

WITNESS STATEMENT

Agency Ref : **S014**
PF Ref :

Surname : DICK Other or previous surname :

Forenames : Martyn [REDACTED] DoB : / / Age : 29

Occupation : [REDACTED] Other Occupation :

Police Station : Years Service :

Disclosable address :

Post Code:

This statement was taken :

Date and time : 3rd of May 2015 13.45

By : DC 5177 FORBES & DC 11100 O'NEILL
Place : KIRKCALDY POLICE STATION

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 Martyn DICK. I am 29 years old and I live at the address given to police with my partner Kirsty MCLEOD. I have stayed here for nearly seven years. [REDACTED]

Today two police officers (DC FORBES and DC O'NEILL) came to my address. I agreed to come to Kirkcaldy Police Station and gave a statement about last night.

Yesterday, Saturday 2nd May 2015 I was working [REDACTED] I started work at ½ 8 (20:30 hrs) I finished [REDACTED] about ¼ past 1 (01:15 hrs) then went to [REDACTED] Kirkcaldy. I would have got there about ½ 1 or 25 to 2 (01:30-01:35 hrs 3/5/15). I worked there until 20 past 3 approximately (03:20 hrs). I then

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went to Asda, Mitchelson Industrial Estate, Kirkcaldy. I was working with [REDACTED] [REDACTED] [REDACTED] in Cowdenbeath, we both went to Kirkcaldy together. I drove back from Cowdenbeath. I drove the transit van used by the company, [REDACTED] [REDACTED] I think that's the registration. It's a white transit van.

I used the van to go from work to Asda. I was by myself at this point. I got milk, toilet rolls, cigarettes and a couple of ready meals, then went directly to my home address.

About 4 o'clock (1600 hrs) on Saturday 2nd I had phoned my friend Zahid SAEED to arrange to come to my home and watch the boxing on Sky. It was the Mayweather-Pacquiao boxing match.

Zahid had said that he was going to Shek's house later and asked if they could both come up. I said ok. Shek's full name is Sheku BAYOH. I have known Shek for about 9 years. I would describe him as a friend. I first met him through a mutual friend and we later became friends. I would say we were really close in 2010 to 2013, but after that I saw him less. This was due to my work commitments and both of us spending more time with our girlfriends.

I know Zahid through Shek. It would be about the end of 2012 or early 2013 that I got to know him, I would say I have known him for about 2½ years.

I would describe him as a friend. We keep in touch on the phone maybe a couple of times a month, but I don't see him as much as I used to. This is because of work commitments. I still class them both as close friends.

About 9 o'clock (21:00 hrs) on Saturday I text Zahid "PHONE U IN A BIT". And "YOU CAN COME UP FOR THE FIGHT LATER LIKE". Zahid replied "COOL NO WORRIES. I'M AT SHIEKS SO JUST GIMMIE A SHOUT WHEN U DONE". I replied "WILL DO MATE". He replied "U SURE IT'S COOL THAT WE COME UP? IF NOT LET ME KNOW SO WE CAN BOOK IT AT SHIEKS. IT'S ONLY US 2". I replied "OF COURSE MAN BUT I WON'T BE GETTING ON IT, JUST HAVING A SMOKE". I sent that at 2.27am (0227 hours).

At 03:29 hrs Zahid replied "THAT OK".

At 03:44 Zahid text "YOU HOME?"

At 03.55 Zahid text "DUDE WE ON OUR WAY UP. U WANT US OVER?"

At 03:56 I replied "JUST HOME.... WAS GONNA SAY AM FEELIN A BIT SHITTY AND TIRED". Then at 0357 I text "BUT I'M NO SAYING NOT TO COME UP, JUST HAD A LONG DAY. WILL BE FINE WHEN I HAVE CHILLED OUT A BIT LOL".

Zahid replied at 0400 hrs "DUDE WE WAS ON OUR WAY UP. WISH YOU TOLD US EARLIER. WE WOULD OFF BOOKED THE FIGHT AT SHIEKS. DUDE" I replied at 0400hrs "NO COME UP AM SAYING".

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Zahid replied at 0401 hrs "ALRIGHT COOL. SEE U IN 5. DON'T WORRY WE WILL LEAVE AFTER THE FIGHT".

I get back into the house from Asda about 10 to 4 (03:50 hrs) it was just Kirsty in the house when I got back. Kirsty was up when I got in. I had let her know that I had made plans for the fight and that I was also having second thoughts about them coming. As Zahid had told me he was on the way I just decided to go ahead I would have felt bad if I cancelled.

Zahid and Shek arrived about 5 past 4 (04:05hrs).

It was just the two of them. Zahid had driven up to [REDACTED]. He has a white Seat, I think it's a Toledo, like a private hire type car but it's not a taxi.

They were both fine when they came in. They were both in a good mood. I had ordered the boxing match, it was pay per view. I think it started at 4, no I had paused it. At first all four of us were in the kitchen then Shek and Kirsty went through to the living room. Zahid was very chatty and was telling me about his recent problems and things like that. I was becoming restless and wanted to get through to watch the boxing. I think Zahid could tell this as [REDACTED]

Zahid never told me if Shek had taken anything but I just assumed he had. I knew Shek has taken ecstasy before. I thought that he would have taken ecstasy or MDMA on the weekend. I would have assumed that this would have just been recreational one but after what happened that was what has messed with Shek's head.

Zahid continued talking about his relationship and his problems. Shek came back into the kitchen at one point and refilled his drink and went to go back through, but Zahid said "JUST STAY". Shek said something like 'I thought you were having a one to one'. I had felt awkward being in the kitchen for so long with Zahid. I hadn't seen Shek for a while and I wanted to get through and watch the fight.

Shek was drinking something called 'ParrotBay'. I think it's a ***** like Pimms. He was drinking it with Pomegranate juice. I hadn't seen Zahid drink anything, not even water. I was drinking water and Kirsty just had water sharing with me I think.

[REDACTED] We don't really drink anymore. Shek had brought the bottle himself. To my knowledge he only had two drinks out the bottle. He went back to the kitchen later on but I think he just drank water then. One of them must have taken it away as Zahid had the bottle later on when I picked him up.

At this point the four of us were in the living room watching the fight.

In the living room we have a 3 seater settee which faces the T.V. Me and Kirsty were sitting on this at opposite ends leaving the middle seat free. To the left of the couch there is a single chair where Shek was sitting. A little bit further round to the

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left was another single chair where Zahid was sitting. To the right of the settee in the front window and the front door I was sitting at the end of the settee in front to the front door. The fight was playing on the TV. I wasn't watching the fight just the build up. It was on in the background.

There were criss-cross conversations going on. I was talking to Shek and Kirsty was talking to Zahid.

I thought it was really incoherent but funny having these criss-cross conversations, [REDACTED] I brought I up as no-one else seemed to realise. I do feel that this was starting to mess with Shek's head. I was laughing and he didn't seem to find the situation funny. I think we were on two different mental wave lengths. At some point Zahid came and sat in between me and Kirsty. I think this was to get a better view of the TV as the chair he was in was to the side of the TV. [REDACTED] he was happy and chatty.

Zahid was telling us about his [REDACTED] apprenticeship and how [REDACTED] [REDACTED] s. Shek was joining in the conversation and the things he was saying just fell in with the conversation. He was chipping in with stuff about himself; as if he thought the comments about the con man were about him although it was clear the comments were about Zahid's boss.

There was a further conversation about one of Kirsty's pals being a right mare when she was drunk at our home recently. This was a bit of a laugh and it was obvious we were talking about this gal and using her name, but again Shek seemed to think we were talking about him.

At first he was making me laugh that he was not understanding the conversation, but as it went on Shek's behaviour changed as the atmosphere became more nervous. Both Kirsty and I became quieter and at some point Zahid went back to the other chair and was trying to reassure Shek.

This went on for a while as Shek came out with random things. He said at one point he was a laughing stock. It was obvious that Shek was in a different place in his head. We were all trying to reassure him, and Zahid gently shook his head at me, which I assumed meant he had seen this behaviour before. Zahid was trying to say normal things but the conversation was too jarring.

By the time the fight came on I was feeling very awkward and didn't want to say anything as Shek was taking everything the wrong way. It was unpredictable how he was going to take anything. Shek didn't seem himself, but I didn't expect any violence from him. At one point Shek said he was going to leave and although I didn't say anything I thought this was a good idea.

Zahid was trying to talk calmly to Shek and was referring to an incident at someones home where a similar thing had happened.

Zahid was not getting anywhere with Shek so they decided to go. They both got up to leave together, but Zahid held back for maybe two minutes to apologise to us

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about what had happened. He gave me a hug and whispered to me something like 'this has happened too often'. Zahid then left.

Zahid came to my back door a couple of minutes later and said that he couldn't find Shek. The arrangement was that Zahid was going to [REDACTED] them down the road, but in the time Zahid stayed to apologise, Shek had wandered off. It was either at this time or before Zahid left the flat there, I can't remember exactly Zahid said to us that this had happened 4 or 5 times before. I said "HAS IT BEEN AS BAD AS THIS?" and Zahid said "THIS WAS NOTHING". Zahid [REDACTED] down to Sheks home, and phoned to say that Shek wasn't home. I told Zahid that Shek would walk a different way and I told Zahid to go to the top of the road. At that point Zahid said he had sight of Shek and went off the phone.

Kirsty and I went to bed and were discussing the little things that had happened to make Shek so paranoid. I checked my phone before this as it's always on silent, and I had a couple of missed calls from Zahid. I have checked my phone and there are two missed calls timed at 06:37 hrs. There was a text from Zahid at 06:38hrs "I NEED YOUR HELP" then another one at 06:46 hrs "SHEK HAS JHUST ATTACKED ME" and checked my phone about 06:45 hrs and sent a text "WHATS WRONG". This was about the same time as the one about being attacked. Zahid replied "CALL ME PLEASE" at 06:47.

I called Zahid and he sounded like he was outside and was breathing heavily. He said "SHEKS ATTACKED ME". He sounded panicked and shocked. I said I would come [REDACTED]. He told me where he was and I got him. He was not far down the road. I [REDACTED] took him to his car. Zahid was parked outside Sheks house. Zahid was fearful that Shek was going to be waiting for him and would attack him again. [REDACTED]. [REDACTED]. The car was ok and I did not see Shek. I assumed he had gone back in the house as it was really cold and raining at this point.

Zahid got his [REDACTED] and we [REDACTED] up a bit from Sheks house and stopped so we could speak. At this point Zahid told me that he gone to Sheks house and was speaking to Shek, who seemed to understand. Then Shek said you are trying to control me Zahid and he went more down the paranoid route. Zahid told me he just saw Sheks eyes switch at which Zahid said I better be heading. Zahid told me Shek said "YOU BETTER BE FUCKING HEADING". Zahid has gone to leave and Shek has attacked him.

From what I gathered Zahid ran out the back way from Shek's house Zahid said where Shek has caught up with him and was punching him. Zahid was trying to protect himself and Shek moved Zahid's hands away and was punching him in the head. All this was so shocking to me as Zahid is Shek's closest friend and I have never seen Shek hit anyone. This however is totally out of character. This behaviour is obviously because of the drugs, but it is very worrying as it is on a different level.

I didn't see any obvious injuries to Zahid's head. He did say that his head was sore. He asked me for some headache tablets and I gave him 2 Nurofen. Zahid wasn't sure whether to take them [REDACTED] and put them in his pocket.

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Zahid had come back to my house and this is where he explained everything to me.

I was really worried about Shek but didn't want to phone in case it made things worse so I text him "CAN YOU LET ME KNOW YOU'RE OK PLEASE?" this was at 07:31 hours.

Kirsty was upstairs and I went to ask her opinion about Zahid letting Shek's partner Collette BELL know about what had happened. Collette was at her mums and would have their young son with her as things had become so unreliable and we were worried about anything happening to her.

Zahid sent Collette a message asking her to phone when she got the message. She phoned Zahid shortly after that. When she phoned I went upstairs to let Zahid have a private conversation and explain what had happened.

When Zahid got off the phone I asked him what had happened. He said that he kept it brief and had only told Collette about Shek attacking him and being paranoid.

Zahid suggested that Collette should go home about lunch time assuming that Shek would go to bed and wake up alright. Zahid left a short time after that.

I went back to bed and went to sleep eventually. I got up not long before the police came to the house. At this time I know I had a text from Zahid at 08:32 hours "COLLETTE JUST CALLED SAYING HE'S NOT HOME. HE'S WRECKED THE HOUSE". I replied at 12:48 hours "WHAT'S GOING ON? AM JUST UP, HAS SHEK APPEARED YET?". Zahid replied at 12:58 hours "THE POLICE HAVE JUST PICKED ME UP. THEY ON THERE WAY TO YOURS. I DON'T KNOW WHAT'S GOING ON".

The police arrived at my house a short time later.

My house is an end terraced two bed roomed house. There is a front and back garden and a wooden fence round it. When you come in the front door there is a small porch then a door into the living room. The kitchen is off the living room. The stairs are in the living room. As you go up the stairs front left is the spare bedroom, then the bathroom, on the right hand side is our bedroom.

When Zahid and Shek were in the house I was wearing my work clothes. I had on my black suit trousers and a thermal t-shirt, white. I had been wearing this at work but had taken that off. I have left the suit trousers and the t-shirt on the bed in our bedroom.

DC FORBES has checked the time on my phone and it is accurate.

I have provided a DNA sample to police.

LABEL No. EVIDENTIAL DNA MOUTH SWABS MD1 + MD2 (MARTYN DICK)

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and would describe Shek as black, about 5 foot 10, 31 years old I think. He is a muscular build, he goes to the gym. He has a shaved head. I would guess he weighs about 12½ stone. He doesn't have any tattoos and I can't think of any distinguishing marks or scars. He is usually clean shaven, and doesn't wear glasses. Last night he had light blue trainers on, I can't remember anything else he was wearing. I can't remember the make, all I remember is they were sky blue.

I would describe Zahid as Asian, Pakistani, tall about 6 foot 3, skinny build, black hair short back and sides, thicker but still short on top. He usually has central stubble quite thick. He doesn't wear glasses. I can't think of him having any marks, scars or tattoos. Zahid was mostly in black. He had black trainers and a black jacket. I can't remember what his t-shirt was like. I think he had on black trousers or jeans.

When I said about the bottle I seen it later in Zahid's car he didn't have it with him.

During the statement I showed the texts on my phone to police.

I would like to add that Zahid is 31 years old.

This statement has been read back to me and I agree it is a true and accurate account.

I have handed my mobile phone to police and have signed a label accordingly.

Signed :

(Witness)

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CONFIDENTIAL MATERIAL - NOT TO BE DISCLOSED

Surname : DICK Forenames: Martyn [REDACTED]
Alias/known as :

Place of birth : Age : over 18

Telephone :
Home address : Dick/MacLeod home address [REDACTED]

Post code :

Telephone :
Business address :

Post Code :

Mobile :
Email :
Fax/Pager :
Other :

Dates when unavailable in next 12 months :

Other Confidential Material :