

**ANNEX I  
WITNESS STATEMENT (E-VERSION)**

Agency No:  PF Ref:

**SECTION 1 (Disclosable Details)**

Surname:  Other Previous Surname:

Forenames:  Age:

Occupation:  Other:

Police Station:  Years Service:

Disclosable Address:   
Postcode:

**SECTION 2 (Provenance – all mandatory fields)**

Statement taken or compiled:  Date & Time:

Place:

By:  Other person(s) present:

Source:

Authentication:

**SECTION 3 (Free Text)**

I am the Local Policing Commander for Fife Division of Police Scotland. Part of my duties include working weekend cover as part of a duty officer team for the East of Scotland. During the weekend of 1<sup>st</sup> May 2015 I was working as duty Chief Superintendent and Strategic Firearms Commander.

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About 0745hrs, Sunday 3<sup>rd</sup> May 2015 I was telephoned by Chief Inspector Stones (duty officer for Fife Division) and apprised briefly of the circumstances surrounding an ongoing incident where as a result of a number of calls from members of the public regarding a male in possession of a large knife the police had attended in the area of Hayfield Road Kirkcaldy. A short time later I received a subsequent update that the IC3 male had fallen unconscious on contact with the police and was being administered CPR by the officers in attendance. Further to that I was advised that the male had been taken to hospital.

Taking cognisance of all the circumstances I decided to make my way to Kirkcaldy Police Station and during that period briefed the Duty ACC (Nicholson) and the duty Professional Standards Officer (Supt Blackhall) of the circumstances as they had been portrayed to me to ensure the matter could be escalated to the appropriate authorities. I was also aware that Det Supt Campbell had been contacted and advised to attend Kirkcaldy to take the lead on the initial investigation.

Shortly after 0908hrs, same date, I was informed that the male had been pronounced dead and as such I made the decision to declare a critical incident (0910hrs). I briefed the relevant officers to that effect. My rationale was that the effectiveness of the policing response into this death was likely to have a significant impact upon the confidence of the family and communities. My primary concern at this point was 1) the family involved, 2) the officers involved and 3) any local or national community tensions that could arise as a consequence of the death.

At 1130hrs, same date, ACC Nicholson chaired a Gold Group where a terms of reference were approved. Integral at that point was community reassurance, support and reassurance to family as well as the early notification and transition of the investigation to the PIRC (Police Investigation and Review Commissioner). Later that date members from the PIRC attended, took ownership of the investigation and were present at subsequent Gold Groups.

About 1645hrs DS Dursley informed CI Shepherd that two Detective officers had attended at the home of the deceased's family and were met with a highly charged emotional and at times confrontational environment. I thereafter spoke to both officers (Dc's Mitchell and Parker) and informed that the family demanded my attendance to "get answers".

The underlining suggestion that I perceived at this point was the real potential for heightened community tension, anger, upset and dissatisfaction by the family and ultimately escalation beyond that should I not speak with the family direct. At this point I confirmed that the PIRC had no family Liaison officers in place and that they would not be available until the following day. This in my mind was not acceptable and I felt it was important to speak with the family and give them the details surrounding Sheku's death as I knew them at that time. I spoke with the ACC who agreed with my thoughts.

About 1810hrs, same date, accompanied by CI Nicola Shepherd I attended [REDACTED] and met with the sister of deceased (Kadi), her husband (Ade) and the deceased's partner (Collette). There were a large number of other family members present at that time. I took the lead during the conversation and gave a factual account of the circumstances as I knew them at that stage, I did re-iterate that this was a very fluid and

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dynamic investigation with many witnesses being seen, and that I was unsighted on the detail of all statements provided. In summary the information I provided was at just after 7am that morning a number of calls were received by the police about a black male in possession of a knife on Hendry Road Kirkcaldy at its junction with Hayfield Road; Police officers attended the scene and during attempted apprehension of the male CS spray was discharged and Police batons drawn; during this period Sheku lost consciousness and the officers administered CPR until ambulance personnel took over. Sheku passed away at the hospital at 0904hrs that morning. I thereafter explained that the PIRC had ownership of the investigation and would undertake an independent enquiry into the full circumstances and would be making contact with the family soon.

The key questions posed by the family at this point were a) Why was this the first time they had be told that Sheku died during contact with the police? – I could not answer this point directly but made it clear that I wanted to be as open and transparent as I could be and this was the purpose for my visit b) Why did the police not disarm him? – I could not answer that c) The family have been told it took 15 officers to control him, why was this? – I could not answer this other than confirm that a minimum of six officers had initially attended, d) why had the police taken Arran Crescent as a crime scene? (deceased's home address) – I explained that this was because of the disturbance of property reported by the girlfriend when she returned home made it important for investigators to secure any evidence.

Overall the family were understandably distraught and requested I have the PIRC attend that evening. The family thanked me for my openness and asked that I attend again the following day.

At 1950hrs, same date, I attended the Gold Group meeting at Kirkcaldy Police Station. Present at that time was ACC Nicholson and members of staff from the PIRC. I updated the group and requested that PIRC attend that evening to help provide some answers to the family. I was informed by the lead investigator than he had no staff available to attend the house but that he would telephone the family. I thereafter finished duty.

About 7am on Monday 4 May, I commenced duty at Kirkcaldy Police Station. Later that day (1545hrs) accompanied with Supt Milton, I again attended at [REDACTED] and spoke to Ade and Kadi. A number of other family members and friends were present. My primary concerns at this time remained the immediate family of Sheku and local community tensions which were beginning to grow predominately via social media. Family and local community re-assurance was vital throughout this period and my focus remained on this aspect whilst the PIRC continued their investigations. On arrival the family were pleased to see me and articulated a dis-satisfaction with PIRC involvement to date, stating that they had had little contact and not received any further information. They requested that they be afforded the opportunity to lay flowers on Hayfield Road and that an explanation as to why they (PIRC) still had control of the house and why access to the deceased home address had been prevented by the PIRC the previous evening. I re-iterated my role and advised that I would pass on their queries to the PIRC.

The family raised the issue of an article published in the Dundee Courier that morning regarding Sheku's death. They were unhappy that I was quoted therein. I advised that I was simply expressing my sincere condolences to the family and that I had no control over what the

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media printed. I informed them that it was unlikely that I would release further statements to the press as the enquiry rested with the PIRC but that if it was necessary, out of courtesy I would advise them prior to doing so.

The family also sought the names of the officers who had attended their home the previous day. Supt Milton ascertained the names and passed these onto Ade.

Supt Milton and I left after about an hour. I advised the family I would be accessible anytime to assist them whenever necessary.

On returning to Kirkcaldy Police Station, along with Supt Milton I met with members of the PIRC and asked that they make contact with the family. I received no feedback from them in that regard.

Due to the ongoing an escalating community tension, unprecedented tabloid reporting and unrest in social media, I established a Community Impact and Reassurance Group to ensure that Police Scotland provided an effective and professional service and to ensure we provided reassurance to the community and public, acknowledging the impact this incident may have had. This meeting remains current (15/5) and I have asked previously for the PIRC to attend as members. This has not yet transpired.

I have since had text message contact with the family (Ade) regarding accommodation for his extended family. I made arrangements for this.

CONFIDENTIAL MATERIAL – NOT TO BE DISCLOSED

**SECTION 4 (Personal Details)**

Civilian Witnesses: SCRO Number or No Note of Convictions:

Police and Professional / Expert / Official Witnesses - Not Requested

Alias / known as:  Date and place of birth:

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Home address:  Telephone:

Post Code:

Business address:  Telephone:

Post Code:

Mobile:  Fax:

E-mail:  Other:

**SECTION 5 (Dates when unavailable in next 12 months)**

30/7 – 15/8 2015

**SECTION 6 (Any other confidential material)**