

CAUSE OF DEATH

EXPERT INSTRUCTION CHRONOLOGY

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i. EXPERTS INSTRUCTED BY BAYOH FAMILY

<u>Expert</u>	<u>Expertise</u>	<u>Date of Instruction</u>	<u>Date of Report Submission</u>
Dr Nathaniel Cary	Pathology	18 May 2015	23 October 2015 (COPFS-00196)

ii. EXPERTS INSTRUCTED BY PIRC

<u>Expert</u>	<u>Expertise</u>	<u>Date of Instruction</u>	<u>Date of Report Submission</u>
Dr Paul Rice	1. Pathology 2. Toxicology	8 June 2015 (PIRC-04432)	15 June 2015 (PIRC-00287)
Dr Jason Payne-James	Forensic Medicine	10 August 2015 (PIRC-03434(b)) 8 September 2015 (PIRC-03434(a))	24 September 2015 (PIRC-02529(a))
Dr Steven Karch	1. Pathology 2. Toxicology	13 August 2015 (PIRC-03435(a)) 8 September 2015 (PIRC-03435(b))	10 September 2015 (PIRC-02526(a)) 10 September 2015 (PIRC-02527(a))
Dr Maurice Lipsedge	Adult Psychiatry	13 November 2015 (PIRC-02041(a))	18 January 2016 (COPFS-00130)

Professor Mary Sheppard	Cardiovascular Pathology	24 November 2015 (COPFS-00139)	1 December 2015 COPFS-00027
Dr John Parkes	Psychology	24 November 2015 (COPFS-06008)	22 January 2016 (COPFS-04192(a))
Dr Anthony Bleetman	Emergency Medicine	24 November 2015 (COPFS-00138)	12 May 2016 (COPFS-00028)
Dr Elizabeth Soilleux	Histopathology	24 November 2015 (COPFS-06009)	14 February 2016 (COPFS-00031)
Professor Jack Crane	Forensic Pathology	8 December 2015 (COPFS-00140)	Undated (COPFS-00134)

iii. **EXPERTS INSTRUCTED BY COPFS**

<u>Expert</u>	<u>Expertise</u>	<u>Date of Instruction</u>	<u>Date of Report Submission</u>
Professor Anthony Freemont	Osteoarticular Pathology	16 March 2017 (COPFS-03578)	3 May 2017 (COPFS-00036) 3 May 2017 (COPFS-00037)
Dr William Lawler	Forensic Pathology	28 March 2017 (COPFS-04543) 28 July 2017 (COPFS-03794) Undated (COPFS-02343) 17 May 2018 (COPFS-02497 & COPFS-02498)	22 May 2017 (COPFS-00033) 13 August 2017 (COPFS-00034) 13 March 2018 (COPFS-00035) 21 May 2018 (COPFS-00083)
Professor Michael Eddleston	1. Clinical Toxicology 2. Pharmacology	26 April 2017 (COPFS-02360)	2 June 2017 (COPFS-00038)
Professor David Rees	Haematology	Undated (COPFS-04293(a))	8 May 2018 (COPFS-05625)

Dr Elizabeth Soilleux	Histopathology	3 April 2018 (COPFS-02181(a))	10 May 2018 (COPFS-00039)
Dr Sebastian Lucas	Histopathology	29 May 2018 (COPFS-02468)	June 2018 (COPFS-00084)

Hearing 2 - Chronology Narrative

Dr Nathaniel Cary: Dr Cary was instructed by Aamer Anwar & Co Solicitors, on behalf of the Bayoh Family. Dr Cary submitted his report¹, dated 23 October 2015.

Dr Paul Rice: On 8 June 2015, Dr Rice was contacted via telephone call and follow up email² by PIRC Investigator, Keith Harrower. Dr Paul was asked to comment on whether there were any tests that could be performed to the available blood, lung tissue and urine samples to confirm the presence of CS/PAVA spray in Mr Bayoh's system. On 12 June 2015, Dr Rice confirmed by email³ that he could not offer any analysis of the available samples to qualitatively or quantitatively confirm exposure to either CS or PAVA. Dr Rice submitted a statement⁴ on 15 June 2015, setting out the contents of his email.

Dr Jason Payne-James: Dr Payne-James received two letters of instruction dated 10 August 2015⁵ and 8 September 2015⁶ from the PIRC. Dr Payne-James prepared a report⁷, dated 24 September 2015.

Dr Steven Karch: Dr Karch received letters of instruction dated 13 August 2015⁸ and 8 September 2015⁹ from the PIRC. Dr Karch prepared 2 reports¹⁰, both dated 10 September 2015.

Professor Maurice Lipsedge: Professor Lipsedge received a letter of instruction¹¹ from the PIRC, dated 19 November 2015. Professor Lipsedge submitted his report, dated 18 January 2016¹². Alasdair MacLeod, Senior Procurator Fiscal Depute of the COPFS, issued a letter¹³ to Professor Lipsedge dated 17 March 2017. The letter brought to Professor Lipsedge's attention the provision of an incomplete redacted witness statement. Professor Lipsedge was asked to consider whether the additional information disclosed would have any bearing on his

¹ COPFS-00196

² PIRC-04432

³ PIRC-04432

⁴ PIRC-00287

⁵ PIRC-03434(b)

⁶ PIRC-03434(a)

⁷ PIRC-02529(a)

⁸ PIRC-03435(a)

⁹ PIRC-03435(b)

¹⁰ PIRC-02526(a) and PIRC-02527(a)

¹¹ COPFS-06007

¹² COPFS-00130

¹³ COPFS-02355

conclusions. By letter¹⁴ dated 27 March 2017, Professor Lipsedge confirmed that the additionally disclosed information did not change his conclusions.

Professor Mary Sheppard: Professor Sheppard received a letter of instruction¹⁵ from the PIRC, dated 24 November 2015. Professor Sheppard submitted her report¹⁶, dated 1 December 2015. Alasdair MacLeod (COPFS), issued a letter¹⁷ to Professor Sheppard dated 17 March 2017. The letter brought to Professor Sheppard's attention the provision of an incomplete redacted witness statement. Professor Sheppard was asked to consider whether the additional information disclosed would have any bearing on her conclusions. On 20 March 2017, Professor Sheppard responded by email¹⁸ to confirm that the additionally disclosed information did not alter her conclusions.

Dr John Parkes: Dr Parkes was instructed by the PIRC, receiving a letter of instruction¹⁹ dated 24 November 2015. Dr Parkes submitted his report²⁰ on 22 January 2016. Alasdair MacLeod (COPFS), issued a letter²¹ to Dr Parkes dated 17 March 2017. The letter brought to Dr Parkes' attention the provision of an incomplete redacted witness statement. Dr Parkes was asked to consider whether the additional information disclosed would have any bearing on his conclusions. By email²² dated 24 March 2017, Dr Parkes confirmed that the additionally disclosed information did not change his conclusions.

Dr Anthony Bleetman: Dr Bleetman was instructed by the PIRC, receiving a letter of instruction²³ dated 24 November 2015. Dr Bleetman thereafter submitted his report²⁴, dated 12 May 2016.

Dr Elizabeth Soilleux: Dr Soilleux was initially instructed by the PIRC, receiving a letter of instruction²⁵ dated 24 November 2015. Dr Soilleux submitted her report²⁶ to the PIRC, dated 14 February 2016. Alasdair MacLeod (COPFS), issued a letter²⁷ to Dr Soilleux dated 17 March

¹⁴ COPFS-02344

¹⁵ COPFS-00139

¹⁶ COPFS-00027

¹⁷ COPFS-02363

¹⁸ COPFS-03775

¹⁹ COPFS-06008

²⁰ COPFS-04192(a)

²¹ COPFS-02356

²² COPFS-03770

²³ COPFS-00138

²⁴ COPFS-00028

²⁵ COPFS-06009

²⁶ COPFS-0003

²⁷ COPFS-02357

2017. The letter brought to Dr Soilleux's attention the provision of an incomplete redacted witness statement. Dr Soilleux was asked to consider whether the additional information disclosed would have any bearing on her conclusions. On 29 March 2017, Dr Soilleux confirmed by email²⁸ that the additionally disclosed information did not change her conclusions. A consultation was held on 16 March 2018, where Dr Soilleux was provided with the supplementary post-mortem report²⁹. The COPFS issued a letter of instruction³⁰ dated 3 April 2018, asking Dr Soilleux to provide a supplementary report considering sickle cell trait. Dr Soilleux prepared a supplementary report³¹, dated 10 May 2018.

Professor Jack Crane: Professor Crane was instructed by the PIRC, receiving a letter of instruction³² dated 8 December 2015. Professor Crane subsequently submitted his report³³, which was received by the PIRC on 31 May 2016. Alasdair MacLeod (COPFS), issued a letter³⁴ to Professor Crane dated 21 March 2017. The letter brought to Professor Crane's attention the provision of an incomplete redacted witness statement. Professor Crane was asked to consider whether the additional information disclosed would have any bearing on his conclusions. It is unclear whether Professor Crane provided a response.

Professor Anthony Freemont: Professor Freemont was instructed by the COPFS, receiving a letter of instruction³⁵ dated 16 March 2017. Professor Freemont prepared two reports, dated 3 May 2017³⁶ and 3 July 2017³⁷.

Dr William Lawler: Dr Lawler was instructed by the COPFS, receiving a letter of instruction³⁸ dated 28 March 2017. Dr Lawler prepared a report³⁹, dated 22 May 2017. By phone call and email⁴⁰ on 28 July 2017, Dr Lawler was asked to submit a supplementary report, considering the reports prepared by Professor Michael Eddleston and Professor Anthony Freemont. Dr Lawler submitted a supplementary report⁴¹, dated 13 August 2017. Sometime after submission

²⁸ COPFS-06012

²⁹ COPFS-00040

³⁰ COPFS-02181(a)

³¹ COPFS-00039

³² COPFS-00140

³³ COPFS-00134

³⁴ COPFS-02362

³⁵ COPFS-03578

³⁶ COPFS-00036

³⁷ COPFS-00037

³⁸ COPFS-04543

³⁹ COPFS-00033

⁴⁰ COPFS-03794

⁴¹ COPFS-00034

of his supplementary report, Dr Lawler was sent a pen drive containing a multimedia file⁴² of body positions. In the accompanying letter⁴³, the COPFS asked Dr Lawler to consider the images in relation to Mr Bayoh's restraint. Dr Lawler thereafter prepared a report⁴⁴, dated 13 March 2018. On 17 May 2018, the COPFS issued two emails⁴⁵ sending through Mr Bayoh's A&E notes, ambulance report form and statements from paramedics, nurses and doctors. Dr Lawler was asked to confirm whether the disclosed materials altered his previous conclusions contained in his report, or discussed at the consultation⁴⁶ on 30 January 2018. Dr Lawler submitted a further report⁴⁷, dated 21 May 2018.

Professor Michael Eddleston: Professor Eddleston received a letter of instruction⁴⁸ from the COPFS, dated 26 April 2017. On 2 June 2017, Professor Eddleston submitted his report⁴⁹. On 19 January 2018, Professor Eddleston received an email⁵⁰ from Alasdair MacLeod (COPFS). Professor Eddleston was asked to consider the report produced by Dr Walker⁵¹, and asked to comment on the effects of nandrolone. Professor Eddleston responded by email⁵² on 20 January 2018. In an email⁵³ dated 20 April 2018, Professor Eddleston was provided with a copy of the supplementary post-mortem report. Professor Eddleston was asked by Alasdair MacLeod to consider whether the findings on caffeine changed any of his report conclusions. Professor Eddleston responded by email⁵⁴ the same day, to confirm that his conclusions remained unchanged.

Professor David Rees: Professor Rees received a letter of instruction⁵⁵ (undated) from the COPFS. Professor Rees attended a consultation⁵⁶ on 8 May 2018.

Dr Sebastian Lucas: On 29 May 2018, Dr Lucas received an email⁵⁷ from the COPFS, asking him to consider the delivered histology slides and reports in relation to sickle cell trait. Dr Lucas

⁴² COPFS-00061

⁴³ COPFS-02343

⁴⁴ COPFS-00035

⁴⁵ COPFS-02497 and COPFS-02498

⁴⁶ COPFS-04182(d)

⁴⁷ COPFS-00083

⁴⁸ COPFS-02360

⁴⁹ COPFS-00038

⁵⁰ COPFS-02018(a)

⁵¹ COPFS-02380

⁵² COPFS-02018(a)

⁵³ COPFS-02018

⁵⁴ COPFS-02018

⁵⁵ COPFS-04293(a)

⁵⁶ COPFS-05625

⁵⁷ COPFS-02468

responded with his findings by email⁵⁸, on 4 June 2018. Subsequently, the COPFS instructed Dr Lucas to prepare a report⁵⁹, which Dr Lucas submitted in June 2018.

⁵⁸ COPFS-03682

⁵⁹ COPFS-00084