

follow him until he was out of the city but my company did not agree with this since this move was outside the plan agreed by the Thai police. My company then returned to the hotel and consulted with Pol. Lt. Col. Amaresrit. Pol. Lt. Col. Amaresrit insisted to follow the agreed plan for the payment and delivery of the heroin. At 2000 hours of that day, the 1st accused came to see me in the hotel room. The coming of the 1st accused was thoroughly known by my company since the Thai police closely followed the movement of the 1st accused all along. At that time, the 1st accused informed me that there were two women waiting in the pick-up car with 2 kilogrammes of heroin. According to the agreed plan, 2 kilogrammes of heroin would be bought first and 3 kilogrammes of heroin would be bought later. Mr. Planagan and the 1st accused agreed to examine the heroin at the pick-up car parked at the side road in front of the the Royal Orchid Hotel, Chiang Mai Province. I saw Mr. Planagan and the 1st accused walked towards the pick-up car and entered the car. I ordered Mr. Bennette to stand on the side road, about 20 meters from the pick-up car, and give an eyes on the pick-up car. About 2030 hours, the 1st accused walked in the car park of the hotel and met with Mr. Bennette and me, informed me that Mr. Planagan had the heroin and

required me to deliver 28,000 US dollars to him. I went to my room and brought out the money. I agreed with Pol. Lt. Col. Amaresrit that there would be no actual payment since there would be an arrest first. I walked back and saw the 1st accused being with the 3rd accused. (The witness pointed at the 3rd accused in the court room.) Mr. Bennette, Mr. Gerdlestone, the 1st accused and the 3rd accused went out and took a small bus. I sent the case containing 28,000 US dollars to Mr. Gerdlestone. At that time, Pol. Lt. Col. Amaresrit and Mr. Kelly, a liaison officer of the Canadian Embassy in Thailand, were following the small bus by walking since the small bus had moved 100-200 meters then stopped, the 4 passengers in the bus got out of the bus. I walked back to the car park of the hotel in order to inform the subordinate, whose name I could not recall, of Pol. Lt. Col. Amaresrit. I took a motor-tricycle to follow the small bus. When I arrived at a theater near the place where the small bus was parked, I saw Thai police officers arresting the 4 persons. I was able to recall 3 of them, namely, the 3rd accused, the 2nd accused and the 1st accused. I also saw Thai police officers seized the pick-up car. The car's colour was grey - blue. I was able to recall merely the said 3 persons because I had little time there and I was informed

that Mr. Planagan was hurted and was sent to hospital. I went to the hospital. I later met all the accused on the airplane from Chiang Mai to Bangkok. About 9 months later, I met the accused again in this court room.

I had met the 1st accused, the 3rd accused and the 5th accused before they were arrested,.

I have no any difference to the 6 accused.

Answer to examinations of the lawyer for the 1st , 2nd , 3rd, 5th
and 6th accused

My nickname is Jack. I have known the 1st accused in Canada for about 1 year. Mr. Bennette is best acquainted with the 1st accused. He introduced the 1st accused to me. **The 1st accused has a criminal record in Canada.** I have not taken the said report with me today.

The Canadian police did not arrest the 1st accused at the first opportunity when the 1st accused exchanged heroin with the airplane ticket because they wanted to know the big source of heroin trafficker in Thailand.

I came to Thailand before the 1st accused arrived. I was the one who took the Thai police to see the 1st accused at Don Muang airport.

The 1st accused agreed to come to Thailand in order to buy heroin because he was entrapped by Canadian police.

The bank notes employed in the entrapment were photocopied.

My company told the 1st accused that my side would take heroin out of Thailand if the heroin could be bought in Thailand. The said sale in Chiang Mai took only 3 days. The 1st accused stayed in one hotel and our party stayed in another hotel.

I saw the 3rd accused once. I did not know, when I met the 3rd accused for the first time, why he came.

The objective of the Canadian police was merely to arrest the 1st accused.

Whilst the arrest was being taken, Mr. Gerdlestone was holding the money. At that time, the Canadian official who carried arm was only Mr. Planagan. No one said that Daeng who was still at large was the major trafficker of heroin. Mr. Planagan was the one who went to examine the heroin on the pick-up car. The Thai and Canadian police agreed that if Mr. Planagan thought what he had seen on the car was heroin, he would give a signal in order that the arrest would be taken. The signal would be given by hands, but in which manner I do not know.

I knew that there was a fight on the pick-up car between Mr. Planagan and the 2nd accused, but I myself did not see it.

As from the post mortem report, there was no trace of the bullet.

I did not join the inquiry in this case. I knew that Mr. Gerdlestone was the one who arrested the 1st accused.

Answer to examinations of the lawyer for the 4th accused

I first saw the 3rd accused at the car park of the Royal Orchid hotel, Chaing Mai Province. After that, I saw the 3rd accused walked away with the 1st accused and Mr. Gerdlestone. When I saw the 3rd accused, I did not see whom he was talking to. It was about 2045 hours then. I saw the 3rd accused only once.

I knew 5 Thai policemen who joined in this operation and knew the names of 3 of them. I also knew Pol. Capt Chatri. I arrived at the scene of the crime after the Thai policemen. One of the Thai policeman was Pol. Lt. Col.

Amaresrit. As far as what I had seen, there were 4 Thai policemen at the scene of the arrest.

I do not know whether the 3rd accused was able to listen English or not. Whether Pol. Capt Chatri was in the scene of the incident, I do not know.

Answer to the cross-examination of the Public Prosecutor

The photocopy of the money used in the entrapment is as appeared in documentary exhibit marked Jor.11, at sheet 18.

/ Already read.

(Signed)

(Signed)

(Judge Viboolya Me-asa)

(Judge

Visal Viengtalchantra) Recorder- Reader

(Signed)

(Illegible)

the witness.

(Signed)

(Illegible)

the public prosecutor.

(Signed) Santi, Oliver, Chankaew, Prapas,

Nipa, Pimpan the 1st – 6th accused.

(Signed)

(Illegible), (Illegible)

the

lawyers for all the accused.