

CHAPTER 8.

"TINY MEN".

Of all my business associates, none was more closely involved with my affairs than ^{my accountant} Bill Kirkup; it would be true to say that he knew more about my business finances than I did. He became my accountant in the early days of the decorating companies, having been introduced through my Bank Manager. He had been an active Tory politician, and onetime Chairman of Newcastle's Housing Committee during the 1950's. We were in regular contact with each other over a long period of our political and business lives.

By mid 1965, for personal reasons, Bill Kirkup had decided that he wanted to leave the North East and had developed interests independent from mine, in furtherance of his own professional accountancy practice, with a London association which allowed him to sell out his Newcastle based practice, while retaining a consultancy link for himself.

In the period of the Crudens affair, Kirkup had asked me to meet a colleague of his with whom it was his intention to set up an advertising agency. Both had been associated in an agency Muse-Jones Ltd., but a disagreement between them had caused ^{to} the company restructure, Bill Muse preferring to go solo. I was surprised to find during the discussions that Bill Kirkup ^{was} very well informed on the advertising side of the business, ^{and, as I was aware} of his financial abilities, I agreed to help by the introduction of a number of my contacts.

Shortly after that meeting I began to feel unwell; I subsequently suggested to Bill Kirkup that he might consider the running of my Public Relations companies. He jumped at the chance and quickly moved the whole of the administration into his Jesmond Road office. That decision cost me the services of a highly competent managing secretary and immediately left me entirely reliant on Mr. Kirkup and his secretary, whom he later married.

Within weeks I had my second heart attack, feeling thankful that I had a first class Managing Director to carry on the business. Another friend, also in advertising, wrote to me during my convalescence suggesting that he and I formed an advertising partnership. I referred him to Bill Kirkup and they negotiated an agreement which led to Kirkup forming a company named 'ASK'.

The derivation of its title was from the first letter of each of three names - Alder, Smith and Kirkup. Mr. Alder never felt happy in the development of the company when he found he would be working with Kirkup and not myself, and so that company never traded.

It came as no great surprise to me when Kirkup told me one day that he had begun discussions on his own initiative with a London Advertising Agency whose major shareholder was a Bill Foley-Brickley, and by April 1965 he reported to me :

"Association with FOLEY-BRICKLEY & PARTNERS LTD.

My negotiations with Bill Foley-Brickley are complete.
I have a good deal lined up for us."

I was delighted, because it meant, or appeared to mean, that in one successful deal we had secured a London office and an operative advertising base into which I could feed my widening business contacts. Foley-Brickley's office was an attractive modern building in Kensington and was located on the run from London Airport at the time when I was flying to London at least twice a week.

The advertising operation was developed during 1965 and 1966, and I assumed an active role with Bill Foley-Brickley, meeting a number of influential clients and selling the advertising agency.

Then it all blew up!!

Returning from our summer holiday in 1966, I answered an unexpected phone call on the Saturday afternoon, it was from one of the Foley-Brickley Partners who I scarcely knew, and was told, in confidence - 'If I were you, I would get out of your association with Bill Foley-Brickley, they are in serious financial trouble, and will have to go into liquidation.' I contacted Bill Kirkup, gave him the worrying news, and left him in no doubt about my own feelings of his part as an accountant and advisor, in taking me into a company into which I had poured so much energy and good will and which, within a year, was 'bust'.

It was an angry meeting and the beginning of the end of my confidence in Kirkup. Up to that time my confidence in him had been complete.

In the meantime an associate Public Relations company of Foley-Brickley's, Fleet Press Services, Ltd., had become involved in discussions with the London Borough of Wandsworth who were at the time interested in employing outside Public Relations Consultants. It was the Kirkup-Foley-Brickley partnership working in London from Foley-Brickley offices in Kensington that was the key to the Wandsworth Public Relations Contract. Without that, there was no way that a Newcastle based agency would have been considered as an agency for a London Borough Public Relations Contract.

The Wandsworth trial evidence makes my point clear,

Mr. Pullen the man who telephoned me to tell me of Foley-Brickley's impending liquidation, was being examined by Mr. Buzzard, Q.C. leading for the Crown.

Question 'Well now, who was there on your side, besides yourself.?'

Answer 'Mr. Foley-Brickley was in the chair. He asked me to come in and assist at an interview. I have not a perfect recollection of who else; It may have been a Mr. Bob Wright but I am not absolutely certain.

Question 'Do you recall Mr. Dan Smith?'

Answer 'Yes'

Question 'What was his association, if any, with these firms?'

Answer 'He had become a Director of Foley-Brickley at the invitation of Mr. Foley-Brickley.'

Question 'What about Fleet Street Press Services Limited?'

Answer 'I understand he had a part in the Company; I was not personally involved in this matter.'

Question 'I follow. Was he there, Dan Smith?'

Answer 'I think he was, yes'

I was always quite happy to take my share of the responsibility for accepting Bill Kirkup's advice to join the Foley-Brickley organisation but I was certainly unhappy to be presented as the originator or the beneficiary of such a tie up. Nor did I understand how the police and the Director of Public Prosecutions accepted the Kirkup version that he just did what I told him.

Later in the trial Mr. Pullen was cross examined by Mr. Frisby, Q.C.

Question 'Who had done most of the talking on your side, Mr. Pullen?'

Answer 'I would say possibly equally between Mr. Foley-Brickley and myself.'

Question 'I would say equally; I would not claim to be the main speaker but -'

Question 'I see. Yes. And Mr. Dan Smith, although there, said comparatively little, did he not?'

Answer 'Not a great deal I think'

After further questioning, Mr. Frisby continued -

Question 'And the other colleague who turned up a little later turned out to be Mr. Dan Smith?'

Answer 'Oh yes, that is correct. He did arrive a little late.'

The background of my Wandsworth Charge, was based on the facts which showed clearly, that the company pursuing the Wandsworth Public Relations Contract was a Kirkup association, the interview with the Wandsworth Council Representative took place in Foley-Brickley's offices and the interview was conducted by Foley-Brickley and his partners, with me saying not a great deal.

Of course at the time, Sydney Sporle was on Dan Smith Public Relations payroll as a consultant for Poulson's O.S.B.; and Poulson's Architectural Practice was working in Wandsworth. The Poulson Dossier was on the Director of Public Prosecutions desk containing 'detailed and damaging information'. But the prosecution were suggesting that it was my relationship with Sporle over the Wandsworth Public Relations Contract which epitomised the evil of corruption!!

It was the extremely tenuous relationship between Foley-Brickley and Dan Smith Associates which was the only possible basis for a charge against Sporle and I, ^{It was so tenuous that it was} a charge that was bound to fail, as it did in my case, ^{yet} ^{if} alas led to Sydney Sporle being convicted on the charge.

Pursue Bill Kirkup's role still further. ^{let me} establish Kirkup's relationship with Poulson's Ropergate Services Ltd. He was ^{in complete control of the} ^{all} administration, receiving the Ropergate payments ^{which they made to us,} and making all payments out including the payment to Sporle. He was also the direct link with Foley-Brickley's Fleet Press Services. Why was he not brought to Court to answer for any misdeeds alleged to have been committed?

Before Kirkup eventually headed for the sun, the good deal he had pulled off with Foley-Brickley had gone up in smoke. As a direct result of the Foley Brickley ^{debacle}, it became an urgent necessity for Kirkup to be rid of the Foley-Brickley connection if his ^{Public Relations} contract with Wandsworth, and another being negotiated with Islington, were not to be lost. These Local Authorities would have quickly shied away from any association with a company going ^{Some means of changing horses had} to be found by ^{KIRKUP}.

To this end, Kirkup held a meeting on September 22nd 1976 with Foley-Brickley, and held a further telephone conversation on September 29th. The agreements which they had reached were ratified at a meeting between them on October 17th and, two days later, the terms of this agreement were confirmed in a memorandum from Kirkup to Foley-Brickley.

Kirkup had secured control of Foley-Brickley's Fleet Press Services, Limited ^{and} he had avoided the embarrassment of having ^{and} linked with a company which was going to go ^{into} liquidation.

The fear of either Wandsworth or Islington ringing the Foley-Brickley offices to be told they ^{no longer in business} had been avoided.

There was a serious difficulty. The agreement laid it down that 'Smith's people' had to be out of the Foley-Brickley offices by the end of October. New offices were an urgent necessity. Leslie Pullen, the Foley-Brickley executive, provided an ideal answer to the office problem. Through his contacts in the English Speaking Union, he secured the tenancy of an office in Queen Street Mayfair. The address was perfect, the offices were impressive, and considering the location, the rent was reasonable.

Sydney Sporle was unaware of any link between Foley-Brickley's company, Fleet Press Services, Ltd., and my company, Dan Smith Public Relations Ltd. *And there was none*

What Sporle did not know, any more than I did at that time, was that in order to get off the Foley-Brickley nook, Kirkup had taken steps ^{in 1966} to set up two new companies to take over the Public Relations work at Islington and Wandsworth. *So that the local authorities would be unaware of the change,* called the companies "Fleet Press Services (Public Relations) Ltd.", and "T.Dan Smith Associates (London) Ltd," *names which could easily be confused with the other two company names.*

Those Kirkup solutions to the problems created by the Foley-Brickley debacle had required quick thought and quicker action. So quick, in my view from the Old Bailey dock, as to be almost sleight of hand. They were, at the very least, ethically questionable solutions.

All of the problems were clearly created by the disastrously *and* unsuccessful ^{attempt to} amalgamate Foley-Brickley with the T.Dan Smith organisation and, for that arrangement, the fundamental responsibility was Kirkup's. Yet he alone, of all the participants, was never asked to appear as witness, to explain this to the courts.

When I thought of the relatively insignificant parts played in my affairs by such people as Peter Ward, Roy Hadwin, Dews, Roebuck and most of all, Eddie Newby, all of whom received prison sentences albeit suspended,; I still place Kirkup's favoured treatment *as the greatest injustice of many.*

These were but two of the companies that the prosecution, quite incorrectly, laid at my door, When the police briefly questioned Kirkup, he had replied :

"T. Dan Smith Associates (London) Ltd., and Fleet Press Services (Public Relations) Ltd., - I do not know. Mr. Michael Ward may have them, after I left my London Office." *This was in answer to questions about the books of the companies involved in the Wandsworth and Islington public relations contracts, on which the Wandsworth charge was based.*

Can anyone believe that I would have walked away from two companies, one trading under my name , if I had ^{had} any legal responsibility for the running of them? *and yet* Sydney Sporle was *convicted* on that charge of corruption *and* I was acquitted. If there was any basis for the Wandsworth charge it should surely have included the part of Kirkup above everyone else. Sydney Sporle died in September, 1981, aged 62.

Let me examine another 'grey' area of the affair.

The importance of the missing books was that they included all of the main financial disbursements.

One of the two main objectives of the prosecution in the Poulson Case was to show that I had ^{been} paid excessive amounts of money by Poulson, and to implant ^{was} in the mind of the public the sum of £156,000 as being the amount of money that I, personally, had received. They succeeded in that objective completely, and even in 1981 this figure is still thrown up at me.

In fact, the circumstances of the Ropergate payments to Dan Smith Public Relations Ltd., are interesting and still require some explanation by the prosecuting authorities. Almost all the payments were made by bankers draft from Ropergate Services Ltd., directly into the account of Dan Smith Public Relations. The first of the payments was on February 20th 1963 in the sum of £383. 6. 8d., and the last payment was made on 30th November, 1967. All these payments were recorded in the cash book of Dan Smith Public Relations Ltd., either by William Kirkup or his wife, and in the distribution.

of the funds there were a number of payments to at least one other company of which I was unaware until I received the cash book, long after my connections with Kirkup had been severed. He had complete control of the finances of Dansmith Public Relations Ltd. *up to the time when we ended our association.*

If asked today, the Police could only confirm that when they arrested me and took away all my documents, they did not find a single balance sheet relating to any of the companies controlled by Kirkup in which he and I had been associated. I never *received* ~~seeing~~ a single one, nor was it ever revealed to me in the court how much Kirkup and his wife *received*

from those funds! Was it ever questioned that there had been no income from a company named Central Development Consultants to match the outgoings I discovered had been made?

What happened to that company?
Oddly enough, it was ^{*information from*} the Dansmith Public Relations Ltd., cash book which Mr. John Marron, my defence solicitor in the Wandsworth Case, stated on oath in Leeds Crown Court that he had taken to the Police in March or April, 1970.

Bear in mind that in March 1970 the whole powers of the police, the Auditor General and the Director of Public Prosecutions were engaged in the preparation of the Poulson "Dossier", and were in need of a financial reason to secure access to the bank accounts of Poulson, Cunningham and myself. Why, if as Mr. Marron stated the Police had sight of that cash book, was the information concerning over £100,000. of the Poulson payments to Dansmith P.R. Ltd., not related to the "Dossier" enquiries?

Peter Taylor, Q.C., leading for the prosecution in my Leeds Trial in 1974, was reported as saying; "Records of Smith's companies showed that he, personally drew £18,919. from these companies, but it was possible that some of this money was distributed among one or other of his decorating companies."

Let me explain that proposition. The Crown papers showed that I had been paid less than £12,000, between 1962 and 1969, or at the rate of £1,714, per year.

The balance of £6,800, explained by Peter Taylor, Q.C., as "distributed to one or other of his decorating companies" was legitimate payments for office rent, rates, light, heat etc., and averaged £1,360 per year. So, presented in that light, it was certainly no 'big deal' for me.

Mr. Taylor went on. "Of the cash paid to Smith by Poulson, a total of £7,838 could not be accounted for as having been paid into any of Smith's companies."

Let me raise an interesting point at this stage. Mr. Kirkup was acknowledged by everyone to have 'kept the books'. Mr. Edward Short, M.P., when explaining my payment to himself, had gone so far as to tell the Parliamentary Committee: "Thirdly, the accountant, Mr. Kirkup, knew nothing about this, and it is inconceivable that this money was paid out of any of Mr. Smith's companies - otherwise he would have known about it. Mr. Kirkup said that Mr. Smith could have made the payment from his own bank account."

If Mr. Short, who seemed to be well informed upon Mr. Kirkup's capabilities, could state the latter that knew where all the money went, why then did Mr. Taylor, leading Counsel for the prosecution, not ask Mr. Kirkup to pay a visit to the Court and explain where the £7,838, had gone? Or why not have gone further, ascertaining where each and every one of the payments had gone, confirming those made to Kirkup and his wife?

But let me develop the argument advanced by Peter Taylor :

"There were also trips abroad, some of which were certainly holidays. These included trips to Majorca, Switzerland and Greece, and the total value was well over £2,000. These sums added together give a total of something approaching £30,000.

A small part of this must have come from sources other than Poulson, but the Crown was content to say that payments received by Smith from Poulson were very substantial."

Good for the Crown! In fact, I received, according to Crown documents, less than £12,000 over seven years. There was £7,838 'missing', so put that down to me; £6,800 charges for office services, plus a couple of thousand for holidays. Let's make it a round £30,000, or better still "The Crown was content to say that payments received by Smith from Poulson were very substantial."

Although Poulson has gone out of his way to stress that his 'gifts' were motivated by Christian Charity, the facts are somewhat different.

It is true that I was persuaded to go on a business conference to Majorca in 1964, against the judgement of my doctor and my wife. The reason? - Poulson wanted to clinch deals relating to Construction Promotion Ltd., a company in which Reginald Maudling later became involved, and Water Reclamation, which he planned to extend. I stayed on, enjoying some days of recuperation, and I was grateful that Poulson had persuaded me to 'push myself' back to work after my heart attack.

Switzerland was just another occasion. Poulson requested me to visit an engineering group in Lausanne, and as the visit had to coincide with an exhibition being held there, I could only arrange the journey by using up my summer holiday. I took my family along; they remained in Lucerne while I went off on business.

The Greek trips were almost totally business, and had Poulson eventually been able to cash in on the opportunities created, then we would all have done very good lucrative business. I did not ever have a holiday in the accepted sense; I always worked my passage.

to the police

Kirkup's statement volunteers this information,
'Subsequently my Company formed three companies I was appointed a Director, with Mr. Smith, and my wife was appointed Secretary. Her name at that time was Mrs. Williamson, and she was my Secretary in the Accountancy Practice. This was about 1963, and was at the time that my practice took over the actual administration of the aforementioned companies. This was just prior to Mr. Smith being taken ill. When I speak of administration (book keeping etc.). Although during the period that Mr. Smith was ill I did my best to keep the companies 'ticking over', I received verbal instructions from Mr. Smith and complied with them.'

I was only critically ill recovering from a heart attack, isolated and bedfast!!

Kirkup's statement went on 'I never considered myself as operational in the public relations field -----

The remainder of his statement was devoted to denials of the content or meaning of a series of documents which had been drawn to his attention.

'I have been shown a file copy memorandum marked PW/232. This again was a copy for the file, however Mr. Smith has written a note to me on it, to arrange a meeting with Mr. Docking. I also note I have written '26/10/65, Hold for me W.K.' however I cannot recall this document or why I wanted it held.....'

'I have been shown a memorandum marked PW/233. Again I had a copy for the file. I cannot speak of the meeting.'

'I have been shown a file copy memorandum marked PW/231 to Mr. Smith from Mr. Hadwin marked 'Copy to Mr. Kirkup'-----
The content means nothing to me at all.'

His statement concluded with a reference to the breakup of our association, and points to the 'mystery' of the MISSING COMPANY BOOKS -

"I have been shown a copy letter marked PW/213 from Mr. Smith to myself, severing our business association -----

With regard to the books of the various companies -
T. Dan Smith Associates Limited: would probably have been returned to Mr. Smith's Newcastle Office, although I believe it ceased to trade about 1967."

This was a professional accountant 'returning' the books of a former client!! Surely ⁱⁿ any normal professional/*accountant* client circumstances I would have been entitled to have the books registered *back to me with all relevant company records?*

Kirkup continued,

"Dan Smith (Public Relations) Limited, were sent about 1968 to Mrs. Cheeseman.

"Cladan Public Relations Limited and Cladan Public Relations (Scotland) Ltd., were possibly destroyed when the companies were dissolved in 1967" I gave no such instructions.

"T. Dan Smith Associates (London) Ltd., and Fleet Press Services (Public Relations) Limited, I do not know, Mr. Michael Ward may have had them, after I left my London Office."

The last two companies were the two companies created by Kirkup, retained by him, ^{and} operated by him after the Foley-Brickley collapse. After he and I had ended our association, presumably at that stage, he could no longer claim he was still doing what I told him to do."

So the books of MY COMPANIES had some how disappeared after I ended my association with Kirkup,..and Kirkup who claimed that apart from looking after the books, which he ultimately 'lost', ..never considered himself 'operational in the public relations field', 'commenced' to operate!!

Tomkinson and Gillard in their book wrote -

'In April 1963, Newcastle Corporation sent a delegation to inspect various methods of system building, and one of these systems was the Swedish system, Skarne. To their surprise the delegation was met by William Kirkup, representing the Smith organisation, who had been appointed the British Public Relations agents for Skarne.'

Kirkup was certainly operational, ^{That was why,} when Poulson ^{upset} ^{INDICATED} up our Skarne contract, (which was not as Tomkinson and Gillard signed at that stage,) Kirkup was understandably angry.

November 20th 1967 ^{Kirkup} ~~he~~ wrote to me,

'Had a very long meeting with Wandsworth - critical but helpful in the long run....

P.S. Confirmation from Colchester enclosed - meeting is this week."

24/1/66 Kirkup to Smith.

'Visited Wallington T/C - now completed - Good design and workmanship. Willing to introduce T/C schemes to OUR DEVELOPMENT COMPANY.....~~At~~ that or any subsequent stage, I did not know WE had a development Company?

The files were full of conclusive evidence of Kirkup's active involvement as a front runner in a whole range of schemes about which I knew nothing at all.

Perhaps this letter written by Poulson to Kirkup on November 18th 1963 sums up the relationship better than any explanations of mine -

Dear Mr. Kirkup,

I hope you have noticed about Durham City - Dan has arranged for us to get this, with, I think, the help of the Chairman of the County Council - Alderman Cunningham. I will leave it in your safe hands.'

Two days later Poulson again wrote to Kirkup, -

"Dear Mr. Kirkup,

NEWBURN.

Mallory has just rung me to say that he has got a letter from them and he is, therefore, going to follow it up and see them. I have told him Mallory that we want a fee of 10% here so there will be definitely 1% for you.

Yours sincerely,'

So much for my 'right hand man's lack of operational knowledge. Had he had his way we would have sued Ropergate and Poulson for the 1% when Poulson's practice actually landed a substantial amount of work for that authority. It was another of the jobs Poulson asserts HE DID NOT GET!!

Mr. John Binns, formerly M.P. for Keithley, was called before the Select Committee of Conduct of Members because I had stated in my original questioning by that Committee that I thought payments had been made to Mr. Binns by one of my companies. I had certainly heard his name mentioned by Kirkup, and I had certainly heard Kirkup say that he was being paid. I was not aware of any arrangements made by Kirkup with Binns or any number of other people, but I felt it right to bring such a alleged recollection of the payment to the attention of the committee.

Mr. Binns gave his explanation to the Committee and I can do no better than quote from his statement.

" I never became associated with Dan Smith. I only met him twice in my life, once in the Central Lobby when I spoke to him just to say hello - I was introduced by one of the North Eastern Members to him. The second time was at Mr. Kirkup's office when I was going to a Test Match and went to pick him up.....I was introduced to him again....Those are the only two meetings I ever had with Dan Smith.....' He went on to explain how one of my staff Peter Ward introduced him to Mr. Kirkup and went on 'I became friends with Kirkup, so much so that my wife and his lady friend, he and myself used occassionally to go out together when he was in London."

Mr. Binns was simply recounting the position as he remembered it. "The second time was at MR. KIRKUP's OFFICE.....' and eventually Bill Kirkup said "I have now got an office in Old Queen Street..... why don't you come along and you can use my secretary....."

Mr. Kirkup had told ^{the} police and Mr. Short presumably, "I received verbal instructions from Mr. Smith and complied with them..... I never considered myself operational in the public relations field"

Yet according to Mr. Binns, even after I had parted company with Kirkup, he was asking Mr. Binns, "We would like you to do the approaching of local authorities" ~~It~~ At least the statement substantiates my assertion that Mr. Kirkup was far from an administrative bystander in both the Wandsworth and Poulson Affairs.

The evidence of his involvement on the ground was overwhelming.