**Prosecution’s Closing Speech by Geoffrey Rivlin QC**

**Rivlin Part 1**

**Geoffrey Rivlin QC:** Members of the Jury you are all no doubt very relieved indeed that we can see the light at the end of the tunnel in this case. We have now reached the closing stages of this trial, and my concern at this stage is to let you know how it is that the Crown puts its case on these three charges. And I can tell you that I propose to get straight down to business there in a minute or two and to discuss the charges and the background to the charges and to concentrate on the charges. Because when all is said and done that’s what you must do in this case, that is concentrate on the charges and return verdicts in respect of them.

There may be things; there may be many things that I shall not even mention. This is not a competition as to who can think of the most points. It’s an exercise members of the jury designed to enable you to arrive at the truth as to what happened. It’s a very serious exercise. What is the truth in this case?

The defendant himself has said that there’s always two sides to every story, and of course there is. There’s no such thing as a case, however guilty a man may be, where he can’t advance at least some points on his own behalf for a jury’s consideration. There are many points that have been advanced by him in this case, some of them fair points, some even you may think good points. If that is the case the Crown begrudges none of them, but there are many other points that have been advanced, of doubtful relevance and of even more doubtful validity, and the Crown is entitled to begrudge those.

In our submission your function in this case is to decide what the truth of the matter was according to the evidence that you’ve heard. And members of the jury you do that according to the principles of law enunciated by the learned judge and of course bearing in mind that it is for the Prosecution to prove its case against this man.

We say that no case could really be proved more conclusively against a man than this man. But it’s difficult enough to say that members of the jury, one has to demonstrate it. There are three counts in this case; representing three days upon which the defendant is said to have received money: the 28th of October, the 31st of October, the 21st of November. Concentrate on the payments of money that is what this case is all about. Are they proved by the Prosecution? If so, what were those payments of money for?

Of course all of this happened a very long time ago. Of course it makes it more difficult for people to remember what happened. But members of the jury, merely because it happened a long time ago is not a matter that should deflect you from arriving at the truth in this case. What a game it would be, what a cynical game, if people could commit crime, be involved in police corruption, flee the country for so many years, and then come back and say: “well the case is now an old one, you shouldn’t prosecute me, let me off.”

The charges, members of the jury, wouldn’t it help for us to look at the charges in this way. There were three meetings between Perry and the defendant. We know that there were more. There were in fact at least four, but there were three with which we are very closely concerned in this case, those on the days of the charges. How did those meetings arise, and what were those meetings all about? The Prosecution submit to you members of the jury that the answers to those two questions will lead with certainty to the conclusion that those meetings were for corrupt purposes.

Let’s consider the first question, how did those meetings arise? Well, you know what the Crown evidence on that is, Perry and Mr Lloyd and Mr Mounter, that these meetings were by arrangement, and that they were meetings for corrupt purposes. The defendant says no, and when I say the defendant said it, this is what he said to you on Friday of last week and Monday of this week. “No, the meeting on the 28th, the first one, was all a mistake” he said, he thought that he was meeting a chap called Terry, who was an informant, not Perry. And as regards the other two the defendant said: “well I normally had lunch at the Grove” And I quote his words: “surprise, surprise, by complete co-incidence I met Perry”.

Now what do you make of that? Do you believe it? Can you begin to believe it? Because members of the jury if you find that that is untrue there isn’t a very strong foundation, is there, for the defendant’s case that he advances, that he was not accepting corrupt payments?

Let’s consider the first one, 28th, that he was going to meet, or believed that he was going to meet, Terry. You’ve heard the tape for yourselves. Would you have a look please at Exhibit 35b members of the jury? Page one at the bottom of the page. “Hello, its Perry here, remember me do you?” “Who?” “Perry.” Do you believe for a moment that he imagined that he was going to meet Terry? After all members of the jury this was a conversation of some little duration. Do you think that he didn’t know who he was talking to?

And then would you please go on members of the jury and look beyond that in the same meeting, bottom of page two: “We’re going to meet late”. “Yes”, says Symonds, “that’s alright, about ten o’clockish?” “Alright, yeah”. So that they are going to meet at about ten o’clock at the Rose; but we know that they didn’t meet at ten o’clock. We know that they met at five-thirty - why? - because Perry had telephoned to bring the meeting forward. So that it wasn’t just one chat that the defendant had had with Perry, it was two. And do you still believe after two telephone conversations, the second one to bring the meeting forward, that he still didn’t know who he was going to meet that evening?

Well members of the jury, what happened at the meeting on the 28th, that afternoon? What did happen? We know that Mr Perry got into the defendant’s motor car. Never suggested that the defendant, to Perry, that the defendant thought he was meeting the wrong person. “And what are you doing here; I’m supposed to be meeting a man called Terry? I can’t speak to you; I’m waiting to speak to somebody called Terry”. This all came up for the very first time. I think it was last Friday.

And members of the jury you’ve only got to look at the transcript of what we have on tape 2 to appreciate that the two men were on terms of some intimacy in relation to that which they were talking about. Sergeant Symonds: “sort of seeing the customers and that’s why you get the money. See you on a nice little fraud. It doesn’t matter how hard you work or how much you go out thieving, and how many people you fucking turn over, you still won’t get as much in ten”. Is this the man who has arranged to meet a man called Terry, and who is surprised to find that one of the Likely Lads had come into his motor car, as it were, almost by mistake?

What about the three meetings as a whole: the 28th and the 31st and the 21st? Mr Perry and Mr Lloyd and Mr Mounter told you that these meetings were by appointment, in the sense that they knew when the meetings were going to take place. They had all the equipment set up, Perry was wired, they organised the money, took the numbers of the money, gave Perry the money back, the photographers were there, Hawkey was there, Miss Millard was there, Barry Owen was there on the first occasion. Was all this, did all this happen by magic on the off-chance that Sergeant Symonds might be taking his lunch at the Grove public house that day? Or isn’t it clearly the case members of the jury that these meetings were arranged with Mr Perry has told you they were.

Why would the defendant have you think otherwise? Why does he want you to think that they may have been, they may have met, not may but that they did meet by co-incidence. Well members of the jury the answer may be this you may think that if these were pre-arranged meetings there’s got to be some reason for them, there’s got to be some good reason at that with this man, who was then on bail, and who was suspected of being one of the Likely Lads. If they had met purely by chance there’s rather less explaining to do, is there not?

And so that brings us to the next question, which is perhaps the vital question in the case. What were these meetings for, what were they all about? It was put to Mr Perry, members of the jury that the meetings may have been that the defendant wished to use Perry as an informant - that is one possibility. The only other possibility in this case is that the meetings were for corruption. And you may think there can be no doubt about it members of the jury, either the defendant met Perry because he wished to use him as an informant, or corruption was in the air.

Now, let’s consider which of those two it really was, but before that members of the jury may I just point to that which was said by the defendant in his statement from the dock on Friday and Monday. Because it was suggested to Perry, you understand, that Perry was to be used as an informant. Let us consider what the defendant had to say about this. Do you know what he had to say about it members of the jury? Nothing.

There are four vital days in this case: the 24th September, the 28th October, the 31st October and the 21st November. There are four vital days in this case, and we have all spent weeks in this case, considering what happened on those four vital days. As to the 24th September, that’s the time that Perry and the defendant met at Camberwell police station in the cells. What did the defendant say about that in his statement from the dock? Nothing.

As to the 28th October, this is what he said to you in his statement from the dock: “all I remember of that conversation is that Perry was talking to me in a friendly fashion about nothing in particular.”

Now I’m going to come to the 31st and the 21st, the dates that are the subject of counts two and three. What did he say about those? Nothing. This is what he said, and these were the vital days in this case about which no doubt if he was going to say anything from the dock we would have been anxiously listening. This is all he said: “I met him many more times than has come out in the evidence”. And that’s all that you heard about the 31st October and the 21st of October. And may I respectfully remind you members of the jury that you decide this case according to the evidence that you’ve heard. And the defendant in his statement from the dock chose to say nothing about those days.

So members of the jury what is the position, what are you left with? Well, I’ll tell you what you are left with if I may. You are left with the evidence on the one side and on the other side you are left with a suggestion that was made to Perry that they were met for the purposes of the defendant getting information from him, and so I’m going to investigate that possibility with you now.

There are three points that I wish to make about the suggestion to Perry, that Perry was being used as an informant. And incidentally members of the jury, against that you will remember this, that Perry said in his evidence when this was put to him: “No, they were meetings between a criminal and a corrupt police officer”, the criminal involved himself.

The three points that I wish to make are as follows. First. In all of the transcripts that are before you, there isn’t one single word that could possibly lead one to believe that the defendant was trying to get information out of Perry. Not one single question did the defendant ask of Perry which could have helped him in any way to obtain information.

The second point that I make is this, and I would ask you to look please at page 24 of Exhibit No. 35b. Top of the page. Mr Symonds: “you see the thing is, what, you know, I don’t mind helping out, but er if there’s a fucking grass amongst them, you see I’m putting my ... see what I’ve said that McDonald, you know, trying to get at McDonald grassed them because, em, if he’s standing up collected up then he’s grassed them right. I start steaming in and fucking doing things ...” “Yeah that’s right, yeah.” “… to get them all out then he’s just as likely to fucking grass me isn’t he?” “Yeah but I can’t see him doing that.” “So if I’m going to help out it’s got to be that McDonald. McDonald’s, anyway, knowing fuck all about it.” “I got you yeah.” “He doesn’t even want to fucking know he’s had any help. Well I’ll find out who, if, who is the grass, and if he is the grass then he can be seen to afterwards, can’t he?” “Yeah, yeah.” “By, by the fellers.”

And so members of the jury, the only reference to grassing, informing, in any of these transcripts goes directly the other way, the defendant is making it crystal clear to Perry that he is not going to be involved with having anything to do with people who are grasses because they can’t be trusted. And isn’t that interesting members of the jury against the background that the defendant says that there was, what, criminal fantasy land. “He can be seen to afterwards can’t he?” “Yeah yeah.” “By, by the fellers.” Criminal fantasy indeed.

And the third point members of the jury, that I make about informants is this. Would you please pick up Exhibit No. 31, which is the diary? And there’s no need for us to go through all of this, I assure you. Can we start in October, because that’s where all of this begins. Would you go to the 2nd October please, 9.30 p.m., do you have the 2nd October, 9.30 p.m., entered Walmer Castle public house, purchased refreshments for informant. Next day members of the jury, 3rd October, 9.30 p.m. to Rose public house, purchased refreshments for informant, left public house. Next day, the 4th October, 9.20 p.m., the Walmer Castle public house, purchased refreshments for informant. Next day, the 5th October, 9.00 p.m., to Tiger public house, purchased refreshments for informant, left public house. Next day, the 6th October, 9.40 p.m., Hermits Cave, purchased refreshments for informant.

Nothing in the next page, or the next, or I think the next, 10th October, 9.00 p.m., to Walmer Castle, purchased refreshments for informant, then there’s a week with leave members of the jury. Then he comes back on the 15th October.

18th October if you please, 8.15 p.m., purchased refreshments for informer while seeking information about local crime. 25th October members of the jury. We’re getting close to the day. 9.45 p.m., entered Walmer Castle, met informant for whom purchased refreshments. Next day 26th October, 9.00 p.m., entered Walmer Castle, met informant. Could we have this switched off please?

We leave out the 27th October members of the jury. 28th October, would you look at 5.15 p.m. please, that’s the time 5.30 that he met Perry. Not a word there, is there, about Perry being an informant? But just look at 8.30 that day, same day took up the pays they’re owed re Jackson and Reed and while seeking information entered Plough public house and met informant for whom purchased refreshments. Next reference that he’s meeting an informant on that day at 8.30 - no reference at all to the facts that he is meeting an informant at 5.30.

Then we go on members of the jury. 3rd of November 9.00 p.m. Of course you’ll appreciate, I’ll say go on, but we’ve gone past the 31st October, which is the second vital day in this case. If you look at 2.45 p.m. on that day, 2.00 p.m. - 2.45 p.m., no reference to the fact that he’s meeting an informant. He doesn’t have to give the informant’s name, just to say that it’s an informant, that wasn’t how he saw Perry at all, was it?

3rd of November, Artichoke public house, refreshments for informant. Then he takes some leave members of the jury, and then if we can go on please to the 11th of November, 7.00 p.m., and that informant for whom purchased refreshments. 13th of November, 9 p.m. met informant. 15th, 9.15, met informant. 16th, 9.00 p.m., met informant. 17th, 6.15, met informant. 19th, 9.30, met informant. 20th, the day before count three, 10.00 p.m., met informant. 21st of November, count three, 12.30 was the time of the meeting members of the jury, not a word about meeting an informant. And finally, and now I tell you on the last two pages, 24th of November and the 25th at 8.00 p.m. and 9.00 p.m., met informant.

This man regularly made entries in his diaries every time he met an informant, as you can see members of the jury, and lo and behold in so far as his meetings with Perry are concerned, not a mention of the fact that he was considered to be an informant. Why not, if he was a genuine police informant, who was there to give him, the defendant, information? We say to you members of the jury that you really need to have no doubt about this, but that there is very strong evidence indeed that Perry was not being treated as an informant by the defendant, and if he wasn’t, then what on earth were those meetings all about. There’s no excuse for them, there’s no explanation for them. Well the crown say that we’ve now got to turn to the second alternative, that is corruption.

The evidence members of the jury, the direct evidence of Perry and Lloyd and Mounter, and Miss Millard; the evidence is all one way here. The tapes are obviously important evidence if you accept them, and it’s not for me to say whether you should accept them. I shall advance arguments in due course, arguments on which the prosecution base the view that you should, but in the end it’s for you to decide whether to accept those tapes or not. But if you do accept those tapes members of the jury, why then there’s no question whatsoever in our submission that this was corruption.

Let’s, shall we, examine what the name of this game really was. And let’s forget for a moment about counts numbers one, two and three. Would you pick up those tapes, those transcripts again members of the jury please? Page six, which is tape number two. This is Robson, the Robson matter and the gelignite. Look at the top of page six, and this is the …

**Judge Stroyan:** 35d to …?

**Rivlin:** I’m sorry

**Judge Stroyan:** 35d?

**Rivlin:** 35d, page six. This is Robson, the Robson gelignite matter, and this is the second, this is the very first meeting that was recorded, the date of count number one, the top of the page: “I’ll see you about the other thing later on”. Perry said that that was money; what else could it have been, but let’s go on. “If you get anything like, any problems, let me know Steve, because I …” “It was only that yard, and the jelly like, it’s what I’m worried about”. “Yeah”. “It carries a bit of bird don’t it? If I can scrape up a few quid. If it comes to a few quid, I mean, I can scrape it up”. “Yeah” “I can borrow it, like. I mean I can always borrow it. If it’s right important, I mean, like”. That’s money members of the jury, money that’s to be paid to a police officer for corrupt purposes. Can we please go on.

Would you go on please to pages 26 and 27. This is the third meeting. The third meeting, bottom of page 26, and we’re talking members of the jury about Robson, and you will remember all that business about don’t go and meet him at the police station and we’ll get, take, he’ll be taken into a deal. That’s not criminal fantasy land, that was good solid advice that he was being given, bottom of page 26. Perry: “yeah, he’s alright that way but then he might.” “Is he”? “Yeah, I’ve given him money before. But he might this time, he might want a body or something, you know what I mean? But I don’t particularly trust him like.” This is the defendant talking about another police officer, members of the jury. “That’s another thing they do to you, d’you see? Once they get in with you they, they try, start using you as a grass. But once, you see, like for instance, supposing I was talking to you now, you know, sort of did a bit of business. Alright, I might reckon you now, but as soon as you started fucking, I might say to you if I was a keen bloke I might say ‘here who did so and so and so’, and if you tell me, I wouldn’t think fuck all of you after that.”

That goes straight to the heart of the question as to whether the defendant ever even considered using Perry as an informant. He’s telling him I wouldn’t think tuppence of you if you gave me information. “No they’ve tried that already on him.” “Because if you’re a grass you’re a fucking grass and if you’re a grass that means you’re likely, just as likely to fucking grass me as any cunt, see what I mean.” Perry: “Yeah like, the minute he, the first time they put the jelly on me you see, and he was trying to get the names off me that way, you see. I wouldn’t give him no names, so we done it money-wise, right.” “Yeah.” “And if he wants”, and then just look at this members of the jury, “well, what could he want you for, if you’ve done your business, there’s nothing owing is there?” “No his had his poor wretch.” “He’s got nothing on you. I wouldn’t fucking see the cunt quite honestly. Like it, say if you owed him money, see, and he said oh well he’s got to meet you, then of course you’ll go, got to go and that’s it.” “Yeah, yeah.” “Because otherwise he’ll think you’re fucking him up about the money, and he’ll fit you up. But you’ve done the business and you just want to drop the man out of it, because what he’s doing, he might try to bleed you. He might think, oh this, you know, I’m on to a good one here, and, because we’ve got more villains in our game than you’ve got in yours.”

And then members of the jury, the very next paragraph of the defendant’s talk there’s reference again to him bleeding him dry, and all the time they’re talking about Perry paying money to Robson, and I know that I’ve emphasised the word money, but you understand this is my chance to draw to your attention just what the name of the of the game really was between these two men. All the time the defendant and Perry here are talking about money, money going to police for corrupt purposes.

And members of the jury just go over the page please to the bottom of page 39, 29 sorry: “But then again, that’s alright, but then again he might also have half heard something about you and sort of try and bring it round and say we know all about this, that and the other, conning you, you know. Then sort of con dough out of, you know. But he doesn’t really know fuck all at all really, he’s only half heard you’d done something.” “Yeah.” “You’ve got to watch all this because otherwise you’ll be fucking, you’ll be fucking skint all your life, you know. Send a mate up to see Robson, and if says, and if he says to the mate, em, you know, the other thing is don’t let the mate show out to Robson that he knows you’ve paid him dough, or anything you see, because then Robson will think, well if he’s fucking told this bloke, he’s told every cunt, you know, and he won’t deal with you any more.” “No, no, he don’t know, none of the others know.” “But, but as I say if you, if you paid all your dough, all it can be is a tip off. It’s either a tip-off about something else, or he’s going to try and blag you for some money because Christmas is coming.”

And then over the page members of the jury, third line down: “but he’s not on your back, is he?” “No, not really.” “You’ve finished the business”. Now members of the jury, this was the situation here you know, that there was a great deal of chat about Robson and the money that Perry was having to pay to Robson, Robson being a police officer, the money being paid for corrupt purposes. What did the defendant do about it: he advised Perry on his own behalf? He didn’t, did he members of jury, act the hero, if I can use the defendant’s own expression, and say to Perry: “my goodness me, what on earth’s going on here. You tell me about it, I’ll investigate it.”

Do you remember how the defendant criticised the Nuneaton officers because they hadn’t immediately cautioned Perry when he offered them a bribe and said I’ll give you some money to get out of here? Why didn’t he the caution them? A criminal offence was being committed. This was the defendant’s chance members of the jury, to show his true mettle, when he was told over and over and over again that a fellow police officer was receiving corrupt payments. Not a word about this. It was all to this end wasn’t it: “well I hope you do your business and finish your business with him as soon as possible, and then we can get down to our business in earnest.”

Why didn’t the defendant do something about this situation? If it was left to the Times reporters to do something about the situation, why didn’t the defendant, a serving police officer, do something about the situation? Well, the answer to that, members of the jury, unhappily, again is to be found in the words of Mr Symonds himself: “I’m in a little firm within a firm you know.” And, I’ve just pointed out to you the passages where Perry is telling the defendant about the gelignite, and Robson and the money.

Can I remind you members of the jury of what the defendant told the police when he was interviewed? This is what he was asked, and it’s the bottom of page 337: “Did Perry tell you he was asked that Inspector Robson had planted jelly, meaning gelignite on him”? “No”. “Did Perry tell you that he was prepared to pay money to Inspector Robson to avoid prosecution for possessing gelignite?” Defendant’s answer: “No.” Well he did, it’s all there. Why was he telling those untruths in evidence to the witness?

And so members of the jury, you can look outside the immediate facts of this case to see what the name of the game was. It’s all there, in all of those references to gelignite, and Robson, and Perry paying Robson money. In relation members of the jury to the instant case, however, as you know, there are a number of passages upon which the prosecution rely. In cross-examination this is what Perry said to the defendant, and this was with reference to tape number one, members of the jury, and you will remember that, do you not, it’s on page number two. “I’d like to see you about, well you know”. “Yeah, where are you now”?

The defendant put it to Perry that they could have been talking about information. He didn’t then put it to him that he believed that it was somebody else called Terry, but he put it to him that they could have been talking about information. What was Perry’s answer, do you remember? “We both knew what we were talking about.” “Could this sentence have applied to information,” asked the defendant? “Not coming from me, it couldn’t”, said Perry. “We both knew what we were talking about.” And when you listen to the tape do you not hear with your own ears a sound of recognition in the defendant when Perry says “I’d like to see you about, er, you know.”

Tape 5 members of the jury, page 7, top of the page: “How you doing Mickey.” “You know a bit more dough.” “I see.”

Page 15, about a third of the way down: “I still ain’t got it all yet. I got another 50, alright?” “Yeah, fine, yeah.”

Page 19, and this is the money between Perry and the defendant, bottom of the page: “Do alright then Mick, get anything you, er, you know keep in touch.” “I’ll get it, and I’m going to definitely get it next week, but I couldn’t get my hands on it.” “Yes that’s alright. As I say, don’t do anything silly, just sort of, you know.”

Tape 14, page 22, top of the page: “How you doing Mickey”. “Alright there, I ain’t got, er, actually I’ve only got 50, alright.” “Pardon?” “I’ve only got 50 again, alright?” “Yeah. Some of your mates are in trouble, aren’t they?”

Had you noticed, or have you noticed members of the jury that every time the subject of money does crop up between them, the way that the voice drops and the way that the conversation hurries on, to something else just as you’d expect it to be, if you, a corrupt police officer was sitting in the car, and taking fivers or tenners from some lend to you crook.

Page 24, bottom of the page. If you’ve written something in members of the jury, so be it, but you’ll remember the evidence about that from both Perry, and from Mr Penna and Mr Eley. Reference to money. I’m sorry to say that I may have to return to these particular references in due course.

Page 30, bottom of the page: “I only got the Section ones coming up that’s all, but I can’t, I don’t know when I’ll get the money. It could be this week like, but no it’s a bit late this week now, not this week now. But that other cunt on me back from the yard, he’s a … I can’t do fuck all.” “No, what Robson?” And then they go onto the business of Robson and Harris.

Page 36, bottom of the page, something for which no explanation has ever been advanced in this case: “Anyway Mick, thanks very much for that”. You know what, and so it goes on.

And look members of the jury, if you like, at page 13. This is the last reference that I’m going to give you on the transcripts just for the time being. Rather interesting and ironical little bit of conversation that comes in the middle of the page, on page 13. “The thing to do, you see, is if you, you know like once you’ve sort of got yourself all square and that, fucking work in with us you know”. “Yeah” “But I know like, you know, I can’t give you no - you haven’t got this thing bugged or something have you, so I talk in a false voice, you know? Talk with a Scotch accent”, and you’ll probably remember that little bit of laughter for a long time. He wouldn’t be saying that would he members of the jury if they were talking about information that Perry was giving him: “You haven’t got this thing bugged have you?” Just an interesting little vignette, this is corruption. And that was what was in the defendant’s mind. And there are so many references to money, in these tapes members of the jury, that it could only conceivably have been corruption that those two men were on about.

Well, the defendant seeks does he not, and did so, and you’ll probably remember it, in his cross-examination of the witnesses. Shrug it all off, and to pour scorn on these tapes and to brush them aside, the whole lot aside with that expression: ‘it’s all criminal fantasy land’. That’s what he says, but you know members of the jury it’s interesting to consider whether it really was all criminal fantasy land. Some of it may have been very silly talk, some of it may have been insincere on the defendant’s part. Maybe that he had no intentions whatsoever of going out with Perry and committing crime, but you just think about it. Do you remember Mr Harley giving evidence yesterday, that one of the things that they were concerned about was that these Likely Lads were changing addresses and they couldn’t keep track on them. Do you remember that message?

Well, let’s consider shall will what the position was there. If you look please at page 31 of the transcript and page 32, bottom of page 31: “Yeah I got nicked the last time I moved.” “As soon as everyone knows where you live you might just as well fucking pack it all in. There you know, because the, and the other thing like, when you went to Nunhead Lane, I tell you now you know, you sort of showed out straight away that you’d arrived.” And what a business it was, wasn’t it members of the jury that police officers were desperately, it would seem, trying to keep track on the Likely Lads, to find out where they were living and where they were stashing their gear, if I can be permitted to use that expression. And the defendant’s giving Perry the advice that he’s all too conspicuous, that it’s no good when the police know where he’s living, and that the best thing to do is to stash away the stolen gear in some lock-up garage or another.

You may think members of the jury that the one bit of advice that an honest police officer might have been inclined to give is: “stay where you are, don’t worry stay where you are”. Tricking Perry into believing that he’s all right where he is, but knowing in his own mind that at least the police can keep track of him where he is.

And all that business about committing offences out of town - did that sound to you like criminal fantasy land? There may be one or two little bits in this lot, that were in fact and in truth criminal fantasy land, but the vast majority of it members of the jury made good sound practical common sense. This is what Mr Perry said in evidence, when he was asked about this, and whether all this was criminal fantasy land: “We just started having dealings with each other. You were just telling me what sort of things we could do, hoping to get further money out of me later on.” And Perry you may think hit the nail on the head when he said that, did he not members of the jury.

**Rivlin Part 2**

Well, of course, of course, much of what I have said depends upon you accepting the tapes as being of the authentic original tapes. That is the basis upon which they are permitted in evidence members of the jury. Tapes are not permitted in evidence in a court of law unless they are authentic originals. And if you are not satisfied that these tapes are the authentic original tapes, and it would be your duty no doubt, you’ll be directed upon this by the learned judge to forget about what you’ve heard. Were they, are they, the authentic originals, or not? Yes, says Mr Perry, said Mr Lloyd, says Mr Mounter, says Mr Hawkey, and to an extent says Miss Millard. No says the defendant, they’re all fabricated, or rather he suggests that they’re all fabricated.

Do you realise members of the jury, that after all this time there isn’t one single scrap of worthwhile evidence in this case that any of those tapes have been fabricated. Consider the defendants case members of the jury: the tapes are fabricated, but do you know that in the four weeks that you have been thus far listening to the case the only specific suggestion of fabrication that has been put forward by the defendant in this, that somewhere or other there is missing that that he’d spotted a photographer. That’s the only direct specific suggestion of fabrication in relation to any one of these tapes.

To be fair members of the jury he’s also said that he never accepted any money. And so I suppose its implicit is it not that he is saying that all references to money must also be fabricated. He has suggested that the reporters may have had some hand in this, at the last count it was Mr Moody who was responsible for fabricating the evidence. Well, I think we can deal with this quite briefly and in stages. Could the police be responsible for fabricating the tapes? Answer: no they can’t be responsible for fabricating the tapes. There are many references to money on the Times transcripts that were prepared before the police ever laid their hands on these tapes. And members of the jury, I’m not going to take you to the references but, may I just give you the page numbers if you’d care to have them.

To follow the Times transcripts are concerned, you will find references to money on pages one, three, five, eight, eleven, twelve, fifteen, seventeen, eighteen, twenty-one and twenty-five.

Mr Ford has told you that he’s listened to the Times copy tapes and that they’re exactly the same as the ones that we’ve got in court. The Times copy tapes were prepared on the second and, I think the second and fifth of December of 1969, although I can guarantee I shall be corrected if I’m wrong. Before the police got their hands on these tapes, there’s no question of the police having fabricated them. Mr Lambert, Fred Lambert - you’ll probably remember all that business the other day with Mr Lambert, when you went away at the end of the evening and he listened to all the tapes. Have these tapes been tampered with since he first listened to them, very shortly after they came into police custody? No, absolute rubbish he says. And then members of the jury that knocks the bottom doesn’t it out of the defence, that the police have in some way fabricated these tapes. And what’s left then? The reporters. They say “no, they haven’t”. You’ve heard them give evidence over a long period of time. It’s for you judge whether they were telling you the truth or not. Mr Hawkey said “no, those tapes have not been fabricated, I listened to them straight away after they were played”.

Miss Millard said in so many words, didn’t she members of the jury, although she didn’t actually hear the tapes played before us. When she listened to them, she heard corruption. Mr Hide, the expert, the speech expert, in his opinion it’s impossible that these tapes could have been fabricated. He said you could only edit conversations between two people under favourable conditions, and here we haven’t got favourable conditions. We’ve got motor cars going by in the background, all the background noise. We’ve got two people sometimes speaking at one and the same time. And if you choose to listen to these tapes again you will hear members of the jury how, when they’re talking about money, how close their voices are together, sometimes overlapping.

“Impossible” says Mr Hyde. Well, Mr Killick won’t go that far, but Mr Killick said, do you not remember: “it’s very difficult to believe … very difficult to believe that any of these conversations had been fabricated.” And in so far as he is able to help, Mr Hales, who was the boss at Location Sound Facilities said “no, no question of any jiggery pokery going on in my place during this time.” There’s overwhelming evidence members of the jury that these tapes are the authentic originals. And so what does it boil down to? Well, I’ll tell you what it boils down to from the defendant’s point of view, it boils down to this; this is the proposition: well, he says there is evidence that the tapes used were factory fresh; two, there is scientific evidence that three of the tapes were not factory fresh when they were put on the spools; therefore, three, the tapes are copies and are unreliable.

And what I’d like to do members of the jury is to deal with that if I may. Do you remember that the other day I said that I’m looking forward to the opportunity of reminding you what the evidence actually is on this topic. Well, this is my chance to do that members of the jury. May I say by way of preface that I accept that Mr Hawkey did say originally that he had always used factory fresh tapes, and in making the point that he did, the defendant is absolutely right. He’s making a perfectly good, perfectly fair point, and I think its right to say that the defendant pointed out to the reporters, or one of them at one stage he had said that they’d used new tapes, and in making that point he is doing no more than he’s fully entitled to, drawing to your attention a perfectly fair reasonable point.

Just let’s consider what the evidence actually was. Mr Lloyd members of the jury said with reference to Exhibit number one: “I don’t know if a new tape was used. With reference to tape number three, the batteries had run down on the Uher and therefore the recording was useless as far as we were concerned. Tape three would have gone back to Hawkey and he used it again”. Tape five: “I can’t remember if this was a new tape”, that’s Lloyd. Mounter, this is what he said: “at the beginning Hawkey did not appear to be properly equipped. In the early days he didn’t bring enough tapes, and fairly early on and we made it clear that he must come with batteries and new tapes”.

And he said the same sort of thing about the marking of these boxes and spools, he said this: “nobody devised early on a foolproof system of marking them, it developed later on. It was important that one of us could identify the tapes, I couldn’t see any possibility of a mix up.” And so Mr Mounter was making it perfectly clear that in the early days that they weren’t adopting such a strictly controlled system they devised as time moved on. And the tapes that the defendant criticises here are tapes numbers one, three and five, and members of the jury they are early days. The very first day was the 28th of October, the second one from the 31st was only two or three days later.

Let me remind you of what Mr Hawkey had to say. He said this, tape number three: “that is the original tape which was …”, and he had it in his hand, “which was used for phone calls”, and do you remember that there are some phones calls on the batteries tape. “They are just recordings of telephone calls, the rest of the tape it’d be virgin. It’s still a new tape as such if you use one half, and the second half hasn’t been used.” Well that might be a rather naïve statement of fact, but that was his reaction to the cross-examination. And he said about tape number three: “it would be quite normal to use the tape of the telephone conversation in the morning, and the incident in the afternoon, and more than one meeting or incident would be recorded on one tape.

And members of the jury this is what else Mr Hawkey had to say about this, when he was asked why did you use, start 3b immediately after 3a? His answer was “no particular reason, convenience I should think”. And it was put to him that it wasn’t, that 3b wasn’t recorded on a factory fresh tape, and he said this: “I didn’t realise it, its pure accident that we overran a conversation with another officer, we all have accidents.” And members of the jury, in relation to tape number five, this is what Mr Hawkey said: “tape five has two different conversations. I would say that there’s a recording been made and over-recorded. If it was done it was pure accident.” And in answer to the learned judge he said: “I would say that the quality would be unaffected.” And the point of that is this members of the jury, and you’ll remember that Mr Hawkey insisted that these tapes were the originals and just those that he’d at the time.

If the truth of the matter had been that Hawkey only ever used factory fresh tapes, when this was pointed out to him, he would have had no explanation, he would have had to have said wouldn’t he: “well, that’s odd, these tapes can’t be the originals then”, but he didn’t, he said: “no, that these are the originals, I heard them, I saw them being marked up, and if they weren’t factory fresh when those recordings were made, why then I must have used the same tape again. It was a pure accident.” There’s been a great deal of to do about that particular topic in this case members of the jury. I have sought to remind you of what the evidence actually was about this topic, and I hope that having done so, that will assist you in arriving at a conclusion.

The boxes and the spools and the batch numbers, they are points for the defendant to make. He has made them, they are fair points for him to make. Please consider them members of the jury, but it hardly bespeaks does it some vast conspiracy when we do find one or two spools in the wrong boxes. It doesn’t suggest, does it, that some evil genius has got down to spending time to concoct the whole thing.

There’s more than one tape in relation to the events of the 31st and the 21st. And you know from the expert evidence that the noise levels on those tapes are entirely consistent with the microphones being positioned in different places. Well now, Mr. Lloyd referred to that policy as belt and braces, more than one tape with the same conversation. It hasn’t unhappily afforded the reporters an escape route from cross-examination that all of these things were fabricated because you may think it doesn’t matter how many recordings they’ve of this particular conversation, or these conversations, they’d still be criticised up hill and down dale. But what are you going to believe about it, that whereas it would have been so easily for some, this evil genius, for putting one tape for each conversation, he’s gone and made life ten times more difficult for himself by putting two tapes in or three tapes in, and made life twenty times more difficult for himself by trying to fabricate the different noise levels on the different tapes. It just doesn’t begin to make sense, does it members of the jury

Another point, and that’s this. Do you remember those little snatches of conversation at the end of these tapes, when after the conversations had finished and when the motor cars arrived at its destination, and there’s a little of chatter between the reporters and Perry and Hawkey? Well, what kind of evil genius is it members of the jury who would present fabricated tapes and leave stuff like that in. Mr Mounter said: “look, I’m not particularly proud that I used such language” when certain words were put to him by the defendant, “but we left everything in, there was to be no editing out. I wouldn’t have anyone touch the tapes under any circumstances.” And so it is members of the jury that left on the tapes we have the bits and pieces of conversation to which you’ve listened.

The leaders weren’t marked, criticises the defendant - so what? If the leaders had been marked, he’d have only said that they had been fabricated and it was a no win situation isn’t it. You just can’t win. I mean, who is said to have done all this fabricating. Well members of the jury, I’ve already dealt with that.

And finally on the question of the tapes, this missing tape “X” that the defendant talks about, you know, the one on the 21st, the mobile that was in the motor car, the Nagra that was in Hawkey’s motor car. Hawkey has looked at his original schedule, Lloyd has, and Mounter. They’ve all there seen what they wrote in 1969: this recording didn’t come out. And the defendant shows you where the box Exhibit 44, we know about a number crossed out. And he says: “there must have been another tape”. Why he said it, goodness only knows, but he does, “he says there must have been another tape”, and what’s more that is the clue to the whole case because “if only we had that tape, why we’d see what the truth of this case was.”

Well, members of the jury, we’ve got three already of that meeting, and there is an absolutely cast-iron reason for the fact that you haven’t got four, namely that the one in the mobile didn’t come out, and you actually hear Hawkey saying at the end of tape thirteen, that it hadn’t come out.

Now members of the jury, I’m going to come on finally to the four days with which we are most closely concerned in this case: the 24th of September, the 28th of October, the 31st and the 21st, and I know that you must be feeling terribly weary by now, and I know that this is probably the first day of Spring, or first worthwhile day we’ve got, and so I’ll do my best to cut it short, but you know this case has gone on for week after week after week, and its rather important, and its rather important that I should draw certain matters to your attention.

The 24th members of the jury. The 24th was the day of that meeting between the two men in the cell below. Perry has given you evidence as to what happened at that meeting. The defendant seeks to brush the whole thing aside as all sorts of nonsense: “Do you think this was the favour I was going to do for you? Do you think was worth any money and the like?” Let me deal with that.

One of the most notorious cases in our criminal law is a case in which a Lord Chancellor no less was prosecuted for corruption. A very great Lord Chancellor, Bacon, who was sitting in judgement in the case, and one of the litigants members of the jury gave him a bribe, to decide the case in his favour. And Lord Chancellor Bacon decided the case, and he decided the case against the litigant, who had given him a bribe, and the litigant you might think was rather upset about and he went and spilled the beans.

Lord Chancellor Bacon was convicted of accepting a corrupt payment, even though he’d done nothing. Even though, not merely had he done nothing, but he decided the case against the man who had given him the corrupt payment - why? Because members of the jury, it’s what’s going on in the mind of the person who accepts the payment that matters, and if you know that you’re receiving a payment you shouldn’t, a corrupt payment, you’re guilty, and it doesn’t matter whether you seriously intend to do anything for it; whether you believe that you can do something for it; or not - it doesn’t matter tuppence. That was my submission to you at the beginning of the case, and I’ll repeat that to you now.

The defendant said through Fred Lambert: “you know if I was corrupt then the Nuneaton officers were corrupt.” And members of the jury if the Nuneaton officers had had anything on Perry, had any worthwhile evidence against the man that might have been so, but the defendant knew that they hadn’t, and the defendant knew that he wasn’t going to have to do anything to persuade the Nuneaton officers to drop the charge against Perry. The defendant had already tipped Perry off to say nothing, and once given that tip-off, members of the jury, Perry’s no fool; he said nothing. That was it. The next thing that happened was that the defendant very quickly learned, a letter went on its way to Perry saying that he wasn’t going to be prosecuted.

There is no need to involve the Nuneaton officers in corruption in this case at all, and the defendant knew it. Perry was seen by the defendant at Camberwell, members of the jury - why? Why did the defendant ask to go and see him? “Well”, says the defendant, “d’you think I would have been having words like this with Perry, after all he was the Likely Lads; I was out to get him; I was out to have him arrested”. That members of the jury you know is one of the basic flaws of what he’s saying to you, and one of the evils of the offence of corruption, that if you are involved in corruption you can claim both ends against the middle, on the one hand there are fellow officers in your force, who believe that you’re striving to get the fellow. On the other hand there’s the criminal himself who knows that you are giving him help.

What happened in that police cell? Well, just think about it members of the jury. When Perry was cross-examined about this he told you, he gave you his version as to what happened and do remember how he insisted that he’d used that word “if”. “If they’ve got a fingerprint on you then plead guilty”, and how the defendant insisted to him: no the word “if” wasn’t there, and what had been said was “they’ve got a fingerprint on you, plead guilty to Section One theft”.

When the defendant was interviewed by the police about this, this is what he was asked members of the jury, page 327. And, you know, the police put to the defendant the defendant’s version of what happened, not Perry’s, because what happened was quite clearly this, that the typewritten copy of Perry’s statement didn’t include the “if”: ‘did you say to Perry: “I don’t think they’ve got a lot on you, they won’t tell me a lot. They’ve got a fingerprint of yours. Tell them you’ll plead guilty to Section One theft, the most you’ll get is twelve months for that.” “Definitely not”, said the defendant to the police. The exact opposite of that which he was putting to Perry, when Perry gave evidence about this matter.

What did he see him about? Didn’t spend any time, did he, trying to get an admission from him? Didn’t spend any time interviewing him about the clothes that had been found in Perry’s flat, or the knives that were there, or the bolt croppers that were there? It was a two minute, perhaps thirty second conversation between the two of them. What did he say to him, and what did he have in mind?

The defendant will say: “well, all very improbable if you know”. But there’s an easy answer to that one members of the jury, and I’m afraid that it goes back to the defendant’s own words: “I’m in a little firm in a firm”, and you may think members of the jury that in a business such as this, it takes one to know one, and the defendant had sized up the situation very nicely for himself.

The favour, the favour said Mr Perry when he was cross-examined by the defendant was: “they didn’t think that they’d got a lot on me. But if they have a fingerprint on me, plead guilty to Section One theft and you’ll only get twelve months.”

Now members of the jury, if I may be permitted another idiosyncratic expression: a nod is as good as a wink. And somebody like Perry, who’s told something like that, knows perfectly well what the score is. You remember James giving evidence about this; you remember yesterday officer Clarkson giving evidence about it. One thing that a police officer would never ever do is to even hint to a chap he’s under suspicion, but they’ve got nothing on him, because if they do he’ll just clamp up immediately. The defendant was giving him a tip-off. It wasn’t worth £200. Perry didn’t think that it worth £200. The defendant’s big mistake was that he thought that he could get £200. He got a hundred and fifty.

The Nuneaton officers say that Mr Perry was interviewed about it the following day, but said nothing. The defendant makes a very valid point, perfectly proper and fair point. He says look at the records here there’s nothing to the effect that Perry was interviewed the following day at Nuneaton police station. And you give weight to that point. In fact members of the jury give due weight to any proper, fair point. But those Nuneaton officers all say that they, that he was interviewed several times, not just once, but several times the following day.

What did Perry say about this? And there’s motive for him to have said it. “In all my dealings with the police”, he said, “I’ve never been questioned more than I was up there. I must have been questioned a dozen times”. We know members of the jury, that those Nuneaton officers were very surprised indeed that they got no admissions from Perry. We know how upset they were. We know from them, do we not, of the conversations with the defendant, afterwards, when the defendant was interested to know if they knew who this Metropolitan officer was who told him to say nothing. We know that the defendant said that he didn’t want Robson to know that he, the defendant, knew about it. Why? What was it all about?

There was a favour members of the jury. You may or may not think that it was worth £200, but with great respect that doesn’t matter. The fact is that the defendant was prepared to ask for £200, and the fact is that the defendant got one hundred and fifty of that £200.

Can I come to the specific offences, and just say two things to you about them, and that is first what the evidence is, and second what the corroboration is that we say is before you which is capable of supporting Perry’s evidence. Perry says that money was paid each time to the defendant - is there any evidence capable of corroborating that? In our submission there could hardly be better corroboration.

The corroboration comes in the following forms members of the jury I would respectfully submit to you: first the searchings of Perry before and afterwards: the evidence there from Mr Lloyd, Mr Mounter and Mr Hawkey; then the evidence of the tapes, and there can be no better support for a man’s evidence can there, but the fact that the conversations were actually recorded. Can I just pause there to say this members of the jury. It’s a matter that may I know not please Mr Ford and Mr Killick.

They say, well, you know, in our opinion we wouldn’t allow tape recordings to go before a jury in a criminal case. Certainly Mr Ford holds that view. Well, they are admissible in law before a jury if they are properly proved. And you know members of the jury there is no such thing in this world as evidence that cannot be fixed or rigged. There’s a very serious move a foot at the present time to ensure that all interviews with defendants are tape recorded, so that it can’t be said that police officers are putting words into the mouths of people who are being interviewed. But in relation to tape recordings we’re likely to hear a good deal more of those than a good deal less, which should keep Mr Hawkey and Mr Killick busy for a few years won’t it.

The fact is that any evidence brought before a court, any evidence, can be fabricated, can be tampered with. There’s no such thing as evidence that can’t be. What you as a jury have to do is to consider the nature and quality of the evidence that proves the tapes and to decide whether you can accept it or not as being reliable.

Tape five, page seven members of the jury, tape five, page seven. Corroboration of count number one, top of the page: “you know a bit more dough, see, more dough, I see”. That’s Perry: “a bit more dough”. That’s corroboration of the fact that there had already been some dough. His words aren’t corroboration, or capable of being corroboration, it’s the defendant’s reaction to them that is, members of the jury, “yeah”. It’s the assent; it’s the agreement by the defendant. It’s his reaction. And those words are also in my submission capable of corroborating count number two.

Page fifteen please. Perry: “I still ain’t got it all yet. I got another fifty, alright”. Now this is on the 31st members of the jury, and Perry said that there had already been one payment of fifty on the 28th. The defendant’s reaction, “yeah, fine, yeah”. And in our submission to you, in our respectful submission to you, because its the judge who will tell you what this evidence is capable of amounting to corroboration. The defendant’s reaction to that, “yeah, fine, yeah”, is capable of amounting to not merely corroboration, but overwhelming corroboration on Perry’s evidence, both in relation to count numbers one and two. In relation to count number one, its that word ‘another’ that you see there members of the jury.

Count number three, page 19, bottom of the page. This is still on the 31st, but just look what appears here: “I’ll get it, I’m definitely going to get it next week, but I couldn’t get my hands on it.” - talking about more money that’s to come. Page 22 on tape 14: “Alright there, I ain’t got a, actually I’ve only got fifty, alright?” “Pardon?” “I’ve only got fifty again, alright?” “Yeah”. That “yeah”, members of the jury, is in our submission capable of amounting to very powerful corroboration of Perry’s evidence, and indeed members of the jury what more could one possibly wish for. Can you imagine for one moment what would have been said about these conversations with Perry if we hadn’t got these tape recordings?

Page 24, bottom of the page. Perry told you that he could hear the words: “here’s the other thing, I can’t get fuck all lately.” According to Mr Penna and Mr Eley: “yeah, here you are. I may as well give you that now. I can’t, I can’t get fuck all lately”. Well you decide what you can hear on these tapes members of the jury, if you can hear reference to money there, further corroboration.

Page 36, bottom of the page: “Anyway Mick, thanks very much for that.” In our submission, evidence which is clearly capable of corroborating the defendant’s, er Perry’s account of what happened.

Is there anything that’s relevant on these counts? Well yes, of course, members of the jury, there’s the diary isn’t there. Shall we just concentrate on those three days now, the 28th, firstly. On the 28th say the prosecution the defendant is very nicely and very neatly fudging it. Two p.m. to section re Oppenheim inquiry and engaged until return to MC at 5.15. To Edmond Street re inquiry - what inquiry? I’ve already gone through this, he wasn’t meeting an informant according to him. What inquiry was he engaged on at Edmond Street? No reference you’ll note members of the jury there to the fact that it was arranged. And may I tell you that in all of these pages here there are fifteen references to the Rose public house and one to the Grove, on other days.

Let’s look at the 31st shall we, 2.45, 2 p.m. sorry. Remember that the meeting was at half past two. 2 p.m. a meal, 2.45 to MC, High Street, re inquiry and return to MC at 3 p.m.

The 21st of November, and remember that the meeting was at 2.30. 12 noon, to West Dulwich re inquiry and return to MC - that’s home base at Camberwell - to return to MC at 12.30, meal. There’s no such thing. And the defendant asked, as he was entitled to, of some of his fellow officers: “did you ever notice I was corrupt, or did you ever think that I was being corrupt?” And hear what they say. He wasn’t doing too badly in his own records was he members of the jury, when it came to hiding what he was doing, these three rather important moments of dark.

**Judge Stroyan:** Those are tangible records which you might corroborate too.

**Rivlin:** I’d say your honour …

**Judge Stroyan:** Capable of corroboration, yes.

**Rivlin:** … that they are capable of amounting to corroboration, if the jury, if the jury took the view that the prosecution would like them to take about it. Of course if they don’t, if they think that they were innocent, or maybe innocent, why then of course they wouldn’t regard these as being capable of corroboration.

And so members of the jury, may I tell you I’ve nearly done. What is left to the defence and what has been left to them in this case in the face of such evidence? Well, it’s time for the Crown to call a spade a spade. What has been left to him? In the first place it’s been left to him has it not to throw as much dirt as he possibly could during the course of this case in the hope that some of it might stick. The following people have been accused of dishonesty: Mr Perry, Mr Lloyd, Mr Mounter, the Nuneaton officers, and Mr Moody, and by a side wind the following people have been accused of dishonesty: Brennan, a question mark over Hawkey and Lord Thompson.

Mr Lloyd, he came in for a bit of a battering didn’t he members of the jury, more than once. Now, the defendant may well not like Mr Lloyd, because Mr Lloyd after all started this thing going. But he said a great many things to Mr Lloyd, and fairly early on in his evidence he put it to him that, you remember that he was, had a history of mental disorder, and had been mentally deranged. Absolutely nonsense said Mr Lloyd, an evil suggestion. And there was a great to do about that when the learned judge said to the defendant, you know: “I hope we’re going to hear some evidence about this, if it’s true”. “We are”, said the defendant. Have you heard it members of the jury? Mr Lloyd you may think was goaded by the defendant. He rose to the bait it’s fair to say, but he was goaded by the defendant.

“Mr Mounter, you are more interested”, said the defendant, “in writing scandalous stories than in bringing a corrupt police officer to justice”. Do you remember Mr Mounter, could you really imagine a more impressive witness?

The Nuneaton officers were accused of dishonesty. Mr Moody was. The defendant tackled Mr Moody in a rather clever way, do you remember this? During the first part of Mr Moody’s evidence, Mr Moody was asked a whole series of questions about other people’s conduct, as if he were some expert from on high, who could help the court about the conduct of other people in the case. And do you remember him saying, when he was asked about the control exercised by the reporters on the various exhibits. Well he said the control devised by the reporters wasn’t what I would have expected from the police, but it was adequate. A whole series of questions, and then just towards the end of his cross-examination, when the defendant had been able to extract as much out of him as he possibly could, he accused him of fabricating everything. What a business, what a business.

Well Mr Moody members of the jury it would seem is not merely responsible for fabricating much of the evidence in this case, in some way, but he is also responsible for the fact that shortly before his trial was due to start Mr Symonds left the country and wasn’t seen again for a number of years. It seems that Mr. Moody has even got to bear the blame for that.

What else has been suggested? That the reporters were acting as *agente provocateurs*. Nonsense members of the jury, that question doesn’t even arise in this case. Do you remember what Mr Mounter said: “Throughout the investigation we were very careful not in any way to be *agente provocateur*. We were careful not to give Perry any money. We didn’t want to be accused of influencing him.”

What’s all that about, that suggestion? Is it designed to make you believe that in some way the reporters were responsible for all of this? What a twisted situation it would be members of the jury if you came to the conclusion that that was so. They didn’t seek out Mr Perry, Mr Perry sought out Mr Brennan, who sought out them, and you may think from what little you’ve heard about the Robson Harris matter, Mr Perry was in pretty desperate straits when did.

And finally, the absolute last resort, although unhappily it’s been resorted to on a number of occasions: “I haven’t had a fair trial.” How many times have we heard in this case, how many times have we heard “it’s a cover-up”, “I haven’t had a fair trial”, “it’s a farce”. Well I’m very pleased indeed to say that I don’t have to make any comment about that, because you gentleman have been here during the course of this trial, and you’ve been able to see with your own eyes and hear with your own ears, whether this defendant has had a fair trial or not. All that I propose to say about it is in our submission the absolute last resort of a guilty man, who can think of no other way to secure his acquittal than to persuade his judges, namely you, that he’s not getting a fair trial.

The defendant said to you members of the jury on Monday of this week, I think it was, “you know, I’ve worked it all out”. He said this to you in so many words: “I’ve worked it all out. I’ve done eighteen months of my sentence in real terms. I’m not worried about my sentence. I’m just worried about a criminal conviction being recorded against me, a matter of principle”. Well members of the jury, there it is, that’s what he says to you.

There’s only one thing in this case that counts and that’s the truth, and in our submission, if one considers the evidence in this case it takes you to the truth. And the truth of this matter is, and it’s as much a matter of principle, I suppose as the other side, as a matter of truth, is that the defendant was a corrupt police officer, and that the prosecution ask you to say so in the verdicts that you return on the charges in this case.