

WITNESS STATEMENT

Agency Ref : **S188**
PF Ref :

Surname : GOOD Other or previous surname :

Forenames : Kayleigh DoB : [REDACTED]/1990 Age : 25

Occupation : Police Officer Other Occupation :

Police Station : Years Service : 5 months

Disclosable address :

Post Code:

This statement was taken :

Date and time : 4th of June 2015 12.00

By : INV MAURICE RHODES
Place : Scottish Police College, Tulliallan

In the presence of : INV KAREEN PATTENDEN

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 employed as a Police Constable with Police Scotland (Police Service of Scotland).

Today (4 June 2015), by arrangement, I have been visited at the Scottish Police College, Tulliallan Castle, by investigators Maurice Rhodes and Kareen Pattenden of the Police Investigations and Review Commissioner's office (PIRC), Hamilton, who have explained their role to me and gave me a PIRC leaflet entitled 'a guide for the police and staff on the role of the Police Investigations and Review Commissioner.'

I can confirm that I received the same leaflet from Inspector Seath at Kirkcaldy Police Office yesterday (Wednesday 3rd June 2015). Inspector Seath has been my police contact/liaison during this incident.

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Prior to yesterday I don't recall having been given one of these leaflets or having been sent an email with an electronic copy of this leaflet attached, but I can't really be sure.

I currently have about 5 months Police Service. I officially joined Police Scotland on 5 January 2015. Prior to that I was [REDACTED]. During that period I joined as a Special Constable with the Legacy Fire Constabulary, that was in March 2012. Whilst a Special Constable I worked normally in Levenmouth area of Fife, which is about 10 minutes away from Kirkcaldy. The way it worked is I would phone in and ask if I could attend and work with the shift that was on. I would work every couple of months mainly on the weekends. In the main I would be utilised on Response Policing.

After I joined the regular Police Force in January I attended the Police College Tulliallan until March where I completed my basic training. I was then posted to Kirkcaldy Police Office and my first shift was 6 April 2015.

I was allocated the shoulder number P0203 but that shows on my epaulettes as just P203. My Police Scotland registration number is [REDACTED], but I also have a unique number on SCOPE, the police personnel system, which is PSI [REDACTED] (Police Scotland Identification). As stated, I am currently stationed at Kirkcaldy Police Office and my current duties are response policing.

I can confirm that I am fully trained in OST (Officer Safety Training) which includes the use of my police baton, handcuffs and CS spray. I am also trained in PAVA spray, but CS and PAVA are one in the same as far as training goes. I am also trained in the use of leg restraints.

Investigator Rhodes has shown me

Production No OST Scope Record of PC203
Kayleigh Good, P Division, Police
Service of Scotland

which is a true reflection of the training I have received with Police Scotland to date. This is an individual Staff Training Report and it indicates that I passed OST - Officer Safety Training (initial) at the Scottish Police College Tulliallan on a course dated from 2nd February 2015 to 6th February 2015. Basically a week's duration of OST training. However, this record does not show my SPELS training, which I believe stands for Scottish Police Emergency Life Saving. This includes training in First Aid, CPR and includes chest compressions and recovery position. That was a one day training session during my basic training at Tulliallan, and the next day we got assessed on it. I can't recall what date that training took place on. I have signed a Documentary Production (backing sheet) attached to this document.

I would describe myself as 25 years of age, 5'3" in height, slim build. I have blonde hair, but my natural hair color is mousy brown and I have overall blonde tints throughout. I would describe the style as center parting, straight and chest length. However when I am at work I always have my hair tied up in a bun. I have not

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changed my appearance since Sunday 3 May 2015. I am white skinned but I do use a sunbed and have a general look of being tanned on a permanent basis.

On Sunday 3rd May 2015, I was rostered to be on duty at Kirkcaldy Police Office between 0700hrs and 1600hrs, which is a dayshift tour of duty. This was the second day of a spell of six. I am attached to team in response policing. I have a permanent tutor for the first 3 months of my service who was Police Constable Alan Smith who's shoulder number is P1035. Alan has about 10 years Police Service, I think.

I arrived at Kirkcaldy Police Office at about 0620 hours that morning. I parked in the rear car park and entered the office via the rear door which takes you up past the CID offices. I went to the female locker room where I got changed into my police uniform. We are not allowed to travel to or from our work in uniform due to the current terrorist threat level.

At that time I got changed into my 'blacks', so my black police issue trousers and my black police issue t-shirt, which has 'Police Scotland' embost on the sleeves. My own personal back boots as we do not get issued with them. I also put on my body armour which is a sleeveless type vest in black, but over this there is a Hi Viz (Yellow) cover which is detachable. I also have a black coloured Police Issue Fleece, but I don't think I put it on that day. I then placed my utility belt on, which sits at my waist and clips at the front. At that time I had the following in my utility belt, all of which are Police Issues. My baton is a small extendable baton which is black in colour. It has a sort of mushroom style and at the handle (trundle stop) and extends out with a black plastic 'tip' at the end. I don't know if it has a serial number, nobody has ever pointed that out to me. Also my handcuffs which are ridged type. Silver with a black handle. Again I was unaware that they have a serial number, I couldn't tell you this. A holder for my CS/PAVA canister which is a plastic tube into which the CS/PAVA canister sits, but at that point I did not have my CS canister in it, as these are issued on a daily basis from our airwave lockers. Airwave is our personal Police Issue Radios. However I had not been issued with an airwave locker at that time so I was storing both my airwave terminal and my CS canister in my tutor constable Alan Smith's locker (airwave locker). Also my leg restraints, which are folded up in a black pouch. The leg restraints (two) themselves are Hi Viz (yellow) colour and are velcro type material. There are designed to easily wrap around the leg area and fasten themselves, via the velcro material. I have pouch which I have hand gel in.

I also have a Police Force notebook which I have in my body armour pouch when I am on duty. Overnight I store it in my airwaves locker. Again this was, at that time, in Alan Smith's locker.

I then left the locker room and headed to the briefing room, which was next to the Response Sergeants room on the second floor (1 level up from ground). I logged myself onto my police computer and brought up the Power Point for the e-briefing, which is a log of ongoing intelligence and information for the Fife Division of Police Scotland, which is known as P (PAPA) Division. There is also a sub section for the Kirkcaldy area. This is my daily routine. I come in at least half an hour before everyone to get set up and look through the e-brief. This was about 0645hrs. I was already aware that I would be working with my tutor constable that day, Alan Smith. I knew that I would be told at the briefing what my duties would be.

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Once I had read through the e-briefing, I waited for everyone else to arrive. Soon after that the other officers on my Team began to arrive, this included Alan Smith who brought me my CS canister, my airwave radio and my police notebook. I did not have to log these out at any time, as in, I did not need to sign for them or sign them out. I don't know if Alan signed for them, but I'm positive he didn't have too.

On that morning, the following officers appeared for briefing: PC Alan Paton, PC Craig Walker, PC Daniel Gibson, PC Ashley Tomlinson, PC James McDonough, PC Nicole Short and PC 1035 Alan Smith. Alan Smith is the only officer who I know the shoulder number of, because he is my tutor constable.

I would describe PC Alan Paton as about early 40's in age, over 6', possibly 6'2", stocky build, brown short hair and white skinned. No facial hair or distinguishing marks.

I would describe PC Craig Walker as mid 30's, 5'11" approximately, perhaps taller, large build, he's broad and a big guy, short black hair, which is greying all over and white skinned. Again, no facial hair or distinguishing marks.

I would describe PC David Gibson as 26 years of age, 5'9" or 5'10", slim build, short brown hair which is gelled to be spikey on top. He is white skinned, no facial hair and no distinguishing features / marks.

I would describe Ashley Tomlinson as about 23 years of age, about 5'11" tall, quite a muscly build as he works out, short brown hair - spikey on top, he may gel it to get it spikey. He is white skinned, no facial hair, but he wears glasses all the time. They are thin rectangular frame shape, with a black frame. He has no distinguishing marks.

I would describe PC James Donough as 22 years of age, 5'7" approximately, slim build, short black hair, slightly long on the top. He is white skinned, no facial hair, but sometimes has stubble and no distinguishing marks.

I would describe PC Nicole Short as 28 years of age, but she looks much younger ie in her early 20's, very petite in build, she's only like 5'2" in height and she has hair which is brown / black in colour with really tight curls and chest length. I only really see her with her hair tied up in a bun, and that is how she generally has it at all times. She's white skinned and quite freckly, but no other distinguishing marks.

I would describe PC Alan Smith as 38 years of age, 5'10" in height, medium build and no head hair, he is completely bald. I think he is naturally bald and he shaves any hair that comes through at the side. He is white skinned and has a chin beard, commonly known as a 'goatie' style beard, which is dark brown in colour. Other than that he has no other distinguishing marks or features.

There was also another PC at the briefing room that morning. I don't know his name, but he was [REDACTED] at Kirkcaldy that morning to carry out constant observation on a custody. As such, he had come along to the briefing

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room prior to that. He was not involved in any operational response policing and did not leave the station that day, as far as I am aware.

About 0700 hrs, same morning, acting Police Sergeant Scott Maxwell came to the briefing room. Scott does acting sergeant on many occasions. His substantive rank is Constable and he is part of our team on Team 4 at Kirkcaldy. So when he is not required to do Sergeant duties, he works on our team as a PC.

I would describe Scott Maxwell as mid 30's in age, about 6' in height, medium / large build with short brown hair with a short flat top. It looks squared off at the top. He's white skinned, no facial hair and no distinguishing marks. On May 3 2015 he was working in his capacity as an Acting Sergeant.

I don't recall if the Inspector was at the briefing that morning. His name is Inspector Stephen Kay. I think he was an acting inspector at that time, but he is not with us anymore. I think he has moved somewhere else.

I would describe Inspector Kay as mid 40's to late 40's, 5'9" in height, stocky build with short shaven brown hair, balding at the top. He's white skinned, no facial hair and tattoos on his arms but I could not describe them. I think the tattoos were on both arms.

As I say, I don't recall if he was at the briefing that morning.

Sergeant Maxwell thereafter went through the Sergeants log, which is a paper equivalent of the e-brief, but there was no particular info that stood out. It would include Missing Persons, Domestic Violence and Sudden Deaths for the previous 24 hour period.

He then detailed all our duties for that day. This included 3 Response Units, PR41A, B and C, and a Diary car call sign PM641. The purpose of the Diary car is to attend pre-arranged appointments with members of the public from previous days, as the last 24 hours. That day PC's Paton and Walker were detailed PR41A, me and PC Alan Smith were detailed PR41B and PC's Short and Tomlinson were PR41C. PC's McDonough and Gibson were detailed the Diary car.

In addition, Alan Smith and I were detailed to report write for the first four hours of the morning because we had urgent reports that were required for the Monday morning.

We, Alan and I, having been detailed the call sign PR41B, would automatically then use the vehicle allocated to that call sign, which was a Police Van. I don't remember the Make, Model or Registration Mark. I am not a Police driver so I don't really pay attention to that. It is a cell van and a marked Police Vehicle but I can't say any more than that.

The briefing itself lasted until about 0715 hours at which point I went to the writing room where all the computers were, this is basically through a corridor in a separate area of the office. I cannot remember if any other officers was there, but Alan Smith was definitely not there. He had headed to the cleaners cupboard to wash cups.

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I was in the process of logging onto a computer, at about 0720hours or there about. It must have been pretty close to that when I heard a call broadcast over my radio. It was a Controller, male voice, at Bilston Glen Control Room in Edinburgh. The broadcast was to "41C", PC's Short and Tomlinson, and read, "There is a male with a knife at Hayfield Road, Kirkcaldy" or words to that effect. The controller stated that it was from members of the public after PC's Short and Tomlinson had responded that they would attend. The Controller then passed a description of the suspect with the knife which I recall was 'a black male, muscly, 10" blade'. The controller described the male's clothing but I'm not sure what he stated. I seem to remember he said jeans and a top of some description, but I'm not sure.

I then heard Sergeant Maxwell broadcast on the radio that he wanted all units to attend the call. I don't recall what his reason was for that. To let you understand, I was still learning how to use the airwave radio at that time, and learning how to listen to the format of the broadcasts, so I missed some of the details of the call. Sergeant Maxwell also made a request to the control room to ensure they were arranging an ARV, armed response vehicle and also a dog unit to attend the call. I think this was because there was a knife involved, and I think this is part of the protocol.

At that point I headed out of the report writing room to find my colleague Alan Smith. At that time, I was relaxed and I have never dealt with such an incident before. Almost immediately, I found Alan at the cleaners room and I said to him, "Did you hear that call?" He had not heard it because his earpiece was out. I told him of the nature of the call and his demeanour changed into a kind of panic / response mode. We immediately grabbed our hats and headed out the back door of the office into the car park.

I remember the diary car, PC's McDonough and Gibson were leaving the office at the same time as us. I believe that PC's Short and Tomlinson had already left the car park, it must have been minutes before us, it wasn't long.

Alan was driving our police van and as we left the car park we turned right onto the main road. PCs McDonough and Gibson turned left, the idea being that we arrived on Hayfield Road from different sides. Hayfield Road is a very long road and at that time exactly we were unsure where the male was actually positioned.

[REDACTED] I am well aware of this area, [REDACTED]. I am aware that Hayfield Road is the main road that leads to Victoria Hospital, however it is a long road, hence Alan had a quick word with the other unit regarding travel directions. I was aware that because the call was a grade 1 call, which is a get there as fast as possible basically, It would only take us a couple of minutes to arrive. As I say, Alan was driving and we had our blue lights and sirens on. We headed right to the end of the road and took a right turn, heading in the general direction of the hospital which I know as the area of Chinatown. This is what it was known as when I was young, I don't actually know the names of the roads we used even although I know the area itself well.

On route to the locus, we were receiving constant updates, in fact as we left the office Alan Smith asked the control room to repeat the description of the male as he

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had not originally heard the content of the broadcast. These further updates that were passed were further confirmation that the male who was black was walking on the roadway itself on Hayfield Road, and was still in possession of a knife, but they may have stated blade. This broadcast was being put being put out over [REDACTED] which is the Kirkcaldy channel.

I can also confirm that the direction that we were approaching the incident from was from Victoria Hospital itself, so we would be approaching on Hayfield Road travelling West. I don't recall any specific updates, prior to arrival at locus, or any other update, which pin pointed the males exact location, but in fairness my adrenaline was running at that point.

As we reached the Victoria Hospital, or just before, I became aware of an emergency activation of someone's airwave radio. The airwave radio itself has a 'RED' coloured emergency button situated on the top part of the radio. I am aware that if an officer activated /pushes this button it overrides every other radio on the system, blocks out transmission from other radios, and gives an open transmission to that radio only for a period of 10 seconds, I think that is how long it gives. During that time everything said or noises made near that particular radio will be broadcast.

I don't know exactly who had activated their emergency button but I could hear Nicole's voice. My terminal would have shown who had activated the emergency button, but because of where it was fixed on my body armour I am unable to see the display. I heard Nicole shout "PC Short" but I could not hear her say anything else. I could hear noises in the background but I could not determine what they were. It was a windy day, which could have been some of the noises itself. The broadcast was not particularly clear and seemed to be coming and going.

At that point my immediate thought was that PC Nicole Short had potentially been stabbed. It is rare that an emergency button is pressed, so when they are pressed you take it seriously, and because of the nature of this call, I made the conclusion that she may have been stabbed. I was also thinking at that point of the Lee Rigby incident in London, mainly due to the fact of the coloured male and the potential terrorist connotations. In addition, I recall that there were many emotions going through my mind and I reminded myself of the briefing of when I first started at the turn of the year, where intelligence had been received by the police that there would be a potential attack on female police officer. I was actually shaking physically, it was uncontrollable. You don't really get training to deal with this sort of incident. It was fair to say that I was panicking at that point and was fearful for my own safety.

We arrived on Hayfield Road and started to head West. Alan (Smith) was driving as fast as he could at this point and we still had our blue lights and sirens in operation. At some point along Hayfield Road I again became aware that there was a second emergency button activation. Again I can't say for sure who activated their airwave set. I then heard what I believe was a male officer saying "officer injured" or something along those lines. I seem to remember that I actual may have cursed at this point, it was literally terrifying. Alan and I did not speak to be honest, he was obviously concentrating on driving at top speed.

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Approaching westwards from the east side of Hayfield Road I saw at least one Police Vehicle in the distance with its blue lights on. I don't recall exactly what the weather was like that day, it's a month since this happened and I have forgotten the small details. I do recall later in the incident that it was raining and windy, but at our time of arrival, I did not take this in. The Police Vehicle I saw, I believe was sitting at the roundabout with Hendry Road, near to Gallachers Pub. I remember seeing the 'fish van' which is what I refer to one of the other small police vans, but I don't know the make or model. The vehicle situated at the roundabout was a Vauxhall Astra. I believe it was PC's McDonough & Gibson, the diary vehicle who left the office at the same time as us. They had just arrived before us. The 'fish van' was as I say there as well but I don't remember where, just that it was there. I believe that it was PC's short and Tomlinson who had been allocated this vehicle. It was already there and parked up when we arrived.

There was a row of privately parked vehicles along the left hand side of Hayfield Road (South Pavement) as we arrives which were obscuring my view to the left side of the street.

About 30 metres before we came to a stop I saw PC Nicole Short staggering in the right hand side pavement (North Pavement). She was holding her side, it was her right side, and I immediately thought that she had been stabbed. She was alone at that time and I could see no other police officer present at the scene at that point.

My whole focus was on Nicole at that time. So as we came to a halt we were literally right as Nicole's position, effectively at the wrong side of the road adjacent to the north foot path. As we got out of the vehicle I remember Alan shout to me, "You look after Nicole." Alan thereafter ran diagonally straight across Hayfield Road towards the south, left hand side footpath. I couldn't see over the cars at the South side of the street, so I couldn't see why Alan was running in that direction.

I made my way around the front bonnet of our vehicle and ran to Nicole, I immediately asked her if she was okay and what had happened. I asked her if she needed an ambulance. I recall my legs were like jelly and I was having difficulty standing myself.

At first Nicole could not speak to me, she was clearly struggling for breath and it appeared to me as if she had been wounded. She was hyperventilating and could not get her words out. I asked her, "Have you been hurt, have you been hurt, have you been stabbed". She caught breath at that point and said, "I'm fine". She was crying and hysterical and she was holding tightly on to me. She said something about having been hit, as if assaulted, but I don't recall exactly what.

I was with Nicole for about a few minutes, probably about two minutes, during which time we had started to walk along the footpath / pavement, heading west on the North footpath. During this two minutes, there were constant radio transmissions, but I was not paying attention to them. I don't even recall us saying we were at locus. At no time throughout this incident did I actually use my radio. I was still new to the job, so normally Alan would do all of our transmissions. To be honest, due to the circumstances and Nicole's condition, I would not have thought of using the radio.

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As we walked on the pavement I became aware of several officers diagonally across Hayfield Road on the South pavement. I could clearly see a black male lying on the pavement, face down. His chest was on the ground but his head was up off the ground and turned to the right towards Gallachers Pub. His feet were closest to me and his head was furthest away, facing south. At that point his arms and legs were still flying (kicking out, arms flaying) and he was trying to force himself up using his arms like a 'press up' type movement. At that time I saw several officers trying to restrain him, by pushing him to the ground. Alan Paton was at the male's head and I think he was trying to restrain the male with a baton. There is a technique where you place there baton through between a person's arms and his body, which takes the persons arm behind their back, with the baton extended. I don't remember what arm PC Paton was using for this technique but I do remember that the male, who I now know as Sheku Bayoh, but I refer to his as Shek, was so muscular that this technique was not working properly, and he, Shek, was preventing its correct application by forcing his arm against it. I saw Craig Walker lying across the top of Sheku's back , towards the upper half, in an effort to stop him forcing himself to his feet. This was effectively to assist in pushing him to the ground. Craig only had the top half of his own body over Shek. I could see Alan Smith was at Shek's feet and he was trying to stop Shek kicking out. I don't recall if Alan was using his knees or his hand / arms to achieve this. James McDonough was kneeling next to Shek's left side and was getting his leg restraints out of their holder on his utility belt.

At this time I left Nicole standing on the north foot path and I immediately ran across the road to assist my colleagues. I went to Shek's left hand side first, and then I went round his head to his right hand side where Ashley Tomlinson was kneeling down next to Shek. I actually think he had one knee on Shek's leg, again attempting to pin it down.

Shek was still violently struggling at this time. There was lots of shouting but to be honest it was a bit of a blur and I don't know who was shouting, It was happening in seconds / minutes but it was just a flash.

So when James got his leg fast straps out he attempted to apply them to Shek's legs, just below the knee cap, but due to Shek struggling, violently, James was struggling to get the straps under his legs. Ashley and James were trying to feed the straps under his legs, but they were not able to do this. As I have smaller hands and arms I got down on my knees and pulled the straps through under Shek's legs and then Alan Smith fastened them at the top side of his legs, effectively at the back of Shek's legs, who was still chest down.

As soon as Alan Smith got the straps applied, I think it was Alan Paton who said "Right, roll him onto his side," which is what every officer did. Shek was rolled up onto his left hand side. I don't think that he was handcuffed at this time, in fact I don't remember seeing his hands as I was at the side of his legs.

When we rolled him onto his side I noticed that Shek had stopped struggling, and I could see his face then. I noticed that his eyes were shut at that time, but I could see no marks or blood on him, or his face. I think he was wearing a t-shirt, but I don't recall the colour. I could see that the t-shirt was a tight fit as I could see the definition of his muscle through it, particularly at the back, and in particular his shoulder

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muscles, he was massive and is the biggest male that I have seen. He was also wearing jeans which were pulled down from his waist, and I could see his boxer shorts underneath. His jeans were definitely darker in colour from his t-shirt which was light in colour.

At that point I saw Alan Paton pat him on the cheek with his hand. I thought that Shek was faking it, as in he was faking that he was unconscious, as it is not unusual for people to do that when they are being arrested. In addition, it would be normal to check someone who you had just restrained. I specifically recall Alan Paton stating that he, Shek, was breathing.

As the situation was now a bit more under control, I was able to take in more of what was happening around me. At no point did I actually see any sign of a knife or other weapon, either on Shek's possession or on the ground anywhere about me. In fact, I have never seen any knife relative to this incident or any other weapon. I don't particularly find this strange, because we were not first at the scene, and I don't know what recurred prior to our arrival. When we arrived I assume that he had already been restrained or that the process was already in progress.

Shortly after Alan Paton was checking Shek for his breathing I became aware that two CID officers had arrived at the scene. I only know one of them as Detective Sergeant Sammy Davidson (Samantha), a female officer. She was accompanied by a male detective but don't know who he was, I also remember seeing Sergeant Scott Maxwell had arrived, but I cannot say when or the exact point at when he had arrived

I would also like to say at this point that I only ever saw one police baton being used at the locus, which I have described previously being used by Constable Alan Paton to attempt to restrain Shek's arm. I saw no other Police Batons or indeed handcuffs being used. I did not use or utilise any of my PPE (Personal Protective Equipment) at any time. I also do not recall any CS spray or PAVA spray being discharged by anyone at the locus. I don't recall smelling the smell of CS spray or PAVA, or being effected by the effects of either of these sprays. At no time did I communicate with Shek and at no time did he communicate with me. In fact, I don't remember Shek communicating with anyone.

The only other vehicle, at that time, Police Vehicles, that arrived was the unmarked Vauxhall Corsa that the two CID officers arrived in. I don't recall how Sergeant Maxwell got there, whether or not it was by Police Vehicle.

As soon as Detective Sergeant Samantha Davidson arrived, or as soon as I recall seeing her, which might have been later, she instructed / ordered me to take up a traffic point at Hayfield Road at the roundabout junction with Hendry Road, just adjacent to Gallachers Pub. She further instructed me to place Police barrier tape across the width of Hayfield Road. She didn't explain why and I didn't ask her. I had already taken up my point prior to her running over to me again and giving me the instruction regarding the barrier tape. The time between these instructions was only a couple of minutes.

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When I left the areas of restraint of Shek Bayoh he was still on his side, he was still breathing and there was no sign of him being in distress. His eyes were still closed, but as far as I am aware he was still breathing.

It took me a couple of minutes to try and find police barrier tape, but I did not find any. Within a couple of minutes, while I continue with points duty PC Mark Hay appeared with tape. PC Mark Hay is a Glenrothes Officer and again I am not aware when he arrived or how he arrived. He was in uniform and he assisted me to put up the barrier tape across the road, using a tree, I think, and a lamp post.

I would describe PC Mark Hay as being in his early 40's, about 5'10" in height, muscular build, stocky, with a completely bald head. He does, however, have a jet black full beard. He's white skinned, but quite tanned, and I recall he had tattoos on his arms. I don't know if PC Hay had a neighbour (colleague) with him that day. I don't know his call sign or shoulder number. Mark has a habit of appearing at many Kirkcaldy calls in general.

When I took up point duty, for the initial five minutes or so I was facing out towards the traffic, towards Gallachers pub, ie I was facing west.

For that five minutes or so I was concentrating on making sure that no vehicles would turn into the houses. I was asked to start a log or a paper record. I remember hearing radio traffic, but I did not hear a call asking for an ambulance to attend. I did subsequently hear a transmission that an ambulance had been sent to the wrong locus. In fact, I think this was at a time when someone had asked for an update on the ambulance position.

By this time, or just after I had taken up my point, I could no longer see Shek or the officers restraining him. This was because from my position on the point, the view was completely obstructed by the position of the other police cars and vans.

Before the ambulance arrived, which took a good five or ten minutes, I was aware that it was coming for Shek. I don't know why, but I assumed it was because of a radio broadcast. Also before the ambulance arrived I became aware of the male CID officer, who I cannot describe, walk towards a grassed area at the north side of Hayfield Road, near to its junction with Hendry Road. This is a grassed area that starts at the kerbside of the north pavement and runs north to an area where there is a diagonal path that runs through some tree and bushed round basically cuts the corner of Hendry Road and Hayfield Road. I noted that the CID officer had a production bag in his hands and was wearing blue latex glove. I believe that he may have been looking for the knife, but I cannot be sure. I did not see him recover or seize anything and as I have said previously I never saw any knife. I remember someone speaking about a knife and that, "It may be over in the grass" but I don't really remember who said that or when.

When I was standing at my point, and before the ambulance arrived, I remember Nicole Short being placed in a CID vehicle. I think it was a Corsa, it was unmarked and silver. It was parked further down the road near to where mine and Alan's police van was parked. But I don't remember it leaving.

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Sometime after that the ambulance arrived. As I say from the moment I went on my point I could not see Shek or the restraining officers again. In fact I did not see Shek again ever. I do not know what was happening at all during that period. I may have heard on the radio that he had stopped breathing, but I cannot be positive of exactly what I heard.

After that I remember a point when I saw Alan Smith run to the driver's side of the ambulance and get into the driver's seat. I found this strange and wondered what he was doing. A short time later someone moved the barrier tape, it was not me, and I saw Alan Smith drive the ambulance West onto Hendry Road. When he drove Smith was out of my sight line. I assumed that that was Shek being removed to hospital. The barrier tape was removed and I remained on point duty.

I next remember inspector Stephen Kay approaching me at the junction on foot. Again I don't know when he had arrived or how. He instructed me to continue points duty until I was relieved by someone from Dunfermline.

He told me to put on a hat and my yellow jacket, even although I had my HI V12 Vest on. I think it may have been because it was then raining and windy and I was shivering. He asked if I was okay, but did not ask me anything about what had happened. I didn't find it strange that he did not ask me about the incident, I just thought it would not have been an appropriate time to discuss it. I told him I was fine and that I was not injured at all.

All of the other uniformed officers then left the locus very shortly after this, leaving only myself and James at the other point, although I did not realise he was still there as I could not see him. Even the CID officers left the locus and the last uniformed officer to leave was the inspector.

I remained as instructed at this point until I was stood down and relieved by another uniformed officer. This was about 40 minutes after everyone else had left. I don't recall the exact time.

James McDonough thereafter drove us back to the office, Kirkcaldy, in the marked Vauxhall Astra Police Car. At no time did I go to the hospital that morning, or indeed that day, there was no need for me to go to the hospital. I do remember, prior to leaving the locus, PC Daniel Gibson contacting me via radio to find out where Alan Smith and I were. I told him Alan had driven the ambulance away and I was still at the locus. He was obviously back at the station and wondered where we were.

James and I travelled straight back to Kirkcaldy Police Office. I don't remember the time, if I was to guess I would say about half past eight, but that would be a total guess.

We both went straight to the canteen. We had been told to do this by Sergeant Maxwell at the locus just before the others left the scene. When we arrived in the canteen the following officers were already there: PC Alan Paton, PC Craig Walker, PC Ashley Tomlinson, PC Daniel Gibson, however Sergeant Scott Maxwell was in the Sergeants room and PC Nicole Short was still at the Victoria hospital.

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When we arrived PC Alan Smith immediately said to James and I that he thought we were going to be put back out on patrol, response to cover the calls, as Sergeant Maxwell did not think that we had had much involvement in the incident. Alan Smith and Daniel Gibson then went with me and James to the Sergeants room, where they spoke with Sgt Maxwell and said, "You can't send them (James and I) back out" and put the point across to the sergeant that we were not in the right frame of mind to be sent back out. I think I said to Scott Maxwell that I did not want to go back out on patrol. I don't recall giving him a reason, but he immediately changed his mind and intimated to me clearly that we, James and I, did not need to go back on patrol.

All four of us then went back to the canteen where we discussed the incident, obviously I would be lying if I said we did not discuss it. I don't recall who said what but I do recall certain things about the incident being discussed. I think someone said Shek had chased Nicole down the street and stamped on her. I think I was told he, Shek, had punched Nicole. I don't recall who said this or why Nicole was singled out. As far as I am aware there was no discussion about who done what. I don't recall any mention of a knife. I can't remember, I don't think so. I don't recall asking anyone else about who did what. I also remember someone saying there would be an investigation and they explained why that was. I assumed that this was because CPR had been carried out on him, only because I saw Alan driving the ambulance, and that would only be because the paramedics were working on him, both of them. I automatically assumed that this would be CPR as I recall hearing about him stopping breathing over the radio at the scene. However, I never actually saw the ambulance crew / paramedics at any time.

Shortly after that a female came to the canteen. I recognised her from a lecture she had given at Tulliallan. She introduced herself as Amanda Givan and informed us that she was a Federation Representative. She immediately told us that we could not discuss the circumstances of the incident and gave us an overview of her role. To be honest, I don't recall exactly what she said. We saw so many people that day that everyone has sort of blended into one. Amanda Givan remained with us for the rest of the day, only leaving to get us something to eat. She probably explained to us why we had to remain at the office, but to be honest, it was a bit of a blur. It was information overload for me, as I am new to the job and I was in a bit of shock.

Later a Chief Inspector came to see us, I think his name was Trickett (PIM). He basically followed a firearms type briefing form format. I don't recall him asking us anything. He did not ask me, or any of us for our versions of events or what had happened. He informed us that the PIRC would be carrying out an investigation. That was the first time I had heard of PIRC, and he explained to us who the PIRC were. He explained that PIRC were independent of the Police and lead investigations in relation to complaints. I don't recall being told that a complaint had been made. I think it was because a knife had been involved which is effectively a firearms incident. He did not explain what investigations the PIRC took on.

About that same time, in the morning, an inspector, or I think he was an inspector, in fact I don't recall if he was an inspector came to the canteen and informed us that, "The male had passed away". I took it quite clearly that Shek had died. I was

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immediately taken aback and shocked by this. I honestly don't remember if this was before, during or after Chief Inspector Trickett.

There was a woman Chief Inspector in uniform who came and spoke with us but I don't recall what she said or when she came. I don't recall anyone from CID coming to speak to us, or anyone from the Senior Management, but to be honest I would not have known them anyway.

I seem to remember Amanda Givan giving us advice, but I do not wish to discuss what was advised. I have not been instructed or advised to say this, it is purely what I wish to say.

We all remained in the canteen thereafter until about 1600 hrs that day. However, at about 1500 hrs that day someone, I don't recall who, came to the canteen and informed us that the Police Uniforms were to be seized as productions. It was explained that anyone with direct contact with the male had to have their uniforms taken, but I don't remember the specific explanation.

About 1630hours, that day, the female Chief inspector and another female uniformed officer came to the canteen and took me to an upstairs office. Sorry, I forgot to say that I had already went to my locker and picked up my own clothes with PC Nicole Short, who had returned from the hospital by this point. This was after we had been told that Shek had passed away, but before lunch. When Nicole came back from the Hospital, which was about lunch time she got very upset and she said to everyone in the group, "Thanks, if it wasn't for you I would be dead." She showed me bruises to her knees, both knees and pointed to her neck on her right side which I could see was red.

Getting back to before, I was taken to a room upstairs. I took my own clothes with me in a rucksack. I was taken there alone, and I went first out of the whole group.

Within the room, I stood on a brown sheet of paper which was explained was for cross contamination purposes and the two female officers were in paper suits. I was asked to remove my boots, trousers, t-shirt, body armour, utility belt including my baton, handcuffs and CS spray, and hand them over one by one. Each was sealed in a separate production bad and moved to one side. One piece at a time. I was able to replace my uniform with my own clothes. I asked her if she wanted my radio but she said no, so I retained it. I had already removed and stored my notebook prior to going to the room.

After this I was told to return downstairs into the canteen with the other officers that were involved in the incident. However, they had to come and get me to sign the production labels.

I was then take to see a doctor, I don't know if it was a police doctor, but it was within the police office. It was a female doctor who examined me for any physical injuries. She told me that she was just looking for physical injuries and was not trained in mental health issues, ie stress.

That took about 5-10 minutes and she found nothing.

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CONFIDENTIAL MATERIAL - NOT TO BE DISCLOSED

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Dates when unavailable in next 12 months :

From Date : [REDACTED]

Other Confidential Material :