

<p>1 Wednesday, 3 April 2019 2 (10.36 am) 3 Discussion (in the absence of the jury) 4 (In the presence of the jury) 5 THE CORONER: Good morning, members of the jury. 6 Welcome back. 7 Yes. 8 MR SKELTON: Sir, there is one statement from Mr Suter which 9 should be formally adduced, which relates to the details 10 in respect of each of the 21 who died that are required 11 for the purposes of registration. 12 THE CORONER: Yes. 13 MR SKELTON: I think it just needs to be recognised by you 14 that that is going on record, as it were. 15 THE CORONER: Yes. 16 MR SKELTON: I'm not going to read it out, because they are 17 all details which the jury will have heard before. 18 THE CORONER: So it is a formality, but it produces 19 information which has then been placed into information 20 sheets -- is that the right word? 21 MR SKELTON: Precisely. 22 THE CORONER: In relation to each one of those who died. 23 MR SKELTON: Yes. 24 THE CORONER: The jury will have that shortly. 25 Yes. Does that conclude the evidence?</p> <p style="text-align: center;">Page 1</p>	<p>1 I must also tell you that the evidence is now 2 closed. There will be no more evidence. 3 As I have said to you before, ignore anything which 4 you may have heard or read about the events surrounding 5 the Birmingham Pub Bombings. Just concentrate on the 6 evidence which you have heard and seen here in court. 7 Everything else is irrelevant. Do not, as I have 8 emphasised time and time again, attempt to do any of 9 your own research, on the Internet or anywhere else. 10 Do not discuss the evidence except when all 11 of 11 are together, in private, in your room. Do not 12 communicate with anyone outside about the Inquest. This 13 is all particularly important at this late stage of 14 the Inquest. 15 Also ignore any feelings you might have of sympathy 16 for anybody or prejudice you might feel against anybody. 17 You have heard a great deal of moving and 18 distressing evidence, which, as fellow human beings, we 19 are all touched by. Whatever your feelings, you must 20 put them to one side. Come to your decisions coolly and 21 calmly on the evidence. Your duty is to find the facts 22 and come to a conclusion on the evidence. 23 I must remind you that this is not a trial. It is 24 an Inquest into 21 deaths, a fact-finding investigation 25 to find out how each one of the 21 died. An Inquest</p> <p style="text-align: center;">Page 3</p>
<p>1 MR SKELTON: It does. 2 THE CORONER: Thank you very much. 3 That is the end of the evidence, members of the 4 jury. There will be no more. 5 I am now going to sum up the Inquest to you. 6 SUMMING UP 7 THE CORONER: First of all, I am going to give you my 8 directions of law in writing. So that will come to you 9 now, and I will read that out for the record. (Handed). 10 The summing up will be in two parts. First, I shall 11 give you directions of law, which you now have. I shall 12 tell you what the law is for the purposes of this 13 Inquest, and you must take that from me and apply it to 14 the evidence. You have my directions of law before you 15 in writing. As I said, I shall read them out for 16 the record. 17 Secondly, I shall review the evidence in the case 18 and remind you of what is important, although in the end 19 it is what you consider to be important in the evidence 20 that matters. 21 You decide the facts: what happened. You decide 22 what evidence you accept and what evidence you reject. 23 It is upon the evidence and only the evidence that you 24 come to your decisions. If I appear to have a view 25 about the evidence, ignore it, unless you agree with it.</p> <p style="text-align: center;">Page 2</p>	<p>1 does not decide matters of criminal or civil liability. 2 There is no indictment, no criminal charge. It is 3 simply a way of establishing facts about the deaths. 4 Although I have described this as an Inquest, these 5 are in fact 21 Inquests: an Inquest for each person who 6 died. But they are joined together in one hearing, so 7 I have referred to these proceedings as "the Inquest". 8 It is, however, important, as I said at the beginning, 9 to recognise and remember at all times that this Inquest 10 is about 21 separate people, 21 individual lives lost, 11 from two terrible events in Birmingham in 1974. 12 The purpose of an Inquest is to find answers to four 13 questions, which are set out in an Act of Parliament: 14 Who was the person who died? How, when and where 15 did he or she come by his or her death? 16 These proceedings and the evidence have been 17 directed solely towards your finding the answers to 18 those four questions and to finding the Registration Act 19 particulars, nothing else. Beyond that, you must not 20 express an opinion or make recommendations. 21 These are 21 Inquests, so you will in effect 22 consider the answers to those questions 21 times. But 23 in order to help you, we have completed the 21 records 24 of Inquests for each person who died, providing the 25 uncontroversial details in respect of each. I will come</p> <p style="text-align: center;">Page 4</p>

<p>1 on to that document.</p> <p>2 As in many Inquests, the key question is the "how"</p> <p>3 question. In answering the "how" question you will give</p> <p>4 your decisions on the central issues in the Inquest. In</p> <p>5 order to help and guide you on the central issues I have</p> <p>6 prepared a questionnaire, with helpful contributions</p> <p>7 from all counsel.</p> <p>8 There are a number of questions for you to answer</p> <p>9 and we will go through all of them together. All are</p> <p>10 intended to address the key "how" question: by what</p> <p>11 means and in what circumstances did the 21 who died come</p> <p>12 by their deaths?</p> <p>13 There are certain things you cannot do. You cannot</p> <p>14 express views on matters outside the scope of the four</p> <p>15 questions. No finding may be framed in such a way as to</p> <p>16 appear to determine any question of criminal liability</p> <p>17 of a named person or any question of civil liability.</p> <p>18 That is because an Inquest is not a criminal or</p> <p>19 civil trial.</p> <p>20 You cannot, for example, find any named person</p> <p>21 guilty of a criminal offence or name any possible</p> <p>22 perpetrator of the pub bombings. That is a matter for</p> <p>23 the police, the Crown Prosecution Service and the</p> <p>24 criminal courts. There are no charges here, no</p> <p>25 indictment, no defendants in the dock, no dock.</p> <p style="text-align: center;">Page 5</p>	<p>1 So I will come back to that. I'm just going to say</p> <p>2 a little more from my written directions.</p> <p>3 When you have considered and discussed the evidence</p> <p>4 you must complete in writing and sign a document which</p> <p>5 is called the Record of Inquest, like this, Form 2. And</p> <p>6 you now have copies of that document.</p> <p>7 Since there were, tragically, 21 deaths, you must</p> <p>8 complete a record of Inquest for each of the 21. So you</p> <p>9 will get a pack of the 21 together.</p> <p>10 In order to help you, most of the detail, including</p> <p>11 the particulars for registration -- the second half of</p> <p>12 the page -- has been completed for you. We will look</p> <p>13 more closely in a moment at this particular one. This</p> <p>14 is because these details are not in any way disputed or</p> <p>15 controversial. They have been completed with</p> <p>16 everyone's agreement.</p> <p>17 In addition, you will be given an agreed document</p> <p>18 for each of the 21, which sets out personal details,</p> <p>19 movements on the night, location, recovery and medical</p> <p>20 and pathological evidence.</p> <p>21 The medical cause of death for each of the 21 who</p> <p>22 died was agreed by Professor Clasper and Dr Cary as</p> <p>23 follows: "Multiple injuries caused by a bomb explosion".</p> <p>24 So if you look at number 2 on this example:</p> <p>25 "Medical cause of death: multiple injuries caused by</p> <p style="text-align: center;">Page 7</p>
<p>1 I mention this because you have heard, from</p> <p>2 different sources of evidence, some names of some</p> <p>3 persons who may (or may not) have taken part in the</p> <p>4 bombings. It is not your task to decide who carried out</p> <p>5 the bombings, who made the bombs, who planted them, who</p> <p>6 gave the coded warning or took any other part.</p> <p>7 The reason why some names have been mentioned has</p> <p>8 solely been to help with some aspects of the "how"</p> <p>9 question: by what means and in what circumstances did</p> <p>10 the 21 come by their deaths? Looking at the "how"</p> <p>11 question has sometimes led to names being given. For</p> <p>12 example, both Witness O and Mr Mullin referred to</p> <p>13 Michael (Mick) Murray, now deceased. You had his name</p> <p>14 in order to know that both witnesses were talking about</p> <p>15 the same person.</p> <p>16 So let us now look together at the two documents you</p> <p>17 have to complete. First, the record of Inquest for each</p> <p>18 of the 21 and, secondly, the questionnaire.</p> <p>19 Let me take you to the record of Inquest first.</p> <p>20 I am going to give you two examples just to start off</p> <p>21 with. (Handed.)</p> <p>22 So as you can see, "Record of Inquest". Number 1,</p> <p>23 "Name of deceased". This is just an example: "Paul</p> <p>24 Anthony Davies". Then "Medical cause of death" and</p> <p>25 so on.</p> <p style="text-align: center;">Page 6</p>	<p>1 a bomb explosion."</p> <p>2 And you will find for all 21 it is the same, because</p> <p>3 that is the evidence.</p> <p>4 As to when they died, it is clear that 19 died on</p> <p>5 the night of 21 November 1974 and two died later. And</p> <p>6 the details are provided on each record for you.</p> <p>7 The "where" question is also drafted in the</p> <p>8 documents you have. Eight persons died inside the</p> <p>9 Mulberry Bush. Two died outside. Nine people died</p> <p>10 inside the Tavern in the Town. Two, who were also in</p> <p>11 the Tavern, died in hospital later. So those details</p> <p>12 will also be included.</p> <p>13 So if we look at this one, for example, "Paul</p> <p>14 Anthony Davies":</p> <p>15 "3. Where did he come by his death?"</p> <p>16 "(ii) Where? Outside the Mulberry Bush."</p> <p>17 So those details have been completed.</p> <p>18 The individual Records of Inquest reflect the</p> <p>19 undisputed answers to "when" and "where" in each case.</p> <p>20 When it comes to the "how" question, that will be</p> <p>21 decided by answering the questionnaire. So on each</p> <p>22 Record of Inquest in section 3 we have entered: "See</p> <p>23 questionnaire".</p> <p>24 "(iii) How, by what means and in what circumstances?"</p> <p>25 See questionnaire."</p> <p style="text-align: center;">Page 8</p>

<p>1 If, having considered all the evidence and completed 2 the questionnaire, you are satisfied (on the balance of 3 probabilities, see below) the details of each Record of 4 Inquest are correct, please sign, all 11 of you, each 5 Record of Inquest at the bottom of the form where it 6 says, "Signature of the jury". 7 So on one set of 21 -- you don't have to do it on 8 all of your own -- but on one set of 21 you are asked to 9 sign on that basis. 10 The particulars required for registration -- towards 11 the bottom of each form, the bottom half of each form -- 12 are those details which are then passed on by me, 13 the Coroner, to the Registrar of Births and Deaths. So 14 number 5 on the form: 15 "Further particulars required by the Births and 16 Deaths Registration Act 1953 to be registered concerning 17 the death. 18 "Date of birth, place of birth, name and surname, 19 sex, maiden surname for a married woman, date of death, 20 place of death, occupation, usual address." 21 So those details, for example, are provided for you 22 because everybody is agreed that that is correct on 23 the evidence. 24 So if you turn to the second one, also outside the 25 Mulberry Bush, Neil Robert 'Tommy' Marsh.</p> <p style="text-align: center;">Page 9</p>	<p>1 It is for you to make findings of fact on the 2 evidence and to draw from those findings the answers to 3 the questions in the questionnaire. 4 Apart from one question, question 3 on the 5 conclusion, you must make your findings and come to 6 answers to the questions on what lawyers call the 7 balance of probabilities. That means that if you decide 8 that it is more probable than not that something 9 happened, you have decided on the balance of 10 probabilities that it did. 11 In relation to some questions you will also be able 12 to consider, if it was not probable that something 13 caused or contributed to the loss of life, whether it 14 was possible it did. I will help explain what these 15 tests mean as we go along. 16 As I have already said, the questions give you the 17 opportunity to give your conclusions on the central 18 issues in the case. These address the "how" question: 19 "By what means and in what circumstances did the 21 20 persons come by their deaths?" You should not make any 21 statement or comment which does not form part of 22 answering that question. 23 Each question in the questionnaire deals with 24 a separate and important issue relating to the two pub 25 bombings. These are the central issues in this Inquest.</p> <p style="text-align: center;">Page 11</p>
<p>1 "Medical cause of death: multiple injuries caused by 2 a bomb explosion." 3 When, where and how: 4 "When, 21 November 1974. 5 "Where, outside the Mulberry Bush. 6 "How, see questionnaire." 7 Then 4, "Conclusion of the jury as to the death", we 8 have left that blank because you will decide that. 9 I will come back to that in a moment. 10 So just looking at that example, as my notes say, 11 let us look at the Record of Inquest of Neil 'Tommy' 12 Marsh by way of another of example. The details about 13 his date of birth were provided very recently in 14 a statement read by Mr Morgan from Hilda Turner, his 15 mother. And those details are recorded towards the 16 bottom of the page. 17 So that is the Record of Inquest that has to be 18 completed for all 21. 19 Next, the questionnaire. That is coming to you now. 20 I am going to ask you not to open it for a moment. 21 (Handed.) 22 My directions in writing on the questionnaire are as 23 follows. We turn now to the questionnaire. There are 24 eight questions in it. Please answer them all. Just 25 one copy, signed by all of you, will do.</p> <p style="text-align: center;">Page 10</p>	<p>1 Your answers will give your decisions on the central 2 issues, on the causes and circumstances of the two 3 pub bombings. 4 These questions are for you to answer, not me. You 5 decide them on the whole of the evidence. 6 I will go through all the questions with you in 7 a minute, but most of them require a yes-or-no answer. 8 In answering them, bear in mind that these events 9 were 44 years ago. You should apply the standards of 10 the conduct at the time in November 1974, not those 11 of today. You should consider what those involved could 12 and realistically should have done in the circumstances 13 they were facing at the time. You must not make 14 findings based on hindsight but should consider what 15 those involved could reasonably have been expected to do 16 at the time. 17 You should only give an answer to a question if all 18 of you agree upon the answer. If you find yourselves 19 unable to agree on an answer, I suggest that you move on 20 to the next question and return to it later. 21 With the last three questions, questions 6 to 8, you 22 are asked questions in the alternative, which we will 23 look at in a moment. 24 You are asked whether there was some inadequacy 25 (question 6) or some error or omission (questions 7</p> <p style="text-align: center;">Page 12</p>

1 and 8) that probably caused or contributed to the loss
 2 of life. You will decide that question on the balance
 3 of probabilities.
 4 If you have answered "no" to that question, you are
 5 then asked whether the inadequacy or error or omission
 6 possibly caused or contributed to the loss of life. In
 7 answering that question, you would need to consider
 8 whether there is a realistic possibility that the
 9 inadequacy or the error or omission as described caused
 10 or contributed to the loss of life.
 11 So the first of the two alternative questions
 12 will be: did it probably cause or contribute to the loss
 13 of life?
 14 The alternative question is whether it possibly
 15 caused or contributed to the loss of life.
 16 Where you are asked in a question whether something
 17 caused or contributed to the loss of life, you can only
 18 say that it did cause or contribute to the loss of life
 19 if you consider that it made a more than minimal or
 20 trivial contribution. Something may cause or contribute
 21 to the loss of life without being the only cause. The
 22 main cause of the loss of life was, of course, the
 23 two explosions.
 24 The explanation box.
 25 You are then given the option to explain further in

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1 a separate box. You may, if you wish. You do not have
 2 to. Feel free to use your own wording if you want to.
 3 Looking at the option box for each question, please
 4 follow these directions:
 5 (a) You do not have to complete the box. That is
 6 a matter for you.
 7 (b) If you do, your words should all be directed to
 8 answering the central question: by what means and in
 9 what circumstances did the deaths occur? You should not
 10 make any statement which does not assist in answering
 11 that question.
 12 (c) You should try to be brief and to the point.
 13 (d) You should not write anything in the box unless
 14 you conclude, on the balance of probabilities, that
 15 it happened.
 16 In questions 6 to 8 you should not write anything in
 17 the box unless you conclude that it probably caused or
 18 contributed to the loss of life, or, in the lesser
 19 alternative, that it possibly caused or contributed to
 20 the loss of life.
 21 (e) Do not say anything to the effect that a crime
 22 or breach of a civil law duty of any kind has been
 23 committed. So avoid using words such as
 24 "crime/criminal", "illegal", "unlawful", "negligence",
 25 "negligent", "breach of duty", "duty of care",

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1 "careless", "reckless", "liability", "guilt/guilty".
 2 (f) However, you may, if you wish, say that errors
 3 or mistakes were made. You may use words such as
 4 "failure", "inappropriate", "inadequate", "unsuitable"
 5 "unsatisfactory", "unacceptable", "insufficient",
 6 "omission" or "lacking".
 7 Equally, you may indicate that particular errors or
 8 mistakes (or whatever wording you choose to use) were
 9 not made. You may add adjectives such as "serious" or
 10 "important" to indicate the strength of your feelings.
 11 With some of the questions, you are given a number
 12 of listed factors to consider if you wish. This is no
 13 more than a list of possible considerations. They are
 14 intended to help. You may take them into account, but
 15 you do not have to take them into account. You may take
 16 other features into account if you wish.
 17 I shall now turn to each of the questions in the
 18 questionnaire.
 19 These things look a little bit more straightforward
 20 when you look at the questions themselves.
 21 So question 1. They are all in the same sort of
 22 format. Each is given a topic heading. So question 1,
 23 "Basic facts of the bombings".
 24 Question:
 25 "Do you agree with the following statement, which is

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1 intended to summarise the basic facts of the bombings?
 2 "On Thursday 21 November 1974, bombs were planted
 3 inside two public houses in the City Centre of
 4 Birmingham: one in the Mulberry Bush, one in the Tavern
 5 in the Town. Both bombs exploded, causing death, injury
 6 and destruction. The explosion in the Mulberry Bush
 7 killed eight people inside the venue and two people
 8 outside it. The explosion in the Tavern in the Town
 9 killed 11 people, who were all inside the venue. Please
 10 answer 'yes' or 'no'.
 11 That may be a fairly uncontroversial question. It
 12 is a matter for you. But that is set out in that way
 13 just to provide a starting point for these questions.
 14 Then the box below:
 15 "If you would like to add to or amend this statement
 16 or give any explanation for your answer, please do so in
 17 the box below."
 18 And it is entirely a matter for you whether you wish
 19 to add anything or not. But it must, of course, relate,
 20 in the way I have suggested in the directions, to
 21 that question.
 22 In this case, question 1, there are no additional
 23 points for your consideration. You will see how that
 24 works in a moment.
 25 So question 2: "Attribution of the bombings":

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<p>1 "Was the operation that resulted in the planting and 2 detonation of bombs in the Mulberry Bush and the Tavern 3 in the Town on 21 November 1974 conducted by members of 4 the IRA? Please answer 'yes' or 'no'." 5 And you may find that that is not really 6 controversial at all either. 7 Then the box underneath. If you want to say 8 anything in addition, that is a matter for you. 9 Over the page, just to help you, as a guide, 10 a number of factors for you to consider if you wish, if 11 it is helpful. 12 "In answering question 2 you may wish to bear in 13 mind the following considerations: 14 "The IRA mainland bombing campaign in 1973/1974 and, 15 in particular, the evidence of the campaign in the 16 West Midlands. 17 "The expert evidence provided by Alison Mansfield 18 concerning the construction of the explosive devices 19 planted in the Mulberry Bush, the Tavern in the Town and 20 at Hagley Road on the evening of 21 November 1974, and 21 the similarity between those devices and the bombs used 22 in the IRA West Midlands campaign. 23 "The evidence, including that of the expert witness 24 Dr Heather Hamill, that a warning call was made to the 25 Birmingham Post and Mail on the night of 21 November</p> <p style="text-align: center;">Page 17</p>	<p>1 answer 'yes' to both questions. I will return to that 2 when I come back to my written directions. But I direct 3 you that the answer must be 'yes' to both questions. 4 Question 4, "The warning call": 5 "(a) Was a warning call made by a member of the IRA 6 to the Birmingham Post and Mail on 21 November 1974? 7 Please answer 'yes' or 'no'. 8 "If your answer to this question is 'yes', please 9 consider questions (b), (c) and (d) below. If it is 10 'no', please move to question 5." 11 "(b) Was that call received at the Birmingham Post 12 and Mail at approximately 8.11 pm on the evening of 13 21 November 1974? Please answer 'yes' or 'no'. 14 "(c) Did the warning call contain information that 15 there was a bomb in the Rotunda and a bomb in New Street 16 at the Tax Office? Please answer 'yes' or 'no'. 17 "(d) Did the warning contain a recognised IRA 18 codeword? Please answer 'yes' or 'no'. 19 "(e) Was some or all of the information from that 20 warning call passed to West Midlands Police on 21 21 November 1974? Please answer 'yes' or 'no'. 22 Again, I direct you that the answer to those 23 questions, the five sub-questions, must all be 'yes'. 24 That is because there is no other evidence to 25 contradict it. In some of the later questions,</p> <p style="text-align: center;">Page 19</p>
<p>1 1974 in which a recognised IRA codeword, 'Double X', was 2 used (see question 4). 3 "The evidence that a call was made by a man, 4 Mick Murray, who was a member of the IRA. 5 "Kieran Conway's evidence that senior figures within 6 the IRA knew within days of the bombings that the IRA 7 were responsible. 8 "The public acknowledgements from figures connected 9 with the IRA from 1985 onwards that the IRA was 10 responsible for the bombings." 11 Just to help you, factors which may be relevant. 12 There may be other factors which you consider are 13 relevant in coming to your decision. And in addition 14 I will summarise the evidence on the relevant points so 15 that you have that in mind. 16 Question 3, "Unlawful killing". 17 "(a) Are you satisfied, so that you are sure, that 18 those who died as a result of the explosions in the 19 Mulberry Bush and the Tavern in the Town were murdered? 20 Please answer 'yes' or 'no'. 21 "(b) Are you satisfied, so that you are sure, that 22 those who died as a result of the explosions in the 23 Mulberry Bush and the Tavern in the Town were unlawfully 24 killed? Please answer 'yes' or 'no'. 25 I direct you, members of the jury, that you should</p> <p style="text-align: center;">Page 18</p>	<p>1 obviously, there may be differing evidence about 2 something. But in relation to that there is no dispute 3 about that, so your answers must be 'yes'. 4 Question 5. "The timings of the explosions": 5 "(a) At what time did the bomb in the Mulberry Bush 6 explode? Please provide an answer in the adjoining box. 7 "(b) At what time did the bomb in the Tavern in the 8 Town explode? Please provide an answer in the 9 adjoining box." 10 That is a matter for you to decide as a finding of 11 fact. I will come specifically to the timings as part 12 of my summing up on the evidence. And you have some 13 bullet points. I'm not going to read out all the bullet 14 points now. You have them. 15 But, for example, at the top of the page: 16 "The way in which you express your answer to 17 Question 5 is a matter for you. You may wish to 18 consider the following approaches: 19 "Whether there is sufficient evidence to give 20 a precise time. 21 "Whether it would be appropriate to use words such 22 as 'about' or 'approximately'. 23 "Whether it would be appropriate to give a window of 24 time, for example by saying, 'After [X time]' or 'Before 25 [Y time]'."</p> <p style="text-align: center;">Page 20</p>

<p>1 That is not telling you what to do. You do as you 2 wish in answering that question sensibly on the 3 evidence. And then there are a number of bullet points 4 for you to consider if you find that helpful. 5 So question 6, "The adequacy of the warning call". 6 "(a). Was the warning call adequate for the 7 purposes of ensuring that lives were not lost in the 8 explosions in the Mulberry Bush and the Tavern in 9 the Town? Please answer 'yes' or 'no'." 10 And that is entirely a matter for you, members of 11 the jury. If the answer is 'yes', please go to 12 question 7. 13 If the answer is 'no', then "Mulberry Bush": 14 "(b) If the answer to question A is 'no', did the 15 inadequacies of the warning call probably cause or 16 contribute to the loss of life resulting from the 17 explosion in the Mulberry Bush? Please answer 'yes' 18 or 'no'." 19 And (c): 20 "If your answers to question (a) and question (b) 21 are 'no', please answer the following question. Did the 22 inadequacies of the warning call possibly cause or 23 contribute to the loss of life resulting from the 24 explosion in the Mulberry Bush? Please answer 'yes' 25 or 'no'."</p> <p style="text-align: center;">Page 21</p>	<p>1 Question 7, "Police response to the warning call": 2 "Mulberry Bush": 3 "(a) Was there any error or omission in the West 4 Midlands Police response to the warning call that 5 probably caused or contributed to the loss of life 6 resulting from the explosion in the Mulberry Bush? 7 Please answer 'yes' or 'no'. 8 And: 9 "(b) If your answer to the question above is 'no', 10 please answer the following question. Was there any 11 error or omission in the West Midlands Police response 12 to the warning call that possibly caused or contributed 13 to the loss of life resulting from the explosion in the 14 Mulberry Bush?" 15 Then similar questions, with the same wording, for 16 the Tavern in the Town. 17 Then the box underneath and, over the page, two 18 pages of a number of possible considerations at some 19 length for you to consider. I will not read them out. 20 But you should bear them in mind if they are helpful for 21 you, and any other factors which you consider to be 22 helpful in answering that question. 23 Finally, question 8, "Forewarning": 24 "(a) Did West Midlands Police have information 25 prior to the warning call on 21 November 1974 that would</p> <p style="text-align: center;">Page 23</p>
<p>1 So at (b), if you get to (b) from (a), the question 2 is about "probably". And if you are not satisfied about 3 that, and you get to (c), the question there is about 4 "possibly". And that repeats in one or two of 5 these questions. 6 So if we then look at the Tavern in the Town, you 7 have the same alternatives: 8 "Did the inadequacies of the warning call probably 9 cause or contribute to the loss of life resulting from 10 the explosion in the Tavern in the Town? 11 And (e): 12 "If your answers to question (a) and (d) are 'no', 13 please answer the following question. Did the 14 inadequacies of the warning call possibly cause or 15 contribute to the loss of life resulting from the 16 explosion at the Tavern in the Town? Please answer 17 'yes' or 'no'. 18 Then the box below, if and only if you wish to add 19 anything. And over the page: 20 "In answering question 6, you may wish to bear in 21 mind the following considerations." 22 Which I shall not read out, but you have those in 23 detail before you. 24 Question 7 also has "probable" and "possible" 25 alternatives:</p> <p style="text-align: center;">Page 22</p>	<p>1 have allowed them to take reasonable steps to prevent 2 the bombings taking place? Please answer 'yes' or 'no'. 3 "(b) If the answer to question (a) is 'yes', please 4 answer the following question. Did any error or 5 omission by West Midlands Police in their response to 6 such information probably cause or contribute to the 7 loss of life in the explosions in the Mulberry Bush 8 and/or the Tavern in the Town? Please answer 'yes' 9 or 'no'. 10 And then (c), in the alternative, as in the last 11 couple of questions, did it possibly cause or contribute 12 to the loss of life? 13 Then the box. And over the page you will see: 14 "In answering question 8 you may wish to bear in 15 mind the following considerations." 16 The first heading is "The Winson Green Prison 17 conversation" and at the bottom of the page the second 18 heading is "The Dog Pool pub". 19 On forewarning, there were six topics that we have 20 heard evidence about. It was right that we heard 21 evidence on all of them. But I have ruled out the other 22 four, for lack of evidence. So there are two left for 23 your consideration, and I shall return to the evidence 24 relating to them. 25 So if you go back to question 3, please, and my</p> <p style="text-align: center;">Page 24</p>

<p>1 direction to you in relation to 3(b) that you should 2 answer "yes", that they were unlawfully killed. We now 3 come back to my written directions, please. 4 Unlawful killing. Paragraph 43. And please also 5 have open, if you are able to do it, one of the Records 6 of Inquest which you have, let's say for Paul 7 Anthony Davies. 8 So unlawful killing. In section 4 of the Record of 9 Inquest you are asked for your conclusion as to the 10 death. So if you look at the Record of Inquest, 11 number 4: "Conclusion of the jury as to the death". 12 That is your decision. That is why I have left it 13 blank, so that you should make that decision. 14 But I have directed you in relation to question 3(b) 15 that the answer must be "yes". So I will just 16 explain that. 17 In section 4 of the Record of Inquest you are asked 18 for a conclusion as to the death. The relevant question 19 in the questionnaire is question 3(b). There is only 20 one possible conclusion: unlawful killing, and therefore 21 only one answer to this question, although it is for 22 you, the jury, to give. That is why I have left you to 23 answer that question on each of the 21 Records 24 of Inquest. 25 It is agreed by all involved in this Inquest that</p> <p style="text-align: center;">Page 25</p>	<p>1 You can be sure of it. I therefore direct you to 2 say that this was murder in question 3(a). 3 Right, those are the two documents. 4 Some further directions on the evidence. 5 I have already told you that you come to your 6 conclusions on the whole of the evidence. That evidence 7 includes evidence from the witness box, on live links, 8 from statements of witnesses which have been read out or 9 summarised, from recorded interviews of witnesses, from 10 documents, photographs, plans and maps, from video and 11 audio clips and presentations, and from the view when we 12 all went to the Rotunda and New Street. 13 You also have your jury bundle which contains 14 certain documents, including the two chronologies. All 15 of that is evidence for you to consider. 16 You decide what evidence you accept and what 17 evidence you reject. You may, for example, if you wish, 18 accept one part of what one witness says and reject 19 another part. That is a matter for you. 20 In summarising the evidence shortly, I shall 21 inevitably be selective, but if you think something else 22 which I have not mentioned is important, by all means 23 take it into account. 24 If you wish to be reminded of any part of the 25 evidence or to see a clip or a photograph or anything</p> <p style="text-align: center;">Page 27</p>
<p>1 unlawful killing is the only possible conclusion. 2 I must also direct you that the standard of proof 3 for the conclusion of unlawful killing is that you must 4 be sure of the conclusion before you can enter it on the 5 Record of Inquest. 6 In order to arrive at this, and only this, 7 conclusion of unlawful killing, you must be sure of the 8 conclusion before you can answer question 3. The route 9 for this conclusion is as follows: 10 You must be sure that all 21 persons were murdered. 11 Under the law, murder is committed where a person 12 unlawfully kills another person and at the time intends 13 either to kill that other person or to cause him really 14 serious bodily harm. 15 This was murder in ordinary language and murder in 16 law. When you look at all the circumstances of the pub 17 bombings, you can be sure that those involved in this 18 illegal and violent enterprise had the necessary 19 intention. Consider the nature of the planting and 20 priming of the bombs to explode, the location of the 21 bombs in crowded pubs in confined spaces, the nature of 22 the warning call, its contents and timing, to whom it 23 was directed. And there may be other relevant factors. 24 I therefore say to you that when you take this all 25 into account, there is only one answer: murder.</p> <p style="text-align: center;">Page 26</p>	<p>1 else again, just send a note and we will come back into 2 court and help you with it. 3 Witness statements. 4 There has been a good deal of written evidence which 5 has been read out to you. That is all evidence in the 6 case. In some instances, statements were read by 7 agreement and the evidence was not in dispute. In 8 others it was because the witness is no longer alive or 9 there were good reasons for the witness not to attend, 10 such as poor health or loss of memory. 11 You will also have noted in general terms that some 12 witness statements were taken quite soon after 13 21 November 1974 and others much later, for example in 14 1991 when the police commenced fresh inquiries following 15 the successful appeals of the Birmingham Six in March 16 1992, or even much later when statements were taken at 17 my request. 18 Some witnesses who gave evidence were inclined to 19 say that the closer their witness statement was to the 20 events the more likely it was to be accurate. But that 21 is a matter for you. 22 I have also directed you during the Inquest about 23 certain passages in witness statements. Counsel 24 helpfully pointed out to me and to you where they would 25 have liked to ask questions of witnesses who are no</p> <p style="text-align: center;">Page 28</p>

<p>1 longer available to come to court. Three 2 obvious examples: 3 1. The message or messages passed on to Digbeth 4 Police Station by PC Phillips from Central Control after 5 he had been informed of the coded warning call by 6 Ian Cropper of the Birmingham Post and Mail. Was it one 7 message or two? What precisely did the one or two 8 messages say? Was anything said about King Edward House 9 or the Tax Office? 10 2. The reason why Inspector Skitt went to the 11 Tavern in the Town shortly after the Mulberry Bush 12 explosion. Did he receive a message to go there? Or 13 did he just follow Police Constable Yates, who was 14 running in that direction. 15 3. Another example is the assertion of 16 Superintendent Jones, who referred in his report after 17 the bombings to the city being "denuded" of police 18 resources because of the events in Coventry. He added 19 in his report: 20 "But ... this in no way affected the organisation 21 and efficiency of the police at the scenes." 22 That assessment has been challenged on behalf of the 23 families and Mr Jones is not available to be questioned 24 about it. 25 There are other examples.</p> <p style="text-align: center;">Page 29</p>	<p>1 That creates another problem: a document may have 2 been lost or destroyed over the years, or it may never 3 have existed in the first place. And it may be 4 difficult to know which. 1974 was a paper era, mostly 5 pre-computers. Nearly everything that was to be 6 recorded was written down, except perhaps for the VDU in 7 the control room. The contemporaneous documents, it 8 seems, were all typed out onto a piece of paper and then 9 kept, for example in a file or a box or in some 10 other way. In due course, as computers became more 11 common, old records were either thrown away or placed 12 onto computer systems. It is not always easy for us to 13 know which. 14 As I said in my opening to you at the beginning of 15 the Inquest, it was important to remember that witnesses 16 were often remembering events from long ago. They were, 17 I hope, doing their best to recollect events accurately. 18 But we all know that memory may sometimes -- not 19 always -- play tricks. A recollection may be distorted 20 or inaccurate or imperfect. Or it may be correct. Some 21 witnesses may have retained a vivid recollection. 22 Memory is, therefore, just something you should bear in 23 mind in this case when you assess the evidence of 24 each witness. 25 You have heard evidence from a number of expert</p> <p style="text-align: center;">Page 31</p>
<p>1 The statements of these witnesses were read to you 2 because none of the relevant officers was available to 3 give evidence and be asked questions by counsel. 4 Remember that counsel have not had the opportunity to 5 question the witness about something in the statement. 6 Bear that carefully in mind when you consider their 7 evidence. I will remind you of the evidence relating to 8 police messages and police movements in full when 9 I summarise the evidence. 10 The unavailability of witnesses is just one of the 11 difficulties we have with evidence relating to events 12 44 years ago. We also have another difficulty: the 13 absence of documentation. In some instances documents 14 just no longer exist. For example, years later the 15 police asked the Royal Army Ordinance Corps if they 16 still had records of the incidents they attended to 17 defuse explosive devices. They did not. They no 18 longer existed. 19 Let me give some other examples. We have only 20 a limited number of records of 999 calls on the night. 21 There is an absence of logs or tapes between Force 22 Central Control and Digbeth Police Station. 23 We do not have Police Sergeant Wilson's 24 contemporaneous handwritten log. Some hospital notes 25 from the time are not available.</p> <p style="text-align: center;">Page 30</p>	<p>1 witnesses on the historical context, coded messages, 2 bomb blasts, injuries, pathology and so on. All from 3 people who, from their experience and work, have 4 developed an expertise in their field and are therefore 5 entitled to express an opinion about facts and other 6 evidence within the scope of their field. 7 For example, Professor Clasper and Dr Cary used 8 their extensive medical expertise to form a view about 9 the medical causes of death of the 21 who died. 10 Distressing but helpful evidence. 11 As with all evidence, you are entitled to accept or 12 reject it, or any part of it, as you see fit. On the 13 other hand, you will have noted that most if not all of 14 the expert evidence was not really in dispute, in the 15 sense that it was not challenged by any counsel. That 16 makes it easier to accept. 17 Hearsay evidence. I want to say a little about 18 hearsay evidence and how you should approach it. 19 From time to time, a witness has said in the witness 20 box or reported in a witness statement that he or she 21 was told something by somebody else. We call that 22 hearsay evidence. 23 You will be cautious about hearsay evidence. It is 24 still evidence in the Inquest, but it is coming 25 indirectly, second- or third-hand, from somebody who is</p> <p style="text-align: center;">Page 32</p>

<p>1 not here to give evidence and be asked questions about 2 what they had to say. 3 It may be good, sound, accurate, reliable evidence, 4 or it may be less reliable, for example because it comes 5 from somebody who has a motive to lie or distort the 6 truth. You must decide for yourselves, looking at each 7 piece of hearsay, what weight you should give to it in 8 all the circumstances, including other evidence. You 9 can give it full weight or less weight or no weight at 10 all, making up your own minds and being fair and 11 sensible about it. 12 Before I come to my review of the evidence, I would 13 like you to have the sheets with details for each of the 14 21 who died. You might like to put it at the end of 15 your jury bundle for filing purposes. (Handed.) 16 There is one sheet for each of the 21 who died, 17 beginning with Maureen Ann Roberts. They are in no 18 particular order, just the order in which the evidence 19 was given. 20 You can see it speaks for itself: personal details 21 at the top, movements, location, recovery and 22 transportation where known, medical attention and 23 confirmation of death, expert medical and pathology 24 evidence. And you will see at the bottom of the page, 25 in the last point: the cause of death, according to the</p> <p style="text-align: center;">Page 33</p>	<p>1 separate individuals died following these two bombings, 2 and who they were. That is why you heard 3 these portraits: 4 From a son who never got to go to Aston Villa with 5 his dad. 6 About a 20-year-old, a happy-go-lucky girl who was 7 caring and kindhearted and always put other 8 people first. 9 Of a car-worker who never missed a day's work. 10 An allotment-owner who had an allotment memorial 11 prize awarded in his name. 12 A young man who loved to draw and sketch and display 13 his work around the house. 14 Two brothers, both lost, one delighted that his wife 15 was pregnant, but he never got to meet his son. 16 A young, intelligent, carefree teenager, who was 17 born to set the world on fire. She never got to know 18 that she had won a place at university to study law, the 19 first in her family to gain a place. 20 Another teenager, who aspired to be 21 a nuclear physicist. 22 A supervisor at Miss Selfridge. 23 A postman at New Street Station. 24 A stock controller. 25 A shop manager.</p> <p style="text-align: center;">Page 35</p>
<p>1 expert evidence, was that Maureen died of multiple 2 injuries caused by a bomb explosion. 3 And you will find that that is the same for all 21 4 because that was the evidence and it was not challenged. 5 So, members of the jury, we will have a break now, 6 before we start on the evidence. 7 15 minutes, please. 8 (11.34 am) 9 (A short break) 10 (11.50 am) 11 THE CORONER: So, members of the jury, let me turn to the 12 evidence. I am afraid I can't give you this in writing, 13 so you will have to listen to me. 14 I have to cover quite a lot of ground. In 15 particular, I need to look with you at the timings, the 16 coded warning, the police evidence, police messages and 17 movements, as well as the involvement of the IRA, 18 attribution and forewarning, and of course the evidence 19 relating to each question in the questionnaire. 20 But first, beginning at the beginning. You heard 21 moving evidence, the pen portraits, about all those who 22 died. The portraits were informative, as far as there 23 is information, moving, sad and funny, from parents, 24 brothers, sisters and other relatives. 25 It is so important for all of us to remember that 21</p> <p style="text-align: center;">Page 34</p>	<p>1 A welder. 2 Two pipe-fitters. 3 A retailer. 4 A quantity surveyor. 5 A wages clerk. 6 A punch-card operator. 7 And much, much more, about all 21 who died, many of 8 them young. And these pen portraits were about those 9 who loved and were loved. And are all missed. All 10 robbed of their lives by these terrible events. 11 So let's put the events of November 1974 in 12 a broader context. 13 Professor Thomas Hennessey gave his helpful 14 historical analysis of events leading up to 1974. 15 I hope my brief summary is reasonably accurate of what 16 he said. He explained that the broader Irish question 17 arose long ago from deep-seated antagonism between those 18 who were from the island of Ireland, mostly Catholics 19 and keen Nationalists wanting to keep the whole of 20 Ireland for themselves and not the British, and those 21 who were sent over from England in the 17th century, who 22 were mainly Protestants and who settled in the 23 north-east of the island in Ulster. 24 He explained how that division led, through the 25 centuries, to a separate Irish Republic, Eire (part of</p> <p style="text-align: center;">Page 36</p>

<p>1 the European Union, one might add), and a separate 2 entity, Northern Ireland, which is part of the 3 United Kingdom. The British had made sure that the 4 majority in Northern Ireland were Protestants. 5 Those Nationalists who wanted a United Ireland 6 included politicians such as Sinn Fein, a Republican 7 political party, and paramilitaries who were prepared to 8 act with violence. They included, back in 1914, the 9 Irish National Volunteers, from whom there emerged in 10 1919 a new, illegal, organisation, the IRA, the Irish 11 Republican Army, an army group of die-hard Republicans 12 which considered its Army Council to be the true and 13 only legitimate government of a United Ireland. 14 The IRA was a military organisation. Every member 15 was a Volunteer, who took an oath of allegiance. They 16 were all soldiers. There was a structure of command, 17 and special roles such as chief of staff, and the 18 adjutant general's role was to enforce discipline. 19 The IRA were quite content to use force to achieve 20 their goal: the unification of Ireland. They deployed 21 force against the British State, primarily England, with 22 its Westminster Parliament, which in their view 23 illegitimately laid claim to Northern Ireland. 24 In order to pursue their objective, they used bombs 25 in Belfast and other parts of Northern Ireland first,</p> <p style="text-align: center;">Page 37</p>	<p>1 'spectaculars': big bombs for well-known targets. 2 These would not just be military targets but 3 high-prestige civilian targets. They wanted to create 4 dissatisfaction amongst the British people about the 5 Government's policy for Northern Ireland. 6 In March 1973, they bombed the Old Bailey from 7 a car-bomb outside. If you ever happen to visit the 8 Old Bailey and go into the main hall, there is a piece 9 of glass still stuck in the stone about 20 feet up from 10 the ground. 11 They used car-bombs, they used incendiary devices 12 and they sent letter-bombs through the post. In August 13 1973 there were regular attacks, mostly in London, but 14 they spread further. In February 1974, a military coach 15 on the M62 was bombed. Women and children were killed. 16 In October and November 1974 there were attacks on pubs 17 in Guildford and Woolwich, frequented by soldiers. The 18 aim was to kill soldiers, but if civilians were killed, 19 as Professor Hennessey expressed it, that was 20 just 'unfortunate'. And they were. 21 "War is war", he said, "as they saw it". And indeed 22 that is how Mick Murray seemed to have seen it, 23 according to Chris Mullin: war is war. 24 So that takes us to the IRA's campaign in the 25 Midlands in 1973 and 1974. The IRA had claimed</p> <p style="text-align: center;">Page 39</p>
<p>1 all the more so when the British Government deployed 2 troops in Northern Ireland in 1969 in order to try to 3 keep the peace between rival groups. 4 Then the IRA itself split. In 1969, a large number 5 of IRA Volunteers felt that the IRA had failed to 6 protect Catholic communities in Northern Ireland, so 7 they split off and became the Provisional IRA, sometimes 8 known as the Provisionals or the Provos, with Joe Cahill 9 as a prominent leader from the start. And the remaining 10 group became known as the Official IRA. But it was the 11 Provos, the Provisional IRA, who became the dominant 12 group and the violent one. 13 By 1970, their main targets, mostly Protestant 14 targets, were so-called 'economic targets' in 15 Northern Ireland, and, of course, British soldiers on 16 the streets. But, as someone once said -- and I am only 17 repeating what Professor Hennessey said; these are not 18 my views -- "A bomb in England is worth a thousand 19 in Belfast". 20 And despite talks with the British Government in 21 1972, Professor Hennessey said that the IRA had bombed 22 their way to talks. In 1973 they started their campaign 23 of bombing in England, a decision by the IRA Army 24 Council to commence a campaign of terrorism. They sent 25 Volunteers to London to create what was known as</p> <p style="text-align: center;">Page 38</p>	<p>1 responsibility for earlier attacks, but now decided, 2 said the Professor, it was a mistake to do so, and 3 decided not to claim responsibility. 4 But everyone knew, said Professor Hennessey, that it 5 was the IRA, the Provisional IRA. There were 6 predominantly small explosive devices attacking 7 so-called 'economic' targets. Mr Thomas called them 8 "soft targets", shops and places of work, commercial 9 premises, but also cinemas, a football club, the RAF 10 Club, the Conservative Club, tax offices and banks 11 and more. 12 These were targets, as I think Mr Thomas emphasised, 13 that were used by the public, who were in effect 14 defenceless in the face of these bombs, except perhaps 15 from sensible watchfulness. 16 But that, said Professor Hennessey, seemed to change 17 from September/October 1974 into something bigger. 18 You have the chronology of events up to 21 November 19 1974. There were 53 incidents in the West Midlands 20 before the fatal night. Some events have been 21 highlighted. Mr Mole, who is not an expert witness, 22 he's a professional witness, an ex police officer, 23 senior police officer, who was used as a sort of 24 sounding board for documents and statements and so on 25 that he had looked at.</p> <p style="text-align: center;">Page 40</p>

1 He told us about the following: from your schedule
 2 number 15, of course, the 6 April explosion at the
 3 Rotunda. An estimated 11 pounds of explosives. A large
 4 bomb went off in the inspection shaft. There was
 5 a warning given to Caters News Agency, an anonymous
 6 telephone call from someone with an Irish accent giving
 7 the 'Double X' warning and saying that "Bombs will go
 8 off shortly in the city centre. Two in the vicinity of
 9 Navigation Street and one in the vicinity of
 10 New Street."
 11 The Rotunda was not mentioned. And you have that
 12 note in your file.
 13 The warning call was at 8.18 for that bomb. The
 14 bomb exploded twelve minutes later at 8.30. The police
 15 diverted the traffic on this occasion and police
 16 prevented pedestrians from entering the area, with
 17 a cordon.
 18 Number 27 on the list, also at the Rotunda, on 14
 19 July, also a warning to Caters News Agency. The phone
 20 call was made by a male, about 35 years, with an Irish
 21 accent, at 11.19 at night:
 22 "This is Double X. There is a bomb at the corner of
 23 New Street and High Street."
 24 No mention of the Rotunda, where the bomb exploded.
 25 The timing of the bomb was mentioned. And you have,

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1 again, a note about that.
 2 Police officers from Steelhouse Lane Police Station
 3 attended on that occasion immediately. You have seen
 4 the damage in photographs. Hundreds of windows broken,
 5 from the explosion at 11.50, 31 minutes after the
 6 warning call.
 7 One or two more:
 8 Number 49, on 14 November at the Royal Air Force
 9 Club, military club. A 3- to 5-pound bomb exploded at
 10 5.10 on the doorstep. It is said to have been made up
 11 of nitroglycerin of industrial capability.
 12 Number 50, on the same day, at the GPO Telephone
 13 Exchange in Coventry, when James McDade blew himself up.
 14 He was born in Belfast, where his brother, said to be
 15 a captain in the IRA, was killed by British forces. He
 16 came to live in Birmingham in 1969. He was blown to
 17 pieces by his own bomb, one of the risks with bombs of
 18 this type.
 19 He had recruited 23-year-old Raymond McLaughlin to
 20 help him and act as look out. And when the bomb went
 21 off he ran away, but was captured almost immediately.
 22 He made a full confession and pleaded guilty to various
 23 charges, and received, I think, a 12-year
 24 prison sentence.
 25 I'm just going to read from an interview of the

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1 assistant to James McDade. They had come from
 2 Birmingham. They went from Birmingham to Coventry, and
 3 they were going to go back by train to Birmingham.
 4 The officer asked:
 5 "Who was the man with you who was blown up?"
 6 "Answer: My comrade, James McDade."
 7 "Question: I assume the bomb was not intended to go
 8 off when it did, because he was obviously too close."
 9 "Answer: I couldn't understand why it went off so
 10 soon. Jim said it wouldn't be going off for a couple
 11 of hours.
 12 "Question: There were many people working in the
 13 telephone exchange when the bomb went off. Where were
 14 you and McDade supposed to be when the explosion
 15 came about?"
 16 "Answer: Back in Birmingham. We had our orders to
 17 blow up the building, and that's what we came to do."
 18 "Question: What were you supposed to do, if
 19 anything, to prevent loss of life?"
 20 "Answer: Nothing. The place was lined up to be
 21 bombed, and that's what we were supposed to do."
 22 "Question: Who issued the order for the attack?"
 23 "Answer: I don't know."
 24 And towards the end of the interview, the officer
 25 said to him:

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1 "Do you agree that if you plant a bomb in a city
 2 there is a fair chance of somebody getting killed?"
 3 "Answer: Yes. But you can't bother with that."
 4 James McDade was identified by his thumbprint. He
 5 had been killed setting the bomb, the first Volunteer to
 6 die in the West Midlands. The bomb was estimated to be
 7 a 10-pound charge, much smaller than the Birmingham
 8 Pub Bombs.
 9 One or two other incidents of bombing:
 10 Number 48, going back a little bit, on the
 11 6 November, the Crown House at Wolverhampton, containing
 12 the Inland Revenue offices.
 13 Number 51, 14 November, Solihull Conservative
 14 Association, between 3 to 5 pounds of nitroglycerin.
 15 Number 52, on 15 November, at Ryland Timber Yard,
 16 a fire bomb, less damage.
 17 Number 53, also on that date, Reliance Autos, an
 18 incendiary device, setting fire to a stack of tyres.
 19 And that was the last significant device before the
 20 two pub bombings in Birmingham. So there was
 21 undoubtedly an increase in the number of bombings as
 22 part of a serious and concerted campaign, as
 23 Mr Mole said.
 24 You have maps to show you where the incidents were.
 25 You have photographs of the damage caused, and you have

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<p>1 the chronology of events in your jury bundle. In none 2 of these incidents was anyone killed. 3 Captain Wilkinson had been killed back in September 4 1973 while trying to defuse a bomb. But in the 5 West Midlands, nobody since, not until 21 November. 6 That day was the day of the McDade funeral. It was 7 a big day. James McDade was going to be transported 8 from the Coventry mortuary, where his body parts lay in 9 a coffin, to Birmingham Elmdon Airport, and then by a BA 10 flight to Belfast at 6.35. 11 The IRA threatened a military guard of honour and 12 a mass protest march. The police were on their guard. 13 Feelings were running high in Birmingham, we were told. 14 And counter-protests, if not violence, were anticipated. 15 The West Midlands Police took the event very 16 seriously. Unusually, the Deputy Chief Constable and 17 two Assistant Chief Constables were involved. Police 18 leave was cancelled, and over 2,000 police officers of 19 varying ranks were deployed to the airport. It was 20 a huge police presence, out of the ordinary. In the end 21 it was not especially required. 22 The point made by Ms Williams, for some of the 23 families, through the documentation, in particular the 24 Superintendent Jones report on numbers of police 25 officers, was that as a result of the McDade events on</p> <p style="text-align: center;">Page 45</p>	<p>1 It deals with the depletion of numbers. It is 2 a summary of the numbers. I won't read it all out, but 3 to the left-hand side you have evidence about the normal 4 shift, full strength. And to the right-hand side you 5 have the actual strength in Digbeth on the evening of 6 Thursday 21 November. 7 That is an agreed document, so that is an agreed 8 summary of what the evidence is. It shows the reduction 9 in numbers and to what extent. But I will come back to 10 the numbers later when we focus more on the 11 police evidence. 12 But just staying with the McDade events for 13 a moment, in the end the IRA march was cancelled by 14 order. And Brendan McGill, said to be a senior IRA 15 member, agreed to drop the guard of honour and some of 16 the other military aspects. 17 The coffin was taken to the airport. But there were 18 problems there, too. There were hoax calls during the 19 day stating that bombs had been planted at the airport. 20 A suspicious object was found there, although it turned 21 out to be harmless. And the British Airways staff were 22 reluctant to handle this particular cargo. 23 So the 6.35 flight, the BA flight to Belfast, was 24 switched to a later flight at 8.30, the Aer Lingus 25 flight to Dublin. So at 6.35, the BA flight was due to</p> <p style="text-align: center;">Page 47</p>
<p>1 21 November the Birmingham city centre was 'denuded', to 2 use one of the words of the police in a police report -- 3 I think it was Superintendent Jones' report -- denuded 4 of police officers on the night. 5 A-Division was one of twelve divisions of the West 6 Midlands Police, the division closest to the pub 7 bombings. And its two subdivisions were Digbeth Police 8 Station, closest to the bombings, and Steelhouse Lane, 9 not much further away. 10 135 police officers of varying ranks from A-Division 11 went to the Coventry mortuary and then were redeployed 12 to the airport. This number of officers was taken more 13 or less half-and-half from each subdivision, 68 from 14 each, leaving reduced numbers at Digbeth and 15 Steelhouse Lane: nine police officers at Digbeth and at 16 Steelhouse Lane, one inspector, three unit beat car 17 drivers and a dog-handler. 18 As Chief Superintendent Brannigan stated in his 19 report, the high numbers sent to Coventry were partly 20 achieved by reducing the strength of second day watch 21 and night duty, leaving the much reduced numbers of 22 officers "actually on outside duty". 23 I am going to give you one short document about the 24 police numbers. I'm not going to give you many 25 documents, but there is this one. (Handed.)</p> <p style="text-align: center;">Page 46</p>	<p>1 leave but, because of the problems, the BA staff, the 2 police and everybody else had to think again. So it was 3 rearranged with Aer Lingus for a flight at 8.30. 4 We heard evidence that at 9.10, 40 minutes after the 5 flight, the first A-Division officers returned to 6 Birmingham, the first units. It is unclear whether they 7 left Coventry at that time, or the airport, or arrived 8 in Birmingham at that time. You can see that there is 9 a movement back to Birmingham, but not until 9.10. 10 So these are some of the background events to the 11 pub bombings. Let's look now a little more closely at 12 the key events. 13 There is much you can take as key facts, and there 14 is no dispute about them, and they are perhaps set in 15 stone in the history of Birmingham. 16 Relating to question 1 and basic facts of the 17 bombings: on Thursday 21 November 1974, 44 years ago, 18 two bombs were planted within public houses in the city 19 centre sometime in the evening. We will come back to 20 the timings, because that is a question for you to 21 consider, question 5. 22 The one in the Mulberry Bush, at the base of the 23 well-known Rotunda, exploded first, and it killed ten 24 people and injured many others. The second bomb 25 exploded in the Tavern in the Town minutes later. It</p> <p style="text-align: center;">Page 48</p>

1 killed 11 people and injured many others. The total
 2 number of those injured but who survived, at both pubs,
 3 was put at 220.
 4 These bombings have been described as the
 5 culmination of a bombing campaign in the West Midlands.
 6 It is for you to say if this was an IRA campaign. But
 7 as I have already said, there is plenty of evidence to
 8 say so and no evidence to say to the contrary.
 9 After the atrocity of these two bombs, and the
 10 deaths, the campaign in the West Midlands stopped.
 11 So let me just look a little bit at attribution of
 12 the bombings, which is your question 2. You have plenty
 13 to show that the Provisional IRA was responsible, albeit
 14 understandably reluctant to take responsibility after
 15 the heavy loss of life of civilians. It took ten years
 16 for Joe Cahill, on behalf of the IRA, to
 17 admit responsibility.
 18 So you have in evidence Professor Hennessey's
 19 historical account, the IRA's admission of
 20 responsibility, although years after the event,
 21 Kieran Conway's account -- he was, or used to be back
 22 then, the IRA's intelligence officer, who gave evidence
 23 on the screen.
 24 You have Witness O's account, coming from himself,
 25 a Birmingham IRA Volunteer, albeit only for a couple of

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1 weeks, in about August. Chris Mullin's account of what
 2 IRA men, including Birmingham IRA men, told him. The
 3 James McDade Coventry GPO events, and his partner
 4 McLaughlin's confession that it was an IRA bomb. And of
 5 course, on the night itself, the warning call to
 6 Ian Cropper with an IRA codeword in it.
 7 Shane O'Doherty said that he invented 'Double X'.
 8 His statement was read to you. He was an IRA Volunteer
 9 who turned against the IRA and all that he had done. In
 10 a statement in 2018, last year, he told you that in 1976
 11 he was sentenced to Life Imprisonment at the age of 21
 12 for 31 offences of causing explosions with intent to
 13 endanger life or causing damage to property. But in
 14 prison he recanted. He said he had time to think
 15 about it and he thought that it was wrong.
 16 He said that on one occasion when he planted a bomb
 17 in a basement shop in Oxford Street in London, he gave
 18 a warning -- not a coded warning -- not once but twice.
 19 But nobody took any notice. So he invented 'Double X',
 20 he said, in order to distinguish a coded warning for
 21 a real bomb from warnings which were from bomb hoaxes,
 22 of which, clearly, there were many.
 23 And he tested it out with a trial run. He used it
 24 in London throughout 1973. And when it was
 25 well-established he informed the IRA Army Council

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1 about it in Ireland.
 2 He didn't tell the police about it. He informed the
 3 Press Association, representing newspapers at the time.
 4 He said it was a closely guarded secret. The IRA
 5 comprised many different groups, he said. Some used
 6 coded warnings. Others were happy not to: "Fuck the
 7 warnings. Why give warnings to those bastards?" And
 8 some new Active Service Units might not always use
 9 warnings, he said.
 10 He himself made warning calls from telephone boxes,
 11 having checked earlier that they were working. But he
 12 did accept in his statement that using phone boxes was
 13 not the best idea because, for example, somebody might
 14 be in one, talking, and he couldn't exactly pull
 15 them out.
 16 You heard, too, from Dr Heather Hamill, who is an
 17 expert on coded warnings. It is a bit of a niche
 18 subject to be an expert on, but she is apparently an
 19 Associate Professor of Sociology at Oxford University.
 20 She said that her sources were fairly obvious public
 21 sources, in part, newspapers. She admitted they were
 22 not always reliable and were obviously selective. And
 23 Online searches. But she also looked at the Birmingham
 24 Post and Mail logs. And she had seen witness statements
 25 in the Inquest, including Shane O'Doherty's account.

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1 She said there were important limitations to her
 2 knowledge. There was no single database of coded
 3 warnings, as you might expect. And she did not always
 4 know if there was a code with a warning, from
 5 the information.
 6 She said the first known use of a codeword was in
 7 1966, by the Ulster Volunteer Force, which was given to
 8 the Belfast Telegraph.
 9 She said that codewords were, so far as she could
 10 see, used to show reliability that it came from
 11 a particular paramilitary organisation; to warn,
 12 sometimes, that a device had been planted; or even after
 13 the event to claim responsibility.
 14 Even if a codeword was used, so far as she could
 15 see, it could still sometimes be a hoax. There was
 16 a lot of variability about how precise the
 17 information was.
 18 Most calls were to the press, newsrooms or charities
 19 like the Samaritans, even hospitals. And they were not
 20 made to the security forces or the police. So every
 21 warning would have a delay because it goes from one and
 22 then has to go to another.
 23 She also received information from the West Midlands
 24 Police. And of the 50 or so attacks in 1973/1974 in the
 25 West Midlands, more than half were attacks on commercial

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<p>1 premises or shops. None of them, she said, were pubs. 2 Table 7. I'm just going to remind myself. This was 3 a table that came up. I will come to table 7 in 4 a moment. 5 She said the log at the Birmingham Post and Mail had 6 401 messages of warnings, 349 of which were bomb 7 warnings with a specific location. There were only 14 8 calls with codewords. And some logs say "a codeword" or 9 "code used" and others say what the codeword was. So it 10 was not a very consistent pattern. 11 Table 7 was headed "The amount of time between 12 warning and explosion, between August 1973 and 13 21 November 1974". It shows the times of warnings, 14 based on information from the police. It shows, on 15 police times, that the previous warnings had been within 16 the range of 17 to 41 minutes from the call logged to 17 the explosion. The two pub bombings, on the information 18 that she had, had only approximately seven and nine 19 minutes from Mr Cropper's 8.11 call. 20 She knew of no other case when the timings had been 21 so short. She was aware of longer warnings, but the 22 time to evacuate had still been insufficient. 23 She said of Mr Cropper, "and he didn't know it was 24 a codeword or an IRA codeword", but that evidence was 25 rather confusing because she later agreed that he</p> <p style="text-align: center;">Page 53</p>	<p>1 a warning that he didn't have to say anything which 2 might compromise his position, because he could be 3 arrested for them. But he never was arrested for them. 4 He said, "Oh, don't worry about it, it is all in 5 my book". 6 In 1974 he was back in Ireland. From 1971 to 1974, 7 he had been in prison as a "political" prisoner, as he 8 described it, for explosives and firearms offences, 9 including possessing two pistols in prison with intent 10 to escape. 11 He said that the Army Council of the IRA was the 12 body in charge, but they were too busy in Ireland, 13 particularly in the north, to worry about the activities 14 in England, unless something went badly wrong, which it 15 did in Birmingham. He said, accordingly the activities 16 in England were rather autonomous at the time. 17 There was an officer commanding in England, and 18 an adjutant general England, both based in London. So 19 although they might, in broad terms, he said, authorise 20 a campaign, it would be something like, "Do damage", 21 nothing more. 22 So the local groups, in London, Manchester, possibly 23 Liverpool, parts of Glasgow, and Birmingham, essentially 24 acted on their own, he said. And that all changed after 25 the pub bombings.</p> <p style="text-align: center;">Page 55</p>
<p>1 obviously knew because he said so in his statement in 2 December 1974. 3 He also told her that he had been told at work that 4 if he received a call containing a threat he was to call 5 the police immediately, which in his statement he said 6 he did. 7 'Double X' was an IRA codeword. We know it was used 8 three times in relation to the Rotunda: two before and 9 one on the night. How imprecise was the warning on the 10 night, and indeed the two previous warnings in relation 11 to the Rotunda, is a matter for you. 12 She said, from her research and discussions with 13 police officers, that it was her understanding, 14 particularly from an interview with one Police Sergeant, 15 that a coded warning would add a sense of urgency to 16 police action. 17 So just a little bit more about the IRA and this 18 question of attribution. Kieran Conway we heard on 19 a videolink. I just remind you of some of his evidence. 20 He said that at the relevant time he was a member of 21 the IRA and in a senior position, close to the Army 22 Council as director of intelligence. He had been in 23 England as an IRA Volunteer, but only in 1970. And 24 presumably it was then he committed armed robberies to 25 fund the IRA. That is what he said. And I gave him</p> <p style="text-align: center;">Page 54</p>	<p>1 There would have been a Birmingham officer 2 commanding who would give instructions locally, but 3 IRA Volunteers would be recruited locally and might have 4 little training. The officer commanding, he said, was 5 Mick Murray, which he heard from somebody, or 6 Martin Coughlan. 7 You might recall that those names were not used by 8 Chris Mullin when he referred to somebody else as being 9 the officer commanding. So be careful about names. 10 All information, he said, pointed to the fact that 11 the Volunteers in Birmingham claimed that they were not 12 targeting civilians that night because they expected the 13 pubs to be evacuated. But they didn't give enough 14 warning to the police because phone boxes had 15 been vandalised. 16 He agreed that the bombs were made and planted by an 17 IRA Active Service Unit made up of a group of IRA 18 Volunteers using gelnignite, which was quite different 19 from plastic. He agreed there was no political or 20 strategic justification for these attacks, which were 21 outrageous, he said, nor were these pubs frequented by 22 soldier like the Guildford or Woolwich pubs. They were 23 not legitimate targets. 24 Those who died were killed by the IRA, although you 25 might like to note that he did not wish to use the word</p> <p style="text-align: center;">Page 56</p>

1 "unlawfully" killed. He declined to say "unlawfully
2 killed", he declined to use the word "murder", although
3 he himself, as it was pointed out, had used it himself
4 in a police interview.

5 I think it was in answer to one of your questions:
6 "If not murder, what would you call it?"

7 And he said "accident", or "accidental death". He
8 said it was an IRA operation which went tragically
9 wrong.

10 He did agree that bombing the pubs, rather than
11 legitimate targets such as the Rotunda or the tax office
12 which would be legitimate, was completely outside the
13 scope of IRA authorisation. He said that he and senior
14 Army Council members were all appalled.

15 That is why, after the bombings, the Army Council
16 set up a formal Court of Inquiry, a disciplinary
17 tribunal, but the Volunteers and OC Birmingham --
18 Officer Commanding Birmingham -- were exonerated and the
19 explanation about the vandalised phone boxes was
20 accepted.

21 Perhaps we should be slightly sceptical about that,
22 because Chris Mullin gave evidence that he understood
23 that the account given to the disciplinary tribunal was
24 that it was all down to MI5, and nothing to do with
25 vandalised telephone boxes. So Mr Conway had no

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1 personal knowledge whether the phone boxes were
2 vandalised or not.

3 He said this was war and in war things happen. The
4 bombings had been careless if not downright incompetent.
5 But he did say that nobody in the IRA blamed the police.
6 He never heard that being suggested at any time. He
7 agreed -- I think it may have been my question -- that
8 the vandalised phone box excuse could have been
9 a well-orchestrated lie by the local team to avoid
10 discipline by court martial which could, if it had been
11 serious, possibly have resulted in a penalty of death.
12 But from his own first-hand knowledge, he didn't know if
13 it was true or not.

14 He had more recently heard that the MI5 had allowed
15 it to happen, but the first he heard of that was in the
16 British press, which is not generally, for us, a source
17 of evidence.

18 But he agreed that warning systems did not always
19 work, they had proved ineffective on a number of
20 occasions, and that bombs did not always explode at the
21 right time either, and that in the past there had been
22 deliberately vague warnings. He accepted that.
23 Deliberately vague warnings which brought army personnel
24 and police to the scene, putting them in a dangerous
25 position, although he added that the United Kingdom

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1 police were not an IRA target.

2 His first instinct, in view of the date,
3 21 November, was that it did have some connection with
4 the events relating to James McDade that day. Possibly,
5 he said, from some hotheads in Birmingham who had
6 neither training or knowledge of the rules.

7 After the pub bombings, I think he said that Dave
8 O'Connell on the Army Council prevaricated in the press,
9 which he said was untruthful on Mr O'Connell's part
10 because he knew perfectly well it was the IRA. "I think
11 he was buying time", he said, "looking for a softer
12 landing if possible".

13 It was not until 1985 that Joe Cahill, a senior
14 figure in the IRA, with the agreement of the Army
15 Council, he said, admitted in a television programme
16 that the IRA was responsible.

17 So added to his evidence, Kieran Conway's evidence,
18 is that of Chris Mullin, who was a witness of fact
19 really because he had interviewed two people and kept
20 some notes of the conversations. It is not as though he
21 was remembering entirely over the last 35 years.

22 Two people being, one, Mick Murray, who he
23 interviewed three times, who admitted being the
24 bomb-maker and claimed that he was trying to give
25 a warning message, and did give a warning message at

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1 some stage; and an interview -- or more of a discussion,
2 I think, a conversation -- with somebody who Mr Mullin
3 calls "the Young Planter".

4 Mr Mullin was a journalist and at some stage
5 a Member of Parliament. He sought to prove that the
6 Birmingham Six were innocent by finding out who really
7 was guilty, and wrote this book "Error of Judgment"
8 about it.

9 As part of his journalistic investigations,
10 including work for Granada and the book, he met a number
11 of IRA men and interviewed them on the basis that their
12 names would not be made public while they were alive.
13 That is, he said, "why they cooperated with me in the
14 first place".

15 So Mick Murray, he interviewed three times: July
16 1985, November 1985 and April 1986. He was extremely
17 reluctant to be interviewed. He was probably persuaded
18 to be interviewed, said Mr Mullin. He told me he didn't
19 like me, said Mr Mullin.

20 He was a very disciplined hard man with clear
21 objectives. He was not afraid of anybody. Broadly
22 speaking, Mr Mullin thought that Mick Murray was being
23 honest, but he didn't agree with him over a number of
24 things, and he thought he was lying, trying to minimise
25 his role, particularly over the 8.28 timing of the first

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1 explosion and blaming the police for not evacuating the
 2 pubs.
 3 If one just pauses for a moment, Mr Murray had
 4 claimed to Mr Mullin that the timing of the first
 5 explosion was at 8.28 pm, a very precise time. But you
 6 will remember, just as an indicator in relation to this
 7 evidence, that the 999 calls we have -- and we don't
 8 have many of them -- were both before 8.28. So the
 9 police were receiving 999 calls, which wouldn't
 10 necessarily have been immediate, before that time of
 11 8.28.
 12 So Mr Mullin challenged him about topics like the
 13 size of the bombs, the length and content of the
 14 warning. Mick Murray said the bombs were ten pounds or
 15 10 sticks, which is not the same. The forensic experts
 16 at the time assessed the size to be about 20 to
 17 30 pounds, at least twice as much as he was saying; and
 18 he claimed, Mr Murray, to be the bomb-maker.
 19 Mick Murray said that the Birmingham Active Service
 20 Units were locally recruited -- although not necessarily
 21 locally born and bred -- by him, Mick Murray, and by one
 22 other veteran IRA man.
 23 Mr Mullins said, having spoken to a number of people
 24 in the IRA in Birmingham, that they started to assemble
 25 in Birmingham in 1973 but were broken up by a number of

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1 arrests in mid-1974 and took a few weeks after that to
 2 reassemble.
 3 They would have chosen their own targets. They were
 4 autonomous. In Mr Mullin's belief, from what he had
 5 heard from various people, they came up with the bomb
 6 targets the weekend before. He said that Seamus
 7 McLoughlin was the OC for Birmingham and the
 8 West Midlands, as opposed to what Mr Conway said. So
 9 somebody different. But Mr Mullin never interviewed
 10 Seamus McLoughlin, who was, I think, shown by
 11 Ms Williams from police records, to have been a cousin
 12 of James McDade.
 13 Indeed, Mr Mullin said that Seamus McLoughlin took
 14 an even harder line than Mick Murray and had been heard
 15 to say "They will pay for Jamesy", meaning James McDade.
 16 Mr Mullin said that Mick Murray was insistent there
 17 was no connection with McDade's death, although
 18 Mr Mullin recognised the fact that central Birmingham
 19 was not heavily policed that night may have been
 20 a factor in choosing that night. He said there would be
 21 a local intelligence officer who would check out the
 22 targets in Birmingham. He believed the explosives came
 23 in on Monday or Tuesday before Thursday 21st.
 24 So in this context, Mick Murray confessed to being
 25 a bomb-maker using commercial high-explosives that would

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1 be contained in some sort of a case, not a plastic bag.
 2 Explosives were not kept for long. They were turned
 3 into a bomb quite quickly.
 4 Mr Murray told Mr Mullin that there were a number of
 5 people involved on 21 November: two made the bombs; two
 6 planted them in the pubs; and there would be one
 7 intelligence officer, not exactly involved in the
 8 explosions, who may have assessed the targets.
 9 Mick Murray said that he made the bombs and handed
 10 them over. The two for the pubs were handed over at a
 11 house; the one for Hagley Road at a roundabout, and
 12 quite separately there were three persons involved with
 13 the Hagley Road bomb.
 14 So then Mick Murray went off to the Church Tavern
 15 and made himself conspicuous between 7.00 and 9.00 as
 16 a sort of alibi. Although, as I think Ms Williams
 17 pointed out, there was a witness from the Church Tavern
 18 who knew Mick Murray and said that he arrived after
 19 8 o'clock.
 20 It had been intended, said Mr Murray, to plant the
 21 bombs earlier in the evening at 6 o'clock, but one of
 22 the planters came home late from work. So they were
 23 planted about 7.45, a time which Mick Murray got from
 24 the older of the two planters, and the intention was to
 25 give a half hour warning. It is not clear when that

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1 warning was from: whether it was from the planting and
 2 the priming of the bomb to the explosion; or whether
 3 from the telephone call to the explosion.
 4 As to the warning call, Mick Murray said that the
 5 two planters were last seen by him walking up Digbeth,
 6 just a few minutes from the targets. You probably know
 7 the street anyway, but we know from the maps that that
 8 is just not far away.
 9 He said there was nothing special about the pub
 10 bombings, Mr Murray, "We gave a warning, the target
 11 wasn't the pubs but the buildings." Although he did
 12 agree, "we intended to do the pubs, it was not an
 13 accident", "in war these things happen", and Mr Mullins
 14 said he didn't show any concern about the loss of life.
 15 As I said, Mick Murray said the bombs were planted
 16 at about 7.45 and the bombs would have been expected, if
 17 there was a 30-minute warning, to go off at about 8.15.
 18 But he claimed the first explosion was at 8.28, and
 19 Mr Mullin said:
 20 "I was not satisfied with that explanation. He was
 21 trying to minimise his own role by suggesting that the
 22 police, the authorities, had had a much longer time to
 23 clear the pubs than they had in fact. I thought he was
 24 making excuses for the delay. My impression was that he
 25 was not telling the truth about 8.28."

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1 Mr Murray claimed that the phones had been checked
 2 at 4 o'clock in the afternoon:
 3 "At 7.55, I tried to phone the Birmingham Post but
 4 couldn't get through."
 5 There were two boxes together. He tried the third
 6 and the fourth -- possibly the fourth. Three telephone
 7 boxes were not working. Later he said two to three
 8 telephone boxes were not working.
 9 "Was he lying?" Mr Mullin was asked.
 10 "I don't know," he said, "He could have been lying
 11 in order to minimise his role. He was trying throughout
 12 to minimise his responsibility."
 13 And he did tell Chris Mullin, "We can be criticised
 14 for bungling the warning".
 15 Mick Murray also said one of the Volunteers reported
 16 back about 8 o'clock. Well, that would be later than
 17 his earlier time of 7.55. He said:
 18 "I didn't speak to him. He just indicated and
 19 I went straight out to place the warning."
 20 Even on Mick Murray's timings, as told to
 21 Chris Mullin, Mick Murray had taken 16 minutes from 7.55
 22 to 8.11 pm to find a telephone box which was both
 23 unoccupied and working; whereas he, in fact, himself
 24 said it only took a few minutes.
 25 I think, as Ms Williams commented, or asked the

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1 question: how long does it take to find a working
 2 telephone box?
 3 Mick Murray blamed the police for not evacuating the
 4 pubs and making a search first. Mr Mullin said:
 5 "I thought he was lying, being self-serving about
 6 that."
 7 He was not inclined to believe Mick Murray about the
 8 warning period, the timing of the explosions and his
 9 blame of the police. Indeed, Mick Murray recognised the
 10 bomb warning was too imprecise to allow for swift
 11 evacuation.
 12 He told Chris Mullin the code was Double X. It was
 13 the first time Mr Mullin had heard that. He said after
 14 the events that Seamus McLoughlin was summoned back to
 15 England with Brendan McGill. They were both on the
 16 plane with McDade's remains. Mr Mullin said:
 17 "Joe Cahill told me that there was an inquiry and
 18 they all said, it wasn't us, it must have been the Brits
 19 who did it to discredit us. No mention of vandalised
 20 telephone boxes."
 21 So, just briefly, Mr Mullin also had a discussion
 22 with the Young Planter. I think he said it was in
 23 a bedroom and they were sitting on the floor.
 24 He gave an account of events which was recorded in
 25 the book. Just let me read a little bit, because this

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1 relates, if it is true and accurate and reliable --
 2 question marks about all of those things necessarily
 3 coming from somebody like this -- goes to the "how"
 4 question: by what means and in what circumstances did
 5 the 21 come by their deaths?
 6 "On the evening of the bombing [this is the young
 7 planter's account] a person came to see me and said,
 8 'You're needed for an operation.' I went with him to
 9 a house. We went by car. The bombs were in the
 10 parlour. Behind the sofa. One was in a duffle bag and
 11 the other was a small brown luggage case.
 12 "I was given the duffle bag and a pistol. I was
 13 wearing some kind of duffle coat. I put the gun in my
 14 coat pocket."
 15 You will remember that James McDade's associate had
 16 a pistol too, which he dropped while he ran off in
 17 a panic.
 18 "I put the gun in my coat pocket. The other man
 19 carried the case.
 20 "We walked into town. It was a good mile. The
 21 other guy told me the targets about ten minutes before
 22 we arrived. He said, 'The one in the Tavern is for the
 23 tax office and the one in the Mulberry Bush is for the
 24 Rotunda.' He said, 'There'll be plenty of warning.'
 25 Believe it or not I accepted it. I didn't want a stigma

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1 [of cowardice] attached to me. He kept saying, 'Don't
 2 worry. Those people will be well out of there.' I kept
 3 on about it and he repeated that there would be
 4 a substantial warning.
 5 "We approached down Digbeth. Just before we arrived
 6 we stopped in the entrance to a row of shops."
 7 Probably the row of shops we have looked at, but
 8 maybe not:
 9 "The other guy opened the case and fiddled with
 10 something. Then he reached inside my duffle bag.
 11 That's when the bombs were primed. We crossed the road
 12 without using the underpass because the police were
 13 sometimes down there. There was hardly any traffic
 14 about.
 15 "We did the Tavern first. Up New Street, past the
 16 Mulberry Bush. The other fellow went to the bar and
 17 ordered two drinks. I took both bags and found a seat.
 18 I was shitting myself. The other person came back with
 19 the drinks. We took a sip and then got up, leaving the
 20 duffle bag under a seat."
 21 And you will remember that I think on more than one
 22 occasion, he drew a plan indicating roughly the right
 23 place for the Tavern in the Town explosion.
 24 "At the Mulberry Bush the procedure was the same.
 25 The other man was carrying the case: 'We entered

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1 through the doors at the front. This time I ordered the
 2 drinks. The other person found a table at the back.
 3 The bomb was left by a telephone.'
 4 "Again I drew a rough sketch of the pub and asked
 5 him to mark the site of the bomb. Again without
 6 hesitation he marked a spot at the rear. For good
 7 measure he also drew in the rear exit which I had
 8 omitted ... When I returned home and examined the plan
 9 of the pub"
 10 Sorry, he's talking about the plans.
 11 "We went outside. The other fellow took the gun off
 12 me. He told me to go home and keep my head down.
 13 Nobody would be hurt. No need to worry. I last saw the
 14 other guy walking off down Digbeth. I've never heard of
 15 him again. I don't know whether it was his intention to
 16 kill people. If they'd have said, 'We're going to kill
 17 people', there is no way I would have gone. They just
 18 needed a carrier and I was available. I'm not blaming
 19 anyone or making excuses. What's done is done.
 20 "I walked home. Took about an hour. Didn't hear
 21 the bang. Then all those people got killed. Jesus,
 22 I can't make excuses ..."
 23 Mr Mullin said that the young planter did lie to him
 24 at first, saying that he had heard that something big
 25 was going off at that time so he stayed at home to keep

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1 his head down; but that was not true.
 2 Mr Mullin also interviewed Mick Hayes, who was
 3 mentioned by Witness O. Mr Hayes did not admit to any
 4 involvement.
 5 In summary, Mr Mullin agreed that the chronology of
 6 events to his knowledge and understanding was
 7 James McDade's death on the 14th November; the plan to
 8 bomb the pubs was conceived shortly after that, on the
 9 weekend of 16 and 17 November when the targets were
 10 selected; on 18th and 19th, the Monday and Tuesday, the
 11 explosives arrived; and, on Thursday 21st, the bombings.
 12 So there you have very substantial evidence on
 13 attribution.
 14 I am going to turn now to the two pubs and look more
 15 closely at that evidence, but we will do that after
 16 lunch. So we will take one hour from now, so five to 2,
 17 please, members of the jury.
 18 Thank you.
 19 (12.53 pm)
 20 Discussion (in the absence of the jury)
 21 (12.56 pm)
 22 (The short adjournment)
 23 (1.55 pm)
 24 SUMMING UP (continued)
 25 (In the presence of the jury)

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1 THE CORONER: First the Mulberry Bush and then the Tavern in
 2 the Town.
 3 The Mulberry Bush was, of course, as we know, at the
 4 base of the Rotunda, at lower street level. It was
 5 a relatively small pub, quite busy, frequented mostly by
 6 young people, according to the evidence. Maybe 40 to 50
 7 people were present that night. The landlord's wife,
 8 Mary Jones, said about 40 customers.
 9 It was, said one of the barmaids, Dorothy 'Dot'
 10 Clarke, a very popular pub. They even had celebrities
 11 who performed at the Odeon nearby, including, she said
 12 Shirley Bassey.
 13 Mr Brian Brown was the property manager from January
 14 1974. He said it was a 21-storey building with
 15 a two-storey base structure. In 1974 there were offices
 16 on the upper floors, with a banking hall for Lloyds Bank
 17 on the first floor. There were nine shops, including
 18 retail shops, cafés, a betting office and a supermarket,
 19 at the ground floor level, a higher level at New Street,
 20 and lower at St Martin's Circus, where the
 21 Mulberry Bush was.
 22 He brought in security in 1974 without consulting
 23 the police, with guards at reception in office hours,
 24 checking people going in. After business hours the
 25 doors were locked. He was in regular contact with the

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1 superintendent at Digbeth Police Station, although over
 2 time that contact person changed.
 3 He got the local police to test his security entry
 4 system. And it passed. They had a variety of security
 5 measures. And he said there was CCTV, but it was only
 6 kept for a while before it was wiped. I think
 7 Mr Hughes, the assistant maintenance manager, later said
 8 there was no CCTV.
 9 The security officers and Mr Brown would liaise with
 10 other shops at the lower level, including the
 11 Mulberry Bush. Mr Brown said he told them to look for
 12 suspicious items and call the police. There was never
 13 anything from the police, such as "There is going to be
 14 an attack next week". It did not occur to him that the
 15 Mulberry Bush would be a target. If there was a bomb,
 16 he said, he would expect it to be in the Rotunda tower.
 17 He had no advance information about either the April
 18 or July bombs. And he supposed, from discussions and
 19 what was going on nationally and internationally, that
 20 there would be another attack, the Rotunda being
 21 synonymous with Birmingham and which would get national
 22 coverage if attacked, but nothing specific was ever said
 23 to him.
 24 On the subject of evacuation, he said:
 25 "If a threat was imminent, the structure we set up

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1 was for, first, the police arrive, some 12 officers ..."
 2 Although one of the police officers said that would
 3 be a surprisingly high number.
 4 Second, security would see them, and call the
 5 surveyors' office in Hagley Road where Mr Brown worked.
 6 Third, for a surveyor to drive to the Rotunda, he
 7 said, in 2.5 minutes, breaking the speed limit.
 8 And fourth, the surveyor's decision -- his, usually,
 9 he said -- whether to evacuate, although sometimes with
 10 police advice.
 11 Then a bit later he said:
 12 "We always evacuated before searching. The usual
 13 procedure would be that before I arrived -- I came from
 14 our office to the Rotunda tower -- police officers would
 15 have discussed with the security staff the nature of the
 16 bomb alert and quickly relayed to me, and the decision
 17 would be made to evacuate the building."
 18 By "the building", he said, "I include all the shops
 19 and other premises in the base of the Rotunda, including
 20 the pub. The assembly point for everybody, including
 21 from the Mulberry Bush, was in front of New Street
 22 Station, about 100 feet or so away.
 23 "If there was a need to evacuate, we would switch on
 24 the fire alarm and everyone would hear it in the tower
 25 and in the base premises. All leaseholders were

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1 familiar with that process."
 2 And I think that Dot Clarke, the barmaid at the
 3 Mulberry Bush, she had been aware of the McDade funeral.
 4 The case had received a lot of publicity, but she didn't
 5 really think about reprisals, but she did say that she
 6 had to leave the Mulberry Bush at least three times in
 7 the past because of bomb scares:
 8 "We would be told to leave the pub", she said, "and
 9 would have to wait outside until the police said we
 10 could go back in."
 11 Mr Brown said:
 12 "If we didn't know where the bomb was, it was usual
 13 to evacuate."
 14 On coded messages, he said:
 15 "If there had been a clear warning to the police of
 16 a bomb threat at the Rotunda, I would want to know. And
 17 would hope, not expect, to be told. And if I had been
 18 told, first I would have treated it very seriously,
 19 a real threat, it would have been my highest level
 20 threat. Secondly, I would have decided immediately to
 21 evacuate immediately. Thirdly, the best way to evacuate
 22 would be to press the fire alarm button. Fourthly, that
 23 would have rung at the Mulberry Bush, and I would have
 24 expected evacuation from there.
 25 And fifthly:

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1 "That was in accordance with the agreed policy with
 2 my services manager, Roy Newman, who was the main
 3 key-holder with the police."
 4 Newman put out the agreed policy internally to all
 5 caretakers and security staff after the April 1974 bomb
 6 at the Rotunda.
 7 "If any emergency exists, the fire alarm is to be
 8 sounded and the building evacuated."
 9 Meaning all premises.
 10 He said that when they had bomb alerts the
 11 Mulberry Bush was evacuated as a matter of course.
 12 I have told you what the barmaid said about that. There
 13 were coded warnings before all three bombs at the
 14 Rotunda, but he was not aware of being told about any
 15 of them.
 16 He said:
 17 "I would have understood a warning of a bomb alert
 18 at the Rotunda to encompass both the tower and the base.
 19 I would have expected that, following the police
 20 arrival, with such a bomb threat evacuation would have
 21 occurred before a search."
 22 In a statement, he said:
 23 "When receiving a perceived genuine bomb threat we
 24 would use the fire alarm and evacuate the building. We
 25 could do that, the whole building, in about eight

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1 minutes. And he estimated that evacuation of a busy
 2 Mulberry Bush would take three to five minutes."
 3 He spoke about Lloyds Bank having a separate
 4 entrance. He looked at it on the photograph. It was to
 5 the right of the Rotunda's main door. He said that
 6 customers in the daytime would go in through the Lloyds
 7 doors, up the escalator, to the banking hall on the
 8 first floor. And Lloyds Bank had security throughout
 9 the night protecting the vaults. They were stationed on
 10 the public banking floor, the first floor, and had
 11 access to the lifts and all floors. And they could
 12 activate the fire alarm if they wanted to.
 13 Mr Douglas Hughes, the assistant maintenance manager
 14 at the Rotunda, under Roy Newman, was called out on
 15 21 November. His memory was certainly not perfect about
 16 a few points, particularly the times. Bear that in
 17 mind. I am not being critical. He was only asked
 18 about it 44 years after the event, poor chap.
 19 For example, he said he received a call from the
 20 police that night about the bomb threat between 7.30
 21 and eight.
 22 Well, that can't be right, because the Cropper call
 23 was at 8.11. He said he could be wrong about that time,
 24 in fairness to him.
 25 He said he was the nearest to the Rotunda of the

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1 three key-holders, so he got the short straw and was
 2 called out more often. He was at home when he got the
 3 call. The officer didn't give his name but he was
 4 a desk sergeant. He was not sure from which station.
 5 He couldn't remember. They phoned him, he believed,
 6 because they couldn't get into the Rotunda. So this was
 7 his account of that call from the police:
 8 "The police sergeant said 'There is a bomb at the
 9 Rotunda'. I said, 'Are you sure? There have been so
 10 many hoaxes.' The Police Sergeant said, 'No, it's the
 11 real thing. There's a code. But we can't get in.'
 12 "I said, 'Well, there are two security men in the
 13 building. They should be there till 8 o'clock. So you
 14 should get in."
 15 Of course this was after 8.11, so that puts that
 16 a little bit out of sync. But he said:
 17 "I will come down just in case. I got downstairs,
 18 started walking, when I heard the bomb go off. And
 19 I went there and I could not get near the Mulberry Bush
 20 because the police and Fire Service were all over
 21 the place.
 22 "I phoned Roy Newman from a phone box about 50 to
 23 70 yards from the Mulberry Bush, which was working,
 24 telling him about the bomb at the Rotunda and asking him
 25 to come down."

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1 I think Mr Brown also said that it is possible that
 2 Lloyds Bank's security officers were those seen by the
 3 police that evening. As such, they were not employed by
 4 Mr Brown.
 5 Cleaners were employed by Mr Brown's company, MEPC.
 6 They would leave, he said, about 6.30 or so, or it might
 7 be a little later, and security staff would stay on
 8 until they finished.
 9 I'm not going to go through the bomb and the damage.
 10 You have photographs of the pub before the blast and
 11 after. You have seen the estimated position of the
 12 bomb, from the crater on the floor, near the servery
 13 hatch and the wall to the left as you look at the
 14 photograph. I remind you that Stan Bodman was sitting
 15 at that end, with four others, who were standing,
 16 regulars, close by.
 17 The destruction is self-evident. You have seen the
 18 photographs. You have seen more on screen. The ceiling
 19 and much else was destroyed. The stairs fell in. There
 20 was damage outside to adjoining structures. And windows
 21 high on the Rotunda were shattered.
 22 The eight who died inside, five of them at the hatch
 23 end of the bar, were Stan Bodman, with James Caddick,
 24 John Cliff Jones, John Rowlands and Mick Beasley.
 25 Trevor Thrupp was standing at the right end of the bar,

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1 buying cigarettes. Pamela Palmer was believed to be sat
 2 to the right of the bar with her back to the wall,
 3 facing the jukebox. There is no good evidence as to
 4 where Charles Gray was.
 5 Two died outside: Neil 'Tommy' Marsh and Paul
 6 Davies. The blast, or debris from the bomb, fatally
 7 struck them as they were standing some distance away or
 8 walking past. Police Constable Hazlewood thought they
 9 would have been standing at the time because of the way
 10 they fell. And that was near that outhouse building,
 11 which is some distance from the Mulberry Bush.
 12 You have seen the photographs.
 13 There are separate sheets which you have for all of
 14 them. Many others, of course, who were inside were
 15 injured to a greater or lesser degree.
 16 The number 90 bus, corporation bus, was going past,
 17 and was damaged too. Passengers were injured, with cuts
 18 and broken teeth. Anthony Gaynor, whose statement was
 19 read, was the bus driver.
 20 He said:
 21 "At about 8.18 pm I was driving the bus along
 22 St Martin's Circus and it was my intention to drive into
 23 New Street. I was due to arrive at New Street at about
 24 8.22 pm. As I had just passed the Mulberry Bush in
 25 St Martin's Circus, I felt a bang."

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1 And we know that a lot of the windows were blown in
 2 and the bus was riddled with holes and dents. The
 3 damage was extensive and the bus was a write-off.
 4 He pulled over, but a police officer told him to
 5 pull over in New Street around the corner, which he did.
 6 He got out, and was helping the passengers, some of whom
 7 were injured from flying glass, when another explosion
 8 took place further up New Street, at the Tavern.
 9 A passenger on the bus, John Ashurst, described in
 10 an audio clip how his wife was very nearly seriously
 11 injured by pieces of glass, which caused a hole in her
 12 head. He had just seen the front of the Mulberry Bush
 13 disintegrate and fly towards the bus. He went to get
 14 help for an elderly woman who had blood running down
 15 from her face, and a police officer told him not to get
 16 off because the bus was going to be moved. So the bus
 17 did go round the corner, near to the Odeon. And the
 18 driver, he said, was just getting off again to help when
 19 there was a second explosion and the front of the Tavern
 20 flew across the street.
 21 People rushed out of the Odeon. Girls were
 22 screaming. Men were yelling. They were rushing in all
 23 directions. He got help for his wife and the older
 24 woman from a young chap who stopped a taxi, and they all
 25 went to hospital.

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<p>1 In summary, those inside the Mulberry Bush, rather 2 like those inside the Tavern, seem to have seen a flash, 3 heard a bang, and then darkness. Followed by chaos and 4 screaming. Many were injured, some killed. Many were 5 blown off their feet, many deafened temporarily. 6 The explosives expert in 1974, Douglas Higgs, 7 concluded on inspection that it was immediately apparent 8 that the premises had been devastated by a violent 9 detonation. He identified the crater where the bomb had 10 exploded, as at the left-hand end of the bar, and by the 11 wall next to it. The crater was 40 inches in diameter 12 and blew through the ten-inch thick floor. It was 13 estimated to be 25 to 30 pounds of typical blasting 14 explosives. 15 I think I may have said 20 to 30 pounds before. But 16 it was 25 to 30. A massive bomb, larger than any 17 earlier bomb. 18 From her assessment, the expert, Alison Mansfield, 19 agreed with that estimate. 20 We didn't have many witnesses from inside, but just 21 one or two. The licensee's wife, Mary Jones, was 22 serving on the night. She often lent on the server 23 hatch, chatting to the regulars, including Stan Bodman 24 and the others, all of whom died. You remember how 25 close the bomb crater was to that end of the bar.</p> <p style="text-align: center;">Page 81</p>	<p>1 incidents which had taken place locally, but it was not 2 foremost in his mind. Nor did he have any sense of 3 fear. That night he got there at about 5.30, after 4 work, and met up with his brother and colleagues. So he 5 was there for at least two and a half hours before 6 the explosion. 7 He marked the plan where he ended up, five of them, 8 by the window onto St Martin's Place. His brother came 9 back with some drinks. 10 "Then there was a very bright flash or white light, 11 and a very loud bang. And then silence and darkness. 12 "I realised what it was, so decided to get out. 13 I stood on the bench seat, took my brother's arm, and we 14 both got out through the window which had been blown 15 out, and ran. My brother counted to 15. I don't 16 know why. 17 "Then we stopped, and my immediate concern was for 18 those left behind, my friends. So we went back. Two of 19 my friends were outside the window. It seemed obvious 20 to go and help. So I went back inside, only about 21 a minute after I had left. There was a smell of 22 burning, and screams and moans. I tried to pull some 23 people out. 24 "By then, the emergency services were on the scene, 25 and a fireman told me to leave. I had been inside for</p> <p style="text-align: center;">Page 83</p>
<p>1 Her statement told us that Mick Beasley had found 2 a lucky Cornish pixie on the bus and had given it to 3 her. And she kept it afterwards. 4 Remarkably, Mrs Jones survived. She was just 5 starting to pull a pint for Stan Bodman when there was 6 a flash. She was thrown to the ground behind the bar, 7 with the counter on top of her. 8 Dot Clarke, the barmaid, was thrown against the 9 fridge behind the bar. She was taken out of the 10 building and later treated for shock. She knew some of 11 the regulars, and she referred to Stan Bodman as: 12 "A lovely man. Very big build. Would tell you 13 a story." 14 Mrs Jones did not really give a time for the 15 explosion in her statements, but Dot Clarke put it as 16 something like: 17 "At about 8.00 pm, and then I was serving somebody 18 a half pint of bitter, and he drank it down in one go. 19 Then he left. And five minutes later there was an 20 almighty explosion." 21 A little evidence from customers: 22 You remember Raymond McVeighty, the solicitor with 23 the watch chain on his black waistcoat. Now 70, he is 24 still working. He went occasionally with colleagues to 25 the Mulberry Bush. He was aware of the various</p> <p style="text-align: center;">Page 82</p>	<p>1 two or three minutes. The emergency services were there 2 literally in minutes. The whole area was in chaos, with 3 blue lights. 4 "The taxis", he said, "did a great job. They took 5 me and my brother to the accident hospital." 6 "Compared with those that lost their lives", he 7 said, "I was fortunate". 8 As to the timing of the explosions, he referred to 9 his witness statement near the time, 2 December 1974, 10 when his recollection was good. He put the time at 8.10 11 to 8.20. 12 His brother's statement was read, David McVeighty. 13 He said: 14 "At about 8.15, I went up to the bar to buy some 15 drinks. I returned to the table with the drinks, and 16 after about a couple of minutes the explosion happened." 17 In a later statement he said he bought the drinks at 18 about 8.15, and then went to the toilet, before the 19 explosion. He also said that when he got his watch back 20 from Digbeth Police Station it had stopped at 8.20. 21 There was a security officer, Graham Hastings, who 22 went to the multi-storey car park very near the Rotunda. 23 You can see, I think, the scaffolding in one of the 24 photographs, very near the Mulberry Bush. He met up 25 with another security officer, Maurice Fox. They went</p> <p style="text-align: center;">Page 84</p>

1 on a break and had a drink in the Mulberry Bush at about
2 7.30 pm-ish:
3 "At one point I got up to get a drink, when the bomb
4 went off. There was a big flash, and I was trapped up
5 against the bar and could not hear anything. Everything
6 seemed to go miles and miles away in my brain."
7 And there were a number of fairly extraordinary
8 accounts of what people were saying in the experience
9 they suffered.
10 A fireman got him out. In evidence, he said the
11 time of the explosion would have been about 8.10. Later
12 he said that his statement of 1 December 1974 would most
13 likely be the accurate version, and that says "just
14 before 8.30 pm". So already you have a range of times.
15 Maurice Fox, who was with him having a drink, used
16 to be on duty there on the night-shift, and would always
17 be in the company of a police officer whose duty was to
18 keep an eye on the Rotunda. He was on duty on
19 21 November, but by that time the police officer had
20 stopped being with him permanently and just used to
21 visit during the night.
22 He was helped out by a police officer.
23 Geoffrey Cooke, who was not there that night, was at
24 the time a security employee at Lloyds Bank. He said
25 Lloyds Bank used the basement, ground and first two

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1 floors as work premises. He said that, as a result of
2 a number of bombings at the Rotunda, security was
3 stepped up. He remembered being on duty one night when
4 a bomb went off on an outside windowsill of the Rotunda,
5 just 50 feet away from him. He couldn't remember anyone
6 being detained for any of these bombings. And he
7 referred to a system which they at Lloyds Bank had with
8 Steelhouse Lane police station, where:
9 "Every hour, one of us would ring the station to say
10 that everything was okay at the Rotunda."
11 It was done, for example, by one saying "Aston" and
12 the other replying "Villa", to check that everything was
13 all right.
14 On the night in question, he was at home, although
15 he did say that Stan Bodman was a good friend of his:
16 "A lovely man, always good for a laugh".
17 In between the two pubs was the Odeon, the
18 ever-present Odeon Cinema, which, according to the
19 evidence, had a capacity of 2,400 people. According to
20 the passenger I have just referred to on the number 90
21 bus, customers came tumbling out after the Tavern
22 explosion. And Police Constable Yates refers to people
23 rushing from the Odeon, and him clearing people to the
24 other side of the road.
25 So as we come round from the Mulberry Bush to the

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1 Odeon, and then to the Tavern in the Town on the left.
2 It is a much larger pub, on New Street, in the basement
3 of King Edward House, a seven- to eight-storey building
4 with the upper storeys occupied as offices, including
5 the Income Tax offices.
6 Police Inspector Skitt said in his statement that it
7 was not, at the time, a tax office, but was known as the
8 tax office. Superintendent Brannigan in his report
9 refers to it being a tax office at the time.
10 We also heard there was a tax office in Union
11 Street. But we are not concerned with Union Street.
12 Mr Brown said, when he gave evidence, that there was
13 a tax office in Union Street. But I don't think he was
14 too sure about that. And there was Chief Superintendent
15 Tonkinson, whose daughter gave evidence, and he referred
16 to Union Street.
17 So there was a tax office in Union Street in 1974,
18 but there was also a tax office in King Edward House.
19 That was established by a directory of business
20 addresses in Birmingham for 1973/1974, which records
21 that the Inland Revenue had an office on the second
22 floor in King Edward House.
23 So the Tavern was a pub which attracted younger
24 people, with a maximum capacity of 300. It was said to
25 be, in the Brannigan report, about a third full -- or

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1 was it two-thirds full?
2 I have written "a third full that night". That is
3 about 200 people, but that's the wrong mathematics.
4 Anyway, it was quite busy.
5 Through the witnesses, Ms Williams identified two
6 additional exits for us: a fire exit and an exit through
7 the beer bottle store. But we went down the main
8 entrance and exit from New Street.
9 The experiences of those inside the pub seem to be
10 similar to those inside the Mulberry Bush: a bang, some
11 saw a flash, then everything going dark, a lot of
12 rubble, lots of confusion, deaths, and numerous
13 injuries. Outside, people blown off their feet, a lot
14 of smoke and dust coming out. And people in the Odeon
15 heard a bang and came out too.
16 The scientific officer who made the assessment in
17 1974, Gordon Lidstone, with over 36 years of experience
18 of explosives, described it as:
19 "A violent detonation creating a crater hole three
20 foot by three foot six inches, close to a circular bench
21 seat, some four feet from a brick wall, which blasted
22 through the ten-inch-thick reinforced concrete in
23 the floor."
24 The wall at the back by the jukebox, some 40 feet
25 away, was, to use Mr Lidstone's word, "displaced" --

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1 I would have said "blown out" or "blown through" -- so
 2 that people could escape into HMV Records next door and
 3 out into the street.
 4 He estimated from the damage that about 30 pounds of
 5 typical blasting explosive had been used. And the
 6 expert witness, Alison Mansfield, agreed.
 7 I think we had very little evidence from inside.
 8 David Grafton gave evidence. He was due to meet his
 9 friend John at the Tavern, where he had been many times
 10 before, at 8 o'clock.
 11 He was a stickler for time, and he noticed he was
 12 two minutes late himself, so he went to speak to
 13 Maxine Hambleton, who he knew. She was with a female
 14 friend of about the same age, believed to be
 15 Jane Davies. About ten minutes later he was still
 16 talking to Maxine when John arrived at about 8.10.
 17 Mr Grafton was then aged about 20, and Maxine
 18 was 18. He kept talking to Maxine, but John didn't join
 19 in the conversation. So he went with John to
 20 Scotch Corner at the top right on the plan, where John
 21 sat on the curved bench seat. And he went to get both
 22 of them a drink from the bar. He had just got a pint
 23 glass in his hand when there was a flash of light and
 24 a boom, and he was on the floor, unconscious just for
 25 a few seconds. Then it was all dark. Just rubble. Not

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1 a sound. Then screaming and panic and chaos. And he
 2 helped a number of people out of the rubble.
 3 Eventually, he left through the hole in the wall.
 4 A chap with a candle pushed him out, saying there might
 5 be another bomb. And when he got out on to New Street
 6 there was his friend John. And they went to the hotel
 7 opposite, the Magnum, where the paramedics were.
 8 Eventually he went to hospital. He estimated the
 9 time of the bomb was about 8.25. In his statement he
 10 said that John arrived about 8.15. In evidence he said
 11 about 8.10.
 12 Another stopped-watch story was provided by
 13 Paul Murphy, who gave evidence, being 17 years old at
 14 the time. He would pop into the Tavern two or three
 15 times a week. He spoke to Lyn, and Rosalyn, and Jane,
 16 who worked at Lewis's. Jane, who was with a friend, he
 17 said, was -- and he marked it on his plan -- she was in
 18 the far right of the alcove where the bomb exploded. So
 19 as we look at the plan it is down at the bottom right.
 20 And he had a watch, which stopped at 8.20. Both he
 21 and David McVeighty probably can't both be right that
 22 their watches stopped at the explosions, one in the
 23 Mulberry Bush and one in the Tavern in the Town, but
 24 that was the evidence.
 25 He said that he thought his watch had been taken off

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1 him when he went to hospital. And his father got it
 2 back for him from Digbeth Police Station, where his
 3 father saw other watches there stopped at 8.20.
 4 So he, too, explained what he remembered happening.
 5 He was not sure if he was rendered unconscious, and, if
 6 he had been, for how long. But when he came to his
 7 senses, people with yellow jackets on, the emergency
 8 services, were taking people out. And he saw
 9 Thomas Chaytor, who he knew, the barman, lying on the
 10 floor in the middle. And he escaped through the wall.
 11 He also recalled that about a minute before the
 12 Tavern explosion, the Mulberry Bush explosion had gone
 13 off. He and his friend Benny had gone to the toilets to
 14 discuss tactics with girls. And he thought that Benny
 15 had banged the door to the toilets deliberately, but
 16 Benny denied it. And that was the explosion at the
 17 Mulberry Bush.
 18 So it was obviously quite busy there. There were
 19 ten bar staff that night. The lead barman and cellarman
 20 was Patrick Daly, who was also known as Edward Smith.
 21 We don't know why. He escaped after the blast with two
 22 other bar staff through the cellar wall, which had been
 23 blown out, and out of the back of the pub.
 24 In his statement in December 1974, he gave the time
 25 of 8.20 for the time just before the Tavern explosion,

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1 and the Mulberry Bush explosion as just prior to that.
 2 In his statement in 1991, he heard the Mulberry Bush
 3 explosion at about 8.05. He went outside to have
 4 a look, but couldn't see anything and so went back into
 5 the Tavern. And he was watching the tills behind the
 6 bar when the Tavern bomb exploded.
 7 Another barman, John Patrick Boyle, heard the
 8 Mulberry Bush explosion shortly after 8.00. He was then
 9 told to check the Tavern for bombs. But before he could
 10 do so, the Tavern explosion happened, shortly after the
 11 Mulberry Bush explosion.
 12 He wondered if he was dead. But he, too, escaped
 13 through the cellar. Like others, we have heard, he
 14 returned by the fire escape to help get the less serious
 15 cases up the stairs to New Street. He carried on until
 16 about 9.15, by which time other help had arrived. He
 17 also saw a man with his hands in the till.
 18 Other accounts from customers who were shocked and
 19 injured: Carol Eaglesfield, who worked for Etam, for
 20 example. She had had a circular at work from head
 21 office, advising staff to keep an eye out for suspicious
 22 packages. She felt the Mulberry Bush blast in the
 23 Tavern just after 8 o'clock. She and her friend
 24 discussed whether it was a bomb, and decided to drink up
 25 and leave. But not in time. The Tavern bomb exploded,

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<p>1 she says, about 8.20.</p> <p>2 Her account was that her sensation was as though she</p> <p>3 was floating down a long, dark tunnel with a light at</p> <p>4 the end of it. She was quite happy, at peace, not at</p> <p>5 all frightened, and heard a voice inside herself saying,</p> <p>6 "You are not going to die. You are going to go back and</p> <p>7 work for me".</p> <p>8 Her friend Heather found her, and she remembers</p> <p>9 looking up and seeing a young police officer standing</p> <p>10 there crying his eyes out at what he could see. She</p> <p>11 herself had been blasted through a hole in the wall in</p> <p>12 the music shop.</p> <p>13 Carl Bacon, in the Tavern, heard the Mulberry Bush</p> <p>14 explosion sometime after 8.10 or 8.12. The Tavern</p> <p>15 explosion was, he said, about a minute later.</p> <p>16 Richard Holmes, a customer, put the Tavern explosion</p> <p>17 time at about 8.30. His latest statement put the time</p> <p>18 at about 8.20. He worked upstairs in the Rotunda at the</p> <p>19 SOS Bureau. And he recalled a number of bomb scares in</p> <p>20 the Rotunda at different times of the day, when</p> <p>21 telephone calls would be made to the police, who would</p> <p>22 then advise their security staff.</p> <p>23 "After a while", he said, "these scares became so</p> <p>24 frequent that we became blasé about it, and they became</p> <p>25 a nuisance."</p> <p style="text-align: center;">Page 93</p>	<p>1 "Assistant Chief Constable Maurice Buck used to come</p> <p>2 to the boardroom of the centre and give us talks on bomb</p> <p>3 procedures, including turning off our radios, searching</p> <p>4 and crowd control."</p> <p>5 He remembered other incidents, a fire bomb at a car</p> <p>6 shop in 1973, the first one in the centre, the first</p> <p>7 time the shopping centre was evacuated.</p> <p>8 More hoaxes, then one at the Army Recruiting Offices</p> <p>9 in the centre.</p> <p>10 "There had been a warning call, and the police</p> <p>11 notified us. The centre was evacuated. The system was,</p> <p>12 the police would arrive and we would pair up with police</p> <p>13 officers to search. I was 100 yards from the shop when</p> <p>14 the bomb exploded, and I was blown over, with</p> <p>15 a broken foot.</p> <p>16 "There were a lot of other hoaxes, and real bombs.</p> <p>17 One was defused on the stairs of a restaurant by a</p> <p>18 mechanical robot.</p> <p>19 So just coming back, then, finally, to the Tavern in</p> <p>20 the Town. 11 lost their lives. Nine that night,</p> <p>21 two later.</p> <p>22 In the bottom right-hand corner of the plan is where</p> <p>23 the bomb exploded. And there is a corner area with</p> <p>24 tables and seating. There was Maxine Hambleton,</p> <p>25 probably, with her friend Jane Davies. They are</p> <p style="text-align: center;">Page 95</p>
<p>1 You saw video-clips of two injured people from the</p> <p>2 Tavern, a man and a woman. One of them, Susanne Thomas,</p> <p>3 in remarkably good spirits despite having a broken</p> <p>4 cheekbone. She put the Tavern explosion at shortly</p> <p>5 after 8.20.</p> <p>6 Then, I am not quite sure why I have this witness at</p> <p>7 this point, but perhaps it doesn't matter. Another</p> <p>8 witness, Eric Phillips, worked as a security officer at</p> <p>9 the time in the Birmingham shopping centre. He referred</p> <p>10 to a number of incidents, including in 1973 a fire bomb</p> <p>11 in a shop, the Army Surplus Store, which was followed by</p> <p>12 several hoaxes.</p> <p>13 He said that they had a procedure at the Birmingham</p> <p>14 shopping centre, a procedure for bomb alerts, with their</p> <p>15 own code and with a tannoy for a certain person to get</p> <p>16 in contact.</p> <p>17 So I expect it was something like, over the tannoy,</p> <p>18 "Would Johnny Johnson the electrician please contact the</p> <p>19 switchboard." And that would mean they would shut down</p> <p>20 their personal radios. Any contact would be by phone.</p> <p>21 The shopping centre would be evacuated and a thorough</p> <p>22 search made.</p> <p>23 The police and security would be involved in</p> <p>24 searching. For how long would depend on the senior</p> <p>25 officer on the site.</p> <p style="text-align: center;">Page 94</p>	<p>1 probably to the right of the alcove, somewhere in the</p> <p>2 alcove, having moved from between the tables between two</p> <p>3 pillars to the right.</p> <p>4 Also Anne Hayes is in that area of the Tavern, who</p> <p>5 often went for a drink after work with her friend</p> <p>6 Marilyn Paula Nash. Her brother called her "Paula".</p> <p>7 The location of Paula is unknown. Possibly she was with</p> <p>8 Anne Hayes, her friend, but that is unknown.</p> <p>9 James Craig, who was on a date with his girlfriend</p> <p>10 Elizabeth Sanders, who called him "Tony", was probably</p> <p>11 to the left in the alcove.</p> <p>12 The brothers, Eugene and Desmond Reilly, were</p> <p>13 possibly there in that alcove, but that is not certain.</p> <p>14 Eugene at some stage had been near the jukebox with</p> <p>15 Gaynor Shap, who left with her boyfriend to get</p> <p>16 something to eat.</p> <p>17 Maureen Roberts was also in the alcove, with her</p> <p>18 friend Janet Gillespie.</p> <p>19 For others the position is not clear where they</p> <p>20 were. Lynn Bennett and Stephen Whalley were on a blind</p> <p>21 date. They would, however, be expected to be together.</p> <p>22 Thomas Chaytor, who was working that evening as</p> <p>23 a barman, was, it is believed, behind the bar at the</p> <p>24 time. He had earlier been by the jukebox.</p> <p>25 Can I just give you -- for Jane Elizabeth Davies,</p> <p style="text-align: center;">Page 96</p>

<p>1 there has been a correction. So you are going to take 2 out one from your Records of Inquest. 3 All right, you don't have that. So you don't have 4 to take it out. Just at the moment you have 5 two examples. 6 In your sheets, single sheets, can you take out Jane 7 Elizabeth Davies and give that to the usher? The sheet 8 for her. And replace it with a new sheet. 9 Thank you. Just a little about the bomb blasts. 10 Sorry, is the process not quite complete? 11 Thank you. 12 I just want to say just a very little about the bomb 13 blasts. We had expert evidence from Professor Anthony 14 Bull, Director of the Centre for Bomb Blast Injury 15 Studies. He led a team of experts in considering these 16 two explosions and their consequences. 17 He said that when an explosion occurs it produces 18 a rapid high-pressure shock wave, faster than sound. 19 That is followed by the blast wind, and together they 20 produce considerable energy, which dissipates over 21 a period of time, in milliseconds, but longer in an 22 enclosed space. 23 The shock wave can bounce off walls and physical 24 objects, with a pressure maintained in quite 25 a complicated way in an enclosed space. Still only</p> <p style="text-align: center;">Page 97</p>	<p>1 Mulberry Bush, debris from the explosion could have 2 flown hundreds of metres. Of course, it had plenty of 3 windows, the Mulberry Bush, although he said there was 4 not the space for it to go that distance. And even with 5 the Mulberry Bush's glass windows, there would still be 6 reflections. That is energy bouncing around inside, 7 with potentially catastrophic consequences. 8 As to each of those who died, you heard evidence 9 about the last movements, the last positions, of those 10 who died, where known, before the explosions. 11 You heard evidence in some cases of bodies being 12 found, for example, in the rubble or debris, or being 13 taken by ambulance or police vehicle to hospital, of 14 being certified dead, and then taken to the mortuary, 15 where they were later identified. 16 This is agreed evidence, as is the evidence about 17 the two who survived for some days but sadly not in 18 the end. 19 So each of those sheets that you have in relation to 20 each of the 21 is the summary of the details relating to 21 them. I do not need to repeat all of them. 22 You also had the PowerPoint slides for each pub, 23 which you can see at any time if you want to, to show 24 the positions. 25 Remarkably, at the hospitals we had one doctor still</p> <p style="text-align: center;">Page 99</p>
<p>1 milliseconds, he said, but a lot can happen in 2 milliseconds. And waves can be deflected by objects 3 and people. 4 He described the four classifications of effects of 5 a bomb blast, not in the order that they could kill, 6 just in the order of the classification: 7 Primary blast injuries: the effect on a person 8 internally, where air or liquid, for example from the 9 lungs or bowels is affected. Blast lung is one of 10 these. Primary injuries are often fatal. 11 Secondary: the blast wind energises fragments, 12 either in the bomb itself or from objects around it, 13 small objects penetrate at high speed and may kill. 14 They can travel for quite a distance. 15 Tertiary: the individual or part of the individual 16 is energised by the blast wind, and blown over or thrown 17 into something like a wall, leading to amputations and 18 crush injuries. 19 Quaternary: heat effects, burning, flash-burns and 20 associated injuries of inhalation of hot air and smoke. 21 Many of those who died, he said, had head injuries, 22 secondary or tertiary effects. Even the blast wind 23 itself can be fatal, but that is harder to identify. 24 In answer to questions by Mr Morgan in relation to 25 Tommy Marsh and Paul Davies, he said that, with the</p> <p style="text-align: center;">Page 98</p>	<p>1 alive from one and one doctor still alive from the 2 other. Dr Thomas Waterworth was the Senior Surgical 3 Registrar at the General Hospital, where they would 4 normally deal with less serious cases than the Accident 5 Hospital. And he was on duty that night for some 6 34 hours, having been emergency bleeped during the 7 evening, when he and other doctors rushed to casualty. 8 He was the senior there that evening. He was 9 therefore in charge. Patients had begun to arrive, and 10 there were patients, distraught friends and relatives, 11 and police. Chaos first, and then organised. There was 12 some difficulty in calling up the consultants who were 13 at home, because of the jammed switchboard. 14 He operated on about six patients that night. 82 15 were treated at his hospital, of whom 61 had minor 16 injuries and were treated and went home. 20 patients 17 were admitted. 18 One, Thomas Chaytor, suffered from extensive burns 19 and was transferred to the Burns Unit at the 20 Accident Hospital. The other 19 survived. 21 There were significant lung and spleen injuries, 22 perforated eardrums and ten with burns. And many 23 injuries to the lower legs, perhaps because of the low 24 levels of the bombs. 25 At the other hospital, the Accident Hospital, we</p> <p style="text-align: center;">Page 100</p>

<p>1 heard the evidence of now Professor Kenneth Boffard, a 2 very experienced and senior doctor now. He told you 3 a little about Thomas Chaytor and James Craig. But 4 mostly he spoke about the Accident Hospital, where he 5 was a relatively junior doctor at the time in one of the 6 three trauma teams. I think he is now a world-renowned 7 expert in trauma medicine.</p> <p>8 He said the Accident Hospital was the UK's first 9 major trauma centre, the first of its kind in the world. 10 A role model for this country and the rest of the world 11 and the premier trauma centre for the West Midlands.</p> <p>12 The entire hospital was a trauma hospital, with 13 doctors and surgeons experienced in all forms of trauma 14 and multi-fatality accidents. There were three trauma 15 teams and a Burns Unit, the only specialist burns centre 16 in the Midlands.</p> <p>17 There were full routines in place for the management 18 of patients, well resourced and coordinated, always with 19 relatively senior staff on hand. And in his team an 20 experienced and effective team leader, 21 Mr Michael Porter, who was an army man.</p> <p>22 Professor Boffard did not have experience at that 23 time of bomb blasts casualties, but some of the doctors 24 there did, including one who had worked in 25 Northern Ireland. He said the military connections</p> <p style="text-align: center;">Page 101</p>	<p>1 Boffard said, about 8.30. They took the most severely 2 injured, including the two who did not survive. He said 3 about 182 who were injured survived. We think that 4 figure is over 200.</p> <p>5 He said that in any multi-casualty disaster 6 80 per cent, that is 80 out of 100, would walk out of 7 hospital. 15 per cent, 15 out of 100, would be 8 casualties, with, for example, foot injuries or a broken 9 leg. And five per cent, five out of 100, would have 10 a real chance of losing their lives.</p> <p>11 Professor Clasper, a Consultant Orthopaedic Surgeon 12 in the Royal Army Ordinance Corps, I think, and 13 Dr Nat Cary, a very experienced Home Office approved 14 Forensic Pathologist, hot-tubbed, they sat in the 15 witness box together.</p> <p>16 They considered the post-mortem reports on the 17 deceased, and other relevant documentation, including an 18 anonymised Medical Journal article not so long after 19 these events. And for each of the 19 they recorded the 20 primary, secondary and so on injuries for each. They 21 said that the injuries were significant and unsurvivable 22 even with current advanced medical treatment.</p> <p>23 In the cases of Pamela Palmer and Michael 'Mick' 24 Beasley, both at the Mulberry Bush, attempts at 25 resuscitation were made, sadly without success, at the</p> <p style="text-align: center;">Page 103</p>
<p>1 hugely helped him. There was no forewarning of the 2 arrival of casualties, for example, by the senior police 3 officer on the scene, as far as he knew, and he was only 4 a junior doctor then, but that was usually the case.</p> <p>5 Often the first they knew of casualties was their 6 arrival. It would obviously have helped to have been 7 forewarned and therefore extra prepared. It would have 8 been fantastic in principle, but in practice it was just 9 not feasible with this kind of incident: two explosions 10 in two locations with police and ambulances inevitably 11 overwhelmed at the scene.</p> <p>12 In any event, he said, it was only about ten minutes 13 from explosions to arrivals. And the Accident Hospital, 14 by its very nature, had its team ready, with extra 15 nurses, if needed, from the nursing home nearby. He 16 said the nurses were outstanding.</p> <p>17 In fact, Police Sergeant Wilson in his report said 18 that he personally alerted the nearby hospitals to 19 commence the major incident procedure. He did not say 20 what time that was, although in the Brannigan report it 21 states that Sergeant Wilson had informed the hospitals, 22 General, Accident and Dudley Road, by 20.23 hours, 8.23.</p> <p>23 We saw a video clip from a Dr Henry Proctor, who 24 said the hospitals made plans for IRA bombings. About 25 80 casualties came to the Accident Hospital, professor</p> <p style="text-align: center;">Page 102</p>	<p>1 hospital. But Professor Clasper said that he suspected 2 that each had died before they reached hospital. And 3 Dr Cary agreed.</p> <p>4 As now, and as then, they said, if there are any 5 possible signs of life, all efforts will be made, 6 including attempts at resuscitation, even though there 7 may not be genuine signs of life.</p> <p>8 Two from the Tavern in the Town survived for 9 a number of days. Thomas Chaytor, who was a barman at 10 the Tavern with another day job, he was taken first to 11 the General Hospital and then was transferred to the 12 Accident Hospital to the Burns Unit. Professor Boffard 13 provided his death certificate but had no part in his 14 treatment. It seems that his injuries were 15 predominantly severe lung injuries which became 16 complicated by infection, but he was also very seriously 17 burned, in excess of 50 per cent burns. It is more 18 likely than not, in 1974 terms, that he would not have 19 survived on the burns injuries alone, was the evidence.</p> <p>20 If early arrival had been possible -- and there is 21 no evidence that it was -- it would have made no 22 difference to treatment or outcome. He survived until 23 27 November.</p> <p>24 James Craig, who we know had been fit from playing 25 sport, survived until 9 December. Professor Boffard</p> <p style="text-align: center;">Page 104</p>

1 said that he had damage to his liver, and he had
 2 assisted in surgery to try to repair it. It was
 3 suspected he had a collapsed lung and was struggling to
 4 breath. He developed a pneumothorax on the fourth day
 5 but developed septicaemia in his bloodstream. As
 6 a result of his multiple injuries, he died of severe
 7 lung injuries, complicated by infection.

8 There was evidence from Professor Clasper that he
 9 could have regained consciousness, as he may have done,
 10 and still succumbed.

11 If earlier arrival had been possible -- and there is
 12 no evidence that it was -- his treatment would have been
 13 the same. It might possibly have made a difference to
 14 the outcome. But even then, it was more likely than
 15 not, said Professor Boffard, that he would have died.

16 Professor Clasper felt it was highly likely that he
 17 would die whatever the treatment. Dr Cary agreed. He
 18 said he had quite severe blast lung from an early stage.
 19 It may have been a factor for his survival for so many
 20 days that he had been fit, having played a lot of
 21 football. He survived until 9 December.

22 You have the experts' conclusions about both.
 23 Professor Clasper considered the chances of death for
 24 each as being very, very high. He considered that it
 25 was probable that they would have died whatever the

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1 treatment. Dr Cary said the nature and extent of all
 2 the injuries was consistent with the explosions.

3 Finally, on the medical treatment topic, as to
 4 treatment generally, Professor Clasper was impressed by
 5 the fact that the five who were referred to in the
 6 Journal anonymously, were admitted to hospital within 30
 7 minutes, which he said was an impressive performance at
 8 the time. Even by today's standards, getting people to
 9 hospital was therefore prompt. One getting an X-ray
 10 within 60 minutes of the explosion was incredibly
 11 impressive. And James Craig's treatment, for example,
 12 was far better than he would have received in virtually
 13 every hospital in the country.

14 Dr Cary said that most of those who died would have
 15 been rendered unconscious by the explosions, including
 16 the two for whom resuscitation attempts were made. For
 17 those 19 who died on the night, death would have come
 18 very quickly after the explosion.

19 In summary, Professor Clasper and Dr Cary both
 20 agreed that all 21 died from multiple injuries caused by
 21 a bomb explosion.

22 I think that would be a good time for a break.
 23 I know it is hard for you to listen to somebody talking
 24 at such length. Somebody once assessed that the
 25 listening span is not much more than seven minutes. You

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1 have done very well, members of the jury. But I do
 2 appreciate how difficult it is.

3 So we will take a break for ten minutes.
 4 (2.59 pm)
 5 (A short break)
 6 (3.09 pm)

7 THE CORONER: I should just say a word or two about the
 8 Hagley Road bomb, because although it didn't go off
 9 properly, and didn't kill anyone, mercifully, it was
 10 a significant event of the night.

11 It was planted at the rear of Barclays Bank in
 12 Hagley Road, and also at the rear of some insurance
 13 offices near to some oil storage tanks. It was spotted
 14 by the caretaker, Mr Alfred Meeks, at about 9.15 pm.

15 He saw two parcels in two plain, white plastic bags.
 16 Somebody else later called them blue bags. He called
 17 the police, and his 999 call was received at 9.25 pm.
 18 You have that call. It is the third one that we have,
 19 the only three that we have.

20 Police resources were sent out at 9.30, according to
 21 the log. After the finding of this device, all traffic
 22 was diverted from the vicinity, although no police
 23 cordon was put in place.

24 The relevant police officer who went to the scene,
 25 Police Constable Thomas, was from the firearms and

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1 explosives department. And he said he was alone, but
 2 the police report suggests that a number of other
 3 officers attended, as well as the fire brigade. He
 4 spoke to the caretaker, and said in his statement that
 5 his brief at these incidents was to identify a suspect
 6 device as genuine and then call out the Royal Army
 7 Ordinance Corps, who did the making-safe bit, although
 8 he said that "There were that many devices", as he put
 9 it, "at the time, that if possible as a firearms officer
 10 I would disarm the device myself". In one year, he
 11 dealt with 166 such incidents.

12 The police report recorded that a detonator exploded
 13 at 10.35 but malfunctioned and failed to set off the
 14 main charge. And Police Constable Thomas witnessed
 15 this. He heard a loud bang and saw the top of one of
 16 the two bags lift off with the blast. He said:
 17 "All I can say is that the detonators could not have
 18 been placed into the explosives properly or the device
 19 would have activated."

20 And he said there appeared to be two
 21 separate devices.

22 So the Royal Army Ordinance Corps were called out.
 23 Lieutenant Colonel Bean attended. At 11.15. He
 24 considered that the bomb consisted of two separate
 25 devices as opposed to one device with a dual timer. On

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<p>1 examining the devices, he felt that one of the 2 detonators had exploded, which would account for the 3 bang heard by Police Constable Thomas. 4 And you saw the photograph, with the sticks of 5 dynamite, the batteries and clocks, and some damage, 6 which I think was explained as being caused by making 7 it safe. 8 Then just finally on this topic, Alison Mansfield 9 was our explosives expert. She referred to the links, 10 which was an important part of her evidence. She is 11 a Principal Forensic Case Officer at the Forensic 12 Explosives Laboratory, part of the Ministry of Defence, 13 with 24 years of experience in the examination and 14 analysis of explosives and related materials. 15 With that experience she concluded that, based on 16 the evidence of what she had seen, looking back at all 17 of the statements of the contemporary experts, who were 18 both very experienced, she said, it is highly likely 19 that the three incidents were linked: the Mulberry Bush, 20 the Tavern, and Hagley Road. So connected to 21 each other, and that the three bombs were constructed by 22 an individual or group of individuals working to 23 a common plan to produce bombs of the same type. 24 She took into account, for example, the use of 25 Eveready batteries, clock devices, the specific type and</p> <p style="text-align: center;">Page 109</p>	<p>1 She provided details of the construction of each 2 bomb, the circuit for each, and they all contained 3 nitroglycerin made up of sticks of gelnite 4 or dynamite. 5 And in 1973/74, the cases which she reviewed from 6 that time, the commercial names were Frangex or Gelamex, 7 both of which were available in Eire and 8 Northern Ireland, although Gelamex was made in Derby. 9 The unexploded Hagley Road bomb was made of Frangex. 10 She explained that each bomb had a detonator which 11 had to be ignited with a charge from the battery so as 12 to set off the main charge. There was also an on-off 13 safety switch, and she said that the bomb planter would 14 be the person to close the safety switch, with the timer 15 already all set to go. 16 She agreed that the timer clock could be constructed 17 with just a minute-hand, which would give you up to an 18 hour's time before the explosion, although it could be 19 set for less than that, even just a minute or less, or 20 with just an hour-hand on its own, which would give you 21 hours before the detonation. 22 She said that from contemporary documents both the 23 Mulberry Bush and Tavern bombs had devices which had two 24 timers, being unusual, and being either two clocks with 25 one circuit -- that is two separate bombs side by</p> <p style="text-align: center;">Page 111</p>
<p>1 size of the intercept pin and the D-shackles, the metal 2 hinges which attach to the handle, recovered from the 3 Mulberry Bush and the Tavern in the Town, which 4 indicated that a briefcase or an attache case had 5 been used. 6 You might remember that a duffle bag was what was 7 mentioned by the young planter, which sounds to be 8 rather different. She agreed with Mr Lidstone's 9 assessment that 26 incendiary devices and five 10 high-explosive devices between April and August 1974 11 were linked by the constituent parts in the devices. 12 Four out of five high-explosive devices which she 13 considered had dual timing systems, which was very 14 unusual. And she agreed that all three bombs on the 15 night had obvious similarities. 16 She agreed with the estimate of weight. Mr Higg's 17 estimate at the Mulberry Bush was in the region of 25 to 18 30 pounds, and Mr Lidstone's estimate was of 30 pounds 19 for the Tavern. 20 She agreed that in terms of the bombing campaign and 21 previous weights of explosives this was an escalation in 22 the campaign of violence. Although the notes seemed to 23 suggest different weights for Hagley Road, her view was 24 that 13 pounds was likely to be accurate, approximately 25 half the size of the other two bombs.</p> <p style="text-align: center;">Page 110</p>	<p>1 side -- or two clocks with one circuit, doubling the 2 certainty of the explosion. She could not say which. 3 She did said there was no shrapnel material in any 4 of the three bombs, like a nail bomb. 5 Timings. There is no dispute about the time of the 6 coded warning call at 8.11 pm. There are variable times 7 given for the explosions and some other events. Some 8 will be more accurate than others, for a variety of 9 reasons, including those who had been drinking and 10 having a good time and not looking at their watches, if 11 they had them. 12 So estimates may vary. Some witnesses gave one time 13 in one statement and another time, not necessarily very 14 different, but another time, in a later statement. And 15 some witnesses, of course, were looking back over 16 a number of years. 17 Just looking first at the timings of those in public 18 service. And this is my assessment of timings on the 19 evidence that we have. Starting with timings before the 20 first explosion. Before the first explosion. So 21 starting with 8.11 and Mr Cropper receiving the call. 22 That is not the call he made. That is the call 23 he received. 24 He then made a call. And the only time of that call 25 is recorded in the Brannigan report at 8.14, three</p> <p style="text-align: center;">Page 112</p>

<p>1 minutes later.</p> <p>2 It was received by Police Constable Phillips. You</p> <p>3 have a broad timing from Inspector Tonkinson, who says</p> <p>4 that sometime after 8.00 pm he received a radio call</p> <p>5 from Digbeth of a coded call of a bomb in the Tax</p> <p>6 Office. But that is a rather general time. It is</p> <p>7 a very general time, sometime after 8.00.</p> <p>8 At 8.10 to 8.15, Police Constable Howles said he</p> <p>9 heard a message over the radio of a bomb warning. At</p> <p>10 about 8.14, Inspector Skitt said, as a result of a radio</p> <p>11 message, he made his way to the Rotunda.</p> <p>12 At 8.14, Police Sergeant Pedersen says he was on</p> <p>13 foot in the subway with Police Sergeant Yates, and</p> <p>14 received a call to go to the Rotunda.</p> <p>15 About 8.15, described as a "very loose time",</p> <p>16 Police Constable Bradbury and Woman Police</p> <p>17 Constable Adams both said they were in a Panda car near</p> <p>18 Moor Street Station, and received a call to go to</p> <p>19 the Rotunda.</p> <p>20 At about 8.15, Police Constable Yates received</p> <p>21 a call about a bomb in the Rotunda.</p> <p>22 At 8.14 to 8.15, Police Sergeant Pedersen says he</p> <p>23 was at the Rotunda with Police Sergeant Yates. They</p> <p>24 were on foot patrol together. We don't have a statement</p> <p>25 from Police Sergeant Yates so he can't help us.</p> <p style="text-align: center;">Page 113</p>	<p>1 says that a crime has been committed, it is murder. And</p> <p>2 I think you were shown one on Monday. All of the crime</p> <p>3 reports for those who died at the Mulberry Bush say the</p> <p>4 explosion was at 8.16.</p> <p>5 After 8.16, Police Constable Bradbury.</p> <p>6 8.17, Police Sergeant Pedersen. That was the time</p> <p>7 he radioed in the location of the bomb at the</p> <p>8 Mulberry Bush.</p> <p>9 8.18, Chief Superintendent Brannigan's report. An</p> <p>10 explosion at the Mulberry Bush, "as near as can be</p> <p>11 determined", is how he put it.</p> <p>12 8.18 or just after, Alan Gaynor, the bus driver.</p> <p>13 8.18, the journalist Brian Gibson, in his book in</p> <p>14 1976 "The Birmingham Bombs". He went back to his hotel</p> <p>15 and into his room at the Holiday Inn, sat down with</p> <p>16 a book, and heard an explosion, which drew him to the</p> <p>17 window. And he looked across at the digital clock, if</p> <p>18 it is right, of the Birmingham Post and Mail building.</p> <p>19 8.20, Woman Police Constable Adams. "That time</p> <p>20 stuck in my mind", she said.</p> <p>21 "Approximately 8.20", Police Constable Howles, he</p> <p>22 said, while he was still at Thorp Street.</p> <p>23 8.23 is a 999 call relating to the Rotunda. The</p> <p>24 first one we have. It may not be the first 999 call</p> <p>25 about the Rotunda, but that's the one we have.</p> <p style="text-align: center;">Page 115</p>
<p>1 At 8.16, the Brannigan report puts</p> <p>2 Sergeant Pedersen, Sergeant Yates, Police Constable</p> <p>3 Bradbury and Woman Police Constable Yates at the</p> <p>4 Rotunda. Still all before any explosion.</p> <p>5 At 8.18, Woman Police Constable Adams says, she</p> <p>6 arrived at the Rotunda with Police Constable Bradbury</p> <p>7 and Police Constable Yates.</p> <p>8 By contrast, 8.20, Police Constable Bradbury says</p> <p>9 that he arrived at the Rotunda. They were both</p> <p>10 together, so they can't both be right, but they are not</p> <p>11 far apart.</p> <p>12 The explosion at the Mulberry Bush.</p> <p>13 8.15, Police Constable Chandler said, "I have</p> <p>14 a feeling that it was quarter past eight", but he was</p> <p>15 uncertain about it, he agreed.</p> <p>16 Shortly after 8.15 pm, Police Inspector Richards, in</p> <p>17 a statement read to you from late 1974, said he was at</p> <p>18 Digbeth and heard an explosion. He then left on foot</p> <p>19 and was picked up in the car by Police</p> <p>20 Constable Crozier.</p> <p>21 8.16, Police Sergeant Pedersen said a bomb went off</p> <p>22 and he did not know where it was. He said the time</p> <p>23 would have been taken from the log. His timing would</p> <p>24 have been taken from the log.</p> <p>25 8.16, the Crime Reports. That is the document which</p> <p style="text-align: center;">Page 114</p>	<p>1 I think, if I have it right, approximately 8.25,</p> <p>2 Police Constable Hazlewood, who used his headlights to</p> <p>3 illuminate the Mulberry Bush, received a call that</p> <p>4 a bomb had gone off at the Rotunda.</p> <p>5 Next, the explosion at the Tavern in the Town, for</p> <p>6 which there is less evidence. As with some of the</p> <p>7 civilian witnesses we have heard -- and I will come to</p> <p>8 the list that was given by Mr Mole in a minute -- there</p> <p>9 is some evidence that it was "shortly after" or</p> <p>10 "not long", but you will have heard evidence from people</p> <p>11 that they were doing things, and so you can estimate to</p> <p>12 a certain extent how long that might have been, but that</p> <p>13 is not a precise science.</p> <p>14 So for example, Detective Constable Plimmer said,</p> <p>15 "Well, they were about five minutes apart". But he</p> <p>16 later said it was "less than a minute or two". So</p> <p>17 people are not always precise about these things. And</p> <p>18 even if they are precise, it doesn't necessarily mean</p> <p>19 that they are absolutely accurate. I am sure they are</p> <p>20 all doing their best.</p> <p>21 The Brannigan report says 8.20. The slightly</p> <p>22 different evidence from the hospitals is -- firstly in</p> <p>23 the Brannigan report there is the time of 8.23, not for</p> <p>24 an explosion but for some action afterwards by</p> <p>25 Police Sergeant Wilson. The Brannigan report said:</p> <p style="text-align: center;">Page 116</p>

<p>1 "By 8.23 Police Sergeant Wilson had informed the 2 hospitals, General, Accident and Dudley Road. 3 About 8.30, Professor Boffard said that 80 4 casualties came to the Accident Hospital about 8.30. 5 Again, that is not likely to be particularly precise, 6 but that is another time. 7 And about 8.30 Dr Tachakra said that Pamela Palmer 8 was admitted, and about 8.30 Dr Paterson received a call 9 to go to casualty. 10 I have referred to the 999 calls. The last one was 11 for Hagley Road. The other two relate to the Rotunda 12 and the Pancake Cafe, which doesn't refer to the bomb, 13 it refers to smoke. So you have those times. 14 Mr Mole said that he had seen witness statements to 15 show that a lot of 999 calls had been made. But we have 16 no other records. 17 So I will remind you of the civilian times taken by 18 Mr Mole and given to you on Monday, which end up with 19 the bar charts. That is a rough guide. There is 20 nothing precise about that. It is important to note, as 21 I am sure you all did, that people can be inaccurate. 22 Watches and clocks can be inaccurate. Estimates are 23 estimates. Some may have been drinking. Some may have 24 been traumatised. Some were asked about times later. 25 Some were asked about times years later. So there is</p> <p style="text-align: center;">Page 117</p>	<p>1 "8.10 or about 8.10", two witnesses. 2 "8.15 or about 8.15", six witnesses, including the 3 solicitor, Raymond McVeighty, and his brother. But he 4 then includes that the watch stopped at 8.20. 5 "At about 8.20", seven witnesses. 6 "8.25", one witness. 7 "8.30", two witnesses. 8 So that is a good illustration of the range. It is 9 probably likely that the extremes should not be 10 considered too strongly by you, but you will make up 11 your own minds about that. It is a matter for you. 12 And outside the Mulberry Bush: 13 "Time not specified", one witness. 14 "8 o'clock or unspecified time after 8.00", 15 four witnesses. 16 "8.05 or about 8.05", one witness. 17 "8.10 or about 8.10", three witnesses. 18 "8.15", five witnesses. 19 "8.20", one witness. 20 "On the bus, no time given", two witnesses. 21 "8.15", one witness. 22 "8.20", four witnesses. 23 "Those who were in the Odeon, time not specified", 24 five witnesses. And 8.15, one witness. 25 That is the Mulberry Bush.</p> <p style="text-align: center;">Page 119</p>
<p>1 a caution for all of these times. 2 Just to remind you, quite quickly, of what Mr Mole 3 told you, just to summarise his findings without going 4 into the details, although some of the details were 5 provided to you. 6 So for the Mulberry Bush, those who were inside the 7 Mulberry Bush. And these are -- when I say "civilian" 8 witnesses, I mean not police or emergency services. So 9 customers, staff. 10 "Time not given", two witnesses. 11 I'm just going to bring something up on screen, 12 because I'm not sure I told it to you right, and I want 13 to check. It is the INQ reference [INQ001299]. 14 Yes. No, I was right. So if you look in the middle 15 of the page at number 6: 16 "Place, time, day and date of offence: bomb 17 explosion, 8.16 pm Thursday 21 November." 18 So all of the crime reports relating to all of those 19 who died in the Mulberry Bush have that time. 20 Thank you very much. 21 Just coming back to Mr Mole on the civilians inside 22 the Mulberry Bush. 23 "Time not given", two witnesses. 24 "8 o'clock or unspecified time after 8.00", 25 11 witnesses.</p> <p style="text-align: center;">Page 118</p>	<p>1 Then the Tavern in the Town, inside, time not 2 specified or clear: 17 witnesses. 3 "8.00 pm or unspecified time after", 22 witnesses, 4 several of whom, said Mr Mole, mentioned the first bomb 5 and shortly afterwards hear the bomb in the Tavern in 6 the Town. 7 "8.10", five witnesses. 8 "8.15", twelve witnesses. 9 "8.20 or about 8.20", 36 witnesses, including 10 Paul Murphy, whose watch stopped. 11 "8.25", nine witnesses. 12 "8.30", ten witnesses. 13 "Those outside the Tavern in the Town, time not 14 specified" or "before 8.00 pm", which I suggest cannot 15 possibly be right, six witnesses. 16 "8.00 or unspecified time after", three witnesses. 17 "8.10", one witness. 18 "8.15", three witnesses. 19 "8.20", three witnesses. 20 "8.30", one witness. 21 So let's look in a little more detail at the warning 22 call itself, in the first place. That seems to be very 23 much our starting point, not just with the timings but 24 now with what happened after the warning call. What was 25 the police response?</p> <p style="text-align: center;">Page 120</p>

1 So that is one of your questions, the timings of the
 2 explosions, at question 5. The adequacy of the warning
 3 call, question 6. And the police response to the
 4 warning call, question 7.

5 I think I should read out to you what Mr Cropper
 6 said. Ian Cropper, telephonist at the Birmingham Post
 7 and Mail, said:

8 "On Thursday 21 November 1974, I was performing my
 9 normal duties at my post, when at 8.11 pm I received
 10 a telephone call from a coin-operated box, because
 11 I heard the rapid-pip pay tone. The caller spoke with
 12 a definite Irish accent, which sounded genuine and not
 13 phony, and was a male voice."

14 This is his statement of 3 December 1974.
 15 A male voice.

16 "I answered the phone in the normal manner, and the
 17 caller said, 'There is a bomb planted at the Rotunda.
 18 There is a bomb planted in ...' Then there appeared to
 19 be a pause and falter in his speech, followed by
 20 a quickening of speech, and continued, '... at the
 21 tax office'."

22 And you have the words in his note. In fact he has,
 23 it seems, two notes but we don't know quite how the
 24 printed pro forma form was used, as well as his note in
 25 the log.

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1 "He then gave a coded message. The caller appeared
 2 to be calm and precise, with the exception of the falter
 3 I mentioned. I made a record of this conversation in an
 4 incident report book, which I produce. On receipt of
 5 the call I immediately called the police on 236 5000."

6 That is Central 5000, which is the Police
 7 Central Control:

8 "And asked for information room. And I informed
 9 someone of the contents of my message. I was not aware
 10 of the significance of the coded message. I informed my
 11 news desk of the message also. Although difficult to
 12 state, I would think that the caller was in his
 13 late 30s, certainly not a young man."

14 And in his statement many years later, on 20 August
 15 1991, he refers to the wording followed by the code
 16 'Double X' which was only said once at the end of
 17 the call.

18 "I recorded the actual words spoken in an incident
 19 report book, which I later handed to a policeman."

20 So that would be when they took it, no doubt as
 21 an exhibit.

22 "I received a number of similar calls whilst
 23 I worked for the Birmingham Post and Mail. But this was
 24 the only time the caller ever gave a codeword. I have
 25 never been told any codewords by anyone in authority at

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1 the Birmingham Post and Mail. I have been instructed by
 2 the management that if I receive any such calls, it was
 3 not up to me to decide on their accuracy. I was to
 4 inform the police immediately, which I did on
 5 this occasion."

6 So that is his call. He informed the police of the
 7 contents of his message, and also his news desk. He
 8 didn't say in which order he did that.

9 The police officer receiving his call was
 10 Police Constable William Phillips at the Police Central
 11 Control in Newton Street.

12 And you did ask me a question, could you have the
 13 two statements? I'm sorry, no, but I can read them out:
 14 "Retired police officer."

15 This is his statement of 11 November 2016. So that
 16 is 41 years, something like that.

17 "My name is William Alan Phillips. I am a retired
 18 police officer. In 1971 or 1972 I was posted to the
 19 Force Control Room. At the time the control room was
 20 situated in Newton Street. A couple of years after
 21 I started working in the control room I remember that
 22 a lot of new communication equipment was installed.
 23 I do not know specifically when that was.

24 "On 21 November 1974, I worked a 2.00 pm to 10.00 pm
 25 shift. My duties were to answer the 99 calls and

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1 routine calls that came into the control room.
 2 I remember that towards the end of the shift, I took
 3 a call from a man who stated that he was from the
 4 Birmingham Post and Mail. I do not know this
 5 man's name.

6 "The man told me that he had received a telephone
 7 call from someone who said that they were from the IRA
 8 and said that there was a bomb at the Tax Office and
 9 a bomb at the Mulberry."

10 And he says that the caller had given a codeword
 11 'Double X'.

12 So a bomb at the Tax Office and a bomb at the
 13 Mulberry. No reference to the Rotunda. But this is --
 14 bear in mind this is a 2016 statement.

15 "I had previously been briefed about this codeword,
 16 'Double X'. Once this codeword was given to me,
 17 I believed this to be a genuine bomb warning. I then
 18 immediately informed my supervisor, Inspector John
 19 Evans, of the call. I then immediately relayed the bomb
 20 warning to Digbeth Control Room which covered
 21 New Street."

22 That is the essence of his first statement about
 23 that call.

24 In an even later statement, dated 12 December 2017,
 25 which was taken for my purposes as Coroner, he says:

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<p>1 "I can confirm the accuracy of that account. 2 Unfortunately, I cannot now recall the name of the 3 caller from the Birmingham Post and Mail, and would not 4 be able to confirm it, even if provided to me, although 5 would have recorded it on the computer system. Neither 6 can I recall whether the call came through on the 999 7 emergency number or whether he had called the landline 8 number to the Force Control Room. 9 "Both calls would have been managed in the same way 10 regardless. I'm certain that the caller told me of two 11 bombs and that the Tax Office and Mulberry Bush were 12 mentioned. I know that the Tax Office was above the 13 Tavern in the Town pub where one of the bombs later went 14 off, and so this information was not entirely correct. 15 I am also clear that I was told the warning message 16 referenced the Mulberry Bush. The word 'Rotunda' was 17 not mentioned, as far as I can recall. 18 "On receiving the message, along with the codeword 19 'Double X', I would not have doubted that this was 20 a genuine bomb threat that needed immediate action. 21 I recall that Inspector John Evans was in the office 22 behind me, just a few feet away, behind a glass 23 partition, but with his door into the main room open. 24 I would have taken the information from the caller and 25 turned immediately to speak to Inspector Evans to inform</p> <p style="text-align: center;">Page 125</p>	<p>1 message. It would have been a matter of minutes only. 2 I did not discuss with Digbeth Police Station what 3 action they planned to take, but trusted they would deal 4 with the information appropriately." 5 So the only time that we have for Ian Cropper's call 6 to the police is in the Brannigan report. That time was 7 given as at 8.14 pm. So 8.14, three minutes later if 8 correct. 9 Police Constable Phillips in the Central control 10 room at maybe around 8.14 has received this call. All 11 he can recall is that there were two bombs: one at the 12 tax office and one at the Mulberry Bush. 13 As I have just read, he informed his superior. 14 Phillips was a police constable. He informed his 15 superior, John Evans, who was a police inspector, who 16 told him to contact Digbeth as the nearest station, and 17 not to use the code itself but to confirm "positive 18 code". 19 Police Inspector Evans, also read to you, recalls 20 that the warning related to a bomb having been planted 21 at the Rotunda, with a Provisional IRA codeword which 22 meant to him a genuine IRA call. That's what he said in 23 an earlier statement. 24 In a later statement, he said that the message was 25 either that a bomb had been planted or that a bomb had</p> <p style="text-align: center;">Page 127</p>
<p>1 him. He told me to refer the incident to Digbeth Police 2 Station, as the closest station, which I would have 3 known, and what to say. 4 "I recall him telling me not to use the actual 5 codeword itself in my communication but to confirm 6 'positive code'. I suspect this was to ensure the 7 codeword was not intercepted unnecessarily. 8 "My 2016 statement states that after informing 9 Inspector Evans of the call, I immediately relayed the 10 bomb warning to Digbeth control room which covered 11 New Street. I can't recall precisely what I did, but my 12 normal practice would have been to place a call to 13 Digbeth. I would have done this by radio to ensure the 14 message was quickly received. I would have confirmed to 15 them the message passed to me and told them that we had 16 received a positive code. Once the call was complete, 17 I would then have recorded on the VDU [visual display 18 unit] something like 'two bombs, positive code, referred 19 to Digbeth'. 20 "I would not have entered in the full wording of the 21 message received. Again, I would have hoped this 22 information was still available for review. 23 "I do not know precisely the time taken to receive 24 the call from the Birmingham Post and Mail, notify 25 Inspector Evans and contact Digbeth to relay the</p> <p style="text-align: center;">Page 126</p>	<p>1 gone off in a location which was adjacent to the 2 Rotunda. 3 Just looking at his first statement, which is 4 1 April 1987 -- 12.5 years -- where he says: 5 "I was posted to the police control room as 6 a uniformed inspector. I recall the day of the 7 Birmingham Pub Bombings. I was working a 2 to 8 10 o'clock shift on the day. Numerous officers from the 9 city and surrounding areas were employed at Coventry in 10 connection with the funeral arrangements of McDade. 11 There were problems with carrying his body from England 12 to Ireland, so several officers were redeployed to 13 Birmingham Airport. The police strength in the city was 14 therefore depleted. 15 "I recall being in the control room when 16 a colleague, Police Constable Bill 'Jock' Phillips, 17 received a telephone call from the Birmingham Post and 18 Mail relating to a bomb having been planted at the 19 Rotunda building. The call gave the code used by the 20 Provisional IRA. Policemen were dispatched to the 21 scene. 22 "Moments after the call, the control room became 23 aware that a bomb had exploded in the city, but the 24 exact location was not known. The control room then 25 became inundated with automatic 999 alarm system calls</p> <p style="text-align: center;">Page 128</p>

1 from premises surrounding the bombing scene, and contact
 2 into the control room became difficult. It was not
 3 possible for communications to be efficient between the
 4 control room and officers at the scene."
 5 His next statement was in 1992. He said:
 6 "I agree with the contents of the earlier statement.
 7 I can't remember the time in the evening of 21 November,
 8 but Jock Phillips told me of a message he had received
 9 from the Birmingham Post and Evening Mail stating that
 10 they had received a message giving the IRA code of
 11 Double X, and either a bomb had gone off or been planted
 12 in a location which was adjacent to the Rotunda, which
 13 I cannot remember but I know it was not the location
 14 where the bomb exploded.
 15 "We then put into operation the procedure we had to
 16 adopt, which would be notifying Special Branch CID,
 17 sending an all ports warning, and to notify the relevant
 18 subdivision where the incident would be, and also inform
 19 other agencies which I cannot remember.
 20 "Both Jock and I would draft out messages then the
 21 civilian telex operators would send the messages. The
 22 civilians I cannot remember. All messages were sent as
 23 far as I can remember. It came to my notice that the
 24 local subdivision, Digbeth, did not have any personnel
 25 sent to the scene of the warning, so in view of this we

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1 sent a traffic car if one was available on the air.
 2 I cannot remember if one was available.
 3 "I am sure that everything that was said in the
 4 control room that night was recorded on tape ..."
 5 We don't have any tapes:
 6 "... and I'm not aware if this is in existence or
 7 not.
 8 "Going back to the night, I cannot recall the time
 9 I was aware that a bomb or bombs had exploded. I know
 10 that the force of the explosion set off burglar and
 11 fire alarms in nearby premises and these were so
 12 numerous that we were unable to deal with them
 13 effectively.
 14 "The coded message 'Double X'. All of the control
 15 room staff were aware of this being a genuine IRA call.
 16 As far as I can remember, we were told by someone this
 17 was the code used by the IRA. Who told us this I cannot
 18 recall.
 19 "After the bombs exploded, I did consult with the
 20 ambulance and fire brigade control rooms to establish
 21 the extent of the damage and number of casualties."
 22 He was also monitoring that evening, as part of his
 23 job in the control room -- the Central control room --
 24 Coventry control room because of the events of the
 25 McDade funeral.

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1 So those are his two statements, relevant
 2 statements.
 3 Phillips said, having spoken to Evans, his senior,
 4 that he contacted Digbeth. We have heard what he said
 5 in contacting Digbeth, so let's go to Digbeth next. Out
 6 of the Central control room, which is somewhere else at
 7 Newton, to Digbeth police station.
 8 Police Inspector Baden Skitt was officer in charge
 9 at Digbeth on the night. Indeed, he was the person who
 10 was said to have drafted the Superintendent Brannigan
 11 report.
 12 So the controller that night at Digbeth was
 13 Police Sergeant William Wilson and there was a separate
 14 controller at Steelhouse Lane. Police Sergeant Wilson
 15 said that two separate calls were received from Central
 16 control at Newton Street. Two separate calls.
 17 He does not say how far apart in time the messages,
 18 the two calls, were, nor when the calls were received.
 19 But the first call he received from Central control was
 20 a bomb had been planted in the Rotunda; the second call
 21 that he received from Central control was that a bomb
 22 had been planted in New Street, "approaching King Edward
 23 House".
 24 Police Sergeant Wilson directed two police officers
 25 to the Rotunda. That was Police Constable Bradbury and

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1 Woman Police Constable Adams, who were in a police car
 2 up at Moor Street, near Moor Street station. He
 3 directed, he said, one police officer to King Edward
 4 House, Police Constable Yates; although Police Constable
 5 Yates in his statement made no mention of his being
 6 directed to King Edward House. None of these people are
 7 available to give evidence, so we are relying on
 8 statements.
 9 Just staying with Sergeant Wilson, who received
 10 a call or calls. He said he received two calls. He was
 11 saying that when he was interviewed about these events
 12 in June 1992. He says then that he directed two
 13 officers to the Rotunda and one to King Edward House.
 14 As I have said, Police Constable Yates did not refer
 15 to being directed to King Edward House. He said he
 16 received a call from Digbeth control that a call had
 17 been received to the effect that a bomb had been placed
 18 in the Rotunda. That statement was in 1974, late
 19 November or December. We don't know precisely -- we
 20 have the printing date on the statement -- but it goes
 21 back to that time.
 22 Police Sergeant Wilson, therefore, at Digbeth, said
 23 he was unable to make contact with Central control,
 24 Newton Street, because the console there crashed and
 25 they kept sending radio messages to the effect that

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1 alarms at shops had been activated. Police Sergeant
 2 Wilson requested more officers from Eastern control but
 3 he was refused because of the numbers in Coventry.
 4 Chief Superintendent Brannigan -- or maybe Police
 5 Inspector Skitt writing for Chief
 6 Superintendent Brannigan -- refers in his report to two
 7 calls made by Police Constable Phillips to Digbeth.
 8 Call one, as recorded in the Brannigan report,
 9 Police Constable Phillips transmitted the information
 10 concerning the Rotunda to Digbeth; call 2, Phillips
 11 transmitted a further message later -- and here are some
 12 new words -- "at the time of the first explosion".
 13 So what Mr Brannigan's report is saying is that
 14 there were two calls -- that's what he was told and
 15 that's how it was recorded -- one concerning the Rotunda
 16 before an explosion probably, it doesn't actually say
 17 that; and, two, a second call which was at the time of
 18 the first explosion. A call to Police Sergeant Wilson
 19 via the VDU, visual display unit:
 20 "To the effect that there was another bomb planted
 21 at the tax office in New Street."
 22 So when you look at this evidence -- all in
 23 statement form, all read to you, no witness from the
 24 witness box -- you have to consider what Mr Cropper said
 25 and recorded at 8.11; when his call was received at

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1 Central control room by Police Constable Phillips; what
 2 was passed on by Police Constable Phillips to the
 3 subdivision station Digbeth; whether that was one call,
 4 as Police Constable Phillips recalling back over many
 5 years said, with a bomb at the tax office and a bomb at
 6 the Mulberry, or whether, as Police Sergeant Wilson said
 7 and as reported in the Brannigan report, there were two
 8 calls.
 9 Sergeant Wilson says first call, a bomb planted at
 10 the Rotunda; second call, a bomb planted in New Street
 11 approaching King Edward House. By the time that gets
 12 into the Brannigan report, it is one call concerning the
 13 Rotunda and one call concerning a bomb planted at the
 14 tax office in New Street.
 15 I think we will finish this afternoon, but I'm just
 16 going to read parts of the Brannigan report. I wonder
 17 if it is possible to have it up on the screen,
 18 [INQ003882], the page 9.
 19 This is the Brannigan report. It may have been
 20 written by Inspector Skitt, it may be hearsay -- it is
 21 hearsay. It is officers telling officers and that's
 22 being reported. But you can see from some of the report
 23 that there is reference to logs, which we no longer have
 24 of course, but that suggests that there may have been
 25 some contemporary documents that whoever drafted the

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1 report had looked at. Of course, whether those logs are
 2 accurate or not is another matter.
 3 But let's see. This report is dated 29 November
 4 1974, so it is eight days later.
 5 "The bomb warning.
 6 "At 20.14 hours on Thursday 21 November, a call was
 7 received by Police Constable Phillips at the Central
 8 control room via the police exchange, from Mr Cropper,
 9 a telephonist at the Birmingham Post and Mail. The
 10 content of the call was ..."
 11 And we have heard that a few times:
 12 "The message had been prefixed by the same code used
 13 on two previous occasions.
 14 "14. Immediately upon receipt of the message,
 15 Police Constable Phillips [at Central control]
 16 transmitted the information concerning the Rotunda to
 17 the Digbeth subdivision controller, Police Sergeant
 18 Wilson, using the force computer. Upon receipt of the
 19 message on the visual delay unit, (log number 440)
 20 Sergeant Wilson alerted officers.
 21 "15. The explosions. Police Sergeant Yates,
 22 Police Sergeant Pedersen and Police Constables Bradbury
 23 and Yates ..."
 24 He has missed out Woman Police Constable Adams:
 25 "... arrived at the Rotunda at 20.16 [8.16] hours.

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1 Having gained admittance to the building, a search of
 2 the first floor was commenced with resident security
 3 staff, when the first bomb exploded directly beneath
 4 them ...
 5 "16. They immediately vacated the building and
 6 turned left into New Street, believing the explosion was
 7 in the vicinity of the Odeon Cinema ..."
 8 I just pause for a moment. I will come to it
 9 tomorrow: one turned left; at least three turned right,
 10 according to the evidence of the individuals. So that
 11 may not be accurate.
 12 "... believing the explosion was in the vicinity of
 13 the Odeon Cinema. As they did so, a WMPTE Corporation
 14 bus was passing with nearside windows broken and
 15 shrapnel holes in the metal bodywork. Three passengers
 16 had been injured. The driver informed the officers that
 17 the damage had been caused by an explosion on the other
 18 side of the Rotunda, at the Mulberry Bush Licensed
 19 House. With the exception of Police Constable Yates,
 20 who assisted people evacuating the Odeon Cinema, the
 21 officers went to the Mulberry Bush Licensed House, where
 22 they found the premises wrecked with many casualties.
 23 Two dead pedestrians were found on the footpath outside.
 24 Details were fed back to Digbeth Control as rescue work
 25 commenced. As near as can be determined, this explosion

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<p>1 was at 20.18 hours. 2 "17. At the same time as the explosion, (20.18) 3 a further message was transmitted by Police Sergeant 4 Wilson via the visual display unit (log 442) by 5 Police Constable Phillips to the effect that there was 6 another bomb planted at the tax office in New Street. 7 Police Constable Phillips confirmed the logs 440 and 442 8 by radio." 9 So that is reference to the second call, as referred 10 to by the Digbeth police officers, or at least 11 Police Sergeant Wilson: 12 "18. As a result of the explosion, Inspector Skitt 13 (Duty Officer), Inspector Richards, Police Constable 14 Hazlewood, Police Constable Howles and Policewoman Adams 15 attended. Inspector Skitt made his way into New Street 16 whilst other officers went to the Mulberry Bush Licensed 17 House where Inspector Richards took command. 18 " 19. At 20.20 hours the second bomb exploded in 19 the Tavern in the Town Licensed House as 20 Police Constable Yates was passing, blowing him into an 21 adjoining bus shelter. The officer, who was uninjured, 22 immediately entered the heavily damaged premises finding 23 many casualties and began rescue work." 24 Thank you. 25 So none of the officers that I have referred to in</p> <p style="text-align: center;">Page 137</p>	<p style="text-align: center;">I N D E X</p> <p>1 2 3 Discussion (in the absence of the1 4 jury) 5 (In the presence of the jury)1 6 SUMMING UP2 7 Discussion (in the absence of the70 8 jury) 9 10 SUMMING UP (continued)70 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 139</p>
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<p>1 this sequence of events -- from Mr Cropper, as it were, 2 downwards on a sort of tree -- attended to give evidence 3 at court. Their witness statements were read out in 4 full or in part. So that is a difficulty but, members 5 of the jury, the evidence is for you: the timings, the 6 message or messages, from whom to whom. 7 Then tomorrow morning at 10 o'clock, please, I will 8 turn to the evidence of police movements, police action, 9 following the call or calls or bombs. 10 Thank you very much. 10 o'clock. Please don't 11 discuss the case. 12 (4.14 pm) 13 (The Inquests adjourned until 10.00 am, 14 Thursday, 4 April 2019) 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 138</p>	
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