

TEESSIDE CROWN COURT

Before:

HIS HONOUR JUDGE R A R STROYAN QC

Held at:
THE LAW COURTS
VICTORIA SQUARE
MIDDLESBROUGH

On:
Thursday 9 April 1981

R E G I N A

- v -

JOHN ALEXANDER SYMONDS

(Transcript of the Shorthand notes by Mrs L Taylor 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

STATEMENTS READ ON BEHALF OF THE DEFENDANT:

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A MR RIVLIN: Your Honour, before the defence statements are read to the jury might I mention three or four matters and draw them to your attention and the attention of the jury by agreement between the prosecution and the defendant.

JUDGE STROYAN: Yes, just a moment please. Yes.

B MR RIVLIN: Your Honour, the first is this. The jury will hear, amongst others, statements of Mr Owen and Miss Woore.

JUDGE STROYAN: Yes.

MR RIVLIN: Those statements are being read but, as I understand it, the defendant does not suggest that either of those people were themselves involved in any dishonesty, or party to any dishonesty or that they witnessed any dishonesty.

C JUDGE STROYAN: Yes.

D MR RIVLIN: Your Honour, when we come to the statement of Miss Woore, your Honour she is living in Australia. I think it appropriate that your clerk read the whole of her statement, even though she refers to taking certain tapes along to location sound facilities which strictly speaking have nothing to do with this case, but the jury should know what she did on the day in question.

JUDGE STROYAN: Yes.

E MR RIVLIN: The jury will also hear read a note of a telephone conversation between the defendant's solicitor and Miss Woore. Your Honour will recall that at an early stage of this trial we made arrangements for him to speak to Miss Woore over the telephone and the Prosecution took the view that we should agree her answers to him on this basis, that as it was impractical to call her all the way from Australia to give evidence, that that was the most convenient and least expensive way of dealing with things and so the jury will hear that conversation read over to them. It is an admitted conversation, as it were, the conversation is admitted and moreover the Crown admits that which she says about the matters which were asked of her.

JUDGE STROYAN: In other words, her answers are admitted?

F MR RIVLIN: Her answers are admitted.

JUDGE STROYAN: Yes.

G MR RIVLIN: Your Honour, the next matter is this. The jury will hear statements read from a number of Peckham police officers, as I understand it, and there are passages in those statements that cannot be read because they are inadmissible, hearsay, but I am prepared to admit that some of these witnesses refer in their original statements to disagreement between the CID and the uniform branch at Peckham and to that extent there is evidence that a disagreement existed in relation to the Nunhead burglary.

JUDGE STROYAN: The Nuneaton burglary.

H MR RIVLIN: I am so sorry, the Nuneaton burglary, and your Honour, finally, police records relating to Perry's motorcar have been thoroughly investigated and searched and they have been drawn to the defendant's attention and, as I understand it, he is prepared to admit the following: (1) on 25 September 1969

according to the records, Perry's motor car was released to Perry's brother, that is at Camberwell; (2) that on the 26th, the very next day, the motorcar was impounded by the Peckham police when Perry was arrested, or in connection with an allegation against Perry, but on the same day, on the 26th, it was released to Perry, that is to Perry himself.

JUDGE STROYA N: Perry was arrested on the 24th?

MR RIVLIN: He was, but he was released on the 25th; the car was impounded on the 26th by the Peckham police and released on the same day to Perry by the Peckham police and there is no further entry to show that the car was in police custody following that time.

JUDGE STROYAN: Yes.

MR RIVLIN: If your Honour would be so kind as to confirm that I have rightly stated these matters I would appreciate it.

JUDGE STROYAN: Is that right, Mr Symonds?

MR SYMONDS: Yes, Your Honour.

JUDGE STROYAN: Very well. Members of the Jury, one thing before you hear some evidence read to you. That relates to Miss Woore. You heard what Mr Rivlin has just said. Miss Woore, who was a secretary around about the time you are considering, is now and has been for some time, in Australia. It obviously was not practical to bring her back here to give evidence on this matter, so what will be done in those circumstances, is that the statement she made will be read to you and so will a telephone conversation which was recorded at the time between Miss Woore and Mr Bernburg who is Mr Symond's solicitor. Mr Bernburg was given full opportunity by telephone to ask questions in his client's interests of Miss Woore. Her answers to the questions have been agreed by the prosecution and for that reason it was obviously quite wrong, or would have been quite wrong to have brought her across from Australia for a very short period in the witness box, so her evidence will be dealt with in that way and you will remember it has just been made clear that the defendant does not suggest she was either party to or witnessed any sort of dishonesty.

Very well, with those preliminaries I will ask my clerk to proceed with the reading of the evidence.

THE CLERK: Statement of Miss Prudence Anne Woore, age over 21, occupation Secretary, address flat 2, 61 Queens Gate, SW 7. There appears a certificate as to the truth of the statement and it is dated 12 January 1970 and signed Prudence Woore, signature witnessed by B D Price, Detective Chief Inspector.

"On 25 November 1969, I received from Mr Julian Mounter seven taperecordings. I was instructed to take them to Location Sound Facilities Ltd, St Peters Square, Hammersmith, and to there get them copied. I was instructed to observe the copying process and to take notes of how they were copied.

These tapes were: (1) Meeting between Detective Sergeant Harris and Mr Perry on 30 October outside Edinburgh Castle public house. (Exhibit no JDM5)
(2) Meeting between Detective Inspector Robson and Mr Perry on 24 November outside The Grove public house. (Exhibit no JDM22)
(3) Meeting between Detective Inspector Robson and Mr Perry on 21 November outside Army & Navy Stores - 'mobile to Nagra' (Exhibit no JDM19)
(4) Meeting between Detective Sergeant Symonds and Mr Perry on 21 November outside The Grove - 'direct to Nagra in boot of ELU'. (Exhibit no JDM18)
(5) Meeting between Detective Sergeant Symonds and Mr Perry on 21 November outside The Grove - 'radio mike to boot of ELU'. (Exhibit no JDM17)

(6) Telephone conversation - November 21st (Exhibit No JDM 14)

(7) 'Phone calls - October 28th (exhibit no JDM 1)

A All these copies, with the exception of No 6 were made from one Nagra III recorder to another Nagra III recorder.

Tape no 1 (exhibit no JDM 5) was originally recorded at $3\frac{3}{4}$ speed. For the purpose of copying both Nagra machines were operated at $7\frac{1}{2}$ speed to speed up the process.

B Tape No 2 (exhibit no JDM 22) was originally recorded at $3\frac{3}{4}$ speed and was copied at this speed.

Tape no 3 (exhibit JDM 19) was originally recorded at $3\frac{3}{4}$ speed but the two Nagra III machines were increased to 15 speed for the copying process.

Tape No 4 (exhibit no JDM 18) was originally recorded at $3\frac{3}{4}$ speed and was copied at the speed of 15.

C Tape No 5 (exhibit no JDM 17) was originally recorded at $3\frac{3}{4}$ speed and was copied at the speed of $7\frac{1}{2}$.

Tape No 6 (Exhibit no JDM 14) was originally recorded at $3\frac{3}{4}$ speed. Two UHER recorders were used to copy this tape and they were operated at $3\frac{3}{4}$ speed.

D Tape No 7 (exhibit no JDM 1) was originally recorded at $3\frac{3}{4}$ speed and was copied at the same speed on the two Nagra machines.

The original recordings did not leave my possession and I returned them to their original boxes.

I returned to The Times office with these originals and the respective copies and I handed them back to Mr Julian Mounter.

E I have read this statement. I made notes of the copying process in my notebook which I produce (exhibit no PW 1)

I should add that I plan to return to Australia sometime between June and August of 1970.

F I have read the above statement and it is true." Signed Prudence Woore, statement taken and signature witnessed by B D Price, Detective Chief Inspector.

Members of the jury, the following is a record of a telephone conversation at Teesside Crown Court on 4 March of this year, timed between 9.17 and 9.37 a.m. between Mr Bernberg, solicitor, and Mrs Prudence Frazer, nee Woore:

Q. Can you remember how many statements you made to the Times and the police?

G A. I only remember making one for the preliminary hearing, one to the Times I think.

Q. After the investigation can you recall if the officers came and took a statement?

A. No, no, not other than for the preliminary hearing, I don't think so.

Q. The statement had been taken before the preliminary hearing.

H A. Really I can't remember.

Q. You made a statement for the Times.
A. Yes.

Q. And do you remember the police officer who took your statement, was it Duffy or Price? Do you remember the name Duffy?
A. No, not really.

Q. Do you remember the name Price?
A. Look, I really wouldn't like to say definitely.

Q. You made one for the Times.
A. I think only one for the Times. I vaguely remember. I can't remember more for the police but I wouldn't like to say definitely.

Q. What was the length for the police, how many pages?
A. I would have thought just one.

Q. Can you remember the date you made it, was it January 12th 1970?
A. No, I can't remember.

Q. Were you asked about your part in transcribing the tapes?
A. I am sure I would have been.

Q. What would you have said about it?
A. I wasn't the only one who did transcribing, but I was asked when a few girls said I had experience in transcribing. I probably did it for the longest time. I did it to the finish.

Q. Did you transcribe from originals or copies?
A. I think definitely from originals. The reporters hadn't heard them before, I know that.

Q. Who was present?
A. Nobody. I was in the office. I did it quietly, secretly. The reporters were there, Lloyd and Mounter.

Q. Were they there all the time, Lloyd and Mounter?
A. They came in at various times, not the whole time.

Q. How long were you working on it?
A. A week, ten days, that's a rough guess.

Q. Did the reporters come in and out?
A. They were there occasionally.

Q. How many other girls worked on the transcript?
A. I guess two or three before me. They only stuck it a day or two. I did it by myself from then on.

Q. Can you remember a filing cabinet being brought in for the reporters to keep the tapes in?
A. There was a filing cabinet for the tapes. I think I had a key to it and they did.

Q. Was the filing cabinet in the room where you did the transcribing?
A. I think I took the key with me all the time. I'm not sure.

Q. Was the cabinet kept locked?
A. It was kept locked the whole time.

Q. How long after the enquiry started was the cabinet brought in?
A. I have no idea.

Q. Did the Times know you went to Australia shortly afterwards?
A. Not till September 1970.

Q. Will you give me written authority to see the statements you have made to the Times and the Police?
A. Aren't they available? It's quite all right with me. What should I write?

Q. I hereby authorise the Metropolitan Police and the Times Newspapers Limited to produce to the solicitors acting for Detective Sergeant Symonds a copy of any statements I made to them about the case in 1969/70, sent to Bernberg and Company.

You took the tapes to Location Sounds. How long were you away with them?
A. I think only one morning or afternoon, a couple of hours. I stayed with them at all times. I had to witness the copying process.

Q. Who copied them, Mr Hawkie?
A. Yes.

Q. Were there any other occasions when the originals were copied?
A. No, the only time was when I took them to Sound Recording Facilities.

And that is the end of the record, members of the jury.

Statement of John MARSDEN, age of witness, over 21, Detective Sergeant, attached to Scotland Yard. Then appears the certificate as to the truth, dated 24 October 1970, signed John Marsden, Detective Sergeant.

"On Wednesday 21 October 1970 at 9 a.m. at Tintagel House, I was handed by Detective Constable Collins two tape recordings labelled Tape 3, exhibit no JDM/3 and Tape 4, exhibit no JDM/5. Then together with Detective Sergeant Forsyth I went to The Joint Speech Research Unit, Lime Grove, Eastcote, Middlesex. We arrived at this establishment at 10.10 a.m. and were met by a Mr Bailey of the National Physical Laboratory, Teddington and Mr Stanley Royston Hyde, senior Scientific Officer of the Speech Research Unit.

Mr Bailey and Mr Hyde escorted Forsyth and myself to the Research Unit Laboratory and at 10.45 a.m. I handed to Mr Hyde the two tapes mentioned above.

Mr Hyde decided that his best course of action would be to take copies of the tapes I had handed to him.

He commenced at 10.50 a.m. with Tape 4, and completed his recording at 11.30 a.m. Further recordings were made of Tape 3 until 12.20 p.m. when it was decided by Mr Hyde to adjourn for lunch. Mr Hyde handed to me the two tapes labelled 3 and 4 which I placed in my brief case. I kept my case in my possession during the lunch break.

Mr Bailey, Mr Hyde, Detective Sergeant Forsyth and myself returned to the laboratory at 1.45 p.m. when I again handed the two tapes to Mr Hyde.

Mr Hyde resumed his recording and played back the results. At 3.30 p.m. Mr Hyde handed me back the tapes and Forsyth and myself returned to Tintagel House, arriving at 4.30 p.m.

At 4.35 p.m. I returned these tapes to Detective Constable Collins.

At no time after leaving Tintagel House at 9 a.m. until returning at 4.30 p.m. were these two tapes 3 and 4 out of my sight, except when placed in my brief

case which was in my possession at all times." Signed John Marsden, DS, signature witnessed by G Forsyth.

A Statement of James Arthur Clements, Police Sergeant 53 'M', attached to Peckham Police Station. There appears the statement as to the truth of the statement and it is signed by J Clements.

B "I have been asked by Detective Chief Inspector Howard if I recall the night of 20/21 November 1969, when a white Commer van, index 774 FYV containing cigarettes was recovered in Peckham. I do. That night I was posted night-duty. Duty Officer and commenced duty at 10 p.m. Some time just before midnight, whilst dealing with another matter, I was approached by either Sergeant Ingram or Sergeant Thomson, which one I'm not sure, and told that a white van had been found by the caretaker at Goldsmith Estate, on the forecourt of flats alongside Goldsmith Road. I was told that it was believed that the van contained cigarettes and that a CVI check had been made, which resulted in 'No trace'.

C In company with Sergeant Thomson I went to the estate and saw the caretaker who pointed out the van to me. I examined the interior of the van by getting in the front door and I saw a number of sacks and cartons containing cigarettes spread over the inside of the van. Several cartons were on top of each other and there were also some packets of cigarettes spilled. I asked the caretaker, Mr Steenson, about the vehicle.

D I discussed with Sergeant Thomson our future action and decided that although lots of people in and around the flats were aware of the van and its contents, I would mount an observation on it for two reasons, one, there was the possibility that the driver was in the flats and had left his load, thus we would be ensuring its safety and secondly the possibility, however slight, of thieves returning to the van. I then asked Sergeant Thomson to arrange for a uniform Panda car to keep observation pending further arrangements. A Panda car, I think driven by PC 248M Walker arrived in Goldsmith Road. Sergeant Thomson spoke to him and instructed him accordingly. Sergeant Thomson and I returned to Peckham Police Station in the duty officer's car, driven by me.

E On my return to the station I called in two officers, PC Saunders and Dent, instructed them that I wanted them to keep an observation in plain clothes. I also told them the matter was not to be discussed with other members of the relief. They then took refreshments and were taken to the observation scene.

F During the night I went to Peckham Road to deal with an incident, during which a message was received regarding a breaking at Nunhead Lane. This call came over the personal radio. I deemed it necessary to be present at the scene of the breaking, returned to my patrol car and was immediately involved in a slight-damage only accident. I therefore remained there, and subsequently returned to Peckham Police Station with the Garage Sergeant to report the accident.

G At approximately 4 a.m. to 4.30 a.m. it was breaking down. I discussed the position regarding the van with my fellow Sergeants, and then I decided to call the observation off and have the van and its load brought to the station. I left Sergeant Thomson to deal with this, whilst I dealt with other matters at the station.

H The next I know is that I was in the Charge Room when Sergeant Thomson and PC Dent and Saunders brought all the cigarettes into the Charge Room. Sergeant Thomson told me that the van couldn't be moved and that either B7 or traffic patrol had been called to deal with it.

Sergeant Ingram then came in and sorted and listed the cigarettes on sheets of paper. As he dealt with each carton or sack, it was sealed by him. He then had the property put in the Female Cell, the door of which he sealed. I then assisted Sergeant Ingram by writing the entry on Form 66, No 85, in his presence, as dictated by him.

At about 5.15 a.m. Detective Sergeant McGowan and Temporary Detective Constable Dolan returned to Peckham. I was present in the Charge Room with the cigarettes when he came in. Sergeant McGowan then left the Charge Room and went to the CID Office. At no time did he examine the property. I went off duty about 7 a.m.

I returned to duty at 10 p.m. when I learned that the cigarettes had come from a breaking at Nuneaton, that the police there had suspects and were sending officers to Peckham. I don't know from whom or how I learned this. Accordingly, I instructed four Police Constables, including Saunders, Barry and James, I can't remember who the fourth one was, to come on duty at noon on Monday (change-over day) to assist me make enquiries.

All these officers met me at Peckham Police Station at noon that day. I then went to see the Detective Inspector, Mr Sylvester, and I told him that I had arranged for a special squad to carry out enquiries on the cigarette job (he was clearly aware of it by then, although I hadn't told him) and I asked him if he wanted his own men to take over enquiries or if he would leave it with us, as it was a motor vehicle concerning crime. Mr Sylvester said that he would wait for the arrival of the Nuneaton Police and this we did. I believe it was that same afternoon, or maybe the following afternoon, I was introduced to two Nuneaton officers whose names I don't know, and a WDC from, I believe, the RCS at Canterbury. I verbally passed to them all the details I knew which included details of the registered owner of the vehicle. The officer examined the vehicle in the yard, and then PC Jones accompanied them to see the last registered owner who lived at Camberwell.

I took no further part in these enquiries. I believe it was my Chief Superintendent who told me that the CID had taken over the case, in co-operation with Nuneaton Police. I was given no names of suspects.

I have been asked if I or any other uniformed officer called the DFO to examine the vehicle or the cartons. This was discussed with the Detective Inspector and the Nuneaton officers and it was considered not necessary. I don't know who made this decision. I did not personally call the DFO. It is possible that I gave instructions for him to be informed but I cannot remember now. Had this been done a message is telephoned to his base Station Reserve Officer who notes the request in the DFO's book.

I have also been asked today if, when I looked in the Commer van, I saw a blue woolen cardigan or one or more white jackets or coats. It was dark when I first looked in the van at the scene, and naturally I didn't disturb things then. I have subsequently looked in the van, when I can't remember, but at no time did I see these articles of clothing." Signed J Clements.

Statement taken by Detective Chief Inspector Howard and written down by Detective Sergeant Dinnes on 15 January 1970.

Statement of Peter John Dent, PC 141 'M', attached to Peckham Police Station. "I joined the Metropolitan Police on 28 July 1968 when aged 35 years, immediately following service in the army. Following my training I was posted to Peckham where I have remained.

I have been asked by Detective Chief Inspector Howard if I recall the night

of 20/21 September 1969 when a white van, index number 774 FYV, containing cigarettes was recovered. I do remember. That night I was posted night duty observer in plain clothes on 'Mike 4' RT car commencing duty at 11 p.m.

A At about 11.55 p.m. I was recalled to Peckham Police Station by personal radio, by I believe Sergeant Clements, where I saw Sergeant Clements who was with PC 663 'M' Saunders, who was in uniform. Sergeant Clements explained that a van, the details of which he gave us, containing a large quantity of cigarettes, abandoned apparently, on Goldsmith Estate, required an observation on it and he instructed PC 663 and myself to carry this out.

B PC 663 changed into a civilian jacket and together we were taken by police transport to the vicinity and left there. The van was parked near some garages and amongst other vehicles. The back doors were locked but the front doors were open. There were a number of sacks containing cigarettes and cartons of cigarettes at the back of the van. We entered the van from the front and sat in the back of it. I recall there were a number of empty sacks on the floor of the van, an old blue woollen cardigan was on the nearside rear wheel arch and I sat on this.

C We maintained observation until about 4.30 a.m. when Sergeant Thomson came to us in the van and said that the observation was being called off. We then called the station and asked for the police van to be sent to tow the vehicle in. The station van arrived and the driver, PC 150 'M', decided that the vehicle was too heavy to be towed by the Police J2 van. Sergeant Thomson then decided to unload the cigarettes and put them into the police van. All four of us, myself, PC 663 and 150 and PS 41 then did this. D We then all left the vehicle and returned to the station with the cigarettes in the police van.

Arrangements were then made to have the vehicle towed in and we four unloaded the cigarettes into the charge room, where Sergeant Clements kept a tally of them and Sergeant Ingram counted them. Apart from we six officers, no other officer was concerned.

E After the cigarettes had been sorted and counted, my area car, M4, collected me. That would have been about 5.15 a.m. I did not see the vehicle towed in, and I have taken no further part in this matter.

F I have been asked if I saw a white jacket or coat in the abandoned vehicle. I didn't see this but of course it could have been under the empty sacks which were not removed. I considered at the time that the empty sacks and the blue cardigan on the floor were rubbish, such as is so often found in these old abandoned vans." Signed P J Dent, PC 141 'M'. Statement taken by Detective Chief Inspector Howard and written down by Detective Sergeant Dinnes on 2 January 1970.

G Statement of Peter Bennett, Police Constable 109 'TD', attached to Tria Place Garage. "I joined the Metropolitan Police on 12 January 1953 and have been engaged in Traffic Department since 1958, first in Central Traffic Squad and now in Traffic Division. I am a class 11 driver.

I have been asked by Detective Chief Inspector Howard if I recall the morning of Sunday, 21 September 1969 and recovering a white Commer van, index 774 FYV, on Peckham section. I don't remember the date or the index number but I was concerned in such a recovery on a Sunday morning in September.

H I commenced duty that day at 6.45 a.m. and I accompanied PC 1173 'TD' Maxfield in a Land Rover, he being on a period of instruction. About 9.30 a.m. when at the Elephant and Castle, SE1, we heard a wireless call from CO

A Traffic Control, requesting that any vehicle who could tow in a 'lost or stolen' from Goldsmith Road to Peckham Police Station should acknowledge. We did so and went to Goldsmith Road but couldn't find the van concerned. We therefore went to Peckham Police Station to enquire and found that the van was on Goldsmith Estate, and that the extra steering wheel would be required. This we got from Peckham, returned and found the vehicle, parked in a difficult position, bonnet against a wall of the yard, with other vehicles near. I saw a 'sticker' on the windscreen to the effect that the vehicle was not authorised to park there.

B Due to the van's position I decided to clamp on the steering wheel and drive it rather than attempt to tow it, and this I did. A porter from the flats was there and he in fact opened a gate to let us out. The front doors of the van were unlocked. I didn't try the back ones. I drove it to the yard at Peckham Police Station and parked it in front of the Process Section at the rear of the yard. I returned the wheel to the Station Officer and reported the vehicle in the yard. I cannot remember who I told, but I believe it was the Station Officer. I then left the Station and continued with PC LL73 who had driven the Land Rover to Peckham Police Station.

C I have been asked if I noticed any property in the back of the van. I did not, only rubbish, nothing to take my eye. In particular did I see a blue woollen cardigan or one or more white jackets or coats. I did not, but I didn't disturb the back of the van.

D I have also been asked if the porter at the flats conversed with me about the van. I don't remember him speaking to me. I was busy getting the van started. I have specially been asked if he mentioned three men previously calling on him regarding their van. He certainly did not.

I have been asked if there was a police officer guarding the van when we first saw it. There was not.

E I have also been asked if we used the call sign 'L 13' that morning. We did not. We were 'TDM spare'." Signed Peter Bennett. Statement taken by Detective Chief Inspector Howard and written down by Detective Sergeant Dinnes on 9 January 1970.

F Statement of William Jerome Barry, Police Constable 150 'M', attached to Peckham Police Station. "I joined the Metropolitan Police on 2 January 1967 and after my training of four weeks, having transferred from the West Riding Constabulary, I was posted to Peckham where I am now a van driver amongst other duties.

G I have been asked by Detective Chief Inspector Howard if I recall the night of 20/21 September 1969 when a white Commer van, index 774 FYV, containing cigarettes, was recovered. I don't remember the date, but I do remember the night in question. I was posted van driver and was using a spare 'J' van.

H The first I knew of this job was I remember being told by a sergeant on night duty relief, which Sergeant I don't know, early in the tour, that two officers, not named, were keeping an observation and therefore might need assistance. The location of the observation was not given. I believe the time was sometime just after midnight when I knew.

The next I remember is that I believe just after 4.a.m. I was at Peckham Police Station when Sergeant Thomson asked me to take him somewhere in the van. He didn't tell me where but directed me as we went along. We arrived

A at Goldsmith Road at a block of flats and he directed me to a big van which was parked in the forecourt of the flats near some sheds. Sergeant Thomson told me to draw up near the van and I did. We went across to the van and I saw PC Saunders and Dent inside the van. I saw that the van contained sacks containing cartons and loose packets of cigarettes and there were also large cartons. Sergeant Thomson spoke to the officers and he told me to open the rear doors of the police van, which I did. We all four loaded the cigarettes into the police van, on the Sergeant's instructions. We all returned to Peckham Police Station with the cigarettes. No-one was left with the van.

B At the Police Station the four of us unloaded the cigarettes into the charge room. Sergeants Clements and Ingram were in the charge room and received the cigarettes. I then assisted the three Sergeants, as did PC Dent, Saunders and I think 701 'M' Eaton, to sort the cigarettes into their various brands. Sergeant Ingram counted them and Sergeant Clements recorded them. I assisted in putting the cigarettes in the female call, and one of the Sergeants sealed the door.

C I have been asked if there was any suggestion that I should either drive the abandoned vehicle or tow it to the Station. This was not mentioned to me. I have also been asked if I saw any other property in the abandoned van. I didn't. In particular did I see a blue woollen cardigan or one or more white jackets or coats in the van. I didn't see these things and this is the first suggestion I have heard of them. At no time did I get in the van. As far as I remember the only two officers in the van at the scene were PC Dent and Saunders, with Sergeant Thomson and myself receiving the property from them, through the back doors, I believe, although I can't really remember.

D When the cigarettes had been put away I left the charge room and took no further part in the enquiry. I went off duty at 6 a.m. that morning." Signed W Barry, PC 150 'M'. Statement taken by Detective Chief Inspector Howard and written down by Detective Sergeant Dinnes on 7 January 1970.

E Statement of Michael McGowan, Detective Sergeant, attached to Peckham Police Station: "I have been a Detective Sergeant for about two years, during which time I have served at Peckham Police Station. I was posted night duty for the fortnight commencing 15 September 1969, and assisting me was Temporary Detective Constable Dolan, who is also a Peckham Officer.

F I have been asked by Detective Chief Inspector Howard if I recall the night of 20/21 September (Saturday/Sunday) when an abandoned van, containing cigarettes was recovered on Peckham section. I do remember this night vividly. I commenced duty at Peckham Police Station at 10 p.m. as night-duty CID officer responsible for Carter Street and Peckham sub-division, comprising five stations. I used the Peckham CID car which is not equipped with radio, but I had booked out a personal radio.

G That tour of duty, as far as the CID was concerned was relatively quiet. As is my usual practice, I visited all the Stations, except West Dulwich which closes at night, to let them know on which channel I could be contacted and for much of the night we patrolled, or were in Peckham CID office. During the night when we were patrolling I remember answering a call on the personal radio from a PC who wanted assistance to a suspect in the Evelina Road area of Peckham. On the way to this call I passed Sergeant Clements in a police car which was stationary in Peckham Road. I think he saw me. I believe the time then might have been about 3 a.m.

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Shortly before 5 a.m. I remember talking to Police Constable Gent, the driver of the area car from Peckham. I believe it was in Peckham Road. I think I saw the R/T car stationary and stopped my car behind him. I was then on my final round of the stations. I heard over the area cars R/T a call from an Oscar unit to contact Peckham, to assist in removing a vehicle. PC Gent offered his assistance I think by his personal radio to either the Duty Officer or someone at the scene with the vehicle, and this was declined by the Duty Officer. Almost immediately I had a call over the personal radio to go to Carter Street and I attended that Station with TDC Dolan. Whilst engaged there TDC Dolan informed me that Peckham wished to speak on the telephone. I asked him to take the message. He did this and told me that Peckham had been sitting on a vehicle loaded with cigarettes, all night and that they had now taken it into Peckham and put the cigarettes into the store. The message did not ask me to attend but was just for my information. The time of this message was round about 5.30 a.m.

Having finished at Carter Street we returned to Peckham arriving at about 6 a.m. I went into the Charge Room to seek the car back. There I saw Sergeants Clements and Ingram, PC Meyers who was the reserve, and some other officers about whom I cannot identify. I did not see any cigarettes in the Charge Room. They didn't speak to me but I went to the Reserve Room and spoke to PC Meyers.

I have taken no part in this enquiry whatsoever and I continued with night duty for a further week.

I have been asked if I have been approached by any CID Officer wther than a Peckham officer about the van and cigarettes and in particular by Sergeant James of Nuneaton, or officers of the Regional Crime Squad or O9 Department. The answer is I have not.

I have never looked in the van, neither have I seen the cigarettes. I consider that this was a matter for the CID at Peckham to investigate and this was the substance of my note to my Detective Inspector." Signed M McGowan, statement taken by Detective Chief Inspector Howard and written down by Detective Sergeant Dinnes on 5 January 1970.

Statement of Geoffrey Michael Dolan, Temporary Detective Constable, attached to Peckham Police Station. "I joined the Metropolitan Police on 8 June 1965 and after my training was posted to Southwark.

On 18 March 1968 I was appointed Temporary Detective Constable and posted to Peckham where I have since served.

On 15 September 1969 I commenced two weeks night duty assisting Detective Sergeant McGowan and covering the sub-divisions of Peckham and Carter Street, five stations in all.

I have been asked by Detective Chief Inspector Howard if I remember the night of Saturday 20/21 September 1969, when an abandoned van containing cigarettes was recovered on Peckham Section. Because of events of that night I do recall it well. On the night of 20 September I commenced duty at 8.30 p.m. and I went to keep an observation at Gantry Road, SE 15 on a cafe. At 10.15 p.m. Sergeant McGowan and I commenced to patrol the section in the CID car. The car is not fitted with radio, but we drew a personal radio from Peckham. At about 11 p.m. we went to SG Smith's, East Dulwich Road, in response to a call from East Dulwich. We dealt with this and then went to East Dulwich Police Station. As we entered the yard I heard over the personal radio Sergeant Clements saying generally to everyone with a personal radio on

that frequency not to fool about on the air as two PCs had an observation. Nothing else was said about the observation. It came over just as a warning.

A We went to Carter Street where, at about 5.40 a.m. I answered a telephone call from the reserve at Peckham, PC 701 Meyers. He told me that a lorry had been found containing cigarettes and that the cigarettes were now in at Peckham and the lorry was still at the scene and couldn't be started. I told him that we were almost finished at Carter Street and on our way back. We returned to Peckham about 5.55 a.m. We parked the car and went into the Charge Room where I saw Sergeant Clements who was writing in the rear of the Charge Book (Form 66) and Sergeant Ingram and two PC's in half civilian clothes and some other PC's but I can't name any of these. I did not see any cigarettes.

B I took no part whatsoever in the matter of the van and cigarettes, other than that I have stated.

Although I have seen the white Commer van parked in Peckham yard I have never looked inside it.

C I have been asked if I have been approached by any CID Officer, other than a Peckham officer, about the van and cigarettes and in particular by Sergeant James of Nuneaton or officers of the Regional Crime Squad or C 9 Department. My answer is no. I have also been asked if I remember on the night in question how long we spent at Peckham Police Station and if I had tea there with any uniform officer. I didn't have any tea there and the time we spent at Peckham was not more than two hours, split at the beginning and the end of our tour of duty." Signed Geoffrey M Dolan, TDC. Statement taken by Detective Chief Inspector Howard and written down by Detective Sergeant Dinnes on 6 January, 1970.

E Statement of Harold Leslie Pettit, Detective Sergeant, attached to Peckham Police Station. "I joined the Metropolitan Police on 27 May 1946. I was promoted Detective Sergeant in August 1957 and since October 1968 I have served at Peckham Police Station.

I have been asked if I recall 21 September 1969 when a van loaded with cigarettes had been recovered at Peckham Police Station. By reference to my official diary I see that I commenced duty at Peckham at 9 a.m. that day.

F Having attended to other station duties I then went to the Station Officer and confirmed that cigarettes had been unloaded from a van and brought to the Station. I examined the rear of the Charge Book (Form 66) and saw that a large quantity of cigarettes had been listed. I was informed that these cigarettes had been placed in a cell which was sealed. I was also informed that the van concerned had been brought to the Station and left in the yard. The Station Officer informed me that enquiries were in hand to trace the owner of the van and that at that time the origin of the cigarettes was not known.

G At 11.40 a.m. that day I attended at a breaking at 137 Peckham High Street and I went off duty at 1.15 p.m. and resumed duty again at 6. p.m. I remained on duty until 10 p.m. that night. I can remember enquiring of the uniform branch, about 6 p.m., if there had been any developments in tracing the owner of the van. I was informed that there had not been. I took no further action regarding the vehicle or the cigarettes.

H On 22 September 1969 I commenced annual leave and did not return to duty until 29 September 1969.

I can recall instructing Detective Sergeant Stanbridge, who was also on duty that Sunday, to bring the note left by Detective Sergeant McGowan to the notice of Detective Inspector Sylvester the following morning." Signed H Pettit. Statement taken and signature witnessed by Detective Sergeant Dinnes on 27 February 1970.

Statement of Michael Norman Moth, fingerpring Officer Grade 11, attached to New Scotland Yard. "I have been employed as a Fingerprint Officer since December 1963 at C 3 Department. From April to the end of September 1969 I was District Fingerprint Officer on 'M' Division. By reference to my official diary I can say that on 24 September 1969, between 10.45 a.m. and 11.30 a.m. I was engaged at Peckham Police Station examining for finger impressions a white Commer van, index 774 FYV which I was told had been involved in a breaking at Nuneaton and later found abandoned on Peckham section.

I met two officers at Peckham, Detective Sergeant James from Nuneaton, who I understood was in charge of the Nuneaton case, and Detective Constable Bowns of Peckham. DS James had other officers with him but these I do not know. They were not 'M' Division officers as far as I am aware.

I found the van to be very old condition, dirty and greasy and I was unable to develop any useful marks. I have been asked by Detective Chief Inspector Howard if I recall the interior of the van and any property in it. My impression now is that it was pretty well cleaned out. I have now been asked if I saw in particular any empty sacks, a blue woollen cardigan or one or more white jackets or coats in the van. After such a lapse of time I cannot really say whether these things were there or not and I have no record which will assist me.

I am not aware of who called me to examine the vehicle, but I have verified from the DFO's message book at Southwark Police Station that at 10.25 a.m. on 24 September 1969 a message was received from DC Bowns to attend Peckham Police Station. This undoubtedly was the message to deal with the van 774 FYV but I did examine two other vehicles there the same day, an Austin A 40 RDX 172, and an Austin Cambridge 462 MPX. From my record I know I examined these two vehicles before the van. I received no other calls from any other officers, uniform or CID, to examine this vehicle.

I would describe the man introduced to me as Sergeant James from Nuneaton as not very tall, between 5'8" and 5'10", somewhat slightly built. I noted his name in my rough book.

I have also been asked if Sergeant James or any other officer, uniform or CID, asked me to examine any cartons of cigarettes. Until this moment I did not know there were cartons of cigarettes at Peckham Police Station and certainly no-one asked me to examine any.

I saw Sergeant James twice before I examined the van. I told him the result afterwards, and on each occasion we had a short conversation. I remember at the second meeting he expressed some disappointment that I could not find marks and I remember he said it was a pity because he had some idea who was responsible, but I was not given any names of suspects." Signed Michael Moth. Statement taken by Detective Chief Inspector Howard and written down by Detective Sergeant Dinnes on 5 January 1970.

A Statement of Charles Byron Wilkinson, aged over 21, Police Sergeant 241, Nuneaton Police Station, Nuneaton Division, Warwickshire and Coventry Constabulary. "I joined the Bradford City Police on 3 July 1946 and in December 1957 I transferred to the Warwickshire Constabulary. In 1961 I was promoted Sergeant and for the past two years I have been stationed at Nuneaton. During that two years I have performed duty as a station sergeant. The function of the station sergeant includes the charging and handling of prisoners brought into the police station during their tour of duty. I share this responsibility with Sergeant 489 Smith and we work alternately 8 a.m. - 4 p.m. or 4 p.m. to 12 midnight.

B During my tour of duty on 22 September 1969 I learned that there had been a theft of a large quantity of cigarettes from the Nuneaton Co-op. On a day after this, I'm not sure which day, I learned that CID officers had gone to London in connection with the enquiry. On Wednesday 24 September 1969 I was posted late turn station sergeant 4 p.m. to 12 night. I have been shown the duty state for that day which shows my tour of duty. The duty state is in fact prepared the previous night by the late-turn station sergeant, which in this case was myself.

C At the time the duty state is made out the times shown are the proposed working times and if these times are not in fact worked the duty state is amended accordingly. In this connection I can only speak for the beat patrol staff whose duties I prepared, that is, I am not specialist branches. I do not book on or off duty but merely relieve or am relieved as the case may be. I have been shown the charge sheet form C 4 which relates to Michael Roy Perry. This form does not bear any identifying number prior to it being used. The system adopted in this force when a person is detained for any reason, a charge sheet must be made out by the officer bringing him to the station. When a person is brought to the station, the station sergeant or, in his absence, the duty sergeant, must be informed that a person has been detained. In cases where a person has been arrested for an offence the officer arresting relates the facts surrounding the arrest to the station sergeant who then accepts or refuses the charge as the case may be. In other cases the officer bringing a person to the station to be detained must notify the station sergeant of the reason for the man's detention. In these circumstances the reason why a person is being detained is shown under the heading 'Charge' on form C 4. The station sergeant then signs beneath this entry.

F If subsequently a formal charge is preferred this is made out on a fresh charge sheet which is attached to the original. Alternatively if a charge cannot be substantiated the 'refused charge' proceedings is adopted. In that case a copy is made of the charge sheet and both charge sheets are then endorsed by the station officer, under 'Other Information' on the reverse of the sheet, showing the reasons for the refusal. The only other method of dealing with a charge sheet is when the prisoner is bailed under the provisions of section 38 (2) Magistrates' Courts Act 1952. In this case a further charge sheet is also made out showing this fact, in the 'Charge' space. The other headings under the 'Bail' section are completed and signed by the person being bailed and by the station officer. The form C 4 is so designed that a carbon copy of the particulars of the person charged, the charge and the bail notice is produced. This copy is handed to the prisoner if he is charged and bailed or if he is bailed under Section 38 (2) Magistrates' Courts Act. He does not receive a copy if the charge is refused.

H The charge sheet made out when a person is detained is retained in the station office whilst that person is in custody. When defendants are bailed the charge sheets are kept in a binder in the charge office, until the case is finally dealt with. When the charge sheet is kept in the station office when the prisoner is in custody, it is kept loose until the prisoner goes

A to Court and is either granted bail, dealt with or again remanded in custody. In any of these instances the reverse of the charge sheet should be endorsed. Immediately a person is brought to the station he must be searched by the arresting officer in the presence of the station officer and the property recorded in the prisoners' property book, which is then signed by the officer searching the prisoner. The book is then signed by the prisoner certifying the property as being correct.

B Each entry in the prisoners' property book has a folio number and this number must be recorded on the charge sheet under 'Prisoners' Property'. When property is restored to a prisoner, the prisoner signs as having received it, in the property book, this is then signed by the officers restoring it to him with the date. The reasons for restoring the property is shown (i e bailed).

C As I have said previously, on 24 September 1969 I was the station sergeant on duty from 4 p.m. to 12 night. I have been shown a charge sheet relating to Michael Roy Perry which shows that this man was arrested by DC Wilson at Southwark, London, at 7.20 p.m. on 24 September 1969 and arrived at this police station at 11.40 p.m. on 24 September 1969. The charge sheet also shows that Perry was bailed under the provisions of section 38 (2) Magistrates' Courts Act 1952, at 6 p.m. on 25 September 1969 and bears my signature as the officer on duty. I have no recollection of seeing the prisoner Michael Roy Perry prior to my bailing him.

D If Michael Perry was brought to the station at 11.40 p.m. on 24 September 1969, as is shown, this would be twenty minutes prior to my going off duty and the matter could have been dealt with by the night-duty sergeant, who on that date was sergeant 197 Selwyn. If I had been informed of the circumstances surrounding this man's arrest, I would have dealt with the matter myself. I did not complete the particulars of this charge sheet and I do not know who did. Had I dealt with the matter I would have shown under the heading 'Charge' the fact that Perry was suspected of stealing cigarettes from the Nuneaton Co-op. and would have followed the charging procedure I have described. Similarly I was not present when Perry was searched.

E On 25 September 1969 I was again posted 4 p.m. to 12 night station sergeant. On commencing duty at 4 p.m. I was informed by PS 489 Smith that there was one prisoner in the cells. I saw a charge sheet on top of a cupboard in the station office. I examined the reverse of the charge sheet to ascertain that the prisoner had been visited. I recall that hourly visits were recorded but I cannot say that the charge sheet I looked at at 4 p.m. on 25 September was that you have just shown me.

F Some time prior to 6 p.m. on 25 September 1969 a CID officer, I cannot remember who, asked me to bail a prisoner under Section 38 (2) of the Magistrates' Court Act. This officer produced the charge sheet you have just shown me which bore the typewritten content but not the prisoner's signature, my signature or the time. I assume that this charge sheet which relates to Michael Roy Perry was the charge sheet that I examined briefly when I came on duty that afternoon at 4 p.m. I assumed that a detective officer had completed the typewritten content. I assumed also that the CID officer was acting on the instructions of an officer senior in rank to himself, and therefore did not make any enquiry of the officer for the reasons for this course of action.

G Perry was brought from a cell to the charge room where I explained to him the procedure regarding bail and the conditions he was entering into. Perry signed the form and I countersigned it and entered the time 6 p.m. I handed Perry the carbon copy of this part of the Charge Sheet.

H

A I have been shown, by Detective Chief Inspector Emmett, the Prisoners' Property Book, entry 917. This entry relates to property in the possession of Michael Roy Perry and shows that he was searched on 24 September 1969 by Detective Constable Hannis and that the property was restored to Perry against his signature by Detective Sergeant James. The entry number 917 is also recorded on the charge sheet. This should be done when the prisoner is searched on his arrival at the station. The figures 917 on the charge sheet you have shown me were not written by me. I cannot remember whether or not I was present when Perry's property was restored to him by Sergeant James when he was bailed. I did not see Perry leave the station and have had no communication with him since that time.

B Whilst Perry was detained at the Station during my tour of duties, that is from 4 p.m. on 25 September until I bailed him at 6 p.m., he was visited twice by Police Constable 820 Curtis to ensure that he was well and this officer recorded the visits on the reverse of the Charge Sheet. I also recorded on the reverse of the Charge Sheet the fact that Perry was bailed at 6 p.m. If Perry had been removed from the cell during my tour of duty for any reason the fact would have been recorded on the reverse of the Charge Sheet. Visits to the prisoners by police officers concerned in the enquiry are not recorded. I therefore cannot remember whether Perry was visited by the officers in the case during my tour of duty.

C On the charge sheet you have shown me there should be recorded 'Visits to and movements of Prisoners' commencing with the time he is placed in the cell. In this case a space has been left.

D During the twenty minutes I was on duty on 24 September 1969, between 11.40 p.m. and 12 night, Perry was not to my knowledge placed in a cell, although it is physically possible for him to have been so detained without my knowledge, whilst I was temporarily in another part of the building. I have been asked by Detective Chief Inspector Emmett about any conversation which took place between myself and Perry, between myself and a Detective Sergeant and between Perry and a Detective Sergeant. I cannot recall any of the conversation which took place when Perry was bailed.

E I have been shown a copy letter attached to the Charge Sheet concerning Perry addressed to him. I have never seen this letter before. A Uniformed Constable is posted on each relief as office PC whose duty is to deal with members of the public calling at the Station, part of this officer's duty is to make regular visits to prisoners in cells.

F On 24 September 1969 the office PC was Police Constable 10 Good for the 10 p.m. - 6 a.m. relief. On 25 September 1969, PC 112 Kimberly was 6 a.m. - 2 p.m. and PC 820 Curtis was 2 p.m. - 10 p.m. The folio number 1156 and the prisoner number 1141 are entered by the administration department when the person has been finally dealt with. I note that entry 917 in the Prisoners' Property Book does not show a reason for the property being restored in the last column. The reason should have been shown by Sergeant James. Although Sergeant James restored the prisoner's property I cannot say for certain that he was the officer dealing with Perry when I bailed him.

G As I have previously said, the late Station Sergeant prepares the uniform patrol duties for the following day. He also takes a summary of the duties performed on the day after their actual performance. This summary is shown in the top left hand corner of the duty state. I have been shown the duty state for the period commencing 0600 on 24 September 1969. The summary at the top left-hand corner was completed by me during the evening of the 25th. I have shown one Inspector and three Constables as out of the Division. This does not include any CID officers, some of whom are shown as out of the Division during that period.

On 25 September, Sergeant 19 Booth was the duty sergeant posted 2 p.m. - 10 p.m. I cannot remember whether he was present when Perry was bailed. Sergeant Booth was the only other uniform sergeant on duty at 6 p.m. 24 September 1969." Signed C B Wilkinson.

Statement of James Selwyn, aged over 21, Police Sergeant 197, Nuneaton Police Station, Warwickshire and Coventry Constabulary. "I joined the Warwickshire Constabulary in January 1958. I was promoted Sergeant in 1967 and have served at Nuneaton Police Station as a patrol sergeant since that time.

The week commencing Tuesday 23 September 1969, I was posted duty sergeant, 10 p.m. - 6 a.m. That night I learned that the Nuneaton Co-op had been broken into previously and that a large number of cigarettes had been stolen.

On Wednesday 24 September 1969, I commenced duty at 10 p.m. I think that I was told by someone, I don't know who, that some CID officers had gone to London making enquiries about the breaking at the Co-op. As far as I can remember I carried out my patrol duties until returning to the station at about 1 a.m. on 25 September 1969. I was then informed, I believe by PC 10 Good, that there was a prisoner in the cell.

I seem to remember that there was a charge sheet in the front office and I believe that I looked at this charge sheet. I cannot remember what was shown on the front of the charge sheet. I cannot remember whether the reverse of the charge sheet was blank or whether PC Good had shown a visit at 1 a.m. I therefore cannot remember if at that time I noticed that the date and time the prisoner had been placed in the cell was not shown on the reverse of the charge sheet. I remember instructing P C Good to ensure that the prisoner was visited every hour. I probably used the expression "Don't forget the visits." I personally did not visit the prisoner and had no communication with him whatsoever. Prior to going off duty at 6 a.m. I examined the reverse of the charge sheet. I have been shown a charge sheet by Detective Chief Inspector Emmet and this is the charge sheet to which I refer. I saw that PC Good had recorded visits to the prisoner each hour from 1 a.m. to 5 a.m. At this time I did notice that a space had been left at the top of the form where the date and time the prisoner was placed in the cell should have been recorded. I assumed that PC Good had left this space in order that the proper entry could be inserted. I also assumed that the prisoner had been placed in the cell by a CID Officer or officers.

I may have mentioned the space to the early-turn duty sergeant, PS Panter. I cannot remember whether I did or not. As I have already said, at no time did I speak to the prisoner Perry, neither was I present when Perry had any conversation with any police officer." Signed J Selwyn.

Statement of Philip Good, aged over 21, Police Constable 10, Nuneaton Police Station, Warwickshire and Coventry Constabulary. "I joined the Warwickshire and Coventry Constabulary on 13 July 1967, since which time I have been stationed at Nuneaton Police Station. In the middle of September 1969 I was posted to relieve the permanent constable on Station duty. I performed that duty from time to time and now am permanently employed as office Constable. The Office constable is part of the shift and there are thus three office Constables for the twenty-four hours.

During the week commencing Tuesday 23 September 1969 I was posted 10 p.m. to 6 a.m. The duty Sergeant in charge of the relief being Police Sergeant Selwyn.

A On Wednesday 24 September 1969 I commenced duty at 10 p.m. I relieved the late turn office Constable. The Station Sergeant at that time was Sergeant Wilkinson. Sometime during that night, I think just before midnight, Detective Sergeant James entered the front office. I knew that Sergeant James and other CID Officers had been to London making enquiries respecting the theft of cigarettes from the Nuneaton Co-op. When Sergeant James entered the front office he was on his own as far as I recall. There was another uniformed officer in the front office with me, but I cannot remember who this was. I cannot remember whether this officer was a B Sergeant or a Constable. I cannot remember whether the civilian telephonist was there or not. We have two civilian telephonists who work alternative shifts, the late shift finishing at 12 midnight.

C Sergeant James told me that 'they' had arrested one man, whom they had brought back to Nuneaton, but that a second man had escaped from police custody in London. Sergeant James used the telephone in the front office (Extension 34) and told me that he was informing the Detective Inspector of the result of the enquiry. I overheard Sergeant James' conversation with Detective Inspector Price when Sergeant James said that they had got one but one had got away. This is the only part of the conversation I recall. Sergeant James appeared to be indicating that the man had escaped Police custody, and was obviously annoyed. I assumed that the prisoner, whose name I did not know, was at that time in the charge room with other officers. I can't remember whether I saw him there or not. Sergeant James was in the front office, but did not say what was going to happen to the prisoner. I cannot remember whether I was told subsequently that the prisoner had been placed in a cell. However, at 1 a.m. I visited the prisoner that Sergeant D James had brought from London, who was then in a cell.

E I returned to the Station Office where I found a charge sheet made out relating to Michael Roy Perry, who was the prisoner I referred to. I have been shown this charge sheet by Detective Chief Inspector Emmet. I cannot remember who made out that charge sheet and do not remember seeing it brought into the front office. I saw that the reverse of the form was blank. I knew that the officer who placed Perry in the cell should have made an entry to that effect. I assumed that this was a CID Officer who had forgotten to make the appropriate entry. I therefore left a line before writing the date, time, my number and the remark that the prisoner was well. I left the line in order that the mistake could be rectified, but I took no steps to ensure that this was done.

F I do not remember having a conversation with Sergeant Selwyn about the visits to the prisoner or about informing him there was a prisoner in the cell, although such a conversation could have taken place.

G I visited the prisoner every hour from 1 a.m. to 5 a.m.; on each occasion I looked at the prisoner through the sliding latch in the door but did not enter the cell. I believe that the prisoner was sleeping on each occasion. I had no conversation whatsoever with the prisoner. There was no-one with the prisoner on any occasion that I visited him in the cell. To my knowledge nobody else visited the prisoner between these times. At 6 a.m. I was relieved by Police Constable 112 Kimberley. I told P C Kimberley that there was a prisoner in the cell. In the Station Sergeant's Office there is a board showing the particulars of prisoners detained in the cells. This board is noted with a chinograph pencil and the entry is erased when the prisoner is released. I cannot remember if or when this information was H completed respecting Perry. As far as I am aware it is the responsibility of

the arresting officer to record these details on the board.

The key for the cells is kept on a hook in the Station Sergeant's office on a keyboard with a number of other keys. This keyboard is out of view of the officer on duty in the front office.

After going off duty at 6 am I had no communication with the prisoner Michael Perry, nor did I have any conversation with any police officer concerning Perry's arrest until an article appeared in the Times newspaper alleging corruption by Metropolitan Police Officers.

At about that time, certainly after I had heard of the article, Sergeant James was in my company when he said, "I wonder if this has got anything to do with the job we went to London on." I assumed he was talking about Michael Perry and the offence at Nuneaton Co-op. No mention was made then that the man Perry had not been charged with the offence. It is not until now that I realise that he was not charged with the offence.

On the charge sheet you have shown me I can see a pencilled note 'Suspected B and E N'aton Co-op'. This has been partially erased, but it appears to be in the same writing as the top of the form. I think this is Sergeant James' handwriting. The pencilled note was on the charge sheet when I dealt with it, but the typed content was not.

I have been shown a letter addressed to Michael Roy Perry by Detective Chief Inspector Emmet. I have not seen this letter or any copy of it before. I have also been shown the prisoners' property book, entry 917, which refers to the searching of Michael Roy Perry on 24 September 1969. I was not present when Perry was searched. This book is kept in the Charge Room desk. I did not make the entry '917' on the Charge Sheet.

I have no idea who else was in the company when Sergeant James made the comment about the Times article. I did not see the Times articles myself." Signed Philip Good.

Statement of Raymond Eric Panter, aged over 21, Police Sergeant 492, Nuneaton Police Station, Warwickshire and Coventry Constabulary. "I joined the Warwickshire Constabulary in July 1957. I was promoted Sergeant in May 1967, and since that time I have served as a duty sergeant at Nuneaton Police Station.

I remember the Co-op at Nuneaton being entered in September this year, and a large quantity of cigarettes stolen. I remember that two CID Officers, one of whom was Detective Constable Wilson, went to London to make enquiries about the offence. I don't know why they went to London in particular.

On 25 September 1969 I commenced duty at 6 a.m. PC Kimberley was the office PC. When I am early turn I am normally picked up for duty by the night-duty sergeant. Whilst we travel to the station he informs me of any occurrence during the night. I cannot remember that morning, but can see from the duty state that I relieved Sergeant Selwyn.

On arrival at the Station I read through the rough book, check the men and carry out any urgent matters outstanding. I normally take home the night-duty sergeant shortly after 6 a.m. I automatically check to see if there are any Charge Sheets on the cupboard in the enquiry office. The presence of which indicates that there is a prisoner in the cell. There is also a board in the station sergeant's office showing the particulars of persons detained in the cells.

A I have been shown a Charge Sheet relating to Michael Roy Perry by Detective Chief Inspector EMMENT. I cannot remember whether I saw that charge sheet or not, but from the entries shown on the reverse of the sheet I can say that this prisoner was detained in a cell during my tour of duty. I did not personally visit the prisoner, nor did I have any conversation with him. I would certainly have read the charge sheet and can see that there was a pencil note relating to the offence at Nuneaton Co-op. I do not recognise the writing of this note.s

B When going off duty at 2 p.m. I would have informed the late duty sergeant that there was a prisoner in the cell, but I cannot specifically remember doing so. I cannot remember noticing that the date and time the prisoner was placed in the cell was not shown or that a line had been left blank on the reverse of the form. In any case I did not bring this to anyone's notice or take any action concerning the omission.

Although I cannot remember this particular case I am certain that I would have checked that the Prisoner's name was shown on the prisoner's board, and am sure that the name was shown when I went off duty.

C Until this week I did not know that the man brought from London in connection with the Co-op offence was detained during my tour of duty, nor did I know that he was not subsequently charged with the offence." Signed R E Panter.

D Statement of Barry Charles KIMBERLEY, aged over 21, Police Constable 112, Nuneaton Police Station, Warwickshire and Coventry Constabulary. "I joined the Warwickshire and Coventry Constabulary in June 1965. Since February 1966 I have been attached to Nuneaton Police Station. For the past two-and-a-half years I have been permanently posted office PC.

E On Saturday 20 September 1969, I commenced a week's duty of 6 a.m. - 2 p.m. I recall that over that weekend the Nuneaton Co-op premises were entered and a large quantity of cigarettes were stolen.

On Thursday 25 September 1969 I commenced duty at 6 a.m. and relieved PC 10 Good on office duties. It is general practice that the officer being relieved informs me of any occurrence of note during the preceding tour of duty. I have no recollection at all of the events of 25 September 1969.

F I have been shown a Charge Sheet by Detective Chief Inspector Emmet of Michael Perry. I see from the previous sheet that I recorded visits to this prisoner at 10 a.m., 11 a.m., midday and 1 p.m. on 25 September 1969. I can see that visits were made at 7 a.m. and 8 a.m. and that I am showing as having done the visiting. I am quite certain that I did make the visits at 7 a.m. and 8 a.m. but the writing recording these visits is not mine.

G I also see that a visit is recorded at 9 a.m. by Sergeant Smith, when a meal was supplied to the prisoner. Further a visit is shown at 6 a.m. that morning and ditto marks are shown under PC 10's number at the word "well" in the remarks column and I can see that the writing recording the visits at 6, 7, 8 and 9 a.m. is the same, it is not my writing, but looks similar to that of PC Jesson, who was 9 a.m. - 5 p.m. office duties that day. I obviously omitted to make the entries recording my visits at 7 a.m. and 8 a.m. at the time and similarly sergeant Smith did not record his own visits. The only reason for this was that I was too busy at the time and that another officer, presumably PC Jesson, also recorded the visits of myself and Sergeant Smith. H I did not visit the prisoner at 6 a.m., assuming that this visit had been made by PC Good.

I also visited the prisoner at 10 a.m., 11 a.m., mid-day and 1 p.m. On each occasion I visited the prisoner I recorded the fact immediately afterwards on the reverse of the charge sheet.

A On these four occasions and on my visits at 7 a.m. and 8 a.m. I did not enter the cell, but spoke to the prisoner through the grill e of the cell door or, if he was asleep, merely satisfied myself that he was fit and well. On each of these occasions the prisoner was in the cell on his own. I had no other conversation with the prisoner. I do not recall the particulars recorded on the front of the Charge sheet and I did not realise until this week that this particular prisoner was connected with the offence at the Nuneaton Co-op. Neither did the name Michael Perry mean anything to me in connection with this offence.

B When going off duty it is my practice to inform the officer relieving me that there is a prisoner in the cells and I would have done so on this occasion.

C I can see that a pencil note 'Suspicion B and E N'aton Co-op' was written on the charge sheet you have shown me. I would not have paid any attention to the offence or reason for a prisoner's detention." Signed B Charles Kimberley.

D Statement of Albert Edward SMITH, aged over 21, Police Sergeant 489, Nuneaton Police Station, Warwickshire and Coventry Constabulary.

"I joined the Warwickshire Constabulary on 10 April 1957. I was promoted Sergeant on 4 April 1967, and for the past two and a half years I have served at Nuneaton Police Station as a Station Sergeant.

E I have been shown the duty state for Wednesday 24 September 1969, which shows that I performed duty from 8 a.m. to 4 p.m. that day. At that time I knew that a breaking had occurred the previous weekend at the Nuneaton Co-op and a large quantity of cigarettes had been stolen. I also knew that a number of officers had travelled to London in connection with this enquiry. I cannot recall who told me that the CID officers had gone to London. I now remember that just before I went off duty at about 3.30 p.m. Sergeant James told me in conversation that he and Detective Constable Wilson, who was also present, would be going to London, to make enquiries in connection with the offence. This conversation may have taken place on the previous day, 23 September 1969.

F If a uniform officer performing ordinary duty leaves the division, that fact would be noted on the duty state. The Station Sergeant should record duties performed by CID Officers or the traffic Officers.

G In my experience the duties to be performed by CID Officers are entered on the state by the early-turn CID Officer when he comes on duty at 8 a.m. These entries include the hours to worked (for example 9 a.m. - 6 p.m.) and any variation that transpires should be shown during the course of the day. I only know that the responsibility for ensuring that the particulars recorded on the duty state relating to CID Officers is not mine, but must rest with a supervising CID Officer. I do not know who this is.

H On Thursday 25 September 1969 I commenced duty at 8 a.m. I do not know if the early-turn duty sergeant was in the station when I commenced duty but the office PC was, PC 112 Kimberley. It is my practice on commencing a tour of duty to check the books to ascertain what has happened since I was last on duty, to examine the charge sheets if there are any and to personally visit any prisoner detained in the cells.

A On this day I learned, by word of mouth, either from the duty Sergeant or from the PC that the prisoner, Perry, detained in the cells, had been brought from London in connection with the theft of cigarettes from the Co-op. I have been shown a charge sheet form C4 by Detective Chief Inspector Emmet relating to Michael Roy Perry. I saw this charge sheet when I came on duty that morning. It did not then bear the typewritten content. The space under the heading 'Charge' contained a pencilled entry 'Suspicion B & E N'ton Co-op'. There was also a date shown. I can still see this entry on the sheet you have shown me, although it is partially erased. I think that the pencilled note is Detective Sergeant James' handwriting. I am certain that the other particulars are in Sergeant James' handwriting.

B Shortly after coming on duty at 8 a.m. I visited the prisoner, Perry, in the cells. I do not remember whether Police Constable Kimberley was with me or not. I cannot recall my conversation with Perry, but it was confined to ensuring that he was fit and well.

C At 9 a.m. I took Perry a meal and instructed P C Kimberley to record this fact on the reverse of the Charge Sheet. It is within my own knowledge that PC Kimberley made a number of further visits to the prisoner during my tour of duty. I note that no entry is made on the reverse of the charge sheet between 9 a.m. - 4 p.m. recording a further meal being supplied to the prisoner, but I am satisfied he was given one by PC Kimberley at about 1 p.m.

D I did not visit the prisoner again during my tour of duty. My conversation with Perry was confined to my visits at 8 a.m. and 9 a.m. and the conversation with him was confined to ascertaining that he was fit and well. There was no other conversation whatsoever.

No-one else visited the prisoner to my knowledge during my tour of duty although it is possible that they could have done so whilst I was absent from the station office. Any visits to the prisoner should be recorded on the reverse of the charge sheet. As no such visit was shown, I assume that no visits were made.

E I had no further dealings with the prisoner, Perry, whatsoever. I had no conversation with any officer concerning Perry or the breaking at the Co-op.

The following day I was sick with tonsillitis and remained so for a period of just over a week.

F When I went off duty at 4 p.m. on 25 September, I was relieved by Sergeant Wilkinson. I had a conversation with him concerning the prisoner, Perry, but only informing him of the fact of his detention and that the matter was being dealt with by the CID. I cannot remember whether Sergeant Wilkinson had any knowledge of Perry's arrest before I discussed it with him. I was satisfied that a CID officer senior in rank to myself was aware that Perry was detained and considered that the responsibility for his detention rested with the senior CID Officer at the Station. I have been shown a letter, addressed to Michael Perry, by Detective Chief Inspector Emmet. This letter was sent to Perry informing him that he had been released from his bail which had been previously entered into by him at this Station under Section 38 (2) Magistrates Courts Act, 1952. I have never seen this letter before, nor have I seen a copy of it.

G As I have previously stated, I was placed sick on 26 September and thereafter had no knowledge of what happened to Perry." Signed A E SMITH.

Statement of Jonathan Michael Richard CURTIS, over 21, Police Constable 820, Warwickshire and Coventry Constabulary, Nuneaton Police Station, Nuneaton, Warwickshire. "I joined Warwickshire County Constabulary in October 1967 and had previously been a Cadet with the same Force.

A

On 25 September 1969 I was posted Office Constable on the 2 p.m. to 10 p.m. relief. I have been shown a charge sheet (exhibit WKJ/1) relative to a prisoner named Michael Roy Perry and I have signed the Exhibit Label attached to that exhibit. By reference to this charge sheet I can say that I visited the prisoner Perry at 2 p.m., 3 p.m., 4 p.m. and 5 p.m. and that he was bailed at 6 p.m. I do not remember the prisoner or any person visiting him.

B

It is possible for other officers to visit a prisoner detained here without reference to the Office Constable and the Office Sergeant should there be one on duty. The reason for this is that the keys for the cell block are kept on a board in the Sergeant's room adjoining the cell passage. This is quite separate from the main office and unless you notice that the cell key has been taken you would not know that a visit had been made to the cells." Signed J M R Curtis. Signature witnessed by Cyril Jones, Detective Sergeant.

C

Statement of John BOOTH, Aged over 21, Police Sergeant 19, Nuneaton Police Station, Warwickshire and Coventry Constabulary.

D

"I joined the Warwickshire Constabulary on 30 September 1954. I was promoted Sergeant on 1st October 1965 and have served at Nuneaton Police Station as a duty sergeant since that time.

The week commencing 23 September 1969, I was posted late duty 2 p.m. - 10 p.m. I knew that a large quantity of cigarettes had been stolen from the Nuneaton Co-op over the previous weekend.

E

Sometime that week, prior to Thursday 25 September I learned that CID officers had gone to London to make enquiries regarding the theft of the cigarettes. I cannot remember who, but I did know at the time.

F

On Thursday 25 September 1969 I commenced duty at 2 p.m. as the duty sergeant. My function is to supervise the beat PC's, and during this tour of duty Sergeant Smith was the Station Sergeant until 4 p.m. and Sergeant Wilkinson was the Station Sergeant from 4 p.m. to midnight. When there is a Station Sergeant on duty he is responsible for the supervision of the police station.

G

I have been shown a Charge Sheet relating to Michael Roy Perry by Detective Chief Inspector Emmet. From the times written thereon I can see that Perry was detained until 6 p.m. that day, when he was bailed by Sergeant Wilkinson. I do not remember whether or not I saw this charge sheet that afternoon or whether Perry's particulars were shown on the prisoners' board. At no time did I see this prisoner or have any connection with him. I was not present when the prisoner was bailed. I was not present when the prisoner's property was restored to him. I did not write '917' on the charge sheet.

H

At 6 p.m. on 25 September 1969 I took my break at my home address which is 40 Emmerdale Crescent, Nuneaton, a distance of some two miles from the Station. That evening I was told by someone, I have no idea who, that the London man the police had bailed out.

Detective Chief Inspector Emmet has shown me a space on the reverse of the charge sheet and has pointed out that the space for inserting the date and

time the prisoner was placed in the cell has not been completed.

I did not notice this omission at the time, even if I did see the charge sheet." Signed J Booth.

A

This is the statement of Arthur John COOPER, Aged over 21, Detective Constable 594, Nuneaton Police Station, Warwickshire & Coventry Constabulary. "I joined the Warwickshire Constabulary on 8 January 1962. I was appointed Detective Constable in January 1964, since which time I have served at Nuneaton Police Station. I have been the Scenes of Crime Officer attached to the Nuneaton Division since 1965, when I had completed the Durham Constabulary Scenes of Crime Course.

B

At 8.45 a.m. on Monday 22 September 1969, I commenced duty at Nuneaton Police Station and at 9.45 a.m. I left the station with Detective Constable 103 Lewis to photograph finger impressions found at the scene of a breaking at the Royal Oak Public House, Arbury Road, Nuneaton, the previous day. Detective Constable Lewis is now Detective Sergeant stationed at Rugby.

C

Whilst on the way we had a call, or at least I think we did, concerning a breaking at the Nuneaton Co-op. We went to the scene where DC Conlon and Wilson were already in attendance. I confined my actions to that of Scenes Of Crimes Officer and knew that a large quantity of cigarettes had been stolen from an internal storeroom. I examined the premises but could find no sign of a breaking. I endeavoured to find the point of entry and discovered a casement window open in the staff room. I dusted this window for fingerprints with negative result. One of the other officers at the scene told me that the window had been opened that morning by a member of the staff. I do not know which of the officers that was. I could find no other indications of a point of entry.

D

I had a discussion with the other officers and we came to the conclusion that the entry had been effected by one of the main front doors, by use of a duplicate key.

E

I examined the locks on these doors, but could find no signs of interference. I made no further examination for fingerprints as I had been told by DC Conlon that the premises had been cleaned prior to the arrival of police. In addition, at that time, the shop was open to the general public and the staff were using the storeroom. I did not take any control samples from the scene nor did I obtain any specimens of the missing property or packaging. As far as I was concerned my examination of these premises was completely negative. I made no enquiries concerning the offence.

F

Detective Sergeant James was contacted from the store by one of the officers and attended shortly after my arrival, with Detective Constable Clarkson. There were then six detective officers present at that time. I also made an examination outside the premises but as the doors open onto the pavement which borders the main road, no clues were found.

G

I left the premises at about 9.45 a.m. with Detective Constable Lewis and went to the Royal Oak Public House where I photographed marks. I returned to the Police Station at about 10.10 a.m.

H

I have been shown the "time book" by Detective Chief Inspector Emmet and note that the entry showing my divisional number 594 has been altered in the entry in which I booked out to the Public House and on my return. I think my number was written over someone else's on the booking out, but I do not know what happened in the booking in.

Some time the same day somebody from the Metropolitan Police telephoned the CID Office and informed us that a quantity of cigarettes had been recovered in a vehicle in London.

A It was decided that Detective Sergeant James and Detective Constable Wilson would go to London to make enquiries. I know that the Detective Chief Inspector, Mr Ashmead, was consulted about this. This was decided on Monday night but the officers did not in fact leave until Tuesday morning.

B On Tuesday afternoon 23 September 1969 I was present in the CID Office when an officer, whom I think was Detective Constable Harris, received a telephone call. The officer told me that the call was from an informant whom he did not know. I do not know the name of this informant. The officer told me that the informant wanted to meet a CID Officer in Coventry to give information concerning the Co-op breaking.

C Detective Constable Harris and Detective Constable Conlon went to Coventry to meet the informant and they brought him back to this Station where he was placed in the CID Interview Room. I saw the informant there but had no conversation with him. I was told by Detective Constable Harris or Detective Constable Conlon that the informant knew the persons responsible for the offence, that they came from London but that he did not know their names. The informant was prepared to go to London where he could find and identify the persons concerned.

D This information was telephoned to Sergeant James in London and it was arranged that the informant would be taken to London by Detective Constable Hannis and Detective Constable Cook. I understand that this was the first occasion that the informant had acted as such for us, and that he only required a small amount of money for his services. His information was tested to ensure that he had information concerning the offence which had not been published in the press. We were satisfied he had knowledge of the crime. He knew that the property had been recovered as this was in the paper and he therefore knew that there would be no reward for its recovery. It crossed my mind that the informant may have been involved in the offence, but I did not put this to him. I do not know if the other officers did.

E Early Tuesday evening the informant was taken to London by Detective Constable Hannis and Detective Constable Cook.

The following day, Wednesday 24 September 1969, several telephone calls were made from the CID Office to London to ascertain the progress of the enquiry. I cannot recall which officers made these calls.

F Before I went off duty at 5.30 p.m. I knew that a man had been detained and enquiries were continuing.

G The following morning, Thursday 25 September 1969, I commenced duty at 8.40 a.m. I learned from one of the CID Officers who had travelled to London that they had brought back one man who denied the offence and was detained at this Police Station. I was also told that a second man had been arrested, but had escaped from police custody.

H I left the station at 9.20 a.m. and returned at 11.5 a.m. and sometime after this I took the photograph of the man detained. This man was Michael Roy Perry. I went to the station sergeant's office, took the key from the keyboard, took Perry from a cell and took his photograph in the studio which is situated off the cell passage. My only conversation with Perry was concerning the actual photograph. I returned Perry to the cell and returned the key to the keyboard. Throughout this operation I was on my own with Perry.

I went off duty at 1 p.m. and resumed duty at 6 p.m. I was then told by an officer that Perry had been bailed under the provisions of 38 (2) Magistrates' Courts Act, to return to the station at a later date, as there was insufficient evidence at that stage to charge him with the offence.

A During that evening there was general conversation in the CID Office concerning the case. I cannot remember who was present.

B I think that the other man Brookes subsequently surrendered himself to the Police. Detective Sergeant James told me that he had received a 'phone call from the "Met", stating that Brookes had an alibi which was supported by a JP and that Brookes had been released. I had no other knowledge respecting the information supplied by the informant.

I know that the prisoner Perry was interrogated on Thursday 25 September by Detective Sergeant James and Detective Constables Conlon, Wilson, Harris and Clarkson. I did not see the prisoner other than when I took his photograph as I have described. I have no idea at what time the prisoner was interviewed by which officers.

C On the evening of Monday 22 September 1969 I knew from conversation in the office that all the cigarettes had been recovered in a motor vehicle in London near a block of flats. I also knew that the vehicle had been found on the Saturday night or Sunday morning, and that the uniform branch had kept observation on the vehicle for a period and then removed it to the Station. We were surprised that we had not been informed earlier of the recovery of the property. I have no knowledge of the arrangements made as to the disposal of the property recovered. No property was brought to this station. No property was examined by me. I assumed that the vehicle and its contents had been subjected to a fingerprint and scientific examination. I know that a number of white coats or overalls were found in the van. I know that the informant had mentioned that the men responsible wore white coats or overalls but I do not know whether he disclosed this information before or after the coats had been found.

E I knew that a witness had been found, which may have been in response to a newspaper appeal, who had seen a van parked outside the Co-op on Saturday evening. The van contained a woman. I took no action respecting this information; I do not know if any action was taken by any officer. I cannot remember at what stage of the investigation this information came to light. I know that the information was put to the informant and he stated that no woman was involved in the offence. I didn't query how he knew this. As far as I am aware contact with the informant was maintained by Detective Constable Hannis.

F In connection with this enquiry I was the Scenes of Crime Officer and not the investigating officer. When I took Perry's photograph I did so on my own initiative as part of normal practice. I received no instructions in this connection. I did not make any examination of Perry's clothing, nor did I take possession of any of his property. I was not asked to do so.

G At no time did I receive any telephone calls from the Metropolitan Police concerning this case, or, in particular, concerning Michael Perry. I know of no such calls being received by the other officers.

H Within the last few days I have learned from either Detective Constable Wilson or Detective Constable Clarkson that Perry endeavoured to bribe them to obtain his release. I do not know any further details concerning this and the first time I heard of this was during the investigations you are assisting to conduct." Signed A J Cooper.

Statement of Gilbert Lester LEWIS, aged over 21, Detective Sergeant 103, attached to Rugby Police Station, Warwickshire and Coventry Constabulary. "I joined the Warwickshire Constabulary on 21 September 1961, having previously served as a Cadet. I served at a number of Stations and was appointed Detective Constable on 1 January 1968.

In April 1969 I was posted to Nuneaton Police Station where I served until 11 November 1969, when I was promoted Detective Sergeant at Rugby Police Station.

On Monday 22 September 1969 I went with DC Cooper to a breaking offence at the Royal Oak public house. DC Cooper was the scenes of crime officer and I wanted him to photograph marks I had found at the scene the previous day.

On the way to this call we received radio instructions to go to the Co-op supermarket, Abbey Street, Nuneaton and contact DC Conlan. On arrival we saw DC Conlan and learned that a large quantity of cigarettes had been stolen and that there were no signs of an actual breaking to the premises. I waited for DC Cooper to make his examination of the premises but took no part in the examination of the premises myself, nor did I take any part in the investigation.

We left about 20 minutes later and went to the Royal Oak public house as we had previously intended. We returned to the Co-op. later and left the vehicle there walking back to the station, arriving at 10.10 a.m. We left the vehicle for the use of the officers engaged on the enquiry.

The following day at 2.05 p.m. Tuesday 23 September 1969, I was in the CID office at Nuneaton Police Station when I received an anonymous telephone call respecting the offence at the Nuneaton Co-op. The informant would not say where he was phoning from, nor would he disclose his identity. I made a telephone message of my conversation which I produce, Exhibit GLL/1. DC Conlan and other officers were present at this time. As I spoke to the informant I in turn told DC Conlan of the conversation. At the conclusion I typed the message and handed it to DC Conlan as at that time he was the officer in the case.

I did not see the informant at any time, nor have I spoken to him other than on this occasion. I know that DS James and other officers went to London respecting this enquiry and subsequently brought a man named Perry to this station in connection with these enquiries. I also know that this man was subsequently bailed under the provisions of Section 38(2) Magistrates' Courts Acts, but that a letter was sent releasing him from this recognizance. At no time did I see the man Perry or have any conversation with him.

On Thursday 25 September 1969, I received a telephone call about 8.15 a.m. from a female who said that she was the prisoner (Perry's) mother. She wanted to know if Perry was at the Station and what action was being taken against him. I told the caller that Perry was detained in connection with a breaking at the Nuneaton Co-op. in which a large quantity of cigarettes had been stolen. I also told her that I could not assist respecting the final outcome of the enquiry. The caller said she would phone later. As this phone call required no action I did not make a message of it."

MR RIVLIN: Your Honour, that last paragraph is technically hearsay. The defendant wants it in.

MR SYMONDS: Your Honour, I just want the last two lines in.

MR RIVLIN: Your Honour, the last lines can't be considered in isolation. They do not make sense without what is said earlier.

JUDGE STROYAN: Do you want it all in?

MR SYMONDS: Yes.

JUDGE STROYAN: Very well.

A THE CLERK: "From conversation I overheard in the office that day
(Thursday 25 September 1969) I learned that Perry was denying the offence
and that a second man had been arrested but had escaped in London. I also
heard that Perry had intimated that he had been told to 'play it by ear'
as the Nuneaton Police had nothing on him. At this time I believe the
conversation was such that I thought Perry was alleging that he had received
this advice from a Metropolitan Police Officer. I did not think at
B this stage that this advice had or would cost Perry money. It was only
subsequently that I heard in the office that the informant had told someone
that Perry had said that the advice he had received had cost him money."
Signed G L Lewis.

C Statement of Richard Rumbold UNWIN, aged over 21, Police Superintendent,
The Police Station, Nuneaton, Warwickshire.
"Since 1 October 1969 I have been the Superintendent in charge of the
Nuneaton sub-division of the Warwickshire and Coventry Constabulary.

D I am aware that Roy Brook of 167 Bellinden Road, Peckham, London SE 15 and
Michael Roy Perry of 40 Nunhead Lane, Peckham, London, SE 15, were arrested
in London on Wednesday 23 September 1969, on suspicion of having entered the
Nuneaton and Atherstone District Co-operative Society, Abbey Street,
Nuneaton, between 20 September 1969 and 22 September 1969, where a large
quantity of cigarettes was reported stolen. The approximate value is said
to be £1,140. I am also aware that Brook escaped from Peckham Police
Station the same day and that Perry was brought to Nuneaton Police Station
by Detective Sergeant James of Nuneaton.

E After the circumstances had been considered Perry was bailed under Section
38 (2) of the Magistrates' Court Act, 1952, to appear at Nuneaton on 16 October
1969 in order that further enquiries could be made.

I am aware that Brook was re-arrested in London on 24th September 1969, and
was also bailed to appear at Nuneaton Police Station on 16 October 1969.

F During the period that these men were on bail to Nuneaton I discussed the
case with Detective Inspector Price and Detective Sergeant James of Nuneaton,
and although extensive enquiries had been made into the case in question, it
was decided that there was insufficient evidence to justify taking Perry
and Brook before the Magistrates.

As a result, I sent letters to Brook and Perry addressed to their residences
in London releasing both from their obligation under Section 38 (2) of
the Magistrates' Court Act, 1952.

G I have been shown the original letter sent to Perry and I confirm that I signed
this letter. (Exhibit No RUU/1)

Also I have been shown a photostat copy of the letter despatched to Brook
and I confirm that my initials as the Superintendent signing this letter
are thereon (Exhibit RUU/2).

H I have also been shown a photostat copy of a letter despatched to Detective
Inspector Sylvester, dated 8 October 1969, and I confirm that my initials are
thereon as the Superintendent signing this letter (Exhibit RUU/3).

The letter was addressed to Peckham Police Station where Detective Inspector Sylvester was the CID Officer in charge.

It is the normal practice of a Sub-Divisional Superintendent to send letters to the forces thanking officers who have assisted in the investigation of a criminal offence committed in my district.

Detective Sergeant James of Nuneaton did bring to my attention the fact that DI Sylvester wished to be notified if Perry and Brook were released from their bail." Signed R Unwin. Statement taken by Detective Inspector Colin Powell at Nuneaton Police Station on 12 June 1970.

Statement of James WRIGHT, aged over 21, Police Sergeant 31 'M', Camberwell Police Station.

"On 24 September 1969 I was posted late-turn Station duty at Camberwell Police Station, when at 7.30 p.m. Detective Sergeant Symonds accompanied by Detective Officers from Nuneaton, Warwickshire Constabulary, brought the following named person, Michael Roy Perry, aged 22 years, 40 Nunhead Lane, SE 15, to the station and placed him into the Charge Room. I was informed by one of the officers that Perry had been detained in connection with a case of breaking at Nuneaton where cigarettes to the value of £1,200 had been stolen. It was their intention to take him back to Nuneaton for the furtherance of their enquiry. He was searched and placed in a cell. I then recorded the presence of Perry in Camberwell Police Station by placing an entry in the book 12A folio No 321 refers.

At 9.15 p.m. that night Perry was handed into the custody of Detective Sergeant James, Warwick Constabulary, Nuneaton, as was also five items of Perry's personal property. Also handed to the officer at the same time was a Prisoners' Property Transfer receipt in duplicate containing thereon a description of the five items of personal property handed over. The Warwickshire Constabulary Officers then left the Station with their prisoner.

When Perry was detained he was in possession of a motor car, index number 8182 RK, and this was retained at Camberwell Police Station until the following day when it was collected by a Mr John Perry of 34 Walpole House, Woolwich, SE 18, a brother of Michael Perry, vide a written authority previously given by Michael Perry.

Apart from dealing with Perry as a man detained for another Force, I entered into no conversation with him whatsoever." Signed J Wright.

Statement of Derek PETERS, aged over 21, Temporary Detective Constable 158316, Camberwell Police Station, 'M' Division.

"On 12 July 1965 I joined the Edinburgh City Police and transferred to the Metropolitan Police on 30 October 1967. I did duty as a Uniform Officer at Carter Street Police Station and upon being appointed a Temporary Detective Constable on 17 May 1969 I was transferred to Camberwell Police Station where I have been ever since.

From the day of my appointment as a Temporary Detective Constable I worked with David Hill until he was appointed a Detective Constable in October 1969.

I have been asked by Chief Inspector Davidson whether I recall an incident

when I and David Hill applied for and were granted a search warrant to search premises at 40 Nunhead Lane. I do recall the incident and what took place is as follows: On 24 September 1969 I commenced duty at 9 a.m. later going to Balham Magistrates Court and being engaged there until 1.45 p.m. when I returned to Camberwell and had a meal in a local cafe. I was then engaged in the Office until 2.45 p.m. and then went with TDC Knox patrolling the Camberwell area.

Question: On this occasion was TDC Hill patrolling with Knox and yourself?

Answer: It's possible but I can't remember. Normally we work in pairs but on this occasion one of the TDC's was away and three of us could have been patrolling together. I know that at 4.45 p.m. on 24 September 1969 I returned to Camberwell Station and went to 40 Nunhead Lane with TDC Hill. I know that TDC Hill had a search warrant in his possession but I don't know when he obtained it. I seem to recollect going to Alderman Gates, a local Justice of the Peace with TDC Hill to obtain a search warrant and to be introduced to the JP. This could have been 24 September 1969, but I'm not sure of this.

Upon arrival at 40 Nunhead Lane we met Sergeant Symonds and Sergeant Harley and three or four Police Officers from Nuneaton. I was directed to go to the rear of the premises with a Nuneaton Officer before the premises were entered to prevent any escape from the building.

A short while later we were called into the premises by one of the officers. We returned to the front of the premises and entered through the street door. We joined the remainder of the officers in one of the rooms of the premises and were told that the house was empty but was being lived in.

Some discussion then took place where it was agreed that myself, Hill, Sergeant Symonds and two of the Nuneaton Officers would stay behind. Whilst Sergeant Harley and the other two Nuneaton Officers would go away for refreshments, with a view to relieving us later should the observation continue.

Sergeant Harley and the two Nuneaton Officers left and the remainder of us secreted ourselves in a small room at the top of the stairs leading from the front door of the premises. As TDC Hill and I knew Perry we kept a casual observation on the stairs should anyone enter through the street door.

At about 7 p.m. Perry arrived, came up the stairs, past our observation point, up a small flight of stairs and into one of the rooms above. TDC Hill and one of the Nuneaton Officers made their way up the small flight of stairs, followed by the remainder of us. I saw Perry on the landing, or in a room, I cannot be sure which, and remember TDC Hill remarking "Hello, Mr Perry." The only other conversation I remember taking place is the Administering of a caution by one of the Nuneaton Officers.

We left the premises with Perry, he was placed in a car, I don't know whose, and he was taken to Camberwell Police Station. I cannot remember who went back with him, but I'm sure it wasn't me. I think I returned with one of the Nuneaton Officers. Once back at Camberwell I cannot recollect seeing Perry again, although I may have walked through the Charge Room." Signed Derek Peters, Temporary Detective Constable, 'M'. Signature witnessed by Detective Chief Inspector P Davidson.

Statement of Barry Le Roy OWEN, aged over 21, Car Hire Driver, 8 Palmerston Crescent, Palmers Green, N 13. "I am a car hire driver and am self-employed but work through an agency. My agency is Al Mini Cabs Limited, 21A Denbigh Street, SW 1. I have been with this agency for about a year and a half.

On Thursday 30 October 1969, I was in the office of Al Mini Cabs at about 6.15 p.m. when the controller asked me to go to 5 Warwick Square, SW1, to pick up a Mr Pridmore. I arrived at 5 Warwick Square at about 6.30 p.m.

On my arrival Mr Pridmore got into my car which was a maroon Ford Zodiac Mark 3, index number 407 EXY, and instructed me to take him to The Times office. I parked outside and waited in the car and Mr Pridmore went into the offices. Mr Pridmore had told me to wait for him. After about ten minutes or quarter of an hour Mr Pridmore returned to the car and I remember seeing that he had a camera with him.

Mr Pridmore told me to drive him to the Camberwell area and I was told to go to an address in Camberwell Grove. I cannot remember the number of the house I went to, but it was about two thirds down the road towards Dulwich.

Mr Pridmore told me to wait in the car, which I did, and I saw him go up to a group of houses, but I didn't see which one he actually went in as it was very dark.

After about 20 minutes Mr Pridmore returned to the car and told me that we were to go to a pub which stood on the junction of Grove Lane and Canning Cross, I can't remember the name of the pub. When we arrived at the pub, Mr Pridmore invited me in. I went inside with him and Mr Pridmore joined a group of people already in there. Although I didn't know it at first, two of the men there were reporters from The Times, there was also a man and a woman who I later found out to be connected with sound and tape recordings.

I can't remember whether he was there at first, but I remember seeing another man in the company, I think his name was Mike, he was blond-haired and about 25 years old. I would say that he had had something done to his chin, as it appeared to have some disfiguration. He was talking with the group I have previously mentioned. I can remember him going out once or twice and I gathered at the time that he was making phone calls. I was told this by Mr Pridmore. I took no part in the conversation of the group and I did not know what they were talking about.

I stayed with the others in the pub to about 9.30 p.m. when I was told by Mr Pridmore that the operation was off for that night. At the time he told me, I had no real idea what this 'operation' was to be.

I then drove Mr Pridmore to The Times office, where I received payment for my night's work and then I drove Mr Pridmore home and made arrangements to pick him up the following morning at about 8 a.m.

The next morning, Friday 31 October 1969, I picked Mr Pridmore up as we had arranged. He told me to take him to a pub in the Dulwich area, I can't remember the name of the pub, but it was on the junction of Barry Road and Lordship Lane. I drove into the pub car park where I understood we were to meet some other persons. We were the first to arrive and later we were joined by three other cars, they were all the same persons I had met in the pub the previous evening. I can remember that one of the cars was a Triumph GT6, navy blue in colour, this belonged to one of the reporters, but I don't remember his name. One of the cars was an orange and cream Wolsley or Austin but I'm not certain who had this vehicle. The third vehicle was a black Wolsley or Austin and I can say that this was being driven by the blond-haired fellow, I think was called Mike.

A A lot of discussion took place and there was a lot of getting in and out of cars. I took no part in this discussion, but got the impression from what I gathered, that there was to be a meeting with the fellow in the back car - Mike, with someone else and Mr Pridmore was to take photographs without being conspicuous. I can remember that the two reporters got into the back of my car and were discussing things with Mr Pridmore and it was at this stage I realised that the person who was supposed to meet Mike was a Police Officer or Officers, and I gathered over the course of the morning that certain sums of money were to be passed by Mike to them.

B I then drove with Mr Pridmore, the reporters had by then returned to their own cars, to another pub. I can't remember the name, but it was in Old James Street on the corner. The time to my recollection was about 10.15 a.m. or 10.30 a.m. I understood that this was the road where the meeting would take place.

I was told to park opposite Old James Street, which had been arranged previously in the other car park. I understood that this was important as it would enable Mr Pridmore to take a photograph without being seen.

C I have been asked whether I saw any recording equipment whilst in the car park where we all met. I don't remember seeing any, but from little bits of conversation that I picked up, I gathered that tape recordings had been made on previous occasions and were probably in use at the present occasion.

D After I parked the car opposite Old James Street I was told to go for a walk as two in a car would be too conspicuous, or so they thought. I did as instructed and returned to it at about 11 a.m. Mr Pridmore was sitting in the car.

E I can't remember whether it was pre-arranged or whether I followed someone, or one of the cars, but I drove to a turning off Peckham Rye East, where all the cars met up. I can remember that there was some conversation concerning the incident earlier on, all I can remember of this was that the police car had driven down Old James Street and had waved Mike to follow him. I didn't see this take place myself, it was only what I heard from the discussion. I took no part in this discussion myself.

F We all then went to a pub, I can't remember the name. It was a newish pub on the corner of Peckham Rye and East Dulwich Road. At the pub we all had lunch and the company was the same as before. The two reporters, the man and woman from the tape recording company, myself and Mr Pridmore and Mike. I have been asked if Mike was in our company for all the lunch time. I think I remember him making a 'phone call, but he was there most of the time to my recollection. Over lunch the conversation was of general matters, although I gathered that there was to be a meeting between Mike and a different lot of police that afternoon.

G Around 1 p.m. we finished lunch and I went back to my car with Mr Pridmore, as did the others to theirs. I was told to drive to another pub, which we did in convoy. I cannot remember the name of the pub, but to the best of my recollection it's on the junction of Dulwich Common and Lordship Lane. I remember that there were two large car parks attached to the pub, and on the Lordship Lane side there is a high wooden fence.

I understood that the idea was to get the general layout of the area, and to decide where would be the best place to get photographs from of any meeting.

H On arrival at the pub we stopped in one of the car parks, it was the one above the other one on the Dulwich Common Side.

A The reporters, myself and Mr Pridmore arrived at two or three alternatives as to what positions to take up, depending on where the meeting actually took place. I should say that Mike had left us by now. I assume to keep his appointment. The final decision as to where to park, was left to Mr Pridmore and myself depending on the circumstances as they arose. It was decided that one car would drive through the car park and come back and tell myself and Mr Pridmore what positions the cars were in. I mean by that the car driven by Mike and whoever he was meeting.

B We, that is Mr Pridmore and myself then drove out of the car park and went a short distance down Lordship Lane towards Camberwell. We stopped and waited until the time fixed for the appointment came round. After a short while one of the reporters came up to our vehicle and told us that the cars were located in the large car park, the one with the wooden fence, at the back of the pub. Apart from Mike's car which I knew, I understood that the other one was a Vauxhall. I can't remember which one of the reporters told us this.

C I then drove with Mr Pridmore towards the pub, but just before we reached the entrance to the car park, Mr Pridmore decided it would be better for him to try walking through the car park with his camera to try and get photographs of the meeting, so I stopped the car just short of the car park entrance in Lordship Lane. Mr Pridmore got out and I saw him walk into the car park.

I remained in the car and after a short while Mr Pridmore returned and we decided to drive through the car park.

D I drove the car into the car park, and out the corner of my eye I saw Mike's black motor car and a white Vauxhall alongside of it. The cars were against the wall of the pub, alongside each other.

E I cannot say who was in each car, or whether one was empty, or how many people there were in them. One of the reporters previously, I can't remember which one, asked me to get the number of the Vauxhall if I could. It was a white Vauxhall and I got the number which I gave to Mr Pridmore and the reporters. I can't remember the number of the car now. I wrote it down, but I cannot find the notebook I wrote it in.

F We then drove through the car park into Dulwich Common and came back into Lordship Lane, where we stopped on the opposite side of the wooden fence to where the two cars (ie Mike and the other one) were parked. This was close to the entrance to the car park, hoping that the white Vauxhall would drive out of the Lordship Lane entrance, in order that Mr Pridmore could photograph it again.

I remember that I got out of the car and went across to where the man from the tape recording company was sitting in a vehicle with one of the reporters. On recollection I think they were in a dark-coloured mini van.

G They waved me away and I returned to my own car where I was informed by Mr Pridmore that the two cars in the car park had left by another entrance.

We waited for about twenty minutes and decided to go back to the pub where we had had lunch as we knew that one of the reporters had left his car there. On arrival, as there was no-one else there, myself and Mr Pridmore had a cup of coffee and waited until some while later. The others turned up and from there I drove Mr Pridmore back to The Times Office, where I left him after being paid.

H I have been asked if I heard any of the tape recordings that were taken at these meetings that I have referred to. I have not heard any, neither have

I seen any tape recording equipment.

I have been asked if I was present when Michael was searched by the reporters either before or after his meetings of the morning and afternoon. I was not present at any of these searches.

I have been asked whether I was told who Mike was. I have no idea as to who he was, and I just knew him as Mike.

I have been asked also whether I saw any money change hands at any of the meetings or between the reporters and Mike. I did not.

I have read the above statement and it is true to the best of my knowledge and belief." Signed B Owen. Statement taken by Detective Sergeant G Forsyth on Friday 9 January 1970.

Statement of Colin Thomas WEBB, Aged 30 years, journalist, 46 Kilmaine Road, Fulham, SW 6. "I am employed by Times Newspapers Limited and have been so employed since September 1966. Prior to that I was with the Daily Telegraph.

The policy of The Times Newspaper relating to tape recordings is only to use them when we are satisfied that there are extremely good grounds for believing that the person being recorded has committed a criminal offence, that there is no other way to obtain sufficient evidence and that specific authority has been given by the News Editor. To my knowledge this is the only occasion which they have been used." That statement is signed C T Webb, signature witnessed by Peter Duffy, Detective Chief Inspector.

JUDGE STROYAN: Is that your case, Mr Symonds?

MR SYMONDS: Yes, Your Honour, yes.

JUDGE STROYAN: Mr Symonds, I propose to ask you to start your address to the jury this afternoon, even if it is only for a few minutes. I think it will be of benefit to yourself if you can outline the main points to the jury so that they have them in mind during the adjournment. You need take only five or ten minutes, but I think it is important that you should summarise your main points.

MR SYMONDS: Thank you, your Honour.

JUDGE STROYAN: But I think we will have a five-minute break first.

THE COURT ADJOURNS

I certify that I took shorthand notes in part of the trial R -v- SYMONDS AND THAT pages numbered 1 - 34 are a complete and accurate transcript of my said shorthand notes to the best of my skill and ability.

9TH APRIL, 1981

DEFENDANTS CLOSING SPEECH:

HIS HON. JUDGE STROYAN: Yes Mr. Symonds.

A MR. SYMONDS: Members of the Jury you have had one little history lesson,
and whilst I was reading myself D.I.Y. Advocacy back a few weeks Before
this trial started I've come across another little extract from Mr. Johnathon
B Swift who wrote that "lawyers were a society of men brought up from their
youth in the art of playing by words multiply for the purpose that white
is black and black is white accordingly as they are paid". And that exactly
members of the Jury is what Mr. Rivlin has been doing. You may have noticed
his speech was rather defensive and has to be defensive because the
Prosecution have got very little to go on. All I hope to do is to get a
bit suspicious and a bit of innuendo and knock up together some sort of
C case. Because never forget members of the jury that the Prosecution are
relying upon a criminal, convicted of twenty-six crimes, and that the whole
case was made up in the first place by a police officer who is now serving
twelve years imprisonment, sentenced to a total of eighteen, and a number
of other officers connected with this case are also missing since then.
D A couple of newspaper reporters who you may think were more interested in
writing a story than anything else - and they have a terrific problem over
the business of the tapes.

E Because the Prosecution final speech has been more or less reading out
extracts from the tapes ... and before you take any notice at all of those
tape recordings you have got to be absolutely satisfied that those tapes
are original and authentic. I would submit to you members of the jury
that on the evidence you've heard, you've got to by now, have some very
serious doubts and no funny words and clever phrases are going to make
up for the faults that have come to the notice of this Court. By faults,
F I mean faults in the originality and authenticity of the tape recordings.
Apart from reading out extracts from the tapes, and most of the extracts
you will notice are from the latest transcript, the Prosecution rely to
convince you on some extracts from my diary which you were taken through
many, many pages and asked to look at all the references to 'informant -
G purchased refreshment for informant' and that occupied a lot of your time
going through that. Well that sort of Prosecution evidence can be dismissed
in a few words members of the jury because the simple fact is the police
force has been, and probably still is now, more interested and worried
about police officers on duty going into public houses than it is about
H much else. And if you notice it, everytime the words "purchased refreshment

A for informant" are mentioned/written down it is always to cover the
fact that I as a police officer was entering a public house. And I was
B regarding that fact, and I think that it has been said by some of the
witnesses who have been Before this Court, it is not an uncommon fact
to spend the whole of your working day meeting informants in various
places. I think I told you once that police officers are trained to
regard everybody as a potential informant. If you go to a house breaking
C you probably make some enquiries in the street and there's always the
little old woman who spends most of her time looking through net curtains
of her front window, and you would look for someone like that and go and see her
And she is a potential informant. Now you wouldn't put down in your book
everytime you go to meet an informant because police officers were in the
habit of keeping their informants very much to themselves for the protection
of the informant. That is just one point members of the jury but I do have
a lot more to tell you of course and I propose to go through the whole
business as from Monday morning.

D I did promise His Honour I would outline my defence, but one thing I am
grateful to the Prosecutor for is he has just about outlined it for me.
And he's attempted of course to nullify, what was the point of doing that.

Your Honour I suggest that I start properly on Monday, there is nothing
much more I want to say now.

E HIS HON. JUDGE STROYAN: Well I'm not in a position, and I don't wish to
try and force anything but it did seem to me if you did have any particular
points you wanted to make in your defence that might be to your advantage
that the jury should reflect on them during the adjournment rather than
F having to deal with them only at the very end.

MR. SYMONDS: Your Honour in connection with the tape recordings for
example?

G HIS HON. JUDGE STROYAN: Yes.

H MR. SYMONDS: The Prosecution ask that the Jury should accept a lot of
extracts of speech from the tape recordings and they offer very little
to say that the ... to prove or to say that the tape recordings haven't
been interfered with. And for example, I propose to go through the
evidence of the experts very briefly to once again remind the jury of

very doubtful things that have come up about these tape recordings.

A

HIS HON. JUDGE STROYAN: Very well, that's one of your points.

MR. SYMONDS: The Prosecution have put one or two extracts from the questionnaire - I propose to go through that and point out some further parts of the questionnaire, Your Honour.

B

HIS HON. JUDGE STROYAN: Do you mean the questions you were asked by Detective Chief Inspector Price?

MR. SYMONDS: Yes. What I've noted down to do is I'll go through my defence in some sort of chronological order following on from the Prosecutions speech.

C

HIS HON. JUDGE STROYAN: Yes.

D

MR. SYMONDS: And it would mean now starting more or less on the first parts of it which I would rather start on Monday.

HIS HON. JUDGE STROYAN: Yes. I don't want you to feel under any pressure, but are there any general observations you would like to make this evening so we can bear them in mind during the adjournment?

E

MR. SYMONDS: I really don't think so Your Honour. I think I would rather start on Monday morning and I think that I might take much of the day going through the speech I have in mind.

F

HIS HON. JUDGE STROYAN: Well we'll see. You use the adjournment to get your address into the order that you think best and you may find that you can put your points distinctly and not in a rambling way - and it would be easier for the jury to understand than if you go on for too long. Do you see.

G

MR. SYMONDS: Very good, Your Honour.

H

HIS HON. JUDGE STROYAN: Very well. Members of the jury this will be not the last but very nearly the last adjournment of this case. Would you please be particularly careful now having reached this stage not to discuss this matter with anybody during the adjournment and not to let

anybody discuss it with you.

Mr. Symonds I understand your solicitor wants to see you in person tomorrow. If it is necessary for me to give you a direction about that I will certainly do so.

MR. SYMONDS: It may assist because sometimes solicitors are obliged to book days in advance if a number of solicitors are requiring the accommodation.

HIS HON. JUDGE STROYAN: I don't know about that but what I will do is to say that so far as it is consistent with the Prison rules you may have access to your solicitor at such times as are convenient tomorrow.

MR. SYMONDS: Thank you, Your Honour.

I certify that I took the shorthand notes in the case of R. .v. Symonds on the late afternoon of 9th April, 1981 and the pages numbered 35 - 38 is a complete, true and accurate transcript of the said shorthand notes according to the best of my skill and ability.

A. Dixon
A. Dixon

18th Oct. 1984