

TESSIDE CROWN COURT

Before:

HIS HONOUR JUDGE R A R STROYAN QC

Held at:
THE LAW COURTS
VICTORIA SQUARE
MIDDLESBROUGH

On:
Wednesday 25 March 1981

R E G I N A

- v -

JOHN ALEXANDER SYMONDS

(Transcript of the shorthand notes by Mrs L Tayler of HUMPHREYS, BARNETT & CO, Official Shorthand Writers, 19 Queen Victoria St, Leeds. Tel 455082)

MR RIVLIN QC assisted by MR RATCLIFFE appeared as counsel on behalf of the Crown

MR SYMONDS was unrepresented

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Wednesday 25 March 1981

JOHN PRIDMORE TAKES THE OATH - EVIDENCE-IN-CHIEF:

MR RATCLIFFE: Are you John Pridmore?

A. Yes, Sir.

Q. What is your address?

A. 87 Cambridge Street, London SW1.

Q. Are you a freelance photographer?

A. I am, Sir.

Q. Were you a freelance photographer in 1969?

A. Yes, Sir.

Q. Did you often do work for the Times newspaper?

A. Yes, Sir.

Q. Did the Times newspaper ask you to take some photographs in October 1969?

A. Yes, Sir.

Q. Do you remember going to a public house called The Grove in Dulwich?

A. Yes.

Q. Can you remember the date you went there?

A. No, I am afraid I can't.

Q. Was it 31 October 1969?

A. Possibly, it is a long time ago, I'm afraid I can't accurately remember when it was.

Q. Do you remember making a statement about this matter to the police?

A. Oh, yes.

Q. How long after the taking of the photographs was the making of the statement?

A. That I can't say at this stage, Sir. It was fairly soon afterwards.

Q. I wonder if he could see the date on a statement he made to the police. First of all, could he see if it is his signature on the document. Would you look at this document. Do you see your signature on it?

A. Yes, Sir.

Q. Do you see a date there?

A. Thursday the 30th.

Q. Well, before that, the date of the making of the statement?

A. 14 January 1970.

Q. And at that time were the events at the end of October fresh in your mind?

A. Oh, yes, very much so at the time.

Q. Your Honour, I wonder if he could look at the statement to see what date he took these photographs.

JUDGE STROYAN: Yes.

MR RATCLIFFE: Does it say there what date you took some photographs?

JUDGE STROYAN: Is there any dispute?

MR SYMONDS: I dispute either the date or putting the statement to the witness.

JUDGE STROYAN: Yes, very well.

A MR RATCLIFFE: Well, I think your statement starts with 30th October.

A. Yes, it would be 31 October when I first pressed the button, as it were.

Q. That was in The Grove carpark, or near it - is that right?

A. Yes.

B Q. Would you look at exhibit 13 please.

JUDGE STROYAN: I have not got that.

MR RATCLIFFE: They are the negatives of the photographs. Do you recognise those negatives?

A. Yes.

C Q. Are those negatives you took on the 31st?

A. Yes.

Q. ... in The Grove, and did they produce the photographs which are exhibit 11. Would you look at exhibit 11 please. Is that right?

A. Yes, Sir.

D Q. Those are the photographs taken from those negatives. Would you just look at the photographs please?

A. Yes, Sir.

Q. Do you recognise photograph 1?

A. Yes, Sir.

Q. And the Wolsley and the Vauxhall beside each other?

A. Yes.

E Q. We need not bother with photograph 2. Photograph 3, what does that show?

A. Well, it shows that car leaving the carpark, driven by - may I mention his name, Sir?

Q. Yes.

A. Michael Perry.

F Q. And the next one?

A. Well, it is another view of the same thing.

Q. And then the one after that, the black Wolsley.

A. Has reversed in to get onto the road. I think it is the same car, as far as I can recollect.

G Q. Well, it doesn't matter much, and then the final photograph on the right shows the number plate 739 CRK.

A. Not in this.

Q. Of the Vauxhall.

A. Not in my photograph, Sir.

Q. Can I just see Yes, there.

H A. Oh, sorry, yes.

Q. Was that the same Vauxhall that had been in the carpark beside the Wolsley?

A. Yes, Sir.

Q. And you photographed it in the road?

A. Coming down the road.

Q. Outside the carpark?

A. Yes.

JUDGE STROYAN: Was it moving when you took the photograph?

A. Yes, Sir. Unfortunately there were cars going by. I couldn't get the complete vehicle.

JUDGE STROYAN: Mr Symonds, any questions?

MR PRIDMORE IS CROSS-EXAMINED BY MR SYMONDS:

MR SYMONDS: Yes, Your Honour. Mr Pridmore, you have your statement in front of you?

A. Yes, Mr Symonds.

Q. Which you made on 14 January.

A. Yes.

Q. And according to your statement, looking at the first page, would you agree that you first became involved in this matter on the 30th?

A. 30 October, yes.

Q. 30 October, and was your first involvement in this matter in fact involving meeting two reporters in a public house, another public house in Camberwell?

A. Yes.

Q. On the evening of the 30th.

A. Well, no. I had to call at a private house and then eventually meet the reporters.

Q. And was part of your assignment on the evening of the 30th to go to the Times' building and to pick up an envelope containing some taperecordings to take down to the reporters?

A. Yes.

Q. When you picked up this envelope, Mr Pridmore, do you remember who you took it from? Was it the hall porter or was it another member of the staff?

A. I honestly cannot remember. I think it was probably somebody from the news room. I honestly cannot remember.

Q. Can you remember how many taperecordings there were?

A. No, it was just an envelope as far as I was concerned.

JUDGE STROYAN: Did you know what the contents were?

A. I understood it was just some tapes, that's all. Whether they were recorded on or not I don't honestly know.

JUDGE STROYAN: Did you look inside to see?

A. No, it was a sealed envelope.

MR SYMONDS: I believe you said, Mr Pridmore, that you then went on to Beckon and you went to a private house that evening?

A. Yes, 192 Camberwell Grove.

Q. Was that the house of a relative of Mr Perry?

A. I have no idea whose house it was.

Q. But when you rang the bell did Mr Perry greet you at the door?

A. Well, at the time it was just a young man, I didn't know who he was. I wasn't really given any details of the job.

Q. Did you make some enquiry of this young man about the reporters that you were looking for?

A. Well, yes, I went there to meet these two, yes.

Q. And did he direct you to a public house nearby? You can refer to your statement.

A. Yes.

Q. In the public house nearby did you in fact meet up with the reporters?

A. Yes.

Q. Did you then in fact hand over the envelope to them?

A. Yes, which one I gave it to I don't know.

Q. Did they open the envelope?

A. I cannot say at this stage.

Q. Were there two other people present in the company of the reporters that evening, a man and a woman?

A. Yes, the sound-recording people, yes.

Q. Did Mr Perry come to the public house with you or join you later?

A. I think he joined us later, I'm not certain.

Q. You may refer to your statement. During the evening did he leave you on one or two occasions to make telephone calls?

A. I believe so, yes.

Q. When you were talking to the reporters and the sound engineers in the public house, did you notice if they had any recording equipment with them in the public house?

A. No, I don't think so and I doubt they would be carrying it with them anyway, it's very heavy.

Q. When Mr Perry went off to make telephone calls did he go alone?

A. That I honestly can't say now.

Q. Looking at your statement, "Whilst we were in a public house Michael left on at least two occasions."

A. Well, I think he went on his own.

Q. In any event, later that evening were you told that, whatever had hoped to be arranged had not been arranged that evening?

A. Yes.

Q. Mr Pridmore, that day had you in fact employed a hire car and a driver to take you about on your business?

A. Yes.

Q. Do you recall the name of the driver of the hire car?

A. Well, apparently it is Barry Owen from this statement. I can't remember now.

Q. Was the arrangement for Mr Owen to meet you again the following day?

A. Yes, because they wanted me to do the job again.

JUDGE STROYAN: You had not done a job this day, had you?

A. No, but I had sort of started on it, my Lord.

MR SYMONDS: Were you involved in fact that morning on an observation of a meeting which took place between Mr Perry and two other police officers. The Edinburgh Castle public house.

A. Yes, apparently.

Q. Do you recall whether you were successful in taking any photographs during that meeting?

A. I don't think I took anything.

Q. I think you did. On page 4 of your statement do you see a paragraph beginning "This was the first opportunity I had to use my camera"?

A. Yes.

Q. Now, during the morning would it be right to say that you were using the Yashni Model J 35 mm camera with a 135 mm lens?

A. It would.

Q. Now, after that meeting had been concluded, did you all go to a public house for lunch, I believe it was the King's Arms - page 5 of your statement you describe the meeting and how you took photographs; then you say, "We all went off for lunch."

A. Well, we had some refreshments.

Q. Have you found the place?

A. Yes.

Q. You and Mr Owen followed the others, I believe, to the King's Arms public house and you went into the saloon bar and had refreshments. Do you recall whether Mr Perry went off to telephone once or twice?

A. Yes, apparently, according to this statement.

Q. Was he alone when he went off?

A. Yes.

Q. When he came back did you understand that he had not been successful?

A. He had not been able to contact the person he was trying to ring.

Q. Apart from that, do you recall Mr Perry being away for any noticeable period, apart from going off once or twice to make telephone calls, following on from your recollection of the lunchtime telephone calls.

A. Well, I can't really remember seeing a lot of Perry anyway.

Q. Did you subsequently learn that Mr Perry had in fact arranged a meeting on the second time he made a telephone call?

JUDGE STROYAN: Well, he did say he attended the meeting.

A. Yes.

MR SYMONDS: I believe you said in your statement you do not recall him being away for any noticeable period?

A. This is on page 6?

Q. Yes.

A. Well, I can't remember whether he was away for a long time or whether he was there for a long time to be honest with you.

Q. When you made the statement you recorded he had not been away for any noticeable period.

A. That will have been true at the time.

Q. Is it true that whilst you were all at lunch in this public house at lunchtime another man appeared, who you gathered was another criminal, and who was a friend of Mr Perry? You said he told you he was a petty thief, or you were told he was a petty thief.

A. No, not the second man. I was told by Mr Lloyd that Michael Perry was a petty thief, but I don't know about another man.

Q. I see. Look above that, "I remember a man who was not a member of our party speaking to Michael. I didn't hear the conversation."

A. Yes.

Q. Did you learn the other man's name at any time?

A. No.

Q. So if I mention a name to you it would mean nothing anyway?

A. Possibly.

Q. The name O'Keef, does that mean anything to you?

A. It doesn't mean a thing to me.

Q. Going on now to the actual meeting, you looked, I believe, at a strip of photographs which are exhibit 13; those are the photographs in connection with this meeting, are they, in the afternoon?

A. Well, I have exhibit 11 here.

Q. No, 13, that one. I wonder if I could look at that exhibit please. If you follow on your statement, when you talk about 'frame numbers', you talk about 'frame numbers' on your statement, so I will try to refer to frame numbers. Now, in the first place, would it be true to say that this is not a full roll of negative, it is only part of a roll?

A. Yes, the unexposed portions are thrown away at the far end - it's a sort of custom of the trade.

JUDGE: You mean it is no good keeping negatives that have got nothing on?

A. Yes, my Lord.

MR SYMONDS: Is it correct - and you may refer to your notes - that the first four frames are not to do with this case, frames 4, 5, 6, 7, 8 and 9. Now, why did you take these photographs, because they are not to do with the other case either. They just seem to be random shots.

A. Obviously the whole range of negatives was connected with this particular case. We tend to use a separate film for a separate job.

Q. Now, one of these negatives is a blank. Is there any particular reason for that?

A. Well, when you're trying to work surreptitiously you occasionally knock the shutter without meaning to.

Q. But the first blank comes in fact

A. It may be a space, I have possibly left a space inbetween two separate periods.

JUDGE STROYAN: Mr Symonds, what is the point we are coming to?

A

MR SYMONDS: Do you want me to make a speech?

JUDGE STROYAN: No, I want you to ask a question which makes a point.

MR SYMONDS: I am coming to the question.

JUDGE STROYAN: Well, will you come to it please?

MR SYMONDS: Would you agree that in fact two of these negatives in the centre of the series of photographs that you took of the meeting at The Grove on the afternoon of the 31st, would you agree that two of these negatives are damaged?

A. In what way?

Q. If you look.

A. I'm not surprised really as the film has been around for ten years. They are a little chewed up, but nothing very serious.

Q. In as much as that photograph 2 is partly obliterated.

A. Oh, yes, yes.

Q. Could I have the negatives back again?

A. That is my coat sleeve as I have explained, I think, in that statement.

JUDGE STROYAN: What has this witness's coat sleeve got to do with the case?

MR SYMONDS: Now, looking at the negatives again, would you again examine exhibit 13 please.

A. Yes.

Q. Looking at exhibit 13, do you find there to be damage on that roll of negatives in as much as the bit of photograph 2 which you describe as part of your coat sleeve extends in fact onto part of photograph 1, so in fact two frames appear to have been damaged in the same way?

A. No, the first one, picture one, is perfectly okay. The second picture, number 2 in this exhibit 11, is a straight print off the negative, but the negative has been folded and there is damage on an unusable, or practically unusable negative. There is nothing wrong with this that would stop people identifying the cars or the number plates and that was the object of the exercise.

Q. If we can now talk about the actual taking of the photographs, do you recall arriving at the carpark with Mr Owen?

A. Vaguely, yes.

Q. You can refer to your statement, following on from your statement, when you drove away in a convoy?

A. Yes.

Q. And you arrived at the carpark, you say, at about 2.30 p.m. Now, are you sure of that time? Did you check the time on your watch or are you just guessing at the time you made your statement?

A. I doubt I am guessing at the time I made the statement, but I honestly can't recollect what the time was.

Q. Is it right that at about the time you thought the meeting was due to take place, did you leave Mr Owen and go on foot?

A. Yes.

Q. When you left Mr Owen did you then walk through the carpark?

A. I crossed the carpark, yes.

Q. When you walked across the carpark did you see the black Wolsley and the white Vauxhall side by side?

A. Yes.

Q. Now, at this time were you carrying your camera suspended around your neck and were you wearing a raincoat, so the camera with the raincoat open?

A. Probably. It's a normal position for us. I may well have had it over one shoulder.

Q. When you walked past these two cars side by side did you turn towards them like this and take a shot?

A. As far as I can remember, yes, but I remember in one case I walked like this and went plop.

A

Q. When you walked past would that be the first photograph which is part of the gateway which presumably you were walking past?

A. Which? This one?

Q. Yes, the very first one because this would appear to have been taken from the street through the gateway.

A. Yes, going past the doorway.

B

Q. That would probably have been the one when you were walking past?

A. Yes, that is right.

Q. Looking at the second one -

A. That was another go.

C

Q. This could have been the one you took when you were walking through the carpark and turned.

A. Coming up this way I have got the coat sleeve over the lens.

Q. When you were walking through the carpark?

A. No, no, no, walking past the carpark.

Q. When you walked through the carpark did you take a photograph?

A. I don't think so because I didn't want to be seen.

D

Q. Did you turn towards the cars as if you were going to take a photograph and perhaps change your mind?

A. I honestly can't tell you.

Q. When you walked in front of these two cars, the Wolsley and the Vauxhall, did you see anybody in the cars, a faint outline - I believe the windows were misted up.

A. Yes, as far as I can remember, there was somebody in them.

E

Q. Do you recall that the carpark was probably fairly deserted, or was deserted at that time, apart from yourself walking through?

A. Yes, very few cars there.

F

Q. And that some time after taking these photographs did you ever hear any conversation by anybody to indicate that perhaps you were walking through the carpark with a camera round your neck, and turning towards the two cars, may have been noticed and commented upon?

A. I don't think so. I don't think I was seen.

JUDGE STROYAN: I would not have been admissible if you had.

MR SYMONDS: Were you not the only person walking through the carpark at that time?

G

A. Not as far as I know. I think it is used as a shortcut by people.

Q. Did you not walk within a few yards of the front of the motorcar?

A. Thirty to forty yards from it I would say.

Q. And you did have a camera round your neck underneath your open rain coat?

A. A very large number of people have cameras round their necks these days. I don't think it would be regarded as particularly noticeable.

H

Q. But if it was noticed and commented upon you would not have been surprised about it?

JUDGE STROYAN: He really cannot say.

A. Nobody commented on it as far as I know. I was particular not to be seen.

A MR SYMONDS: But you would agree that when you walked through the carpark you would have been seen?

JUDGE STROYAN: Mr Symonds, he cannot possibly answer what someone else might have seen anymore than he can answer as to what someone else might have said. You see, if you are going to give evidence to say that you saw him, that is one thing, but you cannot possibly ask him about what other people saw.

B MR SYMONDS: Are we clear on one thing. You walked through the carpark with this camera round your neck under your open coat?

A. Yes, at one time, but the pictures were not taken in the carpark, they were taken from the main road through the side entrance, the one where Michael Perry is coming out. They weren't actually taken in the carpark.

C Q. I have a photograph here of the carpark. I wonder if I can use it in any way. It is quite a large one. I don't know whether I am allowed to -

MR RIVLIN: Your Honour, I have absolutely no objection at all. I wonder if the defendant will show it to me so that I can confirm that I have no objection.

JUDGE STROYAN: Yes.

D MR RIVLIN: Well, your Honour, it is a negative. I certainly have no objection to the defendant putting this to Mr Pridmore and asking for his comments upon it.

JUDGE STROYAN: Yes, very well, we shall await his comments with the keenest anticipation.

E MR SYMONDS: Now it might help you when you look at that negative to compare it with your photograph 1.

JUDGE STROYAN: Perhaps it had better be an exhibit. Would you like that?

MR SYMONDS: Yes, your Honour.

JUDGE STROYAN: Very well, exhibit 47.

F A. It is a copy negative actually, my Lord - actually it is a transparency, it is a positive transparency.

JUDGE STROYAN: It is inaccurate to call it a negative?

A. Yes.

JUDGE STROYAN: What do you want to ask him about?

G MR SYMONDS: Compare that transparency against your photograph 1 ...

A. Yes.

Q. ... could you offer some idea as to where you think that photograph was taken from?

H A. Well, it's obviously a different time of the year and it appears to be not from the position that I was in, quite near it, but then of course I don't know what focal length the negative was used on this because you can get the impression of being in someone's front room when you are a couple of hundred yards up the road.

Q. Well, if it was taken with a similar camera with a similar lens to the one you used, would that assist you?

A. Assist me in what?

Q. In judging where that transparency was taken from. Perhaps if you look at the gatepost it might help you as to the angle or the position of the gate. Do you see those white fence posts holding up the fence?

A. Yes, but it doesn't matter surely. Wherever this picture was taken from it has nothing to do with what I took.

Q. Now would you look at that photograph and compare it against your photograph number 2, the damaged one.

A. Well, it is not damaged actually. It is damaged now but it was not originally. It was just a partial part of a negative. Yes, I am comparing it.

Q. Now, comparing that and comparing the angle of the post, would you say it could appear that photograph 2 was taken perhaps in the carpark?

JUDGE STROYAN: Never mind 'could it appear' - was it taken?

A. I think this was possibly taken in the carpark, but my number 2 wasn't. I wasn't actually physically in the carpark.

MR SYMONDS: Are you saying you were not physically in the carpark or you did not take a photograph in the carpark?

A. I did, earlier on in the daytime, cross the carpark, but when I actually took this photograph which you have shown me I was on the road, on the public footpath, not in the actual carpark.

Q. You see I must suggest to you, Mr Pridmore, that this photograph number 2 was taken in the carpark?

A. No, it wasn't.

Q. I must also suggest to you that that negative has been damaged in some way?

A. Well, somebody has folded the film in half, but the black portion is because the film was not exposed through my coat sleeve, that's all. I remember doing it.

Q. I must suggest to you if that black portion was not there it would show the two cars?

A. It would give a picture rather like number 1.

Q. Rather like number 1.

A. Yes.

Q. But it would also show quite clearly that the photograph was taken in the carpark?

A. I didn't take any pictures in the carpark.

JUDGE STROYAN: We have got that point now, I think.

MR SYMONDS: Just to clear up one point, Mr Pridmore. When you collected the tapes from the Times, looking at the first page of your statement you say "which you understood to contain some tapes".

A. Yes.

Q. Had you been told in the telephone call or message to go and collect some tapes?

A. Somebody in the Times had asked me if I would take this package which contained some tapes.

Q. So that was your first intimation that they contained tapes?
A. I had no idea what it was.

Q. When you felt the package or the envelope did you feel anything that made you think, which might lead you to think they were not tapes?

A. No, I don't normally go around squeezing people's packets. I was given an envelope and the contents were of no concern to me.

MR PRIDMORE IS CROSS-EXAMINED BY MR RIVLIN:

Q. Just two matters, Mr Pridmore. Your statement was put to you.
A. Yes.

Q. You were asked about receiving some - it was put to you in this way - 'recorded tapes'. In fact if you look at the first page of your statement you refer there to tapes but there is no reference to 'recorded tapes'.

A. That is true, I have no idea whether they had been used.

Q. You don't know about that, you say?

A. No.

Q. The only other matter is this. It relates to the way in which you were taking your photographs. Did you wish to be seen by those in the motorcars?

A. Certainly not.

Q. Now, you were asked questions about having the camera round your neck and you gave us a little demonstration when you said the camera went 'plop' - I hope your camera goes 'click' not 'plop', but there it is. What you did, you pointed down, didn't you?

A. No, I used it like this with the strap round my wrist.

Q. I was going to ask you about that because if you had your camera round your neck you would be walking around like the Hunchback of Notredame, wouldn't you?

A. Yes.

Q. So you didn't have the camera round your neck at the time you took the photographs?

A. Not really, no, because, one, I had to take like this - that's when the coat sleeve got in the way.

Q. Now, just show us how you took them. You are indicating there the position of the camera tucked into your elbow?

A. Yes.

Q. Now, just demonstrate again how it was.

A. It was possibly a case of walking past a doorway like that and going 'click' in the hope that nobody sees what I have got there with that one, and the other one I did like that. I particularly remember it.

Q. There you are indicating with your right arm down by your side and the position of the camera somewhere near the top of your leg?

A. Yes. The number 2 picture that Mr Symonds is criticising is the one that was taken under the arm, but this was the one down from sort of knee level.

Q. Which one is that?

A. Number 1.

JUDGE STROYAN: Number 1 is done from knee level?

A. Yes, just above the knee.

JUDGE STROYAN: Did you, when you were taking any of these photographs, have your camera on a strap round your neck?

A. We always have them on straps, my Lord. It certainly wasn't round my neck because I should have taken a conventional picture by standing up in the middle of the road and being seen.

MR RIVLIN: Finally, when you did take your pictures did anyone get out of either of those two cars and approach you?

A. No.

Q. Ask you what you were doing or anything like that?

A. No.

Q. Thank you very much, Mr Pridmore. Might he be released, your Honour?

JUDGE STROYAN: Yes.

MR GREVITT TAKES THE OATH - EVIDENCE-IN-CHIEF:

MR RATCLIFFE: Mr Grevitt, are you Frederick William Grevitt?

A. That's right, Sir.

Q. What is your present address?

A. 105 Holbourn Road, Blackheath, SE3.

Q. Are you a self-employed photographer?

A. I was, I'm not now.

Q. You were back in 1969?

A. That is correct.

Q. Did you then do a lot of work for the Times?

A. Yes.

Q. Were you employed by the Times?

A. Yes, Sir.

Q. On 21 November 1969 did you go to The Grove Tavern in Dulwich and there take some photographs?

A. Yes, Sir.

Q. Would you look at exhibit 14 please, which are some negatives and also exhibit 12. I do not think it is challenged that those negatives, exhibit 14, became photographs exhibit 12?

A. Yes, Sir.

Q. Do you remember taking the photographs that afternoon?

A. Yes, Sir.

Q. Were they taken through a hole in a fence?

A. Yes, Sir.

Q. I think they are clear enough to get the registration numbers of the cars?

A. That is right.

Q. The black Wolsley and the white Vauxhall.

A. Yes.

Q. Would you just look at the bundle of photographs please. The first one, that is straight forward enough. Is that the clearest picture you have got?

A. I will just check, Sir. Which one is that?

Q. The first one.

A. It is as clear as the other ones, yes.

Q. The next one, photograph 2, that shows a third motor car, an estate car, on the right.

A. On the right, yes.

Q. Do you remember that car?

A. Yes, Sir, that was a car that was at the house in Beckinham.

JUDGE STROYAN: That is the one on the far right of photograph 2?

A. That's right, Sir, yes.

MR RATCLIFFE: Who was using that estate car, can you remember?

A. I can't remember that, Sir, no.

MR GREVITT IS CROSS-EXAMINED BY MR SYMONDS:

MR SYMONDS: Mr Grevitt, some time after all this happened did you make a statement to the police?

A. I did indeed, Sir.

Q. I wonder if Mr Grevitt could see the statement he made to the police and perhaps refresh his memory?

JUDGE STROYAN: Yes, certainly. There you are, Mr Grevitt.

MR SYMONDS: Do you recognise your signature on that statement, Mr Grevitt?

A. I do.

Q. Can you see a date on the top, 12 January?

A. Dated 12 January, yes.

JUDGE STROYAN: 12 January, what year?

A. 1969.

MR SYMONDS: 1970.

A. Oh, it's 1970.

Q. Mr Grevitt, from that statement it would appear that you received the assignment on the evening of 20 November?

A. That is correct.

Q. You were instructed to meet the reporters at an address in Beckingham?

A. Yes, that's right.

Q. When you arrived at Beckingham you met Mr Perry and Mr Lloyd?

A. That is right.

Q. There were some other people present, two men and a woman?

A. That is right.

Q. Did you see a number of taperecorders there?

A. I seen some taperecorders there, yes, but I didn't take much notice of them.

Q. Did you see the young man - did you know his name was Mr Perry?

A. No.

Q. Did you see the young man being fitted with some equipment on his body?

A. Yes, I did.

JUDGE STROYAN: This was on what day?

A. On the 21st.

JUDGE STROYAN: I thought you were asked about the 20th.

A MR SYMONDS: I confirmed that he was told of the assignment on the night of the 20th. Did you see one of the reporters giving this young man some money in bank notes?

A. Yes.

Q. Did you hear the sum of £50 mentioned? You can refer to your statement half way down on the first page, just after you describe how he was fitted with the equipment.

B A. That's right. I heard the sum of £50 being mentioned.

Q. Do you recollect which reporter took out this money and gave it to this young man?

A. No, I'm afraid I don't.

Q. And then later on did you all set off to carry out this assignment to observe this meeting?

C A. Yes.

Q. Did you have your own private car with you on that day?

A. I did, yes.

Q. Did Mr Lloyd come with you?

A. He did indeed.

D Q. Did you all set off in a convoy from Beckingham in the direction of The Grove public house in Dulwich?

A. We followed the young man's car actually.

Q. Going on to page 2, when you got to Melford Road did you lose him?

A. I did, I missed a turning. I had to come back again.

E Q. So Mr Perry had gone off down the road?

A. That's right.

Q. And when you turned round and came back again did you find you had lost him?

A. Yes.

F Q. Then did you and Mr Lloyd stop outside a block of flats and stay there for some minutes?

A. That's right, yes.

Q. Then did you decide to go straight to The Grove?

A. To The Grove after that, that's right.

G Q. When you got to The Grove had the meeting already started, do you recall?

A. No, I don't think so. I think when we got there - is it Mr Perry - his car was parked in The Grove.

Q. This is important, Mr Grevitt. So the situation is that you were following his car down to The Grove, you lost it at some stage and you picked it up again in The Grove?

A. Yes.

H Q. Now, at no stage between leaving Beckinham and seeing Mr Perry's car in The Grove did you stop and do something with the taperecorders in the back of his car?

A. I didn't know he had taperecorders in the back of his car.

Q. Having arrived at The Grove, you eventually took those photographs through a hole in the fence, is that right?

A. Yes.

A Q. Was it a wet, miserable day? Can you recall looking at the photograph?

A. Yes, it was a dull day.

Q. Looking at the photographs it would appear that the windows of both cars are misted up. Would that be a true description?

A. Yes.

B Q. Could you see anybody in either of the cars?

A. Not plainly, no.

Q. Just like vague shapes?

A. Yes.

Q. After taking the photographs did you start to look for a better place to take more photographs from?

C A. Yes, Mr Merris said there might be a better place but by the time we found somewhere - I forget where - the two cars had gone.

Q. You were with Mr Lloyd and you returned to your car?

A. Yes.

Q. Did you and Mr Lloyd drive back to Beckinham?

A. Yes.

D Q. When you drove back to Beckinham you weren't in any convoy?

A. No, we took a straight route to Beckinham.

Q. Was it to your knowledge that Mr Perry had been advised to take a roundabout route back to Beckinham?

A. Not to my knowledge, no.

E Q. When you got back to Beckinham was Mr Perry already there in his car or did he come later?

A. I'm not quite sure about that.

Q. Later on you say "When we arrived at the house the others were already there."

A. Well, that must be so.

F Q. When you arrived back at the house did you ever see Mr Perry being searched?

A. No.

Q. As far as you were concerned that was the end?

A. It was the finish of my job, yes.

G Q. Then did you take your negatives back to the Times?

A. Yes.

Q. Did you put them in through the processing system there?

A. Yes, it goes through the dark room. In actual fact we do our own film. When the film is dry it is handed to the dark-room staff to make the necessary prints and contact sheet.

H Q. What happens to it after that? It goes to the picture desk?

A. It goes to the picture desk.

Q. And then into the library?
A. Usually, yes.

Q. You were asked about your negatives, whether there was any chance of retouching them, I think, and you explained the system of how it is done.
A. Yes.

Q. And you say that any attempt at retouching would be easily seen, you have to disturb the emulsion on the negative - is that right?
A. Yes.

Q. And in your long experience you could find no example of that. Now, I would like you to look at some negatives made by another photographer, which is exhibit 13. Just glance at them to see if you can see any sign of the emulsion being disturbed on those negatives, exhibit 13.

JUDGE STROYAN: Are you going to suggest that the last witness, Mr Pridmore, had done anything wrong with the negatives, because you did not suggest it to him. I am not going to allow you to suggest it to this witness, it is totally unfair to do so.

MR SYMONDS: One last question, Mr Grevitt. I see that when you made this statement, at the end of the statement you were obviously asked a question and you were obviously being pressed in some way -

JUDGE STROYAN: No, that will not do.

MR SYMONDS: Is the last paragraph of your statement, "I would like to refer back to the second paragraph of page 2 of my statement in which I spoke of seeing some money being handed to the young man" - have you got that?

A. Yes.

Q. "I would like to clarify this by adding that I do not know where this money came from and it may well have been previously handed to the reporter by the young man." That is your last paragraph in that statement, but going back to the second page where you say quite clearly, "I remember one of the reporters giving this young man a mum of £50 mentioned."

A. Yes.

Q. That is your evidence?
A. Yes.

Q. That is what you saw?
A. Yes.

Q. And what may or may not have happened out of your sight, obviously you cannot give any evidence of?
A. No.

Q. Thank you very much, Mr Grevitt.

MR RATCLIFFE: Thank you very much indeed, Mr Grevitt.

JUDGE STROYAN: Just a moment. You said your statement contained the sentence at the bottom: "I don't know where the money came from. It may have been handed previously to a reporter by the young man?"

A. I didn't say that, Sir, no.

JUDGE STROYAN: You said it a moment ago. That is what you said, I have not got the statement.

MR RIVLIN: Your Honour, if you would invite the witness's attention to the very last paragraph on page 6 of the witness's statement.

A. Page 6?

MR RIVLIN: I am sorry, your Honour, I think the witness has the handwritten version. It is the very last paragraph.

JUDGE STROYAN: Take your time, Mr Grevitt. You were asked by the defendant about that at the end of his cross-examination.

A. Yes, I have read that.

JUDGE STROYAN: What was put to you is that it ends up -

A. "I would like to clarify that I don't know where this money came from and it may well have been previously handed to reporters by the young man", in other words I don't know where the money came from.

JUDGE STROYAN: Yes.

MR RATCLIFFE: Thank you very much. Your Honour, the next witness's statement is very short. It can be read. It is that of Paul Griffin.

JUDGE STROYAN: Yes. Members of the jury, there is a procedure by which if the evidence of a witness is not challenged it can be read.

MR RATCLIFFE: Members of the Jury, this witness, Paul Griffin, a senior photographer of New Scotland Yard says: "On 8 December 1970 I received from Detective Constable Collins two strips of negatives" - exhibits 13 and 14 in this case. "From these strips I printed eleven frames. These prints are in two albums, exhibits 11 and 12."

MR RIVLIN: Your Honour, I am about to call Mr Perry. There is a matter of law that arises before I do that. I wonder if I might mention it to your Honour?

JUDGE STROYAN: Yes, would you mind leaving us, members of the Jury.

THE JURY WITHDRAWS

MR RIVLIN: Your Honour, two matters relating to Mr Perry; the first is this, I am especially concerned that there should be no reference by Mr Perry, during the course of his evidence at any stage, to any of the matters that are not before the jury in this case, that is relating to the old counts 4 to 9. I shall not ask him any questions - at least I hope I shall not ask him any questions that could possibly provoke an answer relating to any other matter but I am concerned that the defendant might either wittingly or unwittingly, and what I would respectfully invite your Honour to do is this, that when Mr Perry comes into court, and before the jury return to court, you warn Mr Perry in the strongest terms - as we have already done - that there should be no reference to any case other than the Times enquiry, counts one to three, and your Honour, might I respectfully suggest this formally that if at any stage the defendant asks a question of Mr Perry which Mr Perry feels he can only answer by reference to any other matter, that he should say in answer "That is a difficult question for me to answer," then your Honour will know that a problem is looming.

Your Honour, to a lesser extent, but it is obviously of some importance, the same must apply in the case of Robson and Harris. If there are going to be questions by the defendant of the witnesses about that, the defendant must appreciate he will have to take whatever comes. I do not know what is coming because I have not concerned myself with the Robson and Harris case, except by reading through all the statements. I have no idea at all what questions the defendant proposes to ask but, your Honour, as this seems to be

the most dangerous area in the evidence that we are coming to I felt it important to mention it to your Honour so that we can try and ensure nothing goes wrong.

A JUDGE STROYAN: Yes.

B MR RIVLIN: Your Honour, the other matter is this. Mr Perry has sent a message to me which I would like to convey to your Honour - it is an understandable one in the circumstances - that is before answering any detailed questions about the tapes he would like to hear them again. It is a long time since he heard them before a couple of weeks ago and, your Honour, he is the only witness who can speak about the content of the conversations, and with regret, even though it will take up a little time, it seems to me, with respect, that his request is a reasonable one, especially as he may be asked very detailed questions, one doesn't know, so at least he can familiarise himself with the content of the tapes before he comes to answer detailed questions.

C Your Honour, it is going to be necessary for me to ask him about certain passages in the taperecordings, "Well, what were you talking about there?"

JUDGE STROYAN: Yes.

MR RIVLIN: So I bring that to your notice. I am sorry, it will take a little time to hear the tapes again.

JUDGE STROYAN: How many will he have to hear again?

D MR RIVLIN: My Lord, the first two are very short, but the other two will take between five and ten minutes each.

JUDGE STROYAN: The same ones that were played earlier?

MR RIVLIN: The same ones, not all of them, just the same ones. So, your Honour, I hope you won't mind if it comes to the point that I ask that the tapes be played.

E JUDGE STROYAN: Yes, I think that is probably inevitable.

MR RIVLIN: Your Honour, I have mentioned those two matters. Would Your Honour think it appropriate for Mr Perry to be brought in and given, as it were, a public warning by your Honour?

F JUDGE STROYAN: Yes.

MR SYMONDS: I wonder if I could have a break here to consult my solicitor on the matters just raised.

MR RIVLIN: Your Honour, the defendant will appreciate the first matter I have just raised is to protect him.

G JUDGE STROYAN: Yes, certainly you can have a few moments, Mr Symonds. You see, the point is this. I am anxious that nothing should come out which has any bearing upon matters which are not before this court, because if it did it may very well prejudice you.

H MR SYMONDS: I mainly want to speak to my solicitor about the second point because there is what I would call a dishonourable thing happening here, because there was an agreement made between my solicitor and the prosecution, which I agreed to earlier on, I agreed not to make a fuss about this brain-washing idea of playing the tapes over and over again for Mounter to listen to and Lloyd to listen to and all the rest of it. I said that Perry should

have been called first and the tapes should have been played in his presence because he is the only one with any primary evidence on them. All these other people who claim to have heard them afterwards, it is a different thing altogether, but I was told don't make a fuss about this, now they are saying they want to play them again. Bloody trick. Anyway, can I speak to my solicitor about this?

JUDGE STROYAN: I will rise for a few moments.

THE COURT ADJOURNS

MR SYMONDS: Your Honour, I can only suggest that if Mr Perry does have to hear the tapes again he could listen to them in the lunchtime.

JUDGE STROYAN: Well, I think it is important, if he is going to be asked questions on them, he should hear them.

MR SYMONDS: Well, he can hear them during the lunchtime.

JUDGE STROYAN: One of the things the jury is going to have to consider is whether or not the words recorded on those tapes were indeed spoken by you and Mr Perry and for that purpose I really cannot see why the jury should not hear the tapes.

MR SYMONDS: Obviously. This is what I have been saying for some weeks. I have been saying that the only person that those tapes should have been played to was Perry; he should have given evidence first. I have also said that running the case back to front and bringing in all these reporters first was just an excuse to play the tapes over and over again. I have also said that furthermore the reporters can't give primary evidence on the tapes, they can only give secondary, or if you like, hearsay evidence, saying "Well we heard something like this afterwards, half an hour or an hour afterwards."

I was going to make this point before the trial proper commenced, but then Mr Rivlin made an arrangement which I considered binding because it was made between members of the bar et cetera, the undertaking was that Mr Rivlin would play these tapes; in the first place he would play three to Lloyd and then he would play the other four to Mounter and to Hawkie and that would be that; they would be played once and once only; and under considerable pressure, under resistance, I listened to my solicitor, he persuaded me not to make a fuss at that time. That is why I didn't.

Now, this matter arises and I do consider it dishonourable. I consider it a wretched trick. I am not going to stand for it. Either the agreement was made or it was not made. I would like you to put to the prosecuting counsel whether or not he made such an agreement.

JUDGE STROYAN: Mr Symonds, you yourself have asked for passages in the tapes to be played to the jury and I have allowed that. I think it is difficult -

MR SYMONDS: I would like your Honour to know this agreement was made; now it is being broken. There is no point in having a solicitor to negotiate with the prosecution, to form a line of communication which will make things easier in court if he is going to come to me and advise me and persuade me, as my solicitor looking after my interests, to agree to something which turns out to be an absolutely rotten trick through and through, all nonsense from start to finish.

JUDGE STROYAN: Mr Symonds, the point is this, and you have been given advanced warning of it. If Mr Perry were to ask me, independently of anything agreed between anybody else, whether he could hear the tapes played

A before he was questioned about them, I should think it only right and fair that he would be, and whatever agreement anybody had come to, that would not be binding on me because it was not an agreement to which I was a party. If I think it right in the interests of justice that the witness should hear the tapes before he is asked questions about them, it would seem to me it is only fair to him that he should be given an opportunity of doing so. It is only right that the jury should hear that about which he is going to be asked questions. It does not make any difference, from my point of view, whether or not an agreement has been reached between any of the parties to this litigation. I am here to decide what the interests of justice are and to see the witness is fairly treated.

B MR SYMONDS: The witness could listen to the tapes during the lunch break, your Honour. He has heard them once already at this court; the jury have heard them several times over.

C JUDGE STROYAN: I do not follow. The jury are entitled to have these tapes played over to them when they retire as many times as they want. No doubt they will want them. No doubt during the course of this case the tapes will be played over again, perhaps more than once. There is no agreement which can prevent that happening. I shall want the jury to hear the tapes before I sum it up.

Now, Mr Rivlin, it is suggested that you have been party to something?

MR RIVLIN: Your Honour, the person who sits in the most embarrassing position is Mr Green. I do not invite him to confirm or deny that which the defendant has said. I deny it.

D JUDGE STROYAN: Well -

MR SYMONDS: Well, in that case Mr Green was telling me a pack of lies and I dismiss him on the spot! If Mr Rivlin denies it that means that Mr Green came to me and told me a lot of nonsense.

MR RIVLIN: Your Honour, would you be so kind as to let me explain what I think has transpired?

E JUDGE STROYAN: Yes.

F MR RIVLIN: It is very difficult in the current situation. The position is this that it has always been our intention to call the journalists and the photographers first. The list of witnesses that was put before your Honour in this case was not prepared by us. It was prepared for the Crown Court, for the Old Bailey in London, and that was the list drawn up then in November of last year by junior counsel for the Crown.

G Your Honour, it has never been canvassed with me at any stage that there is an objection to playing the tapes on the grounds, as I now understand it, that the defendant does not wish the jury to hear the tapes over and over again. At no stage has anyone approached me and said, "Will you please confine the playing of the tapes to just once each because we don't want to have them played over and over again." If anybody had approached me on that basis I would have thought it was a rather extra-ordinary proposition.

H It is right that at the outset of this case I indicated that we would be playing tapes numbers 1, 2, 5 and 14 for the jury during the course of Mr Lloyd's evidence, and given that it became apparent that we had to play the other ones - and does your Honour recall that I did not want all the tapes to be played, for example the cassette was played at the defendant's insistence?

JUDGE STROYAN: Yes.

MR RIVLIN: Given that I appreciated that they would all have to be played at some stage, then I indicated to Mr Green that I proposed that the best time for that was when Mr Hawkie gave his evidence. I also indicated that I thought there would be no need for Mr Mounter to listen to all these tapes because he had done so the previous week.

A It was not my intention this morning, may I say, your Honour, to ask Mr Perry to listen to all these tapes, but the message came to me, as I told you, that Perry felt he could not answer detailed questions about these matters without first hearing the tapes played.

B Now, the trick which the defendant alleges, as I understand it, is this - and this has been communicated to me - the defendant is very upset because he fears that if these tapes are played over and over again to the jury, they might be - and the word that was put to me was 'brain washed.' Now, the problem from the defendant's point of view is no question of brain-washing, this is the evidence in the case, and he says that the Prosecution has conducted its case upside down. Far from it. Mr Lloyd, Mr Mounter and Mr Hawkie are witnesses who give primary evidence in this case relating to the authenticity of the tapes. It so happens that Mr Perry is obviously the witness who was at the epicentre of all this and who must be called to give vital evidence about these tapes, but the way in which we have chosen to run our case is this. I make no secret of the fact. We say that by now we have established the authenticity of these tapes and now it is Mr Perry's turn to come in and tell us what the tapes are all about.

C Your Honour, the defendant may complain that that is some sort of a trick. If he does then I am sorry he takes that point of view, but I can't accept it. It is a perfectly reasonable and rational approach to the case, one which, may I say, was not devised by myself and Mr Ratcliffe, but one which was devised for the Old Bailey at a time when the defendant was represented by a silk.

D JUDGE STROYAN: Yes.

E MR RIVLIN: Now, your Honour, if the defendant's objection to the playing of these tapes is that the jury are going to be brain washed, if that is his objection, then the simple answer to that is this, that if the prosecution is in possession of incriminating evidence and can properly call it against a defendant, the Prosecution may put that evidence before the jury at any stage of the case at which it is appropriate through a proper witness.

F JUDGE STROYAN: I suppose it would have been possible to have played the tapes again with Mr Mounter.

G MR RIVLIN: It would have been possible for us to play the whole lot with every single witness but there is no question of that, absolutely no question of that. We are not in the business of wasting time. From the outset of this case we have been anxious to avoid that, but the position is this, your Honour, if the defendant communicated to me, for example, "I accept these tapes, there is no dispute about them or their content," then obviously there would be no need for Mr Perry to give evidence about them, but if, as we apprehend, Mr Perry is going to be closely cross-examined about every single aspect of his evidence and accusations are going to be made against him, how can it be realistic to imagine that he, in the light of the fact that all this happened so long ago, should be able to answer questions satisfactorily without the opportunity of hearing the tapes if he wishes to.

H JUDGE STROYAN: It seems to me it would not be fair to the witness.

MR RIVLIN: Well, your Honour, that is so. Your Honour, may I say this

that I do not resent the fact that the defendant says this is all a trick for this reason, that Mr Symonds does occasionally get very upset about things and what I am very sorry about is the fact that he does even begin to believe that this is some sort of conspiracy against him and that this has been a trick.

Now, may I tell the defendant what the agreement was that he complains of. It was no less and no more than that which I have referred to, and indeed, your Honour, I did make it crystal clear that the Prosecution reserve the right, and must reserve the right, to play the tapes at any appropriate stage of the case. Now, to that extent I know that Mr Green is in a very difficult position, but your Honour will appreciate that it would be unthinkable for the Crown to undertake to the defence in a case like this "We will play the tapes once and only once and that is the only time the jury will ever hear them." It is such a nonsense to imagine we would enter into an undertaking or agreement like that that it hardly bears thinking about, and your Honour, I hope that Mr Symonds will appreciate that he has occasionally in this case got the wrong end of the stick, the wish being father to the thought, and that what may have happened here is that he has got the wrong end of the stick again, and your Honour, I do fear that we are reaching this stage in the case that, whenever I make a suggestion, whether it is helpful to the defendant or not, his reaction is to think that we are trying to do him down in some way.

JUDGE STROYAN: Well, I noticed that at the beginning of this little exchange.

MR RIVLIN: Your Honour, it is not.

JUDGE STROYAN: Of course, it remains the case that, irrespective of what may or may not have been agreed as between you and anybody else concerned with this case, I am in the end responsible for the way in which the case is conducted.

MR RIVLIN: Oh, yes, your Honour, but if I had given an undertaking such as suggested by the defendant I would have to tell you at this stage and you would have to bear it in mind, but may I say that it just was not given, and I am awfully sorry if the defendant has got it into his head that it was, but it was not.

JUDGE STROYAN: Well, I am sure it is no fault of Mr Green's. I do not know what has gone on.

MR RIVLIN: Your Honour, may I say that I have had the benefit of communicating with Mr Green a number of times in this case and I haven't the slightest doubt that there could be no fault on Mr Green's part.

JUDGE STROYAN: It seems to me there have been a number of misunderstandings.

MR RIVLIN: There have been a large number of misunderstandings in this case already, I am afraid.

JUDGE STROYAN: If there has been a misunderstanding between Mr Green and anybody else it would hardly be surprising in the unusual circumstances of this case, but I would not for a moment have thought that Mr Green has been a party to anything which was not in the interests of his client.

MR RIVLIN: Well, your Honour, it is so very easy, of course, if you are told something to forget about a couple of words or something which has been said to you and to concentrate on what which you wish to be the case.

JUDGE STROYAN: I wonder if it would be helpful if I rise?

MR RIVLIN: Well, it may be, I don't know.

MR SYMONDS: I think the fairest thing would be for Mr Green to be allowed to speak.

A MR RIVLIN: Well, your Honour, I would be happy for him to, but the situation is it may not really assist the defendant and I do not think it wise to do anything which might drive a wedge between the defendant and his solicitor.

JUDGE STROYAN: No.

B MR RIVLIN: Mr Green has asked for a few moments.

C JUDGE STROYAN: Yes, certainly. I think you should consider this rather carefully, Mr Symonds. I certainly should not, under any circumstances, be party to allowing anybody to commit a trick on you or anybody else in these proceedings. Nobody has so far, so far as I can see. It may have been some misunderstanding, but I am quite sure there has been no deliberate trick, and as I say, at the end of the day, the responsibility for what happens in this court is mine and not either that of counsel for the Prosecution or anybody for the defence.

D MR RIVLIN: Your Honour, before you rise finally, may I say this. Supposing that these tapes are not played and we reach a stage where the defendant says to Mr Perry, "Well, I didn't say that," or "I did say that", or "I said something else", then the defendant must know that in the light of cross-examination of that nature I would be entitled in re-examination to say to Mr Perry, "Well, that is suggested to you, would you now please listen to this tape."

JUDGE STROYAN: Yes.

MR RIVLIN: And it is very difficult really, unless the defendant agrees these tapes and agrees the transcripts, it is very difficult to see how that situation would not arise sooner or later.

E JUDGE STROYAN: Well, it is going to arise at some stage. The tapes are going to be played. If no-one else wants them to be played I shall order them to be played before I sum up or during my summing up, there is no question about that.

F MR RIVLIN: As to brain-washing, the jury have heard them once; they have been here for over two weeks; I do not think anybody is trying to brain-wash them. I didn't play them in my opening. They have heard them once in two-and-a-half weeks. I don't think that we can really be accused of trying to brain-wash anyone.

G JUDGE STROYAN: I think that such a suggestion reflects rather ill on the jury. I personally have every confidence that they would not allow themselves to be brain washed any more than anybody else would. I think the best thing is if I rise for a few moments. It seems to me that Mr Green has been of very great assistance to his client so far as I can tell.

THE COURT ADJOURNS

MR SYMONDS: Your Honour, I would like to submit that if Mr Perry has sent a message saying he would like to hear the tapes again, that he hears them in the lunch time and Mr Rivlin can play any part of the tape he wants to.

A I would point out to your Honour that this whole matter came about with Mr Rivlin standing up and bringing to the court's attention that he was going to play Mr Perry's tapes over to him because he had received a message from Mr Perry requesting this. I think that this is indicative that there was an agreement made at some stage because if -

JUDGE STROYAN: Just a moment. An agreement made about what?

B MR SYMONDS: About the tapes that would be played, et cetera, because if there had been no such agreement, or no agreement was about to be broken, or there was going to be nothing in dispute, then I suggest that Mr Rivlin would have called Mr Perry and started playing the tapes over to him as he says he is entitled to. The very fact that Mr Rivlin stood up and went into such detail to explain why he was going to play the tapes to Mr Perry, I suggest that is indicative that there was an agreement at some stage and I was given certain information by my solicitor which I accepted and which I agreed to and which affected my action or lack of action when these tapes were played over to the reporters.

C I regret now that I told him he was dismissed. That was on the spur of the moment. I would like to withdraw that because Mr Green is of great help to me.

D JUDGE STROYAN: I am sure he is, but I can see no reason why, if the witness wants to be reminded of what he said, if you are going to be asking questions about it, it is only fair to him that he hears the tapes.

MR SYMONDS: Well, your Honour, I would suggest that he hears the tapes during the lunch break.

E JUDGE STROYAN: No, you see I think the jury are not going to get the right impression. This case is to be decided by the jury. The tapes are in evidence now -

MR SYMONDS: As your Honour said, the jury can play over the tapes as often as they wish in their own jury room at the right time. It all comes down to principle.

F JUDGE STROYAN: The principle is that I am going to ensure that witnesses are treated fairly. That is the only principle. Mr Rivlin, do you want to say anything further?

G MR RIVLIN: Your Honour, only this. The situation is this, your honour, that from time to time during this case, in fact on a number of occasions, I have spoken to Mr Green and given him a statement of our intentions as to what we were going to do and who we were going to call to give evidence, sometimes it is in advance in the hope and expectation at all times that we were thereby assisting the defendant. I told Mr Green at an earlier stage in the case that this is what we were intending to do about the tapes. There was absolutely no agreement as the defendant alleges. He has just had the opportunity of speaking to Mr Green. I would be extremely surprised if the defendant still thought that there was an agreement as he alleges, but he has not had the grace to say that there was no such agreement. In those circumstances may I say that my intention is, with your Honour's leave, to conduct this case as it properly ought to be conducted if the defendant was legally represented by counsel, and if the defendant was legally represented by counsel I would examine Perry in a proper fashion, where necessary playing tapes to him for identification and for his assistance to

A recall what was said, and this sort of problem of course would never have begun to have arisen, and there is no way that we are going to be deflected from presenting this case in a proper fashion by allegations, no matter how fiercely they are made, of trickery and the like. We are just going to put our case, and if it be the case that helping the defendant by informing him, through Mr Green, of what we are intending to do, is going to lead to misunderstandings, that would be a very great shame. Almost every day we have been giving - I have given Mr Green information as to our intentions - not every day, every other day at least - as to which witnesses we intend to call, whether there is any change in the order of witnesses, what we are going to do. I do not think I can assist further.

B JUDGE STROYAN: Well, I can see no reason at all for me to take the view that there has been any trick. I am not going to say any more about it. When Perry is called, should it be necessary to ask him to listen to the taperecordings in proper circumstances, then I shall allow him to do so. I think it is better I say no more about anything at the moment. That is the course I propose to adopt and I see no reason to suppose that there has been any trick at all and I shall conduct the case in the way which I think is fair to the witness, fair to the defendant and fair to the public.

C MR RIVLIN: Your Honour, yes. May I say finally that at no stage since this trial commenced has any approach been made to us on this basis, "We only want the tapes to be played once. Who are you going to have to play them?" That has never even been contemplated and that is why all this trouble this morning has taken me so very much by surprise.

D JUDGE STROYAN: Yes, well it would be absolutely incredible if there was a suggestion that the tapes should only be played once.

MR RIVLIN: Yes.

MR SYMONDS: Your Honour, the situation, as I recall it, is that Mr Green, on my instructions, went to inform the Prosecution counsel that we intended to object to the tapes being played.

E JUDGE STROYAN: I am not going to put Mr Green in the embarrassing position of having to give evidence in this case, or anything like it. If you want to speak to him you shall.

MR SYMONDS: If your Honour remembers, during the trial-within-a-trial, I objected most strongly about the tapes being played over and over again. That was when the word 'brainwashing' was first used.

F JUDGE STROYAN: I have already told you that I have no intention of anyone being brainwashed.

MR SYMONDS: That is right, and I explained that I intended to raise the same objections during the trial proper if the tapes were going to be played over and over again through a succession of sound engineers and reporters who were giving secondary evidence when the primary evidence was available to the court, Mr Perry whose voice is on the taperecordings.

G JUDGE STROYAN: Mr Symonds, the only point which concerns me now is whether the tapes can be played again through Mr Perry if it becomes necessary to do so.

H MR SYMONDS: Well, I have never disputed that, your Honour. In fact I have always said that the tapes should be played to Mr Perry if it becomes necessary, but you are taking the word 'necessary' on this message this morning, your Honour, that Perry now feels he would like to listen to the tapes. So I suggest that if Perry wants to refresh his memory, he refreshes his memory during the lunchtime and then Mr Rivlin can ask him questions about

particular parts.

JUDGE STROYAN: Mr Symonds, is that which troubles you the possibility that the tapes may be played more than once to the jury?

A MR SYMONDS: Your Honour, it is not that that troubles me. The trouble is that there was an agreement made which has now been broken. That is what this is all about. I think I used the word 'dishonourable.' I repeat it.

JUDGE STROYAN: Well, I am not going to bandy words with you. That seems to me to be quite unsubstantiated. I shall have Mr Perry brought into court now and give him the warning.

B MR PERRY ENTERS THE WITNESS BOX

JUDGE STROYAN: Will you just identify him?

MR RIVLIN: Is your name Michael Perry?

C MR PERRY: Yes.

MR RIVLIN: Would you just listen to his honour.

JUDGE STROYAN: Now, Mr Perry, the case with which this court is concerned relates only to a very limited number of issues. It relates in fact to three occasions, on 28 October 1969, 31 October 1969 and 21 November 1969 when the suggestion is that you were given money by the defendant.

D MR RIVLIN: The other way round, your Honour.

JUDGE STROYAN: I am so sorry, yes, I am so sorry. What I want to warn you about in the clearest possible terms is that you must stick to those incidents in your evidence. Should you be asked a question, whether possibly inadvertently by Mr Rivlin or deliberately by the defendant, which might lead you to give an answer which brought out any other matters - do you follow me?

E MR PERRY: Yes, Sir.

F JUDGE STROYAN: Any other matters in relation to possible other charges or possible other cases, well then please do not answer it straight away. You can give me an indication by saying, "It's difficult for me to answer that question", or words to that effect and I shall then consider the matter, possibly in the absence of the jury, before you go ahead with the answer.

The point of that, as you may appreciate, is that it is very important to keep your answers limited to these three alleged occasions of a corrupt gift. Do you follow?

MR PERRY: Yes, Sir.

G JUDGE STROYAN: It is important to limit your answers to those occasions and the matters which immediately preceded or followed them and not to go into anything relating to any other possible offences or any other cases in which you may have been concerned in relation to corruption. Do you see?

MR PERRY: Yes, Sir.

H JUDGE STROYAN: If you find yourself being tempted to go outside those matters, well then all you need do is to say, "That's difficult for me to answer", or something like that and I will then deal with the matter as I

think fit. Do you follow?

MR PERRY: Yes, Sir.

JUDGE STROYAN: Then let the jury return.

THE JURY RETURNS TO COURT

MICHAEL PERRY TAKES THE OATH - EVIDENCE-IN-CHIEF:

MR RIVLIN: What is your full name?

A. Michael Roy Perry.

Q. Where do you live?

A. 460 Green Lane, London.

Q. I would like to take you back to 1969. Is it right that up to 1969, and indeed in 1969, you had been and were in trouble with the police on several occasions?

A. Yes.

Q. And you had been brought before the courts?

A. Yes.

Q. Well, the jury have exhibit number 16, your Honour.

JUDGE STROYAN: Yes.

MR RIVLIN: I would like to go now to September 1969. Can you remember where you were then living?

A. Nunhead Lane.

Q. What number Nunhead Lane?

A. 40.

Q. Were you living alone or with someone?

A. A friend of mine used to share one of the spare rooms.

Q. What was his name?

A. Robert Lamming.

Q. Was there a day in September 1969 when you were arrested?

A. Yes.

Q. Was that at your flat?

A. Yes.

Q. Were you taken to the Camberwell Police Station?

A. Yes.

Q. What was it that the police officers who arrested you were interested in?

A. Stolen cigarettes.

Q. Where were they said to have been stolen from?

A. From the Co-op store in Nuneaton.

Q. As regards the date of your arrest - I wonder if there is any dispute about the date of your arrest? I understand there is no dispute about the date of your arrest. Was that Wednesday 24 September 1969?

A. Yes.

Q. I am putting the date to you because I think it is agreed - do you understand that?

A. Yes.

Q. Where were you taken following your arrest?

A. I was taken from Camberwell to Nuneaton Police Station.

Q. At approximately what time did you arrive at the Camberwell Police station?

A. 6.00 p.m.

Q. What happened to you when you were taken to Camberwell?

A. I was placed in the cell and I was waiting for them, the Coventry Police to take me to Coventry.

Q. You were waiting for the Coventry Police to take you there. Can you remember who had arrested you? Were they Nuneaton Police Officers or Coventry Police Officers or London Police Officers?

A. I believe they were mainly Coventry. I believe there was one from Camberwell.

Q. Do you know his name?

A. I think his name was Hill, but I couldn't be sure about that.

Q. Now, I would like to ask you about the cell that you were detained in at Camberwell. Do you remember it?

A. Yes.

Q. Could you give a very brief description of it to the jury? Was it a police cell?

A. A police cell, yes. Just an average cell, average size.

Q. What about the door for example. Do you remember whether that was an iron grill or whether it was a door that you could not see through, a solid door?

A. I think it was a solid door but I'm not quite sure.

Q. You aren't sure about it. Whilst you were in the cell did anything happen?

A. Yes, I saw Sergeant Symonds. He poked his head round the door and we had a conversation.

Q. When you said Sergeant Symonds you looked somewhere, didn't you, you looked somewhere in court. Do you see Sergeant Symonds in court today?

A. Yes, the accused.

Q. So he popped his head round?

A. That is right.

Q. Did anything happen at that time?

A. We just had a few words.

Q. Can you remember what was said at that stage?

A. He said, "Someone had told me to see you, have a word with you."

Q. Told who to have a word with you?

A. Told Sergeant Symonds to have a word with me.

Q. Had you ever spoken to Sergeant Symonds before?

A. No.

Q. What else did he say, if anything?

A. He said, "If the Coventry police ask what I'm doing here, tell them I'm enquiring about some clothes that were at your flat."

Q. Pausing there -

JUDGE STROYAN: "I am asking about clothes found in your flat?"

A. I know he was asking about clothes. I think he said from my flat.

MR RIVLIN: Pausing there for a moment, had any clothing been found in your flat?

A. No.

Q. Which clothes was he talking about, do you recall?

A. Well, I took that just to be an excuse for him to be in the cell talking to me.

Q. Did he say anything else that you can recollect?

A. Yes, he said, "I don't think the Nuneaton police have got anything on you, but if they have got a fingerprint tell him you'll plead guilty to section 1 or 2, theft, whatever it was - section 1, I think, because that only carries twelve months maximum."

Q. Was anything else said that you can recall?

A. I said, "Thanks for trying to tip me off" and I would see him all right at a later date.

Q. What did that mean, see him all right?

A. Well, it meant I would give him a few pounds, a drink for trying to help me out.

Q. What does that expression 'a drink' mean?

A. In this case it would mean a corrupt payment.

Q. Can you remember offhand whether you were interviewed by anyone else in the cell that evening?

A. No.

Q. Can you remember if anything else was said between you and the defendant?

A. No, there was nothing else said.

Q.. Did the defendant try to question you about the Nuneaton offence?

A. No.

Q. And that night were you taken somewhere?

A. I was taken to Nuneaton Police Station.

Q. What time did you arrive at Nuneaton?

A. About ten or eleven o'clock at a rough guess.

JUDGE STROYAN: I think we will deal with that after the adjournment.

MR RIVLIN: Your Honour, may I make this clear in the presence of the jury before we adjourn. Is it right, Mr Perry, that this having happened a very long time ago you have been shown your various statements to refresh your memory before you came into court?

A. That is right.

Q. Have you read them?

A. Yes.

JUDGE STROYAN: It is very important, Mr Perry, not to discuss y our

evidence with anybody at all during this or any other adjournment. Do you understand?

A. Yes.

A

LUNCHEON ADJOURNMENT

MR RIVLIN: Now, you are still giving evidence on oath, Mr Perry. You have told the jury that same night, 24 September, you were taken to Nuneaton?

A. Yes.

B

Q. Arriving there late at night?

A. Yes.

Q. On the following day, the 25th, were you questioned by police officers at Nuneaton?

A. Yes.

C

Q. Were you questioned once or more than once?

A. More than once.

Q. Later that day, the 25th, were you bailed to appear back at Nuneaton in three weeks time or thereabouts?

A. Yes.

Q. Did you return to London by train?

A. Yes.

D

Q. I am going to come now to the next day, Friday 26 September. Can you remember whether you were arrested on that day?

A. Yes, I was.

Q. In connection with what?

A. In connection with theft of a van.

E

Q. Did the van contain anything?

A. Yes, dresses.

Q. Some clothing?

A. Yes.

Q. Were you asked to attend an identification parade?

A. At a later date, a few days later, yes.

F

Q. I think on the 29th you did attend an identification parade, is that right?

A. That's right.

Q. Were you thereafter subsequently committed to stand trial at the Inner London Sessions?

A. That 's right.

G

Q. Now, I have dealt with September. I am coming now into October 1969. Is it right that in October 1969 you received a letter about Nuneaton?

A. Yes.

Q. I would like you to look at a letter that is going to be handed to you now. Your Honour, we have the original and copies. I have a copy for your Honour and for the jury; the defendant has received a copy.

H

JUDGE STROYAN: That will be exhibit 48.

MR RIVLIN: Would you actually mark this 48, members of the jury. This is a letter dated 8 October 1969?

A. That is correct.

Q. Addressed to you from the Superintendent at the Police Office, Nuneaton?

A. Yes.

Q. "Dear Sir, with reference to the bail entered into by you on 25 September to appear at Nuneaton Police Station on 16 October, I have to inform you that it will not now be necessary for you to surrender at this police station." Now, can you remember what day you received that letter?

A. I think about I can't remember the actual day, no.

Q. Can you remember whether it was a short time after the 8th, the day that the letter is dated, or a long time after the 8th?

A. It was about three weeks after I was first took to Nuneaton, whenever that would be.

Q. Can you remember whether the letter came to you in the post or was given to you?

A. It come through the post.

Q. Would you put that down please, Mr Perry. When you had told the defendant on the 24th that you would see him all right, did you have in mind any sort of figure by way of money?

A. Yes.

Q. What sort of sum did you have in mind?

A. I thought £25.

Q. Thereafter, after your return to London, did you ever see Mr Symonds again?

A. Yes.

Q. What was the next time that you saw him?

A. I had heard that he wanted to see me.

Q. I am sorry, we don't want to know what you had heard. I want to know when was the next time you saw him? How long after?

A. After I received the letter?

Q. No, how long after the 24th?

A. About six weeks.

Q. About six weeks later to the best of your recollection?

A. Yes.

Q. Whereabouts was it that you saw him?

A. Outside The Rose public house in Camberwell.

Q. And just to make it clear to the jury, was this on the same day as, or before or after as the first taperecording?

A. This was the same day. I had met him once when I come back from Nuneaton.

Q. That is what I am asking you about.

A. Oh, that time. That would be about a week after I went to Nuneaton.

Q. About a week after you came back from Nuneaton you met the defendant?

A. That is right.

Q. Where did you meet him?

A. Outside The Rose.

Q. Just answer this question 'yes' or 'no'. Was it your idea to meet him there, was it your initiative?

A. No.

Q. Now, when you met him, you say about a week after 24 September, was anyone else present beside you and him?

A. Yes.

Q. I don't want to know what anyone else said, do you understand?

A. Yes.

Q. I just want to know what was said between you and the defendant. What was said between you and the defendant.

A. He told me that I would be getting off the Nuneaton job and he said it would come to £200.

Q. Pause there, I should have asked you this. Was it outside The Rose - you say it was outside The Rose, was it in the fresh air or where?

A. It was in Sergeant Symonds' car.

Q. In the defendant's car?

A. Yes.

Q. Was anybody else present in the defendant's car?

A. No.

Q. Just the two of you?

A. Yes.

Q. He said it would come to £200, what was your reaction?

A. I thought he was being a bit greedy, so I thought I wouldn't give him anything at all.

Q. Did you say anything to the defendant about your intention?

A. No, I said I hadn't got the £200 and I would see him at a later date.

Q. In other words, did you communicate to him the fact that you thought it was a bit greedy and that you didn't want to -

A. No.

Q. Now, when you said that you had not got it at that time, what did he say?

A. He said, "Well, you'd better go and get it."

Q. It is an awful long time ago, one appreciates that, Mr Perry; can you remember whether he said anything else when he said you had better go and get it? If you can't remember just say so.

A. No, I can't remember nothing else.

Q. Very good. Now, he had told you that you were getting off the Nuneaton job?

A. Yes.

JUDGE STROYAN: This is all about a week after the Nuneaton incident, is it?

MR RIVLIN: Yes. When he told you that you were getting off the Nuneaton job, who did you understand to be, if anybody, to be getting the credit for getting you off the Nuneaton job?

A. He was trying to say that he was going to get me off.

Q. So that this letter that you received, about which we know, you received after the conversation that you have just been talking about?

A. That is right.

Q. After you had told the defendant that you would get the money was anything else said that you can recall? If there was not then just say so.

JUDGE STROYAN: He has not said that he would get the money.

MR RIVLIN: I am sorry, your Honour, I thought -

JUDGE STROYAN: No, I don't think so. My Note is "He said 'I have not got £200 so I would see him later'."

MR RIVLIN: You would see him later, I am so sorry.

A. Yes.

Q. Was -

JUDGE STROYAN: In response to that or something like that the defendant said, "You had better get it."

MR RIVLIN: Was anything else said on that occasion that you recall?

A. Yes, I do remember, yes. He said, "You put me on the carpet, you dropped me in it at Nuneaton", meaning I had told the Nuneaton Police about what Sergeant Symonds said to me in the cell at Camberwell.

Q. What did you say to him when he said that you had put him on the carpet?

A. I told him I had not and that the Nuneaton Police were asking about other police officers.

Q. Now, after this meeting at The Rose - and if you are right it brings us right to the end of September, doesn't it?

A. Yes

Q. Then the next thing to happen, I think, in the story is that you receive this letter?

A. That is right.

Q. Now, you have told us about the defendant in this case. Just answer this question 'yes' or 'no'. Did a time come when you felt it necessary to say something to somebody?

A. Yes.

Q. What was the name of that person, do you remember his name?

A. Originally Brennan.

Q. And again answer this question 'yes' or 'no' if you can please. When you found it necessary to say something to somebody, was it this defendant that was causing you particular concern at that time or not?

A. No.

Q. Were you introduced to somebody by Mr Brennan?

A. Yes.

Q. What was the name of the person or persons to whom you were introduced?

A. Mr Garry Lloyd.

Q. Who, as you know, has been a witness in this case?

A. Yes.

Q. And when you were introduced to Gary Lloyd did you then know that he was a Times reporter?

A. Yes.

A

Q. And again answer 'yes' or 'no', did you speak to Mr Lloyd?

A. Yes.

Q. Where was it that the introduction to Mr Lloyd took place, can you remember?

A. It was in the Plough public house, Dulwich.

B

Q. Can you remember the date that you were introduced to Mr Lloyd?

A. No. I believe it was a Monday.

Q. It may be possible for us to get at the date in this way. There was a day, the first day, that something between you and the defendant was taperecorded. Now, when was it in relation to that day that you first spoke to Mr Lloyd? If you can't remember say so.

A. I can't remember.

C

Q. However, you said that you thought it was a Monday.

A. Yes.

Q. Now, after speaking to Mr Lloyd did you meet other people?

A. Yes.

Q. Who did you meet?

A. Well, I met someone in The Grove public house.

D

Q. I am not talking about the meets with which we are concerned with police officers, do you understand? I am really asking you questions about whether you met anyone else who was to be involved in this investigation. You met Mr Lloyd, so who else did you meet?

A. Mr Brennan was there and I think Mr O'Keef was there and that was about it.

E

Q. Well, after that did you meet anyone else who was to be involved in the investigation? Did you meet any other Times reporter?

A. Not that day I don't think,

Q. It doesn't matter whether it was that day. Did you meet a Times reporter following that?

A. Yes.

F

Q. What was his name?

A. Julian Mounter.

Q. Did you meet anyone involved with equipment?

A. I met Mr Hawkie.

Q. But it was not, as you say, on the first day that that happened?

A. No.

G

Q. Now, I am going to come now to another day. I am going to come now to 28 October 1969, which is the first day with which we are concerned in this case. When I say that, the first really important day when taperecordings were made on the morning of that day can you remember where you were?

A. I was at home.

H

Q. Well, your home was in Nunhead?

A. I was at my mother's house.

Q. Where does she live?
A. She lives in Woolwich.

Q. Can you remember -
Bingham Point, yes.

Q. Were you at Bingham Point on the morning of the 28th?
A. Yes.

Q. Who was with you?
A. Lloyd, Mounter, Hawkie.

Q. Answer this question 'yes' or 'no', did you make some telephone calls?
A. Yes.

Q. At the time that you made the telephone calls was any equipment in use to record them?
A. Yes.

Q. Who had set that up?
A. Mr Hawkie.

Q. Was there anyone associated with this case whom you were trying to ring that morning?
A. I rang the defendant.

Q. Now, you have been in court already in this case, haven't you, Mr Perry?
A. Yes.

Q. You have sat in this court and listened to a number of taperecordings?
A. Yes.

Q. And I think you had a transcript in front of you?
A. Yes.

Q. The first one that you had in front of you was a transcript of exhibit number 1, tape number 1, do you remember that?
A. Yes.

Q. A telephone conversation?
A. Yes, Sir, it was with the receptionist at Camberwell Police Station, the lady.

Q. Did you eventually get through to the defendant?
A. Yes.

Q. Do you remember listening to the telephone call, or what the Prosecution allege is the telephone call of that conversation?
A. Yes.

Q. Who was speaking on that tape?
A. Myself and the defendant.

Q. When you listened to it in court was it any different to the conversation that you had on the day?
A. No.

Q. I think it was a pretty simple telephone conversation, wasn't it?
A. Yes.

Q. Was an arrangement made to meet the defendant?
A. Yes.

Q. At what time were you to meet him?

A. 10.00 p.m.

Q. Did you in fact meet him at 10.00 p.m?

A. I think I met him earlier.

Q. Well, the time was brought forward, was it not?

A. Yes.

Q. Where did you meet him?

A. Outside The Rose public house, Camberwell.

Q. Now, when you say outside The Rose public house, I would like to ask you about that. How did you get to The Rose?

A. I drove down in my car.

Q. Tell us about your car.

A. It was a Wolsley.

Q. Colour?

A. Black.

Q. Do you now remember the number of the car?

A. Yes, 409 HLU.

Q. Can you remember meeting up with somebody at The Rose?

A. Yes.

Q. With whom did you meet?

A. I met the defendant.

Q. Was he on foot or what?

A. He was in his car.

Q. What kind of car did he have?

A. A Vauxhall, a white Vauxhall.

Q. On the first occasion, the first occasion that you met him where did the meeting between the two of you actually take place?

A. In his car outside The Rose.

Q. Was any equipment in use whilst that meeting was taking place?

A. Yes.

Q. Can you remember what it was?

A. Taperecorders and a microphone, that sort of thing.

Q. Can you remember, so far as you were concerned, whether there was any microphone?

A. Yes, I had one round my neck and one on my wrist.

Q. Can you remember where the taperecorder or taperecorders were that were being used?

A. I think it was in the boot of my car.

Q. Now, do you remember listening in court to exhibit number 2, tape number 2 being played?

A. Yes.

Q. Now, Mr Perry, that taperecording was a taperecording of snatches of conversation?

A. Yes.

Q. That is all that shows up on the tape - do you remember that?
A. Yes.

Q. Before I ask you any questions about what appears on the tape - do you understand?
A. Yes.

Q. I would like to ask you what actually happened during that meeting. Were you in possession of anything apart from your microphone?
A. I had £50, or just over.

Q. Would you describe to the jury what had happened about that £50? How did you come to have the £50?
A. Well, it was my own money and I was going to pay some money to the defendant. The reporters had previously taken the numbers on it and I had £50, plus about three or four pounds in notes. I had to buy a drink in the pub.

Q. In the meeting itself that took place in the defendant's car, what happened?
A. I gave him the £50 and I said I would give him the other £150 when I got it.

Q. When you gave it to him did he accept it?
A. Yes.

Q. Was there any question about what the money was for?
A. No, it was pretty straightforward.

Q. Was there some conversation in the car that you recall?
A. There was a conversation, I couldn't actually recall the conversation.

Q. Now, a taperecording was played in court that you listened to. When you heard the snatches of conversation on the tape could you remember what it was that the two of you were talking about?
A. Yes.

Q. Well, your Honour, I don't wish to play the tapes unless it is necessary to do so. I am willing to invite the witness's attention to the transcript but I am in his hands as to whether he wishes the tape to be played or not. What is the position, Mr Perry?
A. The transcript will do.

Q. The transcript will do. Your Honour, might I refer the witness to the transcript when I have established the transcript with the witness? When you listened to the tape in court, Mr Perry, did you follow it through on a transcript that was being provided for you?
A. Yes.

Q. That is exhibit number 35d, your Honour. When you listened to the tape and followed it through with the transcript - do you understand?
A. Yes.

Q. Was it any different, when you heard it, to that conversation which actually took place at the time?
A. No, it was the same.

Q. The same conversation, but as we know, snatches only?
A. Yes.

Q. Do you feel able to follow it through with the transcript?
A. Yes.

Q. Did you have any criticism to make of the transcript as you were following it through?

A. Some of the things that weren't printed I could make out, that were not printed on there.

Q. Some of the things that do not appear you felt you could make out yourself?

A. Maybe not on this tape, but on others.

Q. Well, y our Honour, I think so far as this tape is concerned we should be able to manage with the transcript.

JUDGE STROYAN: Yes.

MR RIVLIN: Would you have a look at exhibit 35D and go to page 4 please. Do you have that?

A. Yes.

Q. Now, you must understand, and I think it is fair that it should be pointed out to y ou, that according to the transcript the first two minutes 23seconds are blank or garbled - do you understand, you can't make out what is being said?

A. Yes.

Q. Then at 2.24 you heard a voice, did you not, saying "... sort of seeing the customers and that's where you get the money, see, on a nice little fraud." Do you remember the voice saying that?

A. Yes.

Q. Was it your voice?

A. No.

Q. Whose voice was it?

A. The defendant's.

Q. "It doesn't matter how hard you work or how much you go out thieving, or how many people you fucking turn over, you still won't make as much as ten."

A. Much in ten.

Q. Much in ten, I'm so sorry.

A. He went on to say "ten fucking years of your life."

Q. What were you talking about at that time?

A. He was just talking about what I ought to do, thievingwise, you know.

JUDGE STROYAN: What?

A. What I ought to do.

MR RIVLIN: Thievingwise, you say?

A. Yes, how to go about it.

Q. Then agcording to the transcript there is blank and garbled voices and blank. We next come to ten seconds past five minutes: "Anyway, I'll have a go and see your bits and pieces and tell him you have got them and tell him to get in touch with the governor down at" something "office. I can tell you later, you know." Now, can you remember what you were talking about at this time, go and see who? If you don't remember, say so.

A. Okay.

Q. Can you remember who 'the governor' was?

A. Yes.

Q. Who?

A. Inspector Sylvester.

Q. From which police station?

A. Peckham.

Q. Just read the rest of it through to yourself please.

A. That page?

Q. The next page, page 5, and when you have read it through tell us, if you can remember, what you were talking about at the time, and if you can't remember say so.

A. Yes.

Q. You can remember or you can't remember?

A. I can remember.

Q. What were you talking about?

A. We were talking about a friend of mine by the name of Brookes and Inspector Sylvester was trying to arrange a meet with him.

Q. All right, I would like to leave that there, if I may, and go on to page 6. If you look at the top of the page: "I will see you about the other thing later on."

A. Yes.

Q. Did you hear that when you listened to the tape?

A. Yes.

Q. "If you get anything like any problems, let me know, see." What were you talking about when you said, "I will see you about the other thing later on"?

A. About the rest of the money I owed him.

Q. Then at 7.31: "It's only that yarder, the gelly 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." Now, just pause there. Don't answer any questions, just finish that off. It's followed by, "Yeah and then I can borrow it like, I mean I can always borrow it, if it's right important I mean like." Now, just pause there. Your Honour, in my submission I should be entitled to ask the witness what he was talking about there with the defendant.

JUDGE STROYAN: "If I can scrape up a few quid," that passage you mean?

MR RIVLIN: No, your Honour, a little earlier: "Any problems let me know." Answer: "It was only that yarder, the gelly like, it's what I'm worried about. Yeah, it carries a bit of bird, don't it. I can scrape up a few quid" and so on.

JUDGE STROYAN: Well, the 'gelly' does not appear to be anything to do with this case.

MR RIVLIN: Your Honour, no, the gelly has nothing to do with this case but, your Honour, my submission is that this conversation is both relevant and admissible.

JUDGE STROYAN: Yes, I think that is right.

MR RIVLIN: Relevant and admissible on the issue of corruption and the defendant's state of mind.

JUDGE STROYAN: Yes, I think it is relevant, but do not deal with the 'gelly' if you can possibly avoid it.

MR RIVLIN: No. When you were asked if there were any problems and you talked about the 'gelly', is it right that that had nothing to do with Mr Symonds?

A. That is right.

Q. Did it have to do with some other policeman or policemen?

A. Yes.

Q. Now, I have got to ask you this, what does the word 'gelly' stand for?

A. Gelignite.

Q. Then you go on to talk about scraping up a few quid again. Is it right that you were not talking about scraping up a few quid for Mr Symonds?

A. Yes.

Q. You were talking about scraping up a few quid for somebody else?

A. Yes.

Q. And just answer this question 'yes' or 'no', was that someone else to be a police officer or not?

A. Yes.

Q. Did the defendant know that?

A. Yes.

Q. And then there is a little bit of conversation and cheers and car noises, right?

A. Right.

Q. Now, that was 28 October which was in fact a Tuesday, and may I ask you whether you ever listened to that taperecording being played?

A. Yes.

Q. How long after the incident itself was it that you listened to the taperecording being played?

A. Half an hour at the most.

Q. Did you listen to it alone or in company?

A. In company.

Q. You have told the jury that you gave £50 to the defendant. Can you remember if anything happened after the meeting?

A. Yes, the reporters searched me to see whether I had any money left on me.

Q. Did you?

A. No.

JUDGE STROYAN: What had happened to the odd pounds?

A. Apart from the odd couple of pounds I had, the £50 had gone.

Q. Now, is it right that the next time that a recording was made that is relevant to this case was three days later on 31 October?

A. Yes.

Q. Can you remember where that meeting took place?
A. At The Grove public house, Dulwich.

Q. Did the reporters and Mr Hawkie know that the meeting was to take place?
A. Yes.

Q. Were they there?
A. Yes.

Q. Was any equipment in use on that day?
A. Yes.

Q. Did you have anything in your possession apart from the taperecording equipment?
A. Do you mean the money?

Q. Well, I have to ask you?
A. Yes, I had £50.

Q. Now, where did you get the money from, can you remember?
A. I think on that occasion I had borrowed it.

Q. Did the reporters give it to you?
A. No.

Q. Did Mr Hawkie give it to you?
A. No.

Q. Was anything done in relation to money before you met the defendant?
A. The reporters made a note of the numbers and gave it back to me.

Q. How did you get to The Grove?
A. I drove in my car.

Q. When you arrived at The Grove did you meet somebody?
A. I met the defendant.

Q. Where was he?
A. He was in his car.

Q. Which car?
A. The white Vauxhall.

Q. And can you remember on this occasion where it was that the meeting actually took place, in the public house, in the carpark, or in one of the vehicles?
A. It was, I believe, in my vehicle.

Q. Following the meeting did you discover whether a taperecording or recordings had successfully been made?
A. Yes.

Q. Had they?
A. Yes.

Q. Did you listen to them?
A. Yes.

Q. How long afterwards?
A. A matter of twenty minutes.

Q. You have had the taperecording of this meeting played to you in court, have you not?

Humphreys, Barnett & Co. A. Yes.

Q. And this one was a long one?

A. Yes.

Q. By the standards of the other two, the last two, it was a long one. When you listened to it did you have a transcript in front of you?

A. Yes.

Q. Was the conversation that you heard in court any different from that which actually took place in your motor car?

A. Both the same.

Q. Now, you told his Honour and the jury that as you were listening to tapes you sometimes heard things that were not on the transcript?

A. Yes.

Q. Can you remember if that happened in relation to this one or not?

A. It may have done.

Q. Well, your Honour, I have obviously got a number of questions to ask about this one.

JUDGE STROYAN: Yes.

MR RIVLIN: It is a little difficult, your Honour, but I can't really see any alternative other than to let the witness hear it.

JUDGE STROYAN: Well, if he is talking about things which do not appear, or which may not fully appear on the transcript, I think there is no alternative.

MR RIVLIN: Your Honour, yes. Would you listen to this please and go through it with the transcript and, Mr Perry, if you hear something, if you can decipher something that is not on the transcript would you just call out 'stop'.

JUDGE STROYAN: And if it is anything to which you may want to refer to later, have a pencil with you there and just put a mark on the transcript if there is anything there you may want to refer to later. You have said that there are things which may appear on the recording but not on the transcript, if you notice any of those as you hear it played, just make a note on the transcript.

MR RIVLIN: Your Honour, I am advised that it might be appropriate for us all to wear headphones for this one.

MR SYMONDS: Your Honour, could I have an assurance that this is an original tape?

MR RIVLIN: The tape that I hope is being played now, your Honour, is exhibit number 3, tape number 5.

MR SYMONDS: And further to that, your Honour, is the tape being played naturally or is it being played through filtering devices to take put background noises and such like?

MR RIVLIN: If you will just allow me a moment, your Honour, I will give the defendant an answer to that. It is the original tape, there is no filtering device.

JUDGE STROYAN: Very well.

MR RIVLIN: Would you like to put this gear on please? I would just like to make sure it is positioned correctly.

JUDGE STROYAN: We had better make sure we have all got it positioned correctly.

MR RIVLIN: Your Honour, yes, it is the little glass bulb facing towards one of these grills or in this direction generally, with the top switch in the middle and the bottom switch turning to the right.

MR PERRY: Do you want me to stop it as I come to it, or at the end?

MR RIVLIN: Your Honour, may I suggest that we do it in this way. If the witness says he can hear something that is not on here, that he just shouts out 'stop'.

JUDGE STROYAN: Yes.

MR RIVLIN: If there is anything else he would like to tell us about, if there is anything that is on here that he disagrees with, then he can mark it and come back to it.

JUDGE STROYAN: Yes, he can mark anything which he thinks significant.

MR RIVLIN: Your Honour, yes. Is that clear, Mr Perry?

A. If there is something on here I can hear?

JUDGE STROYAN: If there is something which is not on the transcript you shout 'stop' and we will go back over it.

(TAPE RECORDING PLAYED)

MR RIVLIN: Well, you have listened to that, haven't you Mr Perry? Is that any different from the conversation that took place at the time?

A. No, it is the same.

Q. As you were going through it you were following the transcript, weren't you?

A. Yes.

Q. Do you agree with the references on the transcript as to the person who is doing the talking or not?

A. Yes.

Q. What happened to the money that you had when the meeting started?

A. I gave it to the defendant.

Q. There are just a few things I would like to ask you about to see if you can help us. If you can't help us please say so. It is much better that you say that rather than you guess at an answer, do you understand?

A. Yes.

Q. Would you look at page 7 please at the top, page 7 of exhibit 35. "You know a bit more dough I see" - this is you talking. Did you hear that on the tape?

A. That was the beginning of the tape?

Q. Yes, have you got 1901?

A. Yes, I heard that, yes.

Q. What were you talking about?

A. I have got a bit more money to give to the defendant.

Q. Then there is reference to 'Roy' - who is Roy?

A. Roy Brooks.

Q. I don't want you to spend a lot of time on this but can you remember what had happened to Roy Brooks at the time, at the end of October 1969? There is talk of a 'W' being out for him.

A. There was a warrant out for his arrest.

Q. You knew Roy Brooks did you?

A. Yes.

Q. Would you look over the page, at the top of page 8. You were saying something to the defendant there were you not?

A. Yes.

Q. "They stuck the gelly on me, so he thought 'fuck them putting that on me' and he went, you see". What are you saying there?

A. Well, I was referring to Brooks, why he never kept a meeting.

Q. Very well, that is all that I need to ask you about that page. Would you look please at page 9. I would just like you to help here. If we look at the very last line, and then another three lines up, there is the word 'outers' and it may be some of us do not know what that means. Can you help us as to what the word 'outers' means?

A. Yes, he's on his own.

Q. If you look at three lines from the bottom. The defendant: "If only he'd turn up to meet the governor" - who is the governor?

A. Inspector Sylvester.

Q. Would you look please at page 10, half way down the page there is reference to someone - and we need not go into identifying who it is because I think that is probably clear - mugging him, the governor. Now what does the expression 'mugging him' mean in that context?

A. It meant he had arranged to meet him but never turned up and left the fellow waiting there all by himself.

Q. That is what it means?

A. Yes.

Q. Would you turn over to page 11. There is more talk about 'the gelly thing' and there's more talk about Roy, isn't there? Would you go to page 12, the top of the page, the first passage relating to Mr Symonds which begins, "So, er, yeah, so er so." Have you got that?

A. Yes.

Q. What does giving him the 'G' mean?

A. He had been putting in a good word for him.

Q. Right. Would you go to page 13 please? Can you remember this bit, it is about half-way down the page, where the defendant - well, let's deal with the earlier passage first: "The thing to do is, you see, if you know like, once you've sort of got yourself all square and that then fucking work in with us, you know." All square with whom?

A. Square with the defendant.

Q. Work in with whom?

A. With the defendant.

JUDGE STROYAN: I do not quite follow what you mean by 'all square with the defendant.' What do you mean?

A. Once there was nothing outstanding, once I had paid him what I owed him.

A MR RIVLIN: Then there is the bit, isn't there, about "You haven't got this thing bugged?" and the laughter and the scotch accent. Can you remember that now? How did all that happen, how did that arise?

A. Some of the things he was saying, if they had been taped they would have been incriminating to him. That's why he joked, "This thing isn't bugged is it?"

B Q. He was joking?

A. He was joking, yes.

Q. Then if we look at the bottom of the page and over to the next page there is a lot of talk, isn't there, about things that may happen. 'A Licence' at the top of page 14, "I can give you a licence."

A. Yes.

C Q. Licence to do what?

A. Commit crime.

Q. Further down the page, Symonds: "Loads of big screwings on like. Put it down, put it down to yourself see." Big screwings being?

A. Mainly shop burglaries. Breaking and entering or burglary.

D Q. Page 15 please. 25.10. "You can have more than that, you see, you can have more than help. You can have fucking, you can have sort of, you know, earners out of it." 'Earners' means?

A. It means he would put me on to something - he may know something and he would put me on to it to do it.

JUDGE STROYAN: Before we go on, does that last sentence on page 14, (inaudible), what did you understand that to be a reference to?

E A. I understood that to be police corruption as work for years. It's common.

MR RIVLIN: If you would look over at 25.20 now - this is page 15. You are saying: "I aint got it all yet, I got another fifty, all right." Did you hear that when you listened to the tape?

A. Yes.

F Q. And "Yeah, fine, yeah". Did you hear that when you listened to the tape?

A. Yes.

Q. What were you talking about?

A. I was referring to the other £50 I had just given him or was just about to give him.

Q. And when you said to him: "I aint got it all yet, I got another fifty", what did you mean?

G A. Well, I had already paid him one fifty; this was the second payment.

Q. Your Honour, it should be made absolutely clear of course, when I am asking the witness these questions, that the jury are only hearing his evidence of his understanding of what was said. He can't speak about what the defendant meant.

H JUDGE STROYAN: Oh, no, of course not.

MR RIVLIN: Then there is the reference there to the 'gelly' and Mr Symonds saying "Yeah, yeah, that was all that has worked out all right then." Do you see that?

A. Yes.

A Q. What is that bit about "That has worked out all right then"?

A. I had squared up the problem with the gelignite.

Q. Could you please turn to page 16 now. 25.44. "But I know if they get at the man Roy and have it put" and then "No, as long as it has worked out all right, that's worked out all right, so all right, you can go away and carry on." What does that mean or what did you understand that to mean?

B A. Well, it meant as long as I had no money outstanding to anyone I could carry on with whatever I wanted to do.

Q. And the very next thing is something that you say and I would like you to try and explain to us what it means: "Yeah, that's what I mean, yeah. Well, I'm without me plate now. I can go on." What does that mean?

A. I meant got it off my plate, got no more problems.

C Q. Then at 26 there is reference to: "If we find out you have done something we want a fucking share". What did you understand that to mean?

A. Well, if they knew I had committed a crime they wanted part of the proceeds.

Q. Then the bottom of the page: "Right, but then again the third one is you might want to do something with some help, you know, you might want to make sure there's no count about it at a certain time of the night. See we can do all sorts of things. Moody cause." Now, what does 'moody cause' mean?

D A. False caution.

Q. "Or we can make out we're going to raid a pub boozer or something and get every cunt off the street, you know, go and turn some poor fucking boozer over, see, and that keeps them clear doesn't it." Now, what did you understand him to be talking about here generally?

E A. It meant if I wanted to commit a crime in his area he would make sure there was no policemen in that area by taking them to another part of Camberwell.

Q. I am not going to ask you about the next bits because they seem to be pretty straight forward, but I would like to come to the bottom of the page if I may. 26.54. "Yeah, I see, there's two good things in that, right, is that being on the spot, if wheel does come off ..." - what does that mean 'if wheel does come off'?

F A. If something comes off, if something goes wrong.

Q. "If wheel does come off, you see, we have a mug with us and I can feel his collar, see, and I just sort of come along and, er, I'm the hero then, aren't I, ey, aren't I, ey, and get a fucking medal or something like that". Now, what did you understand him to be talking about when he referred to a 'mug' and 'feeling his collar' and 'getting a medal'?

G A. It meant if we had someone with us who wasn't particularly a friend of ours, if the police happened to come across us, then he would have him, as he called him 'mug', and the rest of us would get away.

Q. Who would have who?

A. Sergeant Symonds would arrest the mug and the rest of us would get away.

H Q. And what is this bit about "and I'm a hero then"?

A. Well, it looks like he has arrested a crook. He would be charged with everything, you see.

Q. Would you go to page 18 now please. It is the second time we see Symonds' name: "Yeah, no, you know you're doing well. Well, I've heard you're doing well anyway, so fucking keep it up, so the only thing you want to do is...." keep what up, Mr Perry?

A. Keep committing crimes.

Q. Then he talks about 'poking it away, you see' - do you see that bit?

A. Yes.

Q. "The other thing you want to do is to poke it away, you see, I say like a lot of blokes I have known, known over the years, do it on crumpet and booze and gambling." I don't think that you have to explain to us what that means, but what about 'poking it away', what did that mean?

A. Well, save some of it.

Q. Then there's talk about "a little shop or something, poke it away, and then if a wheel comes off you've got a home and a fucking business." What did all that mean to you?

A. It meant if I put some money away and I eventually did get arrested, that when I come out of prison I would have something to fall back on.

Q. The bottom of page 19 please, because I really do think that the other is pretty straight forward. Symonds: "Do all right then, Mick, get anything you, you know, keep in touch." Perry: "I'll get it, I'm going to definitely get it next week, but I couldn't get my hands on it." The top of page 20: "Yes, that's all right. As I say, don't do anything silly, just sort of, you know. No." All right?

A. Yes.

Q. Now, of course, I read it, but when I read it it did not sound as it sounded on the tape, did it? Did you hear those words on the tape when you were listening?

A. Yes.

Q. What were the two of you talking about there?

A. I was referring to the rest of the money I owed him and he was telling me not to do anything silly. I made a note here, when you taped it by the way, I made out a word he said, it's got "just sort of, you know, screw your loaf."

Q. Screw your loaf. Well now, I hope that that does not mean anything to anyone in court, what does that mean to you?

A. Be careful.

Q. Is that an expression that you had ever heard before?

A. Yes.

Q. Oh, it is. All right. Symonds: "Don't forget, always let me know straight away if you want anything because I know people everywhere because I'm in a little firm in a firm that, don't matter where, anywhere in London I can get on the 'phone to someone I know I can trust that talks the same as me." Now, what did you understand that to mean?

A. Well, it meant that he knew other corrupt officers all over London who he could get in touch with.

Q. 'A little firm in a firm' - was that a new one on you or not. I would just like to know if you had heard the expression before or if you had not. If you can't remember just say so.

A. I can't remember.

Q. Right, that is all that I want to ask you about that day.

JUDGE STROYAN: Well, there is just one question that I would like to ask. Having read the transcript and listened to the tape, are you able to say at what stage, if any, the money passed?

A. I think I mentioned it, I believe.

A JUDGE STROYAN: I do not think you did.

MR RIVLIN: You did mention money but you did not say at what stage the money actually passed.

JUDGE STROYAN: There is money on page 15.

A. I think that was it.

B JUDGE STROYAN: You said, "I got another fifty, all right," and you said, when you were going through it, that that meant money.

A. Yes, that was it.

JUDGE STROYAN: Do you mean at that stage -

A. I passed him the money.

C JUDGE STROYAN: How can you tell from that passage that that is when you passed him the money?

A. That is the sort of thing I would say if I was going to pass him the money. That is what I would do.

JUDGE STROYAN: I see. Looking at that transcript and hearing the tape you can now say that is when you passed him the money?

A. Yes.

D MR RIVLIN: Your Honour, I did not ask him whether he could hear anything in particular at that point because I was rather concerned not to. I thought I would leave that to someone else.

JUDGE STROYAN: Still looking at that passage, did you hear anything, when you listened to what you see on page 15, that would help you in saying when the money was passed? The note I have got is that you told me a moment ago "At that stage I passed him the money. If I was going to pass the money", you added, "that's what I would do." Are you able to pinpoint the moment when the money changed hands any more accurately?

E A. Just afterwards, where the garbled bit is. Unless I can go through it, maybe I can find something else. That seems like it.

JUDGE STROYAN: That is just under where it says 520?

A. That's right.

F JUDGE STROYAN: Well, I think I will leave it there. It can be pursued later.

MR RIVLIN: Your Honour, may I say I was proposing to deal with that particular matter with another witness. We have had Mr Perry's answers. I am going to leave it there.

G JUDGE STROYAN: Yes.

MR RIVLIN: Now, Mr Perry, can we come to 21 November, which is the third day with which we are concerned when recordings were made relative to this case. Do you understand?

A. Yes.

H Q. So we are now just about three weeks later, aren't we. In fact it is Friday, Friday, Friday - the 21st is a Friday, the 31st is a Friday. Now, on that day did you have another meeting?

A. Yes.

Q. With?

A. With the defendant.

Q. At?

A. The Grove, Dulwich.

Q. Did anyone else know about that meeting?

A. The two reporters and the sound engineer.

Q. And were you in possession of anything?

A. Microphone do you mean or money? Both.

Q. I am just asking you?

A. Microphones and money.

Q. How much money?

A. Just over £50.

Q. Whose money was it?

A. My money.

Q. Was anything done about money before you went to The Grove, or at The Grove, or anywhere?

A. The reporters noted the serial numbers.

Q. When?

A. Before I met the defendant.

Q. How did you get to The Grove?

A. In my car, the black Wolsley.

Q. Who did you see at the Grove?

A. The defendant.

Q. Where was he?

A. He was in his car, or his car may have been empty at the time and he walked towards his bar.

Q. Where did the meeting take place?

A. In the carpark of The Grove.

Q. In whose car?

A. I'm not sure about that.

Q. Now, after the meeting had taken place did you listen to anything?

A. Yes, I listened to the taperecordings.

Q. Were there any successful recordings?

A. Yes.

Q. What happened to the money that you had had in your possession?

A. I gave it to the defendant.

Q. When?

A. When we met in the car.

Q. Did he accept it?

A. Yes.

Q. When you listened to the tapes being played after that meeting, was the conversation any different from the conversation that had taken place in the car?

A. It was the same.

Q. Have you listened to a tape, tape number 14, exhibit number 5, being played in this court a couple of weeks ago?

A. Yes.

Q. Did you have a transcript in front of you?

A. Yes.

Q. Quite a long transcript?

A. Yes.

Q. Was that which you heard any different from the conversation that took place on the tape that you had heard at the time?

A. It was the same.

Q. What do you say about this one, Mr Perry? You had a transcript in front of you as you were listening to it, didn't you?

A. Yes.

Q. Can you remember, as you were listening and following through with the transcript, whether you were happy with the transcript or whether you felt unhappy with it?

A. I was happy with it. I may have found a few more words in it, but maybe not, I can't remember.

JUDGE STROYAN: How long after the meeting was it that you heard the tape played back to you?

A. About thirty minutes.

MR RIVLIN: Well, your Honour, I am going to ask the witness the same kind of questions that I asked with regard to the last one. I feel in the circumstances that we should listen to it.

JUDGE STROYAN: Yes.

MR RIVLIN: Would you listen please. I would like the original to be played, tape 14, exhibit number 5. Would you go through the same process, if there is anything that you hear that is not on here, a little cross and mark it in, and if there is anything that is on here that you disagree with, would you draw that to our attention please?

A. Yes.

Q. Perhaps you can do that at the end as you did last time. If there is anything that is really outstandingly different, just shout out 'stop'.

JUDGE STROYAN: Are we going to need our earphones for this?

MR RIVLIN: I am told that it is best, your Honour.

JUDGE STROYAN: Yes, very well.

MR RIVLIN: Page 22. Could I just have a look at your transcript please? Would you take your transcript before the tape is played. Your Honour, might I direct your attention, the witness's and the jury's, to page 24, the bottom of the page, I know there is a blank on the jury's transcripts here and there is on the witness's too; maybe not on your Honour's.

JUDGE STROYAN: Yes.

MR RIVLIN: Your Honour, what I would like to do when I am playing this tape through is this. I would like to stop just at page 25 and ask the witness if he can catch anything there, and then play it again to ask him if he can catch anything. If he cannot, he cannot. If he can he will tell us what it

is. Your Honour, if he cannot catch it on this one I might ask that he listens to tape 13 which is the one slung round his neck, but we will see how we get on.

A JUDGE STROYAN: At all events, what you are being asked to do is to pay particular attention as you get to the bottom of page 24.

A. Are we starting at the beginning of the tape?

JUDGE STROYAN: Yes, at the beginning.

(TAPE RECORDING PLAYED)

B MR PERRY: That's when I gave him the money and I say to him "Here is the other thing."

MR RIVLIN: Just a minute, pause. You say to him?

A. "Here is the other thing and I can't get fuck all lately", and he says, "Cheers."

C JUDGE STROYAN: What does that mean to you?

A. If you give someone something they say 'thanks' or 'cheers'.

JUDGE STROYAN: Have I got this down right. You are saying that you are saying to him: "Here is the other thing, I can't get fuck all lately," is that what you said?

A. Yes.

D JUDGE STROYAN: What did you mean by the reference 'Here is the other thing'?

A. I still owed him £100, I only gave him 50. The 'other thing' was the money, the £50. When I said, "I can't get fuck all lately", it meant that's why I couldn't give him the hundred, I had no money.

JUDGE STROYAN: The 'other thing' was the £50?

A. Yes.

E JUDGE STROYAN: Did anything happen about the £50 at that stage?

A. I said that as I gave it to him.

JUDGE STROYAN: Yes, I see.

MR RIVLIN: Can we please carry on?

F (TAPE RECORDING PLAYED)

MR RIVLIN: Now, Mr Perry, you have listened to that. Have you got any comments to make about the transcript that you have had in front of you and about what the tape actually says to you?

A. It sounds the same.

G Q. Is there anything that you have heard, over and above that which you told us about page 24 that you would like to tell us about?

A. Well, on page 38 where Symonds says: "Where", I think that means 'were you'. It might have been 'where', I'm not quite sure about that one, but there is another one.

Q. Yes?

A. Page 34 when I am speaking.

H

Q. Whereabouts are you speaking?

A. At the top where it's got the word 'garbled', I make that word to be 'McDonald.'"

Q. How do you say it reads?

A. It says: "So how do I find out about Crouchy and McDonald?"

JUDGE STROYAN: So we cross out the word 'garbled'?

A. Yes.

JUDGE STROYAN: We cross out the word 'then'?

A. No, I think he says 'then'. It's the way he speaks.

MR RIVLIN: Anything else?

A. No, that's it.

Q. Now, you know that so far as the transcript is concerned there is the name, or the alleged name of the person who is doing the talking each time. Do you agree with the transcript, or do you disagree with the transcript?

A. I agree.

Q. Would you look at page 22 please, the first page, the top of the page: "How are you doing Micky?" "all right there, I ain't got, actually I've only got 50, all right." "Pardon?" "I've only got 50 again, all right?" "Yeah, some of your mates are in trouble, aren't they?"

A. Yes.

Q. Did you hear that when you listened to the tape?

A. Yes.

Q. What were you talking about?

A. Talking about another £50 I was about to give him.

Q. A couple of lines down there is reference to Crouchy. I am not going to go into the question of Crouchy, but who was Crouchy?

A. Daniel Crouch.

Q. Was he someone known to you?

A. Yes.

Q. Then there is reference at the bottom of the page to McDonald. Was he someone known to you?

A. Yes.

Q. At the top of the page 23, there is reference to 'that other geezer' that is Sabu. Now, is Sabu somebody else?

A. Yes, I call him Sabu because he is a bit dark skinned. He is a white fellow but he has a dark complexion.

Q. What is his real name?

A. Hinch.

Q. He is a third person?

A. Yes.

Q. Is he known to you?

A. Yes.

Q. Now, if you would look at the bottom of page 23 and page 24, there is a fair amount of talk about somebody being a grass. Meaning?

A. A police informer.

Q. Would you just read the paragraph at the top of the page?

A. What, 23?

Q. Page 24. Read it to yourself. Do you see that? What did you understand the defendant to be talking about there?

A. He said he doesn't mind helping them out, but if one of them is a grass, a police informer, he would have to watch how he went; he would have to tread carefully.

Q. And then you get, "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." Now, what did you understand the defendant - well, your Honour, I don't know if this is fair; perhaps it really speaks for itself. I don't think I ought to ask the witness that.

JUDGE STROYAN: No.

MR RIVLIN: But you heard him say that, didn't you?

A. Yes.

Q. Can you please look a little further down 24. Symonds: "He doesn't even want to fucking know he has had any help. Well, I'll find out who is the grass and if he is the grass then he can be seen to afterwards, can't he?" "Yeah, yeah, by the fellows." What did you understand 'seen' to mean?

A. Beaten up.

Q. You have told us that following that there is the bit about the money being passed over. If we can go on to page 25 please, there is reference there to "this yard man from the Yard on me all the time, Robson", and to Robson ringing you up. Did the defendant appear to know who Robson was?

JUDGE STROYAN: Well, I do not think he can answer that.

MR RIVLIN: I am sorry, your honour, perhaps he can but I won't pursue it. At all events, page 25 and 26, there is some talk about you not going to the Yard for a meet yourself, isn't there?

A. Yes.

Q. And sending somebody else in your place?

A. Yes.

Q. Would you look please at the bottom of page 26. There is a bit you may be able to translate for us here. Perry: "Yeah, I've given him money before, but he might this time, he might want a body or something, you know what I mean." Now, what does that mean 'he might want a body or something'?

A. He might want me to give him information, give him the name of someone who has committed a crime.

Q. Page 27, the bottom of the page please. "No, he had his full wedge." Wedge means?

A. Money.

Q. Page 28 please; this is just over half-way down the page, after 'Perry laughs' - do you see that? "He might think what a fucking good, you know, he seems like a bit of a mug, you know, he's got a bit of poke. Let's have it, you know, and he'll be on your back and fucking bleed you dry he will." What does that expression 'bit of poke' mean there?

A. He thinks I have got a bit of money.

Q. Would you go on to page 30. I am sorry if I ask you a question which may appear to you to be very obvious, but I am going to ask it nevertheless. Symonds - top of page - the third sentence: "The other thing is don't let the

mate show out to Robson that he knows that you have paid him dough" - 'dough' meaning?

A. Money.

A Q. Then the next time Mr Symonds speaks according to the transcript and what you have said, there is the reference to: "... or he's going to try and blag you for some more money because Christmas is coming" - 'blag' meaning?

A. Take some.

B Q. Could you then help us here, the bottom of page 30: "I only got the sessions one coming up, that's all, but I can't". Now, what were you talking about there?

A. Well, he was asking me whether I had any problems and I was waiting to stand trial at the Inner London Sessions.

Q. For what?

A. Stealing the van and the clothes.

C Q. That was the van and the clothes?

A. Yes.

D Q. Now, would you carry on with that paragraph please: "I only got the sessions one 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 my back from the Yard, he's a, er, I can't do fuck all." Now, did you hear all that when you were listening to the tape?

A. Yes.

Q. What were you talking about when you said: "I can't, I don't know when I'll get the money, it could be this week like, I don't know, it's a bit late"?

A. I was referring to the final £50 I owed him. I said I might get it later on in the week, but as it was already Friday, I didn't realise it was Friday, so it would have to be later.

E Q. Page 32 please, half-way down the page. "Yeah, what, drink, what, it's bent gear I got you now." 'Bent gear' meaning?

A. Stolen property.

Q. Then over the page, page 33, there is talk about 'a little lock-up garage', isn't there? Do you remember all that?

A. Yes.

F Q. And some suggestions being made. I think they speak for themselves. Please continue to page 34. "Crouchy" - is that Daniel Crouch again?

A. Yes.

Q. You have told us that you thought you could hear the word 'McDonald' there?

A. Yes.

G Q. And all this business about "if it is somewhere in London, Harlesdon, places like that. I can get on the blower", and that business about the sticks, what sort of information did you understand the defendant was imparting to you there?

A. He was intending that he knew other corrupt officers in the London area, in different sections of London, that if I ever got caught out of London it would be a bit more difficult; he wouldn't be able to do it.

A Q. The top of page 36. If you need to look at the bottom of 35, do; perhaps it is best to. "It's always fatal for a Metropolitan bloke to approach a country copper, it's got to be one of their own country coppers. I've got you, yeah" - the top of page 36, garbled. "Got a chance of a drink here or something like that, so that's what I want to find out. I want to find out exactly what the strength of it is." In that context, what did you understand the word 'drink' to mean?

A. Money.

B Q. The bottom of page 36: "Anyway, Mick, thanks very much for that, or ..." and then it goes on. Did you hear that when you listened to the tape?

A. Yes.

B Q. What was he thanking you for, Mr Perry?

A. The £50 I had just given him.

Q. Had you done anything or said anything about anything other than money for him to thank you for?

A. No.

C Q. Top of page 37: "I would like to help Danny" - Danny?

A. Danny Crouch.

Q. That is all that I think I would like to ask you about that conversation. Now, you say that you handed over the money on this occasion and that you listened to the tape. After the meeting did the reporters do anything that you can recall in relation to you?

A. They searched me.

D Q. Was that something they did occasionally or what?

A. They done it on every occasion.

Q. What was the object of searching you as you understood it?

A. To make sure that I hadn't got the £50 on me still.

E Q. Can you remember now whether that was the only search that took place, that is the search of you?

A. They used to search the car as well.

Q. Now, there is one matter I would like to ask you about so far as the 21st is concerned. It is really a matter of geography, but it may become of significance later in the case. Do you understand, Mr Perry?

A. Yes.

F Q. The Grove public house is where?

A. Dulwich.

Q. Where did you go to from The Grove on the 21st?

A. We went to a house in Beckinham.

G Q. Now, it may very well be that very few people in this court know about this part of London. Can you very briefly describe the route that you take?

A. Yes, we went up Sidenham Hill, done a right at the top towards Crystal Palace and from there I would imagine - I remember going to Crystal Palace, but once you get to Crystal Palace there is a big roundabout; there's various ways you can get to Beckinham, I can't remember what route I took.

H Q. A lot of people may have heard about Crystal Palace. Crystal Palace is quite well known for something, isn't it?

A. Yes, it used to be a land mark; there's a big TV ariel there.

Q. What I would like to ask you is this. It concerns the TV arial believe it or not. How far away from the TV arial would you drive as you were going along?

A. 100 yards.

Q. And you drove past there?

A. Yes, I should imagine, yes.

Q. Did you ever tamper with any of these taperecordings?

A. No.

Q. Did you ever get the chance to?

A. No.

Q. Thank you. Would you please wait there.

JUDGE STROYAN: Well, I think that is probably a convenient moment... Mr Perry, I will repeat the warning I have already given you not to talk about this matter in any way at all during this adjournment.

THE COURT ADJOURNS

I certify that I took shorthand notes in part of the trial R -v- SYMONDS and that pages 1 - 55 are a complete and accurate transcript of my said shorthand notes to the best of my skill and ability.