

OFFICIAL/SENSITIVE

WITNESS STATEMENT

Agency Ref : **S173**
PF Ref :

Surname : FENTON Other or previous surname :

Forenames : Christopher [REDACTED] DoB : [REDACTED] 1987 Age : 27

Occupation : Psychiatric Nurse Other Occupation :

Police Station : Years Service :

Disclosable address :

Post Code:

This statement was taken :

Date and time : 17th of June 2015 10.15

By : TRAINEE INV STUART TAYLOR & INV ROSS STEWART
Place : Home Address As Known To PIRC

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 :

My name is Chris Fenton and I live at the address known to the Police Investigations & Review Commissioner (PIRC). I have been visited today by Investigators Stuart Taylor and Ross Stewart of PIRC in relation to an incident that took place on Hayfield Road in Kirkcaldy on the morning of Sunday the 3rd of May 2015. [REDACTED]
[REDACTED] I know the area well.

I am a Psychiatric Nurse and I work at Whiteman's Brae Hospital, Whiteman's Brae, Kirkcaldy. I have worked there since September 2014. I work on a shift pattern and on the 3rd May 2015 I was due to work a day shift which usually runs from 07:30 hours to 15:30 hours. From memory I think I left my home address at around 07:10 hours to drive to work. I drive a black Honda Civic, 3-door model, with registration

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██████████. A couple of weeks following this incident I bought private plates so the registration plate on the vehicle now is ██████████. The car has a tinted, privacy rear windscreen and rear windows. It also has alloy wheels and a spoiler on the rear windscreen. I was travelling alone on the day in question.

I followed my usual route which takes me past Kirkcaldy railway station and up Hendry Road where I would take a right (second exit) at the roundabout at Hendry Road's junction with Hayfield Road. I would normally then follow Hayfield Road along and then take a left onto Whiteman's Brae.

On the day in question, a few minutes into my journey, when I was passing the railway bridge on Bennochy Road, I became aware of what appeared to be a marked police car (Vauxhall Corsa) with blue flashing lights and siren activated. It crossed the roundabout at speed on the wrong side of the road, heading in the direction of Hendry Road. I then continued my journey up Hendry Road in the same direction as the police car. As I approached the roundabout at the bottom of Hendry Road at the shops, an area known as the 'Valley', I became aware of a second police car coming up behind me in my rear-view mirror. I pulled into the left to allow it space to pass me, which it did before it crossed the roundabout, on the left hand side of the road, before continuing at speed up Hendry Road heading north. It was definitely a marked police car with lights activated and siren on, possibly also a Vauxhall Corsa, although this one may have been silver in colour. I did not see who was in either of the two police vehicles as they passed me due to the speed and angle.

The two police vehicles had gone out of sight as I continued up Hendry Road travelling north in the same direction as the police cars. It was at this point that I wondered if they may have been headed towards my work, possibly for a patient absconding or something similar.

When I approached the roundabout at the junction of Hendry Road and Hayfield Road, I was met with a scene that had a number of police vehicles that had been abandoned in various positions across Hayfield Road. The closest vehicle to me was a marked police car, a Vauxhall Corsa, which was parked up with its nose in toward the kerb. It was parked at an angle and just a couple of metres into Hayfield Road, facing roughly west to east, effectively on the wrong side of the road. There was nobody within this vehicle and there was at least one door left open.

The next car I saw was another marked police car, I think another Corsa. It was on the left hand side of the road, facing west to east (the correct way). It was parked up. I cannot recall seeing anybody within this vehicle either. I'm pretty sure that I passed another two small marked police vehicles, possibly on my right hand side although I'm not sure as they were pretty scattered. The last vehicle I saw was a marked police 'transit style' van on my right hand side as I passed through the scene. It was the vehicle that was furthest away (furthest east) from the junction with Hendry Road. The police 'transit style' van was parked up facing west in the direction of the roundabout at the junction with Hendry Road.

When I first turned right at the roundabout into Hayfield Road, out of my front windscreen then driver's door window I could see a dark-skinned male wearing a light coloured white or grey t-shirt. He was lying in a prone position. I'm not sure if he

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was facing down into the ground or if his head was maybe turned slightly. The male was lying across the footpath on the south side of Hayfield Road, the side with the houses not the industrial estate. The male's head was pointed north towards the roadway and I presumed his feet were facing south towards the hedge. I could only see the male from the top of his shoulders up to the top of his head. The rest of his body was obscured by a number of police officers wearing high-viz vests. I think I maybe saw as many as six officers. I can't remember if it was a mixture of male and female officers, or how many of each. I do not think I would be able to identify any of the officers if I saw them again. I only really glanced out of the window, although probably an extended glance. I was still driving and had the various scattered police vehicles to manoeuvre past. I was probably more focused on the male than the police officers. None of these officers were standing, they were all on top of the male. It really just looked like a pile up. I can't really recall exact positions of individual officers. I couldn't really make out individual actions or movements of anyone involved. There didn't appear to be a lot of struggling going on. I would have said that the officers had gained control of this male. I assumed that he was probably a pretty big guy to have required so many officers to restrain him. I don't know how long this male had been in this position for. It looked like perhaps the officers had just very recently gained control. I regularly have to restrain patients at my work in volatile situations and have received training in this regard, namely 'Safe and Therapeutic Interventions' which includes physical restraint. In what I saw, at a glance, there was nothing that jumped out at me as being overly excessive. I didn't get a good look at the male's face so I couldn't tell you if he was conscious or unconscious. I was not in a position to see whether or not the male was handcuffed or if he had leg restraints on. I did not see any officers with batons or with CS spray canisters. I did not observe any batons or CS Spray canisters on the ground.

As I passed through the scene I then saw a male uniformed police officer standing on the footpath on the south side of Hayfield Road. He was stood next to the passenger door of the 'transit style' police van and was facing the incident. He was probably six foot or more, average build and maybe in his forties. He was white, had no obvious facial hair, and had a police hat on. He didn't have glasses on. His demeanour seemed quite relaxed. He just seemed to be watching. I was not really aware of anybody else, pedestrians or cars, passing through the scene at the same time as me. I do not recall seeing anyone who looked like plainclothes police officers either. Once I had passed the police transit van on the right hand side I just continued on with my journey to work.

I did not see any knife at the scene or in anyone's possession. I could not identify the male who was being restrained.

I can confirm that this is a true and accurate account.

Signed : (Witness)

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CONFIDENTIAL MATERIAL - NOT TO BE DISCLOSED

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

Place of birth : [REDACTED] Age : over 18

Home address : [REDACTED] Telephone : [REDACTED]

Post code : [REDACTED]

Business address : Telephone :

Post Code :

Mobile :
Email :
Fax/Pager :
Other :

Dates when unavailable in next 12 months :

Other Confidential Material :