

**Statement in Response to Rule 8 Request by Sheku Bayoh Public Inquiry**

**Witness Details**

Garry Sinclair  
DOB [REDACTED] 1964  
c/o Police Investigations and Review Commissioner  
Hamilton House  
Hamilton Business Park  
Caird Park  
Hamilton  
ML3 0QA

Statement Dated 19 December 2023

I am currently employed by the Police Investigations and Review Commissioner (PIRC) as an investigator and have been carrying out that role since January 2014.

On 29 November 2023 I received an email from the Sheku Bayoh Public Inquiry requesting that I answer a number of questions in relation to my involvement in the investigation. These questions and my replies are contained within this statement.

**Your professional background and experience**

**1. Please provide a summary of your professional career including the job titles, dates held and a short summary of your duties. Please include details as to any further or higher education you have undertaken.**

Police

**05.04.82 – 08.05.83** Police cadet with Strathclyde Police

**09.05.83 – 20.01.91** Uniformed Constable response, plain clothes and trainee Detective Constable duties working at various stations within the North Lanarkshire area, 'P' Division.

**21.01.91 – 10.11.02** Detective Constable carrying out reactive and proactive CID duties at various stations within the South Lanarkshire area, 'Q' Division.

**11.11.02 – 23.03.03** Acting Sergeant uniformed response policing duties at Rutherglen Police Station, 'Q' Division.

**24.03.03 – 12.11.06** Detective Sergeant carrying out supervisory reactive and proactive CID duties at various stations within the East Glasgow area, 'E' Division.

**13.11.06 – 23.12.07** Detective Sergeant and Acting Detective Inspector carrying out reactive CID duties at Baird Street Police Station, 'E' Division.

DocuSigned by: [REDACTED]  
Signature of Witness. [REDACTED] .....

**24.12.07 – 22.04.12** Detective Inspector carrying out reactive CID duties at Easterhouse and Shettleston Police Stations, 'E' Division.

**23.04.12 – 31.05.13** Detective Inspector within the Serious Crime and Review Team, Crime and Safer Communities Directorate, Govan.

**Police Investigations and Review Commissioner (PIRC)**

**27.01.14 – current day** Investigator within PIRC working on various investigations as directed by the Crown Office and Procurator Fiscal Service (COPFS), Police Scotland and the Scottish Police Authority (SPA).

**2. Please expand on any professional experience you consider relevant to your role within PIRC. This could include previous employment or training.**

Police

**02.08.93 – 17.09.93** Initial Detective training, Scottish Police College

**20.10.93** Major Incident Room Standardised Administrative Procedures (MIRSAP) training, Hamilton Police Station.

**13.10.00 – 03.11.00** Initial Sergeants course, Scottish Police College.

**20.05.04 – 24.05.04** Crime Scene Managers (CSM) course, Scottish Police College.

**14.06.04 – 18.06.04** Interview Advisors course, Scottish Police College.

**07.01.08 – 11.01.08** Intermediate Leader Development Course, Scottish Police College.

**06.10.08 – 17.10.08** Senior Investigation Officers (SIO) course, Scottish Police College.

Police Investigations and Review Commissioner

**05.06.17 – 09.06.17** Family Liaison Officers (FLO) course, PIRC, Hamilton.

**16.09.19 – 20.09.19** Crime Scene Managers (CSM) course, Scottish Police Training College, Jackton.

During my time with Strathclyde Police I carried out the role of SIO, CSM and interview advisor [REDACTED].

**3. Prior to 3 May 2015, did you have any contact with or knowledge of the following Police Scotland officers: Craig Walker, Alan Paton, Nicole Short, Ashley Tomlinson, Alan Smith, Kayleigh Good, Daniel Gibson, James McDonough and Scott Maxwell?**

DocuSigned by: [REDACTED]

Signature of Witness. [REDACTED] .....

Prior to 3 May 2015 I had no knowledge of any of the above named police officers and I had no previous contact with any of them.

**4. Prior to 3 May 2015, did you have any contact with or knowledge of the Police Scotland officers you encountered in the course of the PIRC investigation? Please include detail as to how and when you met them, and your relationship as at May 2015.**

During the PIRC investigation the two individuals that I knew from my previous employment working with Strathclyde Police were ACC Ruaridh Nicolson and Detective Superintendent Patrick Campbell. Although I knew them from my CID background I had never worked directly with them.

**5. As at 3 May 2015, was there any PIRC policy or guidance for PIRC staff who were acquainted with a Police Scotland officer that they encountered in their PIRC role, or who was the subject of a PIRC investigation?**

From memory I think there was a code of conduct for PIRC investigators where you had to identify and declare a conflict of interest to management regarding such situations.

**6. Has PIRC ever investigated police officers with whom you were acquainted? What process would be followed if you had a personal or professional relationship with an officer investigated by PIRC?**

There have been a few situations where PIRC have investigated police officers that I had worked with previously. I highlighted this to management and I took no part in the investigation.

**The Police Investigations and Review Commissioner**

**7. What was your position at PIRC on 3 May 2015? What were your duties and responsibilities in this position?**

On 3 May 2015 I was an investigator working within a small team comprising of a Deputy Senior Investigator and three investigators including myself. With my previous police experience as a CSM, and interview advisor I was utilised to use these skillsets during investigations. I was also tasked to take statements from Police officers, police staff and members of the public.

**8. Did you line manage or supervise any employees? If so, please provide their names and roles. Please provide details as to how you supervised these employees – i.e., did you have periodic one-to-one conversations, if so, were notes taken? Did you conduct yearly reviews? Did your role in this investigation involve supervising the work of any PIRC staff members? If so, who and how did you carry out that supervision?**

I did not line manage or supervise any employees in May 2015.

DocuSigned by:   
Signature of Witness. ....

**9. Who was your line manager or supervisor? Please provide details as to how you were supervised by them. Did you have an annual appraisal? If so, were notes taken?**

My line manager in May 2015 was DSI Margaret Anne Headrick. We regularly had team briefings where ongoing investigations were discussed. An electronic appraisal system was in place where DSI Headrick and myself would populate our comments and discuss same.

**10. Between May 2015 - August 2016, do you feel that there was adequate resourcing for PIRC to comply with its statutory obligations in terms of:**

- (a) Funding;**
- (b) Staffing numbers;**
- (c) Training opportunities; and**
- (d) Expertise of staff.**

**If not, why not?**

I would say in 2015 PIRC was still in its infancy and management were still monitoring the workload/investigator number balance. I was not involved in any discussions regarding funding, staffing levels or training opportunities.

At this time when a serious incident occurred and investigators with a specific skillset were required, management would contact them and ask them if they were prepared to work whether they were on call or not. This was the situation on the day of Sheku Bayoh's death.

**11. In what ways do you regard the role of a police officer and the role of a PIRC investigator to be similar or different? Do you feel that your background as a police officer has any advantages or disadvantages for your work at PIRC? If so, please provide full details.**

I find that there are similarities in the roles of a police officer and an investigator. Both have similar powers which can be used when carrying out their duties. Both operate under a rank structure and both use standing operating procedures to provide staff with advice and guidance. Police officers and investigators must have the ability to record and note accurate information, review and evaluate that information ensuring best results are obtained.

With my previous role within the police being of a mainly CID background I was trained in a number of specialisms including scene management and interview advising. I have found these specialisms to have been of great benefit to me when carrying out my PIRC investigator role.

**12. In 2015-2016 PIRC had various staff members who had previously held roles within the police. Do you feel that PIRC as an organisation was impacted positively or negatively by staff having held roles within the police? Please explain why you hold this view.**

DocuSigned by:   
Signature of Witness. ....

I feel that it is essential for some of the PIRC staff to have had a previous police background as there are certain specialisms (CSM, collision investigation, Sexual Offences Liaison Officer (SOLO), Family Liaison Officer (FLO) etc) that can only be learned within the police. It is also very beneficial to know the processes, procedures and protocols used by Police Scotland.

**13. Prior to 3 May 2015, what experience, if any, did you have of PIRC investigations of deaths in police custody, or deaths following police contact? In what ways were these investigations similar or different to the investigation following the incident involving Mr Bayoh on 3 May 2015?**

In June 2014 I carried out the role of scene manager when a male died within his cell at Kittybrewster Police Station. The male remained in situ until I arrived and no items had been removed which was different to the incident involving Mr Bayoh.

In November 2014 I carried out the role of scene manager when a male swallowed controlled drugs and choked on them within the custody suite of Stewart Street Police Station. He was removed to hospital and died a few days later. The similarities to the incident involving Mr Bayoh were that prior to PIRC attending officers from Police Scotland had already moved and packaged productions from the scene.

**14. As a police officer, you achieved the rank of detective inspector (PIRC-04206). When involved in a PIRC investigation, you may be required to liaise with and direct police officers of a rank senior to that which you achieved. What impact, if any, does this have on your ability to participate in a PIRC investigation and provide direction to officers from Police Scotland?**

Since joining PIRC in January 2014 I have been involved in a large number of investigations where I have had to instruct and note statements from police officers of a senior rank and in all occasions I have found them to be extremely cooperative and supportive and it has not hindered my ability to achieve my aims.

**Training**

**15. What training did you have for your position at PIRC? Please include details in relation to any training undertaken at the beginning of your employment with PIRC, at the beginning of your then-role (if different) and any training undertaken during this role. How do you record the training that you received as a PIRC investigator?**

My police training that I mentioned previously has been advantageous in my role as an investigator within PIRC.

Prior to May 2015 the PIRC training I received was;

**15.05.2014 - 16.05.2014** CLUE (investigation management software) training

Signature of Witness.  .....

- 05.09.2014** Plain English training
- 19.09.2014** PIRC Review training
- 23.10.2014** Equalities training
- 22.01.2015** Data Protection Authority (DPA) training
- 18.02.2015** Social media training
- 23.04.2015** CSM refresher training

The training received as a PIRC investigator is recorded on a spreadsheet retained by HR.

**16. When you commenced your role at PIRC, to what extent was reliance placed on the training that you had previously received as a police officer?**

There were certain roles that PIRC utilised and relied on myself more than others those being CSM and Interview advisor. I was also a SIO within the police and in 2014/2015 and I was able to assist my line manager during a number of her investigations.


**17. How was it identified that investigators and staff required, or would benefit from, training? Was it necessary for investigators and staff to request training, or were training needs identified by line managers and other senior members of staff at PIRC? Who was responsible for ensuring that PIRC’s investigators were sufficiently well trained?**

Invariably senior management would have overall responsibility for authorising what training would and would not be undertaken by PIRC investigators, however management would always listen to and be receptive to training suggestions made by the investigators.

**18. Did you feel adequately trained and experienced to carry out your role at PIRC? Please explain why, or why not. What additional training do you consider would have assisted you in your involvement in the investigation?**

I feel adequately trained to carry out my investigators role within PIRC. I had an extensive investigation background within the police which assisted me greatly when involved in this investigation. I cannot think of any additional training that would have assisted me.

**19. Is there any process within PIRC to assess “lessons learned” from investigations? If so, what does this process entail? Did any “lessons learned” exercise take place following the investigation following the death of Mr Bayoh? If so, what did this involve? If not, why did this not take place? Do you think the PIRC would have benefited from such a “lessons learned” exercise?**

Signature of Witness.  .....

In 2015 a daily briefing would take place between management and the investigators where all ongoing investigations, including the death of Mr Bayoh would be discussed. This would involve all aspects of the investigations including “lessons learned”.

At present investigators do not take part in these briefings however team leaders can raise points in respect of their staff at these briefings. PIRC also have Continuous Professional Development (CPD) days where high profile investigations are discussed.

**Your involvement within the PIRC investigation**

**Sunday 3 May 2015**

*Call from DS Harrower*

**20. Your PIRC statement (PIRC-00309), at page 1, notes that around 1100 hours on 3 May 2015 you were contacted by Deputy Senior Investigator Keith Harrower and made aware of the incident involving Mr Bayoh. Was this the point at which you learned of the incident involving Mr Bayoh? If not, when did you become aware of the incident? Why did DSI Harrower contact you to make you aware of the incident on 3 May 2015? What did you discuss with DSI Harrower on this call?**

At 1100 hrs on 3 May 2015 I received a telephone call from DSI Harrower. I was off duty and was not one of the staff who was covering the on call. DSI Harrower provided me with brief details about an incident that had occurred in the Kirkcaldy area where a male had died whilst being arrested by officers from Police Scotland. The purpose of his call was specifically to establish if I was able to recall to duty and assist with the investigation. I was informed that I would be utilised as a scene manager and that I would receive a more detailed briefing as soon as I arrived at the PIRC office.

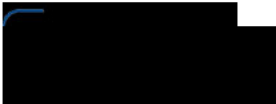
**21. Your PIRC statement (PIRC-00309), at page 1, states that DSI Harrower asked you to perform the role of “scene manager”. Why did DSI Harrower assign this role to you? How many times had you carried out this role prior to 3 May 2015? Had you performed this role in a death in custody investigation prior to the incident involving Mr Bayoh?**

DSI Harrower was aware of my previous experience as a CSM and that I had previously carried out a similar role during my time with PIRC. I have explained details of these within my answer to question 13.

**22. Were you made aware of Mr Bayoh’s race when you spoke to DSI Harrower at 1100 hours? What, if anything, did you discuss with DSI Harrower in relation to Mr Bayoh’s race on this call?**

During my telephone call with DSI Harrower Mr Bayoh’s race was not discussed.

**23. When speaking with DSI Harrower at 1100 hours, what were your initial considerations and priorities at the outset of the PIRC investigation? What**

Signature of Witness.  .....

**impact, if any, did Mr Bayoh's race have on those initial considerations and priorities?**

At this time my initial priority was attending the PIRC office as quickly as possible. I had been informed that on my arrival at the PIRC office I would be provided with more information regarding the incident and the scene manager duties that I would be required to deal with. As previously mention I was unaware of Mr Bayoh's race at this time.

**24. At this stage, what was your understanding of the legislative basis upon which PIRC were instructed to investigate the incident by the Crown Office and Procurator Fiscal Service (COPFS)? Was your understanding that the investigation was instructed under section 33A(b)(i) or section 33A(b)(ii) of the Police, Public Order and Criminal Justice (Scotland) Act 2006? Were you aware of the legislative basis upon which PIRC were instructed to investigate the incident by COPFS changing during the investigation? What difference, if any, does the legislative basis upon which PIRC are instructed to investigate by COPFS make to a PIRC investigation?**

My understanding was that PF Dave Green had instructed PIRC to investigate the death in terms of Section 33A(b)(ii), Police, Public Order and Criminal Justice (Scotland) Act, 2006. I was unaware if that instruction changed during the investigation. As an investigator I have virtually no say in how an investigation like that is run.

*On call system*

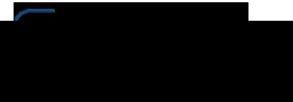
**25. Were you on call on 3 May 2015? How many investigators did PIRC have on call on 3 May 2015? Was this the normal number of investigators that would be on call on a Sunday morning in May 2015? What was PIRC's system for allocating investigators to the on-call rota? What consideration, if any, was given to the investigators' skills, expertise and experience when setting the on-call rota?**

On 3 May 2015 I was not on call. At this time the on call was carried out by individual teams comprising of a DSI and two/three investigators. The experience of each team varied greatly and any shortfalls were covered by a 'goodwill' process where individuals were contacted and asked to return to duty even although they were not on call.

**26. Which PIRC investigators were on call on 3 May 2015?**

My understanding that the on call team on 3 May 2015 were DSI Keith Harrower and investigators Stuart Taylor and Maurice Rhodes.

**27. In May 2015, how common was it for PIRC staff that were not on call to be asked to report for duty and participate in an investigation? In circumstances where staff who are not on call are asked to attend work, how are those staff chosen?**

Signature of Witness  .....



In May 2015 it was not common for PIRC staff to be asked to report for duty when they were not on call. In relation to the occasions when staff were asked to report for duty would be dependent on the specialisms that the SI or DSI required of them at that time.

**28. What did being “on call” as a PIRC investigator involve? How many times had you performed this role prior to 3 May 2015? On how many occasions had you been required to deploy to an incident whilst you were on call prior to 3 May 2015? On how many occasions did those deployments relate to deaths in police custody, or deaths following police contact?**

“On call” meant being available to cover incidents out with the core hours (0800hrs – 1600hrs) and during weekends. The DSI on call would be contacted by Police Scotland and the on call Procurator Fiscal and briefed and instructed regarding the incident. If required to attend, the DSI would contact the investigators in their team and task them to carry out specific duties.

Prior to 3 May 2015 I had been called out on one occasion to cover a death in custody within Kittybrewster Police Station however on that occasion I was not rostered to be on call.

*Resources*

**29. On the basis of the information you had available to you, did you consider PIRC had sufficient resources to respond to the incident on 3 May 2015? What discussions, if any, did you have with DSI Harrower in relation to PIRC’s level of resources on 3 May 2015?**

On 3 May 2015 from the information that I had available I was aware that PIRC would require a minimum of two scene managers (Investigator John Ferguson and myself) this was to cover Mr Bayoh at the hospital and also the scene at Hayfield Road. In relation to discussions regarding sufficient resources to cover anything else I was not involved in any with DSI Harrower.

**30. Within his evidence to the Inquiry, Detective Superintendent Patrick Campbell stated, with reference to the level of PIRC’s resources on 3 May 2015 (day 47, page 128, line 23):**

***A. ... I had slight concerns round about their awareness of capability and also the capacity round about the number of resources that turn up at that time to take on an investigation such as this, which was gathering pace, there was significant media attention around it. So it wasn’t just investigative side, there were other areas that were playing out at that time. Q. When you say you had concerns about their capacity, what do you mean by that? A. Resources-wise. I think we had about – I recall at one time we had probably about 20, 22 resources on it at one time from Police Scotland, detective officers involved in the investigation. I think at that day, I think they turned up with four or five PIRC.***

DocuSigned by:  


Signature of Witness.....

DS Campbell also stated in this regard (day 49, page 174, line 5):

**A. ... it's clear it was insufficient for the job on 3 May, and that's why from a Police Scotland perspective we'd significant resources pulled from all over the country, as well as from the Major Investigation Teams, to support the PIRC in respect of the investigation.**

**What are your views in relation to DS Campbell's comments regarding the level of resources available to PIRC on 3 May 2015? Do you agree that the level of resources available to PIRC on that day was "insufficient for the job"? Please explain why you hold this view.**

At no time did DS Campbell voice his concerns to me regarding the number of PIRC resources in attendance. I am also unaware of him mentioning this to any other of the investigators.

The priority actions were to deal with the two scenes at Hayfield Road and Mr Bayoh at the hospital. DSI Harrower had instructed Investigator Ferguson and myself to deal with that, which we did.

The officers involved required their pava/cs spray, clothing/footwear and officer safety equipment to be retained as productions which Police Scotland were carrying out under a PIP environment.

I feel there was sufficient PIRC resources at this time.

*Briefing at PIRC offices*

**31. Within your PIRC statement (PIRC-00309), at page 2, you state that you attended a briefing at PIRC's offices in Hamilton at 1155 hours on 3 May 2015. What was the purpose of that briefing? Was it PIRC's standard practice to convene investigators at PIRC's offices prior to deployment? If so, was this practice based on a PIRC standard operating procedure (SOP)? If not, why were PIRC investigators convened at PIRC's offices on 3 May 2015? When you spoke with DSI Harrower earlier on 3 May 2015, what, if any, consideration was given to PIRC's investigators convening in Kirkcaldy instead of in Hamilton?**

When all the staff who had been contacted attended at the PIRC office on 3 May 2015, DSI Harrower provided us with more details about the incident. It was at this time DSI Harrower instructed Investigator Maurice Rhodes and myself to carry out scene management duties at Hayfield Road. He also instructed us all to attend at Kirkcaldy Police Station.

In relation to attending at the PIRC office. It was not a standard practice but more so a common one. I do not think PIRC had a SOP in place covering this. The PIRC vehicles and equipment are kept at the office in Hamilton. This would be a decision made by the SI or DSI. On this occasion DSI Harrower instructed us to attend at the PIRC office. Convening to Kirkcaldy Police Station rather than the PIRC office was not something I discussed with DSI Harrower.

DocuSigned by: 

Signature of Witness.....

**32. What was discussed during this briefing? What decisions were made at this briefing? What discussion, if any, was there in relation to PIRC’s investigative strategies at this briefing? What discussion, if any, was there in relation to the status of the officers as witnesses or suspects? What discussion, if any, was there in relation to the separation of the officers involved in the incident to mitigate the risk of conferral?**

At this time my only instruction was that I would be carrying out scene management duties at Hayfield Road and that I was to attend at Kirkcaldy Police Station where I would be provided with further information. There were no discussions regarding investigative strategies at this time or whether officers fell into a witness or suspect category. There was also no discussion regarding the separation of the officers.

**33. What was your understanding of the scope of PIRC’s investigation at the point the briefing was held? Did your understanding of the scope of PIRC’s investigation change over the course of the day on 3 May 2015? Based on your understanding of events at this time, were you content with the nature and scope of the investigation instructed by COPFS? Did your views about the scope of PIRC’s investigation, and the appropriateness of the division of responsibilities between PIRC and Police Scotland, change over the course of the day on 3 May? If so, in what way?**

At the early stages I would say that PIRC had sufficient resources in relation to the two scenes. I was also aware that the officers involved were having their uniforms seized under forensic conditions by Police Scotland CID . As the day progressed I was aware that PIRC did not have any Family Liaisons Officers (FLO) and that DSI Harrower had been having discussions with Police Scotland in relation to how best to liaise with Mr Bayoh’s family. I think it would have been advantageous for PIRC FLO’s to have been present to deal with the family on 3 May 2015.

**34. Your PIRC statement (PIRC-00309), at page 2, contains a summary of the briefing provided by DSI Harrower at 1155 hours. Part of this summary states:**

*He informed us that around 0715hrs that morning (3.5.15) officers from Police Scotland had attended Hayfield Road, Kirkcaldy after members of the public had reported seeing a black male armed with a knife in this vicinity. He stated that one of the officers a female officer had been assaulted by the male and that whilst the other officers attempted to arrest him he became unconscious.*

**Based on the briefing you received at this time, what was your understanding of the events leading up to the female officer being assaulted by Mr Bayoh? Was it your understanding that Mr Bayoh was in possession of a knife at the point that the female officer was assaulted by Mr Bayoh?**

At this time my understanding was that Mr Bayoh had been in possession of a knife however I was unaware whether he was still in possession of the knife when he assaulted the female police officer.

DocuSigned by:  


Signature of Witness.....

**35. Your PIRC statement (PIRC-00309), at page 2, states that you were instructed to deal with scene management duties at Hayfield Road, together with Investigator Maurice Rhodes. What did this role involve? How were responsibilities for this role split between yourself and Investigator Rhodes? What were your initial priorities and considerations in relation to the Hayfield Road scene?**

My first priority when arriving at Kirkcaldy police station was to liaise with DCI Stuart Houston who DSI Harrower had informed me was the scene co-ordinator. My rationale for this was to obtain as much information as possible about the scene at Hayfield Road. As the PIRC scene manager it was my responsibility to liaise with DC Brian O'Neill (Police Scotland CSM) ensuring that the scene was secure and protected and that scene entry logs had been commenced. I was to be assisted by Investigator Rhodes during this process.

I was made aware that a number of items had been removed from the locus by officers from Police Scotland and were within Kirkcaldy Police Station. This had taken place prior to DC O'Neill attending the locus or staff from SPA photographing same.

My main objectives as the day progressed were to attend the locus and discuss same with DC O'Neill. I also wanted to examine the items that had been removed from the locus to ensure they had been sealed and secured in an appropriate manner.

**36. Following DSI Harrower's briefing, were you clear in relation to your role and responsibilities within the investigation? If not, why not?**

After DSI Harrower's briefing I was aware of my responsibilities as scene manager at Hayfield Road.

**37. In the course of 3 May 2015, what involvement, if any, did DSI Harrower have in the management of the scene at Hayfield Road and the decisions made in that regard? Who at PIRC was ultimately responsible for the management of the scene at Hayfield Road?**

DSI Harrower had no involvement in the management of the scene at Hayfield Road. He instructed me to update him on a regular basis with information regarding the scene which I did. From a PIRC point of view I had control of the scene linking in with DC O'Neill.

*Arrival at Kirkcaldy Police Office*

**38. Your PIRC statement (PIRC-00309), at page 2, identifies that you met with police officers at 1330 hours at Kirkcaldy Police Office. Having been informed about the incident at 0935 hours, do you consider there was any delay in PIRC's investigators arriving in Kirkcaldy? If so, what impact, if any, did the delay in PIRC's arrival at Kirkcaldy have on the investigation?**

With the instruction being that we had to meet at the PIRC office prior to attending Kirkcaldy Police Station I do not think we could have got there any quicker. In relation

Signature of Witness. .....

to Hayfield Road the scene was being managed by DC O'Neill and I do not feel that my arrival when I did had any negative bearing in the investigation.

**39. Prior to your arrival at Kirkcaldy Police Office, what, if any, communication did you have with Police Scotland's officers in relation to the management of the Hayfield Road scene?**

I had no communication with any Police Scotland officers prior to my arrival at Kirkcaldy Police Station.

**40. When you arrived at Kirkcaldy, what investigation, if any, did you consider Police Scotland to be carrying out? Was that investigation appropriate? Do you consider the delay in arriving at Kirkcaldy to have, in any way, affected PIRC's ability to lead the investigation? If so, in what way was PIRC's ability to lead the investigation affected?**


When I arrived at Kirkcaldy Police Station I was aware that officers from Police Scotland were managing the scenes. I was also aware that the officers involved in the incident were to have their uniforms seized under a Post Incident Procedure (PIP) style environment. I do not think the delay in arriving at Kirkcaldy Police Station had a negative impact, as both scenes had been secured and as far as I was aware had not altered in any way from when DSI Harrower had initially been informed.

**41. Your PIRC statement (PIRC-00309), at page 2, refers to you meeting at Kirkcaldy Police Office with DCI Stuart Houston at 1330 hours. What was the purpose of this meeting? What was discussed with DCI Houston? What, if any, instructions or direction did you provide to DCI Houston at this meeting?**

The purpose of that meeting was that DCI Houston was the scene coordinator and Investigator Ferguson and myself were looking for all the information available regarding our respective scenes. I informed DCI Houston that I required to meet with DC O'Neill and that I would be wanting to attend Hayfield Road. I also informed him that I wanted to examine the productions that had been removed from the locus prior to the scene being secured.

**42. At this meeting, DCI Houston identified that he was the "scene co-ordinator" for the incident and DC Brian O'Neill was the scene manager for Hayfield Road. How did DCI Houston and DC O'Neill's involvement in the investigation interact with your own role as PIRC's scene manager for Hayfield Road? Who was in charge of the scene Hayfield Road? What were PIRC and Police Scotland's respective responsibilities in relation to the scene at Hayfield Road on 3 and 4 May 2015?**

DCI Houston and DC O'Neill liaised with me on a regular basis throughout the day. Both discussed in detail the parameters of the cordon that were in place at Hayfield Road. I had primacy of the scene and I agreed with what DC O'Neill had in place however I requested that he arrange for the drains within the cordon to be searched. The scene at Hayfield Road was a joint approach between PIRC and Police Scotland ensuring that the scene was effectively managed and all evidence recovered.

Signature of Witness.  .....

**43. Is it standard practice for PIRC to manage a scene in conjunction with Police Scotland during a PIRC investigation following a death in police custody or death following police contact? If so, what are the benefits of this approach? If not, why was this approach adopted in this investigation?**

It is common practice for PIRC scenes to be managed jointly following a death in police custody or death following police contact. Usually the cause of death is unknown pending a post mortem and for this reason a joint approach is the best practice. It means that both PIRC and Police Scotland's aims and objectives are obtained.

**44. During a PIRC investigation following a death in custody or death following police contact, is it possible for PIRC to manage a scene without the assistance of Police Scotland? If not, why not?**

PIRC require the assistance of Police Scotland when managing a scene on all occasions. It is Police Scotland who contact SPA on behalf of PIRC to arranged a locus to be photographed and videoed. Due to limited storage capacity within the PIRC office productions seized are secured within tamper proof evidence bags and retained by Police Scotland. PIRC also use Police Scotland officers to complete and manage the scene entry logs.

**45. What impact, if any, does the continued involvement of Police Scotland in the management of scenes following a death in custody or death following police contact have on PIRC's actual or perceived independence?**

I find that there is no negative impact on PIRC's actual or perceived independence. Any decision made regarding the scene is discussed at length between the Police Scotland CSM and PIRC scene manager. This ensures the integrity of the scene is not compromised in any way.

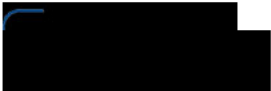
**46. Was PIRC sufficiently independent from PS? How was this independence ensured?**

I would say that PIRC is sufficiently independent from Police Scotland. I personally have not be involved in a situation where I have felt that PIRC and Police Scotland differed in an opinion.

**47. Had the Hayfield Road scene been identified as a potential crime scene what, if any, steps would have been taken differently by PIRC in relation to the management of the scene on 3 May 2015?**

If the Hayfield Road scene had been identified as a potential crime scene I would not have dealt with the scene any differently.

**48. Your PIRC statement (PIRC-00309), at pages 2 – 3, identifies that DCI Houston informed you that a number of items had been removed from the locus at Hayfield Road due to heavy rainfall prior to being photographed by staff from the Scottish Police Authority (SPA), including batons, a mobile phone and the**

Signature of Witness.  .....

**knife found close to the locus. You were also informed that DC Derek Connell had photographed the knife on his mobile phone prior to its removal. Were you content with the decision to remove these items from the locus and the decision by DC Connell to photograph the knife on his mobile phone? If not, why not? What impact, if any, did the removal of items from the locus at Hayfield Road have on PIRC’s investigation?**

These items had been removed prior to Police Scotland instructing DC O’Neill to carryout scene management duties. Ideally these items should not have been removed prior to being photographed by SPA and if the officers were concerned about the weather conditions they should have made an effort to cover the items. Removal of the items, I would say only caused a slight time inconvenience. It took longer to establish the exact location of where these items had been recovered. As a result of this the items were not photographed in situ.

*Recovery of officers’ clothing, footwear and officer safety equipment*

**49. Your PIRC statement (PIRC-00309), at page 3, states, with reference to DCI Houston:**

***He also informed me that all officers involved in the incident were to have their clothing, footwear and officer safety equipment retained and that this was being carried out within Kirkcaldy Police Office in a controlled and forensic manner.***

**When did you understand that the officers clothing, footwear and officer safety equipment was to be seized? Did you consider that the officers’ clothing, footwear and officer safety equipment should already have been seized at this point? If so, what impact did the delay in seizing the officers’ clothing, footwear and officer safety equipment have on the investigation?**

I first became aware that the officers clothing, footwear and officer safety equipment were to be seized shortly after I arrived at Kirkcaldy Police Station. I was aware that they were to be seized under conditions similar to that of a PIP which is normally used for firearms discharge incidents involving the police. DSI Harrower, the PIRC investigators and myself spoke about this and agreed that this was good practice. I do not think seizing these items at this time had any significance on the investigation and I was more supportive that they were being seized under a PIP environment.

**50. What was the purpose of seizing the officers’ clothing, footwear and equipment in this way? Is this standard practice following an incident such as that involving Mr Bayoh? If not, why was the officers’ clothing, footwear and equipment to be seized in this instance?**

The purpose for seizing these items is that they may be required at a later stage for a forensic examination. It is not a standard practice but not an uncommon one. Every incident has to be taken on its own merit.

**51. Within John Ferguson’s PIRC statement (PIRC-00363), at page 3, he states**

DocuSigned by:   
Signature of Witness. ....

*I was aware that DSI Harrower had instructed PIRC investigators, witnesses Gary Sinclair and Maurice Rhodes to manage the scene at Hayfield Road, Kirkcaldy, which had been secured and cordoned off by Police Scotland. This was to be done in conjunction with the Police Scotland Scene Manager, to ensure the preservation and recovery of all available evidence. They were also tasked to oversee other matters related to this scene, including the recovery of the clothing, footwear and officer safety equipment worn and used by the police officers involved in the incident.*

**What role did you play in the seizure of the officers' clothing, footwear and equipment on 3 May 2015? Was it your responsibility to oversee the seizure of the officers' clothing, footwear and officer safety equipment? If so, how did you oversee the seizure of the officers' clothing, footwear and officer safety equipment on 3 May 2015? What, if any, instructions did you provide to Police Scotland or its officers in this regard?**

Recovery of the clothing, footwear and officer safety equipment was not my responsibility but was a discussion that was made with DSI Harrower. PIRC can utilise Police Scotland resources and the recovery process was to be completed under a PIP environment using Police Scotland trained staff. I found this to be acceptable allowing myself and Investigator Rhodes to concentrate on Hayfield Road.

**52. Who compiled the Scene Managers Log (PIRC-04173)? What involvement did you have in this process? What was the purpose of the Scene Managers Log? Was this log compiled contemporaneously?**

I believe Investigator John Ferguson completed the Scene Managers Log (PIRC-04173). I had no involvement in compiling this and cannot comment on the purpose of same.

**53. Within the Scene Managers Log (PIRC-04173), at page 82, it states:**

*On investigation by PIRC, it would appear that when the officers returned to Kirkcaldy Police Office immediately after the incident no thought was given at that time to their clothing or equipment being taken as productions. The officers had removed their outer clothing and equipment and stored it at various locations in the office, some in locker rooms, the canteen or other areas.*

**At what point in the investigation did you become aware that officers had removed their outer clothing and equipment and stored it at various locations at Kirkcaldy Police Office? Was this in line with best practice? If not, what is best practice in these circumstances? What steps, if any, did you take to address this issue? What impact, if any, did this have on PIRC's investigation?**

As I have mentioned previously my first knowledge of the officers clothing being seized was when I was within Kirkcaldy Police Station and made aware that a PIP style process would be carried out. In 2015 this process was not in place for these types of situations and the seizure of the clothing and equipment I believe was seized as

DocuSigned by:   
Signature of Witness. ....



quickly as possible under the circumstances. I was not involved in this process and my opinion is that the PIRC investigation was not impacted in a negative way.

**54. Inspector Jane Combe’s operational statement (PIRC-00190), at pages 2 – 4, identifies that she was involved in the seizure of officers’ clothing, footwear and officer safety equipment between 1647 and 2002 hours on 3 May 2015. DC David Bellingham’s operational statement (PS00935), at pages 3 – 6, identifies that he was involved in the seizure of other officers’ clothing, footwear and officer safety equipment between 1530 and 2105 hours on 3 May 2015. Were you aware of the officers’ clothing, footwear and officer safety equipment being seized at these times? Were you content that the seizure of officers’ clothing, footwear and officer safety equipment was completed in a timely manner on 3 May 2015? If not, why was there a delay in seizing the officers’ clothing, footwear and equipment? What impact, if any, did this have on PIRC’s investigation?**

I was aware that afternoon that a decision had been made to seize the officers clothing etc under a PIP environment using Police Scotland officers. I do not think it had a negative impact on the PIRC investigation.

**55. Whose responsibility was it to ensure that the seizure of the officers’ clothing, footwear and equipment took place in a timely manner on 3 May 2015?**

My understanding was that DSI Harrower and Detective Superintendent Pat Campbell had spoken about this however I was not present during this conversation.

**56. On 3 May 2015, what, if any, awareness did you have of a suggestion that PC Nicole Short was stamped on or kicked during the incident involving Mr Bayoh? If you aware of a suggestion that she had been stamped or kicked on, what, if any, steps did you take in response to this as part of the investigation?**

I was aware of a suggestion that PC Short had been assaulted by Mr Bayoh. I was aware that PC Short’s clothing, footwear and equipment were to be seized however I had no involvement in that process. I was also aware that DSI Harrower had requested that SPA photograph a head injury that PC Short had sustained during the incident. I am unaware of who DSI Harrower made that request to.

*Gold Group meeting 1405 hours*

**57. Your PIRC statement (PIRC-00309), at page 3, notes that you attended a meeting with Police Scotland staff, chaired by ACC Nicolson, at 1405 hours. What was discussed at this meeting? What decisions were taken in relation to scene management?**

From recollection the things that were discussed were the two scenes, Hayfield Road and Mr. Bayoh at the hospital. DSI Harrower informed the meeting that from a PIRC point of view Investigator Ferguson would manage Mr Bayoh at the hospital and myself, Hayfield Road, linking in with the Police Scotland scene managers. Police Scotland provided a current update of the scenes.

DocuSigned by:  


Signature of Witness. ....

It was mentioned that Police Scotland Family Liaison Officers (FLO) were attending to deal with the family.

DSI Harrower mentioned that PIRC would require statements from the officers that had been involved in the incident with Mr Bayoh.

There were other issues raised however the specifics of them I cannot recall. I was more concerned with the scene management.

**58. What were PIRC's priorities in relation to the investigation at the time of the Gold Group meeting at 1405 hours? How were these priorities communicated to Police Scotland during the meeting?**

In relation to my priorities they were focussed solely on Hayfield Road and as mentioned previously I wanted to attend the locus with DC O'Neill and examine the items that had been removed from the locus and taken to Kirkcaldy Police Station. DSI Harrower was in charge at that time from a PIRC viewpoint and had to identify and deal with all the priorities.

**59. Were PIRC in charge of the investigation at the point the Gold Group meeting was held at 1405 hours? How was this demonstrated to be the case? If not, why not? At what stage on 3 May 2015 did you consider PIRC to be in charge of the investigation? If you did not consider PIRC to be in charge of the investigation at the point the Gold Group meeting was held at 1405 hours, who did you think was in charge?**

Prior to the Gold Group my understanding was that DSI Harrower was in charge of the death investigation from a PIRC perspective. I was aware that DSI Harrower had been in communication with Detective Superintendent Campbell who was in charge at that time from a Police Scotland point of view. I was not involved in these discussions however my opinion was that PIRC were in charge of the death investigation.

**60. Following a death in police custody or a death following police contact, are meetings in relation to the investigation usually chaired by an officer from Police Scotland? If not, why was the Gold Group meeting at 1405 hours chaired by ACC Nicolson?**

Gold Group meetings are a police process predominately chaired by senior police management. It is not uncommon for other partners to attend these meeting ensuring that everyone involved is aware of the current situation and direction that the investigation will take.

**61. The typed minutes of the Gold Group meeting (PS07268), at page 2, make reference to a "Loci Strategy" as part of the "Investigative process". What did this loci strategy comprise? Who was responsible for creating this strategy? What input, if any, did PIRC provide in relation to the creation of the loci strategy? Were you content with the content of the strategy in relation to the scene at Hayfield Road? If not, why not?**

Signature of Witness.  .....

I cannot recall a specific loci strategy being created however after liaison with DC O'Neill we discussed at length the direction that we wanted the scene at Hayfield Road to progress. This included PoISA search parameters, SPA photographs and seizure of any outstanding productions and security of those already removed from the locus.

**62. The typed minutes of the Gold Group meeting (PS07268), at page 3, refer to consideration of "community issues" and, at page 4, refer to "cultural issues". What community and cultural issues were discussed at the Gold Group meeting in this regard and what consideration did PIRC give to such issues on 3 May 2015? Did you consider that any such issues were relevant to the management of the scene at Hayfield Road? If so, in what way?**

It is common for Gold Group meetings to discuss community impact issues. This centres around public reassurance. I cannot recall the specifics of this during the gold group meeting. I cannot recall any reference to "cultural issues" at the meeting however as Investigator Ferguson was dealing with scene management involving Mr Bayoh I would have expected him to discuss this with DCI Houston and the Police Scotland CSM. The only community issues at this time that I was concerned with were the householders that lived within the cordoned off area and also the impact the cordon would have on motorists.

**63. The typed minutes of the Gold Group meeting (PS07268), at page 4, state:**

***PIRC looking for definitive point of contact with knowledge of all circumstances.***

**What were PIRC looking to achieve in this regard? What steps, if any, were taken by Police Scotland to accommodate this request? Did you feel at this stage that you had sufficient knowledge of the circumstances of the incident to allow you to manage the scene, as you had been tasked to do? If not, why not?**

As I have mentioned previously when I was tasked by DSI Harrower to carry out scene management at Hayfield Road my priority was to as soon as possible liaise with DCI Houston (Scene co-ordinator) and DC O'Neill (CSM) which I did. I felt that after these discussions I had sufficient knowledge to manage the scene.

**64. Within Detective Chief Superintendent Lesley Boal's operational statement (PS00669), pages 2 – 3, she states:**

***About 1330hrs Mr HARROWER and other PIRC investigators attended. A briefing, which provided the same information as provided at the Gold Meeting was provided. It was confirmed at this time that Sheku Ahmed Tejan BEYOH's sister was his next of kin and that she lived [redacted]. I highlighted to Detective Superintendent CAMPBELL that, given the information and chronology established along with identification by photograph, there was an urgent need to notify her of the death. In the absence of any strategy being discussed, I suggested that, in the interim, each police lead would draw up a strategy, for example forensic strategy, house to house strategy etc and obtain Mr HARROWER's agreement and sign off prior to implementation. This didn't receive clear endorsement. The only real information provided was that there***

DocuSigned by:  


Signature of Witness.....

*would be PIRC investigators deployed to the hospital to undertake body transfer to the mortuary; a couple of PIRC investigators would be deployed at the main scene at Hayfield Road, Kirkcaldy and Family Liaison would be handed over to the PIRC at an early juncture.*

**What strategies had PIRC considered or developed prior to the Gold Group meeting at 1405 hours? Would you agree with DCS Boal's assessment that there was "an absence of any strategy" discussed at this meeting? If so, why? If not, why not? What strategies were agreed with Police Scotland at this Gold Group meeting? With whom did responsibility for the development of investigatory strategies lie at this stage?**

I disagree with what DSI Boal has said. DSI Harrower ensured that he discussed a forensic strategy with Investigator Ferguson and myself as to what was required from the scenes at the hospital and Hayfield Road. I was also aware that DSI Harrower had instructed SPA photographs be taken of PC Short's head and that all PAVA sprays be weighed and retained as productions. In my opinion the investigation was in the early stages and that the strategies that DSI Harrower had put in place were sufficient at that time.

**65. Were you aware on 3 May, or at any point subsequently, of any concerns expressed by staff or officers from Police Scotland about PIRC's management of the investigation? If so, how were you made aware, and what did you understand those concerns to be? Did you share knowledge of these concerns with others at PIRC? What did you do, if anything, to address those concerns?**

I was unaware of any staff or officers of Police Scotland being concerned regarding the PIRC management of the investigation. Nobody voiced any concerns to myself and I am unaware of any other PIRC staff being approached with such concerns.

**66. At this stage on 3 May 2015, what was your understanding of the status of the officers involved in Mr Bayoh's arrest? Were they witnesses or suspects? How did you come to be aware the officers' status on 3 May? What discussion, if any, was there in relation to the officers' status at the Gold Group meeting at 1405 hours?**

My understanding at this time was that the officers were witnesses and that PIRC would require statements from them at some stage. I was aware of this through general conversation with DSI Harrower who also mention this at the Gold Group meeting.

**67. What are the circumstances in which a person is treated as a suspect by PIRC? Do you consider that it is PIRC's responsibility to decide whether to categorise a person as a witness or a suspect during an investigation? What is the significance of treating a person as a suspect?**

A person is treated as a suspect if there is evidence (CCTV, bodycam footage ,witness statements, forensic etc) placing them into that category. During a PIRC investigation it is the responsibility of PIRC staff to decide whether they are a witness or a suspect.

DocuSigned by:   
Signature of Witness. ....

When an individual is placed into the suspect category they are required to be cautioned at common law prior to be spoken to and have legal representation if requested.

*Meeting at 1515 hours*

**68. Your PIRC statement (PIRC-00309), at page 3, notes that you attended a meeting with DCI Houston at 1515 hours “to discuss scene management and forensic issues, during which agreement was reached on how the now deceased’s body would be dealt with at the hospital and mortuary”. What scene management and forensic issues were discussed at this meeting? What required to be agreed in relation to Mr Bayoh’s body?**

As I was tasked with the scene management of Hayfield Road my focus was on that. My recollection of the forensic and scene management specifics that were discussed between Investigator Ferguson and DCI Houston is very vague.

**69. What was the purpose of DSI Harrower’s requests at this meeting that PC Short’s injuries be photographed and PAVA and CS spray canisters be weighed? Were these actions carried out by Police Scotland? If not, why not, and what impact, if any, did this have on PIRC’s investigation?**

DSI Harrower requested PC Short be photographed to evidence any injuries that she had. If there was a delay in this evidence could be lost.

In relation to the PAVA and CS spray canisters being weighed this was to establish if they had been used and how much spray discharged.

I believe that at the time both of these tasks were carried out by SPA and Police Scotland.

**70. What discussions, if any, took place at this meeting in relation to the status of the police officers as witnesses?**

I cannot recall any specific discussions about the status of the officers apart from they were in the process of having their uniforms, footwear and equipment seized by officers from Police Scotland.

*Meeting at 1640 hours*

**71. Your PIRC statement (PIRC-00309), at page 3, refers to an approach being agreed with DCI Houston in relation to the scenes at Victoria Hospital and Hayfield Road. What sort of matters require to be considered when agreeing an approach in relation to the loci of an incident? What was discussed at this meeting? Did PIRC adopt Police Scotland’s forensic strategy (PS01298) in its entirety at this meeting? Were you content with the strategy set out in relation to Hayfield Road on pages 3 and 4 of the forensic strategy (PS01298)? If not, why not?**

DocuSigned by:  


Signature of Witness. ....

There are a number of things that have to be considered in relation to a scene. Firstly to secure and protect the scene. Consideration of positions of cordons, approach paths, protection of the cordon. Commencement of scene entry logs. Consideration of specialist equipment and SPA staff. Scene to be photographed and videoed. Every scene is different, however what I have mentioned are things that should be considered for them all. On speaking with DCI Houston I agreed with what was in place and my priority was to meet and speak with DC O'Neill. It was after that meeting that I requested that the drains within the cordon be searched.

**72. In comparison with Police Scotland's forensic strategy (PS01298), the Scene Managers Log (PIRC-04173), at page 83, includes an additional element within the forensic strategy for Hayfield Road: "Obtain photographs and video of the scene". How did this come to be added to the forensic strategy for Hayfield Road? Why was this added?**

I cannot comment on why this is not mentioned within Police Scotland's forensic strategy. Having a scene photographed/videoed is a necessity and occurs on all occasions. This was discussed with DCI Houston and DC O'Neill.

**73. Beyond the forensic strategy, what further strategies, if any, were put in place in relation to scene management during the course of PIRC's investigation?**

I was not involved and I am unaware of any other strategies in relation to the scene. A number of houses were situated within the cordon area and these houses fell into the house to house strategy in relation to speaking to the occupants. I was not involved in the preparation of that strategy.

**74. Is it standard practice for PIRC's investigative strategies to be based on those created by Police Scotland? If so, what are the benefits of this approach? If not, why was this approach adopted in this investigation?**

There are similarities between Police Scotland and PIRC requirements during investigations. The important thing is communication between Police Scotland and PIRC so that both parties can discuss strategies ensuring both their aims and objectives are obtained.

**75. Could an approach have been agreed with Police Scotland in relation to the scenes at Victoria Hospital and Hayfield Road prior to this meeting at 1640 hours? If not, why not? If so, what impact, if any, did the delay in agreeing an approach have on PIRC's investigation?**

In relation to Hayfield Road as mentioned previously the only thing that I would have preferred was for the items not to have been removed from the locus before they had been photographed in situ. However this occurred before DC O'Neill had been deployed as a CSM. Any delay after that did not have any impact on the PIRC scene management or investigation at Hayfield Road.

DocuSigned by:  
Signature of Witness.  .....

**76. Your PIRC statement (PIRC-00309), at page 3, states that at this meeting you requested sight of the items that had been removed from the locus prior to being photographed by SPA. Why did you request sight of the items? Was this request granted?**

As I was scene manager for Hayfield Road and with these items having been seized from an area that would have been within the cordon it was important that I saw them. I wanted to see these items and also to ensure that they had been packaged and labelled in the appropriate manner. I did view these items within Kirkcaldy Police Station on 3 May 2015.

**77. Alex McGuire’s notebook (PIRC-04184), at page 5, under the heading “1645 Forensic Strategy mtg”, states:**

*Religious considerations.*

**What consideration was given to Mr Bayoh’s religion at this meeting with DCI Houston? What consideration, if any, did you give to Mr Bayoh’s and/or Mr Bayoh’s family members’ religion(s) on 3 May 2015?**

As I have mentioned previously I was aware of this conversation between Investigator Ferguson and DCI Houston but as my attention was on the Hayfield Road scene the specifics of what was discussed is very vague.

**78. Within DCS Boal’s operational statement (PS00669), on page 3, she states:**

*About 1700hrs I attended the Forensic Strategy Meeting which, albeit all PIRC investigators were present, was chaired by Detective Chief Inspector HOUSTON.*

**Within the forensic strategy meeting agenda (PS17896), at page 1, DCI Houston is also noted as being the chairperson of this meeting.**

**Would you agree that DCI Houston chaired this forensic strategy meeting? Why was it considered more appropriate for the meeting to be led by DCI Houston, rather than PIRC?**

I cannot recall a specific strategy meeting at 1700hrs. That afternoon there were many meetings with DCI Houston. If there was one that he chaired I would have had no issues with that. He was the scene co-ordinator for Police Scotland and had knowledge of the scenes relative to the PIRC investigation. As long as PIRC are represented at these meetings, which they were I do not see any disadvantage in an officer from Police Scotland chairing the meeting.

**79. Within DCI Houston’s operational statement (PIRC-00165), page 3, DCI Houston refers to it being agreed at this meeting that you would “oversee the work of Detective Constable O’Neill to locus 2”. How did you maintain oversight of DC O’Neill’s work at the locus at Hayfield Road on 3 May 2015?**

DocuSigned by:  


Signature of Witness.....

On my arrival at Kirkcaldy Police Station DCI Houston briefed me in relation to what DC O'Neill had put in place regarding the scene at Hayfield Road which I was in agreement with. I then met DC O'Neill who reiterated what I had previously been told by DCI Houston. I then attended the scene with DC O'Neill that day where we continued with our discussions regarding the scene.

*Meeting at 1715 hours*

**80. Your PIRC statement (PIRC-00309), at page 3, refers to a meeting with DC O'Neill at 1715 hours, at which DC O'Neill informed you that he had established a cordon at Hayfield Road and made arrangements to have the locus videoed, photographed, searched and mapped. What instruction, if any, had you provided to DC O'Neill to proceed with these actions? Were you content for Police Scotland to be managing the scene in this way? If not, why not?**

These actions are standard and I was in total agreement with DC O'Neill's arranging them. If he had not put them in place I would have instructed that he do so. I cannot emphasise enough that when it comes to scene management involving a joint approach between Police Scotland and PIRC, communication is vital.

**81. Within DC O'Neill's operational statement (PIRC-00129), at page 3, DC O'Neill states, with reference to this meeting with you:**

*There had been no house to house enquiries carried out at the locus therefore there was limited information to base the perimeters of the locus.*

**Upon what information were the perimeters of the locus at Hayfield Road established at this stage in the investigation? Did the perimeters of the locus include the location from which the knife was recovered by police officers earlier on 3 May 2015? If not, why not?**

DC O'Neill I believe must have been provided with details of the incident for him to decide the parameters of the cordon. The cordon covered a large area including the roadway, grass areas and gardens of the house from 2 – 26 Hayfield Road. I agreed with the parameters that DC O'Neill had put in place. The location where the knife was recovered was within the cordon.

**82. If the perimeters of the locus did not include the location from which the knife was recovered, what impact did this have on PIRC's investigation? Did you consider requesting that the perimeters of the locus be broadened to include this location? If not, why not? If the location from which the knife was recovered should have been included within the extent of the locus at Hayfield Road, whose responsibility was it that it be so included?**

The parameters did include the location of where the knife was recovered.

**83. The PIRC Scene Management Standard Operating Procedure that was in force in May 2015 (PIRC-03873) identifies, at paragraph 1.3.3, the process to be followed to identify if any additional resources are necessary to manage a**

Signature of Witness.  .....



**scene. Were you content on 3 May 2015 that sufficient resources were available to manage the scene at Hayfield Road? If not, why not?**

From a PIRC point of view I was content with the resources that were in place at Hayfield Road. Investigator Rhodes and myself were linking in with the Police Scotland CSM, DC O'Neill. Uniformed Police Scotland officers were in place to complete the scene entry log. SPA were dealing with photographing and videoing the scene. A PolSA and team from Police Scotland were conducting a search of the area.

*Attendance at Hayfield Road*

**84. Your PIRC statement (PIRC-00309), at page 4, refers to you and Investigator Rhodes attending the scene at Hayfield Road at 1920 hours on 3 May 2015. Was this the first time that you attended Hayfield Road on 3 May 2015? If so, why did you first attend the scene at Hayfield Road on the evening of 3 May 2015 when you had been tasked by DSI Harrower with management of that scene in the morning and arrived at Kirkcaldy around 1330 hours? What impact, if any, would your arrival at this scene earlier on 3 May 2015 have had on the investigation? What are the benefits of managing a scene at the locus itself, instead of remotely?**

As previously mentioned when I arrived at Kirkcaldy Police Station DCI Houston briefed me in relation to what DC O'Neill had in place regards the scene at Hayfield Road. I also spoke to DC O'Neill after that, who confirmed what was in place. At this time I saw no necessity to attend the locus immediately. Every situation is different and on occasions it might be pertinent for me to attend a scene quicker however on this occasions I was happy with what DC O'Neill had in place.

*Return to Kirkcaldy Police Office*

**85. Your PIRC statement (PIRC-00309), at page 4, refers to a meeting with DCI Houston, at which he informed you that most of the locus at Hayfield Road had been searched, but due to darkness the search would require to be completed the following day. What impact, if any, did the requirement to maintain a cordon at Hayfield Road overnight on 3 May 2015 and return to complete the search of the locus on 4 May 2015 have on PIRC's investigation? Would you have expected the search of the locus at Hayfield Road to have been completed on 3 May 2015? If so, for what reason was the search not completed that day?**

This is not uncommon. The PolSA is provided with details of what area has to be searched. That search is carried out in a systematic manner and will take as long as is required. The cordon was still secured by uniformed Police Scotland officers who remained there overnight.

**86. Your PIRC statement (PIRC-00309), at page 4, refers to this meeting with DCI Houston taking place about 2125 hours on 3 May 2015. Within the scene entry log for Hayfield Road (PS17853), at pages 8 and 9, it appears that the search team signed out of the scene at 2340 hours that day. At what time was the search completed on 3 May 2015?**

DocuSigned by:

Signature of Witness.



I am unaware of the exact time that the search team completed their search on 3 May 2015. I was updated that apart from the gardens of the dwellinghouses from 2 – 26 all other areas had been searched including the drains. For this reason I was happy to open the road and grass area and stipulate that the garden areas were to remain within the cordon.

**87. Your PIRC statement (PIRC-00309), at page 5, refers to the items recovered from Hayfield Road, including batons and the knife, having not been photographed by SPA. As the items were sealed and labelled in production bags and containers, you decided to arrange for the items to be photographed at a later date. What impact, if any, did the requirement to photograph the productions at a later date have on PIRC’s investigation? What, if any, observations did you have in relation to the way the items from Hayfield Road had been recovered? Were you content with the way this had been done? If not, why not?**

Best practice would have been to have left the items in situ and thereafter have them photographed by SPA before being recovered as evidential material. As the items had been removed I wanted to examine that they had been placed within the appropriate tamper proof evidence bags and sealed which they had. For this reason I did not think it was appropriate to have them photographed at this time. I would say it only had a minor inconvenience on the PIRC investigation.

**88. Were you content with the steps taken by Police Scotland to recover and preserve evidence from the locus at Hayfield Road on 3 May 2015? If not, why not? What, if anything, should Police Scotland have done differently in this regard?**

I have covered this within my answer to question 87.

*Primary control of scene*

**89. PIRC’s Scene Management SOP (PIRC-03873), at page 10, as part of an appendix titled “Handling of Shared Scenes by Police Service of Scotland (PSS) and the Police Investigations and Review Commissioner (PIRC)” states:**

**Where, following an incident, PIRC have primary interest in a scene, the PS SIO will ensure that primary control of the scene, in whole or in part as required (and in accordance with the principles set out in this document), is passed to the PIRC SI/DSI as soon as practicable.**

**At what point on 3 May 2015 did you consider that PIRC had “primary control” of the scene at Hayfield Road? Please explain why you hold this view.**

As soon as I arrived at Kirkcaldy Police Station and liaised with DCI Houston and he informed me of what scene management DC O’Neill had in place I felt that I had control of the scene as I was able to inform him what was required from the scene from a PIRC point of view.

DocuSigned by:  


Signature of Witness.....

*Scene entry log*

**90. What is the purpose of a scene entry log?**

A scene entry log is a detailed log of everyone that enters and exits the cordon. This records times and dates of the person's entry to the cordon, their reason for entering the cordon and if they were wearing any forensic clothing. The log is usually completed by a uniformed officer who should be briefed as to what is expected of them by the CSM.

**91. Within the Scene Managers Log (PIRC-04173), on pages 79 – 84, there is a summary of actions taken in relation to the scene at Hayfield Road. On pages 80 – 81, there is commentary in relation to the completion of the scene entry log (PS17853):**

*There is no scene closure section in this log. The log was initiated at 10.45 hrs on 3/5/15. There are no entries indicating persons accessing the scene prior to its initiation. There is inconsistency in relation to forensic dress noted by loggist PC 625 re CSM DC Oneill who is not wearing mask or suit but wears shoe covers and gloves. This is at odds with entries at 1835 hours 3/5/15 when DS Oneill and socos Foy and Paterson are fully forensically dressed.*

*PIRC SM JF reviewed this and note DC Oneill is clearly inconsistent in his approach to forensic dress as recorded, however this is not to be over critical given that he is wearing gloves and overshoes and the area had been subject to heavy rain that day. Also he was not engaged at this point in the recovery of articles. From his statement the officer is clearly initially reviewing the scene for cordons and the articles of relevance had been seized already.*

*It is however good practice to have a consistant [sic] forensic approach to scene management given that there is an "unknown quantity" in the approach to the potential evidence that may be uncovered at a scene and the potential problems caused by cross contamination and high sensitivity of DNA 24 processes.*

*The Scene management log was not present initially with PIRC (requested by prods Garry Sinclair per DS O'Neil). Arrived with PIRC 29/5/15.*

*The scene management log had been completed by DC Oneill. There is no record of PNC checks being made in regards to the vehicles within the cordon The management log was not reviewed by an SIO in relation to the completion of the log.*

*Police Scotland do have a responsibility in the accurate recording and review of their actions prior to submission to any external agency such as PIRC / PF.*

**Who carried out this review of Police Scotland's actions at the locus at Hayfield Road? What role, if any, did you play in this review? What was the purpose of the review? Which, if any, of the issues identified were you aware of on 3 May**

DocuSigned by:  


Signature of Witness.....

**2015? What, if any, steps did you take to address these issues on 3 May 2015? What impact, if any, would there have been on your ability to address these issues had you been in attendance at Hayfield Road earlier on 3 May 2015?**

In relation to the actions that were carried out by Police Scotland on 3 May 2015. I was aware of all aspects of the management of the scene by Police Scotland and I had no issues with them.

Investigator Ferguson carried out the review. I had not involvement in this and I am unaware why the review was carried out. The comments made by Investigator Ferguson that there was no closure time for the scene within the scene entry log, and that DC O'Neill was inconsistent with his forensic clothing worn, within the cordon, are valid points. However I was aware of when the scene was stood down as that was my decision. In relation to the different forensic clothing worn by DC O'Neill it did not compromise the scene in any way.

**92. Police Scotland's scene entry log is noted to have been commenced at 0915 hours on 3 May 2015 (PS17853, at page 3). The summary contained within the Scene Manager's Log (PIRC-04173), at page 80, identifies that the log was initiated at 1045 hours on 3 May 2015. At what time was the scene entry log initiated on 3 May 2015? At what time were full scene protection measures put in place at Hayfield Road on 3 May 2015? Do you consider that there was a delay in putting in initiating the scene entry log and/or put in place scene protection measures at Hayfield Road? If so, what impact, if any, did this have on PIRC's investigation?**

My understanding was that the initial scene protection commenced at 0915hrs. I am unsure why it states 1045hrs in the Scenes Managers Log. My understanding would be that full scene protection would have taken place on the arrival of DC O'Neill. I do not think anything that took place prior to PIRC's involvement had a negative impact on the investigation.

**93. Your name does not appear to be included within the scene entry log (PS17853). Please identify if your name does appear within the scene entry log. Is it standard practice for PIRC investigators' names to be noted within the scene entry log when attending a locus? If it is, and your name is not recorded within the scene entry log, why is your name not recorded in the scene entry log?**

The reason my name does not appear on the scene entry log was because although I attended the locus I did not actually enter the scene and I actually communicated with DC O'Neill outside the cordon.

**94. PIRC's Scene Management SOP (PIRC-03873), at page 12, as part of an appendix titled "Considerations when attending an incident in the capacity as a PIRC scene manager" states that "PIRC will begin and maintain a scene entry log". What consideration, if any, was given to PIRC commencing its own scene entry log for Hayfield Road on 3 May 2015? Why was no PIRC scene entry log created for Hayfield Road? PIRC investigation on 3 May 2015**

Signature of Witness.  .....

As there was already a scene entry log in use by Police Scotland there was no necessity for PIRC to commence one.

*PIRC investigation on 3 May 2015*

**95. In hindsight, what, if any, decisions would you have made differently in relation to the management of the scene at Hayfield Road on 3 May 2015? What impact would this have had on PIRC's investigation?**

I was content with the way the scene was managed by myself and DC O'Neill and would not have changed any of my decisions.

As mentioned previously ideally the items that were removed from the scene should have remained in situ until the arrival of DC O'Neill but this did not have a negative impact on the investigation.

**96. Were you content with the decisions taken by PIRC's investigators who attended Kirkcaldy on 3 May 2015? If not, why not?**

My priority concern was the scene at Hayfield Road, which I managed with Investigator Rhodes and I was content with how it was preserved. I was not present on all occasions with the other PIRC staff and cannot comment on all of their actions.

**97. Were you content with the support that you received from Police Scotland in relation to PIRC's investigation on 3 May 2015? If not, why not? What impact did this have on PIRC's investigation?**

The main Police personnel that I dealt with were DCI Houston and DC O'Neill who I had an excellent relationship with. They assisted me throughout ensuring that they had a positive impact of the PIRC investigation.

**98. Did you have any contact with the COPFS on 3 May 2015, or subsequently during the investigation? If so, what was the nature of this contact? Were you content with the direction, instruction and support that PIRC received from COPFS in relation to PIRC's investigation on 3 May 2015 and throughout the investigation? If not, why not?**

I had no contact with COPFS throughout the investigation.

**99. Did you consider that you and your colleagues, as PIRC investigators, had sufficient powers to progress the investigation on 3 May 2015? If not, why not? What additional powers would you and your colleagues have benefited from to progress the investigation?**

I had no issues with the scene at Hayfield Road and did not require any additional powers to carry out my role as a scene manager.

DocuSigned by:

Signature of Witness.

[Redacted Signature]

**100. What, if any, hypotheses did PIRC have in relation to the incident on 3 May 2015? On 3 May 2015, did you give consideration to whether race could be a factor in the incident? If so, in what way? If not, why not?**

When I was briefed by DSI Harrower on 3 May 2015 there was no indication that Mr Bayoh's race was a factor in the incident. If during that day information had been received to that effect I am positive that this would have been cascaded to me by DSI Harrower.

**101. Did you consider that the police officers with whom you had contact on 3 May 2015 had an awareness and understanding of PIRC as an organisation and PIRC's role within the investigation? If not, what, if any, steps did you take to address this on 3 May? What impact, if any, did the officers' awareness, or lack thereof, of PIRC's role have on the investigation? Following the establishment of PIRC on 1 April 2013, and prior to the incident on 3 May 2015, what steps had been taken to raise awareness and understanding amongst police officers of PIRC as an organisation and PIRC's role within an investigation?**

On 3 May 2015 as I have mentioned previously my main dealings were with DCI Houston and DC O'Neill who both had an awareness and understanding of the PIRC's role.

I was aware that PIRC management attended and still do the Scottish Police College on a regular basis providing inputs on the role of the PIRC to probationers, first line managers and senior investigation officers.

**102. A briefing note was prepared for PIRC's Director of Investigations in relation to the events of 3 May 2015 (PIRC-03694). What role, if any, did you have in preparing this document?**

I was not involved in the preparation of the briefing note for PIRC's Director of Investigations.

**103. Did you have any communication with representatives from the Scottish Police Federation (SPF) on 3 May 2015? If so, with whom did you communicate and what did you discuss?**

On 3 May 2015 I had no communication with representatives from the Scottish Police Federation.

**104. Did you liaise with or speak to the media on 3 May 2015, or otherwise during the investigation? If so, in what way did you liaise with the media and to whom did you speak?**

I did not liaise or speak to the media on 3 May 2015.

**105. On 3 May 2015, what awareness, if any, did you have of media coverage surrounding the incident? What awareness, if any, did you have of reports of a female police officer being stabbed and the source of those reports? What, if**

DocuSigned by:  


Signature of Witness.....

**anything, did you do in response to those reports? Were you aware of any details of the incident on social media?**

On 3 May 2015 I was unaware of the contents of the media coverage. I was involved solely in scene management and did not go off duty until the early hours of 4 May 2015.

**Monday 4 May 2015**

**106. Did you attend a PIRC briefing on the morning of 4 May 2015 at the PIRC office in Hamilton? Who delivered this briefing? Do you remember what was said? If so, please provide details.**

I believe I did attend a briefing on 4 May 2015. I have no recollection of who delivered the briefing and what was said. I would expect as is standard for this type of investigation that I would have provided an update regarding the scene management at Hayfield Road to those at the briefing.

**107. Was DSI William Little put in charge of the investigation at this briefing? If not at this briefing, do you know when was this formally confirmed? Why was DSI Little put in charge of the investigation at this stage? At what point was SI McSporrان put in charge of the investigation alongside DSI Little?**

I have no recollection when the individuals named were put in charge of the investigation. These discussions would have taken place at a management level.

**108. Do you recall what handover you and other members of PIRC staff who were involved in the investigation on 3 May 2015 provided to DSI Little? If so, please provide details. What involvement did you have in this handover?**

I cannot recall speaking to DSI Little on a one to one basis but he may have asked me some questions during the briefing however as it took place so long ago I cannot say for certain that he did.

**109. An extract from DS Campbell's evidence to the Inquiry (day 49, page 73, line 5) is as follows:**

***A. I think -- sorry, I think the problem with the PIRC deployment at that stage, other than the resources, is that over the course of 24, 36 hours they changed the lead investigator. So Keith had –***

***Q. What issues did that cause?***

***A. Just obvious challenges, the fact is you're bringing someone on fresh into the investigation when you've been there for 12, 13 hours at that stage, you know what I mean, before that ... before Billy Little's appointed around that. So again, there was challenges with the fact that the change of a senior investigator from PIRC at such an early stage of a critical investigation would undoubtedly cause challenges.***

DocuSigned by:  


Signature of Witness. ....

**Do you agree with DS Campbell that the handover of responsibility for the investigation to DSI Little caused “challenges”? If so, what were these challenges and what did PIRC do to mitigate them? If not, why not?**

I am surprised at DS Campbell's comments as the same process occurs within Police Scotland. It is not always the case that the senior investigation officer who attends the incident is placed in charge of it for its duration.

On 4 May 2015 PIRC senior management who were not involved on 3 May 2015 received a comprehensive update and would have been able to take the lead from thereafter.

**110. Your PIRC statement (PIRC-00309), at page 5, refers to DSI Little informing you that you would carry out the role of production officer during the investigation. What does this role involve? Prior to 3 May 2015, how many times had you performed this role in an investigation team? Why were you tasked with carrying out this role by DSI Little?**

The role involves being responsible for the recording, safety, receipt, storage and transfer and return of productions within the forensic environment. This is a role I had carried out on a number of occasions within the police and PIRC. I cannot say why I was tasked by DSI Little to carry out this role but I would expect it was due to my experience in this arena.

**111. Your PIRC statement (PIRC-00309), at page 5, refers to you attending the locus at Hayfield Road at 1415 hours on 4 May 2015. Following discussion with DC O'Neill, the locus was stood down by Police Scotland at your direction. Were you content with the manner in which the search had been carried out and the evidence recovered at Hayfield Road by Police Scotland? If not, why not?**

I was more than happy with the way the scene had been managed.

**112. Within DC O'Neill's operational statement (PIRC-00129), page 5, he refers to attending a strategy meeting at 1000 hours on 4 May 2015 where it was confirmed that he would continue in the role as Crime Scene Manager for Hayfield Road. Were you aware in advance that this meeting was due to take place? Did any representative from PIRC attend this meeting? If not, why not? What discussions, if any, did you have with Police Scotland on 3 May 2015 in relation to PIRC's attendance at this briefing?**

I was unaware of this meeting and as far as I know no PIRC representative attended. This was good practice by Police Scotland as DC O'Neill and myself were aware that the PolSA search team had not completed their search of the scene the previous day. For continuity purposes it made perfect sense for DC O'Neill to remain as the Police Scotland Scene Manager for the locus at Hayfield Road.

DocuSigned by:   
Signature of Witness.....



**113. Within DC O'Neill's operational statement (PIRC-00129), page 5, he refers to attending the locus at Hayfield Road with a POLSA (Police Search Adviser) and a search team and carrying out a search of the two remaining loci from 1240 hours, prior to your arrival at the locus at 1415 hours. How did you maintain oversight of the management and search of the scene at Hayfield Road prior to your arrival at 1415 hours?**

There was no need for me to be present prior to 1415hrs as the PolSA was aware from discussions the previous day what was required.

**114. Your PIRC statement (PIRC-00309), at page 5, refers to your involvement in house-to-house enquiries at Hayfield Road. Was PIRC's house-to-house strategy based on the strategy created by Police Scotland (PS01296)? What input, if any, did PIRC provide in relation to the creation of the house-to-house strategy? Were PIRC solely responsible for carrying out the house-to-house enquiries at Hayfield Road, or was assistance also provided by Police Scotland? If so, what assistance was provided by Police Scotland?**

I was not involved in the preparation of the PIRC house to house strategy and cannot say whether it was based on the strategy created by Police Scotland. My involvement was accompanied by other PIRC investigators attending a number of address on Hayfield Road and completing the house to house questionnaires.

**7 May 2015**

**115. The minutes from PIRC's morning briefings (PIRC-04156), at page 5, identify that you planned to uplift productions from around this time from Police Scotland. Were you content with the support that Police Scotland provided to you in relation to the management of productions in this investigation? If not, why not? What impact did this have on PIRC's investigation?**

I was more than happy with the support I received from both Police Scotland and the SPA in relation to the management of the productions.

**116. Was PIRC's Production/Articles Standard Operating Procedure (PIRC-04450) in force on 3 May 2015? In performing your role as production officer during the course of the investigation what reliance, if any, did you place on this or any other of PIRC's standard operating procedures?**

Yes I believe PIRC's Production/Articles SOP was in place in May 2015. I cannot recall referring to that SOP or any other SOP during the course of the investigation.

**12 May 2015**

**117. Your PIRC statement (PIRC-00309), at page 5, refers to you attending a forensic strategy meeting with representatives from COPFS, Police Scotland, SPA Forensic Services and Crown pathologists on this day. What was the purpose of this meeting? Were any concerns raised about the recovery of evidence up to this point in the investigation? If so, what concerns were raised?**

Signature of Witness.  .....

A Forensic Strategy meeting is common and good practice for this type of investigation. All partners are invited where discussions can take place regarding a number of issues, for instance prioritisation of forensic examinations, expectations of forensic examinations and any other issues involving productions. I cannot recall any concerns being raised at that meeting.

**118. Who led this forensic strategy meeting? Were you content with the decisions made in relation to forensic strategy at this meeting? Was any forensic strategy agreed beyond that which is contained in PIRC-04161, PIRC-03860 and PIRC-04173 (pages 41 – 55)? If so, where is this forensic strategy documented? Who collated the separate minutes from the meeting set out in these three documents?**

The forensic strategy meeting was led by SI John McSporrán. I am only aware of the forensic strategies contained within the said documents. I was not involved in any other separate forensic discussions. I cannot recall who recorded the minutes of the meeting.

**119. What involvement, if any, did you have in the steps taken by PIRC to forensically examine the productions seized during the investigation and discussed during the forensic strategy meeting (PIRC-04161 and PIRC-03860), including the knife and PC Short’s body armour? Within the Scene Managers Log (PIRC-04173), at page 59, it states that you submitted a “forensic services examination request” on 13 May 2015. What did this involve? What were the results of this examination request?**

As the PIRC productions officer for the investigation, I completed a number of forensic request documents on the instruction of senior management. I cannot recall the specifics of the forensic request for the knife and PC Short’s body armour. For every forensic request an electronic form has to be submitted detailing what items require to be examined and what type of examination is required. Once accepted by the SPA, that examination application is provided with a unique reference number. This allows the items to be lodged with the SPA. That is the process that took place on this occasion. I cannot recall the details of the results of the examination however this would have been sent to PIRC by way of a forensic examination report.

**120. Why did Police Inspector Darren Faulds attend this meeting? (PIRC-04161) If Inspector Faulds was required for part of the meeting was any consideration given to him attending only the relevant section? How common is it for Police Scotland’s officers and staff to continue to be involved in PIRC investigations into deaths in police custody as those investigations progress? What steps do PIRC take to ensure that such investigations are independent from Police Scotland?**

I cannot say why PI Faulds attended the meeting. I was not involved in discussions as to who should be invited to the meeting and the reasons for inviting them. It is not

DocuSigned by:   
Signature of Witness. ....

uncommon for staff of Police Scotland to attend such meetings as they may provide advice and guidance which may help PIRC during an investigation.

**28 May 2015**

**121. The minutes from PIRC's morning briefings (PIRC-04156), at page 30, with reference to an update that you provided, state:**

*Confirmed that there is no mention of CS/PAVA being weighed in the statements.*

**What did you identify in this regard? In 2015, what was the normal practice in relation to weighing CS/PAVA spray, and recording the relevant weights? What was the significance of this to PIRC's investigation? What further steps were taken to explore this within PIRC's investigation and what role did you play?**

On 3 May 2015, DSI Harrower instructed that the officers involved in the incident have their CS/PAVA spray weighed and retained as a production. This was to establish if the CS/PAVA spray had been discharged.

I can only think that I mentioned this at the briefing as there was no information of who weighed the spray within any statement. I cannot recall being involved in progressing this further.

**2 June 2015**

**122. On 2 June 2015, a statement was taken from DC Wayne Parker by DSI Brian Dodd in your presence (PIRC-00024). When a statement is taken "in the presence of" a PIRC investigator, what is that investigator's role within the interview? May that investigator ask questions of the witness? If so, did you ask any questions of DC Parker within this interview and what lines of questioning did you seek to explore with DC Parker?**

When a statement is taken "in the presence of" a PIRC investigator, the investigator's role is purely there for corroboratory purposes. An investigator may ask questions of an individual however on this occasions I did not. DSI Dodd asked all the questions.

**123. Within his statement (PIRC-00024), at page 3, DC Parker refers to the seizure of Collette Bell's home at Arran Crescent. Was DC Parker asked within his interview to clarify the legal basis upon which this property was seized? What was your understanding of the legal basis upon which the property was seized?**

I cannot recall if DC Parker was asked to clarify the legal basis upon which the property was seized. I think if it had been asked, DSI Dodd would have recorded this within the statement.

**124. Within his statement (PIRC-00024), at page 4, DC Parker refers to a statement being taken from Collette Bell shortly after she had been informed of**

DocuSigned by:  


Signature of Witness.....

**Mr Bayoh's death. Was DC Parker asked within his interview why he chose to take a statement from Collette Bell at this time? Do you consider it appropriate for a statement to be taken from a family member of a deceased in these circumstances? If not, why not?**

Similar to the previous question I cannot recall if DC Parker was asked why he noted a statement from Collette Bell at that time. Whether it is correct to take a statement from a person at that time under these circumstances is a judgement call. Personally speaking if I can obtain a statement at a later date then I will.

**125. On 12 June 2015, the terms of reference for PIRC's investigation were expanded by COPFS (COPFS-04010(a)) to include:**

***Allegations by the family that they were provided with misleading and erroneous information concerning the death of Mr Bayoh to family members and a concern as to why they were provided with that information.***

**After PIRC's terms of reference were so expanded, what consideration, if any, was given to taking a further statement from DC Parker to further explore the information he and DC Mitchell passed to Mr Bayoh's family on 3 May 2015?**

I had no involvement in that decision making process. This would have been for those in charge of the investigation to make.

**3 June 2015**

**126. Your PIRC statement (PIRC-00309), at page 5, refers to the creation of an interview strategy to be used when interviewing the officers involved in the arrest of Mr Bayoh. Was the strategy you created that set out in PIRC-04182? Why did DSI Little task you with responsibility for creating this witness interview strategy? Prior to 3 June 2015, had you been responsible for creating witness interview strategies for other PIRC investigations? Was it standard practice for PIRC to obtain statements from witnesses using a document of this nature?**

The strategy set out within PIRC-04182 is the one that I created for the officers interviews. I was asked to prepare the strategy due to my experience within the police as an interview advisor. It is not uncommon for interview strategies to be created as it is good practice and ensures that all points required are covered throughout the noting of the statement. Prior to June 2015 I had carried out a number of interviews using prepared strategies. I would say that the strategy used in this investigation was more detailed and took longer to prepare.

**127. How did you go about the task of creating the witness interview strategy (PIRC04182)? Upon what information did you base the questions set out within the witness interview strategy? What, if any, assistance did you receive from other PIRC staff in relation to the witness interview strategy?**

I have previous experience as an SIO and due to this I knew what was expected from interviews of this type. Preparation and planning before an interview is vitally

Signature of Witness.  .....

important. I had access to all the PIRC statements and documents and after completing the strategy I gave it to PIRC management to add their input. I cannot recall if any amendments were made by management to my original strategy.

**128. Upon what information was the summary of the incident set out on page 2 of the witness interview strategy (PIRC-04182) based? Based on the information that you held on 3 June 2015, how confident were you that this was an accurate account of events? How was this summary to be used by PIRC’s investigators when taking statements from the officers?**

From memory the summary used was that of what the investigation team had been informed during the daily briefings. As the officers that were to be interviewed were the ones that dealt with Mr Bayoh on 3 May 2015, their account of the events were unknown which meant that PIRC could only make an opinion on the information they had at that time. The summary was a brief guideline, and the questions that were to be asked were done so to establish what occurred that morning.

**129. The witness interview strategy (PIRC-04182), at page 3, refers to the process to be followed in the event an officer incriminated themselves in the course of the interview. How unusual is it for considerations of self-incrimination to be included in a witness interview strategy of this nature? What impact, if any, did these considerations have on the drafting of the witness interview strategy and the questions that were to be asked of the officers?**

It is common practice for interviewing officers to be made aware of what is expected of them in the event of self-incrimination. This ensures that the interviews are carried out in a confident and professional manner. This had no impact on what the officers were to be asked during their interviews.

**130. The questions contained within the witness interview strategy (PIRC-04182) largely focus on the “what”, “when”, “who” and “where” of the circumstances of the incident. Only two questions ask the officers “why” certain actions were taken – why use of force and CS/PAVA forms were not completed and why there are no entries in the officers’ notebooks in relation to the incident. When preparing to take the officers’ statements, was consideration given by PIRC to asking the officers why they took certain decisions or chose particular tactical options in responding to the incident involving Mr Bayoh? If not, why not?**

As mentioned in my reply to Q.127 I completed the strategy and it was forwarded to management who had the opportunity to add further questions if they felt it necessary. All investigators were informed that the strategy was a guideline and that they should not feel inhibited to explore in detail further information, opinions and attitudes. It is also common for witnesses to be interviewed on a number of occasions which could have been arranged if management were of the opinion that the officers were required to be ask why they made certain decisions or chose a particular tactical option.

**131. The Police Service of Scotland (Conduct) Regulations 2014, within Schedule 1, identify that as part of the Standards of Professional Behaviour with which officers require to comply:**

Signature of Witness.  .....

**Constables use force only to the extent that it is necessary, proportionate and reasonable in all the circumstances.**

**How important is understanding why officers took certain decisions or chose particular tactical options to a determination as to whether or not a use of force was necessary, proportionate and reasonable in all the circumstances?**

I consider it is important to obtain all details of the incident from the officers including decision making and tactical options and reason for using same.

**132. There are no questions relating to the impact that Mr Bayoh’s race may or may not have had on the officers’ response to the incident. What consideration, if any, was given to including questions within the witness interview strategy in this regard?**

I had no reason for believing that Mr Bayoh’s race had any impact on the incident and I did not consider referring to this within the strategy.

**133. The minutes from PIRC’s morning briefings (PIRC-04156), at page 40, with reference to an update that DSI Little provided, state:**

***A generic interview plan has been completed by IO Sinclair. Everyone has to do their own individual reading for their specific officers to add to the generic plan.***

**What material did investigators require to read in addition to the witness interview strategy when preparing to interview the officers?**

There was no specific document that the investigators were requested to refer to. The interviewing investigators had access to the majority of the investigation statements and documents and they were required to complete their own research for their respective interviews.

**134. The minutes from PIRC’s morning briefings (PIRC-04156), at page 40, identify that there would be a “further meeting this afternoon to discuss tomorrow’s interviews”. Did you have any discussions with other PIRC staff in relation to the lines of questioning to be explored with the officers? If so, what was discussed? With whom did you have those discussions?**

I cannot recall if a further meeting took place that afternoon and if so what was discussed.

**135. What is the importance of PIRC being in receipt of operational statements of police officers involved in the death of a person in police custody? Specifically, what was the importance to this investigation?**

It is important for PIRC to be in possession of operational statements to establish what each officer’s recollection is of the incident. It also allows the investigation to compare these statements with other evidence already obtained i.e. CCTV, bodycam footage,

DocuSigned by:   
Signature of Witness. ....

other statements obtained from witness, forensic evidence, etc. In relation to the officers failing to provide statements at the time this would have had an adverse effect on the investigation.

**136. Had you dealt with a situation prior to May 2015 in which officers did not provide statements for several weeks after an incident? What was the outcome? Have you dealt with such a situation since May 2015? What was the outcome?**

I had not dealt with a situation prior to May 2015 where a group of officers had failed to provide their statements to PIRC for several weeks after the incident. Occasionally there has been a delay in an officer submitting a statement due to leave or sickness reasons but not to the level where a whole group of officers have refused to submit their statements.

**4 June 2015**

**137. On 4 June 2015, you took a statement from PC James McDonough (PIRC-00273). In the process of this statement being taken from PC McDonough, what, if any, contact did you have with your colleagues from PIRC who were taking statements from other officers on 4 June 2015 to allow the accounts received from the officers who attended Hayfield Road to be compared and contrasted for any gaps or inconsistencies? If you did have such contact with your colleagues, in what way did that influence the lines of questioning that were put to PC McDonough when taking his statement?**

I did not have contact with any other officers during the 4 June 2015 where I discussed and compared any contrasts in the statements that were being obtained.

**138. Following a death in custody or a death following police contact, was it common for officers to be re-interviewed by PIRC after they had already been interviewed by PIRC? After PC McDonough’s PIRC statement had been obtained (PIRC-00273), did you consider that there were any matters that required to be clarified with PC McDonough? If so, what were these matters?**

It is common practice for officers to be interviewed by PIRC on a number of occasions. As an investigation progresses additional information is received that you may wish to ask an officer/s opinion about. Whether PC McDonough should have been reinterviewed to discuss certain points was a decision for the management team.

**139. Did PIRC compare and contrast the statements received from the officers that attended Hayfield Road to identify areas of consistency and inconsistency? What involvement, if any, did you have in this process?**

I would expect that all the statements were read and compared however I did not take part in this process.

**140. What consideration, if any, was given to taking further statements from the officers to question inconsistencies between their respective accounts? Why**

DocuSigned by:   
Signature of Witness. ....

**were further statements not taken from the officers to clarify inconsistencies between different witnesses' accounts?**

These decisions would have been taken by the Management Team.

**141. After PC McDonough provided his statement, PIRC's terms of reference were expanded by COPFS to look at whether there was inappropriate conferral between police officers and to investigate issues of race and conduct. What consideration, if any, was given to obtaining further statements from the officers that attended Hayfield Road to explore these areas with the officers? Why was it decided that further statements did not require to be obtained? Whose responsibility was it to decide if further statements required to be obtained from any of PIRC's witnesses?**

Again these were decisions made by the Management Team.

**19 June 2015**

**142. The minutes from PIRC's morning briefings (PIRC-04156), at page 60, with reference to an update that you provided, state "IO Sinclair to attend Gartcosh re drugs update". What did this refer to? What involvement did you have in relation to this aspect of the investigation? What was the significance of this to PIRC's investigation? 26 June 2015**

I cannot recall the exact specifics of that morning briefing, however I was the productions officer during the investigation, and as I have mentioned previously I attended the SPA, Gartcosh on a number of occasions depositing and uplifting productions from there.

**26 June 2015**

**143. The minutes from PIRC's morning briefings (PIRC-04156), at page 67, with reference to a discussion between SI McSporran and DSI Little in relation to the "CCTV in the yard in Kirkcaldy Police Office", state:**

*The CCTV does not work*

*Need to establish why it's not working / for how long / and why it's not been fixed*

*SI Sinclair to deal with this*

**What issue was identified in relation to the CCTV at Kirkcaldy Police Office? What steps did you take to investigate this? What were the results of your investigation in this regard? What was the significance of this to PIRC's investigation?**

In relation to the CCTV. On 26 June 2015 I attended at Kirkcaldy Police Station where I seized four CCTV master discs and four working copy discs (Prod No) PIRC 010515/

DocuSigned by:  


Signature of Witness.....



559-566 refers. I lodged these as productions and informed management of this. I cannot say the significance of the discs to the investigation.

**30 June 2015**

**144. The minutes from PIRC's morning briefings (PIRC-04156), at page 72, with reference to an update that you provided, state:**

***Issue highlighted with PC Walker's notebook. The one within his stab vest finished 26/04/15, so we need to confirm where the other notebook is.***

**What issue was identified in relation to PC Walker's notebook? What steps did you take to investigate this? What were the results of your investigation in this regard? What was the significance of this to PIRC's investigation?**

The reason I mentioned the notebook within PC Walker's stab vest finished on 26/04/15 was I was aware that he would have needed a current notebook and PIRC required to examine it.

On 8 July 2015 Investigator John McAuley uplifted the current notebook of PC Walker. I had no involvement in this and I am unaware if it had any significance in the PIRC investigation.

**145. An action to re-interview PC Walker in relation to his two notebooks was raised on 29 June 2015 (PIRC-03180). On 5 January 2016, the action was "referred", and it was stated that there was no need to interview PC Walker in this regard. What steps, if any, were taken to re-interview PC Walker in this regard between 29 June 2015 and 5 January 2016? What involvement did you have in this aspect of the investigation? Why was no further statement taken from PC Walker?**

I did not have any involvement in reinterviewing PC Walker and I am unaware why another statement was not taken.

**2018**

**146. On 11 January 2018 you took an additional statement from Chief Inspector Nicola Shepherd (PIRC-00209). On 12 January 2018 you took an additional statement from DS Campbell (PIRC-00217). On 18 January 2018 you took an additional statement from Chief Inspector Conrad Trickett (PIRC-00123). On 22 January 2018 you were present when an additional statement was taken from Dr Gillian Norrie (PIRC-00283). On 23 January 2018 you took an additional statement from Chief Superintendent Garry McEwan (PIRC-00182). All five statements were taken at the direction of COPFS. What was the purpose of taking these additional statements from CI Shepherd, DS Campbell, CI Trickett, Dr Norrie and Ch Supt McEwan? Why were these areas not covered within the witnesses' previous PIRC statements?**

Signature of Witness.  .....

It is not uncommon for additional information to arise that you want to ask a witness about. Management decide on those witnesses that are required to be interviewed and the questions that have to be put to them. As an investigator I am tasked to interview these witnesses and ask the specific questions.

**147. How did you determine which lines of questioning to explore with the witnesses within these statements? Did you explore any lines of questioning with the witnesses beyond those set out within the prior email exchange between Alasdair MacLeod, COPFS, and DSI William Little (PIRC-02719)? If so, what additional lines of questioning did you explore with the witnesses? Were you made aware of COPFS's instructions in relation to the matters raised within William Little's email to Alasdair MacLeod on 4 January 2018 at 14.49 (PIRC-02719), prior to taking statements from the relevant officers?**

The lines of questioning were provided to me by DSI Little. I did not explore any other lines of questioning. I cannot recall being made aware of the contents of the email between DSI Little and Alasdair MacLeod.

**148. How common is it for PIRC to take further statements from witnesses at COPFS's direction? Does the need to obtain further statements from witnesses at COPFS's direction indicate any oversight on PIRC's part when taking the original statements? If not, why not?**

It is not uncommon for COPFS to direct PIRC to obtain additional statements from witnesses. It does not necessarily mean this has been an oversight on PIRC's part. Further information may have been gained by COPFS during their enquiries and as a result of this, witnesses are required to be reinterviewed.

**Investigation overall**

**149. On 10 August 2016, PIRC submitted its report to COPFS. Did you have any involvement in writing the report? If so, what was your involvement?**

I had no involvement in writing the PIRC report.

**150. Your PIRC statement (PIRC-00309), at page 6, makes reference to your management of productions throughout the investigation being recorded within various production register books. Please can you confirm [REDACTED] the complete production register [REDACTED]**

There were 13 production registers used during the investigation. All of these are contained within the one production number [REDACTED]. The various production register books [REDACTED] [REDACTED] [REDACTED] were completed by Investigator William Davidson and myself.

**151. Were you content with the support and direction that you received from your colleagues at PIRC, including colleagues in positions senior to you, throughout the investigation? If not, why not?**

DocuSigned by:  
[REDACTED]

Signature of Witness. [REDACTED] .....

The investigation was extremely demanding for everyone within the organisation however I was fully supported by my colleagues and management throughout.

**152. What roles did Irene Scullion (Head of Investigations), John Mitchell (Director of Investigations) and Kate Frame (Commissioner) play in the management of the investigation? What level of oversight did they have over the investigation? How was that oversight maintained?**

All three regularly attended the daily briefings and as far as I was aware met with other line managers to offer advice and guidance and discuss the investigation as it was ongoing.

**153. Who at PIRC do you consider was ultimately in charge of the investigation following the incident involving Mr Bayoh? Please explain why you hold this view.**

My understanding is that HOI McSporran was in charge of the investigation and his deputy was DSI Little.

**154. Beyond the points covered above, what further involvement, if any, did you have in the investigation?**

I had no further involvement in the investigation other than what I have been asked about.

**155. How diverse was PIRC as an organisation in 2015? How has the level of diversity at PIRC changed between May 2015 and now, if at all?**


PIRC has always attached high value to diversity and working to eliminate unlawful discrimination. All staff currently complete a yearly online Equality, Diversity and Inclusion training course.

**156. Who was responsible for diversity and inclusion matters at PIRC in 2015? Who is responsible for such matters now?**

In 2015, yes PIRC staff had received Diversity training however I would say it was down to the individual investigator to deal with diversity and inclusion matters as they saw fit.

Now all staff have to complete a yearly online equality and diversity course and PIRC have developed an equalities outcomes policy. This requires PIRC as a public body to have due regards regarding conduct prohibited by the Equality Act 2010.

**157. Has any PIRC policy or practice relating to equality and diversity changed following the Bayoh investigation? If so, which policy or practice has changed and in what way?**

DocuSigned by:   
Signature of Witness. ....

Since 2016 PIRC have been working towards delivering against a number of Equality outcomes namely ;

1. PIRC staff are more aware of Equality and Diversity.
2. PIRC will ensure equal access to employment, training and development opportunities.
3. PIRC will make its services equally accessible to all who may require the service.
4. PIRC will reflect equality considerations in the work that it does.

**158. Was anything you have stated above done or not done because of Mr Bayoh's race?**

Nothing I have said was done or not done as a result of Mr Bayoh's race.

**159. Prior to 3 May 2015, what experience, if any, did you have of investigations of deaths in custody or deaths following police contact in which the deceased was someone from an ethnic minority? Since 3 May 2015, with the exception of the investigation following the death of Mr Bayoh, what experience do you have such investigations?**

Prior to May 2015 I had not dealt with a death in custody where the deceased was from an ethnic minority.

In June 2020 I was scene manager during a death following police contact when Badreddin Abdalla Adam was shot by an officer of Police Scotland within the Park Inn, West George Street, Glasgow.

**160. Prior to 3 May 2015, what experience, if any, did you have in deaths in custody or deaths following police contact in which race was a factor to investigate? As at 3 May 2015, had you ever acted in a PIRC investigation in which the issue of race was within your terms of instruction?**

I have never worked on an investigation where the issue of race was within the terms of instruction.

**161. Prior to 3 May 2015, had PIRC ever considered the issue of race within an investigation? If so, in what way was race a consideration? With the exception of the investigation following the death of Mr Bayoh, has PIRC considered the issue of race within an investigation since 3 May 2015? If so, in what way?**

Prior to 3 May 2015 I am unaware of a PIRC investigation where the issue of race was considered. I have not been involved in a PIRC investigation since May 2015 where the issue of race was considered.

**162. When PIRC's terms of reference were expanded by COPFS to include issues of race, what involvement, if any, did you have in this aspect of PIRC's investigation?**

DocuSigned by:   
Signature of Witness. ....

When PIRC's terms of reference were changed any issues this would have caused would have been discussed by management and dealt with accordingly.

**163. Prior to the instruction from COPFS to investigate issues of race, had you or anyone at PIRC given consideration to race being a factor in the incident? If so, in what way? If not, why not?**

Prior to the instruction from COPFS to investigate issues of race I was not aware of a suggestion that there was an issue and although consideration of this would have been on my mind no information was received regarding this.

**164. Is the race or ethnicity of a deceased person automatically considered by PIRC as part of an investigation following a death in custody or a death following police contact? If so, in what way? If not, is the deceased's race or ethnicity only considered when directed by COPFS?**

Every aspect of a death in custody or death following police contact is considered as part of a PIRC investigation including race and ethnicity. This would involve the deceased as an individual and consideration for any cultural issues that may arise. Likewise if PIRC received any information that an individual's race had played a part in the way that they were dealt with by the police this would also have a major significance on the investigation.

**165. As at 3 May 2015, did PIRC record the race or ethnicity of the deceased person who was the subject of an investigation following a death in police custody or death following police contact? If so, how was such information recorded? If this information was not recorded, why was this? Have PIRC's procedures for recording a deceased person's race or ethnicity changed since 3 May 2015? If so, in what way?**

I am unaware if in May 2015 PIRC had anything in place for recording the race or ethnicity of a deceased person who was the subject of a PIRC investigation. My understanding now is that these details are now retained and collated by PIRC administration.

**166. What training had you completed by 3 May 2015 in relation to equality and diversity issues, or in relation to unconscious bias? What did this training involve? Which aspects of this training, if any, were applicable to your role? Would you have benefited from additional training in this regard? If so, in what way?**

On 23 October 2014 I received Equalities training within the PIRC office. This was within a group and was a classroom style session. I did not receive any unconscious bias for employees training at this time however I do currently complete this course yearly on line. I feel that in May 2015 I had a broad understanding of diversity and unconscious bias and do not think any additional training at that time would have made me do anything differently.

DocuSigned by:   
Signature of Witness. ....

**167. Did you have any training during your time at PIRC in relation to investigating an allegation of race being a factor in an incident that was subject to a PIRC investigation? Would you have benefited from additional training in this regard? If so, in what way?**

I had no previous training in relation to investigating an allegation of race being a factor during a PIRC investigation. I feel that I have a broad understanding of this however I am open to any training that may benefit me in carrying out my role.

**168. What guidance or reference materials in relation to race were you aware of being available to you on 3 May 2015, had you wished to consult these? Would you have benefited from additional materials being available to you? If so, in what way?**

I am not aware of any guidance or reference materials being available to me in May 2015.

**169. What guidance, if any, do you recall receiving from senior members of staff at PIRC in relation to PIRC's investigation of issues of race?**

I cannot recall at that time any management providing me with guidance in relation to a PIRC investigations where there might be an issues of race, however in saying that up until that point I had not been involved in any such PIRC investigation.

**170. Do you think you and PIRC were sufficiently equipped to investigate issues of race relating to deaths in police custody or deaths following police contact on 3 May 2015? Please confirm why this is your view.**

I do think PIRC and myself were sufficiently equipped to investigate issues of race relating to deaths in police custody and deaths following police contact. The majority of staff who attended Kirkcaldy on 3 May 2015 were extremely experienced as were the investigation team who were involved thereafter. Most of these staff had received diversity training.

**171. With particular reference to the issue of race, is there anything you have stated above that, knowing what you know now, you would have done differently?**

In relation to the issue of race I cannot think of anything else that I would have done differently during the investigation.

**Report keeping**

**172. In addition to your notebook (PIRC-04186), what, if any, other notes did you take during the investigation? Were the notes within your notebook completed contemporaneously? For what purpose do you use your notebook within your role? What were PIRC's requirements for you to take contemporaneous notes of your actions and decision making during an investigation?**

DocuSigned by:   
Signature of Witness. ....

I cannot recall taking any additional notes other than the ones recorded within my notebook. These notes were completed contemporaneously or as soon as I practically could. Every PIRC staff member was and still is issued with their own personal notebooks, each one having its own serial number. These are to be used for taking notes as that investigator thinks is appropriate. These can be lodged as a production during investigations.

**Miscellaneous**

**173. Knowing what you know now, is there anything you would have done differently within this investigation?**

I cannot think of anything that I would have done differently during the investigation.

**174. Knowing what you know now, is there anything you feel PIRC as an organisation should have done differently within this investigation?**

I cannot speak for management who may be aware of issues that occurred that they would have dealt with differently but from a personal point of view I do not think there is anything that PIRC should have done differently.

**175. Since PIRC's investigation was completed what, if anything, have you discussed with your colleagues at PIRC in relation to Mr Bayoh's death and the subsequent investigation? Do you think your recollection has been affected at all by these discussions?**

Once the PIRC report was submitted I was aware of additional enquiries being requested by COPFS. These were managed by DSI Little. On occasions DSI Little did speak to me regarding these actions.

The investigation and Public Inquiry has received a lot of media attention and there has been general chat regarding this within the organisation. Notwithstanding all of this I do not think my recollection has been affected in any way.

**176. What, if anything, have you seen or read about Mr Bayoh's death, the subsequent investigation and the Inquiry within the media? Do you think your recollection has been affected at all by what you have read in the media or have seen in the Inquiry evidence?**

See my answer to question 175.

**177. You completed a PIRC statement covering your involvement in the investigation (PIRC-00309). Please confirm that the content of this statement is true and accurate. Was your recollection of events better when you completed that statement than it is now? Should there be any discrepancy between the content of your PIRC statement and this statement to the Inquiry, which account should be preferred?**

DocuSigned by:   
Signature of Witness. ....

The content of my statement (PIRC-00309) which I completed on 24 June 2015 is true and accurate. After the 24 June 2015 I did note a number of statements from witnesses in relation to the investigation.

I would say my recollection of events is a lot clearer then than it is now.

**178. The Inquiry's Terms of Reference are contained within Annex B. If there is anything further that is relevant to the Terms of Reference which you are aware of, but you have not included in your answers to the above questions, please provide detail as to this.**

I have no additional information to add

**179. Please include the following wording in the final paragraph of your statement: "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"**

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.

DocuSigned by:  Signature of Witness. .... Date ..... December 27, 2023 | 9:14 AM GMT