

Forensic Strategy Meeting

(MINUTES)

1440 hours on Tuesday 12 May 2015
SPA - Howdenhall, Edinburgh

1. Present:

PIRC Senior Investigator John McSporran (Chair)
PIRC Deputy Senior Investigator William Little
PIRC Investigator Garry Sinclair (Productions)
PIRC Investigator John Ferguson (Scene Management)
PIRC T/Investigator Stuart Taylor (Scene Management) (minutes)
COPFS Les Brown – Head of Criminal Allegations Against Police Division
SPA James Orr – Business and Performance Relationship Manager
SPA Detective Inspector Jim Duggan - Forensic Gateway Manager
SPA Gordon Young - Senior Scene Examiner
SPA Gail McKay - Chemistry
SPA Maggie MacPhee - Biology
SPA Judith Archbold - Mark Enhancement Lab
Police Inspector Darren Faulds (Road Policing - Collision Investigation)
Pathologist Dr Keryanne Shearer
Pathology Trainee Gillian Wilson

2. Welcome / Purpose

SI John McSporran opened the meeting and thanked everyone for attending. He outlined that the purpose of meeting was to discuss and agree the prioritisation of the forensic examination of productions seized during the PIRC investigation into the death in police custody of Sheku Ahmed Tejan BAYOH on Sunday 3 May 2015.

3. Introductions

Persons present introduced themselves and gave a brief overview of their roles and responsibilities.

4. Overview

SI McSporran provided an overview of the PIRC investigation into the death of Sheku Bayoh, a Crown Office directed investigation, and the progress of the investigation to date.

Les Brown, COPFS, spoke briefly about the role of COPFS in respect of the investigation of deaths and the tasking of PIRC to undertake an independent investigation and report their findings to COPFS.

Dr Keryanne Shearer, Pathologist, gave an update on the initial result of the post mortem examination (cause of death unascertained) and further tests and examinations being undertaken to determine a cause of death.

5. Forensic Examination priorities

The meeting then progressed to discuss the prioritisation of the forensic examination of those items seized as productions during the investigation and the following actions were agreed.

1. Toxicology and Neurology results to continue to be fast-tracked to allow Dr Keryanne Shearer (Pathologist) to be able to provide full result of Post Mortem examination and Cause of Death, if ascertainable, as quickly as possible. To assist this PIRC to have **Prod 168 - Blood Samples x 4** submitted to laboratory at Glasgow University as quickly as possible with Dr Shearer to contact the laboratory regarding tests to be carried out.

PIRC to provide scientific research papers to Dr Shearer regarding the effects of CS/PAVA spray. PIRC to prepare and submit a package to Dr Shearer with: GP medical records, Hospital medical records, statements from hospital staff, statements from witnesses to the deceased behaviour and actions in the lead up to his arrest and witnesses to the arrest, CCTV compilation and photographs.

2. Knife recovered at Hayfield Road (locus of detention) **Prod 184 - Knife** is to be:

Photographed by SOCO prior to any testing
Examined for presence of paint
Examined for presence of DNA
Examined for presence of Fingerprints

This production is also to be examined to establish whether it is a match to/similar to **Prod 216 - Knife 1**, **Prod 217 - Knife 2** and **Prod 218 - Knife 3**, which were seized from the deceased's home address shortly after the incident. The above mentioned productions to be submitted by PIRC to SPA at Gartcosh as quickly as possible.

3. Drugs/pills/medication found within deceased's home address to be submitted to SPA Drug Unit at Gartcosh.

Following productions to be photographed by SOCO prior to examination.

Prod 215 - 16 Loose Tablets to be processed as main priority. Other drugs to be examined include:

Prod 209 - Bottle of 56 Tablets Labelled Creatine
Prod 210 - Bottle of 33 Tablets Labelled Herbal VY For Men
Prod 211 - Bottle of 48 Tablets Labelled Rhodiola
Prod 212 - Bottle of 38 Tablets Labelled Testosterone Booster
Prod 213 - Box of 27 Tablets Labelled Omeprazole
Prod 214 - Box of 7 Tablets Labelled Omeprazole

4. PC Nicole Short's body armour to be examined for possible footprint. Any footprint found to be compared with deceased's footwear which was seized at Victoria Royal Infirmary, Kirkcaldy at the time of the recovery of the body. Relevant productions are:

Prod 051 - Vest JM019 - PC 1014 Nicole Short

Prod 166 - GAY016 - Right Boot

Prod 167 - GAY017 - Left Boot

Above productions to be photographed by SOCO prior to examination.

5. Paint samples taken from white SEAT Toledo motor vehicle (registration [REDACTED]) to be compared against any paint identified/recovered from knife found at Hayfield Road (locus of detention). Relevant productions are:

Prod 184 - Knife

Prod 233 - Paint Sample 1 (from AM2)

Prod 234 - Paint Sample 2 (from AM3)

6. SPA Biologist Maggie MacPhee requested that PIRC provide her with **Prod 140 - Blood for DNA - Bayoh** for the purposes of testing for deceased's DNA profile for future comparisons.

Maggie MacPhee also asked that PIRC retain productions:

Prod 133 - Nasal Swab Wet and Dry - Bayoh

Prod 134 - Mouth Swab Wet and Dry - Bayoh

Prod 135 - Mouth Swab - Bayoh

Prod 136 - Right Face Swabs Wet and Dry - Bayoh

Prod 137 - Left Face Swabs Wet and Dry - Bayoh

within a freezer for potential future examination.

7. Les Brown COPFS requested that **Prod 008 - AM008 - Personal Radio PC 040523 Craig Walker (Bloodstained)** is submitted to SPA Biology department for examination to establish if the blood on the radio can be identified as *contact* or *spray* in nature. DNA profile will also be required.
8. Discussion took place regarding the potential for Road Policing Laser equipped 360 capture of the scene and scene reconstruction. This was placed on hold at present.
9. It was agreed that SPA Business and Performance Relationship Manager James Orr would coordinate all productions submitted to SPA with regards to determining the sequence of the various examinations to be carried out. SPA will also facilitate the transfer of productions to any laboratories outwith Gartcosh as required.
10. SI McSparran gave an overview of PIRC intentions in respect of examination of mobile telephones seized. These items will be examined separately.

6. Conclusion

SI McSporran concluded by summarising the agreed forensic examination priorities and thanked everyone for attending the meeting.