**IN THE CROWN COURT**

**AT LIVERPOOL**

Order No: **Crim 373**

The Queen Elizabeth II Law Courts

Derby Square
Liverpool, L2 1XA

Date of hearing: **13 September 2017**

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**Before:**

HIS HONOUR JUDGE CUMMINGS QC

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|  | **R E G I N A** |  |
|  | **- v -** |  |
|  | **ROBERT SMEDLEY & CHRISTOPHER JOHN EDWARD JOYNSON** |  |

**MR J J DYER and MISS L WRIGHT** appeared on behalf of the prosecution

**MR S G SWIFT** appeared on behalf of the Defendant SMEDLEY

**MISS F HUSSAIN** appeared on behalf of the Defendant JOYNSON

**PROCEEDINGS**

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(In the absence of the Jury)

MR SWIFT: Your Honour, I know this will try your Honour’s patience, I was just about to ask, I have just set up to cross-examine, and for some reason my laptop has restarted itself, which did have crucial cross-examination, well some may interpret it that way. Would your Honour just give me a couple of minutes just to recover this.

JUDGE CUMMINGS: Of course.

MR DYER: Whilst we are waiting for that, there are a couple of documents that with agreement are going to be added to the jury bundle, and I have paginated them because they are going to go in the prosecution jury bundle.

JUDGE CUMMINGS: Thank you.

MR DYER: If I hand those to your Honour, and we can put them in if your Honour wishes, but it is a fairly simple task I think, because the jury are going to have to do it. It is divider 11. (Handed)

JUDGE CUMMINGS: Thank you.

MR DYER: And your Honour will see there is actually a page 0 to go before page 1 at divider 11. It is just so we don’t have a break before re-examination.

JUDGE CUMMINGS: I understand. So, it is 0, 18 is that, 19 and 20?

MR DYER: Sorry, the 18, 19 and 20 becomes 6D, E and F.

JUDGE CUMMINGS: Oh I see, yes.

MR DYER: So they are the emails that have already been referred to, explaining the job description. So they go behind the job description, 6D, E and F.

JUDGE CUMMINGS: Can I just ask, while we are in the absence of the jury, the defence, quite properly and understandably from their point of view, have drawn the jury’s attention to documents, or indeed in some cases have elicited evidence from witnesses to the general effect that the Defendants were both very capable men and very good in the roles that they performed.

 Now, obviously leaving aside the all-important questions of the charges laid against them, is there anything from the Crown’s point of view that is controversial about those essential propositions, that very capable, very effective in what they did? Sounds like it is a qualified position.

MR DYER: It is qualified. In general terms, the views expressed, and I think also expressed by Mr Townley, are that Mr Joynson was very good at sales, if I put it that way, recruitment. As far as actual matters such as academic matters and course delivery, and that type of thing, that is something else, and other witnesses may touch upon different aspects of the job, if I put it that way.

JUDGE CUMMINGS: Yes, all right, but in Mr Smedley’s case, the flavour of the evidence elicited so far appears to be along the lines that he can take a fair bit of the credit for the expansion of and success of the university.

MR DYER: That seems to be the case.

JUDGE CUMMINGS: And that’s not controversial?

MR DYER: No, no witness seems to contradict that.

JUDGE CUMMINGS: No, thank you.

MR SWIFT: Your Honour, I am having little success, at the moment it is now rebooting. May I ask for five minutes?

JUDGE CUMMINGS: Yes, of course. I mean I won’t rise unless you want me to, but by all means.

MR DYER: So, your Honour, I have just noticed a mistake...

JUDGE CUMMINGS: In one of those pages?

MR DYER: Yes. The 6D, E and F, it is actually, is the partnership development co-ordinator rather than partnership development officer, so apologies, it chronologically it should actually be behind divider 12, but 4B, C, E, I apologise.

JUDGE CUMMINGS: No, that’s fine. So, you will be able to ...

MR DYER: We will have the page numbers and the jury will, I apologise, I have given your Honour the wrong paging, it is my mistake.

JUDGE CUMMINGS: If I simply renumber mine 4B and following?

MR DYER: Yes, and it is divider 12 in fact. It goes behind that job description. It is my mistake, apologies. I will just change the witness bundle.

MISS HUSSAIN: May I just mention one matter, your Honour. It was reported to me after we had risen yesterday that one of the members of the jury, I am not precisely sure which one, I think it is somebody on the first row, described to me as an older gentleman, might have been displaying signs of finding it difficult to stay awake. I didn’t notice it, but then I wasn’t looking in that direction. Juror position 5 I am told.

JUDGE CUMMINGS: Right, well I didn’t notice either, and I haven’t noticed that about any juror so far, but I will keen a weather eye now you have alerted me to it. All right. Thank you.

MR SWIFT: Your Honour, the jury are about to be given the documents in the defence jury bundle, if I can put it that way, pages 156 and 157. Their provenance has been established, they are Freedom of Information Act documents, no issue.

JUDGE CUMMINGS: Thank you. All right, ready for the jury? Thank you.

(In the presence of the Jury)

JUDGE CUMMINGS: Good morning ladies and gentlemen, apologies for the delay. We were about to start on time, more or less, and there was then a computer issue, but we are ready now. You are still under oath, Mr Townley, thank you. Mr Swift.

PETER TOWNLEY (Continued)

Cross-examined by MR SWIFT:

Q. Mr Townley, when we finished at the end of a long afternoon yesterday, I think one of the final points we reached was with reference to the funding that could be generated to the university as a result of the registration of students, and I think we agreed that could run into many millions of pounds?

A. Yes, we agreed.

Q. Within your statement to the police you dealt with that registration by reference to, and I know it has already been touched on by I think both my learned friends, the PPD programme and the CFEE programme, the co-funded employer engagement, I think we finally agreed that that is what that stood for?

A. There were registrations with that, yes.

Q. Just for clarities sake, can we just deal with those, so everyone understands what it is we are dealing with. As far as the PPD programme is concerned, that is the postgraduate professional development, yes?

A. Yes.

Q. And whereby, these were teachers would study modules at the university and collect those, I am putting this in simple terms hopefully, and then collect those modules until a sufficient stage that they could reach a Masters degree?

A. Or part of a Masters degree.

Q. Or part of a Masters degree, and they could keep coming back doing the modules, or they could do a module and then finish their study there?

A. Yes. They normally, not always, but they would often register for three modules.

Q. For three modules?

A. Yes.

Q. And would that be in successive years, so would they study one ...

A. We really wanted them always, if possible, to complete within five years. They didn’t have to do them within a particular year, but obviously one of the challenges was to keep the pace going so they didn’t run out of time, or just take so long.

Q. So they continued to engage I suppose?

A. Absolutely.

Q. So that is part of the challenge as well?

A. Yes, because quite a lot found that very difficult.

Q. And the PPD, I have moved on, when you say they found it very difficult, because they are teaching or working as well as trying to study?

A. Well, yes, the combination of study, which was at a high level, and indeed, you know, working in schools, and often moving on to different jobs in schools. It was very challenging.

Q. The PPD programme was government funded?

A. Part of it, yes, when you say PPD, I think you refer to the part that was government funded.

Q. Yes?

A. Yes.

Q. So we agree on that?

A. Yes.

JUDGE CUMMINGS: So part of the programme was government funded?

A. Yes, not all of the Masters credits would receive funding from the government necessarily.

MR SWIFT: But the PPD programme did?

A. Yes.

Q. And the university could claim funding from the government for each teacher who undertook the programme?

A. Yes, that’s absolutely right.

Q. So, is this right, so the Faculty of Education would get the registrations or details of the teachers who wanted to study on these courses?

A. Yes.

Q. They collect their personal details, is that right, and that would then be input onto the university student database?

A. Well I wasn’t involved in that process, but what you have described I understand, yes, to be right.

Q. Well from your knowledge within working in the department?

A. Yes.

Q. That’s what would happen?

A. It would go onto the, did you say onto the university database?

Q. Yes?

A. Yes, onto the system, yes, the system that shows us how many students we have.

Q. So, those, there was then the system, it was touched upon yesterday, of a, I don’t think you like the term, but I think you accepted the concept ...

A. Payback.

Q. Of a payback, you are ahead of me. The university had developed a payback scheme as an incentive to, let’s use a neutral term, third parties?

A. Yes. Well, say for example, there were teachers working in the Shropshire local area, local authority area, we worked with Shropshire local authority officers from that authority, and when we registered teachers who worked in Shropshire, there was a payment then owing to Shropshire local authority, for those registrations. We had agreements, written agreements, to this effect.

Q. Now, this wouldn’t just be with local authorities though, would it?

A. No.

Q. This would be with other third parties, with individuals, with companies, with organisations who were all helping to collect student names for the university?

A. Yes. Register, ones that were registered onto our system.

Q. So, for example, if there was a master class, or if there was – let’s just use that as an example. A master class, something being delivered in relation to education generally?

A. At postgraduate level?

Q. Yes, and one of the companies, or one of the individuals who was linked to the university might, for example, if there was a number of teachers there, ask whether anyone was interested in furthering their study and signing up to do a Masters degree, you can see how that would happen in practice?

A. Yes. It did happen sometimes.

Q. Right, so if you had someone who was being paid, on this payback scheme, who may come to the university and say, “Well I was at a conference on Saturday, I now have 20 people who are interested in studying for modules on this PPD programme”, stop me if anything I am saying you ....

A. Well the point, the query I just have there, you said interested. We would have to have more commitment than that.

Q. They would have to register?

A. They would have register before any payment, as you refer to payback, could be made.

Q. Yes?

A. So they would have to be registered on the system.

Q. Yes, so they come to the university, they provide the university with the details of the students?

A. Well, yes, but that, you said they were only interested. They have got to register; the student has to register.

Q. But not directly. If you have, you had companies who were supplying you with names, didn’t you?

A. They may have supplied us with names, I don’t disagree with you there, but that doesn’t produce a registration.

Q. Well I think you, yourself, had links with, is it ITN, ITN Mark?

A. I didn’t have any links with ITN.

Q. Did you never use them to recruit for you?

A. For me, personally?

Q. Well ...

A. What do you mean, for me?

Q. Within the department?

A. Do you mean people who worked in the department? ITN Mark, I think, it’s a name I remember, produced some registrations.

Q. They were a company, they were a third party who were recruiting students for the university, weren’t they, to put them onto these PPD programmes?

A. Ah, interesting that you added that at the end. They had got to register; the individual student has to register. ITN Mark may have made the introduction, but then the individual name has to be registered.

Q. Was that happening?

A. Yes.

Q. So if ITN Mark sent to you details of students, when I say to you, to the department, “We have spoken with 20 teachers who all want to do this module, here are their details, here are the names, their addresses, this is the course that they want to do”, yes?

A. There has got to be a signature, a signature of the individual student.

Q. And what would the university then do with those details?

A. If the individual signature of that student, say ITN Mark had provided your name, we wouldn’t register you unless you had signed to say that you wished to be a student on the programme.

Q. So when you say it would need to be, effectively engaging with the student, you are not suggesting that the university would then contact that student, you were accepting the information that was being provided by ITN Mark?

A. If the form, there was a registration form which clearly indicated what they were registering for, if that had a signature, that was a registration and we would then contact the student to say that they were registered and they could start the programme.

Q. So when you – I hope it is not too confusing – but when you received the form from ITN Mark saying, “We have spoken to these students, here are the forms, this is the name and address”, and to use your words it is signed by the student, the university would then register them onto the database?

A. Yes, but I don’t know why you keep referring to ITN Mark. Could it be any name?

Q. It could be any name?

A. Yes, that is correct.

Q. And how would the money, how would ITN Mark or any other company then be paid back?

A. Well there would be an agreement, a signed agreement with the partner, such as ITN Mark, or Shropshire local authority, and that would detail how the payments could be claimed.

Q. And would they be paid at that stage, at the stage that the university was putting the names onto the registers?

A. I do not know. I wasn’t involved in that registration process, administration process.

Q. Now in relation to the co-funded employer engagement, again, this was a government, there was government funding to the university following a bid process?

A. Yes.

Q. Is that right?

A. Yes.

Q. You had won the government award in relation to this. We know from questions yesterday that that would mean the pressure is on then, effectively, you have been given the funding but you need to meet the target for that?

A. Yes, you are quite right.

Q. So, so far as the co-funded employer engagement was concerned, that was focussing on universities, hopefully I am going to try and put it in simple terms?

A. Yes, I understand.

Q. It is an initiative focussing on universities working with employers who would part fund their employees to undertake studies at the university?

A. Correct. When you say at the university, it was university modules, they may well be delivered in the partnership area, so for example, Shropshire local authority, you might well be, they would agree to release classrooms for us to teach the students in Shrewsbury, and we did that.

Q. Was it just, it wasn’t just restricted just to schools though, was it?

A. No.

Q. No, it was businesses?

A. You mentioned, you reminded me yesterday, because I hadn’t connected it was CFEE, but Viridor, a very major company, did indeed provide business students.

Q. Right, so the government wanted this to incorporate private sector employees as well, do you agree?

A. Well very much so, very much so, yes. They were okay with us working with schools, but that wasn’t, I don’t think, the main priority for that scheme.

Q. Now, may I suggest to you that in fact it was Mr Townley who was managing the CFEE?

A. Myself you mean?

Q. Sorry, Mr Smedley?

A. Well, this is a point I have already tried to answer a question on. There were two aspects to this. There was a general university CFEE project, which was right across the university with modules that could be in the Faculty of Education, but more likely in the Faculty of Arts and Science, or the Faculty of Health, and Robert Smedley was indeed, certainly, I don’t know if he was the leader, he might have been the co-leader with the Deputy Vice Chancellor, Bill Bruce. But I was co-ordinating a section where we were particularly recruiting teaching assistants in schools to gain undergraduate credits.

Q. Right, let me just ask you – I think I understand what you are saying?

A. Thank you.

Q. I will just ask you to pause for a moment, just to try and explain that in simple terms, hopefully. So the co-funded employer engagement places?

A. Yes.

Q. You are seeking people who, to put it simply, who have other jobs, are working, they are in schools, they are in businesses, who may want ...

A. Hospitals.

Q. Part-time study, released by their employers to come to the university to do part-time modules?

A. Yes, that’s my understanding.

Q. Mr Smedley, you accept, had a role which went wider than your own in relation to this project?

A. Almost certainly, and separate from my role.

Q. And yours was focussing on ...

A. Teaching assistants.

Q. Teaching assistants?

A. With Alexis Moore working on that as well.

Q. Now the levels of money involved in relation to the government funding, I think in general terms we agree in the millions, may I ask you to look at a couple of documents please within the, not the jury bundle, this bundle here please?

A. Thank you.

Q. Could I ask you to turn and look at pages 156 and 157 of those documents, and in fact there are copies available for the jury?

A. Yes. Has it got a number on it? 157 is there.

JUDGE CUMMINGS: 156 is I think behind divider 5, and then 157, yes.

A. Thank you very much.

MR SWIFT: So, your Honour, just to keep my memory, the members of the jury now have the, we have provided you with another ring binder, if you are wondering what that was for, that is where all the other loose documents have now been put.

JUDGE CUMMINGS: So this I think is exhibit 5 in terms of loose documents.

MR SWIFT: I am looking at those sheets, I don’t know if they are hole punched. Perhaps we can attend to that in due course.

JUDGE CUMMINGS: Right, so page 156 could we call exhibit 5, and page 157 exhibit 6. Just give me a moment please.

MR SWIFT: Just looking at page 156?

A. Yes.

Q. Have you had an opportunity just to reflect on the table and its contents. So PPD procurement, Edge Hill, allocation and recruitment funding, you see that?

A. FOI, what’s FOI?

Q. FOI, it will come to me in a moment.

MR DYER: It is a freedom of information request.

MR SWIFT: Sorry, yes, it is, this is a freedom of information response. There is no issue in relation to the figures here?

A. Yes, that’s fine.

Q. Yes?

A. Are you asking me?

Q. No, no, I am telling you, there is no issue in relation to the figures that you see?

A. Thank you very much.

Q. So on the left-hand side, funding, it says Inset, and then it runs down to PPD. From your knowledge, is Inset what PPD used to be called?

A. It is.

Q. Thank you. I think it was just how it was entered on the computer system. If we go across, academic years, allocated places, total allocated funding, trainee recruitment?

A. Well, I don’t know why it says trainee, it was students, but that’s what it says.

Q. Well you understand that’s what it means?

A. I understand, but I am just saying there are not trainees particularly.

Q. No. So, could we just look at the figures, so for example, if we look at the academic year 2010/2011, so running across?

A. Yes.

Q. Allocated places, 6,380 students, shall we call them students?

A. Yes.

Q. Total funding allocated to the university, £4,835,000?

A. Yes.

Q. I am sure we will agree on these figures, so that is the funding for the university, that is the millions we were talking about yesterday?

A. Absolutely.

Q. And I had suggested the training and recruitment in fact was just under 8,000 students for that year, 7,977. Any reason to question any of what I am putting to you?

A. No.

Q. So from the registration of just under 8,000 students, the university would benefit to the tune of just under £5 million?

A. Well, yes, yes, 4.8.

Q. Yes?

A. Yes.

JUDGE CUMMINGS: So you are getting about £500 a student?

A. On that calculation, yes, your Honour.

MR SWIFT: And there is no reason to question those figures?

A. When you asked me yesterday the figure that was in my mind, but probably wrong, was 485, but I am not too far out.

Q. Just have a look, please, then, let’s do the same exercise with the other table, which is slightly different?

A. Yes.

Q. On page 157?

A. Oh 157, yes, I’ve got it.

Q. So I would suggest it is essentially the same table, but it is related to CFEE’s now?

A. Yes.

Q. It says, “Previous FTE’s”. Can I suggest to you full-time equivalent?

A. That’s what it means, I am not absolutely clear in my mind what previous means, unless they are continuing perhaps, so they were previously on the system.

Q. So they would be continuing?

A. It is not a phrase I am particularly clear on.

Q. Right, so if they were on the system and they were continuing?

A. That would be my assumption at this point.

JUDGE CUMMINGS: He doesn’t know. You are saying what FTE means, he doesn’t know what previous FTE means in this line.

MR SWIFT: Your Honour, yes. Could we look at the 2010/11, let’s use that as the example, we have used that on the other page, just coming down there, associated funding, £1,444,000?

A. Yes.

Q. Yes. Then it says FTE’s recruited...

A. No, yes, I don’t what the, oh the point four is because they are part-time.

Q. Because they are part-time. So, would this be right, looking at those figures, I am just going to use 2011 as an example, it suggests 710.4, I would suggest students?

A. Yes.

Q. But because they are part-time, perhaps doing a quarter of the course, you have to multiply that by four to get the full-time equivalent?

A. No, no.

Q. You disagree?

A. Yes, I do. 710.4 is the FTE’s recruited, there will be more. Oh, I may have misheard you, therefore you multiply to get the part-time numbers.

Q. Well, to get a full-time equivalent ...

A. There are more people than FTE’s is what I am saying.

Q. I think we are in agreement. The funding that the university, I will try and put it more simply, so I am not confusing myself and everybody else, the funding to the university from the CFEE in that year then is £1,440,000. If we look below that, FTE’s recruited ...

A. Associated funding.

Q. Yes, 710. If you can’t, the point I am seeking to make is that the 710 students, they would only be registering for part-time courses, wouldn’t they?

A. Yes.

Q. So, in order to trigger the full-time equivalent funding ...

A. No.

Q. You say no, would you need more students than the 710 that is showed there?

A. Yes. That’s the point I made to you.

Q. Well, I think we are in agreement. So how many more students would you need?

A. I don’t know what the fraction is, the percentage that they were awarding, point four?

Q. So if I suggest to you a quarter?

A. I thought it was point four. Well if it was 0.25 you would multiply by four.

Q. So it is possible then you would need 2,800 students?

A. Correct.

Q. Can you explain that to the jury how you would need that, how that works?

A. Well if we recruited 2,800 part-time students who were doing a quarter of a full-time programme, then we would attract, that would be the equivalent of 710 full-time students, and the FTE, the full-time equivalent is often how they calculate the funding, you know, it isn’t usually an issue about how that FTE is arrived at, but it is a lot of students, which I think is your point.

Q. Yes, you explain that far better.

A. Thank you.

JUDGE CUMMINGS: This is on the basis of an assumption that the, an individual student is doing a quarter of a course. What is the source of that assumption or proposition that it is a quarter as distinct from 40% or 80% or 5%?

MR SWIFT: Your Honour, my instructions are to that effect.

JUDGE CUMMINGS: So that is the source, it is your client’s instructions.

MR SWIFT: Your Honour, yes.

THE WITNESS: Well can I say that my recollection, and it is only recollection, so it may be wrong, is that it was 0.4 we were multiplying by, and that sticks in my mind, but without the paperwork, your Honour, I couldn’t say.

JUDGE CUMMINGS: So if you multiplied 710.4 by 4, you still get a fraction. You end up with a point six. Anyway, there we are.

MR SWIFT: I think we are in agreement, it still a lot of students, running into the thousands?

A. Which I think is your point.

Q. Yes, so for that year, if we look at the CFEE figures for that year, and the PPD figures, the university, to get that funding, combined funding of almost £6 million, £6.5 million, the university would have to be recruiting in the region of 6,500, 6,000 students?

A. I don’t know.

Q. Well just looking at ....

A. But it sounds reasonable. It was a lot of students.

Q. Well we have got, in fact it is higher than that, isn’t it, because we have got, we know from 2010 just short of 8,000 students on the PPD course?

A. Yes.

Q. So it is nearer, would you agree ...

A. 8,000, oh yes, yes.

Q. Would you agree nearer to 10,000 students, combined CFEE?

A. Well 8,000 plus, well I don’t know if it is...

Q. I appreciate that, but in general terms?

A. Well, if you are willing, let’s say 2,000, so that’s 8,000 plus 2,000 is 10,000.

Q. Yes?

A. Yes.

Q. 10,000 students you need to recruit to get that funding?

A. Yes.

Q. So, that would take an awful lot of effort, wouldn’t it?

A. Incredible effort.

Q. And the pressure was being placed on yourself, Mr Smedley, others, to keep meeting those targets?

A. Oh yes.

Q. Yes?

A. Oh yes.

Q. And that would involve, would it, travelling the length and breadth of the country trying to find students to engage on these courses?

A. And would you believe even the Middle East, not that I ever travelled over there, but, you know, British based students in the Middle East we could recruit. I don’t want to particularly make that point, when you said the length and breadth of the country, I completely accept that. Not Scotland or Wales.

Q. No, but because the demands were such?

A. Oh absolutely. Major demands.

Q. Now it maybe I can deal with this in short form. Do you agree that the payments that were being made to third parties, using a neutral term?

A. Partners.

Q. Partners, organisations, companies?

A. No, partners. They have got to have a partnership agreement to receive any funding.

Q. We will use that term?

A. Well they had to have a partnership agreement, which would have recognition in law.

JUDGE CUMMINGS: Just a moment please. So in order to be paid, a quote unquote third party has to be a partner, they have to have a partnership agreement?

A. Yes, yes, your Honour.

Q. Just a moment please. Is that to say that the agreement has to be set up in advance?

A. Sorry your Honour, in advance of?

Q. Of any notion of a name putting forward or a registration secured, or payment?

A. I will try and answer that question to the best of my ability. I don’t think the agreement had to be fully signed before we may have had interest, but that interest would generate the production of a partnership agreement. We may have an organisation that we had been talking to and they said, “Well actually, on this group, this professional development that they are doing with us, 20 of them would like to register for MA modules with Edge Hill University”. If we didn’t have a partnership agreement, we would really try very quickly to get one agreed and signed, and that would have within it a provision for how much payment per student we would make, and they did vary, but not very greatly, there was a band.

MR SWIFT: I will come to that in a moment. So there could be recruitment here without an agreement in place. You would hope that they would be signed ...

A. I hope I have explained that to you, but if you want to ask me a question, I will.

Q. No, no, I needed to understand what you were saying?

A. I wouldn’t want you to think that we were recruiting and registering without partnership agreements, I hope you weren’t trying to suggest that.

Q. Well I am asking that question?

A. No.

Q. Did you have responsibility for ensuring that partnership agreements were signed?

A. Yes.

Q. Throughout the university?

A. No, no, for the Faculty of Education, yes.

Q. Was that within your role?

A. Yes.

JUDGE CUMMINGS: So if someone, a third party, local authority, company, whatever it may be, if someone is being paid money in respect of registration of students, there will, somewhere, be a partnership agreement setting out the terms linking to that payment?

A. Yes, and that will be set against the budget as well, we will have made budget provision for it.

Q. So you mentioned Shropshire local authority as an example?

A. Yes.

Q. Somewhere, is this right, there will be a partnership agreement that says for every student you put forward who registers you will get X amount of money?

A. That is right your Honour.

MR SWIFT: Karen Ardley was one of those?

A. Yes, KAA is how it is referred to.

Q. KIH?

A. I think Karen Ardley Associates, I think.

Q. She was someone who was working for you?

A. Yes, she worked in the Middle East.

Q. She was recruiting students?

A. Yes.

Q. And in terms of the banding that you have just suggested, you could pay up to £130?

A. Is that what the agreement said, are you telling me that?

Q. I am asking you?

A. I don’t know. I need to see the KAA agreement, the partnership agreement.

Q. And where would they be retained?

A. They would be retained within the Faculty of Education administration offices.

Q. So if there was one for Karen Ardley, if there was an agreement for Karen Ardley, that would be retained by the university?

A. Yes.

Q. If you look at page 154 of that bundle you have with you, members of the jury you don’t have this, but just look at that for a moment please. That is an example, just look at that for a moment?

A. Yes.

Q. Yes?

A. Yes, 28 PPD registrations, £80 we were paying. I think you asked me that question.

Q. Yes?

A. Yes, it is £80.

Q. So it is £80 at that stage, but it would change, and it would vary, wouldn’t it?

A. Yes, but only via agreement.

Q. And I think an email was put to you yesterday from ITN and you were saying that you were prepared, weren’t you, to increase the fees that were being asked by companies up to £130?

A. I don’t know if it was agreed because I don’t what the response was.

Q. No, but you were being asked to do that?

A. Well I asked if we could put it up.

Q. And you accept, do you, that that wouldn’t be unreasonable, I think that was for ITN Mark, that they were coming, ITN Mark were coming back to you asking whether that could be put up to £130?

A. Yes, I think that is what I read yesterday.

Q. So the banding that we are talking about, is somewhere in that region, £80, £130?

A. I don’t know, I can’t remember.

Q. You are not ruling that out, though, as an appropriate band?

A. No, it may have been £50, you know, up to £150, I don’t know, I need to look at the agreement.

Q. We are not going to look at each individual, but in terms of that banding that you raise, and I think, as His Honour calculated then, so far as the benefit to the university, we know the funding was in place as a result of registering these students?

A. Yes.

Q. The payback within your band, up to £130, was in place, because these are companies who are working for the university?

A. You seem to be referring to this word ‘banding’, each agreement had a figure. I don’t know why you are referring to that.

Q. Well, Mr Townley, it is the term that you used, you said there were bands of payments, that’s why I am using it. But let me try to keep this as simple as I can. The university is paying these companies up to £130, for example?

A. For example, yes.

Q. Securing massive amounts of funding from the government, running into the millions?

A. Yes, PPD, £500 a head. So we are taking quite a slice out there.

Q. I am just trying to simplify it, for that level. You pay someone £50, £100, £130?

A. Yes.

Q. The university benefits per each student up to £500 or roughly?

A. Yes, correct.

Q. And the funding is triggered, and the university is meeting its targets?

A. Correct.

Q. That’s how it was working?

A. That’s how it was working.

Q. With the demand to recruit 10,000 students, for example, in that year?

A. Correct.

Q. And once recruited, you needed to teach 10,000 students?

A. Yes. The word ‘teach’, they were placed on modules where there were outputs that were assessed.

Q. What does that mean?

A. Yes, sorry.

Q. What does that mean?

A. What does that mean, well it varied. We had what we call shell modules, where the employer, or the school, could put into the module content that they felt was appropriate and that tutors at the university agreed was appropriate to be delivered, and then we, the university always assess the work that was completed at the end of the module.

Q. So you are saying the employers would do that themselves?

A. Well the employers would say, well, for example, is it okay if I give an example?

JUDGE CUMMINGS: Please.

A. Thank you very much. A school might have, you know, entered into a partnership with us and registered some of its school teachers to do PPD modules, and these initial modules, for which we received the funding, the school could ask us, “Well we’ve got a particular problem with behaviour management, and we’ve got strategies that we are trying to implement, would it be okay if we deliver content on behaviour management?”. We would check that we had assessment criteria to match that against, and if we did then that module could go ahead, and so the onus and the burden for the university was to assess the work that was completed, and it was quite possible that the work was being done, you know, by head teachers or senior managers working with their classroom teachers.

MR SWIFT: That seems to be, you are suggesting that they would enrol, the university would get the funds, but the organisation itself would do the teaching?

A. Yes.

Q. With, is that right?

A. No, no, because I was quite clear that we assess the work, and assessing work is actually extremely labour intensive.

Q. You assess the work with the students? Would you assess the work with the students, or would you just have a supervisory role?

A. No, no, we would be fully responsible for the assessment against learning objectives.

MR DYER: I am not sure, your Honour, whether this is touching on any of the issues in the case. I hesitate to interrupt, but is it Mr Joynson who is doing the assessment, is that what we are to believe?

JUDGE CUMMINGS: Well, I confess you voice something that was crossing my mind. Mr Swift?

MR SWIFT: Your Honour, perhaps I can ...

JUDGE CUMMINGS: The relevance of this is?

MR SWIFT: The need to recruit students, first of all, 10,000 students.

MR DYER: It is all agreed.

MR SWIFT: And in terms of, secondly, the teaching of 10,000 students.

JUDGE CUMMINGS: I know, that’s the question, what is the relevance of that aspect of it? You have clearly established, I have no doubt the jury fully understand this is multi million business, there are pressures on those involved at the university to get the right number of people through the doors and generate this funding, we have got that clearly. You are now moving on to the content of the actual modules delivered, and who is delivering them, what is the relevance of that, that is the question?

MR SWIFT: Your Honour, I will move on, I will move on if I may.

JUDGE CUMMINGS: Do I take it it has no relevance?

MR SWIFT: Your Honour, relevance in the sense of, if I may, that the university would then be required to draw in additional teachers or to use staff to deliver the modules.

THE WITNESS: That is correct. We needed people of expertise to assess the work that was being completed. It is called, just for the benefit of the court, it is called practice based learning. It is where the learning is academic, but is very much based upon what people are doing in their everyday work, and it was very much something that the government encouraged us to do, and I think very rightly so as well.

JUDGE CUMMINGS: Okay, and so we are clear, we understand the relevance of registering students.

MR SWIFT: Yes.

JUDGE CUMMINGS: What is the relevance of the university needing to register, if that is the word, extra teachers?

MR SWIFT: Would Mr Joynson be involved in that?

A. In what, sorry?

Q. In teaching, in being utilised to assist in the teaching of those courses?

A. I don’t know. I don’t recall.

Q. So he may have been?

A. He may have been.

Q. Over and above his employment contract?

A. No.

Q. Finally, Mr Townley, if I may, I appreciate it has been touched on already, but again for the purposes of the sake of clarity and to put the case, you were asked questions in relation to the Promethean contract?

A. The learner response, was it?

Q. Well, EEF is how it was termed within your statement to the police. You looked at that, and you looked at an invoice, or invoices in relation to Mr Joynson completing or undertaking work in relation to EEF and the Promethean project?

A. Yes.

Q. And I think you told us, didn’t you, that EEF, charitable based, was it the Sutton Trust?

A. Yes.

Q. Promethean was a company, private company?

A. Yes.

Q. You were involved with some of the projects?

A. Yes.

Q. But in fact there were numerous projects within the university, weren’t there, and being developed, I suggest, by Mr Smedley?

A. Could you show me the reference?

Q. I am going to suggest to you, I am going to suggest to you, that Robert Smedley was involved with one such project that netted the university £1 million in funding?

A. Could I see the reference please?

Q. No, I am not giving you the documents, the university would have those documents, wouldn’t they?

JUDGE CUMMINGS: Are you able to answer the question, as you stand here, without referring to any documents?

A. I need to refer to documents to be able to answer it, your Honour.

MR SWIFT: If I may, just one other point on this matter. The Promethean project, or let me put it this way, there was a Promethean project in relation to the use of white boards in schools, wasn’t there, do you recall that?

A. No. I don’t recall it as a project.

Q. Well, so it is clear, I put it to you that there was such a project, that Robert Smedley was involved in that?

A. Do you have any reference which I can look at?

Q. I am putting the question, yes or no, do you have any knowledge of Robert Smedley being involved in that?

A. No.

Q. Let me provide you ...

JUDGE CUMMINGS: Involved in what, he said he didn’t recall it as a project?

A. Which is why I answered no.

MR SWIFT: I am about to ...

JUDGE CUMMINGS: So ...

MR SWIFT: I am about to just give a little more detail.

JUDGE CUMMINGS: No, but you’ve asked him if he had any recollection of Mr Smedley being involved in “that”, what is “that”?

MR SWIFT: Your Honour, that is what I am about to establish.

JUDGE CUMMINGS: All right, thank you.

MR SWIFT: The use, Promethean were developing the use of white boards within schools, weren’t they?

A. Yes, I am very aware of that.

Q. Right, so we agree that point?

A. Yes, and they were put into the Faculty of Education building as well, or some of them were.

Q. And it was a very innovative, wasn’t it, company, it was trying to develop this sort of thing within schools, white boards?

A. Yes.

Q. It also was trying to develop the use of handsets?

A. Yes.

Q. Yes. Now that is the project that Robert Smedley and Christopher Joynson were involved in, I would suggest to you, the handsets that link to ...?

A. Yes, hand held sets.

Q. So you do recall that, you do recall the handsets?

A. Oh yes.

Q. You do recall the white boards?

A. White boards, where? White boards in the Faculty of Education building?

Q. No, in schools?

A. No.

Q. The handsets in the schools, do you recall a project relating to that?

A. Yes.

Q. And you didn’t have any involvement with that, did you?

A. It depends which project, I really could do with a reference, because there was a project, an EEF project on learner response systems, handhelds, which I was very much involved in. I really need to be able to distinguish, if you are making a distinction, it may have been one that I don’t recognise.

Q. Or it may be a project that you didn’t have any involvement with?

A. I don’t know.

JUDGE CUMMINGS: Can you give any clearer description or title for the project that you are referring to that you say the witness may not have been involved in? You referred to a project involving handheld sets, this witness has said he was very involved in one project relating to learner response systems, is that the project you are referring to or not?

MR SWIFT: Your Honour, it is not, I suggest ...

JUDGE CUMMINGS: Okay, well what is the project you are referring to?

MR SWIFT: It is a project linking the handsets to the white boards which are used in schools.

THE WITNESS: With respect, handheld sets always work with white boards, they don’t even have to work with Promethean white boards I don’t think. I am not certain about that. So, that is not the distinction between those projects.

MR SWIFT: Very well, very well. You – so, just so we are clear, in terms of Promethean and EEF, your involvement with that company, and the projects that you were involved with, could you just tell us what they were please?

A. Well it was a bid to the Sutton Trust, the education endowment fund, known as the EEF, to roll out learner response systems, very innovative handheld sets, in a range of schools, to see if we could close the gap between children from low socioeconomic backgrounds compared to higher socioeconomic backgrounds.

Q. And do you say you had direct responsibility for that project?

A. Well I chaired the quality board.

Q. Did you have any meetings with the CEO of Promethean?

A. Promethean, no.

Q. No. Did Robert Smedley?

A. I don’t know.

Q. Well I suggest that he did on a number of occasions. No?

A. Sorry?

Q. I suggest he did in relation to ...

A. Well how do I answer that question?

Q. All right, if you don’t know, I won’t press you further.

A. Okay. I met fairly regularly with one of the CEO’s representatives.

Q. But not the CEO himself?

A. I don’t ever remember meeting him, I might have done on one occasion, but I don’t recall it. I don’t think I did. I think he may have come to a degree ceremony.

JUDGE CUMMINGS: The CEO?

A. Yes, yes, or some similar ceremony of the university.

MR SWIFT: Wasn’t Christopher Joynson involved in undertaking, or gathering feedback from the use of handsets and white boards?

A. I have no knowledge of that.

Q. No knowledge of it. Was he supported by, well, is there somebody called Phillip Jones within the department? Phil Jones?

A. Phil Jones, yes.

Q. What was his role at the university?

A. He was the PA to the Dean of the Faculty of Education.

Q. So Mr Smedley?

A. That’s right.

Q. Would you have regular contact with Mr Jones on a day to day basis?

A. No. He wasn’t my PA.

MR SWIFT: I have no further questions, thank you your Honour.

JUDGE CUMMINGS: Thank you very much. Mr Dyer.

Re-examined by MR DYER:

Q. I wonder, Mr Townley, if we could get back to the invoices that we are concerned with. I am not going to take too long. Just going back to our jury bundle with the invoices in, sorry, the prosecution jury bundle, divider 4 please?

A. Oh, divider 4.

Q. Yes, so move back to divider 4. We have the schedule which starts blue and has a bit of green on as well?

A. This one?

Q. Yes. You will see on here that there is a column for cost centre, something you have explained to us, I’m not going to ask you to explain it all again, yes?

A. Yes.

Q. So we have got GED and PAR?

A. Oh yes.

Q. PAR, you indicated you were a signatory on that cost?

A. Yes, I was.

Q. Or that budget I suppose it is, that cost centre?

A. Yes.

Q, But what I wanted to ask you is who were the other potential signatories on PAR? Just bear in mind we are dealing with 2009 initially, into 2010?

A. Well my understanding, and they were only signed if I was on leave and really unavailable, to urgently get an invoice.

Q. So who would they be?

A. Robert Smedley and Amanda Groom.

Q. Right. Anybody else?

A. I am not aware of anyone, but there may have been other signatures.

Q. Okay, thank you, and on here there is also the GED code, and you said that that related to Mr Smedley’s budget, is that right?

A. Well I understand, yes, it’s called general expenditure, and my understanding is that only Robert Smedley could sign for that, or possibly someone senior.

 Q. Were you authorised to sign GED?

A. No.

Q. Thank you, that’s all I need to know. During this time, just looking here, we are talking 2009 into 2010, just that period, and that’s the period when we know in February 2010 Mr Joynson becomes an employee. Were you aware of any relationship between Mr Smedley and Mr Joynson at that time?

A. Yes.

Q. What?

A. Oh, before he became an employee?

Q. 2009 up to, let’s say February 2010?

A. Well in February 2010 he told me that Chris was, you know, he knew the family, and particularly his father.

Q. Were you aware of any closer relationship than that?

A. No.

Q. Right, and did you become of any closer relationship in the following three years?

A. Myself?

Q. Yes? Did you become aware, did Mr Smedley tell you or did Mr Joynson tell you they were in a relationship or anything like that?

A. No.

Q. As far as pre-employment work is concerned, so the first of these invoices, it is up to 20?

A. Yes.

Q. As far as that period is concerned, I am not asking about the specific invoices, but that period, through your own direct knowledge of work actually done by Mr Joynson, are you able to confirm or clarify at all what work he may or may not have done?

A. Yes, I know of...

Q. Right, through your direct knowledge?

A. Yes.

Q. Through seeing him do the work?

A. No.

Q. Right, thank you.

A. Through project management.

Q. Yes, through other people?

A. Yes. That wouldn’t be unusual.

Q. You have been cross-examined in relation to some email correspondence with Sue Farrimond?

A. Yes.

Q. And I just want to ask you about that. There is some contact with her clearly at this time, so just before his employment, that sort of time. Do you know who put Mr Joynson in touch with Sue Farrimond or not? If you don’t remember, please say.

A. I don’t completely remember.

Q. All right, and in relation to Fiona Hallett, do you know who it was that put Mr Joynson in touch with Fiona Hallett or not?

A. No I don’t.

Q. Okay, thank you. I now want to just look, and I am going to, again, do this hopefully fairly quickly, at some of the job descriptions, just parts of them, not the whole documents, we don’t want to bore the jury. Divider 11 is the first position. Now, as far as this is concerned, if you just for the moment go behind divider 11, I want to ask you, I am going to show the jury this document in a moment, but could you just have a look at it, just to confirm what this is, because this is relevant to this job. Could you just have a look at the two emails there. They appear to be between yourself and Robert Smedley?

A. Yes. Right.

Q. And they are from 19th August 2009, is that right?

A. Yes.

Q. And do you agree that there is an email each way, one from you and one...?

A. Yes, yes, so the bottom one is from Robert to me.

Q. I am going to ask that the jury have a copy of this, your Honour. I think in fact there is already one in the jury bundle, I think you already have a copy?

A. Yes, I did actually.

Q. Yes. I think we may need that one for the jury, so, my fault. So if you turn back a page, I think you will find, sorry. I am going to ask that this goes just behind divider 11, members of the jury, so the first, it becomes page 0, apologies. (Handed) So just before page 1. So this is 19th August 2009, and it is an email from Robert Smedley to you, signed off R isn’t it, which he sometimes did?

A. Oh yes, yes.

Q. “How easy do you think we will find it to secure good people to these posts?” He is asking about new posts I think. “My reason for asking is that Chris Joynson”, and then it says, “Do you remember him from Fosse project, and met with Christine Gilbert”. Who is Christine Gilbert?

A. I cannot remember.

Q. Chief Inspector?

A. That crossed my mind, but I wasn’t, there are other tutors. We employed tutors who might have had that name.

Q. Well, okay, well I think it was a reference to ....

A. Yes, I think she was...

Q. Head of Ofsted?

A. I don’t know what time that was.

Q. So he is referring to the Fosse project, and perhaps a time when he came to the university to meet the Chief Inspector, who was there?

A. Okay. I do recall the Chief Inspector coming to the university, but I couldn’t tell you the year.

Q. So, “He has contacted me to say he saw the posts advertised and thought about applying, but the primary one was only 0.6 FTE”, well we have just heard about that, we don’t need to explain that again, it is not a full-time job, yes?

A. Yes.

Q. “And he would need a full-time post. I know he did consultancy work in the Midlands, visiting primary schools”, so that is him telling you about other consultancy work in the Midlands, “and meeting with heads, etc, to promote a learning package. Is this worth us pursuing, do you think?”. So, does that help you recall what actually was going on there in terms of Mr Joynson and the work he ended up doing for the university?

A. No.

Q. What was your response?

A. I don’t recognise the email at the top.

Q. You don’t?

A. I don’t think I ever would write, “Your question is very timely”. It is not an Edge Hill email.

Q. It is not an Edge Hill email?

A. From Peter Townley, and then in brackets, well, marks, Peter Townley, I don’t know what the mark is.

Q. I am sorry?

A. The electronic mark.

Q. Well don’t worry about the electronic mark.

A. Well I don’t understand the email, where the source is.

Q. Well, you can take it from me that the source is Edge Hill?

A. So it is from me?

Q. Well, yes, do you recall it though?

A. No.

Q. Right, if you don’t recall it, you don’t recall, so be it. But if you just read to yourself that email at the top and see if it does jog your memory or not. Do you recall it or not?

A. No.

Q. All right, if you don’t recall it, you don’t recall it, so be it. I am just going to ask you to look at page 5 of this divider, so divider 11, page 5, which is the job description for partnership development officer?

A. That is the first one.

Q. The first job, yes?

A. Yes.

Q. And towards the bottom we can see the words, “Corporate responsibilities”, yes?

A. Yes.

Q. So this was a job with corporate responsibilities, yes?

A. Yes.

Q. And, “The post holder will participate in Edge Hill’s decision-making process, (b) contribute to and serve as appropriate on internal committees, working and advisory groups, (c) contribute to the fulfilment of Edge Hill’s mission statement and strategic plan by implementing agreed Edge Hill policy”, and over the page, “(d)”, it says, “Encourage and promote the generation of income”?

A. Yes.

Q. “Including the provision of research and consultancy”?

A. Yes.

Q. Below there are specific duties and responsibilities. I just want to look at some of those. “The post holder will be expected, as and when required, to”, and then, “manage partnership arrangements for award tracking, engagement and action across all partners”?

A. Yes.

Q. “Demonstrate initiative in seeking to develop innovative partnership practices. Make good use of virtual environments”, and (c), “Organise and develop effective partnerships across the GOR’s”. What are GOR’s?

A. Government, I don’t know what O is, regions. Organisational regions. Government regions.

Q. Right, so what is it referring to in reality?

A. It is working on developing partnerships with local authorities, schools and other stakeholders.

Q. Right, across the GOR’s, is that geographical representation?

A. Oh, that is across England. I think there are eight GOR’s, I think.

Q. Okay, so regions?

A. Yes, the regions.

Q. There is a reference to ensuring, this is (d), “That nominated members of staff within each local authority are appointed as associate tutors prior to the commencement of their engaging with the project”. That is a reference to the specific project, taking on associate tutors. “(c) Draw up partnership agreements with local authorities new to partnership”?

A. Yes.

Q. Yes?

A. Yes.

Q. So those are part of the job description, and then just if we move through to the actual contract, if we look at page 29?

A. Page?

Q. 29?

A. Oh yes.

Q. Over the page, it says, “Duties and hours of work”, paragraph 5?

A. Yes.

Q. 5.2, it is a full-time post, is that right?

A. Yes.

Q. About halfway down that paragraph, “You are expected to work flexibly and efficiently”?

A. Yes.

Q. Is that right?

A. Yes.

Q. “Maintain the highest professional standards”?

A. Yes.

Q. “Discharging your responsibilities and promoting and implementing the corporate polices of Edge Hill University”?

A. Yes.

Q. Is that right?

A. Correct.

Q. Now if you move to page 35, we already, I think, touched upon exclusivity of service, that is notifying of other work. I am not going to read through that, but we have already touched upon it. So that is partnership development officer, and that is the job description and also parts of the contract. I wonder if I could ask you to look at the colour chart?

A. Yes.

Q. Page 5. So page 5 is when he takes up his position, do you see, the red line?

A. Yes.

Q. Do you have that?

A. 8th February 2010.

Q. Yes, and so the blue below that, we see it as lots of references to Saturday master classes, and evening master classes, and additional teaching hours?

A. Yes.

Q. And over the page as well, reference to master class materials and the like?

A. Yes.

Q. And that takes us, if we go to page 7, we can see he is then appointed in September 2010 to his next post, which is a co-ordinator?

A. Yes, and that’s a different job description.

Q. So during this period, as partnership development officer, the work is principally master class provision, which we are told is Steps to Success?

A. Yes.

Q. Now we have looked at the job description, we have looked at the contract, as far as you are concerned, that type of work, in so far as it has been described by my learned friend, would that form part of his salaried employment or not?

A. It may not do. The officer role was fairly narrow, but it depends what the work was, and for me ...

Q. We only have what we are told....

A. Well I find that extraordinary, there must be, you know, records of the master classes delivered because people must have been engaged on them. There is a huge amount of work.

Q. All right, but the Steps to Success, and what you know about that, does it fall within the job description or not?

A. It depends if it was around special educational needs, and I think some of it probably was. If I can just look at the JD again. Yes. He would be responsible for the development of partnerships with local authorities across the country in order to facilitate delivery of a national award for SEN co-ordination.

Q. Right. Just ...

JUDGE CUMMINGS: Where are you quoting from please?

A. This is item 5, and it is just underneath, “Accountable to the Dean of Faculty of Education”, it is the first paragraph really, so it explains what the job is. It is quite short.

Q. Are you on page 30? Is that the contract?

MR DYER: No, I think he is on page 5 actually, the job description. Job description. If you could ...

JUDGE CUMMINGS: Just a moment please. So you were being asked if Steps to Success fell within the job description, my note of your answer is, “It would depend on whether it was special educational needs, and I think some of it was”?

A. Yes, because of this national SENCO qualification, which is what the main priority of the job is.

MR DYER: Could I ask you to look at page 6?

JUDGE CUMMINGS: Yes, so nationally approved training for special educational needs co-ordinators, yes?

A. Yes, page 6, yes.

JUDGE CUMMINGS: Yes, got it, yes.

MR DYER: And if you look at page 6, middle of the page, sorry, yes, the paragraph C in the middle of the page, or, sorry, towards the top, “Organise and develop”, specific duties and responsibilities?

A. Yes.

Q. “Organise and develop effective partnerships across the GOR’s with local authorities, schools and other stakeholders”?

A. Yes.

Q. Now what, from what you have been told about these master classes, what ....

A. I have no detail on, you see master classes would vary.

Q. It seems to be suggested that it is Steps to Success, it is assisting schools, and the whole point of that, I think it is suggested, is that you could have trainees there potentially?

A. Oh yes. Well the barrister for Robert Smedley said yesterday that one thing can lead to another, and certainly we would expect him absolutely to be very flexible in his approach, and indeed I think that is mentioned in the job description, and it actually is the culture of a Faculty of Education under Robert Smedley that you didn’t put yourself in a box.

Q. So let’s just assume that the defence are right, that there was Steps to Success master classes, going into schools?

A. Yes.

Q. The benefit, I think it is suggested, is that potentially you can have trainees in the school?

A. Yes.

Q. Is that partnership work or not?

A It is partnership work.

Q. Right, thank you, but it is partnership work with schools, it seems from what you have been told?

A. Yes.

Q. Right, thank you. Just moving on to divider 12 ...

JUDGE CUMMINGS: As partnership work you say that then falls within his salaried role, is that the position?

A. Yes.

MR DYER: If you look behind divider 12, page 1, you will find the job description there?

A. Divider 12?

Q. Divider 12, page 1?

A. Yes.

Q. So this is the next job, so on the sequence of events, we are on page 7 aren’t we, where we have reached, there is a red line there. So here, behind divider 12, we have similarly corporate responsibilities, so again it is a corporate role with corporate responsibilities, is that right?

A. Oh yes.

Q. And I don’t want to read all of this, because I think it follows a similar pattern, but certainly we can see at paragraph D, encourage and promote?

A. Sorry, it isn’t quite the same.

Q. No, it isn’t quite the same.

A. It is quite significantly different.

Q. All right, well you tell us why it is significantly different?

A. Well underneath, there is a paragraph, underneath where it says, “Accountable to the Dean of Faculty of Education”, “The post holder will be responsible for the development and leadership of partnerships with schools, local authorities, and other appropriate organisations, across the country, in order to stimulate demand for, and facilitate delivery, of the faculty’s professional development contracts and business. The major faculty contracts to be covered by this role are national SENCO award contract with TDA, national dyslexia award with TDA. The total number of students across both these projects is over 1,500”, but the way I read that is that, yes, that’s the main role in that second paragraph, dyslexia and SENCO, but much wider. We heard the barrister earlier saying how large these contracts were that we were trying to develop. This are in professional development, and we needed people on the ground with expertise and flexibility in order to generate those registrations.

Q. Right, thank you. Corporate responsibilities, paragraph D, “Encourage and promote the generation of income”?

A. Yes.

Q. As far as that is concerned, does that include ...

A. Oh yes, that could be quite wide.

Q. Well does it include funding for registrations?

A. Definitely, because it is corporate.

JUDGE CUMMINGS: Just a minute please.

MR DYER: It also refers to the provision of research, but I don’t think Mr Joynson is suggesting he did any research, he may do, I don’t know, but that’s included, and consultancy?

A. Can you just tell me ...?

Q. Paragraph D, it’s just the end of paragraph D?

A. Well, it depends what it means. He could certainly be involved in that, in helping to promote and generate, in fact I would suggest that some of these possible projects that we have seen the invoices for could possibly fall into that area, it is quite possible.

Q. Right, if you look over the page, at paragraph 5, under specific duties and responsibilities, could you look at that please?

A. Yes.

Q. “Promote the work of the university”?

A. Yes.

Q. So that is very broad?

A. It is.

Q. And, “Participate in the recruitment, selection and induction of students”?

A. Can I just have some water?

Q. Sorry, yes. So, all these questions you have been asked about CFEE, the PPD, payback, and recruitment of students, how does that fit in with this paragraph 5?

A. It absolutely fits in.

JUDGE CUMMINGS: Well, sorry, you say how does it fit in, just expand?

MR DYER: Sorry, yes, a poor question, I apologise. Would that include recruitment to PPD and CFEE, or is that something else?

A. No, it would include it. It may not be the principal driver, but because he is going all over the country, we have to utilise his expertise, energy and resource.

JUDGE CUMMINGS: Just a moment please. Thank you.

MR DYER: I am just going to ask the jury to add another couple of pages to the jury bundle, you have them in yours, but we are going to be looking at page 4B, the jury don’t yet have it?

A. Okay.

Q. Just to alert the members of the jury, one of these pages is double sided. It is going to go behind this divider, divider 12, but it is 4B, C, E. There should be sufficient. (Handed) You have already looked at these in fact?

A. I have.

Q. So if you start at 4D, and work backwards?

A. Oh yes.

Q. I am not going to read all the way through them, but if you have a look at them?

A. Start at 4D, yes, I understand.

MR DYER: So if the members of the Jury could place this behind 4A

JUDGE CUMMINGS: So divider 12, new pages 4B to D inclusive.

MR DYER: Yes, thank you your Honour. You have already looked at these, so I am not going to read right through them, but it is August of 2010, and the job description that is being referred to, it seems, is the one we have just been looking at, is that right?

A. Yes.

Q. Because....

JUDGE CUMMINGS: So the co-ordinator?

A. Yes, the co-ordinator role.

MR DYER: So he was moving from, potentially moving from development officer to co-ordinator, yes?

A. If you think about it, it was a very short time period, February to August time.

Q. And it has already been, most of it has already been read, so I am not going to read it all again, but this was correspondence just between you and Christopher Joynson, wasn’t it, back and forth wasn’t it?

A. Yes, Anita Walton copied in.

Q. She is copied in, but it is between you and Christopher Joynson?

A. It is.

Q. And he is seeking clarification I think as to his job description?

A. Yes.

Q. And just looking at 4B, going straight to that, which is your, I think, last email in this flurry of emails?

A. “Hi Chris, I think it is about building...”

Q. Yes, so middle of the page?

A. That’s the key for me.

Q. And is that you commenting on the job description we have just looked at?

A. Yes.

Q. So working on other projects could mean what?

A. PPD registrations, which we had spoken about, CFEE which we spoke about this morning, other projects that might come up, EEF projects with Promethean handheld sets, there could be all sorts coming up, and they were coming up at a rapid pace.

Q. All right, thank you. If we could just go back to the colour chart, just briefly, sorry to jump around, go back to page 7, this is the appointment to that role, September 2010?

A. Oh yes, yes.

Q. Right, turn over the page, we can see – sorry, there is some reference to master classes, but I am not going to go through all of that because there are a number of references, but page 8, more master classes in blue, but we haven’t really looked at the pink entries on here?

A. Oh yes.

Q. So this is while he is the co-ordinator. We can see, what has happened is the invoices have been transposed, the detail of them, onto this document, and the pink, they are invoice dates, because there are no dates given for any of this. So, registrations to CFEE you will see, on the 14th April, an invoice, 2011, 126 registrations, and there is support work claimed as well. We can see the total of that invoice, £17,000 odd?

A. Yes.

Q. Is an example, but then in April of 2011, future teachers work, consultancy and partnership work, 15 days?

A. Sorry, where is that, sorry?

Q. 21st April?

A. Oh yes.

Q. £5,775?

A. Yes, future teachers, well that was mentioned yesterday.

Q. And future teachers, would that be within or outside his job?

A. Well it depends what he did on it, but it is partnership development, and I gathered, I think from what the barrister said, that that is what he was doing, but I have no paperwork on that. I think he said he was developing partnerships in order to make it a successful project.

JUDGE CUMMINGS: So if it was developing partnerships, you say it is within his salaried role?

A. Absolutely, your Honour.

MR DYER: On this page, page 8, we can see references to master classes, they are in light blue, the actual work, yes?

A. Easter master classes, yes.

Q. Yes, and we can see, actually, that he has taken, so he has, on occasion, taken annual leave, CJ and RS annual leave on 21st April, CJ is Chris Joynson?

A. On 21st April he took leave, yes, but we don’t know when the master classes took place, do we?

Q. Well it is suggested that it took place on 21st April, you will see, the entry underneath, yes?

A. Oh, I see. I see.

Q. So there are occasions, and of course we are not going to look at them all, but there are occasions when he has taken annual leave, and then billed the university £425 for taking a master class?

A. Yes.

Q. Were you ever aware of that happening?

A. No.

Q. Did anybody ever ask you about taking time off in order to bill the university for other work as a consultant?

A. Not me. It is theoretically possible that you might do that, but we would want our people to have rest, they were working incredibly hard at this time, working very long hours.

Q. Right, were you ever aware of Mr Joynson doing that or not?

A. No, I was not aware.

Q. Okay. Over the page, you see more pink entries and registrations to CFEE, so he is still in the same job, practice based work, there is also work with Latham High School, 12th May?

A. 12th May, Latham High School, Trust partnership development.

Q. So would that be outside his salaried role?

A. No, absolutely not.

Q. Five days’ work, no dates provided?

A. Five days?

JUDGE CUMMINGS: Just a moment.

MR DYER: So that invoice ...

JUDGE CUMMINGS: Just a moment. Thank you.

MR DYER: £12.000 odd. Another one for £11,000 just below for more CFEE, and there is more Latham High School work, another three days. Over the page, more of the same, and more master classes?

A. Yes.

Q. And it goes on, page 11, at the top of page 11 you will see another invoice for £17,000 odd, 165 registrations, and also Promethean project, eight days. So Promethean project, let’s just assume that it is right what the defence are contending, that Mr Joynson was involved in some kind of Promethean project, presumably under the guidance of Mr Smedley, and doing that work, presumably seeking to obtain funding for the project, pre-bid work, would that be within or outside his employment?

A. Well that depends what he is doing, but there is no way he could possibly do that number of days. He was earning more than Robert Smedley was, it’s just ridiculous. He was earning more, nearly as much as the Vice Chancellor.

JUDGE CUMMINGS: Just a moment please.

THE WITNESS: He had a full-time job, and it was really demanding. He had huge commitments.

JUDGE CUMMINGS: Thank you.

MR DYER: I don’t want to go through all of these pages, it would take too long, but we can see, if we move on to page 17, that he was appointed on 1st September 2012 to another post, Assistant Head of Professional Development, partnership and enterprise, his salary has grown to £52,000, and as far as that is concerned, if we just briefly look behind divider 13, this is the occasion when he was effectively taking the place of Tim Rutter isn’t it?

A. Yes, yes.

Q. So there is an authorisation form ...

JUDGE CUMMINGS: I am so sorry, I have lost that page?

MR DYER: Sorry, it is divider 13, your Honour, page 1.

JUDGE CUMMINGS: Divider 13, page 1, thank you.

MR DYER: And page 2, we see Mr Smedley’s authorised that?

A. Yes.

Q. And page 5 we get to the job description?

A. Yes.

Q. And this is the last of the job descriptions that we have, although there were changes in job title. Assistant Head of Professional Development, partnership and enterprise, and we see the main purpose of the post, on page 5, partnership and development work, the management of partnerships linked to the faculty’s professional development work?

A. Yes.

Q. So, I presume, managing other people then?

A. Yes, and co-ordinating the work that was going on, which the barrister was asking me about first thing this morning.

Q. Yes, and there is reference to other developments, isn’t there, without reading it all, private sector and other things that are going on\_

A. It is very wide ranging this job description.

Q. Corporate responsibilities include, “(b), participate in and accept responsibility for the management and development of the institution”?

A. Yes.

Q. And (d), over the page, “Encourage, promote and partake in the generation of income, including the provision or research and consultancy”, it is similar to the previous job description?

A. This is a very senior position in the university.

Q. So it is similar, but it is a more senior position?

A. And very wide ranging.

Q. (f), “As necessary, promote and facilitate cross-institution inter-disciplinary developments in overall course provision”?

A. Cross-institutional is actually about the university and about subjects in the university, not particularly about partnerships I don’t think.

Q. Right. Specific duties, well 1 and 2, it is a leadership role, lead the operation development, management of all aspects?

A. Yes.

Q. But professional development, partnership within the faculty?

A. Yes.

Q. Working closely with the Head of Professional Development, and PD?

A. Professional development.

Q. Professional development administration. Increase and develop professional development partnership, is it, number 2?

A. It says, “Increase and develop PD partnership activities”. Professional development.

Q. Professional development, and partnership, “by being proactive, identifying potential new partnerships and ensuring opportunity is capitalised on”?

A. This really is a major challenge, you know, a major duty, and just requires huge expertise and commitment.

Q. Just moving down, I don’t want to read all of it, paragraph 7 ...

JUDGE CUMMINGS: Forgive me, is the question whether item 2, specific duty 2, covers or does not cover some of what was being billed for in the case, is that the question?

MR DYER: Well I was going to ask about 7 and then ask whether together they, those together, apologies your Honour.

JUDGE CUMMINGS: Okay, no, no.

MR DYER: Paragraph 7, “Ensure that the professional development recruitment and income targets are achieved through partnership development work, and continually monitor recruitment against targets, so that strategies are developed to ensure that targets are met and surpassed as appropriate”?

A. That is all the work we have been describing.

Q. Just looking at those duties, specific duties we have looked at, particularly 2 and 7, the work that has been described to you, is it outside of this job, or is it part of the job?

A. Absolutely, categorically, no.

Q. If we just briefly go back to the colour chart, and we were on page 17, and we can see there are more master classes?

A. Yes.

Q. And there is actually work at Rainford High School, special educational needs advisory work in fact, would that form, would that be outside his job?

A. No.

Q. Schools university project?

A. Absolutely within it.

Q. Obviously more master classes. Over the page, we have more recruitment, this is Forward Education. You will see, 2nd January, he is claiming £18,000 this time, for 185 registrations, for term 1?

A. For registrations for what?

Q. Well, I don’t think it says, but presumably one of the, I am not sure it matters really?

A. Oh, okay.

Q. But recruitment onto one of these ....

A. Tutorial time.

Q. Do you know anything about tutorial time?

A. The point is, you know, he may have done some tutoring, and it wouldn’t be a main aspect of his role, but he has done six days, but he had a full-time job, he had to work, you know, very, very hard at it. Where did he find these days from? There is huge numbers.

Q. There are other entries there, but we get on to seconded time for staffing, as agreed, for term 1. We see in January 2013?

A. Yes, 18th January. I don’t know what that means, I have no idea what that refers to. I was shown a list of secondments yesterday, I had no idea why I was shown it, wasn’t it that it’s meant to be this, because it is just nonsense.

Q. Right, thank you. If you move over the page, page 19, just looking towards the bottom, there is reference to a specialist centre, SEND specialist centre?

A. Where is that, sorry?

Q. Special educational needs, the bottom, the blue inset?

A. SEND specialist centre development.

Q. Do you know what it is?

A. I can’t recall. I mean we did deliver in centres, we delivered special educational needs in centres across the country, so it may well refer to that, and he needs three days on additional pay to do it. I don’t know what, I just can’t imagine what work this is, but maybe there is evidence of it.

Q. Maybe, we’ll see. Thank you, I am not going to go through the rest of that, there is obviously more of the same in terms of invoices, but there were changes in job title, but it seems not further job descriptions, but it seems there were promotions, because his pay was increased?

A. Did he get more money after that first one, he got £50,000 odd on that one.

Q. We have the figures, we don’t need to go ....

A. I don’t know if they were promotions.

Q. Right. I just want to ask you, finally, before we take a break, I apologies for going on a little longer than expected. You were asked about a number of others who were paid on top of, or potentially paid additional sums?

A. Yes.

Q. As what is being suggested consultants, but perhaps associate teachers?

A. Associate tutors.

Q. Tutors, sorry.

A. I think they were paid as associate tutors, the ones that were shown me.

Q. Let me just name them, just to remind you?

A. Yes, thank you.

Q. Without, just listen to the names. Helen Sanderson Walker, who was the IT expert?

A. Oh yes.

Q. Ian Holland, who is the top head teacher?

A. Yes.

Q. Wendy Dixon, who marked some exam papers?

A. Yes.

Q. Mrs Kirton, who was in the other faculty, but was paid as an associate tutor in your faculty?

A. Yes.

Q. And David Callaghan, who was an employee, but also paid as an associate tutor?

A. What was that last name, sorry?

Q. David Callaghan?

A. Oh yes, David Callaghan, yes, I’ve got that.

Q. You knew of him?

A. I knew of him.

Q. So you were asked about those five people?

A. Yes.

Q. Could I just ask you one or two questions about them?

A. Yes, please.

Q. Did any of them have corporate responsibility in the way that Mr Joynson did at Edge Hill?

A. I would have to see their job descriptions. Helen Sanderson Walker wouldn’t, she was an external consultant, not on the payroll.

Q. Right. Mr Holland?

A. Mr Holland wasn’t on our payroll, so he wouldn’t have those responsibilities. Could I have the third one please?

Q. Wendy Dixon?

A. Well I think she would have corporate responsibilities.

Q. Right, and the additional work that she did, it seems, was marking exam papers?

A. Yes.

Q. What was her general role, do you know?

A. I don’t, to be honest. I do know the name, I can’t really even put a face to her, not properly, so I am pretty sure she would be a senior lecturer delivering modules in the faculty. I don’t know why she was paid more.

Q. All right. Mrs Kirton, who is in the health and social care faculty in fact, so it doesn’t seem she held any position as an employee in the Faculty of Education?

A. No, she didn’t, in the education, but she would have corporate responsibilities in the Faculty of Health.

Q. Right. David Callaghan, you weren’t sure whether he was full or part-time?

A. No, I am not sure, but he worked for Learning Services, so he would have responsibilities. He wasn’t a teacher in Learning Services as such, he was providing support to students.

Q. Right, and he wasn’t a consultant but was an associate tutor, is what you said?

A. I am pretty sure, I can’t be certain that there was an agreement with Learning Services about his deployment, because I know I raised it on several occasions, I was quite concerned about it.

Q. As far as you are aware, were any of those people commissioned by a relative of their own, or somebody they were close to?

A. What do you, not a relative, not relative, but close to?

Q. Were any of them taken on, or asked to do work, by a relative, as far as you were aware?

A. No.

Q. Or somebody they were in a relationship with?

A. No.

Q. Was any of them paid half a million pounds over four years?

A. No.

Q. Anything close to it?

A. No.

MR DYER: Thank you. I wonder if that is, well, I don’t know if your Honour has any questions for the witness?

JUDGE CUMMINGS: No, just give me a moment please. Thank you for the extensive attendance that you have given at this trial, Mr Townley.

THE WITNESS: Am I now released?

JUDGE CUMMINGS: You are free to go, and forgive me if I just say, even now that your evidence is completed, if you, please, just wouldn’t discuss, and in particular not with any potential witness, I would be grateful.

THE WITNESS: I completely understand, thank you very much.

JUDGE CUMMINGS: Thank you very much.

MR DYER: I wonder if we could have a short break, your Honour, and then – sorry for the lateness.

JUDGE CUMMINGS: Yes, well, as I am sure you are aware ladies and gentlemen, it is twenty past twelve, there is no point my saying at this stage we’ll take twenty minutes. Can we just take ten minutes, please, and resume at half past, very grateful.

(In the absence of the Jury)

JUDGE CUMMINGS: I say this generally, I believe the evidence of that witness took far longer than it should have done, and I say no more at this stage, it is the very early stage of the trial, and to a certain extent that can be accepted as involving scene setting, or early entries into particular areas, but I just think in itself it was inordinate, and I expect it to be much more efficient with other witnesses. But there we are. What next?

MR DYER: Well we have a number of witnesses here. I am just going to speak to my learned friends to check how long they will be, because I have Stephanie Tasker here, who can only be a very short, I hesitate to say, a very short witness, she is a head teacher. I don’t know how many questions my learned friends have, how long they will be, but they do have some, I understand.

MISS HUSSAIN: Yes, I have about ten minutes.

MR DYER: We can certainly deal with her. So I would like to get rid of her, if I could.

JUDGE CUMMINGS: Yes, I understand. Well, ten minutes, please don’t wait.

MISS HUSSAIN: Before we do go, may I just mention one matter in relation to a document that was put to Mr Townley, it is the one that the Crown has introduced in re-examination behind divider 11.

JUDGE CUMMINGS: Oh yes, are these the emails?

MISS HUSSAIN: Yes. Your Honour may not have been aware, he was very puzzled by that document, didn’t seem to recognise it. That is disclosure from the Crown, so it is a genuine, there can be no doubt about it, a genuine document that has been obtained by the Crown from the university, I think server system, would that be fair, so I just wanted your Honour to be aware of that.

JUDGE CUMMINGS: No, no, absolutely, but if there is any, if there had been any question about it, it would have been a problem for the Crown because they are the party who introduced it, but you are confirming that it is, as I understand it, agreed on all sides that whether the witness remembers it or not, that is in fact a genuine email exchange that he participated in.

MISS HUSSAIN: Yes, and also, I understand ...

JUDGE CUMMINGS: And you seek to, or may seek to rely on it, I don’t know.

MISS HUSSAIN: Well it is in the document in any event, but it was because he seemed to, when I was putting documents that we had not formally exhibited yet, because the provenance of them will be the Defendant, he obviously, I think it is obvious through the passage of time, didn’t appear to accept some of the communication necessarily involved him or the content of it. I think we got there eventually, because he did recollect aspects of what was contained within it, but here was another document that we know for sure he was party to this communication. So, I just wanted your Honour to be aware that there can be no doubt about this, and to any extent that it might influence the parties in terms of the provenance of documents, here is a document, which again he went further and said, “This is not a document I would have written. ‘Your question is very timely’ is not a phrase that I would have used”. Obviously, nothing is to be done about this now, but I wanted your Honour to be aware of this, and in due course we will seek an admission that will set out the provenance of that document.

JUDGE CUMMINGS: Yes, thank you. Half past please. Don’t wait, no one need wait, I keep saying it.

(Short adjournment)

(In the presence of the Jury)

MR DYER: Your Honour, I call Stephanie Tasker to give evidence.

JUDGE CUMMINGS: Please.

STEPHANIE ELIZABETH TASKER Sworn

Examined by MR DYER:

JUDGE CUMMINGS: Thank you very much. Are you happy standing or would you prefer to sit?

A. I am happy standing.

JUDGE CUMMINGS: Thank you. Mr Dyer.

MR DYER: Thank you. Could you give your full name to the court please?

A. Stephanie Elizabeth Tasker.

Q. Thank you. I am going to ask you some questions, if you could try to face the jury so that they can hear everything you had to say. I think it is right that you were employed as a head teacher at Pinehurst Primary School from around April 2009?

A. Yes.

Q. And how many years were you there?

A. I am still there now.

Q. You are still there, right, thank you. In around June of 2009, did you have some contact with Edge Hill University?

A. Yes, I did.

Q. Could you just tell us very briefly why you had contact with Edge Hill University?

A. When I took over the school it went into what was called special measures, so I contacted Edge Hill University for some support in showing my teachers what a good lesson was like, so that they knew what was going on, and with a view to them becoming mentors of trainee teachers.

Q. Right, trainees from Edge Hill?

A. From Edge Hill, yes.

Q. So you made contact with Edge Hill yourself, is that right?

A. I did.

Q. And did anyone from Edge Hill come to visit the school?

A. Yes, there was, two people came initially. I know Sue Harrop was one of them. I am not 100% sure who the other person was, but it was probably Mark Rawsthorn, because that was the name that was in my school diary for that date.

Q. Right, which date are we talking about?

A. It was about October 2009.

Q. Right, and is that date taken from your diary or taken from ...?

A. No, it was before that, because it was for some training in September, so it was in the summer term.

Q. So the summer term of 2009?

A. Yes.

Q. Sue Harrop and you think Mark Rawsthorn came?

A. I think Mark Rawsthorn, yes.

Q. Right, was it just the two or was anybody else there?

A. No, there was nobody else there, there was only two people that came to see me.

Q. And was the purpose of them coming on that day then?

A. To discuss the future plans on how we were going to support the teachers and move forward to training them all as mentors for the trainee teachers.

Q. Right, and so they came on that day, and were you actually involved with them on that day yourself?

A. Yes.

Q. What happened after that, was there more that was done, did it progress or not?

A. Yes, there was two members of Edge Hill staff came in and supported two of my teachers, one in year 6and one in year 1, and that was Sue Rawsthorn with the – sorry, Sue Harrop with the year 6 teacher, and it was Greg Parker with the year 1 teacher.

Q. So two teachers from Edge Hill, or tutors?

A. Yes.

Q. Sat in two of the classes and that was one day or more?

A. Oh it was over about a term, they popped in and out.

Q. I see, right, and did anybody else get involved from Edge Hill or not?

A. No, not that I can remember, no.

Q. I am going to ask you if you could, there is a file in front of you, if you just put the pieces of paper to one side, I think you have a copy of your statement there don’t you, if you just put that to one side. If we look at the file, you will see if you open it there are dividers, do you see the numbered dividers, if you just look behind divider 6?

A. Yes.

Q. And turn to page 3, you will see an invoice, hopefully?

A. Yes.

Q. Which says CJ Consultants?

A. Yes.

Q. Do you have any knowledge of CJ Consultants?

A. No, none at all.

Q. There is a reference underneath to Mr C Joynson, who is Christopher Joynson. Do you recall a Mr Christopher Joynson?

A. No.

Q. Do you ever recall having any contact with him or not?

A. No, I don’t.

Q. This invoice, we see the invoice date is 9th October 2009. The date of the work seems to be 9th October 2009, and it says, “Mathematics consultancy day, Pinehurst Primary School, Liverpool S2S project”, and then travel to EHU, is Edge Hill, and, first of all, have you ever seen that invoice before you were shown it by the police?

A. No.

Q. Do you know anything about a mathematics consultancy day as described in this invoice?

A. No.

Q. As far as the work that Edge Hill did is concerned, was that something that involved the exchange of money?

A. No.

Q. Either way, from the school or from Edge Hill, as far as you were aware?

A. Not for the consultancy work, no, for the work done by the people that came in from Edge Hill, Mark Rawsthorn, Sue Harrop and Greg Parker.

Q. For those, there was money exchanged there?

A. No.

MR DYER: No there wasn’t, okay, thank you. Thank you. If you wait there, please, there will be some questions for you.

MISS HUSSAIN: Your Honour, may I just go to the back of court?

JUDGE CUMMINGS: Of course, please do.

MISS HUSSAIN: Thank you very much.

Cross-examined by MISS HUSSAIN:

Q. I am sorry, was it Mrs Tasker?

A. Yes.

Q. Mrs Tasker, there was a meeting in October of 2009, wasn’t there?

A. Not in my diary there wasn’t, no.

Q. Forgive me, I understood that you said, perhaps I just misheard you, when you said there was a diary entry for October 2009?

A. No, there was a diary entry for the summer term, and then we had some training at the beginning of the autumn term on mentor training.

Q. I see. We are going back a long way, obviously it is 2009 that I am asking you questions about, but what I am going to suggest to you is that there was a meeting in October of 2009, when people from Edge Hill came to meet with you, and one of those people was, at that meeting, was Christopher Joynson?

A. I have got no memory of that at all, and there is nothing in my diary to suggest that.

Q. Is it possible that through the passage of time you cannot now recollect that occurring, i.e. that it could have happened?

A. I have checked, I never requested anyone to come, other than the people I had dealings with when I was a head teacher in a previous school, which was Sue Harrop and Mark Rawsthorn.

Q. But it is possible ....

JUDGE CUMMINGS: Just a moment.

MISS HUSSAIN: Forgive me.

JUDGE CUMMINGS: So when you took over at Pinehurst, you specifically asked for two people you had known from previous dealings?

A. I contacted Sue Harrop, yes.

Q. Because you had worked with her and Mr Rawsthorn at a previous school?

A. Yes.

MISS HUSSAIN: So she was your contact, but she brought, I suggest there was a third person that attended with them, and that was Christopher Joynson?

A. I have got no memory of that, no.

Q. Do you remember the name, Christopher Joynson?

A. No.

Q. So you would say you have never had any communication with a person of that name?

A. I have no recollection of that, no.

Q. In terms of the invoice that your attention has been directed to, I don’t suggest that you would have seen that invoice, that is just so that the court is aware of what the defence position is in relation to that. Pinehurst was in special measures when you took over?

A. No.

Q. Well, as you took over?

A. As I took over, yes.

Q. I would like you, please, just to have a look at, just take hold of the documents for the moment, sorry Usher, I should have given you two copies, one for His Honour. (Handed) Just let me ask the question first, please, Mrs Tasker. Mrs Tasker, let me ask the question first, otherwise it just gets confusing?

A. Okay.

Q. So I suggested to you that you did meet with Christopher Joynson. Let me just try and help you as to what it is I suggest happened. At the meeting that I suggest did take place involving him, he was there, and particularly spoke to you about his experience of Fosse Primary School, does that ring a bell?

A. No.

Q. Now Fosse Primary School was a school that had gone into special measures, at which Mr Joynson had had particular experience in dealing with, and he was there explaining to you the work that had been done in partnership with Edge Hill in respect of Fosse Primary School?

A. No memory of it.

Q. And so having had that introduction to him, there was communication, I suggest, between you and Mr Joynson. If you could, please, just look at page 1 of the bundle. STasker@Pinehurst.Liverpool, etc, is that your email address?

A. It was a previous email address, yes.

Q. The subject of the document I am putting to you is interview at Pinehurst. Just, in fact that first page is just the actual email, and then there was an attachment it seems, see attached. Now I can’t put the attachment to you, but if you go to page 2?

JUDGE CUMMINGS: So page 1 is an email from November 2009?

MISS HUSSAIN: That’s right, forgive me.

JUDGE CUMMINGS: And who are you saying the email is from and to?

MISS HUSSAIN: It is from Mrs Tasker to Mr Joynson, and I invite you to just look at page 2.

JUDGE CUMMINGS: So that is CD, CD something UK, you say that’s your client’s email?

MISS HUSSAIN: @yahoo, yes.

JUDGE CUMMINGS: Okay. So this is the proposition, Mrs Tasker, it is being put to you that on this date you sent an email to Mr Joynson. What do you say about that?

A. Well if I look at number 2 ...

MISS HUSSAIN: Page 2, yes?

A. Page 2, that is an invitation to an interview for a position in the school, which must have followed, I’ve got no memory of it, but the only thing is that it could have been that he applied for a job with me. It had nothing to do with any work he had done in the school.

JUDGE CUMMINGS: Right, just a moment please. Thank you.

MISS HUSSAIN: And that letter thanking him for an application is not dated actually, on the face of the letter, but the interview date that is being offered is Thursday 12th November, is that right, if you can just confirm that?

A. Yes, that is my signature on the letter.

Q. Now I suggest to you, in fact, this letter was not generated as a result of some person, i.e. Mr Joynson, making an application for a job that was advertised. If you turn over to page 3, can you see there is email communication, does that help you?

A. No.

Q. No, okay, but in any event, can you confirm this is an email dated 10th November 2009 where Mr Joynson is expressing that he wants to withdraw from the application because he is doing more work for Edge Hill University?

A. That’s what he says, yes.

Q. And he says he would like the opportunity of doing some teaching at Pinehurst, which he could talk to you about when he was next in Liverpool?

A. It does, yes.

Q. Now, I suggest ...

JUDGE CUMMINGS: Do you have any recollection of these emails?

A. No, I don’t.

JUDGE CUMMINGS: Just a moment. Yes.

MISS HUSSAIN: I suggest that it was because of your initial interaction with him at the meeting at Pinehurst, where I say he was present, that the subject of a potential forthcoming job at this school came up in conversation?

A. That would be through my Governors, not from me.

Q. Well I suggest that was the conversation you had with Mr Joynson after you had heard of the particular work that he had done in relation to Fosse Primary School being in special measures?

A. No recollection of that at all.

MISS HUSSAIN: Thank you very much Mrs Tasker.

MR SWIFT: I have no questions, thank you your Honour.

MR DYER: I have no re-examination.

JUDGE CUMMINGS: Miss Hussain, can I just understand, all this relates to an invoice for work described as a mathematics consultancy day?

MISS HUSSAIN: Yes.

JUDGE CUMMINGS: Is your case that such a day took place at Pinehurst Primary?

MISS HUSSAIN: I am suggesting that the work that was done to generate that invoice was the day that I have put to the witness, at which he attended to speak in relation to his experiences with Fosse.

JUDGE CUMMINGS: So the meeting that you have put, that is the mathematics consultancy day on your case?

MISS HUSSAIN: Yes. The way it is described on that invoice, that is the underlying source of the work, the underlying work, and of course that invoice was submitted to Edge Hill University, so it was on behalf of Edge Hill University.

JUDGE CUMMINGS: Yes, and the invitation to come to an interview, did he attend such an interview or not?

MISS HUSSAIN: No he didn’t, because the final email, he withdraws it.

JUDGE CUMMINGS: Thank you. Just a moment. Thank you.

MR DYER: Might the witness be released, your Honour?

JUDGE CUMMINGS: Yes, thank you very much for coming.

MR DYER: Your Honour, the next witness is Sue Farrimond, we can make a start on her evidence, it is close to one o’clock. She is outside.

JUDGE CUMMINGS: Certainly.

MR DYER: Perhaps could call Sue Farrimond to give evidence then. At page 231 your Honour.

SUSAN MARGARET FARRIMOND Affirmed

Examined by MR DYER:

JUDGE CUMMINGS: Thank you. Are you happy standing or would you prefer to sit?

A. I would prefer to sit.

JUDGE CUMMINGS: Certainly, please do. Thank you.

MR DYER: Thank you. Could you give your full name to the court please?

A. I am Susan Margaret Farrimond.

Q. Thank you. I am going to ask you questions, if you could direct your answers to the jury so they can hear everything you have to say. I am going to ask you if you could, you have a folder there, and there are some loose documents, if you just move the loose documents to one side for a moment, and if I could ask you to take hold of the lever arch file. I wonder if you could turn back to the front, sorry, you will see there are a number of dividers with numbers on, do you see that?

A. Yes.

Q. If you turn behind divider 3, the first page of a chart, if you could have a look at that for a moment?

A. Yes.

Q. This is an approximation of the structure of Edge Hill in around 2009/2010, that sort of time. I appreciate things will have changed over time, but you will see on this document in blue the Dean of the Faculty of Education, Robert Smedley, do you see that?

A. Yes.

Q. And you will see the Associate Dean, Mr Townley, and in fact beneath his name your name appears, Head of Partnerships?

A. Yes.

Q. I think the dates actually may be wrong, it says September to December 2010?

A. It was 2009.

Q. Yes, perhaps we could amend that on our document, it should be 2009 shouldn’t it, apologies. So is that right then, for a time in 2009, was it September to December, something like that?

A. Approximately, it was some during that academic term.

Q. Right, so 2009, you were Head of Partnerships in the Faculty of Education at Edge Hill, is that right?

A. Yes.

Q. Thank you. I don’t need to bother you with that particular document for the moment. Your job at that time, in very broad terms, what does it involve?

A. It was about quality assurance across the partnership. It was ensuring that provision was high quality. It was about expansion of provision for anybody training or involved in education.

Q. And Head of Partnerships, partnership work, were there many people working beneath you in relation to partnerships?

A. I will just have to have a minute to think. There was a partnership team, so there was a team of people who would seek to create new partnerships and quality assure, yes, there was a team.

Q. When you say quality assure, is that to quality assure the modules and courses?

A. No, it was to quality assure the provision where we were sending our trainees to learn how to teach.

Q. So you send your trainees to another, to an institution, a school?

A. A school, or it could be a centre.

Q. Or a centre, and you need to check the quality of the provision for them?

A. Yes.

Q. Right, because they are partners you are working with?

A. Yes.

Q. I see. So you, from the chart, it appears you were answerable to Peter Townley, is that right?

A. That’s correct, yes.

Q. And he was then answerable to Robert Smedley?

A. Yes.

Q. Do you remember Christopher Joynson beginning work at Edge Hill University?

A. Yes.

Q. And do you remember a time that he was there, doing work there, before he was actually a salaried employee?

A. Yes.

Q. What did you understand him to be doing at that time, before he was an actual salaried employee?

A. We used to have a role which was an associate tutor. I believe that, I think, I can’t be absolutely sure, but I think that’s how he was employed, and I think previous to that it was as somebody who was doing temporary work for the faculty.

Q. Right, were you responsible in any way for recruiting him to do that work?

A. I didn’t recruit him personally, no.

Q. I wonder if I could ask you to look behind divider 18 in this bundle, at page 4. If you look at page 4, at the top corner, you will page numbers in the top corner, page 4, and you should see there, it’s got page 1, it is 1303 at the bottom actually, but it is page 4 at the top?

A. Yes, I can see it.

Q. I think it’s right that there there are emails that involve you, is that right?

A. Yes, correct.

Q. And I think we have to work backwards, so we start at the bottom and work up. We start on 21st September, do you see that?

A. Yes.

Q. At 16.17, and it is you sending an email, and it says, “We need to pay Chris Joynson on a visiting lecturer form for two weeks work”?

A. Yes.

Q. “Do you know how much Robert”, that’s Robert Smedley is it?

A. Yes.

Q. “Will be paying him?”, and it is clearly you who has written that. It is addressed to Dave, and if we look at the top we can see it is David Lowe, is that right?

A. That’s correct.

Q. And who is David Lowe?

A. He was in charge of finance within the faculty.

Q. Right. So, just looking at your email, this is September 2009, so we know, because we have the dates, that it is before Mr Joynson was employed on a salaried role?

A. Yes.

Q. Can you just explain how it was that you came to be involved in sending this email about work that he had done, do you remember?

A. I can remember a little bit more. I think it’s, I was obviously told to employ this person...

Q. Told by who?

A. Well presumably Robert, because I have referred to him in the email.

Q. Right, okay. So you were told to employ him to do what?

A. A visiting lecturer work would be so he could work immediately within the faculty, because he would be, my understanding of a visiting lecturer at that time would be somebody who isn’t deemed to be a member of staff at that point.

Q. Right. What type of work was it, are you aware? Did you task him with work or not, do you know what it was?

A. It would either have been to seek additional partner skills for the partnership, or to do with, I believe, a SENCO programme that the faculty was initiating around this time.

Q. All right, so if we just pause for a moment, there are two things you have referred to there. One is a partnership school, for trainees?

A. It would be seeking additional partner schools for trainees.

Q. So finding placements for trainees, is that what it is?

A. Yes.

Q. Is it referred to as ITT, initial teacher training?

A. Yes.

Q. Right, so there is ITT work potentially. The other one you referred to was SENCO?

A. It could be.

Q. Which we have already heard about, but how was it that he came to be doing that work, do you know?

A. I don’t recall how, usually we would use a variety of associate tutors to do this work. He was an additional person.

Q. Right. Well, were you responsible for bringing him in as an additional person?

A. No.

Q. As far as his level of experience is concerned, what can you say about that, did you know about his level of experience?

A. I believe that he had not long finished his training and he had completed his NQT year in a school in the West Midlands.

Q. Right, and is that the type of person you would take on to do this work?

A. No.

Q. Why not?

A. Because we have far more experienced people available. A lot of the associate tutors were ex-head teachers and had a lot of local knowledge. The profile of the faculty was that most of the staff are experienced. Obviously, it would be very unusual for somebody who has not been working in education for very long to have this role.

JUDGE CUMMINGS: I am conscious of the time, do you the particular point you wish to reach, when do you want to break off, or are we going to complete this witness’s evidence in short order?

MR DYER: Well we are not going to complete the witness’s evidence, perhaps, I know we’ve only just really started, but perhaps we can break there and we can continue after.

JUDGE CUMMINGS: All right. Can we say two o’clock?

MR DYER: Yes, certainly.

JUDGE CUMMINGS: Thank you. Thank you very much. Two o’clock please, ladies and gentlemen, thank you.

(In the absence of the Jury)

JUDGE CUMMINGS: Thank you. I say two o’clock in part because I need to finish at four today, in court. Thank you. Please don’t wait, thank you.

(Luncheon adjournment)

JUDGE CUMMINGS: Thank you. Please, gentlemen. I have just been told the jury have expressed disappointment that their breaks have been cut short. So far as lunch is concerned, I will explain that is because we are rising earlier, so that will balance out, but I return to the mid-session breaks. I have been leaving it to counsel to keep an eye on the clock and identify an appropriate point, and it just doesn’t always happen.

MR DYER: I apologise your Honour.

JUDGE CUMMINGS: Well, it wasn’t just you, but between you. All right, thank you.

(In the presence of the Jury)

JUDGE CUMMINGS: Thank you very much, please.

MR DYER: Thank you your Honour. Miss Farrimond, can I ask you this, as far as Mr Joynson is concerned, did you ever have any knowledge or experience of seeing him do any teaching whilst at Edge Hill?

A. No.

Q. We know that eventually he had salaried employment at Edge Hill, but we know that you left a short time after you became Head of Partnerships, is that right?

A. That’s correct.

Q. Was it around December that you left, 2009?

A. It was early in December.

Q. Right, of 2009 that would be?

A. 2009.

Q. So you have no knowledge of his appointment to any salaried position yourself?

A. No.

Q. As far as the work that he did do is concerned, were you involved in actually setting him any particular tasks?

A. Not that I recall.

Q. Or line managing him?

A. Nothing face to face.

Q. Anything else, or not?

A. If he was doing the work to seek partnerships, he was more likely to be working with the partnership, I think they were called partnership officers at that point.

Q. Right, so not you?

A. No.

Q. So were you making decisions as to how he should spend his time yourself, or not, do you recall?

A. No, I don’t recall, no.

Q. Do you know who it was that Mr Joynson did deal with

A. It could have been either Mark Rawsthorn of maybe Christine Garrity.

Q. Right. Who was Mr Joynson answerable to, as far as you were aware?

A. If whilst he was a visiting lecturer, nobody.

Q. Right, and can you recall who it was that introduced him as a visiting lecturer or not?

A. I believe Robert Smedley initiated this arrangement.

Q. So initiated it, and thereafter, what happened then? Was there some supervision or not?

A. Presumably he did the work, however at that time we were dealing with thousands of placements for trainees, so there would have been a number of people doing it.

Q. Right, so you have no specific recollection?

A. No.

Q. Thank you. So you left the university for another institution in December 2009, is that right?

A. I did, yes, correct.

MR DYER: Thank you. Could you wait there please, there will be some more questions for you.

Cross-examined by MISS HUSSAIN:

Q. Do you remember, I don’t expect you to remember the precise date, but you made a police statement, didn’t you, let me just check. 10th February 2017?

A. Yes, at about that time.

Q. Yes, that’s around the time you were approached and asked to make a recollection as to the matters that you have been asked about?

A. Yes.

Q. And you explained that effectively, just to summarise, as you have done now, that Mr Joynson was employed by the faculty, yes?

A. No, I didn’t say he was employed, I said that he was doing work for the faculty.

Q. Well you were aware, weren’t you, that there came a point when he was employed?

A. No.

Q. Were you not, at the time?

A. I don’t think so. I obviously knew from speaking to other people, but not whilst I was there, I don’t think he was actually employed. He did some work on SENCO.

Q. You are right. While you were at the faculty, you left early December 2009, I see?

A. Yes.

Q. And when you went off, you had very little to do with your previous job then, I take it?

A. I still did a day a week for I think a year, as secondment.

Q. We know he was employed in February 2010, and as you have already outlined, you had left the role that you have been speaking about by that stage?

A. Yes.

Q. So you would have had no knowledge of whether his job was advertised or not, why would you, you had left?

A. No, I didn’t have any knowledge of that post, but there was no job advertised whilst I was there. It would normally be advertised earlier, because it would take a while to employ somebody.

Q. That doesn’t mean to say his job wasn’t advertised, does it?

A. No, I just have no knowledge that it was.

Q. So let’s focus on the degree of interaction you did have with him. I suggest it was, and you will agree, it was pre-employment, pre his employment?

A. Yes.

Q. He was, you have described it, working as a visiting lecturer, but that obviously as a title suggests it is not a lecturer coming to visit the university, it is just a vehicle through which to receive a person who is not employed by the university services, is that right?

A. Yes.

Q. And the work he did was confined, at that stage, in relation to you, to finding initial teacher training, that is ITT, placements?

A. I presume so.

Q. Well you were involved in that process, and I suggest you – are you saying you presume so because of the passage of time or that you weren’t aware whilst it was occurring?

A. I know that ...

Q. Which document are you looking at there?

A. I am looking at the email. I know that it was to do either with partnerships or SENCO role.

Q. Which email are you looking at?

A. The one on page 1303.

Q. Tab?

MR DYER: 18.

A. 18.

MISS HUSSAIN: 13, could I ask you just to refer to the top right-hand page number?

A. 4.

Q. It is dated 23rd September 2009, from Dave Lowe, copied in, you are copied in, to Mr Smedley about the pay grade, okay. So, if I were to suggest that that is what it was confined to, you wouldn’t say that that was unusual or not right?

A. What, to employ somebody this way?

Q. No, about the work that he did, the nature of the work he was doing? It was confined to the finding of placements, initial teacher training placements?

A. That would not be unusual for people to do that role.

Q. At that time, what he was doing, it wasn’t related to SENCO at all, was it?

A. I don’t know.

Q. You don’t know. You were responsible for allocating him hours?

A. I wasn’t, I wasn’t responsible for allocating him hours for the SENCO role, that was outside my remit.

Q. That’s right, I am not suggesting it was for the SENCO role. What I am suggesting is the work he did, and the interaction he had with you, prior to his employment, was confined to the finding of ITT placement work?

A. The interaction I had with whom?

Q. With Mr Joynson?

A. I didn’t really have, I don’t believe I had any interaction with Mr Joynson. This is obviously me in email dialogue with Dave Lowe in finance and Robert as the Dean.

Q. Could I ask you to have a look at this bundle of documents please?

JUDGE CUMMINGS: What is that, oh right, right, thank you.

MISS HUSSAIN: The pack. Sorry, members of the jury, you don’t have these documents, but I will explain each document as best I can. So, Miss Farrimond, we are just going to try to assist you, I hope. Page 1, just familiarise yourself with that page. This is, for the lawyers’ reference, a defence document?

A. Yes.

Q. That is your email address, subject “payment”, and then your email address, and then the CDT, but just read the body of the text, and let me know when you are familiar with it. Could I just ask you to look at that document first?

A. This one?

Q. Yes, just the first one, because the others move onto a different point?

A. Yes.

Q. I suggest you are requesting that he complete the attached form, which is, if you actually turn over, the visiting lecturer form, it is just an example, for external consultants?

A. Right, so that’s just an example?

Q. Yes. Does that ring any bells, the body of the email?

A. No, but there again I would have been working with significant amounts of people, and I would have been sending hundreds of emails a day.

Q. Okay, so it is possible you did send that email?

A. Possible, yes.

Q. Now, in the middle of that email, in the text of the email, “You should claim for 40 hours, five hours a day, at the rate of £37.47”. Is that the kind of communication you would send out, informing the person as to what they, basically what they have been allocated?

A. I can’t be sure, but it doesn’t seem correct, five hours a day for 40 hours. Oh five hours, yes, yes, I understand now. So it is not a week, it is beyond a week of work. Yes. That’s exactly what was said in the email correspondence.

Q. Yes, so that is email communication between you and Mr Joynson, isn’t it?

A. Yes.

Q. And the date, which I didn’t read out, is September 24th, 2009, and we have already heard about what ITT placements are, finding teacher training placements, which were quite difficult to come by, weren’t they?

A. Yes.

Q. And that would require people going out, making contact with schools, being provided lists of contacts and following them through?

A. Yes.

Q. May I ask you, please, to turn to page 4 of this bundle, and this now relates to what you said about whether you allocated work to Mr Joynson or not. I will give you a moment. For the lawyers’ reference, page 4, this is a prosecution disclosure document, group wide. Now, have you had a chance to familiarise yourself with it?

A. Yes.

Q. Does that look familiar to you?

A. Yes.

Q. It is headed, “Chris Joynson”, and it’s an email from Peter Townley to you, isn’t it, dated 25th September 2009, yes?

A. Yes.

Q. And Peter Townley is requesting from you a list of the responsibilities that you delegated to Mark and Chris, and the hours which were used and are being used, to reduce your workload, and share responsibility across the team?

A. I don’t think that refers to Chris Joynson, I think it refers to Christine Garrity.

Q. If you look at the top of that email ...

A. I don’t think it makes any difference, because Mark and Chris were doing the same role, and because I changed my position they had to take some more of my responsibilities.

Q. Who, Mark and?

A. Christine Garrity.

Q. So you think, in the body of the email when Mr Townley refers to Mark and Chris, the Chris is a reference to Christine?

A. I think so.

Q. Can you help us, then, with why the heading of the email would be “Chris Joynson”?

A, I have no idea, but we sent so many emails on a daily basis, it’s quite possible that the heading would be different to the content in the email.

Q. Is it quite possible that you’ve got it wrong?

A. I would have to look at the trail of emails.

Q. So, was there an issue with your workload?

A. I had changed roles, so the fact was that my previous role was being advertised, and I had to take on new responsibilities.

Q. Okay, I am not particularly interested in the reason. Just to understand, so there was ...

A. It was about re-delegation.

Q. Right, so that was a live concern around this time?

A. Yes.

Q. So that rings true?

A. Yes.

Q. But what you are saying is, even though that email is headed Chris Joynson, you think Peter Townley was referring to Chris, Christine?

A. Christine Garrity.

Q. I suggest you were involved specifically in the allocating of responsibilities, or work tasks, to Mr Joynson around this period, when he was acting as a consultant?

A. Quite possibly, I would have done exactly what I was told to do.

Q. So that, it’s possible that you did perform that role?

A. Yes.

Q. So when you said earlier you didn’t, and you were not involved in allocating work, why do you say that now?

A. Well the allocation of work, as such, would normally be done through associate teachers and through Mark and Christine Garrity, but on this occasion obviously I had been involved in the emails, but I did not initiate the work of Chris Joynson.

Q. But you allocated it?

A. I did what I was told to do.

Q. I accept allocation doesn’t necessarily mean initiating?

A. No.

Q. But allocation means handing it out?

A. Yes. I was told to do that.

Q. Now do you remember doing that, or are you just presuming that you must have been told to do it?

A. I mean clearly, it’s a long time ago, but I don’t remember any conversation about it.

Q. All right. I am just going to see if you do remember, there is Mark Rawsthorn that we’ve heard about?

A. Yes.

Q. Do you remember Mark Rawsthorn being involved in the allocation of work to Mr Joynson at this time?

A. It would be more likely to be managed by Mark at this time.

Q. Right, rather than you?

A. Rather than me.

Q. Did you ever have to approve hours, was any part of your role approval?

A. Possibly, I mean I had just, in the document that you just asked me to look at, clearly I had instructed him to claim five hours a day for 40 hours, but I would do that for, you know, up to 30 people.

Q. Of course, so you were dealing with lots of people?

A. Lots of people.

Q. May I just ask you to go to page 5. Lawyers’ reference, this is a disclosure document from the prosecution. We do have, I am just trying to assist so we don’t duplicate. I am happy to distribute copies of this, I think it has been agreed by ....

MR SWIFT: Your Honour, there are some copies I was going to put to this witness, it is the same email, it might assist the jury just to follow, and then be put in the separate file.

JUDGE CUMMINGS: Mr Dyer?

MR DYER: Yes, I have no objection.

JUDGE CUMMINGS: Thank you. I think this is now exhibit 7.

MISS HUSSAIN: Sorry, just one moment while we distribute the document. (Handed)

JUDGE CUMMINGS: So this is heading, “Re update”?

MR SWIFT: Your Honour, yes.

JUDGE CUMMINGS: That is exhibit 7, right, thank you.

MISS HUSSAIN: And as the jury have this, Miss Farrimond, we will just go through it so that we can follow it through. At the bottom, so working from the bottom upwards, 10th April 2009, Mr Joynson sending an email, “Hi Sue, I thought I’d just email you to say that I am coming to the end of my 40 hours work. I would appreciate if you had any more work like this as I’ve really enjoyed it, and I think I’ve made a difference in finding placements for students”, and then your reply follows above. Sorry?

A. No, carry on.

Q. The reply for 10th April, “Thanks Chris for all you have done. Would you, please, be able to send me a summary of the placements that you have secured, just a total number would be fine, I will look at the budget to see whether another contract can be raised”. Now ...

JUDGE CUMMINGS: You say 10th April, this is 4th October, isn’t it?

MISS HUSSAIN: I am sorry, I am reading the ...

JUDGE CUMMINGS: It’s American notation.

MISS HUSSAIN: Forgive me, and I think I made the same error earlier. Then finally, at the top, his reply, “Hi Sue, I’ve secured”, providing that breakdown, “17 placements, more to go tomorrow”. Now, does that assist you in your recollection as to your role in the allocation of work for Mr Joynson at that time?

A. I just can’t be sure that I actually wrote it, the reason being it’s my son’s birthday on 4th October, and I am not likely to work on his birthday.

Q. Just pause for one moment please. It is a Sunday, thank you. I just want to, with agreement, just explain to you where this document has come from. This document has been taken from the university computer system by the prosecution?

A. I am not saying that I didn’t write it, but I am not convinced about the dates because ...

Q. All right, well don’t worry about the dates, but what about the content of it, is there anything that seems strange to you there, are you saying you didn’t write that email?

A. I am not sure.

Q. Well what is strange about it, what’s causing you concern?

A. The concern is the date, because even though we all had to work extremely hard, I am not sure I would have done on my son’s birthday.

Q. Is it just the date?

A. It’s the date, yes, it’s my son’s ninth birthday, I don’t think I would have been working.

Q. All right, but as a concept it wouldn’t have been unusual for you to have wanted an update?

A. No, and I would, yes, I would have probably asked, or been asked for an update.

Q. And it wouldn’t have been unusual for him to ask you if there were any more hours going?

A. No, it’s just a polite conversation, isn’t it?

Q. About the subject of hours and allocation of hours, and that is not unusual for the kind of exchange you had, I suggest, with Mr Joynson, would you agree with that?

A. With anybody, with anybody who was working for the partnership team.

JUDGE CUMMINGS: So is this the kind of exchange that you had with people doing this sort of work?

A. Yes.

JUDGE CUMMINGS: All right, just a moment please.

MISS HUSSAIN: I am not suggesting you gave Mr Joynson any favourable treatment or there was anything unusual about your exchange, I am just trying to explore with you, so you can explain, what the contact was that you had with him, yes, and turn over, please, to page 6, again same lawyers’ reference, group wide prosecution disclosure, 12th October 2009. You, I suggest, I have a look at that, are then writing to Peter, and you are asking him, “Can I provide him with more hours?”, and Peter Townley is asking you, “What is the purpose”?

A. Correct.

Q. Is that familiar?

A. Yes, possibly. Not familiar but ...

Q. Not unusual?

A. Not unusual.

Q. You would have done that, you would run it past Peter Townley, and he would have been perfectly within his role to say, “Well, what’s the purpose of it”, yes?

A. Yes, correct.

Q. And, in fact, just to assist, page 7 is just Mr Townley, your response, if you look at the middle of page 7, for the lawyers’ reference I have this as a defence document, it’s chopped off at the top there. But in the middle, “Search for primary placements”, and Mr Townley is saying, effectively, “That’s not sufficient detail, I need more. Can we meet to discuss this”, yes?

A. Yes.

Q. And page 8 please, lawyers’ reference this is a defence document. November 17th, 2009, you are copied into this communication between Mark Rawsthorn and Neil, someone called Neil. Who was Neil, do you remember, don’t worry if you don’t?

A. No.

Q. And Mr Joynson, but you are copied in, but this is Mark Rawsthorn enquiring as to further work, seeking confirmation as to whether Mr Joynson, Chris, can carry out some work on behalf of partnerships over the next few days. I don’t expect you to remember that after all this time, but again, that wouldn’t be unusual, would it?

A. No.

JUDGE CUMMINGS: So is that the position, you don’t recollect this, but it wouldn’t be unusual?

A. It wouldn’t be, well, we were cut into so many emails, I might not even have read this at the time. We were cutting as a way of ...

MISS HUSSAIN: Copied in?

A. Yes, copied in, just as evidence, but we might not necessarily read all these. I don’t know whether the Chris in question, which Chris it is, we had a lot of people called Chris, obviously. So is it, it doesn’t say it was sent to Chris.

Q. It doesn’t. It says CD, you won’t know this, there will be more evidence about this, it is CDT\_UK@yahoo, can you see that reference?

A. Ah yes, I can.

MISS HUSSAIN: I don’t expect you to remember what email he was using. Don’t worry about the next communication, that’s with somebody else, nor the other one, that doesn’t involve you. Thank you very much, those are all the questions.

JUDGE CUMMINGS: Thank you. Mr Swift.

Cross-examined by MR SWIFT:

Q. Miss Farrimond, it is clear, isn’t it, you only knew, or had any contact with Chris Joynson before he was employed at the university?

A. Yes.

Q. Yes. Now within your statement to the police you actually deal with, well, the interviewing process, and you were telling the police that you weren’t aware of any interview taking place?

A. No, I didn’t know when he had been employed. I didn’t know it was February.

Q. So is there any reason why that was in your statement?

A. Well normally we would know of any positions that were becoming available as a member of the senior leadership team.

JUDGE CUMMINGS: How far in advance?

A. It is quite a long process to employ someone. It had to go through quite a complex HR procedure. I would say it is six weeks, minimum.

MR SWIFT: Unless people are moving quickly to employ somebody?

A. Yes, or if it was an internal promotion.

Q. They would advertise it in the Times Educational Supplement?

A. Website, normally.

Q. You put it on the website, shortlist, interview?

A. Yes, but it had to be approved, it was a long process.

Q. And approved by HR?

A. Yes.

Q. So in your statement, you had nothing to do with Chris Joynson being employed, did you?

A. No, nothing.

Q. But you address not being involved in the interview?

A. Because I didn’t know what point he moved from being either a visiting lecturer, an associate tutor, to an employee.

Q. Right, so you just had no knowledge?

A. So that was not known.

Q. Someone was asking you if you knew about him being employed, and you were saying, “Well, I don’t recall an interview”?

A. I don’t recall an interview.

Q. And now it seems you go in December 2009?

A. Absolutely, yes.

Q. From the evidence you have given, it seems to be quite, you are very busy?

A. Yes, we were all very busy.

Q. It wasn’t suggested you wouldn’t generally be, but you are trying to recruit, now are you working against targets and budgets?

A. Yes.

Q. You, yourself, dealing with 30, did you say 30 people at least?

A. It varied, but we had a large number of associate tutors who we could call on to do work.

Q. Associate tutors and visiting lecturers?

A. Not so much visiting lecturers, that’s quite unusual, but associate tutors who have gone through the interview process, and they have had their DBS checked, and they are therefore permitted to work for the university, and it works on a contract basis.

Q. And the visiting lecturer is not an employed post within the university?

A. I presume not, because I think for a visiting lecturer wouldn’t necessarily need to go through the DBS check, for example.

JUDGE CUMMINGS: DBS?

A. DBS, so safeguarding.

JUDGE CUMMINGS: Yes, thank you.

MR SWIFT: They wouldn’t need to do that?

A. Not necessarily. They would have to be escorted in any work with children and vulnerable adults.

Q. Right, so at that time you didn’t need to have that?

JUDGE CUMMINGS: If they are not employed by the university.

A. If they are not employed by the university.

JUDGE CUMMINGS: So visiting lecturers don’t have to have DBS checks. What about if they are employed by the university?

A. They have to.

JUDGE CUMMINGS: They have to, thank you.

MR SWIFT: Is that they have to now?

A. No, I think they’ve always had to, for eleven years now.

Q. You say, “I think”?

A. I couldn’t start my employment until my DBS references and safeguarding checks had come through, so I presume it was the same for any other employee of the Faculty of Education or Health at that time.

Q. Were you teaching?

A. I was a member of academic staff, I did teach to start with.

Q. You did teach?

A. But it is any contact with children.

Q. Yes, but you did teach?

A. Yes.

Q. So you accept as a result of seeing the emails that my learned friend has put to you now, to use your terms, you are suggesting in your statement you weren’t tasking Joynson with anything, but in fact you accept that you were now, from those emails. You were giving out hours, weren’t you?

A. I gave him the hours because that’s what I was instructed to do.

Q. And the hours, repeated hours, it seems, doesn’t it?

A. From that email it seems, although I don’t know how that actually ended up.

Q. No, but you are prepared to accept that?

A. Yes.

Q. Were you aware of him working for other people within the university, within the faculty at the same time, doing SENCO work?

A. Who, sorry.

Q. Mr Joynson?

A. Sorry, can you just repeat that please.

Q. Were you aware of Mr Joynson working for other people on different projects, on different recruitments, as well?

A. I believed he was working on the SENCO project.

Q. Under Mr Townley?

A. I don’t know.

Q. Well just think back, if it wasn’t Mr Townley, did he not have responsibility for that sort of time?

A. I don’t know, possibly. Possibly.

Q. You were aware of Mr Joynson, weren’t you, well, you were aware of him initially because of an association with a school that was outside of the area in the West Midlands?

A. Yes.

Q. Yes. If I suggest to you Fosse Primary School?

A. All I know is that, all I had heard is that there was a school in the West Midlands, and this is when I, I think I am going back to when I first started employment at the faculty, and there was some work to do with mathematics, improving mathematics, which was based at the school.

Q. In the West Midlands?

A. Yes.

Q. And that the university were involved in that?

A. Yes.

Q. Is that the extent of your knowledge?

A. There were rumours that ...

Q. We don’t want to hear rumours, perhaps it’s the way I put the question. Is that the extent of your knowledge of ...?

A. That is the extent of my knowledge.

Q. Let me finish the question. Was that the extent of your knowledge with regards to the involvement of the university in that school, you just thought you knew it was something to do with mathematics in a school that needed assistance?

A. Yes.

Q. And you weren’t involved in that project directly?

A. No.

MR SWIFT: Your Honour, may I just check one matter please before the witness leaves?

JUDGE CUMMINGS: Please.

MR SWIFT: Thank you your Honour, I have no further questions.

JUDGE CUMMINGS: Thank you.

Re-examined by MR DYER:

Q. Thank you, just a couple of things. I wonder if, in the jury bundle you have there, sorry, the lever arch file, behind divider 6, just look at that for the moment. I am going to ask you to turn to page 2 in the top corner?

A. Yes.

Q. This is an invoice, and it refers, it is in the body of the invoice, to PDO work, which doesn’t tell you very much, but it might be suggested that this is related to ITT, teacher training placements.

JUDGE CUMMINGS: Which page, sorry?

MR DYER: Sorry, page 2, divider 6 your Honour.

JUDGE CUMMINGS: Thank you very much.

MR DYER: First of all, have you ever seen an invoice like this, from CJ Consultants?

A. I don’t believe so, no.

Q. This, you will see the date, it is from September, so around the time we have been talking about, to October 2009. Would you have had anything to do with that invoice or not, or be aware of it, at all?

A. No.

Q. Thank you. The only other thing I wanted to ask you is you said twice in cross-examination, and you were being asked about whether you tasked Mr Joynson with work, that you gave him the hours, “Because that’s what I was instructed to do”. Who would give you the instructions, who was it that would tell you what to do?

A. It would either be Peter or Robert directly, but more likely Peter Townley.

Q. Right. So you answered to Peter, and Peter answered to Robert, but sometimes you answered directly to Robert, is that what you are saying?

A. Yes.

MR DYER: Right, thank you. Does your Honour have any questions?

JUDGE CUMMINGS: No I don’t. Thank you very much for coming. Please don’t discuss your evidence with anyone who may be due to give evidence. Thank you.

MR DYER: I wonder if that is a convenient moment for a break, your Honour.

JUDGE CUMMINGS: Yes, it is. Ladies and gentlemen, can I apologise for the truncated or sometimes no breaks that we have been having. So far as this morning is concerned, as with all mornings, I would like you to have a mid-session 20-minute break, 20 minutes because I understand that is long enough for you to get a drink downstairs if you want to. It didn’t happen today. So far as today is concerned, not that it was the first time, I was, myself, anxious to complete that witness’s evidence, this being the third day he had attended, but my apologies. So far as the shorter lunch break today is concerned, I hope I can sweeten the pill slightly in that at least part of the reason for that is that I can’t sit past four today, so we will be breaking somewhat earlier today, but my apologies, and I invite everyone to remember that we do have these mid-session breaks. Thank you very much. Can we take ten minutes now and resume at three, is that all right? Thank you.

(In the absence of the Jury)

JUDGE CUMMINGS: Thank you very much. Any matters arising?

MR DYER: No, your Honour.

JUDGE CUMMINGS: No, thank you very much. Please, ten minutes, don’t wait for me, restart at three please.

(Short adjournment)

(In the presence of the Jury)

JUDGE CUMMINGS: Thank you very much. Please.

MR DYER: May it please your Honour, the next witness is Greg Parker, and I call him to give evidence.

GREGORY MARK PARKER Sworn

Examined by MR DYER:

JUDGE CUMMINGS: Thank you very much. Are you happy standing or would you prefer to sit?

A. I will sit if that is okay.

JUDGE CUMMINGS: Certainly.

MR DYER: Mr Parker, could you give your full name to the court please?

A. It is Gregory Mark Parker.

Q. Thank you. I am going to ask you some questions, if you could try to direct your answers to the jury so they can hear everything you have to say. I want to ask you about your work at Edge Hill University. When was it that you started working at Edge Hill University?

A. Gosh, I was there for around about ten years, I left three years ago, so it must have been around 2003, 2004.

Q. Yes?

A. I was initially appointed to a dual role which looked after early years Masters provision, and also an initial teacher training role within primary and early years as well, and then during, I was there for, as I say, for nine or ten years, and then had a number of different roles that involved leading up a year group in primary, and then I headed up a programme, Early Years, and then more towards the end of my career at Edge Hill I had a partnership role within primary and early years, that area rather, and then my final role was a more generic partnership role that covered all of the areas, secondary included.

Q. Okay. Did you hold the post of Head of Initial Teacher Training at some point, partnerships?

A. Yes, that was my final role.

Q. That was your final role, and I think you left in 2014, is that right?

A. Yes.

Q. If I could take you back to the end of 2009, autumn of 2009?

A. I will do my best.

Q. Testing you now. Do you remember what your role was then, given the changes that occurred over your career?

A. I am afraid I would be guessing a little bit, but I would say that might have been around about the time when I was Head of, made Assistant Head of Primary and Early Years.

Q. Right, well were you involved in ITT then, initial teacher training?

A. Oh yes, yes.

Q. Right, okay, and in that role were you involved in ensuring student placements in schools?

A. Yes.

Q. And did that involve you checking the schools were of the required quality?

A. Yes, we had a process, based initially on the schools Ofsted, that we evaluated whether it was going to be a high-quality placement for a trainee teacher.

Q. Do you recall ever working with Christopher Joynson?

A. Not directly, no, as I make reference in my statement. I was aware Chris was within the faculty, I certainly sat on meetings where Chris had been there, but he wasn’t part of my team.

Q. At that time was he an employee, a salaried employee, or something else, do you know?

A. 2009, I don’t know, but my knowledge of Chris is that I assumed he was a salaried employee.

Q. Were you ever aware, personally, of him doing work other than salaried work?

A. No.

Q. As far as recruitment, sorry, finding placements for ITT, initial teacher training, is concerned, do you recall him being involved in that or not?

A. I can’t, no.

Q. Do you recall, yourself, ever tasking him to do anything like that?

A. I don’t.

Q. Or working alongside him in that way, finding placements.

A. I don’t, but we had a wide team of people who helped to secure the big number of placements that we needed at Edge Hill, so Chris may have had a role during that time, but I can’t be sure.

Q. Did you ever supervise him in any way, as far as you were aware?

A. No.

Q. And had you ever heard of CJ Consultants?

A. I haven’t.

Q. Or Forward Education?

A. No.

MR DYER: Thank you. If you wait there, there will be some more questions for you.

Cross-examined by MISS HUSSAIN:

Q. Mr Parker, there was, as part of your role you weren’t involved with invoices, issuing them or settling them, were you?

A. No.

Q. You say that you are not aware of working with Christopher Joynson. I suggest you did have involvement with Christopher Joynson. Do you remember, I know it is a long time ago, October 2009, Pinehurst School?

A. I do.

Q. Pinehurst was in special measures, wasn’t it?

A. It was, yes.

Q. I suggest you attended with him at Pinehurst?

A. Right.

Q. Let me just show you some documents which I hope make it easier. Just to recap on what you’ve said, you said you are not aware of working with him, he may have been in meetings that you attended. From your knowledge of him you assumed he was a salaried employee?

A. Yes.

Q. And you were not aware of him doing anything other than salaried work?

A. Correct.

Q. We know he became a salaried employee in February 2010, so what I am going to be asking you about is the interaction you had with him, I suggest, before that date, specifically in 2009. So, could I ask you, please, to turn to page 1 of the bundle. For the lawyers’ reference, this is a defence document?

A. Okay.

Q. Just one moment. Would you give me one moment please, I just want to review something. So, page 1, just familiarise yourself with the page. Parker G @ Edge Hill, is that your email address?

A. It is, yes.

Q. Does the body of that email look familiar and the content. Just take your time to look at it?

A. Well it is my email account, yes. Well it is my email address, Parker G.

Q. I want you to focus on the content and tell me, ah, does that bring a bell with you or not?

A. It doesn’t, no, I am afraid.

Q. Right, pause for a moment then. I am going to suggest this is an email between you, in fact it is from Robert Smedley to you. So Sue Harrop, you did know Sue Harrop didn’t you?

A. Yes, I know Sue, yes.

Q. Did you know that Sue Harrop, there was a meeting arranged with Pinehurst involving Sue Harrop?

A. Yes.

Q. Did you know that Mr Smedley was involved in the arrangements of that?

A. I can’t remember. My knowledge of the Pinehurst is that we worked with the head teacher, who was a partner head teacher at a previous school. She took over the school in special measures and asked for some mentor help, so myself and Sue Harrop, who you have already mentioned there, did some work for the school mentoring a couple of their teachers.

Q. I see, but in order to be able to get to that point, their needs and requirements needed to be assessed, didn’t it?

A. I am assuming so.

Q. Yes, well have a look at the body of this email, and I appreciate you say this doesn’t ring any bells with you, but I suggest you were informed, by Mr Smedley, as to the desire to have Mr Joynson join in that experience?

A. I would certainly have been asked to do this by Robert, or whoever my line manager was at the time. My recollection of the support that we did for Pinehurst was myself and Sue, I can’t remember Chris having a role.

Q. You can’t, okay. There is a date there referred to as 9th October, I don’t expect you to remember that date from that email, but if you turn, please, to page 2 of the bundle, now this is a communication, I don’t have a reference for the lawyers as to where this emanates, whether it is defence or, I am sorry. I suspect it is defence, but anyway, dated 8th October 2009, meeting, do you recall meeting Mr Joynson at Dean Suite, does that mean anything to you?

A. Dean Suite, yes, is the main corridor where I have an office and colleagues did as well.

Q. At Edge Hill?

A. Yes.

Q. Have a look at the content of that communication, as I suggest, does that ring a bell with you?

A. Again it doesn’t, I’m afraid.

Q. You see I suggest you met with Mr Joynson, the date of this is actually October 8th. Water’s Edge, where is Water’s Edge?

A. It is the Faculty of Education cafeteria.

Q. At Edge Hill?

A. It is.

Q. Right, okay. Do you recall there being a meeting between you there?

A. I don’t, as I say my recollection is doing some classroom based work with Sue Harrop. There will inevitably have been a degree of organisation asking me to do that before, but I am sorry, I can’t remember the details.

Q. Don’t worry, turn over to page 3 please, and this is communication, I suggest, between you and Mr Joynson dated 26th October, and he is communicating with you about a message. Just look at the middle where I suggest on 26th October you are writing to Mr Joynson about having dropped him a line?

A. Yes.

Q. Confirming the date on the 4th?

A. Yes.

Q. And then below that was communication from him settling, seeking to settle dates when he is available to meet up. Does that ring any bell with you?

A. Again, I am afraid it doesn’t ring a bell. As I say, there may well have been some organisation of whatever went on, but my knowledge of what I did was with Sue Harrop in the classroom.

Q. I suggest that Mr Joynson had contacted you on 26th October, and he had suggested dates that he was available, and asking you to come up with a list of offers of support, in particular to do with a publication, any offers of support that Edge Hill could offer, but it was to do with a publication that Mr Joynson was also compiling. Do you remember that, him being involved in any publication?

A. Publication, no.

Q. Writing up? It is a bit of a marketing piece, about services that Edge Hill could offer?

A. We had a, we used to have a magazine, they may still have there, where it is kind of like case studies and things like that.

Q. What is that magazine called?

A. I can’t remember.

Q. Inspire?

A. Yes, it was, and where we had done some really good work with schools, they were the types of things naturally you would kind of want to share through that medium. So, I know the teacher at Pinehurst was pleased with the intervention, so that may well have made its way to Inspire as a story.

Q. And just have a look at the final page, please. I suggest this is an email from Mr Joynson to you on October 13th, 2009. This is all pre-employment, pre his employment at Edge Hill, and where he communicated I suggest, Mr Joynson, to you that Mr Smedley had asked him to put a publication together, linking all the different support enrichment projects offered by the faculty, and the particular schools that he had mentioned there, the projects that he was going to be including was Fosse mathematics project, Evelyn(?), the science project, and Pinehurst. At that stage I don’t think the contact was identified as to who that would be. Does that assist you to remember? Do you remember Pinehurst being written up as part of any publication?

A. I can’t remember, but I would, it’s a missed opportunity if it wasn’t, because it was a really good piece of work that we did with them.

Q. So it would have been, you would have expected it to have featured?

A. I would have expected it to, yes.

Q. You see I suggest that you were involved in commissioning Mr Joynson to attend Pinehurst where he was going to offer Pinehurst his experience of having helped Fosse Primary School who were in special measures, and you both attended together, at Pinehurst?

A. As I have said, I am sorry, I can’t remember.

Q. Do you remember there being a maths day?

A. At?

Q. At Pinehurst?

A. No.

Q. You don’t remember that at all?

A. No.

JUDGE CUMMINGS: When do you say the maths day was?

MISS HUSSAIN: The maths day was 9th October.

JUDGE CUMMINGS: Sorry, I asked you previously what you were putting about the 9th October, you said it was a meeting. What are you suggesting the maths day amounted to?

MISS HUSSAIN: It was a day where Mr Joynson attended and provided services to Pinehurst. It did revolve around the support that was being offered. We have had, could I invite your Honour, there has been a further piece of material that we have just been supplied before coming into court this afternoon, in relation to that point.

JUDGE CUMMINGS: What, since the headmistress gave evidence?

MISS HUSSAIN: Yes

JUDGE CUMMINGS: Right.

MISS HUSSAIN: In relation to the maths day. The jury and the court will receive that from the next witness, who has provided an additional statement.

JUDGE CUMMINGS: Okay.

MISS HUSSAIN: I can, if it would assist your Honour, I can detail it now or it might be better to await the giving of that evidence.

JUDGE CUMMINGS: Well your question for this witness, anyway, is about the 9th October, you say a maths day.

MISS HUSSAIN: Yes, and it is on the back of the disclosure we have received now that I am interested to know whether this witness was ever aware of it, and you say you were not aware of a maths day?

A. No.

Q. It was called a maths day, the reason why I am referring to it as a maths day is because we know terms and expressions are used to describe events?

A. Of course.

Q. And this was being branded as the maths day, quite what it involved ...

A. Yes, I mean, as I said, my recollections of what we did at Pinehurst were more of a mentor programme, so the head teacher identified a couple of staff, one, upper key stage two for Sue to work with, and one lower down the skills might refer to as an early years, and we did some support for them to build confidence, that kind of stuff, but I can’t ...

Q. So that’s one aspect of it, mentoring, but also demonstrating would be another way of mentoring, wouldn’t it, to demonstrate ways in which learning can be delivered?

A. Mentoring can be done in many different ways, absolutely, yes.

Q. And part of it can be demonstration?

A. Exemplification of good practice.

Q. And involving the children as part of that, effectively as an example, as to, could do it this way, this is how it might be done, that was the kind of service that was being offered, wasn’t it?

A. Yes, that was certainly the work that Sue and I were doing. It would involve observation of the teachers teaching, it was a voluntary thing that they initiated, so it was very much driven by what they needed. Certainly the colleague I was working with was very interested in team teaching to build confidence as well.

Q. But from Edge Hill’s point of view this was a potentially very lucrative area of work that they were hoping, now they had done Fosse, they are helping Pinehurst, and they were hoping that if they could become known as being the provider of this particular service, it would mean a separate avenue of business for Edge Hill, which would be to go into all the schools in special measures and say, “We can help you”, is that right, from a commercial perspective, as far as the university is concerned?

A. I don’t know if that was the motivation, but given that how schools need external help at the moment with local authorities often not being able to supply that type of support, schools do benefit from the availability of high quality support, yes, wherever they can get it.

Q. And establishments such as Edge Hill benefit because they can charge for that service, in due course, when it is rolled out as a specific programme?

A. Yes.

MISS HUSSAIN: Thank you very much, those are all the questions I have.

MR SWIFT: I have not questions, thank you your Honour.

Re-examined by MR DYER:

Q. You were asked about a publication, and you thought it might be called Inspire when that was suggested to you?

A. Yes.

Q. It is a long time ago, I know, and ...

JUDGE CUMMINGS: Forgive me, I think he agreed it was Inspire, once he was reminded. Leave aside any comment, just ask your question.

MR DYER: Sorry your Honour. Was that a regular publication?

A. I think it was a couple of times a year, maybe three times a year, something like that.

Q. And who would generally produce it?

A. I don’t know to be honest. We would often get, say an email saying, “Have you got any good content”. Who that would come from and who co-ordinated that I can’t remember, to be honest.

Q. Well do you know if it was an external consultant or somebody internal, or not?

A. Normally I am pretty sure it would have been co-ordinated by somebody internally. The person in charge of partnerships, perhaps.

Q. So you might be asked for content on something like this work in a primary school?

A. Yes.

Q. And would you write a short description of what you had done?

A. Exactly, yes.

Q. And that will then be used, or not?

A. I suppose it depends on how important it is or how impactful it is, and how many other stories are in the mix at that time.

Q. I see. Do you have any specific recollection in relation to this school?

A. Pinehurst?

Q. Yes?

A. And it being in the publication?

Q. Yes?

A. As I said to your colleague, no, but I would say that if we didn’t do it at the time it would have been a missed opportunity because it was a successful piece of work.

Q. Would you just bear with me one moment. As far as Pinehurst is concerned, you have explained I think that you visited Pinehurst?

A. Yes.

Q. Did they, the head teacher or anybody else, visit Edge Hill whilst you were involved with them, the other way?

A. She might have done because the head teacher was a strong Edge Hill partner, so she might have been involved in some kind of sundry activity like interviewing for new students, that kind of thing. When we were kind of working on the project, my recollection was that most of the kind of the planning for that, when we were ongoing with it, was done in school, with the head teacher.

MR DYER: Thank you. Thank you, I don’t have any further questions, I don’t know if His Honour does.

JUDGE CUMMINGS: I don’t know at this stage is the short answer. Ladies and gentlemen, could I ask you to take a short break, would you mind, thank you.

(In the absence of the Jury)

JUDGE CUMMINGS: Mr Parker, it is no reflection on you, but I want to raise something with the lawyers. Would you mind just sitting outside while I do that?

A. Of course.

JUDGE CUMMINGS: I am very grateful, thank you.

(In the absence of the witness)

JUDGE CUMMINGS: Miss Hussain, just explain to me about the 9th October, you mentioned disclosure and the subsequent witness and so forth.

MISS HUSSAIN: Yes. We have only just got one copy of this, but Mark Rawsthorn, who is here ready to give evidence, was spoken to, I think over the luncheon adjournment, by the Crown, unbeknown to us at the time, that is not a criticism, but as a result we have had the statement that was taken from him has been disclosed to us, and he states that, he is in fact shown invoice number 3, page 3, and he says he’s never seen this invoice before. “From memory I do recall that Edge Hill did do some work at Pinehurst Primary School following them going into special measures. Prior to the school going into special measures, I visited the school with Sue Harrop as part of my role to deliver mentor training to the staff. Following the school being put into special measures, I was aware Chris Joynson had some involvement in a maths day, but I don’t know what his involvement was, because that was outside my remit”. That is the extent of what he says.

JUDGE CUMMINGS: Yes. Just give me a moment. What are you saying, are you saying that there was a “maths day”, and if there was, when was it and what did it amount to?

MISS HUSSAIN: Well, first of all – can I just go to the back of court to make sure I have understood my understanding of what happened on this day?

JUDGE CUMMINGS: Yes.

MISS HUSSAIN: On the 9th October.

JUDGE CUMMINGS: Just wait until Mr Swift is ready. Yes, sorry.

MISS HUSSAIN: Your Honour, so on the 9th October Mr Joynson attended with Mr Parker at Pinehurst, where they met with the head teacher, and it was mathematics, the invoice only says mathematics consultancy day. The point of that meeting was for Mr Joynson to explain his experience at Fosse, in particular his expertise was maths, so that the school could understand what it was that Edge Hill could offer.

JUDGE CUMMINGS: So it is a meeting?

MISS HUSSAIN: Yes.

JUDGE CUMMINGS: Because we have heard evidence about a maths day of a different kind at Fosse Primary School with all sorts of activities. There is no suggestion that that happened at Pinehurst?

MISS HUSSAIN: No.

JUDGE CUMMINGS: It is a meeting, mathematics consultancy day?

MISS HUSSAIN: Yes.

JUDGE CUMMINGS: All right. Right, thank you.

MR DYER: I should clarify, your Honour, the reason we asked the officer to take a statement is because of the case that was being put to Miss Tasker, and we understood, clearly wrongly, that what was being put, well, what was being put was that the meeting was not Mr Parker but Mr Rawsthorn and Sue Harrop, that’s why we took the statement from Mr Rawsthorn rather than Mr Parker, but, be that as it may, that’s the explanation, but it seems now that it is Mr Parker and Mr Rawsthorn, and it is at the school and not at Edge Hill, but I think it is still said to be related to this invoice at page 3, which seems to be something at Edge Hill.

JUDGE CUMMINGS: Okay. Well, unless there is anything else to raise ...

MISS HUSSAIN: I can, in a bid to try to assist, so that we clarify the issues, I don’t know, obviously there may be many things that people are focussing on. Mr Parker met with Mr Joynson at the university on 9th October, when I put about the meeting at the cafe, when I took Mr Parker through the email communication, and Mr Parker gave him a lift to the school, which is based in Liverpool.

JUDGE CUMMINGS: Work is billed for that, on your case, took place on 9th October 2009?

MISS HUSSAIN: Yes.

JUDGE CUMMINGS: Where? Where was that work done?

MISS HUSSAIN: The actual work done was at the meeting at the school, Pinehurst, but in order to get to Pinehurst, he was transported from Edge Hill, his journey on that day started, well obviously home to Edge Hill, and then from Edge Hill, meeting Mr Parker, travelling in the car together down to the school, Pinehurst, and then back to the university.

JUDGE CUMMINGS: Okay. Well, thank you. Mr Dyer, are you content with things as they are, do you say that anything further should be put to this witness, or can he simply be released?

MR DYER: I think he can be released, your Honour. I am mindful of the fact that the issue is not whether any work was done, but really where it is emanating from. There may be other matters, but I don’t want to get bogged down in detail of that sort.

JUDGE CUMMINGS: All right. Well, I have in mind just to ask the witness to come into the door, so I can speak to him, and then let him go and then resume with the jury, assuming we can do something else.

MR DYER: Yes, we have Mr Rawsthorn, who hopefully we can deal with now.

JUDGE CUMMINGS: Yes please. Will we complete Mr Rawsthorn by four o’clock?

MR DYER: I hope so.

MISS HUSSAIN: Yes.

(In the presence of the witness)

JUDGE CUMMINGS: Thank you very much, that completes your evidence. I have just asked you to come back in, I say this to all witnesses, please do not discuss your evidence with anyone who may be due to give evidence.

THE WITNESS: Okay.

JUDGE CUMMINGS: Thank you, thank you for coming. Jury please, thank you.

MR DYER: It is page 296 your Honour.

JUDGE CUMMINGS: Thank you.

(In the presence of the Jury)

JUDGE CUMMINGS: Thank you ladies and gentlemen, there are no further questions for Mr Parker, I have released him, and we are now moving on to other evidence. Mr Dyer?

MR DYER: May it please your Honour, the next witness is Mark Rawsthorn.

JUDGE CUMMINGS: Thank you.

MARK DANIELS RAWSTHORN Sworn

Examined by MR DYER:

JUDGE CUMMINGS: Thank you very much. Are you happy standing or would you prefer to sit?

A. No, I’ll stand, if that’s all right, thank you.

JUDGE CUMMINGS: Thank you. Please.

MR DYER: Thank you Mr Rawsthorn. Could you give your full name to the court please?

A. My name is Mark Daniels Rawsthorn.

Q. Thank you. I am going to ask you some questions, if you could try to direct your answers to the members of the jury, so they can hear everything you have to say?

A. Indeed.

Q. Is it right that you work at Edge Hill University?

A. I do, yes.

Q. And I think you’ve worked there since around 2008?

A. That’s correct.

Q. And what was your position when you started at Edge Hill?

A. Well it is as it remains now. My title is Partnership Development Officer.

Q. Right, so throughout that time, since 2008, you have been a Partnership Development Officer, is that right?

A. Yes.

Q. When you began in that role, did you have much contact with Robert Smedley?

A. Not a great deal.

Q. Who was your line manager, do you remember?

A. My line manager initially was Peter Townley, for a very short time, after which I was line managed by Sue Farrimond.

Q. By the end of 2009, who was line managing you then?

A. It would be Sue Farrimond at that point.

Q. Do you remember Christopher Joynson starting to do some work at Edge Hill?

A. Indeed.

Q. And were you involved in recruiting him in any way yourself?

A. No, not at all.

Q. Or his appointment, or anything like that?

A. No, nothing to do with that.

Q. Did you know anything of this teaching experience?

A. Not at that time, no.

Q. As far as he was concerned, do you know who was involved in recruiting him to do work for the university?

A. Well I can only work by supposition on that, so no.

Q. Well don’t do that. As far as his, how did you first come to come across him?

A. A message arrived, which I think came from Sue Farrimond, it had sort of been generated and sent to me. I was under the impression, given the impression by her that it had come from Robert Smedley.

Q. Right?

A. To ask me if I could find some work for him to do.

Q. So that was, did you say it was by email?

A. No, that was by word of mouth as far as I can remember.

Q. I see, so who was it that actually spoke to you?

A. Sue Farrimond.

Q. As far as you were aware, did you have a job that needed doing and you needed a vacancy filled, or not?

A. Well it’s always difficult to do the job I am doing, but there was no obvious need for any assistance, no.

Q. At that time, what were you doing day to day, if you give us an overview?

A. By and large, I mean my overall responsibility is to ensure that all our trainee teachers in primary and early years programmes are placed in suitable schools for their professional practices, for their teaching practices, so effectively I would need to be in contact with schools, to try to effectively drum up business, if you want, to try to get offers from schools of suitable placements for these trainees.

Q. Right, and were there a number of people doing that type of work at Edge Hill, or not?

A. Not at the time, no.

Q. How may, roughly?

A. Well I was the first appointed to that particular role.

Q. I see, so when Christopher Joynson came, what did he do?

A. Well, as I say, as far as I was aware, I was asked to find something for him to do. Now, from memory, that would have been actually the same sort of job, contacting schools, trying to source placements. Obviously, I would have kept a track on where that was going and who I was asking him to contact, but effectively to use some initiative in terms of contacting schools and sourcing offers of professional practice placements.

Q. Did you know in what capacity he was doing this work, whether he was employed by the university on a salary or not?

A. I was assuming he was on a salary, but I am not, I have no evidence to that effect.

Q. Well did you ever know, when you were working with him, or become aware, that he was working as a consultant, invoicing for work?

A. No.

Q. Have you ever heard of CJ Consultants?

A. Not until the beginning of this trial, no.

Q. Forward Education?

A. No.

Q. Did Mr Joynson speak to you about consultancy work, specifically?

A. Not in my knowledge, no.

Q. Were there other types of contract that people would have with the university when they came to do work there, other than consultancy and salaried role?

A. Well there were visiting tutor contracts, there were associate tutor contracts, yes, which were paid on an ad hoc sort of zero hours basis really.

Q. So whilst Mr Joynson was there, who was answerable to, who was managing him, if you like, could you say?

A. Well I was asked to provide him with things to do, but he wasn’t, I didn’t line manage him as such. I have no idea who was line managing him.

Q. And so how long were you working with him in this way?

A. Probably only a few months. It is difficult, very difficult to remember at this stage because we are going back eight years now.

Q. So once he had found placements, what would he do?

A. Well generally speaking when he had found placements he would, the idea would be that he would inform me of what he had found. There were many occasions on which he would find what appeared to be placements, I mean they may not always have been things we could use, what were being presented as placements, but the odd thing, I mean I don’t know, the odd thing that I felt was that on many occasions I was then given instructions by him as to contacting these schools, actioning certain things, and then reporting back to him, which I thought was a rather strange attitude to take.

Q. Well did you allow that to continue or did it just stop, did the work just come an end anyway?

A. The work, I think, came to an end because he moved onto something else.

Q. Right, and you weren’t involved in that move?

A. No, not at all.

MR DYER: Thank you. If you wait there, there will be some more questions for you.

Cross-examined by MISS HUSSAIN:

Q. Mr Rawsthorn, invoicing, issuing them or settling them, wasn’t generally part of your job at all was it?

A. Not at all.

Q. So far as the work that needed to be done, the sourcing of initial training, ITT, and it’s just gone ....

A. Placements?

Q. Placements, that’s right, initial teacher training placements, were very hard to come by, weren’t they?

A. They were hard to come by. They have become harder to come by, but they were hard to come by in those days as well.

Q. And so important was that need to have placements that it was your responsibility to make sure that supply met demand, so far as the university was concerned?

A. Indeed.

Q. So that was a job that needed doing, wasn’t it?

A. It was certainly a job which needed doing, however, it was a job which I subsequently managed quite capably on my own.

Q. But the work he did was of real value wasn’t it, and of assistance to you in your ultimate goal?

A. It would have been of more value had I not then had to follow things up which were not particularly applicable.

Q. That’s always going to happen though, isn’t it, in an effectively sales type position. It is his job to generate the leads, present you with the leads, and for you to follow them up?

A. It’s not quite a sales position.

Q. No, perhaps that’s the wrong analogy, but effectively it is trying to recruit people, or schools, who will offer placements?

A. Indeed.

Q. I suggest you knew at the time that he was working in a capacity of being non-employed, i.e. as a consultant?

A. I have no idea of that at all.

Q. Well, can I ask you to look at this bundle of documents, and I will try and show you some documents that I hope might assist. (Handed) First of all, page 1, Rawsthorn @ Edge Hill, that’s your email address, was?

A. Well, it’s Rawsthom actually, it is an M on the end of that even though it appears to be an R M.

Q. Is that, the way it is ...

A. It is a protocol, it takes the beginning of your surname, chops it, and adds your initial onto the back end.

Q. I see, so is that correct?

A. Yes.

Q. Look at that page, December 9th, 2009, if we start with the bottom upwards. This is, for everybody’s reference, a defence documents. Just familiarise yourself, please, with the contents, and then I am going to ask you what you were aware of at the time.

A. Do you want me to respond to that?

Q. Could I just ask you first, does the content of that seem familiar now?

A. No, not at all, but I have no, I am not trying to dispute that it is genuine.

Q. I see, but just, obviously through the passage of time and the amount of work ....

A. It is a long time ago, yes.

Q. I appreciate that, okay, but on the bottom email there, I suggest Mr Joynson had written to you and he refers to continuing with a further 20 hours, “As this is a desperate time in finding placements”. So the reference to hours, if you were aware of him being allocated hours, that would denote, wouldn’t it, in this context at this time, that he was not employed?

A. No, not necessarily.

Q. No?

A. No, because people have allocated, people who are employed on a full-time basis have hours allocated for certain facets of their employment.

Q. I see, so that, of itself, wouldn’t have put you on notice necessarily that this is somebody who is working as a ...

A. No, not at all.

Q What about the email above that, where I suggest you are writing to Mr Joynson and you have asked Sue, is what you say, “I asked Sue yesterday ...”

A. Yes.

Q. Just let me finish the question please, “About your contract, and she told me that she had allocated 20 hours for each of you”, that is reference to another person as well?

A. Well that confuses me, in as much as I have no idea who the other person was.

Q. All right, but what about the information, about ‘your contract’?

A. Well the assumption I would make from this is that my thought at the time was he was contracted to do work for the faculty, and Sue, I presume therefore that Sue, from this, that Sue Farrimond was his line manager, but I don’t know. It looks to me as if that is my response in that she had allocated 20 hours of his time to this role, and that there were other things he was doing.

Q. Right, that would then, if that is right, that would mean there would be a contract in existence, a contract of employment, December 2009?

A. There would have been a contract of employment, I would assume, if he was employed.

Q. And you are saying from any reference, if Sue made a reference, as you seem to suggest, I say, in this email, about Mr Joynson’s contract, you see I am suggesting when the word contract is used in conjunction with 20 hours, the contract is really the consultancy contract, i.e. what are you doing for us under the terms of your consultancy?

A. Well all I can say is I have no idea of any consultancy.

Q. Well you didn’t, you see he wasn’t employed, we know as a matter of fact, he wasn’t employed by the university...

JUDGE CUMMINGS: Well you are telling him that, and of course we know it is correct, but you have been asking him about his knowledge at the time, and he has told you by reference to this, he believes, that he would have read this as meaning this was an allocation of hours from an employment contract, so not reading either hours or contract as referring to consultancy as distinct from a salaried post. Can we take it any further? We know what the position is, we have heard what the witness says about his belief at the time, or understanding, rightly or wrongly, does it go further?

MISS HUSSAIN: No, I am moving on.

JUDGE CUMMINGS: All right.

MISS HUSSAIN: Turn over, please – I think the rest of this communication really confirms your continuing liaison with Mr Joynson, or other people who were performing this role, of seeking placements?

A. I don’t know, I mean obviously I can’t look through them all.

Q. Well did you, would you, within your role, have been liaising with those that were seeking placements, they were reporting back to you, weren’t they?

A. I would have been, but I am not aware of who these people are, that’s the rather strange thing, but I mean I have obviously, there obviously were people.

Q. You mean the other names?

A. Yes.

Q. I think there’s only one, that’s Nick. Forgive me, Neil. Now, can I direct you ...

A. What I find odd is that I have not copied anybody else in.

Q. Pardon?

A. Well I would have thought if it involved somebody else, that person would have been copied in.

Q. Well they are copied in, there are other people. Turn to page 4?

A. Oh, sorry, yes. Ah, yes, I am sorry.

Q. Don’t worry, I know it’s hard just being – let’s look at page 4 together, and this takes me on to my concluding point?

A. Yes.

Q. Mr Rawsthorn, can I just ask you this, if it was a person who is employed by Edge Hill, and I can see you are reading, can I just invite you, please, just to listen to this question first, and then by all means look at the document?

A. Okay.

Q. If a person was employed at Edge Hill, by Edge Hill, you would expect them to have an Edge Hill University email address wouldn’t you, rather like yours, which is part of your name and then moving on to @ Edge Hill?

A. Yes.

Q. Now those emails that I have put to you, the communications that we went through, when it comes to, for example, page 1, from Mark Rawsthorn in the middle of the page, it has got Rawsthorn @ Edge Hill?

A. Yes.

Q. The subject is “update”, and it is to, and I suggest this is Mr Joynson?

A. I am sorry, on page 1?

Q. Page 1, middle of the page?

JUDGE CUMMINGS: Is your point that Christopher Joynson isn’t being corresponded with on an Edge Hill email address?

MISS HUSSAIN: Yes.

JUDGE CUMMINGS: It is a Yahoo address, what do you say about that?

A. Yes, well, I mean the thing is, if you look at these, there is also, there are also a couple of other people, as you say, copied in, one of whom is coming out as Neil24@Tiscali.

MISS HUSSAIN: That’s right?

A. Okay. That is because these, that particular person was an associate tutor who was working on a zero hours contract.

Q. Right, so that is a category of person who wouldn’t have an Edge Hill University ....

A. He wouldn’t necessarily have an Edge Hill email address, and he may have chosen to email via his own personal account.

Q. Fine, but a consultant working with the university wouldn’t have an Edge Hill University account, would they?

A. You wouldn’t expect a consultant working at the university to have an Edge Hill account, no.

Q. No, so the answer is no, they wouldn’t have one, why would they, they are not employed?

A. A consultant would not have an Edge Hill contract, if it was an external consultant.

Q. Thank you. Turn to page 4 please?

A. Yes.

Q. Date, 17th November 2009, from you, I suggest, to the CDT\_UK@Yahoo address, which I suggest is Mr Joynson’s, Neil, that person we have referred to, he is copied in, as is Sue Farrimond, and I suggest you are conveying there to both Neil and Chris, “Could you please confirm that you are still willing and able to carry out some work on behalf of partnership over the next few days”. So, that expression of you seeking again their consent to continue to work and carry out work on behalf of the partnership, you say that wouldn’t have meant that you appreciated he was working as a consultant at that time?

A. It wouldn’t imply that necessarily.

Q. All right. Were you aware of the S2S project run by Edge Hill University?

JUDGE CUMMINGS: Steps to Success.

MISS HUSSAIN: Yes, that’s right, forgive me?

A. Well I am now you mention it, I remember it existing, I have no idea what it was.

Q. Were you aware of Mr Joynson’s involvement with that publication, or the project of which publications were a part of?

A. I couldn’t speak about that at this stage.

MISS HUSSAIN: Thank you very much.

JUDGE CUMMINGS: Mr Swift?

MR SWIFT: I have no questions, thank you your Honour.

JUDGE CUMMINGS: Thank you very much

MISS HUSSAIN: Oh there is, forgive me. You – forgive me your Honour, there is a matter that does need to be dealt with. Pinehurst School, are you aware of that?

A. Yes.

Q. Now Pinehurst went into special measures, we have heard about that. Were you aware of the work that Edge Hill University did with Pinehurst?

A. Subsequent to them going into special measures, yes.

Q. And were you aware in particular of there being work done with Pinehurst, in terms of the area of maths, I am not saying it was confined to maths?

A. Yes.

Q. You have talked about there being a maths day?

A. Yes, as far as I understand it, I don’t know one day, I can’t remember at this stage whether it was one day or a number, I have a suspicion it may have been over a number of days, when members of staff, I wasn’t involved with that, but members of staff were sent into Pinehurst to work with children on maths.

Q. So just to be clear, today, over the luncheon adjournment, you have been asked questions, quite properly, but the investigating officer and you have made a statement?

A. Yes.

Q. And you were shown, in particular, weren’t you, in fact what you were shown was behind divider 6, invoice page 3?

A. Might I have sight of that?

Q. Please, forgive me. See the grey folder there, if you turn to divider 6, and top right-hand pagination number 3?

A. Okay.

Q. And so you were shown that invoice, and in response to that you explained, didn’t you, that you were aware Chris Joynson had involvement?

A. Yes.

Q. With the school?

A. Yes. That does strike memories, yes.

Q. And it was to deliver mentor training?

A. No, no.

Q. The actual project that Edge Hill was involved with?

A. The project had nothing to do with mentor training. The project was relating to the maths days, as far as I am aware.

Q. So let’s set the context, you did attend with Sue Harrop didn’t you, you went to Pinehurst?

A. I went to Pinehurst prior to them going into special measures, to establish a partnership there.

Q. Can I just interrupt you, I thought it had gone into special measures after Miss Tasker, the head teacher, had been appointed, it may not matter?

A. That is quite possibly true, but I went out to Pinehurst to establish a partnership with the school before it went into special measures, so we are backtracking now on this. I then, having arranged this, I then went – well, having arranged it I think probably by telephone, I went to Pinehurst to deliver mentor training, because all our schools require to have trained mentors before they could take trainee teachers, so we went out to deliver mentor training. It then subsequently went into special measures, and the maths project occurred thereafter.

Q. And so following them being put into special measures, and you were aware, weren’t you, that Mr Joynson had some involvement in what you have described as a maths day?

A. Some of the maths project days, yes.

Q. You didn’t know what his involvement was, because that was outside your remit?

A. Absolutely.

MISS HUSSAIN: Thank you very much.

MR SWIFT: No questions.

JUDGE CUMMINGS: Thank you.

Re-examined by MR DYER:

 Q. Just in relation to that, as far as the maths project days, the words that have been used, are concerned, did you ever attend yourself any of those days?

A. No.

MR DYER: Thank you. Does your Honour have any questions for the witness?

JUDGE CUMMINGS: No I don’t, thank you very much. Thank you very much, please leave. Can I say this to you, I say it to all witnesses, please don’t discuss your evidence with anyone who may be due to give evidence. Thank you very much, and that’s it for today.

 Thank you very much, ladies and gentlemen, 10.30 please. Thank you.

(In the absence of the Jury)

JUDGE CUMMINGS: The maths days, just so I am clear, have I understood you correctly, previously, Miss Hussain. The, whatever maths day or days there may have been, your client’s involvement, certainly in terms of attending, was limited to the 9th October planning meeting?

MISS HUSSAIN: Yes, and I am going to double check my notes, but I have obviously dealt with the putting of matters in relation to the invoices.

JUDGE CUMMINGS: I understand, but the headmistress gave evidence, she obviously was in a position to say whether your client attended, and if so, how many times. What was put to her was a single occasion, the 9th October, and for the purpose of the meeting.

MISS HUSSAIN: Yes.

JUDGE CUMMINGS: So if there is anything different from that, if it is being suggested that he attended on other occasions and delivered anything, for example, along the lines of the Fosse Primary School day, well obviously that would need to be dealt with.

MISS HUSSAIN: Of course, and no, that is not the position.

JUDGE CUMMINGS: No, I am just confirming.

MISS HUSSAIN: Thank you very much, unless there is anything else, 10.30 please. Thank you, please don’t wait.

 (Adjourned to the following day)

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