

Monday, 9 March 2026

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2 (2.04 pm)
3 **THE CHAIR:** Yes, Ms Kaur.
4 **MS KAUR:** On 16 January, did Sergeant Faulkner ask you to
5 email the University to make them aware of the incident
6 the night before?
7 **A.** I don't recall that, I'm afraid.
8 **Q.** If he had sent such an email, presumably you would have
9 logged that on the Occurrence Log; is that right?
10 **A.** Correct, yes.
11 **Q.** On 17 January, Ms Shadbolt, if I could go to
12 NGPF0000055, page 7, at the top of the page, 17:52, you
13 record there a conversation you had with VC. What
14 assessment did you make of VC's behaviour during that
15 conversation with you?
16 **A.** As I said, it's four years ago so I can't remember any
17 specific conversations that I had with him or anything
18 else. When I would have spoken to him advising him of
19 his behaviour, I would have probably said, you know,
20 "you can't be doing things like that type of thing, you
21 know," et cetera. But, you know, he was talkative to me
22 at that point.
23 **Q.** Well, Officer, just refresh your memory because we have
24 a record, a contemporaneous record, of what was said,
25 and if you see there, you strongly advised him re his

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1 know, I'm, you know, that we can confirm that he has or
2 hasn't any mental health issues or needs.
3 **Q.** Still on the same page, we see an entry, 17 January at
4 20:00 hours, two minutes past ten, and you go on then
5 over the page to close the investigation, don't you?
6 **A.** So yes, I do, yeah.
7 **Q.** Did you have any discussions with PC -- Sergeant
8 Faulkner, rather, about whether the case should be
9 closed or not?
10 **A.** Yes. So before we do these -- oh, I see, investigation
11 completes and the victim updates, a discussion would be
12 had, definitely.
13 **Q.** That discussion is not recorded on the Occurrence Log,
14 is it?
15 **A.** No, no.
16 **Q.** Any reason for that?
17 **A.** It's just something that just has never really sort of,
18 like, happened. Ultimately, when we, like, do our
19 various things in relation to updates and everything
20 else, we would normally go to our sergeant, we'd
21 complete this OIC investigation, then it would be
22 closed.
23 The difference with this was -- is that Sergeant
24 Faulkner attended with me, so he was aware, you know,
25 obviously he'd been there with the job with me, so he

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1 conduct and you say you were aware of previous mental
2 health issues. If you go on and read it to yourself,
3 what did you make of VC's conduct during that call?
4 **A.** As I say, I cannot, I cannot comment on it because, as
5 I say it's four years ago so on, I don't know what I've
6 said to him or what he's said to me.
7 **Q.** Whether it raised -- did it raise any red flags?
8 **A.** In what respect, sorry?
9 **Q.** Well, it suggests he's being evasive, that he then
10 refused to talk to you?
11 **A.** So initially, when he's talked to me, I've obviously
12 strongly advised him, but then, on the -- as I've said
13 previous -- backhanded comment from Christopher, I've
14 just sort of, right, tried to offer him, some, you know,
15 if we could do anything, you know, I would have probably
16 said something along the lines of "Look, I've been made
17 aware you may have possible, you know, mental health
18 issues. Is there anything that we can do to help you?"
19 That type of thing. But as I say, I can't remember
20 exactly what I've said.
21 **Q.** Looking at that entry now and VC's conduct towards you,
22 does it raise any red flags?
23 **A.** Not really, I mean, ultimately, just because somebody
24 becomes evasive with you and refuses to talk to -- talk
25 to me any further, that doesn't mean to say that, you

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1 had already some understanding about the job as a whole.
2 **Q.** Thank you. Ms Shadbolt, if we could go to NGPF0000081,
3 Officer what we see there is an Incident Log, 24 May,
4 and the incident description:
5 "Caller reporting that there is a male trying to
6 smash the door ... saying that the person inside is in
7 danger - caller does not know the person or what the
8 danger is."
9 How relevant do you think that incident was to the
10 one you were investigating?
11 **A.** Ultimately, I wasn't there, I can't really comment on an
12 incident that I've not attended or had any involvement
13 with, so I have no comments on that.
14 **Q.** If I could turn to document NGPF0000081, this is
15 information available on NICHE within an hour of the
16 incident that I have just referred you to, what we know
17 is that VC went to a neighbouring flat, and at 21:47
18 it's recorded:
19 "Female has gone to QMC ... was scared after the
20 male was banging on the door that hard the lock fell off
21 so she jumped out the bathroom window approx 9 feet and
22 landed on her feet."
23 We know that this individual suffered serious
24 injuries. What relevance do you think knowing
25 information like this, how relevant was that to the

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1 investigation you were conducting?
 2 **A.** As I've already just stated on the previous incident,
 3 I did not attend this incident. I've had no dealings
 4 with this incident. I wasn't the Officer in Charge and
 5 our incident was completely different anyway, so
 6 probably no relevance whatsoever.
 7 **Q.** But you could have made yourself aware of these two
 8 incidents by checking on the NICHE system, couldn't you?
 9 **A.** So in relation to NICHE, if you're talking about us
 10 attending the incident at that time, you know, that
 11 would mean having to fire up your laptop to try to work
 12 out what's going on, and obviously we're being called to
 13 a potential assault et cetera, with the victim not
 14 making a complaint. So ultimately that's not something
 15 that would have been proportionate at that time.
 16 **Q.** What about after you'd attended the incident, returned
 17 to the police station? Before you saw Chris?
 18 **A.** So ultimately, Christopher to didn't want to speak to
 19 me, give me a complaint at that time, and he's also, you
 20 know, and obviously we've gone back to the police
 21 station, but we can't, you know, we have to be
 22 proportionate in what we do with the enquiries. You
 23 know, and it wasn't -- that wouldn't have been
 24 proportionate to start doing that.
 25 **Q.** Okay. Final point, if you go to NGPF0000023, to put

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1 you're actually releasing to people, you know, obviously
 2 data protection and various things like that.
 3 **Q.** Final question. Having reflected on the incident,
 4 having given your evidence, do you consider that you
 5 took appropriate action in the way you investigated the
 6 15 January incident?
 7 **A.** Yes.
 8 **Q.** I have no further questions but I know my learned friend
 9 Mr Moloney and others will.
 10 **THE CHAIR:** Yes, Mr Moloney. Thank you.
 11 **Questioned by MR MOLONEY**
 12 **MR MOLONEY:** Officer, were you going to a red incident, as
 13 you understood it, when you were called to respond here?
 14 **A.** Yes.
 15 **Q.** That's an emergency incident.
 16 **A.** Yes.
 17 **Q.** Were you in the same car as Police Sergeant Faulkner?
 18 **A.** Yes.
 19 **Q.** Were you driving or was he?
 20 **A.** Sergeant Faulkner was driving.
 21 **Q.** But you had the blue lights on.
 22 **A.** I believe so, yeah.
 23 **Q.** Now could we have the log up, please, with the
 24 NGPF0000054. Whilst that's being done, Officer, do you
 25 just, when you're in the car do you just hear things

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1 this into context, if we go to page 10, this is the
 2 incident callout where an officer was assaulted on
 3 3 September --
 4 **A.** Yeah.
 5 **Q.** -- during the execution of a mental health warrant. In
 6 summary, we know that there were at least four officers
 7 at the scene, and do you see there is a reference to
 8 PAVA spray being used?
 9 **A.** Yes.
 10 **Q.** If we go just above where the words PAVA are, we have
 11 Officer Pritchard saying he was in genuine fear for his
 12 life during this incident.
 13 **A.** Okay.
 14 **Q.** Further down the page we have a reference to a Taser
 15 device being used on two occasions. Do you think that
 16 information like that was relevant when you, as the
 17 investigating officer, assessed the risk to Chris and
 18 his fellow students?
 19 **A.** It would certainly have been relevant if we were told
 20 that by the Control Room on our way to there, and
 21 certainly attending, and it would also, for me, it would
 22 have raised questions as to whether or not just myself
 23 and Sergeant Faulkner should have been sent as just --
 24 just as two, given the fact of that.
 25 But, you know, you've got to be question about what

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1 over the radio rather than just see the written log?
 2 **A.** Yes, that's basically it, yeah.
 3 **Q.** Did you say you can remember now there had been problems
 4 with the radio that day?
 5 **A.** Yes, yeah.
 6 **Q.** Did you put that in your statement, Officer?
 7 **A.** No.
 8 **Q.** No. You made your statement on 16 November 2025.
 9 **A.** Yes.
 10 **Q.** When did you remember that there were problems with the
 11 radio on that day, 15 January 2022?
 12 **A.** I can't say. I don't know.
 13 **Q.** Was it after you made your statement?
 14 **A.** I don't know.
 15 **Q.** The problems with the radio that day. Do you know if
 16 that was reported to the Force Control Room that you
 17 were having problems with the radio that day?
 18 **A.** I don't know.
 19 **Q.** It would be important to do that, wouldn't it, if there
 20 was a problem?
 21 **A.** Yes.
 22 **Q.** So what did you know, and I just want to look at the log
 23 very briefly, if I may. We see on the first page, the
 24 call from Chris in the room with the caller, gives the
 25 name, "not wanting to say much now [because] he is in

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1 the room" with the caller. That's why. Obviously,
 2 isn't it?
 3 If we go over to page 2, he's added "He is in the
 4 room", that is to say the other person is in the room,
 5 the named person.
 6 No one's got Covid, "still not being aggressive ...
 7 sat on sofa ... advised caller to go to his room.
 8 "Can we confirm if this still needs to remain red.
 9 "Still grade 1 as in same building.
 10 "Calm at present.
 11 "... just attacked caller and caller went quiet as
 12 he came in the room. Possibility of escalation quickly.
 13 Caller did not wish to continue speaking to me [but]
 14 advised to call 999 if escalates again."
 15 Then if we go down to 19:19 on the left-hand side,
 16 the 3000942:
 17 "Caller back on, flatmate who has assaulted him,
 18 approx[imately] 30 yrs old, is preventing caller and his
 19 friend from leaving -- caller was trying to get out to
 20 wait for other officers ..."
 21 So the call comes in at 19:12, that call ends and
 22 then back on at 19:19, some seven minutes later.
 23 **A.** Okay.
 24 **Q.** If we carry on, just to get the full picture, at 19:19:
 25 "Just tell him to go to his room and wait for

1 **Q.** When you got there, you spoke to Chris.
 2 **A.** Correct.
 3 **Q.** Was VC in the same room as Chris when you spoke to
 4 Chris?
 5 **A.** No.
 6 **Q.** No? Are you quite sure about that?
 7 **A.** I think so, yes. Yeah, he wasn't, no, because
 8 Sergeant Falkner had taken him to a separate room.
 9 **Q.** Right because it would be utterly -- given that he
 10 didn't want to talk further because the man was in the
 11 room with him, it would be just ludicrous to have the
 12 two people in the same room when establishing the
 13 details of an incident, wouldn't it?
 14 **A.** Absolutely.
 15 **Q.** Yeah. Did you find out consequently about VC's mental
 16 health issues?
 17 **A.** I had a backhanded comment from Christopher when he came
 18 in to provide me with a pocket notebook entry. That is
 19 the only time.
 20 **Q.** That's all you did?
 21 **A.** Yes.
 22 **Q.** A "backhanded comment", as you described it.
 23 **A.** Yeah.
 24 **Q.** Did you check anything at all to see if there were any
 25 mental health issues on any records?

1 officers please -- we won't be long."
 2 You say that's not a communication from you, that's
 3 just essentially something that's being said by the
 4 Force Control Room on to the log.
 5 **A.** Yes.
 6 **Q.** Yeah. 21 is a NICHE reference. Over the page to
 7 page 3, please. There we see a NICHE entry, "5 previous
 8 ... cps charging decision", we've seen that before.
 9 Then at 23, halfway down the 3003942, "Violent
 10 extremely violent officer assault without provocation."
 11 Yes?
 12 **A.** Yeah.
 13 **Q.** There is reference, if we go onto the fourth page,
 14 continued reference to that, and then over on to page 5,
 15 just to get the full picture, we see again: "Violent
 16 officer assault without provocation", and so emphasis of
 17 that.
 18 Do you know what time you arrived, Officer?
 19 **A.** I can't say, I'm afraid. I don't know.
 20 **Q.** Nothing on the log. So you knew there was an assault on
 21 the flatmate, you knew that this man was extremely
 22 violent before you got there.
 23 **A.** As I say, the only warning marker that I can remember
 24 was that he had assaulted police. That's all I can
 25 remember.

1 **A.** No, because it would not be proportionate when
 2 Christopher is not wanting to provide me with
 3 a statement.
 4 **Q.** But you raised VC's mental health issues with him,
 5 didn't you?
 6 **A.** No.
 7 **Q.** You didn't?
 8 **A.** No.
 9 **Q.** In a conversation that Ms Kaur has just taken you to
 10 where you said that you knew about his mental health
 11 issues and he put the phone down on you?
 12 **A.** Sorry, correction. So when I spoke to him, on the
 13 backhanded comment of Christopher, I have said to VC,
 14 "Look, I've heard you might have a bit of", you know,
 15 something along the lines of "I think you may have had
 16 mental health", or whatever it is, "Is there any way we
 17 can help you?"
 18 But that's it.
 19 **Q.** Right. That's what we take from that entry, that's what
 20 we should take from that entry --
 21 **A.** Yes.
 22 **Q.** -- that Ms Kaur has just taken you to.
 23 **A.** Yes, absolutely.
 24 **Q.** So you raise with him a backhanded comment that Chris
 25 has made?

- 1 A. Yes.
 2 Q. He puts the phone down on you.
 3 A. Yes.
 4 Q. He became evasive, you said?
 5 A. Yes.
 6 Q. Had you looked at the log before Chris attended the
 7 police station?
 8 A. No.
 9 Q. So you didn't see that Chris had called again to report
 10 that he wasn't being allowed to leave the flat?
 11 A. No.
 12 Q. So you didn't bother to check the log before Chris came
 13 in?
 14 A. No.
 15 Q. Did you -- had you looked at the log before you spoke to
 16 VC?
 17 A. No.
 18 Q. Did you think at all that it might be appropriate to
 19 tell Chris that this was a man who -- he'd been
 20 assaulted by him and he'd been extremely violent to
 21 police without provocation?
 22 A. No.
 23 Q. Even though he was living in the same flat as him?
 24 A. No.
 25 Q. Did you contact the NHS at any point?

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- 1 that I've added into it. However, as I stated
 2 previously to this, Christopher had an opportunity to
 3 amend that to -- and he would have had an opportunity to
 4 read it out, and also he would have had an opportunity
 5 and I would have read it to him as well.
 6 Q. Absolutely, I think it may be that Mr Beggs asks you
 7 about that, but I just want to ask you about this. If
 8 he has had the opportunity, he knows there that he's
 9 saying, "I've reconsidered my desire"?
 10 A. I can't comment on that. It's four years ago.
 11 **MR MOLONEY:** Thank you very much, Officer.
 12 **THE CHAIR:** Yes, Ms Cartwright.
 13 **Questioned by MS CARTWRIGHT**
 14 **MS CARTWRIGHT:** Good afternoon, Officer. Can I ask you
 15 first of all, you've told us that on that night there
 16 were communication issues between the Control Room and
 17 yourself, which you have characterised as "pretty poor
 18 to say the least". Can I just be clear what those
 19 communication issues were, please?
 20 A. So yeah, to clarify, that night the Control Room, so it
 21 wasn't so much the radios, it was actually to do with
 22 what information we were being given by the Control
 23 Room. It was an extremely busy night. Me and
 24 Sergeant Faulkner were the last two to be called to
 25 Radford to deal with this job. So on our way down, you

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- 1 A. No.
 2 Q. Contact the University?
 3 A. No.
 4 Q. Did you say that on the night Chris said he didn't want
 5 to make a complaint when you attended the premises?
 6 A. Yes.
 7 Q. Yes, so can we put up NGPF0000056, please.
 8 This is the pocket book entry, your pocket book
 9 entry, PC Zacharia, and if we go down to see the entry
 10 that was, I believe, signed by Chris --
 11 A. Correct.
 12 Q. -- and if we go on to the next page, please. There. If
 13 we look at the fifth line down:
 14 "I would like to state that I have reconsidered my
 15 desire to make a complaint ..."
 16 So he was wanting to make a complaint at some point
 17 then, wasn't he?
 18 A. No.
 19 Q. You've given evidence that you only put in here what
 20 Chris wanted you to say.
 21 A. Correct.
 22 Q. So is he saying here that he had decided at some point
 23 that he'd wanted to make a complaint but he's
 24 reconsidered his desire to make a complaint?
 25 A. I can't comment on that. It could have just been a word

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- 1 know, we were not -- I certainly felt for myself, I can
 2 only speak for myself, but I felt that we weren't being
 3 given enough information by the Control Room operators.
 4 Q. All right. Just so I understand that, that seems to
 5 have some context rather than just a vague you didn't
 6 feel you were getting enough information. Tell us a
 7 little bit more about that.
 8 A. It's hard to say. I mean it's four years ago, so
 9 I can't really comment about specifics, you know, but at
 10 that time, the only information that I can physically
 11 remember from that four years ago is a warning marker to
 12 say that he had assaulted police. That's all that I can
 13 remember.
 14 Q. All right. But I think the warning marker is stronger
 15 than that, the warning marker records a marker of
 16 extreme violence, unprovoked?
 17 A. Right, but there were, on the log you see there, there
 18 is two parts to it. So there's further -- it's further
 19 added that part. So we may have been told initially
 20 he's got a warning marker for that, but that bit down
 21 the road, down the log, is actually added on later for
 22 extreme violence. So -- and that wasn't actually
 23 relayed to -- I don't believe that was relayed to us
 24 while we were travelling.
 25 Q. Right. So just so I'm clear, the poor communication

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1 from Control, did you have an appreciation of that
2 before you attended at Raleigh Park, or was that
3 something subsequently, when you reflected, you thought
4 had been poor communication from the Control Room?

5 **A.** I think, in all honesty, I mean, as I say it's very
6 patchy what I actually do remember that day due to the
7 length of time, but that was the one thing that I did
8 remember, is that it wasn't particularly great what we
9 were, you know, as I say, that last comment. So ...

10 **Q.** All right. Is there a reason, then, why you omitted to
11 keep that from your witness statement? Certainly the
12 Inquiry were asking you about any issues that had
13 impacted, including structural issues, and you've not
14 mentioned that in your statement.

15 **A.** No, not really. I mean, I just, you know, I just --
16 memory is just obviously a very big thing and I can't
17 remember absolutely everything that has gone on, but
18 sometimes we can be reminded of things, but it doesn't
19 mean to say that, you know, I've purposely omitted it,
20 because I haven't.

21 **Q.** All right. Now I'm just going to display again the
22 Incident Log NGPF0000054 at page 2, please.
23 NGPF0000054, page 2. Now, we've heard the call that
24 Christopher made and we can see equally captured at
25 19:19 the information about essentially Christopher, the

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1 just dealt with, before Christopher comes to the police
2 station, why had you not checked and reviewed the logs,
3 particularly from your evidence there had been concern
4 about the information that Control had passed, just to
5 check if there was anything else that you needed to
6 cover with Christopher he came in on the 17th?

7 **A.** So Christopher was -- had already said he didn't want to
8 make a complaint, so he was being invited in to provide
9 a pocket notebook entry which he agreed to do. So, you
10 know, I'm -- everything that we do as police officers,
11 has to be proportionate, you know, and necessary. And
12 for me to start digging around, so to speak, that's not
13 proportionate. And my job there was to obviously speak
14 to Chris and see what he wanted to do.

15 **Q.** But would you agree, and from a proportionality
16 perspective, I think you've said it wasn't proportionate
17 on the night for you to fire up the laptop outside
18 because I think you were talking about a common assault,
19 but would you agree that an offence of false
20 imprisonment as well as common assault would justify,
21 from a proportionality perspective, checking police
22 systems to have a totality of risk information in
23 respect of VC?

24 **A.** Like I said, we were not made aware of that, and so, you
25 know, ultimately even, you know, whatever we take into

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1 second telephone call he made by 999 saying he was
2 prevented and being restricted by VC from leaving his
3 accommodation. Your evidence is in total that at no
4 point before you attended the scene were you made aware
5 of that; is that correct?

6 **A.** That is correct.

7 **Q.** At no point did you elicit or ascertain that when you
8 attended at Raleigh Park?

9 **A.** Yes.

10 **Q.** Would you agree that's a significant omission for you
11 not to have awareness of that, because, to use your
12 words "crime is crime", that that reveals another
13 criminal offence, would you agree, for consideration of
14 false implement?

15 **A.** When we attended that incident, we were -- we had
16 Christopher who was not wanting to engage with me. So
17 ultimately, if he's not telling me stuff and not wanting
18 to engage with me, and not sure whether he's going to
19 make a statement and it's also not being relayed by the
20 Control Room, which I've obviously said is what I
21 believe has happened, then, you know, it's not remiss of
22 me if we're not being told that information in the first
23 place. And, you know, I certainly, from what I can
24 recall, Christopher never disclosed that to me.

25 **Q.** Right. Then just to cover the point that Mr Moloney has

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1 account, and we look at the jobs as it's such, you know,
2 it's still wouldn't have changed the outcome that
3 Christopher did not wish to make a statement and did not
4 want to engage with police.

5 **Q.** Now, finally, you -- we have the Occurrence, and in your
6 statement you deal with the fact that you gave -- you
7 strongly advised VC in respect of his conduct, and doing
8 the best you can, please can you give absolute clarity
9 about what you said to VC?

10 **A.** Ultimately, I can't. It's four years ago and I can't
11 remember what VC said to me, let alone what I said to
12 him, but on my -- the way I sort of tend to function, I
13 would have probably said something on the lines of
14 "Look, you can't be doing stuff like that, you know, he
15 doesn't want to press charges and you're lucky that's
16 the case, otherwise we may have to interview you" or
17 something along those lines. So it would have been
18 something like that, but I can't say what I've actually
19 said because I can't remember.

20 **Q.** Then just for completeness, because bearing in mind the
21 pocket notebook entry between yourself and Christopher
22 records that you told him that VC was going to be given
23 a warning, and so what had you said to Christopher was
24 going to be the extent of the warning you were going to
25 give to VC?

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1 A. Sorry, can you just clarify that?
 2 Q. Yes. So the pocket notebook we've looked at references
 3 Christopher saying that he was -- he had knowledge that
 4 VC was going to be given a warning?
 5 A. Correct.
 6 Q. So what had you said to Christopher was going to -- that
 7 warning was going to amount to?
 8 A. I think does it not say that I was advised that he
 9 was -- that he was advised that he was going to be
 10 policed(?). I can't remember now, I'd have to relook.
 11 Q. But I just wonder, did you have any clarity about what
 12 you said to Christopher about the warning you were going
 13 to give to VC?
 14 A. I can't.
 15 Q. Thank you.
 16 **THE WITNESS:** Thank you.
 17 **THE CHAIR:** Yes, Mr Beggs.

18 **Questioned by MR BEGGS**

19 **MR BEGGS:** Officer, towards the beginning of your
 20 questioning from counsel over here, it was suggested on
 21 more than one occasion that you were dismissive towards
 22 Christopher.
 23 A. Mm.
 24 Q. Just pause there. Do you consider that you were
 25 dismissive towards him?

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1 you know, given him that -- given that as much time as
 2 he wanted for that. But at that time he didn't.
 3 Q. If Chris had shown you videos and you had been unable to
 4 download them onto the NICE, not NICHE, the NICE
 5 system --
 6 A. NICE, yeah.
 7 Q. -- would you have recorded that difficulty?
 8 A. Absolutely.
 9 Q. When you're travelling, to use police vernacular, on the
 10 way to an incident, and the Control Room is making
 11 computer entries on an Incident Log --
 12 A. Yes.
 13 Q. -- does it follow that everything that's written down is
 14 also broadcast or not?
 15 A. No. No, and that's one of the issues at times that
 16 we've had as officers.
 17 Q. If it is a particularly busy night, is it difficult to
 18 follow radio traffic?
 19 A. Yes, it can be, yes, because you can only speak one at a
 20 time. So you get the Control Room operator for that
 21 particular talk group and it would literally be
 22 one-on-one. So when you're talking about the city and
 23 you're talking about Radford, they're normally on
 24 a particular talk group.
 25 Q. So if you're on blues and twos, making your way as

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1 A. Not in any way. I, as a police officer, I signed up to
 2 help people and to support people, and I'm an
 3 all-or-nothing type of person. I always give 100 per
 4 cent to what I am doing, and crime is crime.
 5 Q. Can I pause you there. We know from your statement that
 6 after five years as a Police Community Support Officer,
 7 in 2015 you were made redundant.
 8 A. Correct.
 9 Q. Was that because of cuts in Nottinghamshire Police?
 10 A. Yes, it was.
 11 Q. Did you, in fact, the following year, come back as
 12 a Special Constable?
 13 A. Yes.
 14 Q. Is this right: you don't get paid as a Special
 15 Constable?
 16 A. No.
 17 Q. Then two years after that, you came back as
 18 a Probationer Constable.
 19 A. Yes.
 20 Q. Yes, it was also suggested that you were perhaps
 21 downplaying the underlying incident of which Chris was
 22 complaining. Is there any truth in that?
 23 A. There's no truth in it at all. I've always been a 100
 24 per cent victim-focused, and certainly if Christopher
 25 had wanted to pursue it, I would have pursued it, and,

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1 quickly as possible to the 999 call, you may or you may
 2 not hear that which is put on to the log.
 3 A. Correct.
 4 Q. We know that one of the comments that you recorded in
 5 your pocket notebook entry is, I haven't got it up, but
 6 I think it says: "I'm not bothered about getting him
 7 done."
 8 A. Yes.
 9 Q. Do you remember those words?
 10 A. Yes.
 11 Q. Are those your words?
 12 A. No. That is not the way I speak at all.
 13 Q. Finally this, Officer: if you have a job where the
 14 complainant wants to press a charge, yes --
 15 A. Mm.
 16 Q. -- and a job where the complainant doesn't want to press
 17 a charge, which is going to get the priority?
 18 A. The priority is going to be the one that actually wants
 19 to -- sorry, no. There's no -- in terms of charges, it
 20 doesn't make any difference, but if both complainants
 21 are wanting to make complaints --
 22 Q. But if one does --
 23 A. Yes, okay.
 24 Q. -- and one doesn't, and having regard to your mantra
 25 about proportionality, which one are you going to put

24

1 the effort into?
 2 **A.** I'm going to be looking and focusing my every efforts
 3 into the IP victim who wants to progress and make
 4 a complaint.
 5 **MR BEGGS:** Yes. Thank you, officer.
 6 **Questioned by THE CHAIR**
 7 **THE CHAIR:** Yes, you've told us that it was very busy and
 8 you had just finished a prison handover; is that
 9 correct?
 10 **A.** Correct.
 11 **THE CHAIR:** So you'd gone back to the police station and you
 12 and Sergeant Faulkner were the only two available to go
 13 to this call.
 14 **A.** Yes, it had been a particularly busy night, Ma'am.
 15 **THE CHAIR:** So this was about 7 o'clock in the evening,
 16 5 o'clock in the evening.
 17 **A.** Yes.
 18 **THE CHAIR:** When did your shift finish?
 19 **A.** I believe it was 2 am.
 20 **THE CHAIR:** How long had you spent in doing the prison
 21 handover?
 22 **A.** It can vary, actually. It can vary from maybe two or
 23 three hours to six-plus hours. It depends on what you
 24 get but I can't remember which one it was that I was
 25 dealing with at the time.

25

1 **THE CHAIR:** Is that where you add in "This is a common
 2 assault"?
 3 **A.** Correct.
 4 **THE CHAIR:** So that's on the 15th?
 5 **A.** Correct.
 6 **THE CHAIR:** So that's before Chris comes the following day?
 7 **A.** Yes, correct. We would automatically crime things.
 8 **THE CHAIR:** Just dealing with Chris, and your statement, in
 9 which you say that, I think you can't really remember
 10 very much about this; is that right?
 11 **A.** No, I mean it's four years ago.
 12 **THE CHAIR:** Yes, and you do remember, though, that he told
 13 you there was some video on his phone.
 14 **A.** Yes.
 15 **THE CHAIR:** Why didn't you ask to see that, given that you
 16 were there?
 17 **A.** As I've said previously, is that he wasn't really
 18 wanting to engage with me. He wasn't to make
 19 a mistake -- sorry, make a statement. So he just wasn't
 20 really wanting to engage with me at that time.
 21 **THE CHAIR:** He told you that there was the video on the
 22 phone. That was engaging with you, wasn't it?
 23 **A.** We can't force people to provide that to us and he
 24 didn't provide it to me at that time.
 25 **THE CHAIR:** But you didn't ask him, did you?

27

1 **THE CHAIR:** So you go with Sergeant Faulkner to this
 2 callout, which is a red, emergency.
 3 **A.** Correct.
 4 **THE CHAIR:** I think he's driving.
 5 **A.** Yes.
 6 **THE CHAIR:** You're listening to the radio, presumably?
 7 **A.** Trying to, yes. Yes.
 8 **THE CHAIR:** All right. Well, we've seen what the incident,
 9 or the log says, the details which are set out there.
 10 Can I just ask you to look at that. That's the one,
 11 NGPF0000054.
 12 **A.** Okay.
 13 **THE CHAIR:** If you can look through this document, we will
 14 just scroll down, are any of the numbers on there yours?
 15 **A.** Not on.
 16 **THE CHAIR:** Not on that page?
 17 **A.** Here, if we can just go to the top again, madam. Yeah,
 18 so the top number where it says, "Grade 1 Immediate,
 19 4242", that's my collar number.
 20 **THE CHAIR:** That's the officer in the case, but just looking
 21 at "User" on the Incident Logs, are any of those yours?
 22 **A.** Not in that one, no.
 23 **THE CHAIR:** Can you just go back down further.
 24 **A.** No. No. No. The last one, the last comment, that's my
 25 number.

26

1 **A.** I don't know. I cannot remember.
 2 **THE CHAIR:** Well, you don't say that you do.
 3 **A.** Sorry, say again?
 4 **THE CHAIR:** You don't say that you asked him for it.
 5 **A.** Then I may not have done, but I don't know.
 6 **THE CHAIR:** Was it that you weren't really engaging with
 7 him?
 8 **A.** Absolutely not. I'm 100 per cent always for the victim,
 9 without a doubt.
 10 **THE CHAIR:** I think you've set out already your view about
 11 students in the centre of Nottingham. Was that the
 12 approach you took to this, that this was a "between two
 13 students" event?
 14 **A.** So this particular incident that we've attended appeared
 15 to us as a one-off incident, you know, for students
 16 actually, you know, fighting but we've obviously, you
 17 know, obviously with being assaulted.
 18 However, in terms of, like, you know, we're dealing
 19 with lots of incidences, you know, over this, you know,
 20 this periods of time where students were, you know,
 21 having fights and arguments and everything else. But
 22 no, as an officer, I take everything of what's presented
 23 for me at that time and at that place, and Christopher
 24 would have had my 100 per cent commitment had he wanted
 25 to engage with me and had he wanted to provide

28

1 a statement and the video footage.

2 **THE CHAIR:** But he did come back the following day, didn't

3 he? So he did engage with you on the following day.

4 **A.** Yeah, that was because he was not wanting to take it any

5 further.

6 **THE CHAIR:** But he'd bothered to come into the police

7 station.

8 **A.** Yes. But ultimately, you know, he still did not wish to

9 take the matter any further.

10 **THE CHAIR:** Yes, and as far as you're concerned,

11 Sergeant Faulkner, you don't recall him asking you to

12 ensure that the University were notified about this

13 incident because he was --

14 **A.** I don't recall that.

15 **THE CHAIR:** -- concerned about the students being in the

16 same flat together.

17 **A.** I don't recall that at all, I'm afraid.

18 **THE CHAIR:** If he had had said that to you, would that have

19 led you to treat this any differently?

20 **A.** Not particularly because ultimately Christopher had

21 provided a pocket notebook entry which stated that he'd

22 already made the complaint.

23 **THE CHAIR:** Yes. Thank you. That's the end of your

24 evidence.

25 **A.** Thank you.

29

1 **Q.** You were, up until 2024, a Response Sergeant working in

2 the Central Police Station but also supervising officers

3 in the Radford Police Station; is that right?

4 **A.** Yes, that's correct.

5 **Q.** Thank you. So by the time of this incident, that is

6 15 January 2022, you had around 20 years of experience

7 as a police officer?

8 **A.** That's correct.

9 **Q.** We're here to address the incident on 15 January 2022,

10 the headlock incident or what some have referred to as

11 the "hostage taking incident", you attended Raleigh

12 Park --

13 **A.** I don't recognise the term -- I don't know the term

14 "hostage taking" --

15 **Q.** It's been what has been referred to in this Inquiry?

16 **A.** I'm sorry -- (*overspeaking*) --

17 **Q.** Thank you. You attended Raleigh Park; is that right?

18 **A.** Yes.

19 **Q.** Were you aware that it was student accommodation?

20 **A.** I was.

21 **Q.** Can you tell us, are most of the residents 19, 20,

22 21 years old, so far as you're aware?

23 **A.** I wouldn't know that. I mean, generally students are

24 all ages, aren't they? -- (*overspeaking*) --

25 **Q.** Predominantly undergraduates?

31

1 **THE CHAIR:** We'll just take five minutes before the next

2 witness. A very short break. Thank you.

3 (2.44 pm)

4 (A short break)

5 (2.48 pm)

6 **MR BLAKE:** Chair, can we call Police Sergeant Anthony

7 Faulkner, please.

8 **PS ANTHONY FAULKNER (sworn)**

9 **Questioned by MR BLAKE**

10 **MR BLAKE:** PS Faulkner, you should have in front of you

11 a witness statement dated 13 January this year; is that

12 correct?

13 **A.** 13 February.

14 **Q.** Sorry, 13 February, and it has a unique reference number

15 of WITN0402001?

16 **A.** That's correct.

17 **Q.** Thank you. Can you please confirm that that statement

18 is true to the best of your knowledge and belief?

19 **A.** Yes, it is.

20 **Q.** Thank you. You are a Police Sergeant and you joined

21 Nottinghamshire Police as a Police Constable in 2002; is

22 that right?

23 **A.** That's correct.

24 **Q.** You became a sergeant in 2018?

25 **A.** Yes.

30

1 **A.** Predominantly a younger group of people, yes, but not

2 all.

3 **Q.** Had you been called to that accommodation before?

4 **A.** I've been out to a number of incidents involving

5 students. We do get a lot of calls.

6 **Q.** At Raleigh Park?

7 **A.** Not particularly, it's just all over, there's loads

8 of -- Nottingham's got quite a high student population

9 so we get quite a lot of jobs.

10 **Q.** To the best of your recollection, had you attended

11 Raleigh Park before?

12 **A.** I couldn't say if I'd attended there before or not.

13 **Q.** Can you say now whether you have, other than that one

14 incident, previously attended Raleigh Park to the best

15 of your knowledge?

16 **A.** Not to -- I'd have to check all the other previous

17 incidents I've been to, but I don't remember -- I could

18 well have done, but I couldn't confirm 100 per cent to

19 say I'd been there prior, but I did attend on that

20 night.

21 **Q.** Now, on arrival, you dealt with VC while PC Zacharia

22 dealt with Christopher; is that right?

23 **A.** That's correct.

24 **Q.** Presumably it was clear to you that VC was older than

25 the other students in that accommodation?

32

- 1 A. Not immediately. I mean, obviously probably slightly
2 older. I wouldn't have known -- obviously once I got
3 his details I knew his age, once I confirmed the
4 details, but just to initially to look at him, he didn't
5 look massively older.
- 6 Q. The other students were, say, 19, 20. To you he didn't
7 look any significantly older than that?
- 8 A. Not -- well, slightly older. I'd say mid twenties or
9 something like that.
- 10 Q. You said in your statement that you were aware of
11 a warning marker for assaulting a police officer; is
12 that right?
- 13 A. Yes, I was, yeah, I was told about five months earlier
14 he'd had a marker put on for a police assault.
- 15 Q. Would that have come over the radio message?
- 16 A. Yes.
- 17 Q. Also, at the same paragraph, it's 34 of your witness
18 statement, we don't need to get it up, you've said that
19 you, when you were standing with VC, you kept out of his
20 fighting arc. Can you assist us with what you mean by
21 that?
- 22 A. Yes. So if somebody has got a warning marker on them,
23 so to say, we generally stand off to the side, so we're
24 not directly in front of somebody. If they were to
25 strike out, we wouldn't be in the direct vicinity of it.

33

- 1 NGPF0000054. We see there the incident description,
2 I'll go over this quite quickly because we have already
3 dealt with it with a witness, but it says there that the
4 information coming across the radio was that VC had
5 jumped on the caller and had him in a headlock and
6 punched him. Was that information that you were aware
7 of when you attended?
- 8 A. Yes, I think they said there had been a fight in the
9 student accommodation and the suspect was still at the
10 scene. I believe that's what I was told.
- 11 Q. If we look at the bottom of the page, it says there
12 "Caller not wanting to say much now".
13 Over the page, please:
14 "He is in the room".
15 Is that something that you were aware of?
- 16 A. No.
- 17 Q. Is that something that's likely to have been said over
18 the radio?
- 19 A. Not really. If we'd have been told it would have been
20 passed across to the -- they'd have shouted us (*unclear*)
21 up on the radio to pass a message to us. From what I've
22 seen, looking at this, it just looks like the Control
23 Room adding information to the Incident Log. We don't
24 always get passed everything that's on this Incident
25 Log.

35

- 1 Q. Is that a police training technique of some sort?
- 2 A. It is, yes.
- 3 Q. So you're trained essentially how not to get hit by
4 somebody who has that kind of a marker; is that right?
- 5 A. That's correct.
- 6 Q. Yes. By maintaining a sufficient distance --
- 7 A. Yes.
- 8 Q. -- so that they can't reach out at you?
- 9 A. (*Witness nodded*).
- 10 Q. You yourself were -- I mean you're quite tall, you're
11 about 6 foot or thereabouts.
- 12 A. 6-4.
- 13 Q. 6-4, but despite your height and build you felt it was
14 necessary to keep that distance between yourself and VC?
- 15 A. Initially I did, but then obviously as I was speaking to
16 him, obviously moved in a bit closer, didn't perceive
17 any major threats from him. I was aware obviously of
18 the allegation of an assault but he didn't seem to be
19 hostile or aggressive towards me whilst I was speaking
20 with him.
- 21 Q. How long, would you say, did you keep that fighting arc,
22 keep out of his fighting arc for?
- 23 A. Just for the initial minute or couple of minutes, just
24 while I was assessing him.
- 25 Q. Can we please turn then to the Incident Log. That's

34

- 1 Q. Is the Incident Log available to you when you're
2 attending a scene?
- 3 A. No.
- 4 Q. So you're unable to bring this up on any of your
5 systems.
- 6 A. We could have a laptop open or a phone, but I didn't
7 have the laptop with me, obviously just --
8 (*overspeaking*) -- it's on a red job so we've gone from
9 the station direct to the incident. There was no other
10 officers available to get to the incident, so --
- 11 Q. Just to clarify, because the Inquiry is very interested
12 in the availability of the information --
- 13 A. That's fine.
- 14 Q. -- this log is, it's available on your laptop --
- 15 A. It's on the system called SAFE. I can't remember now if
16 you accessed it via -- you could access it on your
17 laptops. I'm not sure if you could access it on your
18 work mobile phones as well.
- 19 Q. Is it possible you may have been access it on your
20 mobile phone?
- 21 A. A possibility but I can't remember if we could or not at
22 the time.
- 23 Q. We see there the reference there to the "caller not
24 wanting to say much ... [because] he's in the room". Is
25 that something that is common, in your experience, that

36

1 a victim of assault might not want to speak in front of
 2 the person?
 3 **A.** Yes, yeah.
 4 **Q.** Because -- why?
 5 **A.** Well, the -- they obviously didn't want to antagonise
 6 the person any further, I presume.
 7 **Q.** If we keep on scrolling down there, we can see at
 8 7.16 pm:
 9 "Still at grade 1 as in [the] same building".
 10 Grade 1 being an emergency call.
 11 **A.** Yes, 15-minute response, in effect.
 12 **Q.** Yes, "Calm at present but just attacked caller and
 13 caller went [quiet] ... [although it's spelt 'quite'] as
 14 he came in the room possibility of escalation quickly".
 15 Again, are you able to assist us with whether it's
 16 likely or unlikely that that kind of information would
 17 have been passed to you?
 18 **A.** So it's four years ago. I can't recall if I was told
 19 that or not. I remember being told the suspect was
 20 still at the scene and calm. That's what I remember
 21 being told.
 22 **Q.** So you remember the precise words that the suspect --
 23 **A.** -- (overspeaking) -- I think we just asked any updates
 24 from the job, is what we probably asked whilst we were
 25 travelling. Is there any updates, whilst we're

37

1 offence there to be considered of --
 2 **Q.** What offence?
 3 **A.** -- false imprisonment, and obviously it would have
 4 changed the necessity to arrest him at the time.
 5 **Q.** So in fact, looking at that now, you may well have, if
 6 you'd seen that at the time, considered the offence of
 7 false implement?
 8 **A.** Straight(?) yeah.
 9 **Q.** So when I managed hostage-taking earlier, it's not such
 10 a leap to false imprisonment, is it?
 11 **A.** Yeah, false, it's -- yeah, definitely.
 12 **Q.** Over the page, please, to page 3, the top entry there.
 13 7.22 pm, it says:
 14 "possible match on NICHE [for] ... name", gives VC's
 15 name, it gives his date of birth, it says: "04091991".
 16 Then it says, "no flags/warnings picture available."
 17 Then it says:
 18 "5 previous, latest being cps charging decision for
 19 assault whilst being detained under the M[ental]h[health]
 20 act".
 21 Is that something that you were aware of, the five
 22 previous?
 23 **A.** I remember with -- I checked him at the scene, being
 24 told he'd got one previous incident, which was the
 25 135 -- well, Mental Health Act, and that there'd been

39

1 travelling to the location.
 2 **Q.** Your specific recollection of that is that you were told
 3 that the individual was calm.
 4 **A.** I remember that part. So yeah, the suspect was calm.
 5 **Q.** But you don't recall being told that there was
 6 a possibility of quick escalation?
 7 **A.** No.
 8 **Q.** If we scroll down to 7.19 it says:
 9 "caller back on, flatmate who has assaulted him
 10 [VC's name is given], approx[imately] 30yrs old, is
 11 preventing caller and his friend from leaving -- caller
 12 was trying to get out to wait for officers, but can't."
 13 Again, are you able to assist us as to whether that
 14 information is information that is likely to have been
 15 passed to you?
 16 **A.** I don't recall being told that at all.
 17 **Q.** No. I mean that's a further call to 999 --
 18 **A.** Yes.
 19 **Q.** -- by the victim saying that they're not being allowed
 20 out of the accommodation. Looking at that now, is that
 21 important information for you to form a view prior to
 22 attending the address?
 23 **A.** Yes, of course it is. I mean when I read the Incident
 24 Log back after four years on the review for the Inquiry,
 25 I've already put in my statement that there's another

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1 a police assault, but there was no other information --
 2 the only other thing that was passed to me, he wasn't
 3 outstanding for any incidents, he wasn't wanted by
 4 police, and the actual assault on the officer, I didn't
 5 know it was at CPS, I was just told it was pending.
 6 **Q.** So we have there a reference to the five previous, it
 7 may be that that is a reference to incidents at Brook
 8 Court, an incident with somebody we know as Sebastian,
 9 and also the assault on the police officer, but you
 10 weren't aware at that stage --
 11 **A.** No.
 12 **Q.** -- that VC had five previous marks of some sort against
 13 his name?
 14 **A.** Yes, that's correct. I was only told about the one
 15 incident.
 16 **Q.** The one incident that you were told about, I think
 17 you've said in your witness statement that you were
 18 aware it was a detention whilst -- an assault that
 19 occurred whilst he was being detained under the Mental
 20 Health Act; is that correct?
 21 **A.** Yes, that's correct, yeah.
 22 **Q.** We heard evidence from PC Zacharia that he wasn't aware
 23 of the Mental Health Act element. Can you assist us to
 24 the best of your ability why it might be that he wasn't
 25 aware of that?

40

1 A. He might have been speaking to somebody at the time
 2 whilst I've got the update at the location. He might
 3 not have heard it on his radio.
 4 Q. Would you have received the same radio messages?
 5 A. Yes, they were passed over the channel.
 6 Q. Thank you. The next entry it says, "Caller negative PNC
 7 and NICHE"?
 8 So that is Christopher doesn't have anything
 9 recorded against his name. Were you aware of that?
 10 A. No.
 11 Q. Then the entry below, we have reference there, and we've
 12 seen this already, to:
 13 "Violent extremely violent officer assault without
 14 provocation."
 15 Now, you were aware of an assault on a police
 16 officer.
 17 A. That's all we were told. It was assault, marker for
 18 police assault and that was it.
 19 Q. So the reference there to "Violent extremely violent" is
 20 something you knew or is not something you knew?
 21 A. Didn't know. Didn't know that.
 22 Q. Because you've said -- you've talked to us about keeping
 23 the arc away from --
 24 A. That's just on all police assaults you do that and make
 25 your own general assessment. Obviously, you get a lot

41

1 about it, but whether the officer has received the
 2 points point directly, but from listening to Simon
 3 earlier, he's not received any of the calls. So it's
 4 potentially just been recorded by the Control Room staff
 5 on the Incident Log and they may have shouted it out,
 6 but we may not have heard it.
 7 Q. Because if you weren't actually seeing this in
 8 realtime --
 9 A. We'd -- (*overspeaking*) --
 10 Q. -- (*overspeaking*) -- seeing this log and it says "please
 11 note", presumably it was quite important for somebody,
 12 or somebody saw it as quite an important thing to draw
 13 to your attention?
 14 A. Yes, I was surprised when I saw it looking at it
 15 four years later on the log.
 16 Q. But you were aware, of course, that VC had a marker for
 17 assaulting a police officer?
 18 A. Yes.
 19 Q. Can you assist us with, in your experience, how common
 20 that kind of a marker is in respect of Nottingham
 21 University students?
 22 A. Er ... I mean, the number of police assault markers have
 23 gone up, certainly from when I was younger in service.
 24 You rarely had them because officers used to deal with
 25 things probably more robustly than they currently do.

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1 of warning markers put on suspects by officers for
 2 relatively minor assaults where someone has resisted
 3 arrest at some point, but then a violent marker has been
 4 put on. So you do your own general assessment as well
 5 of somebody whilst you're dealing with them.
 6 Q. So you were aware that there was a violence marker --
 7 A. Police assault marker, yes.
 8 Q. Yes. If we scroll over the page again, we've seen
 9 another reference to, on that page we see -- sorry, on
 10 page 5, please:
 11 "Extremely violent officer assault without
 12 provocation."
 13 Then an entry there:
 14 "Possible for male extremely violent please note."
 15 Now did you receive that information?
 16 A. No.
 17 Q. What do you see as going wrong there that you're
 18 attending the scene, somebody is writing on this log:
 19 "Extremely violent
 20 "Possible for male extremely violent please note"
 21 That hasn't been noted; what do you see as the
 22 reason for that?
 23 A. It may have been that a channel have passed it and we
 24 hadn't heard it at the location, or it may be that
 25 Control Room -- or I've not received the points point

42

1 And in terms of basically these days, there's a lot of
 2 markers that go on individuals by officers for
 3 relatively minor assaults and it's quite a common to
 4 find that a lot of people have police assault markers
 5 now where realistically they're low level assaults on
 6 officers, like a minor push or something like that,
 7 I wouldn't consider that particularly violent, but
 8 officers are including those now. So the number of
 9 obviously police assaults are going up and up and up,
 10 but realistically not a lot of force is used against the
 11 officers.
 12 Q. Your experience with Nottingham University students, how
 13 common is it to have an assault PC marker?
 14 A. I don't know, I suppose there are some that have markers
 15 because we generally deal with students that are quite
 16 drunk and disorderly and then may lash out at officers
 17 and you will see markers being placed on students, so
 18 ...
 19 Q. I mean, it's important for your evidence for you to give
 20 us some sort of idea as to how common it may be. You've
 21 been working in this job for 20 years --
 22 A. All I can say is there's a lot more number of police
 23 assault markers on people now than there were previously
 24 by the officers recording them.
 25 Q. In respect of the Nottingham University students, are

44

1 there a significant number of markers for assaulting
2 police officers in your experience?
3 **A.** Not in my experience, no.
4 **Q.** No. So we have here an older male, certainly at least
5 older than the students who were in the accommodation
6 with him. He has an assault PC marker. It isn't common
7 to see an assault PC marker in respect of Nottingham
8 University students. You were aware that he had been
9 detained under the Mental Health Act. You were aware
10 that there was an allegation that he had held a student
11 in a head lock and punched him.

12 You, yourself, when you first attended were keeping
13 some distance from this individual. In those
14 circumstances, do you think it was really appropriate to
15 simply leave him in the accommodation with the other
16 students on that evening?
17 **A.** Well, when I attended, obviously I've spoken to him, he
18 was compliant from the very start. He let us into the
19 building. We've gone in, I've taken him to the side
20 room across a large kitchen-lounge sort of area quite
21 a distance away from the victim where PC Zacharia would
22 have gone to engage. Then after a few minutes -- and I
23 can't remember exactly what we were discussing -- but
24 I wasn't threatened, didn't feel in fear, anything along
25 those lines. He wasn't presenting any sorts of signs of

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1 even have been discussed until after the incident had
2 been dealt with. You'd interview somebody first. You
3 wouldn't discuss any disposals. Restorative justice is
4 a disposal to a matter.
5 **Q.** But it sounds as though, from what you were saying, that
6 you were looking for some sort of apology on the night
7 rather than -- (*overspeaking*) --
8 **A.** No, that's what [VC] was after. I believe that's what
9 he was after, an apology for being called a dirty
10 bastard.
11 **Q.** So the person who was the suspect was after an apology?
12 **A.** Mm-hm.
13 **Q.** He didn't get an apology?
14 **A.** I think, obviously I've seen a lot of evidence coming
15 across various different sources, I think -- I believe
16 that's what the motivation was, to try to get an
17 apology. That's what the suspect wanted from the victim
18 was an apology for his actions -- (*overspeaking*) --
19 **Q.** You had spoken to VC, your colleague had spoken to the
20 victim --
21 **A.** Yes.
22 **Q.** -- and there was no apology forthcoming one way or
23 another?
24 **A.** No, so we've not requested any sort of apology or
25 handshakes I've seen from other evidence I've heard --

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1 mental unwellness to me so to say that I would need to
2 be concerned about that.

3 He'd -- and then I've had the update from the
4 officer that the victim's not sure or wants to make
5 a complaint at that time, so I've assessed it, looked at
6 it, and realistically, there were -- there's a number of
7 males in the accommodation, none were vulnerable, all
8 the rooms had separate locks on the doors. We'd already
9 been called out. Police advice had been given. [VC]
10 was compliant with that. I explained to him "Look, if
11 we do receive complaint, you will need to attend for an
12 interview at some point". He was quite happy with that
13 and he agreed.

14 My advice at the time was the trigger for the
15 incident was obviously after the victim called him
16 a dirty bastard to which he's then gone, "Oh do it
17 again". Called him a dirty bastard again. So he's got
18 him into the headlock which obviously has caused no
19 injuries that I'm aware of. It was more like trying to
20 get an apology out of the victim, I think, saying "look,
21 you know, don't say that again", but, you know, that's
22 the sort of level it seemed at the time. It was no
23 injuries caused.

24 **Q.** Is that what we know as restorative justice?

25 **A.** No, I-- I've seen that. Restorative justice wouldn't

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1 (*overspeaking*) --

2 **Q.** So your reference just now to an apology was what?
3 Where was that from?

4 **A.** I think that's from what I've seen in the victim's
5 evidence that's been presented.

6 **Q.** Because you heard that the victim referred to
7 restorative justice and it was his understanding that
8 he'd been told by officers on the night that that's what
9 should happen?

10 **A.** I've not discussed any restorative justice at the time.
11 It wouldn't have been appropriate to do that. You
12 wouldn't be looking at doing that at that point.

13 **Q.** You mentioned a few moments ago there were other
14 students in the accommodation. They all had locks on
15 their doors. Can you assist us with the relevance of
16 that?

17 **A.** Yeah, so in terms of what we're dealing with at the
18 time, it's somebody who's got no previous convictions.
19 Granted he'd obviously had a recent altercation with the
20 victim. There'd been nothing prior for the last
21 five months that I'd been told. He didn't -- wasn't
22 displaying any further threats or offering threats of
23 violence. There was no weapons being used.

24 So constantly sort of assessing the risk as it is,
25 do we need to arrest him now and deal with him, and at

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1 the time I believe, because of the way he was
 2 presenting, he was calm, compliant for the whole
 3 incident, words of advice I thought was sufficient at
 4 that time to make sure there'd be no further instances
 5 of him, you know, engaging with the victim or caused any
 6 further offences.

7 **Q.** It's the locks that I'm particularly interested in.
 8 That's something you mentioned --

9 **A.** Yes, so as I've walked in you can see them, and I know
 10 because I've attended a number of student accommodations
 11 over the years and obviously part of the fire safety and
 12 security, they have to have separate lockable premises.
 13 They're all fire doors as well, so they're thick,
 14 quality doors. So -- deals(?) with that.

15 So if there were any further issues, they've got
 16 a place of safety to get to, and to recontact the police
 17 should we need to come back out, and obviously that's
 18 the words of advice that was given, and he was obviously
 19 told at the time: "If we do re-attend, you are getting
 20 arrested."

21 **Q.** Can we please turn to NGPF0000071, please. Were you
 22 aware that VC had done that to a previous neighbour's
 23 door in May 2020?

24 **A.** No, not aware.

25 **Q.** Can we bring up NGPF0000090. Were you aware that VC had

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1 the laptop because it was disproportionate. Do you
 2 recall making any checks on a laptop that evening?

3 **A.** No, I didn't.

4 **Q.** Did you ask anybody for any detail of any previous
 5 incidents that VC may have been involved in?

6 **A.** I think obviously we're doing a PNC check. It brings
 7 back any previous criminal history that we'd need to be
 8 aware of, and obviously I was only told about the one
 9 incident. So no.

10 **Q.** We know that at this time, the CPS, the files with the
 11 CPS in respect of a charge for that assault of a police
 12 officer, might this incident have been relevant to that
 13 investigation?

14 **A.** Well, firstly I wasn't told the job was with CPS. I was
 15 told it was pending, and it was also -- I was also told
 16 I think it was five months prior. So that was, in my
 17 mind, something which if it's not been dealt with within
 18 five months, why? Realistically, particularly if it was
 19 police assault you normally get that matter dealt with
 20 quite quickly because you've got decent, good quality
 21 evidence at the time, and you expect for it to be
 22 charge-ready within a few months, certainly, or to be
 23 summonsed.

24 But, like I say, at the time it just said pending.
 25 I wasn't passed anything further to say, "With CPS".

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1 done that to another neighbour's door in May 2020?

2 **A.** No, not aware.

3 **Q.** Can we please bring up on to screen NGPF0000093. Were
 4 you aware that a female victim had to jump out of that
 5 window and injured her spine trying to get away from VC
 6 banging on her door?

7 **A.** No, not aware of that either.

8 **Q.** NGPF0000043, please. Were you aware of an assault by VC
 9 on a student flatmate in July 2021 that is summarised in
 10 this occurrence?

11 **A.** No, I wasn't aware of it.

12 **Q.** Right. Can we please go back, then, to NGPF0000054.
 13 Page 3, please. There's a reference there, as we saw,
 14 to the "5 previous", but you knew at least that VC had
 15 assaulted a police officer whilst being detained under
 16 the Mental Health Act. Did you ask for any additional
 17 checks to be carried out while you were at that address
 18 in relation to VC's previous matters?

19 **A.** So obviously I can't remember if I did it or not. So
 20 I can't recall that, if I did ask for further checks.
 21 I know I did a PNC check with him at the time to confirm
 22 his details. I can't remember if any further checks
 23 were done. I'm not going to speculate --

24 *(overspeaking)*

25 **Q.** PC Zacharia has told us that he didn't want to fire up

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1 **Q.** So not a serious matter?

2 **A.** Yes, in effect.

3 **Q.** Might, for example, a propensity to violence be relevant
 4 to that prosecution?

5 **A.** I think it would have been judged on its own merits,
 6 wouldn't it, the quality of the evidence of the job with
 7 the CPS. I don't think another incident would have made
 8 any difference to that investigation because it would
 9 already have been submitted.

10 **Q.** In your 20 years as a police officer, do you think that
 11 an incident such as this, where somebody is complaining
 12 of being strangled and hit, might be relevant to
 13 an incident where he had assaulted a police officer, and
 14 that was being investigated by the CPS or looked into by
 15 the CPS?

16 **A.** Particularly -- yeah -- both violence -- well, both use
 17 of force, aren't they, so it shows he is obviously
 18 willing to use force.

19 **Q.** How could you have had confidence, when you left that
 20 address, that there wouldn't have been a further
 21 assault?

22 **A.** I was completely satisfied that I didn't expect any
 23 further assaults. We wouldn't have left him there if
 24 I'd have thought there'd have been any further risk to
 25 the students.

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1 Q. Could we please bring up on the screen your witness
2 statement at page 5. That's the top of page 5,
3 paragraphs 20 and 21 and this is something that was
4 picked up with the previous officer. He wasn't taken to
5 these passages, but we can see here your evidence was
6 that you took VC to one side of the room --

7 A. Yes.

8 Q. -- and PC Zacharia went and spoke with the person who
9 had made the call to the police across the other side of
10 the room in private. So am I right to understand that
11 there weren't separate rooms? This was all in the same
12 room?

13 A. As I remember, it was quite a large sort of lounge,
14 kitchen-diner sort of area, it was quite a substantial
15 sized room realistically.

16 Q. You were on opposite sides of that room, but not in fact
17 in separate rooms at all.

18 A. Well, they're kitchen-lounge, aren't they, so one was
19 like a kitchen area, kitchenette area. It's semantics,
20 isn't it? It was a wide open room with a kitchen-lounge
21 area and a kitchen in it, so -- but far enough away that
22 they couldn't hear what was being said.

23 Q. Is it semantics because they could have seen each other
24 talking to the officers, couldn't they?

25 A. Well, they could have done. But we have to work with

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1 you see any issue with that complainant being -- giving
2 full details to the officer?

3 A. We couldn't hear what was being said between the other
4 parties. It was, in effect, private. We were quite
5 some distance away from them, as I remember it.

6 Q. Thinking about that, but also about the previous
7 incidents that I've just shown you on screen, the
8 damages to the door, et cetera --

9 A. So we weren't aware of that.

10 Q. Absolutely, and that's my very question. You were the
11 senior officer who was present. Was it, in your view,
12 a mistake not to have carried out a further
13 investigation while you were at the address that
14 evening?

15 A. Like I say, the Control Room told me about one incident,
16 so I didn't realise there were any other incidents to be
17 concerned with.

18 Q. Was it a mistake not to have carried out a little more
19 investigating that evening?

20 A. Well, if you don't know there's anything further to
21 investigate, then you wouldn't be asking.

22 Q. Well, you did know there was something, didn't you,
23 because you knew that an assault had taken place on a
24 police officer -- (*overspeaking*) --

25 A. I mean, the one incident and I was told that matter was

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1 what logistics we've got at the time, and realistically
2 you'd want to keep an eye on the other officer to make
3 sure they're safe, as well.

4 Q. Because you've just talked about rooms with locks and
5 things. You weren't in those separate rooms, you were
6 in the same room because you wanted two officers to be
7 near VC in case he kicked off; is that right?

8 A. Well, we always have a plan to keep an eye on each
9 other's safety, yes.

10 Q. We saw in the incident details that the caller, he went
11 quiet as VC came into the room, or as -- possibly as the
12 caller came into the room, the possibility of escalation
13 quickly. I'll just read to you. It says:

14 "Caller not wanting to say much now, now he is in
15 the room". (*As read*)

16 Can you see a difficulty there with both of them
17 being asked questions in the same room?

18 A. Yes, you have to work with what you've got and if the
19 police officers are there, they'll obviously deal with
20 anything in front of them, won't they? So there'd be no
21 reason not to be able to speak openly with the officers
22 there.

23 Q. Can you see a difficulty where you have a student in
24 a room with an older student, who has just attacked him,
25 who has previous issues with their mental health? Can

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1 pending, so I knew the update for that, it was pending.

2 Q. Looking back at it now and all the things that I've just
3 told you, do you think it was a mistake not to have
4 investigated those matters a little further?

5 A. Well, in terms of the matters that would be investigated
6 by another team who obviously put the file in to the CPS
7 we know now, but at the time it would still be in
8 pending, so I presume it was still being investigated by
9 -- (*overspeaking*) -- officers.

10 Q. We heard from PC Zacharia that he didn't fire up the
11 laptop. Looking back at what I've just been going
12 through with you, do you think it would have been better
13 to have fired up the laptop?

14 A. Oh, most definitely. I think we need to have a better
15 system to link our command and control system to our
16 intelligence system, so all these things wouldn't be
17 missed, and we'd been informed about them.

18 Q. We heard about radio calls on the night. Now, the
19 Inquiry can, and has the power to seek information about
20 how many calls were received on that particular evening.
21 In your recollection, to the best of your recollection,
22 was it an unusually busy night or not?

23 A. It was a busy night, yes. It was extremely busy. So
24 by -- I think this incident has come in just after 7.00
25 or not. There was no officers available on the whole of

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1 talk group 7. Everyone was at incidents. We had number
2 of prisoners who were being dealt with. Yes, so we were
3 extremely busy. The control was extremely busy as well,
4 and not just our area, I think other areas were busy, as
5 well.

6 So normally, if you're that busy on an area you can
7 have other areas to try and resource officers in, but
8 there was no availability of that happening. So it
9 wasn't just city and Radford, all areas were busy on
10 that night, it was a particularly busy night in the
11 Control Room.

12 **Q.** We've heard of busy periods, we've heard about a period
13 where lots of officers were looking into shoplifting
14 matters. On this evening, was it an unusually busy
15 evening?

16 **A.** It was extremely busy, yes. The phrase --

17 **Q.** Unusually busy?

18 **A.** Yes, the phrase normally is "the wheels come off"
19 because you're trying to just keep everything going. So
20 whilst you're at an incident you're still listening to
21 the radio, to other incidents that's occurring, and
22 obviously being sergeant on the area, you're trying to
23 keep an update as to all, you know, serious jobs that
24 are going on at the time as well.

25 Other officers are trying to get in contact with you

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1 had the victim come to the station, provide (*unclear*)
2 with a pocket notebook and then provide with an update
3 with that, and so I've just said, "Well just make sure
4 the University are aware" just to make sure if they can
5 be safeguarded, in effect.

6 **Q.** Were you sufficiently concerned about them at that stage
7 to ensure that they had been safeguarded against?

8 **A.** Well, realistically at the time, we were looking at
9 potentially carrying out a further investigation, but
10 now he's obviously not willing to provide any evidence,
11 obviously it limits the investigation that we can do.

12 So I wanted us to make sure that the University were
13 at least aware that there had been an issue and the
14 incident hadn't been missed so they could address it
15 themselves.

16 **Q.** PC Zacharia doesn't recall that conversation. It's not
17 documented anywhere. Do you think it may not have
18 happened?

19 **A.** No, I definitely told him.

20 **Q.** You definitely told him?

21 **A.** Yes.

22 **Q.** Because in your statement I think what do you say, you
23 say, "From memory I requested"?

24 **A.** Yes.

25 **Q.** Is there any reason why you used the words "from

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1 for advice, but obviously if I'm dealing with this

2 incident I've got to be dealing with this incident.

3 **Q.** Thank you. I'd like to move on to the topic of the
4 University and safeguarding. Can we bring on to screen
5 your witness statement at page 9, please, paragraph 47.
6 You've said there:

7 "From memory I requested PC Zacharia email the
8 Safeguarding Department of the university on
9 16 January 2022 to make them aware of the incident to
10 ensure they acted quickly to remove [VC] ... from the
11 property and to safeguard other students. However, I do
12 not appear to have documented that." (*As read*)

13 First of all, can you tell us: who are the
14 Safeguarding Department of the University?

15 **A.** So previously I've been in contact with the University
16 regarding other matters, and they've got a safeguarding
17 officer. So you can just email in to the University and
18 it'll get passed on to them.

19 **Q.** So a particular safeguarding officer?

20 **A.** Yes.

21 **Q.** Is that somebody who directly liaises with police? Do
22 you know their name?

23 **A.** I don't. I'm sorry. You can just email the University
24 to make them aware of, obviously, the issue. I think
25 I've written that down because I think Simon's come and

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1 memory"?

2 **A.** Yes, obviously it's an incident from over four years ago
3 and I remember it because of the pocket notebook entry
4 that he'd got and at that point I'd decided we're not
5 going to further the investigation. But realistically,
6 just to make sure it's not just left, I wanted to make
7 sure that the University were aware of it so they could
8 go and do whatever safeguarding needs they need to
9 address. I think it's because he put in his notebook
10 that he wanted him out of the apart -- out of the room
11 or something like that, out of the accommodation.

12 **Q.** Do you think PC Zacharia heard you and understood what
13 you were asking?

14 **A.** Yes.

15 **Q.** Are you able to assist us with why he couldn't recall
16 it? I know you can't speak for his memory.

17 **A.** I can't speak for his memory, no.

18 **Q.** How about other healthcare providers, for example? You
19 knew that VC had been in trouble assaulting a police
20 officer whilst executing a Mental Health Act warrant.
21 Did you have any conversations with PC Zacharia or did
22 you take any steps yourself regarding notification to
23 mental health authorities of any sort?

24 **A.** So I, whilst speaking to him, didn't have a major
25 concern about his mental health at that time, but I did

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1 say, because obviously I think the victim had raised or
 2 Simon had told me that there was a comment about his
 3 mental health, I said, "Well, address that with him, if
 4 he needs any support, obviously we do need consent to
 5 share details to other agencies unless it was
 6 directly -- if in terms of his treatment or we've got
 7 concerns about that."
 8 **Q.** So you told PC Zacharia to address VC's mental health
 9 issues with VC?
 10 **A.** I think he was going to update him and have a phone call
 11 with him, yes, to see if he needed any support off the
 12 services.
 13 **Q.** Sorry, can you say that again?
 14 **A.** Yes, so I've asked him to -- obviously once we're given
 15 the update -- speak with VC just to see if any further
 16 support would be needed regarding the comments about
 17 mental health.
 18 **Q.** Are you aware of the kind of training that PC Zacharia
 19 might have to address those kinds of issues?
 20 **A.** We have basic mental health within the force training.
 21 That's to recognise at incidents, but obviously we can
 22 ask "Do you need to speak to your doctor? Is there
 23 anything we can do to assist you? Do you feel like
 24 you're suffering with your mental health at the moment?"
 25 And I think obviously he's put the phone down and

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1 **Q.** Do you know how to contact the Triage Team?
 2 **A.** Through the Control Room.
 3 **Q.** Yes. Looking back, do you think that the University and
 4 the Triage Team should have been told about this
 5 incident?
 6 **A.** Well, there wasn't any direct mental health issue to
 7 hand at the time to be concerned about his mental
 8 health. It was a report of an assault which caused no
 9 injuries. So it doesn't automatically jump to
 10 requesting the triage car. We'd need to have valid
 11 concerns for that so ...
 12 **Q.** Yes.
 13 **A.** So obviously it wasn't requested or if we had requested
 14 it, it's not been updated on the log.
 15 **Q.** How about the University; do you think the University
 16 should have been told about this?
 17 **A.** This was why I asked Simon to email them.
 18 **Q.** Yes. You've said in your witness statement, it's
 19 paragraph 48, that you didn't believe that VC was
 20 acutely mentally unwell. Can you assist us with that?
 21 Is that a test that you're trained on?
 22 **A.** So, ultimately, if someone has mental illness, they
 23 general carry mental illness with them for a long
 24 period. But if you're acutely mentally unwell that
 25 means you need the triage car to come and assess for

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1 refused to engage. At that point, we had limited
 2 information to take any further.
 3 **Q.** Would that cause you any concern, the fact that he had
 4 put the phone down?
 5 **A.** Obviously he's not engaged, has he? So if we had no
 6 major concerns about his mental health at that time, we
 7 can't do very much further than that.
 8 **Q.** Might the failure to engage itself be suggestive of some
 9 sort of issue with his mental health?
 10 **A.** Not realistically, no.
 11 **Q.** Did you know about the triage team?
 12 **A.** Yes.
 13 **Q.** Did you talk to them at all?
 14 **A.** I can't recall if we did or not.
 15 **Q.** Do you think it's likely that you talked to the triage
 16 team?
 17 **A.** I'd probably have remembered if we had. I may have
 18 requested it, but I can't remember. It was four years
 19 ago.
 20 **Q.** Would there be a note if you had requested it?
 21 **A.** If it had have been, it would have been requested to the
 22 Control Room, so they would have logged it on the
 23 Incident Log.
 24 **Q.** Do we find it on the Incident Log?
 25 **A.** No.

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1 that sort of thing.
 2 **Q.** So looking at what's written there in paragraph 48 and
 3 your evidence to me a few minutes ago, is it actually
 4 unlikely that you called the triage team?
 5 **A.** I may have checked to see if they're available, because
 6 you don't just have to have them come to an incident,
 7 you can always ask them to check for further information
 8 on a different system called RIO, but I can't remember
 9 if we did that or not. So we don't always have to have
 10 them come to the location, but they can offer advice if
 11 needed.
 12 **Q.** Are we to read into paragraph 48, it's not simply that
 13 you didn't refer him or didn't make further enquiries;
 14 it's that you didn't complete any sort of formal
 15 referral?
 16 **A.** Like I say, obviously from there, I didn't complete any
 17 (*unclear*) because he was not appearing to be mentally
 18 unwell.
 19 **MR BLAKE:** Thank you.
 20 Chair, that might be an appropriate moment to take
 21 our afternoon break.
 22 **THE CHAIR:** Yes. All right. Well, we'll take a break until
 23 quarter to four. Thank you.
 24 (3.29 pm)

(A short break)

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1 (3.44 pm)

2 **MR BLAKE:** Thank you. Can we please bring on to screen
3 NGPF0000055, page 9.
4 We're going to back to the Occurrence Log and this
5 is where the matter has been marked for no further
6 action. We can see your name there on 23 January 2022;
7 is that correct?

8 **A.** Yes, it is.

9 **Q.** Yes, we see "NFA, victim does no longer support police
10 action".

11 If we scroll down we can see a *pro forma* that's
12 complete for August 16, "Victim Declines/Withdraws
13 Support".

14 Now it says there:

15 "Has the OIC submitted their investigation template?"

16 "Yes."

17 The second question:

18 "Is there sufficient information in the record to
19 show the named suspect was responsible for the offence?"

20 The answer there is "yes", and you've given VC's
21 name. Are we to read into that that it's your belief
22 that there was sufficient information that VC was
23 responsible for an offence?

24 **A.** Yes, I believe there was.

25 **Q.** A couple of questions down it says:

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1 footage? It's probably not registered on here but it
2 would be a line of inquiry to try and get the footage if
3 it's available.

4 **Q.** We've heard a lot of evidence today about people not
5 recalling conversations from so many years ago. How on
6 earth is it that you recall a specific conversation
7 about obtaining the video footage?

8 **A.** Because you could always -- with mobile footage, then
9 you potentially would have been able to further the
10 investigation without the victim, if you'd have thought
11 there was such a risk, and that's what I'd have asked
12 for. If that footage was there, we could have
13 potentially prosecuted without the victim, if it needed
14 to be done.

15 **Q.** Absolutely, so you could have gone ahead with the video
16 footage --

17 **A.** If we have something, yes.

18 **Q.** -- and you are reading from this, because the matter
19 isn't proceeding, that there was no footage that was
20 provided?

21 **A.** Yes. We had no footage on our systems, and I've spoke
22 to the officer. He's said we haven't got any mobile
23 phone footage.

24 **Q.** So you remember a specific conversation with the officer
25 about mobile phone footage?

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1 "Considering the seriousness of the offence and the
2 vulnerability of the victim have all the relevant
3 enquiries, investigations and safeguarding been
4 explored, including submission of any relevant PPN?"

5 Had any further investigations taken place?

6 **A.** No, there hadn't.

7 **Q.** Looking at what we've already looked at today, could
8 there have been further investigations that should have
9 taken place?

10 **A.** We could have spoken to the witnesses to try to obtain
11 statements, but obviously as the victim had declined to
12 give any evidence whatsoever or provide any footage,
13 I've decided to move the investigation and close it at
14 that point.

15 **Q.** Were you aware of a specific request being made to the
16 victim to provide footage, and that specific request
17 being refused?

18 **A.** Well, the officer has told me he's refused to provide
19 any mobile footage. Because it's mentioned on the
20 incident, I was aware of there's some footage but we've
21 not actually had it provided to us.

22 **Q.** Where in this Occurrence Log do we see any mention of
23 the victim refusing to provide it?

24 **A.** He's -- it just says -- I presume it's a verbal
25 conversation of (*unclear*) Simon says had we provided any

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1 **A.** If it would have been asked for, yes.

2 **Q.** It would have been asked; was it asked or not? Do you
3 remember a conversation where that took place?

4 **A.** Yes, because I would have asked if there's mobile had --
5 (*overspeaking*) --

6 **Q.** You said "would" again, do you remember a conversation
7 where you sought to find out whether there was footage
8 and whether it would have been asked for?

9 **A.** Yes, I would have asked for it because there's mention
10 of mobile footage on the occurrence logs, I would have
11 asked: "do we have that footage?"

12 **Q.** Do you remember that specific conversation, or are you
13 just assuming that that is what you would have asked
14 for?

15 **A.** I remember asking if we did have any footage available
16 from the victim and I was told "no, nothing has been
17 provided".

18 **Q.** Did you make any inquiries as to whether anything had
19 been sought rather than simply not provided?

20 **A.** The officer told me that he'd not provided any mobile
21 phone footage.

22 **Q.** Did you ask whether any had been sought?

23 **A.** Well -- (*overspeaking*) --

24 **Q.** There is a difference between mobile footage being --
25 (*overspeaking*) --

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1 A. I see what you're saying and I presume as an officer he
2 would have requested that footage. You'd have to ask --
3 *(overspeaking)* --

4 Q. This is again a presumption --

5 A. You'd have to ask the officer on that. I'd have asked
6 for it from him.

7 Q. Did you have a conversation where you asked the officer
8 whether the information had been sought from the victim?

9 A. I don't recall that. I would have asked for: "have we
10 got the mobile phone footage to review?"

11 Q. So you wouldn't know one way or another whether it had
12 been sought, if you were asking whether it was held?
13 They are different things, aren't they?

14 A. Yes, they are.

15 Q. If we go down:
16 "Rationale for closing the offence, victim unwilling
17 to provide [a statement]."
18 Just above that actually:
19 "Has the suspect been interviewed/arrested regarding
20 the offence?
21 "No."
22 Looking back, do you think VC could have been
23 interviewed?

24 A. Without the -- there's always a potential to interview
25 somebody, but no evidence has been offered. So you've

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1 account was taken from VC? In respect of his actions
2 that night?

3 A. No, we would have taken that, an interview, had we
4 proceeded with matters, if we had got a complaint.

5 Q. Please go to NGPF0007922, please. This is the
6 Nottinghamshire Police Recorded Crimes Outcome
7 Procedures.
8 Is this a document you're familiar with?

9 A. I've seen it, yes.

10 Q. Are you trained in it?

11 A. I'd have read through it. And I've been sent it further
12 to review prior to the Inquiry, so I have looked at it
13 since.

14 Q. Can we please turn to page 26:
15 "Outcome 16 - Evidential Difficulties Victim based -
16 Named Suspect identified ...
17 "Before applying this outcome, Sergeants [not
18 constables, but sergeants] must intrusively enquire into
19 the victim's reasons for not supporting, or withdrawing
20 their support from, the police action and make an
21 auditable record of the reasons in the outcome template.
22 "Sergeants must be satisfied that all viable and
23 proportionate lines of investigation have been
24 exhausted, together with options to keep the victim
25 engaged with the [criminal justice] process, and the

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1 got to consider capacity, what your officers are
2 investigating, we're dealing with a high number of cases
3 on a number of victims, as this victim was not willing
4 to engage or provide anything, I've moved the officer on
5 to other investigations. So I've closed the incident at
6 that knowing that the victim didn't want to proceed or
7 provide any further information to us.

8 Q. Was it feasible that you could have interviewed VC?

9 A. It's always feasible, but whether it's proportionate to
10 do that when you know there's no complaint coming and
11 there's no wider concerns ...

12 Q. The information that you had received from VC at the
13 scene was that it was him that wanted an apology,
14 despite the fact that you had been called to the
15 incident because the victim had been put in a headlock
16 and had been punched. Was that all the information you
17 had about the incident from VC himself?

18 A. No, that's the closing for the whole incident. So
19 that's the information the officer would have put on and
20 advised me on as within.

21 Q. What explanation did you have from VC as to what
22 occurred on the night?

23 A. I can't recall the exact conversation I had with him on
24 the night.

25 Q. Is there anything in the log that suggests that an

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1 possibility of conducting an evidential prosecution."
2 Do you think that you intrusively inquired into the
3 victim's reasons in this case?

4 A. I think he'd stated in the pocket notebook that he
5 wasn't wanting to proceed with the complaint and purely
6 wanted him to be moved out of the accommodation, which
7 is why I'd requested an email to go to the University to
8 make them aware of it, to address that.

9 Q. Did you, in your view, intrusively inquire? You
10 personally didn't speak to Chris, did you?

11 A. I didn't, no.

12 Q. We, at this stage, don't have any video footage despite
13 the fact that you knew from the evening that there was
14 video footage.
15 You hadn't taken any statements from any other
16 individuals. We know that there were more than just VC
17 and the victim in the apartment at the time. You
18 hadn't, for example, made any -- had any discussion with
19 the investigators in respect of the previous incident,
20 the assault on the police officer. Looking back, do you
21 think you were too quick to close this investigation?

22 A. I've made the decision at the time based on the
23 information that we've got, and realistically you can
24 always go back and review something again.

25 Q. That's why we're here, because we're in a public

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1 inquiry --

2 **A.** And I understand that.

3 **Q.** -- can I ask you, please, to review it again and to tell

4 me whether you think, looking back at it, that you were

5 too quick to close this particular case?

6 **A.** I think, given the nature of current policing, we're in

7 a constant, I suppose, it's a workload to try to get

8 through what we can. Whether I was too quick to close

9 it is a matter for you to decide, isn't it?

10 **Q.** You were directly involved in this matter. Knowing now

11 what we've discussed, having seen those photos of

12 further incidents, knowing all the detail that you know

13 now --

14 **A.** Without the victim giving a statement there's no

15 realistic prospect of conviction on that, on the no

16 video footage -- he had the opportunity to provide

17 that --

18 **Q.** There was video footage though, wasn't there? We have

19 seen the video --

20 **A.** He did not provide that footage, despite that it would

21 have been requested. So I'm aware of that. Like I say,

22 no realistic prospect of conviction without it. So at

23 the time I'd taken the decision to file the matter at

24 that point.

25 **Q.** And today?

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1 **A.** Yes.

2 **Q.** Was there a reason why you left out a reference to the

3 offence of false imprisonment in paragraph 56?

4 **A.** No, I've just put "Other offences", so it would have

5 been -- false imprisonment would have been --

6 **Q.** Just so I'm clear then, with the reference to "other

7 offences" you have confirmed now one of those is false

8 imprisonment. Is there any other specific offence

9 you're thinking of in your paragraph 56?

10 **A.** No, just that and the assault which I've(?) been made

11 aware of.

12 **Q.** Can we then, please, move to your paragraph 54, because

13 in the context of what's been explored with you, and

14 what you didn't know but what was available on police

15 systems and to control, you say this following:

16 "I've been asked to set out relevant policies

17 procedures. My response is that during my role in this

18 incident I used the National Decision-making Model."

19 *(As read)*

20 You then say that:

21 "The National Decision-making Model was used to

22 govern our actions at the scene and the crime recorded

23 accordingly in line with the National Crime Recording

24 Standard ..."

25 I just want to look with you please at the NDM or

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1 **A.** *(Pause)* Having known further information, it still

2 wouldn't have changed the fact that he's not provided

3 the footage or a statement.

4 **MR BLAKE:** Chair, I don't have any further questions.

5 Ms Cartwright has.

Questioned by MS CARTWRIGHT

7 **MS CARTWRIGHT:** Good afternoon, Officer Faulkner. Can we

8 have displayed please your witness statement. It's

9 WITN0402001, at page 11, paragraph 55, please. Thank

10 you. So page 11, paragraph 55.

11 In this witness statement here you're setting out at

12 paragraph 55 your concerns, and if we go over the page,

13 at page 56, this essentially I think fits with what you

14 said at the outset. You said this:

15 "I don't recall being informed of ..."

16 First of all, if we look above, that Christopher was

17 being prevented from leaving the address, and also you

18 weren't aware that VC had a marker for extremely

19 violent, and you say "Had we been made aware or informed

20 by Control" you would have considered other offences had

21 been committed and changed the necessity to arrest.

22 Now you don't expressly detail in paragraph 56 what

23 those other offences are. But I think in opening your

24 evidence today, you have said that that would have been

25 false imprisonment; would you agree?

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1 National Decision Model, your HOMF0000051, please.

2 Thank you.

3 If we can just move through, I'm not going to go

4 through all of the aspects of it. It will no doubt be

5 a matter we come back to, but can we move essentially to

6 almost the wheel at page 3 of what's required. Would

7 you agree that the whole purpose of the National

8 Decision Making is to inform decision-making which

9 includes firstly you have to gather information

10 intelligence, assess threat and risk to develop

11 a working strategy, and you yourself have said that you

12 were applying the NDM in respect of your attendance to

13 this incident with Christopher; would you agree?

14 **A.** Yes.

15 **Q.** Would you agree, first of all, that your application of

16 the MDA *(sic)* was wholly inadequate because you hadn't

17 even considered the information that Christopher, the

18 caller, had provided on the two 999 calls. Your

19 evidence is that you were completely unaware that he had

20 been prevented from leaving by VC when he was trying to

21 get outside to wait for the police to attend; would you

22 agree?

23 **A.** I've not been provided with that information, no.

24 **Q.** No, but again, with what was available to the police

25 that night, and to do an appropriate MDMA assessment and

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1 assessment of threat and risk, it's significant that you
2 completely omitted to consider information that was on
3 police systems and that Christopher had shared with the
4 police; would you agree?

5 **A.** I'd assume that the Control Room would be telling us
6 vital information that we'd need to know in order to
7 investigate the matter whilst at the scene.

8 **Q.** That's the difficulty we have, because we can see it on
9 the log, but your evidence is it wasn't proportionate
10 for you and your colleague to turn on a laptop to at
11 least even check what was on that information and
12 intelligence on the very Incident Log that this
13 complainant had rung in on two occasions to the police?

14 **A.** I'd have expected that to have been passed to us from
15 the Control Room if that was the case.

16 **Q.** So then, if we then -- so you're saying your inability
17 to properly apply the MDM in this incident was due to
18 a failure in the control room -- (*overspeaking*) --

19 **A.** -- you could apply the MDM with information you're
20 given.

21 **Q.** All right. Is there no obligation on you if you -- if
22 there's an issue with the Control Room, with you
23 checking the very Incident Log to ensure that you're
24 properly considering all relevant information?

25 **A.** Officers don't routinely check the incident logs whilst

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1 search police systems for those other matters?

2 **A.** I'm slightly confused by the question.

3 **Q.** Well, the question is, the log references that there are
4 five previous incidents involving VC -- well, perhaps
5 let's look at it in the context of a threat and risk
6 statement. We can see that the next part of the NDM is
7 to assess that threat of risk to enable that you arrive
8 at a working strategy. If you can keep moving down,
9 please, the questions you have to ask yourself is: do
10 I need to take action immediately? Do I need to seek
11 more information? What could go wrong? What is causing
12 the situation? How probable is the risk of harm? How
13 serious would it be? Is that level of risk acceptable?
14 Do I need to take -- is that situation for the police
15 alone to deal with it? Am I the appropriate person to
16 deal with this? What am I trying to achieve? Will my
17 action resolve this situation?

18 So would you agree that for there to be a proper
19 threat and risk assessment before you left Christopher,
20 and his colleagues in that flat with VC, there was
21 relevant information as to threat and risk and, as
22 Mr Blake has gone through with you, that was highly
23 relevant to the working strategy you were applying that
24 night?

25 **A.** Yes, like say, I considered whilst at the incident

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1 out on at incident. It's not something that happens.

2 **Q.** Right. Well, then let's look over the page then,
3 please. I'm going to, if we can just move through, I'm
4 not going to deal with -- I want to -- if we can keep
5 moving through, please. Thank you. So we can see there
6 component to gather information and intelligence, and if
7 you go over the page, in assessing that, the next page,
8 please, the questions that you have to ask yourself is:
9 what is happening? What do I know so far? What do
10 I not know? What further information do I want/need at
11 this moment?

12 Would you agree that applying that you had not got
13 all the relevant information that was available to
14 Nottingham Police when you attended that scene?

15 **A.** No.

16 **Q.** Because I think your evidence is, had you been aware of
17 the second telephone call, you would have been
18 considering immediately arresting VC for false
19 imprisonment; is that correct?

20 **A.** Yes.

21 **Q.** Now, the other thing, would you agree, that's
22 significant, you say you weren't aware of the five
23 previous incidents which we also see on the log? Would
24 you also agree that had you been made aware of that,
25 that would have caused you to turn on the laptop and

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1 dealing with him, VC, he was compliant, there was a
2 number of students at the property. There was no
3 injuries caused by the assault. We'd not been told by
4 the victim about being falsely imprisoned. He didn't
5 seem any undue distress. He wasn't engaging with the
6 officer. They all had rooms with lockable doors, there
7 was a number of them there. No further threats had been
8 offered. And looking at the Incident Log at the start
9 of the incident, it's just got "VC has been calm
10 throughout the whole incident prior to us attending and
11 whilst in attendance as well".

12 So they were the factors I was considering,
13 obviously, and obviously giving him the advice about the
14 necessity, if we were called back, he would be arrested.
15 He took that advice on board, and the victims were
16 advised accordingly as well to call if there was any
17 further issues.

18 **Q.** But you say if you were called back, but at that stage
19 you hadn't even been made aware that the victim had
20 called back a second time which --

21 **A.** We weren't aware, I'm saying, from when we left to leave
22 at that point, if we were then called back again, but we
23 weren't aware about that second call at that point.

24 **Q.** But again, would you agree, in terms of information that
25 was available on police systems --

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- 1 A. It's only if we knew about it, and we didn't.
 2 Q. Well, control knew about it.
 3 A. They did and that's the point. We didn't know about it.
 4 Q. Again, in terms of information available to the
 5 Nottingham Police that they didn't tell you about, would
 6 you agree, had you been made aware of that, your threat
 7 and risk assessment of this incident would have been
 8 completely different?
 9 A. It would have been completely different and I've already
 10 put that in the statement and, as I've said earlier,
 11 there's an issue with our command and control system not
 12 passing on -- or our intelligence system not linking
 13 properly like (*unclear*) control system to let officers
 14 know the vital information.
 15 As far as I was aware, there was only one incident
 16 involving VC prior, and attending the incident, I think
 17 the VCAR was negative on the address, and we were told,
 18 the officers were told this was the first incident
 19 they'd had between each other. So it was an isolated
 20 incident, in effect, is what we believed it to be.
 21 Q. Right. So what you've just described about this
 22 systemic issue around communication from control, was
 23 that known at that time in 2022 that there was this
 24 issue of relaying the accurate information to you
 25 Response Officers?

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- 1 Q. So you were covering two police stations.
 2 A. Two stations.
 3 Q. Obviously we can look at the job number, 0599, so almost
 4 the 600th job of the day, that's one indicator of
 5 demand, but is another indicator of demand the number of
 6 available officers?
 7 A. Yes, so you have a capacity issue if we don't have
 8 enough officers on duty, and obviously already by
 9 7 o'clock there was 600 incidents already by that time.
 10 So yes, by 7 o'clock, there was no one else available to
 11 go to any other incidents. They were all committed.
 12 Q. How unusual is it for a response sergeant to have to
 13 leave the police station?
 14 A. It depends on the incident. So any major incidents
 15 coming in, death, suicides, anything along those lines,
 16 a sergeant would be expected to attend as part of
 17 policy.
 18 Q. But for an incident of this level --
 19 A. For an incident reported initially as an assault, then
 20 no, it would really be officers to attend, PCs.
 21 Q. So what does it tell the Chair that you had to leave the
 22 station?
 23 A. There was no officers left available and obviously we
 24 needed two officers to attend the incident.
 25 Q. Now, as has been pointed out to you by the previous two

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- 1 A. It's always been an issue with officers not receiving
 2 information at jobs. It doesn't automatically -- we
 3 need a system put in place whereby our command and
 4 control system links directly to all other instances,
 5 not just PNC which has all previous convictions and
 6 disposals, but anything relevant potentially that we
 7 might be able to feed into officers so they are fully
 8 aware of the full circumstances as to what they've got
 9 in front of them.
 10 Q. Just my last question on this, there is a search system
 11 though, isn't there, called Genie that allows you to
 12 search across all the police systems?
 13 A. I don't know if that's used in Nottinghamshire Police.
 14 Q. All right. Thank you for answering my questions.
 15 **THE CHAIR:** Mr Beggs.
 16 **Questioned by MR BEGGS**
 17 **MR BEGGS:** Sergeant, first of all, on the evening in
 18 question, was your designated police station City
 19 Centre?
 20 A. Yes, it was.
 21 Q. But were you also in fact also covering a second police
 22 station?
 23 A. Yes. The sergeant for the area wasn't available on the
 24 night. I can't remember what the reason why not. So
 25 I then have to default to cover that station as well.

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- 1 barristers, the false imprisonment report, and indeed
 2 the second 999 call report, did not get into your ears
 3 for whatever reason. I'll explore the possibilities.
 4 Are these the reasons: either they weren't
 5 transmitted, that's one reason; or they were transmitted
 6 and you didn't hear, yes?
 7 A. Yeah, that's possible.
 8 Q. Or they were transmitted, you did hear, but didn't
 9 register it because you're on blues and twos.
 10 A. Could be that as well.
 11 Q. So there's at least three reasons we can think of. How
 12 often, in your now 23-years' experience, do you suppose
 13 that happens where officers don't pick up for any of
 14 those three reasons -- when responding to an emergency,
 15 don't pick up some relevant information?
 16 A. It's quite frequent, I imagine. There's a number of
 17 different officers attending a number of different jobs.
 18 The controller have got a very difficult job passing
 19 information from a number of different jobs to a number
 20 of different officers, so things will be missed.
 21 Q. To assist the learned Chair, can you think of any
 22 practical solutions to ensure that important information
 23 doesn't get lost, whether in broadcast or for any other
 24 reason, the emergency of the situation? Can you think
 25 of any practical solutions?

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1 A. Point-to-point, the officers directly to their radio --
 2 Q. Pause there. Would that require the Control Room to
 3 have the time to do that?
 4 A. Yes. It's easier and quicker for them to just put it at
 5 cross channel.
 6 Q. Yes. Because it's less effort on their part.
 7 A. Yes, and if they're very busy they'll do what obviously
 8 what we all do: they'll deal with capacity as best they
 9 can.
 10 Q. Can you give the Chair a sense of how often, on a 999
 11 call, grade 1, how often would the response officers, to
 12 use my learned friend's language, fire up the laptop on
 13 the way?
 14 A. Personally, obviously I --
 15 Q. You couldn't because you were driving.
 16 A. I couldn't because I was driving. Generally an officer
 17 may have their laptop open to review and see what's on
 18 the log, because obviously they're aware that not
 19 everything can be passed over by the Control Room or
 20 certain things can be missed.
 21 Q. So it can be done.
 22 A. Yes.
 23 Q. Can I turn to a different subject. Just before I do, of
 24 course, if you get to the scene and then look on the
 25 laptop, doesn't it follow that you are slowing down your

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1 you just do it?
 2 A. Yes.
 3 Q. Now, so far as VC's deportment, you understand that
 4 word, to you, he was courteous?
 5 A. Yes, he was.
 6 Q. Compliant?
 7 A. Yes.
 8 Q. In no way aggressive?
 9 A. No.
 10 Q. Such that the initial fighting arc became less important
 11 to you?
 12 A. Yes.
 13 Q. Had you telephoned or tried to telephone or radioed for
 14 the street triage car at about 7.30 on a Saturday night
 15 with someone that is courteous, compliant,
 16 non-aggressive, do you suppose the street triage car
 17 could have given you the service?
 18 A. They wouldn't have attended something like that.
 19 Q. They wouldn't have?
 20 A. No, they'd be attending incidents whereby people are
 21 actively trying to harm themselves, so suicide jobs and
 22 things of that nature.
 23 Q. Given how you have described VC and what you knew,
 24 rightly or wrongly what you knew, was there any lawful
 25 basis for arresting him in the kitchen-diner?

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1 response to the scene itself?
 2 A. Yes, of course.
 3 Q. So there's always a balance between getting the
 4 information from the laptop and getting to the scene.
 5 A. That's correct.
 6 Q. If you arrive a few seconds late to the scene, that may
 7 be too late.
 8 A. It could be.
 9 Q. There was, it seems to us, some implied criticism of you
 10 that you and your colleague were in the same large
 11 kitchen-diner speaking to the suspect and the
 12 complainant. Do you remember that criticism?
 13 A. Yes.
 14 Q. Would it be consistent with your training for two
 15 officers attending the scene, as we've been reminded so
 16 many times, of an extremely violent man to separate
 17 themselves so they lost line of sight?
 18 A. No, and I've explained that. You'd obviously keep eye
 19 contact with your colleague to make sure they're safe as
 20 well.
 21 Q. Is that common sense to a long-serving officer like you?
 22 A. It should be, because you have obviously got to make
 23 sure your colleagues are safe whilst you're dealing with
 24 an incident.
 25 Q. Is that muscle memory: you don't have to think about it,

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1 A. Not at that time.
 2 Q. We all know what the eventual outcome of this history
 3 was, but at the time, January of 2022, were strong words
 4 of advice by PC Zacharia to VC appropriate, in your
 5 mind?
 6 A. Yes, he obviously needed telling, his behaviour wasn't
 7 acceptable.
 8 Q. That was your judgement at the time with almost exactly
 9 19-years of frontline experience?
 10 A. Yes.
 11 Q. At the time, 15 January 2022, did you know that VC
 12 suffered from paranoid schizophrenia?
 13 A. I did not.
 14 Q. Had you known that, might you have done something
 15 differently?
 16 A. Not with the available evidence we had at the time, and
 17 his behaviour, just because you've got paranoid
 18 schizophrenia, doesn't mean you're ... going to be
 19 violent, so to say, the whole time. I've dealt with him
 20 on the evening. There's always, I suppose, an
 21 (*unclear*). That's why I've asked of the officer: look,
 22 does he need any further -- obviously we have the
 23 incident we are aware of -- does he need any support for
 24 mental health? To which, I believe, he's put the phone
 25 down on him.

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1 Q. The suggestion that there was discussion about
2 restorative justice, do you consider that likely, on
3 what you know about restorative justice?
4 A. No, it wouldn't have been discussed at that point.
5 Q. It is, we know, nowhere on the occurrence record; do you
6 agree?
7 A. Yeah, I agree with that.
8 Q. Can I look forward to improvements for a moment, because
9 you're 23 years in. Since these terrible events, has
10 Nottinghamshire Police promoted Operation Catalyst?
11 A. Yes, it certainly has.
12 Q. In a sentence, please, could you tell the Chair what
13 that operation seeks to achieve?
14 A. So improve investigation standards across the force,
15 training of officers, so they're fully aware so that
16 they investigate better, improve outcome for victims,
17 better updates, supervisor updates to go on within
18 24 hours and to be reviewed every 28 days, so there's
19 better management of all crimes on the force, a better
20 standard of investigation.
21 Q. How long, approximately, has it been operated for?
22 A. It's been in a couple of years now.
23 Q. In your estimation, tell the chair, has it made any
24 difference?
25 A. Well, since it's come in, I've been moved into custody

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1 Q. Yes. Thank you, Officer. There may be some more
2 questions.
3 **Questioned by THE CHAIR**
4 **THE CHAIR:** Thank you. Yes, you've been asked about the
5 advice and the strong advice that would have been given
6 to VC, and just to look at paragraph 26 of your
7 statement, if we can just get that up. It's
8 WITN0402001. That's it. If we can look at
9 paragraph 26. You see what you've done there is warned
10 him that he wasn't to speak to the victim again. They
11 were living in the same flat; was that realistic?
12 A. I understand that, Chair. Obviously, in the short term,
13 it's feasible, obviously not long term.
14 **THE CHAIR:** Did you give him any other advice? Apart from
15 attending or possibly attending -- (*overspeaking*) --
16 A. Yes, advised him on potentially for coming in for an
17 interview. Obviously the voluntary interview process,
18 which he agreed, if we needed to go down that stage.
19 **THE CHAIR:** Yes. You've told us today that you would have
20 asked the officer about the body-worn video -- sorry,
21 yes, the video that was taken on the phone. Did you
22 know about that at the scene when you attended?
23 A. I believe mobile footage was mentioned.
24 **THE CHAIR:** Why did you not ask to see it, you're the senior
25 officer there.

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1 so I don't actively manage investigations currently.
2 But I know from reviewing a number of incidents that
3 have come in, that there are more supervisor updates,
4 there's obviously a closer management of the officers
5 that are out on the streets.
6 Q. Is the increase in supervisor intrusion, is that a good
7 or a bad thing?
8 A. It's a good thing. It's making sure that their officers
9 are getting the enquiries done in a timely fashion,
10 firstly. And also looking at the evidential base to
11 make sure we're not missing anything, is what we've
12 moved to.
13 Q. Just one last thing. Why have you moved into custody?
14 A. Well, I've moved into custody partly for -- I couldn't
15 get any annual leave from my department when I was
16 there. I had about 28 leave requests which I couldn't
17 get anything through, denied. Obviously that was
18 because --
19 Q. And why couldn't you, 28 times, get annual leave?
20 A. It's, realistically, short staffing.
21 Q. Short staffing?
22 A. We have to get, yeah, the shifts covered, and Response
23 Officers have been moved into different roles over the
24 last few years. So that's partly the reason I moved
25 into custody.

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1 A. I was with VC at the time managing -- (*overspeaking*) --
2 **THE CHAIR:** Could you have swapped and asked to have a look
3 at that video?
4 A. Well, we could have done, but I think the officer
5 already requested it.
6 **THE CHAIR:** You see, there's nothing in your statement about
7 any requests being made, or indeed the video at all? Is
8 there any reason for that?
9 A. I didn't speak to the victim.
10 **THE CHAIR:** No, but you've told us today that you recall
11 that you would have spoken to PC Zacharia about it and
12 you would have assumed that he would have asked for it.
13 A. Yes.
14 **THE CHAIR:** That's one of the reasons why you've said that
15 there was no point in going on, because you couldn't
16 prosecute without it or charge without it. But there's
17 no mention at all of that in your statement which was
18 made quite recently. Why is that?
19 A. It must be an oversight, Chair. I would have -- I would
20 have -- I would have --
21 **THE CHAIR:** It was quite a major part of this, wasn't it,
22 that video? You've seen it, haven't you?
23 A. I've only been sent it recently.
24 **THE CHAIR:** Yes, and it does show an incident, in fact both
25 of those videos show incidents. If you'd seen those,

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1 would you have made any different decision?
 2 **A.** Well, I would have had evidence there and then, wouldn't
 3 we, which could have been used? So it may have changed
 4 my decision. However, we weren't provided that footage.
 5 **THE CHAIR:** Your view at the time, I think, is really set
 6 out in paragraphs 46 and 47 of your statement, if we can
 7 just look at those. You set out in effect there that
 8 you thought it was quite a minor incident, didn't you?
 9 **A.** That is how it was described to me, yes.
 10 **THE CHAIR:** So if it was a minor incident, why would you
 11 have made the -- sorry, it's 36 and 37 -- why would you
 12 have made the officer aware that he had to contact
 13 safeguarding if it was so minor?
 14 **A.** Because we were not proceeding with any further
 15 inquiries, and obviously the victim had made it clear
 16 that he didn't want to live with this person any
 17 further, and I felt that having the University told that
 18 we've had a police incident whereby there was an
 19 allegation of assault which he didn't want to proceed,
 20 I didn't want to leave that undealt with, so I wanted
 21 the University to be aware so that they could carry out
 22 reviewing the living arrangements.
 23 **THE CHAIR:** Yes, thank you.
 24 That's the end of your evidence. You can go now.
 25 **THE WITNESS:** Thank you.

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1 **A.** It is, yes.
 2 **Q.** Did you speak to Feven?
 3 **A.** No.
 4 **Q.** What do you recall, in brief, of your involvement in
 5 that matter?
 6 **A.** Very little, other than I was at Queens Medical Centre
 7 already in relation to another incident. I was aware my
 8 colleague, PC Houghton, had been asked to go and get
 9 an injury update. Rather than making two trips,
 10 I thought I'd make efficient use of resources, and
 11 whilst I was waiting around for something else at the
 12 hospital I went up to intensive care, I believe, it was
 13 at the time, but I can't recall exactly which ward it
 14 was, and spoke with one of the nurses in charge of her
 15 care and got the update.
 16 **Q.** We're here to address a matter on 28 January 2022.
 17 **A.** Yes.
 18 **Q.** Did you make the link at all on that occasion?
 19 **A.** No, no.
 20 **Q.** These were a couple of incidents after the headlock
 21 incident that we've just been addressing.
 22 **A.** Yes.
 23 **Q.** You were assisting with the detention of VC under
 24 a warrant under section 135 of the Mental Health Act; is
 25 that right?

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1 **THE CHAIR:** We are a bit late. Do we have time for the
 2 other witness?
 3 **MR BLAKE:** PC Gell is waiting and is ready to come on.
 4 I don't think I will be longer than half an hour.
 5 **THE CHAIR:** Anybody else have much with PC Gell?
 6 Five minutes? All right, well we'll see whether we can
 7 hear his evidence. Thank you.
 8 **PC MATTHEW GELL (affirmed)**
 9 **Questioned by MR BLAKE**
 10 **THE CHAIR:** Yes, thank you.
 11 **MR BLAKE:** PC Gell, you should have in front of you
 12 a witness statement dated 18 December 2025; is that
 13 right?
 14 **A.** It is, yes.
 15 **Q.** It has a URN of WITN0026001. Can you confirm that that
 16 statement is true to the best of your knowledge and
 17 belief?
 18 **A.** I can confirm that, yes.
 19 **Q.** Thank you very much. Your professional background is
 20 set out in the statement. I won't take you to that.
 21 You had some involvement in what we know as the second
 22 incident. That relates to a victim who we know as
 23 Feven. You've set that out in your statement, that you
 24 attended the Queens Medical Centre to take information
 25 regarding her injuries; is that correct?

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1 **A.** That, is yeah.
 2 **Q.** Can you assist us with why you were asked to attend?
 3 **A.** So VC had a warning marker for being violent following
 4 an incident that's been described where he assaulted
 5 a police officer, and I was asked to attend as a Taser
 6 resource, as a sort of contingency.
 7 **Q.** Is it regular for that kind of a marker to result in the
 8 requirement for a Taser?
 9 **A.** Yes.
 10 **Q.** Were you told anything else about the risks that VC
 11 posed when you attended, or before you attended?
 12 **A.** Other than the warning marker, no.
 13 **Q.** No. Other than an actual firearm, are we right to
 14 understand that a Taser is essentially the most serious
 15 protection you can bring to a matter such as this?
 16 **A.** Essentially, yes, although I'd argue that a metal baton
 17 is probably more offensive than a Taser, but yes.
 18 **Q.** It requires special training.
 19 **A.** Yes.
 20 **Q.** Who were you protecting? Was it the mental health
 21 professionals? Was it the residents, or all of the
 22 above?
 23 **A.** All of the above.
 24 **Q.** Thank you. Can you assist us with what kind of
 25 a location it was, Madison Court?

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1 A. So it's a student complex. It was one or two floors up.
 2 I can't recall exactly. I remember going up some stairs
 3 and coming back down and saying that, you know, I can't
 4 remember how many, and then front door to his flat which
 5 I believe then opened out into a corridor with sort of
 6 multiple rooms inside, but we didn't actually set foot
 7 inside. You could just see the long corridor.
 8 Q. We know that VC was detained on this occasion.
 9 A. Yeah.
 10 Q. Knowing that VC had that marker against him, and knowing
 11 that you had your Taser there for protection, knowing
 12 that there were mental health issues involved, would you
 13 have been comfortable leaving VC with other students,
 14 despite the fact that he appeared compliant?
 15 A. There was nothing on his presentation at that stage
 16 that I would have said I'd be uncomfortable leaving him
 17 there. There was no complaints raised by anyone within
 18 the flat.
 19 Q. Were you given any information about his previous
 20 convictions before attending?
 21 A. No, no convictions.
 22 Q. Sorry, not convictions then, previous incidents.
 23 A. Just the violence marker on PNC.
 24 Q. But not the detail of that incident nor previous
 25 incidents that had also been reported.

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1 Warrant".
 2 Over the page we see on the second line that the
 3 Ambulance Service is on the scene and GP is en route.
 4 Then we see that marker there: "Violent extremely
 5 violent officer assault without provocation."
 6 Can you assist us, would that have been passed to
 7 you on the radio or how would you have been aware of
 8 that information?
 9 A. It would have been passed to me on the radio.
 10 Q. We go over the page, please, we can see that there is
 11 some detail of some previous offences. Sorry, I keep on
 12 referring to previous offences -- previous incidents
 13 that were reported. Can you assist us: do you think
 14 that information was or was not provided to you when you
 15 attended?
 16 A. It's not always provided over the sort of Airwave
 17 traffic. There's a lot of things being passed over the
 18 Airwave. It's not always added. It's potentially just
 19 pasted on to the job.
 20 Q. If we scroll down, please, we see there this refers to
 21 VC's NICHE records and it says, "[Zero] ... Flags or
 22 Warnings -- 6 Occurrences latest named suspect in
 23 assault ..."
 24 That, I think, is the headlock incident. Are you
 25 able to assist us with whether that kind of information

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1 A. Other than it was listed on the marker, I think it was
 2 just that he was violent and punched an officer. But
 3 no, nothing else.
 4 Q. Were you given any information about his mental health
 5 situation before attending?
 6 A. I can't recall.
 7 Q. We've heard from a member of the triage team, for
 8 example. Do you know if they carried out any searches
 9 or provided any assistance to you before you attended?
 10 A. Only from refreshing my memory from the Incident Log,
 11 that they reviewed the incident and clarified that
 12 ambulance and the mental health professional were on the
 13 scene prior to police attendance. But I don't recall
 14 any other information being passed.
 15 Q. Are you aware of the RIO system and their availability
 16 to access that system?
 17 A. I am, yes.
 18 Q. Yes. But on this particular occasion you don't recall
 19 being passed any of that information.
 20 A. No.
 21 Q. Can we go to NGPF0000102. This is the Incident Report.
 22 I'm just going to take you very quickly through this.
 23 A. Okay.
 24 Q. If we go over the page please, we can see there the
 25 "Caller is an AMHP to execute a M[ental]H[ea]lth

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1 was passed to you or not?
 2 A. No, I can't recall. I don't know.
 3 Q. No. We see below that references to a Taser being
 4 Dispatched, Taser available, Taser "on route", and we
 5 see over the page there's a THRIVE assessment. Do you
 6 know who would have carried that out?
 7 A. The original call taker or dispatcher.
 8 Q. It says: "THREAT What is the threat ...
 9 "No threats reported.
 10 "HARM Assessment of ... the harm would be if the
 11 threat was realised?
 12 "None at the point of [the] call but potential for
 13 [VC] ... to be violent.
 14 "RISK This is the possibility of something occurring
 15 and affects how the incident is graded [question mark]
 16 ...
 17 "Medium".
 18 What would you have understood by the risks that's
 19 posed there or identified there?
 20 A. I mean that risk assessment has been done based on very
 21 limited information just been taken at the time of the
 22 call. Obviously there's no threat identified on the
 23 information available, but due to the presence of the
 24 warning marker, that sort of puts the threat at medium.
 25 Q. Thank you. If we continue to scroll down we see various

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1 references to response Tasers being dispatched en route,
 2 dispatched en route. Are you able to assist, can you
 3 identify here whether this is you or I think there was
 4 another Taser officer, was there?
 5 **A.** There was me and another Taser officer who was with me
 6 which was PC 3263.
 7 **Q.** So you travelled together?
 8 **A.** Yes.
 9 **Q.** So in fact where we see "Response Taser dispatch" that's
 10 likely a reference to yourselves?
 11 **A.** Yes.
 12 **Q.** Thank you. Now there's no Occurrence Log in relation to
 13 this incident; is that right?
 14 **A.** No.
 15 **Q.** Can we please bring up on screen your witness statement
 16 WITN0026001, page 7, paragraph 27. You say there that:
 17 "... at the time, there was no policy or procedure
 18 in place, [so far as you're aware] to mandate the
 19 recording of this incident on NICHE ... but, on
 20 reflection, it could have been recorded to build a more
 21 complete intelligence picture around [VC] ..."
 22 **A.** Yes.
 23 **Q.** I'm going to take you to one other document now, and
 24 that's NGPF0007404. This is a document that was
 25 provided to you as part of your witness preparation pack

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1 "The occurrence has to be created in order to enable
 2 the Mental Health Monitoring Form. It is the monitoring
 3 form where the details of the incident should be
 4 captured fully." *(As read)*
 5 We see the way to create the monitoring form.
 6 Can we please turn over to the bottom of page 5, it
 7 says:
 8 "Once the save to NICHE button has been selected,
 9 a mental health occurrence will be created and automatic
 10 workflow sent to the triage team." *(As read)*
 11 Over the page, please, and that shows at the top of
 12 the page how it would, in theory, be recorded on NICHE;
 13 is that right?
 14 **A.** Yes.
 15 **Q.** It says:
 16 "The sergeant will review the detention file ..."
 17 Sorry:
 18 "... detention and file the occurrence after feeding
 19 back any learning to partners or officers involved.
 20 "The Street Triage Team will then look at any
 21 problem-solving opportunities or any long-term issues
 22 with the person detained to reduce future vulnerability
 23 or prevent demand." *(As read)*
 24 Then over the page, page 7, it sets out the reasons
 25 why. It appears that this is based on a recommendation

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1 in the Inquiry. Are you -- at the time of writing your
 2 statement, were you aware of this policy?
 3 **A.** No.
 4 **Q.** Are you aware of whether this policy would have covered
 5 the circumstances of this incident?
 6 **A.** Possibly, in hindsight it should have been recorded.
 7 **Q.** We see there it says from 1 April 2019, so prior to this
 8 incident.
 9 **A.** Yes.
 10 **Q.** A NICHE occurrence should be completed using
 11 a particular web form, and that's both in relation to
 12 a section 135 warrant and a section 136 detention.
 13 **A.** Yes.
 14 **Q.** If we scroll down, we can see that there is a way to
 15 record it. If we keep on scrolling, there's something
 16 called a "mental health occurrence". We see there, the
 17 "Go" button.
 18 At the bottom of the page, it says:
 19 "Key information: a subject must be added (this is
 20 the person who the warrant has been executed against or
 21 decision made to detain)." *(As read)*
 22 So in this case it would have been VC's name who was
 23 added to this log; is that right?
 24 **A.** Yes, that's correct.
 25 **Q.** Over the page:

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1 from His Majesty's Inspectorate for Constabulary and
 2 Fire and Rescue; is that right?
 3 **A.** Yeah --
 4 **Q.** From what we can see there?
 5 **A.** From what I can see, yes.
 6 **Q.** It enables the police to improve the quality and
 7 timeliness of certain figures to the Home Office, it
 8 allows the police to work with partner agencies.
 9 A final one:
 10 "Improved intelligence picture on NICHE regarding
 11 mental health issues of individuals over and above those
 12 captured on intelligence submissions/safeguarding
 13 occurrences".
 14 Were you, prior to this incident, trained on this
 15 change to the NICHE system?
 16 **A.** I wasn't aware of that, no. I was for a section 136,
 17 but I wasn't aware that the -- with the mental health
 18 professionals being present, I wasn't aware that that
 19 would have needed recording.
 20 **Q.** Looking back at it now, is it your view that, in fact,
 21 looking at this policy, if the policy was complied by,
 22 it should have been completed?
 23 **A.** Yes.
 24 **Q.** Yes.
 25 Have you and your fellow officers been trained in

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1 this policy subsequent to this incident?
 2 **A.** Not that I'm aware, no. At the time of writing my
 3 statement, I still wasn't aware which is why I've put it
 4 in there.
 5 **Q.** Thank you. That can come down.
 6 Then there's one final issue that I'd just like to
 7 address, and that is the improper access or improper
 8 messaging issue. We know that you accessed NICHE on
 9 15 June 2023, so after the attacks that we're looking
 10 into in this Inquiry.
 11 **A.** Yes.
 12 **Q.** That was subsequently investigated by the police and
 13 referred to the IOPC ultimately?
 14 **A.** Yes.
 15 **Q.** Can you assist us, why did you access NICHE and what was
 16 it that you saw there, without going into any graphic
 17 detail, of course.
 18 **A.** So a couple of nights after the incident, I had noticed
 19 VC's name on the -- what's referred to as the custody
 20 whiteboard, so the list of names of people that are in
 21 custody. I recognised his name as having previous
 22 dealings with him and there's a small image next to the
 23 name, as well, and I recognised the image.
 24 So I searched his name to try to find the incident
 25 that I had been involved in, in relation to him, to have

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1 attacks to your wife and to an officer within West
 2 Midlands Police. I don't think it's necessary at all to
 3 read that message out, but it was sent to you by
 4 PC Ashley Small; is that correct?
 5 **A.** It is, yeah.
 6 **Q.** That was part of a WhatsApp group called "The Section";
 7 can you assist us with what "The Section" was?
 8 **A.** The shifts I referred to as sections into all rotas. So
 9 it was a section 1 was our shift. So it just contained
 10 the people within that shift.
 11 **Q.** So the only people who would have received that message
 12 originally were the people who were on the relevant
 13 shift?
 14 **A.** Yes.
 15 **Q.** You sent the message outside of that to people who
 16 weren't involved?
 17 **A.** Yes.
 18 **Q.** We know that one member of the group was PC Elliot
 19 Meynell, the son of the Chief Constable; can you assist
 20 us with why he was part of that group?
 21 **A.** He was on the same shift.
 22 **Q.** You have subsequently appeared before a misconduct panel
 23 and found to have committed gross misconduct in relation
 24 to the sharing of that information?
 25 **A.** Yes.

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1 a look to see if I'd made sure I'd done everything
 2 correct procedurally, and to see if there was anything
 3 I could do in order to assist with any inquiries.
 4 Then whilst within that record, I ignored all the
 5 jobs in relation to Op Hendrix, I had no interest in
 6 looking at those incidents. My professional curiosity
 7 then strayed into curiosity, which I hold my hands up
 8 for at the earliest opportunity and still do, in terms
 9 of viewing a speeding ticket that I had no policing
 10 purpose to look at.
 11 **Q.** You were identified as having accessed NICHE?
 12 **A.** Yes.
 13 **Q.** As a result of that, your investigation was part of
 14 a wider investigation that concerned the sharing of
 15 information with the press; is that right?
 16 **A.** Yes.
 17 **Q.** As part of that investigation, your mobile phone was
 18 examined?
 19 **A.** Yes.
 20 **Q.** There were really two matters that arose from that. The
 21 first is that you had sent a message to an associate who
 22 didn't work in policing telling them that the attack had
 23 been declared as a terrorist incident; is that right?
 24 **A.** That is correct, yes.
 25 **Q.** Then, secondly, you forwarded another message about the

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1 **Q.** You received a two-year final warning; is that correct?
 2 **A.** Yes, final written warning.
 3 **Q.** Thank you. Have you received -- had you received,
 4 before this incident, any training in relation to the
 5 use of mobile phones, the use of WhatsApp groups, or
 6 equivalent?
 7 **A.** No specific training. There was sort of guidance that
 8 was posted on the intranet fairly regularly, I would
 9 suggest.
 10 **Q.** We know, for example, that there was a highly publicised
 11 prosecution in 2022 of two officers, Jamie Lewis and
 12 Deniz Jaffer, who took photos at the scene of a murder.
 13 Were you aware of that case?
 14 **A.** Yes.
 15 **Q.** Subsequent to that, was there any specific guidance
 16 given to officers in Nottinghamshire Police about the
 17 use of mobile phones or inappropriate taking of --
 18 sharing of information?
 19 **A.** There was regular guidance posted around it, yes.
 20 **Q.** There was what, sorry?
 21 **A.** There was regular guidance posted around it, yes.
 22 **Q.** When you say "posted around it", is that on the intranet
 23 or somewhere?
 24 **A.** Yes.
 25 **Q.** But no specific training?

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1 A. No.

2 Q. Has there, subsequent to your own incident, been
3 training rolled out in respect of the use of WhatsApp
4 groups or equivalent?

5 A. Not that I'm aware of, no. The same guidance that gets
6 posted again.

7 Q. Now the message that you forwarded contains some
8 inappropriate words. Did anyone complain at the time
9 who was in the WhatsApp group about the contents of that
10 information?

11 A. Not that I'm aware of, no.

12 Q. Did anyone question whether it was appropriate to use
13 the kind of language that was used in that message?

14 A. As far as I'm aware, no.

15 Q. In your view, your knowledge of your fellow officers, is
16 it likely or unlikely that you were not the only one who
17 was sharing information from that WhatsApp group?

18 **THE CHAIR:** I think that's --

19 **MR BLAKE:** If you're not able to say --

20 A. I think it would be unfair to comment.

21 **THE CHAIR:** Yes.

22 **MR BLAKE:** But you haven't spoken to anybody about that?

23 A. No.

24 Q. Has there been any wider training rolled out to the
25 police more broadly so far as you're aware since these

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1 A. Yes.

2 Q. Were you ever -- was your house ever searched to see
3 whether or not you had multiple devices that could have
4 done?

5 A. It was, yes.

6 Q. It was. You've told -- it was only after the download
7 of the phone was looked at that the issue of the
8 WhatsApp group was raised.

9 A. Yes.

10 Q. You've told Mr Blake you were disciplined in respect of
11 that WhatsApp activity.

12 A. I was, yes.

13 Q. Mr Blake has asked you about whether or not you, as it
14 were, proactively reported that to superiors, and you
15 said you didn't.

16 A. No.

17 Q. It was only when it was found on your phone that you
18 were asked about it.

19 A. Yes.

20 Q. Do professional standards of behaviour require you to
21 report acts when other officers have breached those
22 standards?

23 A. Yes.

24 Q. That's all I ask. Thank you, Chair.

25 **THE CHAIR:** Yes.

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1 attacks, and since what has occurred in relation to the
2 kinds of issues we've just been speaking about?

3 A. Not that I'm aware of, no.

4 Q. You're going to be asked further questions about this
5 shortly but is there anything that you would like to say
6 in relation to this issue?

7 A. No, not at this stage. Thank you.

8 **MR BLAKE:** Thank you, Chair. I have no further questions.

9 **THE CHAIR:** Yes, Mr Moloney.

10 **Questioned by MR MOLONEY**

11 **MR MOLONEY:** I have only a very few questions for you,
12 Officer. Mr Blake has covered pretty much everything.

13 Just to be clear, you were suspected of wrongly
14 accessing information and leaking it to the press, were
15 you?

16 A. Yes.

17 Q. You were interviewed twice --

18 A. Yes.

19 Q. -- and once was actually in connection with misconduct
20 in public office as a criminal offence.

21 A. Yes.

22 Q. In the course of that investigation of your conduct,
23 your phone was examined to rule out whether you had
24 photographed images from files which had then been
25 leaked?

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1 Thank you. Mr Beggs.

2 **Questioned by MR BEGGS**

3 **MR BEGGS:** Officer, just so that nothing is misreported, you
4 never looked at any body-worn video footage of the
5 scenes of these crimes?

6 A. No.

7 Q. Or anything like that?

8 A. No.

9 Q. Your inappropriate conduct related to intelligence on VC
10 himself --

11 A. Yes.

12 Q. -- and in relation to forwarding the WhatsApp message.

13 A. Yes.

14 Q. In relation to those two matters, you fully admitted
15 your wrongdoing.

16 A. Absolutely.

17 Q. You gave full answers in both criminal interview and
18 misconduct interview.

19 A. Yes.

20 Q. You didn't ask for a solicitor to be present at the
21 former.

22 A. No.

23 Q. You didn't have a solicitor or barrister present at the
24 misconduct hearing.

25 A. No.

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1 Q. You didn't seek for that hearing to be in private.
2 A. No.
3 Q. That hearing was in public, and your final written
4 warning was extensively reported in the media --
5 A. Yes.
6 Q. -- on the very day of the hearing.
7 A. Yes.
8 Q. In your statement at paragraph 32, perhaps it could be
9 put up, please. It's WITN0026001_0009. Perhaps
10 paragraph 32 could be expanded if possible, please.
11 Can you see that paragraph, Officer? It's in front
12 of you.
13 A. The screen has not been on the whole time.
14 Q. Ah right, your screen isn't on.
15 A. But yes, I can see it on the screen over there.
16 Q. Because it's quite a long way away, if I read it for
17 you, you said:
18 "I take full accountability for my actions and have
19 always accepted full responsibility for them.
20 I acknowledge and fully accept my actions fell below the
21 standards expected from not only the police internally
22 and externally the wider public but also myself.
23 I requested that my misconduct hearing was held in
24 public and have never tried to hide from my actions."
25 Is that true?

1 **THE CHAIR:** Yes, thank you. I've got no further questions
2 and we're going to finish there for today. Thank you.
3 **(4.47 pm)**
4 **(The hearing adjourned until 10.00 am the following day)**

1 A. Yes.
2 Q. During your -- the duration, forgive me, of your
3 two-year final written warning, were you brought to the
4 attention of professional standards ever again?
5 A. Not to my knowledge, no.
6 Q. Can I just go back to 28 January 2022, when you knocked
7 on the door of VC's premises, did he answer?
8 A. I can't remember. It was either him or his flatmate. I
9 can't remember exactly.
10 Q. To put it shortly, he was completely compliant with you?
11 A. Yeah, absolutely.
12 Q. No force of any description was required?
13 A. No.
14 Q. No aggression from him at all?
15 A. No.
16 Q. Indeed, he walked to the ambulance voluntarily?
17 A. Yes.
18 Q. I think the healthcare personnel didn't even require
19 a police escort?
20 A. No. We offered to go with him on the ambulance but they
21 said that we weren't required. They were fine with him.
22 Q. So in reality, was this a completely unremarkable
23 incident?
24 A. Very much so, yes.
25 Q. Yes. Thank you very much.

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