

11.1

POLICE Statement Form

CF Report Number :

PF Ref : Unknown

NB – All Highlighted Headings are Mandatory and MUST be completed

Section 1 - Disclosable Details

Person Type – Police

Surname - Shepherd

Forename - Nicola

Occupation - Police Officer

DoB - /75

Police Station - Kirkcaldy

Years Service - 21

Officer User No - 930836

Section 2 – Provenance

On – 18th May 2015

Place - Kirkcaldy Police Station

By - 930836

Other Person(s) Present [6 Digit Officer User No]

Source Document - *Statement

Authentication Details - * Read Over

Section 3 - Statement

I am a uniformed Chief Inspector and Local Area Commander for the Kirkcaldy Area.

On Sunday 3rd May 2015 I was off-duty. About 0930 hours, same date I was contacted by Chief Superintendent Garry McEwan and informed of an ongoing incident in the Kirkcaldy area whereby a local man was deceased having been involved in an altercation with police officers. Given the potential impact and high profile nature of the enquiry, I was requested to resume duty and attend at Kirkcaldy Police Office.

On my arrival I was briefed by Chief Superintendent McEwan as to the circumstances of the death of Mr Bayoh. At this time I was aware that the investigation was being led by Detective Superintendent Pat Campbell, Major Investigation Team and the circumstances had been notified to the Police Investigations Review Commissioner (PIRC).

At 1130hrs, same date, I attended a Gold Group meeting chaired by ACC Nicholson. My responsibilities around this incident centred upon police resources, community issues and preparation of a Community Impact Assessment (CIA).

About 1440 hours, same date, I attended a further Gold Group meeting chaired by ACC Nicholson. Representatives from the PIRC attended this meeting.

About 1645hrs, same date, I was contacted by DS Dursley and informed that two CID officers (DC's Mitchell and Parker) had attended at the home of the deceased's family and were faced with a confrontational atmosphere. Both officers returned to Kirkcaldy Police Office following the meeting and updated myself and C/Supt McEwan. It was evident at the time that the officers had been supplied with a pre-prepared brief with which to update the family. They stated that there were a number of concerns raised by the family in relation to the lack of information they had been given. The brother in law- of deceased demanded to speak to Chief Supt McEwan or he would escalate his discontent to an unnamed individual in Glasgow.

Following receipt of this information, C/Supt McEwan updated ACC Nicholson about the obvious community tensions and dissatisfaction of the family. C/Supt McEwan and I agreed to attend at the family home to attempt to answer some of the questions being posed by the family to alleviate some of their concerns. C/Supt McEwan and I spoke with Gill Boulton (Force Equalities Unit) prior to our attendance to ascertain any cultural issues in advance of the meeting.

About 1810 hours, same date, DC Mitchell telephoned the sister of deceased and informed her of our intention to visit the family. She stated that the family would welcome our visit.

About 1830 hours, same date, accompanied by C/Supt McEwan I attended at [REDACTED] [REDACTED]. On entering the home there were approximately 15 persons within and many others arriving throughout our time there. Included in the group were Kadi (sister of deceased), Ade (brother-in-law of deceased), Collette Bell (partner of deceased), her mother (name not known) and the infant child of deceased.

C/Supt McEwan took the lead in the conversation with the family and explained that the purpose of the visit was to provide them with our understanding of the events from a police perspective. It was emphasised that this was not a factual account but what had been provided to us up to this point. It was also made clear that many witnesses to the events were still to be seen and the situation was still fluid.

In summary, C/Supt McEwan explained to all those present that about 0700 hours that morning a number of calls were received by the police from members of the public about a black African man in possession of a knife on Hendry Road at its junction with Hayfield Road; Officers had just commenced duty and left to attend the call from the police station at Kirkcaldy; The officers attended the scene and during the apprehension of the man, CS spray was discharged and batons withdrawn; During this, officers became aware that now deceased had lost consciousness; The officers administered CPR and called for an ambulance; Now deceased was pronounced life extinct at 0904 hours that morning.

C/Supt McEwan explained that an independent investigation would be led by the PIRC who were now in attendance at Kirkcaldy Police Station. They were informed that staff from the PIRC would be in contact with them to discuss their role. The family were clear that they wished to speak to staff from the PIRC as soon as possible.

The family members were understandably distraught at being told of this information and asked numerous questions about the circumstances, many of which we were unable to answer. The questions posed included:

1. Why this was the first of them being told that Shek's death involved contact with the police?
 - A. C/Supt McEwan stated he was unable to comment on what the family had been told to date.
2. Why were the police unable to disarm him?
 - A. C/Supt stated he could not respond to this at this time.
3. The family have been told that there were 15 officers in attendance. Why did it take 15 officers?
 - A. C/Supt McEwan stated that he could not confirm the number of officers present but he believed that there were at least 6 officers.
4. Why have the police taken Arran Crescent as a scene? Certain family members expressed concern that officers would 'plant the knife'.
 - A. C/Supt and I both explained that the examination of all scenes would be directed by the PIRC and it was important that all evidence was gathered. It was apparent at that time that there were signs of a minor disturbance within, hence the requirement to examine it. C/Supt McEwan informed them that he would contact PIRC staff to assist in retrieving any items from the home address. They specifically stated that they required items for the infant child.

The family members were frustrated with the lack of information despite the fact that we explained that there were numerous points that we simply could not answer at that time. Ade requested that the police had no contact with the Media as the mother of deceased was in [REDACTED] and had not yet been traced and informed by family members. Ade requested contact by C/Supt McEwan the following day which was agreed.

About 1920 hours, same date, C/Supt McEwan and I left the family home. On our return to Kirkcaldy Police Office we updated ACC Nicholson of the families concerns.

About 1950 hours, same date, I attended a Gold Group meeting chaired by ACC Nicholson. Also in attendance at the meeting were members of staff from the PIRC. A summary of the meeting with the family was provided by C/Supt McEwan and the requests made in respect of the required belongings from the Arran Crescent address to be retrieved if possible.

During the following week I attended all of the Gold Group meetings as well as the Community Impact and Reassurance Group meetings which were held daily. It was evident that there was significant media interest in the incident and a huge amount of speculation publically. As a result community tensions were heightened not only locally but also nationally.

My role in the days following the incident was to assess and respond to issue affecting Community Impact. I also oversaw the daily refresh of the Community Impact Assessment document in relation to the incident. As Local Area Commander for Kirkcaldy I also ensured that the aftercare and wellbeing of the staff involved was considered and addressed throughout.

I chaired several meetings with two Independent Lay Advisors at Kirkcaldy Police Office on a weekly basis. The purpose of the meetings was to seek advice on any cultural issues or sensitivities given that deceased was believed to be an African Muslim who resided locally in Kirkcaldy.

All of the meetings I attended were fully documented with minutes recorded and filed.

NB – Sections 4,5 & 6 Contain Confidential Material

Section 4 – Personal Details

[This Section is N/A for Police with the exception of Police Station Tel No]

Business Telephone No –

Section 5 – Officers AL and Dates of Unavailability

[Dates within the next 12 Months]

From -	To -
From -	To -
From -	To -

Section 6 – Other Confidential Material