

**SHEKU
BAYOH
INQUIRY**

The Sheku Bayoh Public Inquiry

Witness Statement

DI Colin Robson

**Taken by [REDACTED] by MS Teams
on Wednesday 4 October 2022 and Wednesday 9 November 2022**

Witness details

1. My full name is Colin Robson. My date of birth is in 1980. My contact details are known to the Inquiry.
2. I am a Chief Inspector with Police Scotland. I have been a CI for 3 years. I am based at [REDACTED]. I moved here in September 2021. I was in Professional Standards Department (PSD) for 2 and a half years before that.

Training

3. I was a Detective Inspector before being promoted into PSD and performed a number of roles which included the on-call function. I received training specific to these roles with the majority of my experience/skills learned on the job. There is training for DCs, DSs and there is a Senior Investigating Officer (SIO) course.
4. In my role as an SIO I undertook a 3 day awareness course supplemented by on the job learning and various continuous development course including

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Child Death SIO. I was also a trained Crime Scene Manager and completed the DC and DS training.

5. In May 2015 I had only been an SIO from 2014 and hadn't been on the SIO course yet. Before completing the SIO course you're relying on the experiences you've gained plus guidance from your peers and mentors as well.
6. I had the title and performed the role of SIO prior to going on the course. It is not uncommon to perform and undertake certain roles prior to receiving any associated course given that the vast majority of learning happens in the workplace with a smaller percentage taken from formal training. My previous skills and experience ensured that I could competently undertake the role. Any training would further enhance/develop your current skillset.
7. I have been asked what my training as a Crime Scene Manager involves. I looked at this again recently. On my Scope record I can see CSM course was on 23 April 2001. At the time I was in Fife Constabulary, but it was facilitated out of the Scottish Police College. I effectively specialised in crime scene management. This is a week's course where you deal with the elements in crime scene management: dealing with forensics, locus protection, experts' expectations when they attend a scene, outdoor practical examples with bodies, etc, trying to replicate a scene. It's pretty much a walkthrough for how to maximise forensic recovery at a locus. This can be any scene, not only bodies. This is a week of inputs and practical guidance.
8. I don't have any qualifications from external providers outside the police. The only thing I was missing in May 2015 was the SIO's course. I don't think it was detrimental. I was guided by my peers on that day. The on-call function allows you to escalate matters to colleagues that you can share experiences and seek guidance from. I don't claim to know everything, but I have the

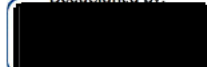
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necessary skills and experience for crime scene management. I would provide guidance and instruction to other officers in terms of major incidents.

9. I had no previous training in post incident procedures at that time. The post incident training evolved from the firearms world I've been to conferences where post incident procedures was referenced. I've also since had various inputs during my time in PSD as it's coordinated by them. We now have an on-call Post Incident Manager – I don't think that existed back then. In terms where there is death or serious injury following police contact, post management procedures are pretty well recognised and considered as part of the investigation/response.
10. I've had no specific training for investigations into on or off duty officers. If an officer was deemed to be subject to a criminal complaint, there will be welfare considerations to be taken into account but if they're accused/suspected of committing a crime off duty then they're treated the same as any member of the public in these circumstances.
11. I've definitely had training in relation to deaths investigations. The DC course, crime scene management course, advanced detective course all cover this. That's how we know best practice, etc. Training is good to raise awareness and educate. We've always been good at briefing and debriefing to identify best practice and learning from our own experiences both good and bad.
12. I've not had training in liaison with family and friends. A Family Liaison Officer (FLO) is a specialism for which there is a training course for. Part of many investigations as a DC and crime scene manager, the family liaison element would be led by the FLO in terms of communication with the family. I've never been trained in it and their involvement is essential to support the family. The information flows both ways in terms of investigation. My SIO experience in 2015 was briefing any FLO prior to them being deployed to support bereaved families and to ensure a 2 way communication flow, update them on the

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relevant investigation and provide any other necessary support including explanation of processes and sign posting to advocacy groups.

13. I have since been asked with regards to what training I have received in respect of equality and diversity. Through research of my Scope record, and seeing how this has featured in the Inquiry, I've definitely had various inputs where there has been a diversity thread/aspect to it. In 2007 there was diversity training provided by Fife. I remember it was a 2 or 3 day course. It sticks in my mind because it was at Fife headquarters. It was about raising awareness. It was to provide us with the tools to deal with it internally or with the public. I can't remember what the structure was and what I learned from it. I wouldn't have remembered it if it wasn't for the Scope record.
14. I do remember getting inputs from various diverse members of our communities. There was a talk from a member of the travelling fraternity and a black male who shared their own life experiences in terms of equality and how our actions could potentially be perceived. It was more awareness raising about all the elements of diversity including age, sex and religion.
15. They were all provided by external organisations, might've been partnerships in Fife.
16. I don't know if there was a knowledge check to assess our awareness. I remember there was a shock and awe element. I think the thread of all of it that I've always maintained is to consider everybody and be respectful of everybody's beliefs. In terms of society, we've been on a journey to where we are now. We need to be aware of how our actions could be perceived and be considerate and respectful of all, regardless of what their beliefs are.
17. Although it didn't specifically relate to equality and diversity, I did receive various other inputs on courses that diversity and ECHR issues impacted on.

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This included stop and searches with regards to the right to privacy and the search of children and also the rights of the accused in custody training.

18. I've had no other bespoke courses on diversity alone but for the last few years this has been a priority for Police Scotland under the heading of "Policing Together" with various courses and inputs to shape how policing in Scotland reflects, represents and serves our communities. I contributed to this during my time in PSD delivering inputs to new recruits in terms of the standards of professional behaviour with regards to upholding the values of Police Scotland.
19. In 2014 there was an equality and diversity and ethics briefing, and I can only surmise that was at the outset of Police Scotland. E-learning was a pretty new thing for Police Scotland to adapt to go online and do courses. It's commonplace now.
20. For my terrorist detention training, ethnicity and religion had to be a consideration. This was fairly simple, a 2 day course. It was and remains at the Scottish Terrorist Detention Centre in Govan in Strathclyde. It was to increase the cadre so that it didn't always fall to Strathclyde officers, owing to the location. There was input in background about terrorism, about ideology, depending on the ethnicity of people coming in, faith, religion, what's fair, etc. This is fairly common in custody procedure, it does feature in normal custody training. It wasn't learning, it was awareness raising, it was education on process but also on the wider considerations.
21. In 2015 and 2016 there were ECHR issues around stop and search including juveniles. It was not titled as equality and diversity but definitely had a thread and considerations. Since 2017 there's nothing else recorded on my Scope record but that would take me to my time in PSD in 2019.

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22. From 2017 to 2019 I worked between at Executive Support at Police Headquarters and thereafter at Gartcosh as part of the Organised Crime and Counter Terrorism portfolio.
23. When the Dame Elish recommendations were coming to the fore, the interim report in the summer August 2019, this coincided with my first week in PSD. The fully published report was in the winter.
24. I formed part of the working group that considered the recommendations and I led on policy and guidance. I worked on that for the best part of 2 years. There were recommendations that could be addressed quickly and others that required further work to implement.
25. Other recommendations related to wider societal or cultural issues which the police alone couldn't fix. I don't have examples of this to hand. There is work ongoing acknowledging that there are issues to be addressed.
26. I also form part of the Sex Equality and Tackling Misogyny working group, with focus in calling out sexist and misogynistic actions and behaviour, and installing the confidence and courage in our staff to do this. This work will identify what actions are required to change/improve working practice(s), challenge behaviours, and support staff. Part of this includes training and education including our new recruits and I think we're turning a corner.
27. For criminal investigations against the police and complaint handling, there was stuff we could change and guidance surrounding practice. The main thing I remember, was reasonable adjustments. Whatever the public's needs were, we need to allow them to make a complaint without difficulty. People from cultures or different communities who might fear or not trust the police for various reasons, we'd need to make adjustments. The thread of equality, diversity, inclusion and ECHR was in that also.

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28. There is a line management responsibility for my training and also personal responsibility. Whatever department you're in there is a coordination function that looks at that. In Scope, you go on and register for courses specific to your role (i.e SIO). There is also mandatory training that can be completed online via the moodle portal.
29. As a DI, I was responsible for the DS and DCs training. I would feed into the coordination unit about what staff I had and what training they needed. They were dealing with competing demands across the whole of Scotland. That has all changed in recent years where, certainly with detective training, they have a distance learning module to complete before going to the College, which helps manage the demand.
30. You're not afforded time to read SOPs, but if it's your area there's a vested interest. You might have to read it in your own time or in downtime. The policy and guidance itself is fine, and straight forward, it is usually peoples interpretation and application thereafter that can create issues.
31. There's notifications on a daily basis about changes to policy etc that's sent to all users. That's certainly been the same for as long as I remember, implemented post Police Scotland. These are on the intranet sites. There's so much guidance, it's not possible to read and absorb everything. There's an environment now where thankfully we don't pretend to know everything but that the guidance is there when/if required.
32. For post incident procedures anything that I didn't know there's a go-to person in the Post Incident Managers. I don't think anybody has the capacity to read and know everything.
33. I don't know if at the time there was any of the guidance materials on equality or diversity.

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Experience

34. Prior to May 2015, I didn't have experience of dealing with a death in police custody from the SIO ownership element, but I remember a couple of occasions as a police officer or a detective where I was involved in it.
35. I recall that in the late '90s there was a death in custody [REDACTED]. I wasn't SIO or a supervisor in this time. I was involved in noting statements surrounding the circumstances of the death, precursor to the [REDACTED] who died coming into custody. This was taking statements from associates, establishing a timeline and establishing the cause of death. The [REDACTED] took unwell in the police cell and died in hospital.
36. The transparency at the time prior to PIRC was that there would be people from elsewhere [REDACTED] investigating it or from outwith the force. It still remained with the Fiscal.
37. I also recall another incident having to go and carry out enquiries in [REDACTED]. This was statement noting and general enquiries. Identical circumstances to the one in the '90s pretty much. The [REDACTED] took unwell in police cell, I don't know if [REDACTED] was found dead in the cell or died later. But [REDACTED] had died in custody.
38. It was established that [REDACTED] fault on the part of the police. It was never suggested and never considered that the police were at fault. The police brought [REDACTED] into custody justifiably. [REDACTED]
[REDACTED]
[REDACTED] There was nothing overt or inferred that there was any fault on the part of the police.

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39. From 2000 to 2015 pretty much all my work in crime management was dealing with the investigation of deaths, unexplained, suspicious and non-suspicious. Pretty much all dealt with in the same manner, same processes. For Sheku Bayoh, we followed the same processes and procedures in the early stages prior to PIRC involvement. I responded as a police officer first and foremost to assist/support my colleagues the best I could. When the matter deteriorated, I then assumed SIO oversight and started thinking and putting plans in place with regards to the locus, scene preservation, victims, suspects as appropriate. That was once we know this was a serious matter.
40. In my two and half years in PSD I was responsible for the management and investigation of complaints about the police. I was also the lead for on/off duty criminal complaints, where I played a critical role in maintaining the integrity and reputation of Police Scotland, enhancing public trust and confidence. Prior to that my involvement/experience was limited.
41. On the point about guidance and SOPs, when I was getting promoted to PSD the first thing I did was read these materials.
42. As a DS and DI I have detained/arrested police officers when a criminal allegation has been made. If it's an off-duty complaint against a police officer they're dealt with like any other member of the public. You're conscious that they're a colleague but you have to be professional. As a DI I oversaw a few investigations. I've had a call out as a DI where there's an allegation against an off-duty police officer.
43. Race was never a factor in the cases I was involved in. Truth be told, the common one was domestics. That was the most common one. Cops drunk outside nightclubs and involved in a fight. But I can't recall any to do with race.

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Previous statements

44. I provided a statement to the Inquiry which I signed on 31 May 2022 (SBPI-00133).
45. I produced my own statement on 4 May 2015 (PS00280) and provided a statement to PIRC on 2 June 2015 (PIRC-00223).
46. I prepared another statement on 24 November 2015 (PIRC-00224). I cannot recall this statement. It's completely plausible and understandable that I prepared this, but I can't recall it.
47. All statements are a true and accurate account of my involvement to the best of my recollection at the time.

Notebook and daybook

48. To my recollection on the day I didn't use my notebook or daybook because I put everything onto physical action books and meeting notes. A daybook is a big blank book for notes. I have since located my daybook from that date which confirms there is information/notes relating to the events. I was of the view that this was handed over to the MIT along with the other associated documentation. It may have been the case that it was a photocopy and I retained the book, I can't remember.
49. For daybooks, there's no requirement to complete these. Notebooks, yes there is a requirement. The experience from me is that all the important information is going into a notebook. Over the years, I'm aware of a requirement to keep the daybook for data protection, and I do retain them.

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50. There is a recognised system of signing out and storing notebooks. That's all prescribed. At DI level, the necessity to use notebook is diminished because you're not noting statements. You're looking at your policy book and action log. That's another means of recording stuff in addition to your notebook.
51. I did keep a policy book and action log on 3 May 2015. You have an SIO action log and policy log. There was then one created that was your action log with policy attached at the back. During that time there would be a variation of both depending on distribution. One was actions seeing what you needed to do and the other was decisions and the rationale/justification for these.
52. The end of my initial statement it says I handed the action book and meeting minutes to Rab More at 12:20 on 4 May 2015. I haven't seen these since I handed them to Rab More.
53. I don't see why I would duplicate this in my daybook and having since located this I haven't, but there are notes relevant to the incident.
54. I have been now been shown a daybook (PS18495). This is a copy of my daybook. I am in possession of the daybook. I've got it in my mind I handed this over. Whether it was photocopied or not it's I can't recall. The stuff on that is accurate to the pages I shared with the Inquiry through Op Tarn. I would call this my daybook. You may or may not have a notebook assigned to you but with the volume of information you're dealing with it's not always practical. A daybook is a notepad of your day.

Media

55. I've more or less followed the evidence of the Inquiry out of intrigue. It's been a number of years since it happened. Plenty has played out in the public

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domain but not from police perspective. Intrigued as I might be called to give evidence, so I wanted to see how it played out. I couldn't watch all the evidence.

56. I didn't see the opening statement from the Chief and the PIRC, but I read about them. I saw that in the media. I didn't have capacity to watch from the beginning but picked up on a few bits. I saw Craig Walker, Alan Smith, Alan Paton, Danny Gibson, Kayleigh Good, Scott Maxwell, I think I saw a bit of Nicole Short, potentially. I didn't go back and replay it, just when I had the opportunity. I saw a bit of Zahid Saeed.
57. I had my date, and I was going to be called to give evidence in the first hearing, so I watched out of professional curiosity. My intrigue was that these officers had the first opportunity to speak and had an opportunity to respond.
58. From the media, I saw snippets. The media's approach in what they pick and choose, the focus being on certain police officers and potential agendas. It was more the fact of how it was being perceived by the public.
59. Nothing in the media has changed or influenced my recollection. The perception of the officers and the witnesses, people's views, it just shows you the angles of people would potentially obscure or prevent views within that close proximity. Does well to show that people see things differently and recollections can change.

Incident at Hayfield Road

60. Anybody who arrives first to a scene can be in charge. From a supervisory perspective, Scott Maxwell was the only attending supervisor at Hayfield Road I was aware of during the incident prior to CID attendance.

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61. The Area Control Room (ACR), at the time I wouldn't have given it a thought. The role of ACR since inception of Police Scotland is to direct the police response and give advice/guidance along with any other relevant information. The call heightens risk to public, police officers, command and control, tactical control and firearms can get corporate consistent response and messages to follow such as "stay safe".
62. I do recall evidence by Stevie Stewart an Inspector, potentially Chief Inspector now, from the ACR. I went from Fife to Headquarters where he worked as well and throughout that time, I heard part of his evidence talking about risk management. He gives advice and guidance about whether it requires a dog handler and ARV. The ACR controlled the initial response. When any risk diminishes, it would go back to the officers on the ground to direct.
63. I was aware of the calls on the Airwave. I knew members of the public had phoned and it supported what was taking place. Calls passed are not always accurate, they can be malicious and false as well. Until you get there you don't know. Police attending to someone with a knife is not uncommon. I was attending as a police officer to support fellow colleagues not as an SIO.
64. ACR gives advice and guidance such as stay safe, contain and engage. I don't think they got an opportunity to take a hold of it because they were managing the response and before you know it an emergency button went off. Usually, they would engage at a distance. Then can be methodical and work through the process such as road closures etc. It doesn't always work. Cops on the ground have to make a dynamic risk assessment. Advice and guidance from ACR is great if there is time to do so, but it didn't seem there was time in this case.
65. The officers don't have to follow the guidance and assistance of the ACR. Even as a line manager they don't have to follow it and it is for the officers on

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the ground to justify why they didn't follow it. So, people can come back and say to me it was different and they had to do X, Y and Z. The national decision making model, we'd never had that before in Fife, but it's a good tool and concept.

66. Insp Stevie Kay would be more in charge of the uniform response as the Police Incident Officer (PIO). On that day we responded as a collective (as police officers) without the initial thought about the supervisor element and to who was in charge. Post incident and given how it developed I assumed SIO ownership/oversight.
67. If you're talking about who's in charge of care and welfare of Sheku, I'd say Alan Smith. Mr Bayoh was on the ground and the officers were around. The risk seemed to be mitigated. I heard and recall Alan Smith, he's an OST instructor, with more skills and experience in that arena than Scott Maxwell. Scott would be in charge of the element of the officers and the supervisory oversight, but Alan Smith was dealing with care and welfare. I didn't have to deal with this. I was thinking about the knife and the injury to Nicole Short. I thought that with the male under control and in custody and the risk had come right down and I thought I'd leave the uniformed officers to deal with it. I then thought I'd help out by taking Nicole Short to hospital.
68. The risk assessment at the time I arrived was that the matter had concluded. We'd secured the male and secured the knife. If there were crimes, a man carrying the knife, the public affected by it, it wouldn't have been a matter that the CID management would've taken on at that time.
69. At that time when I was there the male was apprehended and restrained. There was nothing about him being unconscious and being unwell. The physical restraint of individuals is a common occurrence. We do have to put hands on them to a degree. We need handcuffs and leg restraints on a case by case basis. I think as a temporary measure Kayleigh had went to the

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roadway, Hayfield Road at the roundabout to direct traffic as the roadway was blocked by police vehicles.

70. It was only after I'd dropped off Nicole Short that I was aware that Sheku Bayoh was unconscious. Prior to that I was thinking we only had a potential breach of the peace, police assault and possession of the knife. At that time this negated the need for any further involvement and assumed he would have been taken into custody and the police presence stood down from the area.
71. From the outset if I knew it was going to develop into a serious matter I would've put measures in place, cordons, barrier tape and scene preservation procedures. That would've been my discussion with Sammy Davidson as DS about what we're putting in place, over and above the officers involved because we couldn't use them. That discussion was held when I returned to the scene having taken Nicole Short the short distance to the hospital.
72. However as these circumstances were not known at the time I didn't need to provide any advice or guidance about scene preservation at that time as wasn't proportionate with the thoughts "Okay, person's under control, located the knife, risks reduced, we can I suppose stand down to an effect". That's why we decided to go to recover the items. If I knew it was going to play out the way it did the cordons would've gone up immediately.
73. Police officers are accustomed to doing things themselves. They're the first on the scene, they don't ordinarily have to wait for me or the CID to do that, again as part of the initial training about locus considerations. If I wasn't there at Hayfield Road, that would've been put in place by other police officers. There was CID there at the time that could've done it. I was at the hospital. They're aware of crime scene and locus preservation. As soon as I came out and found out Sheku Bayoh was unconscious and gone to hospital that's

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when I said that's what we needed to do for the crime scene protocols, appreciating we'd recovered the knife and the batons by that time. That was swiftly put into place.

74. If I'm not there they'll make the decisions themselves. It is only when you (a supervisor) is present they may look to you to make the decisions. It would surprise me if in the short delay of me going to the hospital, Sammy Davidson with her skills might've been halfway doing that herself. I wouldn't have expect that from the cops dealing with Sheku Bayoh, they were focussed on the preservation of life. Sammy was at the point of recording the scene in line with what were the circumstances at the time. Sometimes without scene protection the forensic value might diminish but that's part of the justification and rationale.
75. I have been asked about the term "full forensic protocols" which could cover a range of things but is not a term that I would use. We don't declare when it's a locus. We only declare a critical incident. If you have an ambulance trying to save someone's life, it's not going to be full forensic protocol. I can recall coming out the hospital and stopped and spoke to Sammy Davison about locus protection and then got on the phone to the Detective Super to give that update. Locus protection measures were in place and the duty Sergeant was instructed – that's in my statement. The inclement weather is a factor, in hindsight it's on me that I should've left stuff in situ like the knife. I wrestle with that decision because of my personal and professional pride
76. I recall taking the PIRC crime scene manager to talk through the actions and measures and what had happened. He had lack of experience in this. Locus protection measures were in place before 8:40am. I didn't have any involvement, but I would've retained oversight before handing over to the PIRC. The scene would've been shut down. The cops we decide who are going to police that, they're given logs and a common approach. If those logs are completed, then we have the time and date of who was at the scene.

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77. I have general awareness of ARLS data. Previously it was a blackbox if there was an accident. I imagine over time with airwaves etc, we can plot police vehicles for command and control. I don't know if that applies to police vehicles. I've not heard of the term but I'm familiar with the concept of the technology. Operationally, marked police vehicles required it more, it's been a while since I've used it and CID vehicles don't have the same need and your airwave does the same job.

Role in the investigation

78. I provided my account of the initial stages of post incident management of the 3 May 2015 in my previous statement to the Inquiry (SBPI-00133).

79. I was temp DI from May 2014, so I'd been SIO for pretty much the best part of a year. During that time, I did an awareness course to equip me in the absence of the full course. I'd done various seminars, conferences etc. There's a shadowing period where you do the role but have advice and guidance.

80. I was SIO for the whole of Fife that day. I didn't ordinarily work out there, but no doubt the staff that I was overseeing that day from a crime management perspective were in Kirkcaldy, so I started there. And again, there is a process to the day in terms of morning meetings, overseeing other, as I say, incidents and crimes, providing guidance that supervisory oversight from an investigative perspective. I was providing advice and guidance for all staff on duty that day. I was SIO at the start of my shift so I oversaw other incidents and crimes.

81. You're the SIO and if there's a matter than consumes you, ie this, you stay with that. Normal business had to resume in terms that things were happening in the rest of Fife. You look to your own personal capacity.

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82. Det Supt Pat Campbell became Senior SIO, SSIO. That structure remained until the handover with PIRC later in the day. I wasn't replaced by the function of Pat Campbell. I remained the SIO in the Gold groups and gave them an overview and gave the handover to PIRC.
83. Pat Campbell and the commanders from Fife came in and took over the different elements and not just the investigation. I was the on-call for Fife, that's me, then you have an on-call Detective Superintendent. You get briefed on matters that are ongoing. You ensure everything is getting covered. Demand and resource doesn't always correlate so it's about getting the best out of the resources you have and prioritising accordingly based on threat, risk and harm.
84. As regional Detective Super, Pat Campbell may have advice and guidance for me. It's a team effort, and he has layers above him. They're made aware of the significant matters, time wise, community impact, media, etc. Significant amount of people are available on a daily basis to make sure we deliver. Pat Campbell would've come into it as the SSIO. However, our investigation didn't really get off the ground because there was a pause point and we had to hand over to PIRC who performed the functions that we ordinarily would.
85. Ordinarily I would be leading the investigation as SIO. Not in this case. That's because PIRC were involved. What would've normally played out in terms of strategy and strands of the investigation were influenced by the expectations of PIRC. For me it was the stage in my statement where the officers were back at the station and trying to recap and get a first meeting of what led us to be in that room. That direction came from the Chief Super, ACC and PIRC. There was definitely more influence and discussions over and above me about what were the actions and expectations of PIRC.

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86. We didn't really do any investigations. It was about a preservation element of the scene in terms of locus protection. It really was just recapping on what we've done and taking it to a stage and handing over to PIRC.
87. I got the impression that we weren't allowed to do any investigations into the matter given the circumstances. There were things to do from a welfare point of view such as contacting Collette Bell. We had to establish how Sheku Bayoh got to Hayfield Road. We needed to confirm his identity and speak to Collette Bell. It never came to me listing actions and going from there. This was all going to be handed to PIRC.
88. As SIO I had oversight, and as I there at the time I made decisions. I was the most senior officer at the scene at the time I was there, same rank as Insp Stevie Kay. We needed more resources to police Kirkcaldy because an entire shift of officers were now going to be off the street, and we had to consider how to deal with them. We needed resources for locus protection. Collette Bell's house was also considered a potential scene.
89. I then looked at holistic things about the investigation. Hayfield Road, the hospital, Collette Bell's house, Sheku Bayoh's body, all those investigative strands you'd work through. Other CID were brought in from elsewhere. I don't think we were looking for anybody else, no other suspects. It was more recapping and collecting everything we needed to brief up.
90. I phoned Pat Campbell but once that happens, it does not mean he's immediately in charge given he was not present, this responsibility is shared and he would have asked about my initial thoughts/actions and provided any other guidance/considerations. The ACC is the Gold, he influences the investigation. Nothing was done out of the ordinary/process other than the point when we had to pause owing to PIRC involvement.

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91. I don't know about appointment of SIOs, maybe an SIO from PIRC. Nobody was appointed as an SIO other than PIRC. My role in the Gold group was updating members of the Gold group who only arrived post incident.
92. I've been told Lesley Boal states she appointed Patrick Campbell as SIO and that there can only be one SIO. I was doing the on-call SIO. Provided supervisor advice and instruction. If Lesley Boal instructed Pat Campbell to be SIO that's fine. In terms of process and protocol that's fine.
93. I have been asked if I was aware of a role of Deputy Post Incident Manager. I'm only aware of a PIM, a post incident manager. I would only assume a Deputy PIM is like a Deputy SIO. I'm not familiar with it but I'm guessing that's what that would be. We have PIMs plural, who attend incidents. I'm familiar with Jane Combe. I heard her name in the Inquiry hearing evidence, but I can't visualise her being there on the day. I don't know what role she did on the day. I worked with her for 2 years as Sergeants in [REDACTED] in 2009.

PIRC's role

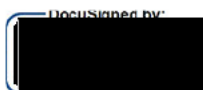
94. PIRC are an independent body to oversee investigations into matters including death and serious injury following police contact and deaths in custody. I had no involvement with them prior to this and my knowledge is now tainted by my work with them in PSD. They're an independent body who is completely external. From what I know now they were in their infancy as an organisation like Police Scotland. We now deal with PIRC on a daily basis and have a strong working relationship.
95. I saw their opening statement to the Inquiry and it's true that they were a new organisation at the time. On 3 May 2015 with them coming I didn't know what to prepare in advance, I didn't know the process. I had limited dealings if any with them prior to that.

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96. They become part of the second Gold group. Whether it's Keith Harrower or another person they gave opening remarks of their remit. They made it clear they were going to be investigating but still required support. They needed to demonstrate independence and transparency. It would be the MIT from Police Scotland who would assist them in their investigation to ensure independence and transparency.
97. It was always going to be a PIRC investigation not a joint investigation. They needed a conduit to get information gleaned to date and to facilitate and coordinate the enquiries they needed to do. MIT was a national resource based in Kirkcaldy but not part of P Division, Fife. They had the skillset but not involved in it and could undertake on behalf of PIRC.
98. Bottom line is someone had died. I never considered that there was criminality on the part of the officers involved and there was nothing that I observed when I was at the scene that would support/infer this. There was also nothing from the circumstances relayed to me by Scott Maxwell that supported this either.
99. The big focus of what Scott said to me was about the knife. Criminality never entered my mind. Potentially one of the officers had been injured. Police have physical contact with people on a daily basis. There can be issues in custody with people complaining of handcuffs being applied too tightly, police being over aggressive. In this case it was reported that police officers had been kicked and punched during the physical restraint. I never once thought that the police had killed someone. A person had died following contact with police and owing to this the action and circumstances would need to rightly be reviewed/investigated independently.
100. I am fully aware and agree that as the police, our actions are there to be scrutinised and to be held to account in terms of a public service. I knew an

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investigation would take place, in the full knowledge that my actions and decisions would be scrutinised as well.

101. I'd picked up what happened from the Airwaves traffic/messages. My attendance was very quick after that. I knew the rough nature of it. What's been outlined by Alan, Nicole, and independent witnesses that has been played out in the inquiry, but the reality is that the police attended and engaged with a male, physical restraint was applied and he's become unwell and died.
102. Not a great deal more information came throughout the day. The officers didn't provide a statement at that time. Witnesses were identified because they made themselves aware to the police or from the calls made. I was aware of those statements but the general thread/circumstances didn't change. Nothing made me think "oh my god what had the police done". I was not aware of any overt deliberate act outside the physical contact/restraint.
103. Between the first Gold Group to the second, I don't think my understanding changed. There was some anomalies in my PIRC statement I'd outlined previously, regarding my attendance at the scene, but what I was told at the Gold group didn't alter the content.

Management of response officers

104. I have stated my involvement in the management of the response officers in the canteen in my previous statement to the Inquiry (SBPI-00133).
105. I have been asked if the response officers' mobile phone usage was restricted. No, this was not an initial consideration. I am now aware that in post incident procedures a non-conferring instruction can be given. It was effectively considered subconsciously by saying to them they were ok to reach out to family and to talk amongst themselves but not specifically about

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the incident. I don't know what would've been achieved by restricting or taking the phones off them.

106. Like any investigation, if there is an evidential value then we would have the power to seize the phones. Derek Connell used his phone to record the knife and plot the location of the police protective equipment and his phone was seized. It would be a request, like any witness, and there would be a consent element. If not, there would need to be a warrant to seize these items. There was no legitimate means to demand them.

107. I wasn't involved in the forensic recovery of the equipment of the officers. It was officers unconnected to Fife who dealt with it. I believe it would be MIT officers involved. By putting the officers in the canteen this was an environment to preserve evidence and ensure that this could be achieved in a co-ordinated manner with their consent and knowledge. No further steps were taken to preserve evidence on their clothing in the canteen.

108. In truth we didn't have the resource to do it at the time to carry this, so that's why we didn't seize the equipment on their return. Without the resources we sought to achieve control and best evidence by putting them in one place and arranged for a Federation rep to attend to support them from a welfare aspect and an officer unconnected with the investigation to ensure that there was no conferring/discussion about the incident. If we were to seize the clothing on their arrival that would require more resources.

109. These are measures that are in line and consistent with police processes for crimes/incidents where we have a number of witnesses or individuals involved and an insufficient resource to manage at the time. Placing the officers in the canteen was an interim measure to safeguard the evidence and support them given our duty of care to them.

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110. I wasn't involved in seizing the CS or PAVA spray. That came a number of hours later after the Federation reps had been consulted. I believe that was done by MIT cops who had not been involved in the incident.
111. CS and PAVA records are checked in and out. It should be logged out and logged back in every day. They should be audited. Sergeants and Inspectors in each of the stations should be responsible for audits within the station, for CS spray, vehicles, etc. It would usually fall to the duty Sergeant, but it varies. Someone has the audit role. It varies so it could be the Sergeant on that shift, overseen by the Inspector.
112. I have been asked if I was aware of the use of a firearms post incident procedures SOP. I didn't know about this. My knowledge and experience of PIP was limited at this time.
113. I was aware of the CCTV at the back of the station, but I wasn't aware it wasn't working. It's a separate system from the custody CCTV system. I think the back yard is separate.
114. I know it used to work because we've used it for incidents where persons have been acting suspicious in the back yard, but I wasn't aware that day it wasn't working. I can't remember when I used it, it was in the CID in Kirkcaldy so perhaps in 2011.
115. For the maintenance management I don't know who that would fall to. I think Custody is a separate system so not to do with them. Previously we had handymen caretakers but they'd not been in place for a while. At the inception of Police Scotland that kind of thing got centralised.

Force Medical Examiner

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116. I couldn't tell you who the Force Medical Examiner (FME) would have been on the day. I wasn't involved in that. Asking the FME to attend is definitely something I would consider and have requested previously. Also if a police officer is injured in part of an incident, a Scenes of Crime Officer could attend to record this by photograph. It would also be a consideration with any victim, witness and suspect if circumstances dictated. An FME can record and document any injuries.

117. I have been told the FME, Dr Gillian Norrie, said in her evidence to the Inquiry that this was the first time she had been called to examine police officers. I haven't seen the FME's evidence to the Inquiry. I don't know Dr Norrie. I don't know what her skills and experience is. It's not an everyday request for the FME to examine police officers and needs to be accompanied with the justification/rationale as to why we're doing it and what we're trying to achieve. Why wouldn't we call the FME if it was an option and we wouldn't to capture/record any medical evidence as part of an investigation?

Amanda Givan's evidence

118. I know PC Amanda Givan quite well, but I didn't read it or see any of her evidence to the Inquiry. I didn't hear anything significant about it through my colleagues or whatever. I never heard she gave evidence or what it entailed, unlike a couple of others that people have passed comments on their evidence but not Amanda.

119. I have been referred to PC Amanda Givan's evidence to the Inquiry at the hearing on 14 June 2022: *"Yes -- well, when I say there was no one -- there was no one in control of the canteen area, which I would have expected if you had brought a number of police officers back to sit together, I would have expected someone to be there, even just to check on their welfare and make sure they were okay, but yes, Pat Campbell, the superintendent as he was at the time, said that he was -- he was the investigating officer... It was all a bit*

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chaotic and I just generally got the impression that I was in the way and I absolutely didn't want to be slowing anything down or hampering their investigation, so I -- but I left my business card, I told them that my intention was to go back downstairs and make sure the cops were okay... I suppose telling him that I was going down to look after them, or to remain with them, I was hoping that he would send along someone from Police Scotland that would do that job. It's absolutely their responsibility, so I was hoping that that would be the case.

120. I would agree why she would say it was chaotic as there was a lot going on and this may have been heightened by the PIRC involvement.
121. My view is that she was requested to attend as a Federation rep to look after the police officers. Austin Barrett was also present and may have been a Federation rep, I don't know if he was doing that at the time.
122. I am of the view that an officer (DC/DS) was present whilst the officers were in the canteen to ensure the integrity of evidence and to ensure no conferring/discussions around the incident. It would therefore be my position that a statement should exist from an officer who carried out this role.
123. Scott Maxwell as the Supervisor would also have had the initial responsibility for the officers welfare when back at the station in addition the Federation rep. As outlined in the infancy I can see why it was perceived to be a bit chaotic but there was no malice in this, we just wanted to do our best for the officers, the family and the overall investigation.
124. That definitely took longer because of the involvement of PIRC because there did appear to be mixed messages. At one point I was asked to stop. We had to do a conventional investigation to get it to a certain stage. PIRC were undoubtedly going to take this one over. We wanted to get to a stage where it could be handed over to PIRC. The lines of communication with PIRC which I

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wasn't involved in sound to be a bit blurred. I would put all this down to the infancy of the relationship between Police Scotland and PIRC.

125. I am of the view that someone from crime management was there with the officers, maybe not initially, but there to guard against any allegations of what the officers could be discussing. This was designed to try and cover the welfare of the officers and integrity of the investigation. Knowing Amanda, I'm sure if she had a view she would've aired it and would expect it and as her role as Federation rep.
126. I'm of the view that someone was there from crime management with the officers, I don't know why there would be no statement from someone for this purpose. I've been clear of this from the outset and perhaps when they first came back they may have been unattended for a short time. I appreciate that the officers were held in the canteen for a prolonged period and having heard the impact that this had on them during the Inquiry I wish I could've done more for them. I do believe that if we had separated and isolated them from the outset this may have had a more significant impact on them.
127. I have been referred to a further section of PC Givan's evidence to the Inquiry at the hearing on 14 June 2022: *"I asked about post-incident procedures, given the nature of what we were -- what the police were dealing with, and he said he would get -- he would get back to me... When I asked -- when I asked if that was a consideration, you know, I got a kind of -- not a startled look, but, you know, the impression I got was that was the first of him considering that that might be suitable. Q. Who gave that you startled look? A. Superintendent Campbell."*
128. I'm struggling to picture Amanda being upstairs. What we were doing in the early stages, by securing them (the officers), nothing was lost in terms of any potential evidence and it also ensured their welfare was being taking into consideration. The decision around obtaining their statement was the only

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other thing to be decided and the discussions were on how we were going to do that. I was party to most of the discussions on this.

129. We were at the behest of PIRC but I am not saying PIRC are the reason for our early actions, phrased as “chaos”, but there were a lot of cooks with regards to the senior management in attendance all in support of the investigation and with best intentions. Having now heard the cops were sitting for hours, I appreciate with that delay it increases the opportunity for criticism and perceptions but this was not the case.

Completion of paperwork

130. I have been asked further questions in relation to the provision of obtaining statements from the officers involved and in answering this I made reference that this would depend on confirmation/clarification of their status. Operational statements is a term that has been used since I joined the Police. Being asked for operational statements is you detailing what your involvement is in an incident/case.
131. I know from my experience in PSD that if there's an allegation made against you whether criminal or non criminal, you ordinarily would not be asked to provide an operational statement however requests would and could be made of any officer present and not directly involved. I have provided operational statements previously without a thought or questions around my status in an incident/investigation. In my time in the CID and PSD I have also requested operational statements from officers involved in any investigation. This information helps inform your knowledge, identifies actions and assists with any decision making. In my requests I would clearly articulate the need for the statement and what I was looking for it to contain. In doing this the officer is fully aware of the ask and I have received little or no resistance previously in obtaining these. I do however appreciate there will be circumstances where officers may look to confirm their status prior to

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providing a statement and can seek guidance from the Federation prior to doing this.

132. I have been asked with regards to the submission of use of force forms. The use of force form is used to record the use of force involving Personal Protective Equipment (PPE). This is an administrative/procedural matter. Going back to the situation around the status of the officers, given the scrutiny that was going to come around this incident it would have been fair and understandable for the officers to ask about their status. No officer asked me this question and for me they were treated and classed witnesses from the outset as I had no information at that time of my direct involvement to suggest otherwise. As the investigation progressed and following the introduction of PIRC any change to this would not have been my decision to make. Although treated as witnesses they were fully aware that their actions would be scrutinised and that they were placed collectively in the canteen until a decision was made around their statements and the recovery of their clothing/PPE. The Federation were present and consulted around this and would have imagine they would have advised the officers accordingly.

133. In terms of the legality of taking statements I don't know. They could say no, and I don't think I could force them to do it. Ordinarily and as explained if you are open and honest from the outset and by explaining what you are investigating and what you require from them usually allays any fears. Officers are also now more accustomed and comfortable with the role of the PIRC. PIRC have also developed good practice of outlining their role in a form of words from the outset to officers and any relevant status which has helped officer overcome any worries about external scrutiny.

134. During my time in PSD it was regular practice to request a copy of any Use of Force forms if relevant to the matter under review/investigation as its another source of information. In the same vein these are also routinely provided to PIRC as part of an investigation. If the investigation relates to an allegation

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specific to a named officer whom a statement is not requested then the use of force can help with this. But as I said in these circumstances there were no allegations made at the time against the officers and no inference of criminality so therefore they were treated as witnesses.

135. For Use of Force forms not being submitted, it's not something I've been faced with. Not even in my PSD time was I faced with a person not providing a Use of Force form. They might do that on advice of the Federation rep. That's not a situation I've been in. There's also not been a time when they've been asked for a statement and they've not provided it. I am aware of occasions where a complaint / allegation has been made after the fact when a Use of Force and operational statements have been provided, and they can be considered as part of the investigation, with any admissibility of this evidence decided during any criminal and or conduct proceedings.

136. Your duty to provide a statement compared to your legal requirement is different. I am of the view that the police have a duty to provide statements and any Use of Force forms, but I don't think I can demand they submit them. I think there is a moral obligation to provide statements and documentation which forms part of the police being transparent when held to account and/or scrutinised. I have however not been part of any incident/investigation where I have had to consider my status prior to providing these items and potentially would seek legal representation prior to this.

137. There may be circumstances where failure to provide a statement and/or any associated documentation may result in conduct/performance matter, but still does not necessarily mean they are legally required to provide them. If I was to try and compel someone to do this against what their rights were, this may constitute misconduct on my part.

138. Once criminal proceedings concluded involving police officers, this may then result in internal misconduct proceedings. I'm not aware of any officer

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refusing to give a witness statement as part of this and we may adopt any statements provided as part of a criminal matter. I see this as part of their role/function as a police officer. Officers subject to misconduct are provided the opportunity to respond to any allegations made against them as part of this.

139. Failure to follow orders in the police is not criminal and would be viewed as misconduct. If it's actions in relation to a criminal investigation then it's about knowing your powers as part of this and where officers are treated in the same manner as the public. Any overt/deliberate acts committed during a criminal investigation could be view as for example, obstruction or attempting to pervert the course of justice.
140. I think if someone refused to provide a statement and could not be compelled this may not constitute misconduct, it would have to involve more and potentially form part of a pattern of conduct beyond just refusing to provide a statement. If anyone seeks advice that they're not to provide a statement then who am I to challenge that.
141. We'd had officers who have been injured in incident and been off sick, the paperwork can be submitted by the corroboration or line management. The issue is the accuracy. Part of it is the nature of the use of force and the justification. There is a health and safety element as well. It can and has been entered on their behalf if it can't be done by the person. They should be given the opportunity to view it, amend it, once they're fit to do so.
142. With regards to this incident I would be surprised if this was something Scott Maxwell would have considered or have the confidence and knowledge to submit on behalf of the officers. I also don't know what year the use of force forms were introduced and how familiar/competent officers were at submitting.

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143. It wouldn't surprise me if there wasn't Use of Force forms because of the circumstances and in relation to the providing the statements. Use of Force forms aren't heavy on the detail. You have to go to their statement for the detail. To officers, Use of Force is a drop down menu and then limited free text, it's not to fully outline the circumstances. That would come in a police report. Not every use of force requires an operational statement but does require a Use of Force form.
144. If circumstances dictated that an officer required to be interviewed under caution, then I would assume their status would be that of a suspect. Operational statements are ordinarily supplied/ generated by the officer themselves but there are occasions that it may be noted by a detective or any other specialist depending on the circumstances. This would be to get more detail into the matter under investigation and is quite common for major crime i.e murder where the officers are the first on the scene. This is to prevent against the occasions where operational statements just contain the generic involvement as the ask/request has not been detailed enough. If I was to be interviewed under caution, I would be asking questions around my rights and status.
145. In the past the police have interviewed people under caution where they have voluntarily attended a police station but that is no longer common practice as we can't be sure they have been given their rights.
146. I did not request statements from the officers involved and wasn't involved when the arrangements were made in relation to this. My role was arranging for the officers to be conveyed back to the police station and putting measures in place in terms of their welfare by having a federation rep attend and also the presence of an officer to offer a degree of independence and transparency. After briefing senior management and PIRC the investigation was led by them and more or less ceased my involvement. In terms of the officers, the Federation were rightly wondering what the process was and

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their status. We were not in control of any decision around and it required consultation with the PIRC. This did not impact on my actions and how the officers were treated in the early stages that I was in control of.

147. I am aware that a decision was later made in the recognition that the cops had been on from 6/7 in the morning to initially secure their clothing and any remaining PPE equipment. I don't know the conversations post-that with PIRC and Police Scotland but there was a decision made that they would, by arrangement, provide their statement in the days after. I don't know who that would've been. Conrad Trickett perhaps having being mentioned as the Post Incident Manager so would assume in conjunction with him.
148. The PIM may have taken that phase one initial account of the officers. I'm assuming that it was Conrad with the PIRC but I'm only assuming.
149. The MIT collated all documentary productions, items and I'm sure they would have then been provided to the PIRC investigators.
150. The MIT were the conduit between Police Scotland and the PIRC.
151. During my time in PSD, we performed a similar role in terms of being the link between the Police and PIRC with regards to any matters they investigated. This co-ordination role was well establish and ensured a communication and information flow between both organisations. I don't know if PSD were involved on 3 May 2015. I'd assume they were notified.
152. In terms of an officers status this could initially be given verbally and followed up in writing if required. In PSD right from the outset we would confirm the status of the officer and make them aware of the allegations made and/or circumstances that were under investigation. If the allegations or circumstances are of a serious nature then consideration may be given to duty restrictions being imposed on the subject officer or they could be

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suspended. There's notification paperwork for both of these measures which are served on the officer.

153. For non criminal allegations there's a notification process carried out by email to the subject officer and their line management. This outlines the circumstances and any request for a statement if circumstances dictated.

154. Also for non-criminal complaints about the police, once we'd categorised the allegation, eg incivility – "it's been reported that you've sworn at somebody", as a subject officer we could ask if they wished to provide a statement around the circumstances and any response they wished to provide in relation to the allegation. If there were any police officer who may have been witnesses to the allegation, again in line with process/procedures they would be asked to provide a statement in relation to the matter and any view and/or response to the allegation. This approach addresses previous complaints by officers/staff around the lack of communication and information during investigations.

155. The decision around the status of any person (including officers) during any investigation should be recorded as a policy decision. It's part of your investigative strategies including witness/victim/suspect. The term significant witness is used but still means they are a witness and treated in that way. A persons status should be confirmed from outset of the interaction with police and can be relayed to them as part of the rapport building stage. An action book is where all these decisions are recorded. The action book would usually have policy decision on the back of them and this where you would record your justification and rationale for any decision and/or policy.

156. I have again been asked with regards to the use of force forms and the process regarding the submission of these and any associated guidance. My knowledge is limited but they are populated electronically on our SCOPE system and there is guidance on the intranet as to how to complete them. The onus is on the officer to submit it and this is then sent to the line

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manager to review and submit. I am not aware of guidance that exists in terms of the requirement for officers to provide statements. As outlined previously as part of communicating the request I'd articulate the reason, any associated allegations if applicable and what detail I would expect to be covered as part of this. For multiple requests from officers I may look for the line manager to coordinate/collate these.

157. In terms of the Scottish Police Federation (SPF) they are independent to Police Scotland and represent officers up to the rank of Chief Inspector. If you're a federated member and pay your subscription then you can obtain advice and guidance from the Federation. The decision around this lies with the officer concerned.
158. I was not involved with any follow up actions and or decisions regarding the officers after 3 May 2015 with regards to the provision of their statements. That was led/directed by PIRC.

Collette Bell

159. I was not involved in any aspect of the contact or liaison with the family. I can recall discussions about what was to be said and PIRC's expectations. That formed part of the Gold group as the family liaison is a priority strand to any investigation.
160. On the day as far as I am aware Collette Bell reported concerns for Sheku and had attended at Kirkcaldy Police Station. The officers who made contact with her were informed to tell her that the police had attended an incident where they had encountered a black male. I don't know if he'd been declared dead at that point so whether she was told that he had been conveyed to hospital. This update/form of words might've fallen to Graeme Dursley to co-ordinate as he was leading certain aspects along with the additional staff that

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162. I was involved in the discussion around the request from senior management to have the officers separated from the outset. I am unsure if this was requested following early consultation with PIRC as I was still at the scene at this time. From what I have picked up from the media over the years and from the Public Inquiry, the biggest complaint from the family appears to be the circumstances around the initial contact by police and the death message.

163. I have been asked what the normal approach a family for a death when the identity is known. As outlined previously this is a role for the police and depending on the circumstances can be carried out by an officer providing they are suitably briefed on the circumstances and the information to be provided. Not every death investigation requires a Family Liaison Officer to be deployed. Regardless it's the aim of the police to inform to inform/update the family/next of kin as soon as practically possible. If a death occurs where it is the role of the police to report/investigate it's our duty to try and make that contact with next of kin as soon as possible.

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164. In circumstances where we are not in a position to confirm the identify, we may decide to approach a family and provide them with an update around the circumstances of a death with the caveat that identification has to be confirmed. This is quite common in long term missing person cases where remains are found and where it is crucial to update any family prior to the news of this becoming public knowledge.
165. My recollection is that Collette Bell was informed first because of the call from her and owing to her attending at the police station. As per my previous statement(s) we've been informed she made a call with concerns for a person who fitted the description of the male who we had encountered but at which stage we couldn't confirm the identity. We knew the bare bones of the incident and that we had engaged a black male. If it had been confirmed, then I would have been happy for the officers with her to tell her that, but the caveat is that we hadn't confirmed it wasn't him. I certainly sanctioned that because we had nothing to hide or withhold from her.
166. I don't remember the officers who gave Collette Bell the update and/or death message but it may have been co-ordinated through Sammy Davidson given her involvement on the day. Graeme Dursley had also come through to Kirkcaldy to support the investigation. Whether it was him or other officers, I'm not too sure. I couldn't confirm which officers were involved in telling Collette Bell. Graeme Dursley should be able tell who he allocated if he wasn't there.
167. I don't know if Pat Campbell had arrived by then. Collette was at the police station and having been informed of the incident provided details of his (Sheku) next of kin which allowed the notification to his sister. In terms of the death, if Collette was still at the police station I don't see why I would delay her being informed. That could've been in conversation with Pat Campbell while he was on his way there. It is a decision I'd make any other day and I wouldn't say not to. She had a right to know.

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168. In terms of the status of Collette Bell she was a witness because there were circumstances about her phoning the police and it's all part of the timeline of calls to the police so we want to know what happened in the lead up to prior to this. Establishing a timeline forms part of most investigations. Over and above informing her about the incident, I can't recall what else I asked the officers to do in terms of noting any details or a statement. I can't just sending her on her way given the circumstances. We had a duty of care to her as well.

169. I imagine measures would have been put in place take her statement, whether she was fit to do that at the time I don't know. I don't know if there were MIT officers on the way. We certainly wouldn't lose control of her given the circumstances. I don't know if she wanted to go to the next of kin.

170. At that stage where she contacted the police reporting her concerns for Sheku, she's effectively reporting him missing. Having been informed that Sheku has died she would have been distraught, so may not have been in a position to provide a full statement but we would have need to establish some of the pertinent information to help build the picture of his actions and movements prior to coming into contact with the police.

171. Attending her (Collette) home address was an initial priority action as we knew he (Sheku) was there earlier in the morning prior to attending Hayfield Road. This was to check if any other person was present, injured or otherwise. We had information that he was there before and there'd been a disturbance. That would be a priority to want to go and consider if it was a potential crime scene as part of the investigation which it did become.

172. I have been told that DS Graeme Dursley states (PIRC-00137 at page 2) the following: "...whilst I did think it was Sheku Bayoh who was dead, at that time there was no formal identification so between me and Colin Robson we

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delegated Wayne Parker to tell Collette Bell, words to the effect that, "a black male had been found dead and we suspected that it may be her partner". We based this on the fact that there was a black male dead and that a gold coloured mobile phone was found at the locus... The wording of the death message is not recorded anywhere in any format."

173. Yes I agree with that. Recording the wording is irrelevant as long as she's told and it is documented the statement.
174. Taking a statement is led by the witness. There would be PIRC involvement, whether we alluded that to her at that stage. There's no prescribed death message, but it's a function of a police officer on a daily basis to perform this. It will be down to the individual's style of communication as to how this is delivered.
175. Some people want to give the statement immediately after being given the death message because it gives them focus and purpose. It depends on the person. There's never a good time to deliver a death message.

Bayoh family

176. I know Kadi Johnson now, at the time I didn't know her. The only thing I recall at the time is that Ade Johnson had some involvement with Frae Fife. I didn't know who he was but what he was connected to. I wasn't involved at all in the death message being given to them. I was aware of conversations because that was a priority. I am of the view that we obtained the details of them through Collette.
177. I wasn't directly involved but I remember conversations about the form of words and what they should be told. I recall the urgency around it. I said there was, not confusion, but a query about PIRC's direction, the stop/pause element of the investigation. PIRC's instructions led to some delay. I'm not

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sure how long because I wasn't directly involved. I was involved with the locus and the officers.

178. I don't know what the form of words of the death message. I think crime management and Graeme Dursley arranged for the two DCs that would undoubtedly go and speak to the family. For consistency, I think it was the same two DCs who dealt with Collette Bell. I think it was Andy Mitchell and I can't recall the second officer. I've been asked if I know Wayne Parker and if he was the other officer. I know Wayne Parker and I know he was on that day, that seems to fit but I can't remember him doing this.
179. I had no involvement in the appointment of a family liaison officer (FLO). I think it was discussed at the Gold group, Section 5 of the Gold group minutes at 11:30am.
180. I have been told Graeme Dursley stated to the Inquiry that I was involved in this. I wasn't supplied the form of words. It's accurate that I was the point of contact for senior management. I wasn't involved in the form the words. I don't know who did. I didn't task Graeme Dursley to give the form of words. We were all in Kirkcaldy Police Station. It certainly wasn't me. I appreciate the delay is a significant element to how this is playing out in the public. I'm not trying to shy away from that. Even in the Gold group there were discussions of management going to meet the family. In the early stages that's not practical and think that happened later.

Media engagement

181. I wasn't involved in any media engagement on the day. Again officers are briefed not to engage with the media if approached at scenes etc as they will not be aware of the full circumstances and risk giving inaccurate information. I do recall the media interest and presence ramping up. We have a Corporate Communications team that would deal with all media enquiries. There would

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be an “if asked” statement, it’s a holding statement, until we’re in a position to be more pro-active or more informed. I wasn’t involved and wasn’t approached for comment either.

182. I have been asked if I know the source of the information reported in the media about a female police officer being stabbed. I was not aware of this and could not tell you the source.

Briefing with Det Supt Pat Campbell

183. Prior to the first Gold group meeting at 11:30am, there would be ongoing briefings from me to Pat Campbell over the phone. The only time I can recall what I said when I briefed him was when, having dropped Nicole Short off at the hospital. Prior to that there was no real need as the way I assessed it was that we had a male in custody following an incident which had concluded, negating my need to be there. It was not serious incident at that stage and that allowed me to assist by taking Nicole Short to hospital.
184. Then I came out the hospital to hear the radio about the request for an ambulance because Mr Bayoh was unresponsive. Prior to this there was no need for senior management to be notified. At that stage I phoned and gave Pat Campbell that initial briefing that he was unresponsive and an ambulance was on the way.
185. Senior officers are there for peer support and guidance around the next step for major crime incidents. At that stage it was significant enough for him to start travelling through from the west of Scotland. There would’ve been update phone calls as he travelled through. I don’t know when Mr Bayoh had pronounced life extinct as to whether Pat Campbell had arrived in Kirkcaldy. He (Pat Campbell) would’ve had that oversight and phoned/updated other senior management. This resulted in an ACC attending along with the Fife Commander, Garry McEwan.

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186. Then at 11:30am during the first Gold Group I provided my investigative update as per the agenda and meeting notes. During this time I would've explained what we're dealing with along with my actions/decisions. A critical incident brings about a process and governance structure and was declared following the incident.
187. I don't recall what I said about the incident. It will be outlined in my initial statement. The information I provided would have been informed by own observations and from the conversations with Scott Maxwell and Sammy Davidson.
188. I have been told Det Supt Pat Campbell states (PIRC-00217 at page 2) the following: *"I have been informed that within these notes DSI Harrower has recorded having a conversation with myself at 1022 hours and that I said "male ran towards officer with a knife". I recall stating that to DSI Harrower. Colin Robson was the on call Detective Inspector that day and he provided me with numerous updates. It was Colin Robson who mentioned during one of the updates that Sheku Bayoh had ran towards the officers with a knife."*
189. I don't recall specifics but it's quite plausible that from the information I had was that he had ran towards officers with a knife. When I talked about engaged a male, if I said ran towards officers with a knife that's because I've been told it or my understanding from what I picked up. That's entirely plausible. I don't recall saying it though.

Gold group meeting 3 May 2015 at 11:30

190. I have read the Gold Group Agenda for 3 May 2015 at 11:30 (PS06491). These were the minutes/update I recorded. I haven't seen this since I made them. I wasn't shown this by PIRC in my interview.

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191. Section 2 was a synopsis by me. That was my involvement at that stage. I attended this meeting. ACC Ruairaidh Nicolson was the Gold in the Gold group. I have covered some of the Gold group meeting in my previous statement to the Inquiry.

192. Welfare was paramount. In my daybook (PS18495) I've noted that Federation were supporting staff in terms of welfare. That part of the post incident element.

193. I don't remember the status of the officers being discussed. It may well have been but not to the extent that they were suspects or witnesses. They had been secured by being brought back to the police station and we had control of them.

194. I have been asked where I noted the terms of reference from. They were supplied for the meeting. I didn't write them. Best practice is we follow a structure. Best strategy from the outset is that the initial terms would be set out and then they can be adapted for specific circumstances as the enquiry progresses. It is pretty familiar. By all means it being generic is to ensure we're covering the basics from the outset. It ensures a core foundation and a consistent approach.

195. I have been referred to the Gold group minutes for 11:30am on 3 May 2015 (PS06491) at page 1: *"Ensure the integrity, interest and reputation of the Police Service of Scotland and its staff is maintained and safeguarded."*

196. Public trust and confidence is important. This term means we ensure we conduct ourselves in that manner. If we hold those core values then we'll maintain the reputation of the force.

197. I didn't draw up the strategy for that day but it's very familiar to me. They all have that thread throughout them. The family element, the community impact

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element and the whole public trust and confidence piece. The “ensure integrity” is something that is replicated in police and guidance across the organisation as it one of our core values.

198. The significant witnesses in my factual update are noted from my daybook (PS18495) into the minute at section 3. These are Martyn Dick and Zahid Saeed, people we knew he (Sheku) was in the company of the night before and the early morning. We were working our way back to police involvement. We were investigating the circumstances as to how he came to be at Hayfield Road that day and where had he been before. The witnesses are the best people to tell you, and supported by door to door and wider CCTV review that can plot his movements and help build a timeline.

199. In terms of confirming the identity of someone, there’s a process to this. We have Collette calling in concerned, our contact with a male who fits the description but we cant assume. There are ways and means to do this through the person themselves in terms of ID, personal effect and police systems can sometimes assist in terms of any record of tattoos, scar etc. This would by no means confirm identification but help with who we think we’re dealing with. Confirmation comes through family, next of kin, to confirm if it’s the person we think it is.

200. I have been referred to the Gold group meeting minute (PS06491) at page 2:
“3. *Investigative process – (DCS Boal/Det Supt Campbell) ... Priority actions – Statements from Martin Dick/Saeed Zaheed/independent witness speaking to male with knife*”.

201. At that stage these were the priority actions, with the resources available. Ordinarily your call card of the initial event is your starting point. Who called the police – those are witnesses. We need to know all the people who phoned. Identifying all priority actions because your full initial capacity is not up. From the starting point to the end. We only got involved at that point and

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worked back the way, the witnesses who phoned in and the witnesses who he was in the company of the deceased the night before. I assume that's come from Collette Bell.

202. Independent witnesses are all the witnesses who phoned/contacted the police and observed the actions of Sheku. My daybook says "witnesses" not "witness" because we knew there were more than one. The witnesses were the reason the police attended. We need to speak to them and understand why they were concerned and why they called the police. All of this compliments and informs the timeline of movements.
203. This is all normal practice. All the priority actions, down to the strategies, family, the partnership element of a death, PF notification, structure for next steps, all numbered. These all set a generic structure to a Gold group for consistency and continuity.
204. We were well accustomed to progressing these matters, however further down in the minute the involvement of PIRC and the instruction coming from them, PIRC asking us to stop and pause, we weren't used to that. The locus elements were conventional police actions we were used to dealing with. Stopping and pausing wasn't a factor when we were out on the street stopping people from going to the locus.
205. Notification and contact with the family was discussed, was it going to be the MIT or the PIRC who dealt with it. The MIT weren't there by then. If there was a delay there was no malice intended or nor was it a conscious effort, it was keeping with PIRC's instruction.
206. The review of the policy log wasn't the same as the SIO book. Every aspect of supervision/oversight can have its own policy log, decisions and rationale for that. I noted the critical incident element. Whether Garry McEwan was recording his own policy decisions I couldn't tell you. As the strands of the

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investigation were owned by separate people there will be different decisions around separate matters including community impact, FLO etc. There's not one decision log. There is an action log that goes with an investigation. If I've got a physical action book, the book might run through the length of the investigation and get transferred to MIT.

207. We were still relatively in the infancy of Police Scotland but it became common course that where serious/major incidents occurred in divisions, these would be handed over to the MIT to be progress in terms of having the specialism to investigate. This involved a handover which would outlined the conventional police response and actions up until this point. In this instance it was going to be handed over to PIRC, so I don't know if they have a recording function for actions but they'd have to naturally record the initial actions by Police Scotland retrospectively. Again this is common with the PIRC where actions are uploaded onto the Holmes system.

208. In the meeting we then worked through the strands of the investigation and then we get to family concerns. The only information available at that stage was Collette Bell who had identified the sister. From the information provided I was under the impression Collette did not have a relationship with her. That timeline is all the information we knew. We believed it to be Sheku Bayoh from the information provided by Collette Bell.

209. I provided the factual update because we'd got to the point that Collette Bell had come to the station and been asked to clarify the next of kin. We alluded to the point of contact and a relationship with her. It didn't change the sense of urgency. We needed to know who was going to deploy as FLO, and that seemed to conflict with PIRC's expectations. I think I'd asked when was the form of words going to be delivered, I don't know when the decision was going to be made.

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210. Nobody else had an active involvement in this element, no other senior officers had that involvement. No doubt further meetings would have a FLO present to update on family elements. Normally following the initial decision a FLO would be at the Gold meetings, or another officer who had been briefed by the FLO. Whether the form of words was discussed with senior management after the meeting I don't know. I don't know how DS Dursley became aware.

Daybook note of Gold group meeting 3 May 2015 at 11:30am

211. I have been referred to my daybook (PS18495) at page 2. I took these notes in the meeting, 100%. That allowed me to create the typed note that was submitted.

212. There was no suggestion of criminality so the response officers were part of the overall investigative strategy and that's why I've noted them as that in my book.

213. I have been referred to my daybook (PS18495) at page 2: "*3. Investigative process D. Supt ... clothing cut
NOK – FLO MIT (Strategy)*"

214. Clothing cut – I can only imagine that's in relation to Sheku and that medical intervention. The strategy in terms of him and body recovery, it's helpful to know that his clothing has been cut in medical intervention by paramedics or hospital staff. I don't know anything further.

215. FLO MIT would be an element of a FLO strategy. It's not decided at the time but any element of an investigation is a FLO strategy. That includes witnesses if they're the next of kin. We're well versed for a FLO strategy to brief a FLO. That's been in place for a long time. It's not a tick box that we

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assign a FLO, we have to have a strategy and ensure the family are appraised of the circumstances and progress of the investigation.

216. I have been referred to my daybook (PS18495) at page 2: "*8. Staff welfare Chief Super McEwan to meet with NOK Culture issues?*"

217. That's setting the scene for notification and next of kin. That was conflicting with PIRC's expectation. The Chief Super was getting the sequence of intentions. With witnesses and family liaison you'll always factor in reasonable adjustments for culture and religion. It in line with consideration around any reasonable adjustments around protected characteristics.

218. In terms of the cultural issues note in my book, this was a question in terms of gathering as much information as we could about Sheku's background and his family so we could better support and engage with them. This also helps inform the community impact assessment.

219. This is not something I consciously omitted from the Gold group minutes.

220. I have been referred to the Gold group minutes for 11:30am on 3 May 2015 (PS06491) at page 2: "*3. Investigative process – (DCS Boal/Det Supt Campbell)... CT considerations – Raised by ACC and to be reviewed by NIB.*" I have also been referred to my daybook (PS18495) at page 2: "*CT Consideration / Motivation / Threat level / Severe*".

221. In the first session of the Public Inquiry, I noted that the officers were regularly asked in terms of what type of incident they were dealing, and the notes from the Gold Group are linked to this point. At that time a number of reported incidents classed as counterterrorism had occurred in the UK and were well publicised. We didn't know what we had here. It would be wrong to dismiss terrorism. The ACC has raised it and that element should be

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reviewed by our national intelligence bureau. For any incident we'd always look for intelligence function to see if there's any links to help build that intelligence picture. The NIB is a national function with links to other police forces and national databases to share information.

222. It is integral to any incident and the basic principles of any investigation to try and establish a motive. By no means did I immediately think this was a terror incident. Nor did I think there was any racial element to it or have any information that supported this. I saw it as a call to police where somebody was in a public place with a knife, police attend in response, they are engaged by the male, and have used physical restraint to gain control of him. I can see why if it was terror related like had to be considered and explored. In the early stages of any investigation you are in the information gathering phase until you are comfortable you know what we're dealing with. This then allows for motives including terror to be discounted but it would be remiss to rule anything out from the start until this.

223. When we had the name we didn't know the individual. If there comes a search that he's linked to groups or individuals, we'd want to know. There was a public safety element to consider here. If something happens on a daily basis we have to think about whether there's a wider consideration or if it's an isolated incident. It's all part of that broader investigative strategy. All these can be discounted or considered very quickly.

224. The purpose of the intelligence system is just to do the quick checks for connections that we can explore further and quickly to discount any line of enquiry/theories. I wasn't involved in the outcome of that. That would be left to the intelligence function who would have updated the Gold Command structure/PIRC accordingly.

225. I have been referred to my daybook (PS18495) at page 2: "*4. Policy 0910 Critical incidents PIRC led.*"

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226. We knew that owing to the circumstances that PIRC would be attending to lead on the investigation. This was owing to it being a death following police contact or death in police custody so there is a statutory obligation of the Police to refer to PIRC. Failing with COPS having primacy for all deaths in Scotland, they could have also Crown directed PIRC to investigate on their behalf.

Meeting with PIRC

227. I think I had a meeting with PIRC at 14:10 and this was part of the second Gold group meeting. I had to do a bit of scene-setting to PIRC on what was already said beforehand.

228. I have been referred to my operational statement (PS00280) at page 5:
"About 1410hrs, same date I attended a briefing with officers from the PIRC including Keith Harrower during which time I relayed the same information as a form of update."

229. I have been shown my daybook (PS18495) at page 4 where I wrote the following:-

"1410 – Meeting with PIRC

Keith Harrower – Deputy Investigator

...

NOK – FLO

CCTV in van not recording

Independent witnesses – MIT Progress

D2D – agreed parameters

Status – witnesses

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230. This was all in the Gold group meeting. I don't have extensive notes because this meeting was noted by Paula Warrender. At 14:10, it was the same room, there was no side meeting before the Gold meeting barring introductions from PIRC. I would take that as the Gold meeting. Assuming that the Gold group meeting minute is accurate in terms of the time. The times are a slight anomaly.

231. MIT were to carry out enquiries with the independent witnesses. PIRC didn't have capacity at that time. PIRC needed a conduit to do this. MIT was deemed to be the most suitable.

232. "D2D" means door to door. Parameters for this were agreed.

233. The status being witnesses is in reference to the cops. It was PIRC who said this. By this stage it got to the point with Federation and whatever that there were discussion to be had about the forensic consideration being first and foremost before any efforts to take a statement from them.

Gold group meeting 3 May 2015 at 14:40

234. I have read the Gold group meeting minutes for 3 May 2015 at 14:40 ([REDACTED]
PS07268 [REDACTED]

235. I've not seen these since they were handed over to the MIT at the end of the day, or the day after, whenever the handover with Rab More was. PS Paula Warrender prepared the minutes. The minutes she prepared for 14:40, and the one at 20:15, I checked them on the day. Ordinarily the minutes should be agreed at the next meeting. They've be prepared and shared at the next meeting and agreed in the meeting. In terms of the time critical nature it's not following the complete normal agenda.

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236. I remember the meeting. By this time the PIRC staff were there. I think the factual update was pretty much a repetition of what I outlined in the first update. We had more information in the priority actions about the witnesses in the last one. The officers had been deployed after the first meeting. The information about the violence between Zahid Saeed and Mr Bayoh in the incident, whether that came from the witness himself or Martyn Dick or whatever I don't know. I took it on and it helped inform the timelines. It was an update to the investigation.
237. I have been referred to the Gold group meeting minutes for 3 May 2015 at 14:40 (PS07268): *"FLO to be briefed in relation to equality and diversity, NOK has been has been informed by DC Parker and DC Mitchell"*.
238. This is the same as the culture issues I explained previously. They relate to the engagement with the family and wider considerations for the community.
239. Repatriation of Sheku Bayoh's body wasn't discussed. This is part of the cultural considerations. Muslims would be desired to be buried within a time frame. The body being released to the family wasn't part of the discussion. It was COPFS who had primacy for death investigations.
240. I have been referred to the Gold group meeting for 3 May 2015 at 14:40 (PS07268) at page 5: *"3. Investigative ... Staff have been advised by Federation staff not to provide any statements."*
241. This was said by DCS Boal and Pat Campbell. I think this was in consultation with Amanda Givan before. PIRC had confirmed the status of them as witnesses. Amanda Givan had said they wouldn't be providing statements. But that forensic capture took priority. It was decided that a suitable resource from the MIT would seize their police clothing and equipment.

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242. I don't remember what media interest was discussed. I think through Twitter and social media there was interest from the community in the area. Facebook and all the rest of it. By that stage I don't know if we had issued an "if asked" statement. We knew in the early stages that the officers could make contact with friends and family to let them know they were ok. But even with an "if asked" I knew the media would be canvassing locally for more information.

243. It would be down to the media officer to liaise with the outlets and provide the holding statement, "if asked". Officers on locus protection would be briefed not to make comment but to facilitate the media if they wanted to get footage of the cordon or whatever. It's coordinated and facilitated to the best they can, appreciating it's a live incident.

Handwritten notes of Gold group meeting 3 May 2015 at 14:40

244. I have been shown handwritten notes from the meeting (PS06514). I see the note says 1440 but it's corrected. Maybe it was due to start at 14:10. I don't think I've seen the note before. I think it's Paula's writing. I've looked at plenty of Paula's work over the years so I recognise her writing.

245. I have been shown handwritten notes from the meeting (PS06514) at page 1: *"Factual update DI Robson... All calls linked, units attended – STAY SAFE RISK ASSESSMENT"*.

246. The stay safe message is commonly issued during the response to officers where the full details are not know but where a weapon is believed to be involved. C3 issue this and on this occasion passed it over the radio given the information around the knife. It is to make officers aware of the potential risk they might pose/face on arrival.

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247. I have been shown handwritten notes from the meeting (PS06514 at page 2) where the following is written: "*Male – went for female. On ground kicked to head.*".

248. This is part of my update. This is consistent in my statement of what was provided by Scott Maxwell and my interaction with Nicole herself.

249. Even if you were to completely omit this bit, it wouldn't affect the approach. It's always caveated that there are potential inaccuracies. It's taken as a factual update and from the information provided these are known to be the circumstances.

250. I have been shown handwritten notes from the meeting (PS06514 at page 2): "*- during struggle he lost control of knife*".

251. Again, this is how it's been portrayed to me. My perception is that he was in possession of the knife and police officers engaged with him and during this then he's lost the knife. I don't recall saying this. This suggests that he had the knife and then in the restraint he lost it. I don't think that was my understanding at the time.

252. These factual updates are updates to the ACC. Things change over the course of the day. You have to remain flexible in your investigative strategy.

253. We know with witness perceptions in the first Inquiry session that they can get it wrong. It doesn't define the investigation. We still need to evidence what we're told. There will undoubtedly be inaccuracies. This was scene setting of what we know. The investigation will be evidencing the accounts to confirm or negate what's said in the update. Nothing said here changes what we done. It's giving an account to the best of our knowledge at the time.

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254. Whether in the call cards or from Scott Maxwell, naturally things will be lost or added. There's a general thread of male with a knife, public phoned in, police attend and engage, male dies following police contact. That's why PIRC are in the room and deciding how to best take it forward. The Gold group serves as a handover to PIRC to make the decision because it would be led by them.

Gold group meeting 3 May 2015 at 20:15

255. I have read the Gold group meeting minutes for 3 May 2015 at 20:15 (PS03139).

256. At the time I saw these minutes but I've not seen them since. Best part of 7 and a half years. PS Warrender prepared these. I had sight of them before they were submitted.

257. I definitely attended. By that stage PIRC had been brought up to speed and some of the considerations had been for Pat Campbell. I didn't have an overt part. I didn't have anything in the investigation for that independence. It had moved on from there. Naturally I was at the meeting and I had a role in quality assurance of the minute from Paula.

258. I have been referred to the minutes (PS03139) at page 2: *"TASK – Keith Hardie MIT collate another enquiry team outwith P Division for transparency/independence. Liaise with PIRC."*

259. I have been referred to my daybook at page 5: *"2000 – Gold Meeting ... Strands of strategy to sign off with PIRC"*.

260. PIRC's position was they would lead. They didn't have full capacity to do it themselves. To ensure transparency, officers outside of Fife, the MIT, would be the conduit for enquiries. We'd already been drawing up the strategy from

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witnesses, house to house, CCTV. Ordinarily we would draw up a strategy and get that signed off. For example house to house and that would be signed off as an endorsement and assurance. We were going to draw up a strategy but it wasn't really a sign off, it was more whether the PIRC were happy with them and that was how the MIT was going to be progressing them.

261. My involvement at 8pm was packing up everything to hand it over, knowing that the MIT were doing statements that would feed into PIRC. The handover would end our involvement. That handover effectively happened after that Gold meeting, knowing that there was senior management interaction going forward.

262. The minute refers to a diversity strategy. I think that fell on the community impact element, Nicky Shepherd. That was significant. Third sector and community involvement as well. That note is about that diversity element.

Forensic Strategy

263. The natural progression for my role would've been for me to do the forensic strategy meeting with the internal and external partners in terms of forensics. But that was going to be held by PIRC. The only thing I did do was take the PIRC CSM up to the locus and talk through the parameters. That was done earlier in the day when we done the cordons. I explained in general terms where the equipment was and where the knife was recovered.

264. I don't know about the forensic strategy document. I haven't seen one for this. I wasn't party to the separate meeting. I assume it would fall between the PIRC and the MIT.

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Searches of property

265. I wasn't involved in the searches of loci. I think I drove past Arran Crescent. I think that was Collette and Sheku's house. But not searches.

266. I don't think I made Garry McEwan aware of the loci. I don't recall any other interaction with him. A cursory search and an evidential search through warrants is different. Loci included in the strategy and known at that time would have included Hayfield Road, Arran Crescent and the body at the hospital. I recall there was another address but I don't recall where. Garry McEwan would've known through the Gold group.

Hayfield Road recovery of evidence

267. I didn't have that close contact with PC Walker to know or be told about his radio. I was aware that when the officers were back to the station and had their radios on them. I don't know if PC Walker's radio was on the roadway or on his person.

268. Between Gold groups, between 14:40 and 20:15, I took the crime scene manager out from PIRC and showed him the locus. It was over to him, effectively. It was handed over to PIRC by that stage. There was a police presence there for days and weeks after.

Zahid Saeed

269. I saw snippets of Zahid Saeed's evidence to the Inquiry because it was in the early stages. I think I read it in the media as well.

270. I didn't see him on 3 May 2015.

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271. The search I carried out on police databases was just to confirm his identity basically. I can't remember doing the [REDACTED] search.

272. Having read my statement about this (PIRC-00224), I'm sure [REDACTED] at PSD sent me a few emails about it and I produced that statement. [REDACTED]
[REDACTED] I can't remember the request. The statement is written in my style so [REDACTED] must've messaged me and asked if I did the search and why. It fits in with the time for the Gold Groups etc. I'm assuming it was [REDACTED], the only other point of contact would be PIRC given how short and sharp the statement is.

273. I have been referred to my statement (PIRC-00224) at pages 1 and 2: *"I have since been asked to provide an additional statement owing to a data audit that has been carried out by the PIRC which provides that on 3/5/15 I accessed the [REDACTED] at 1638 and 1642hrs, same date during which time I have opened [REDACTED] which listed the details of Mohammed Zahid Saeed.*

Owing to the circumstances and his link to Sheku Bayou on the day of the incident I can confirm that I accessed police systems in order to ascertain the correct nominal details and spelling of Saeed to enable me to accurately brief senior management and complete various documents including the minutes of an initial gold group meeting."

274. The accurate briefing of senior management is only about the spelling. We had the name but it was in terms of confirming who he was. I would expand that to links on the system of his involvement with Sheku. It was purely administrative. In the absence of a statement when it was noted we had to know if this was the person we were dealing with.

275. The initial minute was incorrect. The spelling should be right for the second one. I noted in the first time and transposed it. By this time I have done the

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search. I've got his name in my daybook. Paula was basically my loggist, support, by that time. The search was for belt and braces quality assurance. Who is he and where does he stay. A fairly basic enquiry/process. He was an important witness so we need to confirm his details and police systems assist with this.

276. In due course we would search all the systems for all persons involved including the witnesses. There might've been searches carried out by other people, tasked with contacting other witnesses. It's pretty procedural. If I'm told to contact somebody, I'd perform a search on the systems for them. If his name came into the investigation, why wouldn't we carry out our research on him.

277. I have been asked if I carried out searches on any other systems than [REDACTED]. Yes, I thought I searched the [REDACTED]. We've got intelligence systems, crime recording systems and other management systems. There's a [REDACTED]. There's various systems we can search people for whatever policing purpose. The audit would've come back if it was more than [REDACTED].

278. In my daybook (PS18495 at page 2) I've got Saeed's name before the Gold group notes.

After 3 May 2015

279. Everything was done for me by close of play that night. I finished my involvement.

Race

280. I have been asked if Sheku Bayoh's race was a factor in my decisions and actions that day. None whatsoever.

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281. Sheku Bayoh's race was a factor for us in terms of our approach to his family but in my view not a factor in the incident itself. It played out externally in the media in the days after. Nothing was different in my actions of that day owing to race. My considerations were different. In terms of cultural issues, we have to consider every bespoke approach to incidents. Witnesses, suspects and victims, should be considered in terms of equality and diversity. Race is a factor but only in considering our approach. It's been portrayed publicly for a number of years, in terms of documentaries etc. The police have not, until the Public Inquiry, responded, for legal reasons or whatever.

282. On the day somebody must've stopped to consider the wider media and public issues. The officers had engaged with a person who died, so it resonated with them, the fear and scrutiny that was to come, that was understandable. The circumstances on the day didn't allow us time to stop at the time. We had a job to do, that was the job of the police. The media might've reported that inaccurately. We've all had to see it portrayed inaccurately. I don't see what else we could've done. There may have been delays and perceived delays but there's context and reasons for that. It's now how it's interpreted by the Inquiry.

283. I believe the facts stated in this witness statement are true. I understand that this statement may form part of the evidence before the Inquiry and be published on the Inquiry's website.

January 27, 2023 1 3:10 PM GMT
Date.....Signature of witness.....

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