



## **The Sheku Bayoh Public Inquiry**

### **Witness Statement**

**Gary Wilson**

**Taken by [REDACTED] on MS Teams on 12 January 2023**

#### **Witness details and professional background:**


1. My full name is Gary Wilson. My date of birth is in 1960. My contact details are known to the Inquiry.
2. I am employed as a part-time Generic Advisor with the Citizens Advice Bureau. Within this role, there is a drop-in facility where I am able to research a variety of problems presented by members of the public and provide a solution.
3. I am still on the books as a Community Lay Advisor with Police Scotland, although I haven't done much for them since I moved away from Edinburgh a year ago. I was also the Vice Chair of the National Independent Strategic Advisory Group (NISAG).

Signature of Witness.....

DocuSigned by:  
[REDACTED]


## Lay Advisor Role

4. I have been asked to explain how long I held the role of Lay Advisor and to describe to what extent I am still in that role. I've been in this role for about twelve years. I moved down to the Scottish Borders about a year ago, and I haven't really had any contact with Police Scotland, apart from police checks. At the time when I was doing a lot of work, they would phone and just see who was available.
5. I have been asked to clarify my title and to explain what my role entailed. The title of the role has changed over the years. At the moment, I think it's 'community advisor' and before that it was 'lay advisor' and it used to have 'lay advisor, equality and diversity'. The last communication that I had with the police check it said, 'community advisor'.
6. The role started from Lothian and Borders Police; it was different groups who were affected by the Equality Act. So, there was LGBT, Race, Disability and other different strands of the Equality Act. The police tried to find Lay Advisors from different groups. As I am a gay man, I dealt with issues relating to the LGBT community. They would call me to deal with these issues. If it was an ethnic minority issue, they would try to obtain someone from an ethnic minority background. Although it didn't always work like that, and you could deal with any equality issue. I had a lot of training alongside other Lay Advisors, and we would meet as a full group every couple of months to talk through issues.
7. In relation to my role, this changed a bit. Essentially, I would obtain a list of all hate crimes from Police Scotland. I would then randomly allocate myself a sample which would include a crime number, the date of the incident and it would say whether it was LGBT or Race for example. You would then go

Signature of Witness.....

through the actual incident with the police assessing what they did and what had happened. This was my main role.

8. My other role comes back to the incident that you're dealing with. The police would sometimes call the Lay Advisors over the telephone because there was a case that they deemed was more serious or required urgent attention and, in this instance, they would get whoever they could. In the incident that you're dealing with, I'm assuming that I must have been the only person available. They would call and say, 'We've had an incident' and they would talk you through it. They were very clear that our role was very limited, we couldn't for example interview the family or anything like that or speak with the alleged criminal. All we would receive was the police report. In the incident that we're dealing with, we spoke on the phone and they provided me with the details.
9. I was also the Vice Chair of the NISAG for a couple of years. NISAG is the coordinating body for the East of Scotland, and this was a strategic kind of role. We were elected by various Community Advisors across Scotland, and it meant going to areas, say for example, Lothian and meeting with the Big Commanders I'm not sure what their titles are. We would talk about equality and diversity issues. I only did this for about a year or so before Police Scotland was reorganised, and I stepped down from this role.
10. I am asked if my role as a Lay Advisor is only limited to the Equality Act or protective characteristics or if I do anything beyond this scope. I struggle to answer this. Specifically within Lothian and Borders, it was very much around the protected characteristics, but we would also meet regularly and give feedback that there was the need for broader equality, not just around the protected characteristics and we emphasised that quite often they overlapped. An example that springs to mind is that police officers would often get abused and called homophobic names, whether they're gay or not. All of the advisors thought that there were wider issues, myself included. The Lay Advisors are

Signature of Witness.....

not formally structured, so there was never kick back around the equality and diversity issue. I felt my role was more around equality and diversity, but I don't know whether Police Scotland would feel the same.

11. I am asked if I was in my role as Vice Chair with NISAG on 03 May 2015. I don't think so. I think the Vice Chair position might have come after that; I couldn't be completely certain.


12. I am asked if I have always been a Lay Advisor and a Lay Advisor Co-ordinator. I'm not sure if I was at the time. To be honest, this was some time ago. I have a feeling that I became a co-ordinator after the 03 May 2015, but I couldn't be completely certain. I certainly had more contact with the police than other Lay Advisors in Lothian and Borders Police just because they knew my name. When the police contacted me on the 03 May 2015, I would have seen my role as a Lay Advisor, not as the Co-ordinator. The Police were quite clear that the two roles were separate; the NISAG role was also strategic and the role as a Lay Advisor was more operational.

13. I am asked if I held any other role within the structure of Police Scotland other than Lay Advisor and Lay Advisor Co-Ordinator. The answer is no.

### 03 May 2015

14. I have been shown Chief Inspector Gill Boulton's statement PIRC-00323 and referred to the fifth paragraph on page 2 which starts:

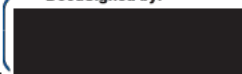
*"At 1855 hours, same date, I spoke with Gary Wilson, the lay advisor co-ordinator for the East of the country and made him aware of the potential need for an independent lay advisor to be identified for deployment as the*

Signature of Witness.....  


*incident unfolded. His contact details were thereafter provided to CI Shepherd."*

I am asked, to the best of my recollection, to outline what information I was told about the incident involving Sheku Bayoh. It's weird as to my recollection it was male police that called me back, but I could be wrong. In terms of what was said to me, it's a vague recollection because it was a long time ago. I was told that there had been an incident in wherever it was- I can't remember where it happened now- and that the person in the incident had died. I was told that the complicating factor was that the person who had died had a relative who was a Lay Advisor to Police Scotland. I think it was maybe his sister. They explained that this is why we have to be really sensitive to the issue. They had said to me very vaguely that there had been an incident the police had been called to, that somebody was armed with a knife, that the police had attended, and that the person had resisted arrest, and that, unfortunately, there'd been a fatality.

Honestly, I wouldn't have really expected anything else because they would have to be cautious about what they told me because it was a fresh incident and obviously had repercussions from their point of view. I didn't and couldn't really make any comment because all I knew was what they told me in that briefing. I just said, I would agree with you that you need to be very sensitive and that you need ensure that you have an expert community advisor that can give you independent advice that is knowledgeable on issues and extremely sensitive to the family. I think I was just really confirming what they thought anyway. I'm not legally qualified and I could only hear one side of the story, but I was aware of the need to be discreet and the need to be sensitive. I didn't know the family. I don't think they said a name. They may have done; I don't know to be honest.


Signature of Witness..... DocuSigned by:



15. I am asked if I knew the protected characteristic of Sheku Bayoh. The answer is yes, I did at the time.

16. In relation to the appointment of a lay advisor, the preferred way would be to find someone that is of that particular protected characteristic or understands that protected characteristic. I am asked if my role was to identify someone more akin to that role. The answer is no. It was normal or not out of the ordinary, that the police would sometimes phone up because they couldn't get anybody and they would say, 'We've got a case here around disability' for example. I would say to them, ideally you would want a Lay Advisor that is more of an expert on that particular characteristic than I am, especially if it was a very serious case. If it wasn't a serious cause, they would sometimes say 'We have tried and we can't get anybody, would you mind just letting us talk you through the case?'. So, I think, I said to CI Boulton, although I could be wrong, I think you should in a case that seems high-level and sensitive, get somebody from that particular protected characteristic, because I knew from what they said it was going to be serious, there was going to be repercussions to that. That's my memory. I could be wrong, but my memory is that I said to them, really I don't think I'm the ideal person for this role because that's not my expertise and if there are sensitivities around, I think you should be looking for somebody else. I think they then went back and presumably got somebody from an ethnic minority background. This is my assumption; I don't know that.


17. I am asked if I had a conversation with CI Gill Boulton about what the role was going to be and the sensitivities towards the family. It's so long ago and you know my memory is hazy, but I have a recollection, a vague recollection that she called me, and I was about to go into other work meetings. So, I had a really quick conversation and then presumably, I think it was a sergeant from Lothian and from Police Scotland that called me a male I think my memory is short so I might be remembering wrong, he called me the next day.

Signature of Witness.....  
DocuSigned by:  


18. I am asked if this was the extent of the information that I was provided. My answer is yes.


19. In relation to receiving the call the next day from CI Shepherd, I am asked if I recall what this conversation entailed. In my memory he, could be she, but in my memory, he explained what had happened. He named the lay advisor who was a relative to the victim and I knew her. Not well, I knew her from meetings. He said, unfortunately, this is the scenario, so we're having to be really cautious. Obviously, we can't involve the relative who was the Lay Advisor. He said 'Unfortunately, it has led to a death. The person- I don't know if he named him at the time – the person concerned unfortunately died because he resisted arrest. There was a knife involved, and suspected drugs'. I'm presuming they didn't know for sure that there were drugs. He then said that 'unfortunately the person had resisted arrest and had died. That there will obviously be a big fallout from this'. I think he said they're declaring it a "major incident," or "critical incident," or whatever the police use for something like that. That was the gist of it. I said to him, as you know, we do work on cross-equality strands or protected characteristic strands, but I think you really need to get more expertise, a lay advisor that has more expertise. This is limited to what I knew: somebody had resisted arrest and had unfortunately died. I didn't know how, why or where. I didn't know about the knife not being there at the time, which I've read in the press. They didn't tell me. This is my recollection of that conversation.

20. I am asked if I can recollect if I was called by a man or woman. Sometimes this sergeant from St. Leonards Police Station would phone and make the arrangements, so it could well have been that I've conflated him phoning to make the arrangement for me to speak to her– that could clarify any confusion on my part.

Signature of Witness..... DocuSigned by:

21. I am asked if this is the kind of information that I would be provided with generally or was this very specific to these circumstances. In this instance, I think it was unusual. I knew from past experience about sensitive information, especially in a case where somebody has died, but it struck me maybe he was telling me more than he should. I'm guessing, but he seemed to be giving me information that probably was like, 'You are part of this so we can be a bit more open, but not to the extent it was intimate details about what had happened. He felt to me a bit panicked, like, 'Oh my God' that kind of thing. That's how it kind of felt to me. As soon as that happens, I tend to try and switch into "be very careful mode" and make sure I wouldn't say anything out of turn anyway.

22. I am asked what the conversation around the sensitivities of the family member was as it relates to my discussion with both CI Shepherd and CI Gill Boulton. The first one, CI Gill Boulton, there wasn't anything. The second one with CI Shepherd, I think, is when they named the community advisor, and I have a vague recollection that he said she was kicking off. I don't know what that meant. I vaguely remember who the person was and the community advisor I thought it was a "she," but I could be wrong in that. As I say, the person sounded quite panicked, like 'Oh my God,' and he definitely mentioned them by name because I knew them only professionally, not well, and then I have a recollection that they said, 'We're really concerned because she is kicking off.' I didn't ask how she was kicking off, whether she was phoning them or I don't know, but I have a recollection that they said, 'We have to be really careful because this person is kicking off and it could all kind of blow up' and all that. I said, well, as you know, you need to be very careful about separating us out: you do need to have somebody that has training and awareness of community issues that affect ethnic minority groups, and you should strive to get this. I wasn't telling them anything they didn't know, but it did stick in my mind a bit, the fact when they said she's kicking off, and I

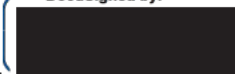
Signature of Witness.....  
DocuSigned by:  




thought, I don't want to really know that. I can understand why, if she was, but I don't know, and I don't know how she was kicking off, whether she was phoning or sending emails or whatever. I don't know what she was doing to be honest.

23. I am asked what the response was to my suggestion of allocating a Lay Advisor from that protected characteristic and if I fulfilled any further role. The answer is, no I did not fulfil a further role. They agreed with my suggestion and I had no involvement in who they went to or what happened next. As I say, to be honest, I don't know why they contacted me unless it was that they couldn't find anybody else, maybe it was because I was more known, I don't know, or maybe they panicked because of the protected characteristic this incident had happened. I never did have any further role in this incident, nor would I want that, this is kind of my job, and you need to co-ordinate and find out who could take that forward.


24. I am asked if I was called to be appointed as a Lay Advisor or to act in the capacity as a Lay Advisor Co-ordinator and I then provided advice. I think it would be more the first. I think they were trying to get me to take the case if you like. We are all volunteers and we all had jobs, I think some of us didn't have the time or capacity or maybe were just unavailable. In terms of equality, I saw my role as saying, we're all trained in equality and diversity and we are all trained in the protected characteristics, but sometimes it's better to try get someone from that particular protected characteristic to deal with the case, especially if it is a critical incident. I think they phoned me thinking that they would pass it to me and I was clear, if it had been a verbal abuse or something, that would be something we could probably all advise on, but if it's something that's a critical incident, I felt- still do feel- they really needed to put in extra effort to find someone that could speak better for that particular characteristic.

Signature of Witness..... DocuSigned by:

25. I am asked if this was the end of my involvement with the inquiries by Police Scotland as it relates to this incident. The answer is yes.

26. I am asked if I know what was going to be the capacity of the role of Lay Advisor once it was referred to the relevant person. It would be the same as what they did with me, maybe a little bit more detail. The police would get in touch, usually by phone because quite often would not have time to go to the police station. Using a case that I participated in that was a murder case, they would say, 'There was an incident on this. This is the background- this is what happened. This is what we've done' It was very much of them giving you information. I'm guessing they wouldn't tell you every single thing, but certainly they would tell you most of the things, and 'This is what we've done, and this is where we're at now'. Then I would say, like in the case that I was involved in, Well, have you done this? Have you spoken to this person? Have you made this organisation aware?. That's all we could do. All we can do is accept what they told us, and then ask them if they had followed the steps that they're required to, or good practice would say that you get in touch with victim support, you offer this support.

27. As it relates to this incident, I am asked what I would have done in my role as a Lay Advisor other than ask the generic questions that I've outlined. You weren't given a report due to confidentiality, and you weren't able to speak with the families. You also weren't able to speak with the officers. So, all you would get is kind of a version of what they had said, what they'd recorded in the report that they wrote after the incident, I presume. The only thing I could have said was things like, 'What support are you providing for the family? How are you going to manage community relationships given this will be seen as an attack on or it could be seen as an attack on one part of the community?'. It

Signature of Witness.....  
DocuSigned by:  


would be more around how are they going to manage the community's trust and the perceptions of various groups in the community. 'How are they going to make sure people have trust in the police? How they were going to counter, you know, negative feedback or stories or whatever?' That's the only thing I could or would have done. I think I did say I'm not getting involved in the details, but I would recommend you go and see what support you can provide to the family in this case. I am pretty sure whoever came after me, assuming somebody did, would have focused on that, because really there wasn't a lot else, we could do

28. I think sometimes, because of trust, they might have shared things that maybe they wouldn't usually, but they certainly wouldn't say, "Do you want to have a chat with the family?" or, "Do you want us to get the police officers involved to come and have a word with you about what happened?." Our role is really limited. When I got involved in Lothian and Borders Police, they had a really bad reputation amongst the LGBT community. My approach, at the time, was more, 'How are you promoting yourself to the community? How are you making sure that people feel you are on their side?'. To be fair, they did produce a lot of community resources encouraging people to report hate crimes and things like that, but this kind of dropped off. The Lay Advisors said, "If you want to have people's trust, you need to have a presence in the community; you need to be trusted in the community; you need to be seen to be fair and open and things like that." This was the thing that I was interested in. The rest of it, to be perfectly honest, was routine. You know, here's a crime incident report, this is what we say happened, and there's an end to it. All we could say was, "Well, how are you supporting the family? What are you doing? How are you going to deal with your perception as being homophobic, racist, whatever?".

Signature of Witness.....

DocuSigned by:  



29. I am asked to explain in detail my role as it relates to both going into the police station as a Lay Advisor and being called as a Lay Advisor. The roles are two different things. The first one, which I have not done for a long time, is usually once every month, Police Scotland would send us a list of all of the hate crimes. This is not the urgent situations, this is the generic stuff. Not all of them for the whole of Scotland but for that area; so, for me, the group I was in was for the East of Scotland, usually Edinburgh. There would be for example ten race-related, eight disability, twelve LGBT cases. They would have a case number and the protected characteristic and maybe a date.
30. You would then allocate yourself cases for example, I would allocate myself numbers 628, 730, etc. I think we usually picked about ten. I would also let them know when I would coming into the office, so that they knew beforehand. It was not the officers that were involved; it would be the sergeant or someone medium rank, which would have all the information. They would provide us with the report which would say for example, On 3 December, Police Scotland were called around a homophobic hate crime, and this is what happened. This is what we did. The person was charged. This is what we said to the victims, and our role would be to say, 'Why did you not offer victim support? Why did you not tell them about the LGBT youth project?'. Our remit wasn't to question the legal framework as the police officers weren't there. We were only provided with the report. It was very much what they said, what they did, and our role was specific in terms of just making sure they had acted appropriately as far as we could tell from the report. We offered support, offered guidance and checked if that they completed everything correctly. It was kind of like a checklist. They did say to us we could- although they discouraged us-, if we had real concerns, ask for more information but we didn't. I am trying to think if we ever did, might have very occasionally. They were quite clear our role was what they called a "critical friend".

Signature of Witness.....

DocuSigned by:  




31. So that was when you went to the police station. In cases where they had a case they needed more urgent advice; they would call you. This was different from my normal role as you couldn't pick these cases. The process is the same as they did in this incident before I asked them to find a specialist advisor. They would call you up, and they would say, 'We've had an incident.' As I said to you, the one I was involved with was a murder. They talked me through the background, what happened, and the outcome. The case I was involved in, there was a lot of press going on at the time. So, whether they were more open because they knew I would have an idea because it was in the public domain anyway, I don't know. I wouldn't be called by the officers that had been involved; it would be somebody more senior who would have a written report of their explanation of what happened and what they did etc.
32. As it relates to my first role of going into the police station and dealing with cases, I am asked to explain the process after reviewing the report with our comments. I am asked if feedback is provided and if there is a follow up to ensure that our comments are actioned. No, they would only take note of our comments. Quite often, we'd have our own written comments and sometimes we would give this to them, but if we didn't, we would say, well, I'd like you to go back and ask them if they've done this. If they haven't done this, to do it, and then to give us reassurance at the next meeting that you've done, A, B, and C. We had to just trust they would do what they said they would do.
33. I am asked to explain the aim of our role in relation to the protected characteristics. I am asked if this is to assist the police in how they engage with the community. Yes, one of the aims was to assist them on how they engage with various communities. Some people might say the police have had bad relations at times with various kind of groups. So, I think it was initiated by the police with pressure from internal officers who might have been from an ethnic minority background, or they might have been gay. I think they wanted

Signature of Witness.....



and pushed for more scrutiny which would help them in terms of their job. The Lay Advisors just wanted to get involved and try and make things a bit better for various community groups.


34. I am asked if there was a clear structure enshrined in policy which outlined our role and our aims. The answer is no, never. Our roles weren't clear.

35. I am asked if I am aware of anyone else that was involved with the incident, including Lay Advisors. The answer is no. I haven't really been involved at all with Police Scotland, apart from the occasional bits of paperwork which tend to be around police checks. I suspect there is nobody that I knew still around from that time. I have never pursued or asked anybody else whether they were involved or anything like that

36. I am asked if I have been following the inquiry at all. I've seen snippets but no, not really.

## Training

37. I am asked what training I have received for this role and If I have provided training to officers on issues relating to equality and diversity. Going back to the training first; that was a long time ago, and it was Lothian and Borders Police. A few officers maybe who were from ethnic minorities, who were LGBT were in contact with disability rights groups, black and minority ethnic groups and groups that kind of represented people. Those officers had organised a training day. We had speakers coming in from disability organisations and LGBT organizations etc. I have a background in providing equality and diversity training. The training that they had organised was very basic and covered the legal position in terms of the protected characteristic groups.

Signature of Witness.....  
DocuSigned by:  



38. My memory is it was a day, or maybe a day and a half. A lot of people that had volunteered knew most of the information provided in the training because that was their kind of background. At the time, I think it was kind of Lothian and Borders wanting to be seen to be in the most progressive of the police forces.

39. Then, you asked "Did we ever do training with the police?". I remember in my role on NISAG being invited to a conference or something with all of the local heads, I can't remember their name, the commanders. There was about 100 of them there, and I did a presentation around the NISAG, around the Community Advisor's role, and around protected characteristics. It wasn't training, it was a presentation, but then they were allowed to ask questions.

40. I am asked when this training took place. This was a few years ago, when I would have been in NISAG. It was probably 2005. It would have been prior to the incident. So that was the extent of any training. Certainly, when I was Vice Chair for NISAG, I would go and meet all of the local commanders and speak with them about equality issues but it wasn't training; I would just try and gauge how committed they were to equality and diversity, and then I would

41. say, "Well, would you like me to speak to a group that could come and do training on". They did ask sometimes about training but all of the lay advisors had had full-time jobs. Part of me used to think, well, you commit some resources to doing this if you want to do it, rather than just doing it on the cheap one of us turning up.

42. I am asked about my background in equality and diversity training. I've done a lot of training on equality and diversity. When I worked with the NHS, I was responsible for implementing public sector duty around the protected characteristics as well producing certain reports. I would also organise the

Signature of Witness.....  
DocuSigned by:  


training for the managers provide these reports and look at equality-proofing a lot of the policies in the NHS. I think I've always worked around equality and diversity. It hasn't necessarily been my job title, but it was certainly a big part of everything I've done.

43. I am asked to clarify which part of the NHS I worked for. I worked for what used to be called the Health Education Board for Scotland. In Scotland, there are special boards, I think there's about four or five of them, and the Health Education Board for Scotland. I understand that they're now called Public Health Scotland. I was an elected employee director when I worked for them. I then became a member of the board because you had to sit on the board. Then I was given the generic role of equality champion. I also worked as a programme manager in terms of young people, equality and diversity. This was a big part of my role. My role entailed making sure everybody felt included in the TV ads and to ensure that we weren't being discriminatory in some of the policies or the areas that we worked in.

44. 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.

February 11, 2023 | 6:33 AM PST  
Date.....

Signature of Witness.....

DocuSigned by:  
