

The Sheku Bayoh Public Inquiry

Witness Statement

Scott Masterton

Taken by 

on MS Teams

On 11 March 2022

Witness Details

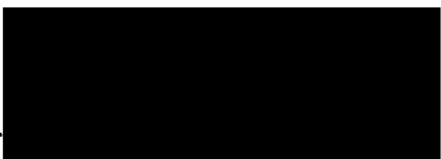
1. My name is Scott Masterton. My year of birth is 1965. My contact details are known to the Inquiry.
2. I am currently self employed. I was formerly a police constable with the Police Service of Scotland. I had completed 30 years police service at the time of my retirement in January 2017. I spent 10 years with Grampian Police. I transferred to Lothian & Borders police in 1997. I served in Loanhead and Dalkeith in urban patrol, and Traffic duties in Fettes. In around 2006 I transferred to the Computer Unit and held the post of DC and Temporary DS until 2014. I had been a controller within the Area Control Room (ACR) at Bilston for about 16 months as at May 2015 and I worked there until my retirement.

PIRC Statement

3. I have had an opportunity to read the statement I provided to PIRC on 6 July 2015.¹ The statement I gave to PIRC was true and accurate. I accept the content of the statement except for a typographical error in the first paragraph:

¹ PIRC-00331

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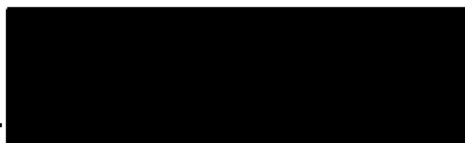
this refers to me holding a position as a temporary DI, this should read a temporary DS.

4. I think that my memory of the events this incident, while it was over 7 years ago, is pretty good. However, I think my memory at the time of giving the statement to PIRC would have been better. I'm asked if there was any discrepancies between this statement and what I have said in my statement to PIRC, which statement would I wish to be preferred. I don't feel that I can choose between them. If there is a discrepancy I would like you to come back to me and ask me about any discrepancies so that I can try my best to clarify any discrepancies in order to help you establish the truth of the matter.

ACR – Bilston

5. I worked as a controller within the ACR. Controllers were arranged into what was described as pods. One pod would be up to a maximum of 6 controllers. In Bilston ACR, there was 4 pods covering different geographical areas within east division, including Fife and Edinburgh. So there would be a sergeant supervising each of the pods and they would supervise one pod, apart from during breaks: when one of the sergeants was on a break, they might end up covering two pods.
6. A controller sits at a desk and covers a certain area. I normally always covered the Edinburgh area, but occasionally if there were staff shortages we covered different areas. It was very rare that I worked covering Fife. However using Fife as an example, One controller would cover Kirkcaldy, you would have another controller covering St. Andrews, a controller covering Glenrothes, a controller covering Dunfermline, et cetera. The sergeant is supervising all of those controllers, so he's supervising St. Andrews, Dunfermline, Kirkcaldy, Glenrothes, et cetera, basically he's supervising the calls for the whole of Fife. That is replicated over the other 3 pods in the ACR.

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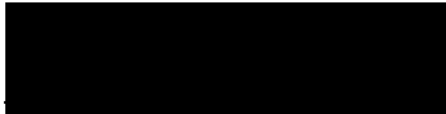


7. I'm asked whether I would be listening to more than one talk group. I can't remember on the Fife one how many, but I would be covering a minimum of one. But, on the one that I normally worked in Edinburgh I would generally be listening to one talk group, but you could be listening up to three talk groups at the one time. Because generally what happens again on the pod ideally there was six, but quite often it would be cut down to four. Four would be seen as an absolute minimum. Then people need to go for breaks and things like that, so you would be covering other pods, other talk groups for when people went for breaks and things and then if somebody was off sick. So then you could end up covering perhaps three talk groups at a time on that day.

8. There's two distinct areas in the ACR. There's the call-takers, so that's primarily civilian staff with a few police officers, and they answer the calls from the public and they then assess the job and decide what kind of job it is. So it might just be a job that needs to actually be passed on to the council or passed on to the fire brigade or whoever, or it might be a job that's a police job. If it is a police job they then create an incident on the Command and Control System and that job gets graded by them. I think there was five different grades. But a grade 1 call is the most serious, you don't get many of those, and it's basically classed as a threat to life.

Booking of Resources

9. In my statement I refer to the fact that the local area sergeant should book on police resources via SCOPE but that the Fife division is notoriously bad at doing this. I was just aware from colleagues on the odd occasion that I had worked there that officers in Fife either didn't have the knowledge or they were reluctant to do it because we were all transitioning to Police Scotland and it wasn't going very well. Everyone was sick and tired of the whole fiasco. My understanding was that Fife obviously had a way of working that they'd worked for years and were now being told to work a different way and I never

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really knew whether it was just they were never taught properly how to do it or whether they just didn't really want to do it because they didn't really want to be part of Police Scotland and they were just being a bit belligerent about it. But certainly any time I worked on that pod it was a problem with them booking their resources on and knowing what resources were on.

10. By "booking on" police resources, I mean that at the start of someone's shift they would be booked onto the computer system so they effectively come on duty on the computer system and we can see them as a resource on the system. So they're booked on an individual under their collar number. We use police vehicles, and those police vehicles have a callsign themselves. So, each car then has to have those resources put into the cars so that we know which two is in a car and what cars we've got. The purpose of this was so that, we, as the police, know what resources we have to work with, but also for officer safety purposes so we know who's on duty at any time and who's gone off duty, et cetera.

11. I worked mainly on the Leith pod in Edinburgh and I worked with the same shift all the time, so I would generally know my resources and I would know what callsigns they were using, I would know what cars they were going into and I could see all that on the screen so that I could then, when the jobs come in, allocate the callsigns, allocate the personnel to a job.

12. It's basically an administration thing so that we can see how many people we've got on duty, what callsigns they are allocated, either individually or whether they're in a car, who's working with what and then we can then start allocating those resources to jobs. We then know what jobs they're attending. They'll be allocated to a job and then they'll update the job and then they'll clear from the job. And that happens right throughout the day and the end of the day they'll be booked off duty and that's a way of alerting us as well if

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somebody hasn't booked off duty or we haven't heard from a callsign for a while, where are they, whether something happened to them, for example are they lying in a ditch somewhere and we don't know about it.

13. In terms of how that information is presented, if I recall correctly, we could look at it in different ways. We could see all the officers that are duty, we can see what vehicles they are allocated to, we can see what jobs they're allocated to. Technically, you should be able to look on a map and see where they were, but in my whole time there I don't think I ever used it, I don't know anyone that ever found that a reliable system. So there was technically a way that you could look at, like, effectively like a Google map and you should technically be able to tell where the resources were. But it was not accurate, it was not reliable and we never, ever used it. There was quite a number of times that I tried to find resources perhaps where I was concerned for safety and I haven't found them for a while and I would find their callsign was sitting in the middle of the Firth of Forth. So it just wasn't a reliable system for that aspect.

Allocation of Resources

14. I'm asked how sets are allocated and whether there any consideration of gender, physical characteristics, strength size etc. No. The only time something like that would come into it would be if it a rape call and somebody specifically wanted a female officer. Females join up to do the same thing as males and they get sent to all the same incidents, so there's no consideration at all. For a grade 1 call, in particular, there's no consideration, it's all hands to the deck. The only real consideration is who's nearest to it the location of the call. Basically for a grade 1 call everybody is cancelled from whatever they're doing to go to this call until we've found out exactly what's happening and until we know we're in control of it. We get grade 1 calls come in that turn

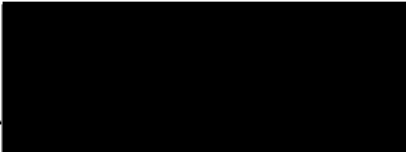
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out to be nothing, so everybody goes to begin with until we find out there's either something or nothing and it's all under control one way or another.

15. When I was a controller on the Leith pod, I worked that area for quite a long time. So I knew all of the officers. I didn't know them personally, but I had a rough idea of length of service and things like that and perhaps the strengths and weaknesses of some officers. But, ultimately, everybody should be expected to go to anything and be able to deal with anything. So, you know, it could be that you're actually the only resource free in the whole of Edinburgh City and you have to go from Leith out to say Wester Hailes to deal with a murder because you're the only person that is free across the whole city. So everybody is expected to be able to go to any job and at least contain it, deal with it, go there and find out what's going on, pass information back so that it can be further assessed and try and get other resources. If it was a far, far lesser job, so grade 2 down to grade 4 jobs, if we're talking about (I can't even remember just how much it was graded), but if it was a very low level grading job I might make some kind of assessment as to who would maybe be better to go to a job, but it would have to be a low level kind of job, I'd probably possibly discuss it with the sergeant on the ground. The sergeant on the ground may ask me to allocate someone in particular to go to a job, but only on the low level jobs. On a grade 1 job everybody goes as fast as they can.

16. A grade 1 call is a threat to life. So it is an urgent call, it is the most serious kind of call; everyone drops everything and goes. So a grade 1 call could be officers calling for assistance, it could be someone running about the streets with a knife, it could be someone running about the streets with a gun. That's the level of calls we're talking about. There is some element that we feel there's a threat to life there, so it is always, always an urgent call. You know, we don't have many of them. You can go many days without a grade 1 call. On a Friday/Saturday night sometimes you'll get two or three a night, sort of

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thing, but they're not a particularly common thing. And at particular times of day as well. So, it's very, very rare to get a grade 1 call at 7 o'clock in morning. For a grade 1, I should be on top of it, my supervisor should be on top of it, his supervisor should be on top of it. Because, for instance, if it's a firearms thing then the duty inspector in the ACR has to then start getting firearms officers geared up to attend.

17. I'm asked whether a grade 1 call would normally be allocated for uniformed response or whether it would be allocated to CID. Always would be uniformed response in the first instance. It would never be the CID. In my job as a controller, if they were on the system (and they are never booked on) as a resource, they could be allocated to the job and if you had time you would allocate them. Also to find out if the CID are on you had to go to different screens and then try and find them. So, you're in the middle of a grade 1 call, you're trying to make sure that everything's under control. I don't have time to go and look at other screens to see if these resources are on duty and potentially allocate them.

3 May 2015

18. On the morning of Sunday 3 May 2015 I was early shift working a 0700 - 1600 hours. And so on that occasion I was asked to cover the Fife pod, which was a pod I hadn't worked very often. The Fife pod had 6 controllers who would have specific policing responsibility for a geographic area within Fife Division. I was covering the Kirkcaldy area utilising the Kirkcaldy channel which is referred to as Papa Alpha (PA) pod. I was the controller for this channel. I went there and started work at around 0645 and I would have taken a handover from the night shift and I don't remember there being anything much to handover. The sergeant in charge of that pod was [REDACTED] and the duty inspector was Stevie Stewart, but I can't remember who else was actually on the pod as controllers with me.

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19. I seem to recall on that day that resources had been quite well booked on and I could see that I did have resources there. Sometimes there could be up to an hour, an hour and a half after I had started that I'd try to book resources on myself till I was fully in control of all the resources, whereas normally what would happen is the divisional sergeant should have them all booked on for start time. It didn't happen very often.

20. Earlier in the shift, there were two calls about that there was a male running about armed with a large knife. I think it will have been two separate controllers probably have taken those two calls because there's two separate jobs been created. I can see from my statement, was 0743 which refers to an African looking male who was chasing a complainer's car and that he may have been carrying a knife. This was in Hendry Road, Kirkcaldy. Within a very short space of time another call had come in, 0745, which related to a call in Hayfield Road, Kirkcaldy. Both calls involved a black male with a knife. Although the locations were different I was able to identify this as the same incident. The incident which I considered to be the principal incident would be 0745. So as more information and calls come in, it's added to that incident. I can see from my statement I was shown PS20150503-0745, which is the call card for the incident.²

21. So these jobs then flash up red on my screen and immediately I can see they're a grade 1 call. That is the most serious call we can get. In most circumstances everything else stops and we deal with that. The supervisor should be straight on top of the fact that there's a grade 1 call, the ACR inspector, who is in a different part of the building, should be straight on top of

² [REDACTED]

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that call as well. So we should all be seeing that grade 1 call some up immediately. So a quick read of the job and then start sending units to it.

22. I've been given sight of a document "Combined Airwave Call Activity Data (Kirkcaldy 01) and Transcription" (Combined Airwave Transcript).³ On page 4, I can see a transmission from Control 1 regarding a male armed with a knife at 06:16:31. I'm told that the times in this document are in GMT rather than BST as it would have been at that time, which was +1:00 hour. At page 4, I also say "I need you to divert to Hendry Road," and tell them that there's a disturbance there. It looks like I have already allocated a car to a job and I'm asking them to cancel that job and divert to this grade 1 call. But basically at that time in the morning they would have all still be in the office and available to go to a job.

23. A set would be a car, and normally a double crewed car. It could be single crewed, but most of the time they would be double-crewed. We were still transitioning to Police Scotland's processes and terms: different legacy forces have different names that they use for different things as well. So whether Fife would call it a set or whether I'm calling it a set because that's what Fife called it, I can't remember, but I'm pretty sure I would call it a set and by a "set" I would mean a car, almost definitely double-crewed. I certainly wouldn't be sending a single-crewed car to this job unless they were going to back up other cars that were already on route. So three sets, would almost definitely have been three double-crewed police vehicles but I couldn't swear to it without seeing the resources.

³ [REDACTED]

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Dog Units

24. Whilst I was allocating resources to this incident, I can see from the Incident 0745 that East Overview 1 is showing as allocating a dog unit at 07.18.38. The dog unit was SD10. Another dog unit SD18 was mobilised also at 0721 by [REDACTED] at East Overview 3 who is a supervisor. It does not say where they were coming from, but probably far away. I'm aware from the Combined Airwave Transcript, page 8, that one of the dog handlers mentions he is coming from Edinburgh. Again, prior to Police Scotland we knew where all these dog handlers and we had our own dog handlers. But once Police Scotland came along you could be sending a dog handler from Edinburgh to Inverness, believe it or not, and vice versa.

25. I didn't have any involvement with the allocating the dog units. That's the overview Inspector. So he, or the communications officer, [REDACTED] [REDACTED] on his behalf, probably shouted up to them on a different talkgroup channel. The dog handler from Edinburgh will likely have come on duty in Edinburgh and he will be on Edinburgh talk groups. He will have been shouted up by East Overview and asked to go to this job. He will say, "Can you tell me what talk group that is?" They will tell him what channel he needs to go to on his personal radio and he will change to that channel and that will be why he's come up on my channel, so that he can hear what's going on and take any direction, et cetera.

26. I'm asked why the dog units were stood down. Basically because they've been told they're no longer needed. So, the dog units in general are coming from far away and so they're not going to carry on coming to a job once it's under control. So as soon as they're no longer needed they're released. They're a very in demand resource so as soon as they're not needed they're released to go to the next grade 1 job, We used to have several dog handlers covering the whole of Edinburgh and then we had two or three dog handlers

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[REDACTED]

covering the whole of Scotland. So they were in extreme demand. Literally they could be sent from Edinburgh to Inverness and they could be halfway to Inverness and they're cancelled and all the way back again and vice versa.

Armed Response Vehicles (ARVs)

27. I'm asked about a sentence in my statement that says *"To the best of my knowledge there was no mention of the attendance of an armed response vehicle"*. I don't remember an ARV being organised. I've been directed to page 5 of the combined airwave transcript where at 06:19:21 Control 2 transmits "411, be aware, organising an ARV as well. Stand by." I accept this will be correct. I didn't hear any discussions about an ARV; that is the only message I will have heard. I won't be aware of what's gone on there. It's usually quite a lengthy process before an ARV will go to something. "Organising" suggests the Inspector is in the first stages of getting an ARV. So, it was by no means certain that there's going to be an ARV going. There will still be quite a lot of assessment during any incident as it's ongoing as to whether the ARV would actually attend or not. So you might be prepping them but, it's usually really a quite prolonged process. And the ARV on this occasion would be coming from Edinburgh as well. I don't know for 100 per cent certainty, but I don't think there was an ARV covering Fife. So, with the ARV based in Edinburgh, it's the same situation as the dog handlers, they've got quite a long way to come.

28. On the combined airwave transcript, at page 5, at 06.18.08 DS Samantha Davidson transmits: "Papa Whisky 101 and 104 also attending" which indicates CID officers, while they haven't been allocated, they're responding to the incident. I'm asked whether that is normal in for these circumstances. At the end of the day, whether you are a plain clothes, whether you're in the CID, whether you're the Chief Constable, you are ultimately a police officer and ultimately should be able to go to anything, even if it is the Chief

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Constable. So, you can be sent to anything, but equally if you are there and you're a kind of honourable police officer and you hear there's a serious incident going on and you think that you might be able to assist, you make your way to it.

29. I've been directed to page 6 of the Combined Airwave transcript, at 06.20.12 there's a transmission from Inspector Steven Stewart. He says, "I'm monitoring this from an ARV perspective. If you get sightings of the male you need to make an initial assessment yourself and feed back straight away and I'll listen out on the channel." I'm asked if this is usual practice for a situation like this. Yes, it is. He's overseeing everything. He won't intervene in any way until something really demands his intervention,. I'm the controller, I'll control that. He'll leave me to do it. He's only really monitoring the incident from the ARV perspective. When he's not monitoring that he's monitoring something else. If that's the only grade 1 call that's going on, he will be listening into it. Bearing in mind he's covering a massive area, so there could be grade 1 calls going on down in the Borders that he's monitoring as well. But assuming that I was the only grade 1 call at that time in the morning, which is probably quite likely, he'll be monitoring it anyway. With a report of a male armed with a large knife, that might well need firearms. It could end up in a hostage situation, anything like that. It's basically a constant, ongoing assessment by him and everyone as to whether the ARV would be needed and he will listen out. If there's some specific bit of information he needs he will butt in and ask for that, but in general he'll get all that information just from listening out.

30. In term of my role as a controller, while the Inspector speaks of feeding back to control, I'm conscious there's somebody out there with a knife facing up to a police officer, and the last thing the police officer needs at that moment is some controller saying, "Can you give me an update, please?" Some

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controllers forget that and think their job is to get as much information on the computer as possible and keep it all under control. I know from personal experience myself there's nothing worse than being in a very fast-moving, dynamic situation and some controller in a control room somewhere shouting up continually, "Can you give me an update, please?"

31. So, it's very much going to be dictated by the cops on the ground. They're there and they can see what's happening. In the first instance, you'll probably see if you can talk him down. But you'll fairly soon know if you're going to be able to talk him down or not. Then you fall back to things like, "Okay, is it going to be CS spray? Am I going to use my baton here? How many people have I got around me? So they will take whatever action they can if they can and if they can't then they'll be shouting up to either their sergeant or the inspector or the control room to say what is happening so that we can then assess it and take the next step to assist them in some way? So if they had him, for example, cornered somewhere and they felt they had him contained they would say, "Right, we've got him contained in this garden, can you get a dog handler here, ". So, if that was the situation then they'd probably just stand off and keep him contained, get the dog handler in, let the dog go in and deal with him.

32. I'm asked if I have followed any reports about the death of Sheku Bayoh in the media. Not really. Very early on, when there was stuff on the news, I was aware that the family had a lawyer and weren't happy about things. That was, I don't know, probably in the first year afterwards. I don't think I've really heard anything since. I don't make a point of following it on social media or TV et cetera.

33. I'm asked if I know any of the other witnesses in this case. I only know the people at the control room. I don't know any of the officers in Fife. I don't

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know any of the deceased's family or other witnesses. The witnesses that I do know, we spoke to each other in the immediate 24 hours or something afterward, but never since then. The last time I've spoken to anyone would have been when the PIRC statement was taken.

34. 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.

May 2, 2022 | 11:48 AM BST
Date Signature.....

