



The Sheku Bayoh Public Inquiry

Witness Statement

Detective Sergeant Peter Grady

Taken by [REDACTED] on Friday 13 January 2023

Witness details and professional background

1. My full name is Peter [REDACTED] Grady. My date of birth is in 1981. My contact details are known to the Inquiry.
2. I am a Detective Sergeant with Police Scotland. I was promoted to this rank in 2016 or 2017. I went back into response policing as a Sergeant and then I've been in my current role for about 18 or 19 months.
3. I joined on 08 March 2005, so am just coming up for 18 years' service. I did my initial training, then my probation took two years. I initially worked in Midlothian on response. I covered Midlothian and East Lothian. With about three years' service, I went into the house-breaking and drugs team as a plain clothes Constable. I did that for a couple years.
4. Then I went to the Major Investigations Team in its inception. I can't quite remember the year, but it was a year prior to Police Scotland forming. They

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went from the Major Crime Team to the Major Investigation Team. I think they went from a squad of 13 up to about 40 or 50 of us. I worked there for five-and-a-half years, give or take. I held various specialisms: Productions Officer, CCTV Co-ordinator, Crime Scene Manager, and Inquiry Officer. I did that for five-and-a-half years, working right across the country. I spent probably about two years working in Glasgow and I've worked up north and other places on various murder inquiries and inquiries of public interest.

5. From there, I went to the violence reduction unit at Gayfield Square in Edinburgh, where I worked as a Detective Constable prior to promotion. I did that for about a year, dealing with violent crime. From there, I got promoted into the house-breaking team at Gayfield Square and Corstorphine, I covered pretty much the whole of Edinburgh. I did that for about 18 months, then went to response as a response Sergeant at Leith Police Station where I was for two-and-a-half years. I did acting inspecting duties there. I worked there and then I got my current role which is the cybercrime gateway. I'm currently a Detective Sergeant in the cybercrime gateway.

Role as at 03 May 2015

6. My overall role in May 2015 was a Detective Constable. That was my role, but then you have various specialisms. The Crime Scene Manager is basically a hat you wear. I was with the East Major Investigation Team based at Leith. When a major incident kicks off or starts up, you'll have a Senior Investigating Officer and a Deputy Senior Investigating Officer, and they'll start to look at filling key roles. Your key roles would be Crime Scene Manager, CCTV Co-ordinator, Productions Officers, House-to-House Co-ordinator, and things like that. It's your key roles you need to get to form the incident room. At that point, I was a Detective Constable, but I was a trained Crime Scene Manager. I could have quite easily been called to go and be an Inquiry Officer or one of the various roles I held at that time. On this day, I was contacted to be one of the Crime Scene Managers.

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7. I would have been a day shift that day. Day shifts were normally 0700–1500 or 0800–1600.

Attending at Kirkcaldy Police Office

8. Given the nature of our role, we were aware there'd been an incident over in Fife. [REDACTED], who was my Detective Sergeant at the time, has asked me to go across, I'm assuming with the rest of my team, plus others. I can't remember now, but I was asked to go across to be one of the Crime Scene Managers and at that time, I believe I was to report to DCI Stuart Houston. He was a DCI at the time. He was going to be the Crime Scene Co-ordinator for it.
9. I am asked if I recall any of the detail of any conversation that I had with Sergeant [REDACTED]. I don't. We probably would have been aware there'd been something happening, but that's more just an assumption because of the nature of our job. We generally knew if we were going to be needed for something. If something happens early hours of the morning or whatever, we'd normally be told, "Right, there's something there, you might be going to Glasgow, you might be going to wherever." I knew obviously there was a death of a male in police custody, but I don't know if we were told any names or even where it happened other than Fife because we were going to Kirkcaldy.
10. I went across to Kirkcaldy. I recall it was incredibly busy. Within Kirkcaldy Police Station they had an office for the East Major Investigations Team for Fife. They had their own corridor. It was really busy. The 'piece room', the 'refreshment room' and all that was just stowed out with people. I met up with Brian O'Neil who I knew from my time working in Midlothian. He was going to be one of the other Crime Scene Managers, and I believe there was others, but I genuinely can't recall now.

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11. I am asked whether the piece room or the refreshment room was a room within the Major Investigation Team suite, or if it was the main canteen in Kirkcaldy Police Office. Kirkcaldy's an old, old building so basically there's loads of sections off where different departments work. I say the piece room, it's a room that edges on or backs on to the Major Investigation Team offices and you basically have to walk through that. I just recall it being busy with traffic. We had a lot of officers and not that many places for people to go because you're told your inquiry teams, people are waiting to go and get deployed to go and do stuff. I don't know in all honesty if that was the main canteen for Kirkcaldy Police Station. I had worked from Kirkcaldy, but I worked as a visiting Inquiry Officer. I am asked whether the officers who attended at the initial calls about Mr Bayoh were in this room. I don't know. I don't think so.
12. I have been referred to a copy of my notebook (PS03171), in particular the entry timed 1315 on page two which states that I was directed to attend Kirkcaldy Police Station and meet with Superintendent Pat Campbell regarding a death in custody. I am asked if I recall whether I did meet Superintendent Campbell. I cannot recall, if I am being honest. I did meet him at some point because Mr Campbell was at the forensic strategy meeting, because it was his inquiry or he had the overview of the inquiry at that stage, but I doubt I would've had a one-to-one with him given the nature of the inquiry and we were just one of many parts of it. I doubt, as a Detective Constable, I would have had that contact.

Briefing by DCI Houston

13. We were at Kirkcaldy Police Station for a while and eventually we received a briefing from DCI Houston at 1440 in the Major Investigation Team suite, just regarding the circumstances. I'm pretty sure at that point we were given our

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specific roles within it, so I was going to be one of the Crime Scene Managers.

14. I am asked if I recall who else was there for that meeting. The place is the busiest I've seen, and I'd worked at Kirkcaldy quite a lot leading up to that. You can assess rank, generally, in the police like with most things, and you could tell there was a lot of senior management, but I didn't know who they were because they were either from other parts of the country or something. The place was just really busy. I know Brian O'Neil was there at some point because Brian would have gone to the briefing alongside me because I do recall sitting in an office. I'm assuming [REDACTED] was there. Keith Hardie, who's since retired, might have been there. I'm only saying that because I noticed I'd put his name on my Crime Scene Manager's report (PS01297) that I completed. It was just very busy.

15. In a briefing like that we will have been given an overview of the circumstances, we'll be made aware of who the deceased is. I don't believe I was told officers' names involved because I wasn't going to be dealing with that part. We would have been told the location, as in where it's happened and where the body is, because obviously that's pertinent for me to then go and do the body recovery. That would have been probably about it. It would have just been an overview. We'd obviously been made aware that the Police Investigations and Review Commissioner ("PIRC") were involved at that point. That's just an assessment based on that's what I would imagine we'd have been told. That would be the normal information.

16. I have been referred to the fourth paragraph on page two of my statement (PS00778) and am asked who told me that Mr Bayoh's body had been retained within the family viewing room in Victoria Hospital, and that locus protection was in place. I can't recall who else I had contact with at that time, but DCI Houston was the Crime Scene Co-ordinator, I was essentially working for him so I would assume it was him.

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Crime Scene Manager

17. When you're dealing with a major investigation, you'll either be the Crime Scene Manager or you can have a Crime Scene Co-ordinator for something like this – a bigger inquiry or when there's more public interest. Not more public interest, but there's other aspects of it. You'll get a more senior officer, and, in this case, you have the DCI who was three ranks above me. He was the Co-ordinator and then I obviously answered to him, so he gave us our remit. I was to deal with forensic recovery of the body and the post-mortem.
18. Who actually made the decision to appoint me Crime Scene Manager I have no idea, but it was DCI Houston who gave me the remit at a meeting at 1440. I've even recorded that in my notebook at the time. The details in my notebook are very brief but I've put basically what my role is going to be, and what my priorities are at that stage.
19. Generally, a Crime Scene Manager is there to facilitate. You represent the Senior Investigating Officer at the crime scene, so you're there to facilitate the forensic examination between scenes of crime, chemistry, biology, fingerprints, whatever specialism you've got there. You're there to ensure that the examination is carried out in line with agreed forensic principles and the forensic priorities. Different disciplines, at times, will want to have primacy or want to do things differently, and you're there to resolve that, and to ensure that's all done as efficiently as possible and you're achieving the goals of the investigation. You aren't an expert in any particular specialism, i.e. chemistry or biology. You just have an understanding of what's there, but again you're there to facilitate it. As a Crime Scene Manager, when the specialists have finished the results should be fed into me, and I would then essentially give the salient points on to the Senior Investigating Officer or the Deputy Senior Investigating Offer.

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20. This is a more general overview as opposed to describing the role in this incident, which was a different type of inquiry. In a general one, the Crime Scene Manager is responsible for ensuring that the integrity of the locus is secure. You're attending; you're making sure the cordons are in place if they need to be; you're making sure there's no potential loss, like blood outside and it's inclement weather. You're there to ensure you're securing it at the time and the cordons are there, and that there's no throughway for the public. All that is your responsibility. You are responsible for arranging the forensic strategy meetings, and ensuring that the people who need to be there are there; you generally do the minutes; you will agree the forensic strategy and the principles with the senior investigating officer. He'll sort of direct that but then you'll record it and make sure everyone's agreed on it and it's set down. You'll be present at the examination. You get results fed into you and you feed them on. For anything in relation to death, you'll be at the post-mortem because, again, it's a crime scene. You'll witness the seizure of productions. I didn't do that in this incident because that was PIRC's role. You're a facilitator to make sure everything gets back to the inquiry team and it's all coherent, and then the information the Senior Investigating Officer needs, or the inquiry team needs, is there for them.
21. I am asked what my role as Crime Scene Manager involved in this Inquiry. Because of the nature of it, DCI Houston was the Crime Scene Co-ordinator, so he was there to coordinate. We were feeding everything back into DCI Houston. I was given set priorities. Normally if you had three or four loci, as a Crime Scene Manager it'd be me that's going, "Right, I need someone else" or "These are the priorities: body recovery, then the locus and then the car" or whatever. But with this, I was given specific criteria. I was the body recovery and post-mortem, and that was it. I wasn't given anything further outwith that. Other Crime Scene Managers were given the various other places that had been identified of interest.

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22. I am asked whether I recall consulting police standard operating procedures or guidance in relation to the role of Crime Scene Manager whilst carrying out that role for this incident. The answer is yes and no. The “no” part is, given the role I was undertaking, I had plenty experience in doing it. I had worked on countless major investigations at that point. However, I do recall possible religious concerns or concerns about implications that religion may have for the procedure, and that was standard for us. It was standard for the police to look to see if there was any kind of implications and how we could facilitate that. I’d recorded on my strategy report, at the end of it, that we’d have looked into that.
23. As a sort of aside on that, a lot of the things that you’re doing as a Crime Scene Manager you’re not the expert on. If there’s a query regarding biology, biology are the experts so they will either know the answer or they’ll refer it to their internal procedures for the Scottish Police Authority; same with chemistry and all the rest of it. If for example there was a query over who does what first, I would generally refer that back to the Senior Investigating Officer, but for the actual procedure side of it there is guidance there. It’s more overarching about “these are the tools that are available to you”, almost like a toolkit.

Forensic strategy meeting

24. After we were tasked with our remits, I went to a forensic strategy meeting at 1645. I can’t remember who would have been in attendance but I’m pretty sure you’d have had Scene Examination Branch, chemistry, biology, and maybe mark enhancement but I don’t know. You would have had DCI Houston, and there was a Superintendent there whose name I can’t recall. Superintendent Campbell was there because he directed the forensic strategy. There was members of the PIRC: John Ferguson might have been there, but I don’t actually know. I can’t remember who the Senior Investigating Officer was for the Police Investigations and Review

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Commissioner, but they would have been present. I believe Brian O'Neil was there.

25. At that point, we got a full briefing of the circumstances as they were known at that time, and the forensic strategy was agreed. I wouldn't have been part of the forensic strategy side of it. It was more I've taken notes as to what's been agreed, which are set out in the forensic strategy document I created.
26. Following the forensic strategy meeting, it was made clear that the PIRC had primacy for the inquiry because it was a death following police contact. Well, essentially, a death in police custody. I can't remember if PIRC were in attendance then. We were told that we would go there pretty much to facilitate, however there'd be a Crime Scene Manager from the PIRC there too and obviously they have primacy, and they would lead that aspect of the forensic investigation.

Forensic strategy document

27. I have been referred to a forensic strategy document (PS01298), and am asked if pages one to five are the strategy and pages six and seven are the minutes of the forensic strategy meeting. With the initial strategy documents, this is the one you'll be producing in the initial stages of the inquiry just to give you your direction. You've got your summary of events, so what we know at the time, what's relevant. It'll identify your loci: there's five in this document. It'll then identify your priorities. My name's there under locus one, and that's just saying I've got responsibility for the deceased. If there's competing demands, it would then identify them. It does in this, actually. It will say, "Locus 1, 2, 3 are the priority and then after that we'll then look at doing whatever else." It's essentially like an executive summary. It's to give you a snapshot of where we are at that time, and what we've agreed.

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28. I am asked whether the contents of the forensic strategy document (PS01298) would have been discussed and decided upon during the forensic strategy meeting, or whether that meeting was to ratify decisions that had been made and planning that had been done earlier on in the day. Your initial forensic strategy meeting is essentially an initial briefing. An incident happens, you will call in the relevant specialisms and all your police roles as well – the Senior Investigating Officer, the Deputy Senior Investigating Officer, Crime Scene Managers, HOLMES possibly, specialists from Scottish Police Authority, COPFS. At that point, it is literally a snapshot of where they are in the investigation at that time: what is known to the inquiry team, what is known to the Senior Investigating Officer. You'll generally have an introduction, whether that's your Senior Investigating Officer, your Crime Scene Manager, or whoever knows the most about the inquiry at that stage. They'll give an overview and then, at that point, they'll then discuss what the priorities are. The reason you've got your specialisms there is just so you're not turning around and saying, "Well, you're doing biology, you do that first". Depending on the nature of the inquiry, you'll have certain specialisms that say, "In these circumstances we could look at X, Y and Z." They then agree an order for examination because there's certain processes that can impact on other processes. So it is generally just as a strategy meeting as to work out how we progress the inquiry at that time rather than rushing in to deal with that and then possibly disrupting things. The strategy is essentially created at the meeting.
29. A lot of the time though, there are set priorities. In murder inquiries or major investigations or unexplained deaths, there are generally certain steps that feature quite a lot. Certain lines of inquiry or certain forensic inquiries that feature quite regularly, because there are certain things that we can recover.
30. This document would have been created on the back of the meeting. The PIRC or Superintendent Campbell agreed that these were the priorities at that time. I would work from this when I go to deal with the crime scene.

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31. I have been referred to page two of the forensic strategy document (PS01298), in particular the fourth and fifth paragraphs. I am asked if I recall what was discussed during the forensic strategy meeting about the attending officers' interaction with Mr Bayoh and about the restraint itself. I don't. Given the passage of time, and more the fact that the media has been reporting, I could not guarantee that my memories now have not been impacted by information I have become aware of in the intervening years.
32. I have been referred to page three of the forensic strategy document (PS01298), in particular the priorities for locus one, which was Mr Bayoh's body, for which I was the Crime Scene Manager. I am asked what is meant by the third bullet point, which states, "To identify and maximise all forensic opportunities at the crime scene". Basically, it's got two parts to it. You've got your overarching priorities, so you've got your, "Identify and maximise forensic opportunities at the crime scene." That is an overarching heading. That's your goal. Then, on the back of the forensic strategy meeting, that'll then get broken down into stages, and we'll agree what we're going to do: we're going to do the tapings, we're going to take fingerprints in death, we're going to take the medical intervention stuff, we're going to take clothing. When it's actually broken down, it tells me what my role is or what my priorities are. That's what I work off of. This is a kind of overarching strategy. Those headings and this type of thing are required in inquiries involving a deceased. That's your forensic priorities and then you've got your forensic strategy, which is your tapings, etc.. It's kind of your key objectives or even your organisational goals and all that kind of thing. Your organisational goals are "reduce crime," and then you actually break it down to, "How do we do that? We do X, Y and Z." And that's what that is. Later on in the document, it actually starts talking about what my role is or what I have to do, that is what they've identified as all the opportunities that are available.

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33. I have also been referred to the final bullet point under locus one, and am asked if it was common practice for police officers to work in conjunction with and under the direction of a PIRC investigating officer. I don't know if it is now. Certainly at the time, I can recall thinking this was the first sort of major inquiry that the PIRC had undertaken, certainly in the areas I'd worked. I've subsequently worked on PIRC inquiries. At that time, if they had primacy then no it's not usual. It would be their investigation, which was made clear to us on a number of occasions. That was the first time I'd ever worked with them. I don't know when the PIRC was created, but certainly I'd been on the Major Investigation Team for a few years at that point. I'd been there ever since inception. In subsequent PIRC inquiries I've worked on since, I didn't have the same level of involvement with them.
34. I have been referred to page four of the forensic strategy document (PS01298), in particular the priorities for loci three, four and five. I am asked if I recall any discussion about loci three and four. I know those are properties. I know there had been a function or social gathering of some description and then they left and they went back to another house, and there was something happened there and then it subsequently led to the police involvement, but I can't remember what was said. I believe there was some kind of violent argument, a fight or something had occurred. I don't know which address that was though.
35. I am asked if I recall any discussion surrounding the priorities for loci five, or the rationale for any of those steps. The memory I have, and, again, I don't know if it's from the time, is there's been something about, I believe, potentially Saeed and Mr Bayoh had been at an associate or a friend's house. I don't know if they were watching boxing or something. There'd been an argument, they'd left, I believe they went back Saeed's home address. They've been there. Mr Bayoh and Saeed had had an argument. I don't know if they'd been violent. Something had happened to Saeed's car, and

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then Mr Bayoh had left. Again, I don't know if I was told that at the time or if that's what I read in the papers or if I've heard it from any multiple sources.

36. I have been referred to page four of the forensic strategy document (PS01298), in particular the section about recovering items from police officers. I am asked whether I recall any discussion about why the officers involved in the restraint had not had their kit seized prior to that meeting, which took place late in the afternoon. I do not. I don't actually know. You don't know what their status is at that stage, witness or suspect. If it's a PIRC investigation, then do they instruct it or do the police instruct it? These conversations sit, even now, at a more senior level than myself. It's at senior management level.
37. I have been referred to page six of the forensic strategy document (PS01298), in particular the bullet points listing the strategy that was established for the recovery of Mr Bayoh's body. I am asked to explain the rationale behind each one. First is taping the body of the deceased, of his head, face, neck, exposed arms as he would have been when he was wearing a t-shirt. The taping would be DNA mini tapes. It would be Scene Examination Branch who probably did it, because I don't believe biology were present. DNA mini tapes are small bits of tape. They tape it on, then they tap on various parts of the body or wherever you're wanting to take it from, and it'll pick up so you can get cross-transference of DNA etc.. If they're doing the arm, they'll tape the arm, put that in, seal it in a forensic bag, and everything's recorded where you get it. It just means it can then be sent away, and then you can see if there's been cross-transference. That's what that was. It'll pick up most things as well. It's going to pick up skin; it's going to pick up fibres.
38. Next is "Swabs to be taken from the mouth and nose." Just as it says, it's to see if any CS or PAVA had been ingested or had been discharged towards the face area because it would have remained there. I am asked if I can elaborate on the asterisk at the end of this bullet point and the associated

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note on page seven, which refers to the presence of blood in Mr Bayoh's nose and the impact of that on taking swabs. The decision to take swabs would have been agreed at the forensic strategy meeting. The whole purpose of it was to try and catch any PAVA or CS incapacitant spray, and they were saying that, basically, the presence of the blood would just override anything there. The intubation tube would obviously have been inserted down into the airway, so it was agreed they would take that, because if it's in the airway, then there's potential evidence that it would obviously capture, if it was present. That was taken.

39. "Removal of the clothing of the deceased": that's standard. Mr Bayoh had, through the medical intervention, already had his clothing cut off him. I believe he was down, maybe, to just his boxer shorts, and that was bagged when we arrived. Again, it's standard procedure. We would seize clothing.
40. "Body of the deceased to be bagged, including head, hands and feet", to preserve forensic evidence. You've taken your tapings, but then the bags used to cover the head, hands and feet are removed at the post-mortem. If pathology want to do any scrapings or any further forensic recovery, it can be done at the mortuary in a controlled environment. The locus and the mortuary are both controlled environments, but it can be done at the mortuary. Then that's when the pathologists can do fuller captures, but you would have a forensic strategy meeting prior to doing the post-mortem, so you can actually agree what you're taking because in each investigation there would be different things you require from it.
41. "Body to be placed in a plastic body bag": that's just the recovery procedure.
42. "Body to be removed from locus to Edinburgh City Mortuary," because the post-mortem would take place at Edinburgh City Mortuary.

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- 43. Overarching is that anything that's recovered is done forensically to minimise forensic loss.

- 44. I have been directed to page seven of the forensic strategy document, in particular the second paragraph where it refers to the religion of Mr Bayoh being established as Muslim. I am asked if I know when or by whom Mr. Bayoh's religion was established. I would have asked the question, to be honest, because it's relevant to what we do because certain religions obviously have set timescales that they work to. So we have to be sensitive to that and try and facilitate where we can. Obviously, it's not always possible. I genuinely don't know if I was told initially at the briefing, but I would have asked the question. It's standard. There's certain things you do, because as much as you're there as an investigator, you've got to be sensitive to the requirements of the family. It would have been asked because it is relevant, and it's just a standard thing to ask. The question wouldn't be, "Is this person Muslim?". It would be, "Is there any religious considerations, or is there anything we need to consider?". That is overarching, because there'll be, obviously, things I just genuinely don't know. You've got to ask the question, and they could say, "Oh, that such-and-such is whatever religion," and then, if need be, we'll generally go to either the family or we'd go to or the diversity unit and ask them, "What are the considerations, and what do we do?". A question would be asked, but it wouldn't have been, "Is such-and-such Jewish, Muslim, or whatever?". I don't know who would have had this conversation with the family. I'm assuming there would've been a Family Liaison Officer deployed to liaise with the family at a time like this. I would imagine that the information would've been asked via them. I know that John Ferguson was doing dual roles, and he was doing the Family Liaison Officer. I don't know for who. I don't know if it was actually a PIRC or a police Family Liaison Officer.

- 45. The second paragraph on page seven of the forensic strategy document also refers to Mr Bayoh's religion being highlighted to Crown Office. I am asked if I

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recall any discussion during the strategy meeting about how or by whom that would be done. I don't know if it was brought up at the forensic strategy meeting, because you would have had a representative of Crown there. A lot of the stuff at that stage is verbal, and then it's retrospectively supported by e-mails. Due to the time-critical-nature of inquiries, a lot of the stuff is agreed at the forensic strategy meeting, and that's why I then do the minutes. At the end of it, once you've agreed the priorities but prior to concluding the forensic strategy meeting, the Crime Scene Manager or Senior Investigating Officer will review and agree the actions with those present. This will be documented and confirmed in writing to all present in the form of minutes. Once agreed, these are recorded as case-related documents. So, I would imagine that would have been discussed at the forensic strategy meeting. That's based on just previous experience. I don't know about this particular case.

**Meeting with Police Investigations and Review Commissioner Investigator
John Ferguson**

46. I have been directed to my statement (PS00778), in particular to paragraph six on page two in which I refer to being introduced to PIRC Investigator John Ferguson. I am asked if I recall the detail of that introduction. We met somewhere in Kirkcaldy Police Station, but I don't recall where it would have been. I don't recall who else was there, but I imagine the trainee investigator, Taylor, might have been. We just discussed what I've written in my statement really. He confirmed that they had primacy for the investigation, and that he was essentially the Crime Scene Manager. We were there to facilitate, and I would assume I would've either offered him a lift to the hospital or asked if he wanted to meet there. We would've agreed where we were going, how we're getting there, and a time, but I don't know the ins and outs of the conversation. I imagine it would've been pretty brief given that 15 minutes later I was doing something else.

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- 47. I am asked what was my understanding about who had primacy for the investigation before I was told that it was PIRC. I don't know, if I'm being honest. It was the first time I'd been involved in an investigation like that. I would have assumed that I'd just go out and do my job as a Crime Scene Manager. I believe that was my first-ever PIRC involvement, but it was made clear that they had primacy. I believe this was the first major PIRC involvement in a Police Scotland inquiry or a Police Scotland incident, so primacy was just reinforced. It was repeated quite a lot and made quite clear.

- 48. I am asked if I recall being tasked with discussing with Crown Office cultural considerations in relation to recovery of evidence, or having any such discussions. I don't, in this particular inquiry. I've had these types of conversations, but whether it's in relation to this investigation or another one, I genuinely don't know.

Photographing PC Nicole Short's injuries

- 49. I believe it was after the forensic strategy meeting, I was a witness to corroborate photographs being taken of I think it was PC Short. I can't remember her surname, but it was [REDACTED] from Scene Examination Branch who was taking the photos and I was just present while she took them. I want to say that was upstairs in a room at Kirkcaldy Police Station. I've got a memory of being upstairs. I don't know if anyone else was there.

- 50. I am asked whether there was a reason that I was asked to corroborate the photographing of Nicole Short's injuries, given that I had been appointed Crime Scene Manager for Sheku Bayoh's body. I honestly don't know. I don't remember who asked me to do that. I think I was only there for a short period of time. Actually, I was standing and chatting. I started chatting to her, just in general, and the images were taken. We went through, "What injuries have you got? Have you got any injuries? Anything in particular?". I recorded in my notebook a couple of observations I had, but it was all pretty much things

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that would be clearly visible throughout. I recorded some observations, spoke to her just in general terms for a short period of time and then went on to do my inquiry.

51. It's not really relevant but she was telling me she was due to go off on annual leave, or she'd just come back from annual leave, or she'd been off sick, [REDACTED]

[REDACTED] As a police officer, you'd never want to deal with something like they've dealt with, and that's the reality of it. You're not trying to take their mind off it, but just speak to them because it's a horrendous ordeal. It's a horrendous thing to happen to anyone. I was just chatting in general really, literally just general small talk. It sounds silly now. [REDACTED]

[REDACTED] Funny, I can remember that, but not a lot of other things. I can't remember what show she was doing but she was due to go off on that, and that was it. I observed a couple of the things that I recorded in my notebook at the time, but I wasn't with her for long. We didn't discuss what had happened that day. I wouldn't have asked that, because that's not my job, so it's in fairness to the officers and in fairness to myself. That is the reason that it's general chat: I could either stand there and stare at her or discuss that, because you're not going to discuss what happened.

Attending at the Victoria Hospital, Kirkcaldy

52. Following that, I went to the hospital where Mr Bayoh's body was held. I've attended, there was two Detective Constables there doing a locus protection, and I think I've met with John Ferguson from the PIRC, [REDACTED] and another Scene Examiner, and also there was a trainee from the PIRC there as well. Met with them, we had a discussion about what the parameters were, what the priorities were, it was confirmed to me again by Mr Ferguson that they had primacy for the inquiry, and we were there just facilitate as part of Police Scotland, given it was our area.

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[REDACTED]

53. When we arrived, I'd noted that, despite standard procedure, the two DCs that were there doing the locus protection at the visiting room hadn't taken any forensic precautions, which I'd recorded. I have been referred to my notebook (PS03171), in particular to page three and the entry timed 1950 in which it is stated, "No PPE worn". That refers to the officers who carried out locus protection. I am asked if there was any discussion about their failure to do so, or if they explained why they hadn't taken those precautions. I would have said something because that was my job, but I can't recall.
54. We got a handover. I asked them about what we were going to find, as in clothing and all the rest of it, what their role had been or what they'd done 'til that time. I am asked if any productions were handed to me at that point. I don't believe I was physically handed anything. I probably wouldn't have taken it, because I wasn't at that point suited with the full forensic precautions. The two DCs left, and then we carried on with the forensic recovery.
55. We got fully suited up first, full forensic precautions – masks, gloves, shoe covers, suit – and then we went in. I am asked if doing so was standard practice. It is. There's an actual guidance document about the order you do it. You would double-glove as well just in case they burst. The first pair of gloves are applied after your mask and hair net, if worn, and before you put on your forensic suit and shoe-covers. Only then do you put on your second pair of gloves.
56. We went into a viewing room off the ward or off the main part of the hospital. At that point, there's been a number of bags – between two and four bags. I believe they were brown bags, brown production bags, and there was another bag that had blood ampoules in it. It had blood, and I'd recorded as well that some of the bags hadn't been sealed, which should've been done at the time of seizure, but it's within the room. I have been referred to my statement (PS00778), in particular the first complete paragraph on page three in which I state that the bag containing the ampoules was sealed. I am asked if that is

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my recollection. I've recorded it was, but I don't know now, in all honesty. I don't know why I would record that the other bags weren't sealed and that one was. Likewise, I don't know why that would be sealed and the other ones weren't.

57. I am asked if the production bags should have been sealed. Generally, when you seize a production, you seal at the time because you're ensuring integrity of the production. I recorded it more because it's there and you're documenting. When you're arriving at a crime scene, you're documenting what you're seeing. You document your first observations before you start doing the examination. It's on a slightly smaller scale, but when you first attend a house, if there's been a murder or an unexplained death, you will walk through the locus to get an understanding of it first and to see. We do not just arrive at a locus and immediately start the forensic recovery, without first carrying out an assessment. This assists with familiarising myself with the locus and allows me to conduct a risk assessment. You'll do a walk-through first to establish the circumstances and what the locus is like. You record it, and you make your initial observations and that normally forms part of your Crime Scene Manager's report. You'll do that throughout the police. If you're first officer on a scene or if you've got a sudden death, even as a Sergeant or whatever, you'll record your observations so it's there, because it's a snapshot that you will not get once everything starts moving. I did that, and that was the observation. As well, you have to record it because it might become relevant at a later date that the bags haven't been sealed, and if I'm asked a question, at least I've got it recorded, whereas if I don't have it recorded, I'd actually go, "No, I don't know."

58. I am asked if there was any discussion about the bags not being sealed. I'm going to say no, because they were in the room, and I wouldn't have been in the room because once I'm in the room I wouldn't have un-suited to come out of the room. If I remember correctly, we actually had a separate area to get

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suited up. I think it was a wee bit off the main room where we could get suited.

59. I am asked what is the potential impact of a production bag not being sealed. It depends on the setting. This is within a central, secure room with officers outside it, so I'd probably say minimal because there's not going to be ready access for cross-contamination. But you have got potential for cross-contamination on a production that's not sealed. It's all about degrees of severity. In that room, I'd say very limited because officers have seized it and it's kept within a room. If you then started transporting it around places or you left it unattended, then you have potential for cross-contamination. In this instance I would say minimal, but it was worth recording.
60. Mr Bayoh's been lying there, and I believe he was covered in a sheet up to about his neck area. At that point, the forensic examination has taken place. It was taken in line with the forensic priorities that were agreed. I recall, more from reading my Crime Scene Manager's report, there was a couple of things we couldn't achieve, because there was to be tapings taken from around the nose and mouth area but, because there was blood present, the DNA tapings would have just picked up the blood. They were looking at establishing if there was anything like PAVA or CS spray, I can't remember what was in use at that time. Because of the blood present, there was an intubation tube that was taken.
61. We were there, we did all the forensic capture. I didn't actually take any of the productions, I was there literally just to facilitate it, Mr Ferguson ran it from the PIRC side. You've got all your forensic samples you're taking. They would have been recorded in my Crime Scene Manager's report (PS01297). Essentially, I record them at the time. You record them in what we call your pot book: it's your book that you're documenting everything in – relevant information, rationales for decisions you have made, etc.. I would record it there, and I then record it into my Crime Scene Manager's report. They

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certainly took tapings. I know they never took tapings from his face. They never took tapings from the mouth and nose because of the presence of blood, but they took the intubation tube. You had clothing etc.. I believe Mr Bayoh still had his boxer shorts on, so we'd have taken them. Essentially, when you're taking a body to the mortuary it is completely stripped of jewellery, clothing and that prior to being lodged. I don't know if there was any jewellery, but any jewellery would've been seized at that point as well. I believe the sheets that he would've been put on by the hospital, etc. were all taken as well.

62. I have been directed to my statement (PS00778), in particular the second complete paragraph on page three, in which I state that tapings were not taken from Mr Bayoh's nose and mouth because of the pooling of blood. I am asked if I know why the difficulty with taking swabs was recorded in the forensic strategy document but the difficulty with taking tapings was not. I can't say that without looking at my own document where I recorded what was taken. You'll not take tapings from anywhere where there's blood, because it doesn't work. The swab does wet, the tapings do dry. Unless there was blood on the forehead or elsewhere, the tapings should and would have been taken anywhere that was dry. It would be the head, round the side, I'd imagine, and then the neck if it's available. I don't know. My Crime Scene Manager's report should list exactly what was taken, but they wouldn't be taken from the mouth and nose. Tapings don't get taken internally either, so you wouldn't take a taping from inside their mouth. You'd use a swab for that. The actual agreed action was DNA tapings but they're not going to take DNA tapings from an area that's wet. If it's just a case of, "Well, that's not the procedure we do.", do you need to explain the negative? Do you need to put it in? I genuinely don't know. My statement is saying tapings weren't taken from that area. I've not specified, but my operational statement is covering what I've done, but my Crime Scene Manager's report is what, if I had to go to court etc., I would refer back to or generally would refer back to, because it covers a lot more detail about my actions at the time to the point that I would

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generally list everything we seized. If there was an area from the head, for example, say, for tapings, I should have or would have recorded, "Tapings were taken from the forehead, the neck, but not from X".

63. I have been directed to my statement (PS00778), in particular to the fourth complete paragraph on page three, in which I state that Mr Bayoh's body was forensically recovered. I am asked what it means to forensically recover a body. In this case the deceased was put within a single-use body bag, and the bag's sealed.

Undertakers / transporting Sheku Bayoh's body

64. We arranged for the undertakers to convey the body. I've dealt with two inquiries at the same hospital, and I'm crossing the two. There's similar circumstances, to a degree. I'm trying to recall, but I don't know if I contacted them or if I asked somebody to arrange it. I've got a memory of asking a uniformed officer to shout up to the control room, but I don't know if it was for this or if it was for another incident. When they arrived, they literally up-lifted Mr Bayoh's body and then took it to the private ambulance. I went out with it. To ensure there's continuity of evidence, I travelled with the body from Kirkcaldy to Edinburgh. I drove behind the ambulance in my car.

Edinburgh City Mortuary

65. I lodged Mr Bayoh at the Edinburgh City mortuary. I followed the standard procedure: opened up, turned on the lights, went round into the main bay, opened the doors for the private ambulance to come in. They reverse in, they take the body out, and I fill out the register to say, "These are all the details." The register is a big book which is there. They find an empty tray, they lodge the body in the tray, take a tag, put it on the bag to say the details so they know who's there. Once that's all done, the ambulance leaves. You lock up

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the place and then return the key or, if there's someone still there, you give it to them.

66. I don't know if John Ferguson was there or not. There was the undertaker, certainly; me; I was working with scenes. I had nobody else from Police Scotland with me, but maybe PIRC. I don't think there was anyone waiting for us when we arrived. I don't know if I got somebody to go and get the keys for me, or if there's someone there. Normally there's an out-of-hours procedure. I think I did have to go to St Leonard's to pick up the key and then go down and open the barrier and all the rest of it. So I don't know if I got somebody to go into in the office to maybe go get the key for me. I can't remember somebody being there for us, but there might have been.
67. The approach taken to Mr Bayoh's body was normal procedure. There is no other way of conveying a body. Even if somebody passed away in an ambulance, I'm pretty sure they get taken out first and then the undertakers take it. That is the standard procedure.
68. That was pretty much my involvement on that night.

Monday 04 May 2015

69. My notebook (PS03171) refers at page three to a briefing at Kirkcaldy at 10:00 on 04 May 2015. I am asked if I recall who gave that briefing. I don't. It was probably the Superintendent – I think it was Superintendent Campbell – or possibly DCI Hardie. It wouldn't have been DCI Houston as he had a specific role within the inquiry team. I don't recall who attended the briefing. It would have been just the inquiry team. I assume it was just police because I imagine the PIRC would have had their own briefing. The only reason you wouldn't be at it is if worked through the night or were out doing an early morning action, like taking a statement or something. I don't know what was discussed, but it was probably an operational briefing with Inquiry Officers, the

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Senior Investigating Officer, etc.. The Crime Scene Managers would give updates. Everyone gives updates round the table regarding their status and the actions they've carried out.

70. There would have been another briefing prior to the post-mortem, where the post-mortem was to be held. There was myself, Peter Gilzean who was going to be the Productions Officer, and John Ferguson was there from PIRC. There's normally a pre-post-mortem forensic strategy meeting, where you'd discuss what the priorities are. You basically have a recap of what's been established prior to it, and then you'll agree what the priorities are for the forensic strategy meeting. Whether that happened on this occasion, I can't recall now.
71. My notebook (PS03171) refers at page three to a meeting at 1240 on 04 May 2015 with doctors Shearer and Bouhaidar. I met Ralph Bouhaidar. Normally why you'd talk before is you'd have a discussion with the pathologist. You normally give them the medical notes if you've got them, and you'll give them a quick overview. They'll be sighted on it as well, but you'll give them an overview. It's been a while since I've been a Crime Scene Manager at a post-mortem in fairness, but I'm pretty certain that prior to going into the post-mortem itself, you'll normally discuss the order they're going to do it, the order they're going to take samples and stuff because when you're at the start with the first initial samples you're getting at the post-mortem, it's really busy. You're having to label up and bag everything that's handed to you, so what you'll normally do is, you'll get them to say, "We're going to take swabs first, and we'll do this and that," so you're just ready. You know what kits you need because there are all different kits. We supply the sealed kit, to give it to them. You'll have a conversation with them to see how the post-mortem is going to go, and I don't know if there was an actual forensic strategy meeting *per se*, or if, because it had been agreed previously what our priorities were, I just conveyed that to them at that point.

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72. I am asked if I recall whether anyone from PIRC attended that meeting with doctors Shearer and Bouhaidar. I don't know. The fact I've recorded it as a meeting means that I've not put the contents of it, but I might have been recording it purely because that's my arrival and that's my timestamp for when I do my report and for the post-mortem stuff. I don't know what was discussed, but I believe it would have been probably the post-mortem. On the flip side, the alternative is I've literally went in and just had general discussion with them, having been to post-mortems in the past. That's sort of a working relationship. That would have maybe been while I was waiting for the PIRC to arrive. I don't know is the honest answer, but would have I started discussing the post-mortem process? I possibly would, because I was still present there as a Crime Scene Manager.

Identification

73. Prior to the post-mortem taking place, John Ferguson and I did the in-death identification. You have "in life," which is family or someone who knew him in life confirm the identity, and then "in death". It's not always the Crime Scene Manager. If you're at a sudden death, it could sometimes be the first officers at the scene. It's basically someone confirming, yes, that is such-and-such. The purpose of in death is to confirm prior to post-mortem that the deceased in front of you is the same person that was conveyed from the locus, lodged at the mortuary and is the same person the pathologist has been instructed to examine. It's not always the case that I would do it. A lot of the time it is, but certainly as a response officer I'd be called in to do it as well, and I've done it as an Inquiry Officer or whatever.

74. I am asked what qualified me in this instance to identify Mr Bayoh, since I had had no previous dealings with him. I don't know the answer to that. It's not something we always do. It's something that we expect to do, but by that point you have carried out inquiries to establish the identity of that person. Whether or not it's a sudden death, you have established the identity of the

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person normally, unless there's circumstances in which you can't. Mr Bayoh had been identified, but that's why I can't do it "in life," because I had never met Mr Bayoh before. They can get both "in life" and "in death" done. They both get done. I can't obviously do "in life" because I'd never known him.

75. I am asked if "in life" was also done in relation to Mr Bayoh. I can't say. If anything, I would assume so because it's the procedure, but that was nothing to do with me. If you're confirming an identity of someone "in life," generally, it would be the family liaison officers who tie with the next of kin and convey them to the mortuary. There's a viewing room, the family do a viewing, confirm, "Yes, that's such-and-such."
76. I have been directed to my notebook (PS03171), in particular the entry timed 1325 on page 3. I am asked what is meant by the reference there to "dead set FP". That means taking fingerprints from a dead body. I am asked what is meant by "Livescan for in life I.D.". Livescan is the fingerprint database. A way of identifying someone is obviously through either DNA or fingerprints. Fingerprints would be a quicker, so you'd take the prints. They'll go through to Gartcosh. They'll upload those prints onto the system in Gartcosh, and then it'll come up if there's a record held. That's a record of those fingerprints held on the database, and then it'll confirm that they belong to the deceased.
77. I am asked whether checking Livescan in this way could constitute "in life" identification, and, if so, whether that means that a family member may not have attended the mortuary to identify Mr Bayoh. I assume that is the case, because that's what I've written. I genuinely don't know if traditional in life was done, when they come in and identify the body. If it wasn't done, I don't know why it wasn't done. It's not something I had any dealings with. I would assume that using Livescan is a form of "in life" identification, because the fingerprints confirm identity as a person. I would assume it is, and I daresay there'll be times when you don't have a next of kin or you can't get the next of kin.

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Religious and cultural considerations

78. I am asked whether I was aware of any procedures or protocols that were in place that dealt with religious considerations that should be taken into account prior to a post-mortem starting, either in general or specific to situations where the deceased was a Black, Muslim male. I think the main point at that time would have been timescales and, again, my knowledge at the time would be considerably better than it is now because it's not an area I'm working in, but I believe there's like a 24 or 48-hour timescale before the body should be prepared for funeral. I can't remember which document it's in, but there is a thing with Police Scotland, and the Crown Office will try to comply, but the investigative priorities have to take precedence on it, so they might not be able to get a post-mortem concluded in time. There will be guidance around religious sensitivities when investigating deaths. I can't recall now if I reviewed any guidance or sought advice from another source. I was obviously aware of the ethnicity, and I was aware of religion because I recorded it in my documents. I made Crown Office aware. I can't recall, but I maybe did have conversations with Crown Office about the practicalities of it and how we facilitate it. I daresay I probably would have made the pathologists aware if I was aware of any kind of specific requirements, but I now don't know if there was or there wasn't.
79. I am asked whether the process that would have been followed in order to understand whether there were sensitivities that needed to be taken into consideration prior to a post-mortem was to firstly establish the deceased's religion, if any, and any other relevant matters, and then to consult with the Police Scotland Diversity Unit. It depends on the circumstances, but if the victim's family were able to be spoken to, the question would probably go to the Family Liaison Officer in the first instance, and they would engage whether it was appropriate or suitable to ask them. If it was, you would ask the family because they would be able to tell you what they expect, what they

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would want to happen. If you can't get the information from there, then you go to the Diversity Unit, and you'd ask a question of them, but you would ask someone. That's the whole thing. Especially with being a Crime Scene Manager or being a police officer, we don't know the answers to everything, but as long as you know where to ask it. I would have asked someone. I can't recall who I asked at the time, but you wouldn't just ask one of your work colleagues, because you're really needing something you can actually put to record, say, "Well I spoke to a named person in the Diversity Unit". That way you know that the guidance is correct and is up to date as possible, and also represents the police's approach to that.

80. I am asked whether the approach to take to these matters was provided for in a protocol. I don't know. It's one factor within multiple priorities. In the first instance, you're there as an investigator. You're there to establish the circumstances, and taking into account the faith, culture, that is important. It's important that we are sensitive to the public or sensitive to the victims and the families, and we're there as investigators, so the question will have been asked. I genuinely can't recall who I asked, how I became aware of it. It's just one aspect of the thing, and it's clearly of real significance now, but at the time it was just one aspect of what we were there to achieve.

81. I am asked whether I recall any discussions taking place immediately prior to, during or after the post-mortem about Mr Bayoh's religion, and any implications that might have in relation to tests being carried out and samples taken, in particular to the taking of a hair sample. I want to say yes, but I genuinely don't know. It's ringing a bell, but I don't know if it's in relation to this inquiry. If there was a conversation, I would normally say it's something I'd be sighted on, but it wasn't my investigation. It was the PIRC's, so would I? I don't know if I would have, because the Family Liaison Officer was with the PIRC as well. If that conversation came about, I'd imagine that it came about with the PIRC Family Liaison Officer, then conveyed to the PIRC Crime Scene Manager, and I don't know if it ever would have been passed to me, in

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all honesty. If it wasn't a PIRC inquiry then I would be 100 per cent certain I should know about it, and I'd be 99.9 percent certain I would know about it.

82. I am asked what, if any, consideration was given to seeking guidance from or involving a specialist advisor or an Imam or anybody that might be able to offer advice in relation to cultural and religious sensitivities. I don't know.
83. I am asked if I recall whether there was any consideration given to the gender of personnel who were involved in the handling of and dealing with Mr Bayoh's body. I don't know. There might have been. I can't recall now.
84. I am asked if I was aware of or involved in any discussions with Mr Bayoh's family about the post-mortem and about the taking of samples. I've never met anyone outwith the police and PIRC spheres. I've never met anyone outwith that sphere in this inquiry. I am unaware of anyone else having such discussions, but it might have been done.
85. The one thing I would say about this is that a lot of the stuff I've been saying on this is how it's normally done, or this is normally the procedure, but that's based on a police investigation. With the PIRC, that was the first time I'd worked on an inquiry of that nature. I have worked on PIRC inquiries, but never the same or even similar circumstances. They were essentially a self-contained unit. They matched our roles, so to speak. They had told us they had primacy and they were leading the investigation, and they would have their own set procedures. They would be the ones who were having the conversations, or that would be my assumption, because there would be no point in the police having that conversation to then pass it to the PIRC, because we might not be asking the right questions for them.

Post-mortem examination

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86. I was present during the post-mortem because I was the Crime Scene Manager. In a normal inquiry it would be Crime Scene Manager, productions officer; the SIO normally would be at the post-mortem. Fiscals are normally at the post-mortem as well, or generally at the post-mortems as well, that's standard. I didn't seize any of the productions, they were all taken by the PIRC. Peter Gilzean recorded them so they could put them on the Police Scotland systems.
87. I am asked whether I was involved in trying to locate any of Mr Bayoh's medical records for the pathologists. Given the time I finished at night and then the next day, I'd say I don't think so, but I don't know. Generally that'd probably be tasked to an inquiry team to go and do, and then the only chasing I'd be doing is "Have you managed to locate them?" But a lot of the time the inquiry team will go direct to the pathologist. If the Crime Scene Manager's away doing something else, they'll go direct to the mortuary and hand them over to them, because realistically the pathologists like to have a look at them before, or at least want them there. I don't recall making any phone calls to medical centres or anything.
88. I am asked whether I am aware of there being any particular reason for the post-mortem being carried out when it was carried out. I am not. I am asked how quickly a post-mortem would typically be carried out. With a type of inquiry like this, normally it's within 24 hours if they can facilitate it. It's different for unexplained deaths where it might be a drugs death, for argument's sake, or not anything to do with this. A hospital death or something that needs a post-mortem takes couple of weeks, but things where there's the amount of involvement there was in this, I would say they're normally within 24 hours, because it obviously then progresses the rest of the inquiry. There can be delays obviously, if they've already got stuff booked in or whatever. It wasn't unusual.

After the post-mortem

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89. At the conclusion of the post-mortem, I attended a debrief with, think it was, Ralph Bouhaidar and whoever the pathologist was, I think, Clare or Karen Shearer.
90. We attended the debrief after and, at that point, it was unascertained pending tox, and I think it was neuropathology. This was in the mortuary, in the office next door. There was a list of priorities given to us at that point. In attendance I believe was [REDACTED] who's since retired. I can't remember what rank he was at the time, he would have been DCI. We had senior management from the Major Investigations Team there and you had the senior management from the PIRC. The Fiscals were there, and myself. I don't know if Peter Gilzean was there. John Ferguson was there.
91. The pathologist, generally after, goes through and tells you if they've established anything, they'll look and say, "We want X, Y and Z samples, this is what we need for our next line of inquiry or for it to be submitted to biology etc.". They'll tell you where they want them to go, when they want them there. I would've taken a note to do it because that was part of my remit. I'd agree to that, and then I'd go and arrange that. However, I was told, "No you're not. It was made clear to us at that time that Police Scotland and me were of no further involvement. It was a PIRC inquiry and all the rest of it. They said, "We're doing that," and I went, "That's fine."
92. We left there, and we drove to Leith Police Station, because Police Scotland still processed the productions for them. John Ferguson and Stuart Taylor were there, and I basically talked them through the process and how you had to do what you needed to do. As in, who you need to phone, where you need to go, what you need to give them. I basically did a handover because we weren't to do it. So I said, "Well there you go". Rather just leaving them, I said, "Well, this is information you need. These are all the phone numbers you'll need and all the rest of it," so they weren't just stranded, and then that

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[REDACTED]

was it. Other than writing my statement, that was, to the best of my knowledge, my last involvement in the inquiry.

93. I am asked if I recall there being any concerns raised by PIRC about them not being sighted on anything that they felt they ought to have been. I do not, but the only person from PIRC I'd ever dealt with was primarily John, and then Stuart was there. As much as we only worked together for two days, we had a half-decent working relationship, so no. Certainly, I'm not aware of any concerns that have been raised to me by John.
94. I am asked if I recall any discussion about future forensic strategy meetings and how they would be organised. I don't know if that's something I mentioned about him doing. If he didn't know how to arrange one, I would have told him, but at the same time I wouldn't necessarily tell another Crime Scene Manager how I would do something unless they told me they didn't know how to do it. I certainly told him how to do all the stuff with the sample, so if he didn't know that I would have told him, but I didn't know when the next forensic strategy meeting would be because, as far as I was concerned, I'd essentially been discharged from my role.
95. I am asked if I recall any discussion at any point about Mr Bayoh's body being repatriated to Sierra Leone. I do not.
96. I think I created my operational statement the day after or a couple days after. I completed my Crime Scene Manager's report which just documented observations, overview of the inquiry and the forensic strategy. I submitted that to DCI Houston, and that is, I believe, my involvement in it.

Crime Scene Manager's report

97. I have been directed to my Crime Scene Manager's report (PS01297), in particular the header on page one which states, "THIS IS A 'LIVE

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DOCUMENT' AND WILL BE UPDATED REGULARLY'. I am asked what type of information such a document would be updated with, and if that happened in this instance. A Crime Scene Manager's report is like a diary or a journal. The initial bit is completed when you first agree forensic strategy and priorities. When you have completed the first stage, in this case recovery of the body, you would update it at the end of the night with the actions you carried out. At each stage of the inquiry results are fed in or examinations carried out, and you would update the document. At the end you go back and tidy it up, check the grammar etc. before submitting it to the Senior Investigating Officer. PS01297 would be the final version of my report, and what I would have fed into HOLMES and DCI Houston.

98. On page three, at part one the first paragraph states, "The deceased had a large, muscular build; and was known to frequent the gym on a daily basis.". I am asked if I recall where that information came from. I can only assume it came from one of the briefings we were given. The only source of information I would get and put into things like this would be things from briefing or things I've identified from my enquiries. I didn't interact with the family or associates of the deceased because of my role. It wouldn't have been based on anything in the media or the public domain. It would only come from information obtained through the inquiry. I would have got the deceased's height and weight at the post-mortem.
99. Also on page three, at part 2.2 the third paragraph states, "This phase also incorporates the forensic recovery of the deceased and the Quasar of his body prior to the Post Mortem.". Quasar is carried out by the Scene Examination Branch. They use various light sources to try to identify bruises on the body. It shows up injuries. Injuries sustained shortly prior to the death that haven't had chance to develop because blood flow stops can show up. It has been used at a few inquiries where I was the Crime Scene Manager, but it's not used on every single occasion. Scene Examination Branch have all the personal protective equipment, etc.. We're not really there when they do

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it, we're just aware that they are doing it and we get the results back in. From normal procedure it would likely have taken place in the morning shortly prior to the post-mortem, possibly when I went to have conversation with Dr Shearer and Dr Bouhaidar. It has to be done in a darkened room, so not in the mortuary. The viewing room would probably be the most likely place.

100. I have been asked about the fact that the Quasar examination is not mentioned in the other documents to which I have been referred. There is every chance it's not in my notebook (PS03171) because it was in my pot book. A pot book is run for every incident. It's a book that is used to record briefings, relevant information, etc.. You write your own notes in it for when you are doing briefings, and take it to post-mortems, etc. to record notes. Some divisions call it a day book. It is retained for the duration of an inquiry. I looked for my pot book for this inquiry but will have destroyed it as I moved on to a different role. I didn't compile the forensic strategy document (PS01298). Quasar not being in my statement (PS00778) might just have been an oversight. If I remember correctly the result was negative, so I may have forgotten or deemed it irrelevant. You rely on your forensic report for detail. Your operational statement more of an overview.

101. I have been referred to the third and fourth paragraphs of part 3.2 on page six of the Crime Scene Manager's report (PS01297), which describes injuries that were observed during the post-mortem. I am asked if I recall what was said about those injuries during or after the post-mortem. I don't recall, other than what is recorded in the report, which is that the injuries were consistent with blunt force trauma and restraints having been applied.

Media

102. I am asked whether at any point I spoke to anyone from the press about the incident involving Mr Bayoh. I did not. Not worth my job. I am asked whether

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I am aware of anyone else having spoken to the press about the incident. I'm sure somebody has, but no I am not aware.

Training

103. There's two aspects of Crime Scene Manager training: there's the formal training and the informal training. In 2015, I'd been in the MIT for a few years. I think that was not long before I left. I'd been in the MIT for about four years at that point; I think in my first two years in the MIT I was at 15 post-mortems as a Productions Officer, worked at multiple crime scenes. I had done my detective training course, which was four weeks at the college, which is just your overarching training. You have to have done your detective training before doing Crime Scene Manager training.
104. When you become a detective, you're a trainee detective, so you've got to do a probation period. To do that you've got to gather a portfolio of evidence showing that you've had certain criteria. I'd achieved that. You also do your detective training course and at that time it was four weeks' residential at the college, where you do three weeks of general investigative, and you get inputs from all the different specialisms you can think of. You get inputs from them all, you do exams, and you do a week of interview training as well. You can't go on your CSM course until you've passed your detective training course. That's the thing. When I was on my course, Strathclyde certainly at the time used to do it that you had to be a Detective Sergeant to be a Crime Scene Manager. Legacy Lothian and Borders and East were different: it was based more on experience than rank.
105. There's also on the job training. I had worked on probably about 30 to 50 major investigations at that point and had probably ten years in the police, of which about six or seven of them had been in a CID environment.

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106. I had done a week at the college with my Crime Scene Managers course. It's similar to your detective training but it goes more in depth. So you get inputs from scenes, biology, pathology. A lot of the specialisms come in. You get various ones come in. There's scenario-based training. Crime Scene Managers can be deployed for a range of things, not just for incidents or investigations involving death: sexual assaults, rapes, robberies. I've done it for smash and grabs at shops and stuff. You do for a variety of things. So you get all your specialisms come in again. They go through firearms and stuff, and you'll sit and discuss it in the classroom and it's a chance to actually ask questions, and you've got real-life scenarios. It's classroom-based and then there's practical-based as well. The college has got a role-playing suite type thing, so they'll set up a crime scene and you go in and you'll go through and you'll discuss what your considerations are, where you'd put your locuses in, and there's also case studies as well will come through and they'll actually talk through. At the time, Andrew Ritchie was the DI up there, but he actually talked through jobs he had been a Crime Scene Manager on and the considerations and all that. So there's that aspect of it, and you'd do that for the week. It's an intense course. It's hard. It's just a pass or fail at the end of it. That's the training. That's what you do at the college.

107. There is no probationary period following the course. Once you pass, that's you qualified. After that, when you first get deployed, it's like anything: you've then got to take it and actually put it into an operational setting. I was quite fortunate at my first ever deployment. There was a CSM not deployed, so I got them to come along and essentially shadow me to then guide me through the practical side of it. I'm doing minutes, doing forensic strategy meeting documents, because there's a whole admin side to it as well.

108. I had passed that course, and I don't know how many deployments I'd had, but 03 May 2015 wasn't my first deployment, so I'd had deployments previously. I don't know how many I'd had actually, but I'd had Crime Scene Manager deployments prior to that, so I had a good overall general

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experience, albeit the Productions Officer was the main thing. That's the reason I got my Crime Scene Managers, because you basically shadow the Crime Scene Manager. You're there for every aspect of it, you go to the crime scene, you assist the Crime Scene Manager in many aspects. I had the informal side of it, my experience then. It took five weeks of training to get.

109. I am asked what training I had received in relation to investigating deaths in police custody. I'm going to say none but then somebody's going to come and pull me up on it. I've done a lot of courses. I genuinely don't know. I'd imagine that it'd feature, because there's set criteria that we'll have to report to the PIRC. I've certainly read up on the guidance about PIRC in general, but I can't remember if it was in a classroom-based setting or if it was something I've done on the back of being deployed on a PIRC inquiry. Things like discharging the CS spray, or PAVA as it is now, and looking at actual criteria that would become involved, and we could get it referred. It would be in my training record, what I've had. I've done a considerable number of training courses, and even then I'd also had conversations. Part of the conversation I had with John Ferguson at Leith Police Station, and I still remember, is we were talking about this investigation, but we were actually just talking about the PIRC in general, because the PIRC was quite a new thing at that point. We were discussing in general: not jobs he'd done, but just the role and what they do, and how he was going to interact going forward, so it was a new thing. I genuinely don't know when the PIRC were set up. I don't know if that was one of my first awarenesses of the PIRC as in the PIRC itself. This was my first time in the Major Incidents Team that I'd had any dealings with PIRC.

110. I am asked what training I had received in relation to race awareness and equality and diversity. I did formal diversity training at the police college. I was at the college for four months and that formed, I want to say, at least a week I think. I'm going back 18 years now. We did diversity training in the college, 100 per cent. It's in my head it was a week, but I don't know how long it was. After doing my probation, I don't know if I've done any online

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learning with it. I don't know if there's been any sort of refresher type things in the proceeding years. I would imagine I would have in 18 years: they tend to do everything on a cycle every two or three years. They give you a refresh, but I couldn't commit to that. I would imagine there would be refresher training, but I can't say.

111. I am asked what training I had received in relation to liaison or engagement with next of kin. I'm not a Family Liaison Officer, so I've never done the course for that. Interaction with next of kin: literally the only way you do it in your probation is essentially how to pass a death message, and how to deal with it sensitively. We did that in Fettes within your first two years. I don't know if it's when you come back from the college or whatever but in the years after that it's just you. By the time of this incident I'd been in the police for ten years. Death message training was "in-force" training, so it was Lothian and Borders-based at that point. We kind of done roleplays. That would have been before we went back to division, round about July or August 2005. I don't think there's anything after that, because after that you're actually dealing with the public on a daily basis.
112. Prior to the formation of Police Scotland, recruits from the legacy forces all went to Tulliallan for their training. It was like a national curriculum. Everyone went to the police college. You applied for your force. I applied for Lothian and Borders because I'm from the area. Lothian and Borders, Strathclyde, Northern: everyone then goes to the college. It was a set curriculum taught by, at that time, sergeants and support staff from all the different forces. Everyone starts the same and then you then went back to your force, then you'd come back together. So you did 15 or 16 weeks, you went back to your division or force because you had a two year probationary period, and then you went back to the college for two weeks of second stage, which was national exams and everyone had done the same. After that, that was you. You went back and you did some stuff at Lothian and Borders. I don't know the rest of the country. Lothian and Borders then did their own exams, fitness

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tests and stuff and then you got signed off as passing your probation. Death messages is the type of thing I would imagine we would have got at the college because the college did do a lot of scenario-based stuff, right down to, like, how to search people and things, so I'd imagine that's something we would have done but, again, I don't know. I'd be surprised if we didn't get taught that.

Race

113. I am asked if I have ever witnessed any examples of racial discrimination, including racist jokes, by police officers or police staff in my time in the police. I have. It's isolated incidents. In fact, I could probably put it on one person, to be honest, and there's been a Lothian and Borders-conducted investigation on it and the person lost their job, but it's not something I've seen a lot of. I've worked in a number of different environments and it's not something I've seen a lot of. The role they had, they weren't interacting with the public but, again, an investigation was carried out, the person lost their job. It was inappropriate language. This is going back 15 years ago. It was an older generation, so even if they hadn't lost their job, they would have been long retired by now but that's not a justification. That was a person, which you will get in every walk of life, but as a general whole, no, with the police I've not. In general, working in CID and response, no I've not. It might just be that I've been fortunate in the areas I've worked in or the people I've worked with.

114. One of my team from a couple of years ago was a regular target for racial abuse from members of the public. That doesn't make it any better, obviously.

115. In my personal experience I have not witnessed conduct such as racist jokes, because it's really not the type of people I would sit in company with. It's not just I'm saying because I'm giving a statement, it's the type of person I am, and most of the people who join the police are similar to myself. They're

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doing it for the right reasons, so no. I've kind of spent the majority of my time working in this part of the country. It's a diverse area, and the police in general are pretty diverse, so no, it's not something I can think of having seen.

116. I am asked if there is a procedure or protocol that officers should follow if they witness such behaviour. If it was one of my officers, I would expect them in the first instance to report it to me as their first line manager, and then I would escalate it to the Inspector. In all honesty, it's not even something I would probably straight off the bat challenge the person suspected of doing it. You would escalate it up the way. The reality is you can't acquiesce on it and that's part of the stuff we got taught in training. There's very much an awareness.
117. It's the same with social media for us. The whole thing where if you're in a group chat, for sport or whatever. The message that's put to the police is: if you're in a chat and somebody makes a racist, sexist, homophobic, whatever comment, if you do not challenge it, if it comes to light to the organisation, you're as responsible as the person saying it. The fact that if it was in a work environment, you have to report it. You shouldn't be in the police if you're not going to report it. You can't do one thing with the public and another thing with your own organisation. That's my take on it anyway. Certainly if I witnessed it, I would go through the person there, they'd be reprimanded there and then, but then it would be escalated up the way. If it was somebody senior to me, I would escalate it above.
118. I am asked if I have ever had to report anyone for racist behaviour. No, because with the one I've mentioned it was known, and it was not in a one-to-one setting, and there was an investigation into it. That was pretty much an isolated incident when I was in a training environment.
119. I am asked if anyone has ever reported such behaviour to me. I can honestly say I've never had any kind of report of sexism, racism. I've had some of my

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officers been victims of racism externally, and I've dealt with that side of it, but no, I've not.

- 120. If there is any difference between this statement and my operational statement from 2015, my earlier statement should be preferred.
- 121. I believe the facts stated in this witness statement are true. I understand that this statement may form part of the evidence before the Inquiry and be published on the Inquiry's website.

March 8, 2023 | 12:35 PM GMT
Date..... Signature of witness.....

