

<p>1 Monday, 9 June 2014</p> <p>2 (10.00 am)</p> <p>3 (Proceedings delayed)</p> <p>4 (10.05 am)</p> <p>5 IN THE PRESENCE OF THE JURY</p> <p>6 LORD JUSTICE GOLDRING: Good morning, members of the jury.</p> <p>7 MS LAMBERT: Good morning. I am going to call</p> <p>8 Mr Richard Chester, who is already in the witness box.</p> <p>9 Could he be sworn, please?</p> <p>10 MR RICHARD CHESTER (sworn)</p> <p>11 Examination by MS LAMBERT</p> <p>12 MS LAMBERT: You are Mr Richard Chester; is that correct?</p> <p>13 <b>A. That's correct.</b></p> <p>14 Q. Mr Chester, I would like you to be comfortable during</p> <p>15 the course of your evidence. Feel free to stand or to</p> <p>16 sit as you would wish.</p> <p>17 <b>A. Thank you.</b></p> <p>18 Q. You have a microphone in front of you. I can see the</p> <p>19 red light is on, so it is on. Of course, I hope you</p> <p>20 will direct your voice to the jury. It is very</p> <p>21 difficult, I know, given that I am going to be asking</p> <p>22 the questions.</p> <p>23 <b>A. Okay.</b></p> <p>24 Q. Now, Mr Chester, you were the secretary for the</p> <p>25 Sheffield Wednesday Football Club between,</p> <p style="text-align: center;">Page 1</p>	<p>1 and turnstile counters?</p> <p>2 <b>A. Correct.</b></p> <p>3 Q. And two others more recently as a result of interviews</p> <p>4 with Operation Resolve; is that correct?</p> <p>5 <b>A. That's correct also.</b></p> <p>6 Q. Mr Chester, all three of those statements should be in</p> <p>7 front of you, and I think you have got them in the file,</p> <p>8 have you not? Again, just by way of preliminary, it is</p> <p>9 right that you didn't give evidence to the</p> <p>10 Taylor Inquiry nor to the inquests?</p> <p>11 <b>A. No.</b></p> <p>12 Q. So this is the first occasion upon which you have been</p> <p>13 asked questions in this way, in any event, in connection</p> <p>14 with the events of many years ago?</p> <p>15 <b>A. Yes, that is also correct.</b></p> <p>16 Q. Mr Chester, I am going to start off by asking you some</p> <p>17 questions concerning your general professional</p> <p>18 background, please, if I may.</p> <p>19 We know that you joined the Sheffield Wednesday</p> <p>20 Football Club in late 1983, but I think that before that</p> <p>21 it is right, isn't it, that you had considerable</p> <p>22 experience working as a secretary for football clubs</p> <p>23 because you had been in such a post since 1971, first</p> <p>24 with Lincoln Football Club and then Sheffield United; is</p> <p>25 that correct?</p> <p style="text-align: center;">Page 3</p>
<p>1 formally, January 1984 to October 1986; is that correct?</p> <p>2 <b>A. That is correct, officially. I did, in actual fact,</b></p> <p>3 <b>start with Sheffield Wednesday during the December, '83.</b></p> <p>4 Q. That's right. I think there was a period of handover,</p> <p>5 was there not?</p> <p>6 <b>A. That's right.</b></p> <p>7 LORD JUSTICE GOLDRING: Mr Chester, you are going to have to</p> <p>8 talk a bit more loudly, if you would, please. The</p> <p>9 microphone seems to have got away from you a bit here.</p> <p>10 I know the jury are having difficulty hearing what you</p> <p>11 have to say. Could you talk as loudly as you can?</p> <p>12 I know it is not easy.</p> <p>13 <b>A. Yes.</b></p> <p>14 MS LAMBERT: Mr Chester, you were saying formally your</p> <p>15 period of tenure as the club secretary was from</p> <p>16 January 1984 to October 1986, but you rightly pointed</p> <p>17 out that you started a few weeks earlier, did you not,</p> <p>18 for the purposes of handover?</p> <p>19 <b>A. That is correct.</b></p> <p>20 Q. Before I move into the detail, if I might just confirm</p> <p>21 the fact that you have, I understand, prepared three</p> <p>22 witness statements. One was shortly after the disaster,</p> <p>23 in May 1989?</p> <p>24 <b>A. That is correct.</b></p> <p>25 Q. Which dealt pre-eminently with your introduction of CCTV</p> <p style="text-align: center;">Page 2</p>	<p>1 <b>A. That's also correct, yes.</b></p> <p>2 Q. Sheffield United were at Bramall Lane; is that correct?</p> <p>3 <b>A. That's correct.</b></p> <p>4 Q. Just for our benefit, when did you work for</p> <p>5 Sheffield United? When did you move from Lincoln?</p> <p>6 <b>A. I worked for Lincoln from 1971 to '78.</b></p> <p>7 <b>Sheffield United, '78 to '83. And then Sheffield</b></p> <p>8 <b>Wednesday '83/'84 until '86.</b></p> <p>9 Q. So, by the time you joined Sheffield Wednesday in 1983,</p> <p>10 you had had five years of working for the rival football</p> <p>11 club in Sheffield?</p> <p>12 <b>A. Correct.</b></p> <p>13 Q. Again, so that the jury can get a sense of where you fit</p> <p>14 into the picture, your predecessor was Mr Eric England;</p> <p>15 is that correct?</p> <p>16 <b>A. That's correct.</b></p> <p>17 Q. The jury will remember having seen certain documents in</p> <p>18 which Mr England's name appears. And your successor was</p> <p>19 Mr Graham Mackrell --</p> <p>20 <b>A. That's correct.</b></p> <p>21 Q. -- whom the jury will be hearing from later on this</p> <p>22 week. It was Mr Mackrell who was the club secretary in</p> <p>23 1989.</p> <p>24 Others who worked at the club during the course of</p> <p>25 your time there, the chairman was Mr Herbert McGee?</p> <p style="text-align: center;">Page 4</p>

<p>1 <b>A. That's correct.</b></p> <p>2 Q. Also known as Bert McGee?</p> <p>3 <b>A. Bert McGee, yes.</b></p> <p>4 Q. I think he was the chairman throughout the course of</p> <p>5 your time in Sheffield Wednesday?</p> <p>6 <b>A. Correct.</b></p> <p>7 Q. And, indeed, right through until 1989?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. Some other names, please. Sharon Lane.</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. The jury have heard a little bit about Sharon Lane. Who</p> <p>12 was she?</p> <p>13 <b>A. Sharon Lane. I employed Sharon Lane basically to come</b></p> <p>14 <b>into the ticket office, ultimately took charge of</b></p> <p>15 <b>the ticket office, and I, in actual fact, used</b></p> <p>16 <b>Sharon Lane to assist me generally as well.</b></p> <p>17 Q. So her area of work was principally in ticketing?</p> <p>18 <b>A. Principally in the ticket office.</b></p> <p>19 Q. Was she also, in effect, your assistant?</p> <p>20 <b>A. Partly, yes. In actual fact, when I left, between my</b></p> <p>21 <b>departure and Graham's arrival, she assumed</b></p> <p>22 <b>responsibilities that I had left.</b></p> <p>23 Q. So between your leaving -- because you left, I think, in</p> <p>24 the middle of the season, did you not?</p> <p>25 <b>A. I left on 31 October.</b></p> <p style="text-align: center;">Page 5</p>	<p>1 <b>A. That is correct.</b></p> <p>2 Q. Some other people, please. Douglas Lock, from whom the</p> <p>3 jury may hear or hear about in due course, described as</p> <p>4 being the head of security. Was he there throughout the</p> <p>5 course of your time as club secretary?</p> <p>6 <b>A. Douglas Lock, during my period of engagement at</b></p> <p>7 <b>Sheffield Wednesday, was in actual fact, in the early</b></p> <p>8 <b>stages, a serving police officer, second in line to</b></p> <p>9 <b>Chief Superintendent Brian Mole. He retired from the</b></p> <p>10 <b>force and, because of his expertise and his knowledge of</b></p> <p>11 <b>Hillsborough, I in actual fact made a presentation to</b></p> <p>12 <b>the board of directors for him to be appointed as</b></p> <p>13 <b>a safety officer, which he duly was.</b></p> <p>14 Q. Safety officer or security officer?</p> <p>15 <b>A. Security officer, sorry, yes.</b></p> <p>16 Q. His role as security officer, in a sentence or two,</p> <p>17 please? His role as security officer, can you describe</p> <p>18 it for us, please, in a sentence or two?</p> <p>19 <b>A. Generally speaking, he would have been in charge of</b></p> <p>20 <b>the stewards on match days. When the gate counting</b></p> <p>21 <b>system was installed, he would oversee the figures that</b></p> <p>22 <b>were being produced on the operations. In addition to</b></p> <p>23 <b>that, he also undertook the training of the stewards.</b></p> <p>24 Q. Thank you very much. You have mentioned Mr Mole. Who</p> <p>25 was he?</p> <p style="text-align: center;">Page 7</p>
<p>1 Q. In October of 1986?</p> <p>2 <b>A. Correct.</b></p> <p>3 Q. There was a period of some weeks before Mr Mackrell took</p> <p>4 up his post?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. Are you saying in that short period of time she</p> <p>7 effectively took over the role as club secretary for</p> <p>8 a short period?</p> <p>9 <b>A. I believe so, yes.</b></p> <p>10 Q. One more question about Sharon Lane before we look at</p> <p>11 some other individuals with whom you worked. Setting</p> <p>12 aside the issue of ticketing --</p> <p>13 <b>A. Sorry?</b></p> <p>14 Q. Setting aside the issue of ticketing, and you have</p> <p>15 described her role as being principally involved in</p> <p>16 ticketing, did Ms Lane have any authority to make</p> <p>17 decisions on matters concerning the stadium structure or</p> <p>18 the stadium layout?</p> <p>19 <b>A. Not at all.</b></p> <p>20 Q. So, for example, if in due course we look at some memos</p> <p>21 in which she appears to be describing, for example, the</p> <p>22 number of turnstiles that might be required at the</p> <p>23 Leppings Lane end, would I be right in thinking that she</p> <p>24 would not have had the authority or expertise to make</p> <p>25 those sorts of decisions herself?</p> <p style="text-align: center;">Page 6</p>	<p>1 <b>A. Chief Superintendent Brian Mole was the commanding</b></p> <p>2 <b>officer for all the games whilst I was at Hillsborough.</b></p> <p>3 Q. Match commander?</p> <p>4 <b>A. Match commander, yes.</b></p> <p>5 Q. Was there any particular individual within the police</p> <p>6 force who acted as, effectively, a liaison point between</p> <p>7 the club and the police?</p> <p>8 <b>A. Not really. Most of my dealings was always with</b></p> <p>9 <b>Brian Mole. There was an Inspector Clive Calvert, who</b></p> <p>10 <b>seemed to arrive down at the ground at different periods</b></p> <p>11 <b>of time and wander into the offices, and he was quite</b></p> <p>12 <b>helpful as well. But, invariably, I addressed my</b></p> <p>13 <b>enquiries to the chain of command, starting with</b></p> <p>14 <b>Brian Mole, and I would have left it to him if he passed</b></p> <p>15 <b>it on to any other officer.</b></p> <p>16 Q. Just focusing on this for a moment, if I may, what you</p> <p>17 have said is that you directed your queries to Mr Mole,</p> <p>18 Chief Superintendent Mole --</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. -- who was, throughout your time, the match commander?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. Were those queries queries which arose on the day of</p> <p>23 a match, or was your liaison with him rather wider than</p> <p>24 simply match day issues?</p> <p>25 <b>A. My liaison with him was wider than just purely match</b></p> <p style="text-align: center;">Page 8</p>

<p>1 days.</p> <p>2 Q. It was wider than purely match days?</p> <p>3 <b>A. Purely, yes.</b></p> <p>4 Q. We have heard that Mr McGee was the chairman throughout</p> <p>5 your time, the chairman of the directors.</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. There was, I understand, a board of directors; is that</p> <p>8 correct?</p> <p>9 <b>A. That is correct.</b></p> <p>10 Q. Roughly six or seven men?</p> <p>11 <b>A. Yes, there was five other serving directors, other than</b></p> <p>12 <b>the chairman.</b></p> <p>13 Q. Again, in a sentence or two, what was their role?</p> <p>14 <b>A. Each one had a specific responsibility, depending upon</b></p> <p>15 <b>their expertise, and they, in actual fact, were</b></p> <p>16 <b>responsible for liaison -- liaising with myself and then</b></p> <p>17 <b>they in actual fact would be responsible also to present</b></p> <p>18 <b>anything back to the board of directors for the</b></p> <p>19 <b>directors' approval.</b></p> <p>20 Q. So each one of the board had a particular area of</p> <p>21 responsibility?</p> <p>22 <b>A. A particular area of --</b></p> <p>23 Q. They had a particular brief?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. And they would have, what, the role of presenting</p> <p style="text-align: center;">Page 9</p>	<p>1 <b>director that was responsible for whichever discipline</b></p> <p>2 <b>it was would report back to the board of directors.</b></p> <p>3 <b>I attended board meetings, and basically didn't have any</b></p> <p>4 <b>say or any vote.</b></p> <p>5 Q. You had no say and no vote?</p> <p>6 <b>A. No.</b></p> <p>7 Q. Who was responsible for any shortcomings of a safety</p> <p>8 nature?</p> <p>9 <b>A. I think ultimately it would be the board of directors.</b></p> <p>10 Q. What about your own responsibility?</p> <p>11 <b>A. I would do my level best to ensure compliance with</b></p> <p>12 <b>whatever the issue was, but the ultimate decision would</b></p> <p>13 <b>be -- on safety matters would be taken out of my hands</b></p> <p>14 <b>by Keith Addy and presented to the board and a decision</b></p> <p>15 <b>taken by the board of directors as a whole.</b></p> <p>16 Q. Mr Chester, in your second statement, which is behind,</p> <p>17 sir, tab B, your statement of 5 November 2013 -- do you</p> <p>18 want to have a look at that document? Second page.</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. Have you got that? If you look at the second page,</p> <p>21 second paragraph, you say:</p> <p>22 "Board meetings were held monthly, generally within</p> <p>23 the boardroom at the club, normally on an evening. As</p> <p>24 company secretary, I was aware that I was responsible</p> <p>25 legally for any shortcomings."</p> <p style="text-align: center;">Page 11</p>
<p>1 various topics to the meeting of the board; is that</p> <p>2 right?</p> <p>3 <b>A. That's correct. That's correct.</b></p> <p>4 Q. During your time, Mr Chester, was there a member of that</p> <p>5 board who had a particular interest in or particular</p> <p>6 responsibility for matters to do with safety?</p> <p>7 <b>A. That's correct. Keith Addy.</b></p> <p>8 Q. Keith Addy. Thank you very much. In terms of your own</p> <p>9 role, did you have a job description? Was there such</p> <p>10 a thing in 1984?</p> <p>11 <b>A. My official title was company secretary and senior</b></p> <p>12 <b>administrative officer with direct responsibility to the</b></p> <p>13 <b>board of directors for the effective implementation of</b></p> <p>14 <b>all decisions taken within the board.</b></p> <p>15 Q. Rather like a chief executive? Would that be a fair way</p> <p>16 of describing it?</p> <p>17 <b>A. I don't think I would have had the scope in those days</b></p> <p>18 <b>that chief executives have at the present time, no, but,</b></p> <p>19 <b>yes, similar.</b></p> <p>20 Q. Just so I understand it, there would be decisions made</p> <p>21 by the board of directors, and you were then charged</p> <p>22 with implementing those decisions --</p> <p>23 <b>A. That's right.</b></p> <p>24 Q. -- and reporting back; yes?</p> <p>25 <b>A. Either I would report back or, in actual fact, the</b></p> <p style="text-align: center;">Page 10</p>	<p>1 <b>A. I think it might not be the best of words I've chosen.</b></p> <p>2 <b>I was certainly responsible for compliance.</b></p> <p>3 Q. Compliance with what?</p> <p>4 <b>A. Well, right across the board, from the accounting side,</b></p> <p>5 <b>from the Companies House point of view, from the</b></p> <p>6 <b>personnel side, from the compliance with the</b></p> <p>7 <b>Football League and the Football Association</b></p> <p>8 <b>regulations. Basically, right across the board.</b></p> <p>9 Q. What about compliance with the terms of the safety</p> <p>10 certificate?</p> <p>11 <b>A. I would -- in issues where there was any work to be</b></p> <p>12 <b>done, I would certainly refer to the Green Guide to get</b></p> <p>13 <b>some indication of what was necessary, but, again, the</b></p> <p>14 <b>ultimate responsibility would be decided in the board</b></p> <p>15 <b>meeting.</b></p> <p>16 Q. We will be looking at the safety certificate together in</p> <p>17 a moment or two, but you will be aware that the safety</p> <p>18 certificate is an important document in any Football</p> <p>19 Club?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. The purpose of the safety certificate is to do what,</p> <p>22 Mr Chester?</p> <p>23 <b>A. Well, I think in general terms it's to ensure that the</b></p> <p>24 <b>paying public are catered for and are hosted in a ground</b></p> <p>25 <b>safe in the knowledge that the ground is safe for them.</b></p> <p style="text-align: center;">Page 12</p>

<p>1 Q. You will be aware, are you not, that a breach of 2 a condition of the safety certificate at least exposes 3 an individual to a criminal liability? 4 <b>A. Yes.</b> 5 Q. What was your view as to your role in relation to the 6 safety certificate and any potential criminal liability? 7 <b>A. I think from an operational point of view, I would like 8 to say that I think my means of operation were hands on. 9 If there was a criticism against me, I would say that 10 I was a poor delegator. I liked to be involved in 11 pretty much everything that was going off that affected 12 me or the company. But I think it's absolutely 13 essential that as many steps are taken as possible not 14 after the event, but on a more proactive role, rather 15 than a reactive role, and that, I think, is probably 16 where I worked particularly well with 17 Chief Superintendent Brian Mole.</b> 18 Q. But in the event of there being a need to ensure that 19 the conditions of the safety certificate were fulfilled, 20 who was responsible for that job? 21 <b>A. I probably, in liaison with the consultant engineers, 22 Eastwood &amp; Partners, would make -- try and make sure 23 that the advice that was given was fully compliant. If 24 it was, then the situation would be dealt with by the 25 board of directors, knowing that that was okay, and</b> Page 13</p>	<p>1 <b>was -- everything was done through the board of 2 directors.</b> 3 Q. Were written representations made to the board, or was 4 it an oral presentation? 5 <b>A. I think, mostly, it was verbal.</b> 6 Q. So Mr Addy would attend the board? 7 <b>A. Mr Addy would attend the board, make the presentation 8 and the decision would be taken.</b> 9 Q. Were there any occasions when you, to the best of your 10 recollection now, encountered any significant resistance 11 to expenditure? 12 <b>A. Not if it involved safety, no.</b> 13 Q. Was the board open to persuasion? 14 <b>A. I wouldn't have said so, no.</b> 15 Q. I think we may be at cross-purposes here, Mr Chester. 16 If Mr Addy made out a case for a significant expenditure 17 to be incurred for the purposes of stadium safety -- 18 again, I am talking in general terms here -- what would 19 the approach of Mr McGee and his colleagues be? 20 <b>A. I think it would just be reviewed on the strength of 21 the presentation. But, again, I would say that if it 22 involved safety, I can't think of a single occasion when 23 something of that nature would have been turned down by 24 the board on the basis of cost.</b> 25 Q. You'd worked for Sheffield United? Page 15</p>
<p>1 <b>I cannot think of any single situation, whilst I was 2 involved at Sheffield Wednesday, where the safety of 3 the Sports Ground Act was in any way, shape or form 4 jeopardised, and the board of directors were insistent, 5 on everything that I dealt with, that if the information 6 coming from Eastwood &amp; Partners was in accordance with 7 all the criteria regarding crowd safety, then those 8 decisions were taken.</b> 9 Q. Was it your job, Mr Chester, to do all you could to 10 ensure that the terms of the safety certificate were 11 fulfilled? 12 <b>A. Yes, I would do as much as I could, but, as I said 13 before, the ultimate decision would be taken by the 14 board of directors in meetings.</b> 15 Q. Did the board of directors control the purse strings? 16 <b>A. Very much so.</b> 17 Q. I just want to try and understand how that would work 18 operationally. If, for example, you or Mr Addy, who was 19 in charge of stadium safety, had a proposal of any 20 nature which involved an expenditure, then how would you 21 go about, with Mr Addy, obtaining approval for that cost 22 to be incurred? 23 <b>A. Collectively, we would put together a proposal which 24 Mr Addy would take to the board and seek approval, and 25 if he didn't get the approval, it wouldn't be done. It</b> Page 14</p>	<p>1 <b>A. Yes.</b> 2 Q. That club was not a designated club? 3 <b>A. No.</b> 4 Q. Didn't have a safety certificate? 5 <b>A. No, not in my time.</b> 6 Q. During the course of your time working in Sheffield 7 Wednesday, were there any major differences in approach 8 between the two clubs to the issue of stadium safety? 9 <b>A. Yes, I think there was. The big difference was that 10 when I joined Sheffield United, Sheffield United owed 11 the bank GBP1 million.</b> 12 Q. Owed the bank GBP1 million? 13 <b>A. Owed the bank GBP1 million, back in '83. So any 14 expenditure through there was very much subject to 15 scrutiny and if they could get away -- I don't mean that 16 in a dangerous sense, but if they could avoid the 17 spending, then they would. During my time at 18 Sheffield United, there was a major restructuring of 19 the shareholdings of the company. The debts were 20 written off. Then the approach of Sheffield United was 21 akin to the approach at Sheffield Wednesday, whereby, if 22 it was significant, then the work would be done. Again, 23 large sums of money were spent at Sheffield United.</b> 24 Q. During the course of your time at Sheffield United, no 25 doubt you came into contact with Mr Eastwood, Page 16</p>

<p>1 Dr Eastwood?</p> <p>2 <b>A. I did, yes.</b></p> <p>3 Q. Because his role at Sheffield United was what?</p> <p>4 <b>A. It was the same: consultant engineer. Appointed</b></p> <p>5 <b>consultant engineer.</b></p> <p>6 Q. So by the time you arrived at Sheffield Wednesday in</p> <p>7 late 1983, Dr Eastwood was already a familiar character?</p> <p>8 <b>A. Correct.</b></p> <p>9 Q. Did you welcome his role at Sheffield Wednesday?</p> <p>10 <b>A. Very much so. I mean, I have been in the court the last</b></p> <p>11 <b>couple of days and have listened to some of the comments</b></p> <p>12 <b>and criticisms of Dr Eastwood. I would, in actual fact,</b></p> <p>13 <b>buck the trend and say, from my knowledge, and to my</b></p> <p>14 <b>impression, I would have regarded Dr Eastwood as</b></p> <p>15 <b>a consummate professional.</b></p> <p>16 Q. I was going to ask you, first of all, about his</p> <p>17 character. Again, not at length, Mr Chester, but just</p> <p>18 a short thumbnail sketch of his character. He has been</p> <p>19 described, as you will have heard, by Mr Strange as</p> <p>20 being "a little bombastic and a little dogmatic". Was</p> <p>21 that your experience of him?</p> <p>22 <b>A. No, I wouldn't have said so. Forceful, if he believed</b></p> <p>23 <b>that he was correct, and most of the time I think he</b></p> <p>24 <b>was.</b></p> <p>25 Q. So direct and forceful?</p> <p style="text-align: center;">Page 17</p>	<p>1 Q. That you should follow?</p> <p>2 <b>A. Should follow.</b></p> <p>3 Q. For what reason?</p> <p>4 <b>A. Purely from the safety element.</b></p> <p>5 Q. Was that because that's the way it should be applied</p> <p>6 across the board, or because Hillsborough was a top</p> <p>7 stadium?</p> <p>8 <b>A. I think his attitude was pretty much the same from my</b></p> <p>9 <b>dealings with him at Bramall Lane. It was across the</b></p> <p>10 <b>board.</b></p> <p>11 Q. Now, Mr Chester, I am going to move on, please, to ask</p> <p>12 you some questions about that short period of time when</p> <p>13 you worked alongside Mr England, before your contract</p> <p>14 formally started in January 1984. Now, I know it is</p> <p>15 a long time ago.</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. I appreciate I am asking you to now think back 30 years.</p> <p>18 But let me try anyway.</p> <p>19 Mr England, I think, was retiring, was he not?</p> <p>20 <b>A. Correct.</b></p> <p>21 Q. Was he somebody whom you knew from your time at</p> <p>22 Sheffield United?</p> <p>23 <b>A. Yes, very much so.</b></p> <p>24 Q. What was your impression of him?</p> <p>25 <b>A. Do you mean whilst I was at Sheffield United?</b></p> <p style="text-align: center;">Page 19</p>
<p>1 <b>A. Direct and forceful.</b></p> <p>2 Q. Did you know what his approach was to the Green Guide</p> <p>3 which, during your time at Sheffield Wednesday, would of</p> <p>4 course have been the 1976 version?</p> <p>5 <b>A. I always found him quite all right with it. I mean,</b></p> <p>6 <b>I say I have listened to a couple of days earlier on</b></p> <p>7 <b>last week. I wouldn't have said -- from my point of</b></p> <p>8 <b>view, his attitude didn't come across to me in exactly</b></p> <p>9 <b>the same way as it has been portrayed.</b></p> <p>10 Q. I was asking you specifically about his approach to the</p> <p>11 Green Guide. Was that something he ever discussed with</p> <p>12 you or that cropped up in conversation?</p> <p>13 <b>A. Not in detail, no. I mean, we would have been reliant</b></p> <p>14 <b>upon his interpretation of the Green Guide. But I can't</b></p> <p>15 <b>remember sitting down and having lengthy conversations</b></p> <p>16 <b>with him about his attitude to it or his approach to it.</b></p> <p>17 Q. You will remember my questioning of Mr Strange late on</p> <p>18 Thursday evening on this particular topic. It may be</p> <p>19 you can't help us, but was Dr Eastwood's approach to the</p> <p>20 guide that it was something that should be closely</p> <p>21 scrutinised and followed, if at all possible, or</p> <p>22 something which should be mediated by professional</p> <p>23 judgment?</p> <p>24 <b>A. He always impressed upon me that it was something there</b></p> <p>25 <b>that we should follow.</b></p> <p style="text-align: center;">Page 18</p>	<p>1 Q. Whilst you were at Sheffield United and whilst you were</p> <p>2 undergoing what might be described in today's parlance</p> <p>3 as a handover?</p> <p>4 <b>A. Whilst I was at Sheffield United, I thought he seemed to</b></p> <p>5 <b>be an able administrator. When I joined Sheffield</b></p> <p>6 <b>Wednesday, I was a little bit surprised that things were</b></p> <p>7 <b>as lax as what they were, and I was even more surprised</b></p> <p>8 <b>that he wasn't prepared to assist in a satisfactory</b></p> <p>9 <b>changeover.</b></p> <p>10 Q. Can you remember any particular example that might</p> <p>11 illustrate the observation you have just made?</p> <p>12 <b>A. Yes, I can. One -- first of all, I think what you have</b></p> <p>13 <b>got to bear in mind, and I am sure people from Liverpool</b></p> <p>14 <b>will be able to associate with what I'm going to say,</b></p> <p>15 <b>there was a little bit of animosity, a little bit of</b></p> <p>16 <b>friction, when I joined Sheffield Wednesday from</b></p> <p>17 <b>Sheffield United. The staff were a little bit</b></p> <p>18 <b>apprehensive about taking somebody from across the city.</b></p> <p>19 <b>That, I think, was a large part of the lack of</b></p> <p>20 <b>cooperation in a satisfactory changeover.</b></p> <p>21 <b>I had always adopted a hands-on process with the</b></p> <p>22 <b>police at Bramall Lane and, when I joined Sheffield</b></p> <p>23 <b>Wednesday, I inquired what the relationship was with the</b></p> <p>24 <b>police and how I should work, and I was simply told,</b></p> <p>25 <b>"Get on with it. Do it yourself. You're taking over.</b></p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 <b>You set the guidelines".</b></p> <p>2 Q. Were you told anything about the stadium's recent</p> <p>3 history?</p> <p>4 <b>A. Not at all.</b></p> <p>5 Q. Did you ask?</p> <p>6 <b>A. In fairness, no.</b></p> <p>7 Q. Were you told about a crushing incident at Leppings Lane</p> <p>8 on the terrace in 1981?</p> <p>9 <b>A. No.</b></p> <p>10 Q. Were you told by Mr England any concerns that the club</p> <p>11 might have had about the safe holding capacity of</p> <p>12 the terrace?</p> <p>13 <b>A. None whatsoever.</b></p> <p>14 Q. Do you think you should have been told about the</p> <p>15 crushing incident in 1981 and any concerns that the club</p> <p>16 might have had about the safe holding capacity of</p> <p>17 the terrace at Leppings Lane?</p> <p>18 <b>A. Yes, I think I should have been told.</b></p> <p>19 Q. Did you ask, or were you told, about the reason for</p> <p>20 certain features of the stadium; why, for example,</p> <p>21 radial fences had been erected at the Leppings Lane</p> <p>22 terrace?</p> <p>23 <b>A. No.</b></p> <p>24 Q. What about the perimeter fences? Did you ask about when</p> <p>25 those had been installed?</p> <p style="text-align: center;">Page 21</p>	<p>1 club had been designated as one requiring a safety</p> <p>2 certificate?</p> <p>3 <b>A. No. As I said before, I got no information whatsoever.</b></p> <p>4 Q. Did you ask?</p> <p>5 <b>A. I didn't in actual fact ask, no.</b></p> <p>6 Q. So you weren't aware that the case for designation had</p> <p>7 been partly because of the stadium's quasi international</p> <p>8 status?</p> <p>9 <b>A. No.</b></p> <p>10 Q. Were you told by Mr England, or indeed Mr McGee or</p> <p>11 anyone on the board, during those early months about the</p> <p>12 ambitions for the stadium that were held by the board of</p> <p>13 directors?</p> <p>14 <b>A. Certainly in my interview with Mr McGee, I was told</b></p> <p>15 <b>about the ambitions of the club and what the ultimate</b></p> <p>16 <b>success would require the club to provide for the</b></p> <p>17 <b>benefit of the supporters.</b></p> <p>18 Q. What was that?</p> <p>19 <b>A. I think it was a general upgrade all round. I mean,</b></p> <p>20 <b>a lot of the facilities -- not directly to do with the</b></p> <p>21 <b>safety, but a lot of the facilities regarding the</b></p> <p>22 <b>sponsors' area and the hospitality areas and the office</b></p> <p>23 <b>accommodation were inadequate, and they were altered,</b></p> <p>24 <b>and I was asked in actual fact by Mr McGee in my first</b></p> <p>25 <b>few weeks if I would give an appraisal of what I thought</b></p> <p style="text-align: center;">Page 23</p>
<p>1 <b>A. No, I didn't.</b></p> <p>2 Q. Was there a perimeter fence at Sheffield United?</p> <p>3 <b>A. When I left, no. Whether there was after that, I'm</b></p> <p>4 <b>sorry, I couldn't answer.</b></p> <p>5 Q. I'm stopping the cine-film here in 1983/1984.</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. There were presumably terraces at Sheffield United?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. Standing terraces?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Were they open terraces or were there radial fences?</p> <p>12 <b>A. Mainly open terraces.</b></p> <p>13 Q. Were there any radial fences on the terraces at</p> <p>14 Sheffield United?</p> <p>15 <b>A. I don't think so.</b></p> <p>16 Q. Did you not ask why radial fences were in place on the</p> <p>17 Leppings Lane terrace?</p> <p>18 <b>A. No.</b></p> <p>19 Q. Or, indeed, when they had been installed?</p> <p>20 <b>A. No.</b></p> <p>21 Q. You obviously knew that Sheffield Wednesday had been</p> <p>22 designated by the Home Office as requiring a safety</p> <p>23 certificate and had a safety certificate?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. Did you ask, or were you told, anything about why the</p> <p style="text-align: center;">Page 22</p>	<p>1 <b>the club needed to do to cope with what appeared to be</b></p> <p>2 <b>the first division. Because at the time we weren't in</b></p> <p>3 <b>actual fact a first division club. That happened at the</b></p> <p>4 <b>end of the first period of my employment.</b></p> <p>5 Q. I think that happened at the end of the '84 season, did</p> <p>6 it not?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. Setting aside the issue of facilities, either for club</p> <p>9 staff or the spectators, were you aware that Mr McGee</p> <p>10 wished to make the stadium the best in Europe?</p> <p>11 <b>A. I've not heard that -- I have read about that since, but</b></p> <p>12 <b>that wasn't said, no.</b></p> <p>13 Q. And that he wished to host big matches?</p> <p>14 <b>A. Hillsborough has got a track record of hosting big</b></p> <p>15 <b>matches, so I could understand it if he said that.</b></p> <p>16 Q. Was that not revealed to you as, in a sense, part of</p> <p>17 the thinking, part of the atmosphere of the club, that</p> <p>18 it was an ambitious club and one that was keen to host</p> <p>19 international matches and FA Cup semis?</p> <p>20 <b>A. No, the main aim emphasised to me was the requirement</b></p> <p>21 <b>for Sheffield Wednesday to be a prominent member of</b></p> <p>22 <b>the then first division and to be held in the same</b></p> <p>23 <b>esteem as some of the major clubs that were successful</b></p> <p>24 <b>around that time.</b></p> <p>25 Q. But that would have an effect, would it not, in terms of</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 the sorts of capacity crowds that you might expect at                  2 Hillsborough?                  3 <b>A. Yes.</b>                  4 Q. Was there discussion, either with Mr McGee or                  5 Mr England, during the time when you worked with                  6 Mr England, about aiming for capacity crowds of either                  7 50,000 or 55,000?                  8 <b>A. There was nothing forthcoming from Mr England.</b>                  9 Q. What about Mr McGee?                  10 <b>A. I can't recall any of those specific words, other than</b>                  11 <b>the fact that he wanted to be a successful first</b>                  12 <b>division club, and obviously that would bring, certainly</b>                  13 <b>in a city the size of Sheffield, big crowds.</b>                  14 Q. Can I ask you about the safety certificate, Mr Chester.                  15 Was there a copy of the safety certificate in the club?                  16 <b>A. Yes.</b>                  17 Q. Just so that we get our bearings again, your office,                  18 where was that?                  19 <b>A. Sorry?</b>                  20 Q. Your office in the club.                  21 <b>A. Adjacent to the main entrance.</b>                  22 Q. So in the south stand?                  23 <b>A. In the south stand.</b>                  24 Q. We have seen photographs of a room with a number of                  25 computer terminals just off the players' tunnel. Was                  Page 25</p>	<p>1 such document or documents and signed on behalf of                  2 the county council."                  3 The plans are an integral part of the safety                  4 certificate, are they not?                  5 <b>A. Yes.</b>                  6 Q. The safety certificate is not complete without annexed                  7 plans. That's right, isn't it?                  8 <b>A. Yes.</b>                  9 Q. Your thinking, going back 30 years -- I appreciate it is                  10 a long time -- was that there were no plans attached to                  11 the document that you looked at.                  12 <b>A. Not that I can recall, no.</b>                  13 Q. Can we look at one or two of the key features of                  14 the safety certificate, schedule 2, paragraph 3,                  15 suffix 04:                  16 "The number of spectators admitted to the stadium                  17 and to the several areas of spectator accommodation                  18 within the stadium shall not exceed the figures                  19 specified in part 1 of schedule 3."                  20 If we go to schedule 3, again, if we can look at it                  21 together on the screen, suffix 11, I am sure this is                  22 a document that you are familiar with?                  23 <b>A. Yes.</b>                  24 Q. So you have had an opportunity of looking at it                  25 recently. We can see crowd capacity, total 50,174, and,                  Page 27</p>
<p>1 that your office, or was it another office?                  2 <b>A. No, it was another office. I was nowhere near the</b>                  3 <b>players' tunnel.</b>                  4 Q. Nowhere near the players' tunnel. You were aware that                  5 there was a safety certificate and you were aware that                  6 there was a copy in your office?                  7 <b>A. Yes.</b>                  8 Q. Did you read it?                  9 <b>A. Yes, I read it.</b>                  10 Q. Were there plans attached to it?                  11 <b>A. No, I think it was just purely a certificate.</b>                  12 Q. Is that something that you're sure about?                  13 <b>A. Not 100 per cent, but 90 per cent sure.</b>                  14 Q. Can we look at the certificate. I know that you have                  15 got a copy of it. It is in the jury folder behind tab B                  16 in the black file; INQ000086820001. Do you have the                  17 document?                  18 <b>A. Yes.</b>                  19 Q. Page 3, Jyo, suffix 3. Do you see the schedule? Can we                  20 highlight the section "Plans".                  21 <b>A. Yes.</b>                  22 Q. "Means the document or documents attached to and forming                  23 part of the general safety certificate and signed by the                  24 person signing the certificate and/or any other document                  25 or documents which may be added to or substituted for                  Page 26</p>	<p>1 for reasons that you will appreciate, I am focusing on                  2 the west stand, 4,465, west terrace 7,200, north-west                  3 terrace 2,900.                  4 So, going back to condition 3:                  5 "The number of spectators admitted to the stadium                  6 and to the several areas of spectator accommodation                  7 within the stadium shall not exceed the figures                  8 specified in part 1 of schedule 3."                  9 Are these provisions that you would have looked at?                  10 <b>A. Yes.</b>                  11 Q. Are they important features so far as the safety of                  12 the stadium is concerned?                  13 <b>A. Very much so.</b>                  14 Q. What condition 3 appears to indicate is that the number                  15 of fans admitted to the areas of the spectator                  16 accommodation that I have described should not exceed,                  17 in respect of the west terrace, 7,200, or the north-west                  18 terrace, 2,900. You understand that?                  19 <b>A. Yes.</b>                  20 Q. If we look at condition 28, please, suffix 09:                  21 "The holder shall make and keep the following                  22 records which shall be made available for inspection at                  23 all reasonable time to authorised persons:                  24 "(a) a record of the numbers of spectators admitted                  25 to the stadium during a specified activity [which for                  Page 28</p>

<p>1 present purposes is football] and to each area of 2 spectator accommodation therein mentioned in part 1 of 3 schedule 3."</p> <p>4 <b>A. Correct.</b></p> <p>5 Q. If we look at those three provisions together, what they 6 appear to suggest -- tell me if you disagree -- is that 7 not only shall the number of spectators be restricted to 8 no more than those figures that are set out in the 9 schedule, but there should also be a record kept of 10 the numbers of fans entering those particular parts of 11 the stadium?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. Now, were those conditions complied with, so far as you 14 were aware, during Mr England's tenure as club 15 secretary?</p> <p>16 <b>A. During Mr England's tenure?</b></p> <p>17 Q. Yes.</p> <p>18 <b>A. I couldn't answer that.</b></p> <p>19 Q. I'm sorry, I can't hear you.</p> <p>20 <b>A. Sorry, I couldn't answer what happened in Mr England's</b> 21 <b>tenure.</b></p> <p>22 Q. Mr Chester, what is required is that there should be 23 a record kept of the numbers of spectators admitted to 24 each area of the spectator accommodation. Were such 25 records, to your knowledge, kept?</p> <p style="text-align: center;">Page 29</p>	<p>1 of the spectators that were entering each part of 2 the stadium?</p> <p>3 <b>A. They would be available, but they would be available by</b> 4 <b>collating together the number of 'stiles that served</b> 5 <b>each particular area.</b></p> <p>6 Q. What you are saying is the record which was kept was 7 a record of the number of spectators going through the 8 turnstiles?</p> <p>9 <b>A. And the shortcomings of that system I tried to address</b> 10 <b>in the installation of a new gate counting system, along</b> 11 <b>with other issues.</b></p> <p>12 Q. Before I get on to the topic of turnstile counters, can 13 I ask you to look at, please, a plan SYP000028310458.</p> <p>14 LORD JUSTICE GOLDRING: Which plan is this, Ms Lambert?</p> <p>15 MS LAMBERT: This is the plan that was dated 1985, the first 16 in the series of plans that we looked at.</p> <p>17 LORD JUSTICE GOLDRING: 1985, yes.</p> <p>18 MS LAMBERT: But, in fact, was the -- it is in tab 3 of your 19 plan bundle.</p> <p>20 LORD JUSTICE GOLDRING: No longer, I think.</p> <p>21 MS LAMBERT: No longer.</p> <p>22 Again, just to assist you, Mr Chester, although this 23 plan is dated 1985, it is common ground between all of 24 us that, insofar as it depicts the turnstiling 25 arrangements, it was one that was current in '83, '84</p> <p style="text-align: center;">Page 31</p>
<p>1 <b>A. Yes, the gate records, which you're referring to, are</b> 2 <b>compiled for every single game and record the exact --</b> 3 <b>well, record the entries to every single turnstile, of</b> 4 <b>which I think at that particular time there were 88.</b> 5 <b>And those records are kept not only to comply to the</b> 6 <b>guide, but they also formed the basis, at that</b> 7 <b>particular time in football, where you had to pay a levy</b> 8 <b>to the Football League based upon the number of people</b> 9 <b>attending and also a share to the gate to the visiting</b> 10 <b>club. So they also formed part of the financial record.</b></p> <p>11 Q. Just so I understand what gate records are, they are 12 what?</p> <p>13 <b>A. It is a massive sheet listing the 88 turnstiles with the</b> 14 <b>opening meter reading before anybody starts to come</b> 15 <b>through a game and then the closing meter reading, when</b> 16 <b>the turnstiles are closed.</b></p> <p>17 Q. How were those numbers counted?</p> <p>18 <b>A. They're recorded through the automatic counting system</b> 19 <b>that operates on the turnstile.</b></p> <p>20 Q. That was in existence at the time when you arrived?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. So there was a record kept of the numbers of spectators 23 going through the turnstiles?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. What about, however, a record being kept of the numbers</p> <p style="text-align: center;">Page 30</p>	<p>1 and '85, before the changes that we will come on to in 2 due course.</p> <p>3 I am just trying to understand, and I am sure it is 4 my fault, because I am not following it fully, as to 5 what records were in fact kept. What I understand you 6 to be saying is that there was a record kept of 7 the number of spectators who passed through each 8 turnstile. Is that correct?</p> <p>9 <b>A. That's correct.</b></p> <p>10 Q. And that, at the end of the match, they could be 11 collated and tallied up?</p> <p>12 <b>A. Correct.</b></p> <p>13 Q. You recognise this layout from your time at Sheffield 14 Wednesday?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Because we can see, can't we, that turnstiles 1 to 6 fed 17 the north stand?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. Do you see that? Once a spectator had passed through 20 turnstiles 1 to 6, in a sense, they were destined to go 21 to the north stand because they couldn't be diverted to 22 right or left?</p> <p>23 <b>A. Mmm.</b></p> <p>24 Q. Anyone, however, entering through turnstiles 6 to 23 had 25 the opportunity of going through the central tunnel, did</p> <p style="text-align: center;">Page 32</p>

8 (Pages 29 to 32)



<p>1 they not?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. To the north-west terrace?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Or to the pen which, when you started at the club, was</p> <p>6 situated underneath the police control box --</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. -- in the south-west corner; or, indeed, the pen in the</p> <p>9 north-west corner?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. With that in mind, Mr Chester, would you accept that</p> <p>12 a simple exercise of counting up those spectators who</p> <p>13 passed through those turnstiles 7 to 23 would not give</p> <p>14 you an accurate count of those fans that entered the</p> <p>15 west terrace, the north-west terrace or the west stand?</p> <p>16 <b>A. Yes, I would agree.</b></p> <p>17 Q. For the reasons that we have discussed?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. Was that a problem that you were aware of or alert to</p> <p>20 during the course of 1984?</p> <p>21 <b>A. Yes, it was a problem I was aware of. It was a problem</b></p> <p>22 <b>I was alert to because part of my pre-match work --</b></p> <p>23 <b>I wouldn't say responsibility, it was a responsibility</b></p> <p>24 <b>that I created for myself. I would spend time viewing</b></p> <p>25 <b>both the inside of the ground from the perimeter track,</b></p> <p style="text-align: center;">Page 33</p>	<p>1 and the north-west terrace -- and that once folk had</p> <p>2 passed through those turnstiles, they didn't have</p> <p>3 a choice as to where to go?</p> <p>4 <b>A. Mmm.</b></p> <p>5 Q. Is that right?</p> <p>6 <b>A. That would answer the problem as far as the pens are</b></p> <p>7 <b>concerned, yes.</b></p> <p>8 LORD JUSTICE GOLDRING: Forgive me, may I just ask, just to</p> <p>9 clarify, Ms Lambert?</p> <p>10 MS LAMBERT: Yes, of course.</p> <p>11 LORD JUSTICE GOLDRING: You are accepting, are you,</p> <p>12 Mr Chester, if we look at 28(1) in the safety</p> <p>13 certificate, where it says, "The holder", that's</p> <p>14 Sheffield Wednesday, "shall make and keep the following</p> <p>15 records", and then at (1):</p> <p>16 "A record of the numbers of spectators admitted to</p> <p>17 the stadium during a [football match] and to each area</p> <p>18 [I emphasise "area"] of spectator accommodation therein</p> <p>19 mentioned in part 1 of schedule 3."</p> <p>20 If we turn to part 1 of schedule 3, where the areas</p> <p>21 are set out, you are accepting that no record could be</p> <p>22 kept in relation to the west terrace, the north-west</p> <p>23 terrace; is that right?</p> <p>24 <b>A. That's correct.</b></p> <p>25 LORD JUSTICE GOLDRING: You were aware of that at the time,</p> <p style="text-align: center;">Page 35</p>
<p>1 <b>the people in the pens, and I would also be wandering</b></p> <p>2 <b>around the outside of the ground, generally speaking, in</b></p> <p>3 <b>liaison with Brian Mole, Chief Superintendent</b></p> <p>4 <b>Brian Mole. There have been occasions when I have, in</b></p> <p>5 <b>liaison with Superintendent Brian Mole, agreed to close</b></p> <p>6 <b>access to the centre pen because of the obvious viewing</b></p> <p>7 <b>of overcrowding and then deflect the people to either</b></p> <p>8 <b>side.</b></p> <p>9 Q. Mr Chester, I am going to come on to that. It is an</p> <p>10 important topic.</p> <p>11 <b>A. Okay, sorry.</b></p> <p>12 Q. I am going to come on to that. May I just stay with the</p> <p>13 safety certificate for a moment or two?</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. Because it seems from what you are saying that you</p> <p>16 are -- please do tell me if I am misunderstanding --</p> <p>17 agreeing with me that the simple method of counting up</p> <p>18 the number of spectators passing through the turnstiles</p> <p>19 was insufficient to discharge or to meet the condition</p> <p>20 in the safety certificate?</p> <p>21 <b>A. Yes, I would say so -- I would agree.</b></p> <p>22 Q. The only way -- is this right -- in which the safety</p> <p>23 certificate conditions could be complied with would be</p> <p>24 if, effectively, you had dedicated turnstiles for each</p> <p>25 part of the stadium -- the west terrace, the west stand</p> <p style="text-align: center;">Page 34</p>	<p>1 when you were club secretary?</p> <p>2 <b>A. Yes.</b></p> <p>3 LORD JUSTICE GOLDRING: No doubt you will be asked what you</p> <p>4 did about it.</p> <p>5 MS LAMBERT: Isn't it also right, following on from that,</p> <p>6 Mr Chester, that not only were records not kept of</p> <p>7 the number of fans admitted to each area of</p> <p>8 the spectator accommodation, but that if we look at</p> <p>9 condition 3, that condition was also not satisfied?</p> <p>10 <b>A. That's the number of spectators admitted?</b></p> <p>11 Q. Yes, the number of spectators admitted to the stadium</p> <p>12 and to the several areas of the spectator accommodation</p> <p>13 shall not exceed the figures specified in the schedule.</p> <p>14 Does that not follow also?</p> <p>15 <b>A. There was no system in place at the time that I joined</b></p> <p>16 <b>identifying exactly how many people went in to --</b></p> <p>17 <b>certainly as far as the other areas of the ground were</b></p> <p>18 <b>concerned, it was fairly satisfactory, but on the</b></p> <p>19 <b>Leppings Lane end you've got 7,200 on the main part and</b></p> <p>20 <b>2,900 in the north-west terrace --</b></p> <p>21 Q. And there weren't separate tickets for the north-west</p> <p>22 terrace, were there?</p> <p>23 <b>A. Now you're talking tickets. There's a distinct</b></p> <p>24 <b>difference now between ticket arrangements and match day</b></p> <p>25 <b>arrangements -- and pay-on-the-day arrangements.</b></p> <p style="text-align: center;">Page 36</p>

<p>1 Q. Can I touch upon ticketing, then, because it may be 2 relevant. Were there separate tickets sold for the 3 north-west terrace, as opposed to the west terrace? 4 <b>A. Yes.</b> 5 Q. What about pay on the day? 6 <b>A. No.</b> 7 Q. So somebody buying a ticket in advance could either buy 8 a ticket for the west terrace or the north-west terrace? 9 <b>A. Buy in advance?</b> 10 Q. Yes. 11 <b>A. There was no system available in my time for pre-match 12 purchasing, other than via an all-ticket arrangement.</b> 13 Q. I see. So it was all pay on the day? 14 <b>A. All pay on the day.</b> 15 Q. In those circumstances, there was no distinction between 16 a north-west terrace or a west terrace ticket? 17 <b>A. No. In fairness, the capacities on those particular 18 occasions would be significantly lower than what they 19 would be for an all-ticket arrangement.</b> 20 Q. If there was an all-ticket arrangement, that would be 21 for a major match, would it? 22 <b>A. Yes.</b> 23 Q. In those circumstances, would a spectator buy a ticket 24 for the north-west terrace or the west terrace or just 25 a ticket for standing?</p> <p style="text-align: center;">Page 37</p>	<p>1 <b>A. Yes. Again, we go back to the -- my initiative to try 2 and improve the gate counting system.</b> 3 Q. But the improvements to the gate counting system would 4 not meet the problem, would they? 5 <b>A. Certainly we didn't have the facility at that particular 6 time of differentiating between each individual pen on 7 the Leppings Lane end, but we certainly had the 8 potential to identify the capacity figure of 7,200.</b> 9 Q. As a result of the introduction of improvements in the 10 turnstiling? 11 <b>A. Yes.</b> 12 Q. How did the turnstiling improvements lead you to 13 a position where you knew where fans went once they'd 14 gone through the turnstiles? 15 <b>A. On the occasions of the bigger games -- in fact, 16 generally speaking, I -- part of the police arrangements 17 that I had with Superintendent Brian Mole was that when 18 people came through a particular 'stile which, for 19 argument's sake, would take you into the north-west 20 terrace, the police were there to direct the supporters 21 to the north-west, and if, equally, they were going 22 behind the Leppings Lane goal, there would be some form 23 of direction, even on some instances we put temporary 24 barriers down.</b> 25 Q. I see. So, effectively, what you are saying is that,</p> <p style="text-align: center;">Page 39</p>
<p>1 <b>A. No, he would buy a ticket for the north-west or the 2 west.</b> 3 Q. But going back to the pay-on-the-day arrangements, it 4 follows, does it not, that, just as condition 28 could 5 not be fulfilled, condition 3 could not be fulfilled, 6 for the same reason? 7 <b>A. Yes, but on those particular -- going back to that 8 particular time, we would be working to 10,100 -- sorry, 9 7,200 for the Leppings Lane standing areas and 2,900 for 10 the north-west. There would be nothing approaching 11 those numbers whatsoever.</b> 12 Q. What you are saying -- is this right -- is that during 13 your time, because of the size of the crowds that 14 attended, you would never approach capacity; is that 15 right? 16 <b>A. In my period, there were two occasions when the decision 17 was taken by the club to make the arrangements for 18 visiting clubs all-ticket. One was -- and both in the 19 same season. One was for the visit of Manchester United 20 and one was for the visit of Liverpool, both of whom 21 probably travelled with more supporters than any other 22 club in the country.</b> 23 Q. Mr Chester, the fact that the terms of the safety 24 certificate were not met and couldn't be met, was that 25 a matter of concern to you?</p> <p style="text-align: center;">Page 38</p>	<p>1 either as a result of police cordoning or the erection 2 of temporary barriers, you could facilitate fans going 3 to specific parts of the stadium -- 4 <b>A. Yes.</b> 5 Q. -- after they had gone through the turnstiles? 6 <b>A. Yes.</b> 7 Q. Would the stewards play a role in that cordoning? 8 <b>A. The stewards would assist, yes.</b> 9 Q. Can I stick with the safety certificate just for 10 a moment or two, Mr Chester. We have been looking at 11 the crowd capacity figures in schedule 3 of part 1. 12 Were you aware, when you started working at the club, 13 that this was a certificate which dated back to 1979? 14 <b>A. As at this date, it would be unfair for me to give that 15 answer, because I honestly can't recall.</b> 16 Q. Were you aware that since the safety certificate had 17 been issued by the local authority, there had been 18 structural changes in the west terrace, the 19 Leppings Lane terrace, by the introduction of radial 20 fences dividing the terrace into three? 21 <b>A. Yes.</b> 22 Q. You were aware of that? 23 <b>A. I was aware of that.</b> 24 Q. So you were aware of the fact that that division of 25 the terrace into three had come after the issuing of</p> <p style="text-align: center;">Page 40</p>

<p>1 the safety certificate?</p> <p>2 <b>A. I think you'll also find I probably was instrumental in</b></p> <p>3 <b>asking Dr Eastwood for an update following that.</b></p> <p>4 Q. Would you have expected the crowd capacity figures set</p> <p>5 out in schedule 3 part 1 to have been adjusted in the</p> <p>6 light of that division of the terrace into three?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. Why?</p> <p>9 <b>A. Because there was lesser space.</b></p> <p>10 Q. Sorry?</p> <p>11 <b>A. There's lesser space for people to stand. And this is</b></p> <p>12 <b>something -- I will say something now that I've never</b></p> <p>13 <b>ever said before, but bearing in mind that I'm under</b></p> <p>14 <b>oath, I will. On the occasions when we had all-ticket</b></p> <p>15 <b>games, I took the liberty, myself, of extracting out of</b></p> <p>16 <b>the number of tickets available for sale on the</b></p> <p>17 <b>Leppings Lane end a sum of -- a volume of tickets,</b></p> <p>18 <b>probably -- I can't be specific about that -- something</b></p> <p>19 <b>in the order of about 250.</b></p> <p>20 Q. So you took out of circulation --</p> <p>21 <b>A. I took out -- before they even went to the visiting</b></p> <p>22 <b>clubs for sale, I took out and held a volume of tickets.</b></p> <p>23 <b>I'm saying 250. I might -- it might be 200. I don't</b></p> <p>24 <b>know.</b></p> <p>25 Q. Why did you do that, Mr Chester?</p> <p style="text-align: center;">Page 41</p>	<p>1 the extent that you had kept back 250 tickets on an</p> <p>2 all-ticket game to give yourself a little bit of room to</p> <p>3 manoeuvre?</p> <p>4 LORD JUSTICE GOLDRING: "Protection" was the word,</p> <p>5 Ms Lambert.</p> <p>6 MS LAMBERT: Protection.</p> <p>7 LORD JUSTICE GOLDRING: Protection from what?</p> <p>8 <b>A. Well, quite clearly, you don't want to be -- you don't</b></p> <p>9 <b>want to be involved in a safety problem or a public</b></p> <p>10 <b>disorder issue.</b></p> <p>11 LORD JUSTICE GOLDRING: Meaning? What sort of public</p> <p>12 disorder or safety issue?</p> <p>13 <b>A. Well, I think, if you go back -- it is difficult, but if</b></p> <p>14 <b>you go back into the days when we were talking about,</b></p> <p>15 <b>there was that much disorder created by not any</b></p> <p>16 <b>particular club, but clubs in general, and admission</b></p> <p>17 <b>into a ground, and once they got into a ground, was</b></p> <p>18 <b>problems, and problems which I think, from my dealings</b></p> <p>19 <b>in football, that the police handled very, very well.</b></p> <p>20 <b>But if you are going to -- if there is a situation where</b></p> <p>21 <b>you can visualise there may be a problem, well, I don't</b></p> <p>22 <b>think it quite right just to sit back and let that</b></p> <p>23 <b>problem develop. I think ...</b></p> <p>24 MS LAMBERT: So you kept back 250 tickets because of</p> <p>25 the introduction of the radial fences and the effect</p> <p style="text-align: center;">Page 43</p>
<p>1 <b>A. Because I wanted a little bit of protection and a little</b></p> <p>2 <b>bit of back-up. I appreciated that if you have taken an</b></p> <p>3 <b>area of terracing out that's not available for people to</b></p> <p>4 <b>stand, logically you can't have the same number of</b></p> <p>5 <b>people.</b></p> <p>6 Q. You say you've mentioned this to us for the first time,</p> <p>7 and I believe that is right. When you were interviewed</p> <p>8 shortly after the disaster -- I appreciate your</p> <p>9 statement focused upon matters concerning turnstiling</p> <p>10 and CCTV. Did you not think to raise this important</p> <p>11 matter with those people who were interviewing you back</p> <p>12 in 1989?</p> <p>13 <b>A. No.</b></p> <p>14 Q. Why not?</p> <p>15 <b>A. I think it was just action that I took. I think I took</b></p> <p>16 <b>those actions as a responsible officer.</b></p> <p>17 Q. But in 1989, you were no longer in the business of</p> <p>18 footballing, were you?</p> <p>19 <b>A. No.</b></p> <p>20 Q. You knew there had been a catastrophe.</p> <p>21 <b>A. Mmm.</b></p> <p>22 Q. Why did you not think it relevant, even if you weren't</p> <p>23 asked about these sorts of things, to share with those</p> <p>24 who were interviewing you the fact that you had always</p> <p>25 had concerns about the capacity of the west terrace, to</p> <p style="text-align: center;">Page 42</p>	<p>1 that that might have on capacity. So if we fast forward</p> <p>2 for a moment, Mr Chester, to the condition and the</p> <p>3 layout of the terrace after those changes in 1985 -- you</p> <p>4 remember those changes: the introduction of the radial</p> <p>5 fence extending from the midpoint of the tunnel to the</p> <p>6 perimeter gate and the creation of the no man's land,</p> <p>7 what we call pen 5 -- how many tickets did you keep back</p> <p>8 in the light of those changes?</p> <p>9 <b>A. I think I only dealt with two all-ticket games where</b></p> <p>10 <b>that was relevant, and that was in season '84/'85.</b></p> <p>11 Q. So your decision to keep back a clutch of tickets, as</p> <p>12 you said, for your protection was something which</p> <p>13 happened only on --</p> <p>14 <b>A. Two occasions.</b></p> <p>15 Q. -- two occasions. I'm still going to go back,</p> <p>16 Mr Chester, to my question of you a little while ago,</p> <p>17 which is, why, when you were interviewed by the</p> <p>18 West Midlands Police in May 1989, in the light of</p> <p>19 the horror that took place on 15 April, did you not</p> <p>20 mention this to those officers then?</p> <p>21 <b>A. Well, with respect, I don't think I was interviewed.</b></p> <p>22 <b>I think I made a statement. I made a voluntary</b></p> <p>23 <b>statement.</b></p> <p>24 Q. Why did you not put it in your voluntary statement?</p> <p>25 <b>A. I don't know. I can't answer.</b></p> <p style="text-align: center;">Page 44</p>

<p>1 Q. Mr Chester, in terms of the structural safety matters of 2 the club, what responsibility did the club have?</p> <p>3 <b>A. Well, I mean, the club ultimately, I would have said, 4 are responsible, but they're dependent on the -- from 5 the engineering point of view, they're dependent upon 6 the advice given by those professionals engaged, and we 7 come back to Eastwood &amp; Partners.</b></p> <p>8 Q. Here, you see, what you have described to us is 9 a situation, is it not, where, even though you were 10 given no specific advice by Dr Eastwood one way or 11 another in relation to capacity, certainly not in 1984, 12 nonetheless you were exercising your own judgment as 13 a responsible man from the club to withhold 250 tickets. 14 That didn't involve you discussing it with Dr Eastwood, 15 did it?</p> <p>16 <b>A. No. No, that was actions I took myself.</b></p> <p>17 Q. Does that put Dr Eastwood's role, in terms of his input 18 into the stadium safety, into perhaps a rather different 19 perspective from that which we heard last week?</p> <p>20 <b>A. I don't really know.</b></p> <p>21 Q. Certainly a fresh perspective, is it not?</p> <p>22 <b>A. Possibly, yes.</b></p> <p>23 Q. When you left the club in 1986, I appreciate there was 24 no handover with Mr Mackrell, but did you leave any 25 guidance to Sharon Lane or for your successor about your</p> <p style="text-align: center;">Page 45</p>	<p>1 paragraph 3, rather:</p> <p>2 "The numerous alterations to the stadium since the 3 issue of the general safety certificate on 4 21 December ... were recalled.</p> <p>5 "It was agreed that updated plans were required for 6 incorporation into the ... certificate in order to 7 indicate the present facilities at the stadium."</p> <p>8 That was a meeting, Mr Chester, which you attended?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. What was that referring to, that paragraph? "The 11 numerous alterations to the stadium", what were they?</p> <p>12 <b>A. I think that's probably -- again, it is difficult to 13 cast your mind back, isn't it? But I think that might 14 have been referring to the previous alterations that had 15 been made in preparation for the need to look at 16 altering the Leppings Lane end of the ground, which had 17 been spoken about early in my employment.</b></p> <p>18 Q. Is it not referring to the introduction of the radial 19 fences on the Leppings Lane terrace, or at least 20 including reference --</p> <p>21 <b>A. Possibly, yes.</b></p> <p>22 Q. "It was agreed that updated plans were required for 23 incorporation into the ... certificate in order to 24 indicate the present facilities ..."</p> <p>25 A golden opportunity, I am going to suggest to you,</p> <p style="text-align: center;">Page 47</p>
<p>1 concerns about the capacity of the terrace?</p> <p>2 <b>A. I spent one whole afternoon with Mr McGee.</b></p> <p>3 Q. With Mr McGee?</p> <p>4 <b>A. With Mr McGee, before I left. I can't remember specific 5 words or anything like that, but I had mentioned to 6 Mr McGee previously and to Mr Addy as well --</b></p> <p>7 Q. And to Mr Addy?</p> <p>8 <b>A. And to Mr Addy previously, about the figures that had 9 not been adjusted on the Leppings Lane end of 10 the ground, from the many alterations.</b></p> <p>11 Q. What was their reaction?</p> <p>12 <b>A. Again, I can't go back all those years and give you the 13 specific words, but pretty much from Mr McGee was, 14 "Thank you, I will take a note".</b></p> <p>15 Q. There was some discussion, was there not, in August 1984 16 and September 1984, so after you had been in the club 17 for almost a year, concerning the certificate and the 18 need to update the drawings to accompany the 19 certificate?</p> <p>20 <b>A. Mmm.</b></p> <p>21 Q. Do you remember that?</p> <p>22 <b>A. Mmm.</b></p> <p>23 Q. If we look at SYP000046570304, we will see a note of 24 a meeting of August 1984, 9 August 1984, and if we go to 25 suffix 06, topic 3, "General safety certificate",</p> <p style="text-align: center;">Page 46</p>	<p>1 Mr Chester, to raise your concerns about the capacity of 2 the west terrace. Why did you not take that golden 3 opportunity?</p> <p>4 <b>A. I think my concerns may have come slightly later than 5 that. I think my concern came at the time that the club 6 were in the first division. I don't think that date, in 7 actual fact, was a date when we'd experienced the crowds 8 that go with first division football.</b></p> <p>9 Q. You don't believe that by August 1984 -- is that 10 right -- there had been a particular incident which had 11 caused you concern?</p> <p>12 <b>A. I can truthfully say, during my time at Hillsborough, 13 I don't think there was an incident that caused me 14 a safety concern, a crowding concern.</b></p> <p>15 Q. Was there not an occasion in January 1984, when the club 16 played Barnsley, which had led to the closure of 17 the tunnel?</p> <p>18 <b>A. Yes. A slightly different situation, but yes. The 19 Barnsley situation was caused by an incident on the M1 20 motorway, and we managed to get the discretion of 21 the referee to delay the kick-off for 15 minutes, but 22 even then they wouldn't go past the 15 minutes and at 23 that particular time there were still crowds waiting to 24 get in. Again, in liaison with Brian Mole, and, again, 25 in fairness, it wasn't necessary to close the centre</b></p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 <b>tunnel because there was not that volume, but as</b>  2 <b>a precaution we closed the centre tunnel and deflected</b>  3 <b>people to the side.</b>  4 Q. See, in your statement, and it is the second statement,  5 of 5 November 2013, fourth page, third paragraph, you  6 describe this occasion when the club played Barnsley.  7 Do you see that in your statement?  8 <b>A. Yes.</b>  9 Q. You describe it as being in the 1983/1984 season, and  10 our research indicates that actually the date of that  11 match was 7 January 1984. You do refer there to there  12 being an incident on the motorway and the kick-off  13 having to be delayed for 15 minutes, such that, when the  14 fans arrived, the area behind the goal was fairly well  15 packed, so to ease congestion at the turnstiles, it was  16 decided to close the gates to the tunnel and open the  17 large blue gates at the side of the turnstiles, allowing  18 a large number of fans through in a very short time.  19 <b>A. Yes.</b>  20 Q. I am going to return to that as an issue later on in our  21 discussion, Mr Chester, but I am really trying to  22 understand your mind-set at the time when,  23 in August 1984, you were making a request, or there was  24 a request, that the general safety certificate required  25 a review in the form of an incorporation of further</p> <p style="text-align: center;">Page 49</p>	<p>1 certificate and effectively extending the opportunity to  2 you to ask John Strange to do that.  3 <b>A. I would assume that that instruction would have gone.</b>  4 Q. Who ought to have given that instruction? Who ought to  5 have given that instruction?  6 <b>A. Probably myself. I would imagine -- I would imagine --</b>  7 <b>that that would have taken place.</b>  8 Q. Again, there may be a missing link here. I don't know.  9 There are a number of missing links. But certainly it  10 wasn't done. Are you able to assist the jury at all as  11 to why it wasn't?  12 <b>A. No, I'm sorry, I can't.</b>  13 Q. Was the need for plans to accompany the safety  14 certificate, updated current plans to accompany the  15 safety certificate, important?  16 <b>A. Well, clearly it's part of the conditions, isn't it?</b>  17 Q. Is the safety certificate valid in the absence of  18 updated current plans?  19 <b>A. Well, I'm not legally qualified to answer that, but</b>  20 <b>I would say no. I would say that as a result of</b>  21 <b>Working Party meetings, if there was concern that the</b>  22 <b>terms and conditions of the safety certificate were not</b>  23 <b>being complied with, then the Officer Working Party have</b>  24 <b>got powers to revoke the certificate if, again, they're</b>  25 <b>so concerned, if there's a concern.</b></p> <p style="text-align: center;">Page 51</p>
<p>1 plans. Are you saying that, actually, as  2 at August 1984, you didn't have any concerns about the  3 capacity figure of the Leppings Lane terrace?  4 <b>A. I hadn't experienced any overcrowding problems at that</b>  5 <b>time, no.</b>  6 Q. Just going back to the request by the Officer Working  7 Party in August 1984 for there to be updated plans  8 incorporated into the general safety certificate,  9 Mr Chester, that was never done. I can tell you that  10 with some conviction.  11 <b>A. Okay. Right.</b>  12 Q. Are you able to help us as to why that request was not  13 acted upon?  14 <b>A. No, I couldn't give you that answer now, no.</b>  15 Q. Can we look at another document, please. It is  16 a document dated 13 September 1984, SYP000129680009. It  17 is a letter from Dr Eastwood to you, Mr Chester,  18 13 September 1984. If we go to the second page of that,  19 which will be suffix 10, the last paragraph:  20 "David Vaughan has also said there is a need to  21 update the drawings which accompany the safety  22 certificate. John will see to this if you so wish."  23 So a letter from Dr Eastwood to you referring back,  24 one assumes, to the meeting in August 1984, indicating  25 the need to update the drawings accompanying the safety</p> <p style="text-align: center;">Page 50</p>	<p>1 Q. Mr Chester -- sorry, I didn't mean to cut you short, but  2 you were present in court last week and you will have  3 heard the evidence of, "Well, that's not my job, it's  4 somebody else's job", and so forth that the jury heard.  5 That job of supplying updated current plans for the  6 purposes of incorporation into the safety certificate,  7 whose job is that?  8 <b>A. Well, in terms of producing the plans, it's the</b>  9 <b>consultant engineer's. In terms of ensuring, I suppose</b>  10 <b>that reverts back to the club to insist.</b>  11 Q. Again, same theme. The submission of annual  12 certificates to the local authority, certificates from  13 Dr Eastwood certifying that the club was safe to host  14 football matches, it should be done every year?  15 <b>A. Yes, I would have thought so.</b>  16 Q. If I were to tell you that, actually, during a period of  17 time during the middle '80s -- I think you know what is  18 coming, don't you?  19 <b>A. Mmm.</b>  20 Q. That those certificates were not lodged with the local  21 authority, or, if they were, they were defective because  22 they were restricted only to barrier testing and not the  23 general condition of the ground, whose responsibility  24 would that be?  25 <b>A. From a personal point of view, I can't ever recall</b></p> <p style="text-align: center;">Page 52</p>

13 (Pages 49 to 52)

<p>1 <b>a concern being raised by the issuing authority to say</b>  2 <b>that they haven't received updated documentation, and</b>  3 <b>bearing in mind that I attended a lot of</b>  4 <b>the Working Party, along with Dr Eastwood or</b>  5 <b>John Strange in his absence, I can't recall any single</b>  6 <b>time that that concern had been raised.</b>  7 Q. I understand that. And you obviously heard my  8 questioning of Mr Strange on Thursday evening. The  9 local authority didn't ask. I understand that. Setting  10 that to one side for a moment, if we may, whose  11 responsibility was it to ensure that those certificates  12 did go to the local authority? Was it the club's, was  13 it Dr Eastwood's? Whose was it?  14 <b>A. I think the club would say that they would be under the</b>  15 <b>impression that it was Dr Eastwood.</b>  16 Q. Why do you think that the club would say that?  17 <b>A. Because I think that the club were probably largely and</b>  18 <b>wholly dependent upon the professional expertise of that</b>  19 <b>particular person, or that particular partnership.</b>  20 Q. But this is an administrative task, in part, is it not,  21 to ensure that those certificates are lodged with the  22 local authority? Would the administration of that  23 annual certificate be something that you would expect  24 Dr Eastwood to do, or would the club have an interest in  25 ensuring that those certificates were lodged?</p> <p style="text-align: center;">Page 53</p>	<p>1 Q. Not only to your club, but to other clubs as well. Do  2 you think that it is possible -- now, I say only this as  3 a possibility -- that that relationship between the club  4 and Dr Eastwood might have got a little cosy? You might  5 ask me to explain what I meant by "cosy". What I mean  6 is that that relationship might have led Dr Eastwood to,  7 in some way, seek to fulfil the club's objectives  8 perhaps at the expense of being a stickler or being  9 sufficiently objective?  10 <b>A. I wouldn't have said that, no. I would have said that</b>  11 <b>Dr Eastwood would present any development plans on the</b>  12 <b>strength of them being absolutely correct and not --</b>  13 <b>I mean, I can think of one instance where -- I wouldn't</b>  14 <b>say there was a falling out between the board and</b>  15 <b>Dr Eastwood, but there was certainly a strong difference</b>  16 <b>of opinion as to what should be done and what shouldn't</b>  17 <b>be done.</b>  18 Q. What was his relationship with Mr McGee like? Were you  19 able to observe that?  20 <b>A. I would have said it was very much arm's length, but I'm</b>  21 <b>not privy to know what went off between the two</b>  22 <b>personally.</b>  23 Q. Do you recognise, even as a possibility, that such an  24 enduring relationship between club and firm of engineers  25 might become a little cosy, as I have put it, the</p> <p style="text-align: center;">Page 55</p>
<p>1 <b>A. I think, generally speaking, as I said, the club would</b>  2 <b>be largely dependent upon Dr Eastwood to attend to that.</b>  3 <b>With the benefit of hindsight -- I think what you are</b>  4 <b>saying is that, because it is not done, it reflects upon</b>  5 <b>a form of negligence on behalf of the club.</b>  6 Q. One of the curious features of the safety certificate,  7 is it not, is that if there is a breach of any of  8 the conditions, there is potentially a criminal  9 liability not on Dr Eastwood, but on the club, at least  10 potentially?  11 <b>A. Mmm.</b>  12 Q. Do you think that with that potential criminal liability  13 went a responsibility, or not?  14 <b>A. Clearly, it reverts -- put in that way, it clearly</b>  15 <b>reverts back to the club.</b>  16 Q. On a number of occasions, Mr Chester, you have described  17 how you relied upon Dr Eastwood's skill and expertise.  18 We understand that. He is the engineer, and you are  19 not.  20 <b>A. Mmm.</b>  21 Q. Can I ask you a rather broader question, though, in  22 terms of the club's relationship with Dr Eastwood? He  23 was acting as an adviser on safety matters in connection  24 with the certificate and works done; yes?  25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 54</p>	<p>1 boundaries become a little blurred?  2 <b>A. I wouldn't concur to that view, no.</b>  3 Q. Mr Chester, I am going to move on, please, to ask you  4 about those two occasions when the tunnel was closed.  5 So do, by all means, refresh your memory with your  6 statement. It is your second statement, page 4.  7 <b>A. Yes.</b>  8 Q. You describe two occasions. We will take them each in  9 turn, because they are both equally important. The  10 first occasion was when Sheffield Wednesday played  11 a League match or Cup match against Barnsley. I have  12 invited you to accept the date, 7 January 1984, and you  13 think that is probably about right; yes?  14 <b>A. Yes, I will take your ...</b>  15 Q. Now, there was an incident on the motorway as a result  16 of which a number of fans were delayed; is that correct?  17 <b>A. Correct.</b>  18 Q. The kick-off was, therefore, delayed by 15 minutes?  19 <b>A. At my request.</b>  20 Q. I was going to ask you, please, to tell us as to how  21 that decision was made?  22 <b>A. Basically, I would visit the referee's dressing room and</b>  23 <b>advise what the situation is and ask him if there's any</b>  24 <b>way in which we could get a delay.</b>  25 Q. Did you make that decision in conjunction with any other</p> <p style="text-align: center;">Page 56</p>

14 (Pages 53 to 56)

<p>1 person?</p> <p>2 <b>A. I made that approach in conjunction with discussions</b></p> <p>3 <b>with Brian Mole.</b></p> <p>4 Q. Now, Brian Mole was the -- was whom?</p> <p>5 <b>A. Match commander.</b></p> <p>6 Q. The match commander. How did you keep in touch with</p> <p>7 Brian Mole on the day of the match?</p> <p>8 <b>A. I spent most of my time in the presence of the police,</b></p> <p>9 <b>or on the ground. One and a half hours before kick-off,</b></p> <p>10 <b>I was concentrating on issues relating to the admission</b></p> <p>11 <b>of the crowd.</b></p> <p>12 Q. So where would you be?</p> <p>13 <b>A. I would probably be walking around the perimeter track,</b></p> <p>14 <b>I would probably be in the police console room, I would</b></p> <p>15 <b>probably be in some areas where I was in private</b></p> <p>16 <b>consultation with Chief Superintendent Mole.</b></p> <p>17 Q. Where would he be based?</p> <p>18 <b>A. Similarly, he would be pretty much a free hand around</b></p> <p>19 <b>the ground.</b></p> <p>20 Q. How did you hear about the incident on the motorway?</p> <p>21 <b>A. Advised by the police.</b></p> <p>22 Q. If indeed there had not been an incident on the</p> <p>23 motorway, but it was just fans turning up late, might</p> <p>24 that have influenced your decision-making in 1984</p> <p>25 concerning the delay of the kick-off?</p> <p style="text-align: center;">Page 57</p>	<p>1 Q. Hence, therefore, the decision to open -- you have</p> <p>2 described them in your statement, do have a look, as the</p> <p>3 large blue gates.</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Which gates are they?</p> <p>6 <b>A. When I made the statement, I was referring to the large</b></p> <p>7 <b>blue gates that used to be on the -- literally on the</b></p> <p>8 <b>footpath of Leppings Lane, before the alterations was</b></p> <p>9 <b>made to the turnstiles. That is the gates that we</b></p> <p>10 <b>opened.</b></p> <p>11 Q. Can I ask you, please, to look at a photograph. The</p> <p>12 jury will find it in their plans and photos bundle --</p> <p>13 I think it may be the red folder. It is the photograph</p> <p>14 behind, in my bundle, 2D. It is a photograph of gate C.</p> <p>15 I don't know whether that is a bundle that you have got,</p> <p>16 Mr Chester.</p> <p>17 <b>A. Sorry?</b></p> <p>18 Q. Thank you very much indeed. If you look in that black</p> <p>19 folder, you will see --</p> <p>20 LORD JUSTICE GOLDRING: Page 14 is the one.</p> <p>21 MS LAMBERT: You can see it on the screen as well,</p> <p>22 Mr Chester. It might be easier.</p> <p>23 <b>A. No, they are not the blue gates.</b></p> <p>24 LORD JUSTICE GOLDRING: This is the exit gate, isn't it,</p> <p>25 gate C?</p> <p style="text-align: center;">Page 59</p>
<p>1 <b>A. I don't think the reasoning behind a late arrival of</b></p> <p>2 <b>the crowd is -- is the issue. It is a late arrival.</b></p> <p>3 <b>One of the areas of, if you like, crowd management that</b></p> <p>4 <b>I was asked to try and liaise with with the police was</b></p> <p>5 <b>that they considered it better to have the crowd inside</b></p> <p>6 <b>the turnstiles, where they could manage them much</b></p> <p>7 <b>easier, than leaving them outside, where, if there was</b></p> <p>8 <b>a public disorder offence, it would impinge upon the</b></p> <p>9 <b>community, and the police wanted them in the best</b></p> <p>10 <b>possible area for them to control them, which was inside</b></p> <p>11 <b>the ground, so the decision was taken --</b></p> <p>12 Q. So from a policing perspective and a crowd control</p> <p>13 perspective, is this right, the police wanted them</p> <p>14 inside the turnstiles rather than outside the</p> <p>15 turnstiles?</p> <p>16 <b>A. Again, going back in that time, there was so much</b></p> <p>17 <b>adverse publicity about crowd behaviour, both inside and</b></p> <p>18 <b>outside of the ground, that the decision was taken that,</b></p> <p>19 <b>from South Yorkshire Police point of view or through</b></p> <p>20 <b>Superintendent Brian Mole, he, if possible, wanted the</b></p> <p>21 <b>crowd inside the boundaries of Sheffield Wednesday</b></p> <p>22 <b>Football Club, rather than running rampant, if that was</b></p> <p>23 <b>going to be the case, in the streets, and bearing in</b></p> <p>24 <b>mind there was a street literally just outside the</b></p> <p>25 <b>turnstiles.</b></p> <p style="text-align: center;">Page 58</p>	<p>1 MS LAMBERT: This is gate C.</p> <p>2 <b>A. They are not the blue gates. They are not the gates</b></p> <p>3 <b>that I'm referring to.</b></p> <p>4 Q. Where are the gates that you are referring to?</p> <p>5 <b>A. The gates I'm referring to would be on the division</b></p> <p>6 <b>between Leppings Lane and Sheffield Wednesday's --</b></p> <p>7 LORD JUSTICE GOLDRING: How about page 8, Ms Lambert?</p> <p>8 MS LAMBERT: I will try again. If we look at divider B,</p> <p>9 page 8. Thank you very much.</p> <p>10 LORD JUSTICE GOLDRING: Have you got that, Mr Chester?</p> <p>11 MS LAMBERT: Are these the blue gates to which you're</p> <p>12 referring?</p> <p>13 <b>A. They're the blue gates, yes.</b></p> <p>14 Q. What we are calling, just for our terminology purposes,</p> <p>15 the external perimeter gates.</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. So it was those sets of gates that you said should be</p> <p>18 opened?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. Thereafter, where did the fans go? Did they go through</p> <p>21 the turnstiles in the usual way?</p> <p>22 <b>A. On that particular occasion, the fans entered straight</b></p> <p>23 <b>in -- bypassed the turnstiles and went straight into the</b></p> <p>24 <b>stand, and Sheffield Wednesday would lose the revenue</b></p> <p>25 <b>from the number of those people.</b></p> <p style="text-align: center;">Page 60</p>

<p>1 LORD JUSTICE GOLDRING: Perhaps, Ms Lambert, shall we take 2 a break there, and just look at this perhaps a little 3 bit more closely? It is not, on the face of it, 4 entirely easy to follow. 5 MS LAMBERT: Yes. 6 LORD JUSTICE GOLDRING: Members of the jury, we will have 7 a ten-minute break, if we may. 8 (11.39 am) 9 (A short break) 10 (11.53 am) 11 LORD JUSTICE GOLDRING: There are two questions with which 12 I will deal, members of the jury, if I may, in due 13 course. I will bear them in mind, and I shall deal with 14 them. 15 MS LAMBERT: Mr Chester, may I return to my theme, please, 16 of the events at the Barnsley match in January 1984. 17 I am trying to understand what arrangements were put in 18 place, given the late arrival of the fans. I understand 19 that the match kick-off was delayed for 15 minutes, and 20 you will recollect that we were trying to track down, 21 sleuth down, what was happening both in the outer 22 concourse and the inner concourse. 23 You described the external perimeter gates, which 24 are in the black file at page 9 behind tab B, as 25 being --</p> <p style="text-align: center;">Page 61</p>	<p>1 <b>opened --</b> 2 Q. Yes. 3 <b>A. -- and the exit gates would have been opened to allow</b> 4 <b>them to go past the turnstiles whereby then they would</b> 5 <b>be split off.</b> 6 Q. So if we look in -- I am going to ask, please, for 7 plan 242 to be shown on the screen, photograph 242. We 8 are going back to Malkin evidence now, the Malkin 9 PowerPoint. I think this best shows the image. Sorry, 10 Mr Chester, it will just take a moment or two to get it 11 on the screen, but I think this is the best photograph. 12 Thank you very much. 13 Do you see the photograph, Mr Chester? 14 <b>A. Yes.</b> 15 Q. You will see -- 16 LORD JUSTICE GOLDRING: It is our page 12, I think. 17 MS LAMBERT: Oh, I'm so sorry. I was looking at it in 18 a different bundle. 19 Do you see to the right the service road that goes 20 around towards the front of the south stand? 21 <b>A. Yes.</b> 22 Q. Do you see behind the four spans of blue metal railing 23 gates, turnstiles A to G? Do you see those banks of 24 blue turnstiles? 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 63</p>
<p>1 LORD JUSTICE GOLDRING: The red file, I think. 2 MS LAMBERT: Sorry. On the screen, you will see the 3 external perimeter gates. 4 <b>A. Yes.</b> 5 Q. I am trying to find out from you, Mr Chester, which 6 gates were in fact opened, because those gates would 7 give access to the turnstiles. So the fans would still 8 have to go through the turnstiles. Do you understand? 9 <b>A. Yes.</b> 10 Q. Do you believe that those are the gates that were 11 opened? Can I help you at all? In your statement, what 12 you describe is: 13 "When the fans arrived ..." 14 Shall we look at this together? 15 <b>A. Yes.</b> 16 Q. "When the fans arrived, the area behind the goal was 17 fairly well packed, so to ease congestion at the 18 turnstiles, it was decided to close the gates to the 19 tunnel and open the large blue gates at the side of 20 the turnstiles, allowing a large number of fans through 21 in a very short time." 22 <b>A. Yes. I would imagine it's those to the right and the</b> 23 <b>exit gates.</b> 24 Q. The exit gates? 25 <b>A. The blue gates on the perimeter would have been</b></p> <p style="text-align: center;">Page 62</p>	<p>1 Q. Do you see on the service road there is the blue 2 concertina-style exit gate -- 3 <b>A. Yes.</b> 4 Q. -- which we have called exit gate C, which is closed? 5 We can also see to the left in the open position another 6 exit gate which is open, gate B. 7 <b>A. Yes.</b> 8 Q. Does that help you as to which gates were opened on this 9 match day in January 1984? 10 <b>A. I can't be specific which one, but one of those would</b> 11 <b>have been opened to give access past the turnstiles.</b> 12 <b>There would be no point in going through the 'stiles.</b> 13 <b>That's what we were trying to avoid.</b> 14 Q. Exactly. So when you say "one of those two", you mean 15 one of those exit gates, either B or C? 16 <b>A. Because they would go in there, and then, on the --</b> 17 Q. When you say "go in there", you will need to describe 18 for the transcript. 19 <b>A. Basically, they would enter through there, and then,</b> 20 <b>once in that area, there were then some other gates</b> 21 <b>which come down the rear wall of the stand which</b> 22 <b>provides access through the tunnel, and that would be</b> 23 <b>the gate that would be closed, to avoid supporters going</b> 24 <b>to the centre pen.</b> 25 Q. Of course, in 1984, that wall did not exist?</p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)



<p>1 <b>A. Sorry?</b></p> <p>2 Q. In 1984, the wall that ran from the corner of</p> <p>3 the turnstiles to the back of the west stand did not</p> <p>4 exist?</p> <p>5 <b>A. Wouldn't exist?</b></p> <p>6 Q. It did not exist in 1984. Can we go back to our plan</p> <p>7 that we looked at a little while ago, SYP000028310458.</p> <p>8 It is the 1985 plan, sir.</p> <p>9 You will remember this is the plan we looked at</p> <p>10 which showed the configuration of the turnstiles until</p> <p>11 the changes in 1985. So in 1984, in January, there was</p> <p>12 no internal dividing wall in the inner concourse, was</p> <p>13 there?</p> <p>14 <b>A. I can't specifically -- to be honest, I can't</b></p> <p>15 <b>specifically recall.</b></p> <p>16 Q. But if we look at this drawing, this diagram, Jyo will</p> <p>17 point out for us gate B and gate C. Thank you. So, you</p> <p>18 are quite right, opening either one of those two gates</p> <p>19 would allow fast access of a number of fans into that</p> <p>20 concourse area within the turnstiles.</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. You believe it was one of those two exit gates that was</p> <p>23 opened?</p> <p>24 <b>A. One of those exit gates would have been opened at the</b></p> <p>25 <b>same time as the entrance gate to the tunnel would have</b></p> <p style="text-align: center;">Page 65</p>	<p>1 Q. So a combination of policing and stewarding?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. Was there a real risk of them being broken down?</p> <p>4 <b>A. I don't know. It's better to take the precaution,</b></p> <p>5 <b>rather than the consequences.</b></p> <p>6 Q. Where were the fans directed?</p> <p>7 <b>A. They would be directed to -- either to the left or to</b></p> <p>8 <b>the right. Either to go in around the south-west corner</b></p> <p>9 <b>or the north.</b></p> <p>10 Q. So they'd be directed either to the pen beneath the</p> <p>11 police control box --</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. -- or the pen at the other end of the terrace?</p> <p>14 <b>A. At the other side, yes.</b></p> <p>15 Q. The decision to close the tunnel -- you have described</p> <p>16 the decision to put the kick-off back by 15 minutes as</p> <p>17 a decision that you arrived at with Mr Mole. The</p> <p>18 decision to close the tunnel, whose decision was that?</p> <p>19 <b>A. That would be in agreement between myself and Chief</b></p> <p>20 <b>Superintendent Mole.</b></p> <p>21 Q. The decision to man that gate with either police or</p> <p>22 stewards or a combination of both, whose decision was</p> <p>23 that?</p> <p>24 <b>A. That would, again, be made jointly, but predominantly by</b></p> <p>25 <b>Chief Superintendent Mole.</b></p> <p style="text-align: center;">Page 67</p>
<p>1 <b>been closed.</b></p> <p>2 Q. When you say "the entrance gate to the tunnel" --</p> <p>3 LORD JUSTICE GOLDRING: Photograph 20, possibly.</p> <p>4 MS LAMBERT: Thank you very much, indeed. Photograph 20</p> <p>5 behind tab F. Do you have that, Mr Chester?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. We see there one closed, one open, gates to the mouth of</p> <p>8 the tunnel?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. They were closed, were they?</p> <p>11 <b>A. They would be closed. They would be manned by</b></p> <p>12 <b>a combination of police and stewards, and those</b></p> <p>13 <b>temporary barriers, as you see to the right, would</b></p> <p>14 <b>probably, and I'm not absolutely sure, would probably</b></p> <p>15 <b>have been put across there as well, across the entrance.</b></p> <p>16 Q. So what you are saying is that both of those gates would</p> <p>17 have been closed to block off the entrance to the</p> <p>18 tunnel?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. You said that there would also be some manning?</p> <p>21 <b>A. Yes. There would be police officers and possibly</b></p> <p>22 <b>a combination of stewards as well that would be manning</b></p> <p>23 <b>across there to make sure they weren't broken down.</b></p> <p>24 Q. That they weren't broken down?</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 66</p>	<p>1 Q. I know it is very difficult to think back so very many,</p> <p>2 many years, Mr Chester, but I'd like you to try and</p> <p>3 capture for us the speed of those decisions being made.</p> <p>4 So there's the decision to put the kick-off back by</p> <p>5 15 minutes, the decision to open the exit gates and the</p> <p>6 decision to close the tunnel. Within what sort of</p> <p>7 period of time do you think that decision-making process</p> <p>8 was made?</p> <p>9 <b>A. Once -- I mean, the approach was being made to the</b></p> <p>10 <b>referee not at 7.30 or 7.25, but it was being made</b></p> <p>11 <b>7.10/7.15, I would imagine -- I'm just imagining.</b></p> <p>12 LORD JUSTICE GOLDRING: Kick-off being?</p> <p>13 MS LAMBERT: Kick-off being at what time?</p> <p>14 <b>A. 7.30. And what we would be looking to do would be try</b></p> <p>15 <b>to be proactive to the situation, as distinct to</b></p> <p>16 <b>reactive. Once the decision had been taken to delay,</b></p> <p>17 <b>then at the same time, once I relayed that back to</b></p> <p>18 <b>Brian Mole -- and bear in mind at that particular time</b></p> <p>19 <b>we were on walkie-talkies together -- then he would have</b></p> <p>20 <b>instructed his police officers to close, and they, in</b></p> <p>21 <b>actual fact, would have taken some stewards with them</b></p> <p>22 <b>and manned it.</b></p> <p>23 Q. So, again, just giving us a sense of the timescale of</p> <p>24 those judgments and decisions being made, what's your</p> <p>25 best estimate at this distance in time?</p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 <b>A. I would have said it would have been within -- it would</b>                  2 <b>have been fairly instant. Once we knew that we could</b>                  3 <b>delay the kick-off, then it would have been fairly</b>                  4 <b>instant.</b>                  5 Q. After the decision had been made to close the gates to                  6 the tunnel, are you able to help us as to how long it                  7 took for the tunnel gates to be closed and for the                  8 appropriate personnel to be deployed in front of                  9 the tunnel?                  10 <b>A. Again, it would have been fairly instant. You're not</b>                  11 <b>talking about an inordinate delay. Once the decision's</b>                  12 <b>taken, then there would be action.</b>                  13 Q. Do you remember any difficulties encountered in terms of                  14 securing the police or the stewards to close the                  15 tunnel --                  16 <b>A. No, no.</b>                  17 Q. You described -- again, I am looking at your statement,                  18 Mr Chester -- the area behind the goal being fairly well                  19 packed. Was that a judgment that you made on the basis                  20 of your visualising the pen?                  21 <b>A. That would be a judgment made, again, collectively</b>                  22 <b>between myself and Brian Mole, bearing in mind that</b>                  23 <b>I spent quite a significant part of pre-match time in</b>                  24 <b>his presence.</b>                  25 Q. Do you know what the size of the crowd was for that</p> <p style="text-align: center;">Page 69</p>	<p>1 Q. Who gives the referee instructions?                  2 <b>A. Who gives the referee instructions?</b>                  3 Q. Yes.                  4 <b>A. In what way?</b>                  5 Q. Well, you have a referee.                  6 <b>A. Yes.</b>                  7 Q. There is a thought process which involves consideration                  8 of delaying the kick-off, and he refused. Who asked                  9 him?                  10 <b>A. I did.</b>                  11 Q. Is it not within your gift to tell the referee, "In the                  12 interests of safety, the kick-off should be delayed"?                  13 <b>A. That was presented, and I think -- again, it's so</b>                  14 <b>difficult to remember with distinct clarity, but I think</b>                  15 <b>on this particular occasion, I think</b>                  16 <b>Chief Superintendent Brian Mole was with me --</b>                  17 Q. Right.                  18 <b>A. -- and a decision was taken to get them in as quick as</b>                  19 <b>possible after the kick-off.</b>                  20 Q. Can I just go back for a moment to the discussion with                  21 the referee. You, as the club secretary, would have, as                  22 it were, a right to be heard on the issue of the delay                  23 in the kick-off; is that right?                  24 <b>A. Yes.</b>                  25 Q. I'm interested in the referee refusing that request,</p> <p style="text-align: center;">Page 71</p>
<p>1 match?                  2 <b>A. I would say you're probably talking not much more than</b>                  3 <b>50 per cent of the capacity. I would think --</b>                  4 Q. If I were to suggest to you -- these figures may or may                  5 not be accurate, but I'm interested in your reaction --                  6 that the size of the crowd was around about 29,000 --                  7 <b>A. About right --</b>                  8 Q. -- would that be about right?                  9 <b>A. -- I would say, yes.</b>                  10 Q. Mr Chester, moving on to the second occasion upon which                  11 the tunnel gates were closed, you describe a game in                  12 early 1985 involving Liverpool?                  13 <b>A. Yes.</b>                  14 Q. I am going to suggest to you that the date was                  15 2 February 1985. Does that seem to be about right?                  16 <b>A. I'll take your word for it.</b>                  17 Q. On this occasion, the Liverpool fans, you say, arrived                  18 late for no particular reason?                  19 <b>A. I don't know of any particular reason.</b>                  20 Q. I'm sorry?                  21 <b>A. I don't know of any particular reason.</b>                  22 Q. You describe the referee refusing to delay the kick-off?                  23 <b>A. Yes.</b>                  24 Q. Why did the referee refuse to delay the kick-off?                  25 <b>A. I don't know. I don't think that's answerable.</b></p> <p style="text-align: center;">Page 70</p>	<p>1 because that is what you seem to be implying in this                  2 part of your statement.                  3 <b>A. Yes.</b>                  4 Q. What is his authority to, as it were, refuse your                  5 request?                  6 <b>A. Again, I couldn't answer that. I mean, some referees</b>                  7 <b>are certainly very responsive, and others are quite</b>                  8 <b>adamant that they will "do it", in inverted commas,</b>                  9 <b>"their way", as in actual fact you see from issues on</b>                  10 <b>the pitch, let alone off the pitch.</b>                  11 Q. Because a moment ago when we were discussing the earlier                  12 match with Barnsley, I asked you whether or not the fact                  13 that there was a good reason for the fans being late was                  14 a factor which might influence the decision to delay the                  15 kick-off, and you seemed to suggest -- I may be wrong --                  16 that, actually, that was neither here nor there?                  17 <b>A. No, there was a number -- all I can say on that</b>                  18 <b>particular game, there were a number of coaches</b>                  19 <b>transporting Liverpool supporters that had not arrived,</b>                  20 <b>and from the police intelligence they knew that they</b>                  21 <b>were on their way. As a consequence of that, the</b>                  22 <b>approach was made to the referee. The decision is as</b>                  23 <b>I said, that the referee said, "No, we will kick off at</b>                  24 <b>3 o'clock", because this was a Saturday match,</b>                  25 <b>I believe, and then, equally, the decision was taken by</b></p> <p style="text-align: center;">Page 72</p>

<p>1 <b>Brian Mole and myself to do the similar exercise as we'd</b>  2 <b>done for the Barnsley game and close the centre pen and</b>  3 <b>let people in, because, again, the difference between</b>  4 <b>the Barnsley fixture and the Liverpool fixture was that</b>  5 <b>the Liverpool fixture was all-ticket for visiting</b>  6 <b>supporters, so everybody would be coming with tickets,</b>  7 <b>should be.</b></p> <p>8 Q. Another big difference between the Barnsley match and  9 the Liverpool match was that, whereas the Barnsley match  10 was a 29,000, just over 29,000 capacity crowd, the crowd  11 on this occasion in early 1985 was almost full capacity,  12 wasn't it?</p> <p>13 <b>A. At capacity, correct.</b></p> <p>14 Q. It was over 48,000?</p> <p>15 <b>A. Yes. And from the time that Brian Mole and myself had</b>  16 <b>spent overlooking the crowd, it was centre pen at that</b>  17 <b>particular time, because everybody -- if you go into</b>  18 <b>a football match -- if you go on the terrace, you want</b>  19 <b>to be behind the goal. If you're going in the stands,</b>  20 <b>you want to be on the centre circle. That's the ideal</b>  21 <b>position. So when crowds arrive, they invariably head</b>  22 <b>for the most favourable position, and with the volumes</b>  23 <b>that we were expecting -- I don't know how many coaches,</b>  24 <b>about ten or a dozen coaches I think were late. I can't</b>  25 <b>remember.</b></p> <p style="text-align: center;">Page 73</p>	<p>1 <b>A. The position -- that might have been his view. That</b>  2 <b>might have been his view. I don't know.</b></p> <p>3 Q. Was that your view?</p> <p>4 <b>A. No, not my view. My view was to try and get the crowd</b>  5 <b>in as sensibly and as safely as possible. In all</b>  6 <b>seriousness, I don't think any club would dictate to</b>  7 <b>a referee, some referees.</b></p> <p>8 Q. Before I move on to the proposals for change in 1985, do  9 you recollect another occasion, Mr Chester, when there  10 was an overflowing not of the west end of the ground,  11 but of the Kop?</p> <p>12 <b>A. You're going to tell me.</b></p> <p>13 Q. You're right about that. I'm going to ask, please, for  14 SYP000016480020 to be shown on the screen. It is  15 a letter dated 22 March 1985. I know you have had an  16 opportunity of looking at this document, have you not?  17 22 March 1985, and it is a letter from you, Mr Chester,  18 to Mr Faulkner of the Football Trust. Can you just help  19 us as to who the Football Trust was?</p> <p>20 <b>A. Sorry, the Football Trust --</b></p> <p>21 Q. Are you able to help us as to what the Football Trust  22 was?</p> <p>23 <b>A. Yes, the Football Trust was an independent body set up</b>  24 <b>basically to administer the funds that had been made</b>  25 <b>available to them by the football pools company for the</b></p> <p style="text-align: center;">Page 75</p>
<p>1 Q. Were you not concerned by the fact that the referee --  2 I'm sorry to keep coming back to this point --  3 refused --</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. -- to put the match back?</p> <p>6 <b>A. Yes, but you try telling a referee. I'm sorry, but ...</b></p> <p>7 Q. Because it raises, does it not, potentially a very  8 significant safety issue?</p> <p>9 <b>A. Mmm.</b></p> <p>10 Q. Doesn't it?</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. Did Mr Mole not have the authority to tell the referee  13 what to do?</p> <p>14 <b>A. We requested, and the request was turned down. Both</b>  15 <b>Mr Mole and myself spoke to the referee. He was just</b>  16 <b>adamant.</b></p> <p>17 Q. Let me ask you this, because if I don't, somebody else  18 will: was the fact that on this occasion there didn't  19 appear to be a good reason for the fans being late  20 a factor influencing the decision not to delay the  21 kick-off?</p> <p>22 <b>A. I don't know. It would be wrong for me to make that</b>  23 <b>assessment.</b></p> <p>24 Q. You can't say whether or not the fact that the fans  25 might have brought it on themselves --</p> <p style="text-align: center;">Page 74</p>	<p>1 <b>support of projects from various football clubs to</b>  2 <b>undertake ground improvements, safety and ground</b>  3 <b>improvements.</b></p> <p>4 Q. So is it linked with the improvements grant process?</p> <p>5 <b>A. Yes. The Football Trust I think ultimately changed its</b>  6 <b>name to the Football Grounds Improvement Trust.</b></p> <p>7 Q. Thank you. The reason why I am looking at this letter  8 at this stage -- and I will be coming back to it -- is  9 because of what is recorded under point 1. Take the  10 opportunity, please, to refresh your memory. It is  11 clearly a letter to Mr Faulkner of the Trust in which  12 you are making a proposal, are you not, for enhancing  13 the counting system at the turnstiles and the  14 development of CCTV network; yes:</p> <p>15 "The decision to install such a comprehensive scheme  16 has been brought about by three main reasons:  17 "1. The avoidance of a repeat of a recent incident,  18 when capacities in certain areas of the ground were  19 exceeded without any pre-warning system being  20 available."  21 Do you see that is what you have recorded?</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. I think this letter has got to be read in conjunction  24 with another, which takes us to the Kop,  25 SYP000021490049, which is a letter dated 15 February.</p> <p style="text-align: center;">Page 76</p>

<p>1 If we can blow up, please, the second paragraph. It is 2 very difficult to read. It may not be any better when 3 it is enhanced. It is marginally better. Again, just 4 so that you appreciate, this is another letter from you, 5 Mr Chester, this time to Corderoy &amp; Co. Just tell us 6 who Corderoy &amp; Co were, please?</p> <p>7 <b>A. I think they were the advisory consultant engineers to 8 the Football Grounds Improvement Trust.</b></p> <p>9 Q. So these two letters link in, don't they?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Second paragraph: 12 "As I explained, following the experiences at the 13 Liverpool fixture when capacities ..." 14 It seems to me to read: 15 "... on the Kop were exceeded, I am required to 16 provide a system to eliminate any reoccurrence. Whilst 17 not in possession of a letter from the South Yorkshire 18 Police authorities at the time of writing, it is 19 a certainty that this will be received shortly, although 20 they have granted me the time to pursue my own enquiries 21 firstly." 22 Is this referring back to the match on 2 February 23 involving Liverpool?</p> <p>24 <b>A. It does mention Liverpool, doesn't it?</b></p> <p>25 Q. Yes. You see, the occasion when you closed the tunnel</p> <p style="text-align: center;">Page 77</p>	<p>1 MS BARTON: Sir, I might be able to assist. There was one 2 in '84, on 17 January 1984. That was a League cup 3 quarter-final.</p> <p>4 MS LAMBERT: On the face of it, not a recent fixture?</p> <p>5 <b>A. On the face of it, it looks to have been the same 6 fixture, but, again, I can't --</b></p> <p>7 Q. Do you have any recollection at all, Mr Chester, of what 8 happened at the Kop?</p> <p>9 <b>A. No, I'm sorry, I don't.</b></p> <p>10 Q. If there was an event such as an exceeding of 11 the capacity of the Kop, is that the sort of event which 12 ought to have triggered a report to the local authority?</p> <p>13 <b>A. You're possibly correct.</b></p> <p>14 Q. Was there one?</p> <p>15 <b>A. Not that I can recall.</b></p> <p>16 Q. Whose responsibility would it have been to make that 17 report to the local authority?</p> <p>18 <b>A. I think that would have rested between myself and the 19 board and probably been raised at a Working Party.</b></p> <p>20 Q. So responsibility of the club?</p> <p>21 <b>A. The club.</b></p> <p>22 Q. The Kop was all-standing, was it not?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. Fed by a number of turnstiles?</p> <p>25 <b>A. Served by a number of turnstiles.</b></p> <p style="text-align: center;">Page 79</p>
<p>1 because of the late arrival of the fans that you have 2 described was 2 February 1985, I believe, so do you 3 think it is likely that this is referring back to that 4 same match?</p> <p>5 <b>A. Possibly, although, I've got to be honest, I can't 6 recollect capacity problems on the Kop. I'm not 7 disputing the letter -- the letter that's there, but -- 8 how do the dates tie up, I'm sorry?</b></p> <p>9 Q. The match -- the Liverpool match was 2 February 1985, 10 when there was a capacity crowd of 48,000-odd, and this 11 letter is 15 February 1985.</p> <p>12 LORD JUSTICE GOLDRING: No doubt you can check, Ms Lambert, 13 whether there was any other Liverpool match, but it 14 would have had to have been pretty soon after the 15 earlier one, wouldn't it?</p> <p>16 <b>A. There would have been a Liverpool fixture in '84, but 17 I think ...</b></p> <p>18 MS LAMBERT: Our records don't suggest that there was 19 another Liverpool match. There was 2 February 1985, and 20 then Liverpool did not return to play a match until 21 27 December 1986, according to the document that I have 22 in front of me, which we can check, of course.</p> <p>23 <b>A. Had there been a fixture against Liverpool in '84?</b></p> <p>24 Q. I beg your pardon?</p> <p>25 <b>A. Had there been a fixture against Liverpool in '84?</b></p> <p style="text-align: center;">Page 78</p>	<p>1 Q. But no recollection of what took place?</p> <p>2 <b>A. Sorry.</b></p> <p>3 Q. Can I move on, please, against that background, to ask 4 you about the proposals for change during 1985. I know 5 in your response to questions on this topic by 6 Operation Resolve officers you had apparently no 7 recollection?</p> <p>8 <b>A. Couldn't -- I've had the benefit since of being able to 9 review some papers, but at the time that I was asked by 10 Operation Resolve, no, I had no recollection.</b></p> <p>11 Q. Has your memory been refreshed at all or reinvigorated 12 as a result of looking at a number of documents since 13 your interview with Operation Resolve?</p> <p>14 <b>A. Yes and no. Funnily enough, because I have recently 15 been to visit Leppings Lane.</b></p> <p>16 Q. You will find it very changed.</p> <p>17 <b>A. Yes. I had -- because -- all I will say is that when 18 the work was completed, I was the -- I won't say clerk 19 of works, but I would certainly be inspecting the works, 20 and I visited the ground and I was completely blank, and 21 no memory whatsoever of actually in fact visiting. But 22 I know that -- I can recollect that we were involved in 23 a number of combinations of turnstiles for that 24 particular area.</b></p> <p>25 Q. I am going to take you through some of the documents.</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 Not all of the documents, but some of the documents.                  2 But just before we do so, you recollect that you were                  3 involved in a series of proposals?                  4 <b>A. Mmm.</b>                  5 Q. Which involved consideration being given to the number                  6 of turnstiles?                  7 <b>A. Yes.</b>                  8 Q. What was the impetus for those proposals?                  9 <b>A. I think the predominant factor behind it was the</b>                  10 <b>conversations that would have taken place between myself</b>                  11 <b>and Keith Addy as to the fact that there was an area of</b>                  12 <b>the ground that needed addressing.</b>                  13 Q. What was the problem with that area of the ground that                  14 needed addressing?                  15 <b>A. Well, I think that when the club went up into the first</b>                  16 <b>division, events happened by virtue of the club's</b>                  17 <b>success that changed the whole element of Hillsborough.</b>                  18 Q. Right.                  19 <b>A. I think, again, by trying to be proactive, we looked at</b>                  20 <b>it and said we needed to do something. At the time,</b>                  21 <b>there was a lot of consideration being given to a number</b>                  22 <b>of improvements at Hillsborough, and this was one of</b>                  23 <b>them.</b>                  24 Q. So, in part, the impetus was the fact that the club was                  25 in the first division?  <p style="text-align: center;">Page 81</p> </p>	<p>1 Q. So getting them in, getting them into the right areas                  2 and getting them in safely?                  3 <b>A. Mmm, and with the system that you're talking about,</b>                  4 <b>getting the control on the turnstiles, which had been an</b>                  5 <b>issue previously.</b>                  6 Q. So was safety of the crowd a factor which motivated this                  7 series of plans and proposals?                  8 <b>A. I would have said it was twofold. It was probably</b>                  9 <b>segregation, effective segregation, which was an issue</b>                  10 <b>that was very high on the agenda of the footballing</b>                  11 <b>authorities and, if you fell foul of that, they were</b>                  12 <b>liable to hit you with some hefty fines, so there was</b>                  13 <b>certainly segregation, and combined with segregation</b>                  14 <b>obviously comes safety.</b>                  15 Q. So from the policing perspective, heavy emphasis on                  16 segregation?                  17 <b>A. Yes.</b>                  18 Q. From the club's perspective, segregation and safety?                  19 <b>A. Yes.</b>                  20 Q. SYP000046570307, Officer Working Party meeting of                  21 23 January 1985. You were present at this meeting; do                  22 you see?                  23 <b>A. Yes.</b>                  24 Q. Representing the club, yourself and Dr Eastwood. Also                  25 there, the various specialties represented in the  <p style="text-align: center;">Page 83</p> </p>
<p>1 <b>A. Yes.</b>                  2 Q. For those of us who aren't necessarily initiated in                  3 football, what is the effect of a club going to the                  4 first division? Why does that make a difference?                  5 <b>A. Well, by virtue of the enhanced interest of</b>                  6 <b>the supporters to watch, hopefully, a winning side, or</b>                  7 <b>at least a side that's attracting much better opposition</b>                  8 <b>than what they'd previously been.</b>                  9 Q. So larger crowds?                  10 <b>A. Larger crowds.</b>                  11 Q. So against a background of the club having gone into the                  12 first division and, therefore, there being an                  13 expectation of larger crowds, as we will come to, there                  14 were a number of different proposals and configurations                  15 for the turnstiles, and so forth.                  16 <b>A. Yes.</b>                  17 Q. But what was the problem at the Leppings Lane end that                  18 those proposals were designed to address?                  19 <b>A. I think it was -- the problem was the numbers, the</b>                  20 <b>numbers of visiting supporters that would come in,</b>                  21 <b>particularly with the bigger clubs.</b>                  22 Q. What was the practical effect of the larger number of                  23 supporters from the bigger clubs coming?                  24 <b>A. Well, it's logistics of getting them in and getting them</b>                  25 <b>into the right areas and getting them in safely.</b>  <p style="text-align: center;">Page 82</p> </p>	<p>1 Officer Working Party. Do you see that?                  2 <b>A. Yes.</b>                  3 Q. Ground inspection A and B, and let's look at B together:                  4 "West stand and terrace.                  5 "The club recalled the practice followed in                  6 consultation with the South Yorkshire Police of                  7 separating home and visiting supporters at the rear of                  8 the stand at certain matches (such as with Liverpool) by                  9 erecting temporary barriers."                  10 What is that referring to, Mr Chester?                  11 <b>A. I think the temporary barriers would be to basically</b>                  12 <b>deflect the crowd once they're through the turnstiles</b>                  13 <b>into certain areas of the Leppings Lane.</b>                  14 Q. For the purposes of segregation or safety or both?                  15 <b>A. I would say both.</b>                  16 Q. "This worked well but on all other normal occasions it                  17 was the policy of the police to aim for exclusive use by                  18 visiting supporters of the west stand and terrace. On                  19 those occasions when the number of visiting supporters                  20 was small and the weather was inclement, it was                  21 obviously desirable to allow home supporters access to                  22 a sheltered area."                  23 And:                  24 "It was agreed.                  25 "(i) that the club would consider at some future  <p style="text-align: center;">Page 84</p> </p>

<p>1 date a scheme for permanent barriers at the rear of 2 the stand, subject to any proposals being submitted for 3 prior approval for the Officer Working Party in the 4 usual way."</p> <p>5 Can you help us, because there is a possible 6 ambiguity in this. Is this talking about separating an 7 area within the stand itself, the seated area, or behind 8 the stand in the open concourse?</p> <p>9 <b>A. I think, in actual fact, once you went through the 10 turnstiles, you either went up into the stand or you 11 went onto the terraces. So it would be a question of 12 probably separating the two.</b></p> <p>13 Q. So where is the separation that is proposed here, or is 14 discussed here? Is it actually on the stand, within the 15 stand itself, or in the area behind the stand? You see, 16 there is an ambiguity, is there not, because there is 17 a reference here to affording visiting supporters some 18 shelter when the weather was inclement, which would 19 suggest it is talking about segregation within the 20 seated area itself?</p> <p>21 <b>A. Supporters paying to go onto the terrace would not be 22 able to be transferred to occupy seats in the stand 23 irrespective of what the weather was like.</b></p> <p>24 Q. One further document, SWF000001770001. This is the next 25 link in the chain, Mr Chester, a letter from Page 85</p>	<p>1 it, from the configuration of the turnstiles as they 2 currently exist in 2014?</p> <p>3 <b>A. No, not really, and, in fairness, it's probably one of 4 many suggestions to change the arrangements at the 5 Leppings Lane end.</b></p> <p>6 Q. Do you remember giving this proposal any consideration?</p> <p>7 <b>A. I don't remember specifically, but I doubt -- bear in 8 mind that it came from a senior police officer. I don't 9 think it would have been completely disregarded.</b></p> <p>10 Q. No.</p> <p>11 <b>A. It would have been taken into account with what 12 ultimately was the final drawing and design, which was 13 approved unquestionably by the Officer Working Party, 14 including the police.</b></p> <p>15 Q. There then follows, Mr Chester, a number of different 16 versions of proposals that were developed by Mr Eastwood 17 and his team at Eastwood &amp; Partners trying to give 18 effect to the proposals from a number of different 19 agencies. I am going to show you the first of those, 20 which is SWF000001770015. Will you take it from me, 21 Mr Chester, that that was a proposal that you received 22 on 2 April 1985 --</p> <p>23 <b>A. Mmm.</b></p> <p>24 Q. -- which came with a letter to you from Mr Eastwood 25 showing a possible layout which segregates visitors from Page 87</p>
<p>1 Chief Superintendent Moseley to you, forwarding his 2 thoughts:</p> <p>3 "You will see that we favour the erection of a stone 4 wall on the ground side of the current terraces, with 5 such wall housing a bank of turnstiles. Our belief is 6 that once a spectator goes through the turnstiles he 7 should then be segregated from the other fans, and this 8 can be achieved by the erection of permanent high metal 9 railings on that concrete area at present behind the 10 stand. Similarly, there should be a high metal railing 11 down the centre of the west stand. What is then created 12 is total segregation of all three portions of 13 the terrace and the two areas of the west stand, with 14 each of those segregated areas having its own 15 refreshment and toilet facilities."</p> <p>16 If we can go on to suffix 2, Jyo, we see, I think, 17 Mr Moseley's diagram in which he illustrates this 18 proposal, which is very difficult to follow.</p> <p>19 What he appears to be suggesting, if you see that 20 line running almost down the centre of the page, is 21 a new wall with turnstiles and exit gates. Do you see 22 the handwritten annotation where the arrow goes down 23 "New wall with turnstiles and exit gates". So, 24 Mr Chester, a proposal, which, on the face of it, albeit 25 in a very undeveloped form, is not so very different, is Page 86</p>	<p>1 home supporters reasonably well?</p> <p>2 You can see that it does achieve almost complete 3 segregation of visitors following their entrance through 4 the turnstiles, does it not? A dedicated bank for the 5 north stand, a dedicated bank for the north-west 6 terrace, a dedicated bank for the west stand home 7 supporters, a dedicated set of turnstiles for the 8 central tunnel. You see the point, don't you?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. And an increase in the number of turnstiles?</p> <p>11 <b>A. Mmm.</b></p> <p>12 Q. There had been 23. On this drawing, there are 29?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Do you remember any discussion with Mr Eastwood at 15 around about this time about turnstiles?</p> <p>16 <b>A. I don't remember any specific instruction, that would be 17 fair to say. The only thing that I can say, a decision 18 had been taken by this time that there would be no mix 19 of home and away -- home and visiting supporters in the 20 west stand.</b></p> <p>21 <b>When the club initially went up into the first 22 division, the west stand had, I would think, anything up 23 to 500 season ticket holders occupying seats in the west 24 stand, and the decision was taken to reallocate them 25 seats in the other stands, which didn't go down ever so Page 88</b></p>

22 (Pages 85 to 88)

<p>1 <b>well because people had been sat there for quite some</b>                  2 <b>time, but to try and implement effective segregation,</b>                  3 <b>that decision was taken, and I don't -- I think at the</b>                  4 <b>time that I left, I don't think there was any facility</b>                  5 <b>for any home supporter for normal League games to have</b>                  6 <b>a seat in that stand.</b>                  7 Q. Just take it stage by stage. This is a plan which, if                  8 implemented, would certainly segregate home and away                  9 supporters?                  10 <b>A. Mmm.</b>                  11 Q. Yes?                  12 <b>A. Yes.</b>                  13 Q. To your recollection, was any part of the thinking                  14 behind providing dedicated turnstiles to specific parts                  15 of the stadium concerned with safety?                  16 <b>A. I would think at that time the inference would be more</b>                  17 <b>towards segregation, and, again, with safety a factor as</b>                  18 <b>well, but I think it was -- I think it indicates that</b>                  19 <b>they're looking for effective segregation.</b>                  20 Q. The issue of turnstiles was one that you discussed with                  21 Eastwood &amp; Partners, was it not?                  22 <b>A. Mmm.</b>                  23 Q. Can we look together, please, at SYP000028310423, which                  24 is a memo handwritten 12 April 1985, if we can blow it                  25 up, please, for Mr Chester to review. Do you see there</p> <p style="text-align: center;">Page 89</p>	<p>1 authority to have expressed a view on such a matter as                  2 the number of turnstiles, and you said no.                  3 <b>A. No.</b>                  4 Q. It was with this document in mind that I asked that                  5 question. Because what appears to be the case is that                  6 Sharon indicated to Mr Strange:                  7 "Turnstiles at back of west stand. Wanted.                  8 "...                  9 "34 in total."                  10 Ten to serve the north stand; eight to serve home                  11 standing; eight away standing; four home west stand; and                  12 four away west stand. Do you see that?                  13 <b>A. Mmm-hmm.</b>                  14 Q. From where would Sharon have obtained the information                  15 which appears to have been relayed by her back to                  16 Mr Strange?                  17 <b>A. I would strongly suggest that Sharon has sat with me and</b>                  18 <b>that in actual fact has been --</b>                  19 Q. So that was your thinking?                  20 <b>A. I would imagine so, yes.</b>                  21 Q. Here we see an increase from 23 turnstiles, which was                  22 the status quo, to 34. There were to be 16 for the                  23 standing areas, that being the terrace and the                  24 north-west terrace. Is that correct?                  25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 91</p>
<p>1 a letter or a memo in the hand of Mr Strange referring                  2 to a conversation with you:                  3 "[Part of another conversation about camera                  4 surveillance].                  5 "Turnstiles at back of west stand.                  6 "(1) he will speak with his colleagues to decide how                  7 many turnstiles are required. [fundamental to scheme]."                  8 And that was Mr Strange's own in parentheses:                  9 "(1) he will speak with his colleagues to decide how                  10 many turnstiles are required."                  11 Do you have a recollection of such a discussion,                  12 either with Mr Strange or with anyone else?                  13 <b>A. The only recollection that I have specifically is there</b>                  14 <b>were many and varied schemes put forth, and certainly,</b>                  15 <b>from evidence that I've seen in writing in the file,</b>                  16 <b>there's even a suggestion from the club to Eastwoods</b>                  17 <b>that it should be even 34 'stiles.</b>                  18 Q. I wonder, Jyo, whether we might keep this message on the                  19 screen and put up the memo of 17 April 1985,                  20 SYP000028310424.                  21 <b>A. That's right.</b>                  22 Q. This is a conversation between Mr Strange and Sharon.                  23 <b>A. Yes.</b>                  24 Q. You will remember I asked you a couple of hours ago                  25 about whether Sharon herself would have had the</p> <p style="text-align: center;">Page 90</p>	<p>1 Q. So 16 for a capacity as per the certificate in the event                  2 of 10,100. Are you able to help us at all, Mr Chester,                  3 as to how you would have arrived at those figures for                  4 the number of turnstiles?                  5 <b>A. I think some of the numbers would have been reflecting</b>                  6 <b>the difference between exact cash entry and anybody</b>                  7 <b>arriving without the right cash, so there was this</b>                  8 <b>split, but, again, I'm sorry, I can't be totally</b>                  9 <b>conclusive about that.</b>                  10 <b>But at that particular time, there was certainly --</b>                  11 <b>I think, if my memory serves me correct, it came from</b>                  12 <b>Inspector Calvert -- a suggestion that exact cash would</b>                  13 <b>help the flow of people through on a normal match day.</b>                  14 <b>So whether or not that is part of it or not, I don't</b>                  15 <b>know.</b>                  16 Q. I am going to suggest to you that that can't really be                  17 the underlying thinking, can it, because that wouldn't                  18 explain this expansion in numbers of the turnstiles?                  19 <b>A. It would need to do. You would need to increase the</b>                  20 <b>number of 'stiles if you're doing that.</b>                  21 Q. Because it's a slower process taking cash?                  22 <b>A. Yes, because you've got change.</b>                  23 Q. You see --                  24 <b>A. And you wouldn't have them going through the same</b>                  25 <b>'stile. It would defeat the object.</b></p> <p style="text-align: center;">Page 92</p>

<p>1 Q. You see, there had been 17 turnstiles feeding the west 2 stand, the terrace and the north-west terrace, and there 3 now were 24 feeding those three areas, if one tots them 4 up. Is that explained by the topic that you have just 5 raised of cash being -- cash turnstiles?</p> <p>6 <b>A. The flow of entry through turnstiles was quoted as, 7 I believe, a minimum of 7 per minute or a maximum of 8 12 per minute. And I think that if you -- on the lower 9 scheme, if you said that 15 turnstiles -- if you said 10 that 15 turnstiles were serving the Leppings Lane -- or 11 the 10,100 capacity, I think at 7 per minute you would 12 be fractionally under the capacity, but at 12 per minute 13 I think you would be significantly higher.</b></p> <p>14 <b>All I could imagine is that when somebody has looked 15 at that and said, "We've got 34", somebody may well have 16 said, "That's a bit of an overkill, in terms of 17 throughput".</b></p> <p>18 Q. Those flow rates, are those flow rates that you --</p> <p>19 <b>A. Those flow rates were flow rates that were given to me 20 by Eastwood &amp; Partners as a guide.</b></p> <p>21 Q. Was any part of the thinking underlying the increase in 22 the number of turnstiles at the Leppings Lane end to 23 address potential problems of congestion at the 24 Leppings Lane end?</p> <p>25 <b>A. I'm sorry, I don't -- I can't recall that.</b></p> <p style="text-align: center;">Page 93</p>	<p>1 Sharon had had last Wednesday, that I have already taken 2 you to, about the number of turnstiles required to serve 3 spectators. If we can keep that letter on the screen, 4 please, and also go to the plan that was in place, which 5 is SWF000001770010. That was Mr Eastwood's 6 configuration of an arrangement which included 7 34 turnstiles.</p> <p>8 <b>A. Mmm.</b></p> <p>9 Q. Do you remember this sequence of events, Mr Chester?</p> <p>10 <b>A. The only recollection I have of the sequence of events 11 would be that there were many, many different schemes, 12 and how we ultimately finished up at the original 23, 13 I am sorry, I couldn't give you that answer.</b></p> <p>14 Q. Let me see if I can assist your memory on that point. 15 If those could be taken off the screen. There came 16 a point, did there not, when an issue arose concerning 17 the costing of the scheme?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. Is that right?</p> <p>20 <b>A. From the documents that I have had available, yes.</b></p> <p>21 Q. If you will take it from me, the request for the costing 22 was on 1 May 1985.</p> <p>23 <b>A. Mmm.</b></p> <p>24 Q. Do you remember receiving Mr Eastwood's quote or 25 proposal for costing on 2 May, SWF000001770018,</p> <p style="text-align: center;">Page 95</p>
<p>1 Q. You see, you have described how with the move of 2 the club up into the first division you were expecting 3 larger capacity crowds, were you not? One doesn't have 4 to be an expert to see the sorts of problems that might 5 be created at the Leppings Lane end because of 6 the configuration of that part of the stadium?</p> <p>7 <b>A. Mmm.</b></p> <p>8 Q. Do you think part of the thinking might have been 9 recognition that there could be a possible congestion at 10 that end of the stadium?</p> <p>11 <b>A. Again, I think part of that would inevitably be 12 eliminated by virtue of the fact that decisions are 13 being taken to keep Leppings Lane purely for visitors. 14 So all the turnstiles, whether you're talking about home 15 standing or away standing, it would just be for the 16 visiting supporters, which makes life much easier and 17 obviously spreads the --</b></p> <p>18 Q. But not at this stage, because, clearly, what was 19 intended via this design was to provide segregation for 20 home and away supporters?</p> <p>21 <b>A. Yes. I still think there would have been -- it would 22 have come into their thinking somewhere along the line.</b></p> <p>23 Q. On 19 April 1985, Mr Eastwood wrote you a letter, 24 SWF000001770008. A letter of 19 April from Mr Eastwood 25 to you in which he followed up on the conversation that</p> <p style="text-align: center;">Page 94</p>	<p>1 2 May 1985. Could that be blown up, please. Do you see 2 the cost including the radial fence on the west terrace, 3 because that was a further proposal: 4 "... the cost of this work, including professional 5 fees, is likely to be in the order of GBP66,600."</p> <p>6 <b>A. Mmm.</b></p> <p>7 Q. But of course there would have to be added to that the 8 cost of refurbishing the toilets and the refreshment 9 area and ensuring that each part of the Leppings Lane 10 end had its own toilets and refreshment facilities. 11 That's right, isn't it?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. So it was GBP66,600 for the actual building works behind 14 the terrace, plus GBP60,700, including professional 15 fees, for the cost of the toilets. So total, if we look 16 at the next page, suffix 19, around about GBP130,300. 17 Do you remember receiving that quote?</p> <p>18 <b>A. I don't actually remember receiving it, but I can't 19 dispute it, can I?</b></p> <p>20 Q. No. Do you remember taking that proposal to the board?</p> <p>21 <b>A. The proposal would have been taken to the board by 22 Mr Addy.</b></p> <p>23 Q. By Mr Addy?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. Were you present?</p> <p style="text-align: center;">Page 96</p>

24 (Pages 93 to 96)



<p>1 <b>A. At the board?</b>                  2 Q. Yes.                  3 <b>A. I would be present at the board, yes.</b>                  4 Q. What do you remember of the discussion at that board                  5 meeting?                  6 <b>A. I think the board meeting might well be --</b>                  7 LORD JUSTICE GOLDRING: The jury are having a bit of                  8 difficulty hearing, Ms Lambert.                  9 <b>A. Sorry.</b>                  10 LORD JUSTICE GOLDRING: Forgive me, I missed it myself. You                  11 are standing back a bit, I think, Mr Chester. We are                  12 going to have a break at 1.00 pm anyway, so it is five                  13 more minutes, but if you talk towards the microphone,                  14 that would be very helpful.                  15 <b>A. Apologies.</b>                  16 MS LAMBERT: So Mr Addy took the proposal to the board?                  17 <b>A. Yes.</b>                  18 Q. You were present?                  19 <b>A. Yes.</b>                  20 Q. What was the reaction of the board to the proposal of                  21 building works and refurbishment amounting to about                  22 GBP130,000?                  23 <b>A. I think, in actual fact, it would be taken to the board</b>                  24 <b>not upon the day of the receipt, but looking at the</b>                  25 <b>papers -- again, my memory is not good enough to be --</b>                  Page 97</p>	<p>1 side, Mr Strange to you:                  2 "Told him about discussion with Inspector Calvert.                  3 Dick thinks that board won't go along with spending."                  4 It looks like 120,000. It could be 110,000, it                  5 could be 120,000:                  6 "Let him think about it for a while. Okay, we won't                  7 meet police tomorrow. I will tell them."                  8 Why did you think that the board wouldn't go with                  9 spending GBP120,000?                  10 <b>A. Because the board would not, under any circumstances, go</b>                  11 <b>ahead with one single quote, and if the information has</b>                  12 <b>come from Dr Eastwood that the value is around about</b>                  13 <b>GBP120,000, that would be subject to three competitive</b>                  14 <b>quotes, which applied across the board.</b>                  15 Q. Mr Chester, "Dick thinks that the board won't go along                  16 with spending GBP120,000".                  17 <b>A. Correct.</b>                  18 Q. Now, on the face of it, that is a note of you saying,                  19 not, "We need to get another five quotes for this work",                  20 but that the quantum of the money involved was just too                  21 much?                  22 <b>A. The first offer -- anything that I dealt with on behalf</b>                  23 <b>of Sheffield Wednesday Football Club in terms of</b>                  24 <b>expenditure, I would -- the board would insist on more</b>                  25 <b>than one price, and if somebody came in and said, "It's</b>                  Page 99</p>
<p>1 <b>to give it off the top of my head, but having had the</b>                  2 <b>benefit of looking at the papers, the board meeting was</b>                  3 <b>held, I think, on 17 May, if my reading is correct,</b>                  4 <b>which was a few days after the Bradford fire disaster,</b>                  5 <b>which I think, from the club's point of view, meant that</b>                  6 <b>they were going to have to spend some more money on</b>                  7 <b>significant work in the south stand. And the minute,</b>                  8 <b>I believe, does say that Mr Addy and Mr Chester, by the</b>                  9 <b>company secretary, were requested to take the issue back</b>                  10 <b>to Eastwood &amp; Partners.</b>                  11 Q. One final document before lunch, and it is                  12 SYP000028310438. It is a telephone memo from Mr Strange                  13 of 7 May 1985. This is two attendance notes of                  14 7 May 1985, and just for our reference, the                  15 Valley Parade, Bradford, fire was on 11 May. So this                  16 predates the Valley Parade fire, does it not,                  17 Mr Chester?                  18 <b>A. Yes.</b>                  19 Q. On the right-hand side:                  20 "Discussed proposals for fences on terraces and                  21 gates. Gates wanted by fire brigade."                  22 "I don't see why", says Mr Strange:                  23 "He explained about extra fence."                  24 So that is a memo of a conversation between                  25 Inspector Calvert and Mr Strange. On the left-hand                  Page 98</p>	<p>1 <b>GBP116,000" or even if it's GBP66,000, the chances are</b>                  2 <b>I would have said, "I'm not too sure the board will go</b>                  3 <b>ahead with that. We may need to get some alternative</b>                  4 <b>quotes", and that was the standard practice throughout</b>                  5 <b>Sheffield Wednesday Football Club. And there are plenty</b>                  6 <b>of music hall jokes, aren't there, about how tight the</b>                  7 <b>Yorkshire people are, but that is a situation. It was</b>                  8 <b>very -- they operated with a high degree of financial</b>                  9 <b>prudence.</b>                  10 Q. Mr Chester, just one more time: the implication of this                  11 note is not that there is a need to get more quotes, is                  12 it?                  13 <b>A. No.</b>                  14 Q. The implication of this note is that, actually,                  15 GBP120,000 is just making the board a bit queasy?                  16 <b>A. Yes.</b>                  17 Q. It is too much?                  18 <b>A. Not necessarily.</b>                  19 MS LAMBERT: Sir, might that be a convenient moment?                  20 LORD JUSTICE GOLDRING: Certainly. Thank you, members of                  21 the jury. I haven't forgotten your note.                  22 (1.00 pm)                  23 <b>IN THE ABSENCE OF THE JURY</b>                  24 LORD JUSTICE GOLDRING: Thank you very much, Mr Chester.                  25 You are obviously still giving evidence, so it is                  Page 100</p>

25 (Pages 97 to 100)

1	important that you don't discuss your evidence with	
2	anyone. I am sure you understand.	
3	<b>A. Yes.</b>	
4	LORD JUSTICE GOLDRING: Thank you very much.	
5	(1.01 pm)	
6	(The short adjournment)	
7	I N D E X	
8		
9	MR RICHARD CHESTER (sworn) .....1	
10		
11	Examination by MS LAMBERT .....1	
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