

Cate Devine

Chefs creating burgers now talk of building up layers of flavour, just as they do in Michelin-starred kitchens.

INSIDE TRACK - PAGE 15



Robert McNeil

Whether I come back as a man, woman or asparagus, I would never like to give birth.

OPINION - PAGE 16

Matthew Lindsay

Perhaps, then, it is time for a rethink. A new system could ask different questions and test sides in new ways.

SPORT - PAGE 18



# Hundreds join march over custody death

## Family of Sheku Bayoh set to meet Chief Constable

MURRAY SPOONER  
NEWS REPORTER

HUNDREDS of people have taken part in a march in support of the family of Sheku Bayoh as they prepare to meet Police Scotland's Chief Constable for the first time since his death in police custody.

Father-of-two Mr Bayoh, 31, died after being restrained by officers responding to reports of a man carrying a knife in Kirkcaldy on May 5.

His partner Collette Bell and relatives joined hundreds of people on a march through the Pife town on Sunday.

Family solicitor Aamer Anwar said the support showed that their campaign for justice is not going away and they plan to take it to Holyrood, Westminster, party political conferences and trade union meetings across the country.

The Police Investigations and Review Commissioner (Pirc) has submitted its initial findings on the case to the Lord Advocate.

A post-mortem examination proved inconclusive and his family have raised concerns that experts called in by investigators may blame a medical condition known as excited delirium, which has been cited in other custody deaths.

It is used to describe the state of a person who, as a result of mental illness or drug use, becomes agitated, violent and displays extreme strength.

There was previous controversy when it emerged that there was a 32-day delay before the officers



TALKS: Sir Stephen House had previously faced criticism.

involved provided statements to Pirc about the incident.

Mr Bayoh's family will meet Sir Stephen House today for the first time to raise concerns over the death and subsequent investigation.

Sir Stephen has previously faced criticism for not meeting the family in the four months since the death.

Mr Anwar said: "I would hope that the meeting will be positive, I expect it to be a very robust one."

"The family do welcome the fact that the Chief Constable, despite announcing his resignation, has had the courage to say that he will meet the family.

"It's an important step forward and the family want the Chief Constable to see what they have been through and to raise concerns.

**The Chief Constable, despite announcing his resignation, has had the courage to say that he will meet the family**

"In a few weeks time there will be a new Chief Constable. I understand there will be other senior officers in the meeting, it may be that one of them will be the next Chief Constable and the family want them to know that they are not going away and they hope Police Scotland learn lessons from the death of Sheku Bayoh."

The family were joined by Stuart Graham, stepfather to Colin Marr, 23, who died from a single stab wound through his heart at a house in Lochgelly in July 2007.

Fife Constabulary decided the injury was self-inflicted and closed the case, but Mr Marr's family fought a five-year campaign for a fresh probe by another police force.

Also present were Zahid Saeed, father of Mikaeel Kular, and David Bryant, whose 24-year-old nephew Allan Bryant has been missing since he vanished after a night out in November 2013.

Mr Bryant said: "It's very significant because Sheku Bayoh's family need answers and do need justice sooner rather than later because the longer it goes, the harder it becomes. It's killing them inside, they are broken and empty and they are suffering more than enough."

Pirc said that all lines of inquiry are being explored to establish the circumstances of trainee gas engineer Mr Bayoh's death.

Police Scotland said they await the conclusion of the Pirc investigation and remain committed to co-operating fully with the body's inquiries.



UNITED: Sheku Bayoh's partner and relatives were among those leading the march. Picture: Julia Howde

## Experts wage online war against IS Fraud showing 'resurgence' as losses increase

INTERNET investigators have described how they are locked in a "cat and mouse game" with Islamic State as they attempt to dismantle the terrorist group's vast online propaganda machine.

Officers face a "huge challenge" as thousands of supporters and operatives shift from one platform to another, according to a senior expert on a specialist Euro-

pean unit established to target terrorist material on social media and other sites.

The EU Internet Referral Unit has identified 500 pieces of content, mostly relating to IS, in the two months since it was set up by Europol in July.

Referrals are passed to internet firms, who then decide whether the material should be removed. In more than 90 per cent of the cases,

the content, such as videos of executions, has been deleted.

Officials estimate that there are more than 50,000 Twitter accounts used by supporters of IS. As many as 100,000 tweets or other social media responses are being produced every day.

The expert, who cannot be named, said the battle against terrorism must be fought online as well as offline.

CONSUMERS and businesses are being warned to be vigilant against fraud as an accountancy firm found that nearly £2 million of fraud has been reported over a six-month period in Scotland.

The total value of reported fraud between December 2014 and May 2015 across the UK was £798 million, marking an increase of nearly

£80m compared with the same period the year before, according to BDO.

Kaley Crossthwaite, partner and head of fraud at BDO, said: "Our analysis shows a resurgence in reported fraud, indicating that people are still not being vigilant enough and need to step back and think about how they personally or their business is susceptible to fraud."

She said that with the recently introduced pension freedoms allowing people more access to their cash, there is a risk that cases of "too good to be true" investment scams may increase.

Frauds covered in the report are those that have been declared publicly, such as in the news or issued from a business.

Within the latest figures,

frauds committed by or for pensioners cost UK organisations more than £46m, BDO Common frauds including changing a supplier's details to a friend or family member's bank details.

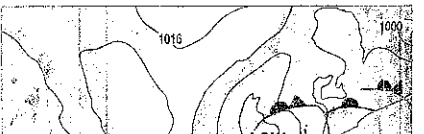
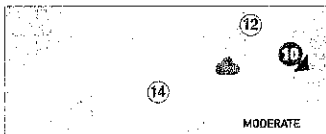
Ms Crossthwaite said organisations need to be on the lookout for "new trends" including employees and contractors being created.

## WEATHER

### 24 HOUR FORECAST

General situation: High pressure centred over the UK will give predominantly dry and settled conditions, but a good deal of cloud for most areas. Light winds, but a little breeze across the Northern Isles

Outlook: Tomorrow will be largely dry with sunny intervals, lightest in the west. The next couple of days will also be mostly dry with variable cloud. Turning a little warmer, but also breezier.

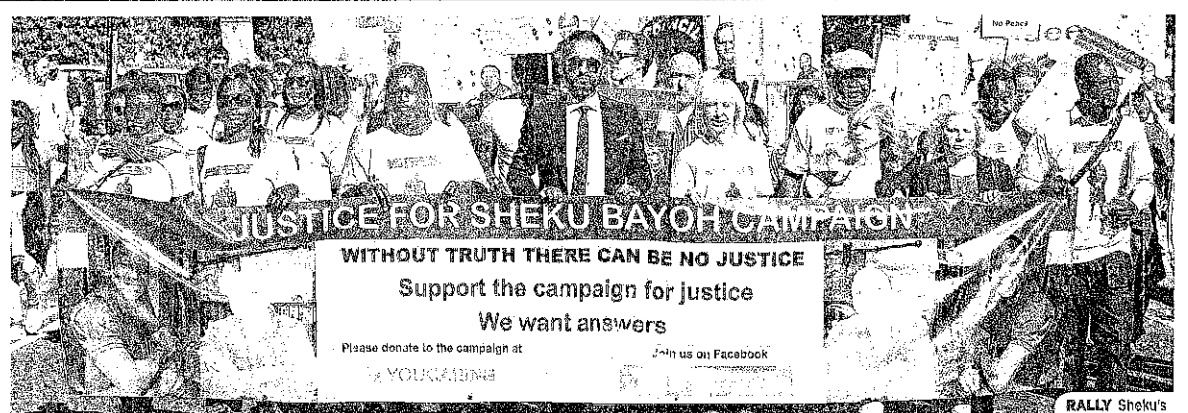


### Small firms in profits drop

CONFIDENCE has fallen among small businesses in Scotland as revenues and profits drop, a survey has found. But most firms still intend to recruit staff, according to the Federation of Small Businesses.

### Cops rapped over attack

ELEVEN Israeli police officers were disciplined yesterday over a stabbing spree at Jerusalem's Gay Pride parade by a man who had been flagged as a threat. A girl, 16, was killed.



RALLY Sheku's family and friends march through Kirkcaldy Picture: David Johnstone

# 400 TAKE TO STREETS ON MARCH FOR SHEKU

## Sister accuses police of battery as supporters demand answers

**BY SARAH VESTY**  
s.vesty@dailyrecord.co.uk  
**THE sister of a man who died in police custody yesterday claimed officers "battered my brother to death".**

Kadijatu Johnson and her family marched through Kirkcaldy with 400 people demanding to know the truth about Sheku Bayoh's death.

The families of missing Five man Allan Bryant and the late Colin Marr also joined in the march after claiming they were let down by the police.

The protest, which, paused briefly outside the town's police station, marked 18 weeks since the dad of two died in custody after an altercation with officers on May 3.

His partner Collette Bell - who is the mum of Sheku's youngest son Isaac - thanked everyone for coming while Kadijatu expressed her anger.

She said: "Nine police officers were on top of him. That's not procedure, that's not protocol. They battered my brother to death as you can see from



**GRIEF** Collette with friends and family at rally for Sheku, left, who died in custody

the photos. So we are standing in solidarity to fight for justice. "Police Scotland need to answer to us, they need to tell us how they killed Sheku. We will not rest until we get answers." Allan's uncle David Bryant,

who was with the missing man's mum Marie, said: "We're here to support Sheku's family knowing how hard it is to get anything done due to the slow process of the police."

Stuart Graham, stepdad of Colin Marr, who died from a stab wound in 2007, also pledged support.

An inquiry into Sheku's death is ongoing and the family are due to meet Chief Constable Sir Stephen House today.

# 50%

# Police chief to meet the grieving family of Bayoh

Discussion likely to be 'very frank and very robust' says family's lawyer

BY GREG RUSSELL

**R**ELATIVES of Sheku Bayoh, who died four months ago after he was restrained by police, will finally meet outgoing Chief Constable Sir Stephen House today.

Bayoh, 31, a father of two, died on May 3 and his death is being investigated by the Police Investigations and Review Commissioner (Pirc).

Family lawyer Aamer Anwar said it was likely to be a "very interesting meeting".

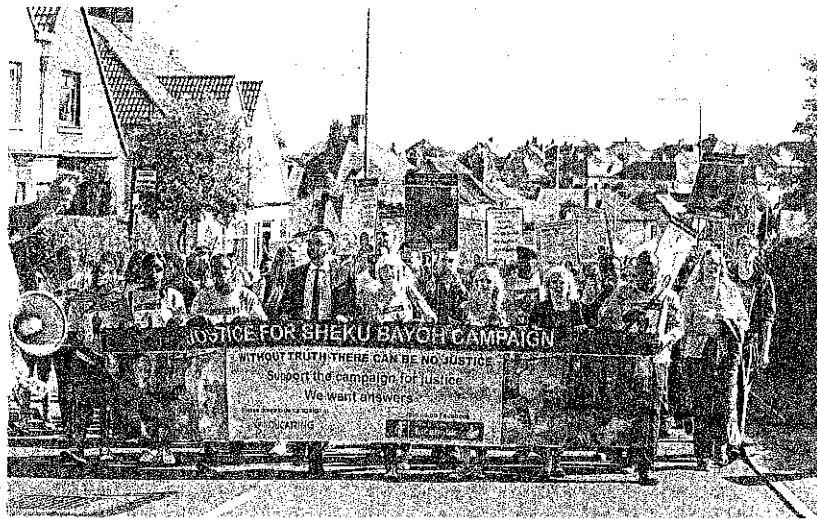
He told The National: "Obviously the family welcome the fact that the chief constable has offered to meet with them."

"I suspect to a certain extent Mr House's hands are tied in that he can't comment publicly - and he stated as much in his resignation speech - because there are ongoing Pirc inquiries, but we expect tomorrow's discussion to be very frank and very robust."

"The family will be wanting answers - I suspect he can't give all the answers at this point in time - but the family want to meet with the chief constable face to face so he understands what they have gone through."

"This was triggered as a result of the fact that the chief constable had met with all of the nine police officers [involved in restraining Bayoh] and the family were told it would be prejudicial to meet with them."

"As a result the family were enraged, they felt insulted and were further distressed by those ac-



A march in Kirkcaldy showed the town's support for the family of local man Sheku Bayoh

tions, so it's a welcome opportunity." He added: "It is an important step forward that the chief is willing and able to hear those concerns along with his most senior officers, even if he cannot at this stage comment publicly."

"[Sheku's] family hope for a positive outcome from this meeting."

The news of the meeting comes after hundreds of people marched through Kirkcaldy yesterday in support of the Bayoh family. Around 300 people chanting "We want justice" and "Justice for Sheku" walked from the Town House to Gallagher's

pub, just yards from Hayfield Road where police restrained Bayoh on the day he died, 18 weeks ago yesterday. Anwar said the march and rally would be a stepping stone for the next stage of the family's campaign for justice.

"The campaign is going to take the family from Holyrood to Westminster in the next few months, and then on to party conferences and trade union meetings," he said.

Last week the family met commissioner Kate Frame, who is leading the inquiry into Bayoh's death, after which they said they

wanted "results rather than broken promises". They told Frame that their confidence in Pirc had been shattered in the weeks following Bayoh's death.

A postmortem examination of his body proved inconclusive and forensic pathology experts have been sought from outside Scotland to help establish how he died. Frame has invited the family to help identify the additional experts.

Anwar said that had proved a "very robust and difficult meeting" but the family respected the commissioner's willingness to meet them.

Commons bar lifestyle 'contributed' to problems



Charles Kennedy died at his home in July

A DRINKING culture at the House of Commons contributed "quite a lot" to Charles Kennedy's problems with alcohol, his partner has said.

The former Liberal Democrat leader, 55, died suddenly at his home in Fort William in July. He had had a major haemorrhage, connected to his long battle with alcoholism.

His body was discovered by his partner Carole Macdonald. In her first interview since Kennedy's death, Macdonald revealed she believes a drinking culture at Westminster - where Kennedy spent 32 years as an MP - had played a part in his problem with alcohol.

She told the Sunday Times: "You are in an environment, often late at night, where drink is available, cheap, sociable, and you don't have to drive. All the constraints that might stop you aren't there. It is there and it is being normalised within your life."

"I don't think it caused it, but I'm sure it contributed to it. I suppose it must have contributed quite a lot."

Kennedy, who lost his Ross, Skye and Lochaber seat at the General Election in May, revealed he had been receiving treatment for an alcohol problem when he stood down as the UK leader of the Liberal Democrats.

Macdonald also revealed that in the week before he died, Kennedy's health had deteriorated.

"I spoke to him on the Sunday night before he died. He was going to the Belford [hospital, in Fort William] the following morning."

"I knew he needed help and needed to get things stabilised but I had no idea it could have that devastating effect and neither did he."

## Tartan Army charity's £5000 donation

BY GREG RUSSELL

THE Tartan Army has been making friends in Georgia - despite Friday's Euro 2016 defeat - after its children's charity TACC gave a £5,000 donation to a school in the capital Tbilisi.

It is run by the Jonas Foundation and gives children of poor families and street children the chance to receive a broad musical education, incorporating dance and drama. Through music, this project aims to help youngsters

reintegrate into a normal social life. The project started in 2006 at the rehabilitation centre Momavlis Sakhili ("House of the Future") in Tbilisi and supports 59 children in three music-orientated programmes.

The group, individual and social programmes inspire and encourage them to love music through practical education, social enrichment and integration, by exposure to a wide spectrum of musical experience. This includes visits to opera, ballet and concerts. Where possible, individuals with

specific talents are supported to obtain musical qualifications.

The TACC's donation will help with three aspects of the project - the children's choir, classes for two talented young teenagers to develop their musical skills and piano lessons for around 10 children of different ages with project director Dachi Taktakishvili.

TACC secretary Jim Hart said: "The kids, who all come from disadvantaged backgrounds, beset by a variety of illnesses, poverty and deprivation put on a special concert just for us."



Jim Hart, TACC secretary

News

# 'A step forward' for Sheku Bayoh family

Marc Horne

The family of a man who died in police custody said yesterday they had made an "important step forward" in their campaign for justice during a meeting with Scotland's chief constable.

Sheku Bayoh died after being restrained by up to nine officers in his home town of Kirkcaldy on May 3.

Relatives repeated their grave concerns over Police Scotland's handling of the incident, but welcomed the meeting with Sir Stephen House and praised his "compassion and personal regret".

Aamer Anwar, the solicitor who is acting for Mr Bayoh's relatives, issued a statement after the meeting, which took place at the Scottish Policing College at Tulliallan in Clackmannanshire.

He stated: "As expected, it was a very robust and honest discussion of the serious concerns that the Bayoh family have over the death of Sheku 18 weeks ago. The family appreciated the compassion that the chief constable showed them as well as the personal regret he expressed for their ordeal."

"He assured the family that he would expect Police Scotland to learn any lessons following the completion of the investigation and all legal proceedings."

"Today is an important step forward for the family."

Mr Anwar claimed the family had gained assurances from the chief constable that the pledges he made to them would be kept by his successor.

He said: "To that end, it was important that two senior officers, Deputy Chief Constable Iain Livingstone and Assistant Chief Constable Ruairaidh Nicolson, were also present and have the full confidence of the Bayoh family."

The father of two sustained a host of injuries, including a broken rib and a gash on his forehead, after he was taken into custody in the Fife town.

His relatives, including Collette Bell, his partner, and his sister Kadijartu Johnson, made serious allegations about officers' conduct during the meeting. Their solicitor said: "The family reiterated that they could never accept police officers giving several versions of what happened to Mr Bayoh in the hours following his death in custody."

"The first version told to Collette was that a member of the public had found Sheku's body on the street."

He added: "The family accept the chief constable's commitment to cooperate fully with the inquiry ordered by the Lord Advocate, and he also confirmed that he will meet with the family again in due course."

Sir Stephen said: "While the investigation remains ongoing this places legal limits on what I can discuss."

"However, I was able to reaffirm our absolute commitment to establishing a full and clear understanding of the events of May 3 and to learn any and every lesson from the findings of the ongoing investigation."

5%  
plus  
5%



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### Comment

Why I back assisted dying by Daniel Finkelstein



### Business

New Apple iPhone. Can the world's largest company continue to deliver?

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# We still need answers after House talks



Family of tragic dad Sheku finally meet chief constable over death in custody

AGONY Sheku's partner Colette and son Isaac

BY SARAH VESTY  
s.vesty@dailyrecord.co.uk

THE family of Sheku Bayoh say they still need answers over his death in custody after meeting police chief Sir Stephen House yesterday.

Distraught partner Colette Bell, sister Kadi Johnson and brother-in-law Ade Johnson want to know what happened when Sheku, 31, was restrained by officers in Kirkcaldy on May 3. He was pronounced dead a short time later at the town's Victoria Hospital.

After finally holding talks with the chief constable, Ade said: "We would like to see one of the officers decide to come out and say 'This is the truth and this is what happened to stop the pain that we're going through.'"

"All we want is the truth, no matter how bad or how good it is."

Colette added: "I think he now has empathy for the family. He's now met us so it's a bit more personal."

She said their baby son Isaac was a constant reminder of their quest for justice as "he is looking more like Sheku every day".

House, who steps down in December, said the force were committed to finding out what happened.

The death of the Kirkcaldy



**RESTRAINED** Sheku Bayoh, dad of two is being probed by the Police Investigations and Review Commissioner, who have sent an initial report to the Crown Office.

House said he personally expressed his condolences.

He added: "I was able to reaffirm our absolute commitment to establishing a full and clear understanding of the events of May 3 and to learn any and every lesson from the findings of the ongoing investigation."

Family solicitor Aamer Anwar said they appreciated his "compassion".

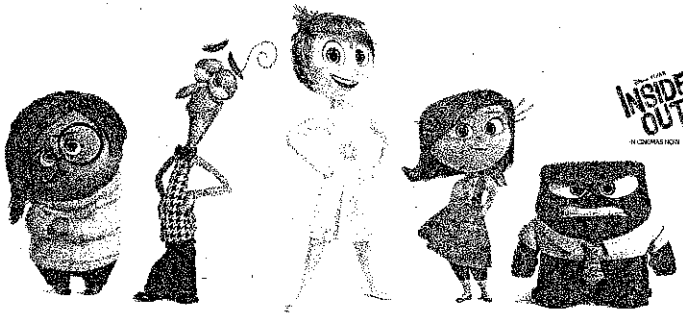
He added: "The family understand the frustrations of the chief constable not being able to speak publicly because of an ongoing Pirc investigation. Today is an important step forward."

### A warm welcome

Warm weather in parts of Scotland is set to continue with temperatures up to 20C on Thursday - 4C above average. But forecasters warn of a risk of rain on Saturday.

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## Bayoh family meet police chief House

SHAN ROSS

THE family of man who died in police custody and their lawyer met Police Scotland chief constable Sir Stephen House yesterday to discuss their concerns.

Sheku Bayoh, 31, died after being restrained by police officers after an incident in Kirkcaldy, Fife on 3 May.

Aamer Anwar described the meeting as "a very robust and honest discussion of the serious concerns that the Bayoh family have over the death of Sheku Bayoh 18 weeks ago".

Mr Anwar said: "The family appreciated the compassion that the Chief Constable showed them as well as the personal regret he expressed for their ordeal."

"The Bayoh family understand the frustrations of the Chief Constable not being able to speak publicly because of an ongoing PIRC [Police Investigations and Review Commissioner] investigation. In future no Chief Constable should be placed in such a position."

"The Chief Constable has assured the family that he would expect Police Scotland to learn any lessons following the completion of the investigation and all legal proceedings."



Mr Bayoh's partner, Collette Bell, brother-in-law Ade Johnson, Aamer Anwar and Mr Bayoh's sister, Kadjartu Johnson. Picture: Andrew Milligan/PA

## Antibiotic use should be taught in schools

JENNIFER COCKERELL

SCHOOLCHILDREN could be taught about the appropriate use of antibiotics in order to tackle the growing threat of antimicrobial resistance, health officials have suggested.

Draft guidance published by the National Institute for Health and Care Excellence (Nice) said children should receive regular demonstrations of how to wash their hands correctly, while soap and hand sanitisers should be widely available in schools.

It suggests the promotion of a "whole-school" approach, which would also involve teaching pupils about how microbes spread and what antibiotics can and cannot do.

People across all age groups should be encouraged to "self-care", such as by getting plenty of rest and drinking lots of fluid if they have a cold or flu rather than visiting their doctor, according to the guidance.

Spreading awareness that such common conditions do not need antibiotics is also recommended, along with advising the public that they should always take the correct dose of drugs at the right time, and never use antimicrobials obtained from anywhere other than a healthcare professional or a pharmacy.

The guidelines are in response to fears that unless action is taken, resistant bugs could be claiming at least an extra ten million lives a year by 2050 - more than the number who currently die from cancer.

England's Chief Medical Officer, Professor Dame Sally Davies, has previously warned that antimicrobial resistance is a "catastrophic threat" that could see people die of routine infections because they can no longer be treated with antibiotics.

Last month Nice published guidance aimed at health professionals, estimating that as many as ten million prescriptions for antibiotics are being dished out unnecessarily every year.

The latest guidance is for the public, with a particular focus on people who regularly take a lot of antibiotics - those aged 16-24 and the over-65s.

## Judy Murray joins 'old bags'

JUDY Murray is one of the high-profile women attending a fund-raising lunch this week.

The annual event, called "lunch with an old bag" at Prestonfield House Hotel in Edinburgh, is run by the Prince's Trust Scotland and aims to raise money for disadvantaged young people across the UK.

The lunch will also be attended by *Made in Chelsea's* Spencer Matthews, and Miss Scotland 2015 winner Mhari Ferguson. More than 400 influential women have been invited.

Those at the lunch will also be given the chance to bag a bedtime story read by award-winning actress Tilda Swinton - one of the auction lots this year.

# Teachers warn national testing will have 'profoundly negative' impact

SCOTT MACNAB

SCOTLAND'S teachers have warned that plans for national testing are "not the answer" to closing the attainment gap in schools.

Instead, critics say that the plans unveiled by Nicola Sturgeon last week will be a "damaging, retrograde" step which could undermine a recent overhaul of the classroom curriculum. It will also "inevitably" see a return to league tables.

"The introduction of these standardised assessments seems to be driven, in part, by a desire on the part of Scottish Government to take control of education nationally," said EIS general secretary Larry Flanagan.

The issue will be raised when the EIS chief meets education



Angela Constance meets EIS chief Larry Flanagan this week

secretary Angela Constance this week. The union had initially welcomed the changes, but they met with an angry backlash from teachers at a weekend meeting.

Mr Flanagan said the union's Executive has a "long-standing opposition" to national testing.

He warned this will have a "profoundly negative impact on Scottish education, entrench inequalities in our schools, and reverse the progress made, under Curriculum for Excellence, towards an assessment regime which genuinely supports children's learning."

He added: "While the Scottish Government has been very careful to state that its plans would not mean a return to the failed high-stakes testing regime of the past, it is clear that Scotland's teachers are not convinced."

"The EIS shares the First Minister's desire to close the attainment gap and reduce the impact of poverty on education, but we are certain that a national system of standardised assessment is not the answer."

Ms Sturgeon unveiled plans to

put in place a framework for national tests for pupils in Primary 3, 4 and 7, as well as in the third year of secondary. She stressed it was not about a return to league tables.

Although most primaries do test youngsters, there is no way of gauging how schools in different areas are doing against each other. Ms Sturgeon believes the change will help drive down the attainment gaps between rich and poor areas of Scotland after recently calling on Scottish voters to "judge her" on tackling the issue.

But Mr Flanagan said it will be "impossible" to guard against the re-emergence of league tables.

"In such a scenario, standardised assessments will compromise and narrow the learning experience of students, as all the

international research evidence makes clear, rather than enhance it," the EIS chief added.

A Scottish Government spokeswoman said the National Improvement Framework will consider a "range of existing and new evidence" to show how children's learning is progressing and how to raise attainment.

"One source of data will be a new standardised assessment, focusing on reading, writing and numeracy."

She added: "As the First Minister set out last week, this is not a return to the national testing of old. The assessments will inform teacher judgment - not replace it - and provide robust and consistent evidence to help teachers judge whether or not a child is achieving the required level of Curriculum for Excellence."

## Sex attacker jailed after kickboxer victim fought back

ROD MINCHIN

A SEX attacker has been jailed for an attack on a woman who was able to fight back and subdue him thanks to her training as a kickboxer.

Mark Willis, 40, pounced on the 25-year-old woman, punching her in the face several times during the assault in Cheltenham, Gloucestershire.

He tried to remove the victim's clothes, but she fought

back, grabbing his arm and pinning him in a headlock between her legs. She held him until he "went limp" and was then able to escape and raise the alarm.

Willis of Pitton Lane, Churchdown, Gloucester was convicted after a trial of a single charge of sexual assault carried out just after 2am on 31 August last year.

Willis, who has previous similar conviction, had earlier pleaded guilty to a charge of causing actual bodily harm.

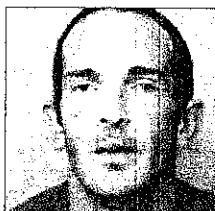
Yesterday at Bristol Crown Court he was sentenced to four-and-a-half years' imprisonment, with an additional four years on licence by Judge William Hart. He was also ordered to sign the sex offenders' register.

The woman said: "I'm extremely pleased that this traumatic ordeal is finally over and that I can move forward with life. I wish to thank the police and the officer in the case for their hard work in identifying

and apprehending the offender and the support I've received."

Detective Constable Faye Satchwell-Bennett, who led the investigation, said: "The victim has continued to demonstrate huge courage and bravery throughout this investigation. The judge rightly commended her."

"We are pleased with the lengthy custodial sentence passed upon Mr Willis, who clearly poses significant risk to the public."



Mark Willis already had a similar previous conviction

## Fine fury of couple

A DISABLED couple told how they were "hounded" by a private parking firm after they forgot to display their blue badge at an Asda car park. Stroke victim David Lawrence and wife Christina — who has cancer — pleaded with an attendant in Elgin, Moray, to waive the £40 charge, which tripled when they didn't pay. Mr Lawrence, 76, said: "He didn't want to know." Smart Parking said it had cancelled the fine.

### M & NESSIE

Loch Ness Brewery has signed a deal with Marks & Spencer to stock its ales at the retailer's stores around Scotland.



Face-to-face meeting... family

By LUCY CHRISTIE

**POLICE will learn "any and every lesson" from the probe into Sheku Bayoh's custody death, Scotland's top cop admitted yesterday.**

Sir Stephen House made the vow after face-to-face talks with Sheku's family. He said there were legal limits on what he could say as the investigation into the dad-

# House: We'll learn lessons on Sheku

of-two's death in Kirkcaldy four months ago continues. But he added: "I was able to reaffirm our absolute commitment to learn any and every lesson from the investigation." The Police Investigations and Review Commissioner is consulting medical experts after a

post-mortem examination on Sheku proved inconclusive. Relatives including partner Collette Bell and sister Kadforju Johnson previously met with PIRC chief Kate Frame. The family's solicitor Aamer Anwar said: "They appreciated the compassion Sir Stephen

showed and personal regret he expressed. Today is an important step forward." Sheku, 31, died after being restrained by up to nine cops responding to reports of a man wielding a knife.



Probe... Sheku & Sir Stephen

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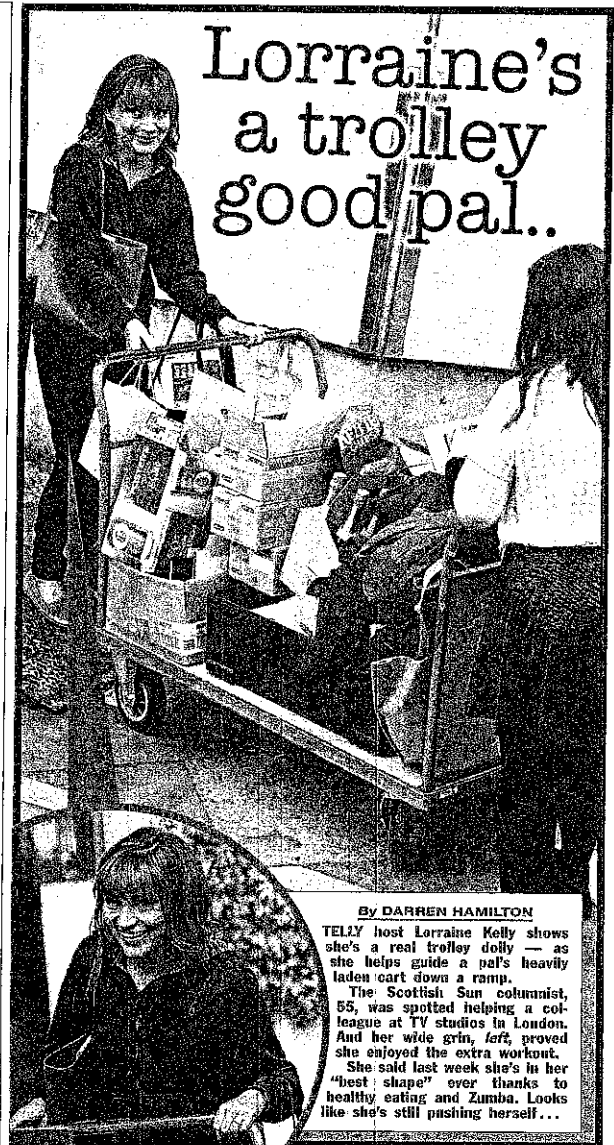
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**Lorraine's a trolley good pal..**



By DARREN HAMILTON

TELLY host Lorraine Kelly shows she's a real trolley dolly — as she helps guide a pal's heavily laden cart down a ramp. The Scottish Sun columnist, 55, was spotted helping a colleague at TV studios in London. And her wide grin, left, proved she enjoyed the extra workout. She said last week she's in her "best shape" ever thanks to healthy eating and Zumba. Looks like she's still pushing herself...

## BULLY IS AXED

A BULLYING nursery boss who demanded colleagues cancel cancer screening appointments seven times has been struck off. Anna Harrower, 36, also made remarks about a staff member's weight and was "regularly abusive" at the Babes in the Wood nursery in Falkirk. The Scottish Social Services Council found 18 charges levelled against her from 2007 to 2012 all proven and said she "engaged in a sustained pattern of bullying".

**Sun**  
UP to a third of Brits admit to working extra hours and even skipping meals so they could fund a holiday, a survey by ticket agent tix.com has revealed.

**SPOT**

Herald Social

This week's top events from around the country including Future News 2015 and the Law Awards of Scotland.

SOCIAL - PAGE 20



David Leask

The scorn shown for Gaels - or any minority - is unhealthy. It is also politically counter-productive.

INSIDE TRACK - PAGE 13

Nick Rodger

The Walker Cup remains a cornerstone of the amateur ideal and is a truly enthralling showpiece.

SPORT - PAGE 12



News

Search who fell

AN extensive operation y last night fr into the sea Marek Zok been seen s waves caus a friend to at Killiedre Sunday at The friend the shore b alarm. He Edinburgh with ninic then disch



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# BBC's plans for local news 'are a Trojan horse'

## Editor: Hiring 100 journalists will hit newspapers

BY HARRISON WS REPORTER

THE BBC has been criticised after unveiling plans to hire 100 journalists to provide content for local newspapers as part of a radical shake-up of the way the broadcaster operates.

Director General Tony Hall announced the plans to expand BBC's local services yesterday as part of the Corporation's attempt to head off government reforms under the renewal of its Royal Charter next year.

But Scottish Newspaper Society director John McLellan said the proposal would be a "Trojan horse" which would undermine longstanding publications and destroy local news agencies.

The former editor of The Scotsman warned the move could have dire consequences, saying: "The newspaper industry has previously offered to partner the BBC by sharing its content with the Corporation but this plan runs that on its head."

"Instead of helping local news publishers, it would make the BBC even more powerful and would further concentrate coverage of news in the hands of the state-owned broadcaster. "This plan actually goes against everything for which we've been arguing and just looks like the old, failed plan to hire an army of local news journalists by the back door under the guise of cooperation."

He said the plan appeared to have been taken without any



TONY HALL: BBC Director General is under fire over local news plans.

consultation with those who would benefit from the service. He said attempts at dialogue with the BBC had been fruitless.

Mr McLellan added: "This announcement has been made without any consultation, certainly not in Scotland. The SNS has repeatedly asked BBC Scotland for its views on news-sharing and we have been completely ignored."

"If anything, this is more evidence of the BBC's high-handed attitude towards commercial news providers by which they tell us what's good for us and expect us to be grateful. Tony Hall has also chosen today to announce a new service for North Korea and I wonder if he's aware of the deep irony in that."

Lord Hall denied his plans were expansionist, saying they signalled the start of a new "open" BBC which would partner other media and creative organisations.

In a settlement reached ahead of The Budget, the corporation agreed to help finance spending cuts by shouldering the cost of free television licences for people aged over 75. It will cost the BBC an estimated £750 million by 2020, almost a fifth of its current annual income. Lord Hall said it meant the BBC would have to save 20 per cent of its income over the next five years at a time when its share of TV revenues was likely to fall.

Describing what the more "open BBC" would look like, he acknowledged that the mobile service it provided would need to be developed, adding that there would be a "bespoke BBC News" that would be the "backbone" of the broadcaster's global news operation.

Lord Hall announced: "In the future, the BBC would set aside licence fee funding to invest in a service that reports on councils, courts and public services."

The BBC's proposal says the aim is to put in place a network of 100 public service reporters across the country. Reporting would be available to the BBC but also to all "reputable" news organisations.

He added that the news service would be reconfigured to meet the expectations of audiences across the country.

"We will never give up our role in reporting the whole of the UK back to itself, but we also have to recognise that news in some parts of the country simply does not

Leader comment: Page 14

# 'Teaching to the test' concerns are raised

Continued from Page 1

Local authorities with a new streamlined, consistent one. As the First Minister said last week this is not a return to the national testing of old." Meanwhile, Scottish Conservative young people spokeswoman Liz Smith accused the EIS of "changing its tune" on testing after Mr Flanagan described the use of some tests as a "useful tool" in a statement last week. She said:

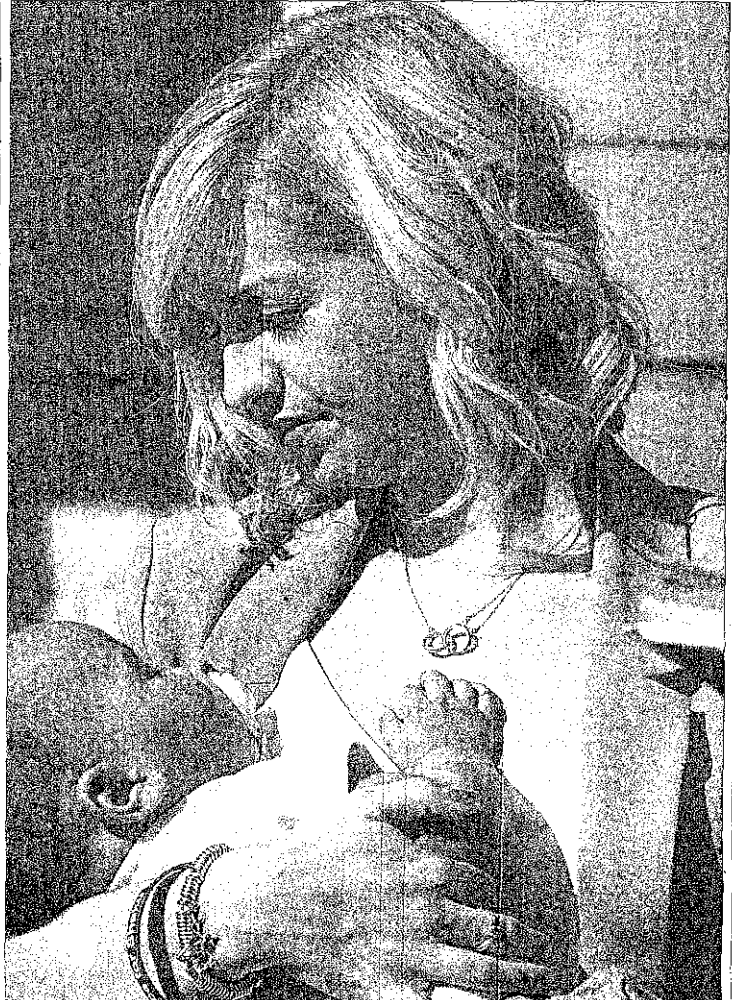
"Now the EIS appears to have U-turned completely. Testing is an essential way of making sure pupils and schools are performing as they should."

The move to introduce national tests, scrapped in Scotland in 2003 by the Labour-Liberal Democrat coalition, comes amidst falling standards revealed by the Scottish Survey of Literacy and Numeracy.

However, critics fear the introduction of a single test allowing

direct comparison between schools serving different communities undermines education because those which do not perform as well are automatically seen as "failing", even though they may be doing an outstanding job for their pupils.

There are also fears councils will use test results to judge teacher performance rather than pupil progress, which leads to school staff focusing all their efforts on "teaching to the test".



GRIEF: Mr Bayoh's partner Colette Bell, with their infant son Isaac, has led calls for an investigation.

# House in pledge to learn lessons over probe into death in custody of Bayoh

SCOTLAND'S chief constable has told the family of Sheku Bayoh, who died in police custody, that Police Scotland will learn any and every lesson from the investigation under way into the death.

Relatives including Mr Bayoh's partner, Collette Bell, who has a baby son Isaac with Mr Bayoh, and his sister, Kadjarutu Johnson, met with Sir Stephen House after previously meeting with the Lord Advocate Frank Mulholland QC and Police Investigations and Review Commissioner Kate Fraue, who is leading the probe, as they seek answers over the 31-year-old's death.

The Pirc is consulting medical experts to ascertain the cause of



LOSS: Sheku Bayoh died while in police custody.

death after a post-mortem examination proved inconclusive.

The chief constable moved to reassure Mr Bayoh's family during the discussion, which the family's lawyer described as "robust and honest". Sir Stephen, who will step down in December, said the force was committed to establishing

exactly what happened when the father-of-two was restrained by officers in Kirkcaldy on May 3.

The chief constable said it was appropriate to meet with relatives and express personally his condolences only now that Pirc has submitted an initial report to the Crown Office.

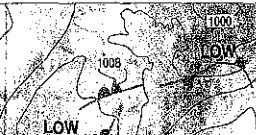
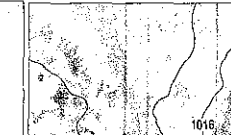
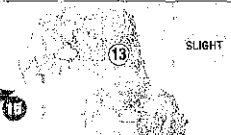
He said after the meeting at the Scottish Police College: "While the investigation remains ongoing, this places legal limits on what I can discuss. However, I was able to reaffirm our absolute commitment to establishing a full and clear understanding of the events of May 3 and to learn any and every lesson from the findings of the ongoing investigation."

# WEATHER

## 24 HOUR FORECAST

General situation High pressure, centred near the eastern coast of Scotland at first, will move away north-eastwards but will continue to dominate the weather, bringing generally dry and settled conditions. A gentle south-westerly flow will develop.

Outlook: One's early mist or fog have cleared tomorrow, it will be a dry day with sunny spells and gentle south-easterly winds. On Thursday, it will be largely fine, but the odd shower may develop in the north-east. Warmer.





Labour, whose former leader Ed Miliband was a signatory to the "vow", accepted the legislation before the Commons was inadequate and called for further powers over welfare to be devolved, as well as a full share of VAT revenues.

David Mundell, the Secretary of State for Scotland, will reflect on the referendum in a speech at Edinburgh University today, when he will insist that independence is "not inevitable" despite the continuing rise of the SNP.

Echoing Sir Tom's comments, he will say: "We've had our say, and we want to get on with our lives."

Retail investor Sir Tom published a report prepared for the Hunter Foundation by one of Scotland's leading economists, David Bell, of Stirling University.

Entitled A Year On... it considers Scotland's prospects with the new powers about to be transferred by the Scotland Bill and also as an independent country.

The study concludes there is "every likelihood" the Scottish Government will have less money to spend when almost complete control over income tax and responsibility for a range of benefits

**Leader comment:** Page 14  
**Agenda:** Page 15

framework", the deal to reset Scotland's budget in the light of the new tax powers.

He said: "For me personally it's time to move on, move forward and use the powers we have. The population decided, politicians are democratically elected and should and must respect the decision of the voters."

"We are all ambitious for Scotland and it's time for us to come together, put our differences aside and focus upon building a more prosperous, productive and fairer Scotland."

Ian Murray, Labour's shadow secretary of state for Scotland, backed Sir Tom's comments and called for a greater focus on the NHS and education.

"Sir Tom Hunter again has said Scotland needs to move on from the arguments of the past and face the future. He is absolutely right to do so," he said.

In his speech today, Mr Mundell will describe changes in the Scottish political scene as "aftershocks of the referendum, and not - as some have argued - a symptom that independence is inevitable."



AS A mother to two Wimbledon champions, Judy Murray knows a thing or two about how to get children playing tennis.

And as her sons, Andy and Jamie, prepared to lead Great Britain's Davis Cup challenge at the Emirates Arena in Glasgow this weekend, she took time to

inspire the next generation with a session at the Reidvale adventure playground in the city's east end.

Ms Murray's successful Tennis on the Road initiative trains play leaders, community workers and parents in how to teach simple tennis skills without the need for formal courts. The children,

meanwhile, learn tennis skills through fun games using racquets, beanbags and hoops. "These are the games I used to play with Andy and Jamie," she said.

"Their first tennis court was hitting a balloon over the sofa in living room. You can do all these things at home." Picture: Colin Mearns

regarding, at the very least, the potential for suspension in a corridor within earshot of other support staff.

"We have been advised by at least three individuals that a large part of this conversation was overheard."

The DLA Piper report goes on to suggest the "public" nature of the suspension and the fact no follow-up disciplinary action was taken months after the original decision had implications for any subsequent employment tribunal.

"Whilst suspension is not a disciplinary action, it may be incorrectly perceived to be suggestive of blame or inappropriate conduct and having become public knowledge can be extremely damaging to the individual," it states. "The public nature of the suspension and period of time during which it has been in place will be relevant factors for consideration by an employment tribunal with regard to the reasonableness and fairness of the process."

Mrs Walsh, who is still suspended on full pay, was appointed principal of the newly formed college in 2015 following the merger of Anniesland, Langside and

Continued on Page 2

## Custody death probe pledge

SCOTLAND's top legal officer has claimed he is confident a "thorough, impartial and objective investigation" will be carried out into the death of Sheku Bayoh.

Addressing the Scottish Parliament, Lord Advocate Frank Mulholland said it was important the family of Mr Bayoh, 31, who died in police custody, retain confidence in the investigation.

The Police Investigations and Review Commissioner (Pirc) is conducting the investigation into the death which occurred following an incident in Kirk-

caldy on May 3. Mr Mulholland said: "It is my job and the job of Pirc to deliver a thorough, impartial and objective investigation, delivered expeditiously without compromising thoroughness. I am confident that this can be delivered."

He added that a Fatal Accident Inquiry (FAI) into the case is mandatory and will go ahead regardless of any criminal proceedings.

The lawyer representing the family, Aamer Anwar, welcomed the comments, but argued that an FAI is the "bare minimum" of what might happen in the case.

## Top restaurants lose Michelin stars

THREE top Scottish restaurants have lost their Michelin stars - while a new eatery has been given its first.

Tom Kitchin's Castle Terrace in Edinburgh, Three Chimneys on Skye and Knockinaam Lodge at Portpatrick all lost out in the 2016 Michelin Guide.

The Ceilar in Anstruther has been given one star, just over a year after opening under locally-born chef Billy Boyter.

Full story: Page 3

## Rain 'double over 60 years'

THE old adage "it never rains but it pours" is truer than ever in Scotland, according to academics.

Researchers have found winter rainfall north of the Border has doubled over the past six decades.

The new study found the southwest of the country was worst affected, while in central Scotland and the Highlands the amount of rain had increased only slightly. However they found more rain fell on days of heavy downpours and there were fewer days of "light rain".

Professor Sandra Chapman of the

University of Warwick, which produced the report with the London School of Economics, said: "In many places in Scotland the rain on heavy rainfall days has increased by over 50 per cent."

"In some places in the Highlands this rain has shifted from light rain days so overall it's not much wetter, but when it does rain it is more intense."

The team also studied rainfall in the Dordogne, northern Italy, Tuscany and the Low Countries. The research is published in the journal Environmental Research Letters.

## Inside

3,000 council jobs at risk  
PAGE 4

Rangers probe latest  
PAGE 5

Scots firms keener on EU  
PAGE 28



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THE HERALD 17/09/21

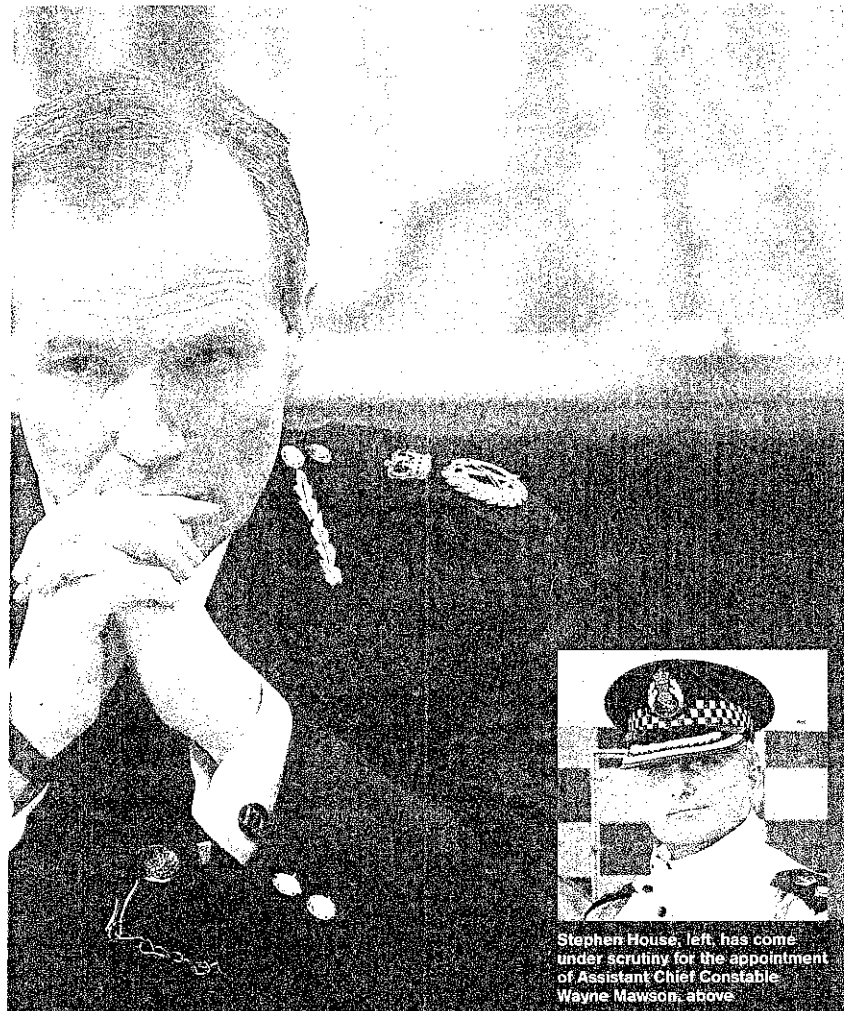


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Stephen House, left, has come under scrutiny for the appointment of Assistant Chief Constable Wayne Mawson, above

## row over top cop appointment

complainant then alleged that Mawson had completed the SCC after presenting a junior colleague's work as his own. The allegation was made through the Counter Corruption Unit and referred to the SPA by Deputy Chief Constable Neil Richardson. However, it has now emerged that Mawson worked in House's office for about 12 months in 2004, when the latter was a police chief at the Met. Staff officers work exclusively for their boss and are expected to set up meetings and help run the office.

One police insider described the general role: "He makes the tea, does the photocopying, manages the diary, prepares all relevant briefings and makes sure all

logistics are in place." Another source said a staff officer is a "fixer" for his chief.

House became Chief Constable at Strathclyde Police in 2007, and Mawson was transferred to the same force in 2009, on promotion to Chief Superintendent.

He became Divisional Commander for Glasgow North East and East Dunbartonshire Division.

Mawson's hire is the subject of a complaint to the SPA by former Tayside ACC Angela Wilson.

Pearson added: "We have a condition in Scotland that chief officers must have completed a relevant Strategic Command Course.

"It is a condition because it is proof of competence. I am confused as to why

in this case the SPA waived this condition. I would have expected - as a basic fairness to the other candidates - that the SPA would have explained this decision as others may have been disadvantaged."

Wilson said: "It would have been appropriate for Stephen House to have said he [Mawson] had been his staff officer at the Met."

Asked if House declared the staff officer link during the interview process, a Police Scotland spokesman said: "Recruitment of senior officers is a matter for the SPA."

An SPA spokesperson said: "ACC Mawson was one of six ACCs appointed on merit by the Scottish Police Authority in December 2012 following an open and competitive recruitment process."

## Police aim to tackle violence ... by hiring 'rapper-in-residence'

EXCLUSIVE  
BY JUDITH DUFFY

**A** SCOTTISH police task force has hired a "rapper-in-residence" as part of a new project to tackle violent behaviour, with domestic abuse the first issue to be examined through the music genre more often associated with misogyny and sexism.

Scottish rapper Loki - whose real name is Darren McGarvey - is taking on what is believed to be the first role of its kind in the world, working with schools, community centres, former offenders and prison inmates.

He will compose music, poetry and blogs on the issue of violence and the project could see other ventures such as "rap battles" being held in schools.

The initiative is the latest from the Scottish Violence Reduction Unit (VRU), which was set up by Strathclyde Police in 2005 to tackle Glasgow's gang and knife culture.

It later extended its remit across Scotland and has won praise for initiatives such as "calling in" gang members to listen to police, bereaved parents, medics and former offenders talking about the impact of violent behaviour.

McGarvey, 31, said his role had two elements to it - one was to use hip-hop and rap as a way of communicating messages to help reduce violence and the other role was being a "translator", to let people know what factors could be influencing violent behaviour.

He is currently drafting a rap about domestic abuse and said it may take the perpetrator's viewpoint, examining the circumstances that might lead up to an act of violence, or it could be from the perspective of an onlooker, a family member "who is trying to tell that person don't you see what you are becoming".

But he added: "A special kind of attention and care has to be applied to something like this. It is about getting the right balance, and investigating and looking into someone who is a perpetrator of domestic violence but at no point offering any excuses or absolving anyone of causing someone else harm."

He said men had to "challenge ourselves more" about the issue, but added it was important they did not start to "dominate the whole conversation".

McGarvey, who is from Pollok, one of Glasgow's most deprived areas, said: "Someone who comes from my background has a better chance of connecting."

While rap has a reputation for violence and misogyny, McGarvey insisted it is the commercialisation of rap which has given it its contentious image, and that it can have a role in reducing violence - for example, by originally providing a medium for New York gangs to express themselves in the late 1970s and 1980s.

"If people have a disagreement or confrontation or they want to be a wee bit macho, they do it in a rap battle or b-boy or b-girl (breakdancing) battle. That is one aspect of hip-hop which is overlooked," he said.

"When the title of rapper-in-residence was suggested to me, I initially backed away from it as I know the perception of rap which is out there.

"But then I thought let me just embrace this and show them what it can be about - let them see it is not all guns and b\*\*\*\*s and all of that stuff."

McGarvey, who recently headlined the Scottish Album of the Year awards with his band Loki and The Kartel, will take on the role for six months. The initial cost of the project is under £2,500.

Karyn McCluskey, director of the VRU, said while there had been success in reducing violent crime in Scotland, "inventiveness and innovation" was needed to make further progress.

"There are certain areas out there where there are skewed attitudes girls and women, and about violence and going to jail and the police, which have not changed much," she said.

"We need to think of a different way of tackling that."

She said McGarvey could speak to the target audience for messages on reducing violence in a "language they understood".

McCluskey added: "I genuinely don't know how this role will work out.

"But sometimes you just have to take a leap of faith.

"I don't have the terror of error and I think sometimes you just have to take a chance."

A spokeswoman for Scottish Women's Aid said: "We hope that this project will work to challenge the misguided beliefs of men who continue to perpetrate unacceptable crimes against women, including sexual assaults, physical violence and controlling behaviour.

"Our research shows that domestic abuse has its root cause in the inequality that still exists between men and women, and any response to tackle these crimes must include the promotion of women's equality and rights."

16 27.09.15 News

# Officer reports Police Scotland to Crown Office over failing to comply with tribunal order

**CONSTABLE DISPUTES FORCE'S CLAIM THAT SECRET BRIEFING  
RELATING TO HIM COULD NOT BE FOUND BY PAUL HUTCHEON**

**A**SERVING police officer has complained to the Crown Office about senior figures at the single force failing to comply with an order of an employment tribunal judge.

Constable Andrew Reid, 37, has written to the prosecution service about the force's claim that a secret Police Scotland briefing on him could not be found. However, he has handed over internal Police Scotland emails which he says show the force knew the disputed document had been produced and circulated internally.

Aamer Anwar, the solicitor acting for Reid, said: "This is a shocking matter."

Reid and fellow officer Amanda Daly were charged with data protection offences in 2009 when they worked for the old Strathclyde force.

They were accused of illegally accessing police computer records concerning an incident in which they had been attacked.

However, after dozens of court appearances, in a case which cost the taxpayer over £500,000, the pair were acquitted earlier this year.

Sheriff Totten said at the time: "I can find little... which would ultimately prove beyond reasonable doubt that they knowingly or recklessly accessed any electronic systems."

He went on to say that he was not sure "why it was ever felt necessary to bring criminal charges in this case".

Reid, who has 15 years' service and lives in East Kilbride, has now resumed an employment tribunal case against the force that was delayed pending the completion of the criminal trial.

His case was called in July and he made a formal request for a historic document on him, which he said was sent from a senior officer in the Professional Standards Department (PSD) to Deputy Chief Constable Neil Richardson. The judge approved the request and gave the force seven days to hand over the documents.

Police Scotland informed the tribunal in writing that they had been "unable to identify any documents which fall into the category of paperwork sought by the claimant".

On the same day, the single force responded to a Subject Access Request from Reid for the same briefing paper.

According to the force, PSD confirmed that Richardson "would have been" briefed verbally and that "no further briefing" was prepared.

However, in his complaint to the

**I now write  
to you with a  
formal criminal  
complaint which  
I believe should  
not under any  
circumstances be  
investigated by  
any member of  
Police Scotland**

Crown Office, Reid claims he was then mistakenly copied in to internal Police Scotland emails which proves the briefing does exist and had been distributed.

The emails are believed to have been sent two days before Police Scotland informed the tribunal that no documents could be identified.

In his letter to the Crown, Reid stated: "On Wednesday the 19th August 2015, I returned to work from a period of annual leave to find out that I had accidentally been copied in to an email regarding the request for documents."

"I now write to you with a formal criminal complaint which I believe should not under any circumstances be investigated by any member of Police Scotland."

The document requested by Reid is believed to relate to the reasons given internally for why he was originally put on restricted duties.

He has also contacted the tribunal judge about the matter.

Anwar said: "It is a matter of serious concern if a tribunal is told that a document cannot be identified, but it then emerges that it does exist. It is clear that the tribunal made an order that Mr Reid should get these documents. Who in Police Scotland decided that the documents should not be provided?"

"This is a shocking matter and the advice we gave Mr Reid was that the Crown Office should investigate."

A Crown Office spokesperson: "The Crown has received correspondence from Mr Reid, which is currently under consideration."

A Police Scotland spokesperson said: "Due to ongoing civil litigation and internal disciplinary matters, it would be inappropriate to comment at present."



## Stephen House in fresh

**BY PAUL HUTCHEON**

**S**TEPHEN House's role in the hiring of a controversial police chief is under fresh scrutiny after it emerged that House has a long-standing professional relationship with the individual.

Assistant Chief Constable (ACC) Wayne Mawson, who is under investigation over allegations of cheating on an elite course, was one of House's "staff officers" in London.

Graeme Pearson, Scottish Labour's justice spokesman, said the revelation raised further questions about the way Police Scotland's top officers were chosen.

The Scottish Police Authority (SPA) - the single force's scrutiny body - appointed six ACCs to lead Police Scotland.

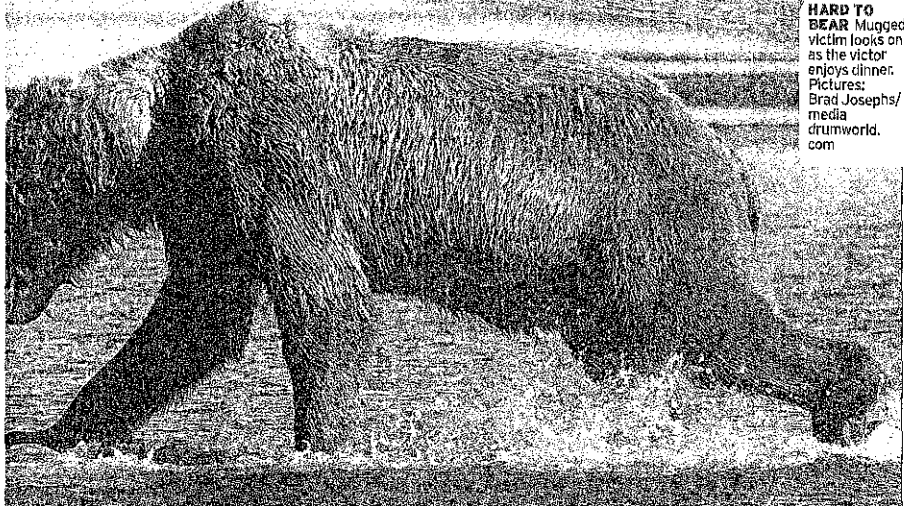
House was on the interview panel and Mawson landed the role of ACC for Local Policing West, later taking responsibility for stop and search policy. However, he was given the job even though he did not possess a key qualification.

ACCs were required to have passed a "relevant" Strategic Command Course (SCC), which for UK officers has meant completion of the SCC at Sunningdale. Mawson was allowed to take up the post but sit the SCC at a later date, passing it this year.

An anonymous



ING HIS ROAR IN Bear gives victim an earful in water battle



**HARD TO BEAR** Mugged victim looks on as the victor enjoys dinner. Pictures: Brad Josephs/media drumworld.com

# Family agony over Sheku's last moments

## Relatives see film of dying dad

BY HILARY DUNCANSON  
reporters@dailyrecord.co.uk

**SHEKU Bayoh's heartbroken family yesterday watched CCTV and phone film of the last moments of his life.**

Now they are calling on Scotland's top prosecutor to release the images publicly as the probe into his death in police custody continues.

They said Sheku's mother "still wants to know what her son's last words were" as they reiterated their determination "to seek the truth".

The 31-year-old dad-of-two died after being detained by officers called to an incident in Kirkcaldy on May 3.

Sheku's death is being probed by the Police Investigations and Review Commissioner.

The trainee gas engineer's family, including partner Collette Bell and sister Kadjetun Johnson, have been demanding answers over police conduct and Sheku's cause of death, and have met the PIRC and Lord Advocate.

They took their case to



TRAGIC Sheku Bayoh

Holyrood yesterday, where they talked to MSPs about the case.

Their lawyer Aamer Anwar said: "This morning, at the Lord Advocate's office, a heartbroken Bayoh family watched the last moments of Sheku's life taken on CCTV and mobile phone."

"The family would now urge the Lord Advocate to publicly release the CCTV."

Anwar said: "The family believe silence isn't an option if we are to avoid a whitewash."

He added that the family remain unconvinced that "the PIRC will deliver a robust and impartial inquiry".

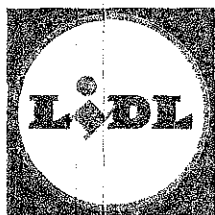
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# Scotland rugby star reveals his torment in road safety campaign

Gabriella Bennett

Scotland's rugby full back is heading a campaign to cut the number of deaths on rural roads in honour of his best friend who died in a car crash.

Stuart Hogg was in the back seat of a car that flipped over on a tight bend during a 90mph road race and smashed into a wooden post. He was 16 at the time. Richard Wilkinson, 17, his friend and fellow rugby player, who was in the front passenger seat, was killed instantly.

Hogg, who has been named in the team for the match against Samoa in the Rugby World Cup tomorrow, had to punch out a window of the car to crawl from the wreckage.

Now 23, he revealed his torment over his friend as he launched the campaign to cut deaths on rural roads. He said: "We were coming back from Kelso when we got overtaken by a young guy from close to our area."

"The next thing, we were going a lot faster than the speed limit. We were on a country road and went round a bad corner straight into a fence. The car twisted over and I had to punch a window in the back to get out."

"To get round the side of the car and see my best mate dead is something that will live with me forever — a sight I never want to see again."

He said that Richard was never far from his thoughts, and when he scores a try he makes a "W" hand signal, right, in memory of him. "I think about him every single day," he said. "Every time I go on to the pitch, I look up to the sky and say 'This one's for you, buddy'."

"He could easily have been here with me. He had all the talent in the world and it's very unfortunate that he is no longer with us."

The friends were in the car with two more Hawick Wanderers teammates, including Sean Goodfellow, the

driver. Hogg, from Hawick, Goodfellow and the third passenger received cuts and bruises. Goodfellow and Murray McAllan, the driver of the other car, both 19, were jailed for four and a half years after they admitted causing death by dangerous driving on the A698 near Kelso in Roxburghshire in April 2009.

Hogg turned professional that year and made his international debut in 2012. He now plays for Glasgow Warriors.

Road Safety Scotland's country roads campaign is urging drivers to slow down after figures showed that 55 per cent of fatalities on Scottish roads were on rural routes.

Last year 755 people were killed or seriously injured on country roads, and

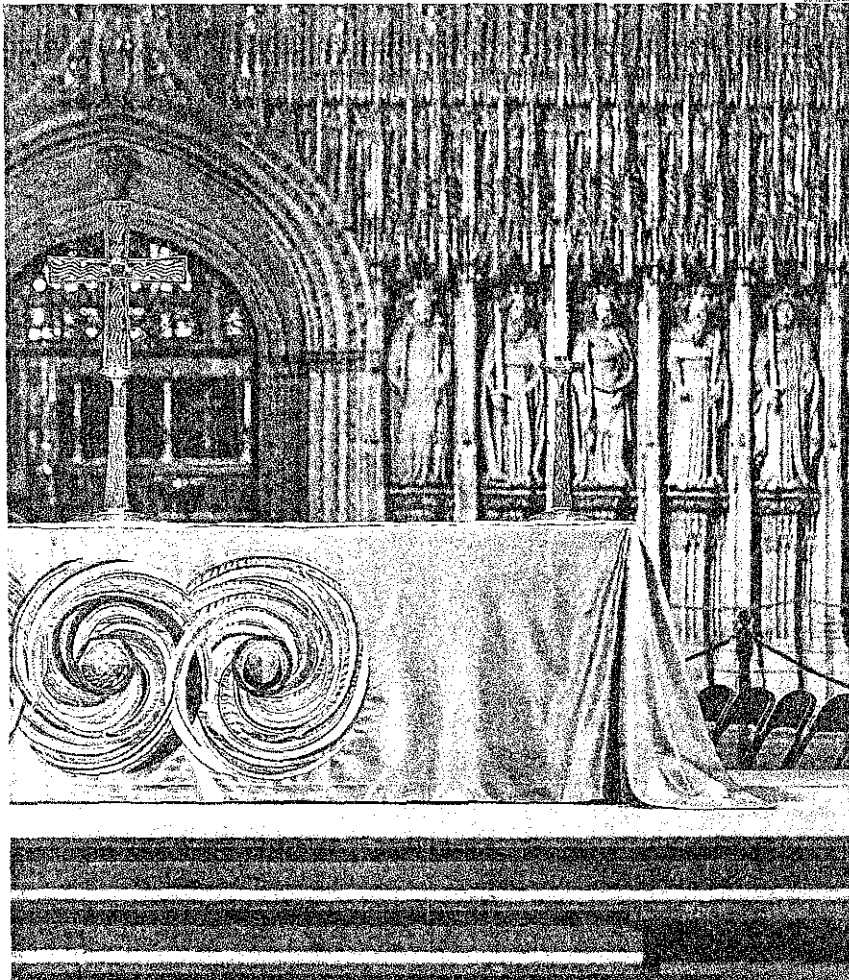
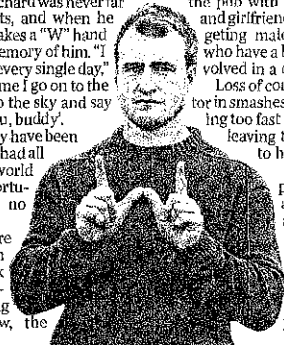


Richard Wilkinson was killed instantly in the crash

three out of four of those were men. Hogg talks about the tragedy in a trailer for a television and cinema advert featuring a young driver who loses control of his car on a country road and crashes. As his life ebbs away, it flashes up what he will miss, including parties, nights in the pub with mates and his family and girlfriend. Safety chiefs are targeting male drivers aged 22-40 who have a higher risk of being involved in a crash.

Loss of control is the biggest factor in smashes, often caused by driving too fast for the conditions and leaving too little time to react to hazards.

Hogg said: "The campaign is about raising awareness of what's ahead, what could be around that corner. The more lives we save, the better. I hope I'm doing Richard and his family proud."



professor of visual design at Glasgow Caledonian University, said. "The Broderers are all volunteers, but they just said 'Bring it on.'"

The altar cloth shows three interlocked circular swirls containing the gold discs. "Three is the divine number," the artist said. "When you walk around the altar, you become aware that there are six circular symbols and six gold discs. Six is the number of

the creation, and taken together each circle represents a day in God's creation of the world."

Lochhead, 66, intended to study interior design at the Glasgow School of Art, but was inspired to learn embroidery by Kathleen Whyte, his mentor. She had begun to win commissions from the Church of Scotland, and he soon followed suit, designing a cloth for the communion table at Glasgow Cathedral in the early 1970s.

Since then, he has become one of the most sought after ecclesiastical artists in Britain and estimates that more than a third of his output is for churches and synagogues. The York commission was "somewhere near the icing on the cake," he said.

In the 1970s, he also designed a pair of lilac hotpants, embroidered with mother of pearl, for Lena Martell, the singer. More recently, he designed the Peter Rabbit tartan.

The Scottish Conservatives supported the bill but called for a "sunset clause" to be inserted to ensure it is effective.

Mr Hume told MSPs: "It's estimated that each week in Scotland 60,000 children are exposed to second-hand smoke in cars."

"Numerous studies and reports have shown that there is no safe level of exposure to second-hand tobacco smoke, and in fact in cars the concentration of second-hand smoke toxins can be more than 11 times as high as in a pub."

"Children suffer because of second-hand smoke. The purpose of the bill is straightforward: it is to protect our children from the harmful effects of exposure to second-hand smoke."

Maureen Watt, the public health minister, said Scotland could be proud of its record as a "world leader" on tobacco control.

She said: "The Scottish government supports this legislation and will work with Mr Hume to ensure that it is implemented quickly."

## Family see Sheku Bayoh's final moments

Gabriella Swertling

The "heartbroken" family of a man who died in police custody witnessed the minutes leading up to his death for the first time yesterday.

Sheku Bayoh's relatives watched the final moments of his life play out on CCTV and phone footage, before attending a meeting at the Scottish parliament.

His family is now calling on Scotland's top prosecutor to make the CCTV images public, as the probe into the controversial circumstances surrounding his death continues.

They said that Mr Bayoh's mother "still wants to know what her son's last words were," as they reiterated their determination "to seek the truth".

The father of two died after a confrontation with nine police officers on

the streets of Kirkcaldy, Fife, on May 3 after he was restrained with batons, handcuffs, pepper spray, leg restraints and an incapacitant spray.

Mr Bayoh, 31, had allegedly attacked a female police officer before his death, which is being investigated by the Police Investigations and Review Commissioner (Pirc).

However, having previously held meetings with the Pirc and lord advocate, the family of the trainee gas engineer, including Collette Bell, his partner, and Kadjartu Johnson, his sister, continue to demand answers over police conduct and his cause of death.

Yesterday, they took their case to parliament, where Claire Baker, the Labour MSP, organised a cross-party meeting allowing relatives to discuss the case with politicians.

It followed a meeting at the lord

advocate's office, where they watched the footage.

Mr Bayoh's partner told the cross-party meeting she never in her "wildest dreams" imagined having to attend "something like this today".

"The fact of the matter is, if Shek had not come into contact with the police he would still be here. We would be a happy family, full of love and plans for the future," Ms Bell said. "This is now our struggle, this should not be anybody's struggle — policies and procedures need to be looked at. Changes need to happen, whether it be a change in the law, additional training or better management of complaints made against the police."

Speaking through tears, she added: "I just want answers — the truth, justice for my son so when he asks me why he doesn't have a daddy I can explain as

best I can and say we did all we could to hold the officers responsible accountable. Surely that is not much to ask?"

Speaking outside the Scottish parliament, Aamer Anwar, the family's solicitor, said: "Whilst they agreed to viewing the CCTV on the basis of confidentiality, the family would now urge the lord advocate to publicly release the CCTV."

A Crown Office spokesman said: "In order to protect the integrity of the investigation, we cannot at this stage release the CCTV footage into the public domain. We will, however, release the CCTV as soon as this can be done, without prejudicing the investigation."

Mr Anwar said that the family remain unconvinced that the Pirc would deliver a "robust and impartial inquiry", and called for parliament to give the commissioner more powers "to hold Police Scotland to account".

## Passengers face delays as union threatens strike over theft claim

THOUSANDS of train passengers face lengthy delays if railway workers vote to strike after one of their colleagues was sacked over a missing Kindle.

An Edinburgh-based employee of Virgin Trains East Coast was dismissed after an e-reader vanished from his train.

But according to the RMT union, the investigation into the missing item was deeply flawed, along with the disciplinary process. It is now calling for the unidentified employee to be reinstated and has threatened industrial action.

Next week, the union will ballot nearly 1,400 members to decide whether or not to strike.

Virgin Trains has said this is unnecessary and has asked the RMT to continue discussions.

The RMT claims several issues with the investigation have been brought to its attention.

The union says not every member of staff on duty on the day of

By Rachel Watson

the incident was interviewed, while it also believes the CCTV evidence is 'inconclusive.' The footage has since been destroyed.

It has further argued the only grounds for the staff member's dismissal was 'probability'.

RMT general secretary Mike Cash said: 'This flawed dismissal is a gross injustice based on no evidence whatsoever and should be overturned immediately. This union will not sit back while our members are fitted up and dealt with in this disgraceful fashion.'

'We have no option but to begin balloting across Virgin East Coast from Monday for both strike action and action short of a strike. The union remains available for talks.'

Ballot papers will be distributed to on-board catering staff, guards and station and ticket office workers on Monday, October 12.



'Flawed dismissal': Mike Cash

The vote will close on Tuesday, October 27.

A spokesman for Virgin Trains said: 'We're disappointed by the announcement of a ballot by the RMT as negotiations are still ongoing. We do not believe action is necessary and continue to discuss this issue with the union to avoid any disruption.'

Earlier this year, the RMT called off a planned strike after catering worker Mark Doughty was sacked by Virgin Trains East Coast.

Mr Doughty was dismissed after telling an angry first-class passenger they could not get a full cooked breakfast due to a broken boiler and staff shortages.

But the union called off the strike after reaching an agreement with the company.

# Deaths, limping

Continued from Page One

the start, the single force has been less than efficient and it's all on the SNP's watch. The public will no doubt be asking why the Scottish Government has not ploughed in more resources, so investigations are carried out effectively and on time.'

A PIRC spokesman said: 'The Commissioner is currently dealing with 11 ongoing investigations. These include several of a complex and high-profile nature, which is placing new demands on the organisation.'

'This is the highest number of ongoing probes PIRC has faced, reflecting the chaos that has engulfed Police Scotland at a time when Chief Constable Sir Stephen House is preparing to leave.'

Police Scotland officers are being investigated after an 18-year-old was hospitalised earlier this week. He was left with a significant injury after an encounter with officers on Saturday in Uddingston, Lanarkshire.

It also emerged this week that the force was facing a separate probe over the way police handled the disappearance of a young footballer who was later found dead. The body of Paul Shanks was discovered two days after a domestic disturbance involving the former Stenhousemuir player.

Family and friends had reported him missing after the incident and warned police they were concerned for his safety.

Police Scotland said his death was not believed to be suspicious but the Crown Office instructed PIRC to investigate.

It is also investigating a case where a pensioner was found dead as his seriously ill wife lay nearby. Police discovered Elizabeth Iggulden beside the body of her husband Douglas, 88, at their home in Portobello, Edinburgh. Mrs Iggulden, 89, later died.

Another on-going investigation focuses on the death of Janet McKay, 88, last month. Police Scotland referred itself to PIRC after



Body discovered: Janet McKay



Left to die: Lamara Bell



Died in crash: John Yull

### 'It's all on the SNP's watch'

failing to act on a tip-off about the dementia sufferer's possible whereabouts, two days after she went missing.

Mrs McKay had vanished from her home in Glasgow on September 16. Two days later, a member of the public told officers she had possibly been seen on a bus. This information was not passed on.

Another person rang police on September 25 with similar details and this was acted on, leading to the discovery of her body the next morning on wasteland in Clydebank, Dunbartonshire.

In Stirling on August 9, a 32-year-old man alleged he sustained an injury while being arrested, which is also being investigated.

In another case, the Crown Office directed PIRC to probe 'police contact with a 42-year-old man prior to the discovery of his body in Montrose, Angus on August 9'.

A probe is under way into police contact with a 32-year-old man who later died in hospital in Glasgow on July 26.

The most serious case involves the deaths of John Yull and Lamara Bell, who lay for three days despite a sighting of their crashed car off the M9 being reported to a police control room. Mr Yull, 28, died when his Renault Clio veered off the road near Bannockburn, Stirlingshire.

Miss Bell, 25, lay critically injured for 72 hours. She died in hospital a week after the collision and the case is now the subject of two inquiries – one by PIRC and one by Her Majesty's Inspectorate of Constabulary in Scotland.

PIRC is also investigating the circumstances surrounding the death of Mr Bayoh, 31, who was detained in Kirkealdy, Fife, on May 3 after being accused of carrying a knife. He lost consciousness while being restrained by police and later died in hospital.

There are also two separate probes involving 'allegations that a police officer has committed an offence'.

Chief Superintendent Ellie Mitchell of Police Scotland's professional standards department said: 'Taking

# Smoking with children in cars to be banned

## MSPs back move to bring in £100 fines

MOTORISTS who smoke in their cars with children face being pulled over and fined after MSPs last night backed a crackdown.

The Bill unanimously cleared its first parliamentary hurdle, meaning drivers could soon be hit with £100 penalties.

But there is growing confusion about the enforcement of the legislation as police chiefs yesterday warned that reducing road deaths will remain their priority.

In England, where a similar clampdown has already been introduced, force bosses have said they will turn a blind eye to those caught flouting the law.

While only police officers have powers to stop a moving vehicle, local authority officials and traffic wardens could deal with those caught smoking with children in their car if the vehicle is stationary.

But not all councils – particularly those in rural areas – employ traffic wardens, creating a postcode lottery across Scotland.

The Scottish Conservatives supported the Bill but called for a 'sunset clause' to be inserted to ensure it is effective.

But Lib Dem MSP Jim Hume, who proposed the legislation, told MSPs: 'Each week in Scotland 60,000 children are exposed to second-hand smoke in cars.'

There is no safe level of expo-

By Alan Roden  
Scottish Political Editor

sure to second-hand tobacco smoke, and in cars the concentration of second-hand smoke toxins can be more than 11 times as high as in a pub.

'The purpose of the Bill is to protect our children from the harmful effects of exposure to second-hand smoke.'

'This legislation is not about raising revenue or forcing people to stop smoking. It is designed to prevent acute exposure of children to second-hand smoke.'

Public Health Minister Maureen Watt said Scotland could be

### 'Intrusion into private space'

proud of its record as a 'world leader on tobacco control'.

She added: 'We all have a responsibility to protect children from tobacco smoke.'

'The Scottish Government supports this legislation and will work with Mr Hume to ensure it is implemented quickly.'

However, Conservative health spokesman Jackson Carlaw said: 'The Scottish Conservatives support this Bill but there is no point in having such a measure if there is no way of gauging how success-

ful it actually is. By adopting a legislative measure, we can give this Bill every chance to succeed and then in a sensible post-legislative debate, after a number of years, review its effectiveness.'

Parliament's decision was welcomed by Sheila Duffy, chief executive of health charity Ash Scotland.

She said: 'It is pleasing that health interests were joined by Police Scotland and environmental health officers in supporting this Bill.'

But Simon Clark, director of smokers' group Forest, said: 'This Bill represents the worst kind of gesture politics. Most smokers know lighting up in a car with children is inconsiderate. That's why the overwhelming majority don't do it.'

'The new law will make no difference to public health but it represents a worrying intrusion into people's private space. Inevitably anti-smoking campaigners will now target the home, the most private space of all.'

A Police Scotland spokesman said: 'Our aim continues to be to work with partners and the public to reduce the number of people killed or seriously injured on Scotland's roads.'

'Like all legislation, officers will enforce this legislation in appropriate circumstances, but also use other options available to them.'

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# Blunders and a force from crisis to crisis



## Family's plea as they see dad die in police custody

By Gareth Rose  
Scottish Political Reporter

THE family of Sheku Bayoh have watched CCTV footage of him dying in police custody.

They demanded the Lord Advocate release the film of his last moments after seeing it for the first time at the Crown Office yesterday.

Mr Bayoh's partner Colette Bell, 27, could not watch - and waited outside with their nine-month-old son Isaac.

Inside, his sisters, Kadi Johnson, Adama Jalloh and Kosna Bayoh, and brother-in-law Ade Johnson looked on in tears.

The footage was paused and rewound so they could examine every moment as Mr Bayoh, 31, lost consciousness while being held by police in Kirkcaldy, Fife, on May 3. The family were also shown a recording of the incident taken by a member of the public on a mobile phone.

After leaving the Crown Office, they went to the Scottish parliament to meet a cross-party group of MSPs, led by Labour's Claire Baker.

The family say they have lost confidence in the Police Investigations and Review Commissioner (PIRC) to hold officers to account and want MSPs to take on their campaign for answers.

Speaking outside Holyrood, the family's lawyer Aamer Anwar said: 'It has been 22 weeks since Sheku Bayoh lost his life in police custody on the streets of Kirkcaldy. His family are here today to urge politicians of all parties to hear their concerns.'

'The family knows the Scottish Government has said they cannot speak due to a live investigation - but they believe



Died in custody: Sheku Bayoh

silence is not an option if we are to avoid a whitewash.

'Over the last four months, the family have learned a great deal about the background of the police officers and what they did to Sheku Bayoh on the morning of May 3.'

Miss Bell said: 'I'm left without my soulmate, Isaac is left without a daddy, all because of

### 'Silence is not an option'

police brutality. At what point will the police be held accountable for their actions?

'It's completely unacceptable that no police officer has been prosecuted. When it comes to charges against the police, they are never charged.'

'I just want answers, the

truth, justice for my son. So when he asks me why he does not have a daddy, I can explain we've done all we could to hold the officers responsible and accountable. Surely that's not too much to ask.'

The family were shown the footage on agreement of confidentiality, but urged the Lord Advocate to make it public.

Mr Anwar said: 'The Bayohs have always said that if Sheku broke the law, then the police had a right to act, but any force used had to be legitimate and proportionate.'

'He was not a terrorist, he was not brandishing a knife at police officers, he was not carrying a knife when officers attended, nor was he 6ft-plus with superhuman strength. His family state that he did not deserve to die.'

'Sheku's mother still wants to know what were her son's last words and his family remain determined to seek the truth, because without truth there can be no justice.'

Mrs Baker said lessons had to be learned to stop the same thing happening to someone else, adding: 'Today's meeting was an important step in that direction and I hope that MSPs from all parties will join me in seeking answers.'

A Crown Office spokesman said: 'In order to protect the integrity of the investigation, we cannot at this stage release the CCTV footage into the public domain. We will, however, release the CCTV as soon as this can be done, without prejudicing the investigation.'

A PIRC spokesman said: 'The Commissioner fully empathises with the deceased's family and has reiterated her commitment to get to the truth of the matter.'

[g.rose@dailymail.co.uk](mailto:g.rose@dailymail.co.uk)

Looking for answers: Colette Bell and her son Isaac at the parliament yesterday

## Official watchdog that is buckling under the strain

SINCE being created in 2013 following the formation of Police Scotland, the Police Investigations and Review Commissioner (PIRC) has become arguably the country's most overworked quango.

Before that, the eight individual forces investigated each other.

But when the unification took place two years ago, PIRC was created to ensure independent probes could be carried out.

It has been deluged with referrals since then as police blunders mount up, raising concern that it may struggle to cope with its

soaring workload. Its official role is to 'undertake independent investigations into the most serious incidents involving the police and to provide independent scrutiny of the way police bodies operating in Scotland respond to complaints from the public.'

Around half of its 50 staff are involved in the investigation of serious incidents - with the rest working on the review of police complaints.

Kate Frame became PIRC Commissioner in August 2014. She had previously been at the Crown Office, as head of the 'criminal allegations against the police' division. Director of

Investigations John Mitchell is a former Detective Chief Superintendent and head of CID at Strathclyde Police.

He was responsible for investigations into some of the most high-profile crimes committed in the Strathclyde Police area.

These included a spate of parcel bombs sent to the then Celtic manager Neil Lennon and prominent supporters of the club in 2011.

The Commissioner must, if directed to do so by the Crown Office, 'investigate any circumstances in which there is an indication that a

person serving with the police may have committed an offence'.

Based in Hamilton, Lanarkshire, PIRC also probes the 'circumstances of any death involving a person serving with the police which the procurator fiscal is required to investigate under the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976'.

It also probes any allegation of misconduct referred by the Scottish Police Authority, the 'civilian oversight' body for Police Scotland, if the Commissioner 'assesses the matter, if proved, would amount to gross misconduct'.

# Scottish Daily Mail

FRIDAY, OCTOBER 9, 2015

60p

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As family sees CCTV of father's custody death, Scots force hit by record level of complaints

## NOW POLICE FACE ELEVEN PROBES BY WATCHDOG

SCOTLAND'S police watchdog is conducting a record 11 investigations into alleged blunders by the crisis-stricken single force.

The Police Investigations and Review Commissioner (PIRC) is probing a series of scandals

By Graham Grant  
Home Affairs Editor

that has rocked Police Scotland since its formation in 2013.

The disclosure comes as relatives of a father who died in police custody watched CCTV and mobile phone footage of the last moments of his life for the first time yesterday.

The 'heartbroken' family of Sheku Bayoh called on the Crown Office to

release the images publicly, amid an ongoing probe into his death.

There is now concern over whether PIRC can cope with the growing workload of the inquiries.

Last night, Scottish Tory chief whip John Lamont said: 'Police Scotland is lunging from crisis to crisis. This proves the tumultuous times it now finds itself in as a single force.'

'It's high time it got it right. From

Turn to Page 4



Strictly Carol:  
I'm starting to  
lose my sight

SEE PAGE THREE



# Crowdfunding bid to unseat Carmichael passes £100k mark

EXCLUSIVE  
BY GREG RUSSELL

**T**HE crowdfunding campaign for the Orkney four's bid to unseat lying MP Alistair Carmichael has sensationally passed the £100,000 mark.

Four residents in Carmichael's constituency started the initiative to fund legal action against Scotland's only Liberal Democrat MP after he admitted leaking then lying about a false memo aimed at damaging Nicola Sturgeon.

Fiona MacInnes and Tim Morrison started the crowdfunding campaign to bring the case and within weeks it had exceeded its first target of £60,000.

After the first sitting of an Election Court in Scotland for 50 years, Lady Paton and Lord Matthews said they wanted to hear evidence. By that time the fundraiser had restarted and quickly built to last night's total of £100,060 from 5,679 supporters.

Morrison said: "It's incredible and inspirational that so many people care about democracy."

The case has become known as Frenchgate and it moves closer to a conclusion next week when lawyers for both sides meet at the Court of Session in Edinburgh.

Court No 1 in Parliament House is the venue for an Election Court "by order" hearing in the case brought under the Representation of the People Act 1983.

Section 106 of the Act makes it an offence to make or publish false statements about any candidate during an election, and Lady Paton and Lord Matthews ruled that it could also



Former Scottish Secretary  
Alistair Carmichael

apply to "self-talking", as well as attacking another candidate.

The People v Carmichael contend that he lied about his own personal character and conduct during the election campaign to maintain his reputation as a man of honour in Orkney and Shetland – against section 106.

Monday's hearing will set out the ground rules for the forthcoming trial, including its location – it could be held in Kirkwall – the witnesses, the time to set aside for it and whether the standard of proof should be the same as in a criminal case or a civil one.

It is thought that in light of the fact it would be a criminal offence to contravene Section 106, the standard of proof would be the more stringent criminal level.

Carmichael will have to give evidence under oath and former LibDem leader Nick Clegg could be one of the witnesses. He had previously said Carmichael had told him that the leak didn't come from him, but in his responses Carmichael said Clegg had not been briefed.

He has already admitted

leaking and then lying about a memo that was aimed at damaging Nicola Sturgeon. It falsely claimed she had told the French Ambassador she would prefer David Cameron to remain in Downing Street.

An inquiry found he was responsible for sanctioning the leak to The Telegraph through special adviser Euan Roddin.

Carmichael then admitted his part and apologised to Sturgeon, but has refused to stand down and fight a by-election. He said he would have resigned over the memo had he still been a Government minister, but declined his ministerial severance payment.

Support for the former Scottish Secretary is thin on the ground. Last night, Carmichael's own campaign to pay his legal fees had raised £7,755 from fewer than 200 people in a month.

Carmichael was one of just eight LibDem survivors on May 7, but his majority of more than 10,000 was squeezed to 817 votes.

He is also being investigated by the Parliamentary Standards Commissioner Kathryn Hudson, who will establish whether or not his behaviour breached the Commons Code of Conduct.

If Hudson conducts a follow-up investigation and finds Carmichael guilty, she could exercise a punishment of a lengthy suspension from the Commons, and a by-election could be triggered under the Recall of MPs Act 2015.

This was the brainchild of Nick Clegg and states that if an MP is suspended for just 10 sitting days, then only 10 per cent of his or her constituents would need to sign a petition demanding a by-election.



Bayoh's sisters spoke to MSPs yesterday

The spokesman went on: "The family were offered the opportunity to participate in the process of identifying further expert forensic pathologists, in addition to those already commissioned, to provide an opinion on how Shaku Bayoh died.

"They have now nominated three experts, whose details will be shared with the Lord Advo-

cate for his consideration and instruction.

"The Commissioner is keen that the family are able to openly and honestly communicate with her so they may achieve a better understanding of the process and progress of the investigation.

"She is committed to further dialogue and looks forward to meeting the family again in the near future."

## another drop for party despite two new leaders

Shandwick's Scotland votes predictor the result would see the SNP win 76 seats in Holyrood, including all but one constituency seat.

Labour would lose five seats, taking them to 33, and the Tories would also lose four taking them to 11. Both the LibDems and Greens would gain one MSP taking them to six and three respectively.

Tom Costley, head of TNS

Scotland, said there was some reassuring news for Labour: "People are still getting to know the new Labour leaders so it's not surprising there has been little immediate impact on voting intentions.

"One crumb of comfort for Labour may be that the overwhelmingly negative media commentary on Corbyn's election appears not to have affected the party's Scottish

support, though the poll was carried out before his recent statement that he would never authorise the use of the UK's nuclear deterrent if he became prime minister."

SNP business convener Derek Mackay MSP said it was another "incredible" poll for the SNP.

"But we, of course, take absolutely nothing for granted and will be working hard every day between now and May

to ensure that we retain the trust of people in Scotland – and secure the re-election of Nicola Sturgeon and an SNP Government with an unparalleled track record of delivering for Scotland," he said.

Mackay continued: "While a hopelessly divided Labour party tears itself apart as their divisions deepen, the SNP are getting on with the job of delivering in Government and

standing up for Scotland at Westminster – which is exactly why people are continuing to put their trust in us."

The poll also asked voters how they would cast their ballot in the referendum on remaining a part of the EU.

Almost half (47 per cent) of Scots questioned want the country to remain part of the EU while 18 per cent support leaving.

# Family: Footage of Sheku's death must go public

## Relatives shown CCTV and phone video of tragedy

BY ANDREW LEARMONTH

**R**ELATIVES of Sheku Bayoh, the Fife man who died in police custody in May, have called for CCTV and phone video footage of his death to be released to the public.

Yesterday morning the family saw the footage of Sheku's death for the first time, at the Lord Advocate's office in Edinburgh.

Sheku died in an incident in the early hours of May 3 in Kirkcaldy. It is thought 13 police officers came into contact with him.

The circumstances around Sheku's death are currently under investigation by the Police Investigations and Review Commissioner (Pirc).

Sheku's partner, Collette Bell, and his sisters met MSPs at the Scottish Parliament yesterday afternoon. Bell told MSPs that "policies and procedures need to be looked at".

She said: "Changes need to happen, whether it be a change in the law, additional training or better management of complaints made against the police."

"In a case where an officer has numerous complaints against

**if Sheku had not come into contact with the police he would still be here. We would be a happy family, with plans for the future**

him, they are not able to keep on patrolling the streets."

She added: "I just want answers – the truth, justice for my son so when he asks me why he doesn't have a daddy I can explain as best I can and say we did all we could to hold the officers responsible accountable. Surely that is not much to ask?"

She later added: "The fact of the matter is, if Sheku had not come into contact with the police he would still be here. We would be a happy family, full of love and plans for the future. Instead I am left without my soulmate and my best friend and Isaac is left without a daddy."

Speaking outside the Scottish Parliament, the family's lawyer, Aamer Anwar, urged the Lord Advocate to "publicly release the CCTV".

Anwar said the family accepted the police had a right to act if Sheku had broken the law, "but any force used had to be legitimate and proportionate".

He added: "He was not a terrorist, he was not brandishing a knife at police officers, he was not carrying a knife when officers attended, nor was he 6ft-plus with superhuman strength. His

family state that he did not deserve to die.

"Sheku's mother still wants to know what were her son's last words and his family remain determined to seek the truth, because without truth there can be no justice."

Anwar also expressed concerns about the thoroughness of the investigation by the Pirc. The solicitor said Sheku's family had called for MSPs to give the Commissioner more powers "to hold Police Scotland to account".

A spokesman for the Pirc said: "The Commissioner fully empathises with the deceased's family and their desire for answers in relation to how Sheku Bayoh died, and has reiterated her commitment to get to the truth of the matter."

"To that end, she met with the family on September 3 to update them on the work done to date and to highlight the investigations still on-going."

"Following the meeting, the Commissioner wrote to the family's legal representative in which she addressed concerns and questions raised, and repeated her undertaking to deliver a thorough, independ-



Collette Bell, Aamer Anwar and Sheku

ent and impartial investigation. Throughout this investigation, the Commissioner has been in regular dialogue with the Lord Advocate in relation to the progression of the investigation.

"The Commissioner continues to work closely with the Lord Advocate to investigate all available lines of enquiry, including gathering further expert opinion in relation to the cause of death."

## Scottish Labour 'dying on their feet' as poll shows

BY ANDREW LEARMONTH

**S**COTTISH Labour are "dying on their feet" as voters continue to desert them, despite the election of Jeremy Corbyn and Kezia Dugdale.

In a poll for TNS, carried out after both Corbyn and Dugdale had been elected, a time when leaders are expected to see a "bounce" in the polls, Labour

are down two points on the previous month to 21 per cent in the constituency vote.

To put that in perspective, Labour are now polling three points lower than they did in May's General Election.

The research also looked at voting intentions by generation. Just 13 per cent of 16 to 34-year-olds are supporting Labour, down four points on last month, compared to 68 per cent who



UK Labour leader Jeremy Corbyn with Kezia Dugdale

are backing the SNP. Yesterday, during an angry exchange at First Minister's Question time, Nicola Sturgeon said Labour needed to change tactics "before it is far too late for a party that is dying on its feet".

The research of 1,037 adults in Scotland was carried out between September 9-30.

Support for the SNP was at 56 per cent in the constituency vote, some 35 points ahead of Labour.

The Conservatives remain unchanged at 12 per cent, the Liberal Democrats on six per cent and the Scottish Greens on five per cent.

In the regional section of the ballot, support for the SNP was at 52 per cent, Labour was on 23 per cent, the Tories on 11 per cent, the Liberal Democrats on six per cent and the Scottish Greens on five per cent.

According to Weber

FRIDAY OCTOBER 9, 2015

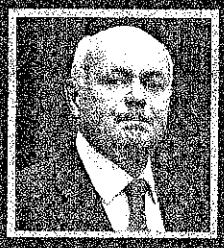
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THE NEWSPAPER THAT SUPPORTS AN INDEPENDENT SCOTLAND

50p



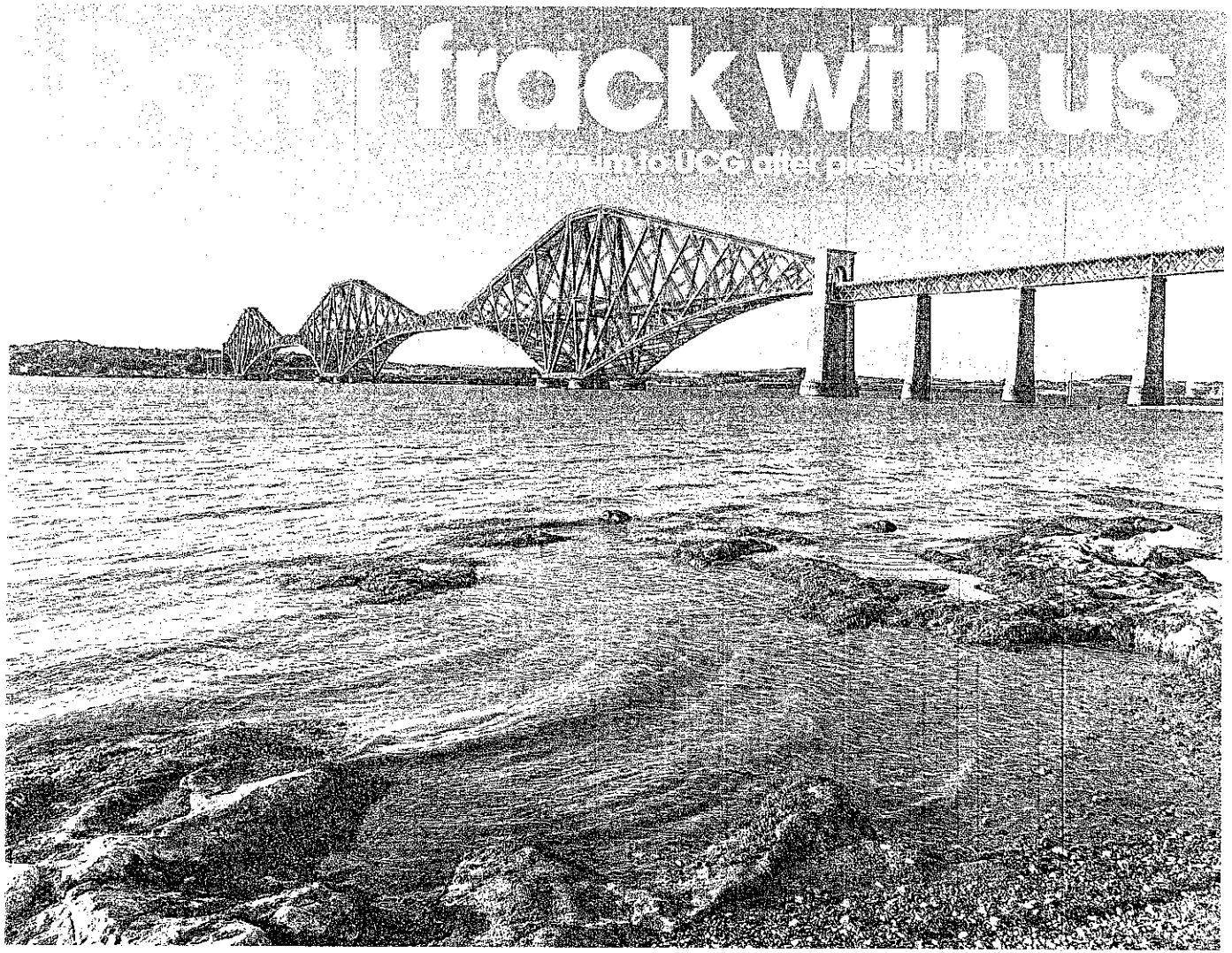
Sheku Bayoh family watch CCTV video of his final moments  
Page 2



DWP ignores MPs' request to answer concerns over suicides  
Page 5



New poll finds Labour 'dying on its feet' in Scotland  
Page 2



## Don't track with us

...to UCC after pressure from...

# Bayoh family sees film of his last moments

Call to make public custody death footage on CCTV and phone

By CHRIS MARSHALL

THE family of a man who died in police custody have watched CCTV and mobile phone footage of his last moments.

Sheku Bayoh, 31, died in May following an incident during which a female police officer was injured.

The Police Investigations and Review Commissioner (Pirc) is now investigating.

Yesterday, Mr Bayoh's family watched footage taken in the lead-up to his death and called for it to be released publicly.

A statement released by the family's solicitor, Aamer Anwar, said: "This morning at the Lord Advocate's office a heartbroken Bayoh family watched the last moments of Sheku's life taken on CCTV and mobile phone.

"Whilst they agreed to viewing the CCTV on the basis of confidentiality, the family would now urge the Lord Advocate to publicly release the CCTV.

"The Bayohs have always said that if Sheku broke the law, then the police had a right to act, but any force used had to be legitimate and proportionate."

Relatives of the trainee gas engineer, including Mr Bayoh's partner Collette Bell and his sister Kadijartu Johnson, have been demanding answers over police conduct and Mr Bayoh's cause of death, and have previously held meetings with the Pirc and Lord Advocate.

Mr Anwar has always denied



Partner Collette Bell and son Isaac, with sister Kadijartu Johnson, left, and the family's lawyer Aamer Anwar, right

PICTURE: NIEL HANNA

that Mr Bayoh was carrying a knife when officers attended the incident in Kirkcaldy's Hayfield Road on May 3.

But it has been claimed a witness saw Mr Bayoh carrying a knife before police arrived. Officers later recovered a knife close to where Mr Bayoh was arrested.

The family took their case to the Scottish Parliament yesterday, where Labour MSP Claire Baker had organised a cross-party meeting to allow relatives to talk to politicians.

A spokesman for the Pirc said: "The commissioner fully empathises with the deceased's family and their desire for answers in relation to how Sheku Bayoh died, and has reiterated her commitment to get to the truth of the matter.

"Throughout this investiga-

tion, the commissioner has been in regular dialogue with the Lord Advocate in relation to the progression of the investigation.

"The family were offered the opportunity to participate in the process of identifying further expert pathologists, in addition to those already commissioned, to provide an opinion on how Sheku Bayoh died.

"They have now nominated three experts, whose details will be shared with the Lord Advocate for his consideration and instruction.

"The commissioner is keen that the family are able to openly and honestly communicate with her."

cmars@scotsman.com

## Short sight warning for children spending too long on computers

By AMY WATSON

Children should spend at least two hours playing outside and spend less time on tablets and mobile to prevent an epidemic of shortsightedness, according to research.

About a billion people are at risk of blindness by 2050 because the use of electronic devices is fuelling a vision loss "timebomb".

One in two of the global population will be myopic - short sighted - by the middle of the century, equating to around five billion, with a fifth having it in its worst form, which can cause loss of sight.



Youngsters should spend less time at computer screens

A lifestyle largely spent indoors staring at computer screens has been blamed for the soaring numbers, with "near work" a major cause of eye problems.

Fresh air is now seen as crucial

to preserving our eyes and behaviour has to change, alongside better optical treatments. One in three people in Britain, alone, is now short sighted.

Professor Kovin Naidoo, chief executive of the Brien Holden Vision Institute at the University of New South Wales also praised shades wearing rock legend Bono, who suffers from glaucoma which makes the eyes sensitive to light, for teaming up with eyewear brand Revo to help prevent vision impairment and blindness in more than five million people by 2020, saying he "applauded his efforts".

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SKing	05755	£244.99	£34.99	D6097	£74.99	£39.99
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**54709**

# Sheku case PC accused of being a racist by his own family

By Jonathan Brocklebank  
and Tom Witherow

THE family of a policeman involved in restraining a black man who died in custody have claimed the officer is a racist with a history of violence.

PC Alan Paton was among the first officers to confront Sheku Bayoh, 31, in May after police were called to a street in Kirkcaldy, Fife.

Within minutes of being brought to the ground, the father of two from Sierra Leone had stopped breathing.

Last night it emerged that PC Paton's family had contacted Mr Bayoh's grieving loved ones because they believed they owed it to them to reveal the PC's past.

They said 41-year-old PC Paton was a self-confessed racist who 'hated all blacks' and that he had previously given both parents a vicious beating.

According to family members, PC Paton was allowed to remain in the force even after the alleged assault and became a community police officer.

Barry Swan, the officer's brother-in-law, said: 'He's someone who should have been stopped ten years ago.'

Mr Bayoh was a trainee gas fitter with no previous record of misbehaviour.

He died early on May 3 after a group of officers arrived on a street where he was reported to have been wielding a knife.

He was unarmed when police arrived and no knife was found. It is alleged they used CS spray, pepper spray and batons to restrain Mr Bayoh, who is thought to have taken ecstasy. When he was on the ground, wrist and ankle restraints were also used.

A post-mortem report showed he had nearly 30 separate injuries on his head, chest,

lower legs and left arm, including a fractured rib, cuts, bruises and grazes.

His family believe he died as a result of 'positional asphyxiation' as he was held face down on the pavement by several burly officers, one of whom weighed 25 stone. As a result of the allegations about PC

paton long and she hoped he would show some remorse. But it didn't do him any good. It just made him worse.

Another relative told of meeting PC Paton in a supermarket a few weeks after Mr Bayoh's death. He alleged PC Paton told him: 'I'm a total racist. I hate all blacks.'

The family member added: 'He said it quite normal and said "I'm off work just now". I didn't want to listen to it. It was random. "I was sorry he said it and couldn't keep it to myself. I would stand by what I say in relation to Alan Paton even if required to do so in court."

Collette Bell, Mr Bayoh's partner and mother of his eight-month-old son Isaac, said: 'There's no doubt about it, if Sheku had not come into contact with the police, he would still be here, and that



Confrontation: PC Alan Paton



Couple: Sheku Bayoh with partner Collette Bell before the tragedy

## Excuse me, has anyone seen my boa constrictor?

By Peter McGlone

AT 'nine-foot long and as thick as your arm', Bella the boa constrictor is a difficult creature to lose.

But police had to put out an alert with that description when her owner couldn't find her anywhere at home.

Despite also claiming the snake was 'docile' and no danger to the public, Police Scotland's 'nine-foot' description had people in Broughty Ferry, near Dundee, running to lock their windows and doors on Tuesday night.

News of the missing pet went viral on social media, with some posters alarmed at the news and others finding it hilarious.

Tina Gorrie advised people living in the area to 'Go to bed with cycle clips around the ankles'.

Others made a joke of the police description. Danny Braidwood said: 'This has made my day! A nine foot snake as thick as an arm on the loose. Police Scotland you have outdone yourselves.'

Bella was blissfully unaware of all the fuss she had caused. She was discovered having a snooze behind the cooker in the kitchen by her owner, having never left her house in Portree Avenue.

She had apparently slithered through a gap under the oven and through a crack into a hole in the wall next to a plug socket.

The tip of the reptile's tail was finally spotted poking out of the crack.

The owner, a 26-year-old man who asked not to be named, said: 'I'm not sure how she has managed to get so far down as it is a tiny hole and she is massive.'

The house is a state as I turned the place upside down looking for her.

Needless to say, I am very relieved to have found her!

### 'He left his dad black and blue'

Paton, they also believe racism was a factor in his death.

A relative of PC Paton said the officer's father John was left 'black and blue' after being beaten by his son and 'was never the same again'.

The relative said PC Paton's mother did not press charges because 'he hadn't been in the

aiding longevity is that happier people are better able to handle stress and have a strong network of friends.

Writing in the journal *Social Science & Medicine*, the team from the University of North Carolina said: 'Happiness may provide a route toward more enjoyable and longer lives.'

But despite the clear benefits of being upbeat, just a third of those questioned described themselves as 'very happy', with pensioners the most contented.

And the researchers warned there was more to a long life and happiness than simply living in a nice neighbourhood and having economic security.

## Come on, crack a smile! You might live for longer

By Fiona MacRae

If you're looking for reasons to be cheerful, then researchers have found one to top your list - happy people live longer.

A 30-year-long study found that miserable people of all ages were 14 per cent more likely to have died by the end than those with a sunny disposition.

Regardless of income, health or marital status, people who described themselves as 'very happy' at the study's outset were more likely to outlive those who said they were 'not too happy'.

The 'not too happy' group were also an average of 6 per cent more likely to have died at any given time than those who said they were merely 'pretty happy', the survey of 30,000 adults found.

One possible explanation for happiness

aiding longevity is that happier people are better able to handle stress and have a strong network of friends.

Writing in the journal *Social Science & Medicine*, the team from the University of North Carolina said: 'Happiness may provide a route toward more enjoyable and longer lives.'

But despite the clear benefits of being upbeat, just a third of those questioned described themselves as 'very happy', with pensioners the most contented.

And the researchers warned there was more to a long life and happiness than simply living in a nice neighbourhood and having economic security.

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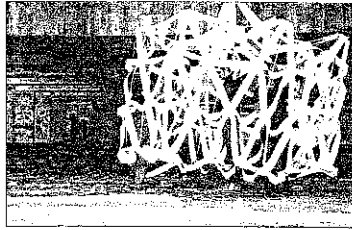
# Work created thanks to art school blaze bursary is gifted to Scottish Parliament

A FILM created by an art student affected by the blaze at the Glasgow School of Art has been donated to the Scottish Parliament's collection.

Lydia Levett's artwork, titled "It's ok to fail" was filmed at the St Peter's Seminary, Argyll, and was inspired by the creation of the first geodesic dome.

It was selected from an exhibition of pieces by artists who received Phoenix bursaries from the Art School and the Scottish Government to help them rebuild their portfolios.

Ms Levett said: "It's a



IT'S OK TO FAIL: An image from the film.

huge privilege that my work is to be part of the Scottish Parliament Art Collection.

"I was amazed to learn that my video had been selected as the work

which the GSA was to gift to the collection."

The Phoenix Bursary programme, backed by £750,000 from the Scottish Government, was established after the

blaze at the Mackintosh Building that severely damaged not only much of the west wing of the landmark building but the crucial degree show art works of fine art students.

The bursary programme allowed for those artists, who have now graduated, to begin new work for 15 weeks with a weekly stipend of £315 and up to £1,000 for materials.

Professor Tom Innes, director of The Glasgow School of Art, said: "Without the Scottish Government the Phoenix Bursary programme

would not have been possible. I am delighted to be able to present this artwork to the Scottish Parliament on behalf of the GSA."

The parliament's collection includes work by leading Scottish artists including Ian Hamilton Finlay, Sir Eduardo Paolozzi, Christine Borland, Alison Watt, Callum Innes, John Bellamy, and Thomas Joshua Cooper.

Presiding Officer Tricia Marwick MSP said: "This gift represents a significant addition to the parliament's art collection."

# Rail passenger hurt as train hits vehicle on the line

A PASSENGER suffered minor injuries when a train struck a vehicle on the railway line.

The passenger was said to have suffered "slight grazing" to a hand caused by one of the windows on

the train in the smash near Uphall station in West Lothian during the incident.

Emergency services were called to the scene at about 5.05pm last night.

The accident caused some disruption to services on the line, while there were reports of major delays on the M8 motorway as drivers slowed down to watch the emergency response.

ScotRail said it expected that the service between Edinburgh to Milngavie would be back to normal this morning.

ScotRail tweeted: "Due to a train hitting an obstruction on the line

near Uphall, services between Edinburgh and Helensburgh/Milngavie may be cancelled."

A British Transport Police spokeswoman said there were no passengers inside the vehicle.

# BBC makes allegation about past of police officer in custody death case

FRESH allegations have been made about one of the officers involved in the case of a man who died in police custody.

The claims, made in a BBC documentary, were made about the past conduct of one of nine officers said to have been involved in the alleged incident in which Sheku Bayoh died in Kirkcaldy, Fife, on May 3.

Neither Police Scotland or the Scottish Police Federation would comment on the claims, which partly date back to 2005.



SHEKU BAYOH: Died in custody in May.

Father-of-two Mr Bayoh, 31, died in custody in as yet unexplained circumstances.

A female officer was injured in the incident

which began at about 7am on May 3.

Officers were called to reports of a man carrying a knife in the street. It is understood a knife was recovered a few yards from the arrest scene.

The case is under investigation by the Police Investigations and Review Commissioner (Pirc).

A legal representative for the Scottish Police Federation, which represents the officer involved, said no comment would be made while the Pirc investigation is ongoing.

# Sainsbury's hangs up on its mobile phone service

SUPERMARKET Sainsbury's is axing its mobile phone service after talks broke down with its network supplier Vodafone in a move affecting around 150,000 customers.

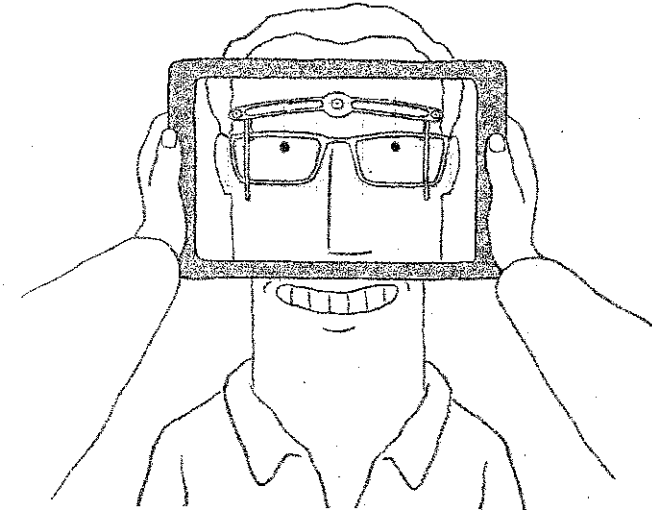
The Mobile by Sainsbury's service will end on January 15 just two-and-a-half years after it set up the joint venture with Vodafone.

Most of the customers affected are on Sim-only pay-as-you-go deals and Sainsbury's said they will not be able to top up credit after November 14.

It is advising them to use credit by January 15, although it is understood customers will still be able to reclaim any outstanding credit after that time.

Sainsbury's apologised to customers on its website, saying it wanted to make the process of changing mobile provider as "straightforward as possible".

The group added in a statement: "Our priority now is to help our customers and make sure they are inconvenienced as little as possible."



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THE HERALD  
15.10.15

# COP ACCUSED OF BATTERING MUM AND DAD

**» FROM PAGE ONE**

and handcuffs to subdue dad-of-two Sheku following an incident in Kirkcaldy five months ago.

An investigation is under way into the circumstances surrounding the 31-year-old trainee gas engineer's death and his family have campaigned for answers about the way the police handled his detention.

Bayoh family lawyer Aamer Anwar said last night: "How ironic that the violent histories of a police officer or officers have not been revealed to the public or to the family."

"I think the public have a right to expect that those who engage in violence and those who engage in racism should not be able to walk our streets as police officers."

"They must be held to account." Speaking to the BBC, members of Paton's own family claimed he had a history of violent and racist behaviour.

The 41-year-old policeman is said to have given his father John a "major kicking" and knocked his mother Ann unconscious during a violent attack in their own home in 2005.

Paton's brother-in-law Barry Swan, 43 - who saw the aftermath of the alleged assault - said: "We need to let that family know, we need to let them know about Alan's past."

"I got a call at work early morning. 'Could you come home to mother and father-in-law's?'"

"I genuinely could not believe I was witnessing what I saw... because what kind of person can actually do that to their own parents?"

**"Alan is a big boy, he towered over his mum and dad."**

"A frail old man who'd basically been put through something he should never have been put through, he was literally black down one side."

"You knew instantly it wasn't one hit. He'd been kicked, he'd been stamped on - he'd had a major kicking."

Barry, an engineer who is married to Paton's sister, added: "He out-and-out admitted that he was a racist, that he hates them, as he puts it, all the blacks. It's not right he's a police officer."

Police responded to the incident and Paton, a serving officer at the time, was charged.

But his parents later chose not to take it any further.

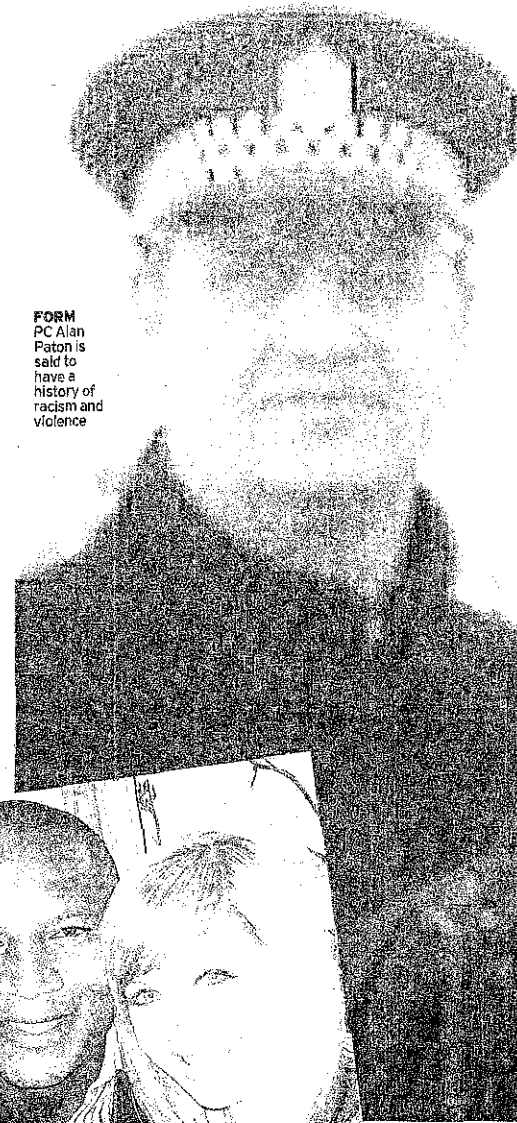
Signed statements obtained by the Record claim Paton also bad-mouthed Sheku in the weeks after his death.

Asked if he was still working as a police officer, he allegedly told a source: "I've not worked since May. I'm trying to get out of the police since that incident with that black b\*\*\*\*\*."

**"He was off his face, he deserved it."**

Sources also told how Paton wanted to join

**FORM**  
PC Alan Paton is said to have a history of racism and violence



**FIGHT FOR JUSTICE** Anwar with Sheku's family at Scottish Parliament

are so violent that they would hit out at their own parents, what hope does any normal citizen have?

"It really hit me when I saw the extent of Sheku's injuries. How do they get away with that?"

"Are they allowed to do that? Is that part of their training?"

**"Are they allowed to just beat somebody up like that?"**

"I've always said if Shek had broken the law, why can't you have just done your job? Do your job properly and Shek would still be here."

"Those officers had a duty of care that morning and they did not follow protocol at all."

"They're supposed to be trained in restraint. They should have the ability to deal with people appropriately without having to beat them to a pulp."

"There are ways to restrain somebody without killing them."

The Police Investigations Review Commissioner has launched an investigation to determine if there was any wrongdoing by officers and Lord Advocate Frank Mulholland has promised a "thorough, impartial and objective" inquiry.

Paton did not respond to the new allegations when asked by the BBC.

Police Scotland Assistant Chief Constable Kate Thomson said: "It would be inappropriate to comment as there is an independent investigation."

"Police Scotland remain committed to co-operating fully with the PIRC's inquiries. I would like to again offer my condolences to Sheku's family and we await the conclusion of the investigation."

Peter Watson, the lawyer for the Scottish Police Federation, said his firm PBW Law are "representing the interests of Mr Paton in the inquiry surrounding the death of Sheku Bayoh".

He added: "The matters you raise have nothing to do with that inquiry."

A PIRC spokesman said: "The commissioner fully empathises with the deceased's family and has reassured them that she and her team of investigators are objectively exploring all relevant lines of inquiry."

"All information gathered throughout the PIRC investigation will be submitted to the Lord Advocate for his consideration."

**» Those who engage in violence and racism should not be police officers**

far-right racist group the BNP as a teenager.

CCTV footage of Sheku's 7.20am arrest has previously been seen by the Bayohs.

It has been claimed Sheku was brought to the ground within 30 seconds and that Paton and a colleague known as Officer B - two of the first officers on the scene - believed they could be facing a terrorist incident.

The two officers are understood to have a combined weight of around 43 stones and eyewitness reports told of officers kneeling and lying on Bayoh to restrain him.

Anwar said Sheku stopped breathing within five minutes and was declared dead at Victoria Hospital in the Fifeshire town a short time later.

It was claimed that officers were responding to calls of a man with a

knife - but Anwar said Sheku was not holding a knife when he approached the police.

A female officer, Nicole Short, was hit in the head during the incident.

While the post mortem was inconclusive, Sheku's family believe he died from positional asphyxiation.

His body was covered in cuts and grazes including a deep gash on his forehead.

**His eyes showed signs of haemorrhaging, which can indicate asphyxiation.**

The report also revealed that Sheku had traces of ecstasy in his system.

Yesterday, Sheku's devastated partner Collette Bell - the mother of his eight-month-old child - voiced her concern at the latest claims.

She said: "There's no doubt about it, if Shek had not come into contact with the police, he would still be here."

"If somebody could beat up their own mum and dad, why are they still allowed to patrol the streets? If they

**TOGETHER**  
Sheku Bayoh with partner Collette Bell. Left, Barry Swan



# 18,000 more are out of work in Scotland

SCOTLAND'S jobless total has risen by 18,000 in three months.

There were 170,000 people out of work, including those not eligible for benefits, in the period from June to August - that's 6.1 per cent of the workforce.

The rise in Scotland is in stark contrast to the UK as a whole, where joblessness fell to a seven-year low.

Labour public services spokesman Jackie Baillie

**KATRINE BUSSEY**  
reporters@dailyrecord.co.uk

said: "These figures make grim reading for Scotland and speak to a government with the wrong priorities."

"The increase in unemployment in the north-east confirms that the SNP sat on their hands while we saw an oil jobs crisis."

"This was too important an issue for a government to ignore because it was politically embarrassing."



PRIORITIES Jackie Baillie

## VW fans get compo bug

NINE out of 10 British VW drivers whose cars may be caught up in the diesel emissions scandal say they should receive compensation.

The German car makers have not confirmed whether owners of cars fitted with software used to cheat environmental tests in the US will be awarded a payout.

But a Which? survey of over 2000 motorists who own a VW diesel built between 2008-15 showed that 90 per cent think they should.

## SHAME SHEKU

# What kind of person could do that to their own parents? The frail old man had got a major kicking

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300g Aunt Bessie's Sponges (two varieties) - £3.33 per kg • 4pk Magnum - 34.1p per 100ml • 500ml Ben & Jerry's Ice Cream (three varieties) - 39p per 100ml



# Daily Record



NEWSPAPER OF THE YEAR 60p

## Strictly WAR

Strictly dancer Ola's hubby launches broadside at Craig Revel Horwood PAGES 14&15

PLUS

4 PAGES OF PUZZLES

## SKYE'S TEARS

# Give me back my Minion



Despicable thief leaves Skye, four, heartbroken after making off with her favourite Minion statue, carved by her loving grandad William

SEE PAGE 15

# PC's own family expose the shameful past of officer on scene of fatal arrest

# SHEKU COP IS VIOLENT RACIST



**ACCUSED**  
PC Paton's family say family of Sheku Bayoh, right, deserve to know truth

**ONE** of the first officers at the scene when Sheku Bayoh died in police custody is today denounced as a violent racist - by his own family.

Constable Alan Paton's brother-in-law revealed that the policeman once boasted: "I'm a total racist. I hate all blacks". Other

**SARAH VESTY**

relatives backed up the claim and said Paton has a history of violence, including an alleged savage assault on his own parents.

Paton was one of up to nine officers who used batons, CS spray, leg restraints

**TURN TO PAGE 7**



Confession . . . Jones

## Raider's swag at cemetery

By **MIKE SULLIVAN**  
and **CHRIS POLLARD**

GEMS from the £20-million Hatton Garden raid were found in a cemetery after one robber told where he buried them.

Danny Jones, 58, was escorted there from a top-security prison by armed cops with a helicopter overhead.

Around a dozen officers in forensic suits dug up boxes — thought to hold jewellery and cash — from a spot near graves as ten more cops stood guard.

It came after Jones wrote to a TV newsman claiming police had snubbed his pleas to lead them there.

He told Sky's Martin Brunt: "Police can't want

# SHEKU INJURED IN MIKAEEL DAD FIGHT

## Wounds riddle over custody death



Slain . . . Mikaeel, three, was killed by his mother

**CUSTODY** death dad Sheku Bayoh was hurt in a brawl with slain tot Mikaeel Kular's father before his fatal collapse, cops believe.

A post mortem found Sheku, 31, had a broken rib and 20 cuts and bruises when he died after police restrained him.

But it is claimed several of the wounds were inflicted during a punch-up with best pal Zahid Saeed an hour

**EXCLUSIVE**  
By **DOUGLAS WALKER**

before officers arrived. A source said yesterday: "It's unclear which injuries were caused by each incident."

"It's easy for some parties to suggest all were sustained during the police arrest."

*"But Bayoh and Saeed are big guys."*

Muriel Glen, 71, who lives next door to Sheku's partner Collette Bell, 27, in Kirkcaldy, claimed last night: "Collette said they fought in the house." But Bayoh family lawyer Aamer Anwar

insisted: "There has been a deliberate leak to divert attention from nine officers who used CS gas, pepper spray and batons."

The Police Investigations and Review Commissioner pledged to "get to the truth".

Sheku died in May after he was held by cops answering a 999 call.

A meeting later heard the dad of two "wasn't himself" when he traded blows with Zahid, 31, whose son, three, was killed by the boy's mum.



**BEST PALS**

Sheku & Zahid fought hours before tragedy

# Officers will be exonerated in Bayoh case, says MacAskill

## MSP under fire for comments on death in custody

**BRIAN DONNELLY**  
SENIOR NEWS REPORTER

FORMER Justice Secretary Kenny MacAskill has been accused of insulting the family of Sheku Bayoh, who died in police custody.

He said he believes a probe into the death in custody of Sheku Bayoh will show no criminality by police officers and that his death in May was a tragic accident.

Mr MacAskill said there was an "open season of hunting Police Scotland" and criticised campaigners connected to Mr Bayoh's family.

The SNP MSP added that while he believed no crime was committed, "doubtless lessons can be learned and procedures adapted".

He said: "However, if it is of criminality [then] I will be first to welcome it as a sign of the rigorous procedures that apply to ensure the service is not above the law.

"As it is, the sooner the investigations are concluded and either a fatal accident inquiry or prosecution follow the better."

Father of two Mr Bayoh, 31, died in custody after an as yet unexplained incident, which is said to have involved up to nine officers in Kirkcaldy, Fife. A female officer was injured in the incident which began at about 7am.

Mr Bayoh was arrested following reports of a man carrying a knife. Although it is claimed he did



**KENNY MACASKILL:** Former Justice Secretary spoke out over death of Mr Bayoh.

not have a knife at the time he was arrested, it is understood a blade was recovered a few yards away.

Mr MacAskill said: "When is a case neither sub judice nor does the presumption of innocence apply? Well it seems in Scotland it's when it relates to the police service or involves a police officer.

"The usual rules of tempering comment and refraining from speculation seem to have been abrogated in a recent case."

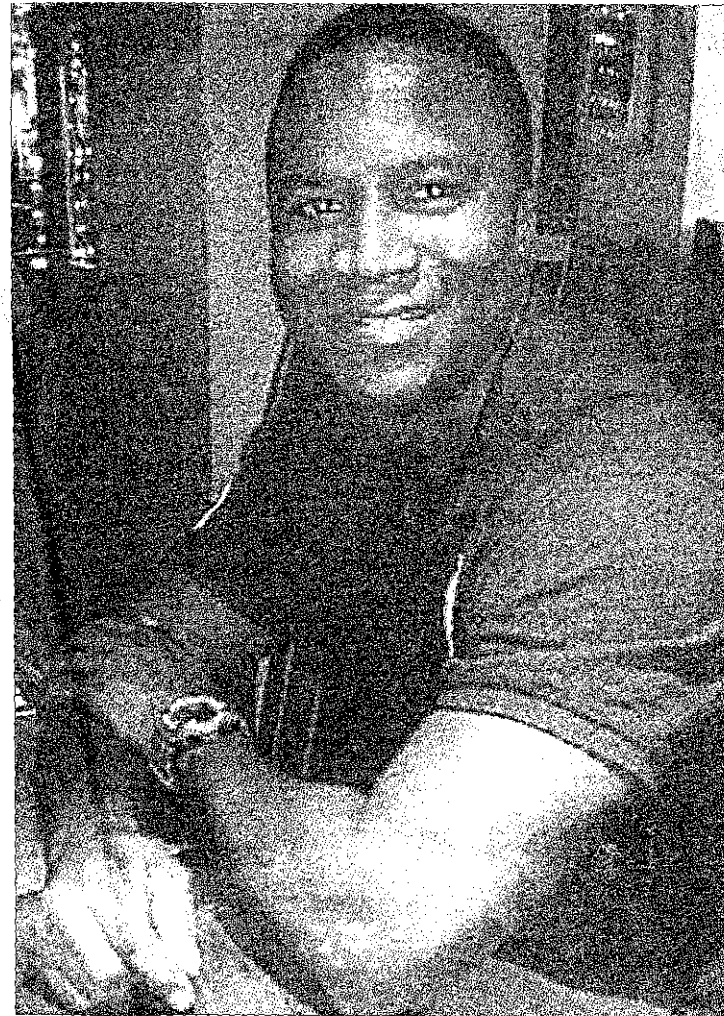
He went on: "A specific

campaign group, ostensibly for the family but apparently with a much wider agenda, seems set on exposing crimes and faults they see as existing, rather than awaiting the outcome of investigations."

Aamer Anwar, the Bayoh family's lawyer, said it was "demeaning for a former justice secretary to insult the Bayoh family without having a full grasp of the facts". He added: "Sheku's grieving family like others before them have been forced into the role of campaigners simply to get answers."

Mr MacAskill also said the Scottish Government "seem to have gone to ground, rather than speaking out" on the matter. He wrote in an article in the Police Professional: "The Pirc [independent police watchdog body] has also been in the shadows rather than at the forefront"

Mr Anwar accused the MSP of



**SHEKU BAYOH:** Father of two died in police custody after an incident involving up to nine police officers.

"adding fuel to the fire". He said: "Mr MacAskill claims he will refrain from commenting but then proceeds to do exactly that and predict the outcome of the investigation."

Professor Peter Watson, a lawyer for the Scottish Police Federation,

said: "I welcome these comments from the former Justice Secretary and I agree the sooner we get to whatever judicial proceedings are to follow the better."

Kate Frame, the Police Investigations and Review Commissioner, said: "Whether it is the Sheku

Bayoh case or any other, I will ensure that I do everything within my power to reveal the facts of the matter and get to the truth."

A Scottish Government spokeswoman said Pirc, which it established, "is a totally robust body" for investigating police incidents.

# Intruder sentenced 21 month after bottle attack

A VIOLENT intruder high on Valium and alcohol who assaulted another man in his own home with a bottle and stole a bicycle and laptop has been sentenced to 21 months detention.

Sheriff Fiona Keith QC told Thomas Bruce, 20, an inmate of Polmont Brightons, the attack was "despicable and cowardly". She said the victim, a 43-year old man, "should have been able to feel and be safe in his own home".

Bruce had pled guilty at Edinburgh Sheriff Court to committing the offences, while acting with another person, on July 23 this year at a house in Broomhouse Grove in the city. Sentence was deferred for background reports.

Fiscal Depute, Sarah Lumsden, had told the court that the householder, Matthew Lynch, had woken and was leaving his bedroom to go to the kitchen for a drink.

"At that point he found a male in his property," said Ms Lumsden. "He took hold of this male, who was wearing a green top, with a view to restraining him and in a matter of seconds another male, wearing a grey top, later identified as the accused, appeared from the kitchen and struck Mr Lynch on the head with a vodka bottle."

The Fiscal said both men ran from the house. The police spotted the pair in Broomhouse Road in possession of the mountain bike and laptop. The Fiscal said the items were valued at £1,150.

Defence solicitor Robbie Burnett said his client had no previous convictions for house-breaking or assault. The injury was not serious and the offences had been committed under the influence of drink and Valium given him by the other man.

He said Bruce had successfully completed a Community Payback Order and

# Clinical Stem cell trial aims to slow progression of kidney disease in diabetes patients

A NEW clinical trial has been launched using stem cells to slow the progression of kidney disease caused by diabetes.

Stromal Stem cells can plant is to grow stromal Stem cells to create around 800 million cells ready for use in patients.

In the case of diabetic kidney disease, the Stem cells are thought to work by replacing cell types such as bone cells, cartilage cells and fat cells.

Kidney disease affects around 75 per cent people with diabetes at some point. Tests in animals have

the rate of progression of diabetic kidney disease. A clinical trial has now

sity Hospitals Birmingham NHS Foundation Trust and

manager at Diabetes UK, said: "There is

# ALL-OUT ANWAR

## Ex-justice chief's feud with lawyer over cop death case



@KennyMacAskill  
"Case doubtless good for business"



@AamerAnwar  
"Oh nice and classy"

**MSP Kenny MacAskill accused lawyer Aamer Anwar of cashing in on custody death dad Sheku Bayoh during an online bust-up.**

He said rights activist Anwar used the case to raise his own profile. In a swipe on Twitter, the former Nats minister told

By DOUGLAS WALKER

Anwar — who represents Sheku's family — it was "good for business". Anwar sarcastically branded the remarks "classy" when he retweeted them. The pair clashed after ex-Justice Secretary Mr MacAskill predicted no criminal charges will follow a probe into the tragedy. When another user suggested he might not make

the same forecast if it was his son who died, Mr MacAskill replied: "Evidence first, I think."

Anwar posted: "Perhaps then it would have been better for you to be silent and stop being a cheerleader for Police Scotland."

Mr MacAskill hit back: "You're not silent." Anwar then wrote: "Your problem is Police Scotland can do no wrong." But Mr

MacAskill told him: "Keeps your profile high and doubtless good for business."

Mr Anwar retweeted the blast with the comment: "Oh nice and classy." Sheku died after he was restrained by up to nine officers when he was nicked in Kilmacdonald last May.

We revealed suspicions he was hurt in a fight with pal Zahid Saeed, father of slain toddler Mikael Kular.



Plastered... Keegan

## Golf club robber is sunk...at 19th hole

By RORY CASSIDY

A SOZZLED burglar was found out cold in a golf club after guzzling whiskey he stole from the bar. Ryan Keegan, 23, was face down on the floor wearing a makeshift cape when he was discovered by cops at 2.30am.

His lawyer Michael McKeown told Paisley Sheriff Court yesterday: "He was intoxicated with a tablecloth round his neck like Superman. He is unable to explain why."

Officers were called to Renfrew Golf Club when an alarm went off. A window had been smashed and security bars bent off their frame by the raider.

Keegan, of Paisley, was stretched out near an open bottle of Scotch.

He admitted stealing booze, a tablecloth and a bag of frozen chips during last June's break-in.

He was ordered to carry out 190 hours' unpaid work.

## Spot the film flop

MOVIE maker Danny Boyle fears he will be slated if he bungles his *Trainspotting* sequel.

The long-awaited follow-up to the cult drug film is under way after Ewan McGregor agreed to reprise his role of junkie Mark Renton.

But director Boyle admits: "Obviously, people will kill us if we make a bad job of it."

"I will get absolutely crucified."

Shooting starts in May on the film which Boyle hopes will be out next year — for the 20th anniversary of the original, also set in Edinburgh. His movie *Steve Jobs*, about the Apple guru, is released in November.

## Loo price 'not fare'

TRADERS blasted proposals to charge commuters 40p to spend a penny.

Council plans for the 10p rise in toilet prices at Edinburgh Bus Station come as other public loos are earmarked for closure.

Authorities were accused of chasing a "fast buck" to fix a £140million budget black hole.

Local tour operator Justin David said: "There is now nowhere in the city you can go for a pee."

"This all seems a bit calculated because we lack money elsewhere."

Bus stations elsewhere in Scotland continue to charge 30p.

A council spokeswoman said: "These are only proposals at the moment."

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FIRST PICTURE

## GRIN OF JUMBO KILLER

By NICK PARKER

THIS is the tycoon said to have killed one of Africa's biggest elephants.

Grinning German Rainer Schorr, 55, poses in a cap with a "Sniper" slogan.

He was named after campaigners Peta appealed over an online photo of a hunter and guide with the slain 50-year-old jumbo.

He Schorr, of Berlin, claimed last night: "You have the wrong person."

He allegedly paid £25,000 to hunt the elephant legally in Zimbabwe.

Blood on hands... with guide and beast

# Weather

Go to [daily.mail.co.uk/weather](http://daily.mail.co.uk/weather) for UK and world's day forecasts

**Summary: Rather breezy**

**SCOTLAND TODAY:** Sunny spells in the east at first but cloud, patchy rain and drizzle, already in the west, will slowly spread eastwards through the day. A fresh to strong southwesterly wind. Max 14c.

### Summary: Rather breezy

SCOTLAND TODAY: Sunny spells in the east at first but cloud, patchy rain and drizzle, already in the west, will slowly spread eastwards through the day. A fresh to strong southwesterly wind. Max 14c.

#### Today's weather

	9am	12noon	3pm	6pm	9pm
Glasgow	9c	12c	13c	12c	13c
Argyll	9c	11c	12c	12c	12c
Edinburgh	9c	12c	14c	13c	12c
Fife	8c	12c	13c	13c	12c
Dundee	10c	11c	13c	12c	12c
Borders	7c	11c	12c	12c	11c
S. West	11c	12c	13c	12c	13c
Orkney	10c	11c	11c	11c	11c
Shetland	10c	10c	10c	10c	11c
Caithness	10c	11c	12c	12c	12c
N. West	10c	12c	12c	12c	12c
C. H'lands	7c	10c	11c	10c	10c
M. Firth	9c	12c	13c	13c	12c
Aberdeen	8c	10c	12c	12c	12c

#### 5 day forecast

	Sat	Sun	Mon	Tue	Wed
Glasgow	11c	12c	13c	14c	13c
Edinburgh	12c	12c	13c	13c	12c
Aberdeen	12c	10c	11c	12c	11c
Inverness	10c	10c	12c	12c	11c
London	14c	14c	15c	16c	16c
Cardiff	13c	14c	15c	15c	14c
Newcastle	12c	13c	12c	13c	12c
B'ham	12c	12c	14c	15c	14c
M'chester	12c	12c	13c	15c	13c

#### Yesterday

	24 hours	Sun	Rain	Temp
Edinburgh	7.2	0.0	10	13
Glasgow	1.3	0.0	10	12
Aberdeen	1.3	0.0	10	12
Abermouth	6.7	0.0	12	13
Belfast	4.5	0.4	10	13
Birmingham	4.2	0.0	12	14
Bournemouth	0.4	0.0	12	14
Bristol	0.3	0.1	13	14
Cardiff	3.0	0.2	13	14
Durham	5.8	0.0	11	14

#### Europe forecast

	today	tomorrow	day after
Amsterdam	cloudy	14 57	rain
Brussels	cloudy	13 55	rain
Frankfurt	rain	13 55	rain

#### Around the world yesterday

weather	c	f	weather	c	f
Abuja	showers	16 56	Abuja	showers	16 56
Amsterdam	cloudy	15 59	Amsterdam	cloudy	15 59
Atlanta	thunder	23 73	Atlanta	thunder	23 73
Beijing	rain	17 63	Beijing	rain	17 63
Berlin	cloudy	13 56	Berlin	cloudy	13 56
Bombay	rain	28 82	Bombay	rain	28 82
Buenos Aires	rain	15 59	Buenos Aires	rain	15 59
Calcutta	rain	28 82	Calcutta	rain	28 82
Cardiff	rain	13 55	Cardiff	rain	13 55
Chicago	rain	13 55	Chicago	rain	13 55
Dublin	rain	13 55	Dublin	rain	13 55
Edinburgh	rain	13 55	Edinburgh	rain	13 55
Hong Kong	rain	25 77	Hong Kong	rain	25 77
London	rain	13 55	London	rain	13 55
Los Angeles	rain	13 55	Los Angeles	rain	13 55
Madrid	rain	13 55	Madrid	rain	13 55
Mumbai	rain	28 82	Mumbai	rain	28 82
New Delhi	rain	23 73	New Delhi	rain	23 73
Osaka	rain	13 55	Osaka	rain	13 55
Paris	rain	13 55	Paris	rain	13 55
Perth	rain	13 55	Perth	rain	13 55
Rangoon	rain	28 82	Rangoon	rain	28 82
San Francisco	rain	13 55	San Francisco	rain	13 55
Singapore	rain	28 82	Singapore	rain	28 82
Sydney	rain	13 55	Sydney	rain	13 55
Tokyo	rain	13 55	Tokyo	rain	13 55
Wellington	rain	13 55	Wellington	rain	13 55

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TWO lucky readers shared our £2,000 rollover jackpot yesterday. Mr Donald Payne of Nelson, Lancashire and Mr David Somerville of Ashford, Kent each gained a really useful £1,000 autumn windfall. Today every reader also has the chance of scooping a £1,000 jackpot. Simply turn to the back page of this paper and check your unique numbers. If ALL SIX match ALL those in the SAME line on the panel (right), you are eligible to claim today's jackpot, or a share of it should more than one person claim. And you are also a winner if you can match only FIVE numbers on ONE LINE — we'll give you £50. Since the beginning of the year, we have had 126 jackpot winners and 502 of our readers were able to match five of their numbers — a total of 628 winners. We have given away £320,100.

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**CHANCE TWO** (05) (19) (22) (75) (78) (88)

**CHANCE THREE** (08) (18) (33) (64) (67) (78)

**CHANCE FOUR** (04) (24) (47) (59) (65) (71)

**CHANCE FIVE** (41) (58) (60) (73) (79) (88)

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FOR DETAILS OF HOW TO PLAY AND TERMS & CONDITIONS, PLEASE TURN TO PAGE 48

### Continued from Page One

over the scandal would have major political repercussions for the single force, which has become mired in other controversies.

A senior judicial source said: 'It is a definite option to bring criminal charges against the police force as this is an incredibly serious and complex case and whatever happened, there is no way this man should have died in the way he did.'

'There is no legal precedent for taking legal action in this way against police in Scotland.'

'Investigations are ongoing but there would be no hesitation, pending the outcome, in proceeding with a case against Police Scotland.'

It is possible police could face a charge under the Corporate Manslaughter and Corporate Homicide Act 2007. This applies to organisations including police services which can be prosecuted if the way in which their activities are managed causes a per-



Mr Bayoh and partner Collette Bell

### 'Open season on Police Scotland'

son's death and 'amounts to a gross breach of a relevant duty of care owed by the organisation to the deceased'.

In 2007, Scotland Yard was found guilty over the shooting of Jean Charles de Menezes, after 'catastrophic' errors which resulted in officers killing the innocent Brazilian.

After a five-week trial, an Old Bailey jury unanimously convicted the Met of breaching health and safety laws and putting the public at risk.

It was fined £175,000 and ordered to pay £395,000 costs. Despite this, no individual officers were charged with criminal offences over the case.

In March, the Scottish Fire and Rescue Service (SFRS) admitted a single charge under the Health and Safety at Work Act over the death of 35-year-old Lothian and Borders Fire and Rescue Service firefighter Ewan Williamson, who perished while tackling an Edinburgh pub blaze in 2009.

The SFRS admitted failing 'to have in place an effective system of radio communication' and failures relating to staff training. Judge Lord Uist said the lack of close personal contact between Mr Williamson and his colleague on the night 'attributable to a deficiency in the training provided by Lothian and Borders Fire and Rescue Board, was only one of the causes which led to the death of Mr Williamson'.

Mr Bayoh died in Kirkcaldy, Fife, on May 3. The father of two was confronted by several officers after members of the public called police to report a man wielding a knife and acting erratically. It is understood Mr Bayoh had taken ecstasy.

He was no longer carrying a knife when the police arrived but a knife was later found nearby. It is alleged police used CS spray, pepper spray and batons to restrain Mr Bayoh. Wrist and ankle restraints were also used.

A post-mortem examination report showed he had nearly 30

### SISTERS' FURY OVER MACASKILL INTERVENTION

THE sisters of Sheku Bayoh have written to Nicola Sturgeon to complain about former Justice secretary Kenny MacAskill.

The ex-minister had accused campaigners and commentators of declaring an 'open season of hunting Police Scotland' and creating a 'poisonous atmosphere' in which individual officers have been targeted.

In the letter, Mr Bayoh's sisters, Kadjartu Johnson, Adama Jalloh and Kosma Bayoh, say Mr MacAskill's intervention was 'brutal and barbaric' - and 'gives us no hope of truth and justice in Scotland'.

They say: 'Why did Mr MacAskill give a clear judgment of the case without being privy to the CCTV or any of the actual evidence? Why did he state there was no criminality, that it was an accident, and there would be nothing other than a fatal accident inquiry?'

A Scottish Government spokesman said: 'The First Minister will respond to the family shortly.'

### 'Speculation can be upsetting'

injuries on his head, chest, lower legs and left arm.

Up to 13 top pathologists are being brought in to help break a deadlock in the investigation into Mr Bayoh's death.

The cause remains 'inconclusive', although his family believe he died of 'positional asphyxiation' when police officers brought him to the ground and restrained him. It is understood the cause of death may not be established until the end of the year or possibly next year.

The developments came as Mr Mulholland appealed for all sides in the row over Mr Bayoh's death to stop commenting on the case in public.

Earlier this week, former justice secretary Kenny MacAskill accused campaigners and commentators of declaring an 'open season of hunting Police Scotland' and creating a 'poisonous atmosphere' in which individual officers have been targeted.

His comments were welcomed by Professor Peter Watson, lawyer for the police officers involved in the case.

Lawyer Amer Anwar, representing the Bayoh family, responded by accusing Mr MacAskill and Professor Watson of 'yet another attempt to divert attention from why Sheku Bayoh died'.

Mr Mulholland called for the Police Investigations and Review Commissioner (PIRC) and the Crown Office to be allowed to 'get on with their job' amid intense media interest in the case.

He said 'speculation and a running commentary on the investigation can be upsetting to the family of Sheku Bayoh as well as the families of the officers involved'.

The Lord Advocate also confirmed that a fatal accident inquiry will be held 'at which all the relevant evidence will be heard, [which will be] open to the public and the media, and it is right it is this forum where the evidence will be rigorously tested and judicially assessed'.

[g.grant@dailymail.co.uk](mailto:g.grant@dailymail.co.uk)

## Clarifications & corrections

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**INSIDE: Sudoku 45-47, Offer & Cainer 48, TV & Radio 62-65, Letters 66 & 67, City 78-81**



## Hairdos that can chop ten years off you

SEE PAGES 22-23

Legal first as prosecutors consider criminal charges against force in Sheku Bayoh tragedy

# POLICE MAY BE CHARGED OVER DEATH OF FATHER

**SCOTLAND'S** crisis-stricken police force could face unprecedented criminal charges over the death of a father in custody.

The force could be prosecuted over Sheku Bayoh, who died after being arrested and restrained in the street amid claims of police brutality. It

### EXCLUSIVE

By **Graham Grant**  
Home Affairs Editor

would be the first time in Scotland – and only the second time in Britain – that the police service has been prosecuted.

Lord Advocate Frank Mulholland, QC, said yesterday that a decision will be taken at the end of this extremely complex investigation as

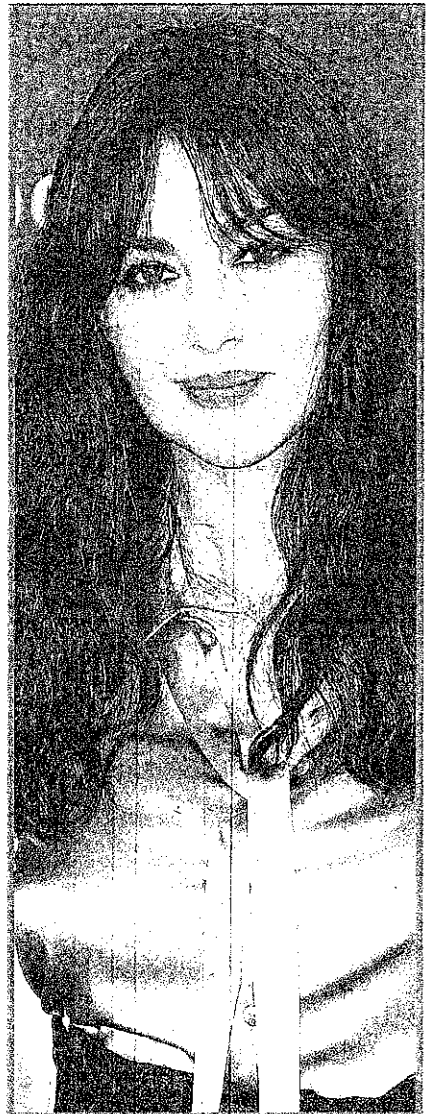
to whether or not criminal proceedings should be raised.

The Scottish Daily Mail has learned the Crown Office is considering legal action against the police, rather than individual officers involved in the incident.

While an independent investigation is ongoing, senior prosecutors are studying the possibility of putting Police Scotland on trial for the 31-year-old's death.

Any move to take the police to court

**Turn to Page 2**



Sheku Bayoh's father, Sheku Bayoh, yesterday

## Mutiny of the Bond girls!

SEE PAGE THREE

# Inquiry to be held into Sheku Bayoh custody death

Lord Advocate calls for end to 'speculation and commentary'

#SHEKUBAYOH

By CHRIS MARSHALL  
HOME AFFAIRS CORRESPONDENT

Scotland's top prosecutor has confirmed a Fatal Accident Inquiry will be held into the death in custody of Sheku Bayoh and has appealed for restraint as a watchdog investigation continues.

The Police Investigations and Review Commissioner (Pirc) is carrying out an investigation into the death of the 31-year-old who died in May following a police incident during which a female officer was injured.

Lord Advocate Frank Mulholland urged all those with an interest in the death of Mr Bayoh not to engage in "speculation and a running commentary". Mr Mulholland called for

Pirc and the Crown Office to be allowed to "get on with their job" amid intense media interest in the case.

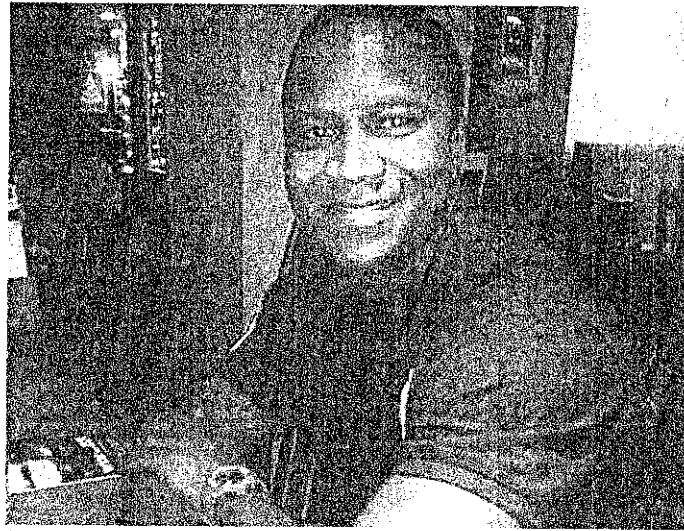
The intervention follows a public row between Aamer Anwar, the lawyer representing Mr Bayoh's family, and former justice secretary Kenny MacAskill.

Yesterday, Mr Bayoh's sisters, Kadjaru Johnson, Adama Jalloh and Kosna Bayoh, called on First Minister Nicola Sturgeon to investigate Mr MacAskill for "bullying", claiming his comments had been "brutal and barbaric".

Earlier this week, Mr MacAskill was accused of prejudging the Pirc investigation after he wrote an article for a police journal in which he said it was likely to reveal Mr Bayoh's death had been a "tragic accident".

Mr Mulholland said both Pirc and the Crown were "well aware of all the evidence, the lines of enquiry and the issues surrounding this case".

"The Crown and Pirc are not influenced by comments made



↑ Sheku Bayoh died while in police custody in Kirkcaldy in May

PICTURE: PA

in the media and that is how it should be," he said.

"However, speculation and a running commentary on the investigation can be upsetting to the family of Sheku Bayoh as well as the families of the officers involved.

"A decision will be taken at the end of this extremely complex investigation as to whether or not criminal proceedings should be raised."

He continued: "An inquiry will also be held at which all the relevant evidence will be heard, open to the public and the media, and it is right that it is this forum where the evi-

dence will be rigorously tested and judicially assessed. Pirc, and the Crown, should be allowed to get on with their job."

Speaking yesterday, Mr Anwar said: "The Bayohs are grateful for [the] intervention by the Lord Advocate and hope that those who should know better will stop declaring publicly that there will be no criminal proceedings when there is an ongoing investigation."

Scottish Labour's justice spokesman, Graeme Pearson, said: "There are processes in place to investigate and report this matter and we should not seek to prejudice outcomes in the

absence of evidence one way or another. If the former cabinet secretary for Justice Kenny MacAskill has privileged knowledge to support his media interventions on this case he should share it with Pirc and the Crown Office."

A Pirc spokesman said: "The commissioner is committed to delivering a thorough, impartial and independent investigation and a final report of our findings will be sent to the lord advocate in due course."

Mr MacAskill was unavailable for comment.

cmarshall@scotsman.com

## Police were right to use Taser against armed man

By RUSSELL JACKSON

Police were justified in using a Taser to control a man following a gun incident, a watchdog has ruled.

The Police Investigations and Review Commissioner has concluded that armed police acted professionally in using a Taser to safely control and disarm a 24-year-old man who had earlier fired a gun in Alloa on 31 March 2015.

Police went to the man's home after he was seen chasing people in the street with an axe. On arriving at his flat, the man told officers that he would shoot them if they tried to come in and he fired a long-barrelled weapon.

As armed officers entered the flat, he approached carrying a weightlifting weight above his head. An officer then used his Taser to incapacitate the man. He suffered no injuries and was later charged with breach of the peace, culpable and reckless conduct and reckless discharge of a firearm.

Commissioner Kate Frame said: "In the circumstances there was no less forceful method that could have been used to resolve the incident."

## Stag party caught with stun guns at airport as they return from Thailand

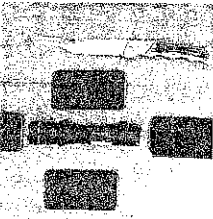
By ANGUSH HOWARTH

Five men from Glasgow who brought stun guns disguised as phones and torches back from a stag party trip to Thailand have been sentenced to a total of 850 hours unpaid work.

The five were searched by Border Force officers after arriving back into Glasgow Airport on 8 May 2014.

They had been celebrating in Phuket before one of the party, Mark McPhee, 30, from East Kilbride, got married the following week.

Officers discovered a stun



↑ The stun guns were mocked up as phones and torches

gun disguised as a torch in the groom's luggage, as well as four other stun guns, a flick knife and

two extendable batons in the suitcases of the others.

The case was passed to investigators from the National Crime Agency's Border Policing Command and the five were charged with importation offences.

At a hearing at Paisley Sheriff Court all five pleaded guilty and were given unpaid work sentences.

The other four were: Christopher McPhee, 26, from Cambuslang; Edward O'Brien, 60, from Dumbreck; Jonathan Doherty, 25, from Burnside, and Jordan Hoey, 23, from Motherwell.

## Child rapist wrote sordid story of abuse

By VIC RODRICK

A child rapist who wrote a graphic account of sexual abuse mirroring his exploitation of a victim has been jailed for more than ten years.

Hugh Mitchell's wife handed in his "fictionalised" sordid story to police before he was due to stand trial for sex crimes.

Former soldier Mitchell, 65, of Kirknewton, West Lothian, plead guilty to raping a nine-year-old girl and a further seven

charges of indecency involving a total of five underage girls.

He abused children at houses at Almondell Country Park, East Calder, and at Bubbles Leisure Pool in Livingston.

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# Mulholland in call for calm as tensions rise in Bayoh probe

Family write to First Minister to ask for meeting

BY KATHLEEN NUTT

**T**HE Lord Advocate has appealed to all interested parties involved in the Sheku Bayoh case to show restraint after growing levels of bitterness have emerged between police supporters and campaigners for the dead man's family, who have now written to the First Minister seeking a meeting.

In a statement issued yesterday, Scotland's most senior prosecutor, Frank Mulholland QC, said investigators should be "allowed to get on with their jobs" without "speculation" and a "running commentary" on the inquiries.

The circumstances surrounding the 31-year-old's death in police custody on May 3 are unclear and are

currently being examined by Police Scotland's independent watchdog, the Police Investigations Review Commissioner (Pirc).

Since his death, Bayoh's family have been campaigning to highlight the case in the media. However, over recent days public arguments between campaigners for Bayoh's family and supporters of the police officers involved in the case have intensified.

Writing on Twitter this week, former justice secretary Kenny MacAskill accused Aamer Anwar, the lawyer representing Bayoh's family, of using the case to raise his own profile, saying it was "good for business". Anwar retweeted the remarks, branding them "classy".

The exchange followed an article by MacAskill in a policing

magazine in which he accused campaigners and commentators of declaring an "open season of hunting Police Scotland" and creating a "poisonous atmosphere" in which individual officers have been targeted.

Yesterday, Mulholland intervened to calm the situation.

He said both Pirc and the Crown were "well aware of all the evidence, the lines of enquiry and the issues surrounding this case. The Crown and Pirc are not influenced by comments made in the media and that is how it should be.

"However, speculation and a running commentary on the investigation can be upsetting to the family of Sheku Bayoh as well as the families of the officers involved.

"A decision will be taken at the end of this extremely

complex investigation as to whether or not criminal proceedings should be raised.

"An inquiry will also be held at which all the relevant evidence will be heard, open to the public and the media, and it is right that it is this forum where the evidence will be rigorously tested and judicially assessed.

"Pirc and the Crown should be allowed to get on with their job."

In the magazine article, MacAskill predicted that the investigation would show no criminality by police officers. He also defended Pirc against critics who have questioned why former police officers are employed to investigate serving officers.

The SNP MSP's comments were welcomed by Professor Peter Watson, the lawyer for the police officers and also prompted a renewed commitment from Pirc to investigate Bayoh's death with "impartial scrutiny".

Anwar responded at the time by accusing MacAskill and Watson of "yet another attempt to divert attention from why Sheku Bayoh died".

Bayoh was confronted by several officers in Kirkcaldy, Fife after members of the public called police to report a man wielding a knife and acting erratically.

He was no longer carrying a knife when the police arrived, but Pirc investigators confirmed a knife was later found nearby.

It is alleged police used CS spray, pepper spray and batons to restrain the trainee gas engineer. Wrist and ankle restraints were also used. A post-mortem report showed he had nearly 30 injuries on his head, chest, lower legs and left arm.

No clear cause of death was identified and Anwar said the family has lost confidence in the Pirc investigation.



Aamer Anwar, centre, with Sheku Bayoh's family

Dear First Minister,  
Re: Kenny MacAskill

We are writing in regards to the recent comments and statement from the former justice secretary Kenny MacAskill MSP.

We the family of our late brother, son, brother-in-law, cousin and uncle Sheku Bayoh found those comments brutal and barbaric. It gives us no hope of truth and justice in Scotland.

Our family has voted SNP in the past two elections with the hope for equality and social justice. The recent statements of the former justice secretary, make us wonder why the current Justice Secretary has said that he cannot comment "because the case is under investigation" when other members of Scottish Parliament have done so.

Why did Mr MacAskill decide to speak and give a clear judgment of the case without being privy to the CCTV or any of the actual evidence?

Why did he state that there was no criminality, that it was an accident, and that there would be nothing other than an FAI [Fatal Accident Inquiry]?

We would like your office to investigate the bullying, the intimidation and crushing of all hope of truth and justice for our family.

As you may have also been aware, Mr MacAskill has attacked our family lawyer, Aamer Anwar, openly on social media. Please note that he is our lawyer and acts on our instructions. We will not sit back to watch him be attacked in this manner because certain parties do not have the courage to attack us directly.

It would be better if Mr MacAskill concentrated on the police - if they have nothing to hide then they should have had the decency to reveal the truth on the first day, rather than hiding away for 32 days.

We will not rest until we get justice. We would request a meeting to discuss police accountability in general, with you and the current Justice Secretary, at a time and place convenient to you.

There are other victims' families who would also be interested in meeting with you.

Yours sincerely,  
Kadijartu Johnson, Adama Jalloh, Kosma Bayoh  
Sisters of the late Sheku Bayoh

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# Bayoh sisters seek meeting with Sturgeon

## Row over MacAskill comments over custody death

**BRIAN DONNELLY**  
SENIOR NEWS REPORTER

THE family of Sheku Bayoh have called for a meeting with First Minister Nicola Sturgeon over comments made by a former justice secretary and the handling of the case.

It comes as Scotland's top prosecutor stepped into a row about the case of Mr Bayoh, who died in custody, between Kenny MacAskill and the family's lawyer, Aamer Anwar.

Lord Advocate Frank Mulholland appealed for restraint from all sides as the initial investigation into the death of Mr Bayoh continues.

He urged all those with an interest in the death of Mr Bayoh not to engage in "speculation and a running commentary".

The intervention follows a public spat between Mr Anwar and Mr MacAskill.

Mr MacAskill said there was an "open season of hunting Police Scotland" and criticised campaigners connected to Mr Bayoh's family.

The former justice secretary said he believed the investigation into the case would disclose a "tragic accident", not criminality.

Now Mr Bayoh's sisters, Kadi-

jartu Johnson, Adama Jalloh and Kosma Bayoh, have written to First Minister Nicola Sturgeon. The sisters wrote: "We will not rest until we get justice."

Mr MacAskill welcomed the Lord Advocate's statement but declined to comment on the Bayoh family's letter to the First Minister.

The circumstances surrounding Mr Bayoh's death in Kirkcaldy, Fife, on May 3 are currently being examined by the Police Investigations Review Commissioner (Pirc).

Mr Mulholland, QC, said: "The Crown and Pirc are not influenced by comments made in the media and that is how it should be."

"However, speculation and a running commentary on the investigation can be upsetting to the family of Sheku Bayoh as well as the families of the officers involved."

"A decision will be taken at the end of this extremely complex investigation as to whether or not

criminal proceedings should be raised.

"An inquiry will also be held at which all the relevant evidence will be heard, open to the public and the media, and it is right that it is this forum where the evidence will be rigorously tested and judicially assessed. Pirc, and the Crown, should be allowed to get on with their job."

Earlier this week, Mr MacAskill accused campaigners and commentators of creating a "poisonous atmosphere" in which individual officers have been targeted.

His comments were welcomed by Professor Peter Watson, the lawyer for the police officers involved in the case, at the time.

However, Mr Anwar said following the Lord Advocate's comments: "The family were sickened by the comments of Mr MacAskill who really should know better."

"He tried to silence the Bayohs but went on himself to predict there would be no criminal proceedings and claimed it was all an accident."

"When a man is dead and his family are grieving for his loss, the last thing they need is an ex-justice minister predicting publicly the outcome of an investigation."

Mr Watson declined to comment.

## Reflections on a printmaker



CURATOR Trine Nordkvelle is pictured with work by Sir David Young Cameron, one of Scotland's most influential printmakers. Sir David, who lived from 1865

until 1945, produced more than 500 plates during his career and a new exhibition at the Scottish National Gallery will mark the 150th anniversary of his birth by

showcasing some of his extensive collection.

The Spirit of the Line: DY Cameron at 150 opens tomorrow. Picture: Gordon Terris

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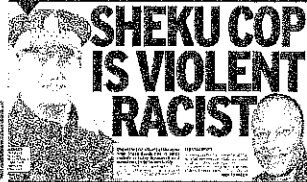
# Let justice be done

### Lord Advocate's warning over death in cop custody of Sheku Bayoh after campaigners are verbally attacked by MSP MacAskill and police lawyer

**DEAD** Dad-of-two Sheku with wife Collette. She welcomed Mulholland's intervention



**PC's own family expose the shameful past of officer on scene of fatal arrest**



**RESTRAINT** Mulholland. Left, one of the stories since Sheku's death

**DISGUSTING** Mitchell Rape book perv OAP gets 10 yrs

**MARK MCGIVERN** m.mcgivern@dailyrecord.co.uk

A CHILD rapist who wrote a novel on child abuse that mirrored his evil life was yesterday jailed for more than 10 years.

Hugh Mitchell's wife handed his "fictionalised" story to police before he was due to stand trial for sex crimes against five girls.

The 65-year-old, of Kirknewton, West Lothian, pleaded guilty to raping a nine-year-old girl and seven charges of indecency.

At the High Court in Edinburgh, he was sentenced to 10 years and 10 months.

The ex-soldier and classroom assistant abused girls as young as five between 1988 and 2014.

His book, Holiday, had a scene where a girl was raped in a swimming pool changing cubicle. It used similar locations to the places victims were abused.

Investigating officer DCI John Peaston said: "Mitchell is a dangerous predator."



**RELEASE** Adele

## Adele's big date

ADELE has confirmed her forthcoming album 25 will be released worldwide on November 20.

The singer, 27, teased the album with a 30-second snippet of new song Hello in an ad break during The X Factor on Sunday.

Hello, the first single from the album, is available from today.

**SCOTLAND'S** top prosecutor has attacked the public slanging match over the death of Sheku Bayoh in police custody.

The unusual move by Lord Advocate Frank Mulholland comes after outspoken comments made by the former SNP justice secretary Kenny MacAskill.

It is seen as a veiled warning to the MSP who accused "carping" campaigners of declaring "open season of hunting Police Scotland" and creating a "poisonous atmosphere" in which individual officers have been targeted.

His comments were echoed by Professor Peter Watson, the Police Federation lawyer representing the officers.

Dad-of-two Sheku, 31, died in Kirkcaldy on May 3, after being detained by up to nine officers.

MacAskill and Watson's comments follow a stream of complaints from the dead man's family issued through their lawyer Aamer Anwar.

Calling for "restraint", Mulholland said: "The investigation is being conducted by the Police Investigations and Review Commissioner under the direction of the Crown and both are well aware of all the evidence, lines of inquiry and issues surrounding this case."

"The Crown and PIRC are not influenced by comments made in the media and that is how it should be.

**KEITH MCLEOD** k.mcleod@dailyrecord.co.uk

However, speculation and a running commentary on the investigation can be upsetting to the family of Sheku Bayoh and the families of the officers involved.

"A decision will be taken at the end of this extremely complex investigation as to whether or not criminal proceedings should be raised."

"An inquiry will also be held and it is right that it is this forum where the evidence will be rigorously tested and judicially assessed."

MacAskill wrote an article last weekend defending PIRC against critics who have questioned why former police officers are employed to investigate serving officers.

Watson then suggested that the most likely outcome would be a fatal accident inquiry, not a criminal trial. But the Lord Advocate made it clear officers could still face prosecution.

MacAskill was unavailable for comment. Watson made no comment. But Sheku's wife Collette said: "I am disgusted at the way Kenny MacAskill has conducted himself in slaying our lawyer and us."

"The fact he predicted there will be no criminality involved in the findings from Sheku's investigation is insulting to us."

"We have been working hard with our lawyer to ensure the investigation is impartial, thorough and transparent."



**CRITICISMS** Former minister MacAskill

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TERMS & CONDITIONS PAGE 38



LOTTO

## MIKAEEL KULAR'S DAD ON HIS LOST FRIEND

# 66 Sheku was always there for me. I wish I could have been there for Sheku

**LOSS** Zahid Saeed, mait, and with his friend Sheku Bayoh, inset



The best friend of Sheku Bayoh has told of his terrible grief after his pal died while being restrained by police.

Zahid Saeed – the dad of tragic toddler Mikaeel Kular – broke his silence to voice fury over claims that he fought with Sheku on the night he died.

He said: "These are lies, terrible lies. I am devastated and very angry."

EXCLUSIVE PAGES 2&3

## COMMONS I'm going nowhere

After drama Celtic star



BACK PAGE



## £60M PROBE

Five-star lifestyle of fugitive hunted by bank fraud cops

PAGE 11

## BOND GIRL HORROR

The car flipped five times. And then it exploded

PAGE 5

# MIKAEEL KULAR'S DAD ON THE LOSS OF HIS BEST

**The police came for me at 10am. They did not tell me Sheku was dead. They took swabs, my phone, my clothes. They quizzed me and kept me there all day. I felt like they were trying to pin something on me. I should have been grieving my friend.**

*- Zahid Saeed yesterday*

■ Craig McDonald

**The best friend of Sheku Bayoh today reveals his fury and dismay over claims he might have caused injuries found on his pal's body.**

Speaking for the first time about the events leading up to the death of Sheku, who died while being restrained by up to nine police officers, Zahid Saeed told of his anguish.

Zahid, 31 - who endured the heartbreak of his three-year-old son Mikaeel Kular being killed last January - spoke of his grief at Sheku's death and told how his mate helped him through the trauma of losing his child.

He said: "Sheku was always there for me. I just wish I could have been there for him."

Zahid detailed the hours he spent with Sheku just before his death.

The pair had been at the birthday party of Sheku's niece on May 2 and then planned to watch the Floyd Mayweather-Manny Pacquiao title fight.

In August, we revealed Sheku's body was covered in cuts and bruises after he died, including a large gash to his forehead and a broken rib.

Peter Watson, the lawyer representing the officers involved, last week said newspaper reports

**They have tried to plant a seed that Sheku's injuries were not caused by the police**

claiming Sheku had "brawled" with Zahid had to be investigated.

Zahid is incensed at the suggestion of a fight or that he could have caused any of the injuries found on his friend. He said: "I'd gone through to Kirkcaldy on the Saturday evening about 9pm."

"It was the seventh birthday party for the daughter of Ade, Sheku's brother-in-law. Around 10pm we left

Ade's and went to Sheku's house.

"We intended to watch the boxing match between Mayweather and Pacquiao in the early hours of Sunday. We'd been invited to watch it at the house of a friend who lived nearby."

"This was why Sheku's partner Collette was staying at her mum's that night with their son Isaac.

"As the night wore on, Sheku was acting out of character and eventually left the friend's house. I was concerned and followed him shortly after."

"It's the only time I've seen Sheku act in such a way. People may question this but it is simply the truth."

"I caught up with Sheku at his house and, at this point, I tried to calm him and he lashed out at me. It appeared as if he was scared or upset."

**"He punched me a few times but I did not hit him once and an extremely angry at any suggestion or inference that I did."**

"It is an attempt to plant a seed in people's minds that the many injuries found on Sheku's face, head and body could have been caused by something other than his contact with police."

"I left Sheku's house about 6.30am to go back to Methil and that is the last time I saw him."

Half an hour after Zahid departed, Sheku, who, according to post mortem tests had taken ecstasy, left his home for reasons which remain unclear. A

taxi driver dialled 999 to report a man brandishing a knife.

Sheku was restrained by up to nine officers using CS spray, batons, wrist and ankle restraints and was pronounced dead two hours after coming into contact with police.

Zahid was just trying to come to terms with the death of his son Mikaeel - killed by the boy's mum Rosdeep Adekoya - when Sheku died.

He told how he was called by police in the wake of the incident at 10am on the Sunday, May 3, an hour after Sheku had been pronounced dead.

He said: "Two CID officers came to

get me at my mum's house in Methil. They removed my mum from her house and wheeled my brother, who is in a wheelchair, out the house."

"I spent the whole day at the police station and didn't get home to my partner's house until 10.30pm."

**"I was treated in a very hostile manner by police. This is despite them knowing Sheku had died after being restrained by their officers."**

"I had no idea what had happened to Sheku at this point. I felt as if I was dragged into police custody without any explanation."

"They began questioning me, asking

what was my relationship with Sheku - how long had I known him, about his religion, what did we talk about."

"I wanted to go home but they made it clear that was not an option. It was about 1pm when they told me Sheku was dead. It was devastating news."

"They took swabs from my hands and my nails. I felt very uncomfortable with the whole situation and that I was being treated like a criminal."

"They took my jacket, trousers, trainers, jumper - everything I was wearing."

"As time went on I became more concerned and just felt they were



SCENE Police at home

## Neighbours Sheku was a

A couple who lived next door to Sheku Bayoh yesterday praised their former neighbour.

Muriel and Bill Glen said the trainee gas engineer was a good man and a cheerful neighbour.

Muriel, 71, was quoted earlier this month as saying Collette had told her Zahid and Sheku fought in the house.

But Muriel, of Kirkcaldy, told us yesterday: "He was a gem of a fellow."

"He stayed next door to us for about nine years and was a great neighbour from day one."

Collette did not say they fought in the house. She said to me that she did not know what happened as she had been staying up at her mum's with the

**Inside**  
SEVEN DAYS  
MAGAZINE

**7 NIGHTS**  
RIGHT AT HOME

GIGS THEATRE MOVIES  
COMEDY BOOKS GAMES  
ANDREAM CLEAN MRS  
MOP GARDENS FOOD NEW  
HOMES DIY DONNY BAKING  
GET THE LOCK

**REMEMBER**  
THE CLOCKS WENT  
BACK AT 2AM TODAY

### Clarifications & corrections

In a story published last week a headline suggested that a runway at Glasgow Airport had to be cleaned up after becoming overgrown. The affected area at the airport was, in fact, a taxiway and not a runway.

If we have published anything factually inaccurate, contact the readers' editor on 0141 309 3454, at readers.editor@sundaymail.co.uk or write to Readers' Editor, 1 Central Quay, Glasgow, G3 8DA and, once verified, we will correct it as soon as possible.

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**GOT A STORY?**  
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# FRIEND WHO HELPED HIM THROUGH HEARTACHE

## Pal helped me get over son's death

By Craig McDonald

Zahid Saeed told how his best friend Sheku Bayoh comforted him and gave him a shoulder to cry on when his son Mikaeel Kular died.

And Zahid said he was honoured when Sheku and partner Collette gave their son Isaac the middle name Mikaeel as a tribute when he was born this year.

Zahid said: "Sheku helped me through the darkest moments of my life when Mikaeel died.

"He called me, helped me and held me when I was crying after my son passed away.

"I was very badly affected by my son's death but I try to get on with life."

Mikaeel, three, was beaten to death by his mum Rosdeep Adekoya, 35, of Edinburgh, in a savage attack in January last year.

She hid his body in woods in Kirkcaldy and pretended he was missing, sparking a desperate search joined by hundreds of well-wishers.

A court heard later that Adekoya lost her temper and brutally beat Mikaeel after the little boy was repeatedly sick following a family meal out.

Adekoya was sentenced to 11 years in jail after she admitted culpable homicide.

Zahid said Sheku and Collette had helped him in the ill-fated search for Mikaeel.

He added: "I knew Sheku for about 15 years - which is pretty much since he first arrived in this country.

"We got to know each other at the Frae Fife youth group via his

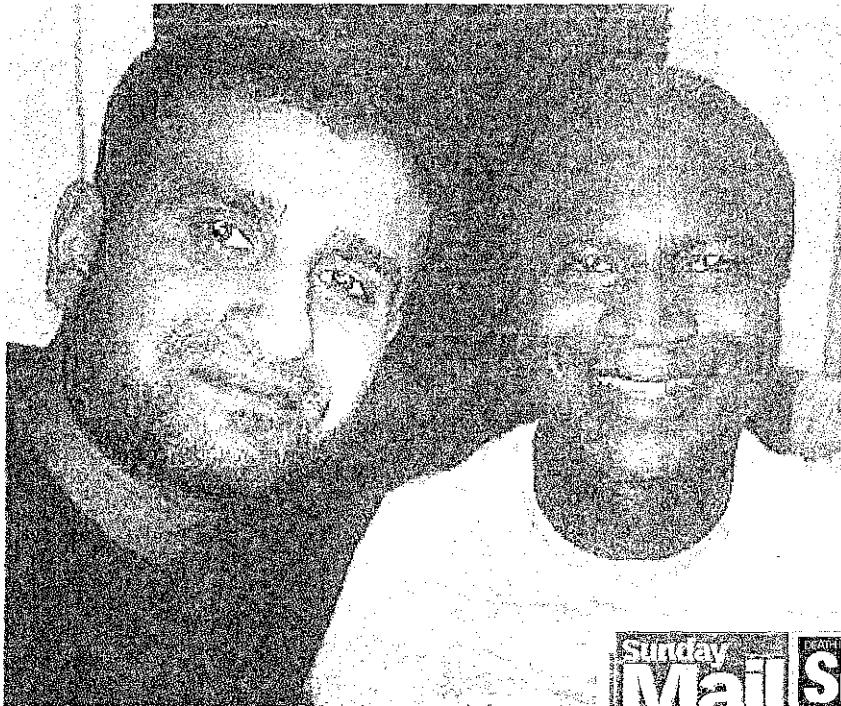
brother-in-law Ade. "The picture painted that Sheku was some kind of criminal disgusts me.

"He was one of the kindest, most genuine people you could meet. He was a true gentleman.

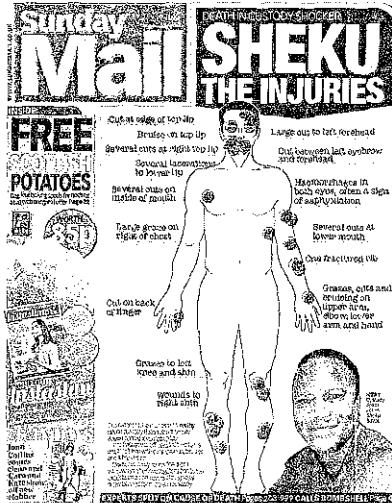
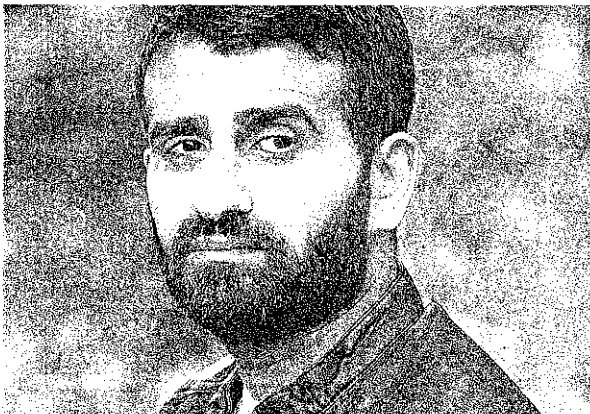
"We saw each other four or five times a week.

"Sheku was my confidante and my best friend. We were like brothers.

"Sometimes, for a moment, I wonder if it's a dream and he's just away for a while. Then the reality comes back."



**BEST FRIENDS** Zahid, left says Sheku helped him get over the death of his son Mikaeel



**KILLED** Mikaeel



**PROUD** with son



**MOTHER** Adekoya

trying to pin something on me. Now, that feeling comes back when, five months on, I read claims that Sheku was injured fighting with me.

"It's just not the case and leaves me feeling distressed, devastated and very angry.

"I wish to be very upfront about what happened and it is true that Sheku was acting out of character that morning.

"I restrained him at one point and he hit out at me but I did not strike him. Not at all. That was it. There is no possibility I inflicted any cuts, lacerations or broken ribs on him."

Inquiries are ongoing to establish the

cause of Sheku's death after an initial post mortem proved inconclusive.

Ex-justice secretary Kenny MacAskill last week claimed police could be cleared of any wrong-doing and the death would be ruled accidental.

However, Lord Advocate Frank Mulholland said the Crown Office would decide that after receiving the final report from the Police Investigations and Review Commissioner (PIRC).

Zahid is also angry that police are not required to give any statement to an investigation in its first four weeks.

He said: "The police involved didn't have to give statements for 32 days. It's

**ANGRY** Zahid Saeed, pictured last week, above, is furious at claims he caused injuries to Sheku. Right, we reveal the injuries found on Sheku after he died

different for civilians. If an officer was injured, a member of the public would be arrested and possibly remanded in custody.

"My best friend has died after being restrained by a group of up to nine police and no one has been arrested.

"A man has died and it just feels like they have tried to try to sweep it under the carpet and avoid responsibility."

He added: "I was upset at being in a police station and wanted to go home. They wanted my mobile phone and I objected.

"A police officer said to me, 'You don't negotiate with police'. They still have my mobile to this day."

Police said: "The investigation to establish the full circumstances surrounding the death of Sheku Bayoh is ongoing.

"The PIRC are leading this inquiry and have submitted an interim report to the Crown Office.

"It would be inappropriate for Police Scotland to comment further at this time."

## lovely man, a very nice person

baby that night. She said the kitchen was in a bit of a mess and that was not like him - but that was it.

"We spoke with him the first day he moved in and he was great from then on. He was very good to us and a very nice person to speak to."

Husband Bill, 76, said: "Suggestions that we said we'd been told of some kind

of fight could be seen as us siding with the police and we are not happy with that. He was a lovely fellow and a great neighbour.

"He came to the door at Christmas with a great big box of chocolates and we always had a good laugh with him.

"We heard nothing on the morning he died except for a faint tapping on the wall at 6.30am. We miss him very much."

# CUSTODY DEATH DAD RIDDLE

# DOC: SHEKU HAD HEART DISEASE

Expert finds signs of deadly condition

Steroid use 'may have led to illness'

## EXCLUSIVE

By DOUGLAS WALKER

**CUSTODY death dad Sheku Bayoh was suffering from heart disease before his fatal collapse, a forensic expert has claimed.**

World-renowned expert Dr Steven Karch discovered the potentially fatal defect after examining his corpse.

The discovery came when police investigators turned to a range of experts to uncover exactly how Sheku, 31, lost his life after officers restrained him.

Dr Karch told the Scottish Sun on Sunday: "I can tell you that I saw evidence of heart disease. I am not at liberty to say any more at this stage."

It is also believed the victim's alleged use of steroids may have triggered a coronary condition.

### Ecstasy

And initial findings have also suggested he took a legal high and ecstasy on the night he died.

Dr Karch is a leading authority on drug-related deaths and gave evidence at the trial of serial killer Dr Harold Shipman, who was convicted of murdering 15 patients in 2000 before killing himself in 2004.

It is thought he and his team ruled out in their report to the Police Investigations and Review Commissioner Sheku had suffered "excited delirium", a syndrome given as the cause for previous deaths in custody.

A source said: "Dr Karch is the go-to guy in such cases, he is universally respected and will provide a impartial, professional opinion. This will form part of the PIRC report sent to the Crown."

Up to nine officers tackled dad-of-two Sheku using CS spray, batons, wrist and ankle restraints in Kirkcaldy, Fife, as they followed up a 999 report of a suspect wielding a knife in May. He was pronounced dead two hours later.

No weapon was found on him but officers discovered one near where he was arrested. A post mortem found he had a broken rib and 20 cuts and bruises when he died.

We told last week how Sheku may have been hurt in a brawl with slain tor Mikael Kular's dad Zahid Saed 31, before officers arrived.

Last night the Bayoh family lawyer Amer Anwar, who joined them as they took their fight for justice earlier this month to the Scottish Parliament, said they'd "expressed serious concerns at PIRC's selection of Steven Karch right at the start".

He added: "His comments are an abuse of his position. It is important we don't comment on rumour of the cause of the death whilst it's being investigated."

PIRC said: "All lines of enquiry are being explored."

Trial... Dr Karch, left, and Shipman



Fight for justice... Sheku's family



Trial... Dr Karch, left, and Shipman



Targeted... paramedics

## Medics face 400 attacks by 999 yobs

By DARREN HAMILTON

YOBS have attacked ambulance crews more than 400 times in the past two years.

Paramedics were spat at, punched and kicked by yobs with many also carrying blades.

Tory health spokesman Jackson Carlaw said: "People who attack paramedics are among the lowest in the society."

"It's stupid and illogical to abuse someone who's trying to medically assist someone in need."

"We need to make sure those guilty of these attacks are punished severely in the courts."

Last week we revealed the number of homes 999 crews need cop protection to visit has soared by 2,500 in three years.

Anyone convicted of attacking paramedics can face 12 months in jail and a fine of £10,000.

The Scottish Ambulance Service said: "Our teams deserve respect."



Fals... Roxie and Kyle

## Family of lad, four, lose £4k over pup

By DARREN HAMILTON

A FAMILY lost £4,000 after a firm they hired to train a special puppy for their severely autistic son closed down.

Pauline and James McDade bought golden retriever Roxie as a companion for Kyle, four, after a fundraising drive.

The pooch was to be specially trained to help Kyle with social skills.

But Service Dogs Europe closed its doors suddenly without refunding them their cash.

Pauline, 34, of Condor-rat, North Lanarkshire, said: "We're gutted. It's not even our money it was all donations."

"They sold off the dogs, the website and Facebook page are down and the phone's disconnected."

Regulatory body Assistance Dogs International said the Irish company, thought to be based in Dundalk, Co Louth, is not approved by them.

Service Dogs Europe could not be contacted.

Probe... Sheku died after being restrained by police officers

## SLEEPER'S SUPER

TRAVEL experts have named the sleeper train from London to Fort William the best overnight rail trip in the world.

The "spectacular" route, which takes in Loch Lomond and Rannoch Moor, tops the Lonely Planet 2016 list. It describes the Caledonia Sleeper

as "an overnight teleport from hubud to Highlands".

It adds: "Close your eyes on traffic-jammed, office-crammed streets; open them on heather-daubed, deer-scattered moor."

The Trans-Mongolian sleeper from Moscow to Beijing was runner-up.

QUICK-thinking firefighters managed to calm a distressed boy of three by reading him a story - after they were called out to free one of his arms from a Henry vacuum cleaner in Hazlemers, Bucks.

## ROB'S £15K GIFT

SOAP legend Robert Trotter left £15,000 to the theatre group which launched him on the High Road to stardom.

The actor, who died two years ago aged 83, made his debut with Dumbarton People's Theatre in the 1950s. He found fame as Mr Murdoch in High

Road, which ran for 23 years on ITV.

The gift will go towards the group's 70th anniversary.

Spokesman Janette Barnes said: "Robert always kept a keen interest in his home town club and attended quite a few anniversary celebrations."

# Author Gray 'recovering well' after breaking his back in fall

Lanark writer says he is still weak, but on mend from serious injuries

**EXCLUSIVE**  
**PHIL MILLER**  
ARTS CORRESPONDENT

THE leading writer and painter Alasdair Gray has revealed he is on the mend from serious injuries that he suffered in a fall outside his home.

The Lanark author broke his back and sustained other injuries during the incident in which he tumbled into a basement at the property in the west end of Glasgow in June this year.

Speaking for the first time since the incident, the 80-year-old, who is still receiving treatment in hospital, said he is "recovering well".

Gray, who has also painted famous murals, added that he had to undergo a tracheostomy as part of his treatment.

He said his left arm and leg are still weak and he is unable to walk.

"It may take a few months to recover my strength," he said. "Otherwise not too bad."

Those close to the writer and artist believed in the aftermath of the incident that he would be "incapacitated for some time".

Gray, who appears to be able to write, did not outline how the accident had occurred.

Before his fall, Gray was having a busy year. There was a major retrospective of his art at the Kevingrove Art Gallery and Museum and he was working on a new large religious commission for Glasgow Museums.

In August this year his most famous novel, *Lanark*, considered

to be one of the finest and most influential books of the last century in Scotland, was adapted for the stage for the Citizen's Theatre and the Edinburgh International Festival.

The acclaimed production was written for the stage by David Greig and directed by Graham Eatough.

He also had a show marking 60 years of his print-making at the Hidden Lane Gallery in Glasgow.

Gray was found by his neighbour, who heard the sounds of his moans outside his basement bedroom window in the early hours of the morning and went

“**It may take a few months to recover my strength. Otherwise not too bad**

outside to investigate.

Paramedics and the fire brigade were involved in Gray's rescue.

Gray's wife, Morag McAlpine, passed away last year.

The neighbour who first discovered Gray after the fall, Marc de Ridder, said after the incident: "I discovered someone lying in the basement area, eight feet down from the pavement, obviously in a very bad condition.

"I immediately called 999 and the ambulance arrived, to their credit, before I finished the conversation."

Mr de Ridder's partner Lyn said at the time that he was "the hero of



ACCIDENT: Alasdair Gray was seriously hurt after falling into a basement outside his home in Glasgow's west end in June this year.

this near tragedy who rescued Alasdair from hypothermia and near worse."

The artist's injuries prevented him from appearing at the Edinburgh International Book Festival

this year, where he was due to talk about *Lanark*, the book he began writing in 1954 and completed in 1976.

Within days of his accident, friends suggested he was in

remarkable condition considering the severity of his fall and his injuries.

He was reported to be disappointed to not be able to work and have to cancel meetings.

Gray adds work to the public sphere via a blog and his last entry was on May 21, a version of Dante's *Divine Comedy*.

A spokeswoman for Glasgow's hospitals said they could not

## Family of Bayoh met prosecutor after heart claims

THE family of Sheku Bayoh have met with Scotland's top prosecutor over claims about Mr Bayoh's health before he died.

The move comes after US pathologist Dr Steven Karch was reported as saying, after he examined the body of Mr Bayoh, that there was evidence of heart disease. It was reported Mr Bayoh had taken ecstasy.

The death of Mr Bayoh in police custody on May 3 is under investigation by the Police Investigations and Review Commissioner (Pirc).

Aamr Anwar, Mr Bayoh's family's lawyer, called for the meeting with Lord Advocate Frank Mulholland because he felt the expert should not have disclosed such claims. Dr Karch was said to have examined the potential that Mr Bayoh suffered excited delirium, a contentious condition, but this was thought unlikely.

Mr Anwar said: "The family believe if there is even the slightest hint of impropriety, then the Pirc [Kate Frame] must take robust action if she is genuine about her commitment to carrying out a thorough and robust independent investigation to get to the truth of the matter."

A Crown Office spokesman said: "The Lord Advocate has held a positive meeting with the family of Sheku Bayoh and was able to provide an update as to the status of the investigation."

A Pirc spokesman said: "The commissioner is committed to delivering a thorough, impartial and independent investigation."

Surgeon turned MP joins campaign for bill that will remove barrier to new treatments





Trial set... Peter Sharp

# Disaster ferry skip faces kill charges

By **BEN ARCHIBALD**

A SCOTS skipper will stand trial accused of killing 182 people in a ferry disaster.

Peter Sharp, 71, faces manslaughter and criminal negligence charges over the ship, which sank off New Guinea in 2012.

He and four others are alleged to have knowingly sent out the 259-ton Rabaul Queen despite it being unseaworthy.

Police said earlier this month that Sharp, from Shekand, faces trial next April at Kokopo, in East New Britain, Papua.

The true death toll could be higher because kids under three were not logged as passengers.

Investigators said the ferry with 390 passengers, was so packed conditions aboard were "inhumane".

Six merchant ships rescued many survivors.

Sharp, who runs Rabaul Shipping, claimed the ship was sunk by three massive waves.



Hospital... Souness

# Souness 'well' in hospital after alert

By **RUSSELL FINDLAY**

RANGERS and Scotland legend Graeme Souness was on the mend last night after a heart scare.

The 62-year-old is being treated in the Royal Bournemouth Hospital near his home.

Telly pundit Souness said yesterday: "I came in for a routine cardiac procedure and I'm doing very well."

Sky Sports presenter Jeff Stelling broadcast a get well message to the ex-Liverpool midfielder.

He said: "Souey, if you're watching, get well very quickly."

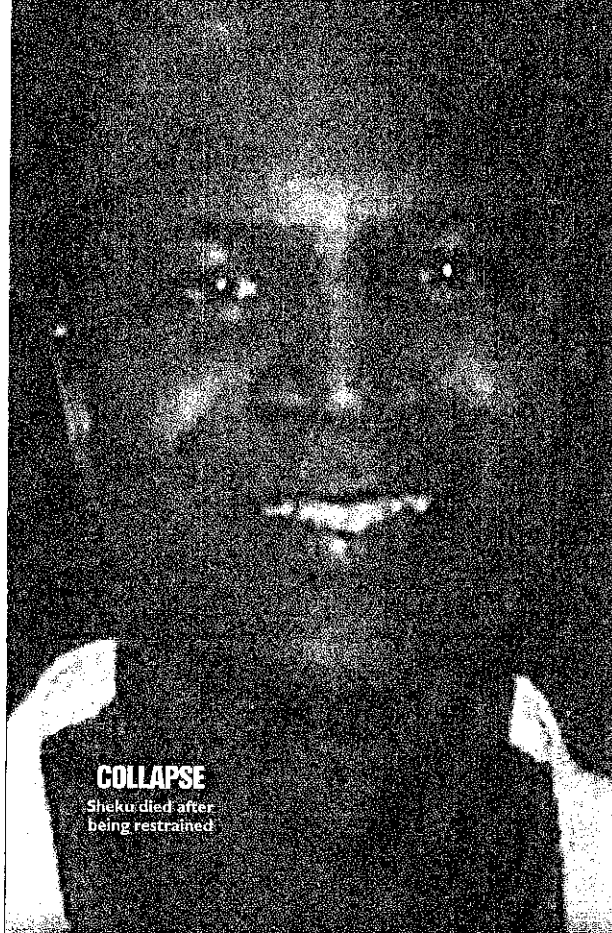
The dad of five has had two heart ops in the past.

He was manager of Liverpool when he had an emergency triple bypass in 1992, aged 38.

Eight years later, he flew to America for life-saving surgery to fix a blocked artery.

He now lives in posh Poole, Dorset, with his second wife, Karen.

# OFFICER INJURED IN TRAGIC DAD'S ARREST MAY NEVER WORK AGAIN



**COLLAPSE**  
Sheku died after being restrained



**FIGHT CLAIM**  
Scottish Sun told of alleged rammy

## A FEMALE cop injured when custody death dad Sheku Bayoh was arrested is suffering from a paralysed face and post traumatic stress, it was claimed yesterday.

Stricken constable Nicole Short, 29, may never return to duty following an alleged struggle with the father of two.

She is said to have been battered by Sheku, 31, and feared she would die. Officers then restrained him before he collapsed.

A source said: "Nicole suffered swelling to the brain following the attack. She has since suffered severe headaches and facial palsy."

"She also has damaged knees and joints. It was a horrific experience and she has severe post-traumatic stress. She is seeing a range of medical specialists including neurologists."

"At this moment in time it's hard to see her ever returning to work. She is struggling to even take her dog out for a walk."

Up to nine officers tackled gas engineer Sheku using CS spray, batons, wrist and ankle restraints as they followed up a 999 report of a suspect wielding a knife in Kirkcaldy in May.

He was pronounced dead two hours later.

An independent inquiry into how he died has been launched by the Police Investigations and Review Commissioner.

## EXCLUSIVE

By **DOUGLAS WALKER**

best pal Zahid Saeed, 31 - father of slain tot Mikael Kular - before officers arrived.

And this month we told how forensics expert Dr Steven Karch, who examined Sheku's body, claimed there was evidence he had heart disease.

It's believed the dead man's alleged use of steroids may have triggered a coronary condition.

Initial findings also suggest he took a legal high and ecstasy the night before he died.

Sheku's family and partner Collette Bell, 27 - mum to his baby son Isaac - launched the Justice for Sheku Bayoh campaign calling for answers over his death.

In October, their lawyer Aamer Anwar became embroiled in a war of words with former justice secretary Kenny MacAskill.

The ex-SNP minister claimed rights activist Anwar was using the case to raise his own profile.

In a swipe on Twitter, MacAskill, below right, told Anwar his involvement with Sheku's family was "doubtless good for business".

Anwar sarcastically branded the remarks "classy".

Yesterday a PIRC spokesman said it is investigating "all relevant lines of inquiry".

*douglas.walker@the-sun.co.uk*

## 'No weapon was found on Sheku'

Shoku's family have since criticised the probe as "fundamentally flawed" and said they have lost all confidence in it.

Days after Sheku's death a Police Federation spokesman claimed: "A petite female police officer responding to a call of a man brandishing a knife was subject to a violent and unprovoked attack by a large male."

"The officer believed she was going to die as a result."

No weapon was found on Sheku, but officers discovered one near where he was arrested.

A post mortem found he had a broken rib and 20 cuts and bruises when he died.

It also emerged he may have been hurt in a brawl with his

# SHEKU COP'S 'FROZEN FACE'

## Custody death WPC's paralysis anguish



Campaign... Anwar & Sheku's family





# SHEKU FAMILY'S PROBE PLEA DURING NIC TALKS



Inquiry demand... relatives of Sheku, right, with Anwar



By DOUGLAS WALKER and KARRIE GILLET

**DAD** Sheku Bayoh's family demanded a public inquiry into his death in custody during talks with Nicola Sturgeon.

His relatives spent 90 minutes with the First Minister and Justice

## Call for custody death inquiry

Secretary Michael Matheson at her Bute House residence in Edinburgh yesterday.

Their lawyer Aamer Anwar said Ms Sturgeon agreed to give "serious consideration" to the request. Mr Anwar, who joined Sheku's three sisters and brother-in-law,

added: "They were pleased the Scottish Government will not shy away from learning lessons and bringing about fundamental change."

Sheku, 31, died after he was held in Kilecaddy in May. A probe by police investigators is under way. [douglas.walker@the-sun.co.uk](mailto:douglas.walker@the-sun.co.uk)



Bully claims... Clarke

## Tory row pal 'told to wipe all emails'

EXCLUSIVE by HARRY COLE Westminster Correspondent

A KEY ally of expelled Tory Mark Clarke is at the centre of new coverage over allegations.

Paul Abbott has admitted deleting all his official emails but claims he was acting under orders. Mr Abbott quit as chief of staff to Grant Shapps when the party chairman was demoted in May.

Clarke, 38, was banned from the party for life last week amid allegations of bullying, blackmail and drug use. He denies the allegations.

Mr Abbott confessed to The Sun that he deleted his emails but insisted: "We were all instructed to do it by a senior member of staff."

The most damaging information could be crucial for the inquiry into the suicide of activist Elliot Johnson, 21, as Clarke reported directly to the Party Chairman's Office.

A Tory insider said Mr Abbott's decision "was highly dubious".

## Beg Mac bust-up

A FAST food fan blasted McDonald's after staff stopped him buying a cup of tea for a homeless woman because it "encouraged begging".

Anil Barber, 38, took pity on the shivering woman when he saw her outside the restaurant in the rain at 3am.

But he said: "They wouldn't serve me because she was causing a nuisance."

He then gave her a £10 note but added: "She went to the counter and again they point-blank refused to serve her."

McDonald's said the woman was banned from the branch in Bolton, Lancs, on safety grounds, not for being homeless.

## PMS link 'to heart'

WOMEN who suffer PMS are 40 per cent more likely to develop high blood pressure within 20 years, experts say.

And those with severe period pain are three times as likely to develop hypertension linked to heart attack and stroke - before the age of 40.

Around one in 10 women have severe PMS, which causes cramps, hot flashes, mood swings and nausea. The study found antidepressants and the Pill did not affect the risk of hypertension.

Professor Elizabeth Bertone-Johnson, of Harvard University, said: "Women with PMS should be screened for blood pressure changes."



## Anguish of 'Size 0' hell teen

By ALEX WEST

A TEENAGER hanged herself after becoming obsessed with having a "perfect" Size Zero celebrity figure, an inquest heard.

Shopworker Hannah Carpenter, 18, above, was "stunning" but "thought she was fat and worthless", her dad David said.

Her family thought she'd recovered from a childhood eating disorder but she was found dead in Redruth, Cornwall, in May.

After the inquest in Truro yesterday, Mr Carpenter said: "On the internet and in magazines it is all about body image and striving for something that is not possible. The pressure became too much for her."

6 days to go

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# Turkey shoots down Russian jet at Syrian border

Putin warns of consequences for 'stab in the back'

BY TULAY KARADENIZ

**T**URKEY shot down a Russian warplane near the Syrian border yesterday, saying the jet had violated its air space, in one of the most serious publicly acknowledged clashes between a Nato member country and Russia for half a century.

Russian President Vladimir Putin said the plane had been shot down over Syria and warned of "serious consequences" for what he termed "a stab in the back" committed by "the accomplices of terrorists".

"We will never tolerate such crimes like the one committed today," Putin said, as Russian and Turkish share prices fell amid fears of an escalation between the former Cold War enemies.

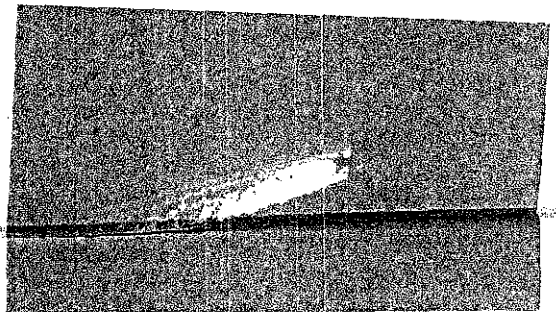
In a letter to the UN Security Council, Turkey said that it had shot down the jet while in Turkish air space. Along with a second plane, the aircraft had flown more than a mile into Turkey for 17 seconds, despite being warned 10 times in five minutes while approaching to change direction.

"Nobody should doubt that we made our best efforts to avoid this latest incident. But everyone should respect the right of Turkey to defend its borders," Turkish President Tayyip Erdogan said during a speech in the Turkish capital Ankara.

Each country summoned a diplomatic representative of the other. Russia's foreign minister Sergei Lavrov cancelled a visit to Turkey which was due to take place today.

US President Barack Obama and French President Francois Hollande, meeting in Washington, urged against an escalation, while Nato Secretary-General Jens Stoltenberg said the military alliance stood in solidarity with Turkey.

TV footage showed the warplane going down in flames, a long plume of smoke trailing behind as it crashed in a wooded area known by Turks as Turkmen



The burning trail as the plane comes down near the Turkish-Syrian border. Turkish President Tayyip Erdogan, below



been down in Syria and that "for the entire duration of the flight, the aircraft was exclusively over Syrian territory".

A senior Turkish official said: "Our findings show clearly that Turkish air space was violated multiple times. And they violated it knowingly."

A US military spokesman said it was an issue between the Turkish and Russian governments and that US-led coalition operations in Syria and Iraq were continuing "as planned".

Moscow's decision to launch separate air strikes in Syria means Russian and Nato planes have been flying combat missions in the same air space for the first time since the Second World War, targeting various insurgent groups close to Turkish borders.

The incident appeared to scupper hopes of a rapprochement between Russia and the West in the wake of the Islamic State attacks in Paris, which had led to calls for a united front against the jihadist group in Syria. Lavrov also advised Russians not to visit Turkey.

In a further growing fallout over Syria, Syrian rebel fighters who have received US arms said they fired at a Russian helicopter, forcing it to land in territory held by Moscow's Syrian allies.

Mountain. Other footage showed two pilots parachuting out of the jet before it crashed.

A deputy commander of rebel Turkmen forces in Syria (ethnic Turks who have lived in the region since the 11th Century) said his men shot both pilots dead as they came down.

The Russian military confirmed one pilot had been shot dead from the ground and another soldier died during a rescue operation.

A senior Turkish official said at least one pilot could still be alive. "It's not a fact but a possibility. We're trying to verify the information and taking all necessary steps to facilitate their return," he said.

A video sent to the Reuters news agency appeared to show one of the pilots immobile and badly wounded on the ground.

Russia's defence ministry said one of its Su-24 fighter jets had



from the party whip was in the best interests of her constituents

## First Minister

The solicitor said the family had asked the First Minister about possibility of organising an inquiry under the Inquiries Act 2005.

Anwar said there was already legal precedent in Scotland, "most recently with the fingerprint Inquiry or the UK wide Leveson Inquiry".

"We understand that serious consideration will now be given to such a request, he added. A spokesman for the Pirc said: "The commissioner continues to work closely with the Lord Advocate to investigate all relevant lines of inquiry,

including gathering further opinion on the cause of death. "It would be inappropriate to go into further details during a live investigation."

The First Minister said: "I can only imagine the pain and distress the family has gone through since their loss and I took the opportunity to express my sincere condolences to them.

"While we cannot comment on the investigation, myself and Justice Secretary Michael Matheson listened to the concerns and I expressed my determination that the family get the answers they deserve."

Women for Indy and the missing £30,000 donations

# McGarry resigns the SNP whip while police investigate

BY ANDREW LEARMONTH

**N**ATALIE McGarry has resigned the SNP whip after claims she is at the centre of a police investigation into the disappearance of at least £30,000 from the accounts of Women For Independence (WFI).

In a statement from her lawyer, Aamer Anwar, the MP said withdrawing from the party whip was in the best interests of her constituents.

"Natalie McGarry MP has decided to withdraw from the party whip although she is fully aware that this will lead to automatic suspension from the SNP.

"She has taken this step in the best interests of the party and the constituents of the east end who voted for her."

Anwar said McGarry "maintains she has done nothing wrong" but knew that allegations were "distracting from the job she was elected to do on behalf of the SNP". He added McGarry was innocent until proven guilty and Police Scotland has not yet "even established whether criminality is involved".

Anwar said he had instructed forensic accountants to "obtain all the necessary information" to assist WFI and Police Scotland to reach "a swift conclusion".

The lawyer's comments were echoed by an SNP spokesperson who said McGarry resigning the whip would see her membership of the party suspended until the investigation was over.

The spokesperson said: "Natalie McGarry has taken this step in order to allow the full and proper investigation of the issue. She now hopes that the investigation can proceed as quickly as possible, is clear that there has been no wrongdoing on her part, and will not be commenting further until the matter is resolved."

Last night, WFI rejected accusations they had covered up the financial discrepancies to save embarrassing the SNP.

The National understands that WFI first asked McGarry for a copy of the accounts so they could be audited last October. Despite repeatedly asking McGarry, she was never able to present them to the national committee.

Offers were made to pass the



Lawyer Aamer Anwar is representing Natalie McGarry



Natalie McGarry has taken this step in order to allow the full and proper investigation of the issue

responsibility for the accounts to a chartered accountant, also in WFI, when McGarry was selected to fight the General Election, but she rejected that offer.

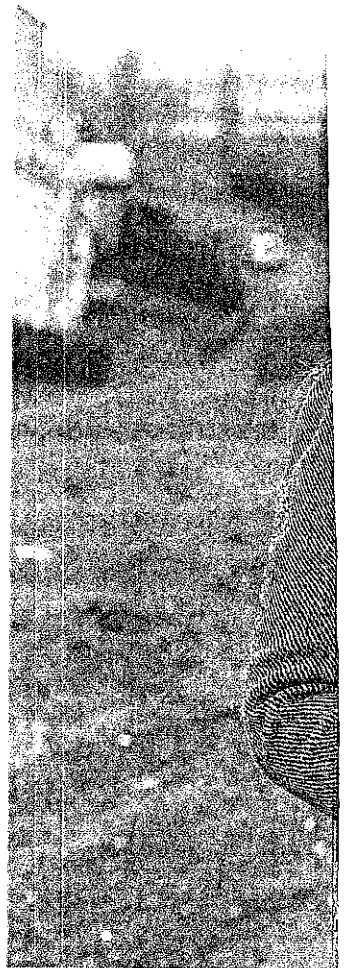
At the WFI's AGM in March, McGarry, in her report, said audited accounts would be produced. Despite repeated requests the accounts were never presented.

A WFI source said there were initially no suspicions, and that it was about trying to get information together on income and expenditure so a set of accounts could be properly audited and put on the record.

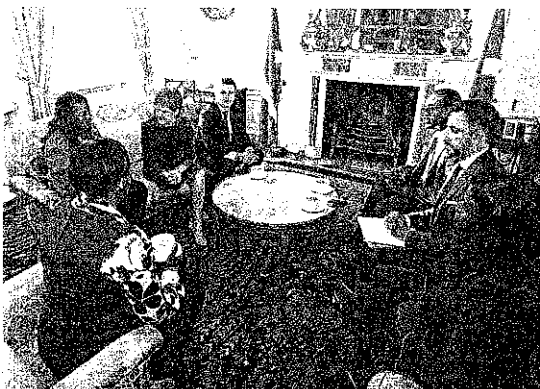
"It was in the course of that and the absence of information and not being able to get it that we got to a position where we had nowhere else to go with except to hand it to the police," the source said.

When asked if WFI passed its concerns on the SNP, The National's source said: "What are we supposed to say? One of your candidates is really f\*\*\*g annoying?"

The source insisted WFI was a "non-party political organisation".



Natalie McGarry, said withdrawing



Nicola Sturgeon meets the Bayoh family

## Sheku Bayoh family meet with

BY ANDREW LEARMONTH

**T**HE family of Sheku Bayoh has renewed its call for a public inquiry into the death of the Kirkcaldy man.

The call came as Bayoh's three sisters and brother-in-law met with First Minister Nicola Sturgeon and Justice Secretary Michael Matheson in Edinburgh yesterday morning.

Bayoh died in police custody in May. Police were responding to calls of a man behaving erratically with a knife. Although no knife was found on Bayoh,

in the arrest a police officer was injured and taken to hospital.

At least nine officers were involved in the arrest and Bayoh was severely injured. He became unconscious five minutes after being restrained and stopped breathing five minutes later.

The Bayoh family has expressed concerns over the subsequent investigation into the circumstances around the death of the 32-year-old gas engineer.

His family's solicitor Aamer Anwar released a statement after the meeting.

"The family welcomed the First Minister's compassion

and support and appreciate why the Scottish Government cannot comment until the Bayoh investigation is concluded but the family were pleased that the Scottish Government will not shy away from learning lessons and bring about fundamental change if necessary."

Anwar said any inquiry should deal with "the wider issues of deaths in custody, use of restraint techniques, the issue of race, lack of police accountability and the insufficient powers of the [Police Investigations and Review Commissioner]."

# Mother of eight burns to death as she makes wreath for child's grave

By Aidan Scott

A MOTHER of eight died after saving her parents from a blaze at their home caused when a cigarette she was smoking triggered an explosion.

Roseanne Armstrong was making a wreath for her dead daughter when aerosol paint she was using ignited, turning the flat into an inferno.

The 43-year-old, who suffered severe burns, leapt from a window at the ground-floor property in Old Craighall, Musselburgh, East Lothian, before going back inside to rescue her elderly parents.

Mrs Armstrong had been living with her father, Bobby Rowan, 77, and mother Margaret-Rose Rowan, 76, to help with their care. They suffered minor injuries. Her children were with their father Edward Armstrong in Wishaw, Lanarkshire, at the time of the accident in the early hours of Sunday morning.

Mrs Armstrong had been in a bedroom making a wreath in memory of daughter Mary-K, who died after taking a rogue Valium tablet in October 2014.

It was the second time that Mrs Armstrong had been involved in an explosion. In 2011 her car ignited as she filled it with petrol at a Tesco filling station in Wishaw.

Her eldest son, Edward, 23, said: 'We've been handed some cards in life - it's a nightmare.'

'My mum was making a wreath to lay on the grave of my sister. She was using the paints to put silver and gold sparkles on it. She lit a cigarette and that caused the explosion.'

'Mum jumped out of the back window, screaming, "Help, there's a fire." She was on fire. Her skin was actually melting.'

'She carried her parents out of the house one by one, then ran back for the cat. She then sat on the grass and asked a neighbour if her par-

ents were OK. Her burns were an inch-and-a-half deep.

'At the hospital it was established she had inhaled flames and was burned from inside.'

'This is what killed her rescuing her parents killed my mother.'

A joint investigation by Scottish Fire and Rescue Service and Police Scotland is under way.

A Police Scotland spokesman said: 'Police are investigating following a house fire in Old Craighall in the early hours of Sunday, November 22.'

'Three people were injured and taken to hospital for treatment.'

'A 43-year-old woman was taken to St John's Hospital, Livingston, with serious injuries where she sadly died. A man aged 77 and a woman aged 76 are being treated for minor injuries at the Edinburgh Royal Infirmary.'

'Inquiries are ongoing into the full circumstances.'

Scottish Fire and Rescue con-

firmed it is investigating. A spokesman said: 'Firefighters provided oxygen therapy and burns gels to the casualties until the arrival of the ambulance.'

'Our thoughts are with her family at this sad time.'

Floral tributes were laid outside the flat yesterday and charred fur-

## 'There was a terrific bang'

niture was lying in the back garden. The windows were boarded up and the walls were stained black with smoke.

Neighbour Jim Douglas, 72, said: 'There was a terrific bang and the windows blew out. I looked out and there was a big glow. I came out and the flames were right up.'

Mrs Armstrong's son Edward added: 'There is not a woman in

the world that can replace my mum.'

'My grandparents are living thanks to mum's efforts. We are a religious family. We are all comforted [knowing] that she is with her sister and her daughter.'

'She was a family person, she loved kids. She would hand sweets to kids in the streets. Everyone that knew her loved her.'

In the incident at the Tesco filling station in 2011, Mrs Armstrong was hospitalised after suffering burns when her car exploded.

At the time, she was standing beside the vehicle filling it with petrol when it ignited.

Her son added: 'The last time she was a walking miracle, this time she is a hero. I want everybody to know my mother donated her life to save my grandmother and grandfather.'

'Her husband is very distraught. We love her and will always remember her. She was the foundation of the family.'



Tragic: Roseanne Armstrong, above. Her daughters, far left, Mary-K, and Roseanne right, with daughter-in-law Dawn. The blaze flat, right



# Three a day struck down by mumps 'epidemic'

SCOTLAND is in the grip of a mumps 'epidemic', with an average of three people a day contracting the virus.

In the first nine months of this year, 782 people have contracted the illness, compared to only 107 last year - despite many having been vaccinated against it.

Experts last night warned the MMR injection most Scots received as children is becoming less effective over time. This, along with a health scare when the MMR injection was wrongly linked to autism, has been blamed for the latest outbreak.

Dr Syed Ahmed, clinical director at Health Protection Scotland, said: 'People who have been vaccinated see their immunity gradually wane because some of the mumps infections are becoming rarer and they are not exposed to them in the community.'

The MMR jab, introduced in 1996, is a three-in-one vaccination against measles, mumps and rubella. After one injection as a baby, it provides 60 to 65 per cent immunity from mumps.

Following a second dose, usually at three to five, they have 99 per cent protection against rubella and 96 per cent against measles - but only 90 per cent protection against mumps.

Dr Ahmed said: 'Fortunately those who do get the vaccine see only mild cases of mumps. We had a peak around the summer but since then the number of cases is coming down.'

# Family calls for inquiry

THE family of a man who died in police custody have called for the Scottish Government to hold a public inquiry into his death.



Sheku Bayoh, 31, pictured, died in May after being detained in Kirkcaldy, Fife. His relatives met Nicola Sturgeon and Justice Secretary Michael Matheson yesterday.

Speaking after the meeting, the family's lawyer Aamer Anwar said: 'The family have this morning asked the Scottish Government to consider the possibility of holding a public inquiry. We understand from the First Minister that serious consideration will now be given to such a request.'

An investigation is being carried out by the Police Investigations and Review Commissioner. A spokesman said: 'It would be inappropriate to go into further details during a live investigation.'

# Pet insurance plea to MSPs

PET insurance should be made compulsory for dog and cat owners to address the suffering caused to animals when people cannot afford their veterinary treatment, MSPs have been told.

Members of Holyrood's public petitions committee heard that vets' bills can often run to thousands of pounds in one go.

As a result, some animals end up being given up when their owners do not have the money to pay for treatment, it was claimed.

The committee agreed to contact the Scottish Government, animal charities and insurers to seek their views on the proposals.

# Police plea for Black Friday calm

POLICE are urging Black Friday bargain-hunters to be on their best behaviour following last year's chaotic scenes.

The message to festive Scots shoppers follows officers being called to a number of Tesco branches in 2014 - including the Kingsway store in Dundee and the Silverburn store in Glasgow - as customers began fighting over cheap deals.

Tayside police are keen to avoid a repeat of the problems. Spokesman Superintendent Graeme Murdoch said: 'I am sure that many of us were fairly surprised at some of the scenes and behaviour we saw reported in the media.'

'We would like to remind shoppers in Tayside to take stock of their own behaviour whilst

By Jessica McKay

inside and outside stores during the sales this year.'

Black Friday is an American concept and is often regarded as the opening of the Christmas shopping period in the US.

Shops offer exclusive deals and slash the prices of highly coveted items. The idea has been taken up in Britain over the past few years.

Since 2008, there have been seven reported deaths and 98 serious injuries in the US as a result of bargain braais.

Earlier this month, supermarket giant Asda announced it would not be participating in the

event this year, after a string of violent incidents in 2014.

However, Tesco plans to sell selected toys at half price and Amazon will reduce the price of a number of electrical items, such as Kindles and razors, by 50 per cent or more.

Morrisons is offering 7p off every litre of petrol to customers spending £40 or more in store over the weekend.

Meanwhile, Scottish shoppers are expected to splurge a record £6.5 billion this Christmas.

The outlay in the six weeks to Christmas Day will top last year's spending of £6.3 billion, a study by the Centre for Retail Research for VoucherCodes found.

injury.

On the last occasion four years ago he raised the alarm for another yacht in difficulty in a force seven gale.

He said: "My daughter has never been in the boat with me since."

The 82-year-old inventor of the teacake - which had a boost in popularity across the UK after appearing in the Glasgow Commonwealth Games 2014 ceremony opening - also supports yachting events around Scotland including the West Highland Yachting Week where he has taken

boat, and a further announcement will be made in due course."

Campaigner Euan Gibson said it was "quite a moment when he told me - wonderful generosity."

“

**The emergence of Tunnock's as a major donor has unanimous support from the community of St Abbs**

ment, and that a further £250,000 should be raised initially towards liquid funds.

"We always said Spring/Easter for launch, if the funds allowed.

"Now we need to find out from manufacturers if they have build-slots and how long building a boat to the Rescue Boat Code specification takes before we can start firm planning.

"We could only make tentative enquiries before, but now we can have a more serious conversation."



ST ABBS CREW: Euan Gibson, Ian Wightman, Andrew Redden.



THOMAS TUNNOCK: Founded the company in Uddingston.

## locum work

A DOCTOR at the centre of an investigation into whether or not he made racist comments took on locum work in Scotland, it has been alleged.

Dr Ragheb Nouman, a locum doctor in the field of orthopaedics, is accused of saying a number of inappropriate things about colleagues in the north east of England.

While this was being looked into it is alleged he took on work with NHS Highland declaring he was not subject to any General Medical Council investigation.

It is also alleged that he failed to stop his locum work and inform NHS Highland when he was suspended.

The racist comments Dr Nouman is alleged to have made in 2012 include disparaging comments about people of Indian origin. However, Dr Nouman denies being racist and has suggested he did not know he had been suspended.

The Medical Practitioners Tribunal Service hearing is continuing in Manchester.

## Auction sites 'bargains' a fire hazard

TRADING standards chiefs have issued a warning about cheap imitations of a Back to the Future-style gadget set to be one of this year's must-have Christmas presents.

Dangerous replicas of hoverboards - popularised by Marty McFly in the 1980s film starring Michael J Fox - are selling for £100 or less on auction sites and social media accounts, against £300-£600 from reputable stores.

The cheaper, mainly Chinese replicas have a fuse-less plug that will not fit into a socket properly, Kent County Council's Trading Standards department said. They are also packed with batteries that can overheat and explode. In Deal, Kent, one bought online caught alight while charging, causing some £25,000 worth of damage.

And they come with some puzzling instructions, such as: "Get off before you stop intelligent drifting scooter balance state, one foot down, the other foot in the left drifting scooter again."

# A tax on meat would help the fight against global warming, claim researchers

A TAX should be put on meat to help fight against global warming, Scottish scientists have said.

A report into people's eating habits around the world found that many would support radical change in their diets, but that govern-

ments would have to take the lead in making it happen.

This could come in the form of making meat more expensive through a carbon tax, which researchers at the University of Glasgow believe would come to be accepted by populations at large.

Estimates suggest that there the livestock sector is to blame for 15 per cent of global greenhouse gas emissions.

The Glasgow University Media Group conducted interviews in China, Brazil, the USA and UK and found that people were prepared to

change the amount of meat they eat as long as governments gave a clear lead.

Their report, titled Changing Climate, Changing Diets: Pathways to Lower Meat Consumption, found that unpopular interventions to make meat more expensive

would face diminishing resistance as people come to understand the arguments.

Dr Catherine Happer, a lecturer in sociology at the University of Glasgow and one of the report's authors, said: "Reducing meat consumption does not

feature in a single national emissions reduction plan submitted in advance of the Paris meeting. Governments are afraid to interfere in lifestyle choices. But the report shows that when the importance of meat production on emissions is communicated

to people, there is an expectation that action will be taken, and that it will be led by governments."

The study was carried out with researchers from Chatham House in London.

Mark Smith: Page 15

## Attenborough's 90th birthday celebrated

THE BBC will mark Sir David Attenborough's 90th birthday with a one-off programme.

Veteran broadcaster Sir David will turn 90 next May, and the corporation is celebrating the milestone with an interview in front of a studio audience.

The hour-long special, called Inspiring Attenborough: Sir David at 90, will see Kirsty Young talk to the naturalist about his career, the inspiring people he has met, the journeys he has made, and the animal encounters he has had across the globe.

The BBC One programme will celebrate Sir David's contribution to people's understanding of the natural world, and to the development of television broadcasting. He has enjoyed a career that has spanned seven decades and will be joined by film makers, zoologists, conservationists, biologists, anthropologists as well as pioneers from the world of broadcasting.

Highlighting some of the most unforgettable moments



DAVID ATTENBOROUGH: Will be 90 in May.

from Sir David's career, Young will ask about what they mean to him, from capturing unique animal behaviour for the first time and uncovering critical conservation stories to the fast paced advancement in filming technology over recent decades.

The BBC also announced a second programme with Sir David for next year looking at the world of bioluminescence - light made by living things.

Sir David will be the guide on BBC Two's Light on Earth, venturing into a world he describes as "utterly unlike our own".

## Custody death man's relatives ask Sturgeon for public inquiry

THE family of a man who died in police custody made a renewed call for a public inquiry as they met with First Minister Nicola Sturgeon.

Father-of-two Sheku Bayoh, 31, died after being detained by officers called to an incident in Kirkcaldy, Fife, on May 3. His relatives have been calling for answers over the trainee gas engineer's death and have held talks with a series of officials including Scotland's top prosecutor, Lord Advocate Frank Mulholland QC, and Police Scotland chief constable Sir Stephen House.

An investigation into the circumstances surrounding the death is being carried out by the Police Investigations and Review Commissioner (Pirc), who submitted an interim report to Mr Mulholland in August.

Mr Bayoh's three sisters and brother-in-law had a 90-minute meeting with Ms Sturgeon and Scotland's Justice Secretary Michael Matheson at the First Minister's official residence in Edinburgh yesterday morning.



TRAGEDY: Sheku Bayoh died in police detention.

Solicitor Aamer Anwar, who was present at the talks, said afterwards: "His family met with the First Minister and the Justice Secretary this morning to voice their serious concerns over the wider issues of deaths in custody and the inability of Pirc to account. The family welcome the First Minister's compassion and support but appreciate that the Scottish Government cannot comment until the Bayoh investigation is concluded.

"The family were pleased that the Scottish Government will not shy away from learning lessons and bringing about fundamental change, if necessary. Whilst it is for the Lord Advocate to decide on whether there are grounds for criminal proceedings, a fatal accident inquiry (FAI) is mandatory.

"We understand from the First Minister that serious consideration will now be given to such a request."

A spokesman for the Pirc said he would not comment "on a live investigation".

## Black Friday online figures set to soar

BRITONS are expected to spend £3.49 billion on bargains over four days starting with "Black Friday", with online sales alone predicted to be up 16 per cent on last year.

Some 14.7 million shoppers will take part in the sales bonanza from this Friday, culminating with "Cyber Monday" when most workers will be in possession of their last pay cheque of the year, according to figures from the Centre for Retail Research (CRR) and VoucherCodes.co.uk.

Those in the UK are expected to spend 21 per cent, or £450 million, more over the four days than France, Germany, Italy, Spain, the Netherlands and Belgium combined.

And despite last year's incidents of havoc in stores, the event is expected to boost footfall on the high street, with 13.9 million people expected to do at least some of their shopping in bricks and mortar locations.

However most cash - £2.22bn - will be spent

online, up 16 per cent on last year's £1.91bn, the CRR predicts.

Visa Europe has predicted Black Friday shoppers will put a total of £1.9bn on cards alone.

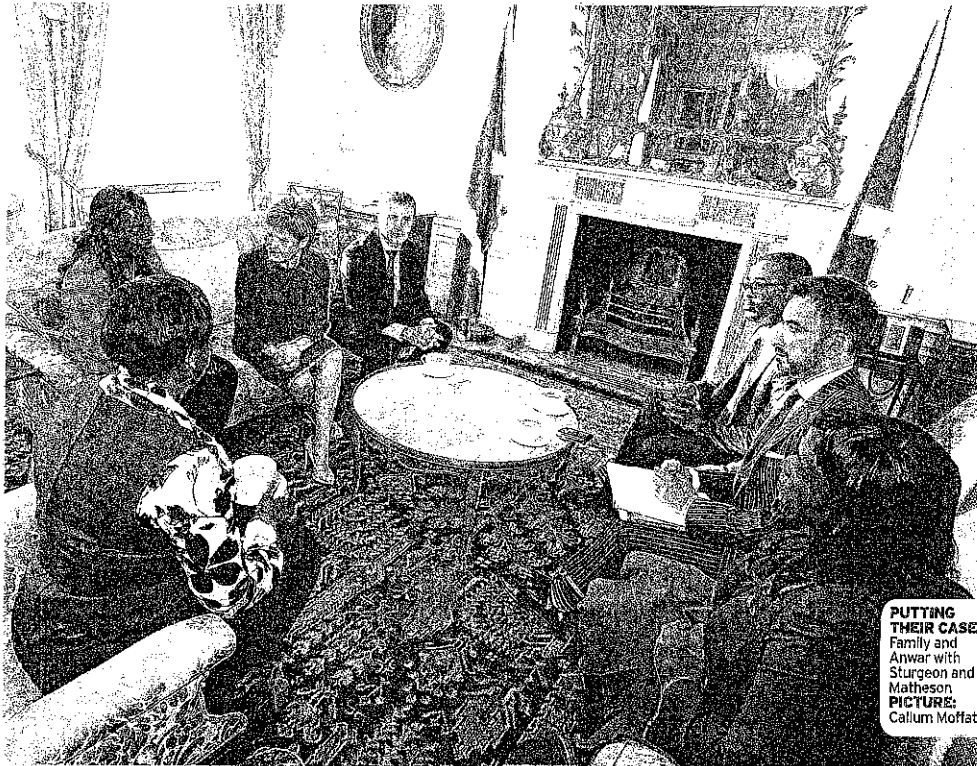
It estimates shoppers will put £721m spent on online purchases on its cards, up 17 per cent on last year and a 61 per cent increase on 2013, peaking in the "golden hour" between 6pm and 7pm when commuters buy via their phones and tablets.

VoucherCodes said its traffic spiked at 8.36am on Black Friday last year, compared with 9.52am in 2013, suggesting shoppers are starting ever earlier.

Kevin Jenkins, Visa Europe managing director for the UK and Ireland, said: "It will be a tale of two different golden hours on the day. On the high street, we'll see a huge lunchtime rush.

"Online, the commuter hour will see the highest levels of buying, confirming the growing number of people who think mobile first for shopping."

# DAD ASK STURGEON FOR PUBLIC INQUIRY



**PUTTING THEIR CASE**  
Family and Anwar with Sturgeon and Matheson  
**PICTURE:**  
Callum Moffat

# GPs TOLD: SHOP THE DANGER DRIVERS

» CHRIS CLEMENTS  
cclements@dailyrecord.co.uk

**FAMILY doctors have been told they must blow the whistle on patients who defy their orders not to drive.**

Under new guidelines, GPs will be able to raise the alarm and get dangerous drivers off the roads without having to ask their patients for permission.

Doctors' body the General Medical Council drew up the guidelines in the wake of the Glasgow bin lorry tragedy, when driver Harry Clarke killed six pedestrians after blacking out at the wheel.

Clarke had repeatedly failed to reveal his history of blackouts.

Doctors were also criticised last week at an inquiry into the case of bus driver David Logue, who blacked out and killed a colleague in 2012. It was the



**BLACKOUTS** Harry Clarke third time Logue had passed out while driving but doctors failed to alert the DVLA.

GMC chief executive Niall Dickson said doctors had a duty to keep their patients' secrets but that duty was "not absolute".

The new guidelines made clear that GPs had to reveal information if there was a need to protect others from death or serious harm.

Dickson added: "Doctors can play an important part in keeping the public safe."

# BLACK FRIDAY

## WEEKEND

### 26TH-30TH NOVEMBER

# 50% OFF

SELECTED CLOTHING, BEAUTY & HOMEWARE  
AND OTHER AMAZING OFFERS

ONLY  
M&S

See in selected UK stores and online for details. Selected items. Subject to availability.



MORE WORK NEEDED Wheelhouse

# RACISM REPORTS ON RISE

CHRIS CLEMENTS  
c.clements@dailyrecord.co.uk

**MORE than 4800 racist incidents were reported to Scots police in 2013-14, a rise of nearly four per cent on the previous 12 months.**

The largest group of complainers were "white British" English or Scots. They made up 27.2 per cent of the total.

Police Scotland recorded 4807 racist incidents in 2013-14 compared to 1139 in 2012-13, say official figures.

Almost 95 per cent of the reports led to at least one crime being recorded.

Attacks on people of Pakistani origin fell very slightly from 1115 to 1107.

Community safety minister Paul Wheelhouse said it was encouraging that they were now at their lowest level for a decade, but the overall rise in the number of incidents showed that "more work still needs to be done".

# POLICE DEATHS FAMILY OF TRAGIC YOUNG Help us get justice for Sheku, please Nicola

SARAH VESTY  
s.vesty@dailyrecord.co.uk

**THE family of a young dad who died in police custody urged Nicola Sturgeon yesterday to order a public inquiry into such deaths.**

Father-of-two Sheku Bayoh, 31, died in Kirkcaldy in May after police used batons, restraints and pepper spray to subdue him.

A post mortem revealed he suffered multiple injuries shortly before his death.

Sheku's death is being investigated by Scotland's police watchdog, the Police Investigations and Review Commissioner, and a fatal accident inquiry will be held.

But Sheku's family met the First Minister and Justice Secretary Michael Matheson to call for a public inquiry.

They say the PIRC probe

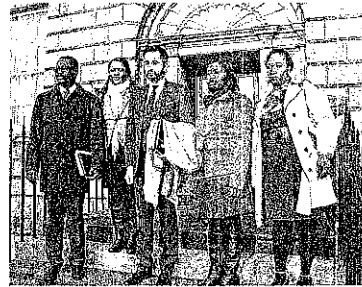


**KILLED** Dad-of-two Sheku with Colette

and FAI will not be enough.

The family's lawyer Aamer Anwar, who was at the meeting, said they voiced "their serious concerns over the wider issues of deaths in custody and the inability of the PIRC to hold Police Scotland to account".

He added: "The family



**QUEST** Family with Anwar at Sturgeon's official residence

welcomed the First Minister's compassion and support.

"They were pleased that the Scottish Government will not shy away from learning lessons and bringing about fundamental change if necessary."

Anwar said it was up to Scotland's senior prosecutor,

the Lord Advocate, to decide if anyone should face court over Sheku's death, but a fatal accident inquiry would be held regardless of Frank Mulholland QC's decision.

He went on: "The family do not believe a fatal accident inquiry has the remit


to deal with serious, public concerns, the wider issues of deaths in custody, the use of restraint techniques, the issue of race, the lack of police accountability and the insufficient powers of the PIRC.

"Nor will the finding of a FAI be binding on Police Scotland. Accordingly, the family have asked the Scottish Government to consider a public inquiry."

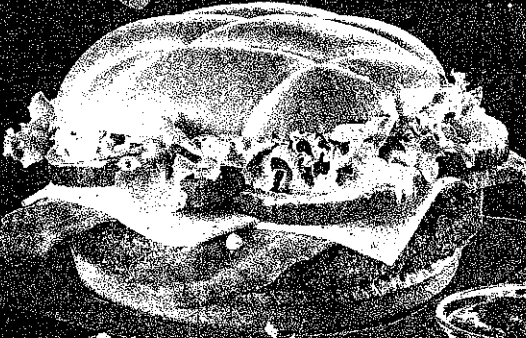
"We understand from the First Minister that serious consideration will now be given to such a request."

Gas engineer Sheku died after an incident near the home he shared with partner Colette and their infant son Isaac. A police officer was injured.


His family say that in the hours that followed, they were given multiple versions of what had happened before finally discovering he had died in custody.




**ALL I WANT FOR CHRISTMAS IS YOU**



**Festive Feast**  
with Sweetcorn Bacon & Cheese



**Spicy Chicken Winter Melt**



**Cheese Melt Dippers**

Served from 10.30am. Subject to availability. Until 29th December 2015. © McDonald's 2015

# Bayoh lawyer hits out at smears by anonymous 'police sources'

Lawyer critical of 'double standards'

EXCLUSIVE BY ANDREW LEARMONTH

There has been a "deliberate attempt" by anonymous police sources to criminalise Sheku Bayoh and justify his death in custody, according to his lawyer Aamer Anwar. Responding to claims from a police source in yesterday's Sun on Sunday newspaper, Anwar said it was clear there was an attempt to divert attention away from how Bayoh died in May. Reports yesterday claimed that

police officer Nicole Short, who came into contact with Bayoh on the morning of his death, was suffering from "severe post-traumatic stress" and "severe headaches and a facial palsy." The Sun's source went on to say that the officer, described by the Scottish Police Federation as "petite", might never return to the force, adding: "She is struggling even to take her dog out for a walk". PC Short was expected to stand trial in August accused of obtaining personal data relating to two men from Fife Constabulary's

Crimefile system and the Scottish Intelligence Database for non-policing purposes, but had her trial postponed until December after her lawyers argued she was in a "complicated medical state." Anwar said the leaking of "selective parts" of what police sources "claim to be the truth" should be questioned. The solicitor said: "The family continue to be shocked by the double standard of these so-called police sources. Repeatedly the family are bullied, patronised and expected to remain silent while there is a deliberate attempt

to criminalise Sheku Bayoh and justify his death. "We do not comment on sources other than to say this investigation is not over and it seems that there is a desperate attempt, once again, to divert attention away from the cause of death of Sheku Bayoh. "The matter is still being investigated. The cause of death is still to be determined. One should look at what is the purpose of these so-called police sources in deliberately leaking selective parts of what they claim to be the truth.



Sheku Bayoh, left, died after coming into contact with police officers in Kirkcaldy, Fife, in May

"The truth as far as the family is concerned is that Sheku Bayoh was restrained by several police officers and within 30 seconds was faced down on the ground and lost consciousness and subsequently died. "His body was covered from top to bottom in injuries and it's critical that that matter is investigated." Bayoh, a gas engineer originally from Sierra Leone, came into contact with the police after officers responded to reports of a man seen brandishing a knife in the early hours of Sunday May 3. It is believed up to nine officers tackled Bayoh. He was pronounced dead two hours later. The Lord Advocate called for calm last month, saying the "speculation and a running commentary" about the 31-year-old's death was unhelpful and asked that the Police Investigations and Reviews Commissioner (PIRC), and the Crown, "be allowed to get on with their job." A spokesman for the PIRC said: "The independent investigation into the circumstances surrounding the death of Sheku Bayoh in Kirkcaldy on Sunday May 3 is ongoing. "It would be inappropriate to go into further details during a live investigation." The Scottish Police Federation declined to comment last night.

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George Kerevan: Osborne is caught in a trap of his own making **Page 2**

MONDAY NOVEMBER 23, 2015

# THE NATIONAL

THE NEWSPAPER THAT SUPPORTS AN INDEPENDENT SCOTLAND

50P



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Carolyn Leckie: We must not allow fear to triumph over compassion  
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Brussels in lockdown as terror manhunt continues  
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## LAWYER HITS OUT AT SHEKU BAYOH SMEARS BY 'POLICE SOURCES'

EXCLUSIVE



The Bayoh family are bullied, patronised and expected to remain silent while there is a deliberate attempt to criminalise Sheku and justify his death

AAMER ANWAR



Kevin McKenna: Sturgeon will never have a better chance to be radical  
Page 10



Greg Moodie: Bombs away



Heroin find... Kerry

## Scheme's star Kerry nailed in drug stop

By CAMPBELL THOMAS

SCHEME star Kerry McMurray is facing a prison sentence after she was caught with heroin.

The stash was discovered when McMurray, 28, was stopped in the street and searched by cops. She admitted possessing the drug in Kilmarnock in September when she appeared at the town's sheriff court.

McMurray also pleaded guilty to handling stolen goods after officers found CDs, light bulbs, a radio, sunglasses and beauty products swiped from a car last month.

But she was cleared of obstructing police by stuffing a bag of brown powder in her mouth when prosecutors accepted her not guilty plea.

McMurray, who featured in the gritty 2010 BBC documentary was on two bail orders at the time of the offences.

Sentence was deferred and she was bailed.

**GOOD week**

POLICE halt in drink drive figures almost a year after new limit set.

**BAD week**

NATS MP Natalie McGarry is suspended over cop probe into cash row.

## Van bust £28k held

A DEALER caught with £8,000 of cocaine had nearly £28,000 of dirty money seized as he was caged for eight months.

Police were tipped off that Paul McGerty, 25, was delivering a "large quantity" of drugs. Officers found a 200g bag of the narcotic stashed under the dashboard of his van.

Other cops stopped a woman leaving McGerty's home in Glasgow and discovered £27,900 in notes stashed in a perfume box with his fingerprints on it.

McGerty admitted being involved in supplying cocaine in Kilmarnock in January when he appeared at the town's sheriff court.

# CUSTODY DEATH DAD SHOCK

# I TRIED TO STOP SHEKU STORMING OFF WITH BLADE

## Neighbour's knife claim

EXCLUSIVE by DOUGLAS WALKER

**A NEIGHBOUR of custody death dad Sheku Bayoh claims he tried in vain to stop him storming off armed with a knife just hours before he died.**

The local described Sheku as "intoxicated" and brandishing an eight-inch blade as he walked down the street.

The man ran up to him and asked if everything was okay and if there had been a break-in.

Hours later Sheku, 31, was dead after being tackled by up to nine cops following up a 999 report of a suspect armed with a knife.

The neighbour, who asked not to be named, said: "His speech was very slow and I could see he was definitely intoxicated. I don't know if it was drink or drugs."

"He wasn't himself and he was very agitated. I knew him as a good, friendly guy and he was acting out of character."

"When he turned around I could see he was tapping a knife on the side of his leg. It had a steel handle and the blade must have been about eight inches long."

"I told him he needed to put the knife away as he was going to get in trouble or somebody would get hurt."

"I said, 'Something is obviously bothering you, get rid of the knife and come into the house for a cup of tea and try to calm down.' But he said no, he was okay. He then walked off."

Sheku was later restrained by cops about half a mile away in Kirkcaldy.

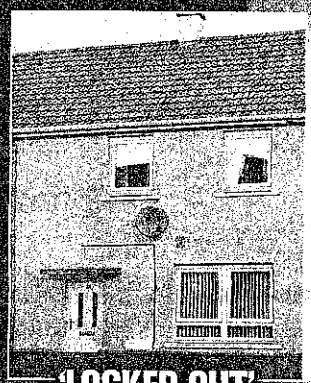
A post mortem revealed he had a broken rib and 20 cuts and bruises when he died.

Experts are trying to discover if they were caused during a fight with Zahid Saeed - the dad of slain tot Mikaeel Kular - earlier that day.

Another neighbour described seeing gas engineer Sheku repeatedly punch Zahid 31, in the 6.30am bust-up outside the home he shared with partner Collette Bell.

They said: "I was lying in bed and I heard shouting outside."

"I opened my window wide and stuck my head out. I could see Sheku's head from above a hedge in a neighbour's garden but could only see him from his shoulders up. I



**LOCKED OUT**

Sheku was banging on own front door



**GARDEN CLASH**

Zahid fought with him on day he died



Campaign... family of Sheku, above, met with Sturgeon, left

couldn't see his arm lifting up and punching down. He did it about three or four times. He was shouting too, it was something like 'disrespecting me'.

"The next thing I saw an Asian man - who I later recognised as Zahid Saeed - run out the gate and up the road."

"Then I saw Sheku walk in his direction while Zahid was looking back at him."

The neighbour watched out for Sheku's return and saw him coming back around 20 minutes later.

They added: "He ran up to his front door but it was locked. I think Collette might have locked him out. He was getting frustrated that he

couldn't get in the house. He came back out the gate and turned his knife around and started banging the handle against the boot of a white car. He was raging."

"He then jumped over all the neighbours' walls in the direction of where Zahid had gone."

"But then ten minutes later Zahid came back and was dropped off by a van. He got out and went into a white car, which Sheku had been hitting, and drove away."

"He was smirking as if to say, 'Haha I've got away!'"

Around the same time, Sheku was restrained by police using CS spray, batons, wrist and ankle restraints. The dad of two

was pronounced dead hours later. An independent inquiry into how he died has been launched by the Police Investigations and Review Commissioner.

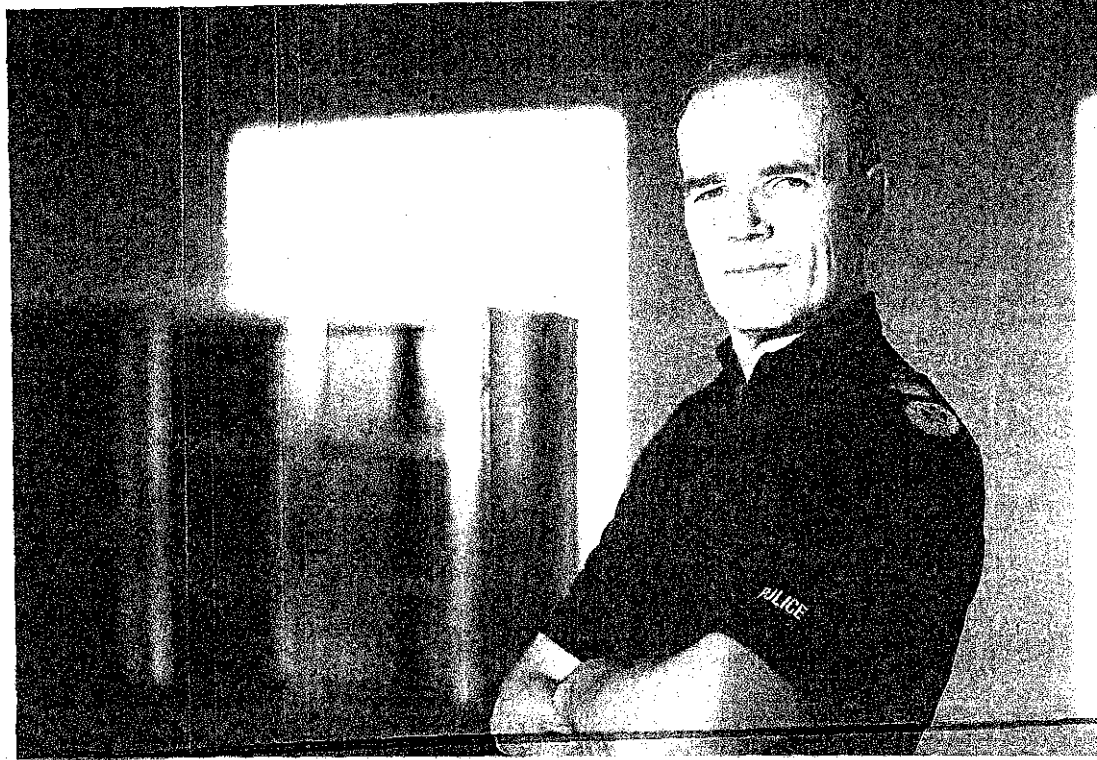
It's believed Sheku's alleged use of steroids could have triggered a coronary condition. He is also thought to have taken a legal high and ecstasy the night before he died in May.

We told last week how PC Nicole Short has been suffering from facial palsy and severe post-traumatic stress since the incident.



Sheku's family met with First Minister Nicola Sturgeon this week and demanded a public inquiry.

douglas.walker@the-sun.co.uk



### Runners and Riders to replace House

#### Iain Livingstone: Deputy chief constable for Police Scotland

Livingstone is popular among the serving police officers. He served in Lothian and Borders Police before the merger and has a reasonably high profile.

#### Phil Gormley: Deputy director general of the National Crime Agency since 2013

Gormley is an extremely experienced officer and has previously served as chief constable of Norfolk and in senior roles in the Metropolitan Police. He is free of any Police Scotland "baggage".

#### Neil Richardson: Deputy chief constable (designate) Police Scotland

Richardson is a veteran of both the Strathclyde and Lothian and Borders forces. He's come in for criticism over the past fortnight over revelations that the Counter Corruption Unit he commands has illegally intercepted data between journalists and their sources.

# The first Chief Constable of unified Police Scotland passes on baton

BY ANDREW LEARMONTH

**S**IR Stephen House has hung up his truncheon after 34 years of public service. Yesterday marked the final day of the first Chief Constable of Police Scotland.

The beleaguered top cop is going a year earlier than planned after a string of controversies and clashes. Perhaps most damningly for Sir Stephen a recent survey of all Police Scotland's officers and civilian staff showed that morale in the force is at rock bottom – with fewer than one in 10 staff members believing the senior staff were interested in their wellbeing.

The buck stopped with him. Being the most senior officer in Scotland's new single force was never going to be an easy job, and certainly the former Chief Constable of Strathclyde made plenty of enemies in his tenure.

But he was also the man in charge during the big events of 2014, the referendum, the Commonwealth Games, and the Ryder Cup, when the eyes of the world were on Scotland. That



**Mhairi McGowan, of Assist, and outgoing Chief Constable of Police Scotland Stephen House**

Main photograph: Mark Mainz

### The career path of Stephen House

- 1981:** Joins the police force in Sussex
- 1998:** Becomes assistant chief constable in Staffordshire
- 2001:** Joins the Metropolitan Police Service
- 2005:** Assistant commissioner at the Met
- 2007:** Chief constable of Strathclyde Police
- 2012:** Chief constable of new Police Scotland

these events went, mostly, without a security hitch is of some pride to the force.

There has also been fulsome praise for House's work on domestic abuse.

Mhairi McGowan, who is head of independent domestic abuse advocacy project Assist, told BBC Scotland's Good Morning Scotland programme: "He isn't the only police officer that took domestic abuse seriously, but what he did do was give strategic leadership and give a systematic approach."

"He insisted that every officer treated domestic abuse seriously and that has had a huge positive affect on thousands and thousands of victims across Scotland."

House very much made his mark on Police Scotland. He took the practices of Strathclyde and made them the practices for the whole of Scotland. These 'House Rules' did not bother too many officers in Glasgow, but they left the constabulary in the old legacy forces quite upset.

Through these House Rules came incredibly high rates of the so-called consensual stop

and search where evidence led policing took a back seat to the demand to meet arbitrary Key Performance Indicators.

Armed police officers on routine patrol of the streets of Inverness upset locals and politicians. That there had been no consultation with the government or the Scottish Police Authority only added to the condemnation.

What may be the dominant legacy of House's tenure, will be the one major incident that happened this year.

John Yuill crashed his car on the M9 outside Stirling in early July. He was killed instantly, his partner Lamara Bell survived. A driver who later saw the car phoned the police non-emergency number 101 to say he thought he'd seen a car off the road. Police did not respond for another three days. When they arrived on the scene Bell was still conscious.

It was not until she was in hospital and doctors asked her family if she'd been in another accident recently because there were scabs healing over, that they realised what had happened. Bell died in hospital later.

The police investigations and review commissioner are currently investigating.

Lawyer, Aamer Anwar, who represents Bell's son Kieran, as well as Sheku Bayoh, the Kirkcaldy man who died in police custody in May, said there was much for House to be proud of.

"Ironically Mr House's greatest legacy in the years to come will be seen as the creation of Police Scotland and dragging Policing into the 21st century."

"He should be given credit for placing zero tolerance of hate crime and domestic violence at the heart of policing."

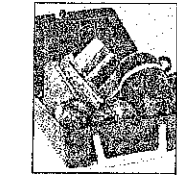
"Sadly his greatest weakness was that his mandate for change meant overwhelming power vested in one man which led to a lack of accountability and arrogance. We saw that over so many issues whether it was Bayoh, M9 or arming officers, or targeting of football fans. But having seen him in personal interaction with the Sheku Bayoh family or even myself following the death of Paul McBride QC, it was clear that this was a man who had a great deal of compassion and empathy."

# DEATH RIDDLE DAD ROW

# BITTER FEUD OVER SHEKU GRAVESTONE

● Family and pals fall out  
● Threat of legal action

**DEVOTED**  
Sheku's partner Collette helped to choose memorial



Swiped... lunchbox

## Criminals making a meal of it at school

By GEMMA FRASER

THIEVES are targeting everything from kids' lunchboxes to roof lead in a spate of bizarre school crimes.

Pupils' meals were swiped at Penninghams Primary in Newton Stewart, Dumfriesshire.

A classroom penguin was stolen at St Joseph's Primary, Selkirk, while a crook pocketed a teacher's jar of coffee in the Outer Hebrides.

Roof lead was nicked from other sites, while £35,000 of computer gear vanished from schools in North Ayrshire.

The two-year toll was revealed in council figures released under Freedom of Information.

Tory MSP Liz Smith said: "It is shocking that pupils and staff are exposed to so many thefts in our schools."



**VIRAL**  
of the week  
A KID who hiccuped through the Aussie national anthem has now racked up 3million online hits. For a closer look and listen go to [thescottishsun.co.uk](http://thescottishsun.co.uk)

## RAF crash 2 honour

TWO air heroes killed in a World War Two crash will be honoured tomorrow - 72 years on.

Flt Sgt Robert Norwood, 19, and navigator Sgt Irvine Jackson, 22, perished in the training accident in January 1943.

A plaque will be unveiled where their Beaufighter went down in Hutton Mill Bridge, Berwickshire.

The memorial has been organised by the pilot's family and members of the RAF Association.

Sgt Norwood's nephew Robert Norwood, said: "Although they didn't die in action they died training for action."

## CATUCCINO, PLEASE

Boss Heather Lynch, 26, plans open a cafe in Aberdeen in February where customers can pet resident cats.



## MEMORIES

Jamie, left, with pals Zahid Saeed and Sheku, who died in custody

EXCLUSIVE by CHRISTINE LAVELLE

**FRIENDS of custody death dad Sheku Bayoh are locked in a bizarre row with his family over the colour of his gravestone.**

Jamie Hume clubbed together with pals to pay for a black and gold memorial he insists was approved by Sheku's sister Kadi Johnson.

But after it was ordered from engravers, her husband Ade demanded it was swapped for a grey one, Jamie claims.

Now Ade has threatened legal action against the business, who did the work unless it is taken down from Sheku's plot at Dysart Cemetery in Kirkcaldy, where it was erected last month.

Jamie said: "It has been very stressful and upsetting."

"We are left in a position where the stone will lie in a shed."

"This is really hurtful - it was a gesture by us for a mate."

"There would be no stone whatsoever if not for his friends."

He explained: "The family chose the stone, but Ade wanted a grey cheaper one. Majority decided and Ade's wife Kadi, who has the rights to the grave, signed for black stone."

"The stone was ordered and engraving started. Ade then demanded the stone be changed."

"We were led to believe Sheku's mum chose a black stone."

"We were then told she wanted it grey."

"But any requests to talk to her were refused."

"It meant we would have to raise funds for a new headstone - which is a near impossible task."

Addiction counsellor Jamie did any extra donations will go to Sheku's partner Collette Bell, 27,

to buy Christmas presents for their baby Isaac.

The stone was ordered from Nicki's Memorials in Cowdenbeath, owned by Nicki Bathgate.

She was sent a text by Ade threatening legal action if the memorial was not removed within five days.

She said: "I don't understand how it has come to this."

"As far as I was concerned everyone had agreed on the headstone."

"They all met here on the same day and had decided to go with the black one."

"Collette liked the 'star galaxy' option because it has chunks of gold in it and she said it reflected Sheku's personality."

"She wanted it to be a nice place for Isaac to go and talk to his dad as he got older."

Source last night claimed Sheku's relatives were unhappy over the amount of influence Collette had on the choice of design.

Sheku, 31, suffered injuries including a busted rib after he was restrained by cops in Kirkcaldy in May. A probe is under way to establish the cause of his death.

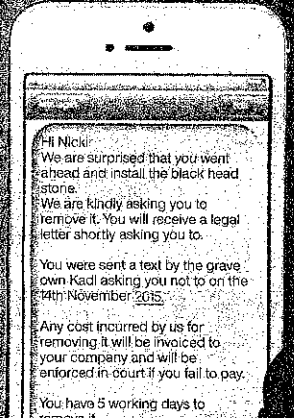
We told last week how a neighbour claimed he tried to stop Sheku from storming off armed with a knife on the day he died.

Last night Sheku's family refused to comment on the row. Their lawyer Anwar Aamer said: "They don't discuss personal matters."

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**BUST-UP**  
Headstone at centre of row on grave



## BOMBSHELL

Text from Sheku's partner Collette Bell



TRIED TO STOP SHEKU STORMING OFF WITH BLADE

Claim... our story