

# **SHEKU BAYOH INQUIRY**

## **The Sheku Bayoh Public Inquiry**

### **Witness Statement**

**Alan Seath**

**Taken by** [REDACTED]

**via MS Teams**

**on Monday 6<sup>th</sup> February 2023**

### **Witness details**

1. My full name is Alan [REDACTED] Seath. My date of birth is in 1965. My contact details are known to the Inquiry.
2. On 3 May 2015, I was a Police Inspector in the Community Policing department based at Kirkcaldy. At the time of the incident, I had held this position for 18 months and had 29 years of experience in the force. On 1 October 2015, I retired from Police Scotland having completed 30 years of service.

### **Previous Statements**

3. I have had sight of the statement I prepared dated 27 May 2015 (PIRC-00268). Whilst I cannot remember preparing this statement, I don't disagree that I prepared it. I think I would have prepared the statement as a matter of course. I would best describe this as a holding statement. A holding statement is a type of police operational statement prepared with basic details of the incident, so that the officer is recorded in the SCOPE system as being a witness. I have prepared

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a basic statement, which I would have padded out as the incident went on. Looking at the date of this statement, I have submitted this during the course of the ongoing investigation. I am aware that this is the only Police Scotland operational statement that I submitted for this incident.

4. I can remember that I was interviewed by the PIRC as part of the investigation. I have been shown a statement dated 3 July 2015, however the contents of the statement is not relevant to my involvement in the post-incident management of the incident concerning Mr Bayoh.
5. I've been asked how I would prepare an operational statement for an investigation. It would just be like any other statement in that it's just a statement based on your recollection of the events as they've unfolded and your involvement in it. I would look at any notes I had written down in either my notebook or my daybook. I have been asked if I was asked to submit my notebook or daybook as part of the investigation. I don't think I was.
6. I was involved from 4 May 2015 onwards with the investigation, but probably my involvement was mostly behind the scenes. My concern with the holding statement is that it's slightly inaccurate. Since my statement dated 27 May 2015, I would have expected to come back to the statement to fill out more of the detail at a later date.

### **Initial Contact**

7. On 3 May 2015, I was a Police Inspector in the Community Policing department based at Kirkcaldy. I was involved or responsible for the community policing aspect of Kirkcaldy and the surrounding villages, but I was also responsible for station duties. I would act as a deputy if the Chief Inspector was on holiday, or in her place if she couldn't make meetings.

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8. I think I was initially phoned on the day the incident happened, so 3 May 2015. I was either away for the weekend on holiday, or I was unavailable for another reason. When I started shift on 4 May 2015, I was formally briefed about the incident and was told I would be involved in the community impact work and officer welfare.
9. Nicola Shepherd informed me about the incident. She had phoned me at home on 3 May 2015. She told me that there had been an incident where a male had been involved with the police and had died. She asked if I could come back on duty. No specific details about what had occurred at Hayfield Road were given to me. Nicola was just giving me brief details since I was not on shift.

### **Locus Protection Staffing**

10. My responsibility in regards to locus protection was basically the resourcing. I would liaise with the resourcing unit to see how many staff we were going to need, where they were coming from and if we were going to have to involve other divisions to get more staff through to do the locus protection.
11. Nicola Shepherd had tasked me with that responsibility but we sort of worked as a team. She was reporting to her senior officers, so we were making sure all the bases were covered.
12. I am asked why I would have been chosen to take on locus protection staffing responsibilities. It probably had to do with my rank. An inspector probably gets these things because they're more detached from the actual incident. They get things done quicker. They have more of an overview than what somebody closer to the scene will have, so they're in a better position to make sure that you've got the correct amount of staff. In terms of the welfare of the officers who are on locus protection, because you can't just put somebody on duty for 12 hours and leave them, you've got to make sure they're going to get meal breaks and refreshment breaks, and you've got enough staff to cover 24 hour protection.

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13. As for the tasks I carried out in fulfilment of my responsibilities, it sounds like I was doing a lot of work but I had probably just tasked it out to other people. So, the Resource Unit, if I go to them and say, "I need 12 officers," they then have to source them. It's only when they come back to say, "We cannot get you 12," that's where I would say as the inspector, "No. You're getting me 12". I would have a sergeant underneath me who would be responsible for the direct management of the officers on locus protection duty. So again, my role is to have oversight.

14. I have been asked if I have been responsible for locus protection resourcing before 3 May 2015. Yes, I have. This is something I have done many times. I don't recall any specific training on this responsibility, I think it just comes from experience.

## Media

15. As part of my community policing responsibilities, I would be involved in the preparation of press statements for public reassurance. I think most of the press statements would probably come out in Nicola Shepherd's name. The statement would be compiled in association with the internal media team. The statement would then be sent to me or to Nicola for approval, and then it would get released.

16. In terms of assisting with the preparation of press statements, this is a task I had performed before 3 May 2015. I've received two or three sessions of training on it. I was previously in the Criminal Investigation Division (CID), where you get media training. I also received media training when I was promoted to a sergeant post, and again when I was promoted to inspector. So, probably over my service, I've had three or four inputs regarding the media training, if not more. You get a lecture or input from people who are involved in the media and from people who work with the media and the police. You do mock TV

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interviews, mock radio interviews, stuff like that. I'm not saying it's intense, but it's quite good training.

### **Officer Welfare**

17. I was responsible for welfare considerations of officers involved in the incident. This covered the principal officers who had contact with Mr Bayoh on the morning of 3 May 2015, as well as officers performing locus protection duties as part of the post-incident management phase of the incident.

18. For the officers performing locus protection duties, I would be just making sure that all welfare provisions were in place (i.e. breaks, cover staff) and then the sergeant underneath me would look after the rest of it.

19. I had no contact with the principal officers before I came on shift on 4 May 2015.

20. I've been asked why I would have been chosen to take on officer welfare responsibilities. It would have been because I could provide oversight to the task. We called it the 'helicopter view'. It tends to be the case that when you're down in the weeds, you can't see what's happening. So you take that oversight position where you designate to other people and then you can see that everything's happening as it should. Only if there's problems, people come to me and then I would either try and sort it or let them get on with it.

21. I don't think I have been previously involved in an incident where I had taken on responsibility for the welfare of officers, post-incident. Certainly I have never been involved in an incident concerning a death in custody from a welfare perspective. I've been involved in suicide attempts where officers have been at the locus with people and then talked them down or the person has jumped. I've been involved in that side of it, just when I was a sergeant.

22. I have been asked whether I have received any training on provision of welfare or the overseeing of officer welfare. I have not, not for trauma risk management (TRiM) anyway. I had some related basic training that officers get which is

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basically an explanation of what the trauma risk management is. But to do the proper trauma risk management, it's a special course that you go on. Most of the stuff that you do is basic inputs that you'll get when you get promoted to sergeant or inspector, or if you go on a specialist course. Those were taught through a lecture.

23. There are procedures for trauma risk management. So if you'd ever need anything you could always refer back to it to make sure you were doing it properly.

### **Contact with Principal Officers**

24. I have been referred to my holding statement where I describe contacting all of the principal officers by telephone to enquire about their welfare.

25. I had contacted the officers directly myself but I can't remember what day that was, if it was the Monday or Tuesday. Every police officer's details are held on the computer system, so we've got all their contact details saved there. It would just be a case of going through each and every one of their personal files, getting their telephone numbers and then making a phone call to them.

26. When calling the officers, I would be organising for them to come in at some point, because they've had their uniforms and boots taken. I think I was authorised to order the principal officers all new boots and clothing, because they were going to have to go back on duty at some point. Knowing me, I wouldn't touch at all on the actual incident. I would just ask them how they were, and it would be the usual, you know, "Have you had a good night's sleep? Have you done this? Have you done that?". Then it would basically just be, "Look, we need you to come in, we need to get your measurements or your details.". That's down to the trauma management specialist, so I wouldn't engage in anything to do with the incident with them.

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27. I am referred to my holding statement where I describe carrying out a group briefing with the principal officers. I have also been shown the minutes from a Community Impact and Reassurance Group meeting held at 11.00am on Tuesday 5 May 2015 (PS06480). I can see on page 2 of the document, I have confirmed during the meeting that a welfare briefing with the principal officers was arranged for later that same day at 3.00pm in Kirkcaldy Police Station.
28. I think I do remember this meeting. Yes, I know there was a meeting that we had in the main hall, but I didn't think it was as early as that, but obviously it has been that one. From memory, I've spoken to the officers about ordering new equipment.
29. I've been asked how long I remained in contact with the principal officers in my role overseeing their welfare. I honestly couldn't tell you. I know there would be a cut-off point at some juncture because, obviously you can't stay a single point of contact with them forever. The specific date, I couldn't say.

### **TRiM Briefings**

30. I can see from my holding statement that I organised TRiM briefings for each of the principal officers at Kirkcaldy Police Station, with the exception of PC Alan Paton and PC Nicole Short.
31. Previously, when I first joined the police force, we didn't have anything like TRiM. Basically, your trauma management was a talk from your sergeant to say, "Are you all right? Right, get back on with it.". Obviously, we've moved on in society since then and realised that the impact to the police service could be affected if people are going off with mental health problems because of poor trauma management. Processes were put in place whereby selected officers were trained in the processes of trauma management and they could thereafter put them onto specialist services. So rather than it just being an *ad hoc* way of treating trauma management, it was put into a more structured system. We have

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dedicated officers who are trained in the specifics of dealing with trauma management.

32. In terms of the TRiM briefings that were organised, these would have been held in person. I would have no involvement in the meetings themselves. Once the process starts, I would have no involvement in them whatsoever. I wouldn't even know they were happening unless I specifically said, "Has that happened?" to make sure that they were happening. So from a management point of view only, I would want to make sure that they were happening for the officers but it's a very well-oiled, well-run system.

33. I do not know what would have been specifically discussed with officers at these briefings. If the TRiM officers came to us with recommendations for any of the officers, then it would be put in place, but I can't think of any off the top of my head if anybody came to me with anything like that.

34. I have been shown the Operation Birnie Personal Welfare Strategy (PS01458). I think that's just a lift from the Standard Operating Procedure. So, although it'll have the Operation Birnie heading, it'll just be almost a straight lift from the SOP which basically outlines what you should do. In the fourth paragraph under the heading 'Plan Content', the strategy confirms that officers should receive a briefing on TRiM by a trained member of staff in line with the TRiM SOP. As I have mentioned, I organised the meetings, however a TRiM-trained member of staff would hold the meetings. The meetings are not forced upon the officers. It's their personal choice if they want to take it or not.

35. Within the personal welfare strategy, under the heading 'Plan Monitoring', it refers to all officers having a designated Single Point of Contact (SPOC). I think this is me. The role of the SPOC is basically just so that everybody has one point of contact that they could phone if they have any issues. If everybody phones somebody different, then you could have different things happening at different levels. So it's just basically one point of contact so we all know that everybody's

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getting treated equally. Officers would develop a welfare plan, and every time I would make contact with them or attempt to make contact, the officer's individual welfare plan would be updated. It meant that if I was not on duty and the principal officer spoke with another officer covering my responsibilities, the plan would be updated for my review during my next shift.

### **Use of Force & CS/PAVA Forms**

36. I have been shown an email chain (PS06041) dated 6 May 2015. I can see that a request was made for the submission of PC Nicole Short's Use of Force and CS/PAVA discharge forms. The email does not jog my memory but I imagine I would have received that request as the SPOC.

37. They're basically proformas that have to be filled out if an officer uses any force (i.e. baton use) or uses CS/PAVA spray on duty. In filling out the forms, the officer has to justify the use of force.

38. I'm not sure if it has to be the officer who used force who has to complete the forms, or if a supervisor can submit on their behalf. I've never discharged CS, and I don't think I've ever had to complete a form for taking my baton out. I can't honestly say if I've submitted any forms myself, but certainly as a sergeant and an inspector, I have been involved in discussions about other officers having to submit forms.

39. I have been shown a further email chain (PS03246) which shows an email from Superintendent Andy Edmonston dated 6 May 2015. Superintendent Edmonston confirms that Alan Gibson would be dealing with the forms requests to ensure that there was no ongoing expectation on Police Scotland to complete PIRC notifications, "*given the circumstances and PIRC involvement*". I can't remember anything to do with that.

### **Violent Incident Form**

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40. A violent incident form is an administration form that records incidents of violence committed against police staff.

41. I have been shown a violent incident form (PS17276), that was completed for PC Nicole Short. I can see at the bottom of the form that it was submitted by me on Monday 4 May 2015. I cannot remember preparing this form, however I am content that my name is next to the submission information. I think the violent incident form can be submitted by anyone. Sometimes it's easier for a supervisor to do them all because there's just so much to do, so much forms to fill in. Especially if an officer has been injured and is not on duty, then to get the forms through and submitted, sometimes it's just done for them.

42. I've been asked why I would have been tasked with submitting the form for PC Short. This is likely due to my position as SPOC and having welfare responsibilities for the principal officers.

43. In terms of the information filled out in the form regarding the incident and PC Short's injuries, I would have largely taken this information from sources such as the STORM log. STORM logs are regularly updated with information about the incident. You can see that under the section headed 'Line Manager Comments', it has been confirmed that the information contained is not a factual update, since PC Short had not yet provided a statement.

44. I've been asked why the violent incident form had been completed for PC Short, yet there was no submission of her Use of Force or CS/PAVA spray forms. I don't think there would be a reason for it. I would have expected it to have been done. If they hadn't been done, then I would probably be mopping up the stuff that should have been done that hadn't been done, because you'll appreciate, with a critical incident ongoing, that there will be things that will be missed.

45. I've been asked if I ever received any training on the completion of violent incident forms. I can't remember specifically, but I think it would be one of these things that you probably get an input at one of your promotion courses, but the

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majority of it would be self-learning. So you would get it sent out, and you would have to just read through the SOP to see how to do it.

**Lessons Learned Briefing**

46.I have been shown a Lessons Learned briefing paper (PS01453). I do not remember this briefing paper but I understand from email correspondence that I sent this paper to Nicola Shepherd on 25 May 2015.

47.I can't remember any discussions around this briefing paper, or the preparation of the briefing paper. Looking at the paper, it looks as if it would have been compiled with the assistance of Chief Inspector Trickett. So I would imagine that I've basically interviewed him, to find out any lessons to be learned from the incident and then compiled or put it all together.

48.I have never prepared a lessons learned briefing paper similar to this before 3 May 2015. I have not received any training on preparing lessons learned briefing papers.

**Community Impact role**

49.I have been referred to my holding statement, where I discuss my responsibilities as a Community Inspector. My job involved looking at the wider impact that a specific incident is going to have on the community. Trying to negate, as much as possible, any concerns or phone calls that you're going to get from members of the public. You will have councillors involved who are constantly on the phone. It's a joint approach between yourself, councillors, and any other community groups that you could use to make sure that the public are reassured that they're not in any danger.

50. I would have been involved in the appointment of lay advisors for Mr Bayoh's incident. I think I had a meeting with the lay advisors but I can't remember when. There were lay advisor subgroup meetings that used to be held alongside the community impact and reassurance meetings. In terms of their appointment, I

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can't remembering any specifics regarding it. Sometimes lay advisers would volunteer if they knew that they could have an input. They would volunteer or put themselves forward. I can't remember if that happened on this occasion or if we had contacted them.

51. I have been asked about my involvement in the local community impact and reassurance group meetings. My involvement would probably be to provide updates on my responsibilities for resourcing and officer welfare.

52. Alongside the meetings, the Community Impact Assessment (CIA) was being produced. From memory, the CIA is a document where you can keep track of everything you're doing, so everybody's singing from the same hymn sheet. It's a live document that you can keep on updating. So if anything changes or any other information comes in, you can keep that document going so that you make sure you're ticking all the boxes. Again, it comes back to reassuring the public. So, if you've got people that aren't getting reassured, you're missing something. If you're starting to get the phone calls about certain things, then you know you've got to change that document or your approach to reassure the public.

53. I can't remember who compiled the CIA in this incident as I can't remember who my sergeants were at that time. I have been told that it was Jimmy Adamson. PS Adamson was certainly one of my sergeants at that time. I would delegate that responsibility to one of the sergeants underneath me.

### **Events Organisation**

54. I have been referred to my holding statement on page 2 where I have noted my involvement in the organisation of staff for events that were organised by the Bayoh family.

55. My role was to oversee the management of this procession. In terms of my specific responsibilities, a lot of the tasks would be delegated out to the resource

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unit. It would be organising any road closures, resourcing staff to ensure the safety of those attending.

### **Contact with the Bayoh Family**

56. I recognise that the last sentence of my holding statement says that I had no contact with any of the Bayoh family. This statement was produced on 27 May 2015, and this is something that I would like to change in my Inquiry statement. After 27 May 2015, I did have direct involvement with the Bayoh family.

57. I remember that I went and met with the family prior to Sheku Bayoh's funeral, at their home address. I remember that there was a male member of the family, who I understand was Sheku Bayoh's brother-in-law, Ade Johnson. I think Sheku Bayoh's mum and two sisters were also present. It was a meeting to explain to them that we were going to facilitate the funeral procession, and explain what we were expecting from those present at the funeral. As far as possible, we're trying to ensure their safety in asking them to make sure that those attending stayed safe in their own right. I remember that the meeting was very amicable.

58. I have been shown an email from PS Jimmy Adamson dated 18 August 2015 (PS04447), which sets out the contact I had with the Bayoh Family. The meeting I have mentioned that I attended at the Bayoh family home was the meeting on Thursday 4 June 2015. I couldn't remember initially the person that I attended the meeting with, but I can see that PS Davidson is mentioned in the email.

59. I have been asked if I had been instructed to visit the family. I can't remember being instructed to attend. I think the reason I attended was so that the family had a face to the name of the voice on the phone. So that they knew, on the day, when I turned up why I was there and who I was, rather than just turning up cold at the event. I can't remember being instructed to attend, it was just a case of, as I say, putting a face to the name.

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60. I spoke with Ade Johnson on Sunday 7 June 2015. That was an in-person discussion at the event. It was just a discussion to make him aware that I was there and that we were ready for the funeral.
61. Before 3 May 2015 I've been involved in the planning of lots of walks, marches, orange walks, stuff like that. So, it wasn't any different in terms of management to any other event that I had done.
62. I've been asked if I ever received any training on the organisation and management of events. I have received training when I got promoted to sergeant and then to inspector. So in your sergeant's or your inspector's courses, you would have some sort of training to do with that. I was also an event commander so I've received training for that as well.

#### **Experience of Critical Incidents and Deaths in Custody**

63. Before 3 May 2015, if I had been involved in any critical incidents, it would just be as a police officer and it would be mostly for locus protection or stuff like that. I don't recall being involved in any critical incidents prior to 3 May 2015 where I've held a position of responsibility.
64. I can't remember being involved in any critical incidents during the period between 3 May 2015 and my retirement later that year, other than the incident concerning Mr Bayoh. I think I would remember if I had.
65. I was previously involved in a death in custody in Dunfermline when I was part of the Professional Standards team. I was part of the Professional Standards team before I came back to Kirkcaldy, so I was involved in an investigation of a death in custody, purely as a corroborating officer. The death occurred within the custody suite at Dunfermline Police Station.

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66. I have been asked if race was a factor in the death in custody case I have described in the previous paragraph. To me, race is never a factor. We treat everybody the same.

### **Miscellaneous**

67. I've been asked if I continued to follow the investigation once my involvement with the incident was finished. I've maybe seen some bulletins if they've come up on the Scottish news, if I've been watching that, but I've not followed it. Since the Inquiry hearings started in 2022, I've not been on YouTube or looked at any statements.

68. I have been asked if I have spoken with anyone about the incident. I spoke to Nicola Shepherd about two weeks ago because one of her colleagues was retiring. She was saying that she was going up to give evidence for the Inquiry. That's been about it, nothing else. We've not discussed anything to do with the ins and outs of the Inquiry. She just told me she was going up to give evidence and that was it.

69. I know other witnesses involved in the Inquiry but I've not spoken to any of them. I don't keep in touch with many people from my old job.


70. In providing this statement, I think my biggest problem is memory. It's almost eight years ago now, and there may have been other things that I've done or been involved in but, to be honest, it's not something that I dwell on. I've not kept notes, and I've not kept statements or anything like that for anything to do with my old job. I've been retired almost seven and a half years now, so my memory regarding procedures isn't as great or maybe as sharp as what it was when I was in the job.

71. 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.

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