

5811. Q. This is the Mr. Tunbridge who you say your relationship was solely concerned with him teaching you to be an estate agent.
A. I had also known him since, as I said, the year 1950. He said 1940.
5812. Q. Now, I put to you, Mr. Poulson, that it would seem that some part of the sums payable to Mr. Smith might seem to be payable by Messrs. Bovis or to be contributed to by them. Do you repudiate that suggestion? A. I certainly do, because I have no justification or proof that I ever acted on their behalf in connection with Smith.
5813. Q. For whom was Mr. Smith trying to get town centre developments?
A. In some cases for Bovis and in some cases for me.
5814. Q. Why should he work for Bovis for nothing? A. He didn't work for Bovis. You have read an agreement where Bovis were paying him 1 per cent.
5815. Q. Yes, but you say nothing came of it. A. Well, I don't think it did. I can't recall, but I don't know what Bovis did without me. They might have done things without me, as that previous letter from Vincent said.
5816. Q. So Mr. Smith would have a bucket under more than one tap?
A. Well, he had a lot of P.R. jobs for a lot of people.
- MR. MUIR HUNTER: Now, let us see how Mr. Smith describes his own functions. This group of documents, sir, consists of three manuscript sets of notes which appear to be in Mr. Smith's handwriting and which were found on one of the files discovered last week entitled "T. Dan Smith, October, 1963/December, 1964". I will hand the witness the originals. They have not been typed out. The witness can identify the originals.
5817. Q. Mr. Poulson, there are three sets of notes, one headed "Mr. Poulson - Sunday". A. I know, I was looking for the date, sir.
5818. Q. They are October, 1963, according to their place in the file.
A. Oh, so it shows you how inaccurate they are. Cannon Street is the most inaccurate of them all, of course. Newport Road, I don't even know where it is. Tetlow is the Planning Officer, my planning principal. Stockton, he had nothing to do with; that was a local authority. Oh, Stockton Race-course; well, he had nothing to do with that because that is a private company, and it is still a race-course. The second page is all about Skarne.

5819. Q. Perhaps you would go down to the section which begins "Notes for consideration and decision." Tell me when you have finished, Mr. Poulson, will you? Have you read that, Mr. Poulson? A. Yes.
5820. Q. Could I draw your attention particularly to the section entitled "Notes for consideration and decision". The first part is historical. Second page: "It became obvious to me that the potential of this required the building up of a national organization specially for the purpose of propagating the J.G.L.P. organization, and that for professional reasons that this could only be done under my direct control and by selection of a number of individuals, all of whom would be advised by me. These people would also be advised on town centre redevelopment work. They must have a basic salary with car, an expense allowance; must, of course, work for me and be unaware of any tie between J.G.L.P. and me. To retain them in effective service, some commission basis must be offered them"; and please turn over. This is a description of what became the Dan Smith network, is it not? A. Well, I don't know these people, of course.
5821. Q. No, but you read this document, did you not, when it came in? A. I can't recall it, sir, at all. I can't recall ever having seen it before.
5822. Q. It was found on your file. A. Yes, I say I can't recall it, though. It is, after all, twelve years ago.
5823. Q. Nine years ago to be precise. A. I am sorry, I thought you said '62.
5824. Q. 1963. A. Well, that is ten years ago, surely - '73 now.
5825. Q. Do you not remember that when I was asking you questions about this on Day 3 you pretended to be completely ignorant of Mr. Smith's organization? A. I did not recall this, and I am completely ignorant of Mr. Smith's organization, even after seeing this. It can mean a lot of names and I don't even know if they are alive. I have never seen them and I don't know anything to do with them.
5826. Q. You said at Question 1887: "I am unable to say what the money was paid to Smith for". A. Or what he got.
5827. Q. And 1895: "Smith never reported to me in any shape or form." A. He didn't. This isn't a report of what he's done.

5828. Q. No, Mr. Poulson, wait for it. And you said: "I never went to any of these authorities with him and he never showed me any budgets." Question 1914. What is this thing you are looking at if it is not a budget? A. Well, if it is, but I mean it isn't a budget as far as I am concerned, because I would expect to have a little bit more detail - a lot more detail - than this if it was a budget. They might be all names that don't exist even, people. There is even "A. N. Others" in three places.
5829. Q. Look, Mr. Poulson, you know who Ken Allen is. A. It isn't the same. You notice it's Scotland. That is the thing I said straight away. I immediately suspect this.
5830. Q. You do not know the Scottish Allen, do you? A. No. I mean, that's where you are wrong again.
5831. Q. What about Roy Hadwin? A. I only know, as I told you before, when he had that case after he was Lord Mayor of Newcastle with Smith. That is the only thing I ever knew of him.
5832. Q. Mr. Poulson, you must take it from me, please, that there are letters describing close meetings between yourself and Alderman Hadwin. A. Well, I aren't aware of it.
5833. Q. So this is a budget amounting, is it not, to £22,600 a year? A. Of which £6,000 are "A. N. Others"; and who this Haynes is, I have no idea. Who Eddy is, I have no idea.
5834. Q. "Less payments made, £10,450", so the uplift was £11,150. Do you remember expressing surprise at the vast amount of money being paid to Mr. Smith? A. I should think I did.
5835. Q. This document, if you saw it, shows that he contemplated spending over £22,000. You said it was a sum which, when you saw it here, filled you with horror. A. I should think it does. It does now.
5836. Q. Do you mean that you saw this document and did not read it? A. Look, sir, I can't remember. I don't remember anything about it, and I didn't remember that we had had it ten years ago.
5837. Q. On the next page you will see "Decisions wanted. Is the pattern agreed - is it considered a reasonable financial proposition as set out. If so, the financial deficiency on this field would be £11,150 per year to be met." And it was met, was it not? A. Yes.

5838. Q. So we may take it, may we, that you did meet Mr. Smith and you agreed this programme? A. I certainly must have met him.
5839. Q. And you agreed this programme? A. Yes.
5840. Q. Why? A. He must have talked me into it. I can't think of any other reason.
5841. Q. What was the money to be actually spent on? A. As far as I was concerned, we were to get on lists, and the opportunity to tender against other people, for town centre developments.
5842. Q. Tender? A. Well, it was always tender, was town centre development.
5843. Q. Does an architect tender? A. No; the developers associated with us. We submitted it with a developer, but we did all the work including the recommended fee to be tendered for.
5844. Q. Well, now we are a year on from the correspondence between yourself, Mr. Vincent and Mr. Smith, in 1962, in which it appeared that Mr. Vincent was to pay Mr. Smith a commission on town centre developments, and you said that never went through. A. That is toally different from this. That is why I say --
5845. Q. Mr. Poulson, if we find Mr. Smith proposing to you, and you accepting, this scheme whereby he was to get town centre development opportunities for your developer friends, it was to be entirely at your expense? A. Well, it would look to me as wearing two hats after reading this.
5846. Q. If Mr. Smith got a town centre development, shall we say for Mr. Bovis, and it cost you at the rate of £21,000 a year, which is what - £400 -- A. We never did get to that figure, though, did we, if you look in that. I think the top figure was fifteen.
5847. Q. But you spent £155,000. A. Yes, but I think you will find, if you look at those figures, fifteen.
5848. Q. Never mind -- A. But that is different to twenty-one, sir.
5849. Q. If it cost £400 a week -- A. It is 30% less.
5850. Q. Or £300 a week to run the organization of Mr. Smith to catch this fish for Messrs. Bovis, why should they not contribute to the cost? A. Sir, as far as Bovis are concerned, I can only speak for myself. I am not aware that Bovis ever did any town centre development - build any - with me, as such; with me as their -- with them as the developer. They have built

town centre properties - not developments, but blocks of shops and offices - for Arndale with me, and they were the builders for Arndale and they had it non-competitive.

5851. Q. So Arndale got these town centres? A. No, they didn't get any either - not town centres.
5852. Q. Well then, for whom did Mr. Smith's very expensive work obtain the town centres? A. Well, I can't give them, sir, you will have to ask him, because I mean --
5853. Q. What on earth were you spending this money for? A. Nowadays, I have said before, I don't recall anything that he did.
5854. Q. Mr. Poulson, you dig yourself in to an increasingly impossible corner. A. I don't wish to say things that I can't remember or don't know.
5855. Q. You don't wish to let down your old friends the developers, I suppose? A. Oh -- Look, I haven't any friends now, thanks to you.

THE REGISTRAR: That sort of remark is quite uncalled for.

THE DEBTOR: I am sorry, sir. This is the position. I have no income; I can't even get unemployment. I can't get anything and yet why? All this publicity.

THE REGISTRAR: Just confine your answers to the questions.

THE DEBTOR: No, but look. There is a law --

MR. MUIR HUNTER: The problem here is the vast quantity of material from which I endeavour to extract very, very few documents.

5856. Q. I just open the file, you see, and I see a letter dated the 18th November, 1963, about a month later than that memorandum. It is addressed to Mr. Kirkup who was Mr. Smith's partner, was he? A. I don't know.
5857. Q. You know Mr. Kirkup. You went about the country with him. A. Oh, did I?
5858. Q. Yes. A. I did not. You make statements about --
5859. Q. "Dear Mr. Kirkup. I hope you have noticed about Durham City." Now, did you get something in Durham City? A. The best thing is, ask them, because it is no good me telling you. You refute it.
5860. Q. Well, did you get something in Durham? A. Ask the Durham Council. Write and ask them.

THE REGISTRAR: Mr. Poulson, you are here to answer questions.

THE DEBTOR: Sir, it doesn't matter. Then he will turn round and say I --

THE REGISTRAR: Do not argue with me; just answer the questions.

THE DEBTOR: No; never even had a (?road) I shouldn't think.

MR. MUIR HUNTER: I read the letter: "I hope you have noticed about Durham City" -- A. I suppose there was an advert in the press.

5861. Q. "Dan had arranged for us to get this with, I think, the help of the Chairman of the County Council, Alderman Cunningham." Do you remember writing this letter? A. No.
5862. Q. Do you want to see it? A. No.
5863. Q. Mr. Cunningham was on Mr. Smith's paid staff, was he not? A. Which I wasn't aware of at that time, until you showed me later, so don't let's misunderstand that. He isn't on this list.
5864. Q. You sent Mr. Cunningham on holiday several times, do you remember? A. Yes, but that was much later and over those office blocks we built for the trade unions.
5865. Q. 14th December, 1963, you wrote to Mr. Dan Smith: "Dear Dan, I was delighted to see you again yesterday. I only hope that you were not too tired yesterday afternoon as a result of my visit. I was thrilled with everything" - like, perhaps, Durham. I continue: "I am coming up to see Cunningham next Friday morning and will come on to see you afterwards". And you mean that Mr. Dan Smith kept you in the dark about Cunningham being on his payroll when you were seeing them both on the same day? A. Certainly. As far as he was concerned, I did not know. I was seeing Cunningham - I suppose he was Chairman of the County Council - he probably asked me to call as I was doing various jobs for the County Council, or I was there for some officials, I don't know. I could have been seeing the County Architect and he found out.
5866. Q. You thought, I think, that you were being taken advantage of by being made to pay twice over. Is that right? A. I am saying that people -- I think Bovis and them were wearing two hats, according to your interpretation, but that is the only thing; it is your interpretations, not whether it is fact.
5867. Q. Mr. Poulson, I am anxious to discover who was the real paymaster of these enormous sums, the application of which you cannot recall and the justification for which you cannot give. I am suggesting to you that you were funded by the developers

- for whom you and Mr. Smith were touting for business, were you?
A. Well, I am awfully sorry to have to disappoint you again, but I was not being funded by anybody.
5868. Q. I have here a letter dated 21st January, 1964, from yourself to Mr. Smith covering five pages, containing about fifteen town jobs that Mr. Smith was working on and on which you were giving him advice. Do you remember such a -- A. I wouldn't remember odd ones, but I mean, tell me which they are and I will tell you if we did any.
5869. Q. Did you have the power to nominate chairmen for new towns?
A. Good Lord, no.
5870. Q. I read: "Dear Dan, I would bring to your attention the following points. I am leaving spaces of three lines between each one so that you can write notes in if you wish. Chairmen for Washington", was that a new town? A. Yes.
5871. Q. "Washington is to be on its own and not attached to the other two, Peterlee and Ayton. Williams is as unpopular as ever at the Ministry, so you can give me a name for chairman and also a name for General Manager." A. I don't know --
5872. Q. Who at the Ministry gave you -- A. Nobody.
5873. Q. -- the right to appoint the Chairman and General Manager?
A. Nobody.
5874. Q. What did you mean by this paragraph? A. I have no idea, sir.
5875. Q. What was he going to do? His friend at the Ministry would nominate Mr. Poulson's choice? A. Nonsense.
5876. Q. "Warrington. I have written Kirkup about this. We want to submit a design for town centre here. He has got the road plan for me and I am now waiting for his reply." A. We've had this before, sir, and I told you I got the block -- I was given the block plan and we never did any plans; we never did any development plans or anything else for it.
5877. Q. "Bradford". A. We didn't do anything there.
5878. Q. " -- A meeting with the leader of the party is very desirable." Why should that be? A. Well, for the simple reason if we were going to do a development, obviously, but I mean we didn't do any. I was already working for Bradford.
5879. Q. "Bolton. We are going to be interviewed here for the town centre development and your friend Singleton ought to make sure he is on the committee." A. We have never been interviewed for Bolton and never --

5880. Q. Do you remember Mr. Singleton? A. No, I don't.
5881. Q. Bear with me. Mr. Singleton -- A. He is on that list.
5882. Q. Exactly. "Clydebank. Clydebank Borough has been lead by one Councillor Braimes. He is now, however, losing his grip and there is a trial of strength splitting the Council at the moment, with no clear indication as to who the next strong man will be." A. As I never went here, and that was the information of this man who you keep saying how wonderful, Richardson, he went to Clydebank, and he went to Clydebank on more than one occasion.
5883. Q. Felling. You remember the Felling case, the Point Blocks? A. But we haven't done a town centre there.
5884. Q. No, the Point Blocks at Felling who were talking of vast claims against your estate. Do you remember? A. Yes.
5885. Q. "Felling. Don't forget, they are making the appointment next Tuesday evening at 6.30 as to whose system is to be adopted and it is a housing sub-committee. I will leave this for you to organize." What did you mean by that? A. I've no idea, sir. Well, the only thing is this, that we never were asked to give any advice at Felling. They chose two systems and I don't know who they were going to choose for the second.
5886. Q. What did you think that Mr. Smith was to organize? A. I've no idea, sir. They weren't consulting me; they never did on such schemes.
5887. Q. This letter concludes by referring to Mr. Cunningham's holiday. What was the connection? A. I've no idea.
5888. Q. No connection at all? "I shall be sending you all the information re Andy Cunningham's holiday, and you can deal with him, not me." A. Well, that proves that I didn't know it was on Smith's thing. I wouldn't be telling him that if I knew.
5889. Q. Why were you sending Mr. Cunningham on holiday? A. For the same reason as you have been told before, because he asked me after those trade union jobs --
5890. Q. Because your (inaudible) something for the Coal Board? A. No, the Coal Board had nothing to do with it. Trade Unionist, he is.
5891. Q. He was on the County Council? A. But he was a Trade Unionist, I built three offices - four offices for the Trade Union.
5892. Q. I have here a letter in the personal handwriting of Mr. Smith, February 16th, 1964: "Dear John". The second paragraph reads:

"Mr. Mallory spoke to me about a letter he has had from Arndale re Gosforth" - that is another development, is it, Gosforth? A. Yes, but we haven't done it.

5893. Q. "I had recently been talking about Bovis. Which do you think?" This is a letter asking you which of two developers you favour, is it? A. Which was the other developer I favoured?

5894. Q. Arndale or Bovis? A. Well, they are the same.

5895. Q. No. A. Oh, yes. But look, Bovis never did any developments if Arndale were doing --

5896. Q. This letter is asking which developer you favour. A. I am sorry, but it wouldn't make any difference because Bovis were not in opposition on developments to Arndale. They were the builders for Arndale, and it would not have been business to Bovis.

5897. Q. I continue: "Will you remember to post off the commission I mentioned the other day. I want to get this off my mind on Tuesday before I go away as it will produce results while I am away." What results would commission produce? A. I have no idea, sir. I don't know what it is referring to, it's ten years ago.

5898. Q. On the 20th September, 1964, he writes to you - you had just had an accident. He says: "I spoke to Mr. Mallory on Sunday on a number of matters. I am in Scotland with Mr. Richardson this week. If all goes well I am making the Scottish staff arrangements as from October 1st as discussed with you." In the face of that letter do you still say that Mr. Smith never reported to you? A. I didn't say he didn't report; I said he came down and saw me every six months and told me what roughly he wanted to do and I --- eventually there was no mention of any names or what he was doing, he just said an overall sum but not details.

5899. Q. I continue: "I have also arranged with our London friend to provide the car immediately after the General Election and will await your suggestion on this matter." No other indication of what the car is about. A. Neither have I.

5900. Q. Or the London friend. Now, do you remember providing a car for one of Mr. Smith's London friends? A. Not for -- I remember providing a car for Mr. Smith, not for one of his friends.

MR. MUIR HUNTER: Wait a minute. Does anyone know the date of the General Election?

MR. CRYSTAL: 15th October, 1964.

5901. MR. MUIR HUNTER: In a letter which appears in the file just before the 6th October, Mr. Smith writes: "Dear John, Will you be good enough to arrange for me to have the Scottish cheque from now on. I have paid them as from 1st October." So, the Scottish money was to go via him was it? A. I don't know. I can't remember any of this, sir.

5902. Q. "I have also promised to arrange for a car for our key London man as discussed with you some weeks ago." That must, I think, be the last letter I read. "I think you intended to buy it in London. I would prefer it not to be traceable if possible for your own professional protection." A. Well, I don't know what that refers to but he didn't get a new car, he got an old one.

5903. Q. Who was it? A. I think, if my memory serves me right, which I don't know, it would be Ward - he is the only one I knew of.

5903a Q. No. "Key London man"? A. Ward was the one.

5904. Q. "Key London man." A. I wouldn't call him a key London man. If you saw him you wouldn't think so. I didn't see him in those days, I haven't see --

5905. Q. And this was a person whose identity was to be concealed? A. I don't know, but that's what that letter says, but I mean I can't see any reason why. He's a Trade Unionist.

5906. Q. Is this the Mr. Ward who worked for Transport House? A. I don't know where he worked, sir. But he is the only one I can remember that Smith -- But it wasn't for him; it was for Smith as far as I'm concerned.

5907. Q. In London? A. Yes. Well, Smith was in London two or three days a week.

5908. Q. But he describes himself as "our key London man". A. Well, I mean, he can describe him, it doesn't mean to say he was. He might be as far as they are concerned, but he wasn't as far as I'm concerned. I never met -- I met him twice I think. He is about the only one I did meet of his set-up and I was very unimpressed.

5909. Q. Did you normally acquire a large number of test match tickets? A. Yes.

5910. Q. Did you send them to Mr. Smith? A. Yes, at his request.
5911. Q. Did you ask him to distribute them? A. I didn't ask him; he asked me to send him so many. I don't know what happened to them.
5912. Q. Do you remember writing a letter asking him to use them to get housing? A. No.
5913. Q. You do not remember that? A. Definitely not. It would be for O.S.B. I would expect; it wouldn't be for me.
5914. Q. In a letter written from Formentor on the 1st March, 1964, on your own notepaper for some reason, on a holiday that Mr. Smith was taking at your expense, he wrote to you as follows. He makes some complaints about the organization. "I thought a lot about this once you left and we will meet and, if you approve the ideas, get moving. I have also got the idea for what I can organize abroad and sort it out for discussion with you. The basis for success in any region, the North East success has proved to me, is top contact and someone on the ground to drink pints and make friends with the rank and file." What did you understand Mr. Smith to be saying there? A. I wouldn't know, sir, but as I --. I think nobody would accuse me of drinking pints or drinking anything, so I wouldn't understand.
5915. Q. He says, "I know the people we need. The prizes are great, but we will miss some of them needlessly unless we take steps forward now." A. Well, we must have missed the lot.
5916. Q. I want to ask you some questions about the Leeds Corporation Pool. Now, this was built by Messrs. M. Harrison & Co. (Leeds) Limited, was it not? A. Yes.
5917. Q. An old friend of yours, Mr. J.J. Harrison? A. I had only met him as a contractor, sir, having built three schools previously for Leeds Corporation.
5918. Q. You wrote him some very fine letters. For example --
A. We had a mutual respect for each other in the building trade.
5919. Q. On the 31st March, 1966, when he had written to congratulate you on drawing up the engineering design for the pool, he wrote, "You are respected for your great integrity, a rare thing, if I may say so, in the building trade." So, may I take it that Mr. Harrison was a person with whom you were on good mutually respectful terms? Is that right? A. I was, as contractor to architect, yes.

5920. Q. How long had you known him? A. Since we built the first school for Leeds Corporation.
5921. Q. When was that? A. I can't recall the date, sir. You had better get it.
5922. Q. Ten years before? A. No, less.
5923. Q. Fifteen? A. I wouldn't know. You can go 6, 5, 4, 3, 2, 1.
5924. Q. Well, you knew him in 1960 because we have your signature on a charity contribution receipt that you obtained from him. Shall we take that date? A. Tell me, you might have got the wrong Harrison. You know there is more than one Harrison in this world.
5925. Q. We do not make mistakes like that. A. I am sure you have before, and I think you will in this case.
5926. Q. Do you want to be shown the contribution books? A. Yes, sir.
5927. Q. For crippled children or something? A. I don't know; that's why I'd like to see it.
5928. Q. You paid £10. Well, know, in this case the tender, or the tenders, for the pool were to be lodged on the 20th January, 1965, if you will take the date from me. Did you work with Mr. Harrison on the design of the pool before the tender date? A. Well, I think the answer to that, sir, is an emphatic "No", because we don't work on a design with any builder on any job.
5929. Q. If Mr. Harrison's company's tender arrived at the Corporation on the day of the tender - date for tenders was notified, would you think that was physically possible if he had not been working on it before? A. Sorry, I don't understand what you are getting at.
5930. Q. Well, tenders are announced, are they not, on such and such a day, to be completed in so many days? A. They are not allowed to be completed so many days. The date when they can get the particulars from the Corporation -- They get them from the Corporation, not from me, and then they are returned to the Corporation, and there, in the case of somebody local, he would have it delivered by hand, he wouldn't send it by post, not risking the post.
5931. Q. At any rate, there is a day when people know what the job is, do they not? A. When the tenders have to be returned, and they--
5932. Q. No, when the tenders are invited, surely? A. They are advertised in the press; they have to be.
5933. Q. That is the day on which, so to speak, the race begins? A. Yes, but those documents are sent from the Corporation, not from me, and they make application for them.

5934. Q. On the 20th January, 1965, the City Architect's Department of Leeds, Mr. Weston Stanley, City Architect, issued to eight tenderers a scheme for the erection and completion of the Leeds Central Baths. "As requested, I enclose the following documents to enable you to submit your tender for this project", and this had to be in by the 1st March, 1965. Would you take that date from this letter? A. Yes. Well, it's only telling you what I have already told you, that they sent them out, not me - the authority.
5935. Q. Can you say definitely that you had no collaboration with Mr. Harrison on the preparation of his tender? A. Look, sir, I didn't -- The preparation of his tender was nothing to do with me or my staff.
5936. Q. I asked you a specific question. A. Yes.
5937. Q. Did you have any collaboration with him or not? A. No.
5938. Q. Did you write to him? Did Harrison ever communicate with you about it at all? A. I've no idea, sir. They can ask questions about it, explanations of specification items, or details like that. We often get them from builders.
5939. Q. Yes. Now, my reason for these questions is this. Mr. Harrison's company has put in, as part of the claim of the Leeds Corporation against you, a claim for £120,000 due to obstruction of Harrison's work by the other contractors. You said you had had no discussion with Mr. Harrison about the baths. A. A discussion -- There might have been a request, as there are from any builders, about various items in the Quantities of which they need further clarification.
5940. Q. Well, on the 30th June, 1964, there is a letter from Mr. Harrison -- A. Before the tenders came in, is that?
5941. Q. Before the tenders were issued? A. Before it was issued. I thought you said May they were issued.
5942. Q. Mr. Harrison writing to you says, "re Proposed New Central Baths, Leeds. We shall be pleased to know if it would be possible to negotiate the above contract on similar conditions to the contract carried out by us on the Branch College of Engineering in Leeds for the City Architect". Was that a non-tender job? A. I wouldn't know, sir, as it was the City Architect. And, furthermore, that is a reasonable letter for Mr. Harrison to ask -- He would see it in the press that it was going through, that we were doing this job, and he would write and ask if it was going to be a negotiated one or a public tender. It was a public tender. I never did any of the

negotiated ones, and I'm sorry you have tried to read into something against Harrison's conduct.

5943. Q. Now, do you remember on your staff a Mr. A.E. Batty? A. No.

5944. Q. Well, he seems to have been on the staff which was concerned with the carrying out of the baths contract. A. I wasn't aware of it. It thought it was a man called Crocker who was the principal who did this.

5945. Q. Well, we find Mr. Batty's name in connection with this. Do you know any of Mr. Harrison's co-directors, one of whom is a Mr. Batty? A. Yes, a joiner.

5946. Q. A joiner. A. Foreman joiner when I first knew him.

5947. Q. J. A. Batty? A. Yes.

5948. Q. Could he be any relation to the Mr. Batty whose name we find among your staff? A. Not that I am aware of, sir. I would like to know, is this an engineer?

5949. Q. I have here, supplied by Leeds Corporation, a Statement of Claim in respect of Leeds International Pool presented by Harrisons in November, 1971. This is a full list of their claims for damages. A. Which I have never seen.

5950. Q. Never mind. Do you know anything about this? A. I said, "Which I have never seen", so how can I?

5951. Q. This document is prepared by a consultant surveyor called A. E. Batty. Do you know such a person in the Harrison Organization? A. No, sir. Is he the same as their director?

5952. Q. No, the director is "J". Now, it may be a coincidence, I don't know how common the name "Batty" is up here, but a Mr. A. E. Batty, in January, 1966, when the dispute about the final account on the baths -- the preparation of the final account for the baths -- was being the subject of correspondence in your office on the file "1547/10 Leeds Central Baths I.O.M."

A. What year is this?

5953. Q. 1966. There is a memorandum to Mr. Crocker and Mr. Jowett -- those were two of your employees -- A. They were the two principals concerned.

5954. Q. From A. E. Batty. A. I don't know who it is.

5955. Q. Well, he says, "Leeds Central Baths. This morning I attended a meeting at Harrison's office with Mr. Jowett and Mr. Thompson." So, he was apparently a member of your staff who was making a minute for his superiors of this meeting with the contractors. "No minutes were kept of the meeting. It was plainly stated that the subject matter discussed had better not be committed to official records, such as minutes or

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correspondence. This memo is not therefore being passed through conventional channels but is more of a confidential note." So that this is obviously something a bit hush-hush. A. I don't know anything about it, sir. This is the first I have heard of it.

5956. Q. Now, Mr. Harrison puts forward a number of complaints about the hold-up in the concreting work following the erection of the structural steel framework. That is one of his present complaints, is it not? A. I don't know what his present complaints are, not having seen that document.

5957. Q. But you have seen the -- A. I have seen that letter.

5958. Q. You have seen the Council's proof, have you? A. No, I have seen that letter which doesn't say what it is, just figures.

5959. Q. Well now, there is a long description of this meeting and some extremely frank remarks about Mr. Harrison. "I do not truly believe that Mr. Harrison is interested in equitable settlements or justice. He has merely set his heart on recovering a sum of money and will do so by fair means or foul." Is that in accordance with your view of Mr. Harrison? A. Who said this?

5960. Q. Mr. Batty. A. I wouldn't --. Mr. Harrison will try and get his pound of flesh, but I don't think he would do it more than that. He would try hard, but he couldn't be expected to do other. He is a very tough character.

5961. Q. And then, "The value of that sum is immaterial. If he can recover something by guile he will rest content --" A. I am glad --

5962. Q. " -- until the next opportunity arises." A. This is the man you say that's written the report.

5963. Q. Bear with me, that is my, sort of, final punch-line. "This puts Poulson's representatives in an unenviable position. We have to work with Harrison, and Harrison has demonstrated his power to make uncomfortable the lives of those who disagree with him. Unfortunately, it is very easy to disagree with Mr. Harrison. The most important consideration of all, I suppose, is that Harrison is not a client but if we resist unreasonable pressure on the client's behalf we are doing what he pays us for. There may also be a reward in heaven." Now, you would think that was a fine upstanding letter from a junior officer, would you not? A. I think it is a disgrace, that's what I think it is.

5964. Q. You do not believe in fighting for the client? A. I believe in fighting for the client, but I don't think that when a man

puts that in the end he is fit to listen to.

5965. Q. How do you suppose it could come about that a person who could write about the Harrison contract and Mr. Harrison like that, could become the person, if it is the person, who signs Mr. Harrison's Statement of Claim? A. I am horrified. That's why I asked you if it was the same person earlier on, sir. All I can say is it looks very, very --

5966. Q. Odd? A. Well, it doesn't look odd, it looks a terrible reflection on the man's integrity. Can you tell me if he is a qualified man?

5967. Q. It may not even be the same chap. A. It might not be the same man?

5968. Q. The strange thing, Mr. Poulson, is this, that on the 30th March, 1966, you and Mr. Harrison were exchanging the most affectionate letters. A. Mr. Harrison and I got on very well. (1) because we gave the information to Mr. Harrison to build quickly. He liked to build quickly and otherwise we wouldn't have done all this work for Leeds Corporation - we seemed to fit in harness - until this job.

5969. Q. But either the letters that you and Mr. Harrison exchanged in March were totally hypocritical -- A. They were not, so let's be quite clear about that - either of them.

5970. Q. We will start with Mr. Harrison's own letter of the 30th March. (Handed to witness). A. Well, very, very, excellent letters. I think both sides ought to keep them.

5971. Q. Well now, Mr. Harrison writes on the 30th March, 1966: "Dear Mr. Poulson, Leeds Central Baths. Now that the completion of structural drawings for this project is (inaudible), I feel I must compliment you on the efficiency of the engineers in the structural design section concerned, and to tell you how impressed I and my staff have been with the help and co-operation received from the very outset. Such co-operation or lack of it as you will well realise can mean the making or breaking of a job. In this case, it has been of paramount importance in the smooth running of the contract from the beginning. I am sure you will be as pleased to hear this as we have been to receive the benefit of it, and I particularly wish to associate Mr. Thompson and Mr. Danby in my remarks. I have never experienced such complete co-operation and efficiency by any structural engineers on any project we have ever carried out."

And you reply: "Dear Mr. Harrison, Your letter of the

30th March is one that I shall always retain. But then it is typical of you. We know that we always get the truth from Mr. Harrison whether it is in his favour or not. That is why, as I am sure you appreciate, you get such help and co-operation, certainly from this office. You are respected for your great integrity, a rare thing, if I may say so, in the building trade. Nonetheless, I do appreciate your remarks very much indeed and am sending a copy of your letter to Messrs. Thompson and Danby, and no doubt they will be writing personally. For my own part, the more we have your firm to co-operate with us in building, the happier we shall be, because together I think we can build more quickly and better than anyone in this land." Well now, were those letters sincere? A. Absolutely, and that's why we got the work. That's why Leeds Corporation, when they got into a mess on Cross Green, brought us together.

5972. Q. Now, you see, the question is this. Unless Mr. Batty, writing to Mr. Crocker, your partner, and Mr. Jowett, was making up a complete invention which is surely not impossible, he was giving a picture of Messrs. Harrison's attitude to this contract which two months before was totally at variance with your letter. A. I think you ought to probably find out, sir, here -- For a period during the course of this contract, Harrison resigned from the firm as Chairman and Managing Director, and because they got into troubles he had to come back. I don't know what period it was that he was away from the firm, but he was, sort of, President for a time and he had quite a little bit of trouble. As a result, he put in people who were not as efficient and he promoted them much higher than their qualifications justified.
5973. Q. The point is this - it is not an abstract point, Mr. Poulson -- A. Well, I would like you to check up the dates of that. I think that could explain it.
5974. Q. Either Mr. Harrison's firm were unjustly and disadvantageously obstructed in the carrying out of their contract, or they were not. Now, what is your view? A. Well, sir, as I wasn't the resident architect but this man Crocker was on the site, I would think, at least every other day, if not every day of the week, he would be able to answer that question far better than I. I probably didn't go on once a month.
5975. Q. You mean you have absolutely no idea about a job which cost $1\frac{1}{2}$ million pounds? A. I didn't employ the highly paid staff that I did, sir, and go on the site every week. No, I did not.

But I had no knowledge of any complaints.

5976. Q. In your view, if you were capable of writing to Mr. Harrison in that friendly and specific way about the getting on with the job -- A. After the experience of Matthews --

5977. Q. Mr. Poulson, bear with me. Then it is plain, is it not, that Mr. Harrison's company's complaints are fictitious and designed to put in a proof which is wholly unjustified?

A. I said this right from the beginning, sir.

5978. Q. You said that Harrisons were inefficient in some ways?

A. No, sir. I have said this from the beginning.

5979. Q. Now, there is one more thing, Mr. Poulson. Mr. Poulson, this has been a long and complicated investigation, has it not, and I cannot think that it is finished yet, but you have given evidence, have you not, about a large number of contracts with people in different positions and different industries.

A. Well, in my sphere naturally I have met a lot of people.

5980. Q. And to many of the people with whom you were in that relationship you made presents, did you not? A. Yes.

5981. Q. I want you to look at this diagram. (Handed to witness)

Mr. Poulson, this has been described, without offence, as the "Poulson Network." It is only a part of the facts because they could not all be represented on one sheet of paper in two dimensions. You see, you and your organization are in the middle, and round you are your principal clients. The black lines are links which are established by the evidence; the red lines ending in an arrow represent the movement of money, which means cash, cars, presents, mortgages, holidays, and so forth. Now, do you say that all the red lines are, in fact, just presents? A. Sir, I couldn't even --

MR. SAFFMAN: With respect, sir, this is something which could have been sent --

MR. MUIR HUNTER: It was prepared last night after reading new material.

MR. SAFFMAN: In that case, sir, surely it is a matter which Mr. Poulson should have an opportunity of considering before he answers. To be faced with something like this and to be asked about it immediately --

MR. MUIR HUNTER: Well, I will take that up next time.

THE REGISTRAR: Well, it is a complicated document.

THE DEBTOR: Well, I mean, I think this is disgraceful, trying it on.

5982. MR. MUIR HUNTER: Every statement on this paper is derived either from your answers or -- A. But you have made mistakes, Mr. Hunter. Even you have admitted to one or two.

MR. MUIR HUNTER: I shall be corrected, I am sure. Well, perhaps we can take this up at another time. I think, sir, we have had a very long day and I cannot say that I have yet got to the end. I hope on the next occasions to deal in a little detail with the foreign operations, in particular what we call the "Beirut files", and certain other aspects which we are at the present moment investigating. I do not know whether my instructing solicitor has approached you for another date. The court has been very indulgent with us.

THE REGISTRAR: Well, I suggested four dates. Which one is convenient?

THE OFFICIAL RECEIVER: 5th March.

THE REGISTRAR: 5th March.

MR. MUIR HUNTER: I am greatly obliged.

THE REGISTRAR: Then this Public Examination is adjourned to Monday, 5th March, at 10.30 a.m.
