



**AAMER ANWAR & CO**  
SOLICITORS & NOTARIES

AA/AS

18<sup>th</sup> May 2015

**By Email**

Dr Nat Carey

Dear Dr Carey

**SHEKU BAYOH**

We refer to our previous correspondence and herewith write to formally instruct you in your capacity as a pathologist.

**BACKGROUND**

As previously advised Sheku Bayoh died in police custody on Sunday 3<sup>rd</sup> May 2015, his official time of death is recorded at 9.04am at the Victoria Hospital in Kirkcaldy. You will note that full details were unfortunately not provided to the crown pathologists surrounding Mr Bayoh's detention which we believe may have a critical impact on the cause of death.

**CAUSE OF DEATH**

Our understanding is that essential facts have been missed from the information provided to the crown pathologists which would include the fact that Mr Bayoh was detained by multiple police officers which we believe to be a minimum of 9 uniformed officers from Kirkcaldy Police Office. The use of CS Spray and batons is omitted from the circumstances.

Sheku Bayoh was a 31 year old man who appeared to be in good physical health (we understand that Mr Bayoh may have been on prescription medication in relation to sinus problems). He was training as a gas engineer and we understand had no previous history of violence or criminality.

On Sunday 3<sup>rd</sup> May 2015 Mr Bayoh had a violent argument at the house with a friend, we believe that Mr Bayoh had been discovered by his friend with a bag of pills after which an argument ensued and Mr Bayoh was acting completely out of character. Mr Bayoh is believed to have left the house on his own between 7 and 7.15am, it is then that information is received by local police that a "black man was walking down the street with a knife".

The local police have so far refused to give statements to the Police Investigation Review Commissioners but there has been, as is unfortunately the norm, various police source material and hysterical reactions from those within the federation to the family's requests to full co-operation from the police.



The Federation have claimed that a female police officer was chased down the street by Mr Bayoh with a knife and that she was punched, kicked and stamped on the head and it is at that point that several officers become involved in attempting to restrain Mr Bayoh albeit that there has not been independent verification of this nor have the 9 police officers provided any details of the circumstances.

We understand that CS Spray was used as well as batons, handcuffs to the rear and leg were applied during the course of a struggle. Mr Bayoh lost consciousness shortly thereafter. We are advised that two CID officers attempted CPR at the locus which was a public street and that he was then taken by ambulance to hospital.

We are instructed by the family of Sheku Bayoh and are instructing you to do the following:-

- 1 To determine the cause of death.
- 2 To advise what essential information is still required in order that we can liaise with the Lord Advocate's Office.
- 3 To liaise with ourselves and Crown Office to assist in determining the cause of death.
- 4 To provide your expertise in relation to positional asphyxiation.
- 5 We are somewhat concerned that there appears to be a belief and over emphasis on the term "excited delirium". This appears to flow from the likely use of MDMA and metabolite (MDA), amphetamines and Alpha-PVP. These still require to be confirmed, the full details of the toxicology results have not been provided although there is a presumptive positive.
- 6 To meet with ourselves and if possible for a joint meeting with Crown Office.

We can advise that whilst the family are responsible for raising funds we have agreed to cover the costs should this not be forthcoming.

We have to date provided you with all of the necessary paperwork in relation to this matter. Should you require any further information please do not hesitate to contact me on [REDACTED]

Yours faithfully

[REDACTED]  
Aamer Anwar & Co