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Before

His Honour JUDGE STROYAN Q.C.

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Held at
The Crown Court,
The Law Courts,
Victoria Square,
MIDDLESBROUGH,
Cleveland.

D

On
16th March 1981

R E G I N A

-v-

John Alexander SYMONDS

E

Mr. G. Rivlin Q.C. appeared as Counsel on behalf of the Crown,
assisted by Mr. F. Radcliffe.
Mr. J.A. Symonds appeared IN PERSON.

F

Transcript of the shorthand notes of MRS. C. ANDERSON, of
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(In the presence of the Jury)

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A (In the presence of the Jury)

Mr. Symonds: Your Honour, I wonder if I could be excused from the opening speech to examine papers.

B JUDGE STROYAN: I really think you ought to hear the opening, Mr. Symonds. But you can of course attend to your papers during it, if you like. But I do not think it would be right for you to be out of court. Yes.

(Mr. Rivlin, on behalf of the Prosecution, continues opening the case to the Jury)

EVIDENCE

C Mr. Rivlin: My first witness, Your Honour, is Mr. Lloyd.

Mr. Symonds: Your Honour, I wonder if you would have a recess for five minutes.

JUDGE STROYAN: We will break off for five minutes, Members of the Jury. But no more than five minutes.

(Short adjournment)

D Mr. Rivlin: Gareth Lloyd, please.

Mr. Gareth LLOYD, (Sworn)

Examination in Chief

Mr. Rivlin: What is your full name please? - A. Gareth Lloyd.

E Q. Where do you live, Mr. Lloyd? - A. 81 Dysart Avenue, Kingston Upon Thames, Surrey.

Q. What is the nature of your present employment? - A. I am a B.B.C. Television reporter.

Q. In 1969, by whom were you employed? - A. The Times.

F Q. As what? - A. As a reporter.

Q. For how long had you been employed as a reporter by The Times, in 1969? - A. About four or five years, sir.

Q. And did you remain with The Times after 1969? - A. I did, sir.

G Q. Until when? - A. Until 1972, sir.

Q. Is it right that in 1969 one of your colleagues at the time was Mr. Julian Mounter? - A. That is so, sir.

Q. During the course of that year, and indeed towards the end of that year, were you introduced to a man called Perry? - A. Yes, sir.

H

/sir

Mr. Lloyd

Q. Michael Roy Perry? - A. Yes, sir.

A Q. Who effected that introduction? - A. It was effected by a man called Brennan, sir.

Q. And was Brennan a man with whom you had had some dealings in the past? - A. Yes, sir.

Q. Did you seek out Perry or did he seek out The Times? - A. He sought out The Times.

B Q. Had you ever met him before late 1969? - A. No, sir.

Q. Now, you had a good deal to do with Mr. Perry during the weeks following your first meeting, did you not? - A. Yes, I did, sir.

C Q. And we are now talking about something that happened a very long time ago? - A. Yes, sir.

Q. Did you make any notes of the events that transpired after your first meeting with him? - A. Yes, sir.

Q. And indeed of the first meeting? - A. I did, sir.

D Q. Where did you make your notes? - A. In a notebook, sir.

Q. In what kind of book? Pardon? - A. In a notebook, sir.

Q. In a notebook. Would you please have a look at Exhibit number nine. - A. Yes, that's the notebook.

E Q. Is that the notebook in which you made your notes? - A. Yes, sir.

Q. Did you make your notes in ordinary readable English? - A. No, in shorthand, sir.

Q. In shorthand. Did you have your notes transcribed into readable, legible English? - A. Yes, sir.

F Q. When? Recently, or as long ago as 1969? - A. When the Police came on the scene, sir.

Q. In 1969? - A. In 1969, sir.

Q. Now, they came on the scene at the beginning of December of 1969. - A. That's right, sir.

G Q. When your notes were transcribed - well, who was responsible for the transcription of your notes? - A. I was, sir.

Q. Were the events then fresh in your mind? - A. Yes, sir.

H Q. Is it right, Mr. Lloyd, that you might have some difficulty in reading your shorthand after all this period of time? - A. Yes, I would, sir.

/sir

Mr. Lloyd

Q. Would you have any difficulty in reading your transcription of that shorthand? - A. No, sir.

A Q. Would you have a look please at Exhibit number ten. And as you know, the court and the defendant have copies of this.
- A. Yes, sir.

Q. Is that a transcription of your shorthand notes? - A. Yes, sir.

B Q. Now, when were your notes made, Mr. Lloyd? Were they made at the end of a week or a month or when? - A. Often made actually at the time they were being said, sir.

Q. Often at the time? - A. Mm.

Q. If they were not made at the time when would you make your notes up? - A. Shortly after, sir.

C Q. At all times when you made up your notes were the matters fresh in your mind? - A. Yes, sir.

Q. Now, I am going on to establish if I can some further documents of reference. - A. Yes, sir.

D Q. Is it right that, in addition to you making up your own private notes, you and Mr. Mounter prepared statements for the benefit of The Times? - A. Yes, sir.

Q. ... as to what had been going on during the course of that - A. That's right, sir.

E Q. ... investigation. I would like you to have a look, if you would please, at a folder which contains a number of statements, just for the purposes of identification. - A. Yes, those are the statements I made.

Q. You are looking at a folder of statements. Are those statements signed by you? - A. Yes, sir.

Q. And by Mr. Mounter? - A. Yes, sir.

F Q. Were they statements made up exclusively from your notes or what? - A. No, sir. They were - they were made up at the time of the initial, the first stage of the investigation, I think, you know, the same evening that we were carrying out the enquiries. Later on there may have been some days delay in them being typed.

G Q. Yes. - A. But very very shortly after the events.

Q. These are different forms of notes, in the form of statements to your employers about what had been happening and what you .. - A. That's right, sir.

Q. ... discovered. - A. That's right, sir.

H Q. Now, you have rightly said, I think, that the statements, a number of the statements are dated the same day? - A. Yes, sir.

/sir

Mr. Lloyd

A

Q. Are they not? But when you actually came to prepare the statements themselves, when did you prepare them? - A. They were mostly, to my recollection, prepared either the same day that we had these meetings or very soon afterwards.

Q. And were they matters then fresh in your mind? - A. Oh yes.

B

Q. Yes. Now, going on beyond those documents, did you subsequently prepare a very long statement of evidence for the Police? - A. Yes, sir.

Q. Yes. When you did that did you have the benefit of your notes and your Times statements to look at? - A. Yes, sir.

C

Q. And I think that you did that, did you not, at a fairly early stage in all of this, in December of 1969? - A. Yes, sir.

Q. When you prepared your statement to the Police were the matters then fresh in your mind? - A. Yes, sir.

Q. If necessary, Your Honour, might he refer to his own notebook, Exhibit nine, the transcript of those notes, Exhibit ten, or the Times statements?

D

JUDGE STROYAN: Yes, those but not the other document.

Mr. Rivlin: No, not the statement of evidence.

JUDGE STROYAN: Yes.

E

Mr. Rivlin: Now, Mr. Lloyd, I don't think you are going to have to refer to your notes in the first instance but, I don't want you to tell us what Mr. Perry told you when you first met him, but it concerned Police Officers, did it? - A. It did, sir.

Q. And would it be possible for you to answer this question yes or no. When you first heard his story were you inclined to believe every word that he said? - A. No, we weren't, sir.

Q. You were sceptical? - A. Very.

F

Q. Did you know that he had a criminal history? - A. Yes, sir.

Q. But, as a result of what he told you, did you decide to make investigation to see if there was any truth in what he was saying? - A. Yes, sir.

G

Q. And what course of action did you determine upon? - A. As far as this Officer is concerned, sir?

Q. Yes. Let's confine ourselves to Sergeant Symonds. - A. We tried to taperecord meetings. We went to a firm, a film company, and hired some taperecording equipment to record the meetings taking place between this Officer and Mr. Perry.

H

Q. Why did you decide upon that method? - A. Because I felt that there was absolutely no other way that we could verify what Perry was saying to us in his allegations about corruption.

/corruption

Mr. Lloyd

Q. What was the name of this film company? - A. Location Sound Facilities.

A Q. And did you meet anyone connected with that company? -
A. I did, sir.

Q. And who was that? - A. Mr. Hawkey.

Q. Mr. Hawkey. And what did you understand Mr. Hawkey to be?
- A. Mr. Hawkey was a recording engineer.

B Q. A recording engineer. And did he become involved in your activities? - A. He did, sir.

Q. Who supplied the - You say that the equipment was supplied by the company. Who supplied the tapes? - A. The company, sir.

C Q. The company. And was it the 28th October of 1969 that so far as the defendant is concerned, and when I use that expression I am always talking about Mr. Symonds, was it the 28th October of 1969 that matters commenced? - A. Yes, sir.

Q. On the morning of that day, where were you? - A. We went to the home of Mr. Perry's mother, sir.

Q. Was that in Woolwich? - A. Yes, sir.

D Q. Did Mr. Hawkey go along with you? - A. He did, sir.

Q. And did you meet Mr. Perry there? - A. Yes, sir.

Q. And did Mr. Hawkey do anything with any equipment? - A. Yes, he did, sir. He attached a microphone to the telephone.

E Q. And was it the idea that Perry should ring somebody up? -
A. Yes, sir.

Q. Who? - A. Sergeant Symonds, sir.

Q. Is it right that at first you were not able to get hold of, or he wasn't able to get hold of Sergeant Symonds? - A. Yes, sir.

F Q. And Your Honour, if I may just demonstrate this. Pausing there. If the jury look at the transcript 35B.

JUDGE STROYAN: 35D?

Mr. Rivlin: 35B.

JUDGE STROYAN: B.

G Mr. Rivlin: So that they will understand what I mean when I say that certain matters were considered to be irrelevant. If they look at page one, they will there see an effort to contact Sergeant Symonds that proved unsuccessful and so we have extracted that from the later transcript. And that is what I mean by taking something out that is not relevant.

/relevant

Mr. Lloyd

JUDGE STROYAN: In other words, conversation.

A Mr. Rivlin: Just trying to get hold of him, that's all, yes.

JUDGE STROYAN: Which failed?

Mr. Rivlin: Yes..

JUDGE STROYAN: Yes.

B Mr. Rivlin: Leaving a message and saying goodbye.

Q. Now, is it right that eventually Mr. Perry made contact? -
A. It is, sir.

Q. Now, could you hear what was being said? - A. Yes, sir.

C Q. How could you hear if he was on the phone? - A. By sharing the earpiece with him, sir.

Q. And did a conversation take place? - A. It did, sir.

Q. What was the object of that conversation? - A. As far as we were concerned, sir?

D Q. Yes. - A. To test out what Mr. Perry was saying. He told us

Q. Never mind what he told you. - A. I'm sorry. To test what he was saying.

Q. To test what he was saying. Was it decided to arrange a meeting, if possible? - A. It was, sir.

E Q. Yes. And in fact what I would like you to do now if you would please is to - Your Honour, it has to be done sooner or later and I would respectfully suggest that it could be done now.

JUDGE STROYAN: Yes.

F Mr. Rivlin: To listen to a taperecording of Exhibit number one. And would you like to have in front of you a transcript, Exhibit number 35D. We will wait until you have it in your hand before - Exhibit number one, Members of the Jury, the very first page. Now, if you would just follow this through please, Mr. Lloyd. Alright? - A. Yes, sir.

Q. You have got it? - A. I have, sir.

G Q.- Okay.

(Taperecording played)

Mr. Rivlin: Thank you. Now, we have played the original of Exhibit number one, Your Honour.

JUDGE STROYAN: Yes.

H

/Yes

Mr. Lloyd

Mr. Rivlin: And did you - you listened into the conversation?
- A. Yes, sir.

A Q. Was the conversation any different from that which you have just heard over the taperecorder? - A. No, sir.

Q. Did you listen to the tape afterwards? - A. Yes, sir.

Q. When you listened to it, how long afterwards did you listen to the tape? - A. Immediately afterwards, sir.

B Q. Immediately afterwards? - A. Yes.

Q. Was the conversation any different from that which you have heard today? - A. No, sir.

Q. And in terms of the content of the conversation - do you understand what I mean by that? - A. I do, sir.

C Q. What do you say about the taperecording that you have just heard? - A. Absolutely accurate, sir.

D Q. I wonder if we could take the tape off now please, and I am going to ask you to look at the original tape and the box. Your Honour, I would submit that it would be appropriate and of assistance if the jury had a Schedule B, the schedule of markings on the tapes.

JUDGE STROYAN: Yes.

Mr. Rivlin: Which Your Honour was given some time ago.

JUDGE STROYAN: Yes.

E Mr. Rivlin: Would you give me leave to put it in?

JUDGE STROYAN: Yes. Mr. Symonds, have you anything to say about that? It is not of course evidence, but it is a useful guide which we can all use.

Mr. Symonds: No objection, Your Honour.

F JUDGE STROYAN: Thank you.

Mr. Rivlin: Thank you. Could I just have a look at it first. Would you please mark this B.

JUDGE STROYAN: Could I have a fresh copy?

G Mr. Rivlin: Certainly. Certainly. Now, can I - might I just have a moment to explain this to the jury, Your Honour. Members of the Jury, we have got a schedule here, which is described as a schedule of marking on tapes and tape boxes, and on the left-hand side somebody has written in for your assistance the exhibit number in each case. Then in the box, typed in, is the original tape number. And then you can see there are two columns. On the left the marking that appears on the box, and then on the right a marking that appears on the tape. And then you will hear

JUDGE STROYAN: That means the spool.

A Mr. Rivlin: The spool of the tape, the spool of the tape, the tape spool. And you will hear evidence from different people about the markings that they put on. So, as you are listening to the evidence it may assist you, if a witness says well I wrote this on or I wrote that on, to make a little note of it to remind you of who wrote what.

B Q. Now, would you please have a look first at the box, Mr. Lloyd? - A. yes, sir.

Q. We will take the left-hand column first. Do you see any markings on the box? - A. Yes, there's a marking on the back of the box, sir.

C Q. What does it say? - A. It says "master, telephone call, 28th October 28th."

Q. Now, can you recognise any of that handwriting? - A. No, I don't recognise it but I believe it to be one of our secretaries.

D Q. Just a moment. If you do not recognise something it is much better that we just leave it at that. It is not your handwriting at all? - A. No.

Q. No. Can we please now, would you look at the spool. - A. Yes.

Q. Now, what do you find on the spool? - A. There are a number of markings on the spool, sir, and some of which are not mine. One of which is mine in fact.

E Q. Well, just read out first what you find on the spool. - A. On one side I see a small tab. It says R. Taylor.

Q. Yes, well that's Mr. Taylor who later examined some tapes. - A. Yes. On the other side I see another tab, similar kind of tab, with the word "phone calls" on it, two words, "phone calls".

F Q. Phone calls. - A. "P to S".

Q. "P to S"? - A. Yes.

Q. And P to S standing for? - A. Perry to Symonds.

G Q. Is there a date on it? - A. There could well be, sir, but it's not really decipherable.

Q. It's faded, is it? - A. It's not faded. It's not my handwriting, sir, and I don't really recognise it. There appears to be 10 10 on it.

Q. Would you look over the spool. - A. On the other side of the spool is my handwriting with a date, October 28th.

H Q. October 28th. That's your handwriting. - A. That's my handwriting.

A

Q. And is that attached to the spool itself or to a piece of paper? - A. It is attached to a piece of an envelope which I had in my pocket which I tore off which had some adhesive on it and I licked the adhesive and attached it to the centre of the spool and marked it October 28th.

B

Q. Now, when did you do that? - A. I think I did that very soon afterwards. I can't really remember though.

Q. Well, did you do it on the same day? - A. Very probably, sir, yes.

Q. Can you help to this extent. Looking at the tape, are you able to help as to whether this was the tape in question? - A. Yes, I have no, no doubt in my mind at all, sir, that this is the tape.

C

Q. And why do you say that? - A. Because I heard it. I could put it on a taperecorder and play it back.

Q. No, I am talking about the physical object. - A. Oh I see.

Q. Can you help as to whether this was the tape that was played that time? - A. Well, only by the spool.

D

Q. Yes. Well, that's what I mean. - A. Yes.

Q. What does the spool tell you? - A. It tells me that by the piece of envelope that I have stuck to it, October 28th, phone, tells me that that is the one.

Q. Which one? - A. The one that was recorded that day.

E

Q. The original tape? - A. The original.

Q. Yes. It is important, as you understand, that I ask you these questions because taperecordings were copied, weren't they? - A. Yes, they were, sir.

Q. And you are aware of that? - A. I am aware of that.

F

Q. And so that's what I am trying to get at each time, whether you are looking at the original or copies. - A. This is the original, sir.

Q. Now, is it right, Mr. Lloyd. It is apparent from the telephone conversation, isn't it, that an arrangement was made to meet that night? - A. That's right, sir.

G

Q. Right. At the Rose? - A. That's right, sir.

Q. But can you, by reference to your notes, help us as to what did happen. Whether the meeting did take place that night or what? - A. It did. We advanced the time of it.

H

Q. Why did you do that? - A. Because we wanted to photograph it, sir, and at ten o' clock at night there would be no light to do so.

/so

Mr. Lloyd

A Q. And is it right that an arrangement was made to advance the time? - A. Yes, sir.

B Q. Now, you wanted to photograph that particular meeting. Can you remember who the photographer was to be on that occasion? - A. Yes, a Colin Sims.

C Q. Colin Sims. Was he a Times photographer, or what? - A. He may have been a free lance attached to The Times. There were a number of photographers in that respect.

D Q. But he agreed to come along, did he? - A. Yes.

E Q. And the meeting was fixed for? - A.. The meeting was fixed for I think it's five o' clock, sir. 5.30.

F Q. 5.30 at the Rose. Now, I would like to come to that meeting now if I may please. If you would like to orientate yourself by finding your notes, please do. - A. Yes.

G Q. We are talking about the afternoon of the 28th. - A. Yes, sir.

H Q. I think that it is important that the jury should understand this. On this day, were you simply and solely concerned with Mr. Symonds or were you also interested in other people as well? Can you remember? - A. No, we'd also been interested in other people.

I Q. You have been interested in other people as well? - A. Yes, sir.

J Q. So that when we have a picture of you doing things on that day we have also got to bear in mind then that you were busy investigating other cases as well, is that right? - A. Yes, sir.

K Q. Yes. At all events, the meeting with Mr. Symonds was to take place that afternoon? - A. Yes, sir.

L Q. And did it take place that afternoon? - A. It did, sir, yes.

M Q. Did you go along? - A. I did, sir.

N Q. To the Rose? - A. I did, sir.

O Q.. Now, can you remember what happened? - A. Yes. I travelled in the back of Perry's car, having previously gone through the money that he was to hand over.

P Q. How much money was he going to hand over? - A. He was going to pay an instalment of £50.

Q. An instalment of £50? - A. Yes, sir.

R Q. Now when you say you had gone through the money what do you mean by that? - A. Well, we separated the money that he

/he

Mr. Lloyd

A was - Perry arrived with a sum of money, well, more than he was going to hand over, and we felt that what we had to do was he had to go to that meeting with absolutely nothing else on his person apart from the money that he was to hand over to this Detective, so I held on to assorted other of his possessions, and the money that he was to hand over Mr. Mounter and I went through and I believe we logged the numbers.

Q. Yes. Well, I think that's right and there's a chequebook I think? - A. Yes, that's right.

B Q. Mr. Mounter's chequebook? - A. On his chequebook, that's right.

Q. So he can deal with that, perhaps. But you did record - when I say you ...

C Mr. Symonds: Your Honour, I must object to all these leading questions which are being put and what not. I have been very patient.

Mr. Rivlin: I am obliged to the defendant for being patient, but I have been terribly careful not to lead about any matter of importance.

D JUDGE STROYAN: Yes. Certainly it would be quite wrong to lead on any matter that may be important. Things that are not likely to be in dispute I should have thought could be dealt with as shortly as possible.

Mr. Rivlin: Your Honour, I led the fact that it was Mr. Mounter's chequebook because it is an exhibit in the case.

JUDGE STROYAN: Yes.

E Mr. Rivlin: And if I am not too ...

JUDGE STROYAN: Well it's not of ^{any} materiality in any event, is it?

Mr. Rivlin: No. - A. I remember it very distinctly, sir.

F Q. Yes.

JUDGE STROYAN: Well, the numbers of the notes are not material?

Mr. Rivlin: Oh no, I am not going to take the witness through all the numbers of the notes.

JUDGE STROYAN: No. Yes..

G Mr. Rivlin: Well, if it becomes necessary for me to show you the checkbook I will do so, but I don't think it is. - A. Yes, sir.

H Q. Now, what happened after you had sorted out the money? How much money was Mr. Perry left with? - A. Mr. Perry was left only with the money that he was to hand over to the Detective.

Q. How much? - A. £50.

A Q. And where did you go with him? - A. I got into his car and travelled with him almost to the point of the meeting so that I would have as much continuity of his movements as possible. In fact I bailed out of the car just short of the point where he was to meet the Detective.

B Q. Who was driving then? He was driving? - A. He was driving. I was in the back, sir.

B Q. Who else went to the Rose public house? - A. The sound engineer, Mr. Mounter, sir.

JUDGE STROYAN: Who is the sound engineer? - A. The sound engineer is Mr. Hawkey, sir.

C Q. Yes. - A. I believe he had a colleague with him on that occasion as well.

Mr. Rivlin: A male or a female colleague, can you remember? - A. He may have had a male colleague. He also I believe, I think on that occasion we had Miss Millard with us. She was the Transport Officer of the film company who was arranging the vehicles that we were using.

D Q. Yes. And you have mentioned Mr. Hawkey, Miss Millard. - A. Yes. I have got a note in my notebook I see here, Julian Mounter of course was there too.

Q. Your fellow reporter? - A. Yes.

Q. Yes. And you have mentioned the photographer? - A. And the photographer, yes.

E Q. Now, can you assist please as to the recording equipment that was used on this occasion? - A. Yes. Perry was fitted up with a small chest microphone round his neck, under his shirt, which was attached to a transmitter which was to go to a receiver in the sound engineer's car. There was also direct, a direct recording device, a microphone under the dashboard of Mr. Perry's car, wired to a taperecorder in the boot.

F JUDGE STROYAN: This is the 20'?

Mr. Rivlin: 28th. We are talking about the 28th. That's right, is it? - A. That's right.

G Q. Now, can you remember what happened when you got to the Rose? - A. Yes. Mr. Mounter followed in his car. The photographer, Colin Sims, came behind. And then the sound engineer's car brought up the rear. I have got a note of all this. Before reaching the junction with Elmington Road I got out of the rear of Perry's car as I have explained, short of the meeting point, and he drove on. And he suddenly swung his car, which is a former Police car, a Wolseley saloon, into a gap in front of a white Vauxhall in which a man was seated at the steering wheel.

/wheel

Mr. Lloyd

A Q. Now, just pause there please. Did you make a note of the numbers of the two motorcars or either of the motorcars at that stage? - A. I don't see a note of it, sir, but I may well have done.

Q. Well I don't think it matters very much but if you come across it perhaps you would let us know. - A. Yes, sir.

Q. You say that the two motorcars were together. - A. Yes.

B Q Did you see who was in the white motorcar? - A. Yes, the defendant, sir.

Q What did he look like at that time? - A. He was beardless.

Q. He was bearded?

C JUDGE STROYAN: He was beard?- A. Beardless.

Q. Beardless.

Mr Rivlin: Beardless? - A. Yes.

Q. I am sorry. I thought you said bearded. - A. No.

D Q. Beardless? - A. He had no beard, sir.

Q He had no beard. And whilst the two were - well, what happened? - A. Well, I walked past the car.

Q. Yes. - A. And he looked up.

E JUDGE STROYAN: Which car? - A. I walked past the defendant's car, sir, the white Vauxhall.

F Q. Yes. - A. And as I walked past he looked up and gave me what I noted as a sharp glance, and I walked on past and I saw Mr. Mounter's car parked at the front of the Rose. I have marked, I have got a note here, in the car park area. And I walked slowly on up the road and then came upon a sound crew's car, which is an estate car, in which Mr. Mounter was sitting with the two engineers. So he had left his own vehicle and got in with the sound engineers.

JUDGE STROYAN: That's Hawkey? - A. That's right, sir. And they were trying to record the conversation via the radio mike which was attached under Perry's shirt.

G Mr. Rivlin: Now, where were the two conversationalists at that time? - A. In Sergeant Symonds' car.

Q. In the defendant's car? - A. Yes.

Q. After the meeting ...

H JUDGE STROYAN: I'm sorry, Mr. Rivlin. There is one matter. About how far apart were these two cars?

A

Mr. Rivlin: Oh yes. - A. I don't recall, sir, but there was a - I have merely got a note that Perry's car parked in a gap in front of the white Vauxhall. It was some just few yards away.

Q. No, I'm sorry, I think you are mistaking. His Honour is wondering how far the sound recordist's car was away from the ..
- A. Oh some distance, sir. I don't recall the distance, but it was

B

JUDGE STROYAN: A block away, one hundred yards away, fifty yards away? - A. Oh I really can't recall the distance. I would hate to put a figure on the distance, sir. I put my head in the window and discovered that they were too far away to record the conversation. It was being done by a radio mike which is a very limited device. You need to have the transmitter and receiver in very close proximity to get a proper recording and they were too far away and I suggested to them that they should try and move closer.

C

Q. Well, we can't have that, I am afraid. Yes.

Mr Rivlin: Well, you were not present at the meeting between Perry .. - A. No, I walked on.

D

Q. ... and the defendant. - A. I walked on.

Q. But afterwards, did you do something? - A. Afterwards we, we retrieved the tape and listened to it.

Q. And before I ask you about that, what about the question of money? - A. After the meeting we took Mr. Perry aside and searched him and his car and the money had gone.

E

Q. How long after was it that you searched him? Did you search him as it were at the Rose or at some other place or in the vicinity? - A. I seem to recall it being in the Rose car park.

Q. To your knowledge did Mr. Perry have any opportunity to do anything with the money? - A. No, sir.

F

Q. If you see what I mean. - A. No, we were conscious of that. We were anxious to exclude the possibility of him duping us and telling us that he had handed over the money to the Detective when he had done nothing of the sort, and that's what all this searching went towards.

Q. So you would say he had no opportunity to do that? - A. Not really, sir, no.

G

Q. And what about the tape that you heard? - A. We listened to the tape and ...

JUDGE STROYAN: Which tape is this? - A. This is the radio tape, sir, that was obtained by the sound engineers.

H

Q. In Hawkey's car? - A. In Hawkey's car. But there were only snatches of conversation on it because they were out of range.

/range

Mr. Lloyd

Mr. Rivlin: Now, I appreciate, Mr. Lloyd, that you have listened to these tapes many many times. - A. Yes, sir.

A Q. But you will understand that there are people in court who have not heard them yet at all? - A. Yes.

Q. And so we are going to take this opportunity to play them through. - A. Yes.

Q. Your Honour, I note the time.

B JUDGE STROYAN: Yes. I think we will hear the tapes after the adjournment.

Mr. Rivlin: If you please.

C JUDGE STROYAN: But just before. You mentioned another taperecorder that was being put up in the defendant's car. Did you get a tape from that? - A. No, sir, because he had got out of his Wolseley car. Perry had got out of his Wolseley car, to our great disappointment, and got into the car of Mr. Symonds so there would be no recording from the direct microphone.

D Q. Oh yes. That direct microphone being of course in Perry's car? - A. Yes, in the boot of his car, sir.

Q. From the microphone? - A. The microphone under the dashboard, sir.

Q. Yes, very well. It is very important, Mr. Lloyd, you don't talk about your evidence to anybody at all during this adjournment. - A. Of course, sir.

E (The Court adjourned for lunch)

Mr Rivlin: Mr. Lloyd please.

F Q. Now, Mr. Lloyd, would you please take the transcript and follow it through with us. It starts at page four and we are coming now to Exhibit number two, tape number two. - A. Yes, sir.

Q. The conversation which you have told us was broken up and you could just hear snatches of it? - A. Yes, sir.

Q. Well, Your Honour, we are not going to play any blank parts of the tape.

G JUDGE STROYAN: No.

Mr. Rivlin: We will start at two minutes twenty-four seconds.

JUDGE STROYAN: Yes.

Mr Rivlin: Thank you.

H JUDGE STROYAN: Before we start, Mr. Rivlin. Are any of the

/the

Mr. Lloyd

other witnesses going to be asked to listen to these tapes?

A Mr. Rivlin: Well, Your Honour, I am aware of the fact that other witnesses have listened to tapes already, and can I tell you what I was proposing to do?

JUDGE STROYAN: Yes.

B Mr. Rivlin: To play these tapes, that is the ones that are the subject of the transcript, through while Mr. Lloyd is here.

JUDGE STROYAN: Yes.

Mr. Rivlin: And then to leave the others, that's the two or three others that will not then have been heard by the jury, until perhaps Mr. Hawkey comes into the witness box.

C JUDGE STROYAN: Yes.

Mr. Rivlin: So that we will hear the good tapes, the good quality recordings, now.

JUDGE STROYAN: Yes, I was just wondering if any of the other witnesses are going to have to listen to them and give their views.

D Mr. Rivlin: Well, Your Honour, my submission to Your Honour would be this. As you know, the other witnesses have heard them.

JUDGE STROYAN: Yes.

Mr. Rivlin: In your presence or in the - in a court hearing, can I put it that way.

E JUDGE STROYAN: Yes.

Mr. Rivlin: And it is my submission to Your Honour that that having been done there really is no need to do it again with them. I can ask them questions about them.

JUDGE STROYAN; Yes.

F Mr. Rivlin: We don't have to have them played over and over again.

JUDGE STROYAN: No, that's what I was anxious to avoid. I am just wondering whether in view of the fact that the jury are here ~~whether~~ the other witnesses ought to be here.

G Mr. Rivlin: Well, Your Honour may be aware of the situation. We are not going to have witnesses hanging around this week.

JUDGE STROYAN: No. Quite.

MR. Rivlin: And we have decided that our next witness should not be here for a day or so because we are not going to have people waiting around.

H JUDGE STROYAN: No.

/No

Mr. Lloyd

Mr. Rivlin: For days on end.

A JUDGE STROYAN: No. Well, I hope you will be able to get through the matter reasonably expeditiously.

Mr. Rivlin: Well, Your Honour, it is my intention to do so.

JUDGE STROYAN: Yes, I am sure.

B Mr. Rivlin: And to avoid going through these tapes with each and every witness.

JUDGE STROYAN: Yes, very well.

Mr. Rivlin: I am sure that can be done.

JUDGE STROYAN: Yes.

C Mr. Rivlin: Would you now please listen to tape two being played.

(Taperecording played)

Mr. Rivlin: Yes, thank you. I think we can now proceed to five minutes ten seconds. Your Honour, the jury have these earphones. I don't think they need to use them for the time being.

D JUDGE STROYAN: Well, certainly not at the moment.

Mr. Rivlin: No, not at the moment. I can explain in due course how they are to be used.

JUDGE STROYAN: Yes.

E Mr. Rivlin: But whilst we can hear things over the main loudspeaker, that I think should suffice.

(Taperecording played)

Mr. Rivlin: Yes. Well, that was that one. And we are over now to

F JUDGE STROYAN: Page five.

Mr. Rivlin: Page five.

JUDGE STROYAN: Boozer was the last word I made out.

Mr. Rivlin: Yes.

G JUDGE STROYAN: 5.42.

Mr. Rivlin: Can we have that last little bit again at 5.29 to 5.42 please. This all comes rather quickly. Sorry, 5.10.

(Taperecording played)

H Mr. Rivlin: Right.

(Taperecording played)

/played

Mr. Lloyd

Mr. Rivlin: Yes, thank you. Now, seven minutes twenty, please.

A

(Taperecording played)

Mr. Rivlin: Well, you have heard that. When did you first listen to it, Mr. Lloyd? - A. Very shortly after the recording was made, sir.

B

Q. And what do you mean by that? - A. I think we actually listened to it in the car, snatches of it.

Q. Well, do you mean on the same day? - A. Oh yes. Certainly on the same day.

Q. Within what sort of time range did you hear it? - A. Oh, it may have been a matter of minutes or half an hour of the meeting.

C

Q. That was the sort of time range? - A. Yes.

Q. And as to the content of the conversation, what do you say about that in relation to the taperecording that you have just heard? - A. That is the content.

D

Q. Yes. Now, I would like you to look, if you would please, at the box and the tape. And perhaps we can go to our schedule B. Could you please have a look first at the box that you see there. - A. Yes, sir.

Q. And we are looking now I hope at the marking on the box column in Exhibit number two. Would you just read what is on the box and then tell the jury if any of that is in your handwriting. - A. It's all in my handwriting, sir. It says "Master, October 28th 1969, Rose public house, Camberwell. Perry and D.S. Symonds".

E

Q. All in your handwriting? - A. Yes.

Q. When did you write that on the box? - A. Well I don't recall, sir. It was I fancy fairly soon after the recording was made, but I really don't remember, sir.

F

Q. Well, would you have waited days, for example, before writing it on the box? - A. It's possible, sir.

Q. Well, let's have a look at the spool, shall we? - A. Yes, the spool also contains my handwriting.

G

Q. Now, would you read out what appears on the spool? - A. It says "Rose public house, Camberwell. Perry and D.S. Symonds, October 28th 1969, master, original" and my signature.

Q. Whose handwriting? - A. My handwriting, sir.

Q. Now, when did you write that on the spool? - A. I think that was when we actually retrieved the tape, but I really can't remember it.

H

/it

Mr. Lloyd

Q. You can't remember. You haven't got a mental picture of it now, as it were? - A. No, sir.

Q. But what was your practice in relation to the spools and marking them? - A. To mark them. As we acquired more tapes we were very conscious that we mustn't mix them up. I mean we could easily hear them anyway by putting them on a machine, but we didn't want to mix them up and so we wrote on the spools to identify them.

Q. Yes. Now, Mr Lloyd, what do you say about that tape that is in your hand now? - A. It's the tape that was retrieved from that machine at that time, sir.

Q. And so, in terms of its originality? - A. That is the one, sir. That's the original tape.

Q. Now, you have told the court I know that on that day Perry was searched after the meeting? - A. He was, sir.

Q. And no money was found in his possession? - A. No, sir.

Q. Is it right that, coming to another day now, another meeting was arranged? - A. Yes, sir.

Q. Between Mr Perry and Mr. Symonds? - A. Yes, sir.

Q. What was the date of the next meeting please? - A. The next meeting with this Officer, sir, was on the 31st.

Q. The 31st October? - A. Of October.

Q. And where did the meeting take place? - A. At the Grove public house, sir.

Q. Were you present? - A. Yes, sir.

Q. Who else was present? - A. Mr. Mounter, Mr. Hawkey, and I think Miss Millard and a photographer called Mr. Pridmore.

Q. Before the meeting took place, what steps were taken? - A. The same searching procedure was carried out and Mr. Perry was left with £50.

Q. Were the numbers of those notes taken, in whatever denominations the notes may have been? - A. Yes, sir.

Q. And a note made of them? - A. Written down by Mr. Mounter on his chequebook, sir.

Q. And as regards taperecording, was that arranged? - A. That was, sir.

Q. And can you remember what arrangements were arrived at there? - A. I believe, sir, that we had a direct recording in Perry's car and a radio mike as well.

Q. Now, as regards the direct recording, - A. Yes.

/Yes

Mr Lloyd

A Q. It may be, if you can't remember, that others can, but do you know where the microphone was positioned for the direct recording? - A. Yes, under the dashboard in Perry's car.

Q. And where was the taperecorder? - A. In the boot.

Q. And as regards the other type of recording, what was that one?

B JUDGE STROYAN: Just a moment please. Was there any connection between the microphone under the dashboard and the recorder in the boot? - A. Oh yes, sir, that was direct.

Mr. Rivlin: It was direct.

JUDGE STROYAN: In what way? - A. It was wired up so the

C Q. Wired up. Thank you. Yes.

Mr Rivlin: And the other one? What was that? Do you have a note of it? - A. I don't appear to have a note of it, sir. I know we used more than one because I have a note of the watching the tapes removed from the taperecorders.

D Q. Well, don't worry about it because we are going to be looking at a box shortly and that might help. -A. Yes, sir.

Q. But there were two, at all events? - A. Yes.

JUDGE STROYAN: Two what?

Mr. Rivlin: Two recordings, is that right? - A. That's right, sir.

E Q. Now, what time did the meeting take place on this day? - A. It was to take place at 2.30. I think it actually started before 2.30. I have got a note at 2.20 in my notebook.

F Q. After the meeting had taken place, what was done about Perry? - A. Perry was again searched and the money had gone and we removed the tapes from the taperecorders and listened to them.

G Q. Do you consider that Perry had any opportunity of stashing the money away? - A. We always considered that there was a chance that he would have done that but we tried to exclude it in every possible way we could, and I don't believe in any way that he would have disposed of the money in any other fashion. It was very shortly after he was searched by us. He knew that we were watching. He knew that photographers were ...

Q. Well, in other words you were keeping surveillance, as it were? - A. Yes, sir.

H Q. So what is my answer to the question? Do you consider that there was in real terms an opportunity? - A. Absolutely none, sir.

Q. Right. Now, I would like you if you would please to look

/look

Mr. Lloyd

A at the transcript and we are going to listen now to this taperecording, Tape five, Exhibit number three, which starts at page seven of the transcript.

(Tape played)

Mr. Rivlin: Your Honour, I only stop to enquire whether everyone was being able to follow it alright. We are at page ten, three-quarters of the way down the page. Yes. Everyone is. Thank you.

B JUDGE STROYAN: Now we go on to 2126.

Mr. Rivlin: 2126, yes.

(Tape played)

C Mr. Rivlin: Would you please go back to 2510. And this is the point where I suggested to the jury they might listen very carefully to ~~(justifying)~~ Your Honour.

JUDGE STROYAN: Yes.

Mr. Rivlin: 2510 please.

D JUDGE STROYAN: The suggestion being that this may have stage when money was handed over?

Mr. Rivlin: Yes.

JUDGE STROYAN: Yes.

(tape played)

E Mr. Rivlin: Yes. Thank you. Would you please in a moment's time look at the tape and the box. But I think in the meantime you can be usefully looking at another tape and box. That is Exhibit number four, tape number three. It is the third one down on the Schedule B, Members of the Jury. The one that we have just played is the fourth one down, Exhibit three, tape five. We have not played Exhibit number four, tape three, but I am going to ask the witness about that. That's the one that we haven't heard, do you understand, because we are not playing all the recordings today. - A. I see.

F Q. But I wonder if you could please identify or see what you have to say about that. Now, Mr. Lloyd, you are looking at Exhibit number four, tape three, are you not? - A. Yes, sir.

G Q. And let us deal with the box first. Are there any markings on the box in your handwriting? - A. Yes, there are, sir.

H Q. Now would you please - well you read out what is on the box and identify for our benefit what's in your handwriting. - A. On the front of the box, sir, the word "master, October 31st 1969, Grove Inn, meeting with Symonds, (duplicate taken with radio mike) and phone calls)." And on the back of the box is also my handwriting.

JUDGE STROYAN: Is all that you have just mentioned your writing?

- A. All my writing, sir.

A

Q. Thank you. Yes. - A. On the back of the box is my writing, and it says "start of tape includes meeting with Harris outside Edinburgh Castle, in duplicate but of little use because batteries of Uher ran down. We have a perfect recording from a Nagra direct recording". And it goes on to say later on "Sergeant Symonds, as written on the front of box."

B

JUDGE STROYAN: As written or has written? - A. As written. On other side "Camberwell phone call".

Mr. Rivlin: And all that is in your handwriting? - A. Yes, sir

C

Q. And would you please now look at the tape, the spool. What do you see there? - A. That's got Mr. Mounter's writing on it, sir, on one side, and on the other side it's got my handwriting on it with the word "phone calls" on it, the two words "phone calls".

Q. Well, you read out what's in Mr. Mounter's handwriting and what's in yours. - A. In my handwriting are the two words "phone calls". On the other side is Mr. Mounter's handwriting and it's illegible, sir. Over the years it's become illegible.

D

Q. You can't make that out. So I will have to ask him about that. Now, would you please ...

JUDGE STROYAN: Only those two words, phone calls, in your handwriting? - A. Yes.

Q. Yes.

E

Mr. Rivlin: When did you write - first let's take the spool. When did you write that on the spool? - A. Well I can't recollect, sir.

Q. Well, doing the best you can. - A. Well, I would have thought it was made at the time or very soon after we retrieved the tape, but I really can't remember.

F

Q. You can't remember precisely? - A. No..

Q. On the tape, is there a date there or not? - A. Yes, there is a date on the back in Mr. Mounter's writing I think, but I can't make it out.

Q. What about the other side? Is there a date on the other side or not? - A. No. There is a date on the box.

G

Q. A date on the box, but you say not on both sides of the tape? - A. No, sir.

Q. Very well. And you can't make them out? - A. I can't, sir, no.

H

Q. Can't make it out, - A. No.

Q. To be fair. - A. I can't.

/can't

Mr. Lloyd

Q. So I shall ask Mr Mounter about that. Now what about the box? You have written quite a lot on the box, haven't you?
- A. Yes.

Q. When did you write that on the box? - A. Again I can't remember, sir, actually when it was written, but it was written around the time that we were listening or transcribing or retrieving these tapes.

Q. Looking at the spool and the box, - A. Yes, sir.

Q. Do you feel able to say anything about that tape? - A. I am sure it is a genuine original tape that was retrieved from the machine.

Q. What does the word "master" mean? - A. That means it's the original tape, to differentiate from copies that were taken.

Q. Now, if one looks at your markings on the box, - A. Yes, sir.

Q.. "Grove Inn, meeting with Symonds", - A. Yes.

Q. "Duplicate taken with radio mike", - A. Yes.

Q. Now, does that help you to recall how this one was taken? - A. Yes, this will have been a direct one. This could be the duplicate with the radio mike. I really don't recall them now, sir, how it would....

Q. How it would work out? - A. No.

Q. Alright. "Start of tape includes meeting with Harris outside Edinburgh Castle". - A. Yes.

Q. "A duplicate but of little use because batteries of Uher ran down". - A. Yes, we had taped another meeting with another Detective, which was a duplicate, and it was taped on a machine which the batteries ran down and we didn't discover that until afterwards.

Q. Yes. - A. So the recording was in fact comparatively useless, but we were not excessively dismayed about that because we had another recording which was taken by the direct microphone from under the dashboard to the recorder in the boot.

Q. That's why this one is called a duplicate? - A. That's it, sir.

Q. And you say "We have a perfect recording from a Nagra direct recording". - A. That's right, sir.

Q. "Later on Sergeant Symonds" - A. "As written on front of box".

Q. "As written on front of box and on other side". - A. Yes.

Q. "Camberwell phone calls". - A. Yes.

/yes

Mr. Lloyd

A Q. And then if we look at the front of the box on the other side it says? - A. It refers to phone calls.

B Q. Yes. Now, Your Honour, I don't wish to lead the witness. May I say that I believe it is generally agreed that as regards this tape is concerned it contains more than one recording?

JUDGE STROYAN: Yes.

B Mr. Rivlin: But in my submission I should be entitled to ask the witness questions from that standpoint. I am not going to ask him about the content of the other taperecording.

JUDGE STROYAN: No.

Mr Rivlin: It's a question as to how this might have arisen.

C JUDGE STROYAN: Yes, I think you can do that.

Mr. Rivlin: Given that this taperecording, I think by common consent, Defence and Prosecution, contains more than one taperecording, - A. Yes, sir.

D Q. And^a part of an interview with Harris, then overlaid part of an interview with - not a part of an interview, then overlaid the interview with the defendant, do you understand? - A. Yes, sir.

Q. Can you help us as to how that arose? - A. Yes, I think what happened was the batteries had run down on the other machine and therefore when we retrieved it as far as we were concerned the recording was useless because...

E JUDGE STROYAN: Just a moment please. The batteries had run down on the other recording machine. That's the Uher, is it? - A. The Uher, yes. So the tape was valueless as far as we were concerned, but we had a direct recording of that meeting we'd taken from the microphone under the dashboard in Mr. Perry's car and this tape would have then gone back to the recording engineer and I think..

F Q. Which tape? - A. This tape.

Mr. Rivlin: Three, tape three, Exhibit four. - A. That's the one that came off the Uher, and he simply used it again on this interview, this meeting.

JUDGE STROYAN: Just a moment. So the Harris interview took place before this one? - A. Yes.

G Q. Just a moment then. This (inaudible) - A. There had been a meeting that morning.

Q. Just a moment. 5.40, is that right? - A. Yes, sir.

H Q. On this recording. So it comes to this, does it. Part of the tape has a useless recording because the batteries had run down? - A. Yes, sir.

/sir

Mr. Lloyd

Q. And that part is used again for this conversation which therefore overrides what was left of the ...? - A. That's right.

A Q. .. earlier conversation? - A. Yes, that's right, sir.

Q. Yes, I see. Thank you. Yes.

B Mr. Rivlin: Yes. Now, Your Honour, I am permitted to mention, because I have just made the enquiry, that it is agreed that that is in essence what happened, and that there is a cut-off point. The experts are agreed about it and I can in due course take the jury to it and the transcript.

JUDGE STROYAN: Yes.

Mr. Rivlin: I don't think we need take any more time up on that just now.

C Q. Well, now, by now, Mr. Lloyd, the other tape should have been taken off the machine. That's the one that we have just been listening to, Exhibit number three, tape five. And I would like you to have a look at that please, and dealing with the box first go through the same process. - A. Well, there is a Crown Court Exhibit number on the front of it.

D Q. You can forget about things like Exhibit numbers. - A. On the back of it is my writing, and it says "master, October 31, tape of Symonds (Detective Sergeant), the Grove public house",

JUDGE STROYAN: That's all your handwriting? - A. That's all my handwriting, Your Honour.

Mr. Rivlin: And what about the spool? - A. The spool, sir, contains one word in my hand.

E Q. What is that word? - A. Original. And the rest of the - and also my signature on it, sir..

Q. Yes. - A. But the rest of the writing on it is in the hand of Mr Mounter, sir.

Q. And can you read what it says? - A. I can, sir.

F JUDGE STROYAN: Just a moment, please. Yes. - A. It says, sir, "Tape of Symonds, Detective Sergeant, ^{the} Grove pub, October 31st, 1969".

Q. October? - A. October 31, 1969.

Q. Well, the document I have got says 31/11.

G Mr Rivlin: So does mine, indeed. Is there after 31 an eleven there or not, on the spool? - A. There could be. It's Mr. Mounter's hand, sir.

Q. Can you decipher it or not? - A. I can't really.

H Q. Well in that case I shall ask Mr. Mounter about it. But you say that that's signed by you. It's got your handwriting the word "original". The rest is Mr. Mounter's handwriting? -

- A. It's also got my signature on it.

A Q. And your signature on it? - A. And his initials.

Q. And his initials. Right. Now, looking at that tape, looking at the box, what do you say about the tape? - A. I say that's the original tape that we retrieved from the machine.

B Q. Could I have it for a moment please. Your Honour, I am aware of the fact that the jury as yet have not seen any of these tapes. Might this be handed round so that they can just - it can be passed round quite quickly I think.

JUDGE STROYAN: Yes.

Mr. Rivlin: So that they can see what it's all about when one talks about writing on it.

C JUDGE STROYAN: Yes.

Mr Rivlin: On the box. The jury will have plenty of time to read it carefully later on. It's just to get the flavour of it really at the moment.

D JUDGE STROYAN: The writing is on the other side of the box, Members of the Jury. I think if you turn the box over you will see some writing on the back.

Mr. Rivlin: Thank you. Now, I am going to go on now in time. I am sorry, there is one question I forgot to ask you, I think. Having listened to that taperecording in court and to its content, what do you say about its content in relation to the taperecording that you heard at the time? - A. It's what I remember of it, sir.

E Q. And you say you heard it, first heard it played? - A. Shortly after we obtained it.

Q. Yes.

JUDGE STROYAN: The same day, you mean? - A. Oh yes, sir.

F Mr Rivlin: Now, I am going to come on in time and I would like you, if you would like to use your notes it may help you, to come on to the 11th November, which is not the day of a specific count but it's the day when something happened that you may be able to help us about. By this time you had got taperecordings of two meetings, hadn't you? - A. Yes, sir.

G Q. And - A. With this Officer.

Q. With this Officer, yes. Well, other things were happening with other people, weren't they? - A. Indeed, sir.

H Q. Yes. And on the 11th November what was done, if anything, relevant to these tapes? - A. What was done, sir, was the copying of tapes that we had retrieved of the meetings with Detectives and we were transcribing these tapes to some extent

A as we went along, which was an extremely arduous job, and we were very concerned. We had secretaries doing it. We were very concerned that none of the secretaries or indeed ourselves or anybody should accidentally touch a button on a machine and erase any of these tapes so we took, I took tapes that we had acquired of these meetings to Location Sound Facilities and had them copied.

JUDGE STROYAN: You took which? The originals is it? - A. The originals.

B Q. Of which tapes? - A. Well, there were a number of tapes, sir, not

Mr. Rivlin: You took a number on that day? - A. Yes.

C Q. And we are only concerned with some in this case. I am now going to ask you if you can identify the ones that you took. Concentrate on Sergeant Symonds please. Tuesday, 11th November. - A. Yes, sir.

Q. Do you have a reference there? - A. Yes, I have got a reference, ~~to~~ sir, to a tape of him at the Rose public house, Camberwell.

D Q. That's Exhibit number two, tape two. And then if you would go over please.

JUDGE STROYAN: Page? - A. October 31, tape of Symonds at the Grove.

Mr. Rivlin: And if you go a little further down. - A. There's another one. November 5, radio mike, 409. That's BLU, that's

E Q. Well, that's nothing to do with Mr. Symonds.. - A. No.

Q. I would like

JUDGE STROYAN: I'm sorry. May I be clear about these please. You took to LSF Exhibit two, tape number two. That's the second one which the jury have heard, for copying? - A. Yes, sir.

F Q. What about Exhibit one, tape one? Do you remember about that or not? - A. Which one is that?

Mr. Rivlin: Well, Your Honour, I think if I can just be allowed to take the witness through.

JUDGE STROYAN: Yes.

Mr. Rivlin: I think that that isn't referred to in this particular meeting.

JUDGE STROYAN: Yes, I see.

H Mr. Rivlin: Would you please have a look at your transcript of your notes - A. Yes, sir.

/sir

Mr. Lloyd

Q. Page 31 at the top. - A. Yes, sir.

A

Q. Do you have that? - A. Yes. I have got

Q. Now, just a moment. I am sorry to cut you short, Mr. Lloyd, really I am, but I want to ^{try and} get this straight. - A. Yes, sir.

Q. You have taken tape number two, the meeting at the Rose?
- A. Yes, sir.

B

Q. And if you look at the top of the page please, what else did you take? - A. I took a duplicate radio mike meeting with Symonds.

Q. And does it say there the kind of equipment that was used?
- A. Yes, it does.

Q. What? - A. Taken on Uher.

C

Q.. Uher? - A. Yes.

Q. Now, that's tape number three, Your Honour, Exhibit number four. And does it mention that that was with Mr. Symonds? -
A. Yes.

D

Q. Yes. Now, if you would go a little further down the page please, because you are talking about all sorts of things, are you not? - A. Yes, I am, sir.

Q. If you go a little further down the page, about a third of the way down, do you see anything else that's relevant? -
A. Yes, there's another tape that I took of Mr. Symonds at the Grove.

E

Q. And does it say what kind of equipment that was used? -
A. Yes, a Nagra.

Q. A Nagra. And is there even detail of the speed at which the recordings were made? - A. Yes, sir, yes. Recorded at three and three quarter inches per second.

F

Q. I am not going to involve anybody in that kind of detail, but that Your Honour is tape five, Exhibit number three. So that on the 11th you took three taperecordings that are relevant in this case? - A. Yes, sir.

Q. For copying? - A. Yes, sir.

JUDGE STROYAN: Those are Exhibit two, tape two; Exhibit three, sorry, Exhibit four, tape three; and Exhibit three tape five.

G

Mr Rivlin: Indeed, Your Honour. Now, can I ask you about copying? - A. Yes, sir.

H

Q. What care was taken about that? - A. Great care was taken, sir. The copying was done by Mr. Hawkey. I watched the procedure. I didn't know anything about taperecording at that time. I simply asked him for details of what he was doing, which I have made notes of in my notebook, and he copied them all on to brand new tape.

A Q. And in terms of the custody of the original tapes, what ..
- A. They never left my custody. I mean I was in the room at Location Sound where all this equipment was, where they were copied, and as soon as he had finished they were restored to me and I took them back to The Times.

Q. What was your attitude towards the originals? - A. An attitude of great care.

B Q. And in relation to the custody of the originals, can you remember where they were kept? - A. Yes, they were kept in a filing cabinet, sir, a new filing cabinet that we obtained at The Times, to which only Mr. Mounter and myself had keys.

Q. When was that filing cabinet acquired, can you remember? - A. It was acquired early on in the investigation.

C Q. We now come to the 21st November of 1969, which is the day as we know now the third charge here. - A. Yes, sir.

Q. Was there a third meeting? - A. Yes, there was, sir.

Q. And if you would turn up please your notes and go to the 21st November. - A. Yes, sir.

D Q. Where did this meeting take place please? - A. The Grove public house.

Q. At what time of day? - A. The car park. 12.30, sir.

Q. That's lunchtime? - A. That's correct.

Q. Not 12 30 a.m.? - A. No, no, not at all.

E Q. And who was present? - A. Myself, Mr. Mounter, Mr. Hawkey, Miss Millard, Michael Perry and the photographer.

Q. Do you know the name of the photographer who was there on the third occasion? - A. It's Grevett, Freddie Grevett.

Q. Grevett? - A. Grevett. G R E V E T T

F Q. And what about arrangements for this meeting? - A. Mr. Perry was searched again, sir, for the handover of the latest instalment for Mr. Symonds.

Q. How much money was he left with? - A. £50, sir, and we checked the numbers of them.

G Q. Yes. - A. Then we equipped the recorders. We had two recorders on this in Perry's car. One was a direct recording from the microphone concealed under the dashboard wired to the recorder in the boot of Mr. Perry's car. The other one was a radio mike concealed round his neck, and that had gone to another recorder in the boot of his car.

H JUDGE STROYAN: So there are two recorders in the boot. One wired to the dashboard by way of a microphone and the other direct? - A. That's right, sir. I believe there was a third one.

Q. What sort of recorders were they? - A. Nagras.

A

Mr. Rivlin: Those were Nagras, you say? You say you believe that there was a third recording? - A. Yes, I think there was a third recording. We were adopting belt and braces principle, sir, by this stage and we also wired up Perry with another microphone taped to his wrist and that was wired up to a small hand cassette recorder that could be switched on in his pocket.

B

Q. Can you remember the make of that recorder? - A. A Grundig, sir.

Q. A Grundig. Did the meeting take place? - A. Yes, sir.

Q.. After the meeting had taken place was Perry searched? - A. He was, sir. We searched him again and the money had gone, and we then retrieved the tapes and listened to them.

C

Q. And that brings us now to tape number fourteen, Exhibit number five, which is, let it be said, the best recording. - A. Yes, sir.

D

Q. That we are going to play now. And I wonder if you would turn up please the transcript that you have got and go to page 22. If the jury would like to write Tape 14, Exhibit number five there, if they haven't already got it on this, so that they know which tape it is that we're listening to. Now, ...

JUDGE STROYAN: Tape 14, Exhibit five?

E

Mr. Rivlin: Your Honour, yes. Your Honour, this is I believe a good recording, but I think that it may assist us if we listened to it with these head phones because I have mentioned that there is a place which is missing from the transcript which ...

JUDGE STROYAN: Yes.

F

Mr. Rivlin: may be of some importance. Can I just do my best to explain how these things work?

JUDGE STROYAN: I think when we get to the stage where perhaps you could give some sort of indication.

Mr. Rivlin: Well, Your Honour, yes.

JUDGE STROYAN: So that the jury know when to....

G

Mr. Rivlin: Well, Your Honour, may I tell you? It is page 24.

JUDGE STROYAN: Yes. I know where it is.

H

Mr. Rivlin: You know where it is.

JUDGE STROYAN: Yes. In case anyone isn't following it might be wiser to give some indication.

Mr. Rivlin: We will have the machine stopped, Your Honour.

JUDGE STROYAN: Yes.

A Mr. Rivlin: Yes. Members of the Jury, so far as these things are concerned, when you wear them would you please wear them with this little ~~piece of~~ glass bubble pointing towards the front of the court so that you will be wearing them like this with the glass bubble over your right ear, because it is from that that the rays are bounced or into that that they are. These knobs here are left ear and right ear and they are volume controls, red and yellow. The little switch in the middle up **B** at the top has got to be in the centre. It can either be left, right or centre. It should be positioned in the centre, and the little knob at the bottom should be switched over to the right where there is a little circle with a dot in it.

JUDGE STROYAN: The top one is under the two rings.

Mr. Rivlin: Under the two rings, yes.

C JUDGE STROYAN: Yes. The bottom one is next to the ring with the circle with the dot inside.

Mr. Rivlin: Yes.

JUDGE STROYAN: Yes.

D Mr. Rivlin: And let's just hope that they work. At all events we are starting at page 24. I am sorry, at page 22.

(Tape played)

Mr. Rivlin: Can we just go over that last little bit again please.

E JUDGE STROYAN: Yes. If you start at the top of page 24 again.

Mr. Rivlin: Yes. We will do our best to get to the top of page 24. We are going back, Members of the Jury, to the top of page 24 if we can.

(Tape played)

F Mr. Rivlin: Well you have listened to the content of that, haven't you, Mr. Lloyd? - A. Yes, sir.

Q. What do you say about that? - A. That is the tape that we retrieved from the machine at the time, sir.

G Q. And I am now going to ask you to look at this tape and other tapes and their boxes to see if you can help us. Would you please tell us this however. I think that you did say that after the meeting Mr. Perry was searched, is that right? - A. He was, sir.

Q. Any money on him? - A. No money on him, sir.

H Q. Doing the best you can, in your judgment at the time was there any opportunity for Mr. Perry to stash it away somewhere? - A.. No, there was no opportunity for him in practice to do so.

/so

Mr. Lloyd

A Q. Did you search just Perry or did you search the motorcar as well? - A. We searched his car as well.

Q. What, on each occasion or just the one occasion? - A. No, on each occasion.

Q. Now, we have got our little schedules here, Schedule B. And have you got in front of you please - which one have you got in front of you? - A. I have Exhibit number five, sir.

B Q. Exhibit five, tape 14? - A. Yes, sir.

Q. That's the one that we have just been listening to, Members of the Jury. And you can see that it is next to the bottom on the schedule. What do you find on the box please? - A. On the back of the box is Julian Mounter's handwriting.

C Q. What does it say? - A. It says "master, Symonds at Grove, November 21st".

Q. Anything else that you can see written on the box? - A. Yes, there is "seven inch, number seven".

Q. And do you know who wrote that? - A. I don't, sir. It may be my handwriting but I can't really say it is.

D JUDGE STROYAN: Other words are marked, are they? - A. Yes, sir.

Mr. Rivlin: Would you now please look at the spool. - A. Yes.

Q. And what do you find there? - A. On one side of the spool, sir, is Mr. Mounter's handwriting, which says "Symonds at the Grove, direct to Nagra in boot of BLU".

E Q. And which vehicle was that? - A. That's Mr. Perry's car, sir.

Q. Yes. And is there a signature there? - A. Yes, there's Mr. Mounter's signature.

Q. Any of your handwriting on the spool? - A. No, sir.

F Q. What do you say about the spool and the box? - A. That is the tape that we retrieved from the machine after it had been recorded.

G Q. Would you now please look at Exhibit number six, tape number thirteen. I am not going to invite you to listen to it. I would just like you to look at it please. And what do you find? First the box? - A. On the box, sir, on the back Mr. Mounter's handwriting, which says "master, radio mike in boot of BLU".

Q. You said it says master? - A. It says master.

JUDGE STROYAN: It doesn't say that on mine. Ought we to add that in? - A. No, it does say master, sir.

H Mr. Rivlin: It doesn't say that on mine either, Your Honour.

A JUDGE STROYAN: Well, perhaps we all ought to add the word "master" to tape number thirteen. So what we have now got is "master, radio mike in boot of BLU". Is that right? - A. Yes, sir, and "Symonds at the Grove, November 21".

Mr. Rivlin: Now, is any of that in your writing? - A. No, sir.

Q. It's all, all what? - A. Mr. Mounter's handwriting, sir.

B Q. Would you please look at the spool? - A. Yes, the centre spool on one side, sir, also contains Mr. Mounter's writing. And it says "Symonds, Grove, radio mike in boot of BLU, November 21" and it's got Mr. Mounter's signature.

Q. His signature? Full signature or what? - A. No, just his initials.

Q. His initials.

C JUDGE STROYAN: And that's all Mounter, is it? - A. Yes, sir.

Q. Thank you.

Mr. Rivlin: What do you say about that one? - A. I say that's also an original tape that we retrieved from the machine.

D Q. And then would you please look at tape number fifteen, Exhibit number seven, which is a cassette tape. - A. Yes, this is the Grundig pocket recorder, sir. On the box is Mr. Mounter's writing, and it says "November 21st, at Grove".

JUDGE STROYAN: Just a moment please. Grundig. - A. Yes.

E Q. Mounter's writing. - A. "November 21st at Grove, Symonds, Grundig used direct" and it's got Mr. Mounter's signature, and it's got my hand with the word "master" on it, And on the cassette itself there's a tape that we bound round it.

Mr. Rivlin: Would you just hold it up please. - A. A piece of tape.

F Q. Like a piece of elastoplast, isn't it? - A. Yes, a piece of camera tape.

Q. A piece of camera tape, yes. - A. And it says "Symonds at the Grove, November 21st direct, Grundig pocket", and it's got my colleague's signature, Mr. Mounter's signature.

G JUDGE STROYAN: Is that all in his handwriting? - A. That's all in his handwriting. And actually on the plastic cassette as well there's Mr. Mounter's handwriting which I think says "October 21st" with his signature. The reason we put this tape on is, you can see the difficulty if you examine this, that writing in any kind of hand on plastic, so we bound a piece of camera tape round it so we could actually write on the cassette itself.

H Mr. Rivlin: Yes. Now, what do you say about that one? - A. That is also the cassette that we retrieved from the machine that was carried by Perry.

- A** Q. Thank you. Would you please put that to one side. Now you have mentioned that transcripts of these taperecordings were being prepared. - A. Yes, sir.
- Q. By the Times? - A. Yes, sir.
- Q. And I would like you to have a look please at Exhibit number 35A. - A. Yes, these are the transcripts that we made of the recordings after we retrieved them from the machines.
- B** Q. Those are the transcripts that were prepared by The Times? - A. Yes, sir.
- Q. Yes. I think that you are being handed the originals. - A. Yes, I have them.
- Q. Just to formally identify them. - A. Yes.
- C** Q. Are those the originals? - A. Yes.
- Q. We have got photocopies of them, haven't we? -A. That's right, sir, yes.
- Q. Now, let me ask you about that. You have already said a few words to us about the transcripts. You were present. To what extent were you present when the transcripts were being prepared? - A. Initially we were present I think most, if not all, of the time, but as we acquired more tapes and the work built up we also acquired more secretaries and we simply couldn't supervise it, so we had to leave the secretaries to some extent to carry on transcribing them on their own, but we were about.
- D**
- E** Q. Once the copies had been obtained of any of these meetings what was used for the transcripts? The originals? - A. Oh the copies.
- Q. The copies were used? - A. Yes.
- Q. For the reason that you have given? To preserve the originals? - A. Yes.
- F** Q. Given that you were present on some occasions, could you just describe how easy a job it seemed to you to transcribe tapes? - A. Difficult, sir. Initially we had some tables set up in the news room and I think at the outset we were trying to listen to them on a machine through the machine's own output without even any headphones, if I recall. You have heard the tapes. Much of the conversation is thieves' jargon, which is difficult to distinguish, and we transcribed as much as we were able to understand of it, but as time went on we got a little more familiar with the language.
- G** Q. Yes, well .. - A. We put headphones on.
- Q. Yes. - A. And I think it was done on the recording through a pedal. One of the girls had a pedal to operate the machine back and forth. The sort of thing you see on dictaphone machines.
- H**

Q. At all events, did you ever listen to the tapes? - A. Oh, we listened to them a great deal.

A

Q. And read the transcripts that you had prepared at the same time? - A. Yes. Oh, we did, sir.

Q. And as regards the transcripts that were prepared by The Times, - A. Yes, sir.

B

Q. What do you say about them in terms of their accuracy? - A. Well, they were as accurate as we felt they could be at the time.

Q. Yes. - A. The Police had been over them many times.

Q. Well, you can forget about that. I think you have really answered my question, Mr. Lloyd. It was the best that you could do at the time? - A. The best that we could do at the time.

C

Q. Now, I am going to come on now, because we are trying to deal with matters chronologically, just to ask you if you have got any note for the 25th November, because we have dealt with the 21st, and I would like to know if you have got any note of what happened on the 25th please. If you haven't, say so. - A. I don't think I have, no.

D

Q. Very well. - A. Oh yes I do have, yes.

Q. You do have? - A. Tuesday, November 25.

Q. Well, did anything happen on the 25th relevant to this case? - A. Yes. Oh, to this case?

E

Q. Yes, that you have got a note of? - A. No, I don't think so.

Q. Nothing that you have got a note of? - A. No. Another case.

Q. Very well. Well, let's leave that there then. And come on now to the 28th and 29th November. - A. Yes, sir.

F

Q. Now, you may remember the 28th and the 29th? - A. Yes, sir.

Q. Because, I am sure I won't be accused of leading you here, it was on the 29th that the newspaper article came out. - A. We published article about ...

Q. You published. That was Saturday, 29th November 1969. - A. That's right, sir.

G

Q. Now, let's go back a day now to the 28th. - A. Yes, sir.

Q. At some stage was the result of your enquiries divulged to the Police? - A. Yes, it was divulged after we had written the article and it was actually in print that night so that they couldn't get an injunction to stop us printing it.

H

Q. I see. Well now, given that the article came out on the morning of the 29th, - A. Gone into print the previous night.

/night

Mr. Lloyd

A Q. You had went to print on the previous night. So it was the 28th that it was divulged? - A. Yes, sir.

Q. And what was it that was handed over on that day, and to whom? - A. We handed over a bundle of documents. That is all the evidence that we had.

JUDGE STROYAN: I'm sorry. You say we handed over.

B Mr. Rivlin: Yes. Who handed over? - A. It was actually handed over by Mr. Colin Webb, our News Editor.

Q. Were you present? - A. I wasn't present.

Q. You were not present? - A. No.

Q. No. - A. I was busy with the article.

C Q. Right. You were busy with the article. Well, we have got to be very careful indeed here now. Do you know of your own knowledge what was handed over? When I say of your own knowledge I mean leaving aside what anybody else told you. - A. I know that taperecordings and all the documentation that we had acquired on this was handed over. A parcel, a big bundle was taken to Scotland Yard.

D Q. Did that include your statements? - A. I think it would have done, yes sir. I don't - I wasn't ...

Q. Well, were the tapes that were handed over the originals ones? - A. No, the copies.

Q. The copies? - A. Yes.

E Q. Why did you hang on to the originals? - A. Because we didn't trust the Police to have the originals.

Q. Were the transcripts handed over? Transcripts of the recordings? - A. Yes, I think they were, sir.

F Q. At all events, and I think this may prove to be a matter of some significance. These Times transcripts that we have been looking at or referring to, were those prepared before or after the handover to the Police? - A. Before, sir.

Q. Before. - A. They were very largely prepared at the time that we - when we got the tapes back to the office and the secretaries got on with transcribing them.

G Q. Yes. Right. Now, that is the Friday and the Saturday, the 28th and the 29th. And your article came out on the 29th? - A. Yes, sir.

Q. Do you have any record in your notes thereafter as to what happened? - A. No, sir.

H Q. Do you know, not were you told, but do you know whether the originals were ever handed over to the Police? - A. Yes, they were, sir.

/sir

Mr. Lloyd

Q. Were you present when they were handed over? - A. Yes, I believe I was.

A

Q. And can you remember how long after this Saturday it was that the originals were handed over? - A. No, it was very soon after. We had official delegations from Scotland Yard to the Times offices demanding the original tapes.

Q. And so they were handed over? - A. Yes.

B

Q. Now, just pause there for a moment. The situation is this; that you handed over the copies? - A. Yes.

Q. Now you hand over the originals? - A. Yes.

Q. What about The Times? Was The Times left with any copies? - A. Yes, we copied the originals again before we handed them over to the Police.

C

Q. You copied them again before you handed them over, and what did you do with your copies? - A. They were lodged in a black document box, a big black document box with the Times solicitors and went into the vaults of the bank.

Q. Yes. Well, Your Honour, as you know and may I say this, we have got the copies. That's the first lot of copies, in court. The Times copies are lodged with the court.

D

JUDGE STROYAN: Yes.

Mr. Rivlin: And in the court's custody. I am not going to take the witness through all the copies.

JUDGE STROYAN: Yes.

E

Mr. Rivlin: And when you say this happened, are you just talking about this case, Mr. Symond's case, or the whole case? - A. No, sir, the whole case. All the tapes and all the evidence we had relating to corrupt Policemen.

Q. Yes. Now, you have told us that it was on the 11th November that to your knowledge three tapes went for copying. Can you assist us yourself as to the day or days when the other tapes went for copying? - A. No, sir.

F

Q. No. Well, we may be able to get assistance from elsewhere. Up to the time that the original taperecordings were handed over to the Police what was your attitude to the originals? - A. We regarded them as vital and we did everything we could to ensure that they couldn't be interfered with.

G

Q. And why did you do everything you could to ensure that they couldn't be interfered with? - A. Because we realised that they were of paramount importance in this case.

Q. Were they ever interfered with? - A. No, sir.

Q. Would you just allow me a moment please, Your Honour.

H

JUDGE STROYAN: Yes.

/Yes

Mr. Lloyd
Cross-examination

Mr Rivlin: Yes. Would you please wait there, Mr. Lloyd.

CROSS-EXAMINATION

JUDGE STROYAN: Yes, Mr. Symonds.

Mr. Symonds: Your Honour, I suggest this is perhaps a good time to adjourn rather than starting now on cross-examination.

JUDGE STROYAN: I don't want to waste time during which we normally sit, and this case may take some little time. I would like to go on a little longer, Mr. Symonds. If you feel unable to continue well then I will consider an adjournment. I would like to make a start to save time.

Mr. Symonds: I am feeling very tired, Your Honour.

JUDGE STROYAN: Well, if I rise for five minutes will you be able to make a start? I am not expecting you to finish tonight. Well, I will rise for five minutes, Members of the Jury.

(Short adjournment)

JUDGE STROYAN: Mr. Symonds, I would find it helpful, and I expect the jury would too, if you could deal with the matters chronologically so far as possible.

Mr. Symonds: Yes. Mr. Lloyd, what is your full name please? -
A. Gareth Lloyd.

Q And your date of birth please? - A. 27th June 1937.

Q. Mr. Lloyd, have you ever been before a court yourself? -
A. No, sir.

Q. For any reason whatsoever? - A. No, sir.

JUDGE STROYAN: Do you mean in respect of a criminal offence?

Mr. Symonds: Any form of offence, My Lord.

JUDGE STROYAN: Well there is only one form. Yes?

Mr. Symonds: Mr. Lloyd, how long have you been engaged as a journalist? - A. Since the age of seventeen, sir.

Q. Were you involved in Army service? - A. Yes, sir.

Q Can you remember your Army number? - A. No, sir.

Q. What Regiment were you, Mr. Lloyd? - A. Royal Army Service Corps.

Q. And what rank did you leave? - A. Private, sir.

Q. Did you suffer any ill health in the Army? - A. No, sir.

/sir

Mr. Lloyd

Q Did you spend any time in hospital? - A. Yes, sir.

A

Q. Was it to do with some form of neurosis? - A. No, sir.

Q. you were suffering. - A. It was to do with pneumonia, sir.

Q. And prior to this investigation had you been engaged on previous investigations into alleged Police corruption? - A. No, sir.

B

Q. Are you sure? - A. Yes, sir.

Q. Do you recall being engaged on an investigation into corruption in which the enquiries were dropped as impractical after certain interviews? - A. You will have to be more specific, sir.

C

Q. Did you say on oath on a previous occasion, on page twelve of your deposition, "Previously I have had the job of investigating an allegation in which corruption was alleged, and we started making enquiries, but they were dropped as impractical after certain interviews. This was on behalf of The Times."? - A. Yes, but as you well know, sir, that was an enquiry into the Kray twins.

D

Q. And was corruption alleged? - A. There were peripheral allegations relating to Police corruption but I have no evidence of it at all.

Q. And were you investigating those allegations? - A. No.

Q. When you said "after certain interviews", does that mean after certain interviews with certain Police Officers? - A. I am not prepared to say who the interviews were with.

E

Q. Why is that? - A. Because they were conducted on a confidential basis.

Q. But wasn't this in 1967 or 1968? - A. Yes.

F

Q. And do you consider them to be still confidential? - A. I would, sir. I have given my word on confidentiality. I consider it binding for the rest of my life.

Q. But there would be a record in Police files, would there not, that you had previously engaged yourself on investigations into alleged corruption by Police Officers? - A. Well, I really wouldn't know about Police files, sir.

G

Q. How did you come to be engaged on this investigation, Mr. Lloyd? - A. Well, a man called Brennan, with whom we had had previous dealings, came to The Times and told us that Mr. Perry....

JUDGE STROYAN: No, I don't think we can have this.

Mr. Symonds: I am grateful. Did you know this man Brennan from before? - A. Yes, sir.

H

Q. Did you know him to be a criminal? - A. Yes, sir, I knew him to have had a criminal record.

A

Q. And had this man Brennan given information to you or your colleagues before in return for the payment of money by your newspaper? - A. He had helped us. We were doing a story about how to protect your house from antique thieves and we advertised for a help. I believe it was in the Standard, and Mr. Brennan answered the advertisement. He came forward and said he had a criminal record as an antiques thief and we considered he would be ideal as a source of information about how to protect your house from such people.

B

Q. Did you know that Mr. Brennan had a long record as a safe blower? - A. I didn't specifically know what his record was, but I think as far as we were able to check - it is a long time ago - and we knew that he had been involved in stealing antiques.

C

Q. And that he had brought up his son in the same manner, as a safe blower? - A. I knew nothing about his son.

Q. And that his son was then wanted by the Police for safe-blowing at that time? - A. No, I knew nothing about his son. I don't think I was even aware that he had a son.

Q. Did you know that Mr. Brennan was at that time an active receiver of stolen goods? - A. No, sir.

D

Q. Were you aware that Perry was suspected of taking part in skeleton key raids all over the country? - A. I wasn't at that time, sir, no.

Q. Did you later become aware? - A. I became aware at some stage of the investigation that there was some suggestion to do with skeleton keys. Exactly what it was I can't remember.

E

Q. Did it ever come to your knowledge that Mr. Brennan had been hawking a story of Police corruption around to other newspapers in Fleet Street before approaching you? - A. No, sir. He wasn't hawking a story of Police corruption. He was informing us of a specific incident which had related to Mr. Perry, about which Mr. Perry stood in danger.

F

JUDGE STROYAN: Well now, just a moment. Hearsay rules are equally relevant whether it is witness for the Prosecution or for the Defence.

Mr Symonds: Very good, Your Honour. Was Mr. Perry's original allegation to you, either directly or by Mr. Brennan, concerning myself in any way whatsoever? - A. No, sir.

Q. It was to do with two other Officers? - A. Yes, sir.

G

Q. And in connection with an allegation of having gelignite planted, is that correct? - A. That's right, sir.

Q. And then you met Mr. Perry on ^{the first} ~~the~~ occasion. Did he later return to the Times offices with you? - A. Yes, he did, sir.

Q. And did he there make a statement? - A. Yes, he did, sir.

H

Q. And was there any mention of me whatsoever in that statement?

- A. I don't recall that there was, sir, no.

A JUDGE STROYAN: If there was it would still be hearsay.

MR. Symonds: Did this happen on the 27th October, can you recall, the allegation made by Mr. Perry? - A. Yes, it did, sir.

Q. And I believe you said on the 28th October you went to Mr. Perry's home address? - A. That's right, sir, yes.

B Q. And you went with the intention of recording a telephone call? - A. Yes, sir.

Q. From me? - A. No.

Q. Had you received an authority from your employers The Times to record telephone calls? - A. Yes, sir.

C Q. On this occasion? - A. Yes, sir.

Q. Would that refer to an incoming telephone call? - A. It referred to whatever recording was necessary for the purposes of enquiring into Mr. Perry's allegations.

Q. Had you received an authority to instigate outgoing calls to other Police Officers? - A. I wouldn't have needed it.

D Q. And did you instigate a number of telephone calls to a number of Police Officers on that day?

JUDGE STROYAN: Well, again that's not - A. I don't - I can't quite remember, sir.

E Mr. Symonds: For example, to Mr. Sylvester? - A. No sir, we never ever had anything to do with Mr. Sylvester.

Q. Did you ever instigate any telephone calls to Mr. Hughes? - A. No.

Q. Are you quite sure of that? - A. I am absolutely certain of it, sir.

F Q. On the morning of the 28th did you attempt to make contact with Inspector Robson? - A. No, sir.

Q. But were you not expecting a call from him? - A. Yes.

Q. And when one didn't come you made no attempt to contact him? - A. No.

G Q. After making the telephone call on the 28th, tape one, Exhibit one, did you take steps to fit a recording device to Mr. Perry's car? - A. Yes, sir.

Q. Did you make any erasures at all on tape one, Exhibit one? - A. Any erasures?

H Q. Yes. - A. No, sir, never. On any tape.

/tape

Mr. Lloyd

Q Did you dial TIM to record the time on tape on the 28th?
- A. No, sir, I don't recall dialling TIM.

Q. Could the engineer have done this? - A. He could have done, sir.

Q. Had you been involved in attempting to taperecord Police Officers on previous occasions? - A. No, sir.

Q. Had you made any taperecordings at all of any nature? -
A. Do you mean to do with my work, sir?

Q Yes.. Taperecording interviews, for example? - A. I can't recall it, sir.

Q As a check? - A. I can't recall it, sir. I may have done but I can't recall it.

Q. Taperecording music? - A. No.

Q. You have never made a taperecording of music? - A. Do you mean privately?

Q. Yes. - A. Oh yes.

Q. And professionally, had you made any taperecordings at all? - A. No, sir.

Q. But hadn't you made a film? - A. Yes. Not professionally. I was involved with a group down in Plymouth making an amateur film.

Q And did this involve the use of taperecordings? - A. Yes.

Q. It had a soundtrack? - A. It had a soundtrack.

Q And did that involve editing taperecordings? - A. No, it was rather primitive, actually.

JUDGE STROYAN: I don't think this is going to help the jury very much; - A. And I wasn't responsible for that anyway.

Q. Well, never mind. Are you going on to something else now, Mr. Symonds?

Mr. Symonds: Yes. On to tape two.

JUDGE STROYAN: Yes, very well. We will leave it at that for today. Mr. Lloyd, it is extremely important for you to restrain from talking to anybody whatsoever about your evidence in any sort of way between now and tomorrow morning. Members of the Jury,

MR. Rivlin: Your Honour, might I mention a matter about witnesses when the jury have left?

JUDGE STROYAN: Yes, very well. Members of the Jury, would you like to leave us now and be kind enough to be back at half past ten tomorrow morning.

(The Jury leaves the Court)

A Mr. Rivlin: Your Honour, I am afraid that in the trial within a trial we made a mistake of having a number of witnesses here and as a result of that they were hanging around for a long time.

JUDGE STROYAN: Yes.

B Mr. Rivlin: Now, we would like to avoid making that mistake a second time round if possible, and I would welcome some assistance from the defendant on this topic.

JUDGE STROYAN: Yes.

C Mr. Rivlin: Because if, for example, he knows that he is going to be a long long time with this witness then we wouldn't get the next one up here until Wednesday. But on the other hand, he can't be expected to judge precisely how long he is going to take, but he must have a rough idea.

JUDGE STROYAN: Yes.

Mr. Rivlin: And we would welcome some assistance there.

D JUDGE STROYAN: Yes. Mr. Symonds, can you help about this, because we don't want witnesses hanging about.

Mr. Symonds: Your Honour, all I can say is that I think I will be occupied with Mr. Lloyd at least all day tomorrow. Beyond that I couldn't say.

JUDGE STROYAN: No.

E Mr. Rivlin: Well, I have heard that, Your Honour.

JUDGE STROYAN: I hoped perhaps it wouldn't take quite as long as that, but ...

Mr. Rivlin: What I think we might do is this. We might get one or two short witnesses.

F JUDGE STROYAN: Yes.

Mr. Rivlin: Of the sort of Police Officer courier variety as stand-bystomorrow afternoon, and Mr. Mounter here for Wednesday.

JUDGE STROYAN: Yes. Well, we certainly won't reach Mr. Mounter before Wednesday, Mr. Symonds, shall we?

G Mr. Symonds: No.

JUDGE STROYAN: Well, now you heard what went on in the trial of the voir dire no doubt you have an idea of what this witness's evidence is likely to be on a number of topics.

H Mr. Symonds: I do, Your Honour.

JUDGE STROYAN: And so you will no doubt be able to ...

MR. Symonds: Which direction to take.

JUDGE STROYAN: Know which direction to take and know, perhaps more important, which directions not to take, which may shorten things a little.

Mr Symonds: Yes.

JUDGE STROYAN: But I do ask you to think carefully during the adjournment and try to keep your cross-examination within bounds. I have not interrupted you this afternoon but you have been on the verge of admissibility a great deal of the time, and let me explain why, and that is that conversations between this witness and other people are not permissible in cross-examination any more than they are in examination in chief because they are hearsay, and that applies to documents made by other people. It does not of course apply to documents made by him, but documents of other people are hearsay just as much as what other people say, do you understand?

Mr. Symonds: Yes, Your Honour.

Mr. Rivlin: Your Honour, for the assistance of the defendant. If this witness does not take up the whole of tomorrow we may call Mr. Osborne, ex-Police Officer, Mr. Collins and Mr. Viernal.

JUDGE STROYAN: Yes. Well, they are all relatively short.

Mr. Rivlin: They are.

JUDGE STROYAN: I don't think at the moment they could be reached before the midday adjournment.

Mr Rivlin: Not before lunchtime.

JUDGE STROYAN: Perhaps not at all. We don't know. Very well. It might well be that one would be enough, but ...

Mr. Rivlin: Your Honour, yes. Well, we will see what we can do.

JUDGE STROYAN: I will leave the matter to you.

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I certify that I took shorthand notes of the above proceedings of Regina -v- J.A. Symonds, and that pages numbered 1 to 44 are a correct and complete transcript of my said shorthand notes, to the best of my skill and ability.

[Handwritten signature]