

NOT FOR FURTHER DISSEMINATION/DISCLOSURE

OPENING STATEMENT

On behalf of

SERGEANT SCOTT MAXWELL

PC DANIEL GIBSON

PC JAMES MCDONOUGH

Scott Maxwell, Daniel Gibson and James McDonough welcome the opening of this public inquiry.

The events of 3 May 2015 have had a lasting impact on the family and friends of Sheku Bayoh. The loss of their loved one has changed their lives forever. Mr Maxwell, Mr Gibson and Mr McDonough wish to extend their sympathy to Mr Bayoh's family and friends. They appreciate that may be cold comfort, but nonetheless it is heartfelt on their part.

The past seven years have presented challenges for all those affected by what happened at Hayfield Road on 3 May 2015 and in its aftermath. The events have had a lasting impact on the police officers who attended at Hayfield Road that day as well as on their families. At that time, Scott Maxwell was an acting sergeant. Daniel Gibson had three years service. James McDonough was only a few months into his service as a police constable. Turning up for work on a Sunday morning, none of them could have imagined how that day would pan out. The Inquiry will hear of the officers' concern for Mr Bayoh, their shock at his collapse and their distress at news of his death.

The Inquiry will rightly scrutinise officers' decisions and actions. What happened on 3 May will be picked over in great detail over the coming weeks and months as the Inquiry goes about its task. With the benefit of hindsight, the Inquiry has the opportunity to examine the officers' every thought, every decision, every action and the reasons behind them.

But in that detailed examination, it is important to remember that from the moment the police controller relayed the first call from a member of the public about an ongoing disturbance

involving a male armed with a knife, to the moment the ambulance was called for Mr Bayoh, was less than nine minutes.

Each officer who attended was required by their public duty to do so, no matter the danger they may have faced. As well as further calls from the public corroborating the initial report about a man with a large knife, once Sergeant Maxwell, PC Gibson and PC McDonough were en route, they each heard a colleague's emergency button being activated and the message communicated – "Officer injured". At that point they did not know what had happened, which of their colleagues may have been injured, or how seriously. On arrival they needed to assess the situation and respond immediately. The Inquiry should not lose sight of the fact that these men were having to assess risk and make decisions in real time in a dynamic, evolving situation, often in a split second.

That there was such a tragic outcome following the restraint of Mr Bayoh is something they would wish to but cannot change. However, Sergeant Maxwell, PC Gibson and PC McDonough believe that they acted that morning in accordance with their duty as police officers, and in accordance with their training.

It has taken a long time for this Inquiry to be announced and to get underway. The passage of time has weighed heavily on each of the officers. They, along with their colleagues, have been subject to much public and media comment and speculation over these years to which, as serving officers, they cannot reply.

Their hope now is that this will be a thorough and transparent process. They want the Inquiry to hear from all relevant witnesses to the unfolding events of 3 May 2015 and for the full facts to be aired.

All statutory public inquiries are set up because there is a matter of public concern. It is therefore important too that the public has the opportunity to hear and see a full account of the evidence which will be available to the Inquiry and upon which the Chair will ultimately reach his conclusions and recommendations.

Everyone with an interest in this Inquiry now has to place their trust in the Chair. Sergeant Maxwell, PC Gibson and PC McDonough are prepared to accept the scrutiny. They have

indicated from the outset of the Inquiry that they want the Chair to get to the truth of what happened and why, and that they will do whatever is properly asked of them to facilitate that outcome.