



**The Sheku Bayoh Public Inquiry  
Witness Statement**

**Ashley Wyse**

**Taken by** [REDACTED]

**By MS Teams**


**On 22 February and 8 March 2022**

1. My name is Ashley Wyse. I was born in 1985. My contact details are known to the Inquiry. My address as at 3 May 2015 was [REDACTED] Hayfield Road, Kirkcaldy. I work as a [REDACTED] My eyesight is fine and I had no concerns about my sight back in 2015.
2. [REDACTED] Hayfield Road was a 3 bedroomed flat. It was an upper flat in a four in a block property. There were two windows to the front of the property and these windows looked out onto Hayfield Road. My bedroom was to the front of the house. My bedroom window was the window on the left hand side of the flat as you face out to Hayfield Road.
3. I am asked about an incident in 2015. I remember it was 3 May 2015. The night before I was out with friends for drinks in Kirkcaldy. It had been my 30th birthday a couple of weeks before and so I was having a get together with my [REDACTED]

Signed..... [REDACTED] .....


friends. I'd had a few drinks and I was merry but I wasn't drunk. It was a nice night. I came home round about the back of two in the morning. My friend, Hazel Sinclair, was staying with me that night. She was sleeping in a bedroom at the back of the house. I think maybe we had some food on the way home. I then went straight get to bed. There was no one else in the house that night.

4. I woke up to a lot of noise in the morning and flashing lights. It was early morning. I think it was the back of 7 and it was light outside. I had venetian blinds in my room and I slept with them partially open: they were half tilted so you could see out, but nobody could see in. It was the flashing lights that woke me. I looked out the window. Because I was on the upper floor, you could literally see the whole area outside the window. There was a garden to the front of the house. There was a hedge and a gate that separated the garden from the pavement. The pavement ran alongside Hayfield Road. On the other side of Hayfield Road was a pavement and a grassy area.
5. I seen police cars, and then I seen a couple of police officers across on the other side of the road on the big grassy part. There was a man on the ground surrounded by police. While there was a hedge there, I had a clear view of the police officers and the man. When I say he – I didn't know the man then. I now know it was Sheku Bayoh. I could hear the noise of shouting, it was muffled through the window. The window was closed. It was more the muffle of noise that you heard. So I could hear shouting but couldn't make out what was being said. And then I literally ran and got Hazel.
6. Hazel was still sleeping when I went through to the back bedroom. I shook her on the shoulder and said "Oh, God, come and see what's happening out here". She followed me into my bedroom and we looked out of the window. I could still hear muffled noise and shouting. The man was on the ground with police officers around him. It was possibly 3 or 4 officers. I don't remember what the police officers looked like or whether they were in uniform. I do

Signed..........

remember there was a lady walking about in a suit, I think it was grey. She looked smart compared to the rest of them, and I thought she was the one that was in charge. I think there was batons lying on the ground. I think a police officer picked one up and put in their pocket.

7. I could see what the police officers were doing. I wasn't sure why the man was on the ground but it seemed that the man was getting arrested for something. I had seen that they were restraining him, and taping his legs and I thought the man must have been kicking off. I couldn't see the man moving. I could only see the police officers around him. I could see the yellow tape on the man's legs. The man was lying on his back – I could tell because I could see his feet pointing up. I couldn't see the man's face. You couldn't really see very much of the man you could just see the man's knees and his legs. This was because the police officers were around him. But that's the best I can remember. I couldn't describe the man on the ground.
8. The police officers were kneeling beside the man, they were down beside him. I'm asked if any of them were lying on the man. I can't be sure about the position of the police officers and whether any of them were lying or leaning on the man. One of the officers was quite alert, and seemed to realise the man wasn't breathing. I'm sure he'd checked his pulse, and then he done CPR. I don't remember what that police officer looked like who did the CPR but I remember the guy that did it got a glass of water to rinse his mouth out. He got the glass of water from my downstairs neighbour, Kevin Nelson. Kevin lived in the flat directly under mine.
9. I don't know how long the CPR was ongoing. I always think those things seem to go on forever. It's hard to say how long it lasted. The officers didn't stop, they kept going with the CPR and then an ambulance arrived. The ambulance crew came over to the man. And then they brought a stretcher

Signed..........

and took him into the ambulance. I don't remember seeing anything else in relation to the paramedics.

10. I remember a little bit in relation to recording the incident on my phone. It was just basically a video of what I woke up to that morning. I do remember taking the video but I don't know why I done it. I don't remember whether I took the video before I got Hazel or after. But once the police interviewed me, they took my phone away, I didn't have a copy of the recording. I had no mobile phone and then PIRC told me to phone O2 and I got another phone. So, I still don't have my own phone back. I don't know when I'll ever get it back.

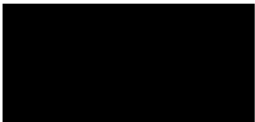
11. There was quite a few police vehicles there. I think there was three police cars and one undercover car; it didn't have any markings on it. I think there was one vehicle at the bottom, one across the road, and I think there was one in the middle near the unmarked one.

12. I'm asked about the statement I gave to PIRC on 5 May 2015<sup>1</sup>. In this statement, at page 1, I described getting home about 3am and going to bed about 330am. That sounds right. I'm told that my statement says, at page 2, that when I woke that morning and looked out the window *"I could hear shouting and a disturbance outside. It was right outside my room window. When I looked out of my window, I could see lots of police officers running about. I think there was about ten to fifteen. There was lots of police vehicles: a grey one, a van, one at an angle at the tree, and the blue lights on the vehicles were on."* It sounds right to me. I accept that is correct if that's what I told PIRC at the time.

13. I'm told my statement goes on to say, at page 2, *"I looked to the right along Hayfield Road to where the police vehicles were. The lights were on. I thought it might have been something happening in the park opposite. There*

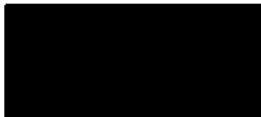
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<sup>1</sup> PIRC-00043

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*have been problems there in the past, and I looked across there at first to see what was happening, and there was nothing happening there. I then looked along the other way along Hayfield Road towards the roundabout to the left, down from my window. I saw a black man in the street. He was nearly down on the ground. He was surrounded by police officers. There was at least six police officers surrounding him. I saw the police all over him. What I mean is that they were holding him on the ground."* That is right. The roundabout I'm talking about is the roundabout at the end of Hayfield Road where it joins with Hendry Road. The police officers were holding him to restrain him and putting the tape on him. I don't remember what I meant by saying "he was nearly to the ground" but it would have been what I told PIRC at the time. I got asked this question about a million times, "Was he up? Was he down?" And, I think he must've been nearly down meaning as in they were at the point of getting him down on the ground and that's when all the police officers went on him.

14. I'm told my statement continues, at page 2, *"What it looked like to me was that I saw a police officer striking the man on his legs to get him down. I am not sure whether he was completely lying on the ground or was going down at that point. There was at least six police officers lying on top of him. They were crossing over him from both sides. They pretty much covered his whole body. It was only when they moved that I could see his arm and definitely knew it was a black man. It looked like one officer was using a baton to hold the man down. It was on his upper chest towards his throat. When the man was on the ground with the police officers on top of him, I could see him struggling with them. I saw them put some sort of yellow tape around his feet and legs over the ankle..."* If I said to that at the time, then it will be true. But I don't remember that now. It's seven years ago, the main thing that I remember now is him on the ground with the yellow tape on his legs and then getting resuscitated. I remember the batons on the floor but I don't remember seeing them used.

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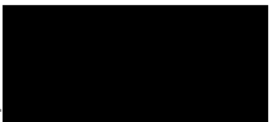
15. I understand my statement then goes on to say at page 2, *"When the man was on the ground, I heard him screaming. It was a horrible sound, it sent chills through me. I heard the man shout to the police to get off him. They never moved from him at that point. I think the black man was on his back when lying on the ground. I'm not sure if he was moved whilst on the ground. I saw him lying on the ground. I could see that his wrists were restrained. His hands and arms were in front of him, and the police officers were still lying on top of him."* I can't remember this now. There was lots and lots of shouting. But I remember more muffles. It's more muffled sounds that I've got in my head. What's in my memory is the police officers were restraining him and trying to get the tape on his legs. But if my statement says that then I must have told PIRC that at the time. I just don't remember now. It's so long ago.

16. I'm asked about a statement I gave to the Crown Office and Procurator Fiscal Service (COPFS) on 4 October 2016<sup>2</sup>. In my statement, at page 3, I speak about *"The police officers holding the man, Sheku, down and lying on him so he couldn't move. There was one at the top, one at the side and one at his feet. There were a lot of police officers around him. I might be wrong in saying six, but there was a few. Sheku or Shek was putting up a fight. I could hear mumbling and shouting, but I couldn't hear what was being said because my window was closed."* I just remember there was a lot of noise, but I don't remember that. I just remember everybody was shouting at each other. I remember muffled, muffling noises. The window was shut. I don't remember the police officers lying on Sheku now. I just remember them being around him. As I've said before, what comes into my head now is I remember the tape round his feet, him lying on the ground and then the police officers round him.

17. I'm told that my police statement from 3 May 2015 says at page 2 *"The man kept making roaring noises and shouted something similar to, 'get off me'"*.

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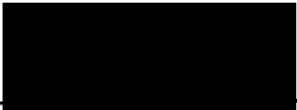
<sup>2</sup> COPFS-00047

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I'm also reminded that I said in my PIRC statement of 5 May at page 2, *"I heard the man shout to the police to get off him."* I'm asked what version of events is more accurate. I'm aware the COPFS statement was given 18 months or so after it happened. I'm assuming the statement given closest to the time when it happened would be the most accurate, which would be the PIRC and Police statements. If my Police Statement and PIRC statement say that, then I must have said that at the time and that must be what happened. But as I say, I don't remember that now. I just remember of lots of muffling and lots of activity and noise. My memory would be clearer when I first gave a statement, but at the same time it all happened so fast.

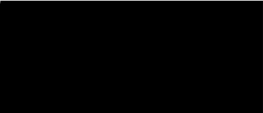
18. My PIRC statement from 5 May then continues at pages 2 and 3: *"There then seemed to be a pause, a break. The man had been quiet for a little while. In this period, the police officers appeared to be speaking with him. I could not hear any of his responses but it appeared the police officers were having a conversation with him. I think the police officers were lying on top of him a long time. I think it was at least five minutes they were lying on top of him, it may have been about ten minutes. This includes the time when he was being taped to his legs. At all times he was surrounded by police officers. There were at least six police officers around him at all times."* I don't remember the police officers having a conversation with the man. I also don't remember the police officers lying on him now. I just remember the police officers around him, restraining him and putting the tape on. I remember him getting restrained, and the officers were holding him down. Again, if I told PIRC that back then then I accept it must be right.

19. I understand my statement then says at page 3, *"At one point, they all got off him and moved back but there was still a number of officers holding him. They never let him go. I could see the man was wearing a white t-shirt, dark trousers, or jeans. It appeared to me that he had stopped communicating with the police officers. I am not sure if he had passed out at that point. I then*

Signed..........

*saw one of the officers, after a good few minutes, go down with his face. He placed what appeared his cheek against the man's face to feel or listen for his breathing. The police officers then checked for a pulse. I think it was in his arms. It was all happening so fast. I could see some of the police officers checking for a pulse, and there appeared to be panic among them at that point." Again, I accept this will be right as it's what I told PIRC at the time. I couldn't tell you what the man was wearing now. I remember the officer who did the CPR leaning down as if he was checking the man's airway to see if he was breathing. I remember this officer checking for a pulse, and then he couldn't find one, and then he started to resuscitate. I remember the panic - that's the bit that sticks in my head. I can't remember why I thought there was panic. I just knew something wasn't right. At point he then got a glass of water and rinsed his mouth out with the water.*

20. *I'm told this statement goes on to say at page 3 and 4 "Some of the officers moved back. They were the ones at his feet but had moved away from his feet about a foot and a half away. I could see officers start to do CPR on him. Initially it was one officer, and he was relieved by another. I counted the first officer do 15 pressings down on his chest. He done it for quite a long time before the other officer took over. I also seen them do mouth-to-mouth as well. This continued right up until the ambulance arrived. It seemed like it went on for 10 minutes before the ambulance arrived. One of the police officers took a drink of water off Kevin, one of my neighbours. I remember one of the officers who was doing the chest compressions had a bald head. He was the one who took the glass of water. When the ambulance crew appeared, it did not seem as if they were in any great rush. They all appeared quite slow in doing things. They did do a bit of CPR, but it did not seem like they were normal. I think it may have been about 10 minutes after the ambulance arrived before it left the street." I remember the officers taking turns doing the CPR. It rings a bell that one of those officers had a bald head. The CPR did seem to go on for a long time and then the ambulance arrived.*


Signed..........



But those are the bits that stick in my head the most, that's all the memory I've got now. If my statement says that then that will be right.

21. I'm told my statement then says at page 4 *"I saw the man being placed on an ambulance stretcher by the ambulance crew and the police. It was a stretcher on wheels. The ambulance crew did not appear to hurry. The police let the ambulance crew do their job. They continued with CPR until the ambulance crew took over from this. I thought the man was dead when I saw him lying on the ground. No police officer went in the ambulance with the man. That confirmed to me that the man was dead because there was no officers with him in the ambulance. His feet and hands were still tied as he was put into the ambulance, I could see into the back of the ambulance where it was parked. They had not put a cover over him. They then shut the door so I could not see anything else. I knew myself that he was gone. The ambulance was facing the roundabout. The ambulance then left with the man in it."* Some of this I remember. I didn't know if the man was dead or not but I thought at that time that he looked like he was dead. I now know that the man wasn't dead as he died in hospital. Obviously what I've said in my statement is what I remembered at the time. I don't know if police officers are meant to go with a witness in the back of an ambulance or if they follow in the car. But I remember the man going in the ambulance, and then that's when I knew something serious had happened.

22. I'm told my statement also says, at page 4, that *"I saw them pick up a clear plastic bag from the pavement on the other side of the road. There was a female officer with grey trousers on. She appeared quite high up. She was not a uniformed officer, but she had a stab vest on. She appeared more in charge than anyone else there at that point. Other police officers arrived with different hats. They had white on the skip of their hats. The officer in grey trousers appeared to pick up the police batons from the ground. She picked them up and took them away. I was more watching the road being taped off*

Signed..........

*with police tape, and I knew at that point that it was major. I remember using my mobile phone, a Samsung Galaxy S5 to video on the phone the bits of what happened outside. To start off with, I thought it was just a loud drunk who'd been trying to get home and had been watching the boxing at five o'clock in the morning. In my mind I thought they were being really rough with this guy. I did not know what had happened before this. I mean it was the way they pounced on the guy. I felt that they were very close to him, that he had no space."*

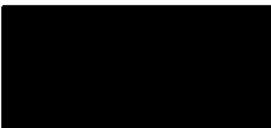
23. That seems right. Although I don't remember all of that now. This female officer in the suit is the one that I mentioned before. The boxing was on at five o'clock in the morning. It meant that this must have happened about seven or eight o'clock. I'm asked what I meant by the police being "really rough" with him and him having "no space". That's obviously what I said at the time to PIRC. I just remember the police officers all around him. But I don't know how to arrest somebody. I don't know how you restrain somebody. So, I guess that you are maybe a bit rougher when you're having to restrain somebody.

24. I have viewed four photographs or still images of the restraint which I'm told were taken by me on 3 May 2015. I recognise all these images as being taken by me on my phone of the view from my bedroom window out to Hayfield Road on the morning of 3 May. The first image<sup>3</sup> is quite small. I can see part of the hedge between my garden and the pavement at Hayfield Road. I can make out 4 police officers but other than that I can't make out what it is. The second image<sup>4</sup> is larger. I see lots of police officers standing around something although from the photo I can't see what it is. I also see a person standing that looks like the lady police officer I've described that was smartly dressed. In the third image<sup>5</sup> I can see a police van and police car and

3. PIRC-04249

4. PIRC-04247

5. PIRC-04248

Signed..........

I can see the police officers have moved position from the last photo. There's a man in civilian clothing – but I don't remember him. None of these photos jog any particular memory. I mainly remember the police officers being on the ground. The fourth image<sup>6</sup> is more like what I remember now. Just in the sense of the police officers being round the man.

25. I've been shown four videos clips which I'm told were taken by me on 3 May 2015. I recognise all these videos as being taken by me on my phone of the view from my bedroom window out to Hayfield Road on the morning of 3 May 2015. The first video<sup>7</sup> you can see the window blinds in front of me and a hedge. It looks like police officers round the legs of a person. The video moves round and you can see a small police van, a second van parked in a layby and a third police van. The second video<sup>8</sup> is similar but there's more police vehicles and police officers and you can hear me speaking. The third video<sup>9</sup> the van that was in the layby has moved and the police are still round the man on the pavement. What is in this third video is largely how I remember what I saw that morning. I'm unsure of the order of these three videos in terms of what was happening. The videos don't jog any further memories of that day. The fourth video<sup>10</sup> is after the ambulance had left and the tape was put up. This is when I thought, "Right, something's happened," because the whole place has been taped off and no-one was getting in or out. I remember later the whole place got searched, but I don't know if it was the same day or if it was later on, I think they were looking for something at that point, they were searching everyone's garden and along the street.

26. I'm asked about when I was visited by a member of Sheku's family. I think it was his brother. He was very pleasant. He wasn't aggressive. But he was asking me questions. I can't remember what they were but, he was just going

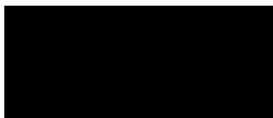
**6. PIRC-03450**

<sup>7</sup> PIRC 03371

<sup>8</sup> PIRC 03370

<sup>9</sup> PIRC 03369

<sup>10</sup> PIRC 03368

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around things of, "My family and I are looking for answers". That's what made me twig that it was his brother or a cousin or something because he was black. By that point I knew that it was a black man that had passed away. And that's when I just got to the point and said enough was enough. You were trying to live your life and people was coming to the door asking you questions and I don't have the answers. It's all the other people that it affects as well, like [REDACTED] seeing someone coming to my door and [REDACTED] wondering what it's all about.

27. I'm told in the statement I gave to PIRC on 25 August 2015<sup>11</sup> that I said of the man who came to my door, at page 2, that *"He didn't introduce himself... but I just assumed that he was Sheku's brother. He continued by talking about his mother and that they were 'looking for answers'. He stated that they had been given 'five different stories' or 'five different states of events' and he told me that the police stated that Sheku had been carrying a knife, when he wasn't. He was calm with me, not aggressive, and I did not feel threatened by him, but I did feel that he was 'putting me on the spot'. This made me feel uncomfortable because I didn't know what to say to him and didn't want to lie to him."* Yes that's all correct. And what I mean by saying "uncomfortable", was because they're looking for answers that I don't have. I felt I can't keep going to my door and not knowing who was going to be there. Often the door had chapped but I didn't answer it because I had to go down a flight of stairs. However, this time obviously I did.

28. I don't remember anyone from Sheku's family making a second visit to my house. However, I'm told this statement goes on, at page 3, to say that on another occasion *"I heard a knock at the door and I looked out the window into the street to see if I could see anyone's car. I was not expecting anyone to be calling, so I ignored the door and it's not uncommon for me to do that if I don't know who's there. I continued to look out the window and saw a black*

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<sup>11</sup> PIRC 00045

Signed.....[REDACTED].....

*male walking away from the house. Again, the male was very smartly dressed and I got the impression it was the same male that had been at the door a fortnight previously. He began to lean over the hedge and I wondered what he was doing and as such I didn't pay attention to his description. I immediately felt intimidated and felt that I was having to hide behind my own curtains. I came away from the window and didn't go back. Later on that night, about a quarter-to-eight, I went to my door to give access to my male friend and saw a leaflet lying on the floor inside the door. On lifting the leaflet, I could see it had a picture of Sheku Bayoh on it and that it had the title, 'Justice for Sheku Bayoh Campaign'. Below the title and picture there was a paragraph of events which was typed and below that a framed box in which there was written in pen, 'Hi, the family have seen footage/still photos of a video that was handed to the police/PIRC. Can you talk to us about the family about what you saw?' [...] I thought immediately the hand written note was specifically a reference to my footage and that information and footage had been given out by Police Scotland or PIRC without them telling me they were doing it. I felt betrayed by this information being exposed and I felt that I should have been made aware so you would have been more prepared. I felt this was a personal threat [...] and I panicked that they may be watching my house. I was scared"*

29. I don't remember all of this although it make sense with what I can remember. I was fed up and I'd had enough, I felt I shouldn't have to be peeking out my window to see who's at the door; it was constant. I wouldn't be able to tell you who it all was because I rarely answered the door. I knew that a lot of it was the press. I thought I shouldn't have to feel like I'm walking on eggshells in my own home. At that point it was more of a "I have to think of [REDACTED] here," and I needed to be able to walk out my door and know there's not going to be constantly people at it. I think at that point a lot of my neighbours felt the same.

Signed.....[REDACTED].....

30. I'm asked if I had heard anything in the media that made me think negatively about Sheku Bayoh or his family or anything that would make me feel afraid or threatened. No, I don't think so. I can't remember anything if there was. But I didn't know the family either. I felt pressured and intimidated by all the coming and going I've described. It just became too much particularly because I was on my own and I was just trying to protect [REDACTED] [REDACTED] was my priority.

31. I'm asked about a statement I gave to the COPFS on 4 October 2016<sup>12</sup>. In that statement I'm told I say, at page 1, that *"There was some other people came to my home. I can't remember who they were. But I said enough was enough by that stage. There was also a lot of press going about at the time."* I think it was mainly people coming to my door. Also, people would be sitting waiting in cars outside so they had been clocking who you were and looking. You would be going out the house and there would be people sitting in cars, wanting to speak to people who lived nearby. [REDACTED]

[REDACTED] So that was why I said "Enough is enough". I still had to live a life. As much as I felt really sorry for the family. I'm sure there was letters or other things that got posted through the door also. I'd just had enough, I couldn't deal with this anymore, I needed to back away.

32. I'm asked if I've been following reports in relation to the investigation in the media whether social media or the news or television. I've seen a few things on the telly but I've not really been following it. Every so often you'd hear on the radio or something and your ears pick up but I don't really tune into it as such.

33. I'm asked if I've spoken to any other witnesses in this case. I'm aware of Kevin and Hazel, that I've mentioned. We did discuss it in the very beginning.

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<sup>12</sup> COPFS-00047

Signed.....[REDACTED].....

34. But later it wasn't a conversation that you bring up. I've not seen Kevin or Hazel in a long time, so I've not actually had the chance to speak to them. But, no, I haven't spoken to them.

35. I feel that my memory of the incident is good in places and other parts are hard to remember. My memory of the event would have been better at the time of giving the statements to the Police and PIRC. The statement given to the Police and PIRC would have been truthful and to the best of my memory at that time. I think that my statements were read out to me but I'm not 100 per cent sure. Looking back, maybe the words that are used would not be what I would choose. I'm not saying that they're wrong, I'm just saying that it wouldn't be how I would phrase it. If there is any difference between what I have said now and my earlier statement to the Police or PIRC, those earlier statements should be preferred

36. 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.

Signed.....

A black rectangular box redacting the signature of the witness.

..... Date.....

May 29, 2022 | 11:15 PM BST