

WITNESS STATEMENT

Agency Ref :
PF Ref : **S026B**

Surname : MACLEOD Other or previous surname :

Forenames : Kirsty DoB : [REDACTED]/1988 Age : 26

Occupation : [REDACTED] Other Occupation :

Police Station : Years Service :

Disclosable address :

Post Code:

This statement was taken :

Date and time : 8th of July 2015 14.20

By : DSI KEITH HARROWER
Place : Home Address

In the presence of : Investigator McAuley

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 Kirtsy MacLeod and I live with my partner Martyn Dick at the address I have given. I have previously been interviewed by both the Police and the Police Investigations & Review Commissioner about the death of Sheku Bayoh, and provided statements. I have been asked by DSI Keith Harrower of PIRC to provide a further statement about some issues.

I had known "Shek" for about 3 ½ years before he died. I knew he took drugs and as I said he also took steroids when he was training. He used to train with my partner, Martyn, and they both took steroids as a "helping hand" in their training so their muscles were a bit more defined. I knew he smoked cannabis but it seemed to me it was only occasional when he was out or round at our house. I probably only saw him

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once every 5 or 6 weeks on average, or maybe every couple of months. I probably didn't really know what his habits or his drug use really was.

I know he did take ecstasy or MDMA occasionally. I remember the first time I saw him take it was about 2 years ago round at my house. We were going for a night out to Dunfermline and we all met there for a drink before we went. Martyn was there along with Jim Hume and some others, who I had met for the first time. They were Martyn's friends.

[REDACTED]

I have no idea where Shek got his drugs from. I wouldn't ask him, as the less I know the better.

I have been asked if I have ever heard of a drug called Alpha PVP. I haven't heard of this. I don't know what it is. I have heard of the expression "bath salts" from the news. This was being taken by people in America and it was making them go crazy and act like cannibals. But I think this stuff was real bath salts they were taking, not a drug.

I have been asked again about the morning at my house when I last saw Shek. As I said, I had never seen Shek act like that before. I had never seen him be aggressive, disrespectful or raise his voice the way he did. He definitely seemed to be confused and have difficulty hearing or understanding what was going on. I definitely did not see Shek or Zahid taking any drugs that morning.

Later that day I got a visit from the police (3 May 2015). I'm sure it was about 1.07 pm and I had just got up out my bed. Martyn was also in the house at that time. Martyn answered the door and let the officers in. There were two uniform policemen and about 6-8 plain clothes officers wearing suits. Initially I was in the kitchen and then I came into the living room where Martyn was talking to the police.

There was on CID officer who was doing most of the talking. He was aged early 30s, with short dark hair, wearing a suit. I don't remember anything more about him. He said there had been a serious incident with Shek and asked me if I had been in the house the night before when he had been there. They didn't say what the incident was or what had happened to Shek. I don't think I asked what had happened until later on the way to the police station.

The CID officer said, "We need your house", and they wanted us to go down to the police station at Kirkcaldy to talk to them. At that point I agreed to go to the police station and we were asked to hand over a set of keys for the house. The CID didn't ask permission to do anything but neither Martyn or me really challenged them about it. We just did what they asked us to do. They did not explain why they were taking

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control of our house or what they were going to do with it. Again, neither Martyn or me asked them any of these questions either.

At this time I was still wearing the clothes I had on when Shek was in the house. I asked if I could go and get changed and before I went upstairs they told me to leave out the clothes I had been wearing. They explained this by saying they might have to rule out my DNA from Shek as I had earlier told them that I had cuddled Shek when he arrived at the house that morning.

Martyn went upstairs to our bedroom to get changed. One of the CID officers went with him and stood outside the door. I got changed in the bathroom and I think there was another officer standing out on the upstairs landing as well. Once I got changed I was asked to leave my clothes on the ironing board in the kitchen which I did. I'm not sure what Martyn did with his clothes.

The police were probably in the house for only 5 minutes. Before we left I handed a set of keys, front and back, to an older CID officer who was a sort of plump build. I don't remember anything else about him.

Although I wasn't too happy about what was happening, I didn't really question it or object directly to the officers. I basically cooperated with their requests in what was really unknown circumstances.

I was asked to go with two CID officers in a CID car, which was a silver Vauxhall Corsa or similar car. One of these officers, I later learned when I was being interviewed, was from Corstorphine. Martyn went with another two CID officers. When we left there were two uniform policemen left at the front door I think.

I was driven down to Kirkcaldy Police Station and they parked the car near the front entrance and I got taken into the office and straight into an interview room which was on the ground floor as you come through the public entrance. We turned to the right and walked about three room lengths down the corridor just past the cells. Initially we sat and spoke for a while. I kept asking what had happened and if shek was okay but they said they didn't know first of all. I think we probably sat down about just after 1.30pm. I think one of the officers was a DC Stark. He kept leaving for a while all the time and came back. I had been in the office for about half an hour when the officer told me Shek was dead. I was shocked but I kept my emotions pretty much to myself. I asked again what had happened but they just said they were making enquiries into it. Eventually they noted a statement from me, mainly about Shek being at the house. However, they did ask some questions about Shek's drug taking and what kind of person he was.

I was in the interview room for a long time. When they finished taking the statement they read out the statement on video in the same room and I signed the statement.

I finished with the officers about 5.30pm. I was told that the other officers were nearly finished talking to Martyn and he would be another 10 minutes. I waited for him in the front public office until he was finished.

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About ten minutes later Martyn came out with a CID officer. Martyn told me that he was going to try and see if we could get back into our house so we could get the keys for Martyn's work van, however he came back a short time later and said we couldn't get back in the house. They arranged for an officer to give us a lift to my mum's house [REDACTED]

Just after lunchtime on Monday 4 May 2015 I phoned the police number 101. I tried to speak to someone at Kirkcaldy but couldn't get the right person and someone was to phone me back over the next few hours. I called the same number 3 or 4 times. I couldn't speak to anyone that could help me and on each occasion someone was to phone me back on my mobile number, but no one did. Martyn then phoned the police sometime after 5.00 pm that night and spoke to an officer who arranged to call him back. We were just trying to get our house back. Just after 6.00 pm, I believe it was, the same officer called back and spoke to me. He said they would be able to release the house back to us but only after they did a walk round with us.

We arranged to meet with the police at our house about 7.00 pm. We met with the two CID officers at the house at that time. There was still uniform officers also outside the house. I don't know who the CID officers are.

One officer did a walk round the house with Martyn and I stayed in the kitchen with the other CID officer. The whole thing only took about 10 minutes. After the walk round we were all stood in the kitchen. The officer who had been with Martyn told us that they had removed [REDACTED]

[REDACTED] He said they had walked into the bedroom and saw the drawer under the bed lying open and had seen [REDACTED] and had to take it.

I know the drawer was closed because initially [REDACTED] was in a box at the side of my bed. When the police initially arrived on the morning of the incident I knew they were coming to my house because I saw the car pulling up. I went upstairs and placed [REDACTED] in the drawer and closed it just in case. The officer said they had spoken to the PF and we weren't to be concerned about it as there would be a red line put through it.

I got my keys back at this stage. I didn't know if anything else had been taken from my house by the police and I didn't ask. The officers left after that.

I had no further contact with the police.

I also recall when I was at the police station the CID officers gave me a cup of coffee and I had a couple of smoke breaks. I also went to the toilet once at some point. One of the officers told me not to wash my hands as they might have to swab my hands at some stage. This did not happen.

This is a true and accurate record.

Signed : (Witness)

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CONFIDENTIAL MATERIAL - NOT TO BE DISCLOSED

Surname : MACLEOD Forenames: Kirsty
Alias/known as :

Place of birth : [REDACTED] Age : over 18

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

Post code : [REDACTED]

Business address : Telephone :

Post Code :

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

Dates when unavailable in next 12 months :

Other Confidential Material :