

WITNESS STATEMENT

Agency Ref :S146D  
PF Ref :

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Surname : CAMPBELL Other or previous surname : NIL

Forenames : Patrick [REDACTED] DoB : [REDACTED] 1971 Age : 44

Occupation : Detective Superintendent Other Occupation : Nil

Police Station : Livingston Years Service : 19 Years

Disclosable address :

Post Code:

This statement was taken :

Date and time : 7th of July 2015 16.10

By : INV KAREEN PATTENDEN  
Place : Livingston Police Office

In the presence of : DSI M HEADRICK

I have/the witness signed/refused to sign this and all other pages

It was/not read over to the witness and was/not recorded on Audio tape and/or Video tape

States :

I am Detective Superintendent Patrick [REDACTED] Campbell. I am currently the Detective Superintendent in charge of the Criminal Investigation Department (CID) for Livingston Police Office, West Lothian Civic Centre, Howden South Road, Livingston and Dalkeith Police Office, Newbattle Road, Dalkeith. In addition I have oversight of all local crime and public protection matters within J Division.

Further to my statements dated Friday 19 June 2015, Friday 3 July 2015 and Monday 6 July 2015 respectively.

As stated in my previous statements I was present at the Gold Group meeting about 1130 hours, Sunday 3 May 2015, also present at this meeting were ACC Nicholson

WITNESS STATEMENT

(chair), Chief Superintendent McEwan, Chief Superintendent Boal, Chief Inspector Shepherd, Detective Inspector Robson (minutes) and Kate Finlay (media). During this meeting a number of factors were discussed, which included a factual update, investigative process, review of policy/ decision log, family concerns, community issues, community impact assessment, staff welfare resources, disclosure issues, media strategy and resilience in command.

The matter of the officers refusing to provide operational statement was discussed within the Investigative Process. I explained at this point that the officers had taken advice from the Police Federation Representative, Constable Givan, who had advised them not to provide statements.

When constable Givan had told me this she did make reference to the new guidance in respect of officers not having to provide statements with regards 'on duty criminal allegations.' At this time I was aware the two memos regarding this advice. One memo from Deputy Chief Constable Neil Richardson and one memo from Chief Superintendent Eleanor Mitchell, PSD.

I have today been shown by IO Kareen Pattenden, PIRC, the following items to which production labels were attached marked as indicated below:

Production Label -	Memo PS053/15 From Neil Richardson to Divisional Commanders dated 26 March 2015
Production label -	Memo PS054/15 From Eleanor Mitchell to Divisional Commanders dated 26 March 2015

I have signed the production labels accordingly.

On looking at these documents I can state that, these documents contain the guidance I believed Constable Givan to be referring to. I remember this as when the guidance first came out, I realised the difficulty this would cause for any investigation involving Police Officers.

Both of these documents detail that there appears to have been discussion with 'crown' prior to their existence.

With regards to identification of the deceased being confirmed, this was also discussed within the factual update and again surrounding family concerns. Although I was pretty confident that the deceased was Sheku Bayoh, this had still to be confirmed. It was discussed the use of [REDACTED] contacting and for a formal identification by family members / NOK.

At this point of time, I gave no consideration to use Collette Bell to carry out a formal identification on the deceased. This was for two reasons, one I did not know whether she had any involvement in the circumstance surrounding the death and secondly I

**WITNESS STATEMENT**

would not take any witness to a hospital for identification as it is not appropriate. Identification would normally be carried out in a mortuary.

This is not a decision I would note in my policy book, as it is a normal decision that would be made in the course of attempting to identify the deceased. In addition Collette Bell is not the NOK of who was believed to be Sheku Bayoh and it is normal to seek their agreement in the first instance.

As previously stated I had made a direction for a trace to be put on Zahid Saeed. This direction was given to Inspector Robson, I am unaware of who he directed this action to be carried out by. I do remember being aware that Collette Bell had provided a telephone number for him, which resulted in him being contacted by telephone. Arrangements were made for two CID officers to attend his address, speak with him and then return with him to the Police Station in order to record a statement from him and establishing what he knew, if anything, regarding the circumstances leading up to the death of the deceased. I am unaware of any issues with regards him attending at the Police Office. I cannot remember who the officers were that attended at his address, however, it is common practice in an investigation in to a death to bring witnesses to the Police Office to record statements rather than within their own home, especially if their involvement is unclear.

As a result of Zahid Saeed's attendance at the Police Office and his subsequent statement, I understood that Zahid Saeed alleged that Sheku Bayoh had assaulted him. After which Zahid Saeed left the address of Sheku Bayoh in his car. He also indicated that Sheku Bayoh was under the influence of drink and drugs. This then resulted in Zahid Saeed's car and house becoming crime scenes. From memory I was aware of this information prior to the Gold Gp meeting.

Again this was not a policy decision and as such was not noted within the policy book but instead it was detailed within the forensic strategy, it was noted as locus number 5.

I would like to add that all decisions made were discussed with Keith Harrower, PIRC to ensure that he was aware of the status of the investigation at all times prior to his arrival.

At the conclusion of the Gold Gp meeting Detective Chief Superintendent Boal and I had a look at the resources made available and put together a strategy for a small number of appointments, these appointments were written within the policy book and detailed at entry number 10. The appointments are/were as follows:

Crime-scene co-ordinator - Detective Chief Inspector Houston  
Diversity - Inspector Gill Baulton  
FLO Strategy - Detective Sergeant Kevin Houliston  
House to House - Constable Ricky McMurdo

Detective Sergeant Houliston was detailed as being on duty but this was inaccurate therefore the FLO Strategy Appointment eventually was reassigned.

**WITNESS STATEMENT**

About 1330 hours, 3 May 2015, I remember Keith Harrower, John Ferguson, who I also know from previous employment, Maurice Rhodes, who I know to have been a Traffic Officer in his previous employment, Gary Sinclair, who I know from his previous employment and one other, who I do not know, nor do I remember his name.

I escorted Keith and his team to a conference room on the first floor of Kirkcaldy Police Office. In the room at this time along with Keith and his team were Detective Chief Inspector Houston, Detective Inspector Robson and I.

I then lead briefing update of what I knew at that point. I included all of the crime scenes, an input being provided by Detective Chief Inspector Houston. By this point of time there was a clearer knowledge as to where the deceased had been and the route he had taken to Hayfield Road, Kirkcaldy. I also briefed him regarding the House to House strategy and the parameters in place. Keith dictated to me which decisions he agreed with and which strategies he agree with, he also provided direction on what additional lines of enquiry he wished to take. He was informed at this time that the police officers involved in the arrest had refused to provide operational statements. In addition he was also aware that the identification of the deceased had not been confirmed and to date identification had been achieved through Collette Bell, Sheku Bayoh's Facebook and an image recovered [REDACTED].

At this time I was aware that there appeared to be a problem with Detective Sergeant Kevin Houliston, who was appointed FLO Strategy. It appeared that the duty roster was inaccurate I therefore directed Inspector Robson to identify further suitable FLO's. He established that there were two FLO's on duty, one in Dundee and one in Crieff. I directed Inspector Robson to contact them to attend.

At the same time I had a conversation with Detective Chief Superintendent Boal and we agreed that time was off the essence to deliver a death message to the family. I was aware from the interaction with Collette Bell that the NOK was Kadi Johnson, Sheku Bayoh's sister. I therefore directed Inspector Robson to contact the two officers that had spoken with Collette Bell and request that they attend the address of the NOK and deliver the death message. I did this as I wanted to ensure that what had been said to Collette Bell was also said to the NOK. I did not want confusion. The delay so far was purely due to the fact that there were no FLO's on hand to deliver the death message. This was delayed purely due to the initial FLO not being available and the inconsistencies and inaccuracies on the Police System at that time which indicated that he was on duty, when in fact he wasn't. Then the attempts to find further suitable FLO's was time consuming. I was very much aware of the fact that the family may receive information from Collette Bell prior to the death message being delivered, therefore causing tensions to be high within the family. This was ultimately lead me to directing that two Detectives would attend and deliver the death message. This action was directed at 1430 hours 3 May 2015.

To my knowledge the message that the officers were told to provide to the family was similar to that of which they told Collette Bell.

WITNESS STATEMENT

I am aware that PIRC were fully aware of the status of the investigation and the difficulty with the FLO attendance.

From memory about 1500 hours, that day, Inspector Robson informed me that one of the Detectives was on the telephone and that the family required further information. He went on to say that they were asking a number of difficult questions.

I then sat down and spoke with Detective Chief Superintendent Boal and together we put together a form of words. The actual words used was not entered in to the policy book, however, the decision to do so was and is detailed as number 14. I did however write these words down in to my day book and read as follows:

During the arrest of the male, Sheku Bayoh on Hayfield Road around 0715 hours, this morning he has become unconscious and on arrival at Hospital, despite efforts of medical staff has died.

It appears that this resulted in further difficult questions being asked and the family became pretty hostile. I am unaware of what was actually said other than receiving this report back.

Signed :

(Witness)

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WITNESS STATEMENT

CONFIDENTIAL MATERIAL - NOT TO BE DISCLOSED

Surname : CAMPBELL Forenames: Patrick [REDACTED]  
Alias/known as : / PAT

Place of birth : [REDACTED] Age : over 18

Home address : [REDACTED] Telephone : [REDACTED]

Post code : [REDACTED]

Business address : Dalkieth Police Office  
Newbattle Road  
Dalkeith

Post Code : EH22 3AX

Mobile : [REDACTED]  
Email : [REDACTED]

Fax/Pager : Nil  
Other : Nil

Dates when unavailable in next 12 months :  
[REDACTED]  
[REDACTED]

Other Confidential Material :