

James Spence, Eddy Ross and the Kirkee Bullets

12 August 1994 Exactly ten weeks after the murder of Shamsuddin Mahmood which occurred on 2nd June 1994, Eddy Ross hands over a full sealed box of 35 Kirkee rounds to senior officers in the murder investigation. He states that he is unsure of how he came to have them; he may have received them from a local man or he could have picked them up in Bisley. He said that he wished to speak to the local man to confirm before putting his name forward to the enquiry.

14 August 1994 Eddy Ross and James Spence give statements to the investigating team:

In his statement, Eddy Ross declares that Mr Spence had given him one sealed box of Kirkee 9mm rounds, one full box of .22 rounds and one opened box of .22 rounds, half-full, containing around 50 (three boxes in total). He says that this transaction occurred in 1989 when he was stationed in Kingussie and was at home in Orkney on leave. He also states that he wouldn't have used the 9mm rounds in his own weapons due to the quality of them.

James Spence gives a statement and says that he had given Eddy Ross one full, sealed box of Kirkee 9mm rounds and one part used box of .22 rounds (two boxes in total). He states that this transaction occurred in 1984 when Eddy was at home in Orkney on leave while serving in the police based at Kingussie.

5 December 1994 A full 6 months after the murder and 4 months after his initial statement is taken by police, James Spence is further interviewed by the investigating team after receiving a visit from them, at which point he changes his version of events.

There follows the transcript of James Spence's second police interview on 5th December 1994: Annotations added in bold print are observations

Interviewed by DI Angus Chisholm, Acting Senior Investigating Officer (SIO) and DS Alan MacKenzie:

DI So if I could just explain for the purposes of the tape, we spoke to you way back in August of this year, James, the 14th of August 1994, to be precise, eh about the circumstances surrounding some ammunition you'd supplied to Eddie Ross and local policeman here. On that occasion you'd given us a statement which detailed the number of bullets you'd given to him, this morning we came back and spoke to you again, em, to go over the statement, eh, to confirm the facts on that, and it transpires that some of the information you gave us on that statement was incorrect, so we've been speaking about that off tape and you told us just a few minutes ago, that some of the details was incorrect on that statement, is that right?

JS That's correct

DI Okay, so because of that we terminated the interview off tape, we've now come on tape, eh and we're going to go over the statement here again, and take a fresh statement from you, eh, detailing what the circumstances were of that. Can you confirm for me that you are here voluntary, you've come here of your own free will today

JS Yes, yes I am here voluntary

DI Right and we got you to sign a voluntary form, just prior to coming here

JS Yes, aye

The conversations had with James Spence both at his home and initially at Kirkwall Police Station prior to this interview were off the record. It is not known why Mr Spence decided to change his account.

DI Right then James, well I think the best would be for us to go back over it again, if you just want to tell me all about the bullets, how you came to have them, how you came to give them to Eddy, eh, and take it through like that. We'll go over it verbally and then, perhaps at the end of that I'll try and note a statement eh, as to what you're saying

JS Right

DI So, you were in the armed services, maybe start from there, do you remember when you joined?

JS First of October 1974

DI Okay, what, who was it you joined, what.....

JS I joined the Royal Marines

DI Right

JS At Sandevon, training and after 6 months training, I was posted to 4/5 commando, Condor, Arbroath

DI Mmhm

JS Then I joined the anti-tank troop and then later on I was storeman in the armoury, that's where I came to have these bullets, I was going, the unit had gone to Norway and I was coming outside February and there was an open box of two-two bullets, a sealed box of 9mm, and an open box of 9mm containing 10, maybe a dozen, I can't remember the right number

DI Okay, could I just hold you there and come back a little bit, so you were employed in the armoury in Condor were you

DI Chisholm diverts Mr Spence from speaking about the number of bullets at this stage.

JS Yes

DI What does the armoury deal with

JS Guns

DI Does it deal with ammunition

JS No the ammunition should be in the magazine, shot, it should be in the magazine

DI Right

JS Which is.....

DI Kept in a separate store?

JS Yeah, it's in a, it's on the airfield

DI Right, so, so as I'm clear, you're an armourer and you just deal with the actual weapons

Mr Spence was a storeman in the armoury, not an armourer as specified here.

JS Weapons

DI And is there a different store that deals with the bullets

JS Ammunition, yes

DI Ammunition, so really they shouldn't, really

JS They shouldn't be together

DI Be the same, so how come this one's appeared in your department

JS I don't know, I'd probably been on leave or something, and somebody's perhaps been out on the range and take these with them, a magazines probably not been open or come back in late at night and just put them on the, into the armoury

DI Right, so they've just appeared in there, and they shouldn't really have been in there

JS Shouldn't have been there, yeah

DI What did you do with them, when you found them, then

JS Well I just left them there, but then there was, I was coming near going away, and this shouldn't be here

DI So how long would they have lain in the armoury

JS Three, six months, something like that

DI So they were there until you actually left the armoury?

JS Yeah

DI So that's about 3-6 months after that

JS Yeah

DI And when you come to leave the army you find these bullets are there, what do you decide to do with them?

JS Well, they shouldn't be there, the unit's away, you can't get them anywhere else, I thought well I'll just take them out of the road, before someone.....

DI So you ultimately take them back to Orkney here, with you, when you come home

JS Yes, yeah

DI When you arrive in Orkney, what do you do with them?

JS I had them for a while and then till I met Eddie, and I remembered about the bullets and I said do you want these bullets.....

DI So how do you know Eddie?

JS Well he was a couple of years above me at school, and

DI Which Eddie are we talking about here, for the purposes of the tape

JS Eddie ROSS

DI Eddie ROSS the policeman

JS Eddie ROSS the policeman, yeah

DI Right, okay, so, I'm sorry I interrupted you when you were telling me about the bullets, how many bullets was there that you took home

JS Eh, there was an open box of .22, there was a sealed box of 9mm, a open box of 10, dozen maybe, I can't remember really how many there was

DI How many were in the .22 box?

JS Eh, fifty something like that

DI So, so the two boxes of 9mm, I think we have possession of one of them now, is that the box that we discussed the last time you were in here, and you signed a label for?

JS Yeah, yes

DI That's the same as that is it?

JS Same one, yeah

DI How about the second box of 9mm, was it the same as that?

JS It was the same yeah

DI Identical was it?

JS Yeah

DI Right, okay, so how, go on again now about meeting Eddie and discussing it with him and how it came to pass hands

JS I just asked him if he wanted them and em, he says yeah, fine, so I think he was actually down in Kingussie at the time, so I think he was just home on holiday

DI Okay

JS So I just said I would get hold, arrange to meet him the next day just, or was it a day later, well it was within a few days anyway

DI What year are we talking about here?

JS It was before my mother died, so it would have been about 1984

DI Right, about 1984

Eddy Ross was not stationed in Kingussie in 1984. He maintains that the boxes containing the rounds of bullets were given to him in 1989, which would coincide with his service in Kingussie.

JS Yeah

DI Uh-huh, so where was it you handed the bullets over to Eddie?

JS At the back of Peace Flett's

DI Where

JS At the back of Peace Flett's, they were in the Albert, Albert car park

DI Right, and what exactly did you hand over to him, then?

JS These, eh open box of .22, the sealed box of 9mm, and the opened box of 9mm

DI So you gave him everything you had?

JS Yes

DI That was all the bullets you had taken?

JS All the bullets

DI And what did you think he was going to do with them?

JS Well I knew he was keen on guns and assumed he'd be a member of a gun club

DI Right, so was he on or off duty then

JS He was off duty, then

DI He was off duty, so it wasn't like you knew him as a police officer and you were giving them to him as a police officer to surrender.....

JS No

DIyou were, you thought he was in a gun club or something he was going to use it for that, when he was off duty, okay, so what's the next thing you hear about these bullets?

JS I hear there's been a shooting in Kirkwall, and.....

DI Right the shooting in Kirkwall was on 2nd of June, how long after that would anybody have spoken to you about them?

JS A week, 2 weeks later, perhaps

The above is a vague response to the question of when Eddy Ross first spoke to him about the Kirkee rounds. Mr Spence is having to recollect events from 4-6 months previously.

DI A couple of weeks after was it, and who spoke to you?

JS (indistinct mumbling) Eddie Ross

DI And what was it he said to you, try and get it as precise as possible 'cause it's obviously quite important

JS He'd said there'd been a shooting and eh, a 9mm pistol that had been used, and eh, the bullet was the same batch number as the bullets that I'd given him

DI Right, what else

JS Em, (pause)

DI Uh-huh, how did the conversation progress from there?

JS Em, (pause) I'm not sure, the shot apparently went in the left ear and came out the right eye or something like that

DI So he was telling you this, aye

JS Yeah

DI Yeah, and where did this conversation take place?

Pause

JS On the street, I think, I can't remember exactly where

Vague response

DI Was he on or off duty?

JS He was off duty I think

DI He was off duty, right, so he hadn't come to your house or anything like that, it was on the street the conversation took place

JS It was on the street, yeah

DI Okay, so when he told you it was the same batch number that had been used, how did the conversation go beyond that then, obviously that would be of great interest to you, wouldn't it?

JS Yeah, it's just that, perhaps it's a coincidence what I thought really, you know thousands of these bullets made in the same number

DI Did you ask him if he still had yours?

JS Yes I did

DI What did he say?

JS Just the one box

DI He said he just had one box

JS Yeah

DI Uh-huh, did he say where the other one had gone?

JS No, he didn't say

DI Did you ask?

JS Don't (indistinct) I don't think

Vague response

DI Right

JS I just never

Mr Spence is clearly stating that he has no idea what happened to the other bullets he gave to Eddy Ross. He didn't ask what became of them and Eddy Ross didn't tell him.

DI Okay, so that's 2 weeks after the murder, you think

JS Think so, yeah can hardly remember

Vague response

DI Right, was that quite a long time before we spoke to you about it

JS Yeah

DI We spoke to you on the 14th August

JS Yeah

DI It was quite a while before that was it?

Leading question

JS Yeah, before that, yeah

DI Right, okay, and did he speak to you again about it?

JS Yes, he did yeah

DI How many times in all has he spoken to you about it?

JS Em (pause) three times maybe

Vague response

DI About three times, okay, right, the second time, when was that and where was it

JS Eh, on the street again

DI On the street again, and how long after the first time was it?

JS Oh, maybe, I can't remember

DI Days or weeks or

JS Eh, weeks, two, three weeks

DI Okay

JS Something like that

Vague response

DI And what did he say to you this time?

JS Eh, he just said it was the same batch number and he said that he'd come in with the box

DI The complete box

JS The complete box, aye

DI And when had he come in with that box, was that just about the time of the second one or had he handed it in about the first time he'd spoken to you, or when did you think he'd handed it in?

JS Sometime between the both times I saw him

DI Okay, right, okay, you just carry on and tell me how your conversation went then

JS Well I just said, I say's I wish I'd never seen these bullets, I say's I thought about throwing them in the quarry since I took them in. I said just the one box, he said yeah, so then, I said the .22, somebody's probably used them up and, the rest of the 9mm, and he said, just the one box

According to Mr Spence, Eddy Ross is stating here that he had in his possession "*just the one box*" of Kirkee 9mm.

DI But you knew there was more than one box, aye, so what did you say to him then?

JS That he'd probably been shooting at some gun club or something, so use them

Eddy Ross has already told police that he would never have used the Kirkee rounds in his own weapons due to the quality and Mr Spence has already stated that he has no idea what became of the additional rounds of bullets.

DI Carry on then

JS And then (pause) he'd just had the one box and he'd taken it in, and that was what to be said

Here, James Spence is stating that Eddy Ross told him that he "*just had the one box*". He is not stating that Eddy Ross had asked him to lie.

DI Did he indicate that the police may come and speak to you?

JS Em, (pause) perhaps he did yeah

DI Sorry

JS He said, yes, I think he said the police would probably be wanting to know about this, where the bullets came from or something

DI Uh-huh

JS Eh, (pause) he said just to say it was the one box

DI If the police came to tell them it was just the one box

JS Aye

DI And what did you say to that?

JS Well, what about the .22, he said okay

DI So one box of 9mm and one box of .22 you were to tell us?

JS Yeah

Eddy Ross had already given police an account on 14th August that he had received three boxes containing rounds of bullets from Mr Spence. He had stated that he received one box of 9mm and two boxes of .22 rounds (one half full). Mr Spence's original account was that there were only two boxes. If Eddy Ross had coached James Spence about his account and asked him to lie, it would therefore appear strange that the initial accounts given by both men should differ. Now that Mr Spence has changed his account, the number of boxes matches Eddy Ross' initial statement, but the types of bullets are different.

DI But you knew then that there was in fact more than that?

JS Yes,

DI So did you sort of tell you would agree to tell us that.... or?

JS Yeah, just told him that it was just one box

DI So did you think that it was only one box, or did you just agree to tell them, tell us that it was only the one box?

JS Agree to tell you that it was one box

DI Aye, but you knew that wasn't right, though

JS Yes

DI You weren't in any doubt about the number of boxes.....

JS No

DIwere you?

JS There was definitely one full, one sealed box, and one opened box.....

DI Yeah, yeah

JScontaining

DI Aye so you weren't under any illusion about that, you were quite clear that there was always the two

JS Yeah

DI So what I'm trying to clarify there, Jim is, who's idea was it to tell the police that there was only one box, was it yours or was it Eddie's

JS Well Eddie, said just to tell them, it's just the one box

Again, it is not apparent that Eddy Ross is asking James Spence to lie. It appears that Eddy Ross is merely stating to Mr Spence that he has "*just the one box*" of Kirkee 9mm.

DI So it was his idea to tell us that?

JS Aye

DI And you agreed to do it, why did you agree to tell us that, knowing it was wrong?

JS I assumed he just had to, that was all he had left, and I mean.....

DI But that was never what you were asked, you were always asked the last time I spoke to you, I asked you how many you had given him, not how many was left, so why was it you agreed to tell us that one, that there was only one box

JS Well it's, it's what he said

DI (indistinct)

JS He asked me just to say it was just one box (indistinct)

DI Why do you think he wanted you to say that there was only one box, why, what was the reasoning behind that, did he tell you why, to say that?

JS No, he never, I assumed it was all he had left and he.....

DI But why not say I had two but I only have one left

JS Yeah

DI Why not say that? He didn't say I'd tell you did he

JS No he didn't

James Spence is still not saying that he has been 'asked' to lie to police by Eddy Ross. It could be construed that he and Eddy Ross are having a misunderstanding about the bullets. In Mr Spence's account of their conversations, it appears that Eddy Ross thinks that he's speaking about having one box of Kirkee and two boxes of .22 and that James Spence is speaking about having two boxes of Kirkee and one box of .22

DI No, okay, so when, that's the second time he spoke to you, when was the third time he spoke to you

JS It was just before I had the interview in here on the 14th

DI That was early that morning was it

JS Yeah

DI Had we already seen you that day?

JS Eh, I think it was going to work, it would have been just outside here.....

DI What time of day was it?

JS Well I start work on Sunday morning at 7 o' clock, so it would have been ten to seven, quarter to seven

DI Right, and what did he tell you, what did he say to you that day?

JS He said that Mr Chisholm would be wanting to see me today, sometime, he says perhaps 2 o'clock, and tell him it was just the one box and the .22

In Mr Spence's account of the conversations with Eddy Ross, Mr Ross appears to speak about the .22 rounds as a collective, not distinctly separated into a specific number of boxes.

DI So he repeated to you again to tell me it was only the one box?

JS Yeah

DI Okay, did you make any threats along with that, to say if you didn't tell us that, or was it just that you agreed to go along with it, no problem

JS Mm

DI So when did we eventually see you that day, em, what was it, it was later on that night.....

JS Seven o' clock

DI Seven twenty that night, we eventually did see you, you came in, you then went on to tell us, what, how many boxes did you tell us, when you came in that day?

JS Two boxes

DI Aye, one of .22 and one of....

JS 9mil

DI And we did ask was there more, and pointedly ask you in several occasions was there more, and you didn't have, you wouldn't have that at all, you said there was only that two, what was your reasoning for not telling us about the extra one

JS Well 'cause Eddie had said to say that it was just the one box

DI Because Eddie had said, right, oh right, has Eddie spoken to you at all after that?

JS Mm

DI Did he ask you what you'd said for instance, when you spoke to him

Pause

JS Yeah, I did speak to him afterwards, yeah, I just told him I was in there for an hour, you know, I just said it was, they showed me the box of ammunition and all that, it was the one box, and.....

DI So you told him that you had just told us the one box

JS Yeah

DI What did he say to that

JS Just, fine

DI Said, that's fine then?

JS Yeah

DI Any other discussions with Eddie about it all?

JS Yeah, I spoke to him eh, about a week ago

DI He spoke to you about a week ago?

JS Yeah

DI What happened then?

JS Something about some fellow from, that was living in Kirkwall, then he, nipped across to Westray and lived rough for a week or something like that, and then.....

DI And what.....

JS bailed out (indistinct)

DI did he say about this?

JS Well he said that he thought that this was the guy, that they were looking for

DI Do you know who that was?

JS I don't know, he never said any names

DI Mhm, so is there anything else that you can think of that you should be telling us this time, you realise the importance of all this, don't you?

JS Yes

DI It's very important

JS Yes, it's very important, yeah

DI Is there anything that you've missed out, or forgotten to tell us

JS Don't think so no

DI Before we spoke to you Jim, were you ever shown the box of bullets, did you ever see them before we spoke to you last time?

JS No, I didn't, no

DI You sure about that?

JS Yeah

DI You were able to describe it fairly well, despite the fact that you'd not seen it since some years, how were you able to do that

JS Just, don't know, sort of, seem to remember it, just

DI Eddie hadn't shown it to you at all, had he?

JS No

DI Are you sure about that?

JS Yeah

DI Okay, right well what I'll do is, what I'll do is I'll just go on and note down what you've said to me there, in a statement form and we'll read it back to you and get you to sign it at the end of.....

Pause

DI right, what I'm doing for the purpose of the tape is writing out the header sheet on a statement form which is on R407

Pause

DS You've definitely never seen the box of bullets Jim, since you gave them to Eddie, no

JS No

DS No, this is the first time you saw them when we showed you them the last time we spoke to you

JS Yeah

DS Okay

Pause

Cough

DS Back to work tomorrow, yeah

JS Yeah

Pause

DI Okay Jim, just at the start, as I already did when we commenced the tape, I cautioned you, but before I write the statement down, I've added a caution in here. I James Marcus SPENCE, have been cautioned by Detective Inspector Angus Chisholm that I'm not bound to make any statement and that any statement which I make will be noted and may be used in evidence, so you're quite clear that, you know it's a caution, you don't have to make any statement

JS Mmhm

DI If I get you to sign, eh, on there, then we'll go into the statement (pause) okay, right so we'll just go back through and take it as before, we'll go right back to the beginning, so you've known Eddie since school days, you both grew up here together, yeah

JS Yeah

DI Were you in the same class, or was he older?

JS No, he's older

Pause

DI so you were both in school together here in Kirkwall

JS Yes

Pause

DI So do you remember how many classes ahead of you he was?

JS Eh, he was the same year as my sister eh

DI Sorry

JS Two year ahead of me

Pause

DI Okay, so you joined the army when?

JS first October 1974

Mr Spence didn't join the army. He was in the Royal Marines which is part of the British Navy.

DI And did you know Eddie had joined before you, aye

JS Yes, Eddie was in, he had joined the Black Watch in sixty.....

DI When was it

JS first October 1974

DI Aye, Eddie when did he join

JS Oh, I think it was about 69, I think he was actually out or coming out by that time

DI Aye, so he joined the Black Watch

JS Yeah

Pause

DI And in 1974 you joined what?

JS Royal Marines

Pause

DI And where all did you, were you stationed with them

JS Well, training did at (indistinct) for about 10 days but basic most of the training was done at Lymestone in Devon

DI So you initially trained at Deal

JS Deal, yes, that's about 10 days there and then you go onto kit issue, and just basic marching

DI And where's that

JS Deal in Kent

DI Right, okay, and after Deal

JS Lympestone in Devon

DI How do you spell that?

JS L Y M P E

DI L Y M P

JS E

DI E

JS and Stone

DI one word

JS Yeah, think so

DI Lympestone in Kent as well is it

JS Devon, between Exeter and Exmoor

DI Right, and what did you do later on there?

JS That was training in.....

DI That was more basic.....

JS that was training. Deal was more or less just the kit issue and just basic sort of marching and.....

DS Induction course

JS Injections and.....

DI So how long were you there then, in Lympestone

JS Eh, till May, '75

DI And where did you go then?

JS To 45 commando at Condor, Arbroath

Pause

DI 45 is it

JS Yeah 45 yeah

Pause

DI And what was your job there

JS Eh, joined the anti-tanks eh

DI What, driving them or what?

JS Well, at Lympestone I'd had the, after training, basic training I'd done a heavy workings course as well just right at the back of.....

DI right

JS And then joined the anti-tanks as a heavy workings three working with wombats

DI Right so you were driving tanks in Commando.....

JS Just anti-tanks

DI Anti-tanks

JS just a gun that fits on the back of a landrover

DI Oh, right, you went into stores, I think then at some point, did you

JS Eh, yeah, I'll have to have a.....

DI Sorry

JS '78 perhaps (indistinct)

Pause

DI So when did you think you went into the store, sorry

JS '78 I think

DI '78

JS I was down at Poole for.....

DI Mmhm

JS3 months and then I came back to 45 then

DI Which store was that, the ammunition store was it?

JS Armoury store

DI Armoury store, right

Pause

DI And that's still at Condor is it?

JS Yeah

DI So the armoury store deals exclusively with weapons, and there's a munitions store

JS Yeah there's a magazine, it's on the airfield you need the RSM's permission to get ammunition out

Pause

DI So, in the ammunitions store, Armoury store you wouldn't be dealing routinely with any ammunition at all

JS No

Pause

DI Okay so how did this particular ammunition come to be there, do you remember?

JS Well I certainly never took it in.....

DI Wasn't you, you just found it

JS Wasn't me, I must have been out, I'd been on leave or a course or something like that

Pause

DI And when would this have been, what year?

JS Eh, about (indistinct)

DI When did you come out?

JS I came out in '81

DI '81

JS February '81

DI February '81 so it would have been before that then was it

JS Before that yeah

DI Late '80 or something like that, was it

JS Late '80's probably something like that yeah, probably been there about 6 months or something

Pause

DI So it was three boxes?

JS Three boxes yes

Pause

DI So you're not sure where it came from, eh

JS No, presume somebody was out on the range and maybe come in, been doing a night shoot or something and just put them in there, magazine open and just left them

Pause

DI So it was a, were they all complete boxes then?

JS No

DI So it was the .22 was open

JS The .22 was open yeah

DI Eh, there was one box of .22 bullets. Do you know how many the box would hold

JS Probably when it was complete.....

DI Mm

JS there would have been a hundred

Pause

DI But it was open and contained how many, roughly

JS Roughly about half of them, something like that 40, 50

Pause

DI Okay, and the other, the other two boxes were?

JS There was one 9mil which was complete and sealed

Pause

DI Both boxes contained how many, full

JS 35 was those ones (indistinct)

Long pause

DI The second was opened and it contained how many bullets, you think

JS ten, twelve, something like that

Pause

DI And do you know what you used those bullets for in the army

JS Army, mostly for sub-machine guns, but the officers did have 9mil pistols

Again, Chisholm is referring to the army. Although Mr Spence was in the Royal Marines, he is agreeing that he was in the army.

Pause

DI Right, so when you found these bullets, what did you do with them

JS Eh, kept them in the armoury and...

DI Put them in a drawer or what did you do with them?

JS Yeah, it was a sort of locker, sort of in it

DS Was that your own locker, like did you each have a locker to yourself?

JS There was a locker in the armoury, I left them in there

Pause

DI So they lay there for about 6 months eh

JS Yeah

Pause

DI Till you left the army yeah, and when was it you left?

JS February '81

Pause

DI So when you were clearing out your stuff you just came across them again, is that right?

JS Yeah

DI Or did you always remember they were there?

JS I was just coming out, I mean if nobody claimed them then, I think there was an inspection coming off and I took them out and put them in my own locker

Pause

DI And where were your unit when you left?

JS Sorry?

DI Your unit wasn't there when you left, or something?

JS No, they were in Norway, they were in Norway 3 months of every year

Pause

DI Right so when you got back home with them, what did you do with them, I think we went into some detail of that the last time

JS Yeah

DI You just left them in a drawer at home or something

JS Yes in a drawer

Pause

DI Right so that's '81, when was it you met Eddie again, when you, passed them on

JS Eh, '84, somewhere about that.....

DI Right

JS It was before my mother died, and mother died in '86, so it would have been before.....

Pause

DI So you met Eddie ROSS in the street, was it?

JS Yep

DI So where did you think he was working then?

JS I think he was, he was just home on leave from Kingussie, I think he was at

Pause

DI So how did the bullets crop up in the conversation?

JS I think I'd just been doing a bit of tidying up and came across them and just met him, just asked if he wanted them

DI Why ask him?

JS Well I knew he was interested in guns

DI Right

Pause

DI So Eddie was off duty, well he was, he wasn't even stationed here at the time was he

JS No

DI So it was the next day that you met him was it

JS Yeah

DI Where did you meet him?

JS At the, back of Peace Fletts, Albert Car Park, back of Peace Flett's (indistinct)

Pause

DI You've handed over all three boxes, they were just as you taken them from the army, the same numbers in each box

JS Yeah

Pause

Tape buzzes

DI Right we'd better stop there and change the tape before we run out. What we'll do is we'll just em, just conclude here in order to allow us to change tapes 'cause we've run out of space on that tape and then we'll come straight back on another tape and finish it, so eh, the time is now 1135 on 5th December 1994, this is Detective Inspector CHISHOLM concluding this part of the interview with James Marcus SPENCE, which took place in the interview room at Kirkwall Police Station.

DS Okay James, all I'm going to do is turn these tapes off, okay

JS Okay

REPORT

DI The time is now 1139 on 5th December 1994, I am Detective Inspector Angus Alexander CHISHOLM of the Northern Constabulary Criminal Investigation Department. This time we are within the interview room at Kirkwall Police Station. The following further persons are also present in the room

DS I am Detective Sergeant Alan MACKENZIE also of Northern Constabulary Criminal Investigation Department

JS I am James Marcus SPENCE, 72 Meadowbank, Kirkwall

DI Right will you confirm for me James, that you've seen me break the seal of two new cassette tapes, complete the label of each cassette, number K028A....

JS Yes

DI '94 and insert them into the cassette recorder

JS I have

DI Right James, I'll just remind you that you are under caution, we've cautioned already that you are not obliged to say anything and anything that you do say will be taken down in writing and may be used in evidence. So we'll just continue where we left off prior to that last tape finishing. Em, so the boxes you handed over to Eddie that day in the street, was just as you'd taken them from the army, two half full and one full and sealed up, okay

JS Yes

DI So did you see Eddie from that day to this, or obviously he went away back to Kingussie and when did you next see him after that

JS Probably the next time he was posted up here

DI Right, so when, I think we'll just move on to after the murder Eddie had spoken to you in relation then yeah

JS Yeah

DI Right, so you were aware of the murder that happened in the restaurant on the 2nd

JS Yes

DI Or you'd be the only one on the planet who didn't eh

JS Yeah (laughs)

Pause

DI So how long after the murder happened do you think Eddie first spoke to you about it

JS Probably about two weeks, probably something like that

Again, as previously in the transcript, Mr Spence gives a vague answer to this question. During the whole interview, he does not give a definitive answer to how long after the murder Eddy Ross first spoke to him.

Pause

DI So you met Eddie on the street was it?

JS Yeah

Pause

DI So by this time he's transferred and stationed here, you know that do you?

JS Yes

Pause

DI So this day he spoke to you was he on or off duty?

JS Off duty

Pause

DI And what did he say to you?

JS He said that the murder had been, used a 9mil pistol and the bullet was off same batch number as the ones I'd given him

Pause

DS (Sneezes) Excuse me

DI Uh-huh what else was said about it?

JS He said the guy had been shot in the ear and the eye

DI He told you that was it?

JS Yeah

Pause

DI Mmhm, anything else

JS I just thought it was a coincidence that the batch numbers were the same

DI Who said that, him or you?

JS Me, I suppose, he said it was the same batch numbers, thousands of them made

DI Mmhm (pause)

Pause

DI Okay, so when did you next speak to him?

JS Eh, couple of weeks later

DI So this first time he didn't tell you he'd handed them into the police at all, on that first occasion

JS No

DI No,

Pause

DI Uh-huh, what was the conversation this time?

JS Just, he said that you would be wanting, the police would want to see me about the bullets

DI So did he tell at this time that he handed in a box

JS Yes he did, yeah

DI So how many boxes did he say he'd handed in?

JS One box of 9mil

Pause

DI Which box did he say it was?

JS The sealed box

Pause

DI Uh-huh, what was said about the other box

JS I asked him about the other and he said they were used

DI So did you ask did he hand in the other one's or what

JS Yes, well I said what about the rest, what about the other ones, he said they had been used

At the very start of this interview, Mr Spence stated that he hadn't asked Eddy Ross about the other bullets and that Eddy Ross hadn't mentioned them. Here, he is changing his account by stating that Mr Ross had "*said that they had been used*".

Pause

DI Who would they have been used by?

JS I don't know somebody shooting at a gun club or a, down the shore

DI Down the shore

JS Something like that, I don't know

Mr Spence is using pure conjecture here

DI Who would they be shooting them on the shore do you know, him, was it him that was shooting them on the shore or

JS I don't know, he could be, so he just used them

DI Right okay, so how did it develop beyond that, so he said the police wanted to speak to you

JS Yeah

DI So you presumed he said that he'd given us your name and we would want to speak to you

JS Yeah, yeah the police had asked where he'd got them, and he'd said he'd got them off, from me

Pause

DI Yep, so did he say what you were to say to the police if they spoke to you or how did it go

JS Just, just tell them it was the one box, and

Pause

DI Mmhm, and what did you say to that

JS And I said what about the rest, and he said.....

DI Sorry

JS I said what about the rest and he said just tell em it was the one box, and I said what about the .22, and he said fine

DI So you agreed that you would tell us that you'd given one sealed box of 9mm and one open box of .22

JS Yeah

DI And not to mention the other box

JS No

Pause

DI No mention was to be made of the open box of 9mm

JS No

Pause

DI So why did you agree to go along with that

JS It was just what he wants, probably used them up, and doesn't have any

It appears as if Mr Spence has absolutely no idea what had become of the other rounds he had given to Eddy Ross. He has continually referred to them "probably" having been "used".

Pause

DI Mmhm, so did Eddie see you again before we spoke to you

JS Between, well this conversation with, I wished I'd never seen

DI In the morning, aye in the morning, before we saw you, he saw you again did he

JS Yeah

DS Was that when you were on your way to work Jim, aye

JS Way to work that morning

Pause

DI What time was that?

JS six, forty five

DI Was Eddie working that day?

JS Yes he was washing the van or something like that

Pause

DI What did he say?

JS He said that the police would probably want, would be, Detective Inspector CHISHOLM would be wanting to see me in the afternoon or something like that, or said that he was going at 2 o' clock and they would see me later on

Pause

DI Mmhm, what else did he say

JS (indistinct) just the one box

DI So he repeated that you were to say that there was only one box

JS Just the one box

Pause

DI When was that he said about the quarry, was that then or was that....

JS That would have been.....

DI The time before

JS The time before, yeah, he wished he'd never seen them he said thought about throwing them in the quarry, wish he'd never seen them

Pause

DI Okay so what happened then, did, that was the last time Eddie spoke to you before you were interviewed

JS Yes

DI So that evening you were interviewed by the police, yeah

JS Yes

Pause

DI What did you say then?

JS Sorry?

DI What did you say when you were interviewed, did you tell them about all the ammunition, or did you just stick to the

JS Stuck to the.....

DI What Eddie had told you to say?

JS Just the box of 9mil and the .22

Pause

DI So despite being asked if there was more 9mil, you had said there wasn't, eh?

JS Yes

Pause

DI So did Eddie speak to you again after the interview?

JS Yeah

DI And you told him that you had just mentioned

JS Just mentioned the one box and .22

Pause

DI So has Eddie spoken to you at all since then about the bullets, since then?

JS Eh, no

DI No

JS The last time I seen him was at a funeral

Pause

JS Oh yeah, sorry, about this guy.....

DI He told you about the guy from Westray, aye, but he hasn't mentioned the bullets specifically, no

JS No

DI No

JS He probably said how he was getting on (indistinct) about the guy in Westray

DI Yeah

JS Well he lived in Kirkwall, somewhere, I don't think he said exactly, I don't think he said, he said he lived, sort of.... Then he disappeared and lived rough in Westray for about a week and then disappeared down the line

Pause

DI And what did he say, he thought he might have done it or what?

JS Yeah, something like that, he said sort of matched the description

Pause

DI Do you know Eddie's family at all, do you know his wife and kids

JS I know his wife

Prior to Eddy Ross meeting and marrying his wife Moira, she went out with James Spence.

DI Do you know his kids?

JS I just know roughly, and that

DI Just to see, is it

JS Just to see, two boys and a girl

DI But you wouldn't know any of them to speak to eh?

JS No

Pause

DI Right so have you ever given bullets to anybody in Kirkwall?

JS No

DI Sure

JS Positive

Pause

DI Or anyone else in Orkney even

JS No, no one

DI And these are the only one's you took home from the army?

JS I've got one

DI Apart from the one in the house

JS Yes

DS What calibre's the one you've got in the house, James?

JS 7.62

DS Is that the rifle bullet, is it?

JS Yeah, they've changed calibre, using 5.25 now, smaller gun, you know

DI 7. What

JS 62

DI 7.62

JS Yeah

DI Which you still have in the house, yeah

JS Yeah, just a momento

DI A souvenir eh

JS Everybody I'm sure with service has got something like that (laughs)

DI Did you ever take any weapons home from the army?

JS No

DI Definitely not

JS Definitely not

Pause

DI Are you interested in guns?

JS No

DI Not particularly no

JS Not particularly no, sort of part of the job

Coughs

DI Are you a member of the gun clubs here

JS No

Pause

DI Have you ever fired a 9mm?

JS In training yeah

DI In the army

JS In the army, yeah

DI Pistols

JS Pistols yeah, and SMG's

Pause

DI But none since you came out, eh

JS None, no

Pause

DI Have you even seen one since you came out, have you ever seen anybody with one?

JS No

Pause

DI Do you know if Eddie's got any?

JS Well he said he had a 9mil

DI One or more than one?

JS I don't know, he definitely had one

DI Yeah, have you seen it?

JS No

Pause

DI Have you any objection to us searching your house, just to make sure that there's nothing else there, eh

JS I have an old slug gun, but it don't work, there's no trigger spring on it

DI An old what?

JS Old slug gun

DI Slug gun, air pistol, thing

JS Yeah, well rifle, it don't work, it ain't worked for years, sort of, something you should throw out but you don't, you just (laughs)

DS Keep it in a corner

JS Memories of a school boy

DI Anything else you can think of that's relevant?

JS Mm,

DS Nothing at all James

JS No, I don't think so, no

DS And it's definitely the truth you've told us this time, eh

JS Yes

DI Right what I'll do is while the tape is still running I'll read this back to you, just to make sure I've not made any mistakes, and we've got it all right, so if there is anything that you see is wrong or anything that you want changed in any way, just shout out, and we'll change it

CONTENTS OF STATEMENT S2068A READ OVER TO SPENCE

DI That's it, are you happy that's correct, James

JS Yes

DI You've not missed anything out this time

JS No don't think so

DI That's it eh, okay if I could ask you to sign the foot of each page in that statement there

Pause

DS One more to go James

(mumbling in the background)

DI Okay, that's James just signed all the pages in that statement so we'll now just conclude this interview, the time is now about 1214pm on Monday the 5th of December 1994. This is Detective Inspector CHISHOLM concluding the interview with James Marcus SPENCE, which took place at the interview room in Kirkwall Police Station.

DS Okay, James I'm going to switch off both the tapes, okay

JS Okay

END OF REPORT

Points for consideration:

- There was a gap of over two years in between this interview on the 5th December 1994 and the trial of Eddy Ross in May 1997.
- James Spence was charged with three offences in relation to 'Perverting the Course of Justice' after giving this statement, all of which were dropped after he gave evidence against Eddy Ross.
- Eddy Ross was convicted of 'Perverting the Course of Justice' in May 1997 for asking James Spence to lie about the rounds of bullets and for withholding information relevant to the enquiry. This, despite the fact that there is no indication whatsoever from the above transcript that Mr Spence ever actually said that he had been 'asked' to lie. James Spence was asked several times as to when Eddy Ross first spoke to him about the bullets. He never once gave a definitive answer to this question.
- There was never any corroboration as to the quantities of bullets that James Spence gave Eddy Ross and no corroboration that Eddy Ross 'asked' James Spence to lie. It appears from the above transcript that the discrepancies between the accounts of Mr Spence and Mr Ross could just as easily have been a misunderstanding.
- Information held in the case files suggest that the Kirkee bullets were purchased from India by the British Army in 1976. Almost immediately it became apparent that there were issues with the quality of the ammunition. The army asked the factory to take them back but they refused and the bullets were designated to 'training use only'. They had completely ceased use by 1979 and had given the order that all Kirkee 9mm ammunition was to be disposed of. James Spence states that he 'found' the boxes of rounds in 1980, possibly after a marine left them behind after being on the range. If the Kirkee rounds had been withdrawn in 1979, is it likely that they would have been in use in 1980 by a marine on the range? Mr Spence alleges he gave Eddy Ross a part-used box of Kirkee 9mm. If service personnel had been told to cease use of the bullets a year earlier, how likely is it that there would even be a 'part-used box'? The main issue that the army had with the ammunition was the damage caused to weapons.
- Just prior to the trial of Eddy Ross in 1997, the quartermaster at Condor in Arbroath was interviewed. The statement he gave had no evidential value against Eddy Ross; however, it gave an account of the seriousness of the actions of James Spence in stealing rounds of bullets from the base. It is therefore apparent that the statement was taken to build a case against James Spence. The quartermaster was never asked about any specifics of the case or anything to do with the Kirkee rounds in 1997. He gave a further statement in 2007 prior to the trial of Michael Ross and at this point he stated that, as far as he could ascertain from records available to him, **the Kirkee 9mm rounds had never been held at the Condor base.**
- Eddy Ross chose to hand in the full sealed box of Kirkee 9mm rounds to investigating officers. He approached his sergeant initially for advice and his sergeant had encouraged him to do so. If Eddy Ross had coached Mr Spence prior to his interview, it is strange that their initial accounts given separately on 14th August 1994 are completely different in relation to the number of boxes that were involved in the transaction of bullets. Had Mr Spence been coached as implied and had been 'asked' to lie to the police, surely the initial statements given by both men would have matched?

The Kirkee Bullets

In 2004, STV, in partnership with Northern Constabulary, aired a series of programmes entitled 'Unsolved: Getting Away with Murder'. One of these featured the murder of Shamsuddin Mahmood and had the sole aim of highlighting Michael Ross as the only suspect in the crime.

During this programme, DI Angus Chisholm speaks about the day that Eddy Ross came forward ten weeks after the murder to let him know that he had found a full sealed box of Kirkee bullets while sorting through items at home:

"....he told me he had a box of this same bullets which I would have to say astonished me because we'd been looking for these for several weeks before – that was the focus of our enquiry...."

Prior to this he gave the explanation as to why he had approached Eddy Ross that day:

"I was speaking to him to try and establish if we could get an address for the Kirkee arsenal because I knew he had a collection of books that may give us things like that. While speaking to him and asking for this address he told me he had a box of this same bullets which I would have to say astonished me because we'd been looking for these for several weeks...."

Consider this:

- Chisholm claims to have been looking for the 'Kirkee' bullets for several weeks. During the 10 weeks between the murder and Eddy Ross coming forward, firearms licence holders were asked to surrender their 9mm weapons for testing, which they did, including Eddy Ross. **There is nothing whatsoever in the case files to suggest that firearms licence holders were asked to surrender any 9mm ammunition.** There is also nothing in the case files to suggest that any ammunition of any description or calibre held by anyone in Orkney or elsewhere was ever checked for serial numbers to see if they matched the bullet used in the murder. All legally held guns were checked to see if they could have fired the 9mm round used in the crime, but all tests were negative.
- At that point in August 1994 police were interested in 9mm weapons, but didn't appear to be interested to any great extent in 9mm bullets held by licence holders. There were in excess of 100 statements taken from individuals in Orkney that were involved in shooting somehow, from gun club membership to the purchase of shooting magazines. Most of these individuals were asked about 9mm ammunition in general terms, for example did they know who may possess such. It appears that no-one was asked about specifics of bullets, such as serial numbers or manufacture. There was no distinction made between different types of 9mm bullets in the majority of statements taken.
- If investigating officers had been looking for the bullets for weeks as suggested by Chisholm, how were they doing this if there was no requirement for anyone to surrender legally held ammunition?
- If police had asked licence holders to surrender all 9mm ammunition held, presumably Eddy Ross would have surrendered his, along with all other registered keepers all at around the same time. As things stood, he handed in the sealed box of Kirkee bullets in isolation, which very rapidly and publicly escalated for him. Eddy Ross could have disposed of the bullets easily without anyone finding out. There was no

compelling reason for him to surrender them. Would any other person subsequently be likely to voluntarily hand in any bullets held, given the consequences for Eddy Ross?

- There were very few of the 100+ individuals interviewed in the weapons and bullets line of enquiry that possessed 9mm weapons. It was really just a handful of gun club members that owned and had the use of 9mm weapons, reducing the likelihood that anyone in Orkney would possess a range of 9mm ammunition. **This does NOT mean that this type of ammunition would not have been available.** In any case, no-one else in Orkney was required to hand in any bullets, even after Eddy Ross produced the full, sealed box. Anyone handing in any ammunition did so voluntarily. It is therefore impossible to establish if these bullets were held by anyone else, either in Orkney or elsewhere.
- During 'Unsolved' which aired ten years after the murder, Chisholm stated that he'd approached Eddy Ross to ask for an address for the Kirkee arsenal, and this led to PC Ross disclosing possession of the full, sealed box. This would suggest that the investigation team had not at that stage done a great deal of investigation into the bullets given that they were only starting to look for information on the Kirkee arsenal after 10 weeks had passed. This in itself would suggest that the bullets had not been the "*focus of our enquiry*" at that point, as implied by Chisholm in 'Unsolved'. When the Crimewatch UK appeal aired nationwide 2 months later on 6th October 1994, there was no mention whatsoever of the type of weapon or bullet used in the murder.
- In the early days of the police enquiry at the point where the public became aware of the Indian origin of the murder bullet, a police expert was quoted in the local newspaper: "*Asian origin is not necessarily significant as such Indian-made ammunition is commercially available in this country. Military surplus ammunition like this is widely advertised in gun magazines and any registered firearms dealer can get it, although, in this particular case, one would assume it was bought on the black market. There is so much stuff coming into Britain from Eastern Europe these days*"

There is nothing in the case files to suggest that the investigating team had been looking for specific 9mm Kirkee bullets prior to Eddy Ross revealing that he had the full, sealed box. One would think therefore that, this being the case, the make of the bullets in question would become a focus for the investigating team after he handed them in. Consider this:

- The investigating team took the first statement from a representative of the British army in the **summer of 1995**, a full year after the murder, to ask about the army involvement with the 9mm Kirkee bullets. The only information contained in this statement was that the Kirkee 9mm bullets had been in service in the British Army.
- James Spence stole the bullets he gave Eddy Ross while stationed at the Royal Marine base at Condor in Arbroath. The police only approached Condor to take a statement from their quartermaster in connection with the theft in **1997**, almost 3 years after the murder and just prior to the trial of Eddy

Ross which took place in May 1997. In the statement of the quartermaster, there is no mention whatsoever about the specifics of the bullets in question. He was merely questioned about the likelihood of a theft occurring and disciplinary procedures in place. However, when the same quartermaster was questioned again in 2007 prior to the trial of Michael Ross, he confirmed that, as far as he could ascertain, there was **no record of the Kirkee 9mm bullets ever having been supplied to the Condor base**. This brings into doubt the claim made by James Spence that he had taken the Kirkee bullets from Condor in 1981.

After Eddy Ross was convicted in 1997, he appealed his conviction but the appeal was not successful. At the murder trial of his son Michael Ross in 2008, there were two key revelations made in connection with the Kirkee bullets by witnesses called by Michael's defence team:

- Expert witness for the defence, David Penn, was in charge of firearms exhibits for the Imperial War Museum in London for 29 years and was also an adviser to the home office. He was commissioned by the defence to look into the Kirkee bullets. The Crown position was that the bullets were part of a one off production commissioned by the British Army. Mr Penn found this to be inaccurate. The bullets in question were manufactured in 1972, but only purchased by the British army in 1976. Mr Penn discovered that the factory would have been selling these in bulk right from when they started production in 1972, and in 2008 it was impossible to determine where the bullets had been supplied to from the date of manufacture. Mr Penn was tasked with finding Kirkee bullets and was able to source one of the same kind as had been used in the murder very easily within 2 hours, in London for the sum of £2.00. He testified that rare Kirkee bullets would fetch around £50 - £100 each, meaning that the Kirkee 9mm bullets were not considered to be 'rare' as had been very much implied at the trial of Eddy Ross. During his trial 11 years earlier in 1997, the judge had asked an 'expert' witness for the Crown if collecting the Kirkee 9mm rounds would be similar to collecting "*rare books*". The expert responded that it would; however, if the bullet was found to be not rare in 2008, it stands to reason it most certainly would not have been rare in 1994.
- The Kirkee 9mm bullets held by the British Army were found to be unsuitable for use and were then stock piled for dumping at sea. The army didn't keep any records of how many were eventually dumped. The police ballistics database on the UK mainland had no record of any of the Kirkee 9mm bullets being recovered; however, the defence of Michael Ross presented a witness from Northern Ireland who spoke of a quantity of the 9mm bullets being recovered in NI and entered on their ballistics database. Another witness from the British army in Northern Ireland testified that ammunition stores in NI were sometimes targeted by paramilitary groups and it was possible that numbers of the Kirkee 9mm bullets had made it onto the black market.

The only statement from those made available to the defence team that contains any real detail about the bullet used in the murder was that of Eddy Ross when he examined the casing at the request of the scenes of crime officers. He stated:

"I was able to have a look at the fire pin indentation in the casing and noticed that the case had a very light indentation on the primers which to me meant that there had been no adjustment made to the pistol in relation to its use with 2Z rounds which are used in machine guns and therefore have harder primers. I was able to have a look at the bullet which was still embedded in the plasterboard and was able to make out that it was standard rifling on the bullet with a right hand twist. I didn't see the bullet after it was removed from the plasterboard and therefore cannot comment further on it. I was able to get another look at the casing after it was bagged and from markings on the rim it was obvious that it was not a virgin round and would appear to have been chambered on previous occasions. There was also a powder burn on the outside of the case which indicated that the pistol had some wear in the breach area of the barrel which would have allowed for the escape of burning powder this causing the burn. It would appear to be just a standard 9mm pistol. I knew it was not a Colt pistol as they have left hand twist to the rifling, or a modern 9mm pistol."

We can now reveal that the bullet casing recovered from the scene of the murder and the very only physical clue left for police was not forensically tested for DNA or fingerprinted in 1994. DI Iain Smith, the SIO for the new investigation stated that information handed down to him from the original investigation suggested that the casing was "*heavily contaminated with soot*" and not suitable for fingerprinting or DNA testing. The case files suggest that the first time that DNA forensic examination of the bullet casing occurred was in 2004 when tested for low copy DNA. It is not known the date of the first attempt to fingerprint the casing, but it appears that it was authorised by DI Smith who was not involved in the original investigation.

Eddy Ross speaks about "*powder burn*" in his statement, but does not indicate heavy contamination. One of the scenes of crime officers was interviewed by defence in 2007 and he stated that he had no recollection of 'heavy sooting' on the bullet casing. Powder burn is evident from the crime scene photograph (see below); however there does not appear to be 'heavy sooting':



IF the bullet casing was not forensically tested in 1994 as DI Iain Smith suggests, this must surely be a flaw in the original police investigation. The bullet casing was the only piece of physical evidence that police had.

Remember, DI Chisholm stated in 'Unsolved', aired in 2004, that the bullet was "***the main focus of our enquiry***".

Final Point for Consideration:

On 14th August 1994, Mr Spence had given police an account of having given one sealed box of bullets to Eddy Ross. When DI Chisholm was interviewed for the 'Unsolved' programme, referring to this 14th August police interview, DI Chisholm stated:

*"He (Mr Spence) told us that he had given Eddy two boxes of bullets, one being the significant 9mm batch from India and the other box being .22 bullets. **He stuck to that, he wouldn't be swayed from that at all.** There was only the one box of 9mm bullets. He'd given that to Eddy. There was no more than that one box"*

At the very start of Mr Spence's second recorded police interview on 5th December 1994, Chisholm states:

*"So if I could just explain for the purposes of the tape, we spoke to you way back in August of this year, James, the 14th of August 1994, to be precise, eh about the circumstances surrounding some ammunition you'd supplied to Eddie Ross and local policeman here. On that occasion you'd given us a statement which detailed the number of bullets you'd given to him, **this morning we came back and spoke to you again**, em, to go over the statement, eh, to confirm the facts on that, and it transpires that some of the information you gave us on that statement was incorrect, so **we've been speaking about that off tape** and you told us **just a few minutes ago**, that some of the details was incorrect on that statement, is that right?"*

James Spence was spoken to by police officers 'off the record' at his home and in the police station prior to changing his account. All three potentially imprison-able charges against him were dropped on giving evidence against Eddy Ross.

What do you think?