

Resource 4.5

Date: Tuesday 15th October 2011

Crime: At about 7pm, a hooded figure committed an attempted arson on a garage in Manor Road Ealing. A series of cloth rags were placed into the letter box and deliberately set fire to.

Premises where crime occurred: Fisher Motors Garage, 70 Manor Road, Ealing

Defendant: Simon Gavin Cross

Age: 22

Abode: 13 Carson Way, Ealing, London

Height: 6ft 1

Weight: 12 stone 4

Physical description: light blond hair, wiry frame, white Caucasian

Charge: attempted arson - reckless as to whether life was endangered

Witnesses

Witness 1 - Arthur Grainger, neighbour and retired schoolteacher

Witness 2 - Eddy Masterson, petrol station proprietor

Witness 3 - Neil Grayson, Foreman of Fisher Motors

Witness 4 - Larry Hencher, publican, Crewe Arms, Ealing

Part 1 - Witness1 - Arthur Grainger, retired schoolteacher

Prosecution lawyer: Mr Grainger, can you describe to the jury how you know the defendant.

Witness 1: I live opposite the garage where Mr Cross works

Prosecution: And for how long have you known the defendant?

Witness 1: Well, I have lived in Manor Road for over ten years now and I am good friends with the garage owner, Mr Adrian Fisher. I know Mr Cross as one of the mechanics, who I believe has been with the garage for about six months.

P: How well would you say you knew Mr Cross?

W: Hardly at all really, I only occasionally see the mechanics when I am out in the front garden or coming back from the shops. They are generally mostly inside working on the cars. But Mr Cross has always said hello across the street when we have seen each other.

P: And the day in question, Mr Grainger, can you explain the sequence of events leading up to the point when you called the fire brigade.

W: Yes, I had just returned from the shops and I was going into my front gate, when I heard a door slam and Mr Cross came storming out of the side door.

P: Storming? What gave you that impression?

W: Well he didn't smile or speak which is unlike him and the door did slam very hard behind him. I said hello, but he ignored me and was off down the street pretty quickly.

P: What happened then?

W: Well, Adrian my friend, the garage owner, came out, calling after him, but Mr Cross didn't stop to look round or anything and Adrian eventually gave up chasing him. I asked what the matter was and Adrian told me then that he had had to lay off Mr Cross as the business wasn't doing so well. Adrian was having to cut his cloth so to speak and it meant losing a mechanic. Last in first out, sort of thing.

P: So Mr Cross had been 'let go'?

W: Yes that's what I understand.

P: I would think that is sufficient motive to return later and attempt to set fire to the establishment, don't you agree?

Defence lawyer: Objection, the witness is being led.

Judge: Sustained. Miss Tracey, you will kindly keep to the facts.

Part 2

P: Mr Grainger, what happened next?

W: I chatted for a few minutes more and then went inside to unpack the shopping.

P: At what moment did you know that something had happened?

W: It was much later. I was drawing the curtains in the front room about.. it must have been... just before 7pm and I looked across to the garage and a light was on in the back office, I could see it shining through the side window that faces out onto the alleyway. I assumed Adrian was working late.

P: Is that usual?

W: Yes he would stay late quite often, always a lot to do he said.

P: And what else did you see?

W: I saw a figure wearing a hoodie come out from the alleyway to the left of the garage. The figure was carrying something in his..er.....left hand and stuffed it into the garage's letter box. I couldn't see what it was but to be honest I just thought it might have been someone posting, I don't know, a cheque or something.

P: Can you describe the individual?

W: Er, well, it was a male, it was too tall for a woman and just well, the way that he walked made me think it was a man. I couldn't see the face because of the hoodie but I would have definitely said a younger man, about, well maybe, six foot or so? Quite slim build.

Magna Carta: Charter of Liberties
Resource 4.5

Part 3

P: So a six foot male, slim build. Mr Cross perhaps?

Defence: Objection, the witness is being led.

Judge: Sustained. Miss Tracey, facts please.

P: Apologies, I take back the question. Mr Grainger, was anything about the figure familiar to you?

W: There was something about him which was familiar, sort of in the slight build and the gangly, long legs. Yes, it could easily have been Mr Cross.

Part 4

P: And then, what happened Mr Grainger?

W: I went upstairs to do the bedroom curtains and I saw that the figure was still by the letter box and I thought, that's funny, as you normally just post something and off you go, you don't hang about. The figure was now crouching down and I saw a flare, of a match or something and that's when he stood up and pushed something again through the letter box and then just sprinted off back down the alleyway.

P: And then?

W: Well there was a kind of bang and I saw some flames come up behind the window on the door. That's when I called 999. The fire brigade were really good, they were there in less than five minutes.

P: And what about Mr Fisher inside?

W: Yes, Adrian, I ran out of my house and across the road and went to the office window to see if I could see him in there. He was just scrambling out as I got there. A bit bruised but otherwise okay.

P: So the figure had with him matches or a lighter or something?

W: Yes I would think so, one of the two.

P: Mr Grainger, does Mr Cross smoke?

W: Er, well, yes I believe he does, about three of the mechanics would always be out the front every lunchtime smoking.

P: Thank you. No more questions.

Magna Carta: Charter of Liberties
Resource 4.5

Part 5 - Witness 2 - Eddy Masterson, proprietor Esso Petrol Station, Redflint Road, Ealing

P: Mr Masterson, did the defendant come to your garage on the afternoon of Tuesday 15th October?

W: Yes he did.

P: How do you know?

W: We have cctv footage, which I passed on to the police. And anyway, I recognise him from the garage, it's where I took my car for its service last month.

P: And what did the defendant buy from you on October 15th?

W: Two litres of petrol and I believe a pint of milk.

P: Two litres of petrol for a vehicle?

W: No he had brought in a petrol can to fill up.

P: Thank you, that is all.

Part 6 - Witness 3 - Neil Grayson, Foreman of Fisher Motors

P: Mr Grayson. Explain your relationship to Mr Cross.

W: I am the foreman of Fisher Motors and we took Mr Cross on about six months ago.

P: And how did he settle in?

W: Okay I suppose. He keeps himself to himself a bit but he has a smoke with some of the lads at lunchtime.

P: How did he react to the news he was being made redundant?

W: Well he did flip his lid a bit. We all heard it, stormed off out the office, Adrian chasing after him.

P: Does he have a temper?

W: Yes a bit, he lost it a few weeks back when a lady said a CD had gone missing from her car and it was Simon who had been working on her car at the time. I challenged him about it and he gave me a right mouthful even though I'm his boss.

Magna Carta: Charter of Liberties
Resource 4.5

Part 7

P: And as he 'stormed off' as you say, did he say anything?

W: Yes, he did swear quite a bit, called Adrian a few choice names and ...

P: Yes?

W: Well I did hear him shout 'I'll get you, just see if I don't.'

P: Those were his exact words?

W: Yes, he said it twice in fact.

P: Thank you. No further questions.

Part 8 - Witness 1 - Mr Grainger, neighbour and retired school teacher

D: Mr Grainger, you said you saw a figure, and that it could easily have been Mr Cross. Is that correct?

W: Yes I did say that.

D: But it was about 7pm at night. It was October, it gets dark about 6pm. Is that not so?

W: Yes.

D: So it was dark..... How many metres would you say is it from your house to the garage front door?

W: Erm, about thirty metres I suppose.

D: Thirty metres. And the figure was wearing a hood?

W: Yes.

D: So it was dark, it was thirty metres away and he was wearing a hood. Can you categorically say that it was Mr Cross?

W: Well, no I can't, if you put it like that. I suppose it could have been any of a thousand young men that live round here.

Part 9 - Witness 2 - Eddy Masterson, petrol station proprietor

D: Mr Masterson. You say the defendant had been to your petrol station before, just to get petrol?

W: Yes

D: For a car?

W: Well he is sometimes in the car but he has also been known to bring a can in before now and fill up with petrol.

D: And has there ever been a reason given for buying such small quantities of petrol?

W: No, sometimes people have old petrol lawn mowers and such. I don't ask, it's none of my business.

D: So it is perfectly possible that he was simply replenishing supplies for a lawn mower or something similar?

W: Yes, certainly.

Part 10

D: And the defendant whom you say you have met before, both at your petrol station and at the garage where he worked. How did he seem to you on that particular day, Tuesday October 15th?

W: Okay really, not exactly chatty but well, okay.

D: Did he talk about losing his job? You would think if he was so incensed about losing his job that he would commit arson, you would think some of that would come across in his manner and yet you just say he was 'okay'?

W: Yes, he had a bit of a moan about the missus sending him out for the second time that day as she had forgotten something, but that was it. As I said, okay.

Part 11 - Witness 3 - Neil Grayson, foreman of Fisher Motors

D: Mr Grayson, cast your mind back to the lady who accused Mr Cross of taking a CD from her car and you challenged Mr Cross about it, what happened in the end?

W: The CD turned up in the lady's car. It had been there all along, she had forgotten she had put it under the seat.

D: And what did Mr Cross say to that.

W: He was a bit narked. The rest of us were laughing about it, but he stayed a bit rattled.

D: So in your opinion, is he someone who bears a grudge?

W: Not generally. He does have a bit of a short fuse though.

D: But not someone who could take it as far as committing arson?

W: Well I am not sure I couldn't really say one way or the other.

D: Mr Grayson, I need a straight answer from you, I must press you on this. As someone who is personally acquainted with the defendant in a professional capacity, in your opinion, would Mr Cross be capable of bearing a grudge and committing a crime of this nature if put under pressure?

W:

D: Mr Grayson?

W: Well...maybe he could, yes.

Part 12 - Witness 4 - Larry Hencher, publican, Crewe Arms, Ealing

P: Mr Hencher, you are the landlord of the Crewe Arms?

W: Yes that is correct.

P: And is the defendant a regular with you?

W: Aye, he is in about twice a week generally.

P: Mr Hencher, the defendant came into your pub in the early afternoon on 15th October and proceeded to drink quite a large amount, is that also correct?

W: Yes, he was getting in a bit of a state.

P: And what happened?

W: I overheard him telling some other regulars that he had lost his job. You could tell he was really wound up, although a lot of it was the drink talking. But I did overhear him say that he would get back at the garage and that in fact he had worked out how he was going to do it.

P: What were there exact words you heard?

W: He said 'I am going to get them. A little present through the letterbox wouldn't be difficult.'