

WITNESS STATEMENT

Agency Ref : **S219**
PF Ref :

Surname : NICOLSON Other or previous surname :

Forenames : Rhuaraidh DoB : / / Age : 54

Occupation : Police Officer Other Occupation :

Police Station : Years Service :

Disclosable address :

Post Code:

This statement was taken :

Date and time : 21st of June 2015 14.00

By : RUARAI DH NICOLSON
Place : Scottish Crime Campus

In the presence of :

I have/the witness signed/refused to sign this and all other pages

It was/not read over to the witness and was/not recorded on Audio tape and/or Video tape

States :

I am 54 years of age and I have completed 32 years Police Service.

I am the Assistant Chief Constable within Police Scotland responsible for delivery on the organised Crime, Counter-Terrorism and Safe Communities Strategies.

On 3 May 2015 I was discharging on-call duties with strategic responsibility and oversight of all incidents and events across Scotland.

About 0730 hours that day I received a telephone call from Chief Superintendent Garry McEwan informing me that Police officers in Kirkcaldy had attended an

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incident whereby it had been reported by members of the public that a male was in the street chasing cars and brandishing a knife.

He informed me that a police officer had been injured and that CS spray and batons had been deployed in an effort to restrain the male.

He further informed me that the male was in cardiac arrest and that first-aid was being administered.

I reassured myself that there were sufficient resources available to effectively manage the situation.

About 0915hours on 3 May 2015 I was re-contacted by Chief Superintendent McEwan and informed that the male had now died and that he had declared a critical incident at 0910hours.

Having concluded other on-call duties I attended at Kirkcaldy Police Office where I convened a series of Gold Group meeting which were minuted.

My immediate considerations were to ensure that the Crown Office and Procurator Fiscal's Office had been informed and that they in turn were considering the deployment of the Police Investigation and Review Commission to carry out an independent investigation into the circumstances.

I was assured that contact had already been made with Mr David Green from the PF Fatalities Unit and that he had in turn instructed the PIRC.

My further considerations were:

- (1) To ensure the Police Service provided an effective and professional response to the incident at all stages.
- (2) To provide support, reassurance and timely information to the family, other persons involved in the incident and to our own staff.
- (3) To provide reassurance to the community and public acknowledging the impact the incident may have had.
- (4) To return the community to normality as soon as reasonable practicable at the conclusion of the incident.
- (5) To ensure early notification to PIRC to enable a transparent and robust independent investigation into the death of Sheku Bayoh.

The main agenda items on the Gold Group meetings were:

Factual Update
Investigation Process
Review of policy/ decision log

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Family Concerns
Community Issues
Community Impact Assessment
Staff Welfare
Resources
Disclosure Issues
Media Strategy/ Communications Plan
Resilience in Command
Any other business.

Details of the Gold Group Meetings are contained within

Doc No. Gold Group Meeting 1130hrs 3/5/15

Doc No. Gold Group Meeting 1440hrs 3/5/15

which was joined by members of PIRC specifically the lead investigator Mr Keith Harrower.

It was agreed that Det Supt Campbell would have detailed discussion with Mr Harrower about allocation of duties and in terms of a transition to full PIRC investigation.

I held further Gold Group Meetings on 4 May 2015 details of which are contained within

Doc No. Gold Group Meeting 1230hrs 4/5/15

and on 6 May 2015 details of which are contained within

Doc No. Gold Group MEETING 1100HRS 6/5/15.

The investigation by this time was being fully managed by the PIRC with local considerations being around community reassurance.

I was content that this was being effectively managed locally and my involvement thereafter concluded.

Signed : (Witness)

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