

The logo consists of a dark purple square with the words "SHEKU BAYOH INQUIRY" in white, bold, sans-serif capital letters. "SHEKU" and "BAYOH" are on the top two lines, and "INQUIRY" is on the bottom line.

**The Sheku Bayoh Public Inquiry**

**Witness Statement**

**PC Sarah Bell**

**Taken by** [REDACTED]

**Via MS Teams**

**On Thursday 27<sup>th</sup> April 2023**

**Witness details**

1. My name is Sarah [REDACTED] Bell. My details are known to the Inquiry.

**Professional Background & Experience**

2. I am currently a Police Constable in Scotland and have served since 19 July 2005.
3. My occupation as of 3 May 2015 was as a constable working out of Crieff Police Station. My role as of now is Command Support, covering the [REDACTED] [REDACTED] area section of D Division.
4. The role I am working in is out of [REDACTED] but I remote work from [REDACTED]

**Training and Experience**

5. I have been asked when I completed the family liaison course. I passed in November 2011. That was when I qualified, and I withdrew permanently in April 2020.
6. I have been asked if it would be fair to say that I had approximately five to six years' of service experience by 2015. Yes.

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- 7. I have been asked if I am still serving as a Family Liaison Officer. No, not anymore.
- 8. I have been asked when I ceased family liaison duties. It would have been 2016.

**FLO Training Course & Experience**

- 9. I have been asked what training I had to complete to become a Family Liaison Officer (FLO). It is a residential course at Tulliallan, or it was at the time certainly. I think it was two weeks long.
- 10. I have been asked whether I felt the FLO training was comprehensive and that whether I felt equipped to handle any situation presented to me as a FLO. Yes, I think so.
- 11. I have been asked if, when I had that training and I was going out and being deployed what were my takeaways were from the training and how would I applied that training in practice. The training was comprehensive. Asides from the training that you receive at Tulliallan when you first get started going on deployment as a FLO, generally you are paired up with a more experienced Family Liaison Officer so that you have got learning on the job as well. I would have said I felt prepared to deal with any eventuality.
- 12. I have been asked if my training included anything on diversity and equality and how you would approach different situations and different kinds of people. I can recall that there was input around taking people's needs into consideration surrounding ethnicity and religion. I couldn't say the specifics but there was certainly paperwork regarding considerations to be taken into account depending on the religion of the deceased and, or, their family.
- 13. I have been asked if I had any examples or experience where I had to make particular adjustments when considering the race and religion of the deceased's family. Quite honestly, not in my role as a Family Liaison Officer, no.
- 14. I have been asked if it was quite rare in Scotland coming across a situation to make adjustments due to race and religion. I really don't know. You do not have input into the jobs you are given. It is just you are on duty as they have come in.

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**FLO – Deployment, Duties & Investigation**

- 15. I have been asked what kind of deaths would not attract the need for a Family Liaison Officer. Probably anything that's considered an unexpected medical event. I am loathed to say "expected" drugs death, but maybe a drugs death where there is a significant history of drug abuse and potentially evidence to suggest that that's what's happened.
  
- 16. I have been asked to confirm that even though the police deal with a lot of unexpected deaths, it will not necessarily attract the need to deploy a Family Liaison officer. Yes, that is correct.
  
- 17. I have been asked how long a period you are paired with a senior officer when being deployed. I think it depends on your own ability and how you cope with things. My first job I was paired up with somebody considerably more experienced than I was. The way it worked out, the family on that particular job took to me a little bit better than him so they wanted to deal with me more. So, I sort of learned very quickly in that role and I think after that it was ok just to be deployed. So not all jobs are suitable for just one FLO, some would require two, but after that it was just accepted that if there was a single officer one, I could have it.
  
- 18. I have been asked whether, in the case I referred to, it is a fair summary that I continue the engagement with the family, as the family took to me better than the senior officer. Both of us continued the engagement, however it was probably me that did a bit more of the talking. If they called somebody out of the two of us, they would generally call me. We would both still be involved, but their preference, if you like, would be able to make contact with me.
  
- 19. I have been asked what kind of scenario would be appropriate for solo FLO deployment. I did a cot death as a solo officer. I recall going to another child death where there wasn't though to be any particular circumstances, but I was deployed as the lone FLO, although I did take a Detective Constable with me on those visits.
  
- 20. I have been asked whether a solo FLO visit would generally be in situations where there was not any suspicious activity surrounding the death. Yes, I would suggest so.
  
- 21. I have been asked why a Detective Constable would be taken along with FLO deployment, rather than another Flo. Sometimes the decision would be

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made well above my level whether to deploy one or two FLOS. You would get the call and because it's a voluntary role, and either choose to take the job or not. If the decision had been made that only one FLO was going to be deployed, depending on the circumstances, and how lengthy you thought visits might take.

- 22. I have been asked if it would usually be the case that a Detective Constable would be deployed with you, if it was only one Family Liaison Officer being deployed. Not always. Sometimes if it was maybe a traffic death you might just go yourself, and maybe just have another officer with you for identification of the body.
- 23. Statements could run into hours, potentially. It is always better to have another person with you because you might be writing, you are asking as well, sometimes they will pick up things that you might have missed.
- 24. I have been asked if the Detective Constable would be present at statement taking with a FLO for corroboration. No, If I think back to that particular occasion where I took a DC with me to a child death, it was mainly because it was the statement taking was going to be a very lengthy process. It was beneficial for me to have her there because I was running through things that I wanted to ask and what not. She was also involved in the investigation, so there were questions that she could ask as well that I might have left.
- 25. I have been asked if it would be fair to say that having a Detective Constable present is better for cohesion and service to provided to the bereaved. To the victims, absolutely, yes. It saves me having to go back maybe another time. You know, I get back to the office, and I'm reading over my statement, and I think, "Oh, I maybe should have asked that." Hopefully, it's all caught in the one visit.
- 26. My expectation of this deployment was that I was told to be present at Kirkcaldy police station, which I did. I expected that I would meet with the SIO, which is normal, and that I would be given a brief of what had happened to-- you know, as far as they understood it at that time; that I would be given some background on the deceased, some family background, and that I would be tasked with various family members, or possibly one, but more than likely more than one to trace and speak to.
- 27. I have been asked are FLOs instructed to go to particular family members and perhaps another FLO to go to other family members. No. Sometimes families are fractured, so you can't see everybody all in one place. Sometimes you have to go to one household and then you have to go to another, but you would not split up as a rule.

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- 28. I have been asked if we are going to different family members in this situation because the family might be fractured. How is it prioritised in terms of who you are deployed to first. Normally, there will be an identified point of contact, which is quite often something that the family have agreed and that will be your initial port of call.
  
- 29. I have been asked if I could describe my general duties as a FLO. I would receive a call from the control room, or the Senior Investigating Officer (SIO) of whichever particular incident was being dealt with. They would give you a very brief summary. "Are you happy to deploy to this one? Yes or no?". You would then be given a time and a place to present, generally, and to meet with the SIO.
  
- 30. At that stage you would be given a brief as to what the circumstances of events were, and what had happened. Obviously, you would be given all the details that you would need, and you would be given a list of information that they particularly would require over and above generally what you would consider to take a very comprehensive statement, anyway.
  
- 31. Generally, you would be given points that they would want covered. Make contact with the family. Obviously, arrange to meet up with them, introductions. You are not necessarily always going straight into statement taking because they will have questions, but when they are able and comfortable, you will obviously bearing in mind that generally there are time constraints, you do need this information as quickly as possible. You will get into statement taking and probably also facilitating an identification of the deceased.
  
- 32. I have been asked if, as a FLO, you would be briefed about a case by way of a call remotely. You might not necessarily be given the full circumstances remotely For example, when I first started as a Family Liaison Officer, [REDACTED] and I said I do not want to take anything when it is a baby death under the age of, I think I said eight years old, at the time. , They might call you and say, "I have got this, but it is a three-year-old that has died." No, thank you, move on. When they are giving you the details initially it is quite brief, and then you will get more information further down the line.
  
- 33. I have been asked to elaborate upon you would be given a list of information that an SIO would want you to acquire. These would cover the points that they will particularly want covered. It might be family history, things that you would generally ask anyway. Medical issues, things like that, but sometimes

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the SIO will just want to be very specific and make sure that it is a 'belt-and-braces' approach.

- 34. I have been asked to elaborate on the time constraints that must be considered. Obviously if we are deployed it is generally an inquiry. We are looking to find out what has happened, and quite often the people who have a lot of the information that you need are the next of kin. We have to take into account that they have just lost a loved one, it is very traumatic for them, but also, we need to know the circumstances that have led up to what has happened. So, it is beneficial to get the information-- to get the statements as quickly as possible where possible.
- 35. I have been asked to describe more about my role as an investigator and what kind of percentage do I feel could be apportioned between being an investigator and someone there for the bereaved family. The main function, I think, of the FLO is that you are part of the investigative team. You are not there as a counsellor, or a shoulder to cry on. It is designed to make the process as easy as possible for the family so that they have one person to deal with rather than a number of different detectives who might come round and ask questions after questions. Plus it gives them a single point of contact to come to with their questions but, yes, absolutely, you are part of the investigation.
- 36. I have been asked to clarify if the main purpose of FLO deployment to the next of kin of the deceased is more for the sake of consistency for the family. I think consistency is a big part of it. I do think it is about trying to minimise how difficult it is for them, as well, by giving them one person, one face, that they will speak to as much as possible. Hopefully, you are trying to make things as easy in a horrible, difficult circumstance as you possibly can.
- 37. I have been asked what kind of things I am investigating when I approach the family. The FLOs are never deployed to anybody who could be considered a suspect or anything like that. You are literally there to try and obtain as much information as possible as to the circumstances that have led to the death of this person.
- 38. I have been asked whether, in circumstances where there has been suspicious activity surrounding the death, that changes how FLO investigation is carried out. I think if it is suspected that the death may be criminal, or there can be any number of reasons, you would normally have two FLOs deployed in those circumstances. Whereas maybe just for an accident or a cot death, no suspicious circumstances or anything contentious, one FLO is probably appropriate.

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39. I have been asked if identification of the body is something FLOs would usually facilitate, in terms of arranging for the family to view the body. Yes. Unless for any reason it had been done prior to our being deployed, which could happen, but normally not.

**FLO Duties & Police Scotland Family Liaison Standard Operating Procedures – 2014 (PS10991) ('PS Family Liaison SOP 2014')**

40. I have been asked if the Family Liaison Standard Operating procedure 2014 is something I would refer to regularly back to in 2015. I do remember there being one that I would refer to.

41. I have been asked how often I would refer to the SOP in the course of being on duty. Rarely, to be honest. It is a job where you would be doing it and learning as you go.

42. I have been asked in what kind of instances I might have referred to the SOP. To be honest, I cannot even think of a specific one.

**FLO Duties - Explaining Legal Procedures**

43. *I am referred to the following extract of the Police Scotland Family Liaison Standard Operating Procedure 2014 (PS10991) at 10.2.6 stating:-*

*a. The FLO will also be responsible for the following tasks: [...]*

- To act as a consultant to the family in respect of legal procedures*

44. I have been asked what explaining legal procedures to a family might look like as a FLO. I suppose maybe if I am thinking back to a murder that I dealt with, you have to manage the family's expectations of things like when a body might be available for release, length of time of investigations, potential for charges, length It could be any number of things.

45. I have been asked against the example given where I responded as FLO to a murder, whether then explaining legal procedures would involve the 'practicalities' surrounding the murder, such as when the case might go to Court. Yes, absolutely.

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46. I have been asked whether, in the circumstances where it is clear that the deceased is murdered, would I say it is a far more contentious process where liaison with the family is concerned. I would not use the word 'contentious', no. I think that certainly more input is required from the FLO but, basically, that will be down more to the length of the inquiry, I think, rather than anything else.
47. Obviously, people are upset to lose a loved one no matter what. Generally, family liaisons are only dealing in very unexpected deaths anyway, whether it's a murder, or a baby death, or something like that.
48. Obviously, the police deal with a lot of unexpected deaths and you will not get a FLO for the majority of them. Generally, it is, for instance, where there is a suspicion perhaps of criminality, or perhaps a missing person where you think perhaps something has happened to them.
49. As I say, cot deaths and some road traffic deaths. It is really something that is probably slightly more out of the ordinary. There is no such thing as an average sudden death, but perhaps in our line of work, you deal with them a bit more often than people would think.

#### **FLO Duties - Signposting & Information to the Family**

50. I am now referred to the PS Family Liaison SOP (PS10991) at paragraphs 3.1 and 3.2:-

- *In the event of the death of a human being, where there is a police investigation, the police have a positive duty to communicate effectively and inclusively with the bereaved family. On most occasions this can be achieved by deploying a trained Family Liaison Officer. In discharging their responsibility for family liaison, the aims of the police service are:*
- *To analyse the needs, concerns and expectations of the 'family' in order to identify relevant and realistic action that should be taken, in the context of their human rights and the obligations set out in this document.*
- *To work with the 'family' in order to comply with their right to receive all relevant information connected with the enquiry, subject to the needs of the investigation. To gather all information and evidence that will assist the*

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*investigation in a way which takes cognisance of their fundamental right to privacy and family life.*

- *“The main objectives arising from these aims are:-*
- *To provide information to and signpost support for the family in a sensitive and compassionate manner in accordance with the needs of the investigation*

51. I have been asked if there would be any particular organisation, I would refer a family to if there was any suspicious activity surrounding the death. I cannot recall. I am quite sure there probably was, but I can't recall what it would have been, but yes.
52. I have been asked if I recall there being any literature for varying religions or race. I cannot honestly recall specific leaflets. Yes, there may well have been, but I cannot recall.
53. I have been asked if I recall there being any literature for varying religions or race. I cannot honestly recall specific leaflets. Yes, there may well have been, but I cannot recall.

### **FLOs & Deaths in Police Custody**

54. I have been asked if I have had much exposure in particular to being called out to deaths in police custody. No. Just this one.
55. I have been referred to the Death or Serious Injury in Police Standard Operating Procedure 2013 (PS Deaths in Custody SOP 2013) (PS11295), at paragraph 5.6:-
- *In every instance of death in custody a Family Liaison Officer (FLO) will be deployed in accordance with the Family Liaison SOP. This provides support to the family and ensures that they receive all the relevant information connected to the enquiry, subject to the needs of the investigation and relaying any questions from them to the SIO.*

56. I have been asked would a Police Scotland FLO usually be called out when there has been a death in police custody. I think it is one of the options that's available to the SIO, yes.

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57. I have been asked whether I recall Sheku Bayoh's death being described as a 'death in police custody' when I was initially contacted by Kirkcaldy Police Station. Yes, it must have been. I do not recall the content of the phone call, but normally you would get that much. Normally, you would get a brief - very brief – summary, of what it was.

58. I have been asked whether a death in police custody would normally be one where two FLOs would attend. I think so, yes.

59. I have been asked what would be due procedure for a FLO, and what can be expected, when responding to a death in a Police in Custody. I can't speak to specifics to any other because I've never been involved in any.

60. I have been referred to the, firstly, [REDACTED] at paragraph 5.8

- *The PIRC may elect to deploy their own FLOs, however; it may be that, for logistical reasons, a police FLO will require to be deployed in the initial stages. Discussions and careful negotiations will take place between the PIRC Senior Investigator and the SIO*

61. I have also been referred to, secondly, the [REDACTED] at paragraph 6.1.2:-

- *Where COPFS has directed an independent investigation in the case of:*
- *Deaths in police custody;*
- *fully trained independent Family Liaison Officers will be deployed by the Senior Investigator of the Police Investigation and Review Commission (PIRC)*

62. I have been asked whether a PIRC FLO might be called out instead to a death in Police custody. I do not think so. I was not surprised to be called to it.

**Delivery of Death Message**

63. I have been referred to the [REDACTED] paragraph 6.2.1 and 6.2.2.

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- *Families of bereaved persons should be informed of the fact of death as soon as is practical by an appropriately briefed police officer.*
- *As a general rule, a FLO should not be deployed to deliver a death message as this may delay the process of informing the family*

64. I have been asked in these kind of situations or the circumstances of a death in custody, who would usually be the person to deliver the death message in these situations. Death message is normally delivered prior to the FLO's arrival. Yes, you obviously don't delay for a FLO to come, death message will be passed. That just happens across the board.

65. I have been asked if I can think of any instances where delivery of a death message by officers, prior to a FLO being deployed, has caused any difficulty. No. Usually, as I say, the death message should be delivered as soon as practically possible. It might be brief, and then obviously the FLO will expand on circumstances when they arrive.

66. I have been asked if there are situations where an SIO might decide that it is not appropriate for a FLO to go ahead and expand on the circumstances of the death. Yes. It can depend on the investigation. The investigation will take precedence over sharing of information. If the SIO decides that it is not appropriate to share further information, then that will not be done at that stage.

67. I have been asked if it is fair to say that it is at the SIO's disposal as to whether a FLO is deployed or not. Yes, it is their decision to call out a FLO. Yes, absolutely.

68. I have been asked what could be objectively considered an unacceptable amount of time between identifying the deceased and next of kin, and delivering the death message. I find that really difficult to answer because there are so many variables. Generally, any delay in passing of a death message would have to be evidenced. It could be any length of time, providing the SIO investigating officers think that there is evidentially relevant grounds for that.

69. I have been asked if I could give an example of that. An example I can think of is if it is a death where you suspect perhaps actually a person who you are going to give the death message to may be involved in some way, or they may then pass information to someone who could be involved. That is just a

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“for instance”. That is not saying that is what happened here. It’s just an example.

70. I have been asked if I can think of an example of the longest time that it has taken between learning of next of kin and delivering a death message. No, sorry. I do not know that.

71. I have been asked if I have heard of a death message taking over six to seven hours to be delivered, and if this would surprise or worry me. I think it would depend on the circumstances of the case. I suppose perhaps more so now. We are in an age of social media. You are not wanting people to find out through social media that their loved one has died but I do not know. I do not think I would be surprised. I think there would have to be, obviously, a good reason.

72. I have been asked that as long as the death message is being delivered timeously, even if in brief terms, that is an acceptable thing to do for the delivery of the death message. Yes.

73. I am now referred to the [REDACTED] at paragraph 5.7:-

- *The feelings and privacy of the family should be a consideration throughout the process along with cultural and religious sensitivities.*

74. I have been asked if cultural considerations is something that would be factored into the death message. I am not sure it would factor into my Risk Assessment. It would probably factor into other considerations that might need to be discussed with the family.

75. I have been asked what I mean when I say other considerations. Well, sometimes you have to manage expectations and consider that some religions have very specific formats that they need to follow when it comes to burials, preparation of deceased, things like that.

76. It is important that we try and take those into consideration. However, obviously, we need to manage expectations and that there is an investigation that needs to be carried out. It is something that needs to be of high consideration to make sure that you are trying to manage the family’s expectations, but also to allow them to adhere by the processes that they need to follow as much as possible.

77. I think in our general training it’s something that we take into account a lot anyway. It is one of the first questions that you ask of people: “What is your

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ethnicity? What is the deceased's ethnicity?" , because it is something that you know you have to take into account.

78. I have been asked if information about the deceased for example race and religion would have been given to me by the officer briefing me. Must have been.
79. I have been whether it is unusual to go through race and religion considerations in this way. No. No, not at all.

### **Death Message Delivery on 3 May 2015 & Daybook Entries**

80. I have been referred to SBPI evidence PS18508, PS18509, PS18510 and PS18511, being the entries in my Daybook on 3 May 2015, and confirm that I received and reviewed this evidence prior to interview.
81. I have been referred to my notebook (PS18511) recording a 19:55 briefing on 3 May 2015, and the following entry:-

- *"family not overly happy with early contact and lack of disclosure re cause of death mixed msgs re ambulance contact"*

82. I have been asked if that was something I was told. Yes. I believe it was to do with potential use of "police speak," if you like, by some of the previous officers who had been in contact and it had caused confusion, I think, was the overriding takeaway from that meeting.
83. I have been asked if I remember any concerns about the family not being happy with police being connected to the delivery of the death message at all. I could not recall who specifically said what. I recall that there had been some confusion over the term "death in custody" being used and that that might have caused some confusion as to where Sheku had actually died.
84. I have been asked, from my perspective as a former FLO, how I would have, hypothetically, went about delivering a death message where a death had occurred in Police custody. Assuming we had been given the all-clear to discuss the circumstances from the SIO, I would have explained what had happened. That the incident had happened in the street, and that Sheku had actually been pronounced dead at the hospital. I would have explained what a "death in police custody" actually means. It does not necessarily mean in a cell.

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- 85. I have been asked in my opinion as a FLO, or a former one, whether I feel that the trust that Sheku’s family had in the police may have not been so bad at that point in time, had the SIO waited for a FLO to deliver the death message. No, I would not have thought that the trust would have been any better if they had waited for us to get there and be briefed to be passed the death message. I would have thought that would be too long.
- 86. I have been asked if I am saying that by the time, if we as FLOS would have actually arrived to the property that would have been too long to pass on the death message. No. More detailed information would have been okay, but not to pass a death message.
- 87. I have been asked if I feel that had the police perhaps made the call to wait until they deployed us, it might have been a different outcome. I mean, it’s possible. I just don’t know. Maybe not, I don’t know.
- 88. I have been referred to my daybook (PS18511) where I have been mentioned someone called Connie Barcik in [REDACTED] I have been asked if I recall any briefing about delivering a death message to her that day. I do not know.
- 89. I have been asked if I remember anyone telling me about a death message being delivered to Collette Bell. Yes, I’ve put on the bottom of that page (PS18511) that “Wayne Parker and Andy Mitchell passed the death message to sister and partner,” partner obviously being Collette Bell, because I have written that on the first page.
- 90. I have been asked if I remember the timings between the delivery of death message between Collette Bell and the next of kin, the sister of Sheku. No, I do not recall.
- 91. I have been referred to my Day book PS18511 where there is the name ‘Zaeed’ written:
  - *Issue with Zaeed possibly at family property?*
- 92. I have been asked if I remember if the name ‘Zahid’ mentioned to you at all about a delivery of a death message. Not about a delivery of a death message. I think he had been with Zahid Yes, he had been with Zahid.

**FLO Risk Assessment**

93. I am now referred to paragraph 8.6.3 of the [REDACTED]

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DocuSigned by:  
[REDACTED]

- *Prior to the deployment of a FLO, the officer passing the 'death message' should gather and record relevant information on Risk Assessment Form 1 to enable a suitable and sufficient specific risk assessment to be developed from the Generic Risk Assessment Form.*

94. I have been asked when officers come back from delivering a death message. Would I expect from those officers in terms of the information they would give me after the death message. I suppose I would just be looking for a general feeling of how that went, to be honest. I would just ask them to tell me what happened.

95. I have now been referred to paragraph 6.2.4 of the [REDACTED] that states:-

- *6.2.4 The deployment of a FLO to pass a death message would conflict with this requirement thereby compromising the Risk Assessment process. Where a decision is taken to deploy a FLO to carry out this task, careful consideration as to the circumstances and reason for doing so must be made by the SIO and such decisions should be recorded in the SIO Policy File and FLO Log Book.*

96. I have been asked about the Risk Assessment and how that works in my practice as a FLO. Obviously there would be a Risk Assessment carried out prior to any deployment. My general understanding of FLOs not passing death messages, is because normally we have to be called out from somewhere. So it might create an unnecessary delay in passing a death message if you are waiting for a FLO to arrive. I do not know that passing a death message would impact my Risk Assessment. Perhaps.

97. I have been asked if I can talk through what I would do for a Risk Assessment. Thinking of previous deployments, normally by the time the FLO might arrive the SIO will have arranged for someone to have given you a bit of background on the deceased and their family. You might be looking at any potential history of violence, violence against the police, things like that. Any intelligence that we might hold that could be relevant from all of that information.

98. I have been asked if it would be the case of getting the background of the deceased and the family for example any criminality against the police. Yes, potentially. Yes.

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- 99. I have been asked if there would be anything else that I would also assess. The demeanour of how they are at that precise moment in time would maybe be taken into consideration.
- 100. I have been asked to clarify if when I say demeanour, and whether I am referring to the next of kin. Potentially, yes. Sometimes people are very, very, very upset when they learn of the death of a loved one. Sometimes people are very, very, very angry, and it just might be something that you have to consider. It does not necessarily mean that you do not deploy there. It's just something to be aware of and consider.
- 101. I have been asked if my Risk Assessment is doing a sweep of the circumstances and knowing what kind of situation you are going into. Yes absolutely.
- 102. I have been asked if as part of the Risk Assessment if I would fill out any forms, or if there was any paperwork associated with it. I am struggling to recall, to be quite honest. It would just be a discussion that we would have, and it may be noted in the FLO log perhaps or in the SIO's log that it was addressed.
- 103. I have been asked whether the Police officers delivering the death message make any contribution to the FLO log book at all. No, they don't
- 104. I have been asked if it is quite standard as a FLO to receive the deceased's medical history. Yes. They want a full note of any potential medical history that he's got, anything that the family are aware of.

**Deployment on Sunday 3 May 2015**

- 105. I have been asked if I was on call on Saturday as well as Sunday or was it the whole weekend. No, it's not that I was on call. I was on duty.
- 106. I have been asked as the incident occurred on a Sunday would I expect there to be a fairly skeletal availability of FLOS. Not necessarily. I think it really just depended-- obviously, that was around the time that we had come from Tayside Police to Police Scotland, so we could be deployed nationally, if you like. Yes, I would imagine it was just that that was the-- there was maybe not a Fife FLO on duty that day and perhaps just Tayside was the next nearest one, and that was me.

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- 107. I have been asked if there quite a few FLOS in Scotland. I have actually no idea. I knew of a few, certainly within Tayside, but as to what Fife had I do not know. Being a FLO is a purely voluntary role. There is no other recompense for it. It is not something that you get paid for over and above, so it just depends who is keen to do it.
- 108. I have been asked if I could expect that there would be more than one FLO on duty at any given time. Yes, and if there isn't, they will normally call-- you know, I have had a call out when I have not been on duty.
- 109. I have been asked that even if you weren't on duty could you be called out because they need a FLO. Yes, that's correct.
- 110. I have been asked where I was based that day. It says in my notebook (PS18508) I took duty at Crieff, so I would have been somewhere in Crieff section.
- 111. I have been asked if it was correct that I was called out to Kirkcaldy Police Station. Yes, that is correct.
- 112. I have been asked how long it could take between the call out and actual deployment to the family. Yes, I mean, for this one, certainly that was going to be a few hours because I got the call-out, I can see (PS18508), at half past one in the afternoon.
- 113. I do not recall exactly where I was when I got the call. I could have been anywhere in the section. I would have to come back to the station, get rid of my kit, go home, get changed, because generally you deploy in plainclothes as a FLO, not in uniform.
- 114. Then, obviously I would have to get myself from my home address to Kirkcaldy, which is quite a drive. [REDACTED]
- 115. I have been asked whether being briefed in full upon arrival at the station would also need to be factored into deployment timings. Yes, it does.

**Arrival in Kirkcaldy**

- 116. I have been asked if I remember when I arrived in Kirkcaldy. I do not have a note of exactly what time I arrived at Kirkcaldy, but I have written that I was in a briefing at 1700 hours, so sometime prior to 5 o'clock (PS18509). Yes, plus I don't remember what I was doing when the call came. I could have been at the

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other end of the section and had to get back to Crieff to then go home and-- you know, so, yes.

117. I think I remember arriving, presenting at the front desk. I think somebody had to come and get me. I do not remember if that happened immediately. I would say I probably got there sometime between four and half four probably. Maybe.

118. I have been asked if I remember who I reported to when I got to Kirkcaldy Police Station. I have written here that the SIO was Stuart Houston (PS18509).

119. I have been asked, when I got to Kirkcaldy, whether there was mention of any other FLO that was also being called out to Kirkcaldy Police Station. I think there was mention that there would be another FLO, but that potentially had not yet arrived. But that was what I thought at the time. That was mentioned when I physically got there.

120. I have been asked if I can recall the first one to three hours of when I'd started duty at Kirkcaldy as a FLO. So, obviously, somebody came to get me. I remember being taken up to an office where there were various detectives. They were all, you know, busy-busy and then there was a briefing. At that point, I was given the information, obviously, that's written there, and then I think there was a fair amount of waiting around. I can't really remember why. Then I was told that I needed to go and join a different briefing, which I did, and then there was a little bit of waiting before that started at 19.55.

121. Yes, I think the initial briefing I'm struggling to remember. Obviously, the briefing must have started at five o'clock because that's what I've written, and then the second briefing didn't start until 19.55, so obviously the first briefing would have taken quite some time, and then, yes, I remember getting taken up to another larger room where I met with the other FLO. I do not recall his name, and I don't have it written down anywhere. I think he said he was an inspector from the L&B area, so I had anticipated that he was probably going to be the lead FLO.

122. I have been asked if the name Kevin Houliston sounds familiar. I honestly have no idea. I have not written it down.

123. I have been asked if I remember what he looked like. He was a relatively tall white man. That is as much as I can remember.

124. I have been asked if I recall much input coming from him or guidance being sought from him. No, I do not.

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125. I have been asked in terms of the second briefing/meeting, what kind of role or input did I and the other FLO, if any, have in terms of the Family Liaison Strategy. Next to nothing. I have obviously written notes, and then I think it was decided quite early that the PIRC FLOs would actually during the discussions. It was decided that the PIRC FLOs would deploy to the family, and we would not be required.

126. I am now referred to my Daybook at PS18511 that states

- *Required [...] want early discussion with PIRC – suspicious of police*

127. I have been asked if I remember the basis for the decision to deploy PIRC FLOs instead. I cannot recall, but it does say that “The family want early discussion with PIRC,” so I’m assuming it was down to that.

128. I have been asked while looking at my daybook do any memories of the polices attitude towards Sheku’s race come up. No, I did not have any concerns surrounding Sheku’s race, or anything like that. It was just something that was mentioned in the briefing.

129. I have been asked whether I was deployed at anytime between my arrival time and departure time at Kirkcaldy Police Station. No, I was not.

130. I have been asked why I feel that I waited at Kirkcaldy Police Station for that length of time without being deployed. Sometimes briefings can go on and on, and often the person that you are waiting for to come and brief you is busy doing other things that you might not be aware of. Sometimes it does just take a lot longer than you expect it to.

131. I have been asked to clarify, for the avoidance of doubt, if the decision not to deploy me as FLO was because they decided that they were going to deploy PIRC FLOs. Yes, that is right.

132. I have been asked to clarify that was against the fact that there had been considerable concerns about the family’s distrust in police at that point and their unhappiness. Yes.

133. I have been asked whether, had the family not expressed discontent with the police communication by that point, I would have expected to be deployed, given it was a death in police custody. Yes, potentially. I think maybe, at that stage, not at that time of night. Potentially at that point it would have been a phone call and

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then, "We will come and see you tomorrow, unless you are willing to be seen tonight". But, yes, I think so.

134. I have been asked if I can recall whether that FLO that you met at the 19.55 briefing was from Dundee. I want to say he was from Lothian and Borders.

135. I have been asked if I can recall the police mentioning any system error to you about yielding results for FLOs that were on duty. No, I cannot.

136. I have been asked if was there anyone that I liaised with after this when I was sent away from Kirkcaldy Police Station. For example did I contact the Family Liaison Coordinator, mentor, strategic working group, or any superiors. I do not recall. I might have contacted the Coordinator just to say, "I've not been deployed to that, therefore I'm clear," because obviously they only like to deploy you to one job at a time. I could not swear to it. I might have done.

137. I have been asked if that is quite standard to let the Family Liaison Coordinator know that as and when you are free or available, or completed deployment. Yes, it is.

138. I have been asked if I had to submit any paperwork after you were dismissed from Kirkcaldy. No. I would have had to submit an overtime claim, obviously, because I did not get finished until half 11 that night, but I think that would be it.

139. I have been asked if it strikes me as unusual that time of death of Sheku happened early that morning, 0904 hours, but then I was not actually called until 1.30 in the afternoon. I have been called the following day to be a FLO for something. Sometimes there are delays.

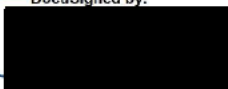
140. I have been asked if it strikes me as unusual, given there was a death in police custody. I have never been called to a death in police custody, so I do not know what the normal time limits surrounding that would be.

141. I have been asked to clarify that they didn't ask for my guidance regarding the family liaison at any point. It was just that I was being briefed. Yes, as far as I recall.

**Media**

142. I have been shown the production PS18511. It says at the bottom right

*Sun and Daily Record have story, but ethnicity not raised yet.*

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Witness Signature.....

- 143. I have been asked if that comment jogs any memories in terms of the briefing that I got from the officers. The only thing I can think of is that is the last thing I've written at the end of the meeting with ACC Nicholson, and they must have mentioned it for some reason. I cannot recall the context surrounding it.
- 144. I have been asked if the police sought my advice at all about media liaison when I got there. No.
- 145. I have been asked if and why did it strike me that this situation was going to be something that would attract media attention. Yes, as any death of that circumstance probably would, given what had happened, but probably not until a little bit later on had I realised that the senior officers were considering that there may be some media attention surrounding it.
- 146. I have been asked to clarify, for the avoidance of doubt, that the officers did not seek my advice about media strategy as a family liaison officer. No, they did not.

**Race**

- 147. I have been asked whether, looking back now and knowing what I do know about Sheku and the case of Sheku Bayoh's death, I think that Sheku's race played any role in the actions of police that day. No, I do not think so.
- 148. I have been asked if me or my colleagues were concerned at all about how Sheku Bayoh's race might be a factor in the public perception of the events that day. I was not particularly, no
- 149. I have been asked about my colleagues concerns. Not that I recall. Obviously, it has been mentioned in my Daybook that the press had not raised the ethnicity as yet, so it must have been a consideration by someone in that meeting. I do not recall it being a huge overriding factor, no.
- 150. I have been asked whether the officers briefing me mentioned anything about Shekus' race. So, the only notes I have are from my daybook, and it was a long time ago. I certainly do have in my notes that Sheku and the family are Muslim. I have not written day in my daybook that Sheku was black, but the officer potentially could have mentioned it to me.
- 151. I have been asked if I felt at the time that if the fact that Sheku was a Black man was a factor to the police in Kirkcaldy when they were briefing me. I do not particularly think so. No, it was mentioned, as it would be.

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- 152. I have been asked besides the training on diversity I received at Tulliallan, if I received further training on that subject when I became a FLO. No. Generally, your Family Liaison Coordinator would be available to you if you had any questions. If there was anything at all you were not sure of, any further literature you required, you can contact your Coordinator to get that. But with regards to structured, ongoing training? Not that I recall.
- 153. I have been asked if I recall anything being done, or not being done, in light of Sheku's race beyond declaring a critical incident. No, I do not.
- 154. I have been asked if I have ever come across any examples of discriminatory behaviour in Police Scotland. No, I have not.
- 155. I have been asked if I am aware of any racist views held by police officers. No, I am not aware.
- 156. I have been asked If I have heard any racist jokes or comments from any police officers. No, I have not.

July 13, 2023 | 9:25 AM BST  
Date Signed.....

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