

WITNESS STATEMENT

Agency Ref : **S175B**  
PF Ref :

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Surname : SHORT Other or previous surname :

Forenames : Nicole DoB : [REDACTED]/1986 Age : 29

Occupation : Police Officer Other Occupation : PC [REDACTED] (1014)

Police Station : Years Service :

Disclosable address :

Post Code:

This statement was taken :

Date and time : 9th of June 2015 12.55

By : INV JOHN FERGUSON & DSI MARGARET-ANN HEADRICK  
Place : Police Federation Offices, Livingston

In the presence of :

I have/the witness signed/refused to sign this and all other pages

It was/not read over to the witness and was/not recorded on Audio tape and/or Video tape

States :

I have already provided a statement to PIRC on 04/06/2015.

I would like to continue with this statement today. I feel I wish [REDACTED] to be present in this part of the interview (witness [REDACTED]).

I remember that I last commented that PC Alan Smith had ran off towards where I had last seen Sheku Bayoh fighting on the ground with the officers.

Kayleigh Good put me into the front passenger seat of the Ford Transit van which was parked facing the trees at the bus stop. I remained there at all times. I put my

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head into my hands, I could not breathe. I just burst into tears. Kayleigh just disappeared, I have no idea where she was.

Roughly 1 minute later DS Samantha Davidson came to the vehicle. I recall one transmission over the air from Sgt Maxwell to the effect that "PC Short has been attacked quite violently". I also meant to say that prior to arriving at the Ford Transit van and after PC Paton helped me up I made an attempt to activate the emergency button on my airwave radio. I don't know if it did or not.

DS Davidson opened the driver's door of the van and asked me if I was "OK". I was still crying. She looked at me "sympathetically". I cannot confidently say I recall if Sammy Davidson had any specific questions. That's not to say she didn't. I was "just a state". I think she said an ambulance was on the way. I think I said to Sammy Davidson that "He chased me, punched me in the back of the head, I have never seen anything like it".

DI Colin Robson came to the passenger door and spoke to me. He said "Are you OK, is there any blood?" I looked around my body, I could not see anything like blood. I was soaking wet as it was raining that day.

I have been asked if I can recall the point I spoke earlier of when I was "curled up on the ground". I remember having a conscious feeling of "not being able to get up". I can say I had a sore body, i.e. my side and my knees. I had the wind knocked out of me. My utility belt had also dug into my hips so my hips were sore. I do not recall "strikes to my body" whilst I was lying on the ground. I feel that Sheku Bayoh was somehow "trying to stop me getting up but I can't say how".

There was no blood present. DI Robson said "Come with me" and he put me into the grey unmarked Vauxhall Astra and told me he was taking me to hospital. We left right away. I could see the hospital from where we were. It is a minute drive. We drive past Poplar Cres. I was still "sobbing" but I was not hysterical. He asked me what happened. I told him that I had been punched on the head and "knocked flying". I was not really speaking. I feel I was suffering from shock. When we got to the Victoria Hospital he walked me into A&E then he left me on my own. I felt "vulnerable" at this time. I had not been listening to my radio as my earpiece had come out of my ear. DI Robson had not said anything to me about Bayoh at that point. I think DI Robson was returning to Hayfield Rd. I had not seen where Sheku Bayoh was. I mentioned earlier he was fighting off officers on Hayfield Rd whilst he was on the ground.

I got booked in at the hospital, I asked if [REDACTED], could come down to meet me. By this time PC Mark Hay had arrived. I can't remember exactly what we said to each other. I was still crying. I went to put my earpiece in and he said "I would not if I was you" so I did not. I asked "Why not?" He told me that "The boy is dead, they are doing CPR on him". I took it "they" meant the cops were doing CPR, and he was still there. I did not listen to my radio after this.

PC Hay stayed with me all the way. [REDACTED] came down to see me and stayed with me and PC Mark Hay, I think he was there for 45 minutes or so. During this time the nurse saw me. The nurse asked me if "I knew where I was",

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"what day it was", "what year it was". I got the year wrong and burst out crying. The Doctor, it was an English female doctor with dark hair, she examined me. I told her I had been punched to the head, I had sore knees and my side, elbows and hands were sore. She did not say anything other than I should take paracetamol and "ibuprofen". I also mentioned that I felt I was "not speaking right". I felt I was "slurring my words". She felt I was "fine". I remember the doctor saying to me "I am sorry it has taken so long" as "everyone was busy in rounds". She did mention this was in relation to dealing with the guy I had been involved with in the incident.

I think in total I was in hospital for a good couple of hours.

I have been shown now

Label No. A&E notes dated 3 May 2015 in name of Nicole Short [REDACTED]

and the entry made on page 1 which makes reference to the doctor's entry of what I said.

This was an accurate account of what I said.

PC Mark Hay drove me to the police office around 10.20am.

When I arrived there I went to the Sgt's office as it had not quite sunk in that he had died. I did not know that he had died at this point, I wanted to tell the Sgt "I wanted to go home". I met Sgt Paula Warrender, she had been "brought in" to take over our shift. I was told the team were in the canteen and nobody was working just now. I still did not think he was dead. Chief Inspector Nicola Shepherd arrived in the sgt's room and "cuddled me" and said "I could not believe it when I heard it was you are you ok?" I asked where everybody was, she said "In the canteen, they will all want to see you".

I went straight to the canteen. I think PC Mark Hay was with me. When I got there I met the whole team: PCs Paton, Walker, McDonagh, Gibson, good, Sgt Maxwell and Fed Rep Amanda Given and Fed Rep Austin Barrett. Everybody looked as if they had "the stuffing knocked out of them". I heard from someone that Sheku Bayoh had died but I don't know who told me this.

The next thing I remember was Amanda Given saying to me that it was already in the press and that a female officer had been stabbed in Kirkcaldy. She suggested I should phone [REDACTED] in case they were "worried".

I phoned [REDACTED], I told him that I had been assaulted and had been to the hospital, but I was fine. He wanted me to go home but I explained I needed to stay the now. I went back to the canteen.

I sat down with my team, they asked me how I was. I explained I was "sore". I said "What happened to me after he punched me?" PC Tomlinson said "He was stamping and kicking at you every time you tried to get up". I knew he meant Sheku Bayoh when he spoke of this. Kayleigh good also asked if I was alright, everybody else was just "flat".

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I thanked all of them for "saving my life".

I did not discuss with anybody at all about providing statements at that time. I do not remember anyone discussing this either way to be honest. Amanda Given bought us all food.

I cannot recall the sequence of events after this. I cannot be sure. But I recall that Chief Inspector Conrad Trickett appeared, he explained to us that PIRC would be taking over this enquiry. He explained he deals with "firearms incidents". He explained that Police Scotland could not investigate themselves. Other senior officers, namely Chief Supt Gary McEwen, he spoke to me about our welfare to make sure we were OK, and for us to remain in the canteen until he found out what was happening. I think this meant the investigation. I understood the need to contain and preserve evidence. A Det Supt [REDACTED] came too. The Supt said he was going to a meeting and from this he would know where this was "going next". I do not recall any conversations about providing operational statements.

I remember taking my body armour off and I noticed that there was black footprint marks on the right part of the yellow vest. This was on the side I was "sore". I was convinced these were "footprint marks". I showed it to PC Tomlinson and PI Jane Combe, who had arrived.

(1435) I have been offered a break for 5 minutes. I am happy to continue.

It was explained to me by PI Combe roughly around 3pm that our uniforms would be taken from us.

This took place roughly around 6pm.

The following property was taken from me in an old "supers room" in Kirkcaldy office. This was by PI Combe and another female officer (DC McAuley).

Prior to this I supplied or was asked by Chief Inspector Trickett if I would provide photos of my injuries. This was carried out by a SOCO Judith Harley (witness).

I provided

Label	Left boot
Label	Right boot
Label	Trousers
Label	Police micro fleece
Label	Police t-shirt (black)
Label	Body armour and vest
Label	Utility belt and handcuffs

My

Label No. CS Spray

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was seized.

This had not been discharged.

PI Combe actually asked me the question. I told her "No". She did not ask me any other questions.

My

Label No. Police baton

was not with me at this point. I believed it was still at Hayfield Rd.

I do not know the serial number of my baton or cuffs.

The cuffs are engraved "roughly" "137", I don't know why this is.

My baton was new, with no markings.

PI Combe and the other officer were forensically dressed with a

Label White suit

Label White suit

when this happened. they also have gloves and masks on.

I stood over a

Label No. Brown bag

as I changed.

There are no entries in

Label No. My Police Notebook

other than I had made earlier.

Nobody said "do not put anything in your book".

I was allowed to leave after this. I put my police radio in my locker. I put my notebook into my locker as well.

I met Amanda Given, she said "Where are you going". I told her [REDACTED]. She said "We will be in touch to see how you are".

I stayed with [REDACTED] for a few hours then I went home. I felt spaced out, I was still in shock. I did not seek further medical attention that day.

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On Monday 04/05/15 I got up. I had a restless night as I was "sore". I got up early, possibly around 7am.

I felt "dizzy", "spaced out", a bit "drunk like". I could not turn my head, my neck had stiffened up, so had my back. My knees were sore as was my front torso.

I phoned [REDACTED] in the afternoon and told him. He said phone NHS 24. I phoned them roughly at 1pm.

I told them how I felt. I explained I was a police officer and had been punched in the head.

It was suggested I attend the Victoria Hospital, which I did at approx 2-3pm I was seen I was seen by Dr Zoe "something", she was female.

I told her I had been assaulted the day before, "punched to the head", "stomped and kicked", that was it. She gave me a packet of ibuprofen and cocodamol, I can't remember anything else, except if I noticed anything else to come back.

I have now been shown

Label No. A&E notes dated 4 May 2015 Nicole Short ref. no. [REDACTED]

I see that there is a reference to my presentation at 1640 hrs 4/5/15.

[REDACTED]

[REDACTED]

[REDACTED]. I have signed a label attached to the record. the entry is accurate.

I was sent home after this.

I went to bed approx midnight and had an "uncomfortable night".

I got up early on Tuesday 5th May 2015. [REDACTED]  
[REDACTED] I did not know what was happening to me, I was not feeling like my normal self.

I felt my face was "puffy" and I was worried about this. I phoned my GP at Markinch Medical Practice in Markinch, Glenrothes. I got an appointment with Dr Ellison at 0830 that morning. She examined me and said I was "concussed". She agreed my face was "puffed". She did not feel that I needed a "scan". She looked at my "knees" and gave me "Naproxen" for inflammation [REDACTED]

[REDACTED]

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After this appointment I took a photograph of this on my mobile phone. I have today shown this to Inv Ferguson and DSI Headrick. This photograph was taken by me in my car on 5/5/15.

I am prepared only to e-mail them to PIRC as I did with my statement provided to Peter Watson Solicitors. The reason I won't provide my phone to PIRC meantime is that I do not feel safe just now. I am not prepared to hand it over.

On Wednesday 6/5/15 I was contacted by PC Tomlinson. He told me they were "all" going to a meeting at Kirkcaldy Police Station. this was with Chief Supt McEwen, Supt Milton and Chief Inspector Shepherd. There was no reason provided by PC Tomlinson. [REDACTED] took me there at approximately 1pm.

Amanda Given was also present as were all the officers I have mentioned earlier who were at Hayfield Road.

They asked us what they could do to support us.

I told them I needed someone to help me get through this. They told me that counselling would be provided. I cannot remember if there was a discussion re providing statements. I was crying during the meeting. I know that there was going to be a meeting with Peter Watson Solicitors on the 6th May 2015. I said I could not go because I was unable to drive because I had been "concussed".

I actually don't know what day it was. It was not 6/5/15.

My face remained "puffed" that week. Come Sunday 10th May 2015. It was commented to me that my face looked "drooped" and my right arm was "weak". I felt as if my face was "recovering form the effects of anaesthetic". I had pressure behind my right eye. I was admitted to Victoria Hospital that evening. This was following a phone call I made to NHS 24 at p.m. that night. I was kept in overnight and given a CT scan. I was told that it was "fine". I got out on the Monday 11/5/15. No follow up was required.

I went to my GP, Dr Ellison later that week. I explained that the Dr at the hospital suggested possible nerve damage to nerve which goes down my face amd controls something in my face. I told Dr Ellison this and she referred me to Maxillo Facial Surgeons in Dunfermline.

I attended there yesterday 8/5/15. The Doctor (female) told me that she would organise an "MRI scan" to probe the possibility of soft tissue damage to my head and the two nerves in my head, one of which controls muscle in my face and the other one which controls motor skills/speech. I am also being referred for "poor memory" and "pain in my eyes".

In relation to my mobile phone, I agree to maintain the files contained in my phone relative to the photograph of my "injuries" and swollen face. I will not alter these in amy way. I understand that in the event my phone is required by the Crown that this

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may be seized from me at some point. I will discuss this with Peter Watson Solicitors.

I have been seen by a Dr Anderson who was instructed by Peter Watson a few weeks ago. He noted all of the aforementioned information.

I have been today shown

Label No. Statement of Nicole Short taken by John Sallens on Wednesday 13 May 2015.

Specifically it has been pointed out to me by Inv Ferguson that there is a part of my statement at page 4 referencing the point that "they were both out of the van and both had their spray out". This differs from my statement provided to PIRC.

On page 13 in the statement that I provided to PIRC on 4/6/15 I said that when I saw PC Paton and PC Walker at the side of the police vehicle neither of them had CS/PAVA or batons drawn and their CS canister holders on their belts with the other hand raised and facing Sheku Bayoh.

This part did happen. It was very quick though. this was not described properly by me to John Sallens at the time. It is important to comment that this was "so fast".

I have signed the label attached to my statement provided to John Sallens

I have been asked if I knew Sheku Bayoh. I used to work [REDACTED]. I saw Sheku Bayoh there as a customer sometime between 2003 and 2004. I did not speak to him. I did not know him professionally.

I have drawn on

Label No. Satellite View of Hayfield Rd/Hendry Rd Kirkcaldy and map of Hayfield Rd/Hendry Rd Kirkcaldy

This shows the position I saw Sheku Bayoh when I first saw him on 3/5/15.

I have been shown

Label No. Medical Mandate Nicole [REDACTED] Short 9/6/15

I understand that this mandate relates to any previous or existing medical conditions which may have been exacerbated by the injuries sustained during the incident which occurred on 3rd of May 2015.

I was not suffering from any injuries or conditions prior to this incident on 3/5/15. I have bane off sick since then and have been to [REDACTED]

I can confirm this statement is a true and accurate record.

Signed : (Witness)

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CONFIDENTIAL MATERIAL - NOT TO BE DISCLOSED

Surname : SHORT      Forenames: Nicole  
Alias/known as :

Place of birth :      Age : over 18

Home address :      Telephone :  
[REDACTED]

Post code : [REDACTED]

Business address :      Telephone :  
Police Scotland  
Kirkcaldy Police Station

Post Code :

Mobile : [REDACTED]  
Email : [REDACTED]  
Fax/Pager :  
Other :

Dates when unavailable in next 12 months :

Other Confidential Material :

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CONFIDENTIAL MATERIAL - NOT TO BE DISCLOSED

Surname : [REDACTED] Forenames: [REDACTED]  
Alias/known as :

Place of birth : [REDACTED] Age : [REDACTED]

Home address : [REDACTED] Telephone : [REDACTED]

Post code : [REDACTED]

[REDACTED] Telephone : [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Post Code : [REDACTED]

Mobile : [REDACTED]

Email :

Fax/Pager :

Other :

Dates when unavailable in next 12 months :

Other Confidential Material :

[REDACTED]