



The Sheku Bayoh Public Inquiry

Witness Statement

PC Rhuaridh Fraser

**Taken by [REDACTED] by MS Teams
on 3 April 2023**

Witness details

1. My full name is Rhuaridh [REDACTED] Fraser. I was born in 1973. My contact details are known to the Inquiry.
2. I joined the police in 2009. On 3 May 2015 I was a Police Constable stationed at Levenmouth Police Station. I was a response officer. I attended calls as and when required and doing as directed. I was on the diary card for pre-arranged diary appointments.
3. I'm still in that role. I'm now based in the [REDACTED]. I have a wider list of duties because there's less officers here [REDACTED]. I'm still in response.

Previous statement

4. I have read my previous statement (PS17782). I have no recollection of creating this. I wrote this statement myself on 20 August 2015. As with all my statements I wrote a true and accurate account to the best of my recollection at the time. My memory was better when I wrote this statement than it is now.

Signature of witness.....

[REDACTED]

5. It's a fairly standard format for a statement. I can't remember why I would have written this. I have no recollection of being asked. I wasn't aware I'd made this.
6. It took me a great deal of thought to remember this event. I went back to my notebook and it didn't help my memory much at all. This statement is different to what my memory has produced.
7. My recollection was that I requested to attend to provide uniformed assistance to business dressed CID officers and take up locus. It appears I was sent just to set up a locus. My memory tells me I went in with the CID and there were people within. Thereafter I was just leaving and doing locus protection at front and back.
8. I thought I was going in with the CID to confirm to the occupiers that CID were who they said they were. That was my memory. My statement seems to suggest I was sent to set up a locus and that was it.
9. I can only assume this statement is far more accurate than my memory. There was nothing significant about the incident for my memory to have a better memory of it. I had almost no memory of it to be honest.
10. I have been asked if it's normal for uniform to be attending to CID to confirm they are who they say they are, and whether CID would have any other way of confirming their identity. Uniformed might go as well for extra assurance. That's another assumption. It's not an unusual request for uniform to go as well as CID to confirm.
11. I have been asked if there would be any other reason for uniform to be asked to attend with CID. This would be to assist in securing a locus, primarily. If there was any belief that there may be a requirement for officers with full PPE or they were needing more assistance with what they were to be doing. We would be there under the direction of the CID and at their request.

Signature of witness.....



12. This statement is more likely to be accurate than my memory seeing as it was prepared nearer the time. My Sergeant wouldn't prepare this for me. It reads that it was verified as my own statement, but I can't remember the mechanics of it if it would be a box to tick or something like that.
13. I have been referred to my statement where I have written: "*I cannot identify the accused.*" It's fairly standard to write that. I didn't have any involvement with accused people. It's standard to put it in the statement that if there is an accused and I don't know who they are. I didn't have anything to do with anyone arrested, charged, interviewed or anything relating to this enquiry.
14. I spoke to my Inspector about this statement since my first meeting with the Inquiry. He told me it would've been a HOLMES enquiry and a request for a statement would've been set up for three months or so down the line. That will be why I've prepared the statement at that point after the event.

Notebook

15. I have read my notebook (PS04704). That is my handwriting and these are my notes. I don't remember making the notes. They were made on the day. They are accurate to the best of my recollection.
16. I have been referred to my notebook where I have written: "[REDACTED] *Diary PC707 Ward*". [REDACTED] is the call sign for the diary card. I would've been teamed up with Mike Ward PC707. I wrote "*Duty PS*" I'm assuming because when I started there wasn't a Sergeant and it possibly didn't become clear who was going to be on that day. There's no name next to it.
17. I have been referred to an entry in my notebook where I wrote the following: "*1530 Resume locus protection at.... With PC Adams. Initial locus PIO was with PC328 J. Aitken.*"

Signature of witness.....

[REDACTED]

- 18. If my instruction at the outset was to start locus protection that's what I'd put down. If my instruction at the outset had been to assist CID then there would've been more in my book.
- 19. I have been asked why "*PIO*" is written. I can only assume that was meant to be locus protection but written on the hoof and I've tried to shorten it for my own notes. I meant "protection" abbreviated poorly as "*PIO*".

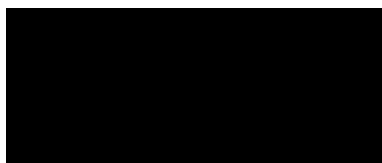
Media

- 20. I can't remember if I was aware at the time that the locus protection was connected to Sheku Bayoh. I don't think so. I'm aware of it in the media but haven't been following it.
- 21. I've not been following the Inquiry in the media. On the rare occasion where I scroll the news a headline may come up but I don't make a point of following the Inquiry.

Training

- 22. I have been asked what training I have had in relation to locus protection. I couldn't say specifically. I don't know if it was covered at the college when it started. More likely it would've been on the job. I would be learning from the Sergeant and other constables. I'd be directed at the time and thereafter you don't need it.
- 23. I have been asked what training I have had that relates to race and diversity considerations. I know for sure we got training when I joined the police at the college. I couldn't say categorically what training occurred thereafter. It would involve remote online learning after that. I can't remember anything specific.

Signature of witness.....



3 May 2015

24. "1330" in my notebook would be when I was asked to go to the locus. I struggle to remember what happened and what may have happened. About the day in general I have no recollection. Just by getting the address from the copy of my notebook I was able to try and produce some sort of memory.
25. I don't recall being told to go there. I don't recall the circumstances. I can only take my notebook and statement that I produced after the incident as what happened. I remember the house was on a corner and that the door was on the side of the building onto the road.
26. I can't remember what CID were doing at the time. I don't recall any other involvement as regards locus protection and where I was. Nothing happened that made me have a memory trigger for that incident. I assume I went in and these women were there and I don't remember anything happening except myself returning to the locus and CID being there – but that's not correct according to my statement.
27. I can't remember who told me to attend and if they told me anything about the incident. I assume it was the Sergeant or CID.
28. I don't remember being told anything about the locus that we were attending. If it was a warrant being executed or something like that I would make a note in my notebook. I would think I would put a reason in the notebook why I was in locus protection. For example, I was involved in the [REDACTED], I would put the [REDACTED] in for each shift that day. I can only assume there's nothing there that I wasn't fully aware of what the circumstances of locus protection were.
29. I've not made any notes about them. That tells me that I had basically nothing to do with who was inside. I mean it didn't register to me as an interaction that required any note to be taken. It was an insignificant interaction in my

Signature of witness.....

[REDACTED]

opinion that I was told to go and do locus protection. In my statement there was people inside when we were told there wasn't. It was down to others to interact with them.

30. If I was given direction of the significance of the enquiry or the locus I would've written something in my book and I would've remembered it. I was aware of the initial incident with Sheku Bayoh in Kirkcaldy. If I was involved in any way shape or form with that I would've remembered this.
31. I would remember because it's a significant incident and it's a task involved in the enquiries relating to the initial incident. The press coverage made it significant. The knowledge that it would most likely be a very big investigation.
32. I have been asked if I remember why CID was in charge at the address. A request like that would've been a call on the radio and there would be aware of an incident that required a locus protection. I'm assuming this came out the blue with no call signs. I would've assumed it came from CID because they were doing something at the address. I would put their details in the scene entry log, not in my notebook.

Zahid Saeed's address

33. I do remember going a couple of paces in the door and seeing females in traditional cultural clothing and expressing to me by signage that they didn't understand what I was saying. English wasn't their first language. All I remember after that was being outside on locus protection, standing outside. I couldn't say how many people were in there, two or three is all I can guess. I can't remember anything else about what happened.
34. I have been asked what I would normally do if someone was signing that they couldn't understand what I was telling them. I would look to gain the services of someone who could establish communications with them via an interpreter

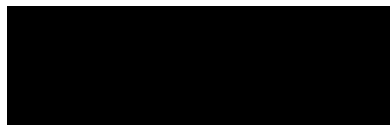
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or a person who could communicate with them. More than likely an interpreter. I would seek to try and ascertain what language they would be most comfortable using.

- 35. I can't remember what happened after that, whether there was an interpreter requested or not.
- 36. I have been asked if this normal practice has come from my training or from on the job training. I would guess it would be on the job training that would tell me. There were regular updates on what interpreters the police should use. Custodies need interpreters. It would on the job updates on who to use and interaction with people through the job. You did require the services of an interpreter from time to time. I can't confirm if that was in training or knowledge built up on the job.
- 37. I've done this in the past in other situations. For locus protection, specifically, I've not instructed an interpreter before. I've arranged an interpreter for other situations. I've come across others and required to speak to them I've requested an interpreter or a colleague who could speak the language.
- 38. For example if you've got a requirement to interview somebody and English isn't their first language although they have an understanding of it, an assistance of an interpreter or an interview with an interpreter on the phone is required. If people request an interpreter then I get them one.
- 39. Similarly, if I'm not comfortable and that their understanding of English is appropriate then I would get one as well.
- 40. Quite often another family member may be able to assist so that might've been what happened.

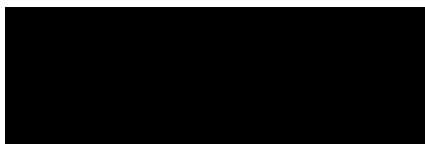
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Locus protection

41. Locus protection is ensuring nothing within a designated area is removed, accessed or disturbed in any way shape or form.
42. I don't know who was in charge of the address. I was advised by the duty Sgt to go, they were my line manager so I was doing what I was directed. If there was a Crime Scene Manager and I attend, then the CSM would at that time be my line manager to do with the scene.
43. I don't remember the legal basis for securing the property. I'm not sure if there was a warrant. Quite often if there's a warrant then there's a briefing beforehand and we sign in our books that there's a warrant.
44. If there's no warrant then we can't secure the house. If there's an empty property then I can only surmise that at some point there's been some interaction at the property and it was to be guarded.
45. To secure a locus, you could secure it if there's a fire or an incident occurred whereby evidence needed preserved. You wouldn't necessarily have a warrant to secure a locus.
46. I don't remember anyone at the address asking if we had a warrant. I don't know what details I might've managed to get if English wasn't their first language but I've no knowledge of a warrant or whatever.
47. I have been asked if I remember the word "contempt" being used by any police officers. I don't remember that.
48. I have been asked what we would do if the occupiers refused to leave. I would inform my line manager looking for direction. I would speak with occupants with the intention of gaining a mutually agreed resolution but ultimately it would be my line manager I'd be looking to speak to. I don't think

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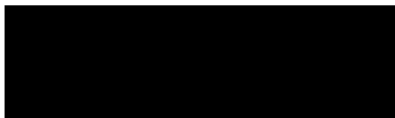


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I've ever been to secure a property and people refused to leave. If I've been sent to the locus then there's nobody normally within.

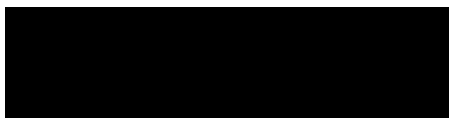
49. If people were there, I don't think they would've sent us to do that. I wouldn't suggest they would send me to secure a locus knowing there was people in the house. To secure it you would be looking to protect evidence so you'd want control of any persons in the house. Presumably it would be evidence in the property.
50. It would've been for CID to deal with the people within. I'd be expecting other parties to show up to deal with the internal issues. It would appear from my notebook I was sent to secure the locus, not to deal with the people inside. Going from my statement it doesn't imply I was sent to do anything else other than secure the locus with no occupants.
51. I have been asked if I remember anyone saying that if the occupants didn't leave they would be forced out. I don't remember this.
52. I have been asked if I remember any of the occupants, beyond the females I mentioned earlier. From my statement, I can only assume there was a disabled male. This would mean a male in a wheelchair, that's what I would mean by writing "disabled". I have no memory of it.
53. I wouldn't do anything differently with the wheelchair user, other than take into account the constraints of somebody with mobility issues. I'd need to take into account their needs. I'd ask what they required and ensure any reasonable request was met.
54. I have been told the house was specially fitted in order to meet his needs and asked if that would have made any difference to dealing with the occupants. I don't remember that.
55. I have been asked what other contact I had with the occupants and if I remember anything that was said. I don't remember anything.

Signature of witness.....



56. I have been asked if I remember any phones being seized from the property. I have no memory of that.
57. I have been asked if any cultural, religious or language concerns were raised by the occupants at the time I was at the address. Yes, language was raised, but nothing cultural or religious. Going by my statement I must've been aware of the language issue. I was not aware of the females being uncomfortable speaking to males. I'm aware of that being an issue for people of some religions or cultural heritage. I take this into account. I would've been concerned about ramifications for them of uniformed police coming to the door and not knowing how much of a grasp of English they have. I would communicate with them.
58. It's part of the same parcel: beliefs, religion and language. It didn't concern me that I was the one speaking to the women. I wouldn't have an issue speaking to them. I was there to secure the locus so that's what I would've been doing and trying to explain, unless it was pointed out to me that they're not happy speaking to me and why. That request, I would more than likely be escalated to my superiors. I would assume that they would be signalling that they couldn't understand what I was saying.
59. I don't remember if they were able to tell me anything. I don't remember speaking directly to anybody. My statement says I took details and put them in the crime scene log. If I managed that then they were able to speak to me. I have no memory of it at all.
60. I have been asked if I recall any of the occupants having had recent surgery and if that would have been a factor in dealing with the occupants. I don't remember. It certainly would've been allowed for. It's like if somebody had an injury then you make allowances. It would've been taken into account and allowances made. Their mobility would be impaired, functions impaired, whatever they said they needed, assistance required, that would be

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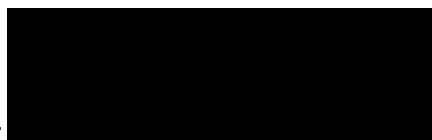
facilitated straight away. They would have to leave, but if they couldn't leave because of injuries or post-surgery then we'd have to work round that. The investigation would take that into account when deciding what to do with the property. That would be a decision for whoever is in charge.

61. I have been asked if we made any telephone calls to senior officers in the course of our interactions with the occupants. I don't remember.
62. I don't remember the occupants leaving. I don't remember anyone asking to use the bathroom.
63. I have been asked if I remember any civilians entering the property after it was secured. I don't remember.
64. I have been asked if anything gave me the impression the occupants were intimidated by me and the other officers. I don't recall.
65. I don't remember leaving the locus. I don't know if or when the occupants were back.
66. I have been asked if I am aware of a complaint being made by the occupants. I have no idea.
67. I have been asked if any senior officer spoke to me about the locus protection on a later date. I don't remember, I don't think anybody spoke to me about what happened. The Police Scotland request for my notebook was in 2021.

Search of the property

68. I have been asked if I recall any searches of the person of any of the occupants, if I wore blue gloves and if I remember any searches any of the occupants' bags. I don't remember. No memory of searching any bags.

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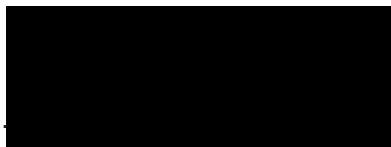


- 69. I have been asked if I remember any searches of any of the occupants' cars. I don't remember a car at all.
- 70. From my notebook I left the property at 1800.

Scene entry log

- 71. I have been shown the Scene Entry Log for the Saeed home address (PS18504).
- 72. That's my handwriting on the front page. I put the time and date on there. I would normally fill in the incident. I think I didn't know what the incident was relating to so I didn't complete it.
- 73. I have been shown the Scene Entry Log (PS18504) at page 9. "1330" might be when I was at the address. My notebook is saying I was starting locus protection 1330. If there was a briefing beforehand I would've expected it to be in my notebook. I'm not wearing protective clothing because I'm not going in the locus.
- 74. I don't think any of the rest of the handwriting is mine. It's normal for people to put in their own entries to the log. I would hand it to them to fill in.
- 75. I have been asked what "*SECURE LOCUS/LOCUS PROTECT*" means as a reason for entry on page 9. I would take that to mean securing the locus. By protecting it I would be securing it. 1330 is when I started locus protection. I was securing it so nobody could get in. I would have no reason to go in the property. Securing and protecting pretty much means the same thing.
- 76. It's a quick response of 10 minutes for the DCs to come to the locus. It might be that they were on their way. It seems a short period of time for me to call them after attending and meeting the occupants.

Signature of witness.....



I have been referred to the protective clothing marked "Y" for me on page 10. I wouldn't say I did wear it. Maybe it was just a bit quick of me to fill it in. I would be very surprised if I put all that on for locus protection. It's a bit slap dash line, written by me while standing up. I don't remember if I put them on but I don't see why I would be. I don't need to go into the property itself so don't need protective clothing.

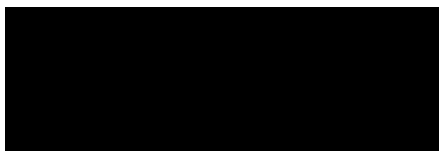
77. "1710" on page 10 would be when I stopped. I think the crime scene log will be accurate. According to my notebook it just says 1800 hours that I was off duty. That was probably back at Levenmouth but I left the locus at 1710.
78. I have been asked if a senior officer would check the Scene Entry Log and sign off on it. I'm not aware in my service of a supervisor requesting to check any of the logs or asking to look at the log. Whoever is carrying on with the enquiry would take it on and lodge it. It would be left with a Duty Sergeant to then be lodged as a production.
79. I have been referred the Scene Entry Log (PS18504) at page 14 under "Scene Closure" where reference is made to the signatures of the Crime Scene Manager and the Senior Investigating Officer. I'm not aware of what happened to the Scene Entry Log after I left the locus.
80. I had no further involvement in this enquiry after the locus protection.

Airwave Transmissions

81. I have heard an Airwave transmission made by me on the morning of 3 May 2015 (PS08296). The following is said on the radio:-

PC Fraser: "431 from 43 Bravo... **Saeed home address** here is currently occupied. There is a female and her son, her brother and her mother. All here at this time... details in as to who's within and pass them back, over."

Signature of witness.....



Duty Sergeant: *Yeah that's all received. Just standby I'll get the DS to get directly in touch with you.*"

- 82. I can't remember my callsign at the time. It must've been "[REDACTED]". I think my full callsign would be [REDACTED]. "[REDACTED]" would've been the duty sergeant sitting in Levenmouth Police Station. Normally if I'm speaking with area control I'll say "control".
- 83. I can certainly say this is more than likely me speaking from what I can pick up. The fact I'm radioing to say it's currently occupied is that I was there thinking it wasn't occupied. That gives me the impression I went there to secure the locus, as in that nobody was there.
- 84. If I've taken my details they would be in the notebook because that's my only source of recording the information. Going by the timeframe the CID turned up 10 minutes after I got there it would suggest to me they were already on their way.
- 85. I remember the people in the property being taken aback, surprised. There was some communication barrier between us due to not having English. I'm surmising that after me twigging to that I retreated back out and got on the radio to the duty sergeant. I must've been in to radio back to say there's a son and whoever else.
- 86. I don't remember anything about the brother. It's unusual for me because usually I can remember, I can't seem to remember next to nothing of all this so I don't think this was as much of an incident. At the time I must've been of the opinion that this wasn't a big thing.
- 87. I remember small details of other incidents going back that far. If there was a problem with the people in the house I'm fairly positive I would've remembered. Ever since this has come to light from speaking to the Inquiry I had previously thought it was just another locus protection. There was

Signature of witness.....

[REDACTED]

nothing to create a flag in my head. I'm positive I didn't do anything that would call into question my actions because I just turned up and had a benign job to do which was to stand outside.

- 88. I have heard another Airwave transmission made by me on 3 May 2015 (PS08297). The following is said on the radio:

Duty Sgt: "Bravo from ... The CID here are gonna nip down. Basically it's a case of obtaining details from people within and we're gonna try and get them elsewhere. But as I say CID are gonna come down with a car and give you a hand with that."

PC Fraser: "Yes yes we're just in the process of noting partics."

- 89. "Noting partics" is definitely what I was saying. It means noting particulars, details, meaning name, date of birth, place of birth, nationality and home address. I don't remember any of that. I don't know where I would record them. Maybe PC Aitken was writing them down. "Try and get them elsewhere" must mean they'll try and take these people somewhere else to allow the CID or whoever to do the search or whatever it is. That must be what that's implying. The recording doesn't help me remember what happened.

Race

- 90. I have been asked if race played any part in my actions or decisions, or if I was aware of race played a part in any of my colleagues' actions or decisions. I don't remember if race was a factor but I can't see how it would be. I would deal with them the same as any other. If it appears that they're not ok with the English language that would be dealt with appropriately, same with disability or medical issues. It would all be dealt with appropriately and



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respectfully. I say, deal with people the same way you would like to be dealt with yourself.

91. I haven't heard or told any racist jokes among police officers. I'm not aware of any racist views held by police officers. I am not aware of any racial discrimination by any police officers.

92. I believe the facts stated in this witness statement are true. I understand that this statement may form part of the evidence before the Inquiry and be published on the Inquiry's website.

May 4, 2023 | 5:47 PM BST

Date.....Signature of witness... 