

Gone but not forgotten

As relatives and colleagues of fallen officers prepare to gather together and remember those they have lost at National Police Memorial Day on September 30, Tony Judge reports on the story of one wartime constable killed on duty but almost forgotten until dedicated Met officers revealed his story

Sir Ian Blair recently unveiled a memorial in Hyde Park to commemorate the killing of wartime reserve constable Jack Avery. PC John Hooper and PC Nigel Keane, based at Hyde Park police station, in London, discovered the reserve constables name in the National Police Memorial records. They also traced his only known relative, Margaret Penford, his niece. Margaret, who is married to Steve, a long serving civilian employee of the Police Federation, was born after her uncle's death and had never heard of the case until the officers' quest for relatives was mentioned on television.

Murder in the park

This wartime crime attracted very little public attention at the time it happened. In the London Blitz and the later period of the V1 and V2 rockets, hundreds of London police officers, regulars and reserves, lost their lives, and many more were wounded. They were among the thousands of Londoners who were killed and

injured in the war. But even in wartime, the murder of a police officer was a rare happening.

The sun shone in London on July 5 in 1940 on the day of PC Avery's death. Many Londoners spent the lunch hour in Hyde Park to take a stroll and to try to forget how badly the war was going. The miracle of Dunkirk had just happened, and the country, now virtually alone, expected an invasion at any moment. The anti-aircraft gun emplacement a few yards away from the park police station was a reminder of imminent danger.

War reserve constable 890A Jack Avery was on duty in the park. He was a single man aged 28, who had joined the Metropolitan Police on the first day of the war. The Met needed to fill the huge gap left by the hundreds of regular officers who had been recalled to the armed forces. At about 1.45pm a member of the public informed PC Avery that a man was acting suspiciously in the vicinity of the AA guns. He was sketching on a drawing pad.

PC Avery approached the man, Frank Stephen Cobbett, who was lying on the grass, and asked to see what he was

Sir Ian Blair surrounded by officers from the Royal Parks OCU



drawing. After examining it, he said to Cobbett, "I want you to come along with me", to which Cobbett replied, "What's it got to do with you? You can fxxx off". He then produced a small knife and aimed a blow, which Avery avoided. The officer drew his truncheon and blew his police whistle. In those days, citizens went to the aid of the police when called upon. A George Ernest Bryan ran to the scene. He saw reserve constable Avery strikes Cobbett on the shoulder with his truncheon. Cobbett lunged forward in a crouching position and stabbed the PC in the groin. At this point, another war reserve constable, PC 888A Hyman Krantz arrived on the scene. He swung his rolled-up cape, a formidable but strictly unofficial weapon, at Cobbett, and knocked him down. Mr Bryan managed to wrench the knife away from him. PC Avery had collapsed on the grass, bleeding profusely. An ambulance was summoned while an unknown passer-by administered first aid, using a dressing he had obtained from a passing soldier. The officer remained conscious as he waited for an ambulance to arrive. He told a witness that he hoped he would be released from hospital that day, in time to meet his fiancé. He was rushed to St Mary's hospital, whilst his assailant was taken to the nearby police station and charged with causing grievous bodily harm.

Cobbett was 42 years of age, of no fixed abode. He had served in France in the First World War as a private with the East Kent Regiment, and had been invalided out in 1919, possibly because he was suffering at that time from shell shock. He drew a weekly war pension of eight shillings, which he supplemented by begging, and had convictions for petty crime. It was apparent that he was of low intelligence. The detective inspector, who saw him at the police station, described Cobbett as "a sulkily, stubborn individual of the tramp class, weak mentally, but it is doubtful if he is certifiable". The divisional police surgeon, who examined Cobbett within half an hour of his arrest, noted, "He is of low mental type and possibly insane". In reply to the charge, Cobbett said, "He shouldn't have interfered with me. I was only drawing near the guns. I knifed him. He hit me".

The first hospital bulletin on PC Avery said that the officer had sustained a severed artery and was dangerously ill, but his condition was not thought to be life threatening. However, he worsened during the night and in spite of a further emergency blood transfusion, he died the next morning. Cobbett was immediately charged with murder.

The wheels of justice moved with what would nowadays be considered breakneck speed. Cobbett was committed for trial just a week after the killing. On July 22, 1940, he stood in the dock at the Old Bailey. The trial was completed within a day. Cobbett pleaded not guilty. Under cross examination, he admitted stabbing PC Avery in the thigh, but insisted that he had not intended to kill him. Mr Justice Atkinson told the jury that it was not open to them to find the accused not guilty. It was either murder or manslaughter. The judge stressed that if



Sir Ian Blair unveils the memorial stone

the jury accepted that the victim was a police officer acting in the execution of his duty the correct verdict was guilty of murder. After retiring for an hour, the jury found Cobbett guilty of murder. They added a strong recommendation to mercy, because of the accused's "low mentality". The judge passed sentence of death.

On the 12th August, just five weeks after PC Avery died, the Court of Appeal quashed Cobbett's murder conviction, substituting a verdict of manslaughter because of his low mentality, and a sentence of fifteen years' penal servitude.

It is gratifying that war reserve constable Jack Avery's sacrifice is now commemorated in a permanent fashion, thanks to the efforts of his present day colleagues.

- For more information on National Police Memorial Day visit: www.nationalpolicememorialday.org

The Police Station in Hyde Park, headquarters of the Royal Parks OCU Metropolitan Police Service

