

WITNESS STATEMENT

Statements for Death Report

Agency No:

PF Ref:

SECTION 1 [Disclosable Details]

Witness Number

Surname: Hardie

Other or previous surname:

Forenames: Keith [REDACTED]

Age: 52

Occupation: Detective Chief Inspector

Other:

Police Station: Leith

Years service: 28

Officer URN:

Disclosable Address: CO Police Service of Scotland
Leith Police Station
Queen Charlotte Street
Edinburgh

Post Code:

SECTION 2 [Provenance - all mandatory fields]

Statement taken or compiled: compiled

Date and time: 0800hours on 27/5/2015

Place: Leith Police Station

By: Self

Other person(s) present: None

Source: Operational Statement

Authentication:

read over

signed

refused to sign

tape

video

verified by officer as own statement

SECTION 3 [Free text]

I am a Detective Chief Inspector with the Police Service of Scotland and have completed 28 years service. I am currently attached to the Specialist Crime Division in the East Major Investigation Team based at Leith Police Station Edinburgh.

At 1500hrs on Sunday 3rd May 2015 I was contacted by Detective Chief Superintendent Lesley Boal and requested to attend Kirkcaldy Police Station to assist with the investigation in to a death after police contact of a male known as Sheku Beyoh.

I attended there and was briefed by DCS Boal and informed that COPFS had decreed that the Police Investigation and Review Commission (PIRC) would be appointed as lead investigators and that Police Scotland would provide support and assistance during the investigation.

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I thereafter assisted with the progression of the investigation under the direction of Lead Senior Investigator Keith Harrower.

At 1300hrs on Monday 4th May 2015 I attended at the Edinburgh City Mortuary Cowgate Edinburgh and was present during the post mortem of Sheku Bayoh. At the conclusion of this it was established that the cause of death was unascertained pending toxicology and brain tests.

On Tuesday 5th May 2015 I met with the Lead Senior Investigator William Little where the previously agreed terms of reference were discussed. At this meeting it was agreed that all outstanding actions would be progressed by the PIRC and that statements previously obtained by officers from Police Scotland would be handed to the PIRC. It was further agreed that the PIRC would complete the house to house inquiries at all dwellings which provided a line of sight to the Police contact and that officers from Police Scotland would complete the peripheral house to house inquiries. This was detailed in the house to house strategy document.

It was further agreed that officers would seize any CCTV that may provide footage of the incident or footage of Sheku Bayoh prior to the Police Contact. All such CCTV was thereafter handed to the PIRC for further investigation. This was detailed in the CCTV strategy document.

On Thursday 7th May 2015, I received a request from the PIRC to make contact with all officers, who were known to be involved in the arrest of Bayoh and establish whether they were willing to provide an operational statement.

About 1335 hours, same date, DI Stuart Wilson and I spoke with PC 523 Craig WALKER, P Division within Kirkcaldy Police Station. PI Alan SEATH was also present. PC WALKER was asked if he was willing to provide a statement regarding his involvement in the arrest of Sheku Bayoh and the events leading up to his death. It was clarified that the position of PC WALKER was that he was to be treated as a witness. PC WALKER provided that he did not wish to provide a statement, on the advice of his solicitor at this time.

About 1340 hours, same date, DI Wilson and I spoke with PC 724 Daniel Gibson, P Division within Kirkcaldy Police Station. PC Gibson was asked if he was willing to provide a statement regarding his involvement in the arrest of Sheku Bayoh and the events leading up to his death. It was clarified that the position of PC Gibson was that he was to be treated as a witness. PC Gibson provided that he did not wish to provide a statement, at this time, on the advice of his solicitor.

About 1350 hours, same date, DI Wilson and I spoke with PC 435 James MCDONOUGH, P Division within Kirkcaldy Police Station. PC MCDONOUGH was asked if he was willing to provide a statement regarding his involvement in the arrest of Sheku Bayoh and the events leading up to his death. It was clarified that the position of PC McDonough was that he was to be treated as a witness. PC McDonough provided that he did not wish to provide a statement, at this time, on the advice of his solicitor.

About 1355 hours, same date, DI Wilson and I spoke with PC 203 Kayleigh GOOD, P Division within Kirkcaldy Police Station. PC Good was asked if she was willing to provide a statement regarding his involvement in the arrest of Sheku Bayoh and the events leading up to his death. It was clarified that the position of PC Good was that she was to be treated as a witness. PC GOOD provided that she did not wish to provide a statement, at this time, on the advice of her solicitor.

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About 1400 hours, same date, DI Wilson and I spoke with Alan SMITH, P Division within Kirkcaldy Police Station. PC Smith was asked if he was willing to provide a statement regarding his involvement in the arrest of Sheku Bayoh and the events leading up to his death. It was clarified that the position of PC Smith was that he was to be treated as a witness. PC Smith provided that he did not wish to provide a statement, at this time, on the advice of his solicitor.

About 1420 hours, same date, DI Wilson and I spoke with PC 691 Ashley TOMLINSON, P Division within Kirkcaldy Police Station. PC Tomlinson was asked if he was willing to provide a statement regarding his involvement in the arrest of Sheku Bayoh and the events leading up to his death. It was clarified that the position of PC Tomlinson was that he was to be treated as a witness. PC Tomlinson provided that he did not wish to provide a statement, at this time, on the advice of his solicitor.

About 0920 hours on Tuesday 12th May 2015, DI Wilson and I spoke with T/PS Scott MAXWELL, P Division within Kirkcaldy Police Station. T/PS MAXWELL was asked if he was willing to provide a statement regarding his involvement in the arrest of Sheku Bayoh and the events leading up to his T/PS MAXWELL provided that he did not wish to provide a statement, at this time, on the advice of his solicitor.

About 0920 hours on Wednesday 13th May 2015, DI Wilson and I spoke with PC 694 Alan Paton, P Division within Kirkcaldy Police Station. PC PATON was asked if he was willing to provide a statement regarding his involvement in the arrest of Sheku Bayoh and the events leading up to his death. It was clarified that the position of PC PATON was that he was to be treated as a witness. PC PATON provided that he did not wish to provide a statement, at this time, on the advice of his solicitor.

About 1050 hours on Monday 18th May 2015, DI Wilson and I spoke with PC 1014 Nicole SHORT, P Division within her home address. PC SHORT was asked if she was willing to provide a statement regarding her involvement in the arrest of Sheku Bayoh and the events leading up to his death. It was clarified that the position of PC SHORT was that she was to be treated as a witness. PC SHORT provided that she did not wish to provide a statement, at this time, on the advice of her solicitor.

I thereafter continued to assist and facilitate all requests made by the PIRC

I certify this to be a true and accurate record.

CONFIDENTIAL MATERIAL - NOT TO BE DISCLOSED

SECTION 4

[Personal Details]

Alias/known as:

Date and place of birth:

Home Address:

Telephone:

WITNESS STATEMENT

Post Code:

Business Address:

Telephone:

Post Code:

SCRO No:

Mobile:

Fax:

E mail:

Other:

SECTION 5

[Dates when unavailable in next 12 months]

From	To
From	To
From	To

SECTION 6

[Any other confidential material]