

<p>1 Thursday, 4 April 2019</p> <p>2 (10.00 am)</p> <p>3 Discussion (in the absence of the jury)</p> <p>4 (In the presence of the jury)</p> <p>5 (10.04 am)</p> <p>6 SUMMING UP (continued)</p> <p>7 THE CORONER: Good morning, members of the jury.</p> <p>8 Just a couple of points to add in to what I was</p> <p>9 saying yesterday.</p> <p>10 The numbers at the Tavern in the Town were estimated</p> <p>11 as being 200. Two-thirds full. That was in the</p> <p>12 Brannigan report.</p> <p>13 And one of the timings that I left out for the</p> <p>14 explosion at the Tavern in the public services timings</p> <p>15 was 8.20, on the Crime Reports. So for each person who</p> <p>16 died following the explosion at the Tavern, the</p> <p>17 Crime Report setting out the offence of murder was</p> <p>18 at 8.20.</p> <p>19 We looked yesterday, in the afternoon, at timings</p> <p>20 and about the warning call. And you have two questions</p> <p>21 about the warning call: question 4, where I directed you</p> <p>22 to say 'yes' to all the five subquestions. And</p> <p>23 question 6, as to whether the warning call was adequate,</p> <p>24 that is a matter for you, but you will obviously</p> <p>25 consider that there was no mention of either of the pubs</p> <p style="text-align: center;">Page 1</p>	<p>1 police station should do.</p> <p>2 Then he said, "I would have got in touch with the</p> <p>3 senior officer at a high level". And he said that</p> <p>4 Police Constable Phillips seems to have done the right</p> <p>5 thing in consulting with Inspector Evans and then</p> <p>6 contacting Digbeth Police Station.</p> <p>7 But he was not there himself on the night. He had</p> <p>8 gone home, having finished his shift. Nothing</p> <p>9 remarkable had happened in Central Birmingham that day,</p> <p>10 he said. He had no information that bombs were going to</p> <p>11 go off or that suspected bombers were being followed or</p> <p>12 that there was surveillance activity.</p> <p>13 He did add that the recordings of calls were kept,</p> <p>14 but only for 30 days, and then they were wiped clean</p> <p>15 and, presumably, used again, unless they were important,</p> <p>16 he said, "but I would not expect them to be kept for</p> <p>17 44 years".</p> <p>18 He didn't recall any specific procedure for training</p> <p>19 in relation to bombs or bomb threats. He would have</p> <p>20 thought it was of the utmost importance to have specific</p> <p>21 policies about the bomb warnings. He had no knowledge</p> <p>22 of coded warning calls, and nobody had told him to be</p> <p>23 aware of coded warnings or particular codewords,</p> <p>24 although he did add that several days after the bombings</p> <p>25 he heard a colleague refer to "Double X", or at least</p> <p style="text-align: center;">Page 3</p>
<p>1 in the warning call, and no timing about it either.</p> <p>2 We were looking at the police evidence and the</p> <p>3 police response to the original warning call as relayed</p> <p>4 by Mr Cropper to Police Central Control Room. I think</p> <p>5 in that context we heard some evidence from an</p> <p>6 Inspector, Inspector Francis Fleet, who was the</p> <p>7 inspector in charge of the Central Control Room in</p> <p>8 Newton Street.</p> <p>9 Although he was not there on the night, he was in</p> <p>10 charge with a supervisory role, and he produced the</p> <p>11 photograph showing people sitting at their desks with</p> <p>12 computers in front of them and so on.</p> <p>13 He said that while a call is coming through the</p> <p>14 police officer receiving the call can create a log on</p> <p>15 the VDU and then direct the log to one or more</p> <p>16 subdivision police stations. There is no evidence,</p> <p>17 I think, that Steelhouse Lane was contacted at</p> <p>18 that time.</p> <p>19 If he was not sure what to do, Inspector Fleet said</p> <p>20 that that officer receiving the call could consult the</p> <p>21 sergeant or the inspector. And as far as</p> <p>22 Inspector Fleet was concerned he would have expected</p> <p>23 first a VDU message to be sent to a local police station</p> <p>24 and that that local police station would decide what to</p> <p>25 do. The control room did not dictate what the local</p> <p style="text-align: center;">Page 2</p>	<p>1 some coded warning.</p> <p>2 So that is really completing the messages section.</p> <p>3 So what happened next? They have had the messages.</p> <p>4 What was the police action?</p> <p>5 I will just summarise that first and then look in</p> <p>6 a little more detail at each individual police officer,</p> <p>7 because they were asked a number of questions about</p> <p>8 training and coded warnings and so on, so I think you</p> <p>9 need to be reminded of that evidence.</p> <p>10 But just summarising quite shortly: you have</p> <p>11 Police Constable Derek Bradbury and Woman</p> <p>12 Police Constable Adams in a car, a police car, up by</p> <p>13 Moor Street, and they get a message over the radio, they</p> <p>14 both say, at about 8.15, from the Digbeth controller, to</p> <p>15 go to the Rotunda where a bomb has been planted.</p> <p>16 Nothing about the Mulberry Bush, the Tavern in the</p> <p>17 Town, King Edward House or the Tax Office. I think both</p> <p>18 Police Constable Bradbury and Woman Police Constable</p> <p>19 Adams, who both gave evidence, said that, for them, the</p> <p>20 Rotunda meant the round building, the office block, and</p> <p>21 not the pub.</p> <p>22 So you have the two of them in a car, heading for</p> <p>23 the Rotunda. Then you have two sergeants on foot:</p> <p>24 Police Sergeant Pedersen with Police Sergeant Yates. We</p> <p>25 have no statement or anything from Police Sergeant</p> <p style="text-align: center;">Page 4</p>

1 Yates, so that is a bit of a blank. But Police Sergeant
 2 Pedersen gave evidence.
 3 He said he was on foot patrol with Sergeant Yates.
 4 That is Sergeant Yates not Police Constable Yates. And
 5 he heard the Alpha 2 controller direct unit beat cars to
 6 the Rotunda building where it was alleged that a bomb
 7 had been planted.
 8 So they are going on foot, the two sergeants, and
 9 there are two police officers in a car, and they meet up
 10 with a third police officer, Police Constable Yates,
 11 outside Joan Barrie Fashions, which is very close to the
 12 Rotunda entrance.
 13 So you then have five officers inside the Rotunda:
 14 two sergeants and the three police constables. I will
 15 come back to what they say about what happened, but
 16 there is a direction by one of the sergeants to search,
 17 to get in the lift. And then the explosion at the
 18 Rotunda base, namely the Mulberry Bush, takes place.
 19 So you then have three officers who turn right out
 20 of the Rotunda in the direction of the Mulberry Bush.
 21 That is Sergeant Pedersen, Police Constable Bradbury,
 22 and Woman Police Constable Adams. Bradbury and Adams,
 23 before they get to the Mulberry Bush, evacuate the
 24 mini restaurant, which is close by. You have seen
 25 photographs of where it is. They do that first, and

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1 then they go to the Mulberry Bush.
 2 So three go in that direction. We don't know about
 3 Sergeant Yates; we don't know where he went. But
 4 Police Constable Yates went left, the other way. He
 5 said in his statement of late 1974 that he had met up
 6 with Bradbury and Adams outside Joan Barrie Fashions,
 7 gone to the Rotunda, where he met the two sergeants, and
 8 after the explosion he exited the Rotunda and
 9 turned left.
 10 He didn't say why he turned left, but that's what he
 11 did. He saw the damaged bus and gave instructions to
 12 the bus. He goes round the corner into New Street. He
 13 sees people rushing from the Odeon, and gave
 14 instructions for them to cross the road to the right.
 15 And as he went along the left-hand side of the road
 16 he was approximately two feet away from the Tavern in
 17 the Town -- two feet, he said -- when the bomb went off,
 18 throwing him bodily into the bus shelter.
 19 He was followed by another officer, not one of the
 20 ones I have mentioned but Inspector Baden Skitt, who is
 21 now deceased. His statement was read. He was the duty
 22 officer in charge that night at Digbeth, and he made his
 23 way to the Rotunda on foot as a result of receiving
 24 a message -- it is unspecified what that message was in
 25 his statement -- at about 8.14. His statement says:

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1 "As a result of a radio message, I made my way
 2 towards the Rotunda building in New Street. As
 3 I reached the Bullring open market [down below] I heard
 4 the sound of a loud explosion from the direction of the
 5 Rotunda. I immediately ran up a nearby escalator into
 6 New Street. And as I arrived at the foot of the
 7 Rotunda, I saw Police Constable Yates in front of me
 8 running towards the Odeon Cinema. In view of the radio
 9 message I had originally received, I ran after
 10 Police Constable Yates in the direction of the
 11 Tax Office."
 12 Now, those words are not entirely clear, and counsel
 13 would have liked to have asked questions about them.
 14 There may be an inconsistency, in that he was saying
 15 that as a result of a radio message he was making his
 16 way towards the Rotunda at first, and then later,
 17 he says:
 18 "In view of the radio message I had originally
 19 received, I ran after Police Constable Yates in the
 20 direction of the Tax Office."
 21 So that may be contradictory. We don't know what he
 22 would have said about it. Why go towards the Rotunda if
 23 the message was to go to the Tax Office, for example?
 24 In his evidence at the Birmingham Six trial in June
 25 1975 he said that as a result of a message over the

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1 radio he went towards the Rotunda, and heard an
 2 explosion coming from that direction, but said that as
 3 a result of a message passed to him he was heading for
 4 the Tax Office in New Street.
 5 He said:
 6 "It is not presently a tax office but it is commonly
 7 known as the Tax Office, part of the same building as
 8 the Tavern in the Town."
 9 The Brannigan report actually says it was a tax
 10 office at the time.
 11 So five in the Rotunda. Three go one way. One goes
 12 the other way. Police Constable Yates is blown into the
 13 bus shelter. And Inspector Skitt is about 50 feet
 14 behind him.
 15 Police Constable Hazlewood, the headlights man, was
 16 just finishing processing a prisoner at Digbeth when he
 17 heard over the radio that there was a bomb threat at the
 18 Rotunda. He said he spoke to the controller in person
 19 and was sent to the Rotunda, and he went there by car.
 20 He heard the explosion on the way. When he arrived he
 21 saw Police Constable Bradbury, Woman Police Constable
 22 Adams and Sergeant Pedersen arriving on foot. So those
 23 three are arriving on foot at the Mulberry Bush, with
 24 Police Constable Hazlewood close behind.
 25 PC Pete Chandler, who gave evidence, was on foot

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<p>1 patrol on his own. While at the corner of the Bullring 2 and St Martin's Circus, he heard an explosion. He 3 couldn't recall any messages, but he heard an explosion. 4 "I have a feeling it was 8.15", he said. And he ran 5 towards where he thought the explosion was. So he's the 6 fifth officer heading for the Mulberry Bush. 7 Police Constable Adrian Howles also gave evidence. 8 I will call him the "gun man", because he was directed 9 to a bench, where he picked up a gun. And he said he 10 gave it to Inspector Richards, who said he never 11 received a gun, but there we are. 12 So he was attending some other call, dealing with 13 a vehicle which was an obstruction, when he heard a call 14 on the radio about a bomb threat at the Rotunda. He 15 called in to Control at Digbeth and asked if he should 16 attend, but was told to continue with his duties. And 17 when he heard an explosion, he drove, off his own bat, 18 to the Rotunda. He said it took him three to four 19 minutes to get there. 20 Detective Constable -- so stepping outside the 21 uniformed branch for a moment -- Detective Constable 22 Plimmer. He said he went to the Yates Wine Bar and then 23 to the Tavern on foot. I will come back to him 24 a little later. 25 And also we had the statement of Inspector John</p> <p style="text-align: center;">Page 9</p>	<p>1 separately: Police Constable Chandler on foot and 2 Police Constable Hazlewood in a car. 3 So what you make of all of this evidence, members of 4 the jury, is entirely a matter for you. I have just 5 summarised this part of the evidence in a neutral way 6 before we move on, because it is not entirely easy to 7 follow without being put together a little bit and being 8 placed in sequence so far as possible. 9 In considering this evidence, and for the purposes 10 of answering question 7, "The police response to the 11 warning call", you will consider: 12 What was passed on from the Cropper call. 13 What message or messages were given and to whom. 14 The contents of those messages. 15 The timings of them, if known. 16 Where police officers were directed by Digbeth 17 control to go to. And did that include King Edward 18 House or the Tax Office? 19 Whether police officers were told of the codeword 20 and, if not, whether it would have made any difference 21 to those officers on the ground. 22 The movements of police officers who went to 23 the scene. 24 The timing of their arrivals. 25 What actions they could have reasonably been</p> <p style="text-align: center;">Page 11</p>
<p>1 Tonkinson, who at sometime after 8 o'clock, unspecified, 2 received a telephone call from Digbeth that an anonymous 3 coded call had been received to the effect that a bomb 4 had been placed in the Tax Office. That's his statement 5 in 1992. And he said the Tax Office was situated in 6 Union Street. Officers had been sent to the premises 7 but, as yet, nothing had happened. 8 Well, it is not Union Street. There was 9 a Tax Office there, but we are obviously concerned with 10 New Street. 11 So just using that as an introduction, some nine or 12 more police officers go to the Mulberry Bush and the 13 Tavern in the Town shortly after the explosions. No 14 doubt others followed, including, for example, Detective 15 Superintendent Cyril Cooney, who went with very senior 16 officers, including Chief Superintendent Brannigan. 17 So if that is a correct summary, Police Constable 18 Yates and Inspector Skitt would have been at or outside 19 the Tavern at the time of or shortly after the explosion 20 there, and must have been there quite quickly, if not 21 immediately. 22 And at the Mulberry Bush, a little earlier, there 23 were five officers certainly who were there quite 24 quickly: Police Constable Bradbury, Woman Police 25 Constable Adams, Sergeant Pedersen, and two who arrived</p> <p style="text-align: center;">Page 10</p>	<p>1 expected to take in November 1974, not with hindsight. 2 Whether they could or should, on the information 3 available to them, have taken different action, such as 4 evacuation before search or the use of cordons or other 5 form of crowd control outside the Rotunda. And if so, 6 whether there was time to do so. 7 And indeed anything else you consider important in 8 this context. 9 You will look at the bullet points to question 7 in 10 the questionnaire. 11 The police resources available are important for you 12 to consider too. You can make findings of fact if you 13 wish to, but not if you don't, as to whether or not 14 there were sufficient officers available to attend both 15 pubs on the night. 16 But you cannot, of course, and you must not, make 17 any findings about the sufficiency of police officers to 18 police Birmingham City or Birmingham City Centre, 19 because we have not heard evidence about that, including 20 how many officers would be needed as a minimum to do 21 policing in Birmingham City Centre. Do not become 22 police experts on how Birmingham City Centre should be 23 policed. That is not your job. 24 Do not make a criticism in the explanation box -- if 25 you want to say anything -- about the allocation of</p> <p style="text-align: center;">Page 12</p>

1 police resources. But you may make a neutral finding of
 2 fact as to whether there were enough police officers to
 3 respond to the Cropper warning call, or you may not.
 4 These are all decisions for you.

5 Looking just a little more closely at what each
 6 officer said. Police Constable Derek Bradbury was first
 7 to give evidence, quite a long time ago now. He was in
 8 the witness box for a long time because he was the first
 9 police officer and so he was asked a lot of questions
 10 about the whole range of topics.

11 So just to take what I believe is important and
 12 relevant, although it is up to you to decide what is
 13 important. He was then a police officer in his mid 20s,
 14 based at Digbeth. On the night, he was on the 2.00 to
 15 10.00 shift in a police panda car with
 16 Woman Police Constable Adams.

17 He got a call on his radio. He said it was, very
 18 loosely, around 8.15. But his estimate of time in his
 19 first statement he made that night he thought was
 20 probably better, at about 8.15, it said.

21 So he was up near Moor Street Station. He got
 22 a message from the controller at Digbeth to go to the
 23 Rotunda where a bomb had been planted. Nothing about
 24 the Mulberry Bush and nothing about the Tax Office or
 25 the Tavern.

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1 He was not told that a coded warning had been given.
 2 But he said it wouldn't have made any difference. "If
 3 you are told to go, you go". He had been told to go to
 4 the Rotunda. And to him, that meant the office block
 5 not the pub. The office block was where the previous
 6 bomb had been.

7 He agreed that the warning of a bomb in the Rotunda
 8 was of no practical use to him. "If they had wanted us
 9 to find it in the Mulberry Bush [they, the IRA], they
 10 would have said so", he said.

11 So he was sent to the Rotunda and not the
 12 Mulberry Bush.

13 He said, "We were going to search the Rotunda". The
 14 Rotunda had not been evacuated. He agreed with
 15 Mr Johnson, counsel, that no advance warnings of bombs
 16 in either pub had been given, or indeed that there was
 17 any specific information that there were to be bombs in
 18 Birmingham City Centre.

19 He got to St Martin's Circus in New Street in about
 20 a minute, without delay, as quickly as possible.
 21 Traffic was light. There was no need for blue lights.
 22 And in his statement he said time of arrival was at
 23 about 8.20. He said that that was an approximate time.
 24 But later he said:
 25 "I don't disagree with the time in the Brannigan

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1 report, of my being at the scene at 8.16. It took us
 2 seconds to get in. There was no delay. We met up with
 3 Police Constable Yates outside Joan Barrie's, and the
 4 three of us walked to the Rotunda. Police Constable
 5 Yates didn't say anything about New Street or King
 6 Edward House. We walked in. There were a couple of
 7 cleaners. Maybe their husband were upstairs working,
 8 I don't know. I don't remember any security staff."

9 Sergeants Pedersen and Yates were in the foyer, and
 10 they told the three officers to get in the lift -- "the
 11 three of us", to get in the lift, the three
 12 Police Constables -- they do the work -- to get in the
 13 lift and check the floors from the top, which he was
 14 a bit miffed about because he had to go all the way up
 15 and come all the way down again. Check the even floors.
 16 That would mean the public spaces, not the offices,
 17 which were locked.

18 He got in the lift with the other two. The lift
 19 doors were about to close when there was a huge thump.
 20 "We yanked the lift doors open and rushed back into
 21 the foyer. It was like a bag of flour. There was dust
 22 everywhere. We grabbed the ladies and dragged them out
 23 [the cleaners]. The explosion was five minutes or less
 24 from the time we had entered the building. I didn't
 25 know where the bomb was.

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1 "There was a bus outside, peppered with holes. And
 2 I thought the bomb must have gone off above us. I was
 3 worried the Rotunda might fall down. I had looked in
 4 the mini restaurant and decided to get the OAPs out,
 5 which took seconds."

6 So he and Woman Police Officer Adams got the
 7 mini restaurant evacuated quickly.

8 "Then we went round the corner, and I realised where
 9 it was. It was not very long before we got there.
 10 I got to the Mulberry Bush with Woman Police Constable
 11 Adams and one of the sergeants and Police Constable
 12 Hazlewood [headlights] came seconds later. I went in,
 13 and a young chap said 'I'll come with you, mate!'"

14 There were many who were very brave volunteers that
 15 night. "It was a scene of pure carnage", and he
 16 described in an interview he had with someone somewhere
 17 what he saw and what he did. I don't need to go into
 18 those details.

19 He couldn't remember any specific training on how to
 20 deal with bomb threats. If he had had any, he had
 21 forgotten. Same with standing orders: if there were
 22 any, he couldn't remember, and might not have taken much
 23 notice of them.

24 As far as he was concerned, when he got a call like
 25 this, the first thing he did was to go and look for the

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1 bomb. And if he found any suspicious package, he would
 2 get out, stop anyone from getting near, and radio to
 3 Control that there was a suspicious package so that the
 4 bomb disposal people would come and deal with it.
 5 So in effect, search first, and evacuate if
 6 something was found.
 7 He agreed that time was of the essence. But he was
 8 not told -- he was never told -- when the bomb was
 9 likely to go off. It was his job, as the front-line
 10 officer, to get on and find it, if there was one.
 11 "You had to make a judgment for every incident.
 12 There wasn't always a bomb, because there were loads of
 13 false calls, but I don't think we got blasé about it."
 14 He didn't think a perimeter cordon around the
 15 building was a good idea in practice. He had no stands
 16 or railings, so you would need police officers to stand
 17 as a cordon. And he didn't think much of Mr Morgan's
 18 suggestion of a police officer running up and down the
 19 street shouting, "It's a bomb!" And you wouldn't, if
 20 you hadn't found one, he said.
 21 "A perimeter is a brilliant idea if you can do it,
 22 but there was not enough of us. It was not remotely
 23 practicable."
 24 He also said it would not really have made much
 25 difference if there had been double the number of police

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1 officers. He agreed he was on a depleted shift.
 2 Normally there would have been roughly twice as many
 3 officers on duty.
 4 And I gave you that document about the resources and
 5 what he said was on it.
 6 But he said:
 7 "However many officers were there, the bomb was
 8 still going to go off. And there would not have been
 9 time to get people out of the building in the time we
 10 had, which wasn't much."
 11 His partner in the car, Margaret Adams, agreed about
 12 being half strength that night because of the Coventry
 13 events. She said:
 14 "I heard the call on Derek's radio, something like
 15 'Bomb scare at the Rotunda', or 'Bomb call at the
 16 Rotunda'. It was about 8.15. The call from the Post
 17 and Mail went to Digbeth, and Digbeth communicated with
 18 our car. Nothing was said about a coded warning or any
 19 pub. But we took all calls seriously. We worked on the
 20 assumption that the bomb was real until
 21 proven otherwise.
 22 "If you knew a codeword was given, which I didn't,
 23 I assume you would be more concerned. The Mulberry Bush
 24 was on our patch. I understood the reference to 'the
 25 Rotunda' to refer to the round building, the office

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1 block, and not the pub. I would have said that the pub
 2 was next door to the Rotunda, not part of it.
 3 "We went straight there as quickly as possible,
 4 arriving about 8.18."
 5 So a couple of minutes difference between her and
 6 Bradbury, who said about 8.20.
 7 "It was very quick. We were the first police car
 8 there. Our intention was to go and search and discover
 9 if a bomb was there, and if it was, for it to be dealt
 10 with by the bomb disposal people. We met
 11 Police Constable Yates outside Joan Barrie's shop and
 12 all rushed into the Rotunda, the reception.
 13 Sergeant Pedersen was there. We all went in together.
 14 "I received the order to check the even floors. We
 15 heard via Sergeant Pedersen that the security officers
 16 were going to check the odd ones. As far as I was
 17 concerned, the Rotunda was empty.
 18 "Derek and I went to the lift. As we got in,
 19 I heard the explosion. Over many years, the time of
 20 8.20 has stuck in my mind, for the explosion. It
 21 exploded within a couple of minutes of our arriving at
 22 the Rotunda."
 23 Bradbury said five minutes or less.
 24 "We had no time to evacuate the area, even if we had
 25 decided to. We had no time to find the bomb. We would

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1 not have had sufficient time, even if we had had more
 2 officers there. After the bomb, we all went outside
 3 very quickly. I guided the women from the foyer across
 4 the road."
 5 I think Sergeant Pedersen had a slightly different
 6 recollection, that the women had left earlier on when
 7 the police officers had arrived.
 8 And Margaret Adams said:
 9 "Derek Bradbury, Pedersen and myself ran round to
 10 the Mulberry Bush. That took less than ten seconds."
 11 I think she also said that she had been involved
 12 very briefly with the evacuation of the mini restaurant.
 13 She said:
 14 "The front of the Mulberry Bush was like a building
 15 site. A lot of people walking around dazed, others
 16 rushing out. It was chaotic.
 17 I helped people with injuries to a point by a high
 18 wall, where the ambulances would come, and I helped them
 19 into taxis and ambulances. Derek went inside the
 20 Mulberry Bush, and he was repeatedly in and out.
 21 "There had been no discussion before the bomb about
 22 evacuation. I had not been trained on bomb threats or
 23 building evacuation, although I assume that there would
 24 have been such training.
 25 "This was my first bomb threat incident. The

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<p>1 atmosphere in Birmingham was very tense because of the 2 Coventry events. It was not unexpected that there 3 a might be a bomb attack, although I don't recall any 4 specific briefing about it at the start of the shift. 5 I did not know there was a coded warning. I would not 6 have expected to be told." 7 Police Constable Brian Yates. His statement was 8 read. It was a statement from late 1974. So he was the 9 third of the trio of police officers who went to 10 the Rotunda. 11 He said in his statement that he received a call 12 from Digbeth Control where the call had been received to 13 the effect that a bomb had been placed in the Rotunda 14 building. He met the other two officers outside 15 Joan Barrie Fashions. They went to the Rotunda, and had 16 just got into the lift to search the even-numbered 17 floors when the bomb went off. He did not know where. 18 He ran out into the street with the others, and 19 turned left. The others turned right. He saw the 20 damaged bus in New Street, told people to stay on the 21 bus, and the bus to move over to the right of 22 New Street, round the corner in New Street. 23 People rushed out of the Odeon, and he cleared 24 people to the other side of the road. 25 "As I got to about two feet from the doorway of the</p> <p style="text-align: center;">Page 21</p>	<p>1 "As I was approaching the escalator leading into 2 New Street in front of the entrance to the Rotunda, 3 I radioed the Alpha 2 controller and informed him that 4 Sergeant Yates and I were at the scene and 5 investigating. 6 "Sergeant Yates and I entered the reception area of 7 the Rotunda and there saw two private security guards, 8 two female and one male cleaner. I explained to the 9 security guards why we were there, and then radioed 10 Alpha 2 Control to establish where the call had come 11 from and if there was any definite location given. 12 "I was informed via the radio that the location had 13 been given as the Rotunda and that the call had been 14 received at the offices of the Birmingham Post and Mail. 15 "The two security guards stated that nothing could 16 have been placed in the upper floors of the building as 17 they had been on duty and that there were no other 18 persons left in the building. But they decided [they, 19 the security guards] that a search should be 20 carried out. 21 "They then switched on two of the lifts and it was 22 decided that they would go to the 19th floor and would 23 search all the odd-numbered floors and we would search 24 the even-numbered floors. As the two security guards 25 left the reception area in the lift, Sergeant Yates and</p> <p style="text-align: center;">Page 23</p>
<p>1 Tavern, the second bomb went off in the Tavern." 2 He was caught in the blast and thrown into 3 a bus shelter. 4 Nevertheless, he went into the Tavern, and he saw 5 what he described as the "dreadful devastation, utter 6 carnage". There were no words, he said, in the English 7 language to describe it. 8 He must have been inside the Tavern very quickly. 9 Possibly the first officer there. He organised 10 civilians to get the doorway clear and to get the 11 walking wounded out. 12 Sergeant Pedersen, William Pedersen, gave evidence. 13 He had a yellow daffodil in his buttonhole, which 14 I think was for the Marie Curie charity. I don't think 15 it was a real daffodil. So he takes us up a rank 16 to sergeant. 17 Part of his statement was read, as well as his 18 giving evidence. And this was 13 December 1974, his 19 statement. He said: 20 "At 8.14 pm on Thursday 21 November 1974, I was on 21 foot patrol in company with Police Sergeant Yates in 22 Nelson Subway, the City, when I heard the Alpha 2 23 controller direct unit beat cars M11 and M12 to the 24 Rotunda building where it was alleged that a bomb had 25 been planted.</p> <p style="text-align: center;">Page 22</p>	<p>1 I were joined by Police Constable Bradbury, 2 Police Constable Yates and Woman Police Constable Adams. 3 "Sergeant Yates then directed them to assist in the 4 search of the building by searching the even-numbered 5 floors. As they entered the lift I heard the sound of 6 an explosion and felt the shock of it through the 7 building. I immediately informed Alpha 2 Control by 8 radio that an explosion had occurred and asked for 9 assistance to be sent. 10 "This was at 8.16 pm." 11 In evidence, Sergeant Pedersen said that that 12 account which he gave in that statement in December 1974 13 was likely to be accurate and that he would have taken 14 his times from the computer logs and Sergeant Wilson's 15 handwritten log. He said he was the first police 16 officer on the scene at the Mulberry Bush, "which was 17 like a bomb site, with the front blown out. 18 Devastation." 19 Later, at 8.45, he was directed to the Tavern by 20 a passerby. He went there, and officers from 21 Steelhouse Lane were there. He said that the double 22 doors of King Edward House would have been locked, and 23 if they had got a warning about King Edward House, which 24 they didn't, they would have had to have called the 25 caretaker to come down and the police would have to make</p> <p style="text-align: center;">Page 24</p>

1 inquiries in the area.
 2 He went back from the Tavern to the Mulberry Bush.
 3 He said the fire services were very quickly on
 4 the scene.
 5 He, too, could recall no specific training on this
 6 kind of incident. He did say, however, that it would
 7 have made a difference to him, as a senior officer
 8 giving orders and directions, if he had known, first,
 9 that the initial warning call had the IRA code in it,
 10 and second that the code given was the same code as
 11 given for a previous actual bomb at the Rotunda.
 12 "If I had known that there had been a codeword in
 13 the warning, I would have made sure the Rotunda was
 14 clear and then evacuated everything nearby, including
 15 the mini restaurant and the Mulberry Bush, if we had
 16 enough time."
 17 He also said at one point:
 18 "If I had known there was a coded warning, we would
 19 have cleared out of the building straight away and then
 20 commenced to clear the surrounding area."
 21 But he did not know that there was a coded warning.
 22 Nobody had told him. And the secure officers at the
 23 Rotunda did not know either."
 24 He had the power, he considered, that if he wanted
 25 to he could say loudly "Everyone out!" in any premises.

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1 I think you asked that question.
 2 Otherwise there would be no hard-and-fast rule
 3 whether to search or to evacuate first. "A lot was
 4 on instinct", he said. The decision to evacuate was the
 5 decision of the owner/manager of the building.
 6 "If I had known of the code, I would have evacuated
 7 first, both the Mulberry Bush and the Tavern in
 8 the Town."
 9 His timings, he said, were taken from the logs. The
 10 call to him and Sergeant Yates was at 8.14. At 8.15,
 11 call received, he went immediately to the Rotunda. He
 12 was there in less than a minute. From the information
 13 provided to him by the security officers, he did
 14 actually think it was a hoax call.
 15 So 8.14 to 8.15, he said, he was at the Rotunda. He
 16 didn't hear any alarms going off anywhere.
 17 8.16, the bomb detonated in the Mulberry Bush.
 18 "We were in the Rotunda less than two minutes before
 19 the bomb went off. I made the radio call
 20 straight away."
 21 8.17, he radioed in the location of the bomb, which
 22 by then he had found, to Digbeth Control: "It's the
 23 Mulberry Bush".
 24 On that timing, he said, there was not remotely
 25 sufficient time to evacuate the mini restaurant before

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1 the bomb.
 2 Police Constable Pete Chandler was 24 in 1974. He
 3 was on the night-shift from 10 o'clock onwards, but was
 4 brought in early to start at 6.00 in the evening because
 5 of what was going on in Coventry.
 6 He thought that Police Constable Neil Morris was
 7 also brought in early, and that there were others, but
 8 not many, who were also brought in early and were
 9 therefore available. And he said they were not on
 10 Brannigan's list, which we looked at.
 11 He was disappointed not to go to Coventry, where
 12 I suppose all the action was likely to be, it
 13 was thought.
 14 The controller told him to "work short", and by that
 15 he meant the south side of New Street and the streets
 16 surrounding. So when the first bomb exploded he was not
 17 far away, in the lower ground open market area. He
 18 didn't receive any radio message. When he heard the
 19 explosion he didn't actually think it was a bomb.
 20 "I ran round and came out by the Mulberry Bush.
 21 I was there in one or one and a half minutes. And I saw
 22 a load of smoke, glass, bits of building, wood
 23 and rubble."
 24 "I was frightened, to be honest", he said.
 25 He was almost certain he didn't receive a particular

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1 briefing about bomb threats that night. They always had
 2 a briefing when they went on parade, before they started
 3 their shift. Although briefings before had referred to
 4 bombs and bomb alerts, "but we always responded to every
 5 call, even if it was thought to be a hoax. We weren't
 6 lackadaisical about this."
 7 Inspector Baden Skitt was the duty officer in charge
 8 of Digbeth Police Station that night. His statement
 9 was read.
 10 At about 8.14, as a result of a radio message -- and
 11 as I said earlier, we don't know what the detail of that
 12 message was -- he made his way towards the Rotunda.
 13 "As I reached the Bullring open market I heard the
 14 sound of a large explosion coming from the direction of
 15 the Rotunda. As I ran up the escalator to the foot of
 16 the Rotunda, I saw Police Constable Yates in front of me
 17 running towards the Odeon."
 18 And he says in his statement, which was in
 19 late 1974:
 20 "In view of the radio message I had originally
 21 received, I ran after Police Constable Yates in the
 22 direction of the Tax Office."
 23 Well, I have referred to the slight contradiction or
 24 inconsistency as to what he was saying in his statement
 25 about messages.

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1 He said the Tavern in the Town explosion -- you
 2 remember he was following Police Constable Yates:
 3 "The Tavern in the Town explosion happened when
 4 I was about 50 feet away. The windows of the premises
 5 adjoining the Tavern blew outwards, and Police Constable
 6 Yates was blown into a bus shelter."
 7 He then followed Police Constable Yates into the
 8 Tavern. And he, too, described the terrible scene.
 9 Another inspector at Digbeth, Inspector Roderick
 10 Richards, whose statement was read. His first statement
 11 was from late 1974. He heard the sound of an explosion
 12 at about 8.15 while he was on duty at Digbeth Police
 13 Station, and he immediately set off on foot, but was
 14 picked up by Police Constable Crozier in a patrol car.
 15 We have not heard anything from
 16 Police Constable Crozier.
 17 They went to St Martin's Circus. He saw the damage
 18 at the Mulberry Bush, including debris which had carried
 19 across the service road.
 20 "And partially hidden by debris I saw the body of
 21 a West Indian youth aged about 16 years."
 22 Either Neil 'Tommy' Marsh or Paul Davies.
 23 "His hands were in his pockets. He was dead. We
 24 believed he had been passing by."
 25 At about 8.25 pm he learned of the second explosion

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1 and made his way to the Tavern. He found that
 2 ambulances and fire brigade units were already in
 3 attendance. He could see the big hole in the floor of
 4 the hallway to King Edward House, but firemen were
 5 working by torchlight.
 6 "Inspector Skitt was in charge, and I advised him of
 7 the explosion at the Mulberry Bush."
 8 Inspector Richards was not aware at the time or
 9 after of there being any bomb warning. Chief
 10 Superintendent Brannigan was also there, and
 11 Inspector Richards said that Inspector Skitt asked if
 12 there had been any warning. This was about 1.00 am.
 13 And Chief Superintendent Brannigan said "No".
 14 Police Constable Rodney Hazlewood, who was 22 at the
 15 time, the man with the headlights. It is a matter for
 16 you, but he seemed to have quite a good recollection of
 17 detail about some things. I will deal with the training
 18 and guidance which he talks about, separately.
 19 On the day, he was at the police station, with
 20 depleted numbers, six or seven police officers compared
 21 to 16 or more on a normal Thursday night,
 22 police constables.
 23 He was just finishing dealing with a prisoner when
 24 he was told by the controller to go to the Rotunda and
 25 assist because of the low numbers of police officers,

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1 police constables, on duty at that time.
 2 He had heard it on the radio that a bomb threat had
 3 been received in relation to the Rotunda. He drove
 4 there in the police car, which he later used to light
 5 the scene with the headlights.
 6 His statement soon after said that while in the car
 7 he got a call that a bomb had gone off at the Rotunda,
 8 at about 8.25 pm, just a couple of minutes after being
 9 told to leave.
 10 He didn't recall anything about a coded warning. He
 11 recognised the significance of the code being used. It
 12 means a genuine call. He said he would expect to be
 13 informed if a codeword had been used, although not what
 14 the codeword was.
 15 "I would have certainly hoped so", he said.
 16 I think I asked him, "And would that have
 17 helped you?"
 18 And he said:
 19 "It would have directed you more appropriately as to
 20 your response.
 21 "In what way?"
 22 "Answer: Well, you may have reacted somewhat
 23 differently with regard to what you did, as I said, with
 24 regard to radio transmissions or whatever.
 25 "Question: Would that give you a heightened

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1 awareness?
 2 "Answer: Yes. You would be more aware, and if you
 3 were evacuating the premises you would also consider the
 4 distances that you would evacuate people to. For
 5 example, we moved the casualties from the Mulberry Bush
 6 behind a solid wall, away from the immediate scene, in
 7 a place of safety, clear of any further incident.
 8 "Whether a code was used or not, I would like to
 9 think I took everything seriously that I was dealing
 10 with. I would not assume that a call was a hoax."
 11 We know that he pulled up in Worcester Street, the
 12 access road, and as he pulled up he saw three police
 13 officers, Bradbury, Adam and Pedersen, run round towards
 14 the Mulberry Bush. He says they, those three and
 15 himself, were the first four officers at the scene, and
 16 pretty quickly, after the explosion.
 17 He entered the Mulberry Bush and saw severe
 18 devastation, which he described.
 19 He also described the location of the two who were
 20 found dead outside, Paul Davies and Neil 'Tommy' Marsh.
 21 You have seen the photographs.
 22 They had focused on searching inside the
 23 Mulberry Bush, but when that was completed they looked
 24 over a wider area outside and found the two young men,
 25 who were dead, about ten to 12 yards outside the

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1 Mulberry Bush.
 2 They were outside the premises, covered in rubble
 3 and timber, face down, side by side, with a gap between
 4 them. In his statement he said he thought that they
 5 were standing there or walking past. But in his
 6 evidence he was fairly certain that they had been
 7 standing still, with their backs to the Mulberry Bush,
 8 at the time of the blast.
 9 Another police officer, Detective Constable
 10 John Plimmer, who presumably was a detective and
 11 therefore not in uniform, a CID Detective Constable in
 12 1974 and aged 27 then. He later retired at the senior
 13 rank of Detective Superintendent.
 14 It is my comment, although it is a matter for you,
 15 that two aspects of his evidence were not entirely
 16 clear: whether there had been a bomb at the Army
 17 Recruiting Office on a previous occasion which was
 18 defused by robot or whether he was really referring to
 19 the Ladbrokes event, number 17 in the chronology, or
 20 whether he was mixing together from his memory -- for
 21 which there would be no criticism; it is a long time
 22 ago -- different incidents.
 23 And secondly, whether he was really the first police
 24 officer or emergency service person at the Tavern after
 25 the explosion, which he said he was, bearing in mind

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1 what we have heard about Police Constable Yates and
 2 Inspector Skitt, 50 feet behind.
 3 He said that every bomb call was treated seriously,
 4 although a recent statement of his seems to refer to
 5 bomb threats being treated "lightheartedly" before the
 6 pub bombings. He was walking back to Digbeth Police
 7 Station after a working visit to the Odeon to see
 8 someone, who turned out not to be there. He and his
 9 partner Detective Sergeant Daly heard both bombs go off,
 10 with "a few seconds or a minute or two, probably
 11 seconds", between them.
 12 He was walking away from the bombs as
 13 Police Constable Yates and Inspector Skitt were
 14 apparently running round to New Street when the Tavern
 15 bomb went off.
 16 So he went back, having heard the two explosions,
 17 went back to Digbeth Police Station, where a call from
 18 a member of the public had suggested that Yates Wine Bar
 19 was where the explosion had been, and that suspects had
 20 been seen on the roof. Of course, he's a detective, so
 21 he is investigating crime rather than dealing directly
 22 with emergency incidents.
 23 So that information from a member of the public was
 24 wrong on two counts: firstly, the bomb had not gone off
 25 at Yates Wine Lodge, and the two suspects on the roof

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1 turned out to be the licensee and his wife, who were in
 2 fear for their lives and trying to escape anything that
 3 might happen.
 4 On his way to Yates Wine Lodge, he had actually gone
 5 down New Street in his car with Sergeant Daly after the
 6 Tavern in the Town bomb had exploded, and saw nothing at
 7 all untoward as he passed by.
 8 He went to the wine bar, up on to the roof, down
 9 again, and then he went back to New Street towards the
 10 Tavern on foot. He saw a young police officer outside
 11 Radio Rentals, a shop -- I think it is in fact called
 12 something else, but it is that sort of shop -- who said
 13 he was posted there because the bomb had gone off there.
 14 DC Plimmer went into the Tavern. He was called down
 15 there by his partner Sergeant Daly.
 16 "The first thing I did was to shepherd the walking
 17 wounded out to the stairs."
 18 And so on.
 19 "Initially there were no ambulances so we relied on
 20 taxis, who were absolutely the heroes of the night. We
 21 just concentrated on those who were injured and alive.
 22 We didn't leave for one or two hours, until satisfied
 23 that we had got everyone out who was alive.
 24 "Then it started to get on top of us a wee bit."
 25 He knew Inspector Skitt, but didn't see him there.

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1 He said:
 2 "There was only me and Sergeant Daly there on our
 3 own for 20 to 30 minutes."
 4 Was he really the first police officer there? And
 5 for 20 or 30 minutes? It is a matter for you. You
 6 might like to consider his evidence in contradiction
 7 with that of Police Constable Yates and Inspector Skitt,
 8 and the distance that he was when he heard the
 9 explosions, going in the opposite direction, south, and
 10 then going back and along New Street to the wine lodge
 11 up to the top, and back again.
 12 That is a matter for you, members of the jury.
 13 He was a little contradictory about coded warnings.
 14 On the one hand he said that, if there was one,
 15 evacuation would be the natural consequence. On the
 16 other hand, he said, they weren't necessarily told about
 17 them in the lower ranks, which he was then.
 18 He did say -- I think in answer to Mr Thomas -- that
 19 if police constables on the beat knew that the warning
 20 came with a code, they would know the threat was
 21 genuine. He said senior officers could have told the
 22 controller: if there is a coded warning, tell the
 23 officers on the beat. But he said that was not the
 24 system, as he understood it, in place at the time.
 25 We heard one officer from Steelhouse Lane,

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<p>1 Police Constable Michael Juchnowicz. He went to his 2 station early because he saw news of the bombings on 3 ITV. And after a while he was deployed to 4 Union Passage, which is off New Street to the north, to 5 keep members of the public away. 6 He surmised that officers had been called out from 7 Steelhouse Lane to previous incidents at the Rotunda, or 8 at least one previous incident at the Rotunda, because 9 the demarcation either side of New Street -- 10 Steelhouse Lane, responsible to the north, Digbeth to 11 the south -- was sometimes thrown out of the window. 12 He said that Central Control could broadcast on both 13 channels, that of Digbeth and Steelhouse Lane, and he 14 would have expected that with a serious incident, 15 although he said, "That's not my job, not my 16 responsibility", if there was a coded warning, he said, 17 it would mean there was a strong possibility that the 18 warning was genuine. You would not take chances with 19 a coded warning bomb threat. 20 "I was not told later by any officers that they had 21 been aware in advance of a bomb threat at the Tavern." 22 Not at Digbeth, but head of the Bomb Squad in charge 23 of investigating all such incidents, was Detective 24 Superintendent Cyril Cooney, who in a statement said 25 that after the bombs exploded he went with two very</p> <p style="text-align: center;">Page 37</p>	<p>1 because this was not something which was highlighted in 2 statements either in 1974 or later. 3 But Police Constable Rodney Hazlewood, our 4 headlights man, who was a police constable in 1974 but 5 retired later as an inspector, could remember. He said 6 there was no formal course, no 'sit down in a classroom' 7 sort of training, but certain instructions were sent out 8 via Part 1 police orders which gave you various general 9 instructions what to do following a bomb threat call. 10 And officers would be briefed, before going on duty, 11 by the inspector or sergeant: 12 "You also had the opportunity to read the Part 1 13 orders, which would be kept in the station file, which 14 I did. 15 "The instructions included what to do when 16 approaching a bomb threat, such as turning your radio 17 off so as not to set off an explosion. There was 18 a general instruction about what action you needed to 19 take on arriving at the scene, including a need to 20 liaise with a manager or somebody in charge of the 21 premises in order to ascertain whether evacuation 22 was necessary ..." 23 And whether they had any issue with ejecting 24 customers, for example, particularly if it led to being 25 just a hoax.</p> <p style="text-align: center;">Page 39</p>
<p>1 senior officers to the scene. He was then told not to 2 return, because there had been a bomb threat to the 3 police building where he worked. Another strand of 4 chaos to that dreadful night. 5 So just in summary on coded warnings: one or two 6 officers on the ground said it would not have made 7 a difference whether they were told the warning came 8 with a code or not. So for example, Police Constable 9 Bradbury and Woman Police Constable Adams. But others 10 said it would have made a difference, particularly 11 Sergeant Pedersen, who said it would have made 12 a difference to his thinking and actions. 13 Police Constable Hazlewood recognised the 14 significance of a coded warning providing a heightened 15 awareness. And Detective Constable Plimmer said that 16 a coded warning would mean that the threat was genuine. 17 So just before we break, a little on policies, 18 protocols, standing orders and so on. You asked at 19 least two questions. And I kept saying, well, it is 20 going to come later. 21 The evidence was relatively limited. Some of the 22 police officers we heard from could not recall any 23 standing orders or guidance about bombs and bomb 24 threats. That meant either that there were none or, if 25 there were, they just couldn't remember 44 years on,</p> <p style="text-align: center;">Page 38</p>	<p>1 "That liaison would be the first officer on the 2 scene, a police constable like myself, or I would defer 3 to a Police Sergeant if present. Or a controller could 4 contact the premises and say, 'I am sending police 5 officers to this location because you have had a bomb 6 threat. Please liaise with them when they arrive'. 7 "There was no hard-and-fast rule about searching for 8 a bomb before evacuating or vice versa. It was very 9 much down to your interpretation of the circumstances, 10 the location involved and obviously the information that 11 had been given by the caller. 12 "The controller would have a list of key-holders and 13 premises in the files at the police station, with the 14 manager's details, like Mr Hughes and Mr Brown at 15 the Rotunda. 16 The laminated card. 17 He said: 18 "I can remember additional information was sent by 19 way of an aide-memoire during the IRA bombing campaign 20 in the West Midlands." 21 Although he was not clear whether it was before 22 21 November or after. 23 "A small five-inch-by-three-inch plasticised 24 instruction sheet detailing things. It was common 25 practice at that time for officers to be given a number</p> <p style="text-align: center;">Page 40</p>

<p>1 of key points on a number of different subjects, like 2 the police caution, 'You are not obliged to say anything 3 but anything that you do say may be taken down and used 4 in evidence.' 5 Which was the caution in use at the time but is no 6 longer the caution. 7 So he said you would have four or five of these on 8 a regular basis given to police constables like him on 9 parade by the inspector. 10 "We were obviously aware of previous incidents", he 11 said, "including previous calls to the Rotunda." 12 "And we would have been told about the recruiting 13 offices for the various armed forces, for example, 14 because they would have been considered to be military 15 targets. Our instructions depended upon what was 16 happening in the rest of the country and general 17 briefing about the nature of the targets." 18 He did not recall receiving any training on the 19 planting of bombs by the IRA in pubs in the city centre. 20 Detective Constable Plimmer, who I have just 21 referred to, said: 22 "There was no structured training, but quite a few 23 circulars about what to do when you go to deal with 24 a bomb threat. Circulars would be issued by senior 25 officers and were a frequent part of police orders.</p> <p style="text-align: center;">Page 41</p>	<p>1 can't really say. 2 The national policies, from what we saw, seemed to 3 suggest in the main that guidance was along the lines of 4 that responsibility usually lay with the 5 employer/occupier of the building. 6 The sequence would often be: search; if find 7 something suspicious, evacuate, wholly or partially. 8 Although in one document it recognised that the method 9 of searching depended on whether the decision to 10 evacuate had already been taken. To evacuate first, 11 then search. 12 The third point arising from these documents is: 13 take police advice. That is for the building people to 14 take police advice, recognising that the police are the 15 most likely to receive the first warning of a bomb 16 threat -- as here -- and would be responsible for taking 17 appropriate action, including warning the occupier and 18 giving suitable advice. 19 It is of note that guidance about receiving warning 20 calls, for example in the guidance to staff in the 21 Office of National Savings, included telling the 22 receiver of the call to ask: where precisely is the bomb 23 and when will it go off? Certainly questions which were 24 not answered in the warning call we had to Mr Cropper. 25 This advice also suggested that it was not a special</p> <p style="text-align: center;">Page 43</p>
<p>1 About four or five a year, two pages of A4, advice and 2 guidance. And he remembered the laminated card too. 3 He remembered a training course in Hereford, but 4 that was with the military, and how they could help the 5 military when they came to defuse bombs. 6 Police Constable Juchnowicz said there was 7 instruction about the training on bomb alerts: 8 "Turn your radio off. It depended on the premises. 9 Identify who was responsible for the premises. If 10 possible, search the premises for the device and at the 11 same time ascertain whether they, at the premises, had 12 an evacuation policy and whether they wanted to invoke 13 it. And if a suspicious device was found, clear 14 civilians away from the area as soon as possible." 15 He said, "If I had been sent to the Rotunda, I would 16 have expected to search and discuss evacuation 17 with them." 18 Policies, he said, were force-wide and not specific 19 to subdivision. Those attending incidents, however, had 20 a degree of autonomy at the scene in how they dealt 21 with it. 22 There were very few national or force policies 23 available. There clearly were some policies, because we 24 have seen some national policies, and one from the 25 West Midlands Police. Whether there were any others one</p> <p style="text-align: center;">Page 42</p>	<p>1 duty of the police to search buildings, but that was 2 government buildings. 3 It also said, "Do not imagine that the only course 4 of action following a bomb threat is to evacuate the 5 building", because there was some risk of evacuating 6 into an area where there was an unexploded bomb. 7 One piece of guidance to government department 8 buildings was dealing with the problem of whether the 9 bomb threat was genuine or a hoax. It suggested that 10 there was no hard-and-fast rule which could be laid down 11 to deal with the problem, or for such procedures, as 12 each message, situation and building will differ. 13 Another piece of guidance suggested that dealing 14 with bomb threats was exceedingly complex, suggesting, 15 I think, that the situations were very variable. 16 In a letter in October 1975 from the Home Office to 17 Chief Constables, there is with it a number of documents 18 including a West Midlands Police document, which is 19 undated but may be from an earlier time, possibly 1974. 20 And it, too, emphasised that the responsibility for 21 evacuation and/or search is the employer's. 22 Advance planning was recommended, with a plan for 23 searching and, if necessary, evacuation. There is no 24 reference in these documents, so far as I can recall, to 25 coded warnings, although obviously the heightened</p> <p style="text-align: center;">Page 44</p>

1 awareness from a coded warning would be/should be,
 2 a factor to be considered.
 3 Finally on the policies, Assistant Chief Constable
 4 Maurice Buck referred in a recorded discussion to the
 5 laminated card being issued. And it would seem from
 6 what he had said, in a rather chatty conversation, that
 7 it was issued sometime after January 1974. But we have
 8 no standing orders or Part 1 orders or any other
 9 instructions from the time.
 10 We will take a break, members of the jury, and then
 11 we will be on the final stretch.
 12 15 minutes, please.
 13 (11.17 am)
 14 (A short break)
 15 (11.33 am)
 16 THE CORONER: Members of the jury, just a short note on
 17 other services who attended, particularly the ambulance
 18 and fire services.
 19 From the Fire Service, Alan Morris gave evidence.
 20 He was a fireman at Ladywood, one of a number of fire
 21 stations serving Birmingham in 1974.
 22 He had had numerous bomb threats at his station, and
 23 the first thing to do was to evacuate the station, but
 24 he had had no training on bomb threats. He said you
 25 adapted to whatever situation. You worked alongside

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1 the police.
 2 "The main initial search would be by the police to
 3 find out what needed to be done, and we would rely on
 4 the police to let us know what the situation was, and
 5 the police would take primary responsibility. The bomb
 6 threat would go to the police first."
 7 I'm not quite sure about his timings, but he said he
 8 started an evening shift at 6 o'clock. He was called
 9 out just after 8.15, round about 8.17. He remembered
 10 the time because it was his first night driving -- or
 11 driving out, as opposed to driving back.
 12 "8.17 pm was the time that I saw written on the
 13 watch room attendance note, and it stuck in my head.
 14 The call which came from Fire Control said that alarm
 15 bells were ringing at the Rotunda. This was an
 16 automatic call from the Rotunda fire alarm system."
 17 But he then went on to say:
 18 "Later we found out that this was at Lloyds Bank."
 19 Although Sergeant Pedersen said that he was quite
 20 sure that no alarm was going on when he was there.
 21 So Mr Morris says:
 22 "The alarm was not caused by the explosion, because
 23 we learnt about the explosion on the way there, when
 24 Mr Eggleston, the senior fire officer at the scene,
 25 called to Fire Control for additional appliances to

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1 attend, saying there was an explosion with large numbers
 2 of casualties."
 3 But he did say that that was at 8.23 pm.
 4 John Frayne gave evidence via -- I am looking at the
 5 screen but it is no longer there, of course -- via
 6 a videolink from somewhere remote.
 7 His shift started at 6 o'clock in the evening at
 8 Highgate Fire Station. He was coming back to the
 9 station from an earlier false alarm when he was told to
 10 divert to Headquarters, Central Station, as standby
 11 cover. And when he got there, between 8.00 and 8.30, he
 12 went to the watch room to book in and was told there was
 13 a bomb at the Mulberry Bush and was directed to go
 14 there -- nothing about a second bomb -- and the alarms
 15 went off.
 16 On his report, his K433 report form, he said he had
 17 received the direction at 8.40 pm and arrived at
 18 8.44 pm. Well, that is very late timing. He said they
 19 heard a "thump" sound on the way. So he's saying that
 20 he heard the bomb go off -- or a bomb go off -- after
 21 8.44, which probably can't be right.
 22 He didn't go to the Mulberry Bush, because when he
 23 arrived, in his Pink Panther fire engine, he stopped
 24 because of the devastation at King Edward House. They
 25 went down a one-way street the wrong way because traffic

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1 was log-jammed.
 2 He said he was the first fireman there, and all the
 3 other resources were at the Mulberry Bush, so he radioed
 4 for assistance and also asked civilians to help,
 5 although we heard evidence read to you on Monday of this
 6 week from another fireman in a different crew,
 7 David Pithie, who said he was the first there.
 8 So this is what happens with recollections. I am
 9 sure they are all not trying to be the first for any
 10 particular reason, but that's how their recollections
 11 came out.
 12 George Eggleston, another fireman, wrote a document,
 13 which you saw on screen, which was undated. We don't
 14 know when it was. It was called "A Personal Account and
 15 Impressions: Birmingham Bombings". We don't know why he
 16 wrote it, for what purpose or when it was written. But
 17 it is in a sort of note form.
 18 It is not entirely clear, but he did say that at
 19 8.23 two fire engines were dispatched, including his,
 20 from Central, arriving at 8.27 near the Mulberry Bush,
 21 and he made his inspection.
 22 So those were the timings that he gave.
 23 There were others who helped. A security officer
 24 worked at the Tavern in the Town on the door,
 25 Raymond Swain. He heard the bomb at the Mulberry Bush

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1 and a number of people ran up that way. A few minutes
 2 later the bomb in the Tavern exploded. He was pushed
 3 into the air and into a bus shelter. Then he went
 4 inside. And he decided it was best if he could stand
 5 outside the Tavern and stop people going in.
 6 An ambulance driver, Kenneth Atkinson, 22 years old
 7 at that time, he said ambulance work in those day was
 8 more like First Aid rather than paramedics.
 9 He was working the night-shift when he received,
 10 unusually, a call from Charlie Davis, the chief
 11 Ambulance Officer, and he was told, "Get yourself to the
 12 area around the Rotunda. There is bombs gone off in the
 13 area". So he went.
 14 We heard also evidence from taxi drivers. One came
 15 to give evidence. Another was read -- no, it was
 16 an audio recording, of Dave Boyle, a taxi driver, which
 17 I think we found in the Imperial War Museum.
 18 He helped out in a big way that night. He came into
 19 town from the Aston area, past the Mulberry Bush, "which
 20 was all in darkness, with debris all over the place,
 21 drove into New Street, just got past the Odeon, when the
 22 Tavern in the Town bomb went off".
 23 He parked on a taxi rank round the corner, and he
 24 helped, as he put it, "One dear who was in cuckoo-land,
 25 in shock", and took her to the hospital. And he did

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1 eight or ten journeys with casualties:
 2 "Not just me, quite a few cab drivers. We were
 3 going up and down one-way streets. It was so quiet it
 4 was unbelievable. A big city, just quiet. Even the
 5 birds packed up singing."
 6 Another taxi driver, David Cash, heard a loud
 7 explosion just after 8 o'clock. He was on the rank in
 8 Stephenson Street talking to another driver. They
 9 walked into New Street and had just reached the AA shop
 10 just after the Midland Bank when there was another
 11 tremendous explosion.
 12 "The ground shook and the traffic lights went out.
 13 I was frightened. And we both ran back to the rank to
 14 gather our senses."
 15 Finally, let me deal with the forewarning question,
 16 which is question 8. The two forewarning topics,
 17 "Conversation at Winson Green Prison" and "Conversation
 18 at the Dog Pool public house". You should ignore other
 19 topics of conversations that we had, about the students'
 20 visit to Steelhouse Lane, Mr Tonkinson and his daughter,
 21 Arthur Jolley and the taxi ride from Liverpool, and the
 22 "Talk of the Town" incident.
 23 So just looking at the two topics on forewarning.
 24 You might like to ask yourselves, in the first place:
 25 was the conversation said? What was said? Was it

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1 overheard correctly? What did it amount to?
 2 And in the second place: was it reported to the
 3 police before the pub bombings? If so, when and how?
 4 And thirdly: could the West Midlands Police have
 5 reasonably done anything about it? Considering in
 6 particular the content of the conversation and the
 7 reporting process.
 8 And then answer the specific questions asked in
 9 question 8.
 10 So the Winson Green conversation. You have in your
 11 jury bundle at tab 8, pages 1 and 2, two messages,
 12 rather short messages, on 10 and 12 November 1974. They
 13 were described as "Action sheets".
 14 The one on 10 November refers to a librarian. The
 15 prison librarian overheard Witness O, as we call him,
 16 say to Witness P:
 17 "Birmingham is going to be hit next week."
 18 And this conversation took place after Witness O had
 19 been visited by his mother and father.
 20 This message on 10 November is Mr Vincent at
 21 Winson Green Prison, and a reference to a DI Bannister,
 22 who we couldn't find. And there is a note which seems
 23 to refer to Superintendent Crawford, in handwriting, to
 24 see, and a note, possibly by him, with his initials,
 25 "Noted and filed".

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1 Then on 12 November, from Detective Constable
 2 Waterhouse -- who considered that these were all
 3 forgeries, but I will come to that in a moment -- and
 4 Detective Policewoman Daniels, who we heard from,
 5 Mrs Collier:
 6 "I have received information from Mr Vincent at
 7 Winson Green Prison as follows:
 8 "On Monday 11 November 1974, the father of Witness O
 9 and a Mr Eugene Donnelly ..."
 10 Who, through the detective work of Ms Williams and
 11 the documentation that she found, found that he was one
 12 of those who went to the Coventry events.
 13 "... the father of Witness O and a Mr Eugene
 14 Donnelly visited Witness P at the prison. The mother of
 15 Witness O visited her son. This may be of relevance as
 16 Witness O had told Witness P on 9 November that
 17 'Birmingham would be hit next week' following a visit
 18 from his parents."
 19 So the conversation relates to 9 November. The
 20 words are limited. "Birmingham will be hit next week".
 21 Presumably it was a longer conversation, but we
 22 don't know what was said in the rest of that
 23 conversation. And it was between Witness O and
 24 Witness P, who were both known then to be IRA men, who
 25 were on remand in the prison awaiting trial.

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<p>1 And Witness O denies the conversation. And 2 Witness O said that he was a Volunteer in Birmingham, 3 but for only a period of two weeks, because he got 4 arrested in August 1974 and was there in November and at 5 the time of the bombings, in prison at Winson Green. 6 Mrs Collier, formerly WDC Daniels, worked as a CID 7 detective in the Bomb Squad office, but she got 8 the rather modest job of recording information, 9 intelligence, on these action sheets. She interpreted 10 the sheet on 10 November as follows: 11 "It would have been information given by the 12 librarian, a civilian, to the police officer, who 13 liaised with the prison." 14 Who was Detective Constable Waterhouse at that time. 15 It would have been information passed to her, 16 Mrs Collier, to be typed up as an action and put then 17 into a basket. 18 This memo seems to have gone to or reached 19 a detective inspector, first, with the words 20 "Superintendent to see". 21 So Detective Inspector Bannister at the top, 22 "Superintendent Crawford to see". It seems to have 23 reached Superintendent Andy Crawford, "who was in police 24 Special Branch on the floor below where I worked", she 25 said, who then writes "Noted and filed".</p> <p style="text-align: center;">Page 53</p>	<p>1 He spoke about pubs, but never knew of 2 a particular target." 3 Is that with hindsight? Or when was that 4 conversation? We don't know. 5 "He said to me, 'I told them'. I took that to mean 6 police. Although he did not believe that they could be 7 prevented. I believe what he meant was that he had 8 passed information to the police about a bomb attack 9 before the pub bombings." 10 Detective Superintendent Cyril Cooney gave evidence 11 at some trial in June 1996, when he said that there was 12 a liaison prison officer at the prison, a Mr Vincent, 13 who did everything in his power to help and assist the 14 police with any information which could be gleaned in 15 the prison, including information from various officers 16 of any overheard conversations. 17 Detective Constable Waterhouse, who is mentioned on 18 the second sheet, whose statement was read, could not 19 remember that sheet. In fact, he suggested it was 20 a forgery. He said that any documents put before him to 21 look at were forgeries or made up. 22 By whom and for what purpose is not known or 23 explained or even hinted at, although he did say 24 a little bit about it in his first statement, which was 25 in 2016, 41 years later.</p> <p style="text-align: center;">Page 55</p>
<p>1 "It has his initials on it", she said. She 2 considered it to be important and would have expected, 3 if action were taken, that it would have been recorded 4 on the memo. But that was not recorded on the memo. 5 You can consider, I suppose, that it might have been 6 treated as important, because it went to 7 senior officers. 8 And at some stage, the memo sheet would come back to 9 her or somebody in a similar position to her. 10 Attempts to find others involved with this process 11 have been fairly unsuccessful. But we had some 12 witnesses: Gerald Vincent, who is Mr Vincent, 13 Winson Green Prison, on the first sheet. He was 14 a prison officer involved with security, including 15 liaison with the police, which he said then was 16 Detective Constable Waterhouse. But his statement, not 17 taken until 1990, says nothing about these two 18 action sheets. 19 His son, Christopher Vincent, remembers his father 20 working at Winson Green, and also refers to his father's 21 suspension, which we know nothing about. He said: 22 "In several conversations my dad spoke to me about 23 him knowing that something was going to happen in 24 Birmingham before the pub bombings. He spoke of the 25 location of an attack being in and around New Street.</p> <p style="text-align: center;">Page 54</p>	<p>1 He says that he became the prison liaison officer, 2 although it was a minor part of his job. And he would 3 go to that prison only once a month and speak with 4 Mr Vincent for half an hour. 5 So Mr Vincent was the liaison prison officer inside 6 the prison, and Detective Constable Waterhouse was the 7 liaison police officer outside the prison. 8 Mr Waterhouse said he was not aware of any 9 intelligence originating from the prison about the pub 10 bombings before they took place. He knew Gerry Vincent. 11 Indeed, they became friends and socialised. He was 12 a very professional prison officer, and he would be 13 surprised if Mr Vincent had important information and 14 just made a call. And that made him doubt the 15 authenticity of the action sheet, the first one. 16 He believed, as far as he was aware, that there were 17 no IRA prisoners in Winson Green Prison before the 18 bombings. But we know that to be wrong, because 19 Witness O and Witness P were there, and had been 20 since August. 21 He did not recognise the name "Superintendent 22 Crawford". He said he could be Special Branch. Which 23 is indeed what Mrs Collier said. 24 In a later statement, Mr Waterhouse, in 2018, last 25 year, suggests the documents are forgeries. He never</p> <p style="text-align: center;">Page 56</p>

1 knew about any such conversation. He never saw such
 2 a note. He does not recall any DI Bannister. He
 3 thought the note failed to follow the correct system for
 4 filing information, which would include recording the
 5 address of the department of DI Bannister, "which it
 6 omits, and therefore leads me to think the note
 7 was forged".

8 As to the later note on 12 November, he believed the
 9 number 2393 in the top right-hand corner may have been
 10 a telephone extension number, whereas Mrs Collier said
 11 that is the reference number for this note. Indeed, the
 12 reference number is the same on both action sheets.

13 But he did not recall sending the message:

14 "If I had received that information I would have
 15 taken it to the inspector in charge of the Regional
 16 Crime Squad. And in view of the serious nature of the
 17 information, I would have taken it by hand. But because
 18 it is not so addressed to the department of Detective
 19 Policewoman Daniels, I believe it is also forged."

20 It was Detective Constable Waterhouse who recalled
 21 that the librarian could have been a prisoner, but he
 22 couldn't recall any particular librarian.

23 He concluded by saying that he had never received
 24 any information of any interest from Mr Vincent or from
 25 any other police officer at the prison, and he would

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1 have remembered if he had received the sort of
 2 information in the 10 November note.

3 Irene Dixon was a librarian. She was not
 4 a prisoner. It was a men's prison, I think. Nor were
 5 the three assistants whom she mentioned. She had no
 6 recollection of any such conversation, and none of the
 7 assistants mentioned it to her. If she had heard such
 8 a conversation, she would have reported it immediately.

9 Her job at the prison was to be there once a week.
 10 She would help prisoners with requests for access to
 11 books and legal materials held in the library.

12 So finally on this, Witness O, on a videolink:

13 At the time of the pub bombings he was in
 14 Winson Green on remand, facing bombing charges. He had
 15 previously been an IRA Volunteer in Manchester, where he
 16 had been a bomber, using dynamite to put pressure on the
 17 British Government.

18 He moved to Birmingham, where he made and planted
 19 incendiary devices. But he had only been in Birmingham
 20 a couple of weeks before he was arrested in early 1974
 21 and imprisoned.

22 Six months ago, he said -- six months ago from
 23 now -- he approached the head of the IRA in Dublin and
 24 was given permission to speak at the Inquest. He denied
 25 being told what to say.

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1 "In Birmingham", he said, "we were seven or
 2 eight people":

3 "As to the pub bombings, Mick Murray made the bombs.
 4 I spoke to him in Dublin. I said, 'Mick, for fuck's
 5 sake, what were you playing at?' He said, 'We give
 6 a warning, but the bastards let it happen'. He didn't
 7 mention vandalised telephone boxes."

8 He was referring, when he said "the bastards",
 9 to MI5.

10 And Mick Murray told him:
 11 "We told them where it was."

12 He said Mick Murray told him -- told Witness O --
 13 that they mentioned the two pubs in the warning.

14 "I believed him. I wasn't told who made the warning
 15 call, and Mick Murray didn't tell me, but it was
 16 a proper warning. Mick Murray said to me it was an
 17 hour's warning. He didn't mention any problem with
 18 phone boxes."

19 You may recall that Mr Murray, Mick Murray, told
 20 Mr Mullin that he himself gave the warning and it was
 21 only half an hour.

22 Witness O said:
 23 "Seamus McLoughlin also told me in Dublin that MI5
 24 let it happen. He made the decision to bomb the pubs
 25 and they gave over an hour's warning. With

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1 high-explosives you always give at least an hour's
 2 warning. Everyone in Birmingham would have known that."

3 He agreed there was always the possibility of
 4 something happening, going wrong.

5 "We worried about that, because it's bad publicity
 6 to injure civilians."

7 And he considered Birmingham to be an atrocity. The
 8 bomb was not supposed to go off.

9 Coming back to the conversation sheet, he said:
 10 "In prison we didn't know what was going to happen.
 11 We didn't chat to fellow IRA prisoners about operations
 12 that were going to happen. We were in solitary
 13 confinement, although we could speak in the exercise
 14 yard or when we went to court. On a visit, a prison
 15 officer would be sitting next to me."

16 You may also note -- I add, not him -- that Chris
 17 Mullins said that the prisoners didn't really have
 18 information about what was happening outside. But he
 19 also said that when the Birmingham IRA were considering
 20 assassinating prison officers, that they had that issue
 21 discussed by the IRA prisoners inside the prison. So
 22 certainly he agreed that there were lines of
 23 communication which were open between those inside and
 24 those outside.

25 But Witness O said:

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1 "I definitely received no information about the
 2 Birmingham campaign. I did not say the words
 3 'Birmingham will be hit next week'. Definitely not.
 4 That's totally untrue. I didn't know. If I did,
 5 I would have tried to stop it. All I knew was from what
 6 I heard on the news on the radio.
 7 "Witness P was a fellow IRA Volunteer, and I could
 8 speak to him on exercise. The librarian brought books
 9 round, and she could have been present when I was
 10 speaking to P. My mother and father were anti-IRA, and
 11 didn't live in Birmingham anyway. They wouldn't have
 12 brought me any information. My father used to be in the
 13 army and guard IRA prisoners."
 14 "The next day ..."
 15 That is after the bombings.
 16 "... I asked in the prison to see the officers who
 17 arrested me. And they came two days after. I told them
 18 where we had some explosives hidden in Manchester,
 19 because I was sickened by the pub bombs and did not want
 20 it to happen again. I gave them Seamus
 21 McLoughlin's name."
 22 He said that the general view amongst the IRA in
 23 prison was that this should not have happened.
 24 "Although about a year later Mick Murray told me,
 25 when we were up in court together, 'We should have

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1 carried on. It caused so much chaos. It would do no
 2 harm if it happened every hour'.
 3 That is reflected perhaps in what Mr Mullin was
 4 saying, that "he was a hard man".
 5 There was, however, said Witness O, "less concern
 6 with the families of those who died and more concern
 7 about the impact on the IRA's reputation".
 8 When we had this topic, the Witness O topic, there
 9 was an introduction, and part of that was this:
 10 There are two individuals whom we have not been able
 11 to obtain evidence from. First, Witness P, who has been
 12 contacted to provide evidence but he declined to assist.
 13 He subsequently informed my legal team that he did not
 14 know anything about any conversation while in prison.
 15 He said he could not have been involved in the pub
 16 bombings because he was in prison then, and he knew
 17 nothing of the pub bombings.
 18 Secondly, my legal team have also attempted to
 19 contact Detective Inspector Bannister, but it has not
 20 been possible to trace him.
 21 So that is Witness O, and that topic.
 22 Next, the other topic, the Dog Pool. This is all
 23 about a conversation said to have been overheard by
 24 Norman Catton, who sadly died last year, the heating
 25 engineer who, around lunchtime on 21 November 1974, was

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1 repairing the heating system at the Dog Pool, which was
 2 its popular name. It was properly called the
 3 Elizabethan Days.
 4 The conversation which Mr Catton overheard, he
 5 believed was about planned bombings, and also about
 6 train journeys that evening.
 7 Mr Catton received very good character references
 8 from various people. His daughter Dawn described him as
 9 "Truthful and honest". His employer described him as
 10 "Reliable, trustworthy and fully credible. Not
 11 a fantasist". His divorced wife Patricia as "Truthful,
 12 although from time to time he would tend to flower
 13 things up. But not exaggerate".
 14 A friend from the British Legion Club said:
 15 "From my knowledge of Norman Catton I would say that
 16 whatever he said he would genuinely believe to be the
 17 truth. He's not prone to embellish his accounts of
 18 incidents he relates. And I have never had cause to
 19 doubt him in this respect."
 20 Lucy Selby knew him for about 20 years:
 21 "I have always found him to be honest, upright,
 22 a good citizen. I have never known him to exaggerate or
 23 even be a romancer."
 24 So look at the whole of the evidence relating to
 25 this topic and the surrounding circumstances, including

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1 the events at the Dog Pool public house, the
 2 British Legion Club and subsequent inquiries.
 3 Mr Catton, Norman Catton, the first statement we
 4 have -- and I will come back to the number of statements
 5 that there were -- was in 1991. He described himself as
 6 self-employed, carrying on a business as a plumbing and
 7 heating engineer working from home.
 8 Before that, he had worked for Hydroheat of
 9 Kidderminster. He was sent to a job, he says:
 10 "I was sent to a job at the Dog Pool pub in
 11 Stirchley. Some minor repairs to the heating system
 12 were required."
 13 I think the landlord's statement was read, saying
 14 that it was always going wrong.
 15 "I was in the lounge of the pub. The lounge was set
 16 out in alcoves, and the radiators were situated under
 17 the seating. To the get to the radiators a panel has to
 18 be removed at the end. And to vent the radiators I had
 19 to crawl inside the seating, and I would not be visible
 20 to anyone in the room, although I was aware at the time
 21 that there were people in the lounge, as this was during
 22 the lunchtime session.
 23 "There are about three or four alcoves on the one
 24 side, and from my position under the seating I could
 25 call crawl the length of the three or four alcoves. As

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<p>1 I vented the radiators, I can remember there was no one 2 sitting in the first alcove, and if I remember correctly 3 there was a lady sitting in the second alcove. I moved 4 along to beneath the seating of the third. I heard 5 voices talking above me and I heard voices talking in 6 Irish accents. Talking about 'the bangs', and 'after 7 the bangs'. 8 "At first, I had a feeling that I was beneath the 9 Guildford bombers, but then realised that the bangs they 10 were talking about had not yet happened. I listened. 11 And as I did so I became very concerned that they were 12 actually planning to cause some bombs to go off 13 somewhere. I heard them talking about catching a train, 14 and the time 9.30 pm was mentioned. And I heard them 15 talking about catching a boat. I also heard mention of 16 a funeral. But the detail over these years has faded 17 and I cannot recall the exact details. 18 "After listening to this talk, I crawled back out at 19 the end of the seating and looked back into the alcove. 20 I saw six men at the table. I could see three men 21 clearly and I could see the back of three men. They 22 appeared to be two older men and four younger men. 23 "I looked at them with the Guildford bombers in 24 mind, and thinking 'I suppose if they had done it, then 25 they could do it in Birmingham'.</p> <p style="text-align: center;">Page 65</p>	<p>1 to the Colley Gate British Legion where I was on 2 the committee. 3 "At about 9.30 I was called out to the front 4 entrance of the Legion where there was a police officer. 5 I think it was Police Constable Panter. He asked me 6 what time I had told the other officer earlier that the 7 train was, and that there had been some trouble in 8 Birmingham and they wanted to check. I remember looking 9 at my watch and saying 9.30 pm, and it was 9.30 at that 10 time [-- so at that moment --] and it was remarked upon 11 that it was too late now anyway. 12 "The officer left and I went back into the club. 13 When I saw what had happened in Birmingham on the 14 television about the pub bombings I was devastated. 15 I was angry. I was very upset. I remember telling 16 various people in the club what I had seen and heard 17 that day. I think Arthur Coley was one, Arthur Jones 18 and a good number of other people who are now deceased. 19 "I remember after this I had a few drinks before 20 I went home. I remember that I was a little under the 21 weather with anger and depression and the drinks. I was 22 angry that nothing had been done. 23 "Between 11.00 and 12.00 that night a uniformed 24 officer called and I made a written statement. Over the 25 next few weeks I made at least three written statements</p> <p style="text-align: center;">Page 67</p>
<p>1 "I got out of the pub and went down to the police 2 college on Pershore Road and reported what I had seen 3 and heard." 4 That is the Tally Ho training centre. 5 "I asked to speak to a senior officer, and this time 6 it would be about 2.00 pm. The officer on the desk was 7 telling me that there was not a senior officer present. 8 And I became agitated and swore at him and told him it 9 was a matter of great urgency." 10 If I can just add in there, that Police Inspector 11 Francis Fleet told us that members of the public often 12 thought that the Tally Ho training centre was a police 13 station. But it wasn't, and reception would only 14 usually be manned by a police cadet or a junior officer. 15 Mr Catton said: 16 "I became agitated and swore at him and told him it 17 was a matter of great urgency. It took about 45 minutes 18 before a sergeant arrived, and I related what I had seen 19 and heard. The sergeant and a constable came back with 20 me to the Dog Pool pub. But by the time we got there 21 the pub was closed and everyone had gone, although the 22 doors were still open. 23 "I went back into the pub and finished my job and 24 left about 4.30. After work, I went home, had my 25 evening meal, washed, changed and about 8 o'clock I went</p> <p style="text-align: center;">Page 66</p>	<p>1 to different officers. I told the officers I wanted to 2 state that if it had not taken 45 minutes to find the 3 sergeant at Tally Ho, this outrage could have 4 been prevented. 5 "At the time I recognised three of the men who had 6 been arrested ..." 7 So three of the Birmingham Six men: 8 "... as the three men whose faces I had seen in the 9 Dog Pool pub on the lunchtime. I told one of the 10 officers who took a statement from me that I would stand 11 up in court and state that it took the police 45 minutes 12 to come with me, which could well have avoided the 13 tragedy. I was told that it was unlikely that my 14 evidence would be used as the police had plenty of 15 other evidence. 16 "At the time, I was 100 per cent certain of the 17 faces of the three men I had seen and the pictures of 18 the men that had been arrested for the bombings. 19 I cannot now recall their names and I could not 20 recognise them now after the passage of time." 21 We are talking about 1991. 22 "I did see one of them recently on the television 23 and I recognised him immediately as one that had been in 24 the Dog Pool pub, but I cannot remember his name. After 25 giving the statements at the time I was never called as</p> <p style="text-align: center;">Page 68</p>

<p>1 a witness to the trial. I have never been shown 2 any photographs." 3 Meaning by the police: have a look at these 4 photographs, can you identify anybody? 5 Then he referred to a threat: 6 "Earlier this year [1991], within hours of the 7 Birmingham Six being released, my wife took a telephone 8 call from an Irishman who sounded drunk. He said he 9 wanted to speak to Norman Catton. I was not in at that 10 time, and he had pronounced the surname wrong. He asked 11 my wife what the address was and she told him. He said, 12 "We'll get him, we'll be over." 13 So that is his 1991 statement. You will note the 14 content of what he is saying. There is actually no 15 mention of pubs or locations. And he said: 16 "As best as I can recall, the men did not mention 17 specific place names, but I was left with the clear 18 impression that they were talking about Birmingham City 19 Centre from the way they were speaking." 20 That was what he added in his sixth statement, much 21 later. Nor in his first statement did he hear the word 22 "bombs". He heard the words "bangs" and "after the 23 bangs", and he said he became very concerned they were 24 actually planning to cause some bombs to go 25 off somewhere.</p> <p style="text-align: center;">Page 69</p>	<p>1 said earlier, and he was very angry and said that if 2 they had listened to him it could have been avoided. 3 Lucy Selby, who knew Norman Catton for 20 years -- 4 I think first of all he helped her out with her central 5 heating system -- said that just after the Birmingham 6 pub bombings, Norman told her that on the day of the 7 bombings he had been working in a pub in Birmingham, 8 under a counter or something, when he heard a number of 9 Irishmen talking about the bombing and to be sure to get 10 on a train that was going to Liverpool, I think. He 11 said he had reported the matter to the police and made 12 a statement, and later a further statement, but he was 13 not pleased with the action of the police at the time. 14 The licensee of the Dog Pool confirmed that Norman 15 Catton's company had to be called out constantly because 16 of problems with the oil-fired central heating. He said 17 that there was a high Irish population in that area, 18 Stirchley, and a lot of Irish people used the pub. 19 At the British Legion Club, Norman Catton has said 20 he thought that it was Police Constable Panter who came 21 and spoke to him. In his fourth statement, in 2016, he 22 said, "I could be wrong, but I'm 90 per cent certain." 23 Police Constable Panter gave evidence. He said, 24 "No, it wasn't me. I would definitely have 25 remembered it."</p> <p style="text-align: center;">Page 71</p>
<p>1 The time of the train he heard they were going to 2 catch was 9.30. Mr Mole told us that five of the 3 Birmingham Six travelled on a train at 7.55 and arrived 4 at Heysham Port at 10.57. 5 A friend of his, John Synott, who had a drink with 6 him from time to time, recalls in his statement in 1991 7 that shortly before the Birmingham Six were released, 8 Norman Catton told him very seriously, not joking, that 9 he was responsible for having them picked up, the 10 Birmingham Six. 11 He said that he had heard six to eight men -- you 12 remember it was six originally and now six to eight 13 men -- talking in the Dog Pool where he was working, 14 talking on the day of the bombings about which train 15 they were going to catch to Heysham from New Street. He 16 also said that he heard them talk about "a bomb go off" 17 or "an explosion". He did not get a location but heard 18 they were Irish and suspected they were IRA. He saw 19 some of the men and ran to the police training centre on 20 the Pershore Road to tell the police, but they took 21 a long time, and when they went to the Dog Pool it was 22 too late, the place was closed up. 23 He also said -- this is John Synott, the friend 24 reporting -- that the police came later that night to 25 Norman Catton's home to go over in detail what he had</p> <p style="text-align: center;">Page 70</p>	<p>1 Norman Catton also mentioned in the statement I read 2 that he told various people at the British Legion Club, 3 including Arthur Coley and Arthur Jones. 4 Arthur Coley, in a statement in 1992, remembered 5 that night and said that Norman told him he had 6 overheard a conversation about Irish chaps planting 7 a bomb or something like that, and that he had already 8 told the police. He also remembered a police officer 9 coming to the club later that same evening and speaking 10 to him. He adds in his statement that when photographs 11 of the Birmingham Six, those who were arrested, were 12 published, Norman remarked that he felt sure some of 13 those pictured were persons he had overheard talking in 14 the pub where he had been working. 15 Arthur Jones, another member of the club -- I think 16 a police inspector at the time -- said in his statement 17 of 1992, he recalled on the night of the bombings or the 18 following day, Norman told him that he had overheard 19 a conversation in the Dog Pool at lunchtime, some 20 Irishmen discussing what he thought was a bombing 21 incident, and that he had seen them and left immediately 22 to report it at the Tally Ho police training centre, to 23 report his suspicions, but the police took their time. 24 Some time later, Norman said he was sure of the guilt of 25 some of the Birmingham Six because he was adamant he</p> <p style="text-align: center;">Page 72</p>

1 could identify some of them from either press or
 2 television coverage.
 3 I will come to the identification processes in
 4 a moment.
 5 So he made six statements that we have: four to the
 6 police, one to KRW Law solicitors acting for some of the
 7 families here, and one to my team. We have no other
 8 statements or notes.
 9 He referred in his statements to earlier statements
 10 which he signed and/or notes which he signed. In his
 11 first statement, he says he made a written statement on
 12 the night, "after we had had a few drinks", and over the
 13 next few weeks at least three written statements, and
 14 later in the weeks after the bombings definitely made
 15 two statements.
 16 In the fourth statement, he also said, "On at least
 17 two occasions I signed the notes." It is not clear if
 18 that was in addition to the statements or just another
 19 way of putting it.
 20 In the second statement, he confirmed that he had
 21 made and signed three statements after 21 November,
 22 telling the whole story of the Dog Pool.
 23 In the long statement which he made to my team, he
 24 said he had made at least two, possibly three,
 25 statements in 1974 and 1975, including one on the night

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1 of the bombings; although later in the fifth statement
 2 he thought that the visit by the police to his home
 3 could possibly have been late on the 22nd, not 21st.
 4 And he believes it was one police officer who knocked on
 5 his door.
 6 His friend, Arthur Jones, remembers him saying on
 7 the night or the next day that the police had taken a
 8 statement from him. In 1991, Arthur Jones remembers
 9 that Norman said that he had made a further statement.
 10 That would be the first one that we have. We don't
 11 have any earlier statements. If they did exist, we do
 12 not have them.
 13 As to the threat to his wife, I have just read that
 14 out from the statement. When he referred to the threat
 15 to his wife, he said he was not there so his wife took
 16 a call in his absence. He said nothing about him,
 17 Norman Catton, receiving any threat.
 18 But in John Synott's statement, the drinking friend,
 19 Mr Synott recalls Norman saying in a conversation
 20 shortly before the release of the Birmingham Six that
 21 his wife had received a threatening call and that they
 22 rang back again later and threatened him, and were quite
 23 vicious to him. That is not in any of Norman Catton's
 24 statements.
 25 So Counsel for West Midlands Police would, if he

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1 were still alive, have liked to ask him questions about
 2 inconsistencies or at least differences between
 3 different witness statements over the years: namely the
 4 first statement we have from 1991, 17 years after the
 5 pub bombings, and the last in 2017.
 6 The topics would include, for example, the numbers
 7 that he saw. In his first statement he refers to six
 8 men. He says that again in his second and third
 9 statement, although he told John Synott, as recorded by
 10 John Synott, that it was six to eight men; and, as we
 11 shall hear in a moment, he told his daughter, Dawn
 12 Catton, that there were four men of whom he saw two.
 13 There is a question about identification of those
 14 who were in the Dog Pool. In the first statement which
 15 I have read out to you, he said:
 16 "I have never been shown any photographs and could
 17 not recognise them now after the passage of time."
 18 But in his second statement in 1992, he says he was
 19 shown a photographic album on 15 July 1992 for the first
 20 time, and pointed out three photographs. Three men, out
 21 of the six in the Dog Pool.
 22 In his third statement, he said he was shown
 23 photographs in books and picked three out, and this was
 24 approximately less than a week after the pub bombings.
 25 In his fourth statement, he said he had been shown

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1 a book of photographs in the weeks after the pub
 2 bombings.
 3 In his sixth statement to my team, he was asked
 4 about these inconsistencies and said he agreed that
 5 there was some confusion. But he stated that he was
 6 confident that he was definitely shown photographs in
 7 1974, and that on that occasion the book of photographs
 8 included an image of Rudolf Hess, who was a war criminal
 9 from the Second World War.
 10 He told Lucy Selby that he was at some time called
 11 to view photographs and had identified two or three men
 12 from them. There was some inconsistency about whether
 13 the police went separately or in his van, but you will
 14 bear in mind the number of years now.
 15 In one statement he says that in the conversation in
 16 the pub he heard the word "plastic", which with his army
 17 experience reminded him of bombs. Through other
 18 evidence, Mr Johnson, for the West Midlands Police,
 19 pointed out these bombs, the Birmingham bombs, contained
 20 nitroglycerin which is not plastic explosive. It is
 21 different.
 22 Patricia Catton was Norman's wife at the time. I'm
 23 not quite sure which number she was, but they are now
 24 both deceased. In her statement in 1992, she remembered
 25 Norman telling her that he had been working in a pub in

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<p>1 Birmingham and he heard a number of Irishmen talking, 2 and the gist of the conversation between the men was of 3 going to Liverpool to catch a ferry to Ireland. She did 4 not recall any mention of bombs or bangs. 5 She said that Norman told her that he had reported 6 the incident to the police but they took a long time to 7 come, and when they got to the pub, the Irishmen had 8 gone. She had no recollection of the police attending 9 that night. 10 Dawn Catton, his daughter, gave evidence from the 11 witness box. She was seven in 1974 and lived at home. 12 She remembers the night of the bombings, although she 13 was not absolutely sure it was that night, but she was 14 woken up by a noise downstairs and she sat at the top of 15 the stairs and her parents were having not an argument 16 but voices were raised, and she was worried that they 17 were going to split up, as children do at that sort of 18 age. Her dad sounded angry and upset which was not like 19 him. 20 She also said that a few days later there was 21 a knock at the door and two uniformed officers and at 22 least one man not in uniform came looking for dad "but 23 mum said he was at the Legion so they left". She 24 thought that was probably a weekend. 25 A short time afterwards, a couple of weeks after,</p> <p style="text-align: center;">Page 77</p>	<p>1 evidence: "a couple of pubs", "a pub", "some pubs". She 2 said he said the men were planning something, planning 3 to bomb a couple of pubs, or a pub, or some pubs, and 4 were talking about train times. 5 "He said the police had gone to the Legion a couple 6 of days after the events. I do not doubt the truth of 7 what he had said. He was upset and angry at the release 8 of the Birmingham Six." 9 After that, he very occasionally mentioned it. He 10 felt guilty that if the police had listened things would 11 have been different. 12 The first time she was asked to give a statement was 13 2016. 14 Debbie Catton, another daughter aged about five at 15 the time, remembered the night of the bombings clearly, 16 she said. She was woken up by her mum's crying: 17 "She went downstairs and mum said they had bombed 18 them. She said dad had told them." 19 The following day stood out because mum took her to 20 the scene of bombings in the city centre and spoke to a 21 uniformed officer and he wrote some things down. 22 "That night or maybe the night after, I was woken by 23 banging on the front door. Dawn and I went to the top 24 of the stairs and I saw lots of men who weren't in 25 uniform. They asked for dad and mum told them that he</p> <p style="text-align: center;">Page 79</p>
<p>1 the police came. Her mum said that dad had heard 2 something about the pub bombings and had tried to make 3 the police listen, but mum never wanted to talk about it 4 or the bombings. 5 Then, in 1991, 17 years later when she was 24 and 6 married, and gave the impression she was quite close to 7 her father, her dad called her about the release of the 8 Birmingham Six, and they met up in a pub and he was 9 upset: 10 "He said he had been working in a pub at the time, 11 underneath, doing some pipework and had overheard men 12 talking about train times, and had gone to the police 13 that night to a police station nearby but they hadn't 14 listened. He had seen the men there. He had seen the 15 men, there were four of them, he couldn't see two but he 16 could see two. 17 "After going to the police he went back to the pub 18 on his own. I think he said 'they should have listened 19 to me.' I was a bit shocked and surprised [she said]. 20 He didn't say anything about bangs or bombs or 21 explosions that I can recall." 22 And then she said: 23 "He said the men were planning something. Planning 24 to bomb a couple of pubs." 25 So in fact, she used different phrases in her</p> <p style="text-align: center;">Page 78</p>	<p>1 was at the Legion so they left. Mum was always 2 terrified the IRA would come for us and told us never to 3 discuss the bombings." 4 Susan Catton was nine. She said: 5 "I don't recall anything said or done within my 6 family relating to the Birmingham bombings." 7 Neither her mum nor her dad mentioned them in the 8 following years. 9 Ronald Catton, the son, could not remember the day 10 or any police coming to the house: 11 "A few weeks after, dad said he was fixing some 12 pipes under the seats at one of the pubs. I think it 13 was one of the pubs that was bombed. He told me he 14 heard something to do with people chatting." 15 James Canning was the employer of Norman Catton. He 16 said that his employee, Norman, told him shortly after 17 the pub bombings that he had overheard from beneath the 18 seating in the Dog Pool, Irish people planning to make 19 train journeys. Nothing else. Nothing about bombs or 20 explosions. 21 "Norman also said that he caught sight of them. 22 I told him to go and report it to the police. I can't 23 remember if he already had or did later. It was just 24 a brief conversation and I closed the conversation down 25 because we were at work and there was much to do.</p> <p style="text-align: center;">Page 80</p>

<p>1 Norman also said he probably would need time off work to 2 go to court. He said he had made a statement to the 3 police, and he did tell me much later that his wife had 4 had a threatening telephone call." 5 Well, the police made inquiries about this in 1992, 6 some time after the successful appeals of the 7 Birmingham Six. You were shown briefly various action 8 records through Mr Mole, which in summary amount to that 9 a number of serving and ex police officers were 10 contacted at three different divisions, apparently 11 including any officer that served at Tally Ho in 1974. 12 No one had any knowledge of Norman Catton, including 13 Police Sergeant Panter, who I have referred to. 14 Also, a Mr Baker, a late term controller, said that 15 he vaguely recalled something at the British Legion on 16 21 November, but that was all. 17 Charles Armstrong was on reception on 21 November at 18 Tally Ho. He had no knowledge of Norman Catton, but in 19 any event was unable to state what duties he performed 20 that day. 21 So that was the extent of the inquiries many years 22 after the events. 23 Remember, finally, on this topic, the evidence of 24 Chris Mullin, who, from his researches and talking to 25 people, had not heard any suggestion of any of the</p> <p style="text-align: center;">Page 81</p>	<p>1 to check them, just to make sure there are no errors or 2 inconsistencies. Then you will be called back into 3 court and asked to read out the answers to the 4 questionnaire and the five sections on each Record of 5 Inquest, although that may be summarised. I will 6 consider that. 7 You should have now one master set of the Records of 8 Inquest, which is the set I will ask you to complete and 9 sign. So that is one complete set. So if one of you at 10 the end there could just hold on to that. 11 If you have not done so already, you should choose 12 a foreman, man or woman, to chair your discussions and 13 read out the answers. 14 If at any time you want further directions on the 15 law or the evidence, send a note out and we will 16 reassemble in court and I will give them to you. 17 When the jury bailiffs are sworn, I shall ask you to 18 retire to your jury room and consider your findings and 19 conclusion and enter them on the questionnaire and 20 Records of Inquest. 21 Just let me say this. You must have as much time as 22 you wish. There is plenty of time. I can call you back 23 at, say, 4.15/4.30 this afternoon, and send you away 24 again until tomorrow, and you will come back at 25 10 o'clock in the usual way and continue</p> <p style="text-align: center;">Page 83</p>
<p>1 Birmingham Six being in the Dog Pool public house that 2 day. The claim from John Synott that Norman told him 3 that he was responsible for having the Birmingham Six 4 picked up, Mr Mullin, from his experience, described 5 that as nonsense and he had never heard of that before. 6 That is all the evidence for you to consider on 7 question 8. 8 Indeed, that is all the evidence for you to 9 consider, subject to your feeling, 'Well, the Coroner 10 has not referred to this, and we think this is 11 important'. That is entirely up to you. If you have 12 recollections of other things which help you, please do 13 use them. 14 I am going to go back to my directions of law. The 15 four final paragraphs under the heading "Final remarks" 16 on the last page: 17 Finally, let me direct you that you must reach, if 18 you can, unanimous findings and a unanimous conclusion. 19 All 11 of you should agree, if at all possible, on the 20 answers to the questionnaire and the details on the 21 Record of Inquest for each person who died. If that is 22 not possible, I shall give you further directions in due 23 course about a majority decision. 24 When you have completed the questionnaire and the 25 Records of Inquest, have them sent through to me first</p> <p style="text-align: center;">Page 82</p>	<p>1 your deliberations. 2 So I now ask you to retire and to commence 3 your deliberations. 4 The two jury bailiffs will be sworn first. 5 (Jury Bailiffs sworn) 6 THE CORONER: Thank you. 7 (12.40 pm) 8 (The jury retire to consider their conclusions) 9 (12.41 pm) 10 (The Inquests adjourn while the jury consider their 11 conclusions) 12 (4.05 pm) 13 Discussion (in the absence of the jury) 14 (In the presence of the jury) 15 (4.06 pm) 16 THE CORONER: Members of the jury, I propose to release you 17 now for the day, and to stop any further deliberations. 18 It is most important that you do not have any 19 discussions amongst yourselves as you leave the court, 20 in twos or threes, or by telephone or message, in 21 any way. 22 You must not talk about the case amongst yourselves, 23 or any of you, until you are all together tomorrow 24 morning in your jury room. 25 So I shall ask you to come back tomorrow at</p> <p style="text-align: center;">Page 84</p>

1 10 o'clock. I will bring you into court and then allow
2 you to continue your deliberations.
3 Since we are now at this very late stage, I hardly
4 need to give you my usual warnings, but I will.
5 It is most important that you do not do any of your
6 own research, or look up anything on the Internet, or do
7 anything which might influence you in any way in
8 relation to this Inquest, because you decide on the
9 evidence and on the evidence alone, as you well know.
10 So with those warnings, I will release you now for
11 the day and we will see you in the morning at
12 10 o'clock. Thank you very much.
13 (4.07 pm)
14 (In the absence of the jury)
15 (4.08 pm)
16 (The Inquests adjourned until 10.00 am
17 on Friday, 5 April 2019)
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