



**The Sheku Bayoh Public Inquiry**

**Witness Statement**

**Craig Blackhall**

**Taken by [REDACTED] by MS Teams  
on Tuesday 14 May 2024**

**Witness details**

1. My name is Craig Blackhall. I was born in 1971. My contact details are known to the Inquiry.
2. I joined Grampian Police in 1989. On 3 May 2015 I was a Superintendent in Professional Standards Department (PSD) based in Aberdeen. PSD was a national department. I transferred to PSD in February 2014, so I had been there for about a year. It was a department with oversight of complaints about the police. We undertook on call duties for out of hours matters.
3. I am asked if I agree with Pat Campbell, who gave evidence to the Inquiry (Day 47, 9 March 2023) that: "... the on-call PSD, who was Craig Blackhall at the time, is really the gateway into Crown Office Fatalities Unit and ultimately into PIRC...". In terms of incidents like Kirkcaldy on 3 May 2015, yes. There's a wider PSD role on a day to day basis, but when matters required to be referred to Crown Office and PIRC then we were the conduit, or gateway as Pat Campbell says; we were the single point of contact for referrals.

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4. In October 2018 I was still a Superintendent in PSD based in Aberdeen. There had been a slight restructure internally. By that time I also had oversight of matters in the East. It was oversight purely of complaints, not misconduct. I had extra responsibilities in a geographical sense but my role was the same as May 2015.
5. I retired from Police Scotland officially in August 2019 but I finished practically in June 2019.

### **PIRC**

6. I transferred to PSD in February 2014, so by 3 May 2015 I had about a year's worth of PSD experience including involvement with PIRC. I couldn't give numbers but I had dealt with PIRC and Crown Office regularly. I had met PIRC investigators and I had spoken to David Green before 3 May 2015.
7. I had been involved in a death following contact before 3 May 2015. I know there had been at least one since PIRC came into being. I think this occurred between the time I transferred to PSD and 3 May 2015. I can't remember any specifics but I recall it was a death following contact.
8. I was involved in a few other cases of deaths in custody or following police contact after 3 May 2015. I was picking them up on call. I had quite a lot of experience over the 5 years in PSD but I can't remember how many were before 2015 and after.
9. I am asked if I can recall any other death in custody case where race was a factor in some way. I can't recall any such case.

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### **3 May 2015**

10. I have a 'daybook' with notes taken on 3 May 2015. I have provided this to Police Scotland who I understand will make this available to the Inquiry. I am referring to my notes in providing this statement. I've got notes of the times of the calls I took and made on 3 May 2015 but not a note of the duration of the calls.
11. I was on call on the weekend of 3 May 2015. I was on call for national PSD for incidents such as this.

### **7:55am call with Garry McEwan**

12. I got a phone call at 5 to 8 on the Sunday morning from Garry McEwan, I think he was the Fife Chief Super at the time, the Divisional Commander. I assume he was the on call that weekend nationally, even though the incident was also in his area.
13. Garry McEwan informed me of an incident that had occurred earlier that day about 7am in Kirkcaldy. . We spoke about a male who had been in possession of a knife. Officers had dealt with the male. A female officer had been assaulted. The male had been subjected to CS spray and baton strikes had been used. The male had fallen unconscious. Mouth to mouth had been given. An ambulance call was made and the male was taken to hospital. A female officer was in hospital with injuries. He told me the scene had been secured. The SIO, Pat Campbell, was aware and en route. He also confirmed that senior officers above Pat Campbell were aware.
14. I've not noted that the male was black. To the best of my recollection Garry didn't make any reference to the male being black at that time.

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15. I don't recall if Garry mentioned anything about a critical incident. A critical incident is an operational decision for that side of the business. If Garry was going to do that it's not something he would've necessarily told me about.

**8:25am call with Pat Campbell**

16. About 8:25am I got a call from Pat Campbell himself. He was still in the car en route at that point. He confirmed the male from the incident was in hospital and being attended to by medical staff but they were getting no response from him. He made reference to them "working on him" for about 30 minutes and they would give it longer before declaring life extinct but we didn't know if that would happen. He confirmed that the scene was secured. He had involved a number of officers from outwith the Division, no local officers were involved. He confirmed the same part of the story I was aware of from Garry. The male had a knife, batons had been used, spray used, and the male had been handcuffed. That was the update from Pat at that time.
17. I wouldn't have asked where he got the information from but I can make an assumption that at least in part it was also from Garry McEwan.
18. Pat did tell me that the male was black. That's slightly more information than what I got from Garry. Nothing was discussed about the male being black. I just have it in my notes that there was a black male with a knife. That's just information I didn't get from Garry, clearly.

**8:40am call with Iain Livingstone**

19. At about 8:40am I spoke to Mr Iain Livingstone, who at that time was the on call DCC for the weekend. The process for referral to PIRC or COPFS is that formally it's the DCC who agrees a referral. I made the DCC aware of the incident at 8:40am. We agreed to wait for a short period, as advised by Pat, while the hospital staff were working on the male. Formally it wasn't a death

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at that stage, so we agreed to wait for a short time until we got an update from Pat or the medical staff.

20. I am asked if the matter would be referred beyond PSD if the male had not died. There's nothing unusual about waiting. If the male hadn't died there wouldn't be a referral to COPFS. Any referral of a serious injury would be referred to PIRC. If no death then COPFS wouldn't have a role, per se, it would be a Police Scotland to PIRC referral. At that stage, the information I'm getting told, it's clearly a serious incident and the male is unresponsive. If not fatal then it would've been a matter of deciding whether the male had suffered a 'serious injury' that would merit a referral to PIRC.

**9:15am calls with Pat Campbell and Iain Livingstone**

21. At 9:15am I got a phone call from Pat Campbell who advised me that the male was pronounced life extinct at 9:04am. That was a brief conversation to allow me to make the next phone calls.
22. I phoned the DCC Mr Livingstone again a short time later to give him the update. I was advised to make the phone call and make the referral to Crown Office

**9:25am call with David Green**

23. At 9:25am I made the formal phone call to David Green of the Scottish Fatalities Unit. I gave David Green a brief verbal update based on the information from Garry McEwan and Pat Campbell. David Green advised that he was going to instruct PIRC who would take on the investigation.
24. In my experience, David would normally follow up our conversation with a formal referral or form of words. I don't know if David did that over the next day or so.

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25. I don't remember what specific update I gave David Green, but it would have been summarised from the notes I was scribbling in my daybook. There is potential for paraphrasing and summarising. That might've been the case.
26. David confirmed in a voicemail to me at 9.47am that Keith Harrower from PIRC, who was presumably on call for that weekend, had been formally instructed to take on the enquiries.
27. I am told that David Green gave evidence to the Inquiry (Day 90, 7 March 2024) that: *"...when Superintendent Blackhall called me, he advised me that it had happened at about 7:15, that there was a black male, that a knife had been involved, there was – the police were sent to search for him, there had been this altercation and the other elements of CPR et cetera were all given at that time."*
28. This might be David summarising my summary to him. The words from David accord with my words, just in a different order and a different format. I don't think I specifically mentioned the police were sent to search for him, but in my conversation with Pat Campbell, I have a note that there were calls from the public which is where the police may have been searching for him. David's version of that was accurate in that respect.
29. I am asked if I informed David Green that the black male had been "stripped to the waist". I don't recall that and I don't have that anywhere in my notes. I can't see why it's relevant if he's been stripped to his waist, not from my perspective. If I'm being told that by Pat Campbell or Garry McEwan, I might have mentioned it in the summary to David.
30. I am asked if I informed David Green that the black male was running at the officers. I have in my notes from the call with Pat Campbell that the male was running at the officers so I could well have said that to David, yes. That's in my phone call from Pat Campbell to me giving the update at 8:25am. I've

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noted that there was a black male with a knife and I've written down "*ran at cops*".

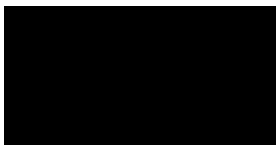
31. I am asked if David Green instructed what Police Scotland were to do. I don't recall David specifically saying what Police Scotland were to do. He would've phoned PIRC, made the instruction. Clearly until PIRC arrive on the scene, or officially take ownership, Police Scotland still have a duty to keep the scene secure and continue the investigation until PIRC or Crown Office formally take it over, for want of a better term.

### **9:35am Police Scotland morning meeting**

32. After I spoke to David at 9:25am, at 9:35am there was a weekend phone call between senior officers to discuss incidents of note across the country. PSD don't normally go to that. Because of the incident in Kirkcaldy I did dial into this call.
33. I have in my notes that Garry McEwan gave the update we knew at that time. I have got a note of "*centre of Kirkcaldy*", "*large knife*", "*chases female officer*", "*laughs when CS'd*" and various other notes of what was updated in that meeting.
34. I've got no other recollection or other notes about the knife's size, type, description or anything like that.
35. I am asked if the word "machete" was used. I have no recollection of that.

### **10am call with Keith Harrower**

36. One last phone call of relevance was at 10am with Keith Harrower. I don't know who called who. He confirmed he had been contacted by David Green. It was perhaps a courtesy to tell me that he was instructed and was he making contact directly with Pat Campbell.

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37. I am told Keith Harrower in his operational notes (PIRC-01468 at pages 3 and 4) refers to a telephone call with me at 10:01am. I am told he provided the following summary of the call:-

*1001 Call to Supt Craig Blackhall [redacted] PSD. Gold Group meeting taking place shortly. About 0700 hrs a number of calls to Police Scotland regarding African male armed with a knife in town centre of Kirkcaldy. Suspect makes run at female police officer and assaults her. Suspect is CS'd, but this has little effect and he laughs. Suspect struck with baton at least once. A number of police officers attended the locus. Suspect was unconscious on the ground. CPR done by police and then by paramedics short time later.*

38. This summary is not too dissimilar to my notes. The summary shows the difficulty of making notes and summarising it on to someone else. The term "African male" is not a term I would use. I've written "black male" in my notes. That would be my only observation. That summary is accurate with regard to my understanding of what happened in the morning.
39. I don't know the sequence of events in terms of what happened first at the scene. My summary is what Garry McEwan originally told me. The male was walking with a knife, a female officer was assaulted and the male was batoned and CS'd. That's not too dissimilar to what Keith has summarised.
40. On reflection, I'm not trying to downplay the role of PSD but in many ways the specifics of what happened are for others to investigate and decide. With my PSD hat on at the time, we have a death following police contact and it has to be referred. The sequence of events is for others to investigate. I'm looking at it through a narrow lens at that time.
41. That call with Keith Harrower was the end of my involvement in the matter.

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## **Discipline and accountability**

42. I am asked who is responsible for deciding whether to discipline or raise misconduct proceedings in relation to the officers who engaged with Sheku Bayoh. Ultimately the Deputy Chief Constable who had oversight of Professional Standards would be responsible. I think at the time this was Mr Neil Richardson.
43. I am asked how Mr Richardson would become aware of possible grounds for a disciplinary matter or misconduct proceedings. This would be through normal reporting management structures. If we take it outwith this incident, if it's a day to day incident, it would reported as perhaps a complaint about the police, which becomes a misconduct matter. It might be internal matter or an incident attended and dealt with. With initial enquiries it could be determined that there may be misconduct matters and that would trigger a misconduct investigation.
44. In this case, I wasn't involved, but the PIRC investigation would take primacy. The assessment of any possible misconduct wouldn't have been considered until the outcome of the investigation because Police Scotland wasn't conducting the investigation.
45. I am told PIRC reported their findings in August 2016 and asked if the COPFS investigation would be a factor in determining whether to raise misconduct proceedings. Thinking of logical steps, Police Scotland would have waited until the Crown Office finished their investigation or made their determination on proceedings. In a normal sense a misconduct investigation would wait until the investigation is completed so there's no conflict between the criminal enquiry and the misconduct enquiry.
46. Indirectly, I do recall being involved in the oversight later on of a complaint involving one of the officers.

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47. I wasn't aware of any of the details of issues relating to post-incident management. Police Scotland was split in terms of North, East and West. I was North Superintendent so I wasn't involved in oversight of an East matter in 2015.

48. [REDACTED]  
[REDACTED]

49. I am asked if there were any particular measures for dealing with race discrimination matters in PSD. There was no special arrangement that I was aware of in the time I was there.

50. Race is one basis for complaints about the police. If a complaint is made to the police dealing with a race matter, I would expect those responding to the complaint to seek specialist advice. This would be from specialist officers, such as diversity officers or those with specialist knowledge. It's the same if there is a complaint about, for example, a road traffic matter; they would seek specialist advice from a road traffic officer.

#### **Gold Group command structure**

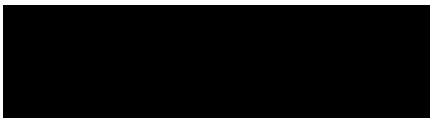
51. I am asked if PSD had a role in the Sheku Bayoh investigation Gold Group. I wasn't involved in the Gold Group. I wasn't aware if anyone else was. The role of PSD in that matter was limited. It's left with others to do the investigation.

52. I am familiar with the Gold Group command structure. I can't remember PSD being a Bronze in a Gold Group command structure. It depends on the incident and whether there is a role for PSD there. 9 times out of 10 the investigation was led by the MIT. It's for the Gold Commander to determine whether they want PSD there or not.

53. I've been involved in advising on PSD issues within a structure like a Gold Group but I can't remember if it was formally a Gold Group or not.

Signature of witness..... [REDACTED] .....

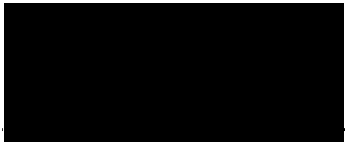
54. I am asked if it would have been of benefit to Police Scotland for PSD to be involved in the Sheku Bayoh Gold Group. It is slightly too hypothetical to ask. I don't know why PSD weren't there. I couldn't say yes or no whether it would be better or worse.
55. When we are speaking about misconduct following criminal complaints, there could be an argument that PSD shouldn't be there initially because any view on misconduct could be tainted by the criminal investigation. It depends how much of a purest you were about the separation between a complaint about the police and misconduct. Criminal matters and misconduct are plainly different things. When the department was restructured in my time there, ensuring criminal and misconduct matters were separate was one of the drivers for change. When reflecting on that change, it would support PSD not being part of the Gold Group. Equally I could see why we should be there. Our role is liaison between investigators at that stage. I'm not sure how to answer this now, looking back.
56. I am told Ruairaidh Nicolson gave evidence to the Inquiry (Day 67, 13 September 2023) that: "... *Professional Standards were briefed and were involved from the beginning, but, you know, what specific matters that they were briefed on, I don't know. They were obviously informed about the incident and then – and so they would have an interest as it unfolded...*"
57. I recall Ruairaidh Nicolson was an ACC at the time. I guess the only thing I could see is that, although I wasn't briefed and involved, I don't know if the Head of PSD or the DCC was involved and had involvement as Mr Nicolson has said.
58. PSD might've been interested in any serious allegations at the start, if we were thinking there may be allegations. It may have been useful to know that there were issues around officers in an incident, without getting too much information. I can see both sides of the argument there.

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59. I am asked what my expectations were in relation to receiving the findings of the PIRC and COPFS investigations. If I recall correctly, not in relation to this incident, but the process in PSD matured and developed over the time I was there. There were times PIRC wouldn't share their findings, statements, reports etc with Police Scotland. I can't recall if that changed in my time. I do recall some challenges in getting information from PIRC at the end of an investigation. PIRC held the view that their investigation had been directed by Crown Office if it was a death, so the evidence was ingathered as part of that and the Crown Office were responsible for it. If Police Scotland wanted to investigate we would effectively have to start again. That may have changed in the intervening time but in my experience we would quite often have to start the investigation again.

**Briefing to DCC Fiona Taylor on 12 September 2018**

60. I have read the Briefing Paper to DCC Fiona Taylor dated 12 September 2018 (PS03545) and email dated 12 September 2018 (PS05569).
61. I wrote this briefing paper. The vast majority of the information for this briefing would've come from Centurion, the PSD database where everything is logged and registered. This database records complaints against the police, and misconduct against officers, that sort of thing. The majority of the information in the briefing document relate to things beyond the first day, which I was not involved with. That information would've been from other briefings. A lot must have been taken and summarised from other documents.
62. I don't know why I did that briefing at that time in September 2018. Having read it, the only thing I can think of was that it was about the same time the family submitted the writ for civil proceedings. I can only presume I have been asked to provide a summary of matters for PSD. That's the only thing I can think of. I don't think it's been done with a view for seeing next steps. It's a factual briefing.

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63. I have read the "Conclusion" of the Briefing Paper (PS03545) on page 5:-

**6 Conclusion**

*6.1 The incident was referred by Police Scotland to the appropriate authorities timeously on 3 May 2015 and since then, the Force has supported the ongoing PIRC investigation as necessary.*

*6.2 Police Scotland are however largely unsighted on the conclusions of PIRC and as alluded to earlier, the content of any reports submitted to COPFS.*

64. Paragraph 6.2 is just a factual statement to make it clear we didn't have any conclusions or contents or reports. This isn't intended to suggest any issues with that position.

**Sheku Bayoh PIM Gold Group**

65. I have read the Sheku Bayoh Gold Group Action Log (PS05673) at page 11 where I am noted to have provided information from PSD on 26 March 2019.

[REDACTED]

66. [REDACTED]

67. I have read my email to [REDACTED] dated 17 May 2019 (PS16911). I wasn't responsible for matters in the East on a day to day basis back on 3 May 2015. I became aware and had oversight of East later in my career. I was aware Nicole Short was one of the officers on 3 May and [REDACTED]

Signature of witness.....[REDACTED].....

[REDACTED] [REDACTED]  
[REDACTED] It appears Nicole Short is retired and  
[REDACTED] is querying whether should tell Crown Office out of courtesy that she's  
no longer a police officer.

68. At the point Nicole Short is not a police officer, PSD would not have any role in misconduct if she's no longer in the organisation. The Crown and PIRC would still have a role in investigating the matters concerning her.
69. I am asked if PIRC or Crown Office provided any findings of their investigations at any stage. Nothing that I can recall.

### **Police Scotland culture**

70. I am asked to explain my understanding of the values and attitudes sometimes referred to as "canteen culture" in Police Scotland generally and specifically in relation to race.
71. I don't want to put a definition on canteen culture. 5 of my years in Police Scotland were in PSD as head of a particular area so you would expect me to say my values and attitudes were beyond reproach. I didn't see anything untoward. I had a positive experience of Police Scotland in my 5 years in PSD.
72. The job of PSD is to deal with complaints about the police made by the public or internal conduct matters. The new conduct regulations from 2014 or 2015 included standards of professional behaviour. They were defined in the legislation. At times individuals fell below the standards. I wouldn't say there was any institutional problem in terms of the complaints and conduct I was aware of. It tended to be individual officers who did or didn't do something that saw them subject to a complaint or misconduct allegation.

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73. I can't recall any complaints about canteen culture. We got off-duty complaints as well, which does involve police officers, but I can't recall a canteen culture allegation.
74. I'm not aware of, or have seen any canteen culture in relation to race.
75. I am asked if I was aware of a culture in Police Scotland in relation to responding to complaints from other staff, officers or members of the public.
76. Not specifically. My approach had always been related to how we approach the subject officers. There were expectations for how my staff conducted themselves while dealing with subject officers. I always found that nobody wanted to be complained about, clearly, and you would feel a bit of resistance if they were subject to a complaint. If we remained professional in dealing with them, we had a job to do, be transparent, and the outcome would be the outcome. We never really had difficulty with subject officers. We had a good relationship as well with the Police Federation, who also had a role with the subject officers.
77. I am asked if there was a culture in Police Scotland in relation to the attitude of experienced police officers towards the training that probationers received at the Scottish Police College.
78. No, I can't make a comment about that.
79. I am asked if I was aware of any racist jokes or comments being made by officers in Police Scotland. No.
80. I am asked if I was aware of a case involved racist messages in a WhatsApp group chat involving police officers. I vaguely remember the WhatsApp case. It rings a bell but I don't think I had oversight of it. I don't recall what period that would've been.

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81. In PSD, I can't remember any specific race complaints against officers. You may find allegations including race with the records. I'm not saying there weren't any but I can't remember specifically. My reflection of that is that it would be individual officers rather than anything wider.

### **Institutional racism**

82. I am asked to explain my understanding of institutional racism and what makes an organisation institutionally racist.
83. I don't know how to answer that. I've been away from the organisation for 5 years. It's not something I had seen or experienced. Taking a layman's term of "institutional", it suggests it was wider than individual officers, or a handful of officers, that label would be far wider and ingrained or embedded in an organisation. I personally never saw that. I spent my service in the northeast of Scotland. It's not something I experienced or saw.
84. I am asked if I received any training on issues of race. Not that I can recall in the 6 years of Police Scotland. I'm sure in legacy Grampian Police as a younger officer I would've had some diversity input as part of CPD. Nothing I can recall in Police Scotland.
85. I am asked if I am aware of Moodle and any e-learning on race from Moodle. Moodle was the online training database. I can't recall any training on race on Moodle.
86. I am asked if I am aware that the former Chief Constable stated that Police Scotland were institutionally racist.
87. I saw this in the media last year. What Mr Livingstone said is, in my mind, a matter for Mr Livingstone. It's not something I saw or experienced in Grampian or Police Scotland. What he said is a matter for him.

Signature of witness.....



88. I am asked if, following my experiences in deaths in custody cases following the incident involving Sheku Bayoh and investigation, there was anything I would do differently or any lessons learned. You have to understand the process that was followed from a PSD position. We don't get involved in the investigation, we're a conduit or a "postbox". My memory is that the contact from our side of the business, making referrals to the right people, it worked as it should've worked. My role in making people aware of things was in accordance with the agreed protocols. In hindsight, I don't think I would have done anything differently.
89. 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.

May 20, 2024 | 6:29 PM BST  
Date.....Signature of witness....

