



## The Sheku Bayoh Public Inquiry

### Witness Statement

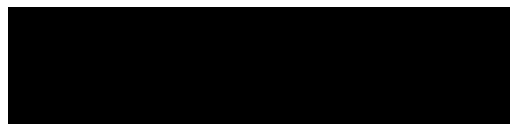
**Police Sergeant Gordon Miller**

Taken by [REDACTED] via Microsoft Teams on Monday 06 March 2023

#### Witness details and professional background

1. My full name is Ian Gordon Miller, but I'm known as Gordon Miller. My date of birth is in 1969. My contact details are known to the Inquiry.
2. I'm a Police Sergeant in Corporate Services Division, the Volunteer Coordination Unit. We're based at Tulliallan, albeit we work from home quite a lot of the time. I've been in my current role for about 18 months. We are the National Lead for the Police Scotland Youth Volunteers (PSYV) and Police Scotland Special Constables.
3. I like the whole volunteering side of things, so that's what attracted me to that area of policing but, apart from the last year, 18 months, I've been operational all my time, so it was a complete leftfield move.
4. I joined Fife Constabulary in August 1999. Initially, I was stationed at Cupar in Northeast Fife before working at section stations, which were smaller stations

Signature of witness.....



like Newport-on-Tay, Auchtermuchty. I then joined the Community Team. I was a Community Police Officer for the Tayport area for a couple of years, I was then involved in the crime investigation area of Policing. I was on the crime team seconded to the CID; eventually joined the CID based at Levenmouth. I was in the Public Protection Unit for a wee while in the Divisional Rape Investigation Unit, then back to the reactive CID.

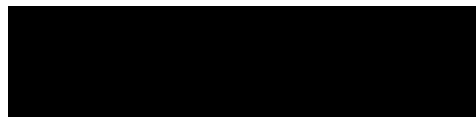
5. I was then a Temporary Sergeant for a couple of years. I think I was on eight different shifts in four different stations during that time. Somewhere around 2017, I can't quite remember, I transferred on promotion to D-Division. I was a Response Sergeant at Lochee in Dundee, I was there for two-and-a-half years, moved through to Perth, which is closer to me; I was a Response Sergeant there. I then looked after the Community Investigation Unit, which was quite refreshing because I was dealing with crime again and I was also responsible for the Community Team there.
6. I then went to Corporate Services Division in September 2021 During October to November 2021 I was seconded to COP26. I was on Operation [REDACTED] between January to March 2022 which was the COVID response. We were backfilling C-Division and P-Division when there was problems with staffing issues just with COVID outbreaks, and then back to my present role of looking after PSYV groups and Special Constables, which I am the national lead for now.

**Inquiry Evidence**

7. I am asked if I have watched any evidence given in the Public Inquiry or provided any evidence in relation to the incident before.

I watched a Mrs Rashid's evidence, because I was contacted after she had given evidence and informed that the Public Inquiry wanted to obtain a statement from me and I was provided the link to her evidence. I also watched

Signature of witness.....



some of the evidence that Superintendent Campbell provided. As well as my operational statement that I compiled at the time of the incident. I also provided a statement to Operation Tarn a couple of year ago. There was a specific document that my Inspector at the time had to sign which accompanied the statement.

**Role as at 03 May 2015**

8. I was a Detective Constable in reactive CID based at Levenmouth Police Station but, because of the restructuring, there were detectives stationed at Northeast Fife, and Levenmouth cover Northeast Fife as well. Before, there used to be officers based at Cupar Police Station.
  
9. On the early shifts I would go in, I would mark the crime bulletins pertaining for that area, see if there was anything that needed CID to be involved in, or provide advice, or anything like that. Predominantly, I'd go into Cupar, be there maybe a couple of hours, and then travel down to Levenmouth. Although it's not a huge crime area, we do have the university in St Andrews and high value thefts in rural areas. Although I was based at Levenmouth on the early shifts, I would start at Cupar, do the necessary work there, and then drive up to Levenmouth.
  
10. Our responsibilities, along with the crimes that we would have allocated to ourselves anyway and ongoing inquiries with that, we'd be looking at anything that the CID would be involved in. That would be high-level thefts, house break-ins, serious assaults, anything like that; we would be looking into drug-related stuff as well.
  
11. Any of these crimes that were reported over the previous day, the way the Crimefile system worked at that time, there'd be a crime bulletin would be published the next morning and it would just have the brief details of the crime number, the MO for the crime, and that would be it. We would go in the

Signature of witness.....



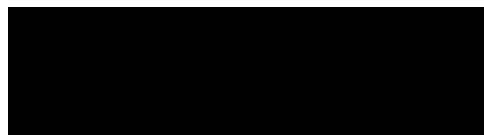
morning and would look at all the various crimes, read them, make sure that they were getting dealt with appropriately. All crimes, any ones that fell into our remit we'd be taking on, but, as far as crime management, we'd be looking at all crimes just to make sure that they're taking the right lines of inquiries with everything.

12. The Levenmouth area encompassed Northeast Fife, but because it was important that there was a CID footprint, instead of us marking it at Levenmouth, we would be at Cupar. We would go to the morning meetings in Cupar and North East Fife just so we could speak to the Sergeants and the Inspectors that were in the morning meeting about what was happening and discuss any crimes and provide advice if needed.
13. At that time we were working the treble 3 shift pattern which was three day shifts and three late shifts, so it was just on the day shifts that's what you did. You went there for the first couple of hours in the morning, and if there was something that happened that you needed to investigate, obviously you would continue with that. If there wasn't anything, we would then move on up to Levenmouth and join the rest of the team.
14. On Sunday 03 May 2015 I was working from seven o'clock in the morning 'til four o'clock in the afternoon.

**Learning about the incident involving Sheku Bayoh**

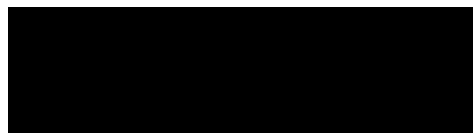
15. With a seven o'clock start I would usually be in twenty to seven at Cupar Police Station. I would have my radio in that base there, so I would get my radio, turn it on so we were aware of what was happening elsewhere in the division, I would print that day's crime bulletin, and it would take about half an hour to go through that to mark everything.

Signature of witness.....



16. I remember the early shift were having cup of tea post-muster in the kitchen area at Cupar. Whilst I was marking the bulletin, I did hear the message. Kirkcaldy's on a different channel from Levenmouth, so whether it was broadcasted to all channels I'm not sure, but there was a message that there had been an incident in Kirkcaldy. If I recollect correctly, I think they were looking for assistance on the aspect that the Kirkcaldy units were all tied up now, so I heard the radio transmission. I informed the Duty Sergeant and his team who were in the kitchen ensuring they were aware of the radio transmission.
  
17. I am asked if I recall what time I heard about the incident over the radio. It must have been sometime between half past seven and eight o'clock. It wasn't the actual incident. I think it was an information message, to say that an incident had happened and that they were looking for resources. I'm sure that's what it was. That's the way I recall it, anyway.
  
18. I don't recall there being a meeting that morning. During the week, each of the eight areas in Fife would have their morning meeting and discuss everything but at the weekend, it would be chaired by a Chief Inspector, and the whole of Fife would be in that meeting. I would be there representing Northeast Fife because there was no Inspectors or that, but I don't recall them having that meeting that morning, maybe because of the incident. Can't confirm whether it happened or not.
  
19. However, I done what I needed to do with the bulletin. There was nothing in particular overnight that was needing any assistance from us, so we put our footprint on the crimes and then I then drove up to Levenmouth. I don't recall what time I got there, but I would imagine it would be somewhere about the back of nine. DS Dursley, at that time he was our Detective Sergeant, and DC Wayne Parker was on our shift, and so was DC Kevin Petrie, and I don't recall if DC Callum Clayton was on our team at that time.

Signature of witness.....



20. OS Dursley and DC Wayne Parker had gone through to Kirkcaldy to assist, so when I got to the office it was only DC Petrie, who was my colleague, that was in. I'm aware that DC Petrie had phoned through to see if we were needed to assist with anything in Kirkcaldy. Whatever information was disseminated to him at that time, we were informed just to stay where we were. They had sufficient resources there. There was nothing for us, and we were just to manage business as usual in our area, so that's what we did.
21. We had no idea of any details of the incident or anything like that. We just knew that there had been an incident in Kirkcaldy, and we knew that a Black male had been engaged and had subsequently died, been pronounced life extinct, in the Victoria Hospital, Kirkcaldy. I think at that time they were trying to identify who the male was. We knew that it was a critical incident. We didn't have any specific briefing. I know when we were in the house, DC Petrie phoned OS Dursley a couple of times and just told him what was happening, so he'd been given advice at that time, which he would have passed on to myself, but he was very much in conversation with OS Dursley who was involved in the incident.
22. We were content to be getting on with our work in our own area as this is clearly a Critical Incident and would be heavily scrutinised.
23. I remember there was a radio message come across. I've no idea who it was. I presume it was members of the Major Investigation Team that would have been in to investigate the incident, and they had shouted up over the Police radio on the Levenmouth channel saying that they had taken an address. I can't remember the number of it, but at [REDACTED] On the instructions of the Senior Investigating Officer ("SIO"), it was to be seized as a secondary locus. I also remember them saying that the house was empty, and that was it. I was aware that this had happened. They'd come and they'd taken away Mrs Rashid's brother. I can't remember his name. They'd taken him away, I believe, and they had shouted up to secure the building and the house was

Signature of witness.....

[REDACTED]

empty. We had no involvement at that time. We heard the control directing a police unit to go and carry that out. Never thought any more about it.

24. I have been directed to the final paragraph on page one of my operational statement from 03 May 2015 (PIRC-00151; “my Operational Statement”), which states:

*“During the course of my shift I was made aware of the circumstances of an incident in Kirkcaldy and as a direct result the requirement to secure an address at [redacted] in relation to this incident.”*

I am asked to explain what was meant by the need to secure [redacted] being a “direct result” of the incident in Kirkcaldy. It was because the MIT team had broadcast over the radio that they had attended that address and that it had to be seized as a secondary crime scene. I presume that’s who it was. I had no idea of the direct connection or anything like that at that time. We just knew that it was secondary and it was on the instructions from the SIO. A decision had been made by the SIO that it was connected and it was to be secured. That’s what I mean by that.

25. I am asked to explain my understanding of the difference between securing and seizing a property. There isn’t really a difference. The idea is that you seize and secure a property. My own interpretation would be: if we were seizing, we’d be taking it from somebody; if we were securing it, it would have been empty or people would willingly give it up. Certainly, you “seize” a production. If we’re taking a production, I’m seizing that as a bit of evidence. It’s just a bit of police terminology, but it does mean the same.

**Attending at** [redacted]

26. About ten or fifteen minutes after the radio message about seizing the property, there was a call from one of the officers that had attended to say

Signature of witness..... [redacted]

that the house wasn't empty. There was people within it, and they weren't very happy about being asked to leave the house. It was at this stage I said to DC Petrie, "Look, we'll have to go and give them a hand assistance-wise," because the Response are there, they were told the house was empty and we've got a diabetic grandmother who doesn't speak English, Mrs Rashid who had two young children and the youngest just out of hospital and- who is paraplegic. Saying "the house was empty" couldn't be a worse description of the house.

27. My recollection of going to - was it was our decision to go to assist because we knew that there was very little resources because everybody in Kirkcaldy or back filling across the Division. Because of the timings of when it happened, the whole shift had been involved. Everyone was pulled in. Units would be, presumably, pulled in to do business-as-usual Response work at Kirkcaldy. We knew that the resources were very light, and when that message was put out that there was people within the house, we knew there wasn't a lot, so we more-or-less volunteered ourselves to go along and try and assist Response. It wasn't really to take over or anything like that. It was just to provide assistance, but when we got there they were looking for us to take the lead. I'm pretty sure DC Petrie would have phoned OS Dursley to tell him that we're *en route*. He certainly phoned him from within a couple of times just to tell them what was happening and keep him aware because obviously they, for some bizarre reason, thought the property was empty.

28. I am asked whether DC Petrie and I discussed what we were going to do when we arrived at or what might be needed of us. No. Not particularly. I don't recall anything, but we would've had quite a discussion if we knew the amount of people that were within and the circumstances, involving a baby just out of the hospital, a- grandmother and a disabled gentleman. All we knew, as far as I can recall, was that there were some people within the property and they weren't particularly happy about having to leave, so we were just going along to try and explain that to them.

Signature of witness.....





29. We arrived at [redacted] It's just a five minute drive from the office. There was officers outside. I can't remember why we didn't go the front door, but we were directed to the back door.
30. I am asked what was the extent of my knowledge about the property before attending, and whether the uniformed officers who initially attended had communicated any information to me. We spoke to the officers outside just before we went in. The conversation that we would have had would just be several seconds. It would be half a minute or something like that. I think they told us at that time that there was a disabled man, the kids were there, and there was an older lady as well. I don't think they had the full information at that time, but it was far from being empty, and they also told us that they were not particularly happy as well. They weren't aggressive or anything like that. They were annoyed, upset annoyed, rather than upset emotional, which is understandable.
31. I am asked if details about the occupants only became known to us upon arrival at [redacted] Zah d Saeed home address That's right. I'm sure it was a cop that was there that told us.
32. I am asked if I recall how many officers were already there when I arrived at [redacted] Zah d Saeed home address There was either two or three. I think maybe the front door was locked and they were round the back door. I can't remember why. We certainly went in the back door. I seem to think that there was somebody inside because when we chapped the door, I think it was an officer that let us in rather than Mrs Rashid, but it's difficult to say. Normally, you'd have somebody at the front, somebody at the back, and if occupants were in, you'd definitely have somebody inside just to try and control that as best you could. That's as best as I can recall that bit, unfortunately.

Signature of witness.....

[redacted]

33. I am asked if DC Petrie and I were the only plainclothes officers in attendance. At that time, yes.
34. I am asked if DC Petrie and I were in close proximity throughout the time we were at [redacted] Yes, most of the time. I think he maybe removed himself to make a phone call, but yes, we were in kitchen area, and there was another officer in with us as well. I am asked if that was one of the two or three officers to whom I have already referred. It was. I didn't know them. DC Petrie did. He knew who they were, but there weren't any officers that I knew.

**Entering the property**

35. We chapped the door, and I can't remember if it was Mrs Rashid or there was an officer that initially let us in from the inside, but we were invited in, anyway, and it was Mrs Rashid that spoke to us. Immediately she started asking us questions. What was going on? All the rest of it. We tried to explain what was happening and the need to take it. She was wondering why we were allowed in without a warrant, so we tried to explain that to her that, yes, sometimes you do need warrants but, on this occasion, because it was a serious incident that happened at that time the property had been seized as, we've got to protect the forensic integrity of it.
36. I am asked if it is my recollection that we were invited into the property. It is.
37. I have been directed to paragraph nine on page three of the statement Mrs Saadia Rashid gave to the Inquiry on 13 January 2023 (SBPI-00260; "Mrs Rashid's Statement"), in which she states that:

*"The tall officer forced himself into the house. He walked into the house, pushing me towards the sitting room because as he walked towards me I had to walk backwards. [...] I was panicked at this stage, I*

Signature of witness.....



*was worried about the safety of my children, my disabled brother and my elderly mum."*

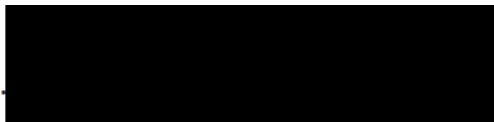
It has been explained to me that Mrs Rashid does not mention in her statement the name of the officer in question. I am asked for my reaction to Mrs Rashid's description. First of all, I'm quite stout, so I wouldn't be described as a tall officer. I'm 5'11 but I wouldn't be described as tall because I'm a stout person. I'm not aware of anything like that. I don't know where her brother was picked up, whether he was picked up at that house or what, so I don't know if that's been earlier. I've no idea, but it certainly wasn't me or DC Petrie that Mrs Rashid is referring to, as far as I'm aware. I'm not doubting what the lady's saying, but that certainly wasn't us. We had conversations in the kitchen, sitting room area, and as far as I'm aware, nobody was forceful at all. I don't know where that's come from. From reading that, I would think that if her brother was taken from that address, that's maybe at that stage. I don't know, but certainly I don't recall anything like that. I've no idea why she'd be saying that either.

38. We established who was in the house. She told us that there was herself, her mother, her two young children and her brother, - and that he was disabled.

**Initial interaction with the occupants**

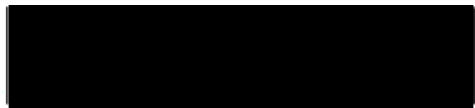
39. Mrs Rashid was clearly upset - not emotionally upset but annoyed - that she was being asked to vacate her household and they left albeit begrudgingly, which I fully understand. There was a conversation back and forward. We were trying to explain the process to her. She'd asked for a warrant. It was explained that we didn't need a warrant, that it was an ongoing investigation and that the SIO had made the decision to seize it.

Signature of witness.....



40. I have been directed to paragraph four on page two of Mrs Rashid's Statement, in which she states that an, "officer in a suit said they didn't need to disclose any information, and that we needed to vacate the house.". It has been explained to me that Mrs Rashid does not mention in her statement the name of the officer in question. I am asked if I recall a discussion in those terms with Mrs Rashid, involving either me or DC Petrie. There would be something similar to that, but we wouldn't say we didn't need to disclose any information. We maybe said that we couldn't disclose information, which is different obviously, but obviously that's her interpretation of that. Those type of things, until you've got it secured you're careful of what you're saying. You'd have to manage it. I have no idea even if they found anything in the house or what there was, but yes, I do recall something similar to that.
41. We were asked why we were there and what we were doing probably half-a-dozen times by her. She was clearly annoyed at being asked to leave her property, which is fair enough. I don't fall out with that at all. We were not asked half-a-dozen times one after the other. We kept giving her the information that we had, and we kept explaining to her that there was a connection and that the Senior Investigating Officer had decided that it was being seized as a secondary crime scene. As soon as you use that terminology, crime scene, everybody thinks a crime's happened there, so it does get a bit confusing, to say the least. Police terminology , it's fine when you know what it means. We tried to explain as best we could with the information that we had. I do remember I spoke to her, and then I think DC Petrie spoke to her. I can't remember in what order. I think it was maybe in that order.
42. Unfortunately, we're unable to tell her what exactly we were looking for. We didn't know because we weren't directly part of the inquiry. We had just come in to assist. We presumed it would be drugs or a weapon or something like that. It went backwards and forwards. I know I spoke to her and then DC Petrie spoke to her but she wasn't happy with what we were saying, which I

Signature of witness.....



totally understand. If somebody was asking me to leave my house, especially under the circumstances with them two young kids, one just out of hospital and that, I wouldn't be happy either.

43. Her mother was asking her questions, and Mrs Rashid was translating to her mother backwards and forwards, and we made sure that she was happy, that she was understanding what was happening. I remember her telling us that her mother didn't speak any English. We made sure we didn't interrupt her or anything like that. We gave her sufficient time to ask questions to Mrs Rashid, and Mrs Rashid asked DC Petrie and myself. I tried to explain it, and then DC Petrie tried to explain it, and that's the way it went. We furnished her with all the information that we had.
44. She did also say at that time that her mother was diabetic and this would upset her, and we asked if she was okay, and she said that she was.
45. I had that conversation with Mrs Rashid, and then DC Petrie tried to explain to her as well, and then Mrs Rashid then phoned her father, I believe, because she needed his assistance to help move - I think that's who she was phoning; he was going to come through because he had the transport. We did ask about that as well, if they were needing transport for - but I think she said that her father had a wheelchair accessible vehicle for transporting - so he was coming.
46. The decision was made that she was going to leave the property. Again, they asked where they were going to go and we said, "Well, we would suggest that you go to a family member at this time, if you can."
47. • had come through in his chair, I think, when DC Petrie was speaking to Mrs Rashid. I had a conversation with - He can hold a conversation; it is difficult from him, but it was himself that instigated the conversation around how he had sustained his injury. [REDACTED]

Signature of witness..... [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] We had a conversation about that, and I was aware as well that he frequently needed to use his own bathroom. He was going back and forward quite a few times.

48. Whilst we were waiting on -father arriving, that's when I was actually speaking to- I just remained between the living room and the kitchen-diner area and where. was going obviously. • was just going backwards and forwards himself to the toilet, but obviously when you're asked to seize a house, we've got to make sure that the forensic integrity is there, that nobody's potentially disturbing anything or anything like that, so I was positioned in a place where I could do that.
49. There was a period of time, I don't know, it must have been half an hour or something: we were waiting and Mrs Rashid was away getting ready, getting the kids ready. I never actually seen the kids. I can't recall where they were, but she was away getting changed, I think, and getting her stuff together. I remember, on a couple of occasions at least, we had said to the occupants to remember that they had everything that they needed because they wouldn't get access to the house again once they had left.
50. When you're trying to secure a property, it is difficult because obviously they've got a right to privacy, and you don't want to be looking at stuff that they're taking away with them, but again, you're mindful of, "are they taking away any evidence or anything like that?". We were as respectful as we could be, without being intrusive or anything like that, but it's quite common practice, if somebody's packing a bag or something, that somebody observes exactly what they've taken out of the house in case there is something of potentially evidential value. As I said, it was far from ideal.

Signature of witness.....

[REDACTED]

51. They were clearly upset. Mrs Rashid said that she was going to go back to  
- • and she provided me her address.
52. A short time later, the father arrived. I believe there was another brother, but he was outside, and the officers outside let the father in. The father asked very similar questions: why was the house getting taken, asked about a warrant, all the rest of it, and we explained to him that we had very limited information, we knew an incident happened in Kirkcaldy, we had no idea who the male was.
53. I had no idea, really, the connection with the house, just that prior to the incident they had travelled back to this house. That's all we knew. I suspected myself it might have been drugs or maybe even a bladed article that they were potentially looking for, but that wasn't really explained fully to us. Usually you would be briefed about something like that but because we had just come in to assist, that's where we were.
54. The father was animated and quite rightly so. He talked about the needs for  
- and he was quite clear that he would have to get back into the house by ten o'clock that night because the house was especially adapted for needs, and that's what we were working towards as that was- bedtime.
55. I think Mr Ahmed maybe mentioned about the carers coming in at that time. They come in and assist. and the family. Mr Ahmed also said there was carers due to come maybe later, about teatime. We didn't want to cancel the carers as in my experience if you start cancelling people in the afternoon they're maybe not turning up in the evening. I think we told the officers that were protecting the scene to, if carers did come, just tell them that they're not required at that time but to come back again in the evening, to ensure that care was in place because the last thing we want is. getting back in the house and nobody being there to assist him. I remember I said to him, in respect of getting access back to the house prior to ten o'clock: "We can't

Signature of witness.....

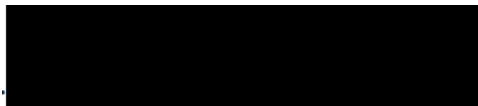


promise you that, but we can promise you that we'll do everything we can to try and make that happen," which is a kind of standard thing that I would say because we can't tell somebody something's going to happen when it's not in our control.

56. I am asked if I recall what I said to the occupants to explain why we were there. I wouldn't know exactly what I would have said, but I would have said that there's been a serious incident in Kirkcaldy. I don't think I would have disclosed the fact that a male had died as a result of that. It would be along the lines that there's been a serious incident in Kirkcaldy that's being investigated, and it would appear that a person who has a connection with the person involved has come back to this house after. That's the connection. That's the only connection that we knew at that time.

57. I think that was probably difficult because in hindsight, which is a great thing, we could've maybe tried to get some more information, but there's a fine balance between what information they'll disclose, especially at the point where the integrity of the house is still subject to being affected. Generally that's a problem, so we wouldn't want to give too much information. I didn't have any information to give. They didn't give us much, but certainly, if we had that information, we would have asked what we could disclose at that stage and what we couldn't. That would have been a decision for the S10, because it's problematic if you're in a house and, just for argument's sake, they were looking for drugs or something like that. You disclose to somebody why we're seizing the house - because we want to look for drugs - and the next thing, somebody could be away disposing of it. It would have to be managed, the information that was given to them. I don't blame them for one second for being upset. I wouldn't be very happy on a Sunday getting asked to leave my house, and especially unable to give them any concrete times of when they would be able to return.

Signature of witness.....





### Treatment of the occupants

58. I have been directed to the second paragraph on page three of the statement that Mr Saeed Ahmed gave to the Police Investigations and Review Commissioner on 24 August 2015 (PIRC-00386; "Mr Ahmed's Statement"), in which he states:

*"I do remember my wife telling the detectives that she was not leaving. She was told by one of the detectives that they would force her to leave by throwing her out."*

I am asked if I recall that being said. No. I don't know how she could have because she didn't speak any English, so that would have had to have been translated to us by Mrs Rashid. Certainly all I knew about that was she was a diabetic, but there was nothing like that said. I don't want to say Mr Ahmed was annoyed, but he was. He was annoyed. He did tell us that he had a shop to run. The last thing you need is your family getting decanted out, especially if they've got specific additional needs as well, but no, I don't know where that's come from. I cannot comment on that at all. Whether he's meaning they've said that to us, but certainly the context of the thing, she couldn't say that because obviously it would have to be translated, but if he had translated that, certainly I don't recall that. There's a distinct lack of professionalism. We would never say we're going to throw somebody out. We would reason with them. Maybe that's the way it's been translated, but certainly that's not language or terminology that we would use. For one, you'd get disciplined for saying something like that, as you could understand.

59. I have been directed to the third paragraph on page three of Mr Ahmed's Statement, in which he states:

Signature of witness.....

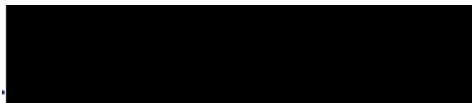


*"At one point one of the detectives told my son that if he attempted to enter the house then they would arrest him. I can't remember for what other than the word 'contempt' being used."*

I am asked if I recall that being said. I do recall that. I don't know if that's what was exactly said. I remember noise. I don't think we were shouted on. I think we heard the noise outside the door, and when we went to the back door he was quite vocal and quite upset, a lot more upset than Mr Ahmed or Mrs Rashid. He was arguing with the officer that was on the point outside. He was demanding to come into the house. We tried to explain to him that he couldn't get access to the house at this moment in time because at that time his father was there and they were preparing to leave, and we tried to explain about the integrity of the scene. One of the things they train you as a copper, and I don't mean detectives, is if you're sitting there with a scene log, nobody's getting in. Doesn't matter if the Chief Constable comes down and demands to get in, he's not getting in.

60. He was clearly upset. I don't recall saying that if he attempted to enter the house we would arrest him, and it's not something I would say that I can remember, but if that's how he's recalling it. I do know that he was clearly upset to the extent that we just closed the door and left him outside, because it looked like one of these situations that was going to escalate as he wasn't prepared to discuss the situation. The last thing that I want to be doing is restraining somebody from entering the house or anything like that. He was asked to leave, wait outside, told that the other family members were leaving, and I did close the door on him because he was really quite angry. I do remember that. I don't recall saying he would get arrested if he entered the house, but potentially it could have been something that was said, but I don't think so.
61. After he realised he wasn't going to be allowed in, I remember him shouting. He was saying, "I need to use the toilet. You're forcing me to piss in the

Signature of witness.....



garden.". I said, "We're not" and he said, "What am I meant to do?". All I could suggest is the [REDACTED] was just along the road. I said, "There'll be toilet facilities in there you can use," but he was animated. He wasn't the type of person you'd be able to speak to. He wasn't listening. He was clearly upset, which I don't fall out with, but I do remember I closed the door and left him with the officer outside, and that was that. I don't remember his name though.

62. I have been referred to paragraphs 15 and 16 on page four of Mrs Rashid's Statement, in which she states:

*".. .I was still on the phone with- when the tall police officer grabbed my phone and disconnected it.*

*The officer looked at it to see who I was phoning when it was disconnected. The tall officer listened to the whole call before grabbing it off me. He then started to scroll through my phone. I asked for my phone back. I had to repeat this three or four times before he gave it back. At this point I felt like he was treating me like a criminal who had something to hide."*

I am asked if I recall that. No. Certainly wasn't me. I don't recall that. I just remember she phoned her dad and he agreed to come along, and he must have been about half an hour later. I'm not aware of her phoning her other brother at all or anything like that. I understand that Mrs Rashid refers in the preceding paragraphs to officers being upstairs. I was downstairs all the time, so I'm not aware of that at all. I can't really comment on that.

63. I have been referred to paragraph 28 on page six of Mrs Rashid's Statement, in which she states:

Signature of witness.....

[REDACTED]

*“It felt like they were trying to look for something in the house. Nothing made sense as to why we were removed from our house. We were made to feel like criminals with no rights, we were treated like second-class citizens. We felt vulnerable and victimised.”*

64. I am asked for my reaction to Mrs Rashid’s description. All I would say is if they’re in the house and they’re getting asked to leave, yes, they feel victimised. I get that. I don’t fall out with that at all. That’s quite fair. But, certainly, we didn’t make them feel like criminals. Maybe their perception is that they felt like that, but they were quite clearly not connected in any way, shape or form, other than that the property was connected to the incident. I can’t really say much more on that. I’m sorry if she felt like that. It wasn’t our intention to make people feel like that, but she was very animated from the word go, from when we got in there. She was quite annoyed, very vocal. She was clearly annoyed by what was happening but, certainly, I didn’t pick up that she was vulnerable. We certainly didn’t try to victimise Mrs Rashid or her family.

65. [REDACTED] seemed quite content as well. When I was speaking to him he was difficult to understand, but at that time a good friend of mine had cerebral palsy so his speech was hard to understand as well. I don’t know if I was maybe tuned in better because my pal [REDACTED]’s speech sounded very similar, but he didn’t seem upset, distressed or unhappy in any way, shape or form. That’s their perception, but certainly it’s clearly never our intention to make somebody, as she’s saying, feel like a second-class citizen or to be victimised, but I get it. If you’re asked to leave your property on a Sunday afternoon and you’ve not particularly got a lot of information as to why, yes, certainly it’s one to reflect on.

66. I have been referred to paragraph 42 on page eight of Mrs Rashid’s Statement, in which she states that the officers who attended [REDACTED] Zah d Saeed home address “were uncaring and I felt almost like we were being treated differently because

Signature of witness.....

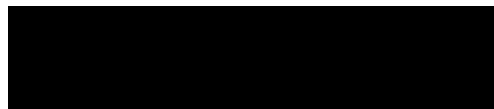
[REDACTED]

we were Pakistani and Muslims.". I am asked for my reaction to Mrs Rashid's description. They certainly weren't getting treated different because she was Pakistani and Muslim. We treat everybody in the same manner. We certainly weren't trying to be uncaring, far from it, but I could understand how she would maybe think we were uncaring on the aspect of getting asked to leave their house and she's got a child that's just been out of hospital and stuff like that. It's far from ideal, but certainly we weren't trying to be uncaring, and we certainly didn't treat anybody differently for being Pakistani and Muslim.

67. I am advised that at various points in her statement, Mrs Rashid makes references to officers being "rude", "abrupt" and "intimidating". I am asked for my reaction to Mrs Rashid's description. "Absolutely not," would be my reaction. We're always very careful what we say, especially in a situation like that, because you're expecting that there'll be a complaint coming in because the occupants are clearly unhappy, so you're very careful about words, terminology, and the way you react. So, no, I don't agree with that. We were never rude. We were never abrupt. I suppose I was abrupt, if I can call it that, when I shut the door on her brother that was outside, but that was more just to defuse a situation that was clearly going to escalate, and at that time I felt that was the best way to deal with it because ultimately he was quite emotive, very angry, quite rightly so. But that's the only time we, or rather I, stopped a conversation with somebody because that one was going to escalate.

68. Certainly with Mrs Rashid, we answered all her questions, we were as polite as we could be, we were as understanding as we could be, and I know we talked for some time and then DC Petrie talked to her for some time as well, but a lot of the questions were always similar. What are we looking for? Why are we here? We answered it on several occasions and, in hindsight, we should maybe have reached out more to the S10 and asked what more information we could disseminate to them. They had all the information that we had, basically, but I would have to say that when her father, Mr Ahmed,

Signature of witness.....



came along, initially he was upset, annoyed, but he seemed to be a lot more understanding. He took control of the situation. We explained to him and it was always this ten o'clock to be able to return to the house thing that was his main concern, albeit not happy with his family being decanted out the house. Mrs Rashid said at that time she was going back to- with her kids. That's the only reason we didn't update Mrs Rashid later on. It was Mr Ahmed that we updated. I don't agree that we were rude or anything like that, or abrupt. As I say, the only situation was that, at the door, where her brother was clearly very angry that I closed the door.

69. You reflect on everything you do; in hindsight, we should have maybe gotten more information for the family, but I'm not quite sure how much information we could have gotten at that stage.

### Vulnerable individuals

70. I have been referred to the first paragraph on page two of my Operational Statement, in which I state, "...another two family members attended at the house [... ] both had arrived to assist with transporting the occupants of [redacted] Zahid Saeed home." address to Kirkcaldy.". I am asked what was my understanding as to why assistance was required. For- the assistance was just because of the fact that he was in a wheelchair, to assist getting him into the vehicle. We did ask if they needed transport because I was aware- was in a chair, but that was before Mr Ahmed arrived. That was my understanding, that they were coming to assist with taking- I'm not 100 per cent sure, but I think Mr Ahmed maybe lives in Kirkcaldy anyway. I don't know if he resides in that house. I don't know why I think that, but that was my recollection of it. I think he's maybe got another address, but I think the mum and the dad are obviously the primary carers for-
71. I am asked whether I had discussions with the occupants of Zahid Saeed home address about their needs in relation to transporting- and more generally for the

Signature of witness.....

[redacted signature]

family. Yes. Mrs Rashid said that she was just going back to- with her children and that's probably because we were unable to give them a time that they could come back to the house, which was obviously something that we weren't in control of. She was taking her two kids. I don't recall where her mum was going. I think her mum was going with her father as well.

72. I am asked what was the purpose of asking the occupants if they needed transport. Just to make sure they had special adapted transport for. because they had to make sure that he was as comfortable as possible, wherever they were going to go when they left. I believe the intention was that Mr Ahmed was going to take. initially to the shop in Kirkcaldy and then decide. That's why we went looking for other family members to see if they could assist.
73. I am asked what would have been my response if I had been told during those conversations with the occupants that. needed specialist transport and that they could not access it at that time. We would have gone straight back, either to the SIO, but probably we would have gone straight to our control room and informed them that that's what we were needing. We would have put that information back to them and asked them to arrange transport. Whether that would have resulted in them contacting a passenger ambulance or what they would have done, but if he had required it, we would have just gone straight back to our control room.
74. I have been referred to the second paragraph on page two of DC Petrie's operational statement of 04 December 2015 (PIRC-00145), in which he states:

*".. .DC Miller and I attended at this property and assisted uniformed officers in clearing this property and then securing it (as per previous statement provided). This proved particularly problematic due to there being small children and a disabled man within."*

Signature of witness.....



I am asked for my reaction to that description, in particular the terminology, "particularly problematic". I can't remember the kids' names, but the youngest child had had an operation, and obviously with - normally if you were in an address, people would be able to leave a lot easier. That was the problem. Mrs Rashid resided in - but if she resided at the address she could have gone next door to her neighbours or something like that. My recollection is that maybe every 10 minutes or so had to go and use his toilet facilities, so he was going backwards and forwards, so he clearly needed access to that and the house was adapted with ramps and whatnot for him, for his own environment. It's bad enough somebody having to leave their home address, but when one's home's been adapted and especially when you've got two young kids and that as well, I would say it was probably more than problematic. Not that it was their fault. I just mean for arrangements to be made, it's a lot more difficult than normal.

75. I am asked what, in May 2015, would have been normal procedure for managing the securing or seizing of a property if any of its occupants had serious physical impairments or disabilities. To be honest, we've never had that, or certainly I've never had that before. We've had people that didn't want to leave addresses and things like that, but not somebody that was disabled to that extent, but the procedure would always be to try and do it without being as intrusive as we could. I really don't know, but hypothetically, if you had somebody, you could potentially have an officer just stay with them.
76. This isn't related, obviously, but if you execute a drug search warrant, what you would do is you'd secure the people within the house, you would find an area, usually the living room. That would be searched, that would be a sterile area, then everybody would be in there and they would stay there while the rest of the house was searched. Clearly we weren't able to do that, especially because of the need for privacy for Mrs Rashid. I think she was maybe expressing milk, so she needed her own privacy within the address, so it wasn't really a possibility that we were aware of.

Signature of witness.....





77. It's a difficult one. I've had severely ill people before, but I've never had that situation. It was almost like a tabletop exercise, and what I mean by that is the police sometimes have exercises with things, so you've gone from one extreme where a property is empty, or that's what it's supposed to be, you're seizing that, and then they introduce something, another issue, another issue, another issue. It was almost like that. I know we fed back the situation, or rather DC Petrie did, by phoning them, explaining what we had, the issues that we were faced with, or rather the family were faced with, and the decision was made, obviously, to still seize the property. Whether it could have been done differently, I don't know. That would be down to the S10 or somebody making that decision.

78. I have been referred to paragraphs 22 and 23 on page five of Mrs Rashid's Statement, which state:

*"I remember saying we didn't have anywhere to go, and asking if they could search the house whilst we stayed in one room.*

*They said we couldn't do that, and whether we went to a hotel or a relative's house was up to us."*

79. I am asked if I recall a discussion being had with Mrs Rashid about creating a sterile area in that way. I don't recall that, but the big difference would be that the people within the scenario I just said would be secured. The problem that you had in this incident was that these were clearly witnesses, they weren't suspects or accused persons or anything like that, so we couldn't lawfully stop somebody from going about in the house if they wanted to. What we could do was secure the property until it was searched.

80. I don't remember the bit about the hotel. Normally we would suggest to go to friends or families, and I do recall Mr Ahmed saying he was in agreement, as

Signature of witness.....



much as he could be. He was quite clear about that he had to get back into the house at ten o'clock.

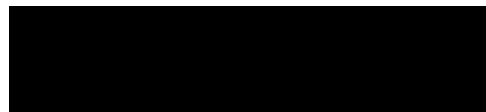
81. I have been referred to paragraph 38 on page eight of Mrs Rashid's Statement, in which she describes the way her brother and family were treated and states:

*"There was no compassion for him, no dignity or care. He deserved better treatment, and we deserved better treatment. Instead, we were all treated like we did something wrong, like we were criminals. I hate to think what would have happened if I wasn't there because my poor mother doesn't speak English and- can't speak clearly and has disabilities."*

82. I am asked for my reaction to Mrs Rashid's description. That's obviously Mrs Rashid's perception but, certainly, I think that's unfair to say we didn't have any compassion. I did have a conversation with- He seemed to know what was happening. We basically stated as much as we could that the house had to be searched. He was aware that his father was coming to get him and he appeared content enough. When I asked him about his additional needs, he told me how he had sustained his injury.

83. That's her perception but it's not a description I'm happy with because DC Petrie and I were both compassionate and we did everything we could. I don't think we treated anybody like they were criminals, we did our best to try and explain the reason and the need for that. In hindsight, we should maybe have tried to get more information for them, and I think we discussed that when we spoke to Chief Inspector Brown. The only thing that I understand that they had complained about was a lack of information. Nobody suggested we were rude, uncompassionate, anything like that. Although I've got to respect her views - and it is her views - I don't think that's very fair at all, to say the least.

Signature of witness.....



### Searching the property

84. I am asked whether I participated in searching Zah d Saeed home address or was aware of it being searched whilst I was there. No, we weren't there to search the property; we were there to secure it, basically.
85. I have been referred to paragraphs 13 and 14 on page four of Mrs Rashid's Statement, in which she states:

*".. .there were police officers upstairs, looking into each room. They wouldn't let me see what they were doing.*

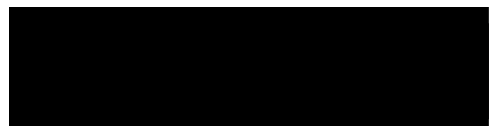
*They had gloves on, so I knew they were looking for something. I don't know what they were searching in the rooms but they were definitely looking in all the rooms. I wasn't aware of them taking anything from the house."*

86. I am asked for my reaction to Mrs Rashid's description. I definitely wasn't upstairs. I would think if there was officers looking in rooms, they'd be looking for persons just to secure the property, because it's not the first time that somebody's been missed. Although they're not searching the property for anything - they wouldn't do that - they'd be looking to establish if there was any other family members or persons within the house. Not that they were looking for anybody. They'd be looking to make sure the integrity of the property was secured. It's quite a common practice for officers to do that when they make sure it's empty.

### Occupants vacating the property

87. I have been referred to the third paragraph on page two of my Operational Statement, which begins, "The occupants of the dwelling thereafter left the

Signature of witness.....

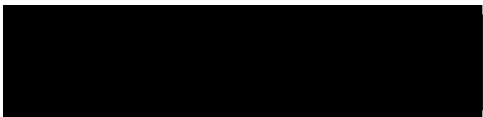


property". I am asked what I recall about the occupants leaving the property. Prior to the family leaving, we basically told them that they would have to get everything that they needed before they left because it would be difficult to get access after they had left. I think at the point that they were ready to leave, I went out in advance of them leaving just so I was not holding them up, but I didn't want to potentially disrupt any evidence with the car or anything any longer than I had to.

88. I am asked whether, at the time they were leaving, there were any further discussions with the family about what was going to happen, etc., or if by then the issue was settled. It was a bit of both. Mrs Rashid had made up her mind she was going back to- to her home address with the children, so we knew that she wouldn't need any other assistance later on in the day. Mr Ahmed was very clear that his main concern was about getting back in before ten o'clock because that was his bedtime to make sure his routine wasn't upset or anything like that. He did say at that time that he was going to the shop, and he wasn't happy about that because he had said, "Obviously, a shop's not a convenient place for somebody with additional needs to be." I don't know if we told Mr Ahmed at that stage that we were going to make some inquiries to see what we could get from housing or through the social worker. We definitely did when we phoned him to update them of what was happening, and that was later on.

89. I don't think they were able to get hold of the other son at that stage. We went back to the office, and that's why we were searching the systems to try and get contact details. Obviously, it would be far more comfortable in somebody's home address than being in a shop for anybody, let alone- When they left, that was our understanding. Mrs Rashid was going back to - with her children. His wife and was going with Mr Ahmed, and we were going to do what we could in between times, and we would have said to them that we couldn't promise, but we would promise them that we would


Signature of witness.....



do everything we could to try and turn that round so they could be back in their home for ten o'clock.

90. I don't know if it was at that stage we maybe mentioned about the carers as well. I can't remember, but we had a form of discussion about what was the next stages, and I'm sure we said at that time that if the carers came, we would tell them they were not needed at that time but to come back for the evening one because we were mindful we didn't want to phone and cancel somebody in case they didn't turn up at the evening time. That was the discussion we had, and I would have told them that we would phone them and update them at that stage. We didn't say anything to Mrs Rashid because she was going back to Glasgow, and I presume maybe the family members would have kept her up to date with what was happening.

**Zahid Saeed's car**

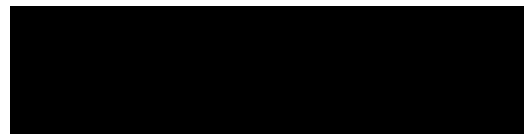
91. The next problem was the car. I can't even remember what kind of car it was. The car was parked in the driveway blocking Mrs Rashid's car. It was, from what I recall, a single driveway at the side of the house, and then the garden had a turning area and more parking area at the back. There was probably enough room for two or three cars there, so a car could go head first in, turn about and come back, as well as a couple of cars being parked there. This car, which was going to be potentially part of the investigation as well, was parked in the drive, which was going to be blocking them getting out. DC Petrie phoned DS Dursley just to explain the situation, and we decided that we would move the car.
92. I can't even remember where we got the keys from. They must have been in the house, in the car – I don't recall. Anyway, we got the keys from wherever they were, I got a big brown bag to put on the seat and I got gloved up and that. I sat in the car, made sure it started, and I just waited 'til they reversed the vehicle out. I just sat there and waited until the vehicle went and got 

Signature of witness..... 

and Mrs Rashid left, and once everybody had left I just drove it back and parked it exactly where it was and secured it again. I took the brown bag that I'd been sitting on as a production in case I'd collected something from within the vehicle, and also the gloves that I've been wearing, and that was that. It sounds ridiculous now, but you don't know what connection the car's got, if any. So, again, if you are affecting potential evidence, we've got to try and secure that the best we can.

93. I am asked if I recall when I was asked to secure and to move the car. We obviously were aware of it because we walked past it to get into the house, but I wasn't aware that it was pertinent to the Inquiry or anything like that. I think when DC Petrie had made contact with the DS Dursley, he had suggested at that time that we needed to move it. I think it was at the time we were looking to get Mrs Rashid's vehicle out from the back. We were aware the vehicle was there. It was quite clear that the vehicle was in the way, We had a couple of things: we had to get the transport in for [REDACTED] and also Mrs Rashid to get her vehicle out because she was going back to [REDACTED]. It clearly wasn't a case of us being able to give her a lift someplace or something like that. For [REDACTED] Mrs Rashid mentioned dignity and things like that: I suppose that would be in our minds at that time to ensure he'd get easy access to his transport.
94. I am asked if I recall what I was told about why the car was to be secured. I don't. I know now that that was the vehicle that Mrs Rashid's brother drove back in. I can't recall if we knew at that time or not. Potentially we would have because we would have probably asked why and we'd be wondering why it was needed, but we clearly knew that it was getting seized as well to some aspect.
95. I think we would have probably looked at getting it recovered initially, because what happened was if there's a vehicle, even if it's a road traffic accident: they'll come and take it away. I think it was Ace Recovery at that time that

Signature of witness.....



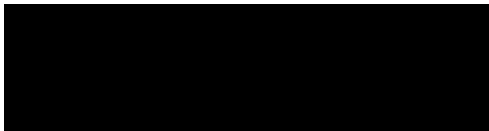
had the contract with the police. If there's a vehicle stuck in the road and the owner can't get it moved, we'll get it recovered and taken away, and we'll also use the same firm for lifting cars that are maybe even stolen, anything like that, something that's got to be looked at forensically.

- 96. I can't remember why that didn't happen. I think it was more the timing of the thing, because we didn't want to delay Mrs Rashid and Mr Ahmed and getting away. You would get the vehicle recovered. They take it to a secure compound, and then it's stored, and then the Scenes of Crime Officers will be able to go and access that at that time, so it would be a full lift. It was either because it was stuck in the drive and we'd have to move it anyway or that we didn't get them to do it.
- 97. DC Petrie was the one that was doing all the conversations on that day, so we just moved it, but I must have known at that time. I must have known. I just cannot remember exactly what was said about it, but the fact that we are putting gloves on and a brown bag in, we would have asked the connection just so we wouldn't disturb any evidence or that.
- 98. I am asked whether the steps described in the fourth paragraph on page two of my Operational Statement represent normal procedure in relation to interacting with a vehicle that is to be seized. No. We wouldn't touch a vehicle at all. Normally, it would be the same as a house or that. It would be seized; it would be left. The integrity of the potential evidence. Nobody would touch it but, under the circumstances, it was clear that we had to do something to try and assist Mrs Rashid getting out, getting away and, obviously, - so that was it. I've never done that before, anyway.

**Authority to seize/ secure the property**

- 99. I am asked what was my understanding, when I went to \_\_\_\_\_ of what our authority was for seizing the property. My understanding was that the decision had been made by the SIO that it was to be seized. That

Signature of witness.....



message was broadcast, but in an ideal world we would have occupants allowing us to take the property. I think because it had gotten to the stage where they weren't wanting to leave, that they had to seize that potential evidence, so that was done under the instructions of the SIO.

100. I am asked if it was my understanding that a warrant was not needed to seize the property because a decision had been made at a senior level that this was a place of interest, and that that was the reason that we were seizing the property. That's right. If there was a need for a warrant, it would have been obtained retrospectively, and senior management would have made that decision. Because it was an incident that was fluid and was kind of ongoing, and they weren't aware of what's happened, they had made that decision to seize the property. We did that on the instructions of the SIO, and if they decided they needed a warrant to search the property, which I think they would, that's a decision for the SIO. When they were having their silver meetings or tactical meetings, somebody would have applied for a warrant retrospectively, so regardless, the outcome would be the same.

**After leaving the property**

101. I am asked if I recall at what time I left Zah d Saeed home address I don't know, it must have been somewhere around about half past two. I think maybe Mr Ahmed was there for half an hour or something. We must have been there for a good hour before Mr Ahmed, and then probably about half an hour afterwards. It seemed a lot longer, mind you, because it was, in all honesty, a really, really difficult situation to try and manage.
102. We then went back to the office and, obviously, Mr Ahmed had expressed concerns predominantly about housing of [REDACTED] and various other things. Unfortunately, being a Sunday morning there is no housing available, although we did try to see if there was but there was nothing there at all. I phoned [REDACTED], who was an emergency social worker, and I

Signature of witness.....

[REDACTED]




explained the situation that we had at that time. They weren't able to provide any assistance at all. They did suggest that we maybe try the Victoria Hospital in Kirkcaldy, which is the main hospital, and I thought, "Well, that's quite a good shout" because they've got the specialist beds that go up and down and the toilets are available for wheelchair access. I think we made an initial phone call about that, but it didn't look very promising at all. It's not ideal, you're not wanting somebody admitted to hospital when they don't need to be admitted to hospital, but that's what we were looking for.

103. We also searched on Crimefile, which was a crime system they were using at that time, looking for family members and addresses because we were aware that the father, Mr Ahmed, had said that he was going back to his shop. He had a shop in Kirkcaldy, and all this wasn't very conducive for [REDACTED] to be on shop premises, which you could understand. Short-term, when I say short-term I mean immediately, it would have been all right, but they were looking for a family member or a friend or some place for [REDACTED] to go.

104. We made several other phone calls. I phoned Mr Ahmed on his mobile phone, which I had taken the details for, and informed him of where we were, what we were doing. I think we phoned him a couple of times because we gave him an update initially, and I'm sure he said he was going to try and get his other son to get [REDACTED] to go there initially, short-term, but it was quite clear that, you know, ten o'clock for [REDACTED] routine was the time to get back in, and that's where we were with that. We fed that all back into DS Dursley, who I would presume would feed it back into the SIO, so they were aware that we had a real potential problem here, that we've had to decamp family members who are not directly involved with this incident. The house was needing turned around quickly so we could get access back, and that's what they were working to. I'm pretty sure that they had said at that time they were going to try and fast-track the locus to get it searched so we could get [REDACTED] back into the property before the 10 o'clock deadline that Mr Ahmed had been quite clear about.

Signature of witness.....



105. I am asked what was the outcome of DC Petrie's and my efforts to identify family members, etc. who may be able to assist. At that time we had a general number for Fife Council, which would be the way you would access that. We were aware that there was nobody on from housing in Fife, and somebody was able to give us the information that there was no houses. I'm sure we were told there was no houses in the Edinburgh area as well, that were able to take a disabled person that would be fitted with ramps and toilets and whatnot. Generally, it's very limited on what they can provide us anyway. They can give us information though sometimes because on the social work systems, they would have information about [REDACTED] that we wouldn't have in our system. We would have provided these details and they would have given us information that would have been useful to maybe help him.
106. We understood quite clearly it was going to be upsetting for [REDACTED] to be out of his normal surroundings, but we were looking to try and get them back at 10 o'clock and looking for any other resolution we could get in between. That included phoning the family members.
107. I do know it got flagged up. We got a data protection thing that had come through: "Why are you looking these people up?" Because cops are inquisitive, and sometimes if there's an incident happening, they're maybe looking at things that they maybe shouldn't be, but obviously we had clear justification on why we were searching on the persons that we were to try and find.
108. I am asked if I recall when I spoke to any of the occupants about the calls we'd made, etc., and what the family's reaction to that was. I don't know the exact time we would have spoken to Mr Ahmed but it was me that phoned him, I do remember that. I'm sure I phoned him early on to say that there was no housing available in the area, and I think before we terminated duty. Probably we were on a wee bit later just with everything that was happening,

Signature of witness.....

[REDACTED]

but it must have been half five, six o'clock. It would be the last thing I would have done, would have been to phone him and update him.

109. He was far from content. He was just very concerned about getting- back into to the property before 10 o'clock. That was his main concern. That was the target and certainly what we were trying to work towards as well. I can't remember, I think Mr Ahmed had said that when we phoned him to update him from housing that he was away to his other son's property. We knew he wasn't in the shop, which gave us a bit of relief because that's the last thing that we wanted. Again, he was quite insistent and quite rightly so, about this 10 o'clock target. We made a lot of phone calls and very little progress unfortunately.
110. I was told that they were looking to fast track that as a scene so they could get the family members back in. I think it was about seven o'clock we finished that night, and we had updated Mr Saeed, Ahmed I think it is, and he had through the whole thing been quite clear that this was what he was working towards. I'm sure that the last time he expressed his concerns again regarding that.

### **Complaint**

111. A few weeks later, there was a letter had come in from I thought it was the local mosque. I don't know if it was the Imam or whoever it was. We didn't see the letter, but they had expressed their concern over the lack of information that had been provided at the time when we were there, and Inspector Brown spoke to us about that and we said, "Yeah. Well, that's fair enough." It was a fair enough point for them to raise. All we said was that we provided all the information that we had that was available to us at that time and tried to resolve quite a difficult situation. It was more than problematic because we had- and his special needs, we had Mrs Rashid, who had

Signature of witness.....



two kids and one had just come out of hospital recently, and obviously the mother who didn't speak any English and was diabetic as well.

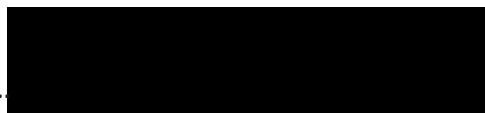
### **Training**

112. I am asked what training I had received prior to 03 May 2015 that related to the role that I carried out that day. Your training's ongoing all the time obviously and it does change all the time but, certainly, we've all done diversity training. I would have done my detective training by that time, I would think. That was a four-week course. So they would do your interviewing part of it, then there'd be another three weeks of it where you'd be looking at crimes. Part of that would have been Crime Scene Management, but that is a specific role, a Crime Scene Manager's role that you would get. Yes, throughout the police we've had various training on diversity. Police Scotland's code of ethics – integrity, fairness and respect, and protecting human rights and ensuring that they're upheld – for the training, it's ongoing.

113. A lot of your training comes from experience and your own reflection on things because every day is a school day. Certainly, there's things that we could do better than we do, but as far as formal training I would have had my detective training. I was quite an experienced officer by that stage. I think maybe I had about 15 years' service. I think I'm pretty good at communicating with people. We would get a deluge of Moodle packages now which are online training on the Moodle platform so as soon as something happens, there's training all the time that we're doing. I think in respect to that, my detective training as well as my initial training, and diversity training as well.

114. I am asked whether any of the training I had had would have covered interacting with witnesses. I think you would have had some form of training. Right from initial probationer training where you're trained to note statements from witnesses, how to build rapport and make the witnesses feel relaxed and

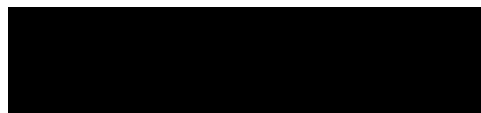
Signature of witness.....



how to interact, to detective training where you're further trained in how to manage uncooperative or hostile witnesses. You also learn from colleagues and from your own experiences. Communication is without a doubt one of the most important attributes a police officer can have.

115. I am asked if I recall whether I had had any training on dealing with witnesses who had any type of additional need. No, I don't think we've had specific training on that.
116. I am asked if I recall whether I had had any training that would have included content on interacting with a witness who was Muslim, in particular a female Muslim. Yes, we would have had something along those lines. It's quite difficult to say.
117. When I first started in the police in '99, there wasn't the same knowledge of that but certainly, we've got a far better understanding of religions, but as far as training goes, I've probably got a better understanding through my own interactions with the Muslim faith. So, yes, I don't think there's anything specific about a Muslim female witness, I would have to say. Maybe there is, but I don't recall it.
118. I am asked if training related to carrying out searches form parts of induction training for new officers and / or ongoing training. That's a specific role in the police and POLSA, the police search advisor. If I was dealing with something, I would get tactical advice from a POLSA and if there is search officers, it's a specific discipline they do. Generally, when you join the police, you're taught about searching, systematic searches, that type of thing. If we were doing drugs warrants and things like that, we'd be bringing in the search team, but we would be in charge or certainly reporting it. We are aware to a certain extent but it's a bit of a specialism.

Signature of witness.....

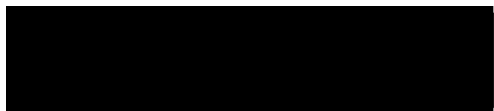


- 119. I am asked if I received training in relation to seizing properties. Not that I'm aware of, but it's a while ago. It's that long ago since I done the training. I'm sure it will have been covered at some stage, but I can't recall any specific training from that. We would have covered witnesses, uncooperative persons, that type of thing, but not specifically uncooperative witness within a property that you're looking to seize.
  
- 120. I am asked if I recall receiving any training in relation to an officer's authority to search or seize a property. You would get that at the detective training and a lot of it's built on case law of what you can and what you can't do. There's stated cases where cars have been brought into a station because somebody's been locked up for drunk driving but there's drugs in it, "Do you need a warrant to open the boot? Do you need this? Do you need the next thing?". So there is various stated cases from it and you do get training to an extent on that. We've had other incidents where we've taken properties, but usually they're suspects, the folk that are in property. This was a little bit different that they weren't connected really, and they were clearly witnesses. don't think we've specifically had any training for a scenario like that.
  
- 121. I am asked if I had ever had any training in relation to investigating deaths in custody. No, not directly. You would have covered that on your sergeant's course, but I hadn't done it at that time.

**Race**

- 122. I am asked if I have ever witnessed any examples of racial discrimination, including racist jokes and comments, by police officers or police staff during my time with the police. Not really. I had one incident which I dealt with. When a call comes into the control room, they're encouraged to write everything down on STORM and the comments/text added were inappropriate. The call taker had noted from the caller that the officer that he was trying to contact was called Rory the call card read I'm trying to get in

Signature of witness.....

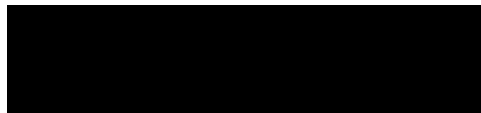


contact with an officer called Rory as in Rory the Racing Car he's a coloured officer. This was brought to my attention by the officer in question and I ensured it was dealt with appropriately. That had been taken from C3. I spoke to the officer, and he clearly was a wee bit uncomfortable. It was corrective advice given out, and he was content with it, but that's really the only racial thing I've had to deal with. I mean, we've had racial crimes, but not within the police, I would have to say.

123. Racist jokes, I have to say, no, I haven't. People know where I am. There is jokes that fly around, nothing that I'm aware of. Outside the police, I've disconnected with somebody on Facebook. It's not racial, but it's maybe a bit opinionated, let's say. I can't really think of anything, certainly not with race. I mean, there's been inappropriate comments made, but nothing racial, nothing racial at all.

124. I am asked what I would do if I were to observe something in the workplace that was discriminatory on a racial basis. Some of them might be a straight referral to the Professional Standards Department ("PSD"). If it's something I could deal with by corrective advice, but I don't really think there's much. If it was deemed to be a racial incident or that, it would result in a referral for PSD. It would have to be. I've seen people say stupid things but not racial, but I think the majority of people are quite aware now that it's just not acceptable in today's society. It's a while since I've been away from the CID. I was back in Response and that is where you enter into the police, so they tend to be younger officers, so they're well-versed. A different generation from me, younger. It's people in their early 20s and that, so they've been well-educated on what's acceptable and what's not, but I wouldn't hesitate to refer somebody if that's what was needed because, ultimately, we're just a cross-section of the population in police. You get all sorts. It's quite clear when you see what's happening down in the Met, with some of the things that are coming out, that it's everybody's duty to ensure that we are impartial, we're quite fair, and we're quite transparent. So, yes, I wouldn't think twice about

Signature of witness.....



referring somebody if it was necessary, and I can't think of an instance where there was something racial that wouldn't need referred.

125. I am asked whether some issues can be dealt with by corrective advice without going to PSD. Yes. I'm talking in general, not about racial. If somebody was making reference to like an inappropriate joke, not racial but maybe a sexist joke or something like that, that might be something I need to speak to somebody about. They talk about canteen culture and things like that, and it's not the first time I've maybe had to speak to somebody and say, "Look, you've got to remember ..." We're in a unique position as being police officers because, as you know, we're not employees. We hold the role of constables, so be it on and off duty we have to adhere to standards.
126. Corrective advice would be maybe even just somebody dealing with an incident incorrectly. The complaints system's changed quite a lot now. PSD have their own department, so if there was a complaint, certainly a criminal complaint, anything like that always went to PSD, but if there was something like incivility or something like that, generally it would come down to the Sergeants to investigate. If some of my officers had been out and had done something inappropriate or said something, or a lot of the time it was just a lack of understanding of what was going on, we would investigate that. A lot of time, although that was corrective advice, it would still be recorded, so what happened in those instances, we would go and investigate, speak to the complainer, and you'd agree with what they were complaining about. We'd investigate the complaints, and then we would compile a letter and it would go to the Area Commander, the Chief Inspector, and if they were happy with it, it would go out. I have dealt with that side of things.
127. Now that's all changed, and quite rightly so because when you come to fairness, how can I be fairly investigating my own officers, even if it is for incivility? So now all complaints are taken away, and it's up to us to refer the

Signature of witness.....





complaints to them. So to do that, we would just put a briefing note together outlining the circumstances of what had happened.

**Media**

- 128. I am asked if I have ever spoken to the media about the incident involving Mr Bayoh. No.
  
- 129. I am asked if I am aware of anyone else having spoken to the media about the incident involving Mr Bayoh. No, not aware of anybody speaking to the press. You would see it in the press, but that's something that's very tightly controlled in the police as well. When I say controlled, I mean just managed, so the correct information is going out. That's why we've got a media department. If there's an ongoing incident and somebody comes to me, we would direct them there.
  
- 130. 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 I 11:05 AM BST  
Date.....Signature of witness.....

