

OFFICIAL – SENSITIVE

WITNESS STATEMENT

Agency Ref : **S162A**  
PF Ref :

---

Surname : GIVAN Other or previous surname :

Forenames : Amanda DoB : [REDACTED]/1972 Age : 42

Occupation : Police Officer Other Occupation :

Police Station : Years Service : 22

Disclosable address :

Post Code:

This statement was taken :

Date and time : 22nd of June 2015 10.30

By : SENIOR INV JOHN MCSPORRAN  
Place : 18 Woodside Place, Glasgow - PBW Law

In the presence of : DSI BRIAN DODDS & PETER WATSON (LEGAL REP)

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 Constable with Police Scotland, seconded to the Scottish Police Federation as a full time office bearer. I am the Deputy Secretary covering the East Area Committee. In January 2015 I assumed responsibility as the conduct lead for the East area but I also have duties in respect of welfare and other matters.

About 8 o'clock on the morning of Sunday 3 May 2015 I was asleep when I received a phone call from Austin Barratt, a local Fed Rep based in Kirkcaldy. He told me that he was aware an incident had happened in Kirkcaldy and that a male was dead as a result of contact with the police. He told me that the police officers were at Kirkcaldy Police Station and he wondered what the process was for the Federation being

OFFICIAL - SENSITIVE

OFFICIAL – SENSITIVE

WITNESS STATEMENT

involved. He was a relatively new Fed Rep and he was unsure of the process for the Federation becoming involved. I actually wasn't on call that weekend and I made some calls to my colleagues in the Federation to see whether there had been any formal contact or notification to any Federation Representatives. I phoned 3 or 4 colleagues to see whether there had been any such contact, which there hadn't.

I got up, got dressed and headed along to Kirkcaldy. I decided to go as I lived about 10 minutes from the office and the on-call Fed Rep stayed in Melrose.

I provided no advice at that time to Austin, he just felt that someone should be assisting the officers.

I received no updates on-route to the office but I heard on Radio Forth that there was a police incident in Hayfield Road, Kirkcaldy.

I phoned Austin on-route to tell him I was coming out and I arrived at the office about 9 or ten past 9.

When I arrived at Kirkcaldy Police Office I went in the back door, near the canteen and the first person I saw was Austin. To be fair I think he was waiting on me arriving. He advised that he thought everyone was in the canteen, there wasn't anyone with them, by that I mean anyone from the police.

I didn't know any of the officers when I went in (to the canteen) so I introduced myself and told them who I was and I asked the officers if they knew what was happening. There were a number of police officer, about 10, in the room. Some were sitting down on couches, some were standing in the kitchen part. There were items of body armour propped up lying against the walls, it just looked like a normal canteen at piece time. At that time, from looking at the officers, they did not look particularly shocked, there was no blood or dirt or anything on the officers.

It was quite clear that none of the officers knew what was happening, they had not had an update. I left to try to find someone who I could update on my arrival and who could tell me what was going on, what was happening. I made my way to the CID offices on the first floor of the office. In one of the offices there was DI Colin Robson and another guys who introduced himself as the Detective Superintendent, Pat Campbell. They were quite clearly in the throws of trying to identify the now deceased and I was quite clearly in the way.

I introduced myself and told them I would wait with the officers involved and I asked then that the officers be updated as soon as possible. I asked them whether they were going to implement Post Incident Management procedures and one or the other said it was probably a good idea but the conversation did not go beyond this point. I gave the Det Supt a business card with my mobile number on it and returned to the canteen.

I have been asked about the fact that Austin told me that the man was dead when he phoned me at 8 o'clock and I think that the officers who had contact with the guy

OFFICIAL – SENSITIVE

WITNESS STATEMENT

thought he was dead as he was unresponsive. I can only think that this was where Austin may have got that opinion.

On my return to the canteen I updated the officers that I had asked for an update in order to inform them what was happening and that someone would come and inform them.

I was approached by Scott Maxwell, one of the officers, he's on the shift but doing Acting Sergeant duties. He's not someone I have met before but he was quite clearly taking on the role of looking out for his shift. He was the person who provided me with a brief update of the circumstances.

He told me that, calls had been received to the police about a black man with a knife, that units responded to that call. He told me that Nicole Short had been assaulted by the man, that CS had been sprayed, that he had been struck by a baton, restrained to the ground, handcuffed, leg restrained and then he had stopped breathing. CPR had been carried out until an ambulance crew arrived and took over but that he had been unresponsive. They, the officers, had all been instructed to go back to the police station and they had been there since.

I asked if everyone was OK, meaning in terms of injuries and he said Nicole was at the hospital and he didn't know how she was. Everyone else appeared to be physically OK. After that point I did not need to ask the officers about the incident as Acting PS Maxwell had given me a comprehensive briefing. I didn't ask who had used the CS Spray or used their baton as I didn't think I needed to know that information.

I asked all the officers to make a phone call home as at that time on the radio there was information a police woman had been hurt and it was to let people know they were OK.

It was then a waiting game, waiting for people to come and update them as to what was happening.

I have been asked about advice I gave to officers regarding whether they should provide statements and I have been informed that the officers recollection is that I advised them some time before the arrival of CI Conrad Trickett but my recollection is that it was sometime after the Det Supt had been to see the officers.

I told the officers that they may or may not be asked for a statement that day and that they should establish their status, either a suspect or a witness if they are a suspect they cannot be compelled to give a statement and that I would arrange to get legal advice. I perhaps went over that a number of times during the day with the officers. I have been asked whether I asked the officers of the individual role they played in the incident in order that I could give specific advice, however, I did not ask any of the officers about their individual actions and the advice I gave them was generic regarding the provision of statements.

OFFICIAL – SENSITIVE

WITNESS STATEMENT

I have been asked whether I took any notes during the course of the day. The only notes I took were brief details of the officers on a scrap of paper which I later threw away, I did not take any other notes.

About half past 10, Nicole Short arrived back at the office. She appeared dazed, white as a sheet, she wasn't with it, not all there. She was very stiff about the chest and neck. She appeared to lack focus, appeared shocked. I thought she may have been medicated at the hospital but she wasn't. When I spoke to her I gave her the same advice I gave to the other officers about status and statements. I think I had to explain this a couple of times as it wasn't registering or sinking in.

I have been asked about the fact that I appear to have given the officers legal advice and that I said I gave them legal advice. By that I meant that I had advised the officers of their status not given them specific legal advice.

During the course of the day I did not contact any Federation lawyer or seek expert legal advice.

About 11 o'clock Chief Inspector Conrad Trickett arrived at the office. By the time he arrived at the canteen, he had been away and been briefed. I did not provide him with any information. He facilitated shortly thereafter an update from the Det Super, he asked the officers if the Det Super could come and update them and by that time all of the officers were keen for information. The Chief Inspector explained to the officers his role as the Post Incident Manager, that he would balance the needs of the investigation with their needs and that everything would flow through him. He spoke to them about talking about the incident, social media, facebook and twitter and they all produced their phones and shut down their social media accounts, they appeared to grasp the importance of not commenting on the incident.

CI Trickett did advise the officers not to confer about the incident, he had a thing in front of him, a sort of aide memoire, from which he read which included the matter about conferring. He also covered welfare with the officers and the fact they had to keep matters tight within the room, among the officers.

Not long after Conrad Trickett arrived, while he was away possibly doing something, Chief Inspector Nicola Shephard, the local area commander, came into the canteen. She was asking the officers if they were OK, she said that we, meaning the police, would get statements from everyone because the family of the deceased would want to know what happened. I took exception to her approach, I thought it was inappropriate that she would assume without knowing what happened that officers would give statements and I told her that there were procedures to be gone through. At no time did I say to her or any other persons not to give a statement, other than the advice I gave to the officers.

I have been asked about any discussions with the officers about them completing notebook entries. I did not have any such discussions with the officers. I have also been asked about filling out CS or PAVA forms but the only recollection I have is that there was a mention of PAVA needing to be weighed, I do not recall a discussion about filling out forms.

OFFICIAL - SENSITIVE

OFFICIAL – SENSITIVE

WITNESS STATEMENT

I remained with the officers during the course of the day and I dealt with their welfare needs, at one point going to KFC to buy them lunch. I kept the conversation going during the course of the day, steering it away from any discussion about the incident. About 4 o'clock a decision had been taken that the officers clothing and equipment would be seized and the officers went upstairs individually to have their clothing seized.

In conclusion, I did not speak to anyone other than the cops and the people I have mentioned in this statement. If anyone is saying that it was my decision the officers should not give statements then I think this misrepresents what occurred.

Signed :

(Witness)

.....

OFFICIAL - SENSITIVE

OFFICIAL – SENSITIVE

WITNESS STATEMENT

CONFIDENTIAL MATERIAL - NOT TO BE DISCLOSED

Surname : GIVAN Forenames: Amanda  
Alias/known as :

Place of birth : [REDACTED] Age : over 18

Home address : [REDACTED] Telephone :

Post code :

Business address : [REDACTED] Telephone : [REDACTED]  
Scottish Police Federation  
Unit 9  
Houstoun Interchange Business Park  
Livingston

Post Code : EH54 5DW

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

Dates when unavailable in next 12 months :

Other Confidential Material :

OFFICIAL - SENSITIVE