

**SHEKU
BAYOH
INQUIRY**

The Sheku Bayoh Public Inquiry

Witness Statement

DC Andrew Mitchell

**Taken by [REDACTED] by MS Teams
on Monday 14 November 2022**

Witness details

1. My full name is Andrew [REDACTED] Mitchell. My date of birth is in 1983. My contact details are known to the Inquiry.
2. I'm a Police Sergeant. I got promoted on 25 July 2022. I was APS since October 2020. Prior to that I was a DC. It was 31 January 2014 when I began as a DC. I was PC before then, starting in 3 September 2007. I pretty much did my whole service at Glenrothes in Fife.
3. I know Wayne Parker. I started at the same time as him. I work with him now. He's the Team 4 Sergeant in Northeast Fife and I'm the Team 3 Sergeant. I speak to him about the Sheku Bayoh incident every now and then, because we're friends more than anything else. I've spoken to him about giving evidence to the Public Inquiry. We were wondering what kind of questions we were going to be asked, and casting our minds back.
4. I spoke to him about the Public Inquiry interview. I asked him how it went, if he would be in a hearing for that. He told me about a couple of things about

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the questions, the meeting with the family. I saw a few things on the Panorama show which I wasn't happy with. I remember on the show there was mention of meeting two people who were connected to Sheku's death. That wasn't said at any time. We didn't have much information. We weren't making things up. That's not what we wanted to do certainly not on that day of all days.

Previous statement

5. I have read my previous operational statement dated 3 May 2015 at 14:35 (PIRC-00025).
6. I remember coming back to Kirkcaldy maybe just after we spoke to Collette and before going to the family. We would get a rolling statement started so everything is accurate and not warped over time. I would say it's an operational statement. I would say my police statement which is operational.
7. I think I had a meeting at 6:30pm with the Duty Supt and the FLOs to discuss how we got on with the family. It would've been after that that I got the statement finished.
8. I think I spoke with DS Dursley on 4 May about the statement and he wanted me to beef it up a wee bit, elaborate more on some points. So I looked at it again when everything would still be fresh. I can't remember which points were changed to expanded upon. I'm guessing it was around the discussions with the family.
9. My initial statement was that we'd been there and there was mention of the FLOs being in touch. The meeting at 15:40 was when I read the death message verbatim and I think I included that in the second statement, to include more detail. But I can't recollect to be sure. We knew we were going to be meeting with the PIRC after that so we wanted to be sure about the

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investigation. It was that long ago and I've had so many investigations since then it's hard to remember.

10. It was true and accurate to the best of my recollection at the time. There was no handwritten copy of the statement. When it's enquiry-based we'll prepare it and send to the package. It might've been printed and put into a hard copy folder. The first time I signed anything was the PIRC statement.
11. I can't remember if I spoke to Wayne Parker about what is in our statements. There's a good chance we were sitting not far from each other. Sometimes it is pertinent to run a few things past each other. The events were traumatic for everybody so it was good to have a memory jog. It's normal in investigations that we don't want to be missing anything out.
12. I have been told Ross Stewart of PIRC states that I handed over a supplementary statement that was not forwarded previously to PIRC (PIRC-00329). There's no supplementary statement. One copy was a more comprehensive version of the initial statement that was more relevant for that day. That will be what I handed over to him.
13. I have read my previous statement to PIRC dated 2 June 2015 (PIRC-00026). I remember giving the PIRC statement. We were sat across the table and the chap wrote down what I was saying. He was clarifying points from my statement that he'd already read.
14. I can't remember the background circumstances. I think it was an email I got from Stuart Wilson who was possibly the DS or DI at the MIT at the time. It was sent to myself, Samantha Davidson and I think Wayne Parker. We were told PIRC were coming in and we had to prepare our notebooks to bring and to give statements. I can't recollect what time it was but it was certainly after 5pm.

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15. What I told PIRC in the interview was 100% true and accurate. I read over and signed the statement when I gave PIRC that statement. It's the same practice we use ourselves when we're dealing with witnesses.
16. My recollection was better then than it is now. I'm probably struggling now to be honest. Reading the statements yesterday in preparation helped me remember. My memory gets a wee bit warped over time.

Notebook and daybook

17. I have read my notebook entries for 3 May 2015 (PS18502 [REDACTED]). That's a copy of the same notebook I handed to PIRC on 2 June 2015.
18. This is my notebook. I think the wording DS Dursley wanted us to use was page 118. That's certainly my writing.
19. I had my daybook with me that day but I didn't put anything in it. Due to the early call I was being told and going straight out. I checked over my daybook but I didn't see anything. I was quite comprehensive in my notebook and I try to use it the way it's supposed to be used.
20. In CID you tend to use a daybook to record stuff. That day because we were told to get stuff done quickly I was just making notes in my notebook as the day went on. That's what I tend to do anyway. I can't remember if I had my daybook with me in Kirkcaldy. I didn't find anything with that day on it. I can't remember if I used it.

Media

21. I've not watched any of the Inquiry but I've spoke to a few people who have. One of the boys, Craig Walker [REDACTED]

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[REDACTED] I also spoke to James McDonough. We didn't speak about the evidence.

22. I spoke to them just from a wellbeing point of view. [REDACTED]
[REDACTED] Just a wellbeing friends point of view more than anything else.
23. I've seen headlines in the news but I don't buy newspapers. It got to the stage where I've had to stop reading it. The comments on social media are horrible and toxic and the comments are blatant lies like Sheku Bayoh not having a knife at any time. It wasn't nice to read some of the stuff but that's life. I've seen on the news that the family have been having meetings with the government and pushing for the Inquiry to take place. That was obviously their right to do that. The headlines were all just general stuff.
24. None of this has affected my memory in any way.

Training

25. Most of my training for a DC was working with more senior DCs. I did a week's course at Tulliallan. There was a transition period for the DC investigator's course. There's also a DC Moodle course now in 2017/2018 that I did. That's now used for all DCs in their training. The practical aspect of the job is the best way to learn, no two days are the same.
26. I've also got an honours degree in psychology from Dundee. I graduated in 2004 or 2005.
27. I've had no training in investigating deaths in custody or in investigating complaints against police officers. I've had no training in working with PIRC. I hadn't come across PIRC at all until then.

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28. I've had no training in liaison with family of the deceased in deaths investigations.
29. I think when we're at the college in September 2007 the first few weeks were on diversity. Apart from that there's seminars and emails that pop up in service. A lot of it comes with common sense. That's why it doesn't get pushed more. It does get pushed now, with LGBT issues there's committees being pushed for that. There's no more training on diversity beyond the training we got at the college.
30. For lessons learned from other police forces, I believe there were case studies sent by DCU. There was a case involving a Chinese national, in Edinburgh or Glasgow, a death. Also a death down south as well. There was information sent out about these cases. There was no obligation to read it.
31. These things interested me and I have read a few. That seems to have stopped now because I can't remember the last time one of these was sent out. I think there was a FAI and the information was about how it was dealt with and how the police could've dealt with it better. It was something I read one day and I couldn't say more about it now.
32. My direct supervisor would've been responsible for my training. DS Davidson was my Sergeant at the time, I believe. DS Graeme Dursley was on as well but I can't remember his role. There was quite a bit of changeover in the CID at that point. I wasn't in charge of anyone else's, not at that time.
33. We have a Divisional bulletin that comes out every week. It has updates on SOPs that's there and it's available on the Police intranet site. It's there and it can be accessed at any time. I didn't use it on 3 May 2015.
34. When you initially start you're directed to where these things are kept. A lot of the time the stuff sticks with you and you go on instinct. It's unwritten that it's

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there. I know a lot of people do access it. It's on the intranet and there's hundreds of SOPs there for people to read. There is material on diversity and equalities. I would need to go into it for examples, I don't remember ever reading it since 2007.

Experience

35. Prior to 3 May 2015 I hadn't been involved in investigating a death in custody before. I didn't have any experience in dealing with a death in police custody before. I was aware of other investigations but hadn't been involved in any.
36. I have experience in dealing with deaths cases, suspicious or unexplained. I'm a Crime Scene Manager (CSM) now too. I became a CSM in 2019 or 2020. If a locus needed to be forensically examined then I would go in with a Scenes of Crime Officer.
37. I have no experience working with PIRC.
38. I do have experience in dealing with family members of deceased persons in deaths cases. This includes passing death messages over. We're tasked if a family isn't aware that a member of the family has passed away we have to pass the message across and comfort them. It's never easy because everyone acts differently. It's not something anyone enjoys doing but it's part of the job.
39. Every two days is different. I've known teams who get two or three deaths on every shift and others who go months without needing to give any death messages. As of 3 May 2015 I was relatively experienced in passing these messages, unfortunately. I have enough experience now to give advice and guidance to junior cops. For example that to give death messages you need to think about it from the other side.

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40. I have been asked if I had prior experience in giving a death message to a family who isn't white. No, I don't think so. None that stick in my mind but I couldn't be 100%.

Role on 3 May 2015

41. On 3 May 2015 I got a phone call early in the morning from one of the DSs, Graeme Dursley, asking us to go to Kirkcaldy. When I arrived there I was with Wayne Parker and Calum Clayton. Wayne was more senior than me. He'd been there for a couple of years.
42. We were briefed and we were told to go out to an address. We were directed to investigate the aftermath. It was still unfolding at that point. When we were initially nbreified I think Sheku was still being worked on at the Victoria, so he hadn't passed away.
43. We were doing a DC role. Because Glenrothes is classed as central Fife we get called to Kirkcaldy quite often. It's not uncommon to be called to Fife and for all the DCs to head to where a major incident is unfolding, for example a murder. But on that day it was a death in custody.
44. My duties and responsibilities were just like any other day. We were to carry out our job with fullest integrity and help the other officers who were there.
45. We were nervous going to Kirkcaldy because we were aware cops were involved in the incident. I hadn't used Scope to see if the cops were on duty. I was aware a female cop was assaulted. We were a wee bit nervous going down. But that doesn't change that we carry out our job probably. I think just the fact I had been a DC for a couple of months, this was a different incident altogether and I wasn't sure who I was working with. I was thinking what am I going to have to do next. When I saw Wayne and Calum in there I knew we were in good hands and would do what we needed to do properly.

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46. I was apprehensive of going down there and not knowing what's going to happen. Normally there's a clear objective like door to door, searching for a person. With this it was an unknown. It was a wee bit of a muddle at the start because nobody knew what was happening. We didn't have an identity for the guy. We had the call that Collette made to the police after the incident and Sheku being worked on in the hospital. It was stressful and high intensity. I wasn't party to a lot of the discussions. But when senior officers articulated what we needed to do it was clear and concise, and when we asked something we got an answer.

Command

47. When I arrived it was DI Colin Robson who was in charge. And DS Graeme Dursley and DS Samantha Davidson. They were in constant communication with whoever was the on-call Super.
48. At the beginning I wasn't aware of PIRC. I knew they would become involved. In the initial briefing I knew Shek was still alive. I had never been involved with PIRC before. I knew they'd be involved should the need arrive.
49. I knew about their involvement. The verbatim statement that I was given to say to the family changed a couple of times and I think they were involved. They were involved in family liaison to some extent. I wasn't sure of their exact role and it wasn't clear. I don't think anyone told me what PIRC's role was.
50. I have been asked if at the outset we were investigating possible criminality on the part of any of the police officers involved in the incident. No, not at all. That was never mentioned.

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51. I have been asked if there was any consideration about racism being a factor in the investigation at that point. No, not at all.
52. I have been referred to my notebook (PS18502) at page 29: "0740 Contacted by DS Dursley and asked to attend KPS."
53. Normally I would write it at the time. I can't recollect what I did on the day. That's the reason I put the time beside it. Normally if I put in something later on I'd put the time in in brackets so I'd know I'd put it afterwards.

Understanding of the incident at Hayfield Road

54. I think both DS Graeme Dursley and DS Samantha Davidson were there giving the briefing. Basically they explained there'd been a call for the dayshift to a street at the top of Kirkcaldy. A male was in possession of a knife, acting aggressively and he had damaged a car. The cops arrived, there was a melee, he'd assaulted PC Nicole Short, I knew her. He had then came into difficulty while under arrest and being treated in hospital and it seemed like cardiac arrest. I think DS Davidson had been there so she may have added points. I can't remember what she said but I recall she was a wee bit flustered by the events.
55. My understanding of the incident didn't affect my approach to my work that morning. I was shocked about what had happened. No cops start a shift hoping something like this was going to happen. It's your worst nightmare. You start thinking it'll be run of the mill. It's become a violent episode and the man's struggling in hospital. I was aware that Nicole was also away to hospital with possible injuries. I think it was mentioned she'd been stamped on.
56. I was worried for the guy, Sheku, and hoped he'd pull through. We didn't know who he was. It was said he was an unknown black male. Kirkcaldy had

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a small black community. The only inkling was the call from Collette and that's when we got sent round to that address. Nobody knew who he was because there wasn't that many black persons who came to the attention of police.

57. He passed away, sadly, and was identified later on. We never got any more information. We never got a chance to speak to the cops that day. It's quite right because they should be kept separate anyway. We got bits and bobs of information but nothing more. That's probably better for me and Wayne that we go and speak to the family and try to relay the death message to the family.
58. I saw Colin Robson in the morning. He was in the office. I think he was in the background of the briefing as well. I remember him taking a few different phone calls. In a major or critical incident, you'd be getting in touch with the Super to update. I think Colin Robson may have had a wee input to the briefing. DS Dursley and DS Davidson were speaking to DI Robson in the briefing. The call came in just before the briefing started. Her address wasn't far from the locus with Sheku.
59. I have been referred to my notebook (PS18502 [REDACTED]) at page 29: "0810 Attended at KPS, briefed by DS Davidson and Dursley with regards to a male assaulting police, who is now in cardiac arrest."
60. That will be accurate.

Management of response officers

61. I knew Nicole Short. I helped Nicole at Glenrothes. I worked with her there before she moved. I didn't know James McDonough at that time. I know him from Kirkcaldy. I didn't know Craig Walker at that time but I met in 2017. I didn't see him after that until north east Fife. I also know Kayleigh Good. I

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didn't know any of the other response officers at the time. At Glenrothes I was Team 1 so I don't think I knew any of the guys on their team.

62. I think I knew at the time the officers were in the canteen. Somebody maybe said that's where they were. I didn't speak to any of them or see any of them. Barring Nicole's name being said I didn't know any of them.
63. I wasn't involved at all in recovering the officers' equipment or uniform.

Collette Bell

64. I read my statement back so I remember the timings of meeting Collette Bell. We were sent up to Kirkcaldy, it took between 5/6 minutes to get to the address at Arran Crescent which was where Collette Bell lived. It was me, Calum Clayton and Wayne Parker that travelled up. When we first arrived it was 9am and it was locked. One of us called Collette or we asked control to do it. I think we got access at 9:20am so she turned up at 9:15am.
65. We explained why we were there. Wayne did most of the talking. He asked if we could come into the address. She called to say that the house was in disarray and the back door was open. I think her mum was there and the child was 15 weeks old.
66. Me and Calum went around the house. Went upstairs and saw a disturbance in main bedroom. The television was on the floor and items were everywhere. No-one else was in the house. In the kitchen there was stuff on the floor. Collette must've closed the door and secured it when we came downstairs. There were fridge magnets on the floor.
67. Calum noticed a picture of Sheku on one of the units. I think he knew him from the gym. I don't think he mentioned anything until the car on the way back down. I can't remember what was said.

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68. That's when we got in touch to say it might be linked. Calum or Wayne found the phone and keys. Collette explained that was her partner's. I noted her details and Wayne went outside to speak to DS Dursley. I think he went out there for a wee while. Collette was talking away fine at that point. We didn't know it was connected. There was no clarification to us that he'd passed at that time. We were reluctant to pass anything at that time in case it wasn't him or wasn't the same circumstances.
69. We wanted to secure the address and put on locus protection. Wayne explained this to Collette. She seemed happy because we weren't sure about the incident. The only issue was breastfeeding the wee man, I think his name was [REDACTED]. I knew how critical that was because [REDACTED].
70. She went upstairs and we hung around downstairs. She packed a bag for the wee man. We needed to have her for a few hours. She understood why we were doing it. She packed a bag and the beat cops then arrived. I don't think they passed the door, just stood in the hall/foyer. One was [REDACTED] and also [REDACTED]. They said they were protection. I said one front and one back, it's standard practice to do that.
71. I'm pretty sure they started a locus protection book. If they did have that then we should've signed it. If not then that's a mistake and we should've done that.
72. What should happen is when locus protection turn up and we decide it's happening, they will commence the scene entry book. They'll have the book and keys to the property. If officers have been in prior to locus protection starting, there's a part at the start of the book where this should be marked. I can't remember if we did that. They should also mark for gloves, shoes, protective clothing etc. The book is signed and noted when they leave the property after it's been secured.

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73. We handed over keys to locus protection. We wanted to take her back to Kirkcaldy and take a quick statement from her. She had no problem with that. It was at that point that we saw the picture of Sheku. I think Calum mentioned in the car on the way back down he'd seen the picture of Sheku and matched the picture to the incident. He got in touch with DS Davidson or Dursley and went with that. That's when the conversation maybe changed and the locus protection was put in place.
74. There isn't any legislation for doing this. In the initial incident we request the householder's permission to do it. We'd then go down the legal route if they didn't give us permission. We'd have to explain to a Sheriff why we wanted to secure it. We probably would've got it.
75. Collette was understanding at that point. We explained it was an active investigation. She was content with that. If she'd said no we'd have remained at that address until we'd had a warrant granted and then put in place locus protection. That very rarely happens because we can use our communication skills to explain why it's pertinent and important and almost all the time that certainly works.
76. The difference between securing and locus protection and searching is we would search after securing the property. They'd know what to do to search. They'd have a SOCO and maybe film it. There might be a CSM to go in with him.
77. I can't remember exactly what we said to Collette. We would've said it would be a wee bit of time, maybe a good few hours. We did recommend that she could take what she needs in the short term such as a spare change of clothes for her and her son. That would be standard so we're not open to complaints etc if it takes longer than expected.

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78. I was speaking to Collette and her mum when Wayne was outside. He didn't really tell me what was in the calls. After the phone call he would speak to Collette not us. We would then just get on with it. He gave us an update to Kirkcaldy in the car.
79. They followed and Collette's mum was driving. They followed us down and we met them in the station and we all arrived there.
80. We got back down and I'm guessing we had locus protection in place about 10:30am. It took less than 10 minutes to get there. We made them comfortable in an interview room at Kirkcaldy.
81. I said mum could come in with them obviously with the kid. Wayne went upstairs to speak to someone, I'm guessing Graeme Dursley. He then came back down. He asked to speak to me. He said the man's passed away, we're not 100% it was him but a good chance so we needed to pass a death message to Collette. We needed to even though we weren't 100% sure. It wasn't ideal to be honest but in a way we had to pass on. If we held off it wouldn't be fair on Collette or her mum.
82. We went in and Wayne passed on the death message. She was really really upset. I took the wee man outside and held him for about 10 minutes. She was crying inside. It was horrible and I still remember hearing her crying.
83. We went back in and asked her to take a statement. It's one of the worst jobs on the force to take a statement when someone they know has passed away. It's the best time to do it then rather than days after. She was content enough to give the statement at that time. Wayne noted a statement. He'd been asked to take some information from her from his conversation with Graeme Dursley. It did take him a couple of hours to note it.

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84. When he finished he would've asked her if she wanted him to read it back. I do remember her signing and I did as well. That's standard practice for any statement. I think at that point, when finished, Wayne went back to speak to Graeme Dursley. It's a bit hazy but I think that's when Collette went back to her mum's address.
85. I think there was some discussion about Sheku's sister and brother-in-law. When we went back to the sister's, Collette was there as well so I don't know about contact between them then.
86. We went back upstairs at the police station. I think there was a good chance it must be him. One thing Collette mentioned in the statement is that Zahid had been assaulted by Sheku in the morning and had stormed off. We were content it must've been him that sadly passed. When I was upstairs at the station I started that rolling statement when it was fresh.
87. Graeme Dursley then asked us to go to [REDACTED] and pass a death message to the next of kin.
88. It is best practice to take a statement as soon as possible, even just after delivering the death message. In the SOP, the Sudden Death SOP if I remember correctly, the guidance is to get it done as soon as possible so you're not delaying the mourning process and to explain our process and practice thereafter with the body being moved and the death certificate. I was only familiar with this from dealing with deaths. Before that, it was so standard to happen on a shift that we did it. In the last couple of years as a supervisor I read it again for my role as Sergeant.
89. We made her aware as best we could and we were in constant contact with her. 9 times out of 10 we need to present a report within 24 hours to the Procurator Fiscal and it's up to them what to do next. The Scottish Fatalities Unit have to decide what to take forward. These circumstances were slightly

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different and there were different people to speak to. That's why we take the statement when we do it so we can pass on the information to the Fiscal. I hate the process but I understand why it's there in practice.

90. I have been referred to my notebook (PS18502 [REDACTED]) at page 29:-

0900 Attended at Collette Bell's address at Arran Crescent Kdy NPI

0920 The householder Collette [REDACTED] Bell... returned home with 15 week old baby

1030 Seized locus. Front & back door locked

1100 Returned to KPS with Collette Bell & her mother

91. NPI is no person in. Kdy is Kirkcaldy. The times will be right.

92. I have been referred to my notebook (PS18502 [REDACTED]) at page 29:-

1325 Late entry

In my presence, DC Parker notes a statement from Collette Bell – where she provided a full version of events. All pages signed. Started at 1112 hrs.

93. I put this in brackets as a retrospective entry. I would've put that in at 13:25. That must've been around the time we went back up to the CID office. I think I was the one who led her out the front door and I said we'd be in touch when we could and we went back upstairs. I'm guessing she left the building at 1:20pm.

94. I think I was still making sure she was ok. I can't recollect. I was concentrating on the statement at the time in terms of the statements. It's normal to enter that for any witness. Normally what I'd put in is their full details. Because I had her details I would be duplicating.

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95. I have been referred to my statement (PIRC-00026) at page 3: *"I was present within interview room no.1, the first interview room on the right, when DC Parker passed the death message to her. DC Parker told Collette that from the description Collette had provided to the police of Shek, coupled with the mobile phone found at locus, the police wholly believed that it was her partner Shek had died during this critical incident. I understand that DC Parker was delivering this death message on the instructions of DS Dursley or DI Robson. I wasn't present when this instruction was given. I remained at all times with Collette and her mother whilst DC Parker and DC Clayton were updating the bosses."*
96. That is accurate. By critical incident I mean that I'd class it as a major incident, something investigated by the police that would hit the media. Major and critical are different terminologies. I don't know if that's my wording or the PIRC's but it fell under the bracket to deserve that term. Wayne came back down and from the description, there looked like there had been an altercation and phone and keys were there. Something made me think a photograph was looked at by doctors or cops at the hospital that made them content it was him.
97. The message was that the male was Sheku. Wayne said the gaffer knew it was him. Or that the gaffers were pretty confident it was him. I can't remember exact what he said. Wayne was referring to Graeme Dursley. I'm using the term gaffer and I can't remember if that's what he said.
98. I can't remember the terms of the death message to Collette. I can only remember that he said we weren't 100% sure however based on what we have at this moment in time we thought it was him involved in an altercation. The male didn't have phone and keys on him. Sheku's phone and keys were within the home address.
99. I have been referred to my statement (PIRC-00026) at page 3:-

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The instruction from the bosses was to get a full statement from her and I was very surprised that she was completely compliant. She initially took the news very badly and whilst Wayne Parker remained in the room, she was given time, maybe 5 minutes, with her mother who was consoling her. During this time I took baby [REDACTED] out the room.

100. That's accurate. I think I was surprised at how quickly she was able to give the statement. She was told her partner had passed she had no inkling until then that her partner had died. I hate the statement aspect for death. I don't know how happy I'd be if it was my partner and I'd be with the police for two hours afterwards. I think that's my reason for saying that to PIRC. Taking the news badly means she was really really upset.

101. I have been asked if it was normal for Collette's mother to be in the room at the same time as taking the statement. It depends on the circumstances. Best practice is to take statement alone from someone. Collette wasn't a material witness in a crime. She was giving a statement about Sheku. From a welfare perspective. From thinking on the other side of the fence if it was my wife I'd want her mum with her to help her. She'd want someone to stay with her.

102. I have been told DS Graeme Dursley states (PIRC-00137 at page 2): *"With regards to the death messages delivered to Collette Bell and thereafter the family. When Collette Bell was within Kirkcaldy Police Office, I spoke to DI Colin Robson, and whilst I did think it was Sheku Bayoh who was dead, at that time there was no formal identification so between me and Colin Robson we delegated Wayne Parker to tell Collette Bell, words to the effect that, "a black male had been found dead and we suspected that it may be her partner". We based this on the fact that there was a black male dead and that a gold coloured mobile phone was found at the locus. Collette Bell had previously that morning told DC Wayne Parker that Sheku had an unusual*

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gold coloured mobile phone. The wording of the death message is not recorded anywhere in any format."

103. That sounds like the death message. That death message does ring a bell. It's the first I've heard that in 7 years. That does sound accurate.

104. I have been told Lorraine Bell states (PIRC-00260): *"It was around about nine AM when we had reached Arran Crescent. I noticed that police were present right outside Arran Crescent when we arrived. The car at the address was an unmarked police vehicle. There were four police officers in the car. The two in the front of the police vehicle were in plain clothes and the two police officers in the rear of the car were in police uniform. All four police officers were male."*

105. I can't remember Collette Bell's mother's name. We never noted her details at any time but that was an error on mine and Wayne's part. We were so preoccupied that we forgot she was there apart from a welfare aspect.

106. The statement is not accurate. There were three of us in plain clothes, all wearing shirt and tie. The two uniform officers turned up after. The uniformed officers were one female and one male.

107. I have been told Lorraine Bell states (PIRC-00260): *"On returning downstairs with Collette and [REDACTED], police then said that Collette would have to go to the police officers in order to make a statement. They said that Collette would have to go alone with them as I would have to take [REDACTED] back to my home in order to look after him. I insisted to police that there was no way that I was prepared to let Collette go alone, in the state that she was in, without me to the police station. The two plain clothed officers on hearing what I said appeared to not be very happy about this. They kept looking at each other in annoyance. After a few minutes, during which they appeared to think things*

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over, they said that I could go with Collette to the police station. However, they added that the police station was no place for a baby ([REDACTED])."

108. I don't remember that conversation and it doesn't sound like something me or Wayne would say, [REDACTED] We may have asked if she wanted to take the baby and we may have said the police station might not be the best place for the wee man. But we were looking out for their welfare and we wouldn't have been abrupt about it. I don't remember the conversation but we wouldn't be annoyed and wouldn't say that a person has to go to the station who wasn't a criminal, in any way whatsoever.

109. I have been told Lorraine Bell states (PIRC-00260): *"The police officer who spoke then said "I'm gonna be brutally honest, there is no easy way to say this. There has been a body found matching Sheku's description". Collette then said is he (Sheku) dead. The plain clothed officer said yes."*

110. I don't remember that. DS Dursley's account jolted my memory. I can't remember what Wayne said. He might've started with "I'm gonna be brutally honest" at some point, but I can't be 100%. Wayne's got a really good way about him. He used to work in A&E as a nurse. He knows how to deal with family.

111. I have been told Lorraine Bell states (PIRC-00260): *"Collette became very upset. She was crying and shouting in a very uncontrolled way. So much so that I had to pass my grandson [REDACTED] to the other plain clothed police officer who was in the corner of the room. This police officer took [REDACTED] outside in order to allow time for Collette to settle down a little. After about five or six minutes Collette had settled down a bit."*

112. That does sound accurate.

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113. I have been told Lorraine Bell states (PIRC-00260): *"One of the plain clothed officers returned into the room along with [REDACTED] and it was then suggested/asked if Collette was in a position to provide a statement. Collette herself agreed to give the statement. I was present when she said this. Collette also in my presence asked the plain clothed police officers if she would be able to see Sheku. The police officers said immediately that Collette could see Sheku."*

114. I don't remember saying about seeing Sheku. We probably explained the process that she would have an opportunity to identify him once the initial enquiry was sorted out. She wasn't told straight away she would be able to see him that would be sure. The rest is accurate.

115. I have been told Lorraine Bell states (PIRC-00260): *"I wish to state that I found some of the points made and questions asked by police to be unusual. What I mean by this is reference to matters such as:- did Sheku pray five times a day, did he eat pork, did he smoke, did he drink alcohol. I could not understand why such things were asked given that we were led to believe that a body was found on the street. I also thought it was inappropriate that police made reference to racial issues including questions about whether Sheku perceived that Collette and he faced problems in a mixed race relationship."*

116. None of the questions were unusual. The praying things, I don't remember that being asked and I don't know why it would be relevant. I don't remember Wayne asking. Drugs and alcohol, 100% yes, it's important to know if a person dabbles. Basically it's a lifestyle question. Some people can have 10 pints and be fine. If toxicology comes back that there were drink and drugs found but he wasn't used to taking drugs then we'd be thinking was he spiked. It is standard for run of the mill sudden deaths. If it comes back as a drugs death it would be a completely different protocol. I can't say verbatim

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but I'm sure that would be in the SOP, the Sudden Death SOP. Those things need to be clarified in the investigation.

117. Smoking, I don't remember. It tends to come under the same lifestyle and health side of things. It's normally asked but not overly relevant. We're trying to get as much information as we can. Asking if he was a heavy smoker would be mentioned if relevant.

118. Body in the street, I don't remember exactly what was said because we passed minimal information. As far as my recollection goes, he'd passed away in the hospital. I don't remember those words being used. We needed some information so we could present an accurate report of Sheku to the PF the next working day.

119. I don't remember the racial issues questions. I don't see why it would be relevant to ask Collette.

120. I wasn't involved in writing the statement. All I did was sign my name after it was signed by Collette. I can't remember if I read over the statement. It would've been Wayne who read it back to her. I can't be 100% accurate but that's what he tends to do.

Bayoh family

121. After speaking to Collette, we sat in the CID office. I started my statement. I probably grabbed a bite to eat. Just before 3 o'clock DS Dursley asked us to go to [REDACTED] and speak to Sheku's sister. We went up me and Wayne. Went up and spoke to her, her and her husband Ade.

122. I can't remember exactly what DS Dursley asked us to say. I think at that point they were pretty convinced it was Sheku. They were content with the information they got from Collette earlier from a sudden death report. Just

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details from them all. Pass the death message and nothing else specific. Didn't need a further statement because of the one we had from Collette Bell. The thinking was more hat the FLO would do that, they would take the statements later on. That tends to be what happens. The next of kin being the sister. That's a decision above my pay grade.

123. I took the lead on this one because Wayne spoke to Collette. I said her brother had sadly passed way. I said it was an ongoing investigation and we couldn't pass on more information at this time. I can't remember exactly what I said it's been that long ago. I couldn't guess.

124. I never made any mention of contact with the police or a disturbance, just that he'd passed. That's all we could pass at that time. I explained the FLO would be in touch. I explained their purpose and that they'd relay information after they got it. They relayed information back and forward. We didn't know overly much and didn't want to say anything untoward or incorrect. We had to say this information would be passed later on.

125. I was well aware of the contact with police, the knife, the assault on an officer. That was the extent of what we knew. Me and Wayne stayed away from that information. It was only in the days after that that we got more information.

126. For 10, 15 minutes we were there. Then we went back to the station. I was hoping that was it for the day, it had been mentally challenging for me, but not like the levels for other people that day.

127. I think DI Robson asked us to go back up to the house. Chief Super Gary McEwan was going to go up and speak with the family and try and pass more information. So we were asked to deliver that to them personally. We did make it by to the station. I remember going back to the office. We weren't there for that long. DCs were arriving. We definitely made it back to the office

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and I remember thinking we needed to go back and pass on more information.

128. We did go back to the house. We were told to wait there until the Chief Super was arriving. The family took that well. I think Collette and her mum were there at that time. We spoke to them, talking away fine. That's as much as I remember. Then after about 10, 15 minutes I think I got in touch with DS Dursley and I asked what was the holdup was. It was getting awkward because we didn't have any more information for them. I think he said to us he'd get back to us.

129. I think they took that well, I can't remember why I thought that. I think they thought people was going to give them some answers. They would be able to answer questions that we don't know or weren't able to answer already. They weren't as angry as they were until we read out that statement.

130. I then got a point to point private call on the radio. The words I remember – "Andy you're not going to like this but I've arranged a statement". I took my notebook to the back end where I take my smaller notes. He read it out to me. I said you're right I'm no happy with that. He said that's what we have to do. I was told the FLOs were either en route or being briefed, I can't remember. Then radio was terminated.

131. I don't know why it was done on the radio and wasn't done on mobile phone. I couldn't remember until I read my statement. The radios work that a normal person on the channel would hear the message, but point to point you can phone a person's radio and it's a private conversation. They are recorded and can be used. I'm pretty sure it was point to point.

132. We read the statement and said Gary McEwan wasn't coming. We said the FLO would be deploying and more information could be given when they were in contact. We relayed that the best we could.

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133. I went back through and remember Wayne being beside me. I explained the gaffer wanted me to read this message out. I read it out. Ade then came out and said you killed him because he was black. There was nothing we said that suggested the police actions were racist. I'm pretty sure he said his job was to do with race relations or as a minority speaker. I think he mentioned that in his first or second visit. He said he knew someone in the police as well but I can't remember who that was. There was nothing me or Wayne said that suggested it was a racist incident. It was something that he said after the statement was read out to him.

134. That was my memory of the day. It was really difficult to pass any information afterwards. There was nothing we could do to subside that feeling of the family. The perception was they'd lost a brother and the statement was that he was killed by the police.

135. Kadi Johnson was crying but I can't remember what she said. Ade was doing most of the talking because she was so upset. I think she and Collette had an interaction at that point but I can't remember what it was.

136. I can't remember what Collette's reaction was. I remember staying in the centre of the room. I think Collette and her mum were under the window and Ade was standing. It's almost like they were talking to each other but they were really angry and upset. I remember Kadi crying.

137. I can't remember much after that. It's a haze now. I remember apologising for what they'd been through. That was the first time that Collette had heard that statement. There was more information in this statement than what we had given her previously. We apologised and then we left.

138. I can't remember where we went but I think it was the CID office. We were shell shocked at this point. DS Dursley and DI Robson asked us how it went

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and we said it hadn't went well and the family were clearly upset. I think I probably told them the comment of what Ade said just to show them how upset they were. That mindset was resonating with the rest of the family as well. That was the comment that that's when he's been killed then, because we was black.

139. We had a wee meeting with the Chief Supt McEwan about the work that happened that day. I can't remember the meeting, it's not in my PIRC statement. He was with a female officer of high rank, Nicola Shepherd. I'd never been to that upstairs part before. It was just to thank us. I'd never met him before.

140. The DSU came, I'm pretty sure it was a Super when we were speaking to the FLOs. I'm sure it was a Detective Super or duty Super. I think they asked us about the initial interactions with Collette and the interactions at the house as well. I explained it hadn't gone well and they were going to a firey atmosphere.

141. We left after that statement and they were looking for answers. We met the FLOs, either MIT or PIRC FLOs. It was a haze where we gave a brief outline of our actions that day. They were definitely FLOs. I think that meeting was about 6:30pm.

142. Then it was a late one home after that. I was probably finishing off my statement after that before I went off duty. We were in a CID room in a back shift.

143. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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144. I have been referred to my notebook (PS18502 [REDACTED]) at page 40: *"Following an incident this morning in the Hayfield Road area of Kirkcaldy, officers from PS have been attempting to arrest Sheku Bayoh, during which time he has become unconscious, conveyed to hospital by SAS & despite best efforts by hospital staff died shortly after 9am. FLOs this evening"*

145. This is the note I received in the point to point radio call with DS Dursley. The other bit is that DS Dursley had said to tell them FLOs would be deployed this evening.

146. I have been told the form of words was said by DS Dursley to be the following: *"Following an incident this morning, in the Hayfield Road area of Kirkcaldy, officers from Police Scotland have been attempting to arrest Sheku Bayou, during which time he became unconscious, conveyed to hospital by Scottish Ambulance Service and despite best efforts by medical staff died shortly after 9am this morning."*

147. That's the same. I think hospital and medical part at the end is slightly different. I wrote hospital staff and he said medical staff, that's the only difference.

148. I have been referred to my notebook (PS18502 [REDACTED]) at page 30:-

1510 Kadi Johnson...

Death message passed to Kadi, in relation to her brother, Sheku Bayoh

*1540 Asked to return to [REDACTED] and provide a statement to family, as per page 118. Statement provided by DS Dursley
Whilst at that address*

Told family that commander would be in touch with regards with coming to see the family."

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149. I think I got that the wrong way around there in the my note. I think that was when we were first going to see the family. This note was written when I came back from the sister's house. Usually I'd put late entry so it's strange I've not put it there. It must've been when I come back.

150. I have been referred to my notebook (PS18502) at page 30:-

2000 Late entry

Attended briefing with duty Supt & nominated FLO's

And discussed disclosure with family, death messages occurred at 1830 hrs

2105 Retired from duty

151. The duty Supt wasn't Gary McEwan. It was somebody I'd not met before. That's who brought the FLOs in. I'm sure the Supt was a male. I've got a picture of a guy in my head. Disclosure is what I'd told them about the incident. After the words "death message", that's just a scribble, not a word.

152. I have been told that Gary McEwan (PS03136 at page 2) states: "*About 1645hrs DS Dursley informed CI Shepherd that two Detective officers had attended at the home of the deceased's family and were met with a highly charged emotional and at times confrontational environment. I thereafter spoke to both officers (Dc's Mitchel and Parker) and informed that the family demanded my attendance to "get answers".*"

153. They were angry after the statement. Ade more than the rest. I can't remember him demanding it. I can't remember if it's because we'd said the chief might be coming. I don't remember Ade demanding the visit. I can't remember that directly in all honesty. It was certainly highly charged and emotional but I don't think it was aimed at us, it was the situation itself. It might've been interpreted as confrontational with the comment he's made about the police. I never felt it was confrontational it was a man angry about

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his family member passing and wanting answers as he should. It was the same as it would be in any other house.

154. I have been told DS Graeme Dursley states (PIRC-00137 at page 2): *"I previously gave instructions to DCs Parker and Mitchell when they delivered the pre-prepared statement, which in effect was the 3rd message. I knew that my detectives would get bombarded with questions from the family on the back of this prepared statement and I specifically told them not to answer any questions directed at them as they were not in a position to answer."*

155. That's 100% accurate.

156. I have been told Adeymi Johnson states (PIRC-04350 at page 2) the following: *"About 3pm on Sunday (3.5.15) two plain clothes police officers called at my house. They identified themselves with the identification cards as Andy Mitchell and Wayne Parker. This was my first contact with Police Scotland. I had not been contacted before this by Collette or any other family member."*

157. That's the right time, absolutely.

158. I have been told Adeymi Johnson states (PIRC-04350 at page 2) the following: *"The officers came into my living room and they informed me that Sheku was no longer with us and that he had been pronounced dead in the ambulance on the way to the hospital. My wife was present at the time. I asked how did he come into contact with the ambulance. They said a phone call had been made by a member of the public who lived close to Sheku's house. I asked where was Sheku at the time the call was made to the ambulance. They (police) said close to Sheku's house."*

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159. We may have mentioned members of the public had phoned in about the incident. In a roundabout way we might've said that. We maybe did say close to the house. It was in the living room.

160. I don't remember saying the ambulance part. My awareness was that he died in the hospital not the ambulance. I remember saying he had sadly passed and it was identified as him. I remember saying I can't tell you much else at this point, it's an ongoing investigation. That's what we kept repeating because that's all we were allowed to say and what we knew.

161. I don't remember saying about a phone call from a member of the public. I don't see why I would've said that because I'd been missing a big chunk in the middle. There may well have been members of the public phoning in and we'd be required to speak to them. I don't remember saying that directly.

162. I don't remember saying Sheku was close to his house. Obviously it was close to his house but I'd be leaving myself open to questions so I don't think I did.

163. I don't remember giving him this impression. We'd be leaving ourselves open to questions we couldn't answer. We may well have mentioned we were looking to speak to people who had called in. I don't remember saying it. There was a lot of awkward back and forward. I don't like lying to people or providing nonsense so there may well have been more. I remember saying it was an active investigation, people to speak to about what had happened and we'd pass on that information when we could.

164. I have been told Adeymi Johnson states (PIRC-04350 at page 2) the following: *"I asked was he in a car accident. They said no. I asked was he in a fight. They said no. I asked was he stabbed. They said no. I asked so how did he die. They said they did not know. I asked if his friend Zahid was dead too, but they said no he was fine. The police officers said they were looking*

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for two guys and that they (police) were going to a friend's house called Martin (witness Dick) I asked if the partner (Collette Bell) knows and they said yes. They asked us to contact Collette as he seems to know more about what happened as she had been talking to Zahid."

165. I can't remember about the car accident question. We could say it wasn't a car accident. We weren't divulging anything to them. I don't remember it being asked. If it had been asked then I would've answered it. But we weren't sure about the rest.

166. I wouldn't have said no about the fight, I'd say we weren't sure about that. I can't be 100% if that was asked or not. At that point we'd been told he'd been involved in at least two altercations with Zahid and then with police. If I had been asked it would've been that universal answer. We had been told that the initial call was, that he had resisted and assaulted Nicole, and they'd tried to get him under control after that. Enough to surmise there'd been an altercation.

167. I don't remember the stab question. Again, it would've been the universal answer that we weren't sure of the exact circumstances and when we get the information we'd pass it back to them.

168. I don't remember the Zahid question, but I would've answered that he was fine. I would've answered that one.

169. I don't remember about looking for two guys, and Martin Dick. That came out in the Panorama programme but that didn't happen. I said we were going to speak to other witnesses. No more information than that. I thought we were annoying from what we were saying. We weren't specific with any names.

170. The bit with Collette we definitely said she'd have more information. It's accurate in the sense that if they'd like to contact her we had spoke to her

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and got details from her. I said she'd been in contact with Zahid but we never went into more context than that.

171. I have been told Adeymi Johnson states (PIRC-04350 at page 2) the following: *"At the end of that we saw Wayne and Andy coming back. They came back and they said their gaffer wants to come to the house to explain what has happened and asked if this was okay. I said yes. At this time it was myself, Kadi (my wife), Collette and her mum, Lorraine. Collette asked Andy and Wayne why there was a difference as to how Sheku had died. She said she was told Sheku had been found at the side of the road by a passer-by, and them telling us Sheku had died in an ambulance on the way to the hospital. The answer was they did not know where Sheku had died."*

172. The gaffer coming back, that was accurate, Gary McEwan. The people in the room were accurate as well. I wouldn't have used the term gaffer with them. I wouldn't say that to a witness. It may well have been dropped in in the conversation. I said our boss or the Chief Supt. I remember trying to give him his full title rather than gaffer. In the conversation later on I may well have said the word gaffer.

173. It wasn't said to Collette that he was found on the side of the road by a passer-by. That wasn't said at any time. We didn't say it was in the ambulance either. My understanding has always been it was at the hospital. I understood it was the hospital so I wouldn't have mentioned that. I've never had it clarified exactly where it was. I wouldn't have said we didn't know where Sheku had died.

174. I have been told Adeymi Johnson states (PIRC-04350 at page 2) the following: *"Eventually we were told their gaffer could not make it and to tell us that the police had been involved in the death of Sheku. I asked the question how were the police involved? One of the officers has a nursing background."*

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175. I remember saying the Chief Supt couldn't make it and to read the statement verbatim and to bear with me while I read it out. Then Ade made the comment about the police killed Sheku because he was black. I don't know what the full involvement was. I explained the FLOs were going out that evening to speak to them and answer their questions.

176. Wayne has a nursing background. I don't know when that came out. I can't recollect why Wayne would've mentioned that. I would only be guessing why that came up.

177. I have been told Adeymi Johnson states (PIRC-04350 at page 2) the following: *"It was the other officer who referred to his notebook, basically he read from his notebook, holding it in a way his colleague could read it as well. He told me there was a warrant out for the arrest of Sheku and that they were trying to arrest him and he was refusing. Then they had to make a forceful arrest. It was during that process they (police) realised he was unconscious. They tried to resuscitate Sheku."*

178. That's absolutely not accurate, not one part of that is true other than I was reading out a part of my notebook and Wayne was seeing it. I don't know if there was a warrant for him. I never passed any of that information. None of that detail of police involvement. We never went into specifics at all over or above that statement. We never said anything else.

179. I have been told Adeymi Johnson states (PIRC-04350 at page 2) the following: *"I asked a question again 'who called the ambulance?' They went quiet. I asked the question again but this time, if the police were present, who called the ambulance? They said the police. I then asked when the police met Sheku, was he alive. The answer was yes."*

180. I don't remember this. I probably would've answered this one that the police phoned the ambulance. I certainly don't remember that conversation at all. I

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think if I was asked again I'd say yes the police phoned. I don't see why we wouldn't say that. I don't remember that. Possibly yes I would answer, but I don't remember that question getting asked.

181. I have been told Adeymi Johnson states (PIRC-04350 at page 2) the following: *"At this point my wife, Kadi, Collette and Lorraine became very emotional and angry. The officers then said a family liaison officer would be in contact. I said to them to tell Gary McEwan (Chief Superintendent) that Ade Johnson needs to see him within 24 hours. They both seemed quite shocked that I knew Gary McEwan. That's when they left."*

182. I remember Collette crying as well as Kadi. I don't remember the mum reacting. I remember the other two were quite loud when they were crying. Quite loud in all honesty. Ade said his comment pretty much as soon as I finished reading it out so I don't know when they started crying, maybe after he'd made that comment.

183. The FLOs part is accurate.

184. I don't know the Gary McEwan comment. We weren't shocked in any way. I'd already mentioned Gary McEwan at the start of this visit so for me to be shocked is unlikely. I remember him saying he knew cops. I don't understand that shocked part, not after the FLO part being explained to him.

185. I have been told Kadijatu Johnson states (PIRC-00252 at page 2) the following: *"About 3pm on Sunday afternoon (3.5.15) I was within my house when two plain clothes police officers called at our house. Ade answered the door. Ade called me through from the kitchen to the front room. At that time it was Ade and the two plain clothes police officers and myself who were in the front room. The officers were Andy and Wayne. I was asked what my relationship was to Sheku. I told them he was my brother. I was then told*

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'There is no easy way to tell you this, but Sheku has passed away.' Obviously I was upset."

186. That sounds pretty accurate.

187. I have been told Kadijatu Johnson states (PIRC-00252 at page 2) the following: *"Ade started to ask questions about how Sheku had died. I remember Ade asking was he involved in an accident? They said no. Was he stabbed? They said No. Was he bleeding? They said no. How did he die? They said 'we do not know.' Then they said they are looking for two guys."*

188. I don't remember Ade asking these questions. I don't remember this from what was read from his own statement. I remember him asking questions but don't remember him asking these at the time.

189. It's accurate that he asked how did he died and we said we don't know.

190. We didn't say the part about looking for two guys. Not at all. Even after we said we don't know how he died and it's an ongoing investigation, I said we don't have any further information and we repeated the same thing. We never said we were looking for people in connection with it or anything close to that because that's not accurate at all.

191. I have been told Kadijatu Johnson states (PIRC-00252 at page 2) the following: *"I told them Sheku has a partner and does she know. They said yes. I did not have Collette's number at the time, so they gave me Collette's number and gave the phone to me while they (police) were here. I spoke to Collette. She was crying, I was crying, she asked if she should come over to our house. I said yes and she said she was on her way. Before Collette arrived the two police officers left, saying Family Liaison Officers would be in touch."*

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192. I forgot about this but that's 100% true. At that time we were thinking the more support the better. I think they mentioned the kid as well. I was hoping the wee man would be brought over but I don't think he was actually.

193. We left and said FLOs would be in touch. 3:20-3:40pm, that would've been when we left.

194. I have been told Kadijatu Johnson states (PIRC-00252 at page 2) the following: *"I think sometime after 4pm (3.5.15) Collette arrived with baby [REDACTED] and her mum. Shortly after that the same two police officers, Andy and Wayne, came back to our house. They came back to ask if their 'gaffer' could come and speak to us. We said yes. By this time it was the two police officers, myself, Ade, Collette and her mum Lorraine who were in the front room."*

195. That's accurate. I wasn't aware of the wee man coming back he must've been in a different room.

196. I have been told Kadijatu Johnson states (PIRC-00252 at page 2) the following: *"The police officers stayed with us for some time. The police officer who did not have a nursing background was going outside the front door to make and answer his mobile phone. This officer did not mention anything about these phone calls and I did not hear any of the conversation as he was outside. After several phone calls this officer came in and said his 'gaffer' was going to another meeting. He then read a statement from his police notebook."*

197. I think I maybe phoned Graeme Dursley initially on the mobile phone and then he said he'd be back in touch. Then he got back on the point to point on the radio. That's pretty much accurate.

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198. I don't remember what reason I gave about why Gary McEwan couldn't make it. I may well have said that. there were meetings ongoing. I can't remember what I said then but I did read the statement thereafter, yes.

199. I have been told Kadijatu Johnson states (PIRC-00252 at page 2) the following: *"The police officers were sitting side by side. The officer reading his notebook, positioned the notebook in such a way his colleague could clearly read it also. I can remember being told "the police have been involved in a forceful arrest and during that time they realised Shek was unconscious and ambulance was called and died by the time he got to the hospital."*

200. I thought I was standing but I could've been sitting. Wayne was definitely beside me.

201. Regards to the forceful arrest, I read out the statement from the notebook but not forceful arrest. And I didn't say where he died. The hospital staff is from the statement which made me think it was in the hospital that he died.

202. I have been told Kadijatu Johnson states (PIRC-00252 at page 2) the following: *"By that time we all got upset because by that reading we thought the police had killed him (Sheku). I thought this because I said to the police officer from a nursing background, you are from a nursing background, I am from a nursing background, I said this is a black boy you have killed, we are from a big family and this is not going to go down well. Ade was asking questions about who phoned the ambulance. They said a passer-by and the police had phoned for an ambulance. I have used the word killed because they (police) have used the words 'forceful arrest' and this is my perception of what has happened."*

203. I don't remember this. I think if they asked who had phoned the ambulance I would've said the police but I genuinely don't remember. The nurse thing I think I noted Kadi's details she mentioned she's a nurse. Maybe then that

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was when Wanye mentioned he had a nursing background. I can't think of any other reason.

204. I never used the word "forceful arrest" at any point.

205. 100% the terms of the statement were such that could cause this perception in the family. It was too vague. I had understood a full statement was prepared for the family. It was passed through management and cut right down to what was passed. I don't think it was the best thing to do. I said to DS Dursley that I wasn't happy with it. It was far too open to interpretation and I can understand the family's interpretation and disappointment in what was being read out to them.

206. I have been told Lorraine Bell states (PIRC-00260): *"I do recall at least one visit by the two plain clothed officers who we had dealings with in the earlier part of the day. All I can say about the two officers is that one had a Newcastle Upon Tyne accent and the other had a shaved head. I recall that the officer with the Newcastle accent said that Sheku's arrest was forceful. This was a shock to me and came very much out of the blue."*

207. Wayne has a Newcastle accent. Wayne would not say that phrase and I never heard him say that at any point. It was me who read out the statement.

208. I have been told Kadijatu Johnson states (PIRC-00252 at page 2) the following: *"Before they left Ade asked who their gaffer was. They said Mr McEwan, to which Ade asked if it was Gary McEwan. At this point they appeared surprised that Ade should know Gary McEwan. Ade then told them he wanted to see Gary McEwan within 24 hours. They said they would pass that on. They then left. I think that was after 5 o'clock."*

209. I don't remember Ade asking this. I'm pretty sure it was me who mentioned Gary McEwan first. I don't remember that conversation at all. We weren't

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surprised about him knowing Gary McEwan. If I was talking about my gaffer or boss I would say DS Dursley or DI Robson. I would assay my direct line manager or two up. I'm adamant I mentioned Gary McEwan first.

210. I don't remember that at all but it may well have been said, about the 24 hours. It was closer to 4pm, not quite as late as 5.

Delay in delivering the death message

211. The first thing is that we were noting a statement from Collette which took a good chunk of time. The operational decisions that day weren't up to me. I don't know if they were waiting to confirm if it was him. I'm not sure about formal identification. I don't know if they were wanting the two officers. I know there was time for the statement to be noted from Collette.

212. I was following instructions. It wasn't in my remit to go and deliver death messages etc.

213. I think the fact we had Collette at the station, the line managers were quite content it was him but there was that element of doubt. I'm only surmising that we were waiting for more information before we spoke to the family. There may have been that element but it's only an educated guess.

Family Liaison Officer

214. I had no involvement in the appointment of FLOs. The meeting I had was essentially a sort of handover from our involvement. They would get a proper directive from their line manager, the duty Super. Our only involvement was only the meeting and that was our engagement and handover with the family.

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215. I'm not overly sure about the FLOs. It was a situation that we don't normally have. It probably should've been PIRC who deployed FLOs, I believe. I can't be 100% sure.

216. We would ordinarily appoint a FLO for a partner like Collette. I don't know who was nominated for her. One would be for Collette. I'm not overly sure about that. If I was supervisor I would suggest that that would be the case. The only issue is that different information is getting passed to different people. If it's the same FLO then there will be one voice but I'm not sure.

217. I don't think FLOs were even mentioned with Collette. We did say we would be in touch with regards to her house and further information at that point but I don't think a FLO was ever mentioned to her.

218. I'm not aware of any difficulty in FLO appointment. I'm not aware of the relationship between the FLO and the family.

Media engagement

219. I wasn't involved at all in media engagement. Nobody mentioned this to me.

220. I wasn't aware of a radio report that a female officer had been stabbed. I don't know where the information came from.

Searches of property

221. I wasn't involved in any searches of the locus. Collette's address was mainly searching for any person in there and we had a wee look about upstairs. I'm not sure if the mobile phone and keys were taken from the address or left in there. I wasn't involved in any seizure of property.

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222. I don't remember telling Gary McEwan directly about securing Arran Crescent. I can't really remember the conversation with the Chief Super. It was more asking us what happened and then thanking us for this.

After 3 May 2015

223. I had no other dealings with the enquiry.

224. In recent months I was having a conversation about this. One cop was saying how bad the whole thing on the day was. The incident with Sheku himself was really violent. It's a major incident but not something that people talk about in death. We say it's terrible but we don't want to talk about it because of how much it affected the cops at the time.

Race

225. Race played no part whatsoever in my actions on the day. There was nothing about Sheku Bayoh's family that was different than what I was used to. I'm aware certain religions need bodies treated. Until I went to that address and see Ade's comment, it wasn't something I was aware of worried about. I was treating them the same as anybody else. Looking back now that's the same way to do it.

226. I don't remember anything about Sheku Bayoh's race being a factor. Since then there's been high profile stuff in America that exploded in social media. It certainly wasn't a worry at that time. I haven't seen anything like it since then in the media in deaths and certainly not in a minority. It wasn't a discussion that we had, we were too busy dealing with other stuff.

227. I wouldn't do anything differently in hindsight. I maybe would've noted Collette's mum's details. I've wracked my brains about the day but no I think we did our job the best we could. We tried to provide a service as best we

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could to be honest. Unfortunately it wasn't appreciated by the family and I can appreciate they were hurting that day having had a loved one die. There's nothing I would change about my actions that day.

228. I've not come across any racist views, comments or jokes of a police officer, definitely not. I wouldn't tolerate it. I've grown up on the [REDACTED] [REDACTED] so I've had a lifetime of dealing with these things and it generally disgusts me.

229. 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.

Date..... January 12, 2023 | 1:56 PM GMT
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