

OFFICIAL/SENSITIVE

WITNESS STATEMENT

Agency Ref : **S028A**
PF Ref :

Surname : SINCLAIR Other or previous surname :

Forenames : Hazel [REDACTED] DoB : [REDACTED]/1983 Age : 32

Occupation : Midwife Drug Liaison Other Occupation :

Police Station : Years Service :

Disclosable address :

Post Code:

This statement was taken :

Date and time : 7th of May 2015 13.15

By : DSI KEITH HARROWER

Place : [REDACTED]

In the presence of : DSI BRIAN DODD

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 Hazel Sinclair and I stay alone at the address I have given. I am aware of the incident that happened in Hayfield Road on Sunday 3 May 2015. On the morning of the incident, infact probably much later in the day, I gave a statement to the police about the incident. The officer was a Lothian's CID officer.

On 8 May 2015, by appointment, Mr Harrower from the Police Investigations and Review Commissioner called at my home. He and his colleague informed me that they were carrying out an independent investigation into the death of the man, who's name I have seen in the media as 'Sheku'. I agreed to provide a statement regarding the incident.

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For the past 6 months or so I have been quite friendly with a girl Ashley Wyse who stays with her wee boy [REDACTED], aged [REDACTED], at [REDACTED] Ashley Wyse address at Hayf e d Road [REDACTED]. She is actually my [REDACTED] and thats how I got to know her.

As I said, Ashley stays at [REDACTED] Ashley Wyse address at Hayf e d Road [REDACTED], which is a three bedroom flat which is positioned 1 up right in a block of four looking from the street. Although its a flat, you enter the house from a door on the ground floor outside and go up a set of stairs to the flat.

There are two rooms at the front of the house with a view out onto Hayfield Road. As you look from the front, the livingroom is on the left and the bedroom is on the right. There is a kitchen and two other bedrooms at the back. The bedroom at the front is Ashley's bedroom. The window is fairly large, but with one single pane, about six feet wide and three and a half feet high with plastic venetion blinds, I'm not sure if she has a curtain or not.

As I said, there is a small path going out to the main footway on Hayfield Road, which runs to the roundabout at the junction with Hendry Road to the left side.

There is a green privet type hedge that runs right across the front of the garden from the block of flats and creates a pathway to the footpath on Hayfield Road. I would say this hedge is about three and a half feet height. Just to the left of the where you enter the footpath to the flat looking from the house outwards is a small road crossing. It has a sign on the pavement indicating this, like a wee bollard but its broken as if somebody bashed into it. This is about 18-20 yards away from Ashley's bedroom window and is where the later incident with the guy happened. On Saturday 2nd May 2015, I planned to go out for a night with Ashley. We planned to go to Kirkcaldy. She had already arranged for her son to go and stay with her parents and I was going to stay that night at hers.

We left Ashley's house about 1030 pm that night in the taxi and it dropped us off in Kirkcaldy. We spent a while in O'connell's pub in the town centre and then moved into a night club called Society where we stayed until about 2:00 am the following morning (Sunday). When we came out the club we went for something to eat and then got a taxi back to Ashley's house. We arrived back there sometime between 2:45 and 3:00am.

I think we went to bed at about 3:30am. Ashley went to her room, which had the view out into the street and I was sleeping in the bedroom at the back immediately behind her room.

During the night I had quite a few alcoholic drinks. Before we left I had a couple of glasses of wine. When we were in town I had a glass of cider, six vodka and cokes and about two tequila shots. I would say I was well under the influence, quite merry but not falling about the place.

About 7:15 am that morning I woke up as I heard Ashley speaking to me in a loud voice. She had came into my room and said something like, "Hazel you'll have to

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come and see this," or words to that affect. I got up out of my bed, although I was very tired. The effects of the drink had worn off by that time.

I walked out the room into Ashley's room and she was standing at the right side of the window looking out into the street. I think the blind was pulled fully up and there was a clear view out the glass to the street. She had her mobile phone in her right hand. I think it's a Samsung Galaxy, with a large screen.

It was daylight at that time. I think it was possibly raining but I had a good clear view.

As I got to the left side of the window, Ashley said something like "oh my god, you should see what happened". When I looked out I saw a man lying on the ground with a group of police officers around him. I would describe the man as:

Black man, aged mid 30's, about 6 feet tall, very well built, wearing a white t-shirt, dark trousers or jeans and dark shoes. He had a lighter colour pair of boxer shorts showing above his trousers.

The man was lying flat on his back with his head facing nearest to the flat. He was still on the pavement and his head was a bit obscured, either by hedge or one of the policemen.

I could see he had some sort of yellow reflective leg restraints on his ankles and his legs were straight out in front of his. He was not moving at all. His hands were together in the area of his chest, the wrists were close together. I'm not sure if he had any type of restraint on his wrists.

As I said, there were a number of police officers around the guy. I would describe these officers, and their actions as follows:

No.1 - A female uniform police officer, aged late 20's or early 30's, 5'6 tall, very slim build, long dark hair in a ponytail. She was wearing a black stab vest, a police hat and grey trousers with black trim on the pockets, which looked different from the others.

I saw her picking up wee black stick things from the road, which may have been police batons because I saw one of the other officers later when I got interviewed by the police. I also saw this police woman carrying a clear evidence bag at one point.

No.2 - A male police officer in plain clothes. He was late 20's or early 30's wearing a blue coloured jacket. He had an earpiece in one of his ears, and was talking on the phone near the roundabout.

No.3 - This officer was in uniform and was knelt down on the pavement facing away from me near the man's head. He appeared to be bald and looked like he was doing mouth to mouth resuscitation on the man on the ground. This only started 30 seconds after I looked out of the window.

No.4 - This officer was also in uniform. I would describe this officer as very hefty build. He was positioned to the right of the man as I looked out. He was kneeling on the ground over the man. A short time later he began doing chest compressions on

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the man while the other officer (No.3) was doing mouth to mouth. They were doing CPR between them and with my 10 year medical background I would say they were doing a very good job of CPR.

To the left hand side of the man there were four or five other uniform police officers. Some were kneeling over the man and the others were standing, although I'm not sure how many. I didn't see them do anything specific. Most of my attention was on the officers doing CPR.

I also saw a few police vehicles in Hayfield Road. There was what I believe was an unmarked police vehicle, a silver Vauxhall Astra parked on Hayfield Road directly beside the roundabout. There was also a marked police van, white in colour parked on the street out to the right near the woods across the road. There were also two other marked police cars left and right of the man, further along Hayfield Road near the roundabout.

There was also a marked police van, white in colour parked on the street out to the right near the woods across the road. There were also two other marked police cars left and right of the man, further along Hayfield Road and near the roundabout.

The CPR given by the police officers went on for what I thought was about 10 minutes. At this point an ambulance arrived in Hayfield Road from my right hand side. It drove along the road and stopped near to the man and the group of police officers. It was a bog standard NHS ambulance. Two male Ambulance paramedics got out of the ambulance.

The driver of the ambulance went to the back of the vehicle and he went in and came out with a bag and mask that is used for resuscitation. The passenger walked over with his medical back pack on. There was no apparent urgency on the ambulance staff, they looked cool as cucumbers. The driver knelt down and placed the bag and mask on his face.

The police officer who was doing the mouth to mouth (No. 3) got up at this point and approached Ashley's neighbour, a guy, who was standing in the garden. I kept my focus on them at the time. The neighbour walked away and came back about 20 seconds later and handed the officer a pint glass of water, which he drank from. I then looked back where the group was and the ambulance paramedics were lifting the man onto a stretcher trolley. They wheeled him to the back of the ambulance and put him in. They didn't appear to to work long on the man. I thought it was bizarre at that stage that the CPR hadn't continued by them as the police officers had done so well with their CPR efforts.

One of the paramedics went in the back with the man and the other one drove it away. I also thought it was strange that no police officers went with them. Ashley and I watched on and off out the window for the rest of the day. There was a lot of activity in the street. Police officers were milling about for 10 to 15 minutes, then a car arrived and the areas got cordone off and the police disappeared from the immediate area after it was taped off right down the street.

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I didn't see any police officers during this time picking anything up. Just after the ambulance left I think it was Ashley showed me some video footage she had taken of the incident on her mobile telephone. She had mentioned earlier on that she had taken this. I watched it all on more than one occasion during the rest of the day. It only lasts about 30 seconds. I believe this footage was taken before I started looking out the window. The video showed the man I saw on the ground in the same place in the street. There was a policeman lying on top of him, almost straight up and down, as if he had rugby tackled him. The man was either on his front or in the recovery position on his side. The video quality was very poor but there was a group of about five or six other police officers crouched down but not on the man. You could also see as the camera pans round the police batons lying on the street.

The only other thing worth mentioning was I could see a woman in her 40's walking through the street from the roundabout directly past the group towards the bus stop. At some point during the day I tried to move my mini cooper, orange colour, [REDACTED] from the street but I was stopped by the police. It was parked about three cars along to the right from Ashley's door to the right as you look out. This is a true and accurate record.

Signed :

(Witness)

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CONFIDENTIAL MATERIAL - NOT TO BE DISCLOSED

Surname : SINCLAIR Forenames: Hazel [REDACTED]
Alias/known as :

Place of birth : [REDACTED] Age : over 18

Home address : [REDACTED] Telephone : [REDACTED]

Post code : [REDACTED]

Business address : [REDACTED] Telephone : [REDACTED]
[REDACTED]

Post Code : [REDACTED]

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

Dates when unavailable in next 12 months :

Other Confidential Material :