

**RESPONSE TO RULE 8 REQUEST
BY CRAIG WALKER**

Notwithstanding my answers to the questions raised in the Rule 8 requested dated 31 March 2022, I reserve the right to invoke my privilege against self-incrimination in the event of issues arising that have not previously been encountered or foreseen in either the preparation of further statements to the Inquiry or during the provision of evidence during the Inquiry hearings.

1. My name is Craig Walker. My date of birth is [REDACTED] 1981. I am 41 years of age. I am [REDACTED] and my address is [REDACTED]
2. I have previously provided several statements in relation to the death of Sheku Bayoh.
3. The statements that I have previously provided in connection with the death of Mr. Sheku Bayoh (PIRC00264, COPFS05965, PIRC00265), are complete and are an accurate description of what took place.
4. On Sunday the 3rd of May 2015 I was a Police Constable serving with Police Scotland. I was stationed at Kirkcaldy Police Station, St Brycedale Avenue, Kirkcaldy attached to Team 4 Response, I was tasked with general response policing for that area.
5. About 0715hrs whilst I was on patrol in the Kirkcaldy area, attending a commercial alarm activation, I was made aware via PPR that reports were being received from members of the public concerning a male on Hayfield Road, Kirkcaldy who was alleged to be in possession of a knife.
6. Due to the fact that this was an ongoing incident with a high level of risk to the public and attending officers I duly made my way to locus as instructed by the duty Sergeant.
7. At the time, I was driving a 2015 model Ford Transit, Medium Roof, panel van. This was a fully marked general purpose police vehicle fitted with blue beacons and a siren.
8. During the journey to locus I had a brief discussion with PC Paton on tactics and worst case scenarios. I was very concerned about the nature of the incident and the number of calls made by the public and the nature of the reports being made, being that he was attacking passing vehicles and he might be prepared to attack us when we arrived. PC Paton and I both considered

the, near to locus, mental health hospital at Whytemans Brae and the main hospital, the Victoria Infirmary, and the fact that he may be a patient from either. Due to the overt nature of his actions, I also considered that he was doing this to get the police to attend to either target officers or to elicit a 'suicide by cop' scenario.

9. The only factors considered when assessing the risk were the words big, muscular and carrying a knife. Race did not play a part in my risk assessment.
10. I have been asked about the airwave calls made at 07:20:13 on 3 May 2015. I was not aware of this radio transmission and have no recollection of hearing it. Going by the radio logs and timings thereon, inspector Stewart makes his broadcast after we arrived at the scene and were dealing with the situation.
11. I tried to relay via my PPR that spray had been ineffective on Mr. Bayoh, but PC Paton had pressed the emergency button on his PPR which effectively blocked any other officers from transmitting for 10 seconds. As soon as we got out the vehicle, the situation developed so quickly, there was no time to step back and pass back a situation report to the control room. In any event there was no new information to pass which would have added to what was already broadcast.
12. On arriving at the scene, a dynamic risk assessment was carried out as per the national decision making model in use at the time. The risk assessments were rapidly reassessed throughout the incident.
13. When I arrived, I considered that the main risk to both attending officers and the public was the fact that the male had been reported, by numerous independent and credible witnesses, to be in possession of a bladed weapon and that he had already chased after and struck out at passing vehicles. I therefore assessed the male to be not only armed but prepared to use the weapon.
14. In order to prevent injury to all parties present at this incident I deemed it necessary to apprehend the male, secure any weapons and negate the risk to the public and police officers including myself.
15. Mr. Bayoh's race did not have any influence on these decisions.

16. To reiterate, the factors being considered by me were that he was reported to be armed with a knife, was being very aggressive and was posing an immediate threat to the public and two officers attending.
17. In terms of the training, I received in carrying out risk assessment, the only training I received was the OST training as delivered at the time. I had not received specific risk assessment training.
18. I have been asked about a comment I made in a prior statement involving leaving my police baton in the locker due to the clip on the baton holder being broken and whether it was permitted to attend an incident without this item of equipment. I am unaware if there were any specific orders at the time that would have prevented me from being fully deployable due to the lack of a Police baton.
19. I cannot recall who was and who was not aware of the damage to my baton holder. I was aware that I had mentioned in conversation with other officers that the holder had broken and I was needing to order a new holder from stores. I had not made any deliberate acts to conceal the fact that I was without my baton.
20. Prior to this incident, with 10 years policing experience I had never had the need to deliver a baton strike for defensive purposes. In fact, in the almost 18 years' experience I now have, this statement still remains true.
21. The fact that I was not in possession of a police baton would not have prevented me from carrying out my duties in a lawful and legal manner.
22. The absence of a baton did not affect my assessment of the risk of the incident. For me the use of a baton is absolutely the last option, probably as it has the potential to be the most dangerous item of officers' safety equipment. I am satisfied that my first course of action in an incident such as this would be initially clear communication, then my PAVA spray. The baton would be a last resort and the fact that I did not have one in my possession did not alter the actions I took when dealing with Mr. Bayoh.
23. During the journey to Hayfield Road, I discussed matters with PC Paton as described above. In addition, I stated to PC Paton that if the male was as described, being in possession of a knife and attacking vehicles, I would consider using the Police vehicle to strike the male should I deem the risk to the public and officers to be too high.

24. I have been asked about what I was thinking and feeling whilst I was on route to Hayfield Road. As I was driving the police vehicle in a response style, I was unable to dwell on the call itself. I was aware, however, of the number of calls being received from different, independent and credible witnesses who were all stating the same thing. A male in possession of a knife striking out at anything that comes near him.
25. I was aware that this was a high-risk situation and that the males behaviour was drawing the attention of many witnesses. I was of the opinion that this was a serious incident, and the male was posing a real risk to the public and himself. I was concerned for my own safety given the level of threat being described over the radio and the number of calls being received by the police.
26. When I arrived at the incident, I basically turned up and saw a muscular male who fitted the description of the suspect. He was very broad about the chest and had a strong build. This was what informed my initial thoughts on the level of threat and potential resistance I would face. It was for this reason, combined with the information I had received on my PPR, that I made the decision to deploy PAVA spray straight away. I thought that this would incapacitate him immediately without having to get into a physical battle with him and would also allow me to keep a safe distance from a male who was thought to be armed with a knife. Had he complied with our verbal instructions, the PAVA spray would not even have been used. Mr. Bayoh's race did not impact upon my views.
27. Upon arriving at the scene, I noted a male matching the description of that passed over the radio and I also noted that there was no other person in the area at that time. I therefore formed the opinion that he was the male we had been called about.
28. Only Mr. Bayoh was present at this time, as PC Paton and I were first on scene. PC Paton exited the vehicle first and verbally engaged with Sheku Bayoh.
29. Upon first observing the male I was of the opinion that he was able to orientate the area. He was walking along the footpath in a straight line and was not staggering or swaying. He appeared to be walking with purpose and had a confident stride. He did not show any signs of drink or drug intoxication from his movements.

30. I did not spend time evaluating the cause of Mr. Bayoh's condition as the priority for myself and the reason that the public had been contacting the police was to negate the risk to life being posed by Mr. Bayoh's actions. The cause of the incident was secondary to preserving life.
31. When I was in the process of exiting the van, I could hear PC Paton shout a command at the male, "*Stay where you are, don't move*" or words to that effect. At this time PC Paton was standing in a spray drawn position, which means spray in right hand, pulled back towards the body, his left hand fully extended in a fend off position.
32. He was in a sort of defensive stance with his left foot forward and right behind him. PC Paton was standing directly in his path. As I walked round the front of the van, I was looking over to gauge the male's reaction and there was no reaction at all. He just kept walking and was about 6 feet away from him, directly in front of him. As I moved across the front of the van, PC Paton took a couple of steps backwards and shouted again at the male "*Stay where you are*". There was no response from the male, and he kept walking at PC Paton who was having to work to keep a safe gap from the male who was potentially armed at this time.
33. Due to the male failing to comply with PC Paton's requests and continuing to be a threat to PC Paton, he sprayed him with his CS Spray.
34. It was clear to me that PC Paton got some of the spray in his face and he immediately tried to duck away and crouch down towards the van. He pulled both his hands up towards his face.
35. When PC Paton engaged with the male, I noted that the male just continued to walk towards PC Paton and did not respond verbally to him, I also noted there was no reaction from the male when PC Paton deployed his CS Spray, however, I was unsure if the spray had actually contacted the male due to the wind that day.
36. When I noted that PC Paton was in a vulnerable position, I called out to the male which caused him to turn and face me. He then looked directly at me with what I would describe as a vacant or thousand-yard stare.
37. I shouted at him "*Stay there*" or words to that effect. He faced me and I had my PAVA in the spray drawn position I described, in my right hand. I also had my left arm extended pointing at him. I think I was standing in a defensive position. I again shouted, "*Drop your weapon*" or something like that but there was no response from him. I still thought he had a weapon concealed on him and he wasn't giving verbal or non-verbal communication at all.

38. At this point I formed the opinion that he was physically capable of causing serious injury to someone, and was clearly in some sort of 'rage' or zombie state.
39. I have been asked about training I had received regarding the assessment of whether a person was suffering from a mental health crisis or was under the influence of drink or drugs. I had received first aid and front-line training for mental health which consisted of training in subjects such as depression/self-harm and suicide. In relation to drugs, the training was for identifying drug overdoses which resulted in loss of consciousness or restricted breathing. Again, with alcohol it is concentrated on both over-consumption leading to passing out and the associated risks of obstructed airways or, on the other end of the scale, the dangers posed by alcohol withdrawal.
40. I have been asked about what training I had received in how to deal with situations such as the one I was presented with. I had received the standard OST training in force at the time. This was the first time I had to deal with a call of this nature in ten years of policing. By of this nature, I mean that I've dealt with calls involving angry people, calls where people are armed with knives, however, these calls have involved people in possession of knives. This call was to deal with a male who was actively using the knife to attack cars and was being reported from multiple sources. The level of violence being described was way above what I'd previously encountered. I have, however, attended numerous calls where there has been allegation of a male with a knife over the course of my career.
41. I have been asked what experience I have in responding to incidents involving an alleged perpetrator with a knife on a Sunday morning. I do not have access to the necessary systems to provide a factual answer to this question however I would be confident to say, based on my career, that calls relating to public disorder and knife crime are lower on a Sunday morning compared to a weekend evening/night.
42. I have been asked if I had received training prior to 3 May 2015 regarding calming situations down or de-escalation or defusing situations. I have not received any negotiator/de-escalation training however the use of minimum force is at the heart of OST training. As such both PC Paton and I began with clear verbal instructions to the male which were ignored.
43. When we first arrived, the first tactic used by both PC Paton and I was to use clear verbal commands to engage with Mr. Bayoh. These did not have any effect and when Mr. Bayoh presented as a clear and immediate threat to both PC Paton and I, additional methods were

utilised. In my view, the actions that we took when we first encountered Mr. Bayoh is in keeping with the training that I had received. In my view, the training I had received was adequate for dealing with the incident.

44. I have been asked if I used any of the equipment that was available to me. I used both PAVA spray and rigid handcuffs. Prior to using PAVA spray a clear verbal instruction was given to Sheku Bayoh to desist with his actions, remain where he was and remove any weapons he may have. He failed to do so and continued to walk towards me closing the reaction gap between us. He was deemed a high risk due to the allegation of being armed with a bladed weapon. I deemed it lawful and proportionate to deploy my spray in accordance with my OST training. Once the male was on the ground, I used my handcuffs to restrain the hands of Mr. Bayoh, preventing him from striking out at officers or reaching for any concealed weapons. I deem my use of this equipment as justifiable and proportionate and in line with OST training. Mr. Bayoh's race or perceived race played no part in how I approached Mr. Bayoh or how I handled the incident.
45. At some point, PC Tomlinson and PC Short arrived. I was not aware of their arrival at the locus and cannot comment on when they arrived nor where I was positioned when they arrived.
46. The first I saw PC Short was her running away from Sheku Bayoh and he was chasing after her. It was clear to see that PC Short was in a state of panic as she ran away from Sheku Bayoh. He was about 4 feet behind her, I turned away briefly to communicate with PC Paton and as I looked back to PC Short again, I saw she was falling to the ground with the male right behind her. Both of her feet were off the ground, and he had his hands raised. I formed the opinion that she had been pushed to the upper part of her body.
47. I turned back to PC Paton briefly as she was in mid-fall and obtained PC Paton's baton from him. I turned back towards PC Short. By this time PC Short was lying face down in the prone position on the road, close to the south pavement. Sheku Bayoh was on the opposite side of PC Short to me, standing at right angles to her and facing towards me. I had a clear and unobstructed view of him and saw him with his right leg in a high raised position. He had his arms raised up at right angles to his body and brought his right foot down in a full force stamp down onto her lower back, the kidney area.
48. I was about 30m from the attack on PC Short with no obstructions to my view as this happened in the middle of the roadway and I was also standing in the middle of the roadway.

49. I have been asked about the actions of PC Tomlinson at this time. PC Tomlinson took action, once she was on the ground, to try and protect her and was entirely justified in the reasonable use of force in protecting her. I observed PC Tomlinson move towards Sheku Bayoh and engage with him in some way. There was a physical coming together and the male took a step back towards the pavement. I'm not sure what PC Tomlinson did but it was enough to get Sheku Bayoh's attention away from PC Short and on to him. I just saw hands in the air, I can't describe the coming together better than that, I knew there was a physical exchange between them, but I couldn't see exactly what.
50. At this point, I ran towards Sheku Bayoh and shoulder charged him to the ground. I did not utilise any equipment during this manoeuvre.
51. I did take PC Paton's baton from him as he was still incapacitated but, as I moved towards where Sheku Bayoh and PC Tomlinson were struggling, I could see that Sheku Bayoh had his hands raised up alongside his head and I made the instantaneous decision to discard the baton and take Mr Bayoh to the ground by bodily force.
52. I did not assist PC Short at this time, and I am unaware of who did.
53. After tackling Bayoh to the ground, I also landed on the pavement next to him. I was on my knees, while he was on his back. I made an attempt to get over the top of his shoulders and hands to get him under control. As I did this, he raised his shoulders and tried to punch me with his right hand. As I leant over, I then struck him a couple of times with a clenched fist somewhere around his left cheekbone area. He continued to struggle and lashed out with his arms and continued to try and punch me again. The punches I'm describing were not full force punches, rather they were pulled punches, delivered tactically in an attempt to make Sheku Bayoh bring his hands away from his body/side and up to his face. This would allow me to apply handcuffs to his wrists and I used this technique due to the difficulty we were having in applying the cuffs. This was a technique taught to me in OST some years ago. As Sheku Bayoh was actively resisting with extreme force and was himself throwing punches at this point, I felt that this tactic was a reasonable use of force in the circumstances.
54. I managed to take a hold of his right wrist which forced his arm across his body. I put pressure from my chest area onto his right shoulder, pushing him onto his left side. My body was in a crouched position over him with my knees on the pavement against his back so he couldn't turn back towards me to lash out.

55. At this point PC Tomlinson came in from the right-hand side and PC Paton came into my view from my left-hand side next to the male's head. PC Paton had a baton in his hand, and he knelt down and passed the baton under his left armpit and together we attempted to bring the male's left arm out from under him so that he could be handcuffed to the rear.
56. PC Smith then arrived with his CS Spray canister out in his left hand and had it pointed towards the male. He stated, "*If you don't stop resisting you will be sprayed*". I informed him that the spray had been previously ineffective and was of no use.
57. I then reached for my handcuffs and applied a cuff on his right wrist. Just as I did he pulled away his hand and managed to get his hand free with the cuff still attached. He swung his arm up in the air, but I managed to get a hold of the cuff again and pulled it down towards his left arm which was still pinned to the ground. I got the other cuff onto his left hand which meant he was cuffed to the front.
58. Throughout the restraint, I would describe Mr. Bayoh's position as going from on his back, to on to his left side but never fully prone.
59. Once Mr. Bayoh was forced to the ground, he was on his back until I was able to secure his right hand, at which point I used his right-hand arm to turn him around onto his left side. That's when PC Paton used his baton on Mr. Bayoh's left arm in an attempt to force it to his back to allow him to be handcuffed to the rear. This was unsuccessful and, in the end, I applied the handcuff to his left arm at the front of his body meaning that he was still on his left side with the handcuffs applied to his front.
60. DS Samantha Davidson had by this time arrived at the scene and asked if we had searched him for a knife. In response to this we rolled Sheku Bayoh from his side onto his back and searched his person. That's when we noticed he appeared unwell.
61. At no point during the struggle was Mr. Bayoh in the prone position.
62. I have been asked about what weight, if any, did I place on Mr. Bayoh as he was on the ground and where this was applied. I don't know how to quantify how much weight I put on Mr. Bayoh's person. I was leaning on top of him using my upper body on to his shoulders and pushing down onto his arms. I used my body weight to attempt to control him but beyond that I can't give a measure as to how much that was. I don't know how long I used my body to control him, it's

very difficult to gauge time in a situation like this. What I would say is that it was only for as long as it took to bring him under control.

63. I have been asked to comment on statements PIRC 00263, 00264, 00262, 00266, 00278, 00274, 00273 and 00258 and state if the descriptions noted within are accurate and provide an explanation for any inaccuracies. My recollection of Mr. Bayoh's position is as detailed above. If that differs from other accounts, I am not able to say why accounts differ other than that is the nature of witness statements.
64. When we attempted to restrain Mr. Bayoh, he actively resisted the handcuffs. He did not make any statement throughout the altercation. I cannot recall if I said anything to Mr. Bayoh. Mr. Bayoh's race or perceived race played no part in how I carried out the restraint.
65. In terms of who was involved in the restraint, I witnessed PC's Paton, Smith and Tomlinson actively restraining Mr. Bayoh. PC Paton was restraining and assisting in cuffing the male as detailed above. I am unaware of the other officers' specific roles.
66. In my view, the manner of the restraint and the techniques adopted by the other officers were lawful, justifiable and proportionate in the circumstances.
67. I have been asked about what training I had received in restraint and the techniques to use. I had received the standard OST training in force at the time. In terms of techniques that I used during the restraint of Mr. Bayoh, I used empty hand techniques and hand cuffs as per OST training at the time. All restraints and methods used were in accordance with the training I had received. I have no comment in relation to the techniques or equipment used by the other officers involved.
68. Once Mr. Bayoh had handcuffs applied, he was rolled over onto his back and searched for a knife. He was not being restrained at this time by which I mean that he was no longer struggling and had become unresponsive. We were not holding him, but the handcuffs were still applied to his wrists. It was at this point I became concerned at his lack of movement and general condition. At this time, I was kneeling on the ground to Bayoh's right-hand side.
69. PC Paton who was at Mr. Bayoh's head also expressed concern due to Bayoh's inactivity and pallor. PC Smith was to Mr Bayoh's left side, checking him for signs of life as per training and noted that he was breathing at this time but not conscious.

70. I was the first officer to perform chest compressions on Mr. Bayoh when it became apparent that he was unresponsive and not breathing. I placed interlocked hands on the centre of the chest and started compressions in line with the training I've had. After two or three compressions I heard the sound of a rib breaking in the chest area. In my training I was told if you were doing it right you might break a rib.
71. I continued chest compressions for as long as I could until I was tired. PC Paton took over chest compressions from me. We continued with chest compressions until the arrival of the ambulance. During that time, I think I swapped over with PC Paton again doing chest compressions. I would have no comments about the techniques used by the other officers involved in the resuscitation.
72. I have been asked whether I felt I had adequate training in how to deal with the situation. At the time of the incident, I was a custody trained officer. This meant that I had been provided with full HSE accredited first aid training. This is more advanced than the standard SPELS training normally provided during OST.
73. Whilst attempting to resuscitate Mr. Bayoh, I was performing the CPR to the best of my ability and my sole focus was on keeping him alive.
74. As I was trying to resuscitate him, I would describe Mr. Bayoh as being unresponsive with clenched teeth/jaw.
75. PC Smith via PPR called an ambulance to attend the scene. It felt like a long time for the ambulance to arrive, but it always does when you need an ambulance. Exact timings are unknown to me. When they arrived, they quickly loaded the male on to a trolley and conveyed him to hospital with minimal delay.
76. I have been shown photograph PIRC 03374. I can confirm that I am the person identified as "PC Walker" in the photograph.
77. I have been asked whether any senior officer spoke to me or PC Paton prior to leaving the scene. I can only recall speaking to DS Davidson who instructed we return to the office and we would "Re-group" there. DS Samantha Davidson also told us to take her police van back to the office.
78. I drove the Police Van back to the station with PC Paton as my passenger. PC Paton expressed his concern that the male appeared to be dead, and we were both aware that this would be

treated as a death in custody if this was the case. We were both aware that this would turn into an investigation of some description regardless and agreed that contacting the police federation for advice would be advantageous.

79. Upon returning to Kirkcaldy Police Office car park, I observed PC Barrett from the police vehicle. I saw him through the building window within an office. Both PC Paton and I knew that PC Barrett was the local Police Federation representative and agreed that he should be informed so that the appropriate Federation advice could be obtained.
80. When we returned, initially PC Paton and I attended the writing room within Kirkcaldy Police Station. At this time PC Tomlinson was there and was clearly upset about what had happened. After a few minutes I became aware of several other officers arriving at the station who were due to start at 0800hrs. The writing room is a thoroughfare to other parts of the station and as a result several officers began walking through the area. Due to the emotive state of all officers, it was decided between us that a move to the canteen would be best as not only was this area less used at that time of the day there was also tea and coffee facilities.
81. During my time in the canteen, I sat in most seats in the canteen ranging from the dining table seating to the sofa seating. Throughout the early morning all the officers involved came to the canteen except PC Short who returned sometime later.
82. We were joined by Police Federation representative Amanda Given at some time that morning and later by CI Conrad Trickett. Several other supervising officers passed through and spoke with us at points throughout the day but did not remain.
83. I was there from 0810 hrs till I went home at approximately 1800hrs.
84. I have been asked about what advice or instruction we were given prior to or after entering the canteen about not speaking to anyone about the events at Hayfield Road. The impression I was left with when we were asked to wait in the canteen was that we were awaiting on someone senior to decide on the course of action and to tell us what was expected of us. This didn't happen at all until 4pm when we were told that our clothing and equipment was being seized for forensic examination. Up until that point we were not asked to give statements, fill in any paperwork or asked not to discuss what had happened. The canteen area was being treated as a welfare area for the officers involved. We all mingled together and left items of uniform lying about.

85. I have no recollection of anyone asking us not to discuss what had happened with each other. There were a lot of traumatised people in the canteen and there was some general discussion about why Sheku Bayoh had acted the way he had, why items of officer safety equipment had been ineffective, consoling some officers and speculation about what procedure would follow.
86. Whilst in the canteen, some of the officers did discuss the incident that led to the death of Mr. Bayoh. I cannot recall who discussed matters and what was said. This was a room with ten people within for a duration of ten hours.
87. I have been asked whether I discussed the incident with anyone outwith the canteen. I would note that I was not a detained person and I was not instructed to remain in the canteen. The only restriction placed on the canteen was that no other officer should enter as it was a protected environment for the officer involved to use and remain. I left the canteen to make a telephone call to my wife, to collect cups from the custody area so that officers and others could have refreshments and collect fresh clothing from my wife when she attended the station. The only officer I spoke with was PC Geddes who was within the Custody area. He asked as a concerned colleague as to the welfare of PC Short and any injuries she had sustained.
88. I have no recollection if anyone discussed the incident between Nicole Short and Mr. Bayoh. As previously noted, this was a room with ten people within for a duration of ten hours.
89. Mr. Bayoh's race or perceived race did not play any part in the approach taken or the discussion of the incident. In my view, nothing would have been different had Mr. Bayoh been white. We were acutely aware that the male was black male who had died whilst being arrested by Police officers and that it would be high profile investigation due to the BLM movement in the USA at the time. From my perspective, Mr Bayoh's race or perceive race had no bearing in any decisions taken.
90. I have been asked about the recovery of equipment from me on 3 May 2015. On 3 May 2015, I was wearing police issue uniform trousers, black wicking top, stab rest, hi-vis jacket over stab vest and Magnum police boots.
91. When I returned to Kirkcaldy Police Office, my stab vest and equipment was placed on the floor within the canteen. I continued to wear my uniform until it was seized at the end of the day.

92. PC Smith, when he returned to the police station, had my handcuffs that he had removed from the deceased and my police radio which had fallen from my vest during the incident. These were placed on the Canteen table and again remained there until I was required to take them to be seized.
93. When I initially returned to Kirkcaldy Police Office none of my equipment was initially recovered. At the end of the day my clothing, and all PPE including baton was taken by me to a designated office and forensically seized by other officers. I do not know who I gave this equipment to. I would describe them as two officers in full forensic suits. I believe all other officers' equipment was also seized at the end of the shift.
94. Whilst at Kirkcaldy Police Office, I was not formally given my status. I was aware that some supervisory officers came by the canteen and offered support and stated that we had nothing to worry about in relation to the incident, that we were not detained as suspects and would be treated as witnesses. I took this to be merely words of encouragement and support not a formal briefing or declaration. I have no recollection of ever being spoken to by the PIRC or briefed by the PIRC at any point. I have no recollection of receiving any advice regarding my status.
95. I have been asked whether I received any advice or instruction on my return to Kirkcaldy Police Office from any senior officers or anyone from the Scottish Police Federation. As far as I can recall, no advice was given other than to wait and see what would happen. I was waiting on someone coming in to take the lead and this never happened. As far as I am concerned, Mr. Bayoh's race or perceived race was not a factor in any advice that was given.
96. I have been asked about my understanding of the obligations in completing paperwork, including my notebook, a use of force form, a use of spray form insofar as they related to the events at Hayfield Road. My understanding is that in relation to the Use of force/CS Spray form, these are to be completed prior to terminating duty by officers, or if unable, by the supervising officers. In relation to my notebook, my understanding is that this is at the discretion of the officer.
97. In this instance, in relation to use of spray forms, at no time were any of us afforded access to a computer. Additionally, I was unsure and remain unsure as to whether I was legally required to complete these forms in the case of a death in police custody, particularly in respect of receiving legal advice on whether to document any aspect of the events.

98. I have been asked about what training I received or what rules I was required to follow in relation to the completion of my notebook; use of force forms; use of spray forms; and the preparation of operational statements. My understanding is as above. This is detailed via my OST training and the Standard Operating Procedures put in place by Police Scotland.
99. I was unable to comply with these obligations as I was not afforded access to a computer system of other relevant paperwork whilst within the canteen area. The following day I signed myself off sick from work and did not return for over six months.
100. I have been asked about what, if anything, did any other officers present say about the completion of the paperwork referred to. I recall that I was asked by PC Tomlinson if he should complete his notebook. I advised him that I would not be completing my notebook until advised that we should. I was not aware of the processes following a serious injury/death in custody as to what should be completed and by who.
101. As far as I recall, no specific advice was given by PC Amanda Given other than to wait and see what was going to happen first.
102. I was never requested to complete a statement by anyone.
103. I have been asked whether I attended a Forensic Medical Examination on 3 May 2015. I was advised that I was to be seen by a Health Professional prior to returning home to ensure my health and wellbeing. I was not advised that this was a Forensic examination and that any evidence obtained would be evidential. I was not advised that I had the right to decline this exam and in fact it was suggested that it was a requirement of being allowed to terminate duty. I understand that my height and weight was taken by the examiner.
104. I can confirm that on 3 May 2015, I was 6' 4" tall and weighed 25 stones; were 34 years of age and had completed 10 years' police service.
105. I did not tell the Forensic Medical Examination anything about the incident involving Mr. Bayoh. She had been briefed prior to me attending. Following the incident, I had some small lacerations and grazing to my hands. I did not require any medical treatment or medication.

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.

Notwithstanding my answers above to the questions raised in the Rule 8 request dated 31 March 2022, I reserve the right to invoke my privilege against self-incrimination, in the event of issues arising that have not previously been encountered or foreseen, in either the preparation of further statements to the Inquiry or during the provision of oral evidence during the Inquiry hearings.

Signature:

A solid black rectangular box redacting the signature.

Date: 4/7/2022