

WITNESS STATEMENT

Agency Ref : S008  
PF Ref :

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Surname : NELSON Other or previous surname : Nil

Forenames : Kevin DoB : [REDACTED]/1979 Age : 35 years

Occupation : [REDACTED] Other Occupation : Nil

Police Station : N/A Years Service : N/A

Disclosable address : See Home Address

Post Code: See Home Address

This statement was taken :

Date and time : 5th of May 2015 @ 19.00

By : INV KAREEN PATTENDEN

Place : Kevin Nelson address at Hayfield Road

In the presence of : DSI BRIAN DODD and [REDACTED]

~~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 Kevin Nelson, I currently reside at Kevin Nelson address at Hayfield Road with [REDACTED]. I have stayed here for about 9 months.

Sometime around 0700 hours on Sunday 3 May 2015, I took my dog for a quick walk across the road from my house where there is a grass area. I was only out with the dog for minutes to allow him to relieve himself. I remember that it was raining that morning. I do not remember seeing anything that gave me cause for concern at this time.

I did see a couple of cars on the road and also taxis but again nothing untoward.

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On returning to my house I entered the garden by my neighbour's gate [REDACTED], which is a side gate. I then walked to the rear of the house and in through the back door in to the kitchen, where I fed the dog.

After this I entered the living room, approaching the front window and opened my blinds. As I did this I saw a marked police van turn right onto Hayfield Road, coming in the direction from Hendry Road, Kirkcaldy. My first thought was that police were pulling over a drink driver. I say this as on the opposite side of the road there is a bus stop and it is common practise for the police to use this bus stop to pull over vehicles.

I saw the police van park just to the right of my house on the opposite side of the street just before the bus stop. I then saw a male police officer dressed in police uniform with an HV (yellow) jacket vest on. He was white skinned and I would describe him as tall and cuddly. I could see that he contained an extended black baton in his right hand. He had his back to me and appeared to be pointing at someone with his left hand. My view was obstructed by the police van. From what I could see he appeared to be pointing with his left hand and indicating with the baton to the ground. From recollection this officer may have had facial hair. I couldn't hear anything that was being said.

I saw him do this at least twice, indicating with the baton towards the ground and pointing with his fingers of his left hand. Again I was unsure who he appeared to be communicating with, whether it was one person or a group of people. I then observed what I thought to be pepper spray in his left hand, at the same time I noticed a female police officer also dressed in uniform with a yellow HV on. I do not know from where she came from.

The male police officer must have then sprayed the pepper spray as I saw a stream of liquid exit the canister. As he did this, the wind appeared to blow into the officer's face an amount of this spray as almost straight away this officer began rubbing his eyes. Again, I could hear that words were being said but I couldn't make out what they were.

I then saw a male walk out from the side of the police van and begin to walk up towards my left, I would describe this male as black skinned, late 20s and of a muscular build, he was between 5'11" and 6' in height. He was wearing a white tight fitted t-shirt/short sleeved shirt and black coloured jeans.

When this male started walking along the road he appeared to be acting as if the police were not talking to him. He ignored everything that was being said. My view was clear, I would say the male was about 30 yards from me and at this time he did not appear to be carrying anything in either of his hands.

I could hear the male police officer shouting at him, the only words I could make out were, "Get down".

I can't remember the exact order of things as they happened, as it all seemed to happen at the same time. I remember being aware of at least a further two police marked vehicles approaching from my left and at least one from my right.

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I remember noting that the male suddenly appeared to realise that the police officer was talking to him and he turned and started shouting back, again I didn't know what was said. I then saw him using one of his hands, I'm not sure which, to gesture with his finger to the police officer, as in give him the finger, the gesture implying to me that he was telling him to "fuck off".

As this was happening I became aware of a second male police officer appear from the side of the police van, he was also dressed in uniform wearing a yellow HV. He was about 6' in height, mid-30s, with an average build. He stood to the right of the female who was then in the middle of the two male officers.

I would describe the female as about 5'8", dark hair, slim build also white skinned.

I continued to hear shouting coming from the two police officers, again I couldn't hear what was being said or by whom. I was aware that the black male was also shouting towards the police.

The black male then stepped forwards towards the female officer and and appeared to lunge at her with his left fist towards her face, head area. I believe he struck at her with his closed fists at least 3 times. I heard her scream out, so I can not be positive but I believe that at least one of these fists struck her.

At this point I decided to go into the front garden to have a closer look. I do not know why I did this other than being curious. I believe it may have taken me between 10-20 seconds to do this. I exited my house via the front door and stood looking over my gate.

In this time the black male now appeared to be face down on the pavement to the left of my house on my side of the street. I could no longer get a clear view of this male, there appeared to be five or six male police officers attempting to restrain him. All of these officers were dressed in uniform wearing yellow HV. I observed one officer appeared to be kneeling on the ground with the weight of his upper body by use of his arms to the black male's shoulder/back of neck area. I would not be able to describe this police officer. The other police officers appeared to be laying across the black male's body, I believed in an attempt to keep him on the ground. I recall hearing the words, "Calm down" being repeated. I also remember a male voice say , "Get his legs" as the black male appeared to be kicking his legs. I then observed a male police officer holding what I can only describe as black cable ties.

I also observed that the female police officer remained stood at the rear of the police van. There was a further male police officer dressed in uniform with yellow HV again I can offer no description for this male.

I became aware of 2 x further police officers who I believed to be CID due to them wearing civilian attire. they did not appear to get involved with the restraint of this male. I remember there being 1 x male and 1 x female. The female walked towards the uniformed female officer. From what I remember all police officers involved in this incident were white skinned.

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I then decided to go back inside my house, started watching TV. After about 5 minutes later, I noticed that there was a lot of police activity. The police officers were walking back and forward in front of my window. I was thinking to myself what was taking them so long to put him in the back of a van. I stood up and went back and stood at the window. I could see that some of the police officers were stood and appeared to be looking downwards at the last location that I had observed the black male. I then again went outside looking over the gate. At this point I observed that the black male was still laying on the ground although this time he was laying on his back. 1 x male police officer appeared to be kneeling at the top of his head with his knees on either side of his head, I thought he was holding his head still. A further officer, who had his back to me, appeared to be pressing up and down on his chest. There was another officer kneeling beside this officer. There were a number of other officers standing around this area.

I also noted other officers appeared to be cordoning off the area by the roundabout and at least another three male officers also dressed in uniform with yellow HV were stood at the rear of the police van parked opposite my house.

My initial thought was how did this happen, this male had gone from throwing punches in the street to kicking and thrashing on the ground to having chest compressions.

The police officer that was giving the chest compressions then stood and the male kneeling beside him appeared to take over. This male then approached me and asked for a glass of water. I turned, entered my house and fetched a pint of water for him. By the time I arrived back at the front door this police officer was stood on my step. I offered him the water which he took. He took a mouthful, appeared to wash his mouth out with it, spit some out and returned the glass to me. I would describe him as 6' 2", muscular build, short brown balding hair, late 30s, early 40s. I would be able to recognise him again.

I would describe this officer's demeanour as being shaken up by the situation, he appeared quite red in the face as if he had exerted himself.

I then returned the glass to the kitchen and remained indoors. It was at that time that I became aware that an ambulance arrived.

I believe I would be able to recognise the uniformed female police officer again.

The female CID police officer I would describe as slim build, dark hair tied back in a pony tail, about 5' 6" aged between late 30s, early 40s, wearing a grey suit. I believe I would recognise her again.

I can offer no further descriptions of any of the other police officers in attendance nor would I be able to recognise them again.

I would like to add that I do not recall having ever seen this male before.

**WITNESS STATEMENT**

Signed : K NELSON (Witness)

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**CONFIDENTIAL MATERIAL - NOT TO BE DISCLOSED**

Surname : NELSON

Forenames: Kevin

Alias/known as : Nil

Place of birth : [REDACTED]

Age : 35 years

Telephone : [REDACTED]

Home address : Kevin Nelson address at Hayfield Road

Post code : [REDACTED]

Telephone : N/A

Business address : Not Disclosed

Post Code :

Mobile : [REDACTED]

Email : [REDACTED]

Fax/Pager : Nil

Other : Nil

Dates when unavailable in next 12 months : None provided

Other Confidential Material : Nil