

that an officer may have formed about that persons involvement in a criminal offence. This helps the interviewer to obtain an untainted account that can stand up to test in court.

The style and approach to the questioning of Mr Port had been considered prior to the interview. We had taken into account the fact that he was not legally represented and that he was willing to answer questions. We did not want to deter him from this and wanted, as much as possible, for him to speak as freely as he could. We decided to adopt an open approach to try to build a rapport so that he feel comfortable in order for him to give us as much information as possible.

We saw it as the opportunity to get as much detail as possible to ensure that he could not change his account at any later stage in the investigation. If a suspect provides a lot of detail it will also allow a deep analysis of his account that can narrow down the lines of enquiries. Clearly had any of his account been proven wrong that in itself would be a helpful point for the prosecution as it may undermine his credibility. This, we believed, worked to the advantage of the investigation because if, once the outstanding enquiries had concluded, there was any evidence that demonstrated Mr Port had lied in interview we would have been able to use this against him.

It is clear in the transcript of our interview that at the beginning I say that the purpose of the interview is to obtain a true and final account and that was exactly what we were doing. We were not in the challenge phase of the interview and we had not been asked to do so.

It has to be considered that at this stage Mr Port was under investigation for theft of Mr Walgate's mobile phone and attempting to pervert the course of justice as the investigation had not established the cause of Mr Walgate's death. We did not have any evidence to put to him that would disprove what he was saying. In lieu of any evidence or contradicting fact, (beyond Mr Port's change of account, something, whether believable or not, he offered an explanation for) Mr Port's account could not be tested or challenged with any meaningful substance. It would not be good practise to challenge a suspect based on opinion and supposition, especially at such an early stage of an investigation and when it rarely leads to any beneficial outcome. The most beneficial course of action was to obtain a full account whilst he was talking to us and use this to assist the investigation identify lines of enquiry and help prove or disprove Mr Ports involvement based on fact or evidence.

I have seen the allegation that suggests that I did not challenge Mr Port during the interview and that caused important lines of enquiries to be lost. I strongly refute that suggestion. Our interview identified a number of lines of enquiry. We gathered detail around his contact with Mr Walgate, his use of computers, telephones and social media. We obtained account

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details and passwords for his mobile phone, email, Facebook, along with alias names he used on dating sites, and information regarding two previous incidents with police (one of which we had not been aware of prior to interview). We identified that Mr Port used his laptop to access the dating websites and this would have highlighted an important line of enquiry. We ensured he provided a detailed account of his background, lifestyle, his movements, whereabouts and involvement with Mr Walgate, which were all lines of enquiries to be considered by the investigative team. Mr Port provided fine detail of the drugs that were taken and the paraphernalia that was used all of which could assist in the recovery of evidence and identification forensic submissions to the lab. I would have expected all of these lines of enquires to have been considered and investigated as appropriate, to see if anything Mr Port had said could be proven wrong. Then if required a further interview could be conducted and a challenge phase implemented.

The sexuality and circumstances described by Port had no impact on our line of questioning. We did not change the manner in which we asked the questions when he disclosed that he was gay and this had no bearing of our dealing with him or our attitude to the investigation into Mr Walgate's death. When Mr Port suggested that Mr Walgate wanted to take drugs before having sex, that he was being paid for, we had no evidence or reason to suggest this wasn't true and it was not an entirely implausible suggestion.

Following the interview we informed our supervisor that Mr Port had chosen to answer our questions and had provided the detailed account consistent with his latter part of his previous interview. Our supervisor subsequently provided the HAT advice dated 27/06/2016 and a copy of our interview notes to A/DI McCarthy. We then withdrew from the investigation having been involved for approximately 4 hours.

I believed we achieved the purpose that we were tasked. I believed we carried out a thorough, detailed interview that covered all the areas of the investigation. I believe that our interview identified important lines of enquiry for the investigation team to follow. I deny that my failure to challenge Mr Ports led to important lines or enquiry to be missed, especially when the interview process had not reached this phase during our dealings and there was little or no material to challenge his account. I deny any suggestion that our conduct amounted to misconduct or poor performance and that is all I wish to say at this time.

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