

WITNESS STATEMENT

Agency Ref : **S182A**

PF Ref :

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Surname : WALKER (NON PIRC ST)

Other or previous surname :

Forenames : Craig [REDACTED]

DoB : [REDACTED]/1981

Age : 34

Occupation : Police Officer

Other Occupation :

Police Station :      Years Service : 10

Disclosable address :

Post Code:

This statement was taken :

Date and time :    of      .

By : SELF

Place :

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 am a uniformed police constable currently based at Kirkcaldy police Station. I am 34 year of age and I have completed ten years police service. I am HSE First aid qualified for my role as a custody officer.

On Sunday 3rd May 2015 I was working 0700 hrsto 1600 hrstour of duty in theKirkcaldy area. I was allocated the call sign PR41A, this being the general purpose police van, and I was accompanied by PC Alan Paton.

At the commencement of my Shift I was Wearing full police uniform including stab vest with high visibility over jacket. To this jacket I had attached my PAVA incapacitant spray, Rigid handcuffs and personal issue Police radio. I was not carrying a baton at this time as my baton holder had separated from its mounting clip and I had not yet requested a replacement. About 0710 hrs same date, during the

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muster, a call was passed via Police radio stating that an alarm activation had been reported at a property on the Esplanade, Kirkcaldy. PC's Tomlinson and Short (PR41C) were instructed to attend however as they were committed with other matters left over from the shift the previous day PC Paton and I volunteered to attend in their place. PC Paton and I left the police office and began making our way to the call a short time later.

About 0720 hrs same date, whilst we were travelling east along Nicoll Street information was passed via Police radio from control that a passing motorist had contacted the police stating there was male on Hayfield Road, Kirkcaldy in possession of a large knife. PR41C were instructed by control to attend the call. Due to the nature of the call PC Paton and I also decided to attend. I performed a U-turn in the roadway and immediately illuminated the vehicles blue lights to assist in my progress to locus. At this time APS Maxwell came on to the radio to instruct all available units to start making their way to locus. He also requested that the Armed Support Unit (ARV) and the Dog unit be instructed to attend. I was aware that he was informed that there was no ARV available and that control would need to check on the availability of a dog.

I travelled west along Nicoll Street and at the roundabout took the third exit on to Abbotshall Road. At this time further information was passed from control via police radio stating that a further call had been received from another motorist stating that the male was on Victoria Road, Kirkcaldy. This is some distance from the initial locus and at this time it crossed my mind that this may be a hoax call attempting to send the police on a wild goose chase.

Due to the change in locus I continued along Abbotshall Road until its traffic light junction with Bennochty Road where I took a right on to Bennochty Road and continued north. This allowed access to both Victoria Road and Hayfield Road.

As I approached the traffic light junction with Victoria Road I was aware of further information

being passed via radio by control that a third call had been received placing the male at, or

near to the White Heather public house. I am aware that this is near to Hayfield Road so both PC Paton and I decided that this must be the correct locus. I therefore turned right at the traffic lights continuing on Bennochty Road.

Whilst travelling north on Bennochty Road and onwards to Hendry Road I was aware of further information being passed via police radio. I was aware that five separate calls had been received about the male and that a description of a large muscular black man wearing white t-shirt and black jeans had been passed. I was also aware that the weapon he was carrying had been described as both a large knife and sword. It was also stated that the male appeared to be under the influence of a substance and was attacking passing cars, running out in to the street at the vehicles.

Due to the information being passed and the large number of calls being generated by the male I perceived the risk to the public and myself to be severe. I also considered that the male was deliberately drawing attention to himself knowing that the police would be contacted and attend. Due to the perceived risk I decided that

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should the male be in possession of the weapon as we arrived at locus, and should he be in a violent state, I would strike the male with the police vehicle rather than engage him.

En route to the call blue lights were utilised throughout the whole journey however at no point did I utilise the police siren. Due to the time of day and day of the week traffic was light. Also the vans sirens are located on the roof which is poorly insulated and would have resulted in radio messages being misheard or missed completely which would have caused further confusion regarding the actual locus and context of the calls received being missed.

I turned on to Hayfield Road from Hendry Road and immediately saw a male matching the description passed. He was at the bus stop located on the north side of Hayfield road, approximately 200 feet from its junction with Hendry Road. The male was walking along the pavement towards Hendry Road. I noted at this time that the male did not appear to have any weapons in his hands. I still perceived the risk to myself and my colleagues to be severe as the male may have concealed the weapon upon his person.

There appeared to be no other members of public in the area at this time and we were the first police unit at locus.

I drove the vehicle in the direction of the male and stopped the vehicle at a 45 degree angle to the pavement with the vehicle's nose in the bus stop layby. This was done to afford us some protection from the vehicle doors when they were opened.

As the vehicle came to a stop PC Paton drew his CS spray and exited the vehicle. A few seconds later, after securing the hand brake I drew my PAVA spray and also exited the vehicle. I observed as PC Paton stood in the path of the male and gave him a clear verbal instruction similar to "Stay where you are" the male did not respond to the verbal command and continued walking directly at PC Paton who was taking steps backwards to maintain a safe gap from the male. PC Paton again issued a clear verbal command which the male again did not comply with. PC Paton thereafter deployed CS spray at the male. I noted that the CS spray appeared to have no effect on the male. I am aware that the PAVA spray that I have been issued is superior to CS spray in that it should have an effect on all persons.

By this time I had exited the vehicle and had walked round the front of the van to the male's 8 o'clock position. I gave a clear verbal warning to the male to "STOP" and to "DROP ANY WEAPONS". I noted at this time that PC Paton had suffered from the effects of the CS spray and was struggling to see and was disorientated.

The male, now aware of my presence, turned his head in my direction whilst appearing not to be following any of the directions given. I therefore deployed PAVA spray. I was approximately eight feet from the male and administered a direct spray of PAVA to the male's face and eyes.

The male showed no signs of reacting to the spray and immediately wiped the PAVA spray from his face with his hand and smiled at me.

I felt several drops of PAVA spray then hit me in the eyes due to the windy conditions at locus. This immediately had an effect on me and caused my eyes to start nipping. I started blinking rapidly and raised my hands to my face to overcome the effect whilst stepping back to the offside of the police vehicle, placing the vehicle between myself and the male. At this time I transmitted on the Police radio "SPRAY INEFFECTIVE"

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I was aware that PC Paton had also made his way to the van and was beside me. After a few seconds to clear my eyes looked and saw the male chasing PC Short down Street towards Hendry Road. Realising that both CS and PAVA Spray had no effect on the male I turned to PC Paton who was on my right and shouted to him "GIVE ME YOUR BATON" I then turned back to my left and saw PC Short falling to the ground the male being close behind her with his hands raised. I again turned to PC Paton and shouted "ALAN, GIVE ME YOUR FUCKING BATON." PC Paton who was still unable to see at this point drew his baton and fully extended it before holding it out in my general direction. I took it from him in my right hand and turned in the direction of the male and started running towards him. I observed PC Short lying face down on the ground in the prone position. The male then raised his leg and stamped down on to PC Short's lower back. The male had his arms raised in the air and appeared to be putting considerable force into his stamp. I was then aware of PC Tomlinson engage with the male pushing him away from PC Short.

As I approached the male I held the baton in my right hand above my head. At this point the male has turned to face me and brought his hands in to the air to defend against a baton strike. I therefore decided not to strike with the baton and have instead continued running at the male and charged him striking his chest area with my forearms. This has caused the male to fall to the ground backwards. I have also fallen at this time landing to side of the male dropping the baton.

I immediately reached over the male in an attempt to gain control of him. At this point he had thrown several punctiles at me and I punched him to the left side of his head twice with my right fist. The male has then raised his right hand to strike me and I have been able to grab his arm, pull it over his body, turning his torso on to left side pinning his left arm under him. I have placed my weight on the male to stop the male from breaking free whilst holding on to his right arm.

I am aware at this time of PC Paton arriving to my left and placing a baton over the male's left bicep to afford some control over the male. I am also aware of PC Tomlinson being to my right assisting with restraining the male.

PC Smith arrived at locus at this time took up a position at the male's head on the opposite side from me. Due to accused's continuing violent behaviour PC Smith drew his CS spray and stated to the male that CS would be deployed. I immediately pushed the spray away and informed him that CS was ineffective and that it would contaminate and incapacitate the officers only. This broke PC Smith's spray.

Whilst restraining the male I have taken my handcuffs and applied one cuff to the male's right hand. At this point the male struggled violently and tried to break free from us. He managed to free his right hand from my grip. Control was quickly regained and I decided to apply the second cuff to his left wrist. This resulted in the male being handcuffed to the front which not ideal due to his violent demeanour but did give some control over him.

I was satisfied that the male was now under control and looked up to make sure everyone was okay. At this time I was aware that several other officers had arrived at locus and that leg restraints had been applied to the male whilst I had been applying handcuffs.

I stated to the other officers that the knife had not been located and PC Tomlinson searched the male with a negative result.

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PC McDonougll then informed me that there was a large knife on the grass directly opposite where we were. PC McDonougll and DC Connell went to retrieve the weapon.

At this point I became aware that the male had went from extremely violent to subdued. PC Paton also raised concerns and asked PC Smith who is a first aid trainer to check the male. PC Smith stated that the male was breathing but appeared to be unresponsive. PC Paton slapped male to the face several times without any reaction from the male.

I noted at time that there appeared to excessive phlegm around the males nose and mouth and that he had a small cut to his right ear. No other injuries were apparent.

PC Smith then contacted control via his police radio and requested an ambulance attend at locus. He then checked the male again and noted that he appeared to have stopped breathing.

As I was already kneeling beside the male I commenced chest compressions. PC Smith again contacted control via radio and informed them that the male was now in cardiac arrest and an ambulance was required ASAP.

PC Smith and Paton made several attempts to fit a face shield to the male but were unable to get the valve of the shield passed the males teeth which appeared to be clamped shut.

Several attempts were made to administer breaths to the male without success. It was therefore decided to continue with chest compressions only.

I continued with the chest compressions for some time before starting to tire at which point I handed over to PC Paton who continued until the arrival of the ambulance. During this time I noted that I was missing both my PAVA spray, which I had discarded when it had no effect on the male and my personal issue radio which had fallen when I charged the male. I was informed by PC Smith that he had both in his possession.

Upon the arrival of the ambulance the male was quickly placed on a stretcher and placed in the ambulance. Both paramedics traveled in the rear of the ambulance continuing CPR and PC Smith drove.

I was aware that PS Davidson and APS Maxwell were securing locus at this time. PC Paton and I were instructed to take our vehicle and return to the police office where all officers involved would meet up in the canteen.

Upon arriving at the police station I could see PC Barrett (Not a witness) who is our federation

representative, through the window of his office. PC Paton and i made contact with him and informed him of the call and the fact that it appeared that the male was deceased. We requested at this time that the Police Federation be made aware and that representative be sent out ASAP.

We then remained in the canteen for the duration of the day during which we were informed that the male had been pronounced dead.

Upon PC Smiths return from the hospital he handed to me my PAVA spray and personal radio which he had taken possession of at locus, and my handcuffs which had been removed from the now deceased.

About 1530 hrs, same date, I was instructed to hand over all my out clothing to officers as they were being forensically seized. I attended at a designated office with

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all my clothing and PPE equipment and handed them over. These were then sealed and signed.

Signed :

(Witness)

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CONFIDENTIAL MATERIAL - NOT TO BE DISCLOSED

Surname : WALKER (NON PIRC ST)      Forenames:      Craig Frank Robert  
Alias/known as :

Place of birth : [REDACTED]      Age : over 18

Home address : [REDACTED]      Telephone :

Post code : [REDACTED]

Business address : Kirkcaldy Police Station  
P Division  
Fife

Post Code :

Mobile : [REDACTED]  
Email : [REDACTED]

Fax/Pager :  
Other : [REDACTED]

Dates when unavailable in next 12 months :

Other Confidential Material :