exactly what they had got to do in relation to briefing Officers before those Officers went out to confront pickets and they had all had a copy of my statement, the one that I am using today.
- Q. Well, those are two rather different things so we will start with the first one. You had briefed your fellow Senior Officers? - A. Yes.
- Q. Presumably on several or many previous occasions where they may face similar problems? - A. Yes.
- Q. In broadly similar terms? - A. Yes.
- Q. That we can understand. - A. Yes.
- Q. And presumably by the time of the 18th of June at Orgreave those Senior Officers will have had those instructions so

well in mind, using minimal force, options that were available to you, that it will have got a bit boring to repeat it each day, would not it? - A. No. No, you are wrong there. Prior to the 26th of August when the return to work started the number of Senior Officers involved in the strike was fairly minimal. Fairly minimal. After the 26th of August when the first man returned to work at Silverwood Pit and thereafter when miners gradually began drifting back to the pits every pit had to be commanded by a Senior South Yorkshire Police Officer.

- Q. So did you have to cover more locations - is that what you are saying - thereafter? - A. Instead of one at Orgreave there were 34.
- Q. I can understand that. Right. So by August did you have to disseminate your broad instructions wider than before? Is that what you are saying? - A. Yes, but not me personally.
- Q. Well, others did? - A. Yes.
- Q. You would expect your policy and instructions to be passed down the line? - A. Yes.
- Q. I am sorry. What has that got to do with distributing copies of your - let's get this right - your witness statement from the 18th of June? - A. The copy, the first copy, went to Chief Superintendent Meadows who was the Officer I delegated to do the briefing. Superintendent Meadows is the Control Room Supervisor at Police Headquarters. Throughout the strike he did not move out of Police Headquarters other than to brief Officers arriving from other parts of the country and this was usually on a Sunday afternoon. As the mobile aid was coming in to various locations he would brief them.
- Q. Yes.
- Q. JUDGE COLES: What you are being asked, I think, Mr. Clement, is what was there in your statement that was of value and/or interest to those who would be taking over duties at pits. - A. Yes. The value is that the duty of the Police was to ensure the free passage of the lorries and that was changed of course to the free passage of the miners as they went back to work and to use as little force as possible.
- Q. MR. O'CONNOR: Is that something that needs to be said more than once to your Senior Officers? - A. They change. They were different.
- Q. To any Senior Officers is that something that needs to be said more than once? - A. No.
- Q. Superintendents - A. Just a moment. Please. I am giving you an answer. That the Police build-up would be progressive and by that I mean if there were five miners

turned up at a pit there would be one Police Officer go out and talk to them. When the next 50 turn up another ten Officers go out. When the next thousand turn up another 200 Police Officers go out.

- Q. Just stop there a second. There is nothing about that, those words, in that witness statement, is there? - A. That is what it means.
- Q. I understand that is what it means but those words are not in the witness statement. - A. Clearly understood the Police build-up would be progressive.
- Q. The understanding is there without you having to distribute copies of your witness statement. Can I ask you about the distribution? Did you instruct Mr. Meadows to distribute copies of your witness statement? - A. Oh, no, no.
- Q. Did you instruct anybody to distribute copies of your witness statement? - A. No, I did not.
- Q. You did not? - A. No.
- Q. Did it happen to your knowledge? - A. Not to my knowledge, no. The statement, particularly those paragraphs there, those paragraphs apply to every situation
- Q. That is right. - A. where Policeman was confronting miner. I insisted everybody knew of the policy in relation to the build-up, the attempt to be friendly when small numbers there and the movement of demonstrators should be done in a way they would understand.
- Q. JUDGE COLES: Am I understanding this, Mr. Clement?
- JUDGE COLES: I am sorry to interrupt, Mr. O'Connor:
- Q. What you are saying is somebody, not you, having read your statement decided either it was a model of how the thing should be expressed and a model of how it was done and having reached that view without telling you about it distributed copies of your statement in the hope it would help Officers facing a situation they had not faced before. Is that what you are saying? - A. If they were distributed, yes, that would be the effect of my giving that to an Officer, yes.
- Q. MR. O'CONNOR: Why are you mentioning distribution of your witness statement? I have not suggested to you that has happened, Mr. Clement. - A. I have told you.
- Q. You do not seem to know it has happened. Why are you mentioning it? - A. Because it was given to Mr. Meadows and he was told to use it to brief other Officers.
- Q. I understand. - A. If he has given them a copy he has given them a copy of that part of the statement.

MR. WALSH: With great respect, my learned friend did suggest something like that because he asked this witness if he had given Mr. Pratt - either helped him draft his witness statement or given him

JUDGE COLES: Yes, he did. Some time ago actually but it is quite right. Yes.

Q. MR. O'CONNOR: So you do not know any distribution has taken place? - A. No, and if there were it would not be a distribution of the whole statement, I suspect. It would be a distribution of that part relating to the briefing of Officers.

Q. Precisely.

Q. JUDGE COLES: Exactly to whom did you give your statement? - A. The only person I remember was Chief Superintendent Meadows whose job it was to go out and brief Pit Commanders after the 26th of August when the return to work started.

Q. MR. O'CONNOR: So on the theory some distribution has taken place which you do not know about and did not order the justified distribution would have been on those two paragraphs of your general policy instructions we have just gone through? - A. Yes.

Q. You see - A. And I think I can go beyond this. At some stage I put out a separate written instruction detailing what should be said to all Officers, not just the Pit Commanders but all Officers who were coming in, and also spelling out what was expected of them in relation to their conduct when they were not on duty because at this time we had had to open up several places, as I remember, or shortly after that, one at Bawtry where there were about 500 Officers, another one at the east coast where there were about 700 Officers. We used the university, Sheffield University, and there were Officers there of course who would be in a place they were not used to, not familiar with, and they would have some off-duty time and it was a general instruction about how to conduct themselves.

Q. But you recollect that I read out to you later more than those general instructions in two paragraphs, Mr. Clement. From your witness statement we have, for instance

MR. O'CONNOR: Your Honour's the bottom of page 7:

Q. what was said and what happened when you made your megaphone warning. - A. Yes.

- Q. Let me put a possibility to you. I mentioned some time ago whether you assisted Mr. Pratt in drafting his witness statement covering these events at another place four months later. - A. Yes.
- Q. I think you denied that. - A. Right.
- Q. Let me put to you a possibility, Mr. Clement, that either you are directly lying about that, that you did personally help him in drafting his witness statement, or you and your fellow Officers have set up a sort of production line for witness statements. - A. First point, I certainly did not assist Superintendent Pratt in writing a statement. For an Assistant Chief Constable to assist a Superintendent in writing a statement is a little short of ridiculous. I certainly did not do that.
- Q. What about the second possibility?- A. The second point, if you are talking about a production line, I do not know. I have told you consistently my job was operation and control and all other matters, administrative, logistical, welfare, had to be done by somebody else. I was working enormously long hours and I had no time to do anything other than control of people.
- Q. So if there is a word for word description of an announcement and warning over the loud hailer and what happened afterwards the same in somebody else's witness statement dealing with something at another place months later you do not know anything about it? - A. No.
- Q. Let's go back to how you describe the beginnings. Our fifth page, your fourth probably, please. "From the outset it was apparent to me" - A. Yes.
- Q. "... from my experience and dealings with demonstrators" - A. Yes.
- Q. " that Police Officers could expect to be subjected to violence." - A. Yes.
- Q. "The demonstration was hostile and the way in which the demonstrators were getting into position suggested a fairly sophisticated system of direction was being employed." Yes? - A. Yes.
- Q. "Because of this and the continued steady build up of demonstrators I deployed mounted Police behind the main Police lines." - A. Yes.
- Q. Now, is that the truth?- A. I would not have put it if it was not.
- Q. You deployed mounted Police behind the main Police lines when the demonstration was hostile? - A. Some of the demonstrators were hostile, yes.
- Q. In what way? - A. The verbal abuse, the gathering together

in groups, the fronting up to the Police lines all built up a situation of hostility.

- Q. Fronting up to the Police lines. What do you mean by that? Sorry. - A. Coming up close to them, eyeball to eyeball.
- Q. A fairly sophisticated system of direction being employed. - A. Yes.
- Q. What is that? - A. That is as the groups were coming over the bridge from the Asda car park where the coaches were parked, coming down in groups, some coming directly down the road, others veering to the right. It looked to me as though each group knew, having come over the bridge - had been told go to a location either on the road or on the field because generally the groups seemed to stay together.
- Q. And that is what you call a fairly sophisticated system of direction? - A. Well, it was better than everyone piling off the coaches in Asda wandering their own way down to where they were going to stand. There were certainly people there whose job it was to say, "This way, lads, down to the bottom," or "Go over there."
- Q. And you saw those people? - A. Yes.
- Q. JUDGE COLES: Which people? Did you see people directing? - A. There were people directing.
- Q. There were people? - A. I saw people directing and of course there were directions being given later on, as we saw.
- Q. The evidence is people came from different parts of the country, Wales, Scotland. It may be if a coachload from Wales or Scotland arrived they would tend to keep together. - A. I think I would accept that, yes.
- Q. What was there, if anything, that suggested to you this grouping was anything other than that? - A. No, it was not that the 50 Scotsmen would stay together. I would expect that to happen. It was where those 50 Scotsmen would go as a group, either down the road or on to the field or the location on the field.
- Q. You say there were people giving directions? - A. There were certainly at the top of the field people directing.
- Q. MR. O'CONNOR: Where are you at this time to be able to see this and interpret these events? - A. Moving about.
- Q. What time was it you deployed mounted Police behind the Police lines now you have refreshed your memory from seeing the video? - A. I would think about seven-ish, something of that sort.

- Q. In the first couple of minutes of the film we see Police horses in a line, do not we? - A. Whereabouts?
- Q. Just in front of the medical centre and in front of the camera as it pans across from the road and the bus shelter up to the top holding area. - A. Yes.
- Q. That is within minutes of 6.02, is not it? - A. It may well have been at that time.
- Q. And that is what you saw yesterday, is it, within minutes of 6.02 on the film, hostile crowd? - A. I would have to see the film again.

JUDGE COLES: It is a matter for you, Mr. O'Connor. I have got a note, you are right I have another note after that with a query. Something was registering time. I think 7.24. I have got a query mark both before and after it. I am sure you do not want to make a false point. The tape undoubtedly started at 6.02 but it finished at 7.58.

MR. O'CONNOR: Yes.

JUDGE COLES: Indeed, finished after 7.58. But having said that I will interfere and interrupt no more.

MR. O'CONNOR: Certainly may I make it clear that there was a cut well after the shot of the horses which is very early in the film and I suggest very close to 6 o'clock, a cut at about 11(?) - minutes - past - 7.

JUDGE COLES: That may be so.

- Q. MR. O'CONNOR: At any rate, the jury have seen what you saw then and you saw the film again. You say you would need to see the film yet again in order to say whether there is a hostile crowd there at the time the horses are deployed? - A. That would be the safest thing to do, to look at that film obviously that was being taken at the time. I am now trying to remember eleven months ago.
- Q. You were remembering a few hours back when making your notes and your witness statement, were not you? - A. Right, but I am talking about the position of a line of horses at a place like Orgreave eleven months ago.
- Q. You are talking about a very important moment for which you take complete responsibility? - A. Right.
- Q. Which you accepted was important because it could be provocative? - A. Yes.
- Q. The deployment of mounted Police Officers? - A. Right.
- Q. And I suggest your description of the circumstances and

justification for that deployment is demonstrated to be wrong on that film? - A. I would not think so.

- Q. Secondly, there is no mention in your witness statement of the sort of equipment and clothing and head gear those mounted Officers are wearing, is there? You just say mounted Police? - A. Yes.
- Q. And it is perfectly possible to grade your deployment of forces by having mounted Police Officers if there is hostility but it is only a little, for instance, no missiles yet, to have mounted Officers without riot helmets? - A. They would have to wear a helmet of some sort because that is Police regulations. If they fall off a horse and not wearing a helmet
- Q. To wear ordinary helmets? - A. Very similar to the riot helmet. They do not wear pointed helmets in the mounted department. They wear a crash type helmet or a protective helmet of some sort.
- Q. Are you saying that they were just wearing the helmets we have seen with those neck flanges coming out, visors, really because they just did not have anything else to wear? - A. No, no, no, no, no. I am saying they have to wear a protective helmet when they get on a horse. If they get on a horse at control room and move away may be away from control room three hours or four hours during which time engaged in hostilities. Moving away from the control room prudent to put on a protective helmet.
- Q. You see, you yourself have retreated, have not you, from that witness statement in your evidence to us when you tell us - describe the scene before you communicated with Superintendent Vallance at about 7.15, have not you? - A. Vallance was a little later, I believe. He was down at the bottom end where the people were blocking the road.
- Q. That is about 7.15? - A. Probably about that.
- Q. You told us the situation before that at the top side holding area, there were no problems, no missiles, no hostility, did not you? - A. Right.
- Q. I am sorry. You had deployed your horses by then, had not you? - A. Right.
- Q. Yet you said in your statement you did it because the demonstration was hostile? - A. Right, because they are coming in ever-increasing numbers and if you look at the film and see them pouring down the road I could not afford to wait until three or four thousand there and then say, "Let's hope they're not going to be hostile." They are shouting. There could be a push at any second. Could be stone throwing at any second. "Let's wait until that situation develops and then give a shout to the control

room, 'Send us some horses.'"

- Q. You see, I suggest that is just a little microcosm of your mental workings that morning. "Let's not wait until it gets hostile. I cannot afford to do that. I'm going to act as if it is hostile already"? - A. No. These people were not coming to attend an open air Bible meeting. They were coming to demonstrate and to stop people working.
- Q. Are you now saying that at the time of deployment of the mounted Police the demonstration was not then actually hostile? - A. No, I would not say that.
- Q. It was potentially so? - A. No, I would not say that. When there is a crowd of people facing Police lines and there are more and more pouring down the road to back them up, to bolster the numbers, that to me is a hostile gathering.
- Q. Just the numbers? - A. No, no. And the shouting.

JUDGE COLES: Can we pursue that in ten minutes' time? I have had a note from the jury requesting a short break.

(Short Adjournment)

ANTHONY RAYMOND CLEMENT Recalled

Cross-examined by MR. O'CONNOR:

- Q. The decision to use the various options that you have described in your general policy paragraphs, if I can call them that, was yours and yours along except in the direst emergency? - A. Yes.
- Q. At about 7.15 you gave permission to Mr. Vallance to use mounted Officers if he considered it necessary? - A. Yes.
- Q. That was in the circumstances, was it, that we saw when the camera was pointed a bit puzzlingly away from the top side and into the distance and we saw Police horses there, did not we? - A. And you saw a large crowd.
- Q. That is quite right. Saw a large crowd. Saw Police horses. Do you say that situation was the direst of emergencies? - A. It was building up to that because they were completely blocking Highfield Lane and that was coming up to 7.30. We saw it go well past 7.30 and the lorries were due past that point about 40 minutes later.
- Q. You see, we are back to your definition of hostile, are not we? - A. Yes.
- Q. Not actually hostile but building up to it, not a dire emergency, rather, the direst of emergencies but building up to it? - A. H'm. Does one leave it until the dire

emergency emerges and then do something?

- Q. On your own test, Mr. Clement, yes. - A. But the dire emergency is when one sees a situation developing which is likely to stop the convoy.
- Q. The dire emergency, the hostility, was in your head from 3 o'clock that morning, was not it? - A. No.
- Q. Now, short shield units with truncheons drawn? - A. Yes.
- Q. Instructed to have their truncheons drawn? - A. Yes.
- Q. Truncheons drawn as they are forming up behind the Police lines, behind the uniform Police lines? - A. Yes.
- Q. Why? - A. Because that is the use of the short shield Officers, to go out into the demonstrators to clear them and to take prisoners. I certainly was not going to send a Police Officer out carrying a small plastic shield without a truncheon to defend himself.
- Q. Yes. You have gone from one extreme to the other, Mr. Clement. All Police Officers that day were carrying truncheons? - A. Yes, but not drawn.
- Q. Exactly. They have to carry truncheons? - A. Course they do.
- Q. How do they carry them when they are in uniform? In a side pocket? - A. Side pocket, yes.
- Q. With a strap hanging out? - A. Yes.
- Q. Does not take King of the Wild West to be quite quick on the draw. Split second and there is the truncheon? - A. Split second?
- Q. Call it a second, two seconds. I do not mind. - A. At which time he has been attacked.
- Q. Do you agree perhaps the most ancient and still the most fundamental duty and function of the Police is to preserve the Queen's peace? - A. Right.
- Q. What had deploying mounted Police Officers in riot helmets at shortly after 6 o'clock got to do with keeping the Queen's peace? - A. I am not accepting it was shortly after 6 o'clock when those horses were deployed. If it was there was a reason for it. But we are not talking again about a gathering of people coming to sing hymns. This was a very serious situation or some of them might have been singing hymns.
- Q. That was Mr. Taylor's joke.

JUDGE COLES: It was not. My bad joke.

THE WITNESS: I am sorry. It was, Your Honour. As

you so rightly say, it was our job to preserve the Queen's peace and if after that warning I had given to those people they had gone away the Queen's peace would have been preserved.

- Q. MR. O'CONNOR: Yes. I see. The warning was telling them that specialised units were going to be sent out, was it? - A. That is right.
- Q. Did you say, "By the way, just in case you do not understand what specialised means, it means people with drawn truncheons"? - A. And carrying shields.
- Q. You did not say anything like that, did you? - A. I said specialised units.
- Q. You were addressing people who have attended Police training course, were you? - A. No. Addressing people who were in a riotous situation.
- Q. Those truncheons could be drawn if held conventionally in a pocket with the strap hanging out, I suggest, in a second or a split second, Mr. Clement. Do you agree or not? - A. It is very easy to be proved in this room. If you have a truncheon in a side pocket, first of all, you are going out in front of the main Police lines and you are going towards people who have been throwing stones, throwing other missiles and have been hostile. Now, if you are suggesting a Police Officer is going to rush towards a group of people, bearing in mind there were two P.S.U. units went out which was 40-something Officers into a field where there were thousands of people, many of whom were not violent but thousands of people, are you suggesting I should have sent Officers into that situation with their truncheons in their pocket and say to them, "If you think that man running towards you is going to kick you in the crutch or going to smash a stone into your nose draw your truncheon in a split second and hit him"? Nonsense.
- Q. Let's look at what you did in fact say. Your recollection is, is it, having refreshed your memory looking at that film, that you said if you use your truncheons not to the head? - A. Right.
- Q. You heard that, did you? - A. Yes.
- Q. You see, what I suggest we heard repeatedly was this, Mr. Clement, bodies, not heads, which is a bit different, is not it? Bodies, not heads? - A. Did you hear it all?
- Q. Several times. Yes. - A. Not just that little bit.
- Q. Bodies, not heads. - A. The instruction is if you have to use your truncheons bodies, not heads and I myself was heard saying on there not to the head. Now, whether I

said anything else I do not know but that is the instruction.

- Q. Those men were sent out to use their truncheons, were not they? - A. They were not. They were sent out to support the mounted and to arrest people committing criminal offences.
- Q. You mentioned infiltration by a thousand between ranks of Officers, between short shield, the mounted Officers and the cordon? - A. Behind those who had gone out.
- Q. That is right. And that was at one stage of the three stage advance along the top side holding area. Is that right? - A. Yes.
- Q. First of all, there is no mention of that, is there, in your witness statement? - A. No, because it was just a mass of people in front of the Police lines.
- Q. Secondly, did you see that on the film? - A. I saw it at the time when the other incident was taking place.
- Q. What other incident? - A. This is the Martin(?)
- Q. Russell Broomhead incident? - A. Broomhead. It was at that time when there was a lot of fighting going on.
- Q. There was infiltration of a thousand people behind some Police Officers but in front of the cordon at the time of the Russell Broomhead incident? - A. Yes, to the sides, many of them not violent. Probably get out of the way of the horses.

JUDGE COLES: Are we going to have to learn what this Russell Broomhead is or not?

MR. O'CONNOR: Almost certainly. I do not feel it is my task now.

MR. WALSH: I think there may be problems about that.

JUDGE COLES: At the moment it is being used as a convenient label to put upon a certain stage in the developing I do not think the jury know what the Russell Broomhead is and I certainly have not taken pains to find out.

MR. WALSH: I ask my learned friends to think very carefully about the matter.

MR. MANSFIELD: I think I had better explain since I raised it. I did put to the Officer - he agreed - the incident witnessed on television which he witnessed was of a man being hit several times by a truncheon and the Officer concerned is Martin and the person concerned Broomhead. I think there is no dispute that happened.

JUDGE COLES: Let's have the full details so far.

Is it suggested that was done by a short shield Officer or mounted Officer?

MR. MANSFIELD: No. The suggestion I put to the Officer, and he agreed, it was an Officer called Martin who was not short shield who had in fact - if Your Honour may recall, I was asking what instructions he must have had and I think Mr. Clement was agreeing in fact he had no instructions to be out there at all.

JUDGE COLES: I remember that.

MR. WALSH: That is the incident. In answer to Your Honour's other question, obviously it is a matter for my learned friends to consider; it seems to me there may be problems about identifying or describing that incident further.

JUDGE COLES: Just being used as a piece of shorthand.

MR. WALSH: In those circumstances no problem about that.

JUDGE COLES: The actual details slip my mind.

MR. WALSH: My learned friend will appreciate there are other proceedings.

MR. O'CONNOR: I am not concerned myself with the details of that incident. I use the shorthand. My learned friend had mentioned the incident:

Q. You accept you saw it on television that night? - A. Yes.

Q. Right. May I just leave it because I have asked you about infiltration, you have accepted it was, at one stage of the three stage advance across the top side holding area. That is 10.20 to 11.20 roughly and you see the Russell Broomhead incident was an hour-and-a-half, two hours, before then? - A. Yes.

Q. Do you want to tell us it was or was not during the three stage, the infiltration, during the three stage advance up to the bridge? - A. I am not sure. It was a time when the horses and short shield Officers were used and went out through the Police line.

Q. Now, you continue over the bridge. I am very conscious I am jumping ahead. I am trying to press on. So you go 25 yards over the bridge? - A. Yes.

Q. But no further until the incident is all over certainly? - A. Right. Say no further. Perhaps a yard or two but nothing significant.

Q. And it is then, is it, that you see demonstrators in the

gardens of houses? - A. Just at the top of the road.

Q. Business premises? - A. To the left of the road..

Q. And you make your assessment of perhaps 8,000? - A. I would think that was about right. I think there had been the concentration of those on the road, those on the field, come together, gone over the bridge. They were massed on the far side of the bridge up towards the top and if you stood on the parapet of the bridge you could see right the way up to the brow of the hill there.

Q. Well, you see, you have realised since giving your account of going 25 yards over the bridge and seeing ahead that you could not possibly see to count 8,000, could you? There is the brow of the hill. - A. I have realised that, have I?

Q. What is this about standing on the parapet of the bridge? Did you do that? - A. Yes.

Q. You did? - A. Yes.

Q. When? - A. This is when we were at the top side of the bridge. I think if you will ask other Officers they were there as well. What is more sensible than standing on a vantage point looking out towards the people facing you? What is more sensible?

Q. What is more sensible than to have said that when you had been asked the thousands of questions you have been asked before to explain to us how you managed to see what you did? Not a word to anyone about it? - A. No-one has said to me, "Explain how you saw what you did."

Q. That is because you asserted that standing in the road 25 yards beyond the bridge you could see what you saw.
- A. I said as we went over the bridge I saw a mass of people.

Q. Right. And you stood on the parapet of the bridge? - A. Right.

Q. That is before the withdrawal to the coking plant side of the bridge and the defensive position you have described?
- A. That is a long time before that.

Q. Yes. - A. Yes.

Q. Can I ask you to look then

MR. O'CONNOR: In fact, Your Honour, some photographs we have just been given today, exactly this scene.

MR. WALSH: I did tell my learned friends we have not enough for everybody at the moment. May I explain what I have done? In order to help the Court and everybody I have caused further photographs to be taken going more uphill

towards the bridge and beyond. To assist my learned friends I have made sure they have copies but we have not got enough yet for everybody else. They have all been given to my learned friends.

MR. GRIFFITHS: Your Honour, I am told they will be here at lunch time.

JUDGE COLES: Well, can we manage till lunch time with the kindest co-operation of Counsel?

MR. WALSH: Can I give up my copy which at any rate will help somebody?

MR. O'CONNOR: If there are three copies, one for each row of jurors, because the point is very simple here which we can see from a distance?

JUDGE COLES: Very well.

MR. WALSH: Your Honour, we have three now.
(Distributed to jury)

JUDGE COLES: Which photograph would you like us to look at, Mr. O'Connor?

MR. O'CONNOR: I do not mind our just glancing through the photographs to get ourselves orientated. Start with No. 1:

Q. I hope you do not mind doing this. - A. Not at all.

MR. O'CONNOR: One looking up the hill. Does not look very steep on that photograph. See for ourselves. Further up. The bridge in the distance over the brow there.

JUDGE COLES: Useful sign showing the road going to turn left. Gets larger in each picture.

MR. O'CONNOR: Yes. I will just go in progressive stages. Photographs 3, 4, 5 up towards the bridge from the coking plant. Then on to the bridge, No. 6. Far side of the bridge, 7. No. 8, looking up to the brow of the hill. Nine from the brow of the hill. I am roughly guessing here, just going through quickly. Ten is the junction. Eleven is looking back to the brow of the hill. Twelve is from the brow of the hill looking down at the bridge and 13 looking at the coking plant from the bridge:

Q. Can we look at photograph 8? That is the view you would get from 25 yards over the bridge, Mr. Clement, is not it?
- A. Stand on the road.

Q. That is the position which until a minute ago you were saying was the position from which you could see 8,000 demonstrators and demonstrators in gardens and firms'

premises, is not it? - A. I said as I went over the bridge I could see a mass of demonstrators and estimate the number to be 8,000.

Q. Let's look at a photograph to help us of the bridge, looking back at it. Perhaps photograph 13. Are you saying you climbed up on something? - A. Yes.

Q. What? - A. There is the wall and that parapet there if that is a parapet.

Q. You climbed up to the left of the bridge on photograph 13 and stood, did you? - A. Yes.

Q. JUDGE COLES: You are talking about the coping stone part? - A. I am sorry?

Q. Are you talking about the coping stone at the end? - A. Just here.

Q. That is right. - A. That is a superb vantage point.

MR. WALSH: I wonder if he could perhaps turn and face us.

Q. JUDGE COLES: Could you turn and face Counsel and the jury and just point it out again? - A. I am sorry. Photograph No. 13 there.

Q. MR. O'CONNOR: You are standing on that block, coping stone? - A. On to the wall, on to the top there.

Q. JUDGE COLES: Looks like a concrete coping stone. - A. It is. It is a shaped stone.

Q. MR. O'CONNOR: And, you see, we can see it is all very distorted and maybe we will get another opportunity to see for ourselves. Photograph 7 you are saying standing on in fact the coping stone to the right, not to the left, makes all the difference, does it? - A. Makes a very substantial difference, yes.

JUDGE COLES: Coping stone on the right?

MR. O'CONNOR: Yes. I just chose No. 7. Does not show the one to the right. Presumably the one to the left is roughly of similar height.

Q. JUDGE COLES: When you looked at photo. 13 you pointed to a specific coping stone? - A. Yes.

Q. You stood on that one? - A. Yes, and other Officers were stood there and on the other side of the road as well.

Q. Did you also stand on the other coping stone? - A. No.

Q. I am sorry. I must have let my mind wander a moment.

- Q. MR. O'CONNOR: My mistake. You were always saying you stood on the coping stone on the right-hand side of the bridge crossing from the coking plant? - A. On the left-hand side on photograph 13.
- Q. That is right. By always we mean from two minutes ago from today. Had you intended before reaching the bridge that Officers should continue over the bridge? - A. Not immediately, no.
- Q. When did you decide that they should? - A. After we had got to the bridge we held out for some considerable time and then I decided to go over the bridge not to clear the whole of the area but to move the demonstrators back out of throwing range because by that time they had got into the scrapyard and were getting material from there.
- Q. So there was a pause for some considerable time, you make the decision and the Officers continue over? - A. There was a pause of some time.
- Q. What instructions were those Officers given who were then told to cross over the bridge? - A. To move the demonstrators way back.
- Q. Where to? - A. Towards the brow of the hill, over the brow of the hill.
- Q. Over the brow of the hill? - A. Yes, to the brow of the hill.
- Q. To the brow of the hill? - A. H'm, that sort of distance.
- Q. And - A. And what?
- Q. That is it. - A. And then return.
- Q. And then return. - A. H'm.
- Q. Did Mr. Hale and other supervisory Officers go ahead with them? - A. Yes.
- Q. Who were the other supervisory Officers? - A. I think at that time Superintendent Povey left me as well and went up there and Chief Inspector Hale, whose main responsibility was the short shield units, and mounted Officers of course are left to their own supervisors who understand the handling or horses.
- Q. Riding with them or not? - A. Oh, yes. Oh, yes. I am not sure whether the mounted Inspector was with them at that time. Certainly in any movement of that sort there would be a supervisory Officer of at least Sergeant rank. There would never be seven mounted Constables go forward without a man in charge to give orders.
- Q. I understand. Did Mr. Hale have a megaphone? - A. I cannot remember.

- Q. Right. When mounted Officers crossed over the bridge and went ahead did they have their truncheons drawn? - A. I do not know. I think they had them drawn and carried in what I believe the mounted department call the rest position. That is across the front of their saddle, I think.
- Q. Mounted Officers have special truncheons, do not they? - A. Yes.
- Q. Because they cannot reach? - A. That is right.
- Q. Special long ones? - A. Yes.
- Q. Who had ordered them to draw their special truncheons? - A. When I order an advance of that sort over the bridge where they are going to be divorced from the main body of Police Officers who would support them if anything untoward happened across the bridge I would give that instruction to the short shield Officers and the mounted Officers.
- Q. And you did? - A. Yes.
- Q. Anything else that you said to them, the mounted Officers and short shield Officers then? - A. Well, after six days it is getting a little bit confusing.
- Q. I am sure. - A. If I could refer to my pocketbook again?
- Q. I doubt if it will help because we know the statement is the same. I may save you a second but do look if you wish. Anything about bodies, not heads? - A. That instruction had been given right at the start of the operation and it is intended to carry on through.
- Q. It is difficult for mounted Officers to effect an arrest, is not it? - A. I am sorry?
- Q. It is possible but difficult to see how mounted Officers can effect an arrest? - A. Difficult, yes. I have seen it done but it is difficult.
- Q. Short shield units, were they instructed to operate in pairs if possible? Was each Officer assigned a colleague and told if possible to stick with that colleague? - A. Well, the instruction is of course the P.S.U. stays together as much as is possible.
- Q. I understand the - A. If it is broken up of course an Officer would hope to keep in touch with a colleague but it is not always possible in this sort of violent situation.
- Q. Now, the guidelines and options that you mentioned to us and part of which we have seen you yourself played a part in checking when it was in the draft stage? - A. Yes.
- Q. Is that something called Tactical Operations, Options for Public Disorder or something? - A. Operations Manual

Public Order. Operations Public Order Manual.

- Q. Tactical Operations Public Order Manual? - A. I think the word "tactical" is used throughout it but I am not sure it is on the title. It may well be.
- Q. Is it a manual sort of couched in Army type language throughout, tactical operations? - A. I would not have thought the words "tactical operations" were confined to the Army.

JUDGE COLES: Sometimes applies to the Bar.

MR. O'CONNOR: I am not sure whether that is more strategy than tactics. Never understood the difference.

JUDGE COLES: Pity.

- Q. MR. O'CONNOR: Is that a document that has ever been made public? - A. No. No, no.
- Q. Is it a document the Home Office has played any part in drafting?

MR. WALSH: I am not sure what the purpose of these questions is. Your Honour has made certain orders and directions about this matter. If my learned friends wish to go behind that or alter it they should say so.

JUDGE COLES: Yes. I had - I sounded a word of caution in a light-hearted sort of way. You heard what Mr. Walsh has said. It is entirely justified in my view.

- Q. MR. O'CONNOR: Did you have Officers amongst the demonstrators in disguise? - A. No.
- Q. JUDGE COLES: Did you say no? - A. No, Your Honour.
- Q. MR. O'CONNOR: If not Officers then people acting on your behalf? - A. No.
- Q. Simple answer. - A. H'm.
- Q. You have told us one set of circumstances in which you heard Police Officers applauding? - A. Yes.
- Q. And that is something you justified and certainly did not stop at the time and you felt was proper? - A. It was all right as far as I was concerned. Release of tension and such like, yes.
- Q. Did you ever see and hear Police Officers applauding when demonstrators with serious bleeding head injuries were being brought in through Police lines? - A. No, I did not.
- Q. You are sure about that? - A. Absolutely certain that I

did not see that either on the day or on the film. I did not see it.

- Q. Were you aware from an early stage that day that there were demonstrators' vehicles, coaches and cars, in Catcliffe and Treeton which are the little villages beyond Poplar Way? - A. I knew that there were coaches parked in the Rotherham area and if you are saying there were some in Catcliffe and Treeton, which are right on the edge of Rotherham, as it were, I would accept that.
- Q. May I remind you you said, and we have seen some evidence of it on the film, when all the disturbances are over you saw people walking - A. Yes.
- Q. in that direction? - A. Yes.
- Q. And you told us you guessed they were making their way home? - A. Yes. Quite unmolested. They were just walking past the Police lines, past the control post, going home.
- Q. You were aware from an early stage that day from perfectly proper Police observations around the area there were numbers of coaches and demonstrators' other vehicles in that direction? - A. Yes. In the Rotherham area. Yes, right.
- Q. Can I ask you finally if you agree with this? Were you Assistant Chief Constable in 1980? Were you appointed in 1980? - A. Yes. No, no. 19th of January, 1981.
- Q. What was your rank before that appointment? - A. I was a Divisional Commander at Rotherham.
- Q. I ask you if you agree with this. You have told us already, you were obviously a Senior Officer during the steel strike? - A. Oh, yes.
- Q. From the Police point of view the most valuable lesson that was learned from the steel strike was that of maintaining traditional Police methods of being firm but fair? May I just continue? Then I will allow you to comment. Resorting to minimal force by way of bodily contact? - A. Right.
- Q. And avoiding the use of weapons? - A. Absolutely right.
- Q. You recognise those words, do you? - A. Absolutely right.
- Q. They come, do they not, since you recognise them, from the Annual Report of your then Chief Constable, Mr. Brownlow? - A. Yes.
- Q. Dealing with the steel strike? - A. Yes, and he was absolutely right.
- Q. So you agreed with those words then and you do now? - A.

And I can say that based on my experience at Rotherham where as Divisional Commander I had more steelworks affected in my Division than anywhere else in the country, let alone South Yorkshire, in the country, and on not one occasion, not one occasion, did I have to order in any specialised units, any numbers of Police Officers. It was a perfectly lawful strike policed in perfectly traditional Police ways and it was a superb strike in those terms.

MR. O'CONNOR: This is a tactical sit down, Your Honour.

JUDGE COLES: Well judged, if I may say so.

MRS. BAIRD: Perhaps I can introduce myself and my clients. My name is Vera Baird. I appear for three young men from County Durham. Firstly, Mr. Coston from Easington, then Mr. Moreland who comes from Seaham Harbour and Mr. Forster who also comes from Seaham Harbour. Could you stand up for a moment, please, Mr. Forster?

Cross-examined by MRS. BAIRD:

Q. Mr. Clement, do you recognise Mr. Forster at all? - A. No.

MRS. BAIRD: Mr. Moreland. Thank you:

Q. Do you recognise him at all, Mr. Clement, Mr. Moreland?
- A. I do not think so, no. No, I would say no. There was a man who came up to me after the strike was over, seen on television, shook my hand. That is not him.

Q. No, not at all. - A. Looked a bit like him. That is not him. No, it could not have been, obviously. No, could not have been.

Q. Can I go straightaway to this question of you standing on the parapet we first heard about this morning? - A. I was first asked about actually the way I saw the numbers up

Q. Very well. Can you give me an approximate time when you stood on that parapet? Can I ask you for this? Was it before the incident with Mr. Scargill you went through or after it or near to it? - A. Before.

Q. Before. Would that be immediately before? - A. Some time before. Some minutes before. Perhaps ten minutes.

Q. Do you think as long as ten minutes? I am conscious your recollection is hazy. - A. I am almost guessing now because it is so long ago.

Q. If you look at this photograph again where you have indicated you were standing. - A. What number photograph?

Q. That is No. 13. - A. No. 13. Yes.

- Q. You have pointed to here, have not you? - A. Yes.
- Q. Mr. Scargill's incident, if I can call it that, took place just up here to the right-hand edge? - A. On the other side, yes.
- Q. Do you think it likely you stood up there and surveyed the scene and as you came round that corner having jumped down that was when the Scargill incident took place? - A. Not all that long after that, I would say, yes. If you are talking in terms of 15 minutes or 20 minutes I would have to accept that because I do not know.
- Q. Were you in the vicinity of that section of the bridge all that time? - A. As I have said, I never went past, other than a yard or two, past the point where we now know at some later stage there was a burning barricade.
- Q. I think you have told one or other of my colleagues at this time there was not any burning barricade on the road? - A. No.
- Q. What I am anxious to discover is whether, having stood up there to survey the scene, you stayed in that immediate vicinity until you saw Mr. Scargill and you were just moving away when you saw him or had you gone somewhere else and come back or were you there all the time? - A. It is impossible to say. I would have a look, see what the situation was, get down, talk to other Officers, perhaps move about, perhaps go to the far side of the bridge. It is impossible to talk about my movements at that time so specifically.
- Q. When you were standing on the parapet where was the main cordon? - A. Behind me but there were other Officers near to me and of course Officers had gone ahead.
- Q. Yes, I understand. That is after horses had gone ahead? - A. Right.
- Q. And short shields? - A. About six P.S.U.s. That is about 120-odd men, short shield men.
- Q. You would not, I imagine, between standing there and seeing Mr. Scargill hurt have gone back through your own cordon? - A. I was not standing there when I saw Mr. Scargill hurt.
- Q. I know that. You had walked further down, had not you? - A. No. 25 yards up towards the place where the burning barricade was later built.
- Q. Yes. 25 yards towards the village? - A. Towards the?
- Q. Village? - A. Towards the village, yes. Handsworth village.
- Q. What I am anxious to know - you will appreciate this is very important for one of my clients, very important for Mr. Forster.

MR. WALSH: Would it help - the photographs have now

arrived, if it helps my learned friend cross-examine, so the jury have them?

JUDGE COLES: By all means.

MR. TAYLOR: Do you think I could have mine back?

JUDGE COLES: Certainly. You must tell us if it has any messages written on it.

MR. GRIFFITHS: Or hymns.

JUDGE COLES: Or hymns.

MRS. BAIRD: Your Honour has a copy, I think. I do not know whether I have somebody else's. My copy is

MR. WALSH: That is mine.

JUDGE COLES: I apologise. Do you have a copy now?

MR. TAYLOR: Yes, thank you.

JUDGE COLES: I had marked this one, I am afraid.

- Q. MRS. BAIRD: For the members of the jury's guidance, we are looking at photograph 13. - A. Yes.
- Q. Between the time when you stood on that parapet and you saw Mr. Scargill hurt you would not, I imagine, have gone back through your own cordon at any time? - A. When you say back through the cordon you mean way back past the end of the bridge?
- Q. Yes, I do. - A. To what sort of distance? Are you talking about perhaps five yards, ten yards or back to the control post?
- Q. I would frankly have thought it quite easy to tell. Did you go through your main cordon or not? - A. I cannot be sure. I was moving about in that area for some little time. I certainly did not return to the Control Room.
- Q. You did not? - A. No.
- Q. When you were around that area, either on a parapet or in that vicinity, were there any stones being landed around you or not at that particular time? - A. There had been but as the mounted Officers and short shield Officers went up the road of course that moved them back out of throwing range.
- Q. That is what I would have thought. They had all gone away? - A. Yes.
- Q. You are in a sort of protected area behind your mounted area?

- A. That is right. Possible once the horses had gone and demonstrators retired to walk about fairly easily in that area backwards and forwards.

Q. And the situation remained that when you went to see Mr. Scargill? - A. No, at that time as I moved up, that point, the Police plug had come into the bridge and the line of Police Officers was exactly across the bridge there and I happened to be able to identify the Inspector who was in charge of the P.S.U. there because later on I asked him to do something.

Q. I see. Would you tell us his name? - A. Yes. His name is Inspector Deighton and he was with D.2 P.S.U.

Q. Just for the sake of the shorthand writer, when you indicated the cordon was there you indicated it was at that point on the parapet where you had been standing?
- A. There.

Q. JUDGE COLES: At the village end of the bridge?
- A. At the Handsworth village end of the bridge.

Q. MRS. BAIRD: Still no stones falling? - A. Not at that time.

Q. There were not? - A. No.

Q. It would seem to follow no stone-throwers on that area or the roads or fields immediately adjacent? - A. No. If I can make that point absolutely clear. At the time I am talking about when I left that position to walk up the road and following a short shield P.S.U. on the road the bridge was completely blocked and there were no stone-throwers within, I would say, 80 yards, something of that sort, and they would be back towards the village because I was able to walk up the road for this 25 yards in complete safety.

Q. For the ten or fifteen minutes before you saw Mr. Scargill - sorry to use him; a most useful point of reference - about ten or fifteen minutes you were not bothered by stones or stone-throwers? - A. Certainly not.

Q. It obviously would be extraordinary then if somebody had been arrested in that vicinity in that 15 minutes for throwing a stone, would not it? - A. I said I was not bothered about people throwing stones. Not being thrown to the extent they were bouncing about my feet. If someone in the vicinity threw a stone I did not see and got arrested for it so be it. I do not know.

Q. When you looked at Mr. Scargill and saw him - may I make it clear not going to enter into that at all except as a point of reference - you saw him and had a clear view of him, I think, across the road? - A. Yes. Not exactly

across the road. I was at the side of the road where the verge is.

Q. You have mentioned two men there who we have identified
- A. Yes.

Q. through my learned friend Mr. Mansfield? - A. Yes.

Q. It seems to follow you had a clear view. No-one else would be between you and Scargill? - A. Directly in between myself and Mr. Scargill, no.

Q. No-one? - A. No.

Q. I can help you, Mr. Clement, and I hope the Court by indicating the time of the Scargill incident was 11.23.

JUDGE COLES: Thank you.

Q. MRS. BAIRD: That is the time Mr. Moreland was arrested on your account right between you and Mr. Scargill allegedly throwing a stone? - A. I am sorry. On my account? I allege he threw a stone?

Q. No. You allege you are at 11.23 standing with no-one between you and Scargill. Right? - A. Right.

Q. Mr. Moreland was arrested at precisely 11.23 between you and Mr. Scargill? - A. No.

Q. Very well. You had better come and give Defence evidence later in the trial.

MRS. BAIRD: That is an appropriate place perhaps to stop because I have turned a corner now.

JUDGE COLES: Certainly. Just before we do can I just elucidate that last answer:

Q. Did you see Mr. Moreland being arrested or not? - A. No. I was a very short distance from Mr. Scargill.

Q. What you are saying, nobody was arrested between you and Mr. Scargill at that moment? - A. Right.

Q. Very well. That is your evidence.

JUDGE COLES: Is 2.15 all right?

A JURY MEMBER: Yes.

MR. WALSH: Could I just enquire

JUDGE COLES: 3.15.

(Luncheon Adjournment)

ANTHONY RAYMOND CLEMENT Recalled

MR. MANSFIELD: May I briefly explain the absence of Mr. Waddington?

JUDGE COLES: He has gone to catch another train?

MR. MANSFIELD: Gone to get the car for the people going to Scotland. There were complications over the documents. I said he ought to do that, otherwise he could not get the car.

JUDGE COLES: Oh, no. Of course. If anyone wants to make arrangements of that kind it would be nice to know but I do understand. Yes.

Cross-examined by MRS. BAIRD:

Q. Mr. Clement, before I leave, if I can put it this way, the vicinity of Mr. Scargill at the time you said - I have been asked specifically by Mr. Walsh and I understand well why to make clear there is no evidence yet before the jury the precise time of the Scargill incident is 11.23.

JUDGE COLES: I had written that in the margin. I assume there is going to be some evidence about it.

MRS. BAIRD: There is:

Q. You referred to a person there at the time of the Scargill incident I think Mr. Mansfield was able to tell you was a Mr. Stones? - A. Yes.

Q. The fat man? - A. Yes.

MRS. BAIRD: Is there still a photograph there of Mr. Stones in Mr. Scargill's

JUDGE COLES: There is the colour photograph.

MR. MANSFIELD: Yes, there was. I will just get it.

Q. MRS. BAIRD: Whilst we are waiting for that, there is no suggestion, is there, that gentleman was doing anything other than stand beside Mr. Scargill? - A. He was not beside him as Mr. Scargill was at the bottom of the bank. The fat man, Mr. Stones, as Mr. Scargill is there, just at the top of the bank there and the small man with the badges was just to his left. He was not doing anything.

Q. I can ask you something else as well while the photograph, I hope, is coming. At about the same time people were

being driven back over the bridge others who had run up the field were being driven down the banking on to the railway line, were they not? - A. I do not know about being driven down. Some did run down the banking on to the railway line. They may have thought they were being driven down there. I am not sure they were. They ran down. People were running down the banking on to the line.

- Q. Indeed - I do not know whether you saw this from your vantage point on the bridge - a train came past; the signalman had to lean out and shout to some men to be careful. Did you see that at all? - A. I did not see that. I did see a train that morning. At just what precise time I do not know. It was stationary for a while.
- Q. You saw men run from the banking on to the line, did you? - A. Yes.
- Q. Also some up the other side of the banking from the coking plant? - A. I cannot say but I would accept there were some there because there was quite a bit of movement there.
- Q. Yes. They were pursued by Police Officers. Did you see Police Officers again run down the banking and across - A. I saw some Officers go down the banking, yes.
- Q. Across the line? - A. I cannot specifically say I saw them across the line. I saw some go down the banking.
- Q. Time I am concerned about is roughly ten or fifteen minutes on the bridge prior to the Scargill incident. At that time or any time before that had you changed your orders as to what the P.S.U. people were to - A. Which P.S.U. people?
- Q. Really just the short shield men who had gone out in advance of the cordon. Had you at any time changed the order from the one you told us at the outset? - A. I cannot think I did, no.
- Q. People were by virtue of going down one bank, across the line, up the other bank inevitably running into private property, were they not, Manning Vanning, Keeton's undertakers, scrapyard? - A. You are talking about them running that way? I imagine you to be thinking here is the bridge, here is the railway line. I imagine they were running down that banking and up the other side. You are talking about going from the coking plant side at the left of the bridge, down the banking, up the other side into the factories?
- Q. Yes. - A. I am sorry. I was talking about one or two men running the other side.
- Q. Did you see them do that? - A. Yes, I did.
- Q. Precisely. You saw men doing that. Now you understand what I am asking - A. Yes.

- Q. I was looking for a photograph of it. There is not one. Men were therefore running into private property? - A. Yes.
- Q. Had you given your short shield men any specific instructions about that, whether to seize people and take them off private property or anything of that kind? - A. No. We are talking about a time when there is a defensive line on the bridge.
- Q. That is right. - A. Have to be careful here. There are photographs of a situation - I do not know whether they have been put in - but for a considerable time whilst we were holding the line on that bridge long shield Officers and some short shield Officers I feel initially were on both sides of the bridge facing towards Handsworth with their long shields up and there is a wooden fence at the top of the railway cutting. Go down the cutting, up the other side and into that firm of Manning Vannings.
- Q. You say there were some long shield Officers on that banking? - A. Yes.
- Q. JUDGE COLES: On the banking? - A. On the banking. Looking into the railway cutting the bank goes down, goes up. There is Manning Vanning there which is actually to the left of the road if you had gone across the bridge.
- Q. I understand where it is. You are saying there were long shield Officers protecting Manning Vanning? - A. No.
- Q. Have I misunderstood you? - A. On the coking oven side of the cutting and merely standing there. As I say, they were standing there holding their long shields looking out at people on the far side of the cutting they saw throwing stones across the cutting and they were merely standing there looking at those people and they stayed there for some considerable time.
- Q. MRS. BAIRD: I understand you have given evidence stones could not get across? - A. Throwing the stones from Manning Vanning. Were not hitting the Officers. Dropping into the cutting or banking. The Officers merely standing there looking at them.
- Q. It is a fairly wide cutting? - A. Yes, it is.
- Q. In the centre of the cutting do you recall this, there is a sort of island, banking? - A. With some sort of building on it.
- Q. I do not think there is a building on it. If I am standing on the Manning Vanning bank, you are standing on the coking plant bank, between us coming to a point there is a little island? - A. Something. I do not know what it is. I thought maybe a building on it. I may be wrong.
- Q. Quite a wide - A. Yes.

- Q. Do you really say if there were long shield men on that coking plant side people had not been driven to the line?
- A. I do not see it follows that because long shield Officers were sometimes stationed on the coking plant side of the cutting they had driven people down the cutting. I do not see it follows.
- Q. Was the field behind them empty by then?- A. The field behind my Officers?
- Q. Your Officers. - A. It was certainly empty of anyone causing any sort of violence but, as I have said, there were people sort of moving about who were obviously non-violent. There were some fairly elderly people at Orgreave that day. No-one was taking particular notice of them.
- Q. I daresay you will accept some people being dispersed were not people committing offences? - A. I think that is right. Merely caught up in the general
- Q. That might well go for people running up and down the banking as well? - A. I can accept that. Oh, yes.
- Q. May I come back to my question now we know where I am talking about? Had you given any change of instructions perhaps relating to the fact men were going to go into private property over there?-A. No.
- Q. You had not said anything about seizing people and just taking them out of private property? - A. Seizing people and taking them out?
- Q. Out of Manning Vanning or Keetons, somewhere else. - A. No.
- Q. I now have the photographs and you are welcome to look at them.

MRS. BAIRD: A copy of course for Your Honour.

JUDGE COLES: Thank you. Yes, I had a bundle. I seem to have lost it. This will do fine. Thank you.

- Q. MRS. BAIRD: What is immediately behind that fence, Mr. Clement? Is that the scrapyard? - A. I am not quite sure where that bit is taken. Not quite sure. I would think that behind there is a scrapyard.
- Q. Yes. It is interesting to note, is not it, there is not any smoke on that photograph? - A. Right.
- Q. Could I perhaps have it back now? - A. Is there a photograph of the area down here?
- Q. That is the only photograph I propose to use at present. Thank you, Mr. Clement.

JUDGE COLES: Would you like mine back?

MRS. BAIRD: Your Honour is welcome to keep it.

JUDGE COLES: Thank you.

MRS. BAIRD: I daresay it will be referred to more:

- Q. Can you remember an incident like this, whilst you were in the vicinity of the bridge being approached by three men who asked you if they could go to get their car and that was up towards the Asda way and you told them it was perfectly permissible to go that way? - A. Three men who wanted to get their car?
- Q. They were pickets and they wanted to go away. - A. I was approached by a number of people who said that they wanted to go home. Now, some of them wanted to go home through the Handsworth village side; some wanted to go home through the Orgreave and Catcliffe side.
- Q. These people wanted to go to Asda. - A. I would accept that, if three people came to me and said, "We want to go to Asda," I would have said, "Yes, if you can get through that line you can go," and a number of people did come to me and say they wanted to go home and I am prepared to say if you say three men came to me I will accept that.
- Q. Can I just check this with you? Were there around the vicinity of that bridge in this same quarter-of-an-hour any other Senior Officers wearing a white shirt and no jacket? - A. Oh dear. Certainly started off where I said I would be the only Officer wearing a white shirt but as we came up to 12 o'clock it was terribly hot and I think - no, I have seen a photograph of an Officer in a white shirt but he was not going up, he was coming down after the 1.25
- Q. I would not worry too much about photographs. - A. No.
- Q. Tell me what you can remember at that time. - A. The only people who would be in the vicinity with white shirts other than myself would be ambulancemen and if wearing their tabards they would be immediately apparent.
- Q. They have yellow - A. They have yellow tabards. If they had not taken those off they would be apparent. I would say I was probably the only Officer in the vicinity of the bridge with a white shirt.
- Q. What was Mr. Povey wearing? He was around there, was not he? - A. Mr. Povey moved up later on. He was wearing a jacket and that type of helmet.
- Q. This type of helmet? - A. An ordinary Police jacket and that type of helmet.
- Q. You say Mr. Povey moved up later. Do you mean he was there

some time after you arrived? He moved up after you, did he? - A. No, no, no.

Q. I thought you said Mr. Povey moved up later. Wondered what you meant. - A. Got to the bridge, had a look at what is ahead of us, talk about it. The mounted Officers go forward. Mr. Hale would go forward with the six P.S.U.s or five P.S.U.s initially and Mr. Povey moved forward as well to take control of that sector.

Q. Can you tell us approximately how long Mr. Povey would be in that bridge area during the quarter-of-an-hour you were there? - A. I do not know. Do not know. Far too long ago to think about specific things like that.

Q. Right. - A. No.

Q. Can I move now to some of this equipment people have very helpfully put here for me? Can you tell me how you get the use of this equipment when you want it? Police Officers do not use it every day. How do you get it so you can use it at Orgreave? Do you have to requisition it from somewhere or what? - A. No. We decide, every Police Force decides, what equipment it wants and we decided I think we needed something like 200. shields and this was back in 1981 immediately after the inner city riots. Now, we would go to the Police Committee and say to them, "We need this and we want you to provide the finance." The Police Committee would say, "Here's the money." Go and buy them. Buy 200. They would be stored at Police Headquarters.

Q. Nextdoor to here? - A. Yes. Some here for the Sheffield area, some at Doncaster, Barnsley, Rotherham and possibly some at West Bar.

Q. On the morning of the 18th did it all have to be shipped over from here to Orgreave or what? - A. On the morning of the 18th, no, I doubt it because there had been some problems in the county the previous night. I think I told you I went to one at Maltby. The shields would have been issued then, I think. I doubt whether they would have been brought back to Police Headquarters. They would have been left in the Transit vans, I think.

Q. That does not infer, does it, it was the same Officers who attended the riot the night before and who attended Orgreave that day? - A. No. Some would.

Q. What about the boiler suits that boiler-suited serials wear? Did South Yorkshire have any of those? - A. No. That was not part of our equipment.

Q. You told one of my learned friends - I frankly forget which - that kind of serial wearing boiler suits had a special function. What is that function? - A. A special function?

Q. You called them a specialised unit. - A. Oh, a short shield unit.

Q. Just like a short shield unit, like the ones who do not wear boiler suits? - A. Some short shield unit from some other Force and their Chief Constable has decided their garb would be a boiler suit and that is how they arrived.

Q. A boiler suited Officer would wear a helmet like this?
- A. Yes.

Q. Carry a shield either like the round one or square one beside me? - A. Yes.

Q. And he would carry a truncheon? - A. Yes, he would.

JUDGE COLES: Can you see those shields, members of the jury?

A JURY MEMBER: Yes.

MRS. BAIRD: I am going to ask they be looked at in a moment if I may.

JUDGE COLES: Some members of the jury are nodding and some are not.

Q. MRS. BAIRD: A truncheon like this one? - A. Yes.

Q. They do not have any identification on at all? You cannot tell who they are? - A. The boiler suited Officers?

Q. Yes. - A. That is not quite right. Some Officers would come from various Forces with a boiler suit with the name of their Force there. Others would come in boiler suits and not the name of their Force there but a serial number on their shoulder.

Q. Yes. You can only tell it is a West Yorkshire person. You cannot tell what number a person is? - A. What number a person - in some cases, no.

Q. If he does do anything you do not like you cannot do anything about it because you cannot identify him ever again. Is that right? - A. This is a matter of opinion. Just do not know, can you identify him again.

Q. Not by his number in any event. - A. No, not by his number if he is not wearing one.

Q. Can you tell us how many Police Forces you drew your troops from on that occasion? - A. Oh dear. Probably 18 or 20. 18 to 20 out of the 43 Forces.

Q. Almost half of them then? - A. Yes.

Q. Can we look at this equipment, Mr. Clement? Would you mind

modelling it for us? - A. I would rather not. I am nothing to do with the Police Force now.

Q. You can at least show us or tell me how you hold this when you are running out. - A. Like that.

Q. In the air? - A. Not necessarily. You hold it by the end there and the strap. Your hand would be, sensibly at least, through that strap.

Q. Like this? - A. That is it, yes.

Q. I have got to run, have not I? - A. That is right. Got to run in full equipment. Carry that shield.

Q. Carry it up? - A. That is a matter for the Officer. If he can run with it held down probably run with it held down.

Q. Quite a lot of the units would carry these? - A. Yes. In addition to all that of course they are wearing very heavy boots. They cannot run very fast.

Q. This is a standard issue Police riot shield, is it? - A. Either that one or that one.

Q. And it is made of some kind of fairly firm plastic? - A. I would think probably fibreglass or something like that.

Q. Loop there and a loop there and that is how you hold it? - A. That particular model, yes, I would say so.

Q. So it won't get pulled away from you? - A. Right.

MRS. BAIRD: I am not going to put the helmet on. That goes in an obvious place.

JUDGE COLES: Shame. Could you just bang the shield with the truncheon? Give us an idea of this. (Done) Just gives an idea of the force of the plastic. Sorry about that.

MRS. BAIRD: That is all right.

JUDGE COLES: Did not realise you were quite such an enthusiast.

Q. MRS. BAIRD: So I have the helmet on, I have this in this hand like this and the truncheon round my arm with the loop round my arm and held in some way so I can run? - A. Right?

Q. How do I arrest somebody? - A. Pardon?

Q. How do I arrest someone? - A. Well, you go to him. You tell him you are arresting him. If he does not fight you arrest him. If he fights you have to do something with

your truncheon if he attacks you. If it goes to that situation you drop your shield.

- Q. How does he arrest him? - A. How does he arrest him? You saw Officers coming back holding people. That is how they arrested them.
- Q. If someone is running away from me like this - A. Yes.
- Q. how would you expect me to make contact with him? - A. There you are, I would not because the people you saw in the front line were all pretty young. They were all wearing sort of plimsolls, just a pair of slacks or something like that. Police Officers might be pretty fit. Carrying all that equipment and wearing heavy boots that come right up to the knees they are not going to catch many of those, are they, unless they stay and fight?
- Q. I cannot give evidence. That is exactly how one of my clients was arrested, being pursued by a man with all this. - A. Wearing these heavy boots.
- Q. JUDGE COLES: What you are saying is most of those in the front line of demonstrators, the worse trouble-makers, were those most likely to get away? - A. The young, fit ones, yes. They would certainly run, not be caught, I would think.
- Q. MRS. BAIRD: Can I ask the question again? Supposing I have an older person in front of me, cannot run that fast? For instance, if you will forgive me, I think Mr. Forster is perhaps 44 or 45. - A. Fairly young man, Mr. Forster, yes. Compared with me, I mean.
- Q. He is running away from him. How am I going to make contact with him to arrest him? - A. I am sorry. I do not know the circumstances at that time. I just do not know. Did Mr. Forster keep running, turn round to fight, to throw a stone, trip up? Did he gang together with other people and make an attack on the Officers? I do not know. The scenario would dictate the action of the Officers.
- Q. You told us you used to have snatch squads, did not you, who went out specifically to arrest people? Discontinued that? - A. Discontinued that.
- Q. They did not carry these? - A. No.
- Q. I can work out how they would arrest somebody. They would take hold of them? - A. Yes.
- Q. Can I offer you a suggestion about how I would first make contact with a man running away from me when carrying this? I would go like that. Yes? - A. That probably is how - you have not had any training as a Police Officer. If you want

to be vicious and violent that is entirely up to you.

- Q. You are suggesting, are you, the way a trained Officer would do it would be to put one of these implements away and use his free hand? - A. What I am saying, first of all, got to catch the person running away. With heavy boots on that takes a lot of doing.
- Q. Do not you want to answer that question? I am saying are you telling me the authorised way of arrest in that situation is drop one of the things or put your truncheon in your pocket so you have a free hand? - A. I am sorry. I cannot accept that situation. There are so many variations of what was happening that day. If the Officers made arrests you must wait until they come to Court and ask them how they managed to do it.
- Q. Just for the sake of completeness, perhaps I can just confirm with you this is the kind of shield that did not hit Mr. Scargill, is not it? That is the kind on the photograph. I apologise. That is the kind on the photograph? - A. The two Officers on the photograph - that is the one, the photograph that appeared in the Daily Mirror some time back, is not it?
- Q. The one you have just looked at, I think His Honour still has. - A. I have not just - the coloured photograph where you were asking about the scrapyard, yes.
- Q. JUDGE COLES: Have a look at this one. The same one actually. - A. Yes. They are carrying that sort of shield.
- Q. MRS. BAIRD: It is right to say whilst that is reasonably light, the round one, this is quite heavy, is not it? - A. Do you know, I really have not picked up one of those shields. I would accept that is heavier than that.
- Q. Would you like to pick it up now? - A. Not really. Can accept it is quite a heavy shield compared with that. One can see it is.

JUDGE COLES: Can you hit that with the truncheon a little more lightly? Not a silly exercise. Does give some indication of the strength of it.

MRS. BAIRD: Certainly. (Done)

JUDGE COLES: Much the same, is not it?

MRS. BAIRD: Actually reverberates slightly less.

JUDGE COLES: Bigger, for the sake of the short-hand

- Q. MRS. BAIRD: Much heavier? - A. I would think so.

Q. Held in a similar way, loop for the arm and hand grip there? - A. Yes.

MRS. BAIRD: It might be a good idea if the jury were to see the two together and feel the difference in weight.

JUDGE COLES: Certainly. By all means. (Shown to jury)

MRS. BAIRD: My learned friends have asked all of it to be handed across, the truncheon and helmet too.

JUDGE COLES: Certainly. (Shown to jury) Yes.

Q. MRS. BAIRD: Perhaps for the sake of completeness, this is the tall shield Officers used? - A. Yes, that is.

Q. I do not suggest that be passed across at all. It is held one hand there, just a hand grip there? - A. That is when you are running forward, yes. Of course when you are static just rest on the ground. Too heavy to carry about. You certainly can only run a very short distance carrying that, the average man.

Q. JUDGE COLES: That looks as if it is made of the same material as the short one. Certainly two-and-a-half times the size? - A. Yes, and weight.

Q. MRS. BAIRD: It must be six feet high? - A. Yes, it is.

Q. Obviously you have a supply of this equipment and you have taken men from about 20 Forces. Did you request when you asked for them they come with this equipment too? - A. Oh, yes.

Q. You asked specifically for - A. There is no need to ask specifically. We merely say we want 20 P.S.U.s from whoever it is and they will arrive with their equipment.

Q. There is no doubt about it, Mr. Clement, is there, you were expecting a riot that day? - A. I was expecting a very serious disturbance that day, yes.

Q. A riot? - A. Yes, probably.

Q. And you started off the day after your heavy night with just that in mind, that it would probably be a riot? - A. I thought it was going to be very naughty that day, yes.

Q. Indeed, that is why you applied for the public houses to be closed around Orgreave, is not it? - A. Well, in actual fact I did not know the public houses had been closed until after they were closed. It was a decision made at Headquarters whilst I was down at Orgreave. For

some reason it did not get to me the public houses had been closed but I accept there must have been very good reason for doing so.

Q. You have to make an application to the Magistrates to do that, do not you? Are you familiar with the procedure? - A. Someone has to.

Q. JUDGE COLES: Someone in the Police Force would have to make an application? - A. Absolutely. It would usually, I think, in circumstances of that sort be quite a senior Officer. Perhaps Senior Inspector in the Licensing Department, something of that sort.

Q. MRS. BAIRD: Am I right in thinking you knew the public houses were going to be closed at quarter-to-nine in the morning? - A. Me?

Q. Yes. - A. I cannot say I did, no. No.

Q. When do you say you knew? - A. I honestly cannot say and it may well have been when everything was over I was told the public houses had closed almost as an aside because I did not know an application was going to be made to close public houses. I will give you a reason, because on one previous occasion it had been discussed, one of the days at Orgreave, and it had been decided that it would not be proper to close those public houses without being able to close all the workingmen's clubs and miners' clubs in the area. It seemed to be merely closing the public houses that there would be a concentration in workingmen's clubs and miners' welfare clubs. For some reason on the 18th of June someone decided to make an application to close the public houses and we could easily find out who it was.

Q. That is not material. You did not find out that morning at all? - A. I cannot say I did, no.

Q. You know the ground on which it was made, the application? - A. No, I am sorry, I do not.

Q. Under Section 188 of the Licensing Act when a riot is expected. Do you know that provision? - A. Quite frankly, no, because I have never dealt with a riot before and Section 188 I cannot even say I have ever read it. Not a licensing man. Do not know much about it.

Q. Is this right, you gave evidence right at the start of your account of these matters the day after this, the 19th of June, very few people went? - A. Oh, absolutely. I can give you a number.

Q. I think you said four? - A. Oh, no, no. Not that day. No. I think I ran through the following days because the 19th I have got handful of pickets, probably 15,

Wednesday, the 20th, minimal picketing, no violence and so on and so forth.

- Q. We need not go further. - A. Very few people.
- Q. That is because the 18th June was the last day for a short time during which there were convoys? - A. No. On the 19th of June 34 lorries went out in the morning, 33 in the afternoon. 20th June, 39 morning, 35 afternoon. 21st June, 35 morning, 45(?) afternoon. 22nd June, 25 in the morning, 24 afternoon.
- Q. Yes. - A. I have gone on to something with evidence in it there. I might be able to tell you from the summary. Right. June the 18th.
- Q. We have got as far as the 22nd. - A. Yes. 21st. 22nd. On the 25th they stopped for a fortnight. 25th, no convoys. They resumed on the 9th of July. There were 38 vehicles in the morning, 37 in the afternoon and there were 25 pickets and no incidents.
- Q. Did you know that quite shortly after the 18th of June the convoys were going to stop? Did you know that on the 18th of June? - A. No, I did not know on the 18th of June.
- Q. Let's make it clear. The convoys stopped for a reason to do with British Steel, did not they? Nothing to do with the strike? - A. You must ask British Steel. I had no contact with British Steel management at all.
- Q. Really. It was a surprise when you got there and no lorries on the 26th? - A. No, was not a surprise because other people were in contact with them.
- Q. You got a message through? - A. Somebody told me.
- Q. Did you know by the 18th of June that there was a prospect you would not have to police Orgreave for much longer, that it would stop? - A. No, I did not. I knew at some stage there would be a stopping of lorries but I understood from the information that was given to me this is whilst some stocks were used up at Scunthorpe and then it would be resumed with coal being brought in and coke being taken out.
- Q. Did you have any idea of the importance or lack of importance which Orgreave had in British Steel's overall operation or were not you really interested? - A. I am sorry?
- Q. Did you have any idea how important the convoys at Orgreave and Orgreave itself were to British Steel's whole operation? - A. I thought the generally accepted story - certainly I accepted it was.

- Q. Do not worry about a story. Tell us, did you have any notion how important they were? - A. Yes.
- Q. Did you think it was very important? - A. Yes.
- Q. Or not important at all? - A. Very important, yes.
- Q. You were concerned less with that than with the principle of making sure the lorries got through because it was their right to get through. Is that correct? - A. If the convoys had stopped on the 19th, would not have concerned me at all.
- Q. Do not worry. It is not a trick question. Can I just ask you again? You were less concerned with how important to British Steel Orgreave was and more concerned with the principle if lorries wanted to go through they should get through? - A. I would think yes. I would think that is the answer to that.
- Q. When you spoke the other day of regret in one aspect of your handling on the 18th of June of this situation did it not occur to you there ought to be at least one other thing that even you ought to regret, that you did not arrest the stone throwers? That has been put to you by Mr. Taylor. - A. What? All of them? There were a lot of them.
- Q. Do not you think it regretful that you did not get those people we saw on the screen yesterday throwing stones, that dozen or so? - A. Yes, I am not sure how many we did arrest of those throwing stones.
- Q. Mr. Taylor asked you this morning if you were in contact with the camera. Just to put that into context, it is a very common Police attack, is not it, to have a spotter on an elevated position somewhere in radio contact with someone on the front line, football matches, for instance, is not it? - A. Yes.
- Q. So a radio message can go down to a P.S.U. Commander, that man with a black shirt and long hair, tall, thin man with curly hair, moustache, this position, that position, go get them? -A. Yes.
- Q. Do not you regret you did not have any of those? - A. Not a question of regretting it. When we started off we had some very lovely plans formulated about the use of radios. Once we got to Orgreave and found we had got altogether 4,600 Officers, represents 186 P.S.U.s, plus others, and every P.S.U. Commander unfortunately had a radio and every dog handler had a radio, every horse contingent had a radio between them, found absolutely impossible to maintain those sort of communications such as go and get that man with the fair hair. Nonsense. Could not do it. Impossible. Got down to the situation where we told everybody keep off the air unless it is very, very important - that really

related to people on the perimeter of the Orgreave plant - and we went around shouting through loud hailers. We had to make do because the scale of the operation was so large that our previously formulated plans just collapsed. We had no chance.

- Q. It was chaos, was it, that day? - A. No, it was not. So far as the radio was concerned as soon as we realised it was taking 20 minutes to get in, we would be listening for a chance to get in and just would not happen, so we said, "That's it. That will have to go. Have to adopt and use something else."
- Q. That presumably means a whole series of short shield men at various times were completely out of radio contact with their Commander? - A. Have a radio. Whether anybody could get through to them I do not know.
- Q. I am not convinced - it would seem relatively simple to have the understanding one channel was left free to your P.S.U.s who were given the job of listening to that frequency, snatching the men throwing stones. Did not seem difficult. Do you agree? - A. Did not seem?
- Q. Did not seem difficult to organise. - A. It is not if you have dozens of radio channels. I do not think you really understand about radio communications. There are not dozens of radio channels. If you could allocate one to the dog handlers, one to the mounted, one to this, one to that, superb. Cannot do it.
- Q. What you should have done is this, is not it? You should have snatched the stone-throwers and just contained the rest for the very finite time you knew you had to hold them away from the lorry? - A. As I said to this gentleman, all sounds very simple in the calm of a Court House. Does not happen like that at a riot.
- Q. It did not happen like that this day. We are agreed on that. - A. Right.
- Q. It is right, is not it, from the outset you knew it was a finite time you had to hold this crowd? The second convoy would come and go by about 12.30? - A. We expected them at least to go after that. I hoped before.
- Q. In the interests of protecting the peace, we have repeatedly emphasised one of your prime intentions, did it never occur to you to alter the time of the second convoy when you saw how many people were there? - A. Many, many times.
- Q. A very simple technique, I would have thought, would have been to do that? - A. Would it?
- Q. Cancel it. - A. Cancel the convoy?

- Q. Tell them it was cancelled and bring it when they had gone away. - A. Yes, I am sure.
- Q. These are all too difficult for you to manage?- A. No, they are not too difficult. Tell them it is cancelled, then bring it in a couple of hours later?
- Q. You tell me.
- Q. JUDGE COLES: You obviously find that an absurd situation? - A. Yes.
- Q. For the shorthand writer, if nobody else, could you explain? - A. A practice developed whereby we always said that if a decision was made and if the miners were held at a certain place and they always wanted to get near the front gate we would not deviate from taking the lorries in by the front gate because to do so caused absolute mayhem. Now, there is another gate at Orgreave which you have probably seen and some Officers
- Q. MRS. BAIRD: Be careful. You are answering His Honour's question. I think it was directed to retiming.
- JUDGE COLES: Yes, it was:
- Q. I think you are on to a slightly different point. - A. I think probably am.
- Q. Talking about difficulties of taking the miners by surprise by delivering at a different place. What was being put to you was why not just simply tell British Steel, "Hold it until we tell you," then say to the miners "Lorries cancelled, not coming today," as soon as the miners move away ring British Steel and say, "Fetch them in. The miners have gone."
- JUDGE COLES: That is what you were suggesting, is not it?
- THE WITNESS: Yes.
- Q. JUDGE COLES: You clearly thought that was a foolish suggestion. - A. Absolutely.
- Q. All I asked you to do was explain why that particular suggestion was not acceptable. - A. Because whilst we had people on the motorways as far as Scunthorpe, so did other people. They knew when the convoys were moving the same time as we did. If I could give an example?
- Q. MRS. BAIRD: Do not bother. I have got your point.
- MR. WALSH: If he wishes to give an example
- MRS. BAIRD: I am just anxious to confine myself.

Mr. Clement is tired.

JUDGE COLES: Let's get this answer first. I am sure you are as anxious to get it finished with and over with as anybody else.

- Q. MRS. BAIRD: You were able to stop the convoy when you wanted to hold on and it gave you another ten minutes, something of that kind, were not you? - A. Yes.
- Q. Would it have been more sensible if my first suggestion is not sensible to bring the two in closer together so had the first in and out by 9.30, the second one by 10.30? - A. Where are they going to get all the lorries from? Had to come from Scunthorpe loaded, unload, go back to Scunthorpe, get something to eat, load up again, come back to Sheffield, then go back to Scunthorpe. Finite number of lorries available to the British Steel Corporation.
- Q. It was a suggestion of either cancel completely or stick with the interval between them? - A. Basically.
- Q. It is an obvious point. May I nonetheless just make it? When you got there that morning you knew by 12.30 there would be no more reason for trouble? - A. In fact it went on to 1.25. I see your point.
- Q. Did you tell one of your colleagues it was the usual experience the worst trouble came with the first convoy? - A. Yes.
- Q. So you were relying on your previous experience. At its worst, the worst it was likely to be all day, by half-past-9? - A. This was slightly different because on previous occasions the people who attended at Orgreave were in the main South Yorkshire men, West Yorkshire men, from Humberside, that sort of thing, but on this occasion we knew coaches were coming from 200 miles away and having made a 200 mile trip to Orgreave they were not going to go home after the first run. That was our feeling.
- Q. That is not my suggestion, Mr. Clement. All I was asking really was it is your experience, is not it, they do not as a rule go home after the first run but the first run is the one when more people get excited than the second? - A. Yes, but I would never plan for it.
- Q. Is not this right too? There is a sort of lag between the two convoys as a rule where people go and sunbathe or buy a sandwich? The pressure is off for a considerable time? - A. On occasions that has happened. We have used that to our advantage of course.
- Q. Of course. This is because everyone knows how much the gap is between the two convoys? - A. Yes.

- Q. By 9.30 your expectation could reasonably be there would be a lull for a while? - A. Yes.
- Q. Then perhaps more pushing or whatever at 12.30? - A. Yes.
- Q. Mr. Clement, you were, as you told my learned friend Mr. Mansfield, on television an immense number of times, were not you, around June last year? - A. Immense?
- Q. How many times do you think you featured in the news or in interview programmes? - A. I do not know. I do not know.
- Q. It must run into the dozens, does not it? - A. I suppose if I gave an interview to a group of reporters it would be on ITN, ITV, BBC2, Radio 1, Radio 2, Radio 3, local radio, Hallamshire Radio, Radio Nottingham and that sort of thing. I do not know.
- Q. You acted as a spokesman, did not you, for the Police about all Orgreave matters? - A. I acted as a spokesman for the Police on operational matters.
- Q. At Orgreave? - A. And elsewhere.
- Q. That is all we are concerned with. So never anyone else than you? Never a Press Officer? I understand the Police have such people. - A. There was a Press Officer. I understand on one occasion Superintendent Pratt who was at that time the Officer in charge of the control room at Orgreave, I believe he spoke to some Pressmen.
- Q. You have told us of your public delight and no doubt your private delight as well at being given the job of policing the strike? - A. Yes, but in the right context. A unique sort of thing. Not the sort of experience very many Police Officers get in their careers.
- Q. You set out, is not this right, when given that job to break the miners who were coming to Orgreave? - A. No.
- Q. To break the demonstration? - A. That is absolute nonsense.
- Q. That is why you were on television so much, as the sort of hero of the principles you repeatedly enunciated in this Court, is not it? - A. No. The reason I went on television was because the riots were so serious the people of this country had to know what was happening and what we were doing about it because people were frightened.
- Q. Yes. You saw yourself as, on behalf of the people of this country, as you put it, the champion - A. Did I say that?
- Q. of this principle? - A. Did I say that, Your Honour?

Q. You have just said it now. - A. On behalf of the people of this country. I said the people of this country were frightened; had to be told what was happening.

Q. I do not want to argue, thank you. - A. There is no argument there because I did not say what you have just said.

Q. May I ask you, do you dislike Mr. Scargill particularly?
- A. I do not know Mr. Scargill.

JUDGE COLES: Is this relevant? If you assure me it may be I shall allow it to be answered. I cannot for the life of me, confess I cannot

MRS. BAIRD: I can give

JUDGE COLES: I

Q. MRS. BAIRD: Have you an answer? - A. I said I do not know Mr. Scargill. I cannot form any opinion of him as a man. I have met him twice.

Q. His walking along the front of your troops, did not that offend you greatly? - A. No, not really.

Q. Did you not think that was a calculated affront to you who had been on the television over preceding nights?
- A. No.

Q. Were not you angry about that? - A. No.

Q. It seems to be about five minutes after that happened when you decided to clear that field of miners? - A. The lorries were coming in at 8.10 and they were seen on the skyline about two minutes - three-minutes-to-eight.

Q. Have you not appreciated, Mr. Clement, you got the time of that incident completely wrong? - A. No, I did not. No, I did not.

Q. You did not? - A. No. Mr. Scargill arrived at Orgreave well before 7 o'clock and came - I am sorry - well before 8 o'clock and came down to the front line. He spent some time coming down towards the front line. I have seen another occasion where he did the same thing. He was walking that way at the front. I was walking behind at the back.

Q. You say that happened more than once then? - A. Well, I know now that it did because I have seen it on the television.

Q. You know as well, do not you, your statement says he only came to the front line once? - A. That is all I saw.

Q. You know that as well, do not you? - A. That is all I saw.

- Q. And was not seen on the front line again? - A. I did not see him.
- Q. Was not seen on the front line again? - A. Well, how many Officers do you wish me to speak for on that occasion?
- Q. It is a simple thing to put to you. A man of your experience, when you make a statement like this, knowing it is going to be used in evidence - do you not sign a caption saying it is true to the best of your knowledge and so on - yes - because you know it is important to get it precisely right? - A. As right as one can.
- Q. You will accept, won't you then, you say this in the statement? "At 8 o'clock I saw Scargill come to the front of a large group of demonstrators"? - A. Yes.
- Q. "He walked along the line of Police Officers in a provocative way 'inspecting' them and shaking his head as though he might have been an inspecting Officer"? - A. Yes.
- Q. "He did this for a short time whilst cameramen took pictures of him"? - A. Yes.
- Q. "He then went into the crowd of demonstrators and was not seen on the front line again"? - A. Yes.
- Q. What are you saying now? Is that right? - A. According to reel No. 3 or whatever it is it is wrong because he is quite clearly seen walking left to right in front as I am seen walking right to left at the back.
- Q. You are saying when you said in evidence to us the other day it only happened once at 8 o'clock you were mistaken? - A. Obviously, yes. Well, no, I am not saying mistaken. I am saying from my point of view he did it.
- Q. You knew before you gave your evidence the other day (Inaudible) you had seen the video before? - A. Which video?
- Q. That one. - A. You know this?
- Q. You told us the other day. - A. When?
- Q. I am not here

MR. WALSH: He did not say that.

THE WITNESS: I most certainly had not.

MR. WALSH: He was asked about other news reels and things like that.

MR. MANSFIELD: No. I asked the question of Mr. Clement, "Have you seen the video before?" meaning this.

He said he had.

THE WITNESS: Could that be looked at?

JUDGE COLES: When was that?

MR. MANSFIELD: At the end of my cross-examination, 20-past-4 on Monday, I think it was. Either the Monday or the Tuesday.

JUDGE COLES: The video was on Thursday.

MR. MANSFIELD: So it was Wednesday. I am sorry. 20-past-4 Wednesday.

JUDGE COLES: Yes. "Police did take film of events. They were on the roof of the medical centre. Began filming earlier in the morning. I have seen the film."

MRS. BAIRD: He went further than that. He said, "I'm afraid it does not show the area."

MR. REES: Your Honour may recollect my cross-examination of the photographer in which I asked the photographer whether it did or did not based on what had been

JUDGE COLES: I am sorry. When you asked the photographer?

MR. REES: I put to the photographer it is ridiculous to suggest the film does not show the area based on I also have a note, "I have seen the film. Film does not show the area." That was the last thing on that day.

Q. MRS. BAIRD: I understand you now wish to say you had never seen the video before. Is that right? - A. I cannot remember having seen that video before. I had seen dozens of films of Orgreave. I cannot remember that one.

Q. JUDGE COLES: You say you did not see that event at that time that day? You saw Mr. Scargill once and once only? - A. Once only.

Q. So far as the film is concerned you now say you do not recollect seeing that in the film and you - A. Right.

Q. MRS. BAIRD: So that is the same film you told us on Wednesday did not show the area, you (Inaudible) when you told us that. Is that right? - A. As far as I recollect that is right.

Q. JUDGE COLES: What I think you are saying - several reels - or had not seen that one. I would like to know. - A. I cannot actually remember seeing that film.

MRS. BAIRD: If there are other Police videos in this case I would call for them. They ought to have been produced earlier.

MR. WALSH: There are Police videos from almost every day at Orgreave. These are the only Police videos for this day in question. Told the Defence this.

MRS. BAIRD: I am obliged. I did understand that to be the position from Mr. Walsh.

JUDGE COLES: What Mr. Clement seems to be saying, "I have seen films. I do not recollect having seen that bit."

THE WITNESS: That bit.

JUDGE COLES: If that is not right please pursue it.

MRS. BAIRD: Mr. Clement wishes to say that now. I think I have read the section where he speaks of it. Mr. Mansfield specifically put which video it was.

JUDGE COLES: "Began filming earlier in the morning. I have seen the film up to 9.25. The film does not show the area."

Q. MRS. BAIRD: On the film Mr. Scargill does his inspection at 9.30. At 9.35 you decide to clear everyone off the field. Are the two events connected at all?
- A. Not at all.

Q. Most of the people who came on the 18th of June from far away came by coach. You have told us that? - A. Yes, majority.

Q. Many of them parked at Asda car park? - A. Or down at Catcliffe and Treeton.

MRS. BAIRD: Very nearly my last question.

JUDGE COLES: I was just going to say they also have to get back tonight. I do not wish to rush you.

MRS. BAIRD: It really was very near my last question. If it is two I will apologise for it:

Q. Did you know, Mr. Clement, that most of these buses, as I imagine is commonplace, when their occupants left were locked up and the drivers went away? Did you know that?
- A. No, I did not.

Q. It is a long way from Seaham Harbour, is not it, Orgreave?
- A. I would not have come, certainly.

Q. You will appreciate perhaps from what I have just mentioned

how difficult it was for my three clients to do what you suggested, namely, go home? Did you know that was the position on the day? - A. When I say "go home", go away.

MISS RUSSELL: I am certainly not going to start now as I notice the time Your Honour recommended. I wonder if the shorthand note might be checked because I have a note seems rather unusually fuller than my learned friends note on this point of the film. I have the witness saying, "Began filming earlier in the morning. I have seen the film up to 9.25. That would include that particular reel of video tape."

JUDGE COLES: My note - check that by all means - let's not ask the shorthand writer to do it in a hurry now.

MISS RUSSELL: That is why I was suggesting

JUDGE COLES: Perhaps it might be checked at leisure.

MISS RUSSELL: Different shorthand writer.

JUDGE COLES: It was the very last note I took on Wednesday afternoon and my note, after the words, "I have seen the film" I have got a fullstop. Then started the next line with a capital U, "Up to 9.25." Then for some reason I cannot remember now put a colon, then "The film does not show the area."

MR. GRIFFITHS: Moving on to Monday morning, may I mention one brief matter? The Welsh contingent or those of us wishing to come up by train - the early train arrives at 10.23. I wonder if Your Honour would grant a slight indulgence if one is just a few minutes late.

JUDGE COLES: Yes. I shall not report you to the Bar Council if you are a few minutes late. Very well. Now, remember what I have said, members of the jury. Very tempting to talk about this. Don't.
