
CLOSING SUBMISSIONS FROM
NOTTINGHAMSHIRE POLICE

Introduction and Summary pp 1-5

Issues raised in the Terms of Reference:

1. VC's interactions 2019 to 13 June 2023 pp 5-77
2. Events and response on 13 June 2023 pp 77-87
3. Unauthorised access and disclosure pp 87-91
4. Understanding, assessment and
Management of risk p 91
5. (Local) multi-agency working pp 91-92
6. Care, actions, policy and procedures
in custody pp 92-97
7. CPS handling of the case p 97
8. Recommendations pp 97-98

Introduction and Summary

1. This is the closing submission from Nottinghamshire Police ("NP") which faithfully follows the "Directions in respect of closing submissions" issued by CTI under cover of email dated 26 May 2026, in particular para 2(c) therein to the effect that CPs must address the Terms of Reference ("ToR") in the sequence in which they appear. NP trusts that the Chair will give NP a right to reply if other CPs raise matters not covered in the ToR by way of criticism of NP.
2. Many weeks of intense evidence must have increased the distress to the families and friends of Grace O'Malley Kumar, Barney Webber and Ian Coates and to Wayne Birkett and Sharon Miller (and Marcin Gawronski if he was following on-line).
3. VC's crimes on 13 June 2023 were an appalling consequence of his paranoid schizophrenia¹. They occurred in the context of a mental health ("MH") crisis nationally with long-standing and significant underfunding: 20% of the disease burden yet only 8.4% of the funding, **Dr Smith 1 June AM, 26/5-9 INQT0000103**.
4. For many years now, the police service has struggled to cope with this MH crisis and has been hugely diverted from its primary tasks of maintaining the King's peace, preventing crime and apprehending criminals and protecting life and property². When PC Jamie Severn joined NP in 1995, his attendance on MH events was "very occasional, very minimal ... one a month perhaps ... One every two months, that kind of thing", **3 March AM, 34/4-15 INQT0000010**. By 2016, "on a busy day the street triage would be aware of or review anything between 60 and 100 incidents any given day", **3 March AM, 34/23-36/4 INQT0000010**; and see **35/5-17 INQT0000010**.
5. That is why Right Care Right Person ("RCRP") was introduced by the National Police Chiefs' Council ("NPCC") in July 2023 (**Sir Andy Marsh WITN0349001_0008** para 29).
6. When a public service such as policing is running hot all the time (as policing is) staff work at the margins of safe capacity and there is the inevitable risk of things going wrong. The Inquiry will want to ensure that its recommendations better enable the police to serve the public and do not create further demand that simply cannot, without additional resource, be met.
7. The police are not and can never be competent MH practitioners, nor are they a MH service. Their involvement in MH crises must be confined to where there is imminent risk to life (threat of violence or the suicidal person on a bridge or railway line). Even then, the police can only act as the emergency response: healthcare professionals must deal with the aftermath and ongoing management of the vulnerable or dangerous person in crisis.
8. Paranoid schizophrenia is a small but potentially lethal sub-set of the MH crises. According to the One Hundred Families' web site, paranoid schizophrenics have been responsible for almost 2,500 killings in the UK since 1993 [RLIT0000093]. Notorious cases include **GRO-C**

¹ The unanimous view of **all** the psychiatrists retained for the criminal trial.

² Halsbury's Laws of England, Volume 84 (2026) para 11. General functions of constables.

GRO-C

GRO-C

9. VC joins the list of paranoid schizophrenics who have wrecked lives, some found not guilty by reason of insanity; some found guilty of manslaughter by reason of diminished responsibility; some found guilty of murder. The regime for “care in the community”, a consequence of the MHA 1983³, has plainly not worked in respect of some dangerous paranoid schizophrenics.
10. Until seized by this terrible illness aged 28, VC had no history of criminality or contact with police; he educated himself and paid his way through university on a productive degree.

Operational realities and hindsight wisdom

11. NP respectfully invites the Chair to have regard to operational realities for front line officers and to assess police actions prospectively through the lens of information available at the time, rather than through knowledge acquired after the 13 June attacks, or with hindsight wisdom.
12. NP’s officers and staff respond to relentlessly high volumes of incidents, intelligence and safeguarding concerns. While every effort is made to assess information quickly and accurately to identify and mitigate risk, public protection systems must remain practical and proportionate.
13. NP cannot operate a model that requires immediate escalation or intervention in every case simply because information may exist somewhere within the wider public sector. That would be unworkable and would undermine prioritisation of the greatest and most immediate risks.
14. The relevant question is not whether more information or risk can now be identified retrospectively – it plainly can with hindsight – but whether the information reasonably available to NP at the time and properly analysed in the prevailing real-world conditions ought to have caused different actions to be taken.
15. The dangers of hindsight were exposed in *Van Colle v Chief Constable of Hertfordshire* [2009] 1 AC 225 [RLIT0000119] where the House of Lords unanimously took a **completely** different view of the fulminating series of threats and intimidations to Giles van Colle and other Crown witnesses to that taken by Cox J⁴ and the Court of Appeal⁵. Giles was the complainant and Crown witness

³ In 1982 the Secretary of State observed that the Government intended to “press ahead with a programme aimed at getting out of hospital and into community care as many as possible of those patients who do not specifically require hospital care” [RLIT0000116]

⁴ (2006) EWHC 360 (OB) [RLIT0000117] conclusions on facts at [81] to [88]: an “immediate” risk of harm

⁵ [2007] EWCA Civ 325 [RLIT0000118] having warned itself against the dangers of hindsight at [13] and [29], made its conclusions on the facts at [32] to [49] and [84] to [92].

who was murdered by Brougham before he stood his trial for theft of items from Giles's business premises.

16. Lord Bingham summarised the facts at [3] to [19] and at [36] posed the "central question to be asked in this case": "should DC Ridley [the oic in the burglary], making a reasonable and informed judgment on the facts and in the circumstances known to him at the time, have appreciated that there was a real and immediate risk to the life of Giles?"
17. Lord Bingham summarised the 11 key factors playing on that question at [36]. And at [37] Lord Bingham compared the situation after Giles' murder when "a full blown murder investigation was launched". Lord Bingham noted that the oic "was himself prepared to accept that he should have" paid greater attention to some of the antecedent events (for which in discipline proceedings he was found to have acted without sufficient diligence). "Any conscientious officer, mindful of the tragedy which ensued, would no doubt have reproached himself for failing to take all the steps which the wisdom of hindsight might suggest. But it is unrealistic to suppose that, at the time, a minor case of theft could have been thought to merit an intensive investigation of the kind which properly follows a murder".
18. At [39], Lord Bingham summarised his conclusions having regard to the facts: "The question is whether, making a reasonable and informed judgment on the facts and circumstances which were or should have been known to him at the time, he should have apprehended such violence. The fact that Giles was a witness in a forthcoming Crown Court trial was of course a relevant fact, but not one of great weight having regard to the minor character of the charges and the unlikelihood of a severe penalty. Approaching the matter in this way, and applying the standard *Osman* test, I cannot conclude that the test was met in this case. If a comparison be made with *Osman*, **the warning signs in this case were very much less clear and obvious than those in *Osman***, which were themselves found inadequate to meet the test⁶".
19. The warning signs for VC – as known to NP – were even less obvious than in *Van Colle*. VC's interactions with NP were low level and, absent hindsight wisdom, did not point to targeting of anyone, let alone the horrors of random murderous attacks with a weapon on 13 June 2023.
20. At [65] Lord Hope adopted Lord Bingham's factual analysis and concluded at [68] that "it cannot reasonably be said that DC Ridley should have anticipated, from the information available to him at the time, that Brougham constituted a risk to Giles's life that was both real and imminent".
21. At [86] Lord Phillips LCJ concluded that: "there was, for the reasons given by Lord Bingham, no valid basis for concluding that the police ought to have known that there was a real and immediate risk to the life of Giles". Cox J and the Court of Appeal had concluded to contrary effect.

⁶ At [105] Lord Carswell agreed with Lord Bingham. At [114] Lord Brown was similarly in "full agreement with everything said by Lord Bingham as to the facts and the law ..."

22. The notion that police officers should, on every interaction, have undertaken comprehensive risk assessments drawing together all historical information before engaging with an individual must be analysed against operational realities: unrelenting and excessive demand, especially for those in response roles; competing demands on finite resources; the information readily available at the point of attendance; time-critical decision-making. There was also the temporal impact of the Uplift Programme, importing into NP a significant number of very inexperienced officers with sub-optimal supervisory ratios, see T/DCC Griffin's statement dated 1 July 2026 at paras 21-60, **WITN0074003_0005-0013**.

13 June attacks not preventable by NP

23. A fair and objective assessment of the evidence from a prospective viewpoint demonstrates that NP could not reasonably have foreseen nor prevented the 13 June attacks:
24. First, all of NP's contact with VC before 13 June 2023 related to behaviour associated with severe mental illness and sometimes involved low-level criminality. Even in respect of the most serious outcome, namely the injuries to Feven, there is no evidence that VC knew who Feven was or even that she was in the flat; less still that he intended her any harm.
25. Second, there was no "escalation" in VC's behaviours:
- a. The 3 incidents in 2020 were of VC trying to get through a door (criminal damage, *not* burglary) with no evidence of *intention* to injure anyone.
 - b. Between July 2020 and 13 June 2023 there is no evidence of VC approaching a stranger with menace.
 - c. Between 13 July 2020 and 5 July 2021 NP had no interaction with VC at all.
 - d. The 5 July 2021 incident was a minor common assault with no injury to Sebastian.
 - e. The most serious incident in terms of *intent* was the assault on PC Pritchard on 3 September 2021, but even that incident was VC *responding* to police intervention: he did *not* go out and pre-emptively attack a police officer.
 - f. The 15 January 2022 headlock on Christopher was a common assault (during which VC was asking Christopher to say sorry for calling him a "dirty bastard"): VC had Christopher under his control and yet did not escalate beyond the headlock; VC allowed Christopher to call the police and waited for the police to arrive.
 - g. Four days later on 19 January 2022 VC went quietly with the police under s.135.
 - h. The incident on 26 April 2022 did not involve a crime and the second incident in July 2022 was ambiguous; neither of these incidents involved any violence at all.
 - i. As T/DCC Griffin described, "there are peaks and troughs ... not an upward trajectory of escalating violence", **23 March AM, 77/1-3 INQT0000036**.
26. Furthermore:
- a. There was no known history of targeted attacks by VC on random members of the public.

- b. There was no known history of attacks by VC using weapons.
 - c. There was no information or intelligence identifying VC as presenting an imminent risk of committing acts of the horrific nature that ultimately occurred.
 - d. Between 28 July 2022 and 13 June 2023, NP had no visibility of VC (though NP should have executed the FTA warrant after 22 September 2022).
 - e. There was no information available to NP indicating that the attacks of 13 June 2023 were likely, imminent or being planned: recall Lord’s Bingham’s analysis in *Van Colle* [RLIT0000119].
27. Accordingly, whilst failings by individual NP officers in specific incidents have been identified below, the 13 June attacks were not reasonably foreseeable or preventable on the information available to NP at the time.

Police officers rely upon MH practitioners

28. It is entirely reasonable for police officers to conclude that where an individual has been detained, assessed, treated and discharged from MHA detention, professional clinical and risk assessments have been undertaken to determine that that individual can safely be discharged into the community with an effective treatment plan.
29. One troubling feature of his case is that the treating clinicians knew at VC’s discharge on 22 October 2021 and 24 February 2022 that he had a record of medical non-concordance, masking and violent and anti-social behaviour when untreated, yet they nonetheless released VC without a CTO and / or depot medication.
30. When VC was discharged to his GP by Dr Tuhina Lloyd in September 2022, there was no attempt properly to consider the risk that he evidently posed. NP should, of course, have executed the FTA warrant; and had there been an effective Police Liaison Operations Group⁷ in place, the discharge information could have been joined with VC’s failure to appear.
31. This submission now addresses the 8 numbered ToR in sequence.

1.DETAILED MULTI-FACTORIAL TIMELINE OF VC’S INTERACTIONS 2019 to 13 JUNE 2023

32. This analysis of NP’s interactions with NP is strictly chronological as required by ToR 1. This enables the Chair to see the overlap between VC, NP, NCC and the NHFT.
33. In drawing conclusions from the facts in the chronology preceding and prior to 13 June 2023, the Chair is invited to keep in mind the words of Lord Pearce in *Onassis and Calogeropoulos v. Vergottis* [1968] 2 Lloyd’s Law Reports 403 [RLIT0000120] when (long before the internet or social media) he warned at p431 *inter alia* of the risks of recollections being “altered by unconscious bias or wishful thinking or overmuch discussion of it with others” and that witnesses “especially those who are emotional, who think that they are morally in the right, tend very easily and

⁷ See **Griffin WITN0074001_0371** para 1601: PLOGs did not happen between March 2020 to April 2023 because of Covid.

unconsciously to conjure up a legal right that did not exist". He added: "It is a truism ... that with every day that passes the memory becomes fainter and the imagination becomes more active". And he concluded this analysis on witnesses' testimony by repeating the obvious namely that "contemporary documents are always of the utmost importance".

34. In *Gestmin SGPS SA v Credit Suisse (UK) Limited* [2013] EWHC 3560 (Comm) [RLIT0000082], Leggatt J (as he then was) made observations about the unreliability of human memory at [16]-[20], which NP commends to the Chair. In *Blue v. Ashley* [2017] EWHC 1928 (Comm) [RLIT0000122], at [67] Leggatt J encouraged factual findings to be based "on inferences drawn from the documentary evidence and known or probable facts" and at [68] he cited other judicial commentary on the "unreliability of memory evidence".
35. The risks of faulty or self-enhancing memories in this case are the greater given that many witnesses to events prior to 13 June 2023 produced their initial police and / or inquiry statements after the huge media / social media coverage of the 13 June attacks.

NP Incidents 1 and 2: 24 May 2020

36. On this date, VC lived at Flat 7, Brook Court, Player Street. The first Covid lockdown was in progress. It is convenient to treat these two incidents together since the first was followed very closely by the second and the two incidents should have been investigated together.
37. At 00:08 Liam⁸ dialled 999 **NGPF0000078** to report VC attempting to enter the apparently unoccupied Flat 12. Incident log 0011 is **NGPF0000069**. At c.00:10 the FCR broadcast for response officers to attend Brook Court. At 00:14 an appropriate THRIVE⁹ assessment was conducted by the FCR operator, **NGPF0000069_0002**.
38. PC Katie Eustace, an ARV officer, arrived at the scene at c.00:20, **NGPF0000069_0003**. She spoke with Liam to establish that the male who had kicked in the door at Flat 12 was still in the building. PC Eustace entered the block and saw VC being prevented by a member of the public from entering Flat 11. VC was shouting that his mother was inside the flat and the member of the public identified VC as the person responsible for the damage to Flat 12. Insp Eustace confirmed that it would have required a reasonable amount of force to cause the damage, **26 Feb AM, 43/10-13 INQT0000006**.
39. At 00:20 PC Eustace arrested VC on suspicion of causing criminal damage by kicking the front door at 12 Brook Court. Upon caution, VC replied: "She's in there". PC Eustace handcuffed VC to the rear since he was still trying to enter Flat 11. PC Eustace described VC as "Not aggressive, but agitated", **26 Feb 2026 AM 42/3 INQT0000006**. VC gave his correct name and date of birth and said that he lived at Flat 7, Brook Court. VC was insistent that someone was inside Flat 12 trying

⁸ Caution is required in respect of Liam's inquiry statement **WITN0307001** since it was made 5 years after the material events and by when VC had become notorious.

⁹ Threat Harm Risk Investigation Vulnerability Engagement.

to harm his mother. Other officers confirmed to PC Eustace that Flat 12 was unoccupied. PC Eustace suspected VC was under the influence of drugs or suffering from mental illness, since she could not smell any alcohol, **26 Feb AM, 42/12-14 INQT0000006**.

40. Insp Eustace confirmed that she deemed arrest more appropriate than a s.136 MHA detention since VC would have a MH assessment whilst in custody, **26 Feb AM 46/18-19 INQT0000006**. Insp Eustace was clear that arresting for attempted burglary would not have made any difference to the subsequent management of VC or his likelihood of being remanded into custody (which, objectively, was extremely low given his lack of criminal record), **26 Feb AM 47/3-14 INQT0000006**.
41. At 00:38, PC Eustace took 3 photographs of the damage to the door at Flat 12. She also had her BWV to help prove VC's behaviour at his time of arrest though unfortunately (see **26 Feb AM 67/3-68/24 INQT0000006**) this BWV footage went missing. PC Eustace created a crime reference on NICHE.
42. Insp Eustace was clear that "I think somebody having a mental health condition shouldn't preclude them from being prosecuted for an offence ... It's not a defence and that defence is actually only valid in a court of law" **26 Feb AM 49/11-15 INQT0000006**.
43. VC was transported by local officers to the Bridewell arriving at c.00:47 VC. At 00:50 his detention was authorised by PS Anthony Wilde who conducted a risk assessment, **WITN0008001_0004** para 17, at 01:00 recording, *inter alia*, that VC heard voices for 5 days and had not been sleeping and at 01.03 "First time in custody. Was at QMC with chest pain yesterday¹⁰ but no issues. Query MH. Hears voices ... Be cautious. Risk: Medium" **NGPF0000077_0003-0004**.
44. When read his rights at 01:04, VC replied: "I want Celeste Calocane Mum informed of my arrest". He did not want a solicitor contacted, **NGPF0000077_0020**.
45. At 01:05 Detention Officer Gooch called for an HCP, **NGPF0000077_0004**.
46. At 01:21, PC Eustace made a detailed entry in the OEL including that VC "resides at 7 Brook court ... His flat has been checked and there is no sign of any drug misuse and it appears that he is currently a student at NTU (sic)", **NGPF0000068_0010**.
47. At 01:34 PS Wilde recorded that VC appeared to be having a MH episode and that he was "alleged to have told officers that he kicked the door in due to believing his mother was inside and was being raped", **NGPF0000077_0005**. PS Wilde explained that standard drug testing for trigger offences (like burglary, but not criminal damage) had stopped because of Covid: **2 March AM, 14/14 to 15/7 INQT0000008**; and **25/1-6 INQT0000008**. PS Stephen Swift confirmed this: "all testing under section 64B of PACE had been suspended due to Covid", **2 March PM, 27/17-18 INQT0000009**.

¹⁰ Insp Wilde told the Inquiry: "From my perspective as the custody sergeant then, it is most unlikely that the hospital would share that information with me as an individual", **2 March, AM, 4/16-18 INQT0000008**.

48. At 01:40 HCP Rosie Draper examined VC noting evident concerns as to VC's MH and advising: the Emergency Department to rule out organic causes; Level 3 observations; not fit to detain, **NGPF0000077_0006**.
49. At 02:12 PS Wilde recorded an HCP update confirming no record of any MH and VC to go to QMC to rule out any potential medical issues **NGPF0000077_0006**. At 02:55 VC was taken to QMC, **NGPF0000077_0007**. At 03:07 PC Leggett emailed the managing agents for Flat 12 to see whether they wished to press charges, and at 03:23 PC Leggett noted that VC had been "acting strangely throughout thinking he was seeing demons and devils", **NGPF0000068_0013**.
50. At 04:04 VC returned to police custody and the PACE clock re-started. Bloods were not taken, but it was noted that "the senior consultant stated that his actions maybe more mental health", **Wilde 2 March AM 17/8-22 INQT0000008**.
51. At 04:20 VC was subject to another HCP examination which recorded that he needed rest and referral to L&D but was fit to detain, **NGPF0000077_0009**. At 04:24, PS Wilde emailed the MH clinician, i.e. L&D, **Wilde 2 March AM 18/14-23 INQT0000008**. At 09:15 a referral was made for a MHAA, **Williams 21 April PM, 33/14-20 INQT0000058**. At 09:32 L&D made a detailed entry and concluding "Have contacted EDT to request full MHA Assessment, awaiting call back", **NGPF0000077_0012**.
52. At 09:38 AMHP Fiona Parker triaged and accepted the MHAA (**WITN0113001_0012** para 75) (and later documented the history, **NOCC0000034_0013**). At 09:54 L&D Registered MH Nurse Dominic Lloyd noted on RiO *inter alia* the history of VC's arrest for criminal damage, VC hearing voices, bloods clear of substances, and that he had contacted Crisis, **NHFT0000168_0001**.
53. At 10:01 Parker allocated the referral to an AMHP due to start at 12:00. Parker's understanding was that the police were not going to release VC until a MHAA took place, **WITN0113001_0012 and _0013** paras 76-77 and **NOCC0000034_0013**.
54. At 10:57 a statement from the witness Conor was taken by Joshua Martin, **NGPF0000068_0001**.
55. At 12:23 the MHAA was handed over to AMHP Ben Williams, **NOCC0000034_0013**.
56. At 14:00 VC was assessed by the Crisis Team in the Bridewell and underwent a MHAA, **NHFT0000168_0002** by Dr Rahul Gandhi, Dr Khuram Malik, AMHP Williams, and CPN Annette Palmer.
57. This MHAA was not recorded anywhere in the custody record, which PS Wilde would have expected, **2 March AM, 21/14-24/14 INQT0000008**. It plainly should have been and PS Swift said that this type of omission was "unusual", **2 March PM, 23/7 INQT0000009**.
58. The MHAA noted *inter alia*, symptoms of psychosis and thought disorder and VC's belief that his mother was being raped and in pain and that VC "kicked a door in of another flat". The impression was first episode psychosis due to sleep deprivation and stressors and the team agreed that the least restrictive option needed to be offered instead of inpatient admission. VC consented to

home treatment and anti-psychotic medication. The plan was for the City Crisis team to visit that night and observe him taking the medication, **NHFT0000168_0002**. AMHP Williams' "Report Referral and Assessment" form recorded (**NOCC0000044_0002 &_0003**): "arrested ... after breaking into the flat of another resident ... could hear voices telling him that it was his mother and she was being raped. This is why he broke into the flat ... We spoke with the Sgt in charge of the case who explained that there was no violence from [VC] when he broke in the home..."¹¹.

59. At 15:00 PC Gail Collins (of the Prisoner Handling Team) was assigned by PS Palethorpe to investigate Incident 1, **WITN0036001_0004** para 12.
60. At 16:00 Palmer documented a risk to others **NHFT0000197_0002-0004**.
61. At 17:53 PC Collins interviewed VC¹² for about 9 minutes. PC Collins read the statements on the file and looked at the photographs first¹³ and believed that VC was deemed fit to interview¹⁴. VC confirmed that he was living at Flat 7 Brook Court alone, though said his "official" residence was 48 Salisbury Street¹⁵. VC confirmed that beyond the appropriate adult, he did not require a solicitor for the interview. When PC Collins told VC why he had been arrested and asked him to tell her what happened, VC said "I'm not sure I don't remember all that now to be fair ... I don't have much recollection". PC Collins pressed him as to why he did not have much recollection to which VC replied, "I could not tell you ... I'm not sure really". It is unclear whether VC remembered being arrested but he said he had no idea who lived at Flat 12 nor that it was empty. VC claimed to have lived at Flat 7 for "just a month" and seems to have claimed not to know anybody in the block.
62. When PC Eustace's photographs of damage to Flat 12's door were shown to VC, he replied "Wow" repeatedly. When asked whether he remembered doing that damage he said, "Err not really" and as to how he did that damage he said he had no memory: "not at all". VC confirmed that he had no injuries to his body save for a scratch on his knuckle.
63. PC Collins put, in effect, the account of Conor to VC who again disclaimed any memory. As to the suggestion that VC was looking for his mother, VC said he could not explain this: "I have no idea". VC disclaimed drinking or taking drugs: "not really ... not at all"¹⁶.
64. When asked how he was feeling "yesterday", VC replied, "I was just tired with the workload" and seemed to explain this as meaning studying for exams. VC accepted that he could not think of any

¹¹ Williams said he did not "take due consideration" of the fact "that VC had managed to ... enter properties", **21 April, PM, 59/25-60/9 INQT0000058**.

¹² Who gave his address as 48 Salisbury Street. VC moved from 48 Salisbury to Brook Court shortly before this incident. VC told PC Collins about both: **NGPF0000070_0001**

¹³ **26 Feb PM, 56/21-22 INQT0000007**.

¹⁴ See **WITN0036001_0017** para 49(b)

¹⁵ PC Collins admitted that she did not inquire as to why VC had two addresses: **26 Feb PM, 52/6-8 INQT0000007**

¹⁶ PC Collins did not follow up this answer with any vigour, **26 Feb PM, 53/23-54/12 INQT0000007** though there is no cogent evidence that VC used controlled drugs and none to suggest that the 24 May 2020 incidents were caused by drugs.

- lawful excuse for the obvious criminal damage. When asked the leading question of whether he was finding the studying “extremely stressful” he replied, “yes cause I’m kind of behind ... on the material so you know have to catch up” and in response to another leading question readily agreed that that contributed to his behaviour: “I believe so”. In a series of somewhat stilted questions and answers, VC accepted that his conduct was apparently reckless but not intentional.
65. Finally, when invited to comment generally, VC said “I’m sorry for that” twice. PC Collins then ended the interview.
66. At 18:03 Nurse Parker recorded on RiO that VC would hopefully be released shortly with an expected time of arrival home of about 20:00 and at 18:22 Ms Parker recorded “Released Under Investigation”, **NHFT0000168_0002-0003**.
67. At 18:25 PS Hennessy emailed PS Swift – the incoming custody sergeant – a handover package and emailed MH¹⁷, **NGPF0000067** and **WITN0021001_0005** para 19.
68. At 18:36 PC Collins made a detailed entry in the Niche log, faithfully recording the content of the interview that she had just conducted, **NGPF0000068_0014**.
69. After fingerprints, DNA and photographs were taken, VC was released from the Bridewell at 19:18 and transported home by NP officers¹⁸, **NGPF0000077_0045**. PC Turner’s notebook entry of this drop off is at **NGPF0000088_0001-0005**.
70. The processing by NP of the Incident 1 allegation of criminal damage was very slow and is recorded, below, in the correct chronological sequence (this first allegation of criminal damage was written off on 4 October 2021).

Incident 2: 24 May 2020

71. Just over an hour after VC had been released from the Bridewell, NP officers were called out again for NP Incident 2. PS Swift confirmed that a prisoner coming back into custody quickly after previous release was “Unfortunately ... more common than you would like”, **2 March PM, 27/6 INQT0000009**.
72. VC caused un-repairable damage to the frame and lock of the door to Feven’s Flat 23 at Brook Court and so terrified Feven by his behaviour that she jumped from her first-floor window, thereby seriously injuring herself.
73. At 20:29 Thomas called 999 reporting a male trying to smash the door of a flat saying that the person inside was in danger, **NGPF0000081_0001**.
74. PC Richard Marsden made his way to the scene and arrived to find paramedics and officers already present with Feven, so he went to the attacked flat where he could see that the front door had been badly damaged, **WITN0019001_0003**.

¹⁷ PS Swift confirmed that this meant L&D, **2 March PM, 22/11-13 INQT0000009**

¹⁸ Something that PS Swift said was “commonplace” for “any individuals who are either declared as vulnerable or have vulnerabilities ... suggestive of risk to themselves”, **2 March PM, 24/6-10 INQT0000009**

75. At 20:36 PC Marsden took photographs of the damaged door with his police issue device, **WITN0019001_0003** para 13, **NGPF0000090**, **NGPF0000091** and **NGPF0000092** and then travelled to QMC to speak with the victim, Feven.
76. At 20:40 PC Ashley Smith arrived at Brook Court and saw VC speaking with police colleagues, **WITN0018001_0003**, para 13. At 20:43 the FCR conducted an appropriate THRIVE assessment, **NGPF0000081_0005**. At 20:45 the FCR made the link with Incident 1, **NGPF0000081_0007**.
77. At 21:13 Street Triage Nurse David Todd dropped an excerpt from the NP incident log entry for Incident 2 into RiO, noting City Crisis was made aware, **NHFT0000168_0003**.
78. At 21:14 PC Smith arrested VC on suspicion of criminal damage to Feven's front door: VC did not reply, **WITN0018001_0004** paras 18-20. PC Smith handcuffed VC to the rear and transported him to the Bridewell where they arrived at 21:30¹⁹, MG11 **NGPF0000085** and PNB **NGPF0005701**.
79. VC refused to answer any questions from PS Swift about his well-being and at 21:41 PS Swift requested an HCP due to MH concerns and non-responsiveness, **NGPF0000095_0003**, **2 March PM, 27/21 to 28/5 INQT0000009**.
80. At 21:43 PS Swift made appropriate entries in the custody record including as to the degree of force VC used on the door and the need for Level 3 observations, **NGPF0000095_0004**. At 21:46 PS Swift lawfully authorised VC's detention, **NGPF0000095_0002** with a detailed entry.
81. At 21:50 (i) at QMC, PC Marsden took a signed statement from Feven, **NGPF0000084**, and then returned to the police station to create an OEL on Niche (ii) Nurse Finney conducted an 8-minute examination, determining that VC was fit to detain but not fit to interview (iii) the Crisis Team noted that VC's mother would prefer VC went into hospital for treatment as he was a risk to others in his current state, **NHFT0000168_0003**.
82. At 21:54 PS Swift contacted the Crisis Team, seeking more information regarding VC's assessment earlier in the day, **NGPF0000095_0005**. This was necessitated by the failure to record the MHAA at 14:00, **2 March PM, 29/7-22 INQT0000009**. PS Swift confirmed that the fact that neither he, as custody officer, or Nurse Finney (of Mitie) had access to the previous MHAA was unusual, **2 March PM, 30/20 INQT0000009**.
83. At 23:05 the Crisis team spoke with PS Swift to confirm that: VC was assessed as having first episode psychosis and sleep deprivation; wasn't detained under the MHA; the plan was for the Crisis team to visit this evening and monitor VC taking medication and then to visit him twice a day going forward. PS Swift updated Crisis about Incident 2 and Brandy Walters from Crisis said she would call back once she has obtained advice, **NGPF0000095_0006-7**.
84. At 23:36 AMHP John Dumenya noted: "21:03 PM EDT contacted by Brandy at City Crisis Team ... "Had a mental health assessment this evening, not detained. To be seen in community by crisis

¹⁹ The custody record erroneously has PC Lane as arresting officer, **NGPF0000095_0001**

team tonight, but now arrested by Police for smashing a neighbour's property. In custody, staring into space and vacant", **NOCC0000034_0013** (and Atherton WITN0225001_0013 para 43).

25 May 2020

85. At 00:01 PC Marsden created the Crime occurrence noting *inter alia* that: Feven had jumped out of her first floor flat after someone was kicking her front door and had fallen 10-12 feet and was in hospital for precautionary scans; that the offender was apparently suffering from a MH episode; IP and offender do not know each other, **NGPF0000082_0004**. The offence was characterised as ABH.
86. At 00:09 PS Swift recorded that VC was silent but that the Crisis team had declared first episode of psychosis, **NGPF0000095_0008**. The custody record noted that VC's mother had not seen her son in 4 months, lived in Wales but was in the area to take care of him if released, **2 March PM, 33/14-23 INQT0000009**.
87. At 01:07 PS Swift noted that the Crisis team recommended another MH assessment, **NGPF0000095_0031** and at 01:10 Nurse Finney referred VC's case to an AMHP, **NGPF0000095_0031-0032 / Swift 2 March PM, 34/20-24 INQT0000009**.
88. At 01:16 a request was made for a MHAA, **Cullen 22 April, PM 18/22-25 INQT0000060** and **NOCC0000034_0013**.
89. At 01:45 Nurse Finney noted: "They will come and perform a full MHAA later on today at approx. 09:00am", **NGPF0000095_0012** and see **Cullen 22 April PM, 19/9-25 INQT0000060, NOCC0000034_0013**.
90. At 06:46 PS Swift handed over to PS Cook, with a full entry noting the new MHAA booked for 09:00, **NGPF0000080_0002**. At 07:09 PS Cook signed for responsibility for VC **NGPF0000095_0039**.
91. At 08:45 the custody record noted VC's mother inquiring about what was happening and being told only about the imminent MHAA, **NGPF0000095_0041**.
92. The MHAA scheduled for 09:00 did not happen as the MHAA team had not arrived, **NHFT0000168_0004**. The custody team chased the MHAA team (**NGPF0000095_0043-0045**).
93. At 14:00 the entry was "Call from EDT, estimated time for the MHAA 15:30" **NGPF0000095_0046** that being more than 18 hours after the Crisis team were first made aware of VC's second detention. PS Swift confirmed (**2 March PM, 35/22-36/4 INQT0000009**) that such delays were common as was the Crisis team being uncontactable²⁰.

²⁰ Ms Attfield said there were other examples where NP officers complained that a mentally unwell paranoid schizophrenic who was volatile and needed MHAA was kept in a police cell due to a lack of beds because NP believed the individual could not be released due to the risk they posed to the public, **20 May PM, from 87/7-12 INQT0000092**.

94. At 15:45 the MHAA was finally undertaken by Dr Sadraei, Dr Malik and AMHP Eleanor Cullen. VC's detention was authorised under s.2 MHA, **NOCC0000034_0012**.
95. At 18:05 the MHAA was noted in RiO, including the history of Feven jumping from her window out of fear of VC after he had been released from the police station with psychotic symptoms and the medical recommendation for s.2 detention, **NHFT0000168_0004-0005**. See also Cullen's "Report Referral and Assessment" form, **NOCC0000045**.
96. At 15:59 Nurse Samantha Woodings on Rowan 1 noted there was a "high risk" that VC might abscond and that limited background information made it difficult to ascertain VC's risk and nursing within a more secure environment might be the safest option, **NHFT0000168_0004**.
97. At 17:25 the custody record noted VC was released under investigation and sectioned under s.2 MHA at Rowan Ward, Highbury, **NGPF0000095_0048/49**.
98. At c.22:51 VC was transferred by ambulance to Rowan Ward **NGPF0000095_0053/54**.
99. PS Swift acknowledged that the pre-release risk assessment by PS Hennessy was deficient, **2 March PM, 41/3-18 INQT0000009**.
100. At c.23:30 VC was admitted to Rowan 1 at Highbury, **Dr Seedat WITN0163001_0048**, para 120.
26 May 2020
101. At 00:36 RiO recorded: "No recollection of previous events. Long vacant stares followed by monosyllabic answers. Seems to be responding to unseen stimuli. Acted suspicious of all activities. Reluctant to engage ..." **NHFT0000168_0005**.
102. At 03:58 Clinical Nurse Lead Sindi Ndlovu created a Risk Assessment **NHFT0000196_0001**, the purpose of which was to identify risks VC posed to others, **Ajewole 27 April AM, 42/21-43/21 INQT0000063**, noting "... arrived this evening at 23:30 ... presented unsettled, started kicking doors" **NHFT0000196_0004**.
103. At 06:18 it was noted in RiO that VC was "kicking doors", **NHFT0000168_0005**, and "once introduced to his bed area he was trying to make access to other patients' rooms", **Danson 22 April PM, 60/13-18 INQT0000060**.
104. At 11:06, PC Collins noted in the OEL for Incident 1 that VC had been arrested a short time after being released from custody for Incident 2 and was now sectioned at Highbury, **NGPF0000068_0014**. Despite PC Collins knowing that Incident 1 was followed by a very similar Incident 2, she said in para 23 of her Inquiry statement that she believed that she did not open VC's new Occurrence as it would be a breach of GDPR, **WITN0036001_0007** para 23. She maintained this incorrect position in her live evidence, **26 Feb PM, 58/11-60/8 INQT0000007**.
105. At 12:15 Sabelle Danson of Rowan Ward, **22 April PM, 65/4-69/2 INQT0000060**, triggered the alarm for VC after he started kicking a glass door and verbal de-escalation failed. VC was restrained and given Lorazepam. On return to his bed VC ran for the door and had to be restrained again. An Incident Report recorded: "Violence Harassment And ... Aggressive/Hostile",

- NHFT0007520_0001.** No RiO alert for violence or aggression was added as it should have been, **Danson 22 April PM, 87/20-88/6 INQT0000060.**
106. At 15:54 Dr Faizal Seedat and Dr Anna Ludvigsen recorded the reason and aims for VC's admission but omitted that VC had been arrested twice or anything regarding VC's attempts at gaining entry, **NHFT0000168_0007.**
107. The Care Plan completed by Nurse Mtetwa, **NHFT0000207_0001**, omitted some of the details surrounding VC's detention including Feven's actions, **Dr Ludvigsen WITN0166001_0044** para 91.
108. At 17:35 it was noted in RiO that VC had attempted to climb the perimeter fence and that there was a risk of aggression and absconding²¹, **NHFT0000168_0008.**
109. On **27 May 2020**, Dr Ludvigsen completed the core assessment, **Ludvigsen 22 April AM, 77/2-21 INQT0000059**, noting *inter alia* the history of the 2 recent arrests by police, **NHFT0000188_0002.** Dr Ludvigsen did not include details of Feven jumping out of a first-floor window which was the "kind of thing" she "would have" noted during clerking in of a patient had she known about it, **WITN0166001_0037** para 74. This omission carried through the medical records, though the "terrified female occupant jumping out of the first-floor window" was documented in the second MHAA, **NOCC0000046**, to which Dr Ludvigsen would have had access, **22 April AM, 41/13-43/3 INQT0000059.**
110. On **28 May 2020** the medical records *inter alia* noted that VC was very unwell and responding to unseen stimuli, telling his brother his family is in danger; VC said he was thinking about "capital punishment" and that he has the "solution"; Dr Seedat explained that VC had had a psychotic breakdown, **NHFT0000168_0011.** Dr Ludvigsen was not privy to any discussion about VC's reference to capital punishment, **Ludvigsen 22 April AM, 82/6-84/2 INQT0000059.**
111. On **28 May 2020** Logs of VC's conversations with his brother were sent to Dr Seedat, **NHFT0017802, NGPF0002527**, but he did not give the document to anyone else. With hindsight Dr Seedat said "maybe" he should have copied the email and put it on RiO, **23 April AM 38/10-39/24 INQT0000061.** Dr Seedat stated that he didn't have knowledge that VC had gained access or entry to Feven's flat but rather that on both occasions VC had caused damage to the doors to the flat. Dr Seedat was aware by this stage that VC was trying to hurt the people who were mocking him or monitoring him who he believed to be in the other flat, **23 April PM, 119/22-120/16 INQT0000062.**
112. On **29 May 2020** at 18:01 the NP OEL records a detailed account of the incident from Feven's friend, **NGPF0000082_0013.**
113. On **30 May 2020** PC Marsden visited Feven at QMC to explain that VC had been sectioned and that his capacity was to be determined to assess whether he would be prosecuted, Marsden

²¹ **22 April PM 66/6-13 INQT0000060**

- WITN0019001_0004** para 20 and **Feven 26 Feb AM, 33/6-21 INQT0000006**. Feven's T12 fracture and fixation was noted, together with the L1/L2 fractures which required no intervention.
114. On **31 May 2020** PC Marsden visited Highbury to get an update on VC's status **26 Feb PM, 9/12-24 INQT0000007** and followed up with an email at 13:12 **WITN0163012_0001** to Dr Seedat in which he explained the history of Incident 2, including the injuries to Feven who he explained did not know VC. PC Marsden explained that he understood VC may not have had capacity at the time of the offence and that he wanted the doctor to clarify "whether or not [VC] had capacity at the time of the incident ... to establish whether or not [VC] can be held accountable for his actions", **NGPF0000082_0015**. In this email PC Marsden made no mention of Incident 1, explaining "I was updated on scene about the earlier incident but I was concentrating on mine really", **26 Feb PM, 10/12-13 INQT0000007**. See PC Marsden's thinking on this, **26 Feb PM, all page 16 INQT0000007**.
115. Dr Seedat therefore knew a significant amount of information from PC Marsden before he provided his response, **Seedat 23 April PM, 115/6-20 INQT0000062**.
116. PC Marsden (i) ideally would have mentioned the earlier incident to Dr Seedat, (ii) considered that Dr Seedat was "deciding" VC's capacity at the time of the offence, which he described as the "normal process", **26 Feb PM, 11/19-25, 13/8-14 INQT0000007**; (iii) did not check whether the view Dr Seedat proffered on 2 June (below) applied to both incidents on 24 May 2020, **26 Feb PM, all pp14-15 INQT0000007**.
117. On **1 June 2020** (i) VC hid in another patient's bedroom toilet, **NHFT0000168_0015** which represented a new risk, **Danson 22 April PM, 94/4-18 INQT0000060**. It is not clear whether this was discussed in MDT meetings, **Gonde WITN0140001_0017**, para 48 (ii) Feven was discharged from QMC.
118. On **2 June 2020** at 08:53 Dr Seedat emailed PC Marsden confirming *inter alia* that VC: (i) was admitted to Highbury under s.2 on 25 May 2020 and remained an in-patient; (ii) presented with "clear symptoms and signs suggestive of an acute psychotic illness" for which he needed rapid tranquilisation at very beginning of his stay but had now settled and his MH was improved; (iii) had "no recollection of the events prior to his admission and it will be my view that he was not in touch with reality around the time of his admission nor around the time of the incident of causing damage to someone's door. It was clear that his judgement and also awareness of his environment and actions was impaired due to experiencing an acute psychotic breakdown which was likely to have been precipitated by a combination of stress, sleep deprivation and social isolation²². It will be my view that it was more than likely that he did not have the capacity to be responsible for his actions as this was not done in a clear conscious state", **WITN0163014_0001**.

²² Not a view shared by the Emeritus Professor of Community Psychiatry at Imperial College, **WITN0353005_0002**.

119. Dr Seedat should have told PC Marsden that VC *sometimes* had no recollection but at other times he did, since this would have enabled the police to “make a judgment that [VC] was well aware of the behaviours and the actions that he took”, **Seedat 23 April, AM, 35/19-21 INQT0000061**. Dr Seedat accepted that he should have but did not record PC Marsden’s request or his response in VC’s medical records and that not everyone would have had access to the emails, **Seedat WITN0163001_0094**, para 231.
120. On **2 June 2020** following an MDT Ward Review with Drs Seedat and Ludvigsen it was noted, *inter alia*, that VC “went to the neighbouring flat to try to get to the people he thought were invading his mind ... there have been no incidents of violence yet but this would be a potential concern if acutely unwell ...”, **NHFT0000168_0017**. By “acutely unwell” Dr Ludvigsen meant actively psychotic if unmedicated, **Ludvigsen 22 April AM 54/11-14 INQT0000059**. That conceptualisation of risk should have been clear to all those dealing with VC, **Ludvigsen 22 April AM 54/15-17 INQT0000059**.
121. That information was different from that gathered by Palmer’s assessment during VC’s first MHAA on 24 May 2020 which was that VC was going next door because he thought he could hear screaming and his mother being raped. A history that VC was angry and going to neighbouring properties to confront those he thought were invading his mind would have changed the view on risk and quite likely the outcome of the first MHAA, **Palmer 21 April PM, 94/20-95/1 INQT0000058**.
122. Further, the “Reason and Aims of Admission” section, **NHFT0000168_0017**, was not changed or updated from earlier entries and omitted that Feven was seriously injured. Dr Ludvigsen accepted that if Dr Seedat had raised that fact at the previous ward review, it would be important to include it in the ward review notes on 28 May and 2 June and that this represented an “important element” for the risk assessment, **22 April AM, 45/17-18 INQT0000059**.
123. On **2 June 2020** at 20:13 PC Marsden replied to Dr Seedat (**WITN0163014_0001**): “My victim will be fine with this and luckily she should make a full recovery. Glad to hear [VC] is a little better”. Dr Seedat accepted “in hindsight I shouldn’t have made a comment on [capacity or criminal responsibility] and would have focused on just agreeing to comment on whether VC was fit for interview at the time”. Dr Seedat accepted he should have thought whether what he said would be used by the police to make charging decisions, **Seedat 23 April PM 118/7-13 INQT0000062**.
124. On **3 June 2020** Dr Seedat read the notes from Elias Calocane about VC’s text messages, **23 April PM, 117/19-20 INQT0000062**. It is unclear whether Dr Seedat accepts that with hindsight the VC text messages were “something that the police should have been aware of”, **23 April PM 118/4 INQT0000062**. VC’s text messages included reference to wanting to “hurt ... permanently”. VC also said in those messages: “I was thinking about red rum not 120 minutes ago” and “I think that they are watching I know that I can break their heads with my hands”,

- NGPF0001787_0014/0017/0018.** Dr Seedat did not copy these notes of the text messages into the RiO notes.
125. Dr Seedat “did capture the fact that there was thoughts of harming others” and Dr Ludvigsen agreed the messages included “another indication ... of serious violence” and she “was already concerned about this patient’s level of risk when unwell, as I think all of us were” **Ludvigsen 22 April AM 57/11-60/5 INQT0000059.**
126. On **3 June 2020** the RiO notes included references to VC hearing voices and people who were monitoring him and who had rented the apartment next to him to keep an eye on him; and VC’s belief that he was being watched by people in the next room using advanced technology. The conclusion was of psychotic symptoms developing over time and a functional illness rather than being precipitated by stress or isolation, **NHFT0000168_0021.**
127. On **3 June 2020:**
- a. Dr Seedat explained the situation to Eleanor Turner, UoN’s MH liaison officer, who confirmed that UoN would support VC and that he was resident at one of their private sector providers. She said VC should go back to his mother in Wales and do his learning online and could take the exam during the summer re-sit period, **NHFT0000168_0022.** UoN was made aware of the Feven incident, see (i) **Turner 25 Feb AM, 9/6-8 INQT0000004** (ii) **UNIN0000734_0002.**
 - b. PC Collins recorded that the owner of Flat 12, Declan, would send through an invoice for the repairs to the door, **NGPF0000068_0015-16.**
128. On **4 June 2020** Dr Seedat recorded details of the UoN conversation on RiO (**NHFT0000168_0022**) but provided no update to PC Marsden about the inconsistency in VC’s accounts or the concerning content of his text messages.
129. On **7 June 2020** risks were documented on RiO as “History of violence and aggression”, **NHFT0000168_0026.**
130. On **8 June 2020** PC Marsden pasted Dr Seedat’s 2 June email into the OEL, **NGPF0000082_0015/0016** and took Dr Seedat’s view on VC’s mental capacity at the index offence as determinative of Incident 2, see **NGPF0000082_0016** which concluded as follows: “[Feven] is aware OIC cannot now progress the prosecution any further which she understands”. That was a misunderstanding of the position, but one which PC Marsden honestly believed to be correct.
131. On **9 June 2020** Dr Seedat explained that the plan was to discharge VC the following week with the Crisis team following up when he is in Nottingham, **NHFT0000168_0028.**
132. On **9 June 2020** a referral letter was sent to the Local MHT which detailed VC’s chaotic and troubling presentation on the ward, **WITN0196002 / Birtles 29 April AM, 42/23-43/5 INQT0000067.**

133. On **9 June 2020** Turner asked the ward for an update and the risk assessment to be emailed to her, **UNIN0000734_0003**. Though it never was, **Turner 25 Feb AM 16/25-17/3 INQT00000004**. Turner acknowledged “limitations as to what the police can do with the information” she was sharing, **Turner 25 Feb AM 21/7-8 INQT00000004**.
134. On **9 June 2020** at 11:54 PS Katie Sparks recorded on the OEL for Incident 2 that in light of Dr Seedat’s email, the suspect had been deemed not to have capacity at the time of offence and “Crime will be filed as undetected. IP has been updated Unable to proceed with any formal complaint, interview and conviction”, **NGPF0000082_0016**:
- a. NP could have interviewed VC²³ (in keeping with PD620) and referred the Feven matter to CPS, though the practical effect of Dr Seedat’s email might be to frustrate any prosecution.
 - b. PS Sparks agreed that “undetected” was an inappropriate description, **2 March AM, 93/9-13 INQT00000008**;
 - c. PS Sparks agreed that an email from Dr Seedat was insufficient and that “we [should] have gone back and got further details in a more comprehensive way”, **2 March AM, 89/2-4 INQT00000008**.
 - d. PS Sparks confirmed that she would have discussed her closure decision with PC Marsden before he discussed it with the victim, **2 March AM, 77/23-78/3 INQT00000008**; and that she did have one-to-one supervisions with PC Marsden throughout the course of the (short) investigation, **2 March AM, 79/6-8 INQT00000008**.
 - e. PS Sparks confirmed that although the OEL wasn’t corrected from “ABH”, Incident 2 was being *treated* as a GBH, **2 March AM, 79/9-18 INQT00000008**. She acknowledged that the wrong characterisation of the offence was a problem, **2 March AM, 81/12-16 INQT00000008**. She said that non-complex GBHs of this kind would stay with frontline officers to investigate and not go to CID, **2 March AM, 82/13-83/2 INQT00000008**.
 - f. PS Sparks said that applying the CPS charging standards, “I do not feel that [Incident 2] met the threshold to even refer it to CPS”, **2 March AM, 94/1-5 INQT00000008**; and “I didn’t feel like it met the test to take it to CPS, and there is an expectation by the CPS on supervisors that only when it reaches that test does it get referred to them, regardless as to the seriousness of any offence”, **2 March AM, 94/20-24 INQT00000008**.
 - g. When pressed on whether Incident 2 should have been sent to the CPS, PS Sparks agreed it should have been, **2 March AM, 94/25-95/4 INQT00000008**. Furthermore, when pressed on whether Dr Seedat’s email was a sufficient basis to close the case, PS Sparks said, “On reflection, I could look back and say, yes, we could do more and go back, re-visit Dr Seedat and re-visit VC for further questions”, **2 March AM, 96/20-97/1 INQT00000008**.

²³ Though that was rare in PS Sparks’ experience, **2 March AM, 90/2-19 INQT00000008**

- h. PS Sparks maintained her position, **2 March AM, 97/10-16 INQT0000008**: “I still stand by my decision that the doctor's email provided me the information that was evidentially disclosable and therefore concluded my investigation ... The doctor's disclosure shows that VC did not have *mens rea* at the time of the offence”. Respectfully, PS Sparks’ opinion has merit.
- i. When further pressed by CTI²⁴, PS Sparks ultimately said this: “Yes, on reflection, reading that recommendation²⁵, I can appreciate that this could have been taken to CPS and for them to review it and see if they felt that it had reached the full code test”, **2 March AM, 102/22-25 INQT0000008**. Ultimately, PS Sparks accepted that her closure decision fell below best practice, **2 March AM, 104/1-4 INQT0000008**.
135. PC Marsden tacitly accepted during his live evidence that he had not investigated the Feven matter with sufficient rigour, **26 Feb PM, from 24/9 INQT0000007**.
136. On **10 June 2020** at 10:29 VC’s custody record for Incident 2 was marked “refused charge” due to PS Sparks requesting the crime be NFA’d on both evidential and public interest grounds, **NGPF0000095_0055**. Recorded as outcome 12, **NGPF0000068_0021**.
137. On **10 June 2020** at 14:51 Stuart Croy (of UoN) emailed PC Jez Shaw about VC’s imminent release into the community saying “I am not sure that there is anything the Police can do or indeed would have any interest in ... I have been asked for a view from the Police on this one”, **UNIN0001503_0003**.
138. On **11 June 2020** (i) at 09:08 PC Shaw emailed PS Hallsworth: “I’m not sure there is anything for us, other than awareness and potential intelligence unless I have missed anything” (ii) at 09:44 PS Hallsworth emailed PC Shaw and Croy noting: “It appears [VC] is well enough now that the professionals are releasing him²⁶ so there doesn't appear to be any risk” (iii) at 09:58 Croy replied to PS Hallsworth: “the accommodation is not ours nor do we have a formal relationship with them so I am doubtful that other residents whoever they are will be informed” (iv) at 10:06 PS Hallsworth replied to Croy: “Stuart apologies didn't realise. I will contact the victim by telephone”, **UNIN0001503_0001-2**.
139. As part of those communications, the “Case Summary” shared by UoN with NP went “over and above and beyond” the information sharing agreement between UoN and NP, **Linehan 9 March AM, 63/15 INQT0000016**.
140. On **12 June 2020** at 13:03 the OEL noted “victim contact” and that Feven was advised of VC’s impending release from Highbury with contact details for support if required, **NGPF0000082_0016**. PC Marsden confirmed that the police had reacted to Dr Seedat’s email, **Feb 26 PM, 33/21-22 INQT0000007**.

²⁴ CTI never really identified a specific offence that it suggested should have been charged

²⁵ DCI Hall’s review of 6 March 2024, **NGPF0007833** and **Griffin WITN0074001_0228** paras 981-1002

²⁶ Another example of NP assuming that VC’s release meant that the NHFT considered it safe to do so

141. In June 2020, PS Sparks was supervising around 14 constables, each with between 5 and 20 cases on their books, **2 March PM, 9/12-21 INQT0000009**. Sir Andy Marsh told the Inquiry of the impact on high Sergeant to Constable supervisory ratios, **14 April PM from 108/20-109/14 INQT0000050**.

NP's observations on its management of Incident 2

142. Given that VC did not know Feven nor that she was in Flat 23 when he was banging on that door, it seems unlikely that he would ever have been charged (let alone convicted) of any kind of assault upon her, and certainly not s.18 OAPA since it would have been impossible to prove the required intent to wound anyone, let alone Feven. It also seems unlikely that VC would have been charged with or convicted of a s.20 OAPA offence given the apparent absence of any malicious intent or recklessness. The evidence shows that VC's motives for trying to enter Feven's flat were entirely deluded.

143. T/DCC Griffin said that the incident with Feven represented "one incident of serious violence" **23 March AM 37/11 INQT0000036** and agreed "it should have been treated as a GBH" **23 March AM 39/10 INQT0000036**, but which amounted to "a section 20" **23 March PM 40/11 INQT0000037** where "VC made no physical contact with Feven" **23 March PM 40/15 INQT0000037**.

144. If a file had been submitted to CPS, Dr Seedat's email of 2 June 2020 should ideally have been converted into a formal MG11 statement of evidence, but the email was always disclosable under the CPIA 1996 and would always have been used by VC's defence lawyers. However, NP readily acknowledges that Incidents 1 and 2 should have been investigated together since they took place at the same place, on the same day involving the same *modus operandi*. Insp Eustace would have expected Incidents 1 and 2 to be connected, if only as a result of officers' professional curiosity and examining the available data bases, **26 Feb AM, 55/2-15 INQT0000006**. And see para 999 of T/DCC Griffin's statement, **WITN0074001_0232**.

145. PS Swift²⁷ confirmed *inter alia* that:

- a. It would have been "very simple" to link Incidents 1 and 2, **2 March PM, 14/10-17 INQT0000009**; and the two incidents should have been linked, **2 March PM, 15/1-2 INQT0000009**;
- b. It would have been "very straightforward" to change the OEL reference on Incident 2 from ABH to GBH, **2 March PM, 15/6-13 INQT0000009** and "because it would be what's classed as a serious crime, the icon gets a red box around it to identify it as a serious offence", **2 March PM, 17/8-12 INQT0000009**;

²⁷ NP's full-time subject matter expert on Niche, see para 6 of his Inquiry statement **WITN0021001**

- c. Best practice would have been to have further arrested VC for s.20 GBH at some stage, **2 March PM, 16/21-25 INQT0000009**;
 - d. It would have been “incredibly simple” to have spotted incidents 2 to 6 on Niche before closing Incident 1 on 4 Oct 2021 because “NICHE relies on what is called the golden nominal principle” which he explained, **2 March PM, 17/18-24 INQT0000009**. (Swift confirmed the culture of officers “scared of being held to account for looking at something that they perhaps shouldn't have done, whereas in reality they should look at it”, **18/21-25 to 19/1 INQT0000009**);
 - e. It was “very easy” to place MH or violence flags on Niche, **2 March PM, 19/6-13 INQT0000009**;
 - f. The Niche system was efficacious and easy to use, **2 March PM, 20/9 INQT0000009**.
146. PC Marsden should have tried to interview VC about Incident 2 and should have obtained further details about VC from Dr Seedat. (PC Marsden’s approach was influenced by his experiences when dealing with offenders suffering from MH issues: see **Feb 26, PM, 30/9-21 and 32/3-4 INQT0000007**).
147. For the record, Incident 2 did not and does not, in law, constitute a DSI incident for the purposes of the Police Reform Act 2002. NP adopts without repetition its note to the Chair dated 2 March 2026. Questioning to this effect to PCs Collins (**26 Feb PM, 87/8-89/24 INQT0000007**) and Marsden (**26 Feb PM, 42/5-45/11 INQT0000007**) was accordingly inapt.
148. On **15 June 2020** Dr Seedat clarified the discharge plan for VC and liaison with the Crisis team **NHFT0000168_0045**. He had no concerns as VC did not have any issues with alcohol or illicit substances and had been very settled on the ward. VC’s risks were noted as “History of violence and aggression”, **NHFT0000168_0047**.
149. On **17 June 2020** VC was discharged and it was noted that he “must continue his medication for at least 6 to 9 months minimum and seek medical advice if wishes to stop”, **NHFT0000168_0049**.
- NP’s observations on NHFT’s discharge of VC on 17 June 2020**
150. VC had been seen by NHFT specialists every day for more than 3 weeks. They knew that VC: had been arrested twice in 24 hours for much the same aggressive and irrational conduct; thought about capital punishment; was trying to hurt people that were mocking him or monitoring him; had talked about wanting to “hurt ... permanently” and “break their heads with my hands” and referenced “redrum” **Ludvigsen 22 April AM 57/11-60/5 INQT0000059**; had “thoughts of harming others” **Ludvigsen 22 April AM 57/24-25 INQT0000059**; had a history of violence and aggression when his MH deteriorated; had tried to leave Highbury, kicked a glass door, required restraint and tranquilisation; posed a risk of absconding, damage to property and aggression.
151. NP were not updated about VC’s discharge notwithstanding that NP brought VC to NHFT’s attention, presumably because the clinicians deemed VC not to pose a threat to the public. It was

therefore reasonable for NP to assume that VC was well enough safely to be released: in any event, NP had no choice on the matter.

Ongoing chronology

152. On **18 June 2020** VC reported that he was not experiencing hallucinations or abnormal thoughts, **NHFT0000168_0050**.
153. On **22 June 2020** Dr Seedat wrote “I feel follow up needs to be face to Face with this chap as he does not let things out and will give the impression that all is well”, **WITN0163046_0002**. This was noted on RiO, **NHFT0000168_0051**. Yet Dr Seedat did not consider it to be risky to discharge VC into the community, **Seedat 23 April AM, 103/13-16 INQT0000061**: “I felt he could be safely managed in the community”. The inefficacy of that conclusion rapidly revealed itself.
154. At the home visit on **23 June 2020** by Crisis team, VC was still hearing voices but had the ability to mask his psychotic symptoms against a history of violence and aggression when his MH health deteriorated which was likely “if non concordant with medication”, **NHFT0000168_0052**. Nurse Josephine Baker knew that VC had exhibited aggression and violence against property or his neighbours and was aware of police involvement, **Baker 7 May AM, 90/13-91/8 INQT0000075**. She accepted that what VC said on 18 June about not experiencing hallucinations was different to what he said on 23 June and could have been an early warning sign of potential relapse, **Baker 7 May AM, 93/13-16 INQT0000075**.
155. On **26 June 2020** the RiO notes recorded VC saying he was doing “quite well” and the voices “were not bothering him as much anymore” such that the risk was reduced to Green RAG, **NHFT0000168_0053**.
156. On **30 June 2020** Claudia Birtles recorded concerns that VC might play down his symptoms **NHFT0000168_0054**.
157. On **3 July 2020** it was noted that VC had no medication remaining. On **11 July 2020** Nurse Andrew Jackson noted that VC’s mother thought he may not be taking his medication as prescribed, **NHFT0000168_0055**.
158. The EIP team failed to respond properly to the concerns raised by VC’s mother, **Dr Dracass 16 April PM, 56/5-14 INQT0000054** (the Part 2 report cited by Mr Straw KC is **CQCM0016518_0013**).

NP incident 3: 13 July 2020

159. At 22:16 Luke called 999 and then Liam (the same witness from 24 May) took over the call **NGPF0000052** because VC (of Flat 7) was attempting to enter Flat 11 Brook Court and was detained by Liam, his partner and a person from Flat 11, pending police attendance, **Liam 26 Feb AM, 11/14-21 INQT0000006**.
160. At c. 22:16, PC Michael Plant, a response officer was alerted to Luke’s call and made his way to Brook Court on blue lights. As with other NP witnesses, PC Plant had no independent memory of

- this incident and his evidence was based on the contemporaneous documents, **2 March PM, 53/3-4 INQT0000009, 54/8 INQT0000009, 55/11-12 INQT0000009, 68/17-18 INQT0000009** etc.
161. This was an unremarkable event for a response officer who described what they receive on the way to an incident: "There is everything you can think of coming at you all at once. It could be -- there's is different grade 1's running at once and all the different information. That may not relate to this one, it's still being passed over the air. They will try and shout you out by your call sign to make you aware of when they are speaking to you directly but it is not always necessarily clear", **2 March PM, 58/5-11 INQT0000009**.
162. PC Plant gave an insight into the realities of modern policing (with the benefit of 6 years' more experience since the event) in answer to the Chair's question about whether he would have been aware of the content of the 999 call alleging someone had broken into a property and assaulted someone: "So when we receive calls from members of the public, they obviously get taken by the call handler who will write what's on the call. When we get on scene it can be and it is on many occasions, a completely different story. So ... what's on the original call isn't always what has actually taken place", **2 March PM, 75/14-20 INQT0000009**.
163. At c. 22:25 PC Plant arrived at Brook Court and saw three men holding VC on the ground. PC Plant handcuffed VC to the rear and, with assistance from other officers, took VC to the rear of a police van: "Until I have found out what has happened my priority is safety, so handcuffing him allows us to separate the parties and make it a safe environment", **2 March PM, 55/19-22 INQT0000009**.
164. PC Plant was unaware of any of the three members of the public alleging assault by VC, para 16 of his Inquiry statement, **WITN0013001_0004**. In para 20 he explained that no further action was taken against VC "because the other people involved did not want to make a criminal complaint²⁸". PC Plant considered that s.136 was an appropriate resolution of the incident, see para 21 of his Inquiry statement.
165. PC Plant made a PNB entry, **NGPF0004261_0002**, and completed a Use of Force Report, in which on the third page he noted that VC had been "sectioned recently", **NGPF0000051_0001-3**.
166. By 22:25 the incident log was recording that incident 730 (incident 2) was the previous incident involving the male and VC's details were entered onto the incident log; and at 22:28 an appropriate THRIVE assessment was conducted, **NGPF0000049_0002/3**.
167. At c. 22:31 the NP street triage team of PC Jamie Severn and CPN Nigel Wade noted the details of Incident 0852 **NGPF0000049_0001** and a request from officers at the scene for a RiO check, which only Wade had access to, **3 March AM, 7/21-8/9 INQT000010**. An officer detaining VC

²⁸ He further explained: "I would have liaised with ... other officers on scene and I have wrote that based off either my own input or the other officers speaking with the witnesses at the time", **2 March PM, 66/10-23 INQT0000009**.

contacted PC Severn directly on a point-to-point Airwave call to explain they thought VC was mentally unwell, **3 March AM, 10/1-10 INQT0000010.**

168. PC Severn and CPN Wade made their way from the FCR to Brook Court. PC Severn had been on the street triage team since 2016 and explained its origins and purpose, **3 March AM, 2/16 to 3/4 INQT0000010.** Upon arrival, Severn and Wade could see that VC was handcuffed and seated in the rear of a police vehicle. They noted that VC had gone to a different floor in his apartment block and attempted to force his way into a flat. They learned that the officers at the scene were not looking to arrest VC but were more concerned with his mental health, **3 March AM, 11/23-24 INQT0000010.**
169. From the RiO records to which he had access, Wade realised that this was similar to Incident 2 when VC had been sectioned. Wade examined VC and advised PC Severn that VC needed to be detained under s.136 of the MHA. PC Severn was there, in part, to ensure the safety of Wade, **3 March AM, 19/7-12 INQT0000010.**
170. At 23:30 PC Severn detained VC under s.136 MHA, explaining in para 21 of his Inquiry statement that “[VC] appeared to me to be suffering from a mental disorder and to be in immediate need of care or control and I considered it necessary to remove him to a place of safety both in his interests and to protect other people”, **WITN0014001_0005.**
171. PC Severn completed a Niche web form for the s.136 which automatically generates an email to the s.136 suite, **3 March AM, 19/18-20/25 INQT0000010.**
172. By 23:37 the FCR noted that VC was en route to the Cassidy Suite at Highbury **NGPF0000049_0004.** At 23:49 PC Severn made a detailed entry on the Niche OEL²⁹, **NGPF0000048_0004.**
173. PC Severn explained why he considered s.136 detention preferable to arresting VC for an offence: “we have to rely on the professionalism of officers ... there to assess what's happened, whether it is a crime, what the gravity of it is ... I was not being told it was a burglary or any sort of offence of that nature ... in conclusion ... the best way to safeguard the public that night was to detain them under section 136, particularly as he had been sectioned in May and he was under services”, **3 March AM, 23/17-24/1-2 INQT0000010.**
174. Severn admitted that he “wasn't aware of the gravity of what happened in May, but in essence that would only really have supported what we did in terms of 136-ing”, **3 March AM, 30/11-13 INQT0000010.**

²⁹ PC Severn explained that though the policy preferred conveyance by ambulance, “very, very rarely did they turn up within half an hour” and “and in this circumstance with a male that's been handcuffed for quite a while in a car who had been obviously potentially a risk to the public, I felt it was appropriate for police to convey him” adding that they were a short distance from the Cassidy suite, **3 March AM, 21/23-25 to 22/1-18 INQT0000010.**

175. When PC Severn was asked whether he had a duty of “further liaison with other professionals” (meaning, presumably, within the NHFT), he replied, “The officers didn't hold a case load of crimes and the nurses didn't hold a case load of service users, so basically what was dealt with on the day -- because of the sheer volume of MH work that the police have and the amount of juggling that's done from the street triage point of view, the resources that we have available, there isn't follow-up in that sense ... it relied on Nigel [Wade] assessing the male, doing a comprehensive assessment and referral on the RiO system ... the nurse would update the relevant systems and whatever pro formas and alerts and things that the nurse has to do. But we didn't follow up necessarily going forward in that sense”, **3 March AM, 32/2-16 INQT0000010**.
176. The reality is that any “follow up” was undertaken by Dr Seedat’s team who, when they sectioned VC on 13 July 2020, knew of the circumstances of incidents 1-3. As PC Severn put it, “obviously secondary MH services were fully aware of this particular incident because he was sectioned under the Mental Health Act”, **3 March AM, 33/5-7 INQT0000010**. PC Severn did not think a safeguarding referral was necessary because VC “had been detained and the MH services were obviously going to assess him”, **3 March AM, 33/16-19 INQT0000010**.
177. On **14 July 2020** at 00:28 PC Severn made a detailed entry on the incident log, including that VC’s behaviours were similar to those in May, **NGPF0000049_0004-5**.
178. The extent of the “extremely stressful” role of the street triage officer juggling multiple incidents was explained by PC Severn, **3 March AM, 35/21-38/18 INQT0000010**, noting that street triage officers do not have access to the RiO records, though Severn said that it would be “very helpful” to have such access. He repeated that observation to the Chair, **3 March AM, 39/6-18 INQT0000010**.

NP’s observations on its management of Incident 3

179. It was reasonably open to NP to process this incident:
- a. By the criminal justice pathway for criminal damage or common assault (no injuries having been reported by the members of the public affected);
 - b. By s.136 MHA because this was “in the interests of [VC] or for the protection of other persons [the public]”;
 - c. By s.136, followed by the criminal justice pathway.
180. Wade and Severn were aware from RiO that there had been an incident in May 2020 which resulted in VC being detained under the MHA, **WITN0014001_0003** para 15. CPN Wade suggested to PC Severn - a very experienced constable - the s.136 route, and they decided to pursue that option. Wade’s detailed note of his reasoning is at **NHFT0000168_0056** which included the observation that a “box of his Aripiprazole had been obtained by Police, and there was one 14 tablet strip left ... I got the impression that [VC] was attempting to conceal his symptoms” and that following discussion with police, “Custody did not seem like an appropriate place based on the

likelihood that this presentation is mental health driven. It was decided to place VC on a Section 136 to safeguard himself and others". The "14 tablet strip" likely confirmed that VC had not been taking his medication, **Birtles WITN0348001_0055** para 160.

181. PC Severn's s.136 decision was a reasonable exercise of his discretion "for the purpose of enabling [the subject] to be examined by a RMP and to be interviewed by an AMHP and of making any necessary arrangements for his treatment or care".
182. That was a proper objective on the part of PC Severn made in the public interest, i.e. that VC be examined by a doctor and AMHP. It was tolerably obvious that VC was undergoing another psychotic episode, as his subsequent detention under s.3 confirmed. The psychiatrists have the responsibility to treat and risk assess such persons, not the police.
183. It seems unlikely that the CPS or court would regard VC's behaviour on 13 July 2020 as meriting criminal prosecution or sanction.
184. Furthermore, there can be no criticism of NP for failing to share any relevant information with NHFT since CPN Wade was present at the s.136 and VC was taken to the Cassidy Suite at Highbury, sectioned and detained until 31 July 2020. Whether VC should have been discharged just over 2 weeks later, without any realistic means of enforcing medication, is a matter for the Inquiry.
185. Between 13 July 2020 and 5 July 2021, NP had no interaction with VC. The next time VC encountered the police was 31 May 2021 in London.

VC's second compulsory detention

186. At c.23:50 on **13 July 2020** VC arrived at the s.136 Cassidy Suite at Highbury, handcuffed and accompanied by 2 police officers. The "Summary of Key Risk" recorded: "Can be violent & aggressive when unwell", **NHFT0000025_0001**.
187. On **14 July 2020** the RiO notes recorded VC's mother's concern as to whether VC had been taking his medication despite her daily prompting and that he may mask his symptoms, **NHFT0000168_0057**.
188. On **14 July 2020** a MHAA was undertaken by Dr Seedat and AMHP Geoffrey Culpin, with Dr Omar Manzar completing his assessment and recommendation in advance, **NHFT0000168_0058**. RiO recorded the recent discharge from hospital and history of the matter that had caused VC to be detained under s.3. The AMHP Report made a similar entry at **NOCC0000046 / NHFT0014625_0001**. Culpin believed that VC's presentation and history strongly indicated that he would not successfully engage with MH services if he was discharged, **WITN0189001_0021**, para 62.
189. Wade's Street Triage entry referred to VC banging on the door, forcing his way in and being forcibly restrained, **NHFT0000168_0056**. That level of detail was relevant to risk formulation and should have been replicated and contained in the risk assessment, **Frost 22 April PM, 116/10 INQT0000060**. The risk assessment by Nurse Busayo Ajewole recorded no history of MH

difficulties, violence or aggression, **Ludvigsen WITN0166001_0081-0083**, paras 170-175 and was lacking in detail and wrong, **Ajewole 27 April AM, 48/22-49/18 INQT0000063**.

190. On **15 July 2020** Dr Rupert Ackroyd completed a Core Assessment **NHFT0000187_0001** noting concerns regarding insight, medication concordance, risks to others when unwell and risk of further deterioration without intervention but did not add an alert to VC's records notwithstanding the further incident of violence and aggression, **Dr Ackroyd 22 April AM, 26/11-23 INQT0000059**. RMN Sarah Rivers updated a Risk and Safety Assessment which erroneously recorded "No history of violence or aggression", **NHFT0000195_0004**. Staff Nurse Robin Mame completed a Care Plan which omitted to mention that VC had assaulted anyone before admission requiring restraint, **Ludvigsen WITN0166001_0085** para 179. That was important information that doctors should have had but did not, **Ludvigsen 22 April AM, 62/22-24 INQT0000059**.
191. On **16 July 2020** Highbury's RiO notes recorded VC describing stopping medication two weeks after discharge from his last admission because he had read that it could "slow the mind". Dr Seedat observed that "the danger is that this will happen again and perhaps [VC] will end up killing someone" with VC's response "it will not happen again". Dr Seedat recorded that NP were not intending to "press charges". Depot was discussed because VC "takes medication while on the ward but then stops once discharged" and VC said he would think about it. "Risk Assessment: Others: he believed others were trying to spy on him/torment his mind and tried to enter a neighbour flat to confront them, there have been no incidents of violence yet but this would be a potential concern if acutely unwell ... Impression: acute relapse due to non-concordance with medication ... Risks Further decline in mental state Meds non-concordance Possibility of violence if acutely unwell", **NHFT0000168_0064-0067**.
192. On **19 July 2020** Nurse Gonde noted the risk of VC breaking into people's home due to hallucinations, **NHFT0000168_0071**.
193. On **20 July 2020** the risks were noted to be criminal damage, medical non-concordance, hallucinations, breaking into properties; VC's claims that he understood the need for his medication to stay well were noted, **NHFT0000168_0073-0075**.
194. On **21 July 2020** a note recorded VC appearing to understand the importance of his medication when discharged and his apparent development of good insight into his condition. Dr Seedat told VC that he had time to think about whether he wants to take a depot on discharge or would prefer to stay on oral tablets, **NHFT0000168_0079**. The Ward Review recorded "tried to enter a neighbour flat to confront them, there have been no incidents of violence yet but this would be a potential concern if acutely unwell." This was inaccurate as there was evidence of aggression and violence that also required restraint, **Seedat WITN0163001_0163** para 435.
195. On **23 July 2020** the MHAS log noted contact from Rowan to advise VC was on the ward, experiencing voices which led him to break into a stranger's home whom he believed was abusing

- his family; that police were involved and his discharge was planned for 30 July 2020 if progress continued, **UNIN0000614_0068**. Cath Gent of MHAS spoke to Abigail Parsonage from EIP and expressed concerns about the appropriateness of VC returning to his Nottingham accommodation given the ongoing risk to others, **Lineham WITN0066001_0074** para 235.
196. On **25 July 2020** a risk of VC absconding and being aggressive, breaking into properties and non-concordance, was noted, **NHFT0000168_0093-0094**.
197. On **28 July 2020** Dr Seedat wanted Crisis team follow-up to ensure concordance and informed VC that he would need to take the medication for at least 2 years, **NHFT0000168_0106**.
198. On **30 July 2020**:
- a. UoN were informed of discharge to take place the next day and UoN reported all exams now being online such that VC did not need to return to university, **NHFT0000168_0112**.
 - b. Dr Seedat believed VC was well enough for discharge with input from the community teams, **WITN0163001_0171** para 461.
 - c. VC attended a psychological appointment where he disclaimed hearing any voices in recent weeks, **NHFT00000168_0115**.
199. On VC's discharge on **31 July 2020**:
- a. Dr Seedat diagnosed VC with paranoid schizophrenia. The private messages from VC to his brother (which had been provided to Dr Seedat in early June) informed the diagnosis, Dr Seedat **23 April PM, 86/16-19 INQT0000062**.
 - b. The Discharge Summary **NHFT0000222_0006** contained the diagnosis but the referral to CRHT did not, **Dr Seedat WITN0163001_0177** para 473. The diagnosis on the referral, **NHFT0000030_0001**, was "Alcohol Use".
 - c. A "History of breaking into other people's bedroom" was noted and VC was discharged to the Crisis team, **NHFT0000168_0115**.
 - d. The ongoing risks in the discharge summary had not been updated since VC's previous discharge, **Ludvigsen WITN0166001_0091** para 189.
 - e. Assessment for after-care services under s.117 was not triggered because clinical staff did not inform the local authority of any social care needs, **Atherton 11 May AM, 21/1-7 INQT0000079**.

NP's observations on VC's second discharge from inpatient care on 31 July 2020

200. VC had been seen by NHFT specialists every day for more than 2 weeks. Further to VC's first compulsory detention, NHFT now additionally knew of VC that NP had been called again after another attempted entry into a stranger's flat, that VC had required restraint and that VC was vulnerable to relapse through non-concordance, **NHFT0000168_0064**. NHFT did not advise NP about VC's discharge, presumably because they did not consider him to be a risk to the public.

The ongoing chronology

201. In the first two weeks of August 2020 concerns as to VC's concordance were repetitively noted, **Dr Burri 28 April PM, 21/9-23/7 INQT0000066; WITN0348001_0064** para 190; **NHFT0000168_0121-0125**.
202. On **15 Aug 2020** VC was discharged by the Crisis Team despite Clive Chimbi being concerned that medical non-compliance would lead to another relapse, **NHFT0000168_0130**. This Crisis team discharge occurred without Birtles' awareness, **WITN0348001_0062** para 183. The extent of information available to the GP was contained within two discharge summaries, **CHCA0000027** and **CHCA0000028** because the GP did not have access to RiO, **Dr Murphy 29 April AM, 4/11-16 INQT0000067**. AMHP reports were not sent or available to the GP practice, **Murphy 29 April AM, 15/21-16/1 INQT0000067**.
203. On **21 Aug 2020** for her first direct contact with VC (**30 April AM 17/16-18 INQT0000069**) EIP's Parsonage noted the possibility of VC masking, **NHFT0000168_0131**. Parsonage did not interrogate VC's self-report about concordance, **Parsonage 30 April AM, 18/25-19/10 INQT0000069**.
204. On **27 Aug 2020** EIP conducted a home visit and Birtles noted that again VC's responses were monosyllabic though he denied auditory hallucinations, **NHFT0000168_0131**.
205. On **31 Aug 2020** a risk assessment **NHFT0000196** did not accurately reflect VC's previous events or patterns of behaviour, **Dr Ahmed 16 April PM, 72/6-12 INQT0000054**.
206. On **1 Sept 2020** Dr Lloyd was named in VC's Summary and Care Plan as responsible for mental health actions, risk and safety actions and medication but had no involvement in the preparation of the care plan, **WITN0357001_0066** para 189. The care plan did not set out risk or risk management, **Dr Lloyd 6 May PM, 5/5-7 INQT0000074**.
207. On **7 Sept 2020** Dr Bilal Burri expressed concern as to VC's "grasp of his illness in the long term" and his "long term commitment to take anti-psychotic medication", **NHFT0000168_0133**. Dr Burri was unaware of Dr Seedat's 3 June 2020 entry summarising the text messages which would have added to the team's knowledge of VC's risk to others, **Burri 28 April PM 37/23 INQT0000066**. Dr Burri was however aware of risk of relapse leading to aggression and violence, **Burri 28 April PM 38/3-5 INQT0000066**.
208. Subsequently, VC told Prof Nigel Blackwood that he stopped taking his medication in October 2020, **Prof Blackwood 30 March, AM 14/4-6 INQT0000043**.
209. On **27 Oct 2020** VC attended QMC's Eye Casualty and was diagnosed with an intra-ocular haemorrhage of the left eye, thought to be traumatic but of unknown cause. EIP were unaware of this due to not having automatic access to such information and not receiving alerts from physical health attendances, **Birtles WITN0348001_0078** para 229.

210. On **6 Nov 2020** the medication VC had left indicated non-concordance, **Burri 28 April PM 55/23 INQT0000066**. Gary Carter admitted his note of “no issues of concern” was “completely wrong”, **30 April AM, 104/7 INQT0000069**.
211. On **10 Nov 2020** Dr Burri noted that VC admitted telling the ward doctor before discharge that he no longer heard voices but only said that because he was tired of being in the hospital. VC gave a worrying account of auditory hallucinations from many sources and made reference to security services (MI6) and the police and what he should do to “prove his power”. VC claimed he was taking his medication regularly apart from missing a couple of odd days when he forgot. He denied any thoughts to harm himself or others. Dr Burri’s impression was that VC was psychotic with escalating symptoms and partial insight, but that “Risks are currently contained, needs to optimise anti-psychotic treatment and monitoring”, **NHFT0000168_0138**.
212. On **17 Nov 2020** it was recorded in RiO that VC felt a weight had been lifted after disclosing that he had been “a little dishonest” about his symptoms prior to his discharge, **NHFT0000168_0139**.
213. On **1 Dec 2020** Birtles made a detailed note of VC’s muddled and troubling descriptions of the voices he continued to hear which were “quite powerful” and “don’t particularly like it when he speaks about what they are saying”, **NHFT0000168_0140**.
214. On **7 Dec 2020** despite second and third person auditory hallucinations, Dr Burri recorded “I cannot identify any acute risks to self or others”, **NHFT0000168_0141**.
215. On **15 Dec 2020** VC’s s.3 papers relating to the 14 July 2020 MHAA were uploaded to RiO, **Dr Skelton 7 May AM, 68/1-12 INQT0000075, Skelton WITN0207001_0050** para 80.
216. On **21 Dec 2020** Birtles noted that VC continued to hear voices daily and didn’t feel there had been much improvement since increasing the Aripiprazole dose, **NHFT0000168_0143**.
217. On **4 Jan 2021** Birtles noted that VC denied that the auditory hallucinations interfered with his work and denied any current command hallucinations but she detected hesitation when talking about this, **NHFT0000168_0144**.
218. On **20 Jan 2021**, PS Palethorpe asked PC Collins to chase Highbury about VC’s MH situation and to revisit the owner about his wishes, **NGPF0000068_0016**. At para 25 of her Inquiry statement, **WITN0036001_0008**, PC Collins explained the delay between June 2020 and January 2021: familial illness and a workload of 48 cases. The delay cannot be justified and PC Collins didn’t know why the case had not been reassigned to someone else, **26 Feb PM, 60/24-25 INQT0000007**.
219. Insp Sharonjit Powar agreed that PC Collins had not been properly supervised up until this date, **2 March AM, 40/20-22 INQT0000008**; or indeed between 7 May and 25 July 2021, **2 March AM, 42/9-12 INQT0000008**. Or for the period 28 July to 28 September 2021, **2 March AM, 44/18-20 INQT0000008**.
220. But Insp Powar added this by way of explanation for the delays in supervision, **2 March AM, 41/6-10 INQT0000008**: “The only reason I can think of is due to the sheer amount of work that comes

through the Prisoner Handling Department and trying to keep on top of that". She repeated that to the Chair: "The only reason I can ... give is just the volume of cases that come through the prisoner handling department and the officer's workload", **2 March AM, 74/24-25 – 75/1-4 INQT0000008**.

221. Insp Powar said that NP now has better performance management systems to highlight when supervisory reviews are due, **2 March AM, 41/15-17 INQT0000008**.
222. On **22 Jan 2021**, PC Collins contacted Highbury to learn that VC had been discharged, though the hospital would not tell her to where. PC Collins tried unsuccessfully to contact VC's mother, Collins **26 Feb PM 61/15-19 INQT0000007** and **WITN0036001_0008-9**, paras 26-27.
223. For a 6-week period between 2 February 2021 and 15 March 2021 VC was not reviewed by a nurse or assessed by a doctor, **Lloyd 6 May PM, 18/5-11 INQT0000074**. A bag of unused medication found was subsequently dated back to February 2021 indicating several months of non-concordance, **Birtles 29 April AM, 111/25-112/9 INQT0000067**. VC subsequently reported that in 2021 voices began to tell him to harm others and that if he did not do this, they would kill his family, **Dr Mirvis 30 March PM, 74/7-14 INQT0000044**.
224. On **22 Feb 2021** VC was caught speeding by a speed camera. Parsonage telephoned VC who claimed he was able to ignore the voices, **NHFT0000168_0147**.
225. On **22 March 2021**³⁰, PC Collins (i) ascertained that Flat 12's owner would like to recover the cost of repairs, **NGPF0000068_0016**, (ii) noted that VC was now living at Flat 2, 48 Salisbury Street, that his CPN was Birtles and that Dr Seedat advised her to contact Birtles for her view, **NGPF0000068_0017**.
226. On **22 March 2021** Dr Burri advised PC Collins that it would be wise to mediate the message that the owner of Flat 12 wanted compensation via Birtles **NHFT0000168_0149**.
227. On **13 April 2021** Birtles advised VC that the landlord of Flat 12 wanted compensation for the damage. Birtles agreed to liaise further with PC Collins, **NHFT0000168_0150**.
228. On **15 April 2021** Birtles emailed PC Collins explaining the sensitivity of the compensation claim, and expressing concern "this could be triggering for him", **NHFT0000168_0151**.
229. On **27 April, 5 May and 8 May 2021** VC was again caught speeding by speed camera. Dr Burri was not aware of this, **Burri 28 April PM, 89/6-12 INQT0000066**.
230. On **7 May 2021**, PC Collins pasted onto the OEL the 15 April email from Birtles, **NGPF0000068_0018**.
231. On **13 May 2021** Birtles noted VC's claims that the voices were quieter but remained, albeit not interrupting his sleep or causing distress. VC denied command hallucinations and claimed to feel

³⁰ PC Collins had "no idea" what caused the delay between January and March, **26 Feb PM, 62/1-4 INQT0000007**.

in control but remained unconvinced that the medication had improved the auditory hallucinations, **NHFT0000168_0152**.

232. On **29 May 2021** VC's mother telephoned to advise that she believed VC was becoming unwell, **Birtles 29 April AM 98/22-99/17 INQT0000067**. Nurse Juliet Lopez in Crisis noted Celeste's concerns that VC was not taking his medication but a call to VC elicited responses that caused Lopez to conclude there was no role for CRHT "at this time, due to no obvious signs of deterioration and I have not nursed [VC] before to note if he is masking his symptoms", **NHFT0000168_0153**.

VC's visit to MI5's HQ: 31 May 2021

233. On **31 May 2021** VC attended Thames House in London and was dealt with by MPS officers. A Crimint report was created and passed to the Fixated Threat Assessment Centre, **Foster WITN0004001_0007** para 23. FTAC shared information with NP but determined there was no relevant information to share with any healthcare providers and no referrals were made to any other agencies, **Busby-McVey WITN0012001_0008** paras 16-20. The medical records of VC were not accessed or looked at, **Busby-McVey 3 March PM 4/19-21 INQT0000011**.
234. On **1 June 2021** an email / dissemination report about VC's Thames House attendance was sent to NP, **METF0000005 & 6, Foster 3 March AM 59/7 and 95/6 INQT0000010**.
235. The UoN were not made aware of the MI5 incident, **Turner 25 Feb AM 86/24-87/3 INQT0000004**. Dr Burri was also not aware and would have spoken to VC about it, **Burri 28 April PM, 70/23-71/7 INQT0000066**. He considered that it should have been shared with the NHFT by the police. Dr Lloyd was also not aware, **6 May PM 20/8 INQT0000074**. Birtles would have wanted to know about it at the time because VC had mentioned MI5 before, **Birtles 29 April AM 100/14 INQT0000067**. Parsonage says she should have been made aware but was not, **30 April AM 32/18-25 INQT0000069**.
236. This incident was reported to NP on 2 June 2021, **NGPF0000224**, in a dissemination report that did not alert NP to anything significant nor impose any legal or moral duty on NP. NP were not aware that VC had disclosed to his treating clinicians any delusions relating to security services or the police. VC's attendance at MI5 was plainly caused by his mental illness, but VC did nothing to justify any intervention. It is unclear what difference knowledge of VC's MI5 attendance would have made to healthcare's management. By this point VC's mother had reported that VC was not making sense and that VC had reported to his brother that he had been non-concordant with medication, **Parsonage 30 April AM 33/5-11 INQT0000069**.
237. On **2 June 2021** Parsonage and CPN Adele Pinder visited VC at home, concluding that they did not think VC had relapsed and noting that he was "adamant" that he was taking his medication daily, **NHFT0000168_0154**.

238. On **8 June 2021** Carter visited VC, **NHFT0000168_0154**, but was unaware that VC's mother had contacted Crisis with concerns, **30 April AM 114/25 INQT0000069**.
239. On **18 June 2021** Birtles performed a home visit and concluded that the risks remained low, **NHFT0000168_0155**.
240. On **28 June 2021**, Birtles noted that VC did not attend his Care Programme Approach ("CPA") review with Dr Burri, **NHFT0000168_0155**.
241. On **29 June 2021** the Care Plan and risk assessment were updated, **NHFT0000201_0003**, but did not refer to patterns of non-concordance or masking, **Birtles 29 April AM 101/23-102/6 INQT0000067**.
242. On **2 July 2021** Birtles left a message requesting VC return the call at the next opportunity, **NHFT0000168_0155**.

NP Incident 4: 5 July 2021

243. At 16:55, VC's flat mate Sebastian called the police on 101 **NGPF0000046** to report aggressive behaviour by VC, **Sebastian 3 March PM, 37/9-14 INQT0000011**. This call generated incident log 0581 recording Sebastian's account thus³¹: "two hours ago I came home to my student accommodation and my flat mate came out of his room and went towards the living room hesitating and mumbling something on the lines of what he was going to do. He then said I need to speak to you and then grabbed me and pushed me against the wall saying people will be contacting you and in case that happens then you should tell these people that I will contact them. He was very aggressive towards me. It looked like he was going to harm me but then violently grabbed me by my shirt sleeve and then pushed me against the wall. Flat mate is still inside the building. I have no injuries", **NGPF0000043_0007**.
244. FCR contacted PC Amy Pannell³² to tell her Sebastian was making his way to Radford Road police station. At c.17:29 Sebastian arrived at Radford Road and spoke with PC Pannell at the front counter. PC Rachel Wakefield, Pannell's tutor constable since about June 2021, **4 March AM, 3/6-8 INQT0000012**, had no recollection of speaking to Sebastian, **4 March PM, 78/6-7 INQT0000012**.
245. At paras 12-14 of her statement, **WITN0015001_0003-4**, PC Pannell related her meeting with Sebastian in which he told her³³ broadly the account noted on the incident log and that this was the first time that anything like this had happened; that he did not want to make a formal

³¹ Which Sebastian replicated in his live evidence, **3 March PM, 34/13-20 INQT0000011**. Sebastian said VC was "quite angry, quite serious". Initially Sebastian thought it might be something about drugs, **3 March PM, 35/20-22 INQT0000011**. A supervisor at university unhelpfully told Sebastian to "fight back", **3 March PM 36/14-21 INQT0000011**.

³² Who joined NP in October 2020 (as part of the Uplift programme), so had disrupted training (due to Covid) and c.9 months total experience at the material time but only about 5 months front-line experience, see **4 March AM (i) 2/16-18 INQT0000012** and (ii) **49/5-7 INQT0000012**. ("I went through training in a very difficult period of time and a lot of my training was in person and through Teams meetings")

³³ And she thought her **alone: 4 March AM, 38/10-24 INQT0000012**

complaint but just wanted police to be aware of the incident; and that he had suffered no injuries (which Sebastian confirmed in his live evidence, **3 March PM, 38/4-6 INQT0000011**). PC Pannell did not take a photograph of Sebastian's T-shirt because she didn't see any damage and Sebastian had no visible injuries to his arm.

246. Sebastian signed PC Pannell's PNB to confirm *inter alia* the following: "I do not want to make a complaint, write a statement or go to court. I only want to make the police aware of this incident"³⁴. I know where the police are and how to contact them if I need to", **NGPF0000045_0001**. PC Pannell explained why she asked Sebastian to sign her PNB: "It is part of the policy and procedure in relation to not wanting to make a complaint, we have it then recorded on our pocket notebooks and then we ask the IP to sign to ensure that it is recorded appropriately", **4 March AM, 50/19-22 INQT0000012**.
247. PC Pannell confirmed that she could not remember anything that Sebastian said at the time, **4 March AM, 7/12-13 INQT0000012**. This was in the context of whether Sebastian might have explained that he was worried about the consequences if the police spoke with VC about his complaint³⁵. PC Pannell added, "we are victim led, if a victim doesn't want to make a complaint, then we will just follow the process of criming it as the procedure and sign pocket notebook to confirm that that's what they want to do", **4 March AM, 8/1-4 INQT0000012**.
248. When asked what advice she would have given if the victim professed fear of the perpetrator, PC Pannell said "To make us aware if another situation occurs. To potentially avoid the person, if necessary. To inform the police if a further incident occurs. It is very difficult if a member of the public doesn't want to make a complaint to ... because we are victim led, there's nothing I can really do unfortunately", **4 Mar AM, 8/9-16 INQT0000012**.
249. PC Pannell added: "he informed me that he was going to be moving out of the property"³⁶, so that also was a factor as well, that he was going to remove himself from that location", **4 March AM, 8/23-9/1 INQT0000012**. Indeed, PC Pannell explained that the (lack of) seriousness of the assault was a factor in her management of it and closing it down, **4 March AM, 51/6-52/1 INQT0000012**.
250. PC Pannell also noted that Sebastian reported that VC was regularly visited by NHS MH nurses, **NGPF0000044_0005**, so she advised Sebastian to speak to the nurses when they attended and to keep a distance from VC. This advice was subject to challenge³⁷, but it was advice given by an inexperienced officer in the context of Sebastian not wanting police to intervene. PC Pannell was

³⁴ PS Price considered this to be a sufficiently clear reason why the victim did not want to make a formal complaint, **4 March AM, 79/10-19 INQT0000012**, also explaining that sometimes police involvement made things worse not better, **80/6-16 INQT0000012**.

³⁵ Sebastian confirmed that he did not want the police to speak with VC, **3 March PM, 40/2-22 INQT0000011**.

³⁶ In about 2 months' time

³⁷ For example, **4 March AM (i) 12/22-25 to 13/1-18 INQT0000012 (ii) 47/16-21 INQT0000012**

trying to advance the complainant's position though she said that she wouldn't do this now, **4 March AM, 47/22-25**.

251. In answer to CTI's question whether it would have been better for PC Pannell herself to speak with the MH nurses, PC Wakefield said: "I wouldn't even know where to start how to find who his mental health workers are", **4 March PM 81/20-21 INQT0000013**.
252. At 18:10 PC Pannell updated the incident log, noting that Sebastain had said VC was due to move out of the property in September (and accidentally reversing the identities of perpetrator and victim), **NGPF0000044_0005**.
253. PC Pannell confirmed that she knew what a Public Protection Notice ("PPN") was and did consider one but since this was (as she described it) a non-complaint assault (and she might have added, a no-injury common assault) she did not submit a PPN, adding (probably incorrectly) that she would need the permission of VC to submit one and that Sebastian didn't want her to contact VC and she had to be victim led, **4 March AM, 15/22-25 to 16/1-25 INQT0000012**. PS Zoey Price gave similar live evidence and excluded a PPN for VC for the same reason that they didn't have VC's consent³⁸, **4 March AM, 83/12-18 INQT0000012**. Det Supt Sullivan, **WITN0427001_0024**, explained PPNs at para 110 of his Inquiry statement. PS Price stated that she "didn't feel that at that point there was a need to speak to [VC] or submit a PPN" (**4 March AM 84/25-85/1 INQT0000012**) and explained (**4 March AM 86/6 INQT0000012**): "We wouldn't go and see VC in these circumstances because the victim has asked us not to and with mental health, police wouldn't normally go and see him unless there is an imminent threat to life or limb which there is not here".
254. However, whilst accepting that with hindsight this incident was driven by VC's mental ill-health, PS Price did not think that was so obvious at the time (thereby influencing her against a PPN): "in hindsight it is -- but at the time it is not an obvious mental health issue ... when he has had issues with his mental health a year before, doesn't mean he has committed this offence because of a decline in mental health ... What he has said to the victim isn't clear what he means by that. Could be his mental health, could be drug dealing, as Sebastian first thought ... I also knew or suspected he was being looked after in the community by a mental health team based on what Sebastian said and therefore it was deemed that he was able to be out in the public and was being looked after by those services already³⁹", **4 March AM, 85/3-17**. PS Price added that she considered

³⁸ See paragraph 3.2.2 of PD620, **NGPF0010329_0014**: "The consent of the person concerned should be obtained before such information is passed on to other agencies unless the circumstances are such that this may not be practicable or we can override consent (e.g. if concerns relate to the level of care and support provided by a 'carer' who is present at that time). Officers may also consider advising the person to arrange a GP appointment urgently or get in touch with their community psychiatric nurse if they have one."

³⁹ Another example of police officers relying on MH practitioners

Sebastian was “a good source of information” (a reasonable view given his obvious intelligence and responsibility), **4 March AM, 85/3-21**.

255. At 19:17 the crime audit team emailed PC Pannell as part of the NCRS review indicating that there was insufficient information to determine whether a crime should be recorded, noting the reversal of the perpetrator / victim identities⁴⁰ and asking why a crime had not been recorded, **NGPF0000044_0006**.

256. At 19:25 PC Pannell placed the detail of the report on the OEL. At 20:37 the incident log clarified that Sebastian was the injured party. At 20:41 PC Pannell added ABH / common assault to the OEL, **NGPF0000043_0001**. At 20:42 PC Pannell added the OIC investigation completed section of the OEL noting *inter alia* the lack of forensic evidence or CCTV and that the victim was not supporting the prosecution and declaring that she had completed all proportionate lines of inquiry, **NGPF0000043_0010**.

257. At 21:26 PS Price⁴¹ reviewed the OEL and decided to file the crime as “undetected”⁴² taking into account NP’s Crime Outcomes Guide **NGPF0006054** and the circumstances, in particular the victim’s wishes not to support a prosecution. Accordingly, the crime was recorded as Outcome 16 “Victim declines / withdraws support – named suspect identified HOOC16”. In para 18 of her Inquiry statement, PS Price listed the 7 material factors for her decision and in para 19 explained why the crime did not, in her opinion, reach the evidential threshold for prosecution nor the public interest test. In para 20 she also noted that the previous offending history of VC would not have changed her opinion, **WITN0016001_0004-5**. But PS Price accepted at para 34 that it would have been better if NP contacted UoN since this may have enhanced its ability to safeguard Sebastian, **WITN0016001_0008**.

258. PS Price⁴³ noted on the OEL under “rationale for closing the occurrence”: “no evidence. one word against the other⁴⁴. no injury. IP not willing to provide statement but just wanted to let us know. No DV. Common assault. Low risk”, **NGPF0000043_0010**. PS Price admitted in her live evidence that she did not conduct a PNC or Niche check on VC, **4 March AM, 74/1-3 INQT0000012**. But PS Price was clear that further background checks “would not have made a difference in this case and the reasons for that is it was a year before previous to this. This was a low level offence, and

⁴⁰ Possibly caused by a combination of Pannell’s inexperience **4 March AM 48/16-17 INQT0000012** and dyslexia, **4 March AM, 45/23 INQT0000012**.

⁴¹ Price was a temporary sergeant, having qualified as such in Nov 2020; she was not substantively promoted until Nov 2021, **4 March AM, 60/24-25 to 61/1-9 INQT0000012**. So a temporary sergeant supervising a new probationer constable. PS Price had 16 constables under her supervision, each with between 10-25 cases, **4 March AM, 95/24-25 to 96/1-2 INQT0000012**. Sir Andy Marsh confirmed that the Sergeant Constable ratios would deteriorate after Uplift, **14 April PM, 108/20-109/14 INQT0000050**.

⁴² In fact, “undetected” is pre-2014 language used by NP: by 2021 NP were using the Home Office’s 22 numeric codes for outcomes, **4 March AM, 64/21-25 INQT0000012**.

⁴³ Who had little or no free recall of the incident, **4 March AM, 62/13-14 INQT0000012**.

⁴⁴ PS Price explained, “because experience tells me that he’s unlikely to admit to that offence”, **4 March AM, 72/4-5 INQT0000012**.

we cannot assume because somebody has had a mental health incident previously that they can't commit offences that are not in relation to their mental health ... it wouldn't have made a difference in this case", **4 March AM, 75/21-76/7**.

259. PS Price confirmed that she would not have considered an out-of-court disposal "given that the victim didn't want our involvement" and "we are essentially victim led and what they want and with this being a low level offence with, at the time, low risk to that victim, we wouldn't intervene", **4 March AM, 73/6-23 INQT0000012**.

260. PS Price explained: "We wouldn't go and see VC in these circumstances because the victim has asked us not to and with mental health, police wouldn't normally go and see him unless there is an imminent threat to life or limb⁴⁵ which there is not here", **4 March AM, 86/6-10 INQT0000012**.

261. At this point, PC Pannell was unaware of the outstanding investigation into Incident 1, but she explained that even had she researched and become aware of Incidents 1, 2 and 3, this would not have made any difference to what she did on 5 July 2021 because "I believe the previous incident was over a year prior to the one that we were dealing with" the relevance of which was that "[I]t doesn't show a consistent repetitive pattern in quick succession which would indicate an increase in incidents. We would look at a pattern of incidents that were increasing or getting worse with each call that came to the police, normally", **4 March AM, 53/1-16 INQT0000012**.

262. PC Wakefield said: "I wholeheartedly believe that that incident was dealt with proportionately. The victim did not want us to go and speak to VC. Whilst we are victim-led and we do take into consideration that if there are elements where I may think, well, I know you may not want us to speak to him, however I feel the risk is greater and I need to go and speak to him then I will, but ... we base that on the evidence that we have in front of us", **4 March PM, 78/23-79/6 INQT0000013**.

263. PC Wakefield added: "I wouldn't have done anything differently to what she would have done ... I don't believe it would have been necessary for us to go and speak to VC at this point. If Sebastian had said more serious and more concerning things of course we would have followed up on that", **4 March PM, 79/18 to 80/1 INQT0000013**.

264. PC Pannell acknowledged that with the benefit of a further 4½ years' experience, she might now have tried to get in touch with MH services, but she (fairly) pointed out that in 2021 as in 2026 it was not easy to do so, **4 March AM, 53/17-54/13 INQT0000012**. In response to the Chair's suggestion that she could have contacted the Street Triage Team she said: "Sometimes they are contacted and they are so busy they don't have time to attend because they are at another job. We usually only have one triage car operating in the city at any one time and we get a substantial amount of calls from the city", **4 March AM, 59/3-8 INQT0000012**. But PC Pannell accepted that

⁴⁵ A reasonable reflection of the RCRP policy.

had she known of the three previous incidents, she would have contacted the Street Triage Team, **59/9-21 INQT0000012**.

265. PS Price said the opposite: “No, the Street Triage Team would not have attended this incident. We couldn't even have had a RIO check at that time if we are not present with VC. They will come out to and only deal with incidents where there is an imminent threat to life or limb, which there is not here”, **4 March AM, 95/1-6 INQT0000012**.

266. In para 30 of her Inquiry statement, PC Pannell acknowledged that she could have asked for a PNC check on VC which would have given her further information and in para 32 she spoke of the continuing growth of cases with a MH element: “I believe that the mental health services need to work more closely with the police, especially if people with severe mental health issues are living within the community that we police”, **WITN0015001_0008-9**.

267. PC Pannell explained that she did not reply to Sebastian’s text about a week later because by then she was back at university and had left her police phone behind at the station, **4 March AM 39/11-13 INQT0000012**. PC Pannell accepted the Chair’s observations that perhaps there needed to be a system for officers’ texts to be forwarded to someone who could respond, **4 March AM, 55/15-56/8 INQT0000012**.

268. PS Price explained why a mental health marker for VC would not have been placed on PNC after this incident: “Markers are put on the police system generally as what a police officer has witnessed themselves not what a victim or a third party has told us. That's how they work. So a violent marker will be when an officer has witnessed violence”, **4 March AM, 94/9-16 INQT0000012**.

NP’s observations on its management of Incident 4

269. This is an incident where hindsight wisdom and the realities of front-line policing clash. In the real world, little, if anything, could have been done by PC Pannell meaningfully to progress this matter. The victim did not want it progressed beyond police awareness. An incident log and an OEL were created, so NP had a good record of the incident.

270. This was not an incident that predicted 13 June 2023, or anything like it. It was a low-level no-injury assault where the intelligent and non-vulnerable complainant, Sebastian², positively did *not* want the police to intervene, paras 32 and 34 of his Inquiry statement, **WITN0151001_0006**.

271. When it was implied to her that she hadn’t tried too hard on this job, PC Pannell said: “This wasn't a case of me being too busy to take further action. This unfortunately was a case of the IP not wanting to press any charges or make a complaint. So I recorded the incident and then the job was filed”, **4 March AM 42/21-24 INQT0000012**.

272. Furthermore, any alleged “missed opportunities” arising from this incident had no causative impact since within 2 months, VC was detained *again* under the MHA, whereafter NHFT had 7 weeks proactively to manage the risk that VC evidently posed.

273. Few (if any) police Forces could afford to devote resources to Incident 4, which was (to give numerical perspective) incident number 581 of the day (and before the busiest period which starts c.17:00): no injuries; no desire by the intelligent and non-vulnerable victim for the police to take further action; no objective signs of imminent risk.

The ongoing chronology

274. On **8 July 2021** Birtles visited VC at home noting *inter alia* that he didn't appear too concerned that he had missed his appointment with Dr Burri last week; VC's claim that he was "100% back to his usual self", claiming the voices "are barely noticeable"; that he was continuing to work, go to the gym and the pub and "continues to take his medication everyday"; and "he appears agreeable to following medical advice at the moment", **NHFT0000168_0156**.

275. On **14 July 2021** Sebastian experienced the incident described in para 37 of his Inquiry statement: "at around 5am, I heard someone coming up the steps towards my door and try to open it but it was locked. It was only VC and I in the flat. I cannot think of many reasons VC would want to enter my room in the middle of the night and he had already assaulted me. It was clear in my mind that I was not going to return to the flat after this", **WITN0151001_0006**. In para 40 Sebastian said: "I did not report this directly to the police, but I did message [PC Pannell], that had dealt with me the week before ... I messaged "Good morning, Thanks for your help on this issue. My flatmate tried to come into my room at 5 am this morning without knocking, but he left again when he realised it was locked. I was wondering if this is something worth reporting to the police as well? Regards, Sebastian", **WITN0151001_0007**. Sebastian says that he did not receive a response to this message, for reasons the Inquiry now understands. He took no other steps to notify NP, **3 March PM, 47/16-25 INQT0000011**.

276. On **21 July 2021**, VC emailed PC Collins for "information and clarification" and "to arrange a time to come to the Bridewell", **NGPF0007678_0001**.

277. On **25 July 2021**, Insp Stanley chased PC Collins urgently to update the OEL in respect of Incident 1 and CPS submissions and reminded her to "ensure that a meaningful update is applied to this crime, as a minimum every 28 days", **NGPF0000068_0019**.

278. On **26 July 2021** (i) at 05:39, PC Collins replied to VC's email advising that Incident 1 was not closed, suggesting that he speak with Birtles regarding the loser's invoice and intimating her intention to give him a conditional caution⁴⁶, **NGPF0007678_0001**⁴⁷. (ii) at 06:29, PC Collins updated the OEL on Incident 1 to record that: VC had been sectioned "regarding this incident and another" and since release had moved address "and is no longer studying at University until he is fit again"; that she had contacted Birtles who wanted to discuss VC paying the owner the cost

⁴⁶ Where the offender admits the offence, repays the loser and works with L&D: see **26 Feb PM, 66/7-16 INQT0000007**.

⁴⁷ Unfortunately, PC Collins did not check VC's name through NP's data bases, **26 Feb PM, 66/17-20 INQT0000007**: had she done so, she would have noticed Incidents 2, 3 and 4.

of the damage to the door “slowly so as not to tip him over the edge”; that she would be making contact with him to ask for an update and whether he had the funds to pay this bill for the damage, **NGPF0000068_0019**.

279. On **28 July 2021** at 13:29, PC Collins emailed VC to ask whether he could come to the Bridewell that week, **NGPF0007677_0001**.
280. On **29 July 2021** Nurse Diane Sansone noted that PC Collins was to offer VC a referral to L&D as part of his conditional caution and that VC would need to attend 3 L&D appointments, **NHFT0000168_0156**.
281. On **29 July 2021** VC advised PC Collins he would come to the Bridewell at 6pm, **NGPF0007677_0001**. VC met with PC Collins and declined the offer of a conditional caution for Incident 1. At para 33 of her Inquiry statement PC Collins explained the policy behind offering the conditional caution. The appropriateness of offering a conditional caution 14 months later and after the intervention of incidents 2,3 and 4 is questionable; and VC’s aggressive tone in the meeting was significant, see para 35 of PC Collins’ inquiry statement, **WITN0036001_0011**; PC Collins described VC as “argumentative” and “confrontational” about the caution, **26 Feb PM, 69/10-11 INQT0000007**.
282. At 21:36 on **29 July 2021**, having been informed about its existence by PS Palethorpe, **26 Feb PM 70/24-71/3 INQT0000007**, PC Collins pasted Dr Seedat’s email of 2 June 2020 into the Incident 1 OEL, **NGPF0000068_0020**.
283. On **30 July 2021** PC Collins emailed Declan to tell him that VC had refused to accept a conditional caution and had opted to go to court “which means you would probably⁴⁸ need to attend as it was your property. I would need to know if you still want to pursue this matter and also make you aware that if charged there is a possibility that CPS may not run the job due to the suspect not being of sound mind at the time of the offence which can now be evidences (sic) by psychiatric reports”. She asked Declan to call her, **NGPF0000068_0020**.
284. On **30 July 2021** (i) Birtles elicited from VC that he had declined the conditional caution and realised this could now be sent to the magistrates court; VC denied any current concerns (including the risk of a criminal record) but Birtles wanted to explore this, (ii) Tracey Ellis received an email from PC Collins reporting VC’s rejection of the caution “he wanted his day in court so he could contest it”, **NHFT0000168_0157**.
285. On **6 Aug 2021**, Carter noted that VC seemed irritated at his arrival, eager to close the interaction down and not very friendly or sociable, **NHFT0000168_0157**.
286. On **9 Aug 2021** (i) Dr Lloyd noted VC’s failure to attend his clinic appointment and that his CPN “feels he might be relapsing”, **NHFT0000168_0157**, (ii) Birtles phoned VC and noted VC claimed

⁴⁸ PC Collins accepted that the use of the word “probably” was “probably not accurate”, **26 Feb PM, 73/8-11 INQT0000007**.

to be unaware of that morning's OPA (despite a text reminding him of the appointment) and said it was "very unlikely" he could attend the following day but did not want to disclose what he was doing; she noted VC's responses remained abrupt and that he was apparently unworried about the pending court case; she got the sense that VC was avoiding appointments and was plainly concerned, **NHFT0000168_0158**.

287. On **10 Aug 2021** Dr Sasidharan and Birtles conducted a home visit and noted VC claimed to be medically compliant and denied "active thoughts of harm to others"; VC reported that the voices had become faint and he was no longer distressed by them; VC denied delusional thoughts and said he didn't believe he had MH problems but was happy to follow medical advice and continue to take medication; VC reported declining the conditional caution. The impression was: "His mental health has remained stable" though the importance of medical compliance was emphasised, **NHFT0000168_0159**.

288. On **16 Aug 2021** it was noted that VC attended the Rowan 1 entrance that day requesting to speak to the management team about his care and querying whether it was correct that he was hearing voices during his admission; VC asked whether staff heard voices on the ward and whether they communicated with Artificial Intelligence; VC said the police had information about services, **NHFT0000168_0160**.

NP Incident 5: 18 August 2021

289. On this date VC was summonsed for an accumulation of his speeding offences in 2021, posting date 19 August 2021, **NGPF0000015_0001-4**.

290. On **19 Aug 2021** Parsonage and Pinder visited VC and noted that he appeared muddled saying he was not expecting them and that they could not come in as he was busy and would not have time to talk; VC paused when asked if he was still taking his medication and then said yes; VC was guarded and did not want to talk and was more unkempt and less friendly than usual; VC said they need to send him a text/call to book another appointment. The impression was: "Likely relapsing. No risks noted today but difficult to assess due to guarded presentation", **NHFT0000168_0161**.

291. Sebastian reported at para 43 of in his Inquiry statement: "After I had moved out, on the 19th of August 2021, VC rang me using his number that I had saved on my mobile. I did not answer and blocked his number. He tried to call me twice more on the 25th of August 2021 which showed up on my phone as VC's blocked number", **WITN0151001_0007**. Sebastian did not report this to NP in August 2021.

292. On **31 Aug 2021** Birtles and Carter conducted a home visit due to mounting concerns that VC was relapsing. VC was confrontational and admitted he was not taking his medication and ranted that he was not psychotic and never had been etc. VC "presented with a complex delusional system" and refused to answer any further questions. The practitioners formed the (evidently correct)

view that VC was relapsing and would likely require a MHAA due to lack of insight, refusal to engage and risk of further decline in mental state, **NHFT0000168_0162**. VC was placed on the bed list, **NHFT0000168_0163**.

293. On **1 Sept 2021** Carter wrote on RiO that an MHAA was the way forward, **NHFT0000168_0163**.

294. On **2 Sept 2021** 2 attempted MHAAs at VC's home failed because VC did not answer his door and could not be raised on his phone. The plan was: "a warrant would be sought and executed tomorrow", **NHFT0000168_0163-0164**.

NP incident 6: 3 September 2021

295. At 16:04 Amie Staples requested NP assistance at 18:00 to execute the s.135 warrant. PC Barnaby Pritchard confirmed that most subjects of s.135 warrants leave voluntarily, **4 March PM, 6/1-9 INQT0000013**.

296. By 18:45 PS Louise Ellis, the shift sergeant and PCs Beatrice Sutton, Wakefield and Pritchard were all present at VC's premises. The attending doctors showed PS Ellis their warrant and confirmed that VC was to be detained for a MHAA. PC Wakefield knocked on VC's door and he answered, confirmed who he was but refused to come out of his flat and said there was nothing wrong with him. PS Ellis put her foot in the door to stop VC closing it and VC retreated into a bedroom. PS Ellis and PC Wakefield followed to try to stop VC barricading himself, followed by PCs Sutton and Pritchard.

297. VC started to make a call but was told by the officers that he could do this in the ambulance. VC said "Gentlemen, if you want to take me out" and then "I prefer you to do it", causing the officers to think he meant that he would go with the male officer.

298. At about 18:54 (when PC Wakefield activated her emergency button resulting in additional officers attending⁴⁹ **NGPF0000023_0005**) and as PC Pritchard stepped forward, VC landed several punches to PC Pritchard's face and headbutted him twice. The Inquiry has PC Sutton's BWV footage of the assault and immediate aftermath, **NGPF0000107**.

299. PC Sutton used her PAVA spray (which did not seem to affect VC, **4 March PM, 36/3-5**) and PC Wakefield used her Taser⁵⁰ which incapacitated VC who was then handcuffed to the rear and had leg straps applied, **PC Sutton WITN0022001_0005**. PC Pritchard thought VC tried to use the handcuffs – when only one hand was cuffed – as a weapon against him, **4 March PM, 13/3-4 INQT0000013**, though that was not PC Wakefield's view, **4 March PM, 82/12 INQT0000013**. VC then said to PC Pritchard: "You did good, yeah" and "You didn't go down".

⁴⁹ PC Wakefield explained that "typically when an emergency button activation is pressed everybody will travel until they are told not to", **4 March PM 72/3-5 INQT0000013**.

⁵⁰ PC Wakefield explained: "Everything else that we tried hadn't worked and that was the last option that we had to get him under control and stop him assaulting my colleague", **4 March PM, 74/17-20 INQT0000013**.

300. Consistent with the Taser SOP **NGPF0006106** VC was taken by police to the QMC for a medical check, after which he was taken to the s.136 suite at Highbury.
301. PS Ellis acknowledged that “PC Pritchard wasn't happy with [VC] not going to custody”. However, it was her decision to attend the execution of the warrant and her honest belief was that the best place for VC was the bed allocation at Highbury and that overrode “the idea of him going to a police custody cell where essentially the outcome would be the same ...”, **4 March PM 39/13-25 INQT0000013**.
302. PC Wakefield spoke to the same effect: “that bed was available for him to get help for his mental health ... that was the right decision to take him there because ultimately he may have lost that bed ... to me the mental health suite was the place he needed to go”, **4 March PM, 75/8-20 INQT0000013**.
303. PC Pritchard sustained minor injuries, **NGPF0000017_0134-136**. As he said in his first Inquiry statement: “My injuries were not serious ... I did not deem it necessary to seek hospital treatment”, **WITN0040001_0009**, para 34.
304. PC Pritchard told the Inquiry that he was happy with the progress of his case: “I am under no illusion, this would not have led to a custodial sentence ... [from his experience] I can't recall an occasion where someone was sent to prison ... I don't think the courts take assaults on police officers particularly seriously”, **4 March PM, 19/12-25 INQT0000013**.
305. This was based on his 16 years as a police officer and having himself been assaulted in the line of duty 15-20 times. This assault was in the top 5 in terms of seriousness but not the most serious, **4 March PM, 23/16-24 INQT0000013**; and **4 March PM, 24/1-14 INQT0000013**. T/DCC Griffin said: “it is highly unlikely that [VC] would have received a custodial sentence for the assault on the police officer” **23 March AM 73/11-19 INQT0000036**.
306. PC Wakefield said: “we go to so many mental health jobs and ... whilst we do have training on it when we join the job, we are fighting a losing battle ... People go to university for years to study mental health ... and a police officer going to these jobs ... with sometimes a day's worth of training ... we are never going to be able to understand it properly and we are only doing what we can and we do our absolute best. But a lot of the time ... I go to jobs where it is not a police officer who is needed, it is a mental health specialist ... But we are the police, we always go, and ... I'm not trained or qualified properly to give them the support that they need. We just do our best essentially”, **4 March PM, 75/24-76/15 INQT0000013**.
307. At 19:24 PS Ellis updated the incident log with a full entry, **NGPF0000023_0007** and at 21:28 she recorded that this assault met the Operation Hampshire⁵¹ criteria and at 21:42 entered a summary of the incident on the OEL, **NGPF0000017_0129**.

⁵¹ See ACC Cooper's *pro forma* statement for Op Hampshire cases, recording an average of 13 assaults on NP officers and staff per week, **NGPF0000017_0075**

308. At 22:10 PS Ellis placed a warning marker on the PNC that VC had been extremely violent to male officers and could assault without provocation, **NGPF0000027_0012**. T/DCC Griffin said, "it is ... a very very unpleasant attack on one of my officers ... we ... take that really seriously [but] it is inaccurate to describe that incident as serious violence", **23 March AM, 37/24 to 39/4 INQT0000036**. It "would probably fall more closely into the category of common assault injuries ... On the broader spectrum of violence, an either way offence with those injuries is not what I would describe as serious violence" **23 Mar PM, 38/14 to 40/4 INQT0000036**.
309. On **3 Sept 2021** (i) at 20:05 CPN Chapman made a Street Triage entry noting VC's assaults and adding an alert to RIO, **NHFT0000168_0165** (ii) at 22:35 Dr Benjamin Lomas noted VC's violent reaction at the warrant; suggested a relapse of VC's psychosis; noted VC posed a risk of violence to healthcare staff; recommended VC's detention under s.2; prescribed haloperidol because of VC's violence and recommended seclusion nursing to protect of staff and patients and referred to concerns around forcing entry to neighbouring properties being more alarming in light of VC's violence and aggression and VC was highly likely to deteriorate in the community without treatment, **NHFT0000168_0167-168**.
310. On **4 Sept 2021** at 00:03 PS Ellis made a detailed entry into the incident log, **NGPF0000023_0008-12**. She decided that the assault on PC Pritchard could be advanced in "slow time" since VC was detained and did not require immediate arrest, **4 March PM, 43/1-16 INQT0000013**. PS Ellis explained why she did not contact UoN: "I wasn't aware that he was a student. He isn't of student age. There was nothing indicating to me that he was a student in the flat at the time", **4 March PM, 45/10-14 INQT0000013**.
311. PS Ellis referenced Dr Lomas' reluctance to share information "basically citing doctor / patient confidentiality", confirming that it was not easy to get information from health professionals, **4 March PM, 46/1-47/15**, and adding: "Having worked in child safeguarding, my advice to people is to always -- if you think it needs to be disclosed then disclose it because there's normally a good reason for you to feel like that, and in my experience no one has ever been in trouble for over disclosing; it's normally not disclosing enough information".
312. PC Wakefield also referenced difficulties obtaining medical information: "How we share things in terms of mental health ... it is incredibly difficult, and for us trying to obtain any sort of information in relation to somebody's mental health we have to go through so many sort of procedures to get there ... to try and get any direct sort of information is incredibly hard", **4 March PM, 77/2-10 INQT0000013**.
313. On **4 Sept 2021** detailed notes were made in RiO concerning 3 September, including VC's ongoing seclusion, paranoia, delusional beliefs, lack of insight and refusal to engage and "extreme levels" of violence and aggression, **NHFT0000168_0169-174**.

314. On **6 Sept 2021** (i) Cygnet Victoria House declined a referral of VC because their nursing team was predominantly female and given the risks presented by VC, **CYGN0000103_0023-24** (ii) VC continued to be hostile and uncooperative, **NHFT0000168_0178-0179**.
315. On **7 Sept 2021** PS Ellis allocated PC Matthew Johnson as OIC for the Pritchard case to build the file, **NGPF0000017_0132**.
316. On **8 Sept 2021** (i) PS Ellis decided that there was sufficient evidence to provide a realistic prospect of conviction for assaulting an emergency worker and gave approval for referral of the case to the CPS, see MG3 at **NGPF0000017_0019-20** (ii) Dr Ben Di Mambro noted VC's "Relapse of psychosis most likely due to non-concordance with medication", **NHFT0000168_0185**.
317. On **11 Sept 2021** VC was transferred to Cygnet Victoria House, **NHFT0000168_0190**.
318. On **15 Sept 2021**, VC applied to the MHRT to be released, **CYGN0000056**.
319. On **17 Sept 2021** Birtles phoned VC who maintained "it is not and never has been psychosis" and that his admission was unnecessary like the previous two because he was not mentally unwell, **NHFT0000168_0191**.
320. On **21 Sept 2021** Birtles noted VC's belief in "Psychotronic Harassment", a technology developed to transmit thoughts and voices into an individual's head. said he was likely to be more guarded with Birtles going forward given that information had been shared, **NHFT0000168_0191**.
321. On **23 Sept 2021** (i) VC appeared (remotely) before a MHRT to challenge his detention. The MHRT considered evidence from VC, Dr Kalina Shoilekova and Birtles and declined to direct his release in part because of his lack of insight, **CYGN0000056_0005**, (ii) at 20:08 VC sent PC Collins an email indicating that he might re-consider a conditional caution, **NGPF0007677_0001**.

Incident 1 written off

322. On **28 Sept 2021** at 17:26, PS (now Inspector) Powar engaged with Incident 1 for the first time, **2 March AM, 44/10-15 INQT0000008**. She authorised Outcome 12 "Named suspect too ill to prosecute", **NGPF0000068_0021**: "This case is in fact well over the 6 month STL⁵². The suspect has been ill for some time and assessed by Dr Seedat as not being of sound mind when he committed this and another offence".
323. In her evidence on **2 March AM** Insp Powar said *inter alia* that: On 28 Sept 2021 she was not aware of the seriousness of the injuries on Incident 2, **45/8-22 INQT0000008**; she thought Incident 2 should have been reclassified to GBH, not ABH, **45/12-46/8 INQT0000008**; even had she seen Incident 2 on the OEL treated as a GBH, she would still have closed Incident 1 under Category 12, **47/3-7 INQT0000008**; she would have expected PC Collins to review other incidents in the intervening 16 months, i.e. May 2020 to October 2021, **47/25-48/3 INQT0000008**; in his 2 June 2020 email Dr Seedat was addressing Incident 1, not Incident 2, though she noted that both

⁵² Statutory Time Limit. In law, there is no STL for criminal damage and s.127 Magistrates Court Act 1980 is disappplied by s.22 MCA. The significance of £5,000 is that criminal damage over that value is triable either way.

incidents took place on the same day, **49/1-7 INQT0000008**; Incident 1 should not have been closed based on Dr Seedat's email, **50/7-10 INQT0000008**; PC Collins should have explored VC's MH more in interview and his understanding of recklessness, **51/1-7 INQT0000008**; VC could have been re-interviewed for Incident 1, **52/2-7 INQT0000008**; she had misunderstood the 6-month time-limit point, **52/17-21 INQT0000008** (as she had in para 80 of her Inquiry statement, **WITN0230001_0018**); she was not familiar with NP's policy document 620 "Dealing with persons with mental health", **53/5-15 INQT0000008**, observing "There's just a lot of policies and procedures. You don't know all of them" (though when aspects of the policy were put to Insp Powar it was evident she understood the policy imperatives, **pp54-56 INQT0000008**); because Incident 1 was seen as a minor crime, "it wasn't given very much attention", **56/20-22 INQT0000008**; she was not aware of Incidents 3, 4 and 6 when she authorised closure of Incident 1, **57/20-58/3 INQT0000008**; before authorising closure of Incident 1, she did not look through all associated occurrences with VC and should have done, **58/4-15 INQT0000008** though she added: "I think ultimately the decision would still have been no further action for the first incident, but I would have been more aware of what VC was doing", **58/18-20 INQT0000008**; there was no realistic prospect of conviction of VC for Incident 1 such that it would have been inappropriate to refer the case to the CPS for a charging decision since they would have discontinued the matter, **72/1-20 INQT0000008**; she did not consider passing Incident 1 to the CPS for a charging decision because the value of the damage was under £5,000, **59/15-17 INQT0000008**; her failure to review the other VC incidents, beyond Incident 1, was "widespread" in NP in respect of those kinds of incidents, **60/23 to 61/7 INQT0000008**, adding that better training in terms of what to look for was required; she did not know anything about VC's application to the MHRT and its determination on 23 Sept 2021, **64/1 to 65/19 INQT0000008**; PC Collins should have sought bail conditions for VC when she released him on 24 May 2020, possibly out of area to protect the victims, **70/7-24 INQT0000008**.

324. On **1 Oct 2021** VC was transferred from Cygnet Victoria House to Bestwood ward, **NHFT0000168_0192**.

325. On **4 Oct 2021** (i) at 10:57, VC chased PC Collins for a reply to his 23 September 2021 email, **NGPF0007677_0001** (ii) at 11:21, PC Collins replied asking VC to wait until tomorrow **NGPF0007677_0001**; (iii) PC Collins closed Incident 1 **NGPF0000068_0022-23**, and emailed VC to tell him of this outcome, see para 41 of her Inquiry statement, **WITN0036001_0012-13**.

NP's observation on its management of Incident 1

326. NP adopts without repetition paragraphs 142 to 146. There was sufficient evidence to prosecute VC for criminal damage to Flat 12 Brook Court. It is unimpressive that it took between 24 May 2020 and 4 October 2021 to process a simple criminal damage case. However, Insp Powar is surely right to observe that no criminal conviction would have been obtained in the criminal courts.

327. PC Collins was unaware of Incidents 3 to 6 when she wrote off Incident 1 and did not reflect on the appropriateness of writing off Incident 1 in the light of Incident 2, which she did know about.
328. Insp Eustace did not think this case got the attention it deserved, **26 Feb AM, 61/1-3 INQT0000006**. However, set against the evidential sufficiency for a prosecution, was there a public interest in prosecuting for such an offence someone who was plainly suffering from psychosis at the material time?

The ongoing chronology

329. On **10 Oct 2021** VC brought a hammer onto the ward, **Foster 11 May AM, 125/24-126/21 INQT0000079**. No further action was taken, **PAGR0000025_0006**. Reference to the hammer was not put on the RiO notes, **Waldron 8 May PM, 41/19-21 INQT0000078**.
330. On **14 Oct 2021** Birtles noted that VC remained "at the Priory Calverton on a Section 3" but that they were actively planning discharge, **NHFT0000168_0193**.
331. On **22 Oct 2021** Parsonage noted that VC had been discharged that morning without her or VC's mother being informed. She wanted Crisis to do a 3 day follow up but noted they did not have capacity and noted VC's "new address" as 278 Queens Road Beeston Nottingham NG9 2BD, **NHFT0000168_0194**.
332. Staples said responsibility for informing UoN of the incident involving PC Pritchard, or the fact that VC was then sectioned, lay with the "discharging hospital staff" or "ongoing clinical team" **5 May PM, 79/22-24 INQT0000072**. Dr Manzar agreed that it was "astonishing" that UoN did not know about VC's assault of PC Pritchard. Because VC went to hospital, the MDT should have communicated with UoN, **Dr Manzar 27 April PM, 34/17 to 36/3 INQT0000064**.

NP's observations on VC's third discharge from inpatient care on 22 October 2021

333. VC had been seen by healthcare specialists every day for 7 weeks and they knew the following when discharging VC: (i) He had been violent towards the police and required handcuffs and leg restraints; (ii) He was willing to lie about hearing voices to avoid detention; believed the voices were "quite powerful"; said the voices did not like it when he spoke about what they were saying; that the voices suggested he should "prove his power"; (iii) He had displayed "extreme levels" of violence and aggression with persecutory ideations and command delusions; (iv) He posed a significant risk of violence and that "concerns around his historical behaviour ... became more alarming in light of the level of violence and aggression"; (v) He was highly likely to deteriorate in the community without treatment; (vi) He had brought a hammer into the ward.

The ongoing chronology

334. On **25 Oct 2021** Birtles noted that VC declined a face-to-face appointment saying he was too busy but that he was really pleased to be out of hospital and his MH was perfect, **NHFT0008636_0045**. VC was reluctant to meet but agreed Birtles could call him towards the end of the week. In fact,

- no visit followed and on **1 Nov 2021** Birtles noted: "I haven't had much contact with [VC] since his discharge from hospital", **NHFT0000168_0195**.
335. On **3 Nov 2021** Nurse David Waldron noted a different Discharge Address: Flat 15, Maddison Court, Derwent (sic) way, NG7 2EG" and that VC had been at that "New address" since 21 October 2021, **NHFT0000168_0196-197**.
336. On **4 Nov 2021** Birtles struggled to contact VC who had indicated by text message that he had "plenty of tablets left" yet according to the discharge summary he was only given a 2-week supply of TTO's (to take out medication) which would be running out, **NHFT0000168_0197**.
337. On **5 Nov 2021** Birtles noted that VC: was abrupt, not keen to engage in conversation but reporting that everything is okay; said the hospital admission was unnecessary and he did not agree that he had been unwell; claimed he was taking his medication "because he has to" but did not feel it was necessary; denied auditory hallucinations. Birtles noted the risk of non-concordance, **NHFT0000168_0198**.
338. On **12 Nov 2021** Birtles noted that VC had not collected his medication and on **15 Nov 2021** Dr Lloyd noted "[VC] did not attend his 11.30 appointment", **NHFT0000168_0198**.
339. On **19 Nov 2021** Birtles noted that VC remained guarded, would not engage, was hostile and unfriendly, admitting he had missed medication. Birtles provided a 28-day supply of medication and VC said he had nothing to discuss and left without saying goodbye. Birtles thought VC was reluctant to engage with MH services and was doing the minimum required, **NHFT0000168_0199**.
340. On **25 Nov 2021** (i) PC Johnson⁵³ sent the assault case to the CPS for advice (ii) NP received four actions from the CPS, **WITN0023001_0004**, documented on 9 Dec 2021, **NGPF0000027_0018**. Point 2 (including "whether his diagnosis has any direct impact on his actions on the day in question") illustrates the difficulties with prosecuting such cases: the MH diagnosis was relevant to both parts of the CPS Full Code test.
341. On **29 Nov 2021** Dr Lloyd noted VC missing another appointment, **NHFT0000168_0199**.
342. On **6 Dec 2021** Dr Lloyd noted VC was not at home for his 14:30 appointment and that this was the third missed appointment with her, **NHFT0000168_0199**.
343. On **14 Dec 2021** Birtles noted an inability to contact VC and "Medication is due Friday", **NHFT0000168_0199**.
344. On **16 Dec 2021** Birtles noted VC was confrontational and angry throughout a phone call. Though Birtles did not state as much, it was plain that VC was relapsing, **NHFT0000168_0201**.
345. On **17 Dec 2021** Parsonage noted VC attended to see Birtles to collect his medication with his hood up and mask on, with a hostile edge, **NHFT0000168_0202**.

⁵³ PC Johnson confirmed that he had not previously presented a case to CPS for charging with this kind of MH element, **5 March AM, 36/17-20 INQT0000014**; and see **41/10 INQT0000014** "I'm not very experienced with mental health jobs".

346. By **mid-Dec 2021** PC Johnson had addressed the 4 CPS matters and pursued Dr Lomas for a statement on VC's capacity at the index offence, see OEL entries 23-25, **NGPF0000027_0018**.
347. On **20 Dec 2021** Sebastian received a call from a random number which he did not answer: "The same number called again at 12.15pm and so I answered it saying "Hello, who is this", I then heard VC's voice say in a slow paced tone "Sebastian ... Sebastian ... Sebastian", I knew it was him but I said, "Who is this" and he replied, "It's Valdo". I hung up straight away and blocked this new number. He tried to call again straight away but he was already blocked", **WITN0151001_0007-0008**.
348. Sebastian added in the same paragraph of his statement: "I also blocked his Facebook and LinkedIn accounts. He did not post on Linked In but he sometimes shared ladies profile pictures on Facebook. They were not inappropriate pictures, just the profile pictures of women". See also **3 March PM, 49/10-50/13 INQT0000011**.
349. On **28 Dec 2021**, PC Johnson sent Dr Lomas a *pro forma* data request for his statement on Incident 6. See PC Johnson's explanation, **5 March AM, 46/21-47/4 INQT0000014**.
350. On **30 Dec 2021** VC's lack of engagement was discussed in the MDT and Birtles could not contact VC the following day, **NHFT0000168_0202**.
351. On **6 Jan 2022** Birtles could not raise VC for a visit and got no answer when she and Parsonage attempted to visit VC. She noted that it appeared VC had "disengaged from support", **NHFT0000168_0202**.
352. On **10 Jan 2022** (i) Dr Lloyd noted that VC did not attend his 12-noon appointment (the fourth appointment he had missed) and had disengaged from CPN Birtles and that next steps would be discussed at the MDT on Thursday, **NHFT0000168_0202** (ii) Birtles noted that her text to VC to see whether he would attend today's appointment was not answered, **NHFT0000168_0202**.
353. On **11 Jan 2022** a text from VC was noted in RiO: "Got exams", **NHFT0000168_0203**.
354. On **13 Jan 2022**, PC Johnson made his last OEL entry (No.28) chasing Dr Lomas for a statement, **NGPF0000027_0019**.

NP incident 7: 15 January 2022⁵⁴

355. The student Christopher met VC in September / October 2021⁵⁵ when VC joined Flat 15, Madison Court, Derwent Way (also known as Raleigh Park) later than the four other occupants. VC was older than his flatmates and did not hang out with them, see (i) para 26 of Christopher's statement **WITN0059001_0004** and (ii) **5 March PM, 5/12-16 INQT0000015**.

⁵⁴ Whilst this was sometimes referred to as the "hostage taking" incident, there was no hostage taking. A hostage is taken to force another party to do or abstain from doing something under threat of harm to the hostage. See section 1 of the Taking of Hostages Act 1982. Equally, Christopher was not "strangled" (nor did he use that word in his statement or live evidence) though this word was used in questioning, **9 March PM, 52/12 INQT0000017**.

⁵⁵ In his live evidence, Christopher suggested October, **5 March PM, 3/19 INQT0000015**

356. Christopher said he saw a change in VC's personality around December 2021 or January 2022, para 33, **WITN0059001_0004** adding colour in his live evidence, **5 March PM, 5/21 to 6/3 INQT0000015**. This coincided with VC creating issues in the communal bathroom and shower.
357. On the evening of **15 Jan 2022** Christopher went to VC's door to address the state in which VC had left the bathroom⁵⁶. Christopher asked VC to clean it but VC apparently refused.
358. A few hours later in the living room, Christopher asked VC whether he had cleaned the bathroom yet and VC said words to the effect of: "No, what are you going to do about it?". Christopher admits that he said something like: "I'll call you a dirty bastard" and repeated this at VC's request. VC then threw a punch that Christopher said did not connect because he dodged it and VC placed then Christopher in a headlock. At Christopher's request, Sam videoed this and the Inquiry has seen the 12 second video, **WITN0059002**. VC let go of Christopher a short time later. VC said to Christopher during the exchange "say sorry say sorry", **WITN0059001_0006** para 43; Christopher said in his MG11 dated **10 July 2023**, "Eventually I did say sorry and then he did get off me", **NGPF0002490_0003**.
359. At 19:12 Christopher called 999 in VC's presence⁵⁷ to report being assaulted by VC. It informed the police reaction that VC did not leave the flat despite knowing that the police had been called.
360. VC let Sam and Ryan leave the flat, but not Christopher, who then filmed some of this on his phone, **NGPF0002490_0003**. Christopher was intimidated by VC's evident strength which he had witnessed during the headlock.
361. At 19:17 the FCR noted "no VPI [view previous incidences] at address on SAFE" **NGPF0000054_0002**.
362. At 19:19 Christopher called the police again on 999 to explain that VC was preventing him and a flatmate from leaving, **NGPF0000054_0002**. PS Anthony Faulkner did not recall being told this on his way to the flat, **9 March PM, 38/16 INQT0000017**, and said that had he been, he would have identified another offence, "false imprisonment"⁵⁸, and obviously it would have changed the necessity to arrest him at the time, **9 March PM, 39/3-4 INQT0000017**.
363. By 19:22 the FCR had identified that VC had 5 previous matters including pending CPS advice on charging for the PC Pritchard assault, **NGPF0000054_0003**.
364. By 19:25 the incident log recorded the PNC warning marker, **NGPF0000054_0005**. PC Simon Zacharia said of this warning on **9 March AM**: (i) "It's going to raise flags but it's not going to stop the fact that we're going to have to attend that incident to try to get to the IP as soon as possible",

⁵⁶ **5 March PM, 7/24-25 INQT0000015**

⁵⁷ Para 47, Inquiry statement, **WITN0059001 0007**. PS Faulkner described this as an "extremely busy" night, **9 March PM, 56/23 to 57/24 INQT0000017** "the wheels come off". He confirmed that because a sergeant was not on duty, he was covering two police stations and it would be unusual for a sergeant to leave the station on a job of this order, **9 March PM, 82/17 to 83/24 INQT0000017**.

⁵⁸ Albeit so fleeting that CPS would never have authorised charge for this.

9 March AM 90/11-13 INQT0000016, (ii) “We always run towards danger rather than away from it”, **9 March AM 91/3-4 INQT0000016**.

365. PS Faulkner and PC Zacharia⁵⁹ left Central Police station together to respond. As PC Zacharia explained, “there were no other available officers. Often what happens is that whilst we are based at Central Police Station we also are linking in with Radford Road Police Station, so if they can't cover a job then we will go and cover it”, **9 March AM, 81/10-15 INQT0000016**.
366. PS Faulkner and PC Zacharia arrived at Flat 15, having learned en route that VC had a PNC warning marker for using violence against the police, Zacharia **9 March AM, 82/17-24 INQT0000016**.
367. PC Zacharia spoke with Christopher in a different part of the flat from PS Faulkner, who was speaking with VC, **9 March PM, 11/3-14 INQT0000017**. Of his conversation in the flat with Christopher: “No, I'm sorry, it's four years ago now. I cannot remember what he said to me, let alone what I said to him”, **9 March AM, 94/22-24 INQT0000016**.
368. Christopher said in his live evidence that he was 100% sure he showed “the police” the first video⁶⁰, and repeated this, **5 March PM, 22/11-12 INQT0000015**. However, Christopher made no mention in his Inquiry statement of showing PC Zacharia the video that evening⁶¹, suggesting only (WITN0059001_0008 para 60) that when he went to the police station the next day he “gave them the videos” (and in his live evidence said “... the next day ... sat in the police station ... They were asking me “Oh, can you provide the video, bring your phone with the videos and we will tape(?) that.” So I did. If I remember it didn't work or it couldn't transfer or something”). In Christopher’s MG11 (NGPF0002490_0003-6) he said: “I told Sam to film what was happening so that we had it on video as I was thinking that he could get kicked out of the flat ... In relation to the video of Valdo holding me in a headlock. I was sent a copy of this video by Sam after he filmed it and then I filmed Valdo as he wouldn't let me leave. I am unable to access these videos at the time of making this statement as my phone is damaged. I would be willing to provided (sic) a copy to the Police at a later time ...”
369. In his MG11 Christopher said: “I later chose not to follow the matter up with the Police”, **NGPF0002490_0004**. Christopher suggested in his live evidence the police were “dismissive in a way, like they were trying to basically tell me that nothing had happened”, **5 March PM, 13/9-11 INQT0000015**. He said he only agreed to “restorative justice” because “I felt like well they basically told me that nothing was going to come of this, so why not just make it easy and agree to that”, **5 March PM, 13/24 to 14/5 INQT0000015**. Christopher said that VC did not agree to shake his hand and so nothing happened and Christopher did not ask the police why they weren't going to arrest VC, **5 March PM, 14/14 INQT0000015**.

⁵⁹ PS Faulkner had 20 years' policing experience, PC Zacharia 12, if one includes his time as a PCSO.

⁶⁰ **5 March PM, 12/12-17 INQT0000015**

⁶¹ NP were not permitted to question Christopher about this anomaly

370. PC Zacharia's evidence was rather different: at para 15 of his Inquiry statement, he said that Christopher did not really engage with him properly; did not want to make a statement; and that he wanted to think about whether to make a formal criminal complaint against VC. PC Zacharia said that Christopher told him that he had some video of the incident but did not show it to him, **WITN0024001_0003**. PC Zacharia said that PS Faulkner assessed that no arrest was necessary – since VC was calm and cooperative – and that he agreed with that assessment, para 16 of Zacharia's Inquiry statement **WITN0024001_0003**.
371. PC Zacharia said to the suggestion that he thought Christopher was wasting police time: "Not at all ... we've asked somebody who's called us for a reason and I am always victim-led, without a doubt. That's what I signed up for ... and crime is crime. So I was trying to get Chris to sort of engage with me, but he wasn't really wanting to be, like, not sure whether he was going to make a statement and stuff", **9 March AM, 95/9-15 INQT0000016**.
372. In answer to why PC Zacharia did not ask to see the video that Christopher had of the assault, PC Zacharia said: "Because at that time ... Christopher was not really wanting to talk to me, to engage with me, and he wasn't really sure if he was wanting to make a statement ... because of that it was difficult to really get much out of him ... from what I can remember", **9 March AM, 96/6-11 INQT0000016**⁶².
373. PC Zacharia also confirmed in his live evidence that he could not see any injuries on Christopher who did not say that he had any or show him his finger injury. PC Zacharia rationalised that to be accurate by pointing out that had he seen any injuries, "I would have been relaying that to Sergeant Faulkner in us making decisions", **9 March AM, 97/12-14 INQT0000016**.
374. When CTI suggested to PC Zacharia that he was "very dismissive" of Christopher's complaint of assault, PC Zacharia said: "That's absolutely not true ... I'm there for the IP, and when I go for a job, I give it a 100 per cent. They've called us for a reason. I would never be dismissive or dismiss anyone in any sense of the word. Crime is crime, and whether he was injured or not, it's still something that if he had been willing to make a statement, I would have investigated it to its fullest", **9 March AM, 97/22-98/4 INQT0000016**.
375. PC Zacharia said a similar thing at the end of his evidence to the suggestion he was dismissive: "Not in any way ... as a police officer, I signed up to help people and to support people, and I'm an all-or-nothing type of person. I always give 100 per cent to what I am doing, and crime is crime", **9 March PM, 22/1-4 INQT0000017**. In answer to the Chair on the same point, he said, "Christopher would have had my 100 per cent commitment had he wanted to engage with me and had he wanted to provide a statement and the video footage", **9 March PM, 28/23 to 29/1 INQT0000017**. He added in response to the Chair's suggestion that Christopher did engage by

⁶² It was odd that CTI should say "so we beg to differ on you weren't shown the video" as if to take sides on this dispute of fact, **9 March AM, 96/21 INQT0000016**.

coming to the station the next day, “Yeah, that was because he was not wanting to take it any further... But ultimately, you know, he still did not wish to take the matter any further”, **9 March PM, 29/2-9 INQT0000017**.

376. Given PC Zacharia’s progress in policing, from PCSO in 2010 until redundancy in that role in 2015, to (unpaid) Special Constable in 2016 and ultimately to attested constable in June 2018, it might be thought that his evidence should be preferred in this regard, especially given his vehement denial that the issue of “restorative justice” was ever raised by him: “we hadn't even gone down the road of ... the process of arrest, interview, or anything else. It's just not something we would offer”, **9 March AM, 98/8-10 INQT0000016**. He likewise rejected the notion of discussing whether VC and Christopher would shake hands: “Absolutely not. Absolutely not”, **98/14 INQT0000016**. PC Zacharia said that “when we've attended that incident, VC was not displaying any signs whatsoever of mental health”, **102/8-9 INQT0000016**.
377. As to why no arrest of VC was made, PC Zacharia said: “So at that time, the situation was all calmed down. In speaking with Sergeant Faulkner, VC was calm, he was compliant, and I've got Christopher, who is not wanting to make a complaint and not engaging with me very well. So we felt that ... things had calmed down and that it wasn't necessary or proportionate to be arresting him at that time”, **9 March AM, 102/20-103/2 INQT0000016**.
378. Before arriving in the flat, PS Faulkner had registered the FCR broadcast about Incident 6, **9 March PM, 33/13-16 INQT0000017**. PS Faulkner said that is why he kept out of VC’s fighting arc, **9 March PM, 33/17-25 INQT0000017**, for a couple of minutes, **34/23-24 INQT0000017**. But VC appeared compliant and calm so PS Faulkner relaxed a little, “as I was speaking to him, obviously moved in a bit closer, didn't perceive any major threats from him. I was aware obviously of the allegation of an assault but he didn't seem to be hostile or aggressive towards me whilst I was speaking with him”, **9 March PM, 34/15-20 INQT0000017**.
379. PS Faulkner confirmed that en route to the incident, “it just looks like the Control Room adding information to the Incident Log. We don't always get passed everything that's on this Incident Log” and that it would not be practical for him to view the incident log [Via SAFE] on his police laptop, **9 March PM, 35/22-36/18 INQT0000017**.
380. PS Faulkner said that by the time he was speaking with VC⁶³, he knew that “he wasn't outstanding for any incidents, he wasn't wanted by police, and the actual assault on the officer, I didn't know it was at CPS, I was just told it was pending”, **9 March PM, 40/2-5 INQT0000017**. PS Faulkner explained that en route, he and PC Zacharia might have heard different things coming over the

⁶³ Sufficiently far from PC Zacharia speaking with VC so that they could not hear each other: “We have to work with what logistics we’ve got at the time, and realistically you’d want to keep an eye on the other officer to make sure they’re safe, as well”, **9 March PM, 53/20 to 54/3 INQT0000017**. PS Faulkner confirmed, “We couldn't hear what was being said between the other parties. It was, in effect, private”, **9 March PM, 55/3-4 INQT0000017**. And see **9 March PM, 86/14 to 87/2 INQT0000017**.

radio, depending on what they were both doing: "He might have been speaking to somebody at the time whilst I've got the update at the location. He might not have heard it on his radio", **9 March PM, 41/1-3 INQT0000017**.

381. PS Faulkner did not know about the PNC "extremely violent" marker at the scene, **9 March PM, 41/21 INQT0000017**. He explained: "So it's potentially just been recorded by the Control Room staff on the Incident Log and they may have shouted it out, but we may not have heard it", **9 March PM, 43/3-6 INQT0000017**. The realities of audibility and comprehension of two officers in a police vehicle travelling on blue lights to a Grade 1 incident may be lost in the quiet, clinical atmosphere of a public inquiry⁶⁴. PS Faulkner pointed out that the threshold for putting warning markers against people had probably reduced over the years, **9 March PM, 43/22-44/11 INQT0000017**.

382. CTI put the factors *against* leaving VC in the flat with Christopher to PS Faulkner: VC was an older male; VC had an assault PC marker which is unusual for a student; VC had a previous detention under the MHA; the allegation of headlock and punch. PS Faulkner responded as follows: "when I attended, I've spoken to him, [VC] was compliant from the very start. He let us into the building. We've gone in, I've taken him to the side room across a large kitchen-lounge sort of area quite a distance away from the victim where PC Zacharia would have gone to engage ... I wasn't threatened, didn't feel in fear, anything along those lines. He wasn't presenting any sorts of signs of mental unwellness to me so to say that I would need to be concerned about that ... and then I've had the update from the officer that the victim's not sure or wants to make a complaint at that time, so I've assessed it, looked at it, and realistically, there's a number of males in the accommodation, none were vulnerable, all the rooms had separate locks on the doors. We'd already been called out. Police advice had been given. [VC] was compliant with that. I explained to him "Look, if we do receive complaint, you will need to attend for an interview at some point". [VC] was quite happy with that and he agreed. My advice at the time was the trigger for the incident was obviously after the victim called him a dirty bastard to which he's then gone, "Oh do it again". Called him a dirty bastard again. So he's got him into the headlock which obviously has caused no injuries that I'm aware of. It was more like trying to get an apology out of the victim⁶⁵, I think, saying "look, you know, don't say that again", but ... that's the sort of level it seemed at the time. It was no injuries caused", **9 March PM, 45/17 to 46/23 INQT0000017**. PS Faulkner scotched any idea of "restorative justice" having been mentioned, **9 March PM, 46/25-47/4 and 48/10-12 INQT0000017**.

⁶⁴ As Zacharia **9 March AM 85/20-22 INQT0000016** and PS Faulkner, **9 March PM, 84/1-20 INQT0000017** sought to explain.

⁶⁵ PS Faulkner said that VC wanted the apology from Christopher for calling him a dirty bastard: **9 March PM, 47/8-18**.

383. PS Faulkner added to his justification for not arresting VC: "So in terms of what we're dealing with at the time, it's somebody who's got no previous convictions. Granted he'd obviously had a recent altercation with the victim. There'd been nothing prior for the last five months that I'd been told. He wasn't displaying any further threats or offering threats of violence. There was (sic) no weapons being used. So constantly sort of assessing the risk as it is, do we need to arrest him now and deal with him, and at the time I believe, because of the way he was presenting, he was calm, compliant for the whole incident, words of advice I thought was sufficient at that time to make sure there'd be no further instances of him, you know, engaging with the victim or caused any further offences", **9 March PM, 48/17-49/6 INQT00000017**. PS Faulkner added: "[VC] was obviously told at the time: "If we do re-attend, you are getting arrested" and PS Faulkner relied on the fact that the individual rooms in the flat had locks so the students had a place of safety, not realising VC's history of trying to break down doors of neighbouring properties in reaction to auditory hallucinations.
384. PS Faulkner concluded his justification for not arresting VC with this: "We wouldn't have left him there if I'd have thought there'd have been any further risk to the students", **9 March PM, 52/23-25 INQT00000017**. PS Faulkner's judgement proved to be correct: no harm from VC befell VC's flatmates.
385. At 21:47, PC Zacharia made an appropriate OEL entry, criming this correctly as a common assault, **NGPF00000055_0002**. VC's identity as suspect was also correctly entered, **NGPF00000055_0004**.
386. PC Zacharia called Christopher to check whether he wanted to make a formal complaint but was only able to leave a voice message, including the occurrence number and his own details, **NGPF00000055_0006**. PC Zacharia accepted, *inter alia*, that (i) he did not record anything about VC preventing Christopher from leaving the flat, probably because he had not checked the incident log before Christopher came to the police station, **9 March PM, 13/6-14 INQT00000017** (ii) he used the term "acquaintances" on Niche to describe the VC-Christopher relationship because that was "the nearest one I could get to" on the menu of descriptors, **9 March AM 107/22 INQT00000016** (iii) he failed to record the names of other witnesses that PS Faulkner had recorded, **9 March AM, 107/4 to 107/16 INQT00000016** (iv) he did not tell Christopher about VC's previous violence to PC Pritchard, **9 March PM, 13/18-24 INQT00000017** (v) he did not contact the NHS nor UoN, **9 March PM, 13/25-14/3 INQT00000017**.
387. On **16 Jan 2022** (i) at 00:36 Christopher emailed UoN to report the incident, **UNIN0000194_0002** (ii) Christopher left a message on PC Zacharia's phone to confirm that he did not wish to make a complaint and that he would attend the police station to make a PNB entry to this effect, **9 March AM, 108/16-23 INQT00000016** (iii) at 21:40 Christopher attended the police station and confirmed that he had already complained to UoN and signed PC Zacharia's PNB thus: "I have reconsidered

my desire to make a complaint⁶⁶ and I have decided that I do not wish to make a statement or make any complaint. **I do not support police prosecution and I'm not willing to attend court.** The reason for this is that I am not bothered about getting him done⁶⁷ but I'm only wanting him out of the property. I have already put in a complaint requesting this. I would like to state that I'm not in fear of him⁶⁸ and I'm happy that he has been warned by the police. I make this statement of my own free will with no third party involvement”, **NGPF0000056**⁶⁹.

388. PC Zacharia said he did not think it would have been appropriate to tell Christopher that VC was someone who had a police marker for serious violence: “ultimately, we're releasing information we shouldn't be releasing about a person's personal data, so no”, **9 March AM, 110/19-21 INQT0000016**.

389. On **17 Jan 2022** (i) at 17:52, PC Zacharia’ recorded VC’s return call to him on the OEL “and I informed him that there would be no further action. He was happy with the decision. I also strongly advised him in regards to his conduct. In addition to this, due to being aware of his previous MH issues I offered and asked him if there was anything that we could do to help him. He became evasive with me and refused to talk with me any further, he then put the phone down on me. I attempted to call him back but it went to voice mail. a short time later I left him a message offering help if he requires”, **NGPF0000055_0007** and para 21 of PC Zacharia’s Inquiry statement, **WITN0024001_0004** (ii) at 22:01 PC Zacharia phoned Christopher to tell him that the police were finalising the matter with no further action, **NGPF0000055_0007** (iii) at 22:02 PC Zacharia submitted a task on OEL asking PS Faulkner (who obviously knew of the circumstances⁷⁰), to authorise closing the incident, with full reasons, **NGPF0000055_0007-9**. PC Zacharia denied the relevance or proportionality of him reviewing the two 24 May 2020 incidents when seeking to close Incident 7, **9 March PM, 4/9-5/24 INQT00000017**.

390. On **17 Jan 2022** Dr Lloyd noted VC did not attend his OPA, being now his fifth missed appointment; she recorded that consideration would need to be given to discharge as VC had essentially disengaged, **NHFT0000168_0203**.

⁶⁶ Which PC Zacharia denied was any indication that Christopher had previously wanted to make a complaint, **9 March PM, 14/16-18 INQT00000017**.

⁶⁷ PC Zacharia said these were Christopher’s exact words: “Yes, that's exactly what he said”, **9 March AM, 114/7 INQT0000016**; and he said: “That is not the way I speak at all”, **9 March PM, 24/12 INQT00000017**.

⁶⁸ PC Zacharia denied “coaching” these words out of Christopher, “Absolutely not true ... when we do write out these pocket notebook entries, they have an opportunity to read it, to amend it, to say they don't like something ... and I would have gotten him also to have read that as well, so that's absolutely not true”, **9 March AM, 114/23 to 115/2 INQT00000016**.

⁶⁹ PS Faulkner told the Inquiry that he asked PC Zacharia to contact the Safeguarding Department of the university, **9 March PM, 58/7-24 INQT00000017**, “to make sure that the University were at least aware that there had been an issue and the incident hadn't been missed so they could address it themselves”, **59/12-15 INQT00000017**. PS Faulkner did not record this instruction was but adamant he gave it, **59/19 to 60/17 INQT00000017**.

⁷⁰ As PC Zacharia pointed out, **9 March PM, 3/7 to 4/1 INQT00000017**.

391. On **18 Jan 2022** Pinder noted a call from Turner of UoN reporting the 15 Jan 2022 incident and the need to discuss this with Dr Lloyd/CRHT and consider a MHAA for which police attendance was likely to be required, **NHFT0000168_0203**. Pinder later spoke with NP. Nurse Victoria Green noted that VC was disengaging with EIP and not concordant with his medication; and the brief history of the 15 Jan 2022 incident noting: “Appropriate for CPN to call MHAA. Police will also be requested so can carry out assessment” and that the CPN was attempting to clarify VC’s address as he appeared to have given the wrong address to EIP. Parsonage noted that Turner had emailed VC’s address as: Flat 15 Room D Madison Court Block 2 Raleigh Park Derwent Way Nottingham NG7 2EG and that she had established that VC left the library on Jubilee campus at 6 am that morning so might be at this address sleeping. Parsonage was planning the execution of the s.135 warrant the following day, **NHFT0000168_0204**.

NP incident 8: 19 January 2022

392. At 11:32 AMHP Roseanna Crane from the Stonebridge Centre requested NP assistance in executing a s.135 warrant at 13:00, **NGPF0000017_0137-8**. Given VC’s violence on 3 Sept 2021, authority to use Taser was granted and officers were advised to activate their BWV.

393. At c.13:30 NP officers attended and by 13:48 VC was detained under s.135 and placed in handcuffs by police, **NGPF0000017_0142-3**. VC was calm, but nonetheless NP officers escorted the ambulance taking VC to the Cassidy Suite where, following assessment by Dr Michael Skelton, Dr Manzar, and AMHP Crane, **NHFT0000168_0205**, it was decided that VC could be managed by the Crisis Team in the community, noting “if it becomes clear he is not engaging or further risks become apparent, we will look at admission”.

394. At 15:40 Dr Skelton made a note to this same effect following the MHAA at the Cassidy Suite, **NHFT0000168_0205**. And see Nurse Emma Gregory’s note, **NHFT0000168_0205**.

NP’s observations on its management of Incident 8

395. There can be no criticism of NP’s officers on this occasion. They attended to facilitate the execution of the s.135 warrant and VC did not resist or cause any issues. VC cooperated with police and EMAS staff in being taken to the Cassidy Suite, **Crane 11 May AM 75/23-25 INQT0000079**. However, this episode is another example of doctors wrongly assessing the risk of, and threat posed by, VC when unwell with the condition for which they were providing treatment. The validity of their assessment of VC at that time is undermined by what happened just 9 days later.

The ongoing chronology

396. On **20 Jan 2022** Dr Lomas noted the outcome of the previous day’s MHAA and recorded “remain red RAG contact in pairs” and “low threshold for considering admission”, **NHFT0000168_0205**.

397. On **20 Jan 2022** Nurse Lesley Mahachi noted concerns expressed by Turner from UoN since VC was due to be moved out of student accommodation due to the risk he posed to others, **NHFT0000168_0206**.
398. On **21 Jan 2022** Nurse Nathalie McPherson noted details of 15 January 2022, "held student hostage" and noted Dr Skelton's plan, **NHFT0000168_0206**. See also the note of the meeting at Subway between CPN Wiecek and Nurse McPherson and the suspicion that VC discarded his tablets **NHFT0000168_0207**.
399. On **23 Jan 2022** PS Faulkner authorised the closing of Incident 7: "Outcome 16: Victim Declines / withdraws support", OEL 10 **NGPF0000055_0009**. PC Zacharia had reported that Christopher had refused to provide the video footage that he had taken, **9 March PM, 66/10-21; 68/15-17 INQT0000017**. He remembered this because with video footage NP could potentially prosecute without the victim, **67/8-14 INQT0000017**.
400. CTI pressed PS Faulkner as to whether VC should have been interviewed. PS Faulkner replied: "as this victim was not willing to engage or provide anything, I've moved the officer on to other investigations ... I've closed the incident ... knowing that the victim didn't want to proceed or provide any further information to us. **Q**. Was it feasible that you could have interviewed VC? **A**. It's always feasible, but whether it's proportionate to do that when you know there's no complaint coming and there's no wider concerns ...", **9 March PM, 70/3-11 INQT0000017**. PS Faulkner tacitly accepted that he had not "intrusively inquired" about the victim's reasons for not supporting a prosecution, for example by speaking with him directly, **9 March PM, 71/14 to 72/11 INQT0000017**.
401. When pressed as to whether he had been too quick to close this case, PS Faulkner was reluctant to concede that he had been, "I think, given the nature of current policing ... it's a workload to try to get through what we can. Whether I was too quick to close it is a matter for you to decide, isn't it?" and "[Christopher] did not provide that footage, despite that it would have been requested ... Like I say, no realistic prospect of conviction without it, **9 March PM, 73/3-24 INQT0000017**.
402. In answer to questions from Ms Cartwright KC concerning understanding the full prevailing circumstances, PS Faulkner said this: "It's always been an issue with officers not receiving information at jobs ... we need a system put in place whereby our command and control system links directly to all other instances, not just PNC which has all previous convictions and disposals, but anything relevant potentially that we might be able to feed into officers so they are fully aware of the full circumstances as to what they've got in front of them", **9 March PM, 82/1-9 INQT0000017**.
403. PS Faulkner also pointed out that (i) the street triage team would not have attended in the circumstances that prevailed, **9 March PM, 87/3-22 INQT0000017** (ii) he had no lawful basis for arresting VC in the flat, **9 March PM, 88/1 INQT0000017** (though he did not say why, it is because

there was no necessity as required by s.24 PACE) (iii) Operation Catalyst had improved investigation standards across NP, **9 March PM, 89/8 to 90/12 INQT0000017**.

NP's observations on its management of Incident 7

404. In the real world of high demand and scarce resources, there was no other sensible disposal of what was – objectively – a low-level dispute with no injury known to the police at the time. When asked by the call handler "have you got any injuries?" Christopher said "my neck kind of hurts where he was like [clenching or cranking] my neck" **NGPF0000057, Christopher 5 Mar PM, 10/18 INQT0000015**. Beyond that, Christopher did not tell the call handler or PC Zacharia of any injuries⁷¹, and he did not want to pursue VC in the criminal courts: indeed, he signed PC Zacharia's PNB to that effect.

405. NP would never have referred this case to the CPS, but had it had done, it is unlikely the CPS would have charged on the video evidence without the victim's support.

406. If it is suggested that NP Incident 7 represented a "missed opportunity", no causation can be said to flow from it because within a fortnight of this incident, VC was detained again under s.2 MHA by the NHFT for almost 4 weeks, during which time the clinicians had responsibility for determining VC's treatment and whether he should be released.

The ongoing chronology

407. On **23 Jan 2022** Crisis Care Practitioner Patrick Crolla noted the ongoing concerns about VC's medical concordance, **NHFT0000168_0209**.

408. On **24 Jan 2022** (i) Dr Ben Mambro noted concern that if VC was not engaging, "will need to look towards admission" **NHFT0000168_0209** (ii) Birtles noted Turner's ongoing concerns that VC was not engaging with community support, **NHFT0000168_0210**.

409. On **25 Jan 2022** Daisy Coleman spoke with Turner who felt that a MHAA may be required as VC was beginning to disengage from home treatment, **NHFT0000168_0211**.

410. On **26 Jan 2022** (i) Dr Mambro noted the likelihood of requesting a MHAA "which will require police presence", **NHFT0000168_0211** (ii) Nurse Philip Lavelle noted VC's unwillingness to engage that morning though he appeared to swallow his medication, **NHFT0000168_0212**.

411. On **27 Jan 2022** Jo Baker noted her difficulties engaging VC that morning and queried his concordance. She and Dr Skelton agreed to a MHAA, which had the support of Turner, the rationale being the inability to confirm medical concordance. Dr Skelton decided that a s.135 warrant would be needed and the AMHP agreed to secure the same, **NHFT0000168_0212-0213**.

412. On **27 Jan 2022** Dr Lomas signed his MG11 statement concerning the scene of PC Pritchard's assault on 3 Sept 2021, **NGPF0000017_0076-77**. This followed an email from PC Pinnock of Op Reacher at 12:55 on 27 Jan 2022 in which she requested further information in relation to VC's

⁷¹ Cf what he said in his Inquiry statement: "I may have broken my finger trying to prise Valdo off me", **WITN0059001_0008 para 57**

MH to enable NP to apply the CPS Mental Health Policy and consider the impact on a decision to prosecute him. She sought details of VC's diagnosis, whether he was still detained under the MHA and whether his diagnosis has any direct impact on his actions on the day in question and she explained why. **NGPF0000019_0001**.

413. PC David Myers' understanding was that at the execution of the s.135 MHA warrant the next day, Dr Lomas was going to ask for VC's consent for police to access his medical records, **5 March AM, 75/1-16 INQT0000014**. PC Myers said that trying to get consent from the suspect was "new territory" for him, **5 March AM, 76/23-77/1 INQT0000014**.

NP incident 9: 28 January 2022

414. At 12:40 (**NGPF0000017_0164**), 17:15 (**NGPF0000017_0144**) and 18:12 (**NGPF0000017_0149**) Jude Modern of NCC Social Care requested NP attendance for the s.135 warrant.
415. Each of these 3 attempts to set up the execution of the warrant fell through due to lack of EMAS attendance, illustrating the inefficiency of some demands placed on NP. Finally, at 20:41 AMHP Parker of NCC requested NP attendance for the s.135 warrant and the NP controller asked for NP to be called once all other services were on the scene, **NGPF0000017_0152-155**.
416. At c.21:23 PCs Matthew Gell⁷² and James Russell-Taylor attended Flat 15 Madison Court, as Taser-equipped officers, **NGPF0000102_0001**. PC Gell was there to protect the MH professionals and the residents, **9 March PM, 96/20-23 INQT0000017**. PC Gell spoke with VC at the front door and VC agreed to accompany the MH professionals, who were content for the police then to leave. At around 21:40, after c.20 minutes in attendance, the two NP constables left. VC was entirely compliant, **9 March PM, 114/10-19 INQT0000017**.
417. PC Gell was not aware that such attendance by him and his colleague should have been recorded on Niche, **9 March PM, 102/4 to 104/23 INQT0000017**.

NP's observations on its management of Incident 9

418. There can be no criticism of NP's officers on this occasion. They attended to facilitate the execution of the s.135 warrant and VC caused no issues. Their only oversight was in respect of making a Niche entry of the episode.

VC's fourth In-patient detention

419. On **28 Jan 2022** at 22:54 Dr Lomas noted *inter alia* that VC: had a history of recurrent psychosis and recent disengagement from EIP; "flatly refused" depot injection; rejected a 14 day hospital admission; posed a risk to others due to the nature of his beliefs and had a history of forcing entry to properties in response; required further assessment and inpatient treatment. Section 2 for assessment was recommended, **NHFT0000168_0215**.

⁷² Who perhaps unsurprisingly did not make the link to his attendance at the QMC in relation to the 24 May 2020 Feven incident, **9 March PM, 95/1-19 INQT0000017** and **WITN0026001_0002** para 9.

420. On **29 Jan 2022** Dr Akerele noted a similar history, **NHFT0000168_0216**. Dr Saleem noted *inter alia* compliance issues, disengagement, Dr Lomas' view that VC was a significant risk others and the history of assault on police and ongoing risk to staff; when seen in Cassidy suite VC was not cooperative and refused to engage; VC did not have the capacity to make a decision in regard to his ongoing assessment and treatment, **NHFT0000168_0217**.
421. On **31 Jan 2022** Dr Jonathan Gibson made a lengthy clinical record, **NHFT0000168_0219-220**.
422. By **3 Feb 2022** the plan was: "1. Chase university regarding accommodation 2. S.17 leave for 30 mins twice a day unescorted 3. Continue with current medication", **NHFT0000168_0225-0226**. Following a call from Turner of UoN it was noted *inter alia* that VC was "to be made aware that he has not been evicted and still has his contract to the accommodation but is not allowed to return" **NHFT0000168_0227**.
423. On **4 Feb 2022** Dr Gibson noted a concern from UoN that VC was spotted at his old address yesterday by his former flatmates who were concerned; VC denied attending Raleigh Park and explained he had stayed in the local area but was guarded about what he did or how long he took; Dr Gibson explained that they would have to restrict his leave if he had attended Raleigh Park; Dr Gibson believed that it was likely VC did not adhere to leave requirements; Dr Gibson phoned Christopher who explained there had been some concerns about VC's presentation for about a month, giving some detail, **NHFT0000168_0228**.
424. On **9 Feb 2022** the RiO notes recorded VC's ongoing lack of engagement, **NHFT0000168_0236**.
425. On **10 Feb 2022** Birtles' notes reflected her wish that VC had gone onto depot medication due to the risk of non-compliance and non-engagement; "His thoughts were fixed ... not accepting help from the team and not considering the depot ... Provisional discharge date for the 24th February ... For consideration of depot if he relapses again", **NHFT0000168_0237-0240**.
426. On **14 Feb 2022** it was noted *inter alia* that VC: was not engaging and had slammed the door in the face of a nurse; saw MH services as intrusive. There was discussion around CTO to keep VC engaged; the provisional discharge date was 24 February; VC didn't want any help from ward staff finding further accommodation, **NHFT0000168_0246**.
427. On **17 Feb 2022** the MDT meeting noted that VC: said he was "just fine" and denied symptoms prior to admission; denied problems with medications; rejected a depot; claimed he would be happy to engage with the community team, **NHFT0000168_0250**.
428. On **17 Feb 2022** the community team thought VC would be better on a depot and CTO as the risk to others increased when he was unwell. VC was against this and wanted to continue with oral medication. VC was guarded about telling staff where his new accommodation was. CCO to follow up, **NHFT0000168_0251**.

429. On **21 Feb 2022** Dr Lomas asked VC for his consent to share information with NP regarding Incident 6. VC said he would like to discuss it with a solicitor before consenting. VC asked for a full copy of his medical records, and for a discussion with Dr Seedat, **NHFT0000168_0255**.
430. On **22 Feb 2022** whilst still an in-patient VC was convicted of the speeding offences in absentia. He was disqualified from holding or obtaining a driving licence for 6 months, **NGPF0000016_0005**.
431. On **23 Feb 2022** Nurse Christopher Akujobi recorded that VC continued to be reluctant to engage with staff and had not engaged in any 1:1 time. VC gave 209 Ilkeston Road NG7 3FW as his post-discharge address, **NHFT0000168_0258**.
432. On **24 Feb 2022** the notes from the discharge meeting recorded *inter alia* that VC: denied any thoughts that people were tinkering with his thoughts but was hesitant; said that he had researched a number of technologies such as computer brain interface and he saw some similarities in his life; felt someone outside him was influencing and controlling him but it did not frighten him; was discharged from Redwood 1 at 17:35hrs with his 14 days TTO's, **NHFT0000168_0260-0261**.

NP's observations on VC's fourth discharge from inpatient care on 24 February 2022

433. In addition to the factors relevant to risk identified at VC's discharges on 17 June and 31 July 2020 and 22 October 2021, following VC's fourth discharge from inpatient care, healthcare also knew that: VC had probably breached his s.17 leave; the 15 Jan 2022 incident had occurred and that VC was guarded about it; from Christopher that there had been concerns about VC for a month, with screams heard from his room and that he had entered another flatmate's bedroom in the middle of the night and asked if they could hear screaming; police would likely need to be in attendance if a MHAA was organised due to VC's risk to others; VC's in-patient stay was not a model of constructive engagement; VC had reported someone influencing and controlling him and had been guarded about telling staff of his new accommodation. Yet Dr Karthik Thangavelu discharged VC into the community on oral medication even though he was advocating for depot during the admission, **13 May AM, 2/22-25 INQT0000083**.

The ongoing chronology

434. On **25 Feb 2022** Birtles noted *inter alia* that VC: attended the 3 day follow up with minimal rapport and remained abrupt with monosyllabic responses which she viewed as non-cooperation rather than psychotically driven; denied experiencing auditory hallucinations and said that he hadn't experienced anything like this prior to, throughout or since admission but remained guarded and reluctant to engage; "will only continue to engage very superficially and has no intention of working to build a positive therapeutic relationship", noting that he made no attempts to note down the next appointment and left without saying goodbye, **NHFT0000168_0262**.
435. On **1 March 2022** Turner emailed Birtles asking for an address for VC, **NHFT0000168_0263**.

436. On **11 March 2022** Birtles noted that VC attended but said “he had only come for his medication and didn't have time to meet for an appointment” **NHFT0000168_0263**.
437. On **14 March 2022** Dr Lloyd noted that VC: denied psychotic symptoms and claimed he was happy with his medication with no appreciable side effects; said he would collect his tablets fortnightly and meet his CPN on these occasions; wished to keep his contact with services as low key as possible. Dr Lloyd agreed to facilitate this whilst monitoring his MH, concluding with the plan to see VC in clinic in 3 months’ time. VC was given 14 days medication, **NHFT0000168_0263**.
438. On **20 March 2022** PS Ellis replaced PC Johnson (who went on IGRO-B leave on 26 January 2022), with a new OIC, PC Myers⁷³, Incident 6 see OEL No.29, **NGPF0000027_0019**.
439. PC Myers said: “evidentially it was a strong case, we had numerous police witnesses all describing the same assault on PC Pritchard, plus the body-worn video footage. If you took away the mental health element of the incident ... that person would have been charged ... It was the MH and the section 135 warrant that was the sticking point”, **5 March AM, 67/20- 68/2 INQT0000014**.
440. But PS Ellis’ shift was suffering excessive demand:
- a. PS Ellis noted this on the OEL 29 entry, “the team are being pulled from pillar to post though at the moment”, **NGPF0000027_0019**.
 - b. PS Ellis explained that “my team were being tasked to do all sorts of things that were deemed necessary by senior leaders ... sort of grade 3 jobs ... like the very low level shoplifting, someone has stolen my plant pot type jobs, because the influx of those was so dominating at the time ... there are still calls to service that have to be serviced ... We were being asked to problem solve as well ... just after this we were then asked to go and do a project in Clifton, which is a completely different area ... this is in between doing the night time economy policing as well as football policing”, **4 March PM, 55/18-56/7 INQT0000013**.
 - c. PC Johnson said: “There's always a massive weight of work. We were an Operation Reacher Team assigned to the City Centre, so we had responsibility for night time economy, so policing the evenings and weekends, football, along with other responsibilities, warrants”, **5 March AM, 50/15-20 INQT0000014**.
 - d. PC Myers said: “As a police officer you come on duty and you may have a plan of what you want to do that day. That plan can very quickly go out of the window whereby within moments of turning up, Sergeant Ellis would come to us and say, "cancel whatever you have got planned, somebody has been arrested, we now need to search their house" and that could be the entire day swallowed up ... As in problem solving, working in the City Centre we had quite a large number of shoplifters⁷⁴, that's something where we were keen to work with stores to try and reduce. We also had night time economies that we would do once every

⁷³ A very experienced police officer who joined in 2001

⁷⁴ PC Myers explained the OCG-component to this “industrial scale” shoplifting, **5 March AM, 121/13-20 INQT0000014**.

five weeks. A lot of football matches because ... Nottingham Forest were in various cup competitions, so if they were playing at home and we were on duty, we were working that match and that was again a whole day's commitment", **5 March AM, 68/12-69/6 INQT0000014**; and again at **120/5-15 INQT0000014**.

441. PC Myers quickly recognised the two previous s.135 warrants, on 19 and 28 January 2022, **5 March AM, 71/17-72/2 INQT0000014** but he was not aware of the extent of Feven's injuries, Sebastian's complaints or Incident 1. However, PC Myers pointed out that "if this came back as a full file at a later date, then those systems would have been re-checked and these incidents would have been flagged up", **5 March AM, 72/23-73/1 INQT0000014**.
442. On **23 March 2022**, PC Myers entered OEL 30, noting, *inter alia* that he now had Dr Lomas' statement but that he had stated that due to patient confidentiality he could not give any details of VC's medical history such that (PC Myers thought) an expert witness would be required as to VC's mental state **NGPF0000027_0020**.
443. On **1 April 2022** VC attended to collect a 14-day supply of medication, **NHFT0000168_0264**.
444. On **19 April 2022** Birtles noted a text request by VC for a home visit because he had been doing some research and wanted to discuss his treatment. Given the historical risks of violence, aggression and hostage taking, Birtles and her supervisor agreed home visits were not appropriate and it would be better to offer appointments at SBC, which they did. VC replied that he may do it next week and would let Birtles know, **NHFT0000168_0265**.
445. On **20 April 2022** VC collected a 14-day supply of medication from Carter: "Pleasant on approach, asked how I was doing then left promptly", **NHFT0000168_0265**.
446. On **21 April 2022** VC returned to Raleigh Park, **NHFT0000168_0266**.
447. On **24 April 2022** PC Myers re-submitted the MG6 on the Pritchard file to the CPS (**WITN0042001_0008** para 31, **NGPF0000017_0051**), see OEL 31, **NGPF0000027_0021**. PC Myers included reference to the 19 and 28 January 2022 MHA warrants, **NGPF0000017_0054**.
448. On **26 April 2022** at 14:00 Birtles noted an email from Turner about VC returning to Raleigh Park the previous Thursday and giving a false name to security, **NHFT0000168_0266**.

NP incident 10: 26 April 2022

449. At 18:12 Sebastian attended Radford Road police station in person to report to the person working on the front counter that VC had followed him that day, **NGPF0000004_0001, 10 Mar AM 8/10-11 INQT0000018**. The incident log characterised this as "stalking". Sebastian's report is paras 53 to 55 of his inquiry statement **WITN0151001_0009** and **3 March PM, 54/18 to 56/9 INQT0000011**.

450. This was a Grade 3 matter (i.e. for response within 24 hours by the Managed Incident Team "MIT"⁷⁵) and properly linked to the 0581 log from 5 July 2021, **NGPF0002490_0001**.
451. On **28 April 2022** Birtles noted the agreement, following a risk assessment and MDT discussion, to transfer VC to a new CCO, preferably 2 CPNs, **NHFT0000168_0266**.
452. On **29 April 2022** Birtles noted that VC denied any psychotic symptoms or worrying thoughts and claimed to be sleeping well. The plan was to transfer VC to a new CCO, Gary Carter, **NHFT0000168_0267**.
453. On **9 May 2022** the CPS authorised a charge of assaulting an emergency worker, **WITN0042001_0008** para 33, **Pritchard 4 March PM, 18/12-24 INQT0000013**.
454. On **9 May 2022** PS Neil Langham noted that Incident 10 had been outstanding on SAFE for 13 days, whereas a Grade 3 incident should be addressed in 24 hours. Management of MIT officers was not within his duties, **10 March AM, 3/9 INQT0000018**. PS Langham explained: "Every day incidents outstanding are reviewed and there was pressure ... to keep this number down ... this incident was 13 days old, and that is too long. So that would indicate to me that either demand was high, or staffing was low or a mixture of the both combined", **10 March AM, 2/7 to 3/1 INQT0000018**. And "The reasons for it getting that old I recall were low staffing on the MIT team versus the amount of demand incoming", **10 March AM, 36/21 to 37/3 INQT0000018**.
455. He added: "I think low staffing was a significant problem back then, and it remains a significant problem now. We have response teams that run permanently on minimum staffing, and the issue with that is that officers pick up work that they then don't have time to resolve before the next job comes in. So they are being allocated work faster than they can deal with it. That leads to them being under pressure and being stressed. The only way they can alleviate that stress is by booking annual leave. The problem is because we are permanently on minimum staffing, the annual leave is permanently declined, which ... adds to the officers' woes, to the point now where, on a Monday to Friday, we've reduced minimum staffing, and it's not because the demand isn't there; it's so that officers can be granted annual leave", **10 March AM, 37/6-21 INQT0000018**.
456. PS Langham added: "It forces morale to be rock bottom ... it's twofold: officers can't cope with the jobs coming in. You can go out on day 1, pick up one or two jobs, ask the sergeant on day 2, "Right I need to go out and make this arrest", "No, you can't because we're on minimum staffing, we need you to deal with this incoming demand." So you're picking up more jobs than you're actually able to resolve ... that causes a great deal of stress on the officer because they're worried, am I going to get investigated because I don't deal with this fast enough? Officers are having to

⁷⁵ PS Langham explained in para 9 of his Inquiry statement that MIT is a team of officers and staff whose role is to deal with incidents of "lower, less urgent, risk as opposed to Response officers who deal with higher/more immediate risk", **WITN0029001-0002**. See also **10 March AM, 3/12-17 INQT0000018**.

own more risk than they should, which is stressful, and they can't book the annual leave to escape the stress because of the staffing level ... It's been like that for the last few years, within neighbourhoods and MITs, not just response⁷⁶", **10 March AM, 38/5-23 INQT0000018**.

457. At c.14:10 PS Langham telephoned Sebastian, as he explained: "there are some incidents ... with experience, a phone call and a bit of advice can resolve them ... I didn't necessarily set out to deal with this incident because if I had then I would have done more research and gone through the previous incidents. On this occasion, I got a few facts from Sebastian ... and from speaking to him about what he told me and he didn't know what he wanted to do, I deemed that I couldn't close this incident with a quick phone call ... the incident would be better left open for a MIT officer to deal with it", **10 March AM, 10/6-20 INQT0000018**.

458. PS Langham recorded in the incident log that he was not convinced this was stalking since the encounter could be coincidental and he noted that Sebastian accepted Facebook contact from VC⁷⁷. He characterised the job as low risk and noted Sebastian was unsure how he wished to progress but would have a think between now and when the MIT officer contacted him, **NGPF0000004_0005**. The Chair should be slow to doubt PS Langham's impressions from speaking to Sebastian since they were recorded contemporaneously.

459. PS Langham explained his thinking: "I guess the main objectives behind the risk assessment ... is that ... there was no violence offered or threatened to Sebastian. He'd merely seen VC ... had VC wanted to cause him harm, he could have done. He could have followed him home, he could have made a threat. He didn't. But by virtue of the incident being 13 days old ... there had been ... no apparent increase in the risk to Sebastian in those intervening 12 days ... I don't think this incident needs to be upgraded from its current status", **10 March AM, 14/8-20 INQT0000018**.

460. PS Langham maintained this stance under questioning from CTI, notwithstanding that he had not known about incidents 1, 2, 6, 7, nor the FTAC report: "I was merely assessing the immediate risk to Sebastian as a result of not attending that incident ... the stalking that he'd complained of wasn't violent in nature. There was (sic) no threats there. It was 13 days ago. There'd been no escalation ... the low risk which I keep referring to was what I perceived to be the immediate risk to Sebastian whilst that incident was being dealt with. I'm not saying that is the ongoing risk assessment to the community at large, and I would expect the OIC to have dealt with that. All I was saying was that my risk assessment in the immediate couple of days to Sebastian was low, so I was happy leaving that as a Grade 3 incident and not escalating it for an officer to go round that day", **10 March AM, 17/3-17 INQT0000018**. See also **18/4-16 INQT0000018**.

⁷⁶ PS Langham added that "if officers are, I guess, feeling constantly under stress and they can't get annual leave, I think the only other option is to go sick, which then forces staffing levels even lower, which then perpetuates the circle", which he agreed was a "vicious circle", **10 March AM, 40/1-7 INQT0000018**.

⁷⁷ PS Langham explained the context of this sentence, **10 March AM, 11/18-12/14 INQT0000018**.

461. PS Langham added: "...the 13 days passing is poor service to Sebastian ... not something that we as a Force should be proud of, the fact that 13 days have elapsed and there's no escalation would lead to the supposition that there isn't an immediate risk, and that's what I base my risk assessment on", **10 March AM, 19/12-17 INQT0000018**. PS Langham was "triaging" the Grade 3 call and leaving it for the MIT to get the fuller picture, **10 March AM, 20/1-7 INQT0000018**; and **10 March AM, 21/1-8 INQT0000018**. PS Langham expected the MIT officer "to have got the entire background" and read the previous incidents, **10 March AM, 22/19-20 INQT0000018**.
462. On **12 May 2022** PC Beardsmore picked up the case, telephoned Sebastian at around 10:33 and made a contemporaneous entry at 11:12, noting that (i) Sebastian did not describe any offences in relation to VC's actions but was wary of him (ii) he offered advice on how to handle the circumstances should there be any further contact (iii) Sebastian requested the matter to be logged only and VC not be spoken to (iv) he advised Sebastian to contact police should any offences be committed and he required police assistance (v) the incident could be closed, **NGPF0000004_0005-6**.
463. The Inquiry only has this incident log entry to go from since NP have not been able to trace PC Beardsmore who resigned from NP on 25 August 2022. PS Langham said of PC Beardsmore's closure of the incident: "Reading the log, the update isn't especially thorough. I didn't supervise the officer. I don't know what his thought process was. I don't know what he asked of the victim. But certainly, upon review, there may be more that he could have done", **10 March AM, 29/14-18 INQT0000018**. And: "I think a more thorough investigation or job could have been carried out ... and should have been carried out", **10 March AM, 32/4-5 INQT0000018**.
464. As to information sharing with the University or MH authorities, PS Langham gave an answer reflecting concern about "data protection" but said that he would not expect a report to be made to the University but had the MIT officer done a thorough job, he would expect either an intelligence report to inform future risk assessments, or a PPN could have been completed to share with partners, **10 March AM, 32/11 to 33/21 INQT0000018**.
465. A member of the supervisory team in the FCR closed the incident, see para 20 of PS Langham's statement **WITN0029001_0006**.
466. On **13 May 2022** NP's crime audit team correctly deemed that a criminal offence had not been disclosed by the 26 April 2022 report, **NGPF0000004_0006**. There would have been no power of arrest of VC at that point since neither the "reasonable suspicion" nor "necessity" threshold required by s.24 of PACE could have been surmounted.
467. The NP Stalking Screening Tool ("SST") **NGPF0010340** was not in Force in NP by April / May 2022, see para 24 of PS Langham's inquiry statement, **WITN0029001_0008**.

NP's observations on its management of Incident 10

468. In the real world and without the benefit of hindsight, PC Beardsmore's decision to close this incident was reasonable. The criticism of PS Langham's initial risk assessment as "low" is misconceived when the context of his activity is understood (explained above). Nor is it fair criticism of PS Langham that he did not research all previous incidents: that was for the OIC and even doing so would not have revealed any serious risk to Sebastian.

The ongoing chronology

469. On **13 May 2022** Carter noted that VC arrived on time, accepted his medication and promptly left without any discussion, **NHFT0000168_0267**.

470. On **27 May 2022** Carter noted VC picked up his 2-week supply of medication, seemed in a good mood and after exchanging pleasantries, promptly left, **NHFT0000168_0267**.

471. On or about **4 June 2022** PC Myers completed an "OIC investigation completed" *pro forma* noting that the CPS had authorised charge for assault on an emergency worker, **5 Mar AM 79/2-9 INQT0000014** and see OEL 33, **NGPF0000027_0021-22**. PC Myers explained that this meant that "the summons will need to be sent out, the file completed and checked off as all okay, and then it would then depend on how VC would plead at court as to whether further file upgrades were required in due course", **5 March AM, 79/14-17 INQT0000014**. It took PC Myers less than 3 months from being assigned the case to getting the request for the postal requisition sent out, which he said was a reasonable timeframe given his workload, **5 March AM, 107/16-19 INQT0000014**.

472. PC Myers added a comment about the post-charge position: "I believe a lot would depend once post-charge and then that file upgrade would have come through, and then we would have then gone back to Dr Lomas or the mental health teams and said "We now have this charge, can we now have the medical records?" Because the decision to charge and the court process is always evolving ... if more evidence comes to light, then things can change ... A lot did depend on that mental health assessment because ... there's the two tests. There's the evidential test, which ... we clearly passed with flying colours, but then the public interest test for a police assault, if that person has serious mental health problems and could be deemed not have capacity back on 3 September, is it actually in the public interest to proceed through court for that offence?", **5 March AM, 80/9 to 81/3 INQT0000014**. In his next answer PC Myers acknowledged that this would be a question for the CPS, confirmed there is more communication with the CPS post-charge and opined that the case would proceed to court.

473. PC Myers acknowledged that he did not know VC was a student and there was nothing on the file to indicate that, **5 March AM, 82/16-18 INQT0000014**. As to sharing information with UoN, PC Myers said: "I think the problem ... is many officers are scared of the Data Protection Act and almost over-disclosing information to people who may or may not be required to have that information. If he was employed at – you know, at Tesco's would I go to Tesco's saying: "This

person has assaulted a police officer?" I would say not", **5 March AM, 83/13-20 INQT0000014**. But PC Myers said that now he would share the charging decision with UoN because of its violent nature, **5 March AM 84/11 INQT0000014**.

474. As to why PC Myers did not expressly advise anyone in MH services about VC's charge for Incident 6, he explained that he assumed they were aware of the assault since they had been present for a s.135 warrant but conceded that the fact of the charge was information that the doctors might have wanted, **5 March AM, 109/17 to 110/11 INQT0000014**.

475. On **10 June 2022** Carter noted VC failed to collect his medication, **NHFT0000168_0267**.

476. On **13 June 2022** Dr Lloyd noted VC failed to attend his appointment, **NHFT0000168_0268**.

477. On **15 June 2022** Parsonage gave VC 2 weeks medication but was concerned as to his presentation, **NHFT0000168_0268**. For the rest of June and July, concerns about VC's compliance and engagement were manifest within the EIP, **NHFT0000168_0268-269**.

NP incident 11: 28 July 2022

478. At 08:03 Sebastian telephoned 101, **NGPF0000001AB**, to report VC's stalking behaviour after noticing VC following him. Upon further details being provided by Sebastian, the matter was given a Grade 3 response, **NGPF0000005_0001**.

479. Key entries made by the call handler included that VC's home was closer to the gym than Sebastian's, so VC would have to go out of his way to be near Sebastian's flat; that Sebastian was frightened; that Sebastian believed he had been followed previously; that VC pushed Sebastian up against a wall in the past. The FCR quickly linked this call to the 5 July 2021 matter, **NGPF0000005_0001-0005**. On the same day, Carter could not contact VC, **NHFT0000168_0269**.

480. On **30 July 2022**, PC Sarah Barnes of the MIT was allocated Incident 11. Having read the incident log for Incidents 11 and 10 (but not incident 4: **10 March AM, 60/24 INQT000018**⁷⁸) and having spoken to Sebastian (see below), PC Barnes correctly considered there to be a possible course of conduct and crimed this incident as "stalking" and at 15:07 created a Niche occurrence, **NGPF0000003_0002**.

481. PC Barnes: joined NP at the end of February 2020 (**10 March AM, 81/8 INQT0000018**) so had been out of probation for 5 months; was pregnant at this time (**10 March AM, 68/4 INQT0000018**); was the only officer on Radford MIT for perhaps 2 months so had a large workload, para 37, **WITN0043001 0008**; was carrying PC Beardsmore's workload; had a shift pattern that did not align with any supervisor, **10 March AM, 47/1-22 INQT0000018**.

⁷⁸ PC Barnes said that she did not have the time to look at all previous linked incidents, **10 March AM, 61/1-16 INQT0000018**

482. PC Barnes explained that “due to just the heavy workload, taking on another officer's case ... I had to go through all of their investigations⁷⁹, and prioritise them as well as dealing with my own investigations and dealing with daily demand all by myself” **10 March AM, 82/12-17 INQT0000018**.
483. PC Barnes telephoned Sebastian and recorded their conversation at 15:29: Sebastian said this was the second time this had occurred; that they both attended the same gym; that the previous incident was back in April where VC followed him home from the gym and Sebastian managed to lose him; this latest incident involved VC following Sebastian home from the gym to his flat; Sebastian entered another entrance to his flats to check his mail and saw VC walking past the entrance. Sebastian was anxious about using the gym now and going about his usual routine, causing him distress and anxiety. VC did not know which flat was his and did not enter the block of flats, **NGPF0000003_0006**.
484. Sebastian confirmed that he gave PC Barnes permission to contact VC based on his report, **3 March PM, 60/4-11 INQT0000011**. He also confirmed that the support agencies to which PC Barnes referred him were useful, **60/16-25**; para 61 of his inquiry statement, **WITN0151001_0011**.
485. On **1 Aug 2022** Dr Lloyd noted VC missed his appointment, **NHFT0000168_0269**.
486. On **3 Aug 2022** Carter noted his inability to contact VC, **NHFT0000168_0269**.
487. On **3 Aug 2022** PC Barnes spoke with a supervisor for the first time on the job⁸⁰ (likely PS Ashleigh Small) and after speaking with Sebastian, at 14:46 made the following entry on the OEL, “After speaking to a supervisor and getting a second opinion, this incident would suggests (sic) this is coincidental⁸¹. And the offender and IP use the same gym and walk home the same way. I have spoken to Sebastian and he is happy for police to speak to the offender about the complaint ... he is happy with this course of action ... Reassurance and advice given”, **NGPF0000003_0007**.
488. On **4 Aug 2022** (i) PC Barnes visited the address for VC⁸² intending to speak with him, but no-one answered so she left her card, see OEL 9, **NGPF0000003_0007** (ii) Carter noted that a cold call at VC's address revealed no-one of VC's name living there, so given VC's history of giving false addresses he would revert to Dr Lloyd, **NHFT0000168_0270**.
489. On **9 Aug 2022** Birtles noted that VC had requested access to his notes and had documented a different address to that which he provided to the EIP team post discharge, **NHFT0000168_0270**.
490. On **10 August 2022** PC Barnes re-visited VC's address to speak with him and again obtained no reply; but she noticed that there was no post in the letter box addressed to VC,

⁷⁹ Because “there was poor investigations on all of the officers' cases, and the victims had not been spoken to in weeks”, **10 March AM, 82/20-21 INQT0000018**.

⁸⁰ **10 March AM, 58/17-19 INQT0000018**

⁸¹ This conclusion might have conflicted with PC Barnes' original instincts, **10 March AM, 67/17-20 INQT0000018**

⁸² PC Barnes thinks she would have phoned VC before attending, **10 March AM, 71/1-5 INQT0000018**

NGPF0000003_0007. PC Barnes also attended the gym to which Sebastian and VC went but could find no CCTV footage, para 23, **WITN0043001_0005**.

491. On **11 Aug 2022** at 12:59 PC Barnes submitted the file to her supervisor PS Ashleigh Small⁸³ to consider closing the matter on the following bases: Sebastian did not want any formal police action and just wanted the offender spoken to (she accepted from CTI that she had not in fact spoken to VC, **10 Mar AM, 72/7-25 INQT0000018**); the possibility that the encounters with VC were coincidental; she had knocked twice at the last known address for VC without success; Sebastian was "not vulnerable". PC Barnes' OEL entry concluded: "I do not believe using any further police time on this incident, it is not in the public interest", **NGPF0000003_0008**.
492. PC Barnes accepted that she had not been properly supervised on this job, **10 Mar AM, 75/4-5 INQT0000018** and that with more time and more support ("I did feel unmanaged. I felt like I had no one to refer to for guidance") she should have done more on this job, **10 Mar AM, 78/3-19 INQT0000018**.
493. PC Barnes added: "I feel like police officers are under a lot of stress, like myself, all the time. There's an increasing amount of daily demand, as well as our current investigation workload. There is a lack of support there, whether that's from supervisors or otherwise, and at times when, let's say you have an investigation and an offender needs arresting, a supervisor can approach you and ask you to do something else: there's a prisoner in custody to deal with, with 28 outstanding shoplifting offences ... and you have to focus and put your time into that, although you have your own workload as well", **10 March AM, 78/23-79/9 INQT0000018**. Nonetheless, to the next question, she accepted some personal responsibility for the inadequacies in the investigation.
494. PC Barnes' evidence about excessive workload was corroborated by PS Small who said that PC Barnes' caseload (20 to 30 cases) was 2½ times what it should have been, **19 March PM, 45/1-8 INQT0000033**.
495. On **17 Aug 2022** Carter noted that he sent a letter to VC "at his latest address", **NHFT0000168_0270**, understood to be a reference to 209 Ilkeston Road, **Carter 30 April PM, 47/22-24 INQT0000070**.
496. On **18 Aug 2022** VC was discussed at an MDT and Carter noted VC's failure to make contact and lack of medication now for several weeks, **NHFT0000168_0270**.
497. On **19 Aug 2022**, PC Barnes closed the case after making Sebastian aware that no further action would be taken by police, see OEL 13, **NGPF0000003_0009**. PC Barnes did not use the SST. On 1 July 2022 NP took part in the second phase of piloting the SST (and on 15 October 2024 NP went live with the SST on the Niche web form), **Goucher WITN0383001_0019** paras 53 & 56.

⁸³ Small had been a sergeant for 5 months and had no training on closing such incidents, **19 March PM, 44/13-22 INQT0000033**.

498. On **25 Aug 2022** at 14:38 PS Ashleigh Small formally closed Incident 11 under “Outcome 16: Victim declines / Withdraws support”, **NGPF0000003_0010**.

499. In his live evidence PS Small, **19 March PM INQT0000033**:

- a. Accepted that a PNC check on VC should have been conducted, **29/15-18 INQT0000033**.
- b. Accepted that when he discussed the case with PC Barnes on 3 August 2022, he did not research anything beyond looking at the OEL, **32/1-2 INQT0000033**. This meant he missed the 08:13 entry on the incident log where Sebastian had pointed out that VC’s home was nearer to the gym than his, so VC would have had to be going out of his way to be near Sebastian’s flat which militated against it being a coincidence, **32/18 INQT0000033**. Indeed, he admitted that had he read the incident log “I quite possibly would have come to a different conclusion”, **33/23-24 INQT0000033**.
- c. When asked to justify closing the occurrence said: “I’ve based it ... off the information that’s ... come from PC Barnes herself ... I don’t wish to make excuses ... but just to provide a slight bit of a context. I was a brand new sergeant at this point with three months in, overseeing a brand new team with no handover ... you’ve heard ... the pressures of demand ... dealing with the neighbourhood policing demand alongside the MIT demand as well ... I should have provided more to show clear workings of why I’ve closed this down”, **35/12-24 INQT0000033**.
- d. Admitted that Sebastian’s request that the police speak with VC did not happen, **36/8-14 INQT0000033**; and that no-one in fact told Sebastian that.
- e. Admitted that he should have provided more supervision to PC Barnes, **37/8-9 INQT0000033**.
- f. Admitted this was a “poor investigation” and “poor supervision” but in mitigation said: “I don’t wish to make excuses ... it’s around prioritisation, it’s the pressures that come with certainly being a first line supervisor ... at that point I’d had no training, I was three months into that role ... overseeing roughly around eight individuals that I’d not had the ability to do that, or the training ...” **39/1-8 INQT0000033**.
- g. In answer to why he had said paras 25 and 26 of his statement (**WITN0028001_0007**) that he had no concerns, and whether this represented a lack of candour on his part, he expressed regret and agreed that explaining the demand etc in his inquiry statement would have served a purpose, **40/12-19 INQT0000033**.
- h. Admitted he should have filed a PPN to MASH who would then have decided whether to share it with other services, **43/6 to 44/12 INQT0000033**.

500. PS Small gave positive evidence in respect of the benefits of Op Catalyst which came into force in March 2024 after a critical report from HMICFRS, **19 March PM, 46/1-48/6 INQT0000033**.

NP’s observations on its management of Incident 11

501. Although there were shortcomings in the supervision of this investigation, there is little to suggest that a different outcome would have been achieved. VC could not be traced and, considering the

grading of the report and the wishes of the victim, the deployment of additional dedicated resources to locate him would not ordinarily have been expected.

502. PC Barnes was not inactive: she properly crimed the matter as stalking; she spoke twice with Sebastian; she elicited that Sebastian just wanted VC spoken to; she visited VC's last known address twice over a 6-day period, despite being pregnant⁸⁴ and without any personal protective equipment, **10 March AM, 69/20-25 INQT0000018**, thereby unknowingly put herself at risk, **10 March AM, 70/1-17 INQT0000018**.

503. Without the benefit of hindsight, PC Barnes' conclusion that the public interest could not justify any more work on the matter was justified. That is the position notwithstanding that by that time VC "had a history with the police", **Griffin 23 March AM, 36/23 INQT0000036**.

The ongoing chronology

504. On **24 Aug 2022** a postal requisition for VC to attend Nottingham magistrates on 22 September 2022, **NGPF0000017_0039**, was sent to VC via NP's File Preparation Unit who carry out the address checks⁸⁵, noting the recipient address of Flat 15, Madison Court. It is highly unlikely that VC received the summons since VC had officially left Flat 15 on 8 February 2022, **UNIN0001304**⁸⁶ and Christopher's MG11 dated **10 July 2023** confirms VC had moved out about one month after the 15 January 2022 incident, **NGPF0002490_0004**.

505. On **31 Aug 2022** Carter noted that Celeste had not seen VC in person for many months and could not find him at the address she was familiar with, so he decided to arrange a visit to determine VC's mental state and wellbeing, **NHFT0000168_0270**.

506. On **22 Sept 2022** (i) the MDT team decided to discharge VC back to his GP for non-engagement, **NHFT0000168_0270-271**. No further entries were made in the RiO records until the attacks on 13 June 2023 (ii) VC failed to appear at the magistrates which issued a warrant for his arrest, not backed for bail, "the FTA warrant". PC Myers explained how that worked, **5 March AM, 88/11-17 INQT0000014**.

507. PC Myers also explained the tasking of that warrant, **5 March AM, 91/2-15 INQT0000014**. PC Sutton was not at work for a couple of months which is why there was a delay in the notification of the FTA warrant getting to him. PC Myers explained: "The task to actually arrest VC still sits in that wanted inbox and that is something where the proactive teams at Radford Road ... should be going through and making enquiries to go out and arrest that person and progress the warrant", **5 March AM, 92/7-13 INQT0000014**. In other words, the OIC had no role in executing the warrant.

⁸⁴ PS Small did not know that PC Barnes was pregnant (because he was not her supervisor) and said that had he known, "I would never have asked her to go to speak to VC", **19 March PM, 37/22-23 INQT0000033**.

⁸⁵ See evidence of PC Myers, **5 March AM, 85/7-19 and 86/11-17 INQT0000014**.

⁸⁶ With no evidence that he organised a Royal Mail re-direction service

508. PS Ellis explained what she thought was wrong with the system for executing such warrants, **4 March PM 59/10 to 60/7 INQT0000013**. As did T/DCC Rob Griffin, **WITN0074001_0376** paras 1623-1624.
509. PC Myers explained why despite being OIC for the PC Pritchard matter, he would not be considering the case's progress: "we are that busy, unless I get tasked to do something with that said file, it has been filed so I can move onto the next crime. I haven't got time to look at whole jobs just on a bit of a whim to see what may or may not have happened at court", **5 March AM, 97/16-20 INQT0000014**. When asked whether that was acceptable, he said: "We are that overworked that you will do what is tasked to you. It is very difficult to almost think I will do extra bits and pieces and especially as a Response Officer you are that overworked that you will do what's just needed", **5 March AM, 98/1-5 INQT0000014**.
510. On **20 Jan 2023** task assignment on the Pritchard case was changed from PC Sutton to PC Myers, **5 March AM, 98/19 INQT0000014**. PC Myers asked PNC to do a transaction inquiry on VC between 22 Sept 2022 and Jan 2023 to see who may have checked him on the PNC, **5 March AM, 99/4-15 INQT0000014** and sent an email to PC Pritchard stating: "If he is still wanted next week we can try and locate him", **NGPF0005699_0001**. The latter "was a polite email to a colleague ... the pertinent word is "we can try", and that's what it would have been: we can try", **5 March AM, 120/20-23 INQT0000014**. (As PC Myers explained, "It was a "could" try and locate him ... unbeknown to me, while sending that email we were then turned upside down and then given completely new tasks" **5 March AM, 106/8 INQT0000014**).
511. In the event, the FTA warrant was not executed because, as PC Myers explained, "unfortunately that following week our entire Operation Reacher Team were up sticks and told that there'd been an increased spike in shop theft in Clifton, go and problem solve that and in effect sort it out", **5 March AM 103/4-8 INQT0000014**. And **5 March AM, 104/17-22 INQT0000014**.
512. PC Myers confirmed that he would not be routinely advised by the CPS or anyone else that someone in respect of whom he had submitted a file (and request for postal requisition) had not attended court, **5 March AM, 110/15-25 INQT0000014**. T/DCC Griffin said it was part of the OIC's job to keep an eye out on the progress of the case, and PC Myers should have done that **23 March AM, 41/6-10 INQT0000036**.

NP's observations on its management of Incident 6

513. The criticisms of NP's records not fully reflecting the risks to officers attending on 3 September⁸⁷ and / or the FCR not providing a proper risk assessment were not causative of any of the harm that befell PC Pritchard since VC's misconduct towards him was unpredictable and one of the unavoidable hazards of modern policing. The enthusiasm for risk assessments for everything is

⁸⁷ For example, **4 March PM, 62/18 to 66/10 INQT0000013**.

an example of lawyers ignoring real world demands on the police: policing contains unforeseen risk. The officers' professionalism ensured that the injuries to PC Pritchard were minor and that the s.135 warrant was executed, with no harm to the doctors or AMHP (and no significant injuries to VC who was mentally very unwell).

514. That PC Johnson and PC Myers were evidently not aware of the 24 May 2020 incidents (**5 March AM, 113/8-18 INQT0000014**) was unfortunate but made no difference to the CPS' preparedness to authorise charge nor the speed of the request for the postal requisition nor the failure to execute the FTA warrant. NP progressed the prosecution of VC for assaulting PC Pritchard to the point of a postal requisition issued on 24 August 2022. This was not speedy progress, but VC was a detained patient for most of September and October 2021 and again for most of February 2022; and PC Johnson's **GRO-D** slowed things down. The CPS authorised charge on 9 May 2022 and PC Myers' request for a postal requisition to be issued was sent in early June 2022.
515. The evidence shows that VC's violence towards PC Pritchard and his colleagues was a result of his psychosis. Whether sentencing for assault on an emergency worker or ABH, it is impossible to conceive of any court imprisoning VC for this offence given that mental state. The police were there to facilitate the execution of a s.135 warrant after which VC remained a compulsory in-patient until 22 October 2021.
516. This viewpoint is supported by Alan Murphy's letter dated 29 November 2023 of proposed discontinuance of the prosecution in which he cited the following as one reason: "Psychiatric evidence obtained in the 2023 case has made it abundantly clear that the defendant has suffered from psychosis (paranoid schizophrenia) regularly since 2020 and was so-suffering at the time of the 2021 assault. That would inevitably reduce any sentence imposed upon conviction and may indeed be in itself a basis for not pursuing that offence (on the basis that the offence occurred because he was ill, or at the very least the illness was a substantial cause of the offence)" **NGPF0000017_0012**.
517. Whilst that letter was written after VC had been charged with murder, the underlying point remains valid. As Murphy explained: "... on the sentencing guidelines for that particular offence it would attract, on conviction, community order ... So unlikely on the guidelines to attract a sentence of imprisonment ... both because of the mental health issues which would reduce culpability, and ... there is a specific sentencing guideline for dealing with mentally disordered offenders" **31 March AM, 50/9 to 53/4 INQT0000045**.
518. Had the prosecution gone to court it is very unlikely that VC would have received a custodial sentence. The Sentencing Council's guidelines for treatment by the magistrates' courts of this offence computes as follows: **Culpability**: B Lesser Culpability, due to "mental disorder". **Harm**: Category 2, Minor physical or psychological harm/distress. **Category range**: Low level community order to high level community order.

519. Whilst criticism of the failure to execute the FTA warrant is justified, it cannot sensibly be said that the failure to execute this warrant represented an opportunity to prevent the 13 June attacks, let alone an opportunity to imprison VC.
520. Even if the FTA warrant had been executed in a timely manner, it would be no more than speculation to suggest that:
- a. The CPS would have maintained the prosecution (see Murphy to the effect that one significant factor which outweighed the public interest to prosecute VC's assault of PC Pritchard was "the psychiatric evidence which made it abundantly clear he had a history of mental illness and was mentally ill at the time of the 2021 assault", **WITN0083001_0062** para 196); and/or
 - b. The courts would have refused bail (since VC would have been able to show that rather than deliberately evading justice, he simply did not live at the address to which the summons had been sent – per para 504 above, perhaps by that time living in Coventry, **Celeste Calocane WITN0085001_0024** para 82); and/or
 - c. VC would, in the unlikely event of conviction, have been imprisoned for the offence.
521. It may be suggested that earlier execution of the warrant would have enabled the magistrates' court to impose a hospital order pursuant to section 37 MHA. However, there is no evidence that any such hospital order would have been supported and/or made, or, if made, would have resulted in a prolonged period of compulsory detention for assessment or treatment, since the Inquiry knows what NHFT did for the third and fourth periods of detention of VC under the MHA: namely, **discharge** VC after relatively short periods of assessment and treatment.
522. Relevant also is the assumed timeframe for any counterfactual. If it is suggested that the FTA should have been executed without delay, then VC might have appeared before the court in September or October 2022. His condition and behaviour at that time is not well known but one of those who lived with VC in Burford Road from October 2022 (Akil) found VC to be "distant" with curious behaviour such as using the same plate and not cleaning it, **CPSE0000475_0013** CPS Opening Note para 85.
523. If the counterfactual assumed that PC Myers had been able to prioritise VC's case in January 2023 and attempted to locate VC then, it is noteworthy that VC's Burford Road flatmates did not apparently identify anything of specific concern in January or February 2023.
524. Alternatively, the counterfactual might assume a further period of delay in executing the warrant until later in 2023. VC's other Burford Road flatmate, Iulian, saw a decline in VC's appearance and cleanliness and a lack of consideration to others and strange behaviour and describes at one point around April 2023 that VC became visibly angry, **NGPF0002460**.
525. To that extent, there appear to be at least similarities with the experiences of VC's flatmates earlier in the chronology, including Christopher, on 15 Jan 2022, 4 days before the MHAA when VC was not detained, **NHFT0000168_0205**, and only a fortnight before the 28 January 2022

admission, where VC was detained for less than 4 weeks before being discharged on 24 February 2022 and subsequently discharged from EIP.

526. With execution of the FTA at any point up to and including early April 2023, VC would not have been under investigation by Leicestershire Police for the Arvato incident and so, if brought before the courts, would not have been treated as a person who had committed another offence of violence when unlawfully at large; and see **Meynell 20 Mar PM 5/15 INQT0000035**.
527. Accordingly, the counterfactuals of what would have happened had NP executed the FTA warrant require intense speculation.
528. When it became clear, after the 13 June 2023 attacks, that VC had been outstanding on the FTA warrant since September 2022, NP reviewed its system for executing warrants, as explained in paras 645 to 696 of T/DCC Griffin's Inquiry statement, **WITN0074001_0149-0162**.
529. The FTA warrant was executed at 15:28 on 16 June 2023 when PC Lunt arrested VC whilst he was in custody for the 13 June attacks⁸⁸. Unsurprisingly the matter was not proceeded with⁸⁹.
530. T/DCC Griffin acknowledged that the failure to execute the warrant in a timely manner was "a serious systemic operational failure" on the part of NP and he offered an unreserved apology to the families of the deceased and the survivors, para 473 **WITN0074001_0105**. The NP operating practice now for outstanding warrants is at **NGPF0007449**.

A post-script on the Chronology: Resources

531. The elephant in the room: the overload of work ("demand") on front-line officers. This must not be swept under the carpet as an inconvenient truth. The police service is relentlessly overstretched and there are consequences. Many occupations and policy makers have choices: police officers many fewer. Police officers must try to do their best on every job, but relentless excessive demand affects performance and things may get missed.
532. Numerous NP officers spoke to this issue: **PS Louise Ellis** ("because of the low resources, there wasn't a lot of options available to me", **4 March PM, 32/22-24 INQT0000013** and "there are no trained police officers to force entry; there are no drivers to drive the Sprinter carrier van ... to carry the MOE equipment ... for us to force entry", **4 March PM 67/5-10 INQT0000013**); **PS Small** at para 499(c) above; **PC Myers**, see para 509 above; **PC Zacharia** ("It was an extremely busy night. Me and Sergeant Faulkner were the last two to be called to Radford to deal with this job ...", **9 March PM, 15/20 to 16/3 INQT0000017**); **PS Faulkner** ("I couldn't get any annual leave ... I had about 28 leave requests which I couldn't get anything through, denied that was because ... short staffing", **9 March PM, 90/14-20 INQT0000017**); **PS Langham** ("morale rock bottom" and see para 455-6 above), **PC Sarah Barnes** ("Staff are leaving due to low morale overall across all

⁸⁸ See **NGPF0000017_0084**

⁸⁹ See the CPS letter of discontinuance dated 7 Dec 2023: **NGPF0000017_0004**

- departments. I speak to officers daily that are looking at leaving the job and joining the private sector due to the overwhelming stress daily”, **10 March AM, 83/10-13 INQT0000018**).
533. It was relevant also to the search for VC, with ARVs required “to respond to any firearms incidents ... and also deal with any road policing incidents as well, such as fatal RTCs” **Eustace 26 Feb AM, 37/19-25 INQT0000006** and “three ARVs on duty in Nottinghamshire covering the entire county ... is the minimum I would ever want on duty whilst I'm covering as FIM. I would have preferred more”, **Mather 13 March AM, 56/13 & 82/22 INQT0000024**.
534. Further: “National Police Air Service, will not operate over Nottinghamshire between the hours of one in the morning and one in the afternoon ... it never used to be the case years ago ... but since I've been in the Control Room, there were a few occasions before this incident whereby I've called up and asked for NPAS, and I was told they will not deploy unless it's a counterterrorism incident”, **Mather 13 March AM, 56/13 & 82/22 INQT0000024 & PM, 29/17 INQT0000025**.
535. The Leicestershire officers spoke to the same issue of excessive demand: in his Inquiry statement PC Connor Amos-Perkins at para 45 explained “intended lines of investigation on a shift were routinely overtaken by emergency calls”; in para 46 he spoke of “a wider problem as to resourcing in policing”; in para 47 he sought not to justify his supervisory errors but “to provide a context such that the risk of repetition is addressed in future across policing”; in para 48 of having “less staff to cover the demand, so the pressure becomes more intense on the few officers that are available” **WITN0010001_0013**. PC Amos-Perkins had just 3 years’ service and was supervising a probationer, having himself been tutored by a PC with only 5 years' service, **11 Mar AM, 150/7-10 INQT0000020**. His supervisor had less than 12 months experience as a sergeant, **WITN0011001_0002**.
536. Paras 7, 19, 27, 31, 34-35, 39-42, 47-48, 50-51, 73-74, 84 and 101 of PC Libbie-Mae Taylor’s statement, **WITN0009001** illustrate the extraordinary demand pressures that she was under.
537. The Temporary Chief Constable of Leicestershire confirmed the demand pressures: “... it's really busy, but we're not getting more people, actually, we've got less police officers, police staff and PCSOs than we had in 2010, but we have far much more demand, calls for service, and complexity ... we're still shrinking [explaining budget cuts] ... we're going to be continuing to reduce our resource based ... I don't think we have the resources that we require to meet the demands that we face”, **T/CC David Sandall 11 March PM, 50/7 to 68/15 INQT0000021**.
538. The psychiatrists likewise spoke to inadequate resources:
539. “... the philosophies that underpinned crisis services, based on Assertive Outreach teams, have been lost through the asset stripping of these teams to cut costs”, **Prof Morgan 20 April PM, 8/19-22 INQT0000056**.
540. “I think things are often about money ... there are lots of people out there in the community who need to be in hospital at any one time. We don't have sufficient beds to accommodate them,

which means that people I've identified ... as ... having the risk that warrant hospitalisation ... remain in the community. This has been the case for quite a long time ... we don't have adequate provision”, **Dr Dissayanaka 15 April AM, 79/11 & 102/5-14 INQT0000051**

541. “Psychiatric services have been chronically under-funded for many years, with a significant reduction in, and lack of, inpatient beds. Pressures on the use of inpatient beds are intense. Significant service pressures are exerted on inpatient clinicians to minimise inpatient stays... inpatient admissions are considered erroneously as “failures” of community care. Clinicians internalise a lack of resource (here, inpatient bed availability) such that short admissions (if admission can be secured at all) become the norm. This is typically justified under the guise of using “least restrictive practice” or employing “positive risk taking”. Mental health teams are vulnerable to ascribing a greater degree of autonomy to the acutely unwell psychotic patient than is reasonably merited...”, **Blackwood WITN0308001_0026** para 55.
542. “There are not enough beds and community psychiatric services are under-resourced. It is frustrating to conduct a risk assessment, produce a management plan and then lack the resources to properly implement the plan”, **Dr Farnham WITN0415001_0016** para 36.
543. “Services sometimes are overwhelmed by the volume of patients ... there aren't enough beds ... services are poorly resourced. I don't think that's controversial ... **Dr Farnham 31 March PM, 67/16-19 INQT0000046** (and see exchange with CTI at **70/10-12: Q**. Are there any ways that you consider the situation would be improved, other than money? **A**. Other than money? No.”).
544. “Caseloads are high, very difficult to manage, with a limited number of inpatient psychiatric beds”, **Dr Milton, 19 March AM, 90/10-15 & 96/22-97/3 INQT0000032**.
545. “Lack of availability of psychiatric beds in the PICU (both locally and nationally) can have a significant implication in term of safety and risk management of very ill patients in the community. In such circumstances very ill patients are left to the care of Crisis Teams or LMHT who have less resources or capacity to safely manage them in the community ... General psychiatric services do not have the means, the appropriately trained staff, or appropriate facilities for managing high-risk patients”, **Manzar WITN0350001_0077** para 328.
546. Claudia Birtles made a similar point in para 490 of her statement, **Birtles WITN0348001_0160**.

2.EVENTS AND RESPONSE ON 13 JUNE 2023 (PRIOR TO ARREST)

547. At 04:00 VC attacked Grace and Barney on Ilkeston Road. The incident was captured on Dashcam from a vehicle at number 312, on CCTV (“Ring doorbell”) from number 314 (**Allardice WITN0311001_0011** para 65) and mobile phone footage from another address, **Allardice WITN0311001_0015 & 36** para 90 & 193). Noting questions asked of witnesses, such as **Mather 13 March PM, 49/3-6 INQT0000025**, NP observe that those 3 videos did not show “that there wasn’t somebody in” the property to which ARV officers gained entry at around 04:19:00. All

other references to CCTV in this section refers to what was captured by NP *after* the attacks and after VC was arrested.

548. At 04:02 VC walked to his rucksack in front of number 310 and then left the scene of the first attack, **Allardice WITN0311001_0011** para 66 / **Sanders WITN0359001_0093** para 263.
549. VC initially walked east along Ilkeston Road, travelling towards: Hopedale Close; and Canning Circus; and St Barnabus Cathedral; and Nottingham city / town centre.
550. At 04:03 NP receive the first 999 call, **Allardice 12 March AM, 14/22 and 15/7 INQT0000022**; **WITN0311001_0011** para 68 & **WITN0311001_0013** paras 80-91). The caller reported, **NGPF0002220 & NGPF0002221**: “Yeah, so I saw something ... err I’m not sure how bad it is ... I saw someone err **rob someone** I don’t know if they have been stabbed. I kind of have a video filmed also ... There’s one person lying down there in the road right now ... A girl and a guy has been err I think they have been **robbed** or something like that ...”
551. At 04:04 NP receive a second 999 caller reporting, **Allardice WITN0311001_0015** paras 92 –115, **NGPF0002218 & NGPF0002219**: “there’s been a stabbing on Ilkeston Road, there’s somebody lying in the street I think they’re dead ... I heard lots of screaming, looked out of the window ... I’m looking out the window ... there was a girl on the other side of the road and she’s ... she was sat in the driveway on one of the Eco houses over the road but I think she’s wandered off down the road ... he stabbed both of them ... It happened so quickly ... Went down towards Wollaton that way”. The caller confirmed: “the female’s left towards Wollaton from Ilkeston Road towards Wollaton” and when asked about CCTV said: “Erm the shop has I believe, there’s a few properties around here that may have CCTV”.
552. Of the offender, the caller reported: “He went up Ilkeston Road, he’s a black male with black bag, all dressed in black ... dressed all in black with a black bag. He’s just gone up Ilkeston Road towards the town ... I can’t see him” **Allardice 12 March AM, 14/22 INQT0000022**.
553. From those initial calls, the officer leading the response was the Force Incident Manager, coordinating an abundance of activity. There was no requirement for a chief officer to become involved in the command structure at that point. It was not an armed deployment, so there was no requirement for a Strategic Firearms Commander, **Griffin 23 March AM, 5/5-13 INQT0000036**.
554. At 04:04:42 Incident 0065 was created from the second 999 call and became the primary Log, **WITN0311001_0015** para 92. It was a Grade 1 immediate response. “STABBING OUTSIDE MARIOS PIZZA”, **NGPF0006136_0002**.
555. At 04:04:45 the first message was passed over Operational Support Talk Group 1199 (“TG1199”): “Stabbing just coming in. Ilkeston Road, Radford. Outside Mario’s Pizza”. When asked “any details of the suspect?” the reply was “No, literally just dropped on the screen. Can you start travelling that way”. In the same sequence, Ch Insp David Mather pre-emptively authorised Taser, **NGPF0004714, Allardice WITN0311001_0020** para 125.

556. At c.04:05 ARV officers PC Matthew Bower and PC Stephen Yallop travelled to the incident, **Bower 16 March AM, 64/12-18 INQT0000026**.
557. At 04:05:36 Log 0065: "offender is Ilkeston Road", **NGPF0006136_0003**.
558. At 04:05:49 Mather recorded a threat assessment as low, **NGPF0006136_0004**. Low was not appropriate for the situation. He should have gone back and clarified. It was not in fact Mather's assessment that there was a low threat, **Mather 13 March PM, 58/11-59/3 INQT0000025**.
559. At 04:05:51 Log 0065: "offender was a black male, wearing all black with a black bag", **NGPF0006136_0004**.
560. At 04:05:56 Incident 0066 was created from the first 999 call and recorded *inter alia* that the caller reported a robbery and the offender "went towards the city centre" **NGPF0006111_0002**. That Log was closed at 04:15:33, **NGPF0006111_0003**.
561. At 04:06:04 over TG1199 a description was given: "Offender was a black male. Wearing all black. With a black bag", **NGPF0004719, Allardice WITN0311001_0023** para 135.
562. At 04:06:10 Log 0066: the caller had the incident on her phone video, **NGPF0006111_0002**.
563. At 04:06:13 Log 0065: the caller did not see the weapon properly but it was a knife, **NGPF0006136_0005**.
564. At 04:06:36 a message was passed over TG1199: "Might have walked towards city centre", **NGPF0004721, Allardice WITN0311001_0023** para 136.
565. At 04:06:45 the drone officer UA01 was dispatched, **NGPF0006136_0005**.
566. At 04:07:36 Log 0065: "This was a report of a stabbing; Officers were to attend and activate BWV; Obtain an account from the victim; Secure accounts from witnesses; Early CCTV enquiries to be conducted; Search to be conducted for any weapon; Locate and secure a scene if necessary; Early obs for potential offenders considering cross contamination", **NGPF0006136_0006**.
567. At 04:08:27 PC Johnathan Speeden asked on TG1199: "I take it we are not looking at an authority to pursue⁹⁰ the offender". Mather replied: "Yeah, priority is the victims initially please. Potentially got a second victim, female, sat on the other side of the road", **NGPF0004724 / Allardice 12 March AM, 30/7-18 INQT0000022**.
568. At 04:08:46 Log 0065: "female was white, approx. 20s, went down towards Wollaton", **NGPF0006136_0006**.
569. At 04:08:54 Log 0065: "caller cannot pass clothing description", **NGPF0006136_0006**.
570. By 04:08 there are at least two police cars on scene, **Allardice 12 March AM, 28/19 INQT0000022** and first aid was being provided.

⁹⁰ PC Speeden did not say "to search for the offender". **Pursue** is the best guess of the **two**-syllable word used.

571. At 04:09 PC Elliot requested firearms support for first aid, **Allardice 12 March AM, 34/8-9 INQT0000022** and NP requested Nottingham City Council CCTV to monitor Ilkeston Road for a black male all in black, **Mather 13 March PM, 83/13-17 INQT0000025**.
572. At 04:09:28 on Log 0065: "shop has CCTV", **NGPF0006136_0007**.
573. At 04:09:53 Incident Log 0069 was created and noted "off duty officer been woken up by female shouting get off me get off me", **NGPF0006112_0002**. The off-duty officer was PC 4394 Evans, **WITN0311001_0027-28** paras 157-162 who dialled 999 and reported, **NGPF0002223**: "Hi I'm off duty officer just been woken up at home by the sounds of some woman screaming, 'get the fuck off me' over and over again for the last few minutes ... I can't see where it's coming from, somewhere in the region of Derby Road ... Just up the hill from the Cathedral. I'm at Park Gate ... the postcode will be NG1 5AP ... mostly a female voice screaming quite loudly, and then the occasional male voice but I can't make out what they're saying ... it's echoing around the buildings in here ... Can still hear it in the background can't make out ... so just another round of 'fuck off, fuck off' ... I would've thought that if someone comes to the pedestrian crossing that ... just up the hill from the Cathedral then they should be able to hear it".
574. At 04:10 NP received a further 999 call from a different resident in the same area as the call from off-duty PC Evans (i.e. the cathedral area), reporting that they could hear a woman screaming and crying and telling someone to fuck off, **Allardice WITN0311001_0032** para 176-178, **NGPF0007947**.
575. At 04:10:28 on Log 0069: "he says is just a bit further up (sic) from the above [St Barnabus RC Cathedral NG1 5AP] on Derby Road", **NGPF0006112_0002**.
576. From 310 Ilkeston Road (NG7 2AW) to NG1 5AP is 0.9 miles on foot. In the 8 or so minutes from the conclusion of the attacks on Ilkeston Road the call at 04:09:53, the offender could easily have travelled that distance by running or by car, bicycle or e-scooter. And Mather could not know the starting point of VC's departure from the scene.
577. At 04:10:41 on Log 0069: "female still shouting fuck fuck off", **NGPF0006112_0002**, **Allardice WITN0311001_0032** para 175.
578. At 04:10:45 ARV officers PS Richard Hallam and PC Demi Graham arrived at the scene (**NGPF0007943_0001**) and immediately coordinated first aid, to Grace and Barney respectively.
579. At 04:10:55 on Log 0065: "Female stabbed as well", **NGPF0006136_0008**.
580. At 04:11:10 on Log 0069: "Near the pedestrian crossing he thinks just up the hill you will be able to hear it", **NGPF0006112_0003**.
581. By 04:11 information was available at the scene regarding "the seriousness and really exceptional rarity of what was found at Ilkeston Road" and which "gives rise to a much wider risk", **Allardice 17 March AM, 69/13-70/5 INQT0000028**.
582. At 04:11:30 on Log 0065: "Female not moving", **NGPF0006136_0008**.

583. From 04:11:30 on TG1199 PC Speeden said to Mather: "I know our priority is the victims at the moment. My only concern is the offender we have an unknown whereabouts for him and it's unknown if there is going to be any future potential victims or that the offender might return to the scene We are at scene now and EMAS are here as well" (**NGPF0004732, Allardice WITN0311001_0034** para 185).
584. 04:12:18 on Log 0065: "Female not breathing", **NGPF0006136_0009**.
585. At 04:12:24 PC Speeden (driving) and PC Goddard arrive at the scene and assist PS Hallam and PC Graham with specialist first aid, **NGPF0007943_0001**.
586. At 04:12:24 on Log 0069: "He could still hear her shouting at a male", **NGPF0006112_0003**.
587. At 04:12:39 on Log 0065 it was noted that officers at the scene were "waiting on another ambulance", **NGPF0006136_0009**.
588. At 04:13:01 on Log 0069: "Further call from witness linked in, can just hear a female screaming. Coming from near the tunnel near to Park gate. Cannot see anyone", **NGPF0006112_0003**.
589. At 04:13:12 on Log 0065: "Further description - F602, dark clothing, got something on his back, holding a knife and running away", **NGPF0006136_0010**. As a matter of fact, when captured on CCTV, at no point did VC appear to be running away.
590. At 04:14:54 on Log 0065: "CCTV – incident occurred between two cameras unable to see the scene, they will do a playback to see if anything captured and will search for suspect", **NGPF0006136_0011**. Officers could have been deployed to Woodlands to assist in using CCTV as part of the search, **Shaw 16 March PM, 24/2-6 INQT0000027**.
591. At 04:15:30 PC Speeden obtained Method of Entry equipment from his vehicle, **Allardice 17 March AM 59/13-60/7 INQT0000028** and see PC Speeden's BWV.
592. At 04:15:34 over TG1199 (**NGPF0004721**): "Where was he last seen headed towards please? Headed towards the city" (see **Allardice 12 March AM, 23/1-5 INQT0000022** and **WITN0311001_0023** para 136).
593. At 04:15:49 on TG1199 (**NGPF0004736 & 4737, WITN0311001_0041** para 215): "... towards the city so assuming Ilkeston Road towards Canning Circus".
594. Between c.04:12 and 04:16, a number of dog units arrived at the scene. It would have been sensible to have worked outwards from the scene concentrically, **Griffin 23 March PM, 80/15-20 INQT0000037** and **Allardice 17 March AM, 71/8 INQT0000028** and **Mather 13 March PM, 21/25-22/19 INQT0000025**.
595. There is no prescribed, trained method of search, **Shaw 16 March PM, 70/13-15 INQT0000027**. It would have been better to have given geographical coordinates, for different call signs to search different areas, **Mather 13 March PM, 93/21-94/3 INQT0000025**.

596. Dog handlers are very experienced in searching and arrived quickly on the scene, and coordinated themselves, and quickly commenced a thorough and comprehensive search. And other individual officers conducted thorough searching, according to information as it came in.
597. Nonetheless it would have been better had that search been coordinated by a supervisor, considering all the available resources, **Mather 17 March AM, 73/1-14 INQT0000024**. Mather's expectation was that a task of the RPI, Insp Pete Shaw, was coordinating the search but that he became consumed by matters at the scene and was looking inwards towards the scene such that there was not oversight for the search. Insp Shaw's reflection is that he or Mather could have asked for another Inspector, **Shaw 16 March PM, 22/23-25 INQT0000027**. The significance of the incident would have warranted a supervisor overseeing the search, **Allardice 17 March AM, 67/9-11 INQT0000028**.
598. On reflection, it would have been better for Insp Shaw to have been at his desk for the early stages of the incident, which would have increased his understanding of the incident, the available resources and wider efforts being made to locate the offender, **Shaw 16 March PM, 24/17-22 INQT0000027**. But Mather took responsibility for that as the senior officer on duty and wishes that he had spotted the gap and addressed it. More awareness and recognising a gap would improve matters in the future, **Mather 13 March PM, 20/8-21/21 INQT0000025**.
599. In respect of the area north of Ilkeston Road, Mather had not directed anybody to carry out a search there, **Mather 13 March PM, 8/22 INQT0000025**.
600. At c.04:16 on TG1199 Mather asked: "Can I just have a sit rep of who is doing what ARV-wise please?" (**NGPF0004738, Allardice WITN0311001_0040** para 214). The reply he received confirmed that ARV officers Hallam, Graham, Goddard and Speeden were with the victims at the Ilkeston Road scene.
601. At 04:17:43 on TG1199: "at this stage two injured. Female ... doorstep of 316 and just trying to gain entry to that address to make sure there's no more injured persons inside" (**NGPF0004740 Allardice WITN0311001_0042** para 220).
602. At 04:18:01 on Log 0065: "Female was found against Ilkeston Road – can we do checks on this address please", **NGPF0006136_0012**.
603. At 04:18:48 on Log 0065: "FIM - RPI [Insp Shaw] is at scene. Golden DI has been briefed by Sierra 2", **NGPF0006136_0012**.
604. At 04:18:58 on Log 0065: "Will check 316 for further victims", **Allardice WITN0311001_0042** para 221, **NGPF0006136_0012**.
605. At around 04:18 PS Dean Reynolds drove down Hopedale Close. It was the first road he drove down after arriving at 04:14 and taking a couple of minutes to secure the scene, **Reynolds 13 March AM, 10/23-11/16 INQT0000024**. PS Reynolds was not able to check down alleyways, in houses or gardens around Hopedale Close, **Reynolds 13 March AM, 40/10 INQT0000024**.

606. Also at around 04:18 the drone officer UA01 – PC 3990 McAuley – in police vehicle FJ69 CPO, arrived in the area of Ilkeston Road to support the search, **WITN0311001_0042** para 222.
607. At 04:19:00 PC Speeden gained access to 316 Ilkeston Road using MOE equipment (see BWV). At 04:19:02 over TG1199 it is confirmed: “forced entry to the address” (**NGPF0004741, Allardice WITN0311001_0043** para 223).
608. From 04:19:28 on Log 0065: “Entry forced ... she was found at the back of number 316 ... empty looks like a family lives here”, **Allardice WITN0311001_0043** para 223, **NGPF0006136_0012**.
609. At 04:19:31 on TG1199 the message from dog handler PC Lewis Marshall: “A little bit of an update on description from members of the public here. Black male. Around five foot nine, five foot ten tall. All in black. Black hood up. Fat build⁹¹. He’s put the knife into a man bag before leaving. He’s gone up Ilkeston Road and believed left into the estate” (**NGPF0004742, Allardice WITN0311001_0043** para 225).
610. At 04:20:04 on TG1199: “Did you say he was fat build? Yes mate, he’s possibly gone Hopedale Close into that estate”, **WITN0311001_0043** para 226.
611. It is now known, **with hindsight**, (and see **T/DCC Griffin 23 March AM, 20/12-22/8 INQT0000036**) that from 04:02 VC did walk up Hopedale Close, travelling past Radford Academy on Croydon Road, travelling up Churchfield Lane and onto Prospect Street, along Radford Boulevard, along Player Street. VC approached Brook Court, located off Player Street, at 04:14 and is in that area until 04:21. Therefore, at the time of the first mention of the offender *possibly* going into Hopedale Close, VC was already about 0.8 miles away from there.
612. NP should have taken the opportunity to recontact NCC’s CCTV centre to ask them to search any other cameras north of Ilkeston Road that may have captured the subject; it does not appear that took place, **Allardice 17 March AM, 51/13-24 INQT0000028**.
613. At c.04:20 a second ambulance crew arrived at Ilkeston Road, **Mather 13 March AM, 79/7-9 INQT0000024**.
614. At 04:21:54 on TG1199: “I know it is all on down there, but there’s a caller that’s got footage of this incident and footage of the offender. She is going to make herself known ... to get stills of that offender”, **Allardice WITN0311001_0045** para 231, **NGPF0004745**.
615. At 04:22:56 on Log 0065: “suspect F509-F510, black male, fat, all in black, hood up, knife placed inside a man bag ... turned left poss twds the Hopedale Road area”, **NGPF0006136_0013**.
616. At 04:24:06 on TG1199 PC Speeden said: “Apologies, just a little bit of a catchup for me. Are we any further in identifying a suspect et cetera?” Mather responded: “No, negative” (**NGPF0004748** and see **Allardice WITN0311001_0046** para 237).

⁹¹ VC was not fat, but traumatised witnesses can give descriptions which must be treated with circumspection.

617. Mather did not but said he “should have” told PC Speeden of the most recent reports because the original information had been that the offender was heading towards the city centre, **Mather 13 March PM, 17/4 INQT0000025**. Accordingly, PC Speeden was not, c.04:24:30, informed that a member of the public had reported that the offender was “a black male, fat, all in black, hood up with a man bag” and had “turned left possibly towards Hopedale Road”.
618. If that one report from a member of the public transmitted at 04:20:04 were right, that the offender had “possibly gone Hopedale Close into that estate” (or as earlier described “believed left into the estate”), that would make it less likely that the same perpetrator would have committed the offence near the Cathedral, if they had been heading north up Hopedale.
619. But there was nothing to suggest that the perpetrator could not have turned left on to Hopedale and then right and gone back towards the city centre and there was nothing to suggest that the report at 04:20:04 was correct, **Mather 13 March PM, 5/13-17 INQT0000025**. Indeed, parts of that report were demonstrably inaccurate, e.g. describing the offender as fat and carrying a man bag.
620. At 04:24:30 over TG1199: “Pete, I don’t know if you’ve picked up, there has been a call where someone has got video footage of it and video footage of the offender. They could be making themselves known to cops at the scene with that footage” to which the reply was “Yeah that is received and I will try and get some kit back in my car and try and find out who that person is”, **Allardice WITN0311001_0046 para 237, NGPF0004749**.
621. At 04:25:50 Log 0065: “Scene on from Ilkeston Road and St Peters Street and Hopedale Close onto Ilkeston Road”, **NGPF0006136_0014**.
622. At 04:25:58 on Log 0069: “Caller spoken to who could not confirm where the shouting was coming from. Area search conducted around Derby Road, around the Park Entrance near Park Row and nearby areas all the way down to Maid Marion way. Nothing seen or heard”, **NGPF0006112_0004**.
623. At 04:26:30 PC Speeden reported via TG1199: “...everything is covered off at the scene if you can just make sure get area searching for that offender. Hopefully like you said we can get an image of him. The only information I’ve got is its Ilkeston Road back up towards City”, **Allardice WITN0311001_0047 para 242, NGPF0004751**.
624. 04:27:30 PC Speeden returned his MOE equipment to his car (see BWV and **Speeden 18 March PM, 116/13-117/4 INQT0000031** confirming he was back at his vehicle by 04:25 and “looking at the incident log on my laptop” **117/16 INQT0000031**).
625. At 04:30:19 on Log 0065: “Suspect believed to not be carrying a man bag – got grey joggers on”, **NGPF0006136_0015**.
626. At 04:30:42 to 04:30:52 PC Speeden viewed Log 0065, which included the entry at 04:22:56 (per BWV).

627. At 04:32 Insp Shaw said: "Aside from that I think we have got some cops looking for the suspect, if not many", **Shaw 16 March PM, 15/20-17/4 INQT0000027**.
628. Mather said to Insp Shaw that he thought the suspect was "probably long gone" now, a fair comment. It was not the case that Mather had "pretty much given up on the prospect of a search", **Mather 13 March PM 18/11-18 INQT0000025**. Based on his policing experience, he thought the subject was probably some distance away from where the incident happened. He did not know whether the subject was at the cathedral area. One of his (reasonable) hypotheses was that the cathedral incident was the offender, **Mather 13 March PM, 18/16-19/11 INQT0000025**.
629. CCTV subsequently recovered shows that by 04:21 VC was crossing Alfreton Road onto Thurman Street, and by 04:38 he was on Gregory Boulevard near to the roundabout joining Sherwood Rise. Accordingly, by 04:32 VC was in fact at least c. 1 mile away from the crime scene.
630. At 04:37:53 during a radio transmission on TG1199 PC Speeden stated: "We will be free from the scene shortly", **WITN0311001_0051** para 259, **NGPF0004762**.
631. At 04:38:16 PS Hallam began watching footage of the attack captured on cameras at 314 and at 04:39:33 over TG1199 he reported: "Just watching the Ring doorbell footage ... Single male attacker. Dressed all in black. Hood up. He doesn't look that fat to me. But it's a bit of a frenzied attack on the female he seems to be targeting rather than the male" (**WITN0311001_0051** para 262, **NGPF0004763**).
632. From 04:41:06 to 04:41:35 on Log 0069: "FIS – this incident has occurred near to 0065 ... a more thorough search is required to try and identify the female and confirm/negate any offences ... ", **NGPF0006112_0005**.
633. At 04:41:51 on Log 0065: "viewed ring doorbell footage from [Ilkeston Road] male seen all in black, doesn't appear fat, carried out an attack on the female", **NGPF0006136_0016**.
634. At 04:42:08 on Log 0065: "Confirm ... Ilkeston Road does have CCTV coverage of the incident currently in the process of copying and pasting images of the offender onto the log", **NGPF0006136_0016**.
635. From 04:50:19 to 04:50:51 on Log 0065: "Tried pasting the images to the log but unable to upload ... image attached to the log", **NGPF0006136_0017**.
636. At 04:53:50 on Log 0065: "RTI noted images of the suspect on the log – unfortunately not clear enough for a facial recognition search on PND", **NGPF0006136_0017**.
637. At 05:01 CCTV (later recovered) from the exterior of the building captured VC at Seely Hirst House on Mapperley Road attempting to gain entry to the building, **NGPF0004340**. Nobody from Seely Hirst House called this into NP.
638. At 05:02:08 on Log 0069: "Caller has been contacted again. He has stated that he cannot confirm where the shouting was coming from. He stated that all he could hear was a female shouting "fuck off" in a drunken manner and cannot confirm if the shouting was within the vicinity of Park

- Gate and Convant or Derby road as the caller lives in flats and the noise could have been coming from anywhere", **NGPF0006112_0008**.
639. At 05:03:06 on Log 0069: "Screaming coming from the tunnel to the park – that is being searched on foot. Do not believe there will be any need to fly the drone", **NGPF0006112_0008**.
640. At 05:09:05 on Log 0069: "Tunnel and all surrounding has been checked. The caller cannot be more specific about where the screaming was coming from", **NGPF0006112_0008**.
641. Mather had (sensibly) directed Sergeant Berry to task officers to search the cathedral area (from around 04:41:06, **NGPF0006112_0005**).
642. At 05:13 CCTV (subsequently recovered) captured VC walking on Woodborough Road towards Magdala Road, **NGPF0004340, Allardice WITN0311001_0061** para 311.
643. At 05:14 VC attacked Ian Coates on Magdala Road. At 05:15 CCTV (subsequently recovered) captured VC driving Ian Coates' van from Magdala Road towards the City Centre, whilst the ARVs travelled north towards NP HQ, **Speeden 18 March PM, 117/5-8 INQT0000031**.
644. At 05:23 VC ran Wayne Birkett down on Milton Street.
645. At 05:25:40 Incident Log 0077 was created: "Caller reporting a white van has just deliberately ran over a male, Black male drove off towards parliament street", **NGPF0005224_0002**.
646. At 05:26:00 over TG1199 the following message was passed: "start making your way to Milton Street ... Report coming in of a white van has just deliberately run over a male. A black male drove off towards Parliament Street ... detail is just starting to come in", **Allardice WITN0311001_0066-0067** para 340, **NGPF0004783**.
647. At 05:26:21 to 05:26:56 on Log 0077: "Black male driving a white van, no signs on the van, tube on top of roof rack ... male is approx late 40s, early 50s", **NGPF0005224_0004**.
648. At 05:27:50 on Log 0077: "CCTV informed", **NGPF0005224_0005**.
649. From 05:28:49 the following was passed over TG1199 by PS Reynolds (**Allardice WITN0311001_0068-0069** para 347, **NGPF0004792**): "SR442 behind that van [which is] now on Parliament Street going down towards the tram tracks. It's running people over. It's running people over. Two people down ... It's going down Parliament Street ... I need EMAS straight away."
650. In response, over TG1199 the FIS directed: "prioritise those victims please. Give us the last direction of travel. Don't pursue". Mather asks: "What ARVs have I got free please?" and upon receiving a response states: "Yeah I give you armed authority 05:30" (**NGPF0004792** and see **Allardice WITN0311001_0068-0069** para 347).
651. From 05:29:00 the footage from PS Reynolds' vehicle captures VC driving the van along South Sherwood Street, before passing the junction with Burton Street. At 05:29:13 PS Reynolds activated his sirens for 4 seconds, attempting to get VC to stop but VC did not do so. PS Reynolds did not believe at that point that VC had failed to stop, **Reynolds 13 March AM, 30/4-34/20 INQT0000024**. At 05:29:23 VC drove the van through the junction, turning right to continue west

- along Upper Parliament Street. At 05:29:29 VC ran down Sharon Miller and Marcin Gawronski at the Upper Parliament Street junction with Market Street.
652. At no point prior to the attack and after coming into view on PS Reynolds' police vehicle camera did VC's vehicle stop or allow people to cross the road (contrary to **Sharon Miller 26 March AM, 30/22-24 INQT0000041**).
653. At 05:30 Op Plato was declared, **Allardice 12 March PM, 37/23 INQT0000023**. The declaration was not heard by all, including Insp Shaw. It is now policy that Op Plato would be declared on every channel, **Mather 13 March PM, 33/24 INQT0000025**.
654. At 05:30:24 on Log 0077 the van used by VC was linked to Ian Coates, **NGPF0005224_0006**. Thereafter the entries included: "Upper Parliament Street mowed down 2 people driving on the pavement towards members of the public ... vehicle in sight on Alfreto (sic) Road ... male occupant, dark skin, 25 years old cracked windscreen, Bentinck Road, **NGPF0005224_0006-0008**."
655. At 05:35 NP received the first 999 call in relation to the attack on Magdala Road and Incident Log 0079 was created: **Allardice 12 March PM, 41/25 INQT0000023** and **NGPF0006137_0002**.
656. At 05:35:05 on Log 0077: "Male is detained believe this is the male from stabbing Taser has been deployed", **NGPF0005224_0009**.
657. At 05:35:06 PC Bower formally arrested VC on Bentinck Road (BWV **NGPF0008930R** and see **Allardice WITN0311001_0075-0076** para 375-376).

NP's observations on its response to the attacks

658. Whilst lessons have been learned (see Supt Simon Allardice's statement⁹²) given VC's now known movements and the resources available, it is not realistic to suppose that NP could have prevented the killing of Ian Coates or the running down of Wayne, Sharon or Marcin.
659. Whilst members of the public reported VC making towards the city after the Ilkeston Road attacks, a proposition apparently reinforced by the two separate reports of a female screaming in the St Barnabas Cathedral area, in fact VC did not continue in that direction, but took an apparently random route towards Seely Hirst House and then Magdala Road. NP repeats the invitation it made in its opening statement for the Chair to retrace VC's now known steps via the fixed camera sitings so as to better appreciate the density of the housing and the number of junctions, blocked off roads and alleyways.
660. The responses of NP officers ensured the capture of VC on Bentinck Road at 05:35, thereby preventing any further death or serious injury (though Karen Stennett, detention officer, was kicked in the thigh as VC left the van in the police station).

⁹² In particular from **WITN0311001_0114**

661. NP submits that its FCR officers, supervisory officers and front-line responders all acted with professionalism, dedication to duty and selflessness. It is important not to subject officers' reacting to a traumatic, fast-moving crisis to unrealistic hindsight criticisms:

- a. In *Robinson v Chief Constable of West Yorkshire* [2018] A.C. 736 [RLIT0000135], Lord Reed said at [75]: The Court of Appeal was correct to emphasise the importance of not imposing unrealistically demanding standards of care on police officers acting in the course of their operational duties. That is most obviously the case where critical decisions have to be made in stressful circumstances with little or no time for considered thought. This point has long been recognised".
- b. *Clerk and Lindsell* [RLIT0000136] put it like this at 7-197: "The courts are careful not to apply unrealistic standards, with the benefit of hindsight, in the calm and measured atmosphere of the courtroom".
- c. More recently in *Goodenough v Chief Constable of Thames Valley* [2020] EWHC 695 (QB)[RLIT0000104 Turner J said at [45], "The Court must take care not to judge the actions of the officers by unrealistic standards of detached reflection and retrospective analysis ..."

Post-incident

662. Whilst there was much criticism of NP concerning events on 13 June 2023 after VC's arrest (particularly of Ch Insp Mather) those matters do not come within the ToR.

3.UNAUTHORISED ACCESS AND DISCLOSURE

663. Supt Craner (from **WITN0044001_0018-0019** para 66) and former Det Supt Williams (from **WITN0417001_0005** para 16) set out the history of PSD involvement after 13 June 2023.

PC Matthew Gell

664. On **13 June 2023**:

- a. At 11:11:47 PC Gell WhatsApp'd PC Brooks of West Midlands Police: "They've called Op Plato internally so terrorist attack" **NGPF0005573_0006**.
- b. At 11:13:17 PC Gell WhatsApp'd Matt Hopewell: "It's been declared internally as a terrorist attack but not gone to the media yet" **NGPF0005573_0006**.
- c. At 12:16:01 PC Gell forwarded PC Ashley Small's⁹³ inappropriate WhatsApp message to his wife and at 12:18:33 to PC Brookes of West Midlands Police, **NGPF0005573_0008**.

665. These 3 matters became subject to a misconduct allegation since they represented a breach of confidentiality and, in the latter respect, discreditable conduct due to the distasteful content.

666. On **15 June 2023** whilst on duty, PC Gell viewed the Niche subject record of VC between 04:40:10 and 05:17:03: **NGPF0005573_0012-0014**. PC Gell did not forward any intelligence to anyone nor print it out. He was charged with gross misconduct in respect of this access to police intelligence

⁹³ Not the same person as PC Barnes' supervisor PS Ashleigh Small

for which he had no proper policing purpose. He explained why he did so, **9 March PM, 105-18 to 106/10 INQT0000017**.

667. On **18 June 2023** PC Gell became a subject of interest to Op Glint⁹⁴.
668. On **19 June 2023** PC Gell was arrested on suspicion of misconduct in public office and suspended from duty. His personal phone was seized. During criminal interview PC Gell gave full answers, **NGPF0005577_0001**. PC Gell was served a notice under Regulation 17 of the Police (Conduct) Regulations 2020 ("PCR"), **NGPF0005527_0001-0006**. PC Gell's case was referred by NP to the IOPC, **Craner WITN0044001_0026** para 93.
669. PC Gell's mobile phone was examined, revealing the forwarding of WhatsApp messages and limited operational information to his wife, PC Ricky Brookes and Matt Hopewell (**Craner WITN0044001_0027 & 31** paras 94-95 & 107).
670. On **4 July 2023** the IOPC determined that the PC Gell matter should be investigated locally.
671. On **5 July 2023**, CPS refused charge for MIPO against PC Gell and PSD accordingly removed PC Gell from criminal investigation.
672. On **20 July 2023** PC Gell was interviewed by PSD and admitted breaches of confidentiality in relation to viewing VC's speeding tickets and to forwarding the insensitive WhatsApp message from PC Ashley Small, **NGPF0005574**.
673. On **14 Sept 2023** Det Supt Williams, Head of PSD, determined that there was a case to answer against PC Gell for gross misconduct in respect of sharing information with three persons, forwarding the distasteful WhatsApp message and accessing VC's Niche record without a proper policing purpose (see **Williams WITN0417001_0013** para 44).
674. On **20 Sept 2023** FLA DCI Claire Gould drafted an email concerning PC Gell which was sent to FLOs, awaiting confirmation from Det Supt Williams that this email could be shared with bereaved. That email was followed up on **6 Oct 2023**, **NGPF0009736_0002**.
675. On **13 Oct 2023** the SIO's PD73 was to not share any PSD matters with the bereaved or survivors until further clarity was obtained.
676. On **22 Nov 2023**, the Legally Qualified Chair ("LQC") identified 19 January 2024 as a suitable date for PC Gell's hearing, **Thorne IOPC0000129_0002-3**. On **24 November 2023** PC Gell was served with his Reg 30 charge, **NGPF0005537**.
677. On **11 Dec 2023**, PC Gell submitted his Reg 31 "defence statement". PC Gell admitted breaches of the Standards in relation to "Confidentiality" and "Orders & Instructions", for sharing messages, (including PC Small's) outside of NP on 13 June 2023 and for accessing VC's Niche entries on 15 June 2023.

⁹⁴ Explained by Supt Craner, **WITN0044001_0026** para 92.

678. On **11 Jan 2024**, the LQC determined that PC Gell's case should be heard in public, **Thorne IOPC0000129_0003, NGPF0005566**.

679. On **19 Jan 2024**:

- a. PC Gell's gross misconduct hearing took place in public.
- b. The misconduct panel was chaired by an independent LQC.
- c. The panel found breaches of the Standards of "Confidentiality", "Orders & Instructions" and "Discreditable Conduct" which amounted to gross misconduct.
- d. The panel imposed a final written warning for 2 years (this expired on 18 Jan 2026). See **NGPF0005538_0001-0011**.

680. It was deeply regrettable that the bereaved and survivors were not forewarned of this gross misconduct hearing which they were entitled to attend as "Interested persons" within the meaning of Regs 33-35 of the Police (Complaints and Misconduct) Regulations 2020 and as members of the public, see Regulation 39(1) PCR: " ... a misconduct hearing must be in public".

681. The failure to advise the bereaved and survivors of the hearing date was due to "a breakdown in communication between PSD and the investigation side and the FLOs", explained by Supt Craner, **14 April AM, 50/1-8 INQT0000049**. NP did alert the media who attended and reported the panel's findings that very day⁹⁵, **Gell 9 March PM, 113/3-7 INQT0000017**.

682. There was no cover up about PC Gell's misconduct. The case against him was investigated and progressed robustly and swiftly, taking 7 months from arrest to gross misconduct hearing. In para 32 of his inquiry statement PC Gell said: "I take full accountability for my actions and have always accepted full responsibility for them. I acknowledge and fully accept my actions fell below the standards expected from not only the police internally and externally the wider public but also myself. I requested that my misconduct hearing was held in public and have never tried to hide from my actions", **WITN0026001_0009**.

683. PC Gell never viewed **any** BWV footage arising from VC's attacks, **9 March PM, 112/3-8 INQT0000017**.

Sarah Rutherford

684. Between 22 March and 8 July 2023 Sarah Rutherford, a member of police staff, misused NP Force Systems and accessed information relating to recent homicide investigations and cases linked to her own family, **Meynell WITN0371001_0255** para 764.

685. On **4 July 2023** following review by DI Harding, Sarah Rutherford, NP staff, was identified as a person of interest, **Craner WITN0044001_0035** paras 117-119.

686. On **12 July 2023** the inquiry was assessed as criminal, **Craner WITN0044001_0035-0036** para 120.

⁹⁵ <https://www.bbc.co.uk/news/uk-england-nottinghamshire-68037385> and <https://nottstv.com/police-officer-accessed-records-about-nottingham-attacks-suspect-and-forwarded-distasteful-message/> and

687. On **13 July 2023** an IOPC referral regarding Rutherford was submitted on the basis of an indication of computer misuse and the IOPC determined that the matter should be investigated locally, **Craner WITN0044001_0036** para 121. Running alongside the criminal investigation was the misconduct investigation, **Craner WITN0044001_0036-0037** para 125.
688. On **14 July 2023** Rutherford was arrested, interviewed and suspended from duty, **Craner WITN0044001_0036** para 122-123.
689. On **29 Aug 2023** Rutherford was given an adult caution for an offence under section 1 of the Computer Misuse Act 1990, **Craner WITN0044001_0036** para 124.
690. On **5 April 2024** Rutherford was subject to a police staff misconduct hearing and dismissed for gross misconduct in respect of unauthorised research into VC and other non-connected matters. Rutherford did not view any CCTV or BWV footage arising from the 13 June attacks, **Craner WITN0044001_0037** para 125.
691. Again, the investigation and dismissal of Rutherford was swift and effective, concluded within less than 9 months.

Special Constable Ilsadin Skenderaj

692. Ilsadin Skenderaj joined NP as a special constable on 9 May 2023, aged 19. On **31 Aug 2023** he viewed sensitive BWV of the victims of VC. He self-reported this the following day and was suspended from duty on **8 Sept 2023** before resigning on **13 Sept 2023**.
693. On **12 Oct 2023**, DCC Cooper certified Skenderaj's case as suitable for an accelerated misconduct hearing ("AMH") under Reg 49 PCR.
694. Prior to the hearing CC Kate Meynell was required to decide whether the hearing be in public or private. On behalf of the police federation, PC Chaplain made representations that the matter be heard in private, citing the ongoing criminal investigation, **Meynell WITN0371001_0205** para 659. CC Meynell decided to hold the hearing in private for the reasons she explained at paras 661-665. NP recognise that the hearing could have been held in public with temporal restrictions placed on reporting thereby ensuring greater transparency (as CC Meynell acknowledged at para 661).
695. On **11 Dec 2023** at the AMH, CC Meynell declared that Skenderaj "would have been dismissed" but for his resignation (the only sanction permissible at a so-called "former officer" AMH⁹⁶). She directed that Skenderaj be placed on the College of Policing's statutory Barred List to prevent Skenderaj re-entering policing. She expressly directed that the bereaved and survivors be advised of the outcome for Skenderaj, **Craner 14 April AM, 49/13-50/5 INQT0000049**.
696. Again, the investigation and dismissal of Skenderaj was swift and effective, concluded within less than 4 months.

⁹⁶ See the combined effect of the modifications imposed by Schedule 1 of the PCR on Reg 42 and the definition of "disciplinary action for gross misconduct" in Reg 2(1).

697. On **14 Dec 2023** T/DCC Griffin emailed the SIO to state, *inter alia*, as follows in respect of Skenderaj: “This is a case where one of our employees has, without lawful authority or justification, looked at the images of one of the deceased ... it is my view that an immediate duty of candour is triggered. The family of that deceased should be informed immediately of this revelation (which ought really to have happened in September when our organisation first knew about it) ... now that we ... are aware, I think we need to disclose the fact and do so quickly. Indeed this was the instruction of the CC following the hearing”, **NGPF0007883_0003-0004**.

698. The failure by NP to communicate the misconduct of the above three members of NP personnel in a consistent, clear and timely manner to the bereaved and survivors is a matter of profound regret for which NP sincerely and unreservedly apologised in its opening statement and does so again now. The Inquiry has the statements from the various witnesses as to how NP got to this unhappy situation.

4.UNDERSTANDING, ASSESSMENT AND MANAGEMENT OF RISK

699. Police officers must learn not to operate in their own silos, exemplified by the striking answers from PCs Collins and Marsden as to why each did not consider the other incident on 24 May 2020.

700. Risk management requires professional curiosity on the part of all engaged professions, whether from the police, local authorities or NHS; and it feeds into information sharing.

701. The Data Protection Act 2018 and the UKGDPR (both complex provisions) have inflicted unintended negative consequences in terms of deterring police officers (and other partners) from sharing information for fear of disciplinary proceedings for breach of confidentiality.

702. For example, PC Myers said this in his evidence, “I think the problem lies, if you take away the information sharing, is many officers are scared of the Data Protection Act and almost over-disclosing information to people who may or may not be required to have that information, **5 March 2026 AM, 83/13-17 INQT0000014**.”

5.MULTI-AGENCY WORKING

703. At all times material to this Inquiry:

- a. NP did not have unrestricted access to partner agency systems, e.g. RiO or other medical records.
- b. Important health, treatment and risk-management information remained within and confined to healthcare systems.
- c. Information sharing arrangements, while important and existing, did not create a complete or real-time intelligence picture across agencies.

704. Police decision making can only be based upon information known to, or reasonably accessible by, policing at the time.

705. It seems to NP that multi-agency working did not occur as efficiently or effectively as it should have done in this case. The principal state “partners” for a potentially dangerous person like VC will always be the police, the local authority and the healthcare sector.
706. Information sharing barriers – real or perceived – must be reduced as between these key stakeholders. NP respectfully submits that there should be a positive duty on such agents to share information where there is an honest (but not necessarily reasonable) belief that by so doing, the public may be better protected. By making the threshold subjective, public protection is best served since the inclusion of objective justification for sharing otherwise confidential information will deter / prevent some information being shared where the person thinking about sharing it fears disciplinary consequences if they have misjudged the need for information sharing.
707. It was a surprising refrain of the doctors and MH professionals in this case that when they spoke of information sharing between agencies, they persistently overlooked sharing with NP, despite it being, unhappily, the police who pick up the pieces when things go wrong - as they did here.

6.CARE, ACTIONS, POLICY AND PROCEDURES IN CUSTODY: 13 TO 17 JUNE 2023

708. On **13 June 2023** at 04:21:17 a name check was performed in relation to Barney based on a wallet found with him, **NGPF0006136_0012**.
709. At 04:24:38 a name check was performed in relation to Grace based on a phone with ID found nearby, **NGPF0006136_0013**.
710. At 05:52 Ian Coates was pronounced dead, **Griffin 23 March PM, 30/20-22 INQT0000037**.
711. At 06:00 Det Supt Leigh Sanders received a briefing as SIO, **Sanders 18 March AM, 39/1-3 INQT0000030**.
712. At 06:17 VC was unloaded in custody, **Dowson 16 March AM, 21/6-9 INQT0000026**.
713. At 07:48 Ian Coates’ family details were known, **NGPF0006137_0014 & Gould 26 March AM, 79/16-17 INQT0000041**.
714. PC India Proud was dispatched to deliver the message of Ian Coates’ death to his next of kin, partner Elaine Newton. When PC Proud arrived, the FCR passed information indicating that they believed Ian to have been the victim of a road traffic collision, **Gould 26 March AM, 90/20-92/19 INQT0000041**. That information was passed on and not corrected for a period of around 4 hours, **Newton 24 March AM, 5/5-10 INQT0000038**. That was a terrible error, and the families of Ian Coates should not have been given the wrong information as to Ian’s cause of death, **Gould 26 March AM, 92/21-24 INQT0000041**.
715. At 07:51 NP received a call from UoN wanting a situation report for Grace and Barney, **NGPF0005224_0048**.
716. At 08:13 HCP Holly Bramley of Mitie saw VC and she escalated the matter to her management and went to speak to L&D as they had access to the mental health records system, **Bramley 17 March PM, 78/8-11 INQT0000029**.

717. At 08:15 CC Meynell, T/DCC Griffin, Lyn Health and Matthew Jarram had a meeting to discuss a proposed strategic communications approach, **Meynell 20 March PM, 30/2-12 INQT0000035**.
718. At 10:05 DC Beddoe and CSI Cano-Flatt attended custody and requested photographs and hand swabs. VC did not cooperate. Arrangements were made for additional officers to attend and assist, with force if required and they secured the specified non-intimate samples from VC. A request for blood and urine was made and endorsed on the custody record but declined by VC, **Sanders WITN0359001_0106-0107** paras 310-317.
719. At 10:35 DC Farrell informed David Webber of the death of Barney, **Gould WITN0284001_0042** para 94.
720. At 11:30 the first Gold Group meeting took place, **Griffin 23 March AM, 30/13-15 INQT0000036** and **WITN0074001_0047** from para 200.
721. At 12:05 DCI Gould informed Dr Sanjoy Kumar of the death of Grace, **Gould 26 March AM, 88/1-9 INQT0000041**.
722. The parents of Barney and Grace should have been told just as soon as was humanly possible, **Griffin 23 March AM, 14/14-16 INQT0000036**. But the IDs found, whilst a strong indication, were not tantamount to confirmation of ID, **Griffin 23 March AM, 16/4-7 INQT0000036**.
723. At 12:15 Det Supt Sanders recorded that he did not consider the attack to be terrorism, **Sanders 18 March AM, 60/1 INQT0000030**.
724. At 12:55 an L&D referral was made regarding VC's MH, **Ch Insp Murray 17 March AM, 90/6-14 INQT0000028**.
725. At 13:17 L&D checked RiO and confirmed that VC had a working diagnosis of paranoid schizophrenia. The MHAA referral process for the police is through L&D, who liaise with social care, **Murray 17 March AM, 91/23-95/25 INQT0000028**.
726. Supt Sanders' evidence recovery plan ("ERP") **NGPF0008888** included "HCP required for following: Body mapping Blood and urine" and "asked for ... blood and urine ... purely for toxicology", **Sanders 18 March AM, 110/25-111/11 INQT0000030**. At 13:17 it was noted that the HCP had been asked to complete body mapping and toxicology bloods, **NGPF0002378_0001**. Bramley stated: "I have no recollection of the forensic strategy being explained to us, I just ... recall ... we were asked to do toxicology bloods [which] looks at whether somebody has drugs in their system". It was her belief that that is what she was being asked to do, **Bramley 17 March PM, 88/14-89/16 INQT0000029**. As HCP Rosie Draper confirmed "... the job that was placed to come through was for toxicology bloods ... I don't recall being asked to take a sample for DNA profiling ... it came through as toxicology..." **18 March AM, 5/2-22 INQT0000030**.
727. It would therefore appear that there was an understanding from the HCP that the blood sample was required for toxicology purposes as opposed to DNA profiling (and see **Murray 17 March AM 93/12-20 INQT0000028**). A request for blood would be made as an intimate sample request

- pursuant to s.62 of PACE, regardless of whether it was for toxicology purposes or whether it was for DNA profiling purposes and would be subject to authorisation by an Inspector, **Murray 17 March AM, 92/16-22 INQT0000028.**
728. Draper felt that VC had capacity to consent for the taking of intimate samples **Draper 18 March AM, 12/23-14/23 INQT0000030.**
729. At 13:32 VC declined to engage with L&D, **Murray 17 March AM, 97/6-19 INQT0000028.**
730. By around 15:00 Ian Coates' sons learned from persons outside of NP of an attack on Ian, **J Coates, 24 March AM, 42/3-11 INQT0000038.** They should have been told sooner, by NP, and DCI Gould took full responsibility for that. The delay resulted from DCI Gould not knowing that they were Ian's family. DCI Gould would have expected readers and receivers in the Major Incident Room to have passed on James Coates' phone number as soon as possible, **Gould 26 March AM, 94/21-96/21 INQT0000041.**
731. From 16:00 to 17:53 VC was examined by HCP Draper and deemed fit to detain and fit to interview. An appropriate adult was recommended, **NGPF0007773_0022, Murray 17 March AM, 97/5-21 INQT0000028.**
732. At 16:59 CC Meynell approved a press statement stating that police were keeping an open mind and were working alongside Counter-Terrorism policing, **Meynell 20 March PM, 33/4-11 INQT0000035.**
733. At 17:25 it was noted that NP had asked HCPs to take samples from and complete body mapping but VC did not consent. The HCPs thought VC was mentally unwell and not fit to interview. Draper advised that usually in these circumstances she would request a MHAA by calling CRHT gatekeeping and AMHP, but she was unclear whether to do this due to the nature of alleged offence. Louisa Hagan advised HCP to follow their escalation process and that the NHFT stance was VC will not be admitted to a psychiatric unit due to the nature of the offence, **NHFT0000168_0272 & Hagan 17 March PM, 46/9-50/21 INQT0000029.**
734. Bramley continued to think that a MHAA was necessary, **Bramley 17 March PM, 97/22-24 INQT0000029.**
735. Det Supt Sanders was told that VC was fit for detention and interview but that there was no L&D assessment made, **Sanders 18 March PM, 16/18-20 INQT0000031.** Det Supt Sanders did not remember having any input on the instruction of a psychiatrist and from an SIO perspective would not be asked to assist with such instruction, **Sanders 18 March PM, 22/10-15 INQT0000031.**
736. At 21:22 PS Cook documented VC's refusal to give blood or submit to body mapping **NGPF0007773_0117.**
737. On **14 June 2023** the ERP was documented and included "Body mapping" and "Blood and urine". It was not however documented that VC was specifically asked about providing a urine sample. The process for taking a blood and urine sample is different but both are intimate samples,

Murray 17 March PM, 2/19-20 INQT0000029. See also Det Supt Leigh Sanders from **WITN0359001 0104** para 304.

738. Samples such as swabs for hand and nail scrapings are not samples that can be used for drug testing because they are not reliable methods, **Wolff 20 March AM, 4/7-9 INQT0000034.** With hindsight, Det Supt Sanders should have obtained a head hair sample in relation to the negation of a possible defence of diminished responsibility. Such a sample would not provide analysis to show that drugs or alcohol were in VC's system at a specific time or date but it would have been relevant to "lifestyle", **Sanders 18 March AM, 108/14-112/5 INQT0000030.**
739. The SIO's forensic strategy was appropriate, with blood and urine envisaged as being taken if consent was given (but it was not). There were, however, gaps in documentation and no attempt to secure non-intimate head hair.
740. The failure of the SIO to require VC to give head hair samples is an oversight that he admitted in para 321 of his statement, **WITN0359001_0108.** However, this is not, as far as NP understands it following the conclusion of the live evidence, an error that made any material difference to the appropriateness of the manslaughter pleas since there remains no reliable evidence that VC took controlled drugs, see:
- a. Paras 6 and 33 of Sebastian's Inquiry statement "I never saw VC smoking cannabis and never smelt cannabis on or around him. I was never told by anyone else or had reported to me that VC smoked cannabis", **WITN0151001_0002 & _0006** (Sebastian lived with VC between Sept 2019 and July 2021).
 - b. Para 38 of Christopher's Inquiry statement: "I never saw, suspected, knew and was never told by anyone that [VC] was taking recreational drugs", **WITN0059001_0005.** Likewise para 10 of Sam's, "I never saw VC smoke weed and never smelt weed coming from his room" **WITN0064001_0002**
 - c. Dr Ludvigsen confirmed that on 28 May 2020 VC's urine sample was negative for all illicit drugs tested for, including cannabis, **22 April AM, 85/13-86/3 INQT0000059.**
 - d. Para 4.1 of Dr McSweeney's report dated 12.1.24 confirmed that on 1.11.23 "Urine drug screens were negative for all illicit substances", **HMCP0000459_0004.**
741. Alan Murphy was not concerned as to the lack of head-hair sampling since he considered there to be no evidence of VC taking controlled drugs and in any event that would not have changed the acceptability of the plea of diminished responsibility, see (i) para 31 of his statement **WITN0083001_0010** (ii) his evidence to Mr Straw KC, **31 March AM, 113/22 to 114/16 INQT0000045** (ii) his evidence to Ms Carey KC, **31 March AM, 115/5-23 INQT0000045.**
742. On **15 June 2023** at 15:11 NP published a press release, **Meynell 20 March AM 66/4-7 INQT0000034.**

743. On the afternoon of **16 June 2023** VC was charged with 3 x murder and 3 x attempted murder, **Murphy WITN0083001_0009** para 26, but where NP had charged one of the offences prior to receiving charging authorisation such that Alan Murphy updated his charging decision that evening to authorise retrospectively any charge that had been laid prior to his charging decision, **WITN0083001_0008-0009** para 25.

744. As Det Supt Sanders explained (**18 Mar AM 71/190-74/10 INQT0000030**): “We believed that we were there, that we were liaising with the CPS and we were probably going to have a final wrap-up interview at the end and look to charge or invite CPS to charge. I then had a contact from Gold to say that there had been media contact similar to other media contact that was suggestive that there were stories going to appear in the press that were going to undermine the investigation surrounding violence, mental health and it could prejudice the investigation ... Clearly that gave me real cause for consternation and concern. I then spoke with Gold. Gold said would we be in a position to charge inasmuch that if it became sub judice, then quite clearly there could be no damage to the investigation. I have then contacted the file officer ... He had informed me that Alan Murphy ... had verbally agreed to charges and was in the process of finalising it. I ... contacted CPS with a view to finding some advice about how we would obtain an emergency charge ... I ... said, “charge”, believing that we had authority to charge. Sam Shallow then rings me back and says “we’ve had discussions around the charge, but Alan hasn’t provided you with that verbal yet, he is waiting for the final CPS update in relation to the CCTV ... technically speaking I had authorised the charge ahead of the written authorisation by about 40 minutes ... and I apologised to Alan”.

745. On **17 June 2023**, VC was taken to Nottingham Prison, described on reception as “Guarded, bizarre in his presentation ... [appears] mentally acutely unwell”, **Blackwood, 30 March PM 7/13 INQT0000043**.

NP’s observations on the custody period

746. NP’s management of VC in custody after his arrest largely followed good practice.

747. VC was placed in a dry cell to maximise forensic recovery.

748. VC was noted to be suffering from paranoid schizophrenia before 2 pm: **NGPF0007773_0019**.

749. A feature of modern police custody is that the HCPs are no longer medically qualified doctors – Forensic Medical Examiners - but generally nurses or AMHP or social workers.

750. Consent inhibits access to records: eg Bramley “with regards to clinical notes, there’s the summary care records, which I believe is NHS throughout. We would need consent to access that unless it was in an emergency situation ... with regards to mental health we don’t have access to anything” and even with consent, “Sometimes we can see nothing, if they have basically said to their GP that they don’t want to share that information” **17 March PM, 69/15-70/6 INQT0000029**.

751. VC was essentially evidentially and otherwise silent and declined to give blood, as was his right under common law, Article 6 and s62 of PACE.

752. The Chair is invited to note what the very experienced Alan Murphy said about the investigation at paras 28⁹⁷, 29, 34, 68, 76, of his Inquiry statement, **WITN0083001**. And to note Michelle Mannion's similar conclusions at para 105⁹⁸, **WITN0081001_0031**.

Communication failures by NP

753. NP adopts, without repetition of or derogation from, paras 19-20 and 99-145 of its opening written statement.

754. There was no attempt by senior officers at NP to cover up any matters from the bereaved or survivors or the public. A fair and objective analysis of the evidence bears this proposition out.

755. However, NP undoubtedly failed to deliver three key strands of information to the bereaved and survivors in a consistent, clear or timely manner, namely:

- a. The fact of the previous NP / VC interactions from 24 May 2020 onwards;
- b. The failure to execute the FTA warrant issued on 22 September 2022;
- c. The management of misconduct by NP officers and staff.

756. In these three respects there was a lack of coherence for which NP sincerely and unreservedly apologises to the bereaved and survivors. Former CC Meynell and T/DCC Griffin both fully accepted these failures in their evidence, see (i) Former CC Meynell, **20 Mar AM 74/7-14, 91/4, 94/5, 95/13-20, 97/22-98/14 INQT0000034, PM 48/22 INQT0000035** (ii) T/DCC Griffin, **23 Mar AM 30/1-7 INQT0000036, PM 14/16-17/3, 30/3-8, 47/20-48/1 INQT0000037**. And see also (iii) Det Ch Insp Gould, **26 Mar PM 8/6-9/13, 26/7, 28/12-22, 32/17-33/5, 34/16, 36/24, 50/14 INQT0000042**.

7.CPS HANDLING OF THE CASE

757. The SIO had secured a sufficient evidential threshold for the CPS to authorise charges against VC for murder and attempted murder. The decision by the CPS to accept pleas to manslaughter of Grace, Barney and Ian on the grounds of diminished responsibility evidently caused anxiety and distress to the bereaved families and survivors.

758. Acceptability of pleas is a matter confined to the CPS. However, NP does not suggest that the CPS or Crown Counsel erred on the sensitive issue of appropriate pleas, given the unanimity of the expert psychiatric evidence.

759. The SIO noted in PD 81 following a meeting with the CPS and prosecuting counsel on 24 November 2023: "As SIO I have voiced my concerns and that there should be an element of

⁹⁷ "As far as I am concerned this was a thorough and comprehensive police investigation. I have no concerns about this investigation whatsoever", **WITN0083001_0009** para 28

⁹⁸ "The case was a priority for CPS and the police. It was progressed diligently, effectively and expeditiously. Every stage of the process and development was given careful consideration"

punishment pursued. However it will be difficult to argue against the framework given by expert opinion and this will need to be carefully managed by the FLOs ..." NGPF0008791.

8.RECOMMENDATIONS

760. NP invites the Chair to consider the 11 recommendations identified in paras 1634 to 1708 of T/DCC Griffin's main Inquiry statement, **WITN0074001_0378** *et seq.* To those, NP invites consideration also of the following:

761. **First**, the need for better funding for the relevant public services. Or, in the case of policing, either the reduction of demands placed on the service or an increase in resourcing (necessary but not sufficient in itself). **NP urges the chair not to make recommendations that will increase demand on policing since to do so will be counterproductive.**

762. **Second**, NP supports and respectfully adopts Leicestershire Police's closing submissions in respect of Information Sharing (T/DCC's Griffin's recommendations 6, 7 and 9).

763. **Third**, the Home Office should fund computer systems to improve the police service's ability to better identify potentially dangerous persons. This might well require bespoke software and Artificial Intelligence to analyse fulminating incidents via all available databases so that someone – human or computer – can assess the overall developing picture beyond the individual incident presenting itself to the attending officer. In other words, the police service must become better at "joining the dots". This is easier to state than to achieve given the volume of work which overburdens response officers. It may well be that Artificial Intelligence products will begin to offer better analytical opportunities for the police service, with better statistical predictors.

764. **Fourth**, police training should be augmented to encourage individual police officers to develop greater professional curiosity in the front line (a point made by Fulford LJ in the Southport Inquiry in respect of counter-terrorism policing, see Recommendation 35, Volume 2 page 93).

Continuous improvement

765. NP has not waited for the conclusion of the Inquiry and where it has identified weaknesses, improvements have already been introduced, namely:

766. First, Operation Catalyst has improved investigation standards and training across the Force. It was praised by supervisory officers⁹⁹ and was directly intended to address issues such as officers not checking PNC, **Griffin 23 March PM, 21/25-22/5 INQT0000037.**

767. Second, as part of NP's "Proud to Lead Academy" at the point of qualification to the rank, every sergeant attends a one-week course within which they spend half a day on critical incident management and half a day on major incident management. Similarly, Inspectors now attend a four-day course and spend a whole day with direct face-to-face training about those matters, **Griffin 23 March PM, 24/7-14 INQT0000037.**

⁹⁹ See PS Price, **4 Mar AM, 96/24-25 to 97/1-25 INQT0000012** and PS Faulkner, **9 Mar PM 89/14 INQT0000017**

768. Third, having undertaken the forensic review of the response to the attacks, Supt Allardice is in the process of implementing changes within NP's FCR to ensure that for future incidents there is a consistent and coordinated approach to search, **Griffin 23 March PM, 24/23-25/4 INQT0000037**.

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14 August 2026