

<p>1 Thursday, 14 October 2021                  2 MR DAVID PARISH (continued) .....3                  3 Questions from DR VAN DELLEN .....3                  4 Questions from MR SKELTON .....7                  5 Questions from MS DOBBIN .....29                  6 Questions from THE JURY .....44                  7 Further questions from MS COLLIER .....49                  8 Questions from THE CORONER .....49                  9 MR NAINESH DESAI (sworn) .....50                  10 Questions from MR O'CONNOR .....50                  11 Questions from MS HILL .....109                  12 Questions from DR VAN DELLEN .....124                  13 Questions from MR BERRY .....125                  14 Questions from MS DOBBIN .....131                  15 Questions from THE JURY .....136                  16 Further questions from MR O'CONNOR .....137                  17                  18                  19                  20                  21                  22                  23                  24                  25</p> <p style="text-align: center;">Page 1</p>	<p>1 present intention and what is presently possible, but no                  2 one should assume that this may not change. It is the                  3 way of things that these things sometimes do.                  4 THE CORONER: Absolutely.                  5 Shall we put it -- I was thinking in bundle A,                  6 behind divider 2 where there is the witness cast list,                  7 is that a good place to put it?                  8 MR O'CONNOR: Madam, that would seem a good place to put it.                  9 THE CORONER: Members of the jury, bundle A, divider 2, if                  10 you would like to put this list at the front of there                  11 and then we can add the subsequent lists after that.                  12 MR O'CONNOR: Thank you, madam.                  13 THE CORONER: Yes.                  14 MS COLLIER: Madam, we resume the evidence of Detective                  15 Sergeant Parish. I believe it is Dr van Dellen to ask                  16 questions.                  17 THE CORONER: Thank you.                  18 MR DAVID PARISH (continued)                  19 Questions from DR VAN DELLEN                  20 DR VAN DELLEN: Detective Sergeant Parish, I ask questions                  21 on behalf of Ricky Waumsley, the partner of                  22 Daniel Whitworth, who was watching you give evidence by                  23 video-link yesterday.                  24 <b>A. Okay.</b>                  25 Q. You explained to the jury yesterday that at the time of</p> <p style="text-align: center;">Page 3</p>
<p>1                  2 (10.00 am)                  3 (In the presence of the jury)                  4 THE CORONER: Good morning, members of the jury.                  5 MR O'CONNOR: Madam, just before we resume the evidence of                  6 Mr Parish, the jury will see in front of them on the                  7 desks I hope a response to a request they made yesterday                  8 for some indication of the witnesses who are to be                  9 called going forwards.                  10 Madam, what you have asked us to prepare and what                  11 the jury now have is a list of the witnesses who we will                  12 be calling for the next week or so, while we are                  13 focusing on the investigation into Anthony Walgate's                  14 death. The proposal is that we will provide the jury at                  15 stages in the future with similar lists when we start                  16 the next chapters of the evidence.                  17 I hope the list is self explanatory, it makes it                  18 clear which witnesses are intended to attend to give                  19 oral evidence and in the case of just three witnesses,                  20 those whose evidence we propose to read.                  21 Madam, it is important for everyone to understand                  22 that the question of who is needed to give evidence and                  23 who can give evidence is not a fixed matter. All sorts                  24 of considerations arise, which are matters for you, and                  25 so what the jury have is, as it were, a snapshot of your</p> <p style="text-align: center;">Page 2</p>	<p>1 the investigation of Anthony's death you were a trainee                  2 detective constable and that you had never been to                  3 a special post mortem before?                  4 <b>A. That's correct.</b>                  5 Q. What formal training about special post mortems, if any,                  6 did you receive before attending your first special post                  7 mortem?                  8 <b>A. None. When I was a probationary police constable we</b>                  9 <b>were taken to a routine post mortem, but no training at</b>                  10 <b>all.</b>                  11 Q. I am going to remind you of some dates that were                  12 mentioned yesterday, if I may.                  13 <b>A. Yes.</b>                  14 Q. The first is the date of the advice from HAT, the                  15 homicide team, about downloading Stephen Port's laptop.                  16 That advice was provided by HAT on 27 June 2014. You                  17 were shown that document yesterday, do you remember                  18 that?                  19 <b>A. I do, yes.</b>                  20 Q. The second date I will give you is another document                  21 which you were shown yesterday. It was the submission                  22 of Stephen Port's laptop for downloading. That was                  23 received by the department that do that on                  24 28 April 2015, over 10 and a half months later. Do you                  25 remember seeing that document?</p> <p style="text-align: center;">Page 4</p>

<p>1 <b>A. I do, yes.</b></p> <p>2 Q. You were also shown a document with which you are very</p> <p>3 familiar, it was your report on the download of the</p> <p>4 laptop. That was dated 15 July 2015. That was two and</p> <p>5 a half months, about two and a half months after that,</p> <p>6 do you remember that document?</p> <p>7 <b>A. I do, yes.</b></p> <p>8 Q. I am going to refresh your memory, if I may, about two</p> <p>9 answers that you gave to my learned friend Ms Collier,</p> <p>10 junior counsel to the inquest, yesterday afternoon.</p> <p>11 This was evidence that you gave on oath.</p> <p>12 Ms Collier asked:</p> <p>13 "Did you not think it would be worth looking at the</p> <p>14 material [referring to the laptop download] around the</p> <p>15 time that you knew that Port had met Anthony?"</p> <p>16 Your answer was:</p> <p>17 "With hindsight, and thinking back over it, that is</p> <p>18 a mistake on my part and I apologise for not doing that</p> <p>19 and going back and reviewing every single item in there.</p> <p>20 That is something I have to apologise for. I didn't do</p> <p>21 that. I was providing what I thought was a background</p> <p>22 and flavour almost for that, that is something I didn't</p> <p>23 do and I should have done, I apologise."</p> <p>24 Ms Collier then asked you a follow-on question from</p> <p>25 that, my learned friend, she asked:</p> <p style="text-align: center;">Page 5</p>	<p>1 Questions from MR SKELTON</p> <p>2 MR SKELTON: Detective Sergeant Parish, I ask questions on</p> <p>3 behalf of the Metropolitan Police. I think you said</p> <p>4 yesterday that you became a police constable in 2005; is</p> <p>5 that correct?</p> <p>6 <b>A. That's correct, yes.</b></p> <p>7 Q. So, by the time you were investigating Anthony's death,</p> <p>8 you had had nearly 10 years' experience in the job, as</p> <p>9 a PC?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. You would have been very familiar with the Crime</p> <p>12 Recording Information System?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Can I just check your formal role in Anthony's death,</p> <p>15 were you the officer in charge of the investigation?</p> <p>16 <b>A. I was the OIC, yes.</b></p> <p>17 Q. You were responsible for carrying out the actions in</p> <p>18 furtherance of the investigation?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. You were supervised by DS O'Donnell and above him</p> <p>21 DI McCarthy and above him DCI Kirk?</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. May I just recap on the purpose of the CRIS, the</p> <p>24 recording system. Is it the principal database for</p> <p>25 storing information during an investigation?</p> <p style="text-align: center;">Page 7</p>
<p>1 "Just to pick up on something you have said, it</p> <p>2 wouldn't have necessarily have involved looking at every</p> <p>3 single item, would it? If you were to look at what Port</p> <p>4 was accessing on the internet around the times that he</p> <p>5 messaged Anthony, and met Anthony, that in fact is</p> <p>6 a relatively short timeframe, isn't it?"</p> <p>7 Your answer was, "Yes".</p> <p>8 Do you remember that evidence?</p> <p>9 <b>A. I do, yes.</b></p> <p>10 Q. Given your apology yesterday, do you agree that the</p> <p>11 review of the laptop download represented a missed</p> <p>12 opportunity to identify Port as being involved in</p> <p>13 Anthony's death?</p> <p>14 <b>A. I could have investigated that further at that point,</b></p> <p>15 <b>yes, of course I could have done. And like I said</b></p> <p>16 <b>yesterday, that is a mistake that I made and I can only</b></p> <p>17 <b>apologise for not doing that.</b></p> <p>18 Q. It is right, isn't it, that if the HAT advice on</p> <p>19 27 June 2014 had been followed shortly after it was</p> <p>20 given, that Port's laptop would have been analysed</p> <p>21 before the death of Daniel on 20 September 2014?</p> <p>22 <b>A. If I had have been directed to send it off sooner, then</b></p> <p>23 <b>yes, it would have been sent off sooner, yes.</b></p> <p>24 DR VAN DELLEN: No further questions, madam, thank you.</p> <p>25</p> <p style="text-align: center;">Page 6</p>	<p>1 <b>A. Yes, it is where you update things that have been done,</b></p> <p>2 <b>record information.</b></p> <p>3 Q. Is it meant to record everything that happens, including</p> <p>4 evidence that is obtained, decisions and actions?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. Is it right that all members of the detective team, your</p> <p>7 colleagues, had access to it?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. And could add things to it?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. So anyone coming in, wanting to understand the way</p> <p>12 an investigation has evolved, can look at the CRIS and</p> <p>13 chart chronologically what decisions have been made and</p> <p>14 what actions have resulted?</p> <p>15 <b>A. They can, yes, they can read the report.</b></p> <p>16 Q. Can I turn now to the special post mortem on 20 June,</p> <p>17 please.</p> <p>18 You were effectively taking the role of exhibits</p> <p>19 officer, weren't you?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. You had assistance from other colleagues who had other</p> <p>22 aspects of the role at the post mortem, for example</p> <p>23 people from the MIT team?</p> <p>24 <b>A. Yes, they were present as well, yes.</b></p> <p>25 Q. You catalogued and stored all the samples that</p> <p style="text-align: center;">Page 8</p>

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<p>1 Dr Biedrzycki took?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. I think it is right that the crime scene manager,</p> <p>4 Ms Kynaston, advised that various samples should be sent</p> <p>5 off for testing?</p> <p>6 <b>A. I believe so.</b></p> <p>7 Q. But sexual swabs, or sex swabs, were not on that initial</p> <p>8 list, is that correct?</p> <p>9 <b>A. I can't recall what was on the initial list, apologies.</b></p> <p>10 Q. Perhaps I can take you to it. It can be found in the</p> <p>11 CRIS, which is the main bundle you were looking at</p> <p>12 yesterday, tab 2, page 71.</p> <p>13 <b>A. Yes, I am there.</b></p> <p>14 Q. At that stage, you can see, if it could come up on</p> <p>15 screen, please, it is IPC35, page 71.</p> <p>16 You have at the bottom section there:</p> <p>17 "CSM advise sending off the following to the FSS</p> <p>18 ..."</p> <p>19 That is the testing lab, isn't it?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. "Vitreous humour, blood, urine, bottle of clear liquid,</p> <p>22 tablets found in bag, details of exhibit to follow."</p> <p>23 It is your job to get that initiated?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. Sex swabs are not on that list at that stage; is that</p> <p style="text-align: center;">Page 9</p>	<p>1 samples received from the PM and then it has</p> <p>2 an investigation strategy, no need to look at that in</p> <p>3 detail, but could you go overleaf, please.</p> <p>4 Can you see the continuation of the advice, there is</p> <p>5 a section "Pathology"? Do you see that?</p> <p>6 <b>A. Yes, I can, yes.</b></p> <p>7 Q. It says:</p> <p>8 "As advised by the crime scene manager, these will</p> <p>9 be sent for pathology as well as the sex swabs for</p> <p>10 analysis. A vial of what is believed to be poppers ..."</p> <p>11 Here is a record, I think by your sergeant, saying</p> <p>12 the sex swabs should be sent for analysis.</p> <p>13 Whose job was it to send them for analysis?</p> <p>14 <b>A. That would have been mine, but I don't recall ever being</b></p> <p>15 <b>asked to do that directly by Martin.</b></p> <p>16 Q. Did you need to be asked if his advice and the crime</p> <p>17 scene manager's advice is in the CRIS, which you rely</p> <p>18 on?</p> <p>19 <b>A. I appreciate it is in the CRIS, but I don't recall ever</b></p> <p>20 <b>being asked by Martin to send them off. I would have</b></p> <p>21 <b>followed what he told me to send off. So items would</b></p> <p>22 <b>have been sent, but only what Martin had told me to do,</b></p> <p>23 <b>and I appreciate it is in the CRIS. We would have</b></p> <p>24 <b>discussed it and I don't remember being asked to send</b></p> <p>25 <b>those off. But I understand what is written in that</b></p> <p style="text-align: center;">Page 11</p>
<p>1 correct?</p> <p>2 <b>A. I can't see them on that list, no.</b></p> <p>3 Q. Can I then just ask you to look at tab 18, please, which</p> <p>4 is IPC525 and this is one of the HAT returns.</p> <p>5 This is what is known as the HAT return or HAT</p> <p>6 advice to your sergeant dated on 19 June 2014.</p> <p>7 Do you see that?</p> <p>8 <b>A. I can, yes.</b></p> <p>9 Q. If we go overleaf onto page 2, it says there "Submit sex</p> <p>10 swabs", do you see that?</p> <p>11 <b>A. Yes, I can.</b></p> <p>12 Q. Would you have read this?</p> <p>13 <b>A. Potentially, yes.</b></p> <p>14 Q. Potentially or probably?</p> <p>15 <b>A. Potentially, I can't remember, I was booking in a number</b></p> <p>16 <b>of exhibits from the post mortem. It would have been</b></p> <p>17 <b>given to Martin, but I more than likely would have read</b></p> <p>18 <b>it, yes.</b></p> <p>19 Q. Can I go back, please -- I appreciate we are looking at</p> <p>20 several documents at the same time -- to the CRIS, pages</p> <p>21 76 to 77, so it is jury bundle 2, IPC00035.</p> <p>22 Here we have an entry starting on 23 June; can you</p> <p>23 see that?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. It mentions you there, you catalogued and stored the</p> <p style="text-align: center;">Page 10</p>	<p>1 <b>report. I didn't see that.</b></p> <p>2 Q. If it is in the CRIS, you should do it, shouldn't you?</p> <p>3 <b>A. I can only go by what Martin would have told me at the</b></p> <p>4 <b>time. And, like I say, I appreciate what is in that</b></p> <p>5 <b>report but I would have done what he told me to do, but</b></p> <p>6 <b>I see that it is in that report.</b></p> <p>7 Q. As far as intelligence on Mr Port is concerned, I think</p> <p>8 you said that you had searched the PNC and found</p> <p>9 information about Port's arrest for an alleged sexual</p> <p>10 assault?</p> <p>11 <b>A. I wasn't trained on PNC at that time, but someone would</b></p> <p>12 <b>have completed a check.</b></p> <p>13 Q. Someone -- sorry, who did it?</p> <p>14 <b>A. I don't recall who did that.</b></p> <p>15 Q. You don't know if it is a member of your team or someone</p> <p>16 else?</p> <p>17 <b>A. I can't remember, no, it is a long time ago.</b></p> <p>18 Q. Would someone have asked for that to have been done</p> <p>19 then?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. Why didn't they ask for a PND check to be done as well?</p> <p>22 <b>A. I don't know why they didn't ask for that.</b></p> <p>23 Q. Did you know about the PND?</p> <p>24 <b>A. I can't remember what I knew seven years ago. I may</b></p> <p>25 <b>have been aware of its existence, yes.</b></p> <p style="text-align: center;">Page 12</p>

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<p>1 Q. It is one of the most basic databases on intelligence, 2 isn't it, as well as the PNC? 3 <b>A. A PND.</b> 4 Q. A PND, yes. 5 <b>A. I wouldn't have said so, no.</b> 6 Q. It is an easy one to be checked? 7 <b>A. Not a lot of people have access to PND, they still don't</b> 8 <b>now.</b> 9 Q. To be clear, officer. If you want a PND check to be 10 done and you are an officer in CID you can ask someone 11 to do it? 12 <b>A. You can ask somebody to do it, yes.</b> 13 Q. And it is easy to do? 14 <b>A. I don't know, I am not trained in how to do it.</b> 15 Q. Have you ever actually asked someone to check a PND? 16 <b>A. I have, yes.</b> 17 Q. Did they do it? 18 <b>A. They did, yes.</b> 19 Q. Do you know why the PND wasn't checked? 20 <b>A. I don't, no.</b> 21 Q. You were the officer in charge. Did you not have a view 22 about whether or not it had been checked? 23 <b>A. I didn't, no. Again, going back seven and a half years</b> 24 <b>ago, I was a trainee detective constable. I was not</b> 25 <b>a detective. I was still learning my role at that</b></p> <p style="text-align: center;">Page 13</p>	<p>1 asking to be done. This under tab 36, please, it is 2 IPC000045. 3 This is the return from 27 June and again it goes to 4 DI McCarthy, correct? 5 <b>A. Yes.</b> 6 Q. Who is your inspector? 7 <b>A. Yes.</b> 8 Q. Overleaf, you have been asked about this already, so 9 I will not take much time explaining the document but it 10 says on the second page, please under "Record of 11 advice", you see midway down: 12 "Ensure suspect's phone and laptop computer are 13 submitted for download." 14 Whose responsibility was it to submit his phone and 15 laptop for download? 16 <b>A. It would have been ourselves as the investigation team</b> 17 <b>at that point.</b> 18 Q. You, in particular, would have actioned it, wouldn't 19 you? 20 <b>A. If I had have been asked to have done it, yes, I would</b> 21 <b>have done.</b> 22 Q. Are you saying you were never asked to do that? 23 <b>A. I don't recall ever being asked to send off the phone or</b> 24 <b>the laptop, as I said yesterday.</b> 25 Q. Whose responsibility was it for recording this advice on</p> <p style="text-align: center;">Page 15</p>
<p>1 <b>point.</b> 2 Q. How did that affect your decision about intelligence in 3 respect of Mr Port? 4 <b>A. How did it affect it?</b> 5 Q. Yes. 6 <b>A. What do you mean by that question, sorry?</b> 7 Q. Were you so inexperienced that you didn't know about 8 intelligence checks that could be done? 9 <b>A. I knew that checks could be completed, yes, and I knew</b> 10 <b>what checks could be done.</b> 11 Q. Mr Port's flat was searched on 26 June; is that correct? 12 <b>A. I believe so, yes.</b> 13 Q. One of the reasons for searching his flat was to assist 14 with the investigation of Anthony's unexplained death? 15 <b>A. Yes.</b> 16 Q. His laptop was recovered? 17 <b>A. Yes.</b> 18 Q. And you I think took possession of it? 19 <b>A. It would have been booked in, yes.</b> 20 Q. His phone I think was also seized from him when he was 21 arrested the same day; is that correct? 22 <b>A. I think so, yes.</b> 23 Q. Can I ask you to look at the next HAT return, please, 24 which is dated 27 June. I think you have already been 25 asked to look at this, just to confirm what they were</p> <p style="text-align: center;">Page 14</p>	<p>1 the CRIS? 2 <b>A. I would have imagined whoever received the advice.</b> 3 Q. So your inspector? 4 <b>A. Potentially, yes.</b> 5 Q. Are you saying it was not your role to record the advice 6 from the homicide team on the CRIS? 7 <b>A. I don't believe so, but any one of us could have</b> 8 <b>recorded the content on there.</b> 9 Q. I think it is correct that it was never recorded on the 10 CRIS; is that right? 11 <b>A. I can't recall -- if you tell me it is not on there,</b> 12 <b>then it is not on there.</b> 13 Q. I can take you to the records from the 27th, if it would 14 assist? 15 <b>A. If you tell me it is not on there, then it is not on</b> 16 <b>there.</b> 17 Q. In other words, in what is meant to be the comprehensive 18 record of the investigation and how it has evolved, the 19 decisions, the actions, it is not there? 20 <b>A. Okay, if you tell me it is not there, it is not there,</b> 21 <b>no.</b> 22 Q. Can I ask you about the laptop submission that you did 23 make in 2015? 24 <b>A. Yes.</b> 25 Q. As I understood it, by this stage, Port had been</p> <p style="text-align: center;">Page 16</p>

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<p>1 effectively arrested for perverting the course of 2 justice? 3 <b>A. Yes.</b> 4 Q. I think he was arrested quite early on. He wasn't 5 charged until 27 January and I think he was sentenced on 6 23 March 2015. You may not remember those exact dates 7 but does that spark a recollection? 8 <b>A. Yes, it sounds right.</b> 9 Q. So he had gone to prison? 10 <b>A. Yes.</b> 11 Q. At that stage the coronial investigation from the 12 original coroner was still in train? 13 <b>A. Yes, I believe so.</b> 14 Q. She was asking for various things to be done to 15 understand the circumstances of Anthony's death? 16 <b>A. Yes.</b> 17 Q. And that included looking at Port's laptop? 18 <b>A. Yes.</b> 19 Q. Can I ask you just to look at the submission that you 20 prepared, it is under tab 46, IPC000087. 21 First of all, you were asked about the date of this 22 and I think you were shown the date there, 23 24 April 2015? 24 <b>A. Yes.</b> 25 Q. That is actually the date when it was discussed with</p> <p style="text-align: center;">Page 17</p>	<p>1 This is all really from Port's early interviews, 2 isn't it -- 3 <b>A. That account was.</b> 4 Q. -- back in June? 5 <b>A. Yes.</b> 6 Q. Then under the next section, it says: 7 "Please can this be treated as a priority as at this 8 stage there is no cause of death in regards to the 9 deceased and a suspect is on bail." 10 So two bits of information. One is there is no 11 cause of death. I think it is right, isn't it, going 12 back to the chronology that a cause of death had been 13 identified, potentially by toxicology which was 14 available in August/September, and then the final post 15 mortem in December 2014? 16 <b>A. That's correct, but also, I could have completed this 17 prior to submitting the laptop for analysis, so this 18 could have been completed prior to me ever sending it 19 off and it would have saved it. You can save the lab 20 form without actually submitting it. So the reason why 21 this could be inaccurate is that it could have been 22 saved prior to me actually submitting the laptop, so 23 I could have completed this prior to sending that off, 24 if that makes sense.</b> 25 Q. The obvious inference, isn't it, is that you completed</p> <p style="text-align: center;">Page 19</p>
<p>1 a representative of the lab, isn't it, Mr Pajek? 2 <b>A. Potentially, yes.</b> 3 Q. Do you know who Mr Pajek is? 4 <b>A. No.</b> 5 Q. Is there an actual date when this was first drafted? 6 <b>A. No, there is not. It may well have been drafted prior 7 to submission.</b> 8 Q. Which is exactly what I am going to ask you about, 9 Mr Parish. 10 If you look further on in the document, you will 11 see -- you were asked about this yesterday -- on page 5, 12 please. It says, "Offence, record only, unexplained 13 death". At this stage Anthony's death is still 14 unexplained, at the time this is being drafted? 15 <b>A. Which page, 5, sorry?</b> 16 Q. Page 5, yes. Do you have that now? 17 <b>A. Yes.</b> 18 Q. It is on the screen if you need it. 19 <b>A. Yes, I am with you.</b> 20 Q. It says under what has taken place, you can see that, it 21 explains the background for Anthony's contact with the 22 person who lives at Cooke Street, the SPM has been 23 conducted and cannot confirm the cause of death. What 24 accounts if any have been given by the suspect and then 25 you can see all of that.</p> <p style="text-align: center;">Page 18</p>	<p>1 this while Port was still on bail and while the cause of 2 death was still unknown? 3 <b>A. Yes --</b> 4 Q. Otherwise you wouldn't have written that? 5 <b>A. Yes, that is a fair assessment.</b> 6 Q. So if you completed the form to submit the laptop in 7 2014, why didn't you submit the laptop in 2014? 8 <b>A. I don't know. I wasn't asked to do that. I may have 9 been trying to complete many different tasks because 10 there wasn't many people working on this investigation 11 on borough at the time, it was pretty much me and 12 Martin. Save other officers doing the interview, which 13 I think you may come on to. So there was only pretty 14 much two of us working on this investigation, so it may 15 have been trying to get bits and pieces done whilst 16 doing other things as well.</b> 17 Q. Are you saying you would have been asked to start the 18 form, but not actually finish the action and send it 19 off? 20 <b>A. I can't recall exactly what -- I know I wasn't asked to 21 send it off, which is why I didn't, but I may have been 22 doing this to try and catch up and get things done.</b> 23 Q. I have taken you to the advice that was given by the 24 homicide team on 27 June. I think it is correct, isn't 25 it, that no further advice was sought after 27 June?</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 <b>A. Not to my knowledge, I can't recall expectedly when they</b> 2 <b>would be have been sought.</b> 3 Q. You certainly didn't go back to the homicide team and 4 I think neither did any of your senior officers? 5 <b>A. No, it wouldn't have been my job to go back to speak to</b> 6 <b>them, no.</b> 7 Q. You could have done. 8 <b>A. You have to -- my understanding, normally, it is</b> 9 <b>an inspector that would speak to the HAT car or the MIT</b> 10 <b>teams.</b> 11 Q. There had been some discussion about liaison with the 12 homicide team, I think back in December, can I just ask 13 you to look at -- back on the CRIS please, at B/2, 14 bundle B, tab 2, IPC35, page 92. 15 <b>A. Yes.</b> 16 Q. This is September 2014. 18 September. If you go to 17 page -- sorry, on the screen it looks slightly different 18 to mine. 19 Yes, sorry, if you look at the middle one, 14.33, 20 DS O'Donnell, your sergeant, can you just read out what 21 it says? 22 <b>A. It says:</b> 23 <b>"File to be passed to reviewing MIT/HAT for advice."</b> 24 Q. He is making a note that the file -- what is the file? 25 <b>A. The evidence or the case, I would imagine.</b></p> <p style="text-align: center;">Page 21</p>	<p>1 copied in on the email? 2 <b>A. Yes.</b> 3 Q. Can you see that? 4 <b>A. Yes.</b> 5 Q. In fact the original email is from 16 September. It is 6 a forwarded email of 6 October, but it includes an email 7 from 16 September on which you were copied in? 8 <b>A. Yes.</b> 9 THE CORONER: Is this in our bundle, Mr Skelton, did you 10 give us a reference? 11 MR SKELTON: It is I am sorry, it's under tab 42, IPC000257. 12 If you just go overleaf, please -- can I have the 13 second page -- can you see that, as sometimes happens 14 when emails are presented off you can see all the 15 attachments? 16 <b>A. Yes.</b> 17 Q. You can see the hat returns, there are four HAT returns 18 there, taking us right up to 27 June? 19 <b>A. Right, okay, I can't see the dates on there, but yes.</b> 20 Q. The dates are not on there, but I think the chronology 21 is that the final HAT return, the fourth one, was on 22 27 June. There is in fact another one from a different 23 team but that is not relevant for these purposes? 24 <b>A. No problem.</b> 25 Q. Would you have read these attachments?</p> <p style="text-align: center;">Page 23</p>
<p>1 Q. The totality of the file on Anthony Walgate's 2 investigation? 3 <b>A. Yes. Yes.</b> 4 Q. Whose job was it to pass that file to MIT? 5 <b>A. That, in my opinion, would have been Martin's.</b> 6 Q. So your sergeant notes in the CRIS that a file needs to 7 be passed to the HAT, the MIT team -- 8 <b>A. Yes.</b> 9 Q. -- and it is his job, not yours, to pass it? 10 <b>A. In my opinion, yes. That could be him just updating the</b> 11 <b>report with what he is doing as well as directing me to</b> 12 <b>do something as well.</b> 13 Q. How would you tell the difference between him deciding 14 to direct himself and him deciding to direct you as his 15 DC? 16 <b>A. Because he would have asked me as well to do it.</b> 17 Q. Are you sure he didn't? 18 <b>A. I don't remember him asking me, no, that wouldn't have</b> 19 <b>been my job to review -- to pass that back to the MIT</b> 20 <b>team or the HAT car.</b> 21 Q. Can I ask you please to look at an email from 22 DI McCarthy to DS O'Donnell on 6 October, under tab 42, 23 IPC000257. 24 <b>A. Yes.</b> 25 Q. This is from the inspector to the sergeant and you are</p> <p style="text-align: center;">Page 22</p>	<p>1 <b>A. I can't remember whether I did or not.</b> 2 Q. Well they were copied to you, do you think you would 3 have been aware of the HAT advice as it evolved? 4 <b>A. More than likely, yes, I would have thought so.</b> 5 Q. At that stage, would you have revisited it to look at 6 the HAT returns and see: have we done what they said we 7 should do? 8 <b>A. I can't remember whether I did or I didn't.</b> 9 Q. I think a report was produced about the investigation. 10 Do you remember that report being produced? 11 <b>A. Who produced that report, sorry?</b> 12 Q. Can I take you to the next tab, it is tab 43, please. 13 <b>A. Yes, I am there.</b> 14 Q. Do you see that? 15 <b>A. Yes.</b> 16 Q. This is an email from Martin O'Donnell to his inspector, 17 Eugene McCarthy, again copied to you and various others 18 in your team. 19 <b>A. Yes.</b> 20 Q. It says: 21 "Eugene, apologies for the delay but in any case we 22 still await the pathologist's final report following the 23 additional analysis, the coroner's officer has been 24 informed." 25 Then, underneath that, there is a report. Do you</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 see that?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. It is called "CRIS 5109868/14: unexplained death" and</p> <p>4 relates to Anthony Walgate.</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. Its author -- you don't need to necessarily look this up</p> <p>7 on page 15 -- is DI McCarthy.</p> <p>8 <b>A. Okay.</b></p> <p>9 Q. Did you assist in the drafting of this report?</p> <p>10 <b>A. I don't believe so, no.</b></p> <p>11 Q. Do you think your sergeant did?</p> <p>12 <b>A. Potentially, yes.</b></p> <p>13 Q. Perhaps just to complete some understanding of it, if we</p> <p>14 go back to the CRIS, which is under tab 2, IPC000035,</p> <p>15 page 94, Mr Parish, I appreciate I am asking you to go</p> <p>16 through a lot of documents here --</p> <p>17 <b>A. That is fine.</b></p> <p>18 Q. If there is anything you don't understand or I am going</p> <p>19 too fast, please say.</p> <p>20 Can you see an entry there from 30 October?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. It says:</p> <p>23 "Organs have been reunited with the body by</p> <p>24 DC Parish and Dr Biedrzycki doesn't require any further</p> <p>25 samples for examination. Any outstanding actions are</p> <p style="text-align: center;">Page 25</p>	<p>1 Q. What we have not seen is any evidence that the report</p> <p>2 was actually sent to them?</p> <p>3 <b>A. Not by me, no.</b></p> <p>4 Q. As far as you are aware, was it sent by your sergeant or</p> <p>5 your inspector?</p> <p>6 <b>A. I don't know, I can't answer that.</b></p> <p>7 Q. I think you are now a sergeant, aren't you?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. Is it your role to be a supervisor of DCs?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. When you write something in the CRIS, which I presume</p> <p>12 you still use?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Do you expect that you have to have a conversation with</p> <p>15 each of your DCs in respect of the things that you said</p> <p>16 should be done?</p> <p>17 <b>A. It depends what the action would be, but I normally do,</b></p> <p>18 <b>yes.</b></p> <p>19 Q. You normally do, but would you expect your DCs to look</p> <p>20 at the CRIS and think --</p> <p>21 <b>A. Yes, I would, yes.</b></p> <p>22 Q. And do what you have said should be done?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. Prior to the coroner's inquest, what did you consider to</p> <p>25 be the explanation for how Anthony came by his death?</p> <p style="text-align: center;">Page 27</p>
<p>1 being reviewed and completed as appropriate and</p> <p>2 an updated report has been passed to A/DI McCarthy by me</p> <p>3 for submission to SC&amp;O1 SIO for review and comment."</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Do you think is that is the report you have just seen?</p> <p>6 <b>A. Potentially, yes.</b></p> <p>7 Q. Does it appear that your sergeant has drafted it for his</p> <p>8 inspector?</p> <p>9 <b>A. Potentially, yes, that is how that seems.</b></p> <p>10 Q. Although the inspector is the official author of it?</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. If you read that report, you would see that it doesn't</p> <p>13 mention the laptop and the phone being submitted for</p> <p>14 analysis, or the results of that submission. Is that</p> <p>15 correct?</p> <p>16 <b>A. If -- yeah, it doesn't say that on there, no.</b></p> <p>17 Q. When it says, "Any outstanding actions are being</p> <p>18 reviewed and completed as appropriate", those actions</p> <p>19 were missed, weren't they?</p> <p>20 <b>A. Yes, it would appear so. That is Martin's decision,</b></p> <p>21 <b>whether he deemed it to be appropriate or not.</b></p> <p>22 Q. Likewise, it looks from this that the borough detectives</p> <p>23 were expecting to go back to the homicide team, as well</p> <p>24 as the CPS, for advice and comment on this report?</p> <p>25 <b>A. Yes, that is what that says, yes.</b></p> <p style="text-align: center;">Page 26</p>	<p>1 <b>A. My explanation?</b></p> <p>2 Q. Yes.</p> <p>3 <b>A. There was a large amount of GHB in his system, which is</b></p> <p>4 <b>what the pathologist had given as the cause of death.</b></p> <p>5 Q. How did you think it got there?</p> <p>6 <b>A. I don't know.</b></p> <p>7 Q. As far as you were concerned, you didn't know how he had</p> <p>8 ended up overdosing on GHB?</p> <p>9 <b>A. No.</b></p> <p>10 Q. Originally, and I am sure you are aware of this, your</p> <p>11 chief inspector, Mr Kirk, had considered it might have</p> <p>12 been a homicide.</p> <p>13 <b>A. That's correct.</b></p> <p>14 Q. You were aware that there was a discussion with the</p> <p>15 murder investigation team about primacy. It ended up</p> <p>16 with borough retaining primacy but with assistance from</p> <p>17 HAT as and when, or MIT?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. You were the officer in charge. How had you, by this</p> <p>20 stage, late 2014/2015, excluded the possibility of</p> <p>21 a homicide?</p> <p>22 <b>A. I didn't. That was still a possibility.</b></p> <p>23 Q. How, if that is the case, were you and your team</p> <p>24 advancing that investigation?</p> <p>25 <b>A. How was I?</b></p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 Q. Advancing the investigation of a potential homicide?</p> <p>2 <b>A. I was trying my best with the knowledge that I had at</b></p> <p>3 <b>the time to complete what I could.</b></p> <p>4 <b>I was doing my best.</b></p> <p>5 MR SKELTON: Thank you.</p> <p>6 Questions from MS DOBBIN</p> <p>7 MS DOBBIN: Sergeant Parish, I want to ask you some</p> <p>8 questions without the benefit of hindsight or knowledge</p> <p>9 of what we came to know about Port. I want you to do</p> <p>10 your best if you can to put yourself back in 2014.</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. We know you were a trainee detective.</p> <p>13 <b>A. That's correct.</b></p> <p>14 Q. How long does it take to finish that training?</p> <p>15 <b>A. I think you are given two years to complete it.</b></p> <p>16 Q. Is part of the training that you acquire some more</p> <p>17 specialised skills than you would have had when you were</p> <p>18 a PC?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. Just, if you can recall, who was on your team at that</p> <p>21 time in 2014?</p> <p>22 <b>A. I think there was me and maybe three others, I think,</b></p> <p>23 <b>potentially. I know on the diagram we were shown first</b></p> <p>24 <b>it was just me and Nainesh, but there may have been</b></p> <p>25 <b>maybe two more, potentially.</b></p> <p style="text-align: center;">Page 29</p>	<p>1 <b>A. Yes.</b></p> <p>2 Q. But that you still do a number of other jobs?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. As well.</p> <p>5 I think it was put to you that you were essentially</p> <p>6 the officer in charge?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. Despite that you were a trainee?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. Is it right that you would have been under the</p> <p>11 supervision of other people?</p> <p>12 <b>A. That's correct, yes.</b></p> <p>13 Q. All right.</p> <p>14 You were asked the question by my learned friend</p> <p>15 Mr Skelton, now that you are a sergeant, if you put</p> <p>16 an instruction on the CRIS would you expect your</p> <p>17 detective constables to just get on with it? Do you</p> <p>18 recall being asked that?</p> <p>19 <b>A. Yes, I do remember that, yes.</b></p> <p>20 Q. Is the position different when it comes to the trainees</p> <p>21 on your team?</p> <p>22 <b>A. Yes, they require more supervision because they are not</b></p> <p>23 <b>detectives, they haven't been confirmed as detectives.</b></p> <p>24 <b>So as well as putting a line on a report to say do A,</b></p> <p>25 <b>I would speak to them about it.</b></p> <p style="text-align: center;">Page 31</p>
<p>1 Q. I didn't think this is contentious, there was</p> <p>2 a Detective Constable Desai, is that correct?</p> <p>3 <b>A. That's correct.</b></p> <p>4 Q. Then there was another trainee detective called Franks,</p> <p>5 is that right?</p> <p>6 <b>A. That's right.</b></p> <p>7 Q. Then was there another part time detective constable?</p> <p>8 <b>A. That would have been DC Ruffney(?), or Garret maybe she</b></p> <p>9 <b>was at the time.</b></p> <p>10 Q. Garret, I think -- yes, I think at the time you had that</p> <p>11 list it was Garret.</p> <p>12 <b>A. Sorry, there has been a name change since, apologies.</b></p> <p>13 Q. Is this right, on your team in Barking there was only</p> <p>14 one full-time detective constable who was a confirmed</p> <p>15 detective constable?</p> <p>16 <b>A. That's correct.</b></p> <p>17 Q. So only one fully qualified, as it were, detective</p> <p>18 constable?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. You have explained that as part of your role as</p> <p>21 a trainee detective constable, you essentially had to do</p> <p>22 a number of roles within any one investigation, is that</p> <p>23 right?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. We see in this case that you are the exhibits officer?</p> <p style="text-align: center;">Page 30</p>	<p>1 Q. In this case, for example, if we take the exhibits,</p> <p>2 would you simply have gone off and submitted to</p> <p>3 a laboratory every exhibit that had been seized, for</p> <p>4 example?</p> <p>5 <b>A. No. No, I wouldn't. Potentially, no.</b></p> <p>6 Q. What would you have done?</p> <p>7 <b>A. I would have asked Martin what he wanted to have been</b></p> <p>8 <b>sent off, because there were a number of exhibits that</b></p> <p>9 <b>were taken, so I would have needed to have known which</b></p> <p>10 <b>ones it was that he wanted to be sent off. So I would</b></p> <p>11 <b>have spoken to him about it, I imagine.</b></p> <p>12 Q. Although the CRIS is an important record of what takes</p> <p>13 place in an investigation, does it follow that there are</p> <p>14 conversations that take place around the actions?</p> <p>15 <b>A. Yes, of course there are, yes.</b></p> <p>16 Q. This is one investigation that started in June 2014.</p> <p>17 Did you have other investigations that you were doing?</p> <p>18 <b>A. Yes. Yes.</b></p> <p>19 Q. Can you help us with how many other investigations?</p> <p>20 <b>A. I think potentially roughly about 60 in the whole time</b></p> <p>21 <b>that we were dealing with this investigation as well.</b></p> <p>22 <b>So as well as this one, we would have been given other</b></p> <p>23 <b>crimes to investigate as well. Not just this one.</b></p> <p>24 Q. Would that have involved you, in those sorts of</p> <p>25 investigations, doing a number of other different types</p> <p style="text-align: center;">Page 32</p>



<p>1 of roles as well?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. Just coming back to this case, I think that it is right</p> <p>4 that your first involvement is when you are asked to</p> <p>5 attend the special post mortem?</p> <p>6 <b>A. Yes, that's right.</b></p> <p>7 Q. Is that correct?</p> <p>8 We know you have never been to one before?</p> <p>9 <b>A. No.</b></p> <p>10 Q. And you had taken on this role as exhibits officer?</p> <p>11 <b>A. That's correct.</b></p> <p>12 Q. Is there in fact special training for exhibits officers?</p> <p>13 <b>A. There is, yes.</b></p> <p>14 Q. You had not had that training; is that right?</p> <p>15 <b>A. That's right.</b></p> <p>16 Q. Were you able to absorb much of what was going on in the</p> <p>17 special post mortem?</p> <p>18 <b>A. I tried to. We had the help from the MIT team, they</b></p> <p>19 <b>provided us with an exhibits officer who helped me, or</b></p> <p>20 <b>helped guide me through some of the processes and what</b></p> <p>21 <b>we needed to do. But it was -- it is very difficult to</b></p> <p>22 <b>do, because it is very fast moving and it is a lot to</b></p> <p>23 <b>get your head around if you have never done it before.</b></p> <p>24 Q. So you did that. Now, do you have a copy of your</p> <p>25 witness statement that you made in front of you? This</p> <p style="text-align: center;">Page 33</p>	<p>1 seized?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. Then I think that probably takes us up to in and around</p> <p>4 25 June?</p> <p>5 <b>A. Yes, potentially.</b></p> <p>6 Q. I appreciate you were doing other jobs as well. I think</p> <p>7 that is when Ms Dunning was shown the photograph of</p> <p>8 Port?</p> <p>9 <b>A. Yes, that sounds about right, yes.</b></p> <p>10 Q. And it was revealed that Port had told a lie --</p> <p>11 <b>A. Hmm.</b></p> <p>12 Q. -- about the circumstances in which he had come to meet</p> <p>13 Anthony?</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. I think we know that that is what prompted officers from</p> <p>16 your borough to go and speak to the MIT team --</p> <p>17 <b>A. That's correct, yes.</b></p> <p>18 Q. -- is that right?</p> <p>19 <b>A. I think so, yes.</b></p> <p>20 Q. I think what you were trying to explain in response to</p> <p>21 questions from Mr Skelton that it was not your role as</p> <p>22 a trainee detective to have communications with the MIT</p> <p>23 team; is that right?</p> <p>24 <b>A. That's right, it wasn't my role.</b></p> <p>25 Q. Would those communications go through someone more</p> <p style="text-align: center;">Page 35</p>
<p>1 is an MG14 response, do you have that, dated 18 August?</p> <p>2 <b>A. What bundle is that in, sorry?</b></p> <p>3 Q. You may not have it in front of you. Let me see if</p> <p>4 I can help you with some of the dates.</p> <p>5 <b>A. All right, that is fine.</b></p> <p>6 Q. You go to the special post mortem. The next day after</p> <p>7 that, did you then have to deal with the exhibits and</p> <p>8 the property that had been seized from the scene?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. Then the following day, I think we can pick this up from</p> <p>11 the CRIS, did you also then go to attend Anthony's room</p> <p>12 in Golders Green?</p> <p>13 <b>A. Yes, I believe so.</b></p> <p>14 Q. Then, on the same day, were you involved in making</p> <p>15 Oyster card enquiries?</p> <p>16 <b>A. I believe so, yes.</b></p> <p>17 Q. And CCTV enquiries as well, do you recollect that?</p> <p>18 <b>A. I believe so. I think so, yes.</b></p> <p>19 Q. Was it your understanding that there wasn't any CCTV</p> <p>20 that was of assistance on 22 June?</p> <p>21 <b>A. That's correct, that is my understanding, yes.</b></p> <p>22 Q. Did you also have to catalogue and store the samples</p> <p>23 from the special post mortem as well?</p> <p>24 <b>A. Yes, I did.</b></p> <p>25 Q. I think also Anthony's bag as well, which had been</p> <p style="text-align: center;">Page 34</p>	<p>1 senior to you who was of an equivalent rank or whatever</p> <p>2 to those on the MIT team?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. Can I just ask you then to pick up the CRIS, so it is in</p> <p>5 tab 2 of your bundle. That is IPC35.</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. If we look at page 137.</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. Can that be taken down, just that -- the extract be</p> <p>10 taken down, please. Sorry. It is IPC35, page 137.</p> <p>11 Thank you. Now, we have seen this already.</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. We can just about see, if we see "Results", 26 June,</p> <p>14 A/DI McCarthy and trainee Detective Constable Parish</p> <p>15 attended MIT 20. If we follow that through, we can see</p> <p>16 that DCI Chris Jones and DI Cliff Haines were present.</p> <p>17 If we follow it down, it says:</p> <p>18 "This matter does not fall within the MIT remit at</p> <p>19 this time as there is no evidence of a homicide,</p> <p>20 notwithstanding the account provided by Mr Port."</p> <p>21 Is that your recollection of that meeting, that that</p> <p>22 decision about primacy had been taken?</p> <p>23 <b>A. Yes, they had decided it remained with local borough.</b></p> <p>24 Q. Then it sets out below some of the help that was going</p> <p>25 to be coming from the homicide team.</p> <p style="text-align: center;">Page 36</p>

<p>1 <b>A. Yes.</b></p> <p>2 Q. We see -- sorry, it is a bit hard for me to see that.</p> <p>3 So if we take it from 1, that there was going to be the</p> <p>4 execution of a search warrant?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. That Port was to be arrested for theft of a mobile phone</p> <p>7 or perverting the course of justice?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. That he was to be interviewed and an account obtained?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. That MIT 20 were going to be contacted, a search</p> <p>12 strategy would be put in place?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. That they would seek to provide an officer to assist in</p> <p>15 the interview of a suspect and provide officers in</p> <p>16 different areas. Yes?</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. Was that your understanding coming away, that that is</p> <p>19 what was going to happen?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. We will pick up what happened with other officers, but</p> <p>22 I just wonder if we could go over to page 143 of the</p> <p>23 CRIS, so same document, please.</p> <p>24 I think that, if we just follow the chronology,</p> <p>25 initially -- and we see this just below the action text:</p> <p style="text-align: center;">Page 37</p>	<p>1 middle of September, 15 September?</p> <p>2 <b>A. I believe so, yes.</b></p> <p>3 Q. Then, again, picking up the chronology, it appears that</p> <p>4 the next thing you were tasked to do was to put the file</p> <p>5 together for the Crown Prosecution Service?</p> <p>6 <b>A. That's correct, yes.</b></p> <p>7 Q. Is that right?</p> <p>8 Again, is it right that there was another long delay</p> <p>9 because the Crown Prosecution Service specifically</p> <p>10 wanted to see the post mortem report?</p> <p>11 <b>A. Yes, there was, yes, that's right.</b></p> <p>12 Q. Is that why there was no decision on prosecution until</p> <p>13 the following January?</p> <p>14 <b>A. Yes, it got passed to a number of different departments</b></p> <p>15 <b>within the Crown Prosecution Service first and then,</b></p> <p>16 <b>eventually, when it did get to where it needed to be,</b></p> <p>17 <b>they still wanted to wait for the final report.</b></p> <p>18 Q. I think the next thing that happens then in the</p> <p>19 chronology is that we can see that there was a meeting</p> <p>20 with DCI Kirk, and that meeting was between Sergeant</p> <p>21 O'Donnell and Police Sergeant Slaymaker, is that right?</p> <p>22 You were taken to the record of it yesterday?</p> <p>23 <b>A. Yes. That's right, yes.</b></p> <p>24 Q. That is when there is discussion about downloading the</p> <p>25 laptop?</p> <p style="text-align: center;">Page 39</p>
<p>1 "MIT 20 stated attempts would be made to try and get</p> <p>2 an officer to assist, however they were not able to do</p> <p>3 so due to operational reasons."</p> <p>4 We can see that that is to do with the interview of</p> <p>5 Stephen Port?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. Was that your understanding then, that the first</p> <p>8 interview of Stephen Port was going to be done on your</p> <p>9 borough?</p> <p>10 <b>A. Yes, yes, one of my colleagues did it.</b></p> <p>11 Q. Right. I think we will pick that up with him.</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. Then after that, just to put what you did in context, we</p> <p>14 know that there was a further interview of Port by two</p> <p>15 specialist homicide detectives, is that correct?</p> <p>16 <b>A. That's correct, yes.</b></p> <p>17 Q. Then there was a long period where the toxicology was</p> <p>18 awaited, is that right?</p> <p>19 <b>A. That's right.</b></p> <p>20 Q. Are you aware that expedition of the toxicology results</p> <p>21 was refused?</p> <p>22 <b>A. I was, yes.</b></p> <p>23 Q. Again, I think we can take that up with someone else but</p> <p>24 as a result of that, is it right then that the formal</p> <p>25 report didn't come through -- I think it was until the</p> <p style="text-align: center;">Page 38</p>	<p>1 <b>A. Yes.</b></p> <p>2 Q. It is right that what DCI Kirk was interested in, it</p> <p>3 seems, was how Port met Anthony and whether it was</p> <p>4 through a dating site?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. Can we just go back then to the form that you actually</p> <p>7 submitted; so this is tab 46. That is IPC87, page 6.</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. We know that you were not at the meeting with DCI Kirk.</p> <p>10 Does this point to prove -- would that reflect what you</p> <p>11 had been asked to do in terms of filling in the form?</p> <p>12 <b>A. Yes. Yes, it would.</b></p> <p>13 Q. It states that the coroner had requested that two</p> <p>14 further exhibits be examined to provide a background</p> <p>15 into the lifestyle of both parties?</p> <p>16 <b>A. That's correct.</b></p> <p>17 Q. Was your focus then the background into the lifestyle of</p> <p>18 Port and Anthony?</p> <p>19 <b>A. That is what I was looking for, the lifestyle.</b></p> <p>20 Q. Did you understand that what you were being asked to do</p> <p>21 was a fairly generalised task then?</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. We have seen the table that was created for the purposes</p> <p>24 of the murder trial, that sets out different internet</p> <p>25 searches.</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 <b>A. Yes.</b></p> <p>2 Q. That is not what you see, is it, whenever you clicked on</p> <p>3 the USB stick there wasn't a table?</p> <p>4 <b>A. I don't recall seeing those.</b></p> <p>5 Q. You can't recall seeing those?</p> <p>6 <b>A. I don't recall seeing those.</b></p> <p>7 Q. But you recall that you didn't do a date-specific</p> <p>8 search; is that right?</p> <p>9 <b>A. No. Not to my memory, no.</b></p> <p>10 Q. I think in fact, if we look at your report, and this is</p> <p>11 IPC51, page 1, please?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. That is the first page of your report. The bit about</p> <p>14 Port is on the second page. We can see that from</p> <p>15 exhibit BSG/09.</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. I will not read out what it says, but that you were able</p> <p>18 to establish about Port's sexuality, that there were</p> <p>19 videos and that he would use dating agencies to meet</p> <p>20 different persons. It goes on to say there are</p> <p>21 thousands of pages of web pages viewed and thousands of</p> <p>22 searches which have been conducted on his laptop; is</p> <p>23 that right?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. Again, did that reflect the sort of general search or</p> <p style="text-align: center;">Page 41</p>	<p>1 Q. Might it have been the case, for example, if he had been</p> <p>2 found at university or had died having been with</p> <p>3 a university friend rather than a client, then he might</p> <p>4 have been described as a student in that context?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. Because his having worked in prostitution wouldn't be</p> <p>7 relevant in that context?</p> <p>8 <b>A. That's correct.</b></p> <p>9 Q. I am sure you didn't think that anyone would be poring</p> <p>10 over a form that you wrote seven years ago --</p> <p>11 <b>A. No.</b></p> <p>12 Q. -- when you were a trainee detective, but you were asked</p> <p>13 the question about whether or not you thought of Anthony</p> <p>14 as just being a sex worker or some sort of drug addict</p> <p>15 and you said that was not how you thought of him?</p> <p>16 <b>A. No.</b></p> <p>17 Q. How did you think of Anthony?</p> <p>18 <b>A. As somebody that had passed away. That is not the sort</b></p> <p>19 <b>of person that I am. I don't think of people like that.</b></p> <p>20 <b>He was someone that had passed away and it was my job to</b></p> <p>21 <b>try and work out why and that is what I tried to do to</b></p> <p>22 <b>the best of my ability. That is not how I would think</b></p> <p>23 <b>of anybody. I have not been brought up that way to</b></p> <p>24 <b>think like that. That is not who I am.</b></p> <p>25 MS DOBBIN: Thank you, officer. I don't have any further</p> <p style="text-align: center;">Page 43</p>
<p>1 investigation that you understood that you were being</p> <p>2 asked to undertake?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. You were also asked questions about the form that you</p> <p>5 filled in, do you recollect, so that you could have this</p> <p>6 device downloaded?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. Is that a form that is essentially sent to another part</p> <p>9 of the police service?</p> <p>10 <b>A. Yes, it goes to -- this form would go to a borough</b></p> <p>11 <b>forensic manager who approves it, would read it, review</b></p> <p>12 <b>it and approve it.</b></p> <p>13 Q. Right, what was put to you was that it was wrong to</p> <p>14 describe Anthony as having the lifestyle of a prostitute</p> <p>15 or describing him as a prostitute on that form and that</p> <p>16 it didn't refer to him as a student. Do you remember</p> <p>17 that being put to you?</p> <p>18 <b>A. Yes, I do.</b></p> <p>19 Q. To put this in context, was the fact that Anthony was</p> <p>20 engaged in prostitution a relevant part of the</p> <p>21 background to his death?</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. Was it part of the background to his lifestyle that you</p> <p>24 wanted the laptop downloaded for?</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 42</p>	<p>1 questions. Thank you.</p> <p>2 Questions from THE JURY</p> <p>3 THE CORONER: Yes, we have had quite a number of questions</p> <p>4 from the jury during your evidence, Mr Parish. Some of</p> <p>5 them ask a very similar question. I intend to ask them</p> <p>6 all and if you would be kind enough to answer them.</p> <p>7 <b>A. Of course.</b></p> <p>8 THE CORONER: The first one relates to tab 42 in bundle B.</p> <p>9 <b>A. Yes, ma'am.</b></p> <p>10 THE CORONER: I am just trying to find the reference. You</p> <p>11 may remember it. Under "Action".</p> <p>12 <b>A. Yes.</b></p> <p>13 THE CORONER: Second sentence, "I think that time is of the</p> <p>14 essence due to potential issues with the family".</p> <p>15 The question is: what is meant by this?</p> <p>16 <b>A. I don't know. As I said before, I think the inquest was</b></p> <p>17 <b>trying to be moved up to Hull. It could have been that.</b></p> <p>18 <b>I don't know.</b></p> <p>19 THE CORONER: Would you agree that you made errors within</p> <p>20 your investigation regarding Anthony, your opinion of</p> <p>21 him and your failure to recognise the laptop</p> <p>22 information?</p> <p>23 <b>A. I could have investigated the laptop better, yes,</b></p> <p>24 <b>I could have done. But as I just said, Anthony's</b></p> <p>25 <b>lifestyle played no part in how I investigated it, not</b></p> <p style="text-align: center;">Page 44</p>

<p>1 <b>at all.</b></p> <p>2 THE CORONER: Would you agree submitting Port's laptop after</p> <p>3 the initial retrieval on 27 June would still have been</p> <p>4 beneficial in securing evidence towards perverting the</p> <p>5 course of justice charge, let alone the information it</p> <p>6 could have given you towards a more sinister crime?</p> <p>7 <b>A. Potentially, but again, as I said, I was acting on</b></p> <p>8 <b>direction from Martin.</b></p> <p>9 THE CORONER: There is a question about your MG3, behind</p> <p>10 divider 44 in bundle B. Page 3, under number 1, "in</p> <p>11 brief the facts are as follows ..." The record is, "The</p> <p>12 deceased, a male prostitute, died in the suspect's bed</p> <p>13 from an overdose of GHB".</p> <p>14 <b>A. This document is not my MG3, this is the one that the</b></p> <p>15 <b>Crown Prosecution Service sent back. This is not my</b></p> <p>16 <b>document.</b></p> <p>17 THE CORONER: Right. Did you understand that Anthony had</p> <p>18 died in the suspect's bed?</p> <p>19 <b>A. I didn't know is the answer to that.</b></p> <p>20 THE CORONER: The next question is this: did the</p> <p>21 investigation lean towards self-inflicted overdose due</p> <p>22 to the self-harm scars and the discovery of</p> <p>23 antidepressants in Anthony's body?</p> <p>24 <b>A. No.</b></p> <p>25 THE CORONER: Did the family and friends have any input into</p> <p style="text-align: center;">Page 45</p>	<p>1 THE CORONER: Then in relation to analysis of the laptop and</p> <p>2 looking at the USB, were you given clear guidance or</p> <p>3 support on what material should be analysed from the</p> <p>4 USB?</p> <p>5 <b>A. No. Only to provide a background, as it was in the</b></p> <p>6 <b>previous document.</b></p> <p>7 THE CORONER: The next question asks: was there any policy</p> <p>8 or guidance in relation to that, that you were aware of?</p> <p>9 <b>A. Not that I can recall.</b></p> <p>10 THE CORONER: How often is your senior officer expected to</p> <p>11 brief or discuss you via meetings, the outcomes of your</p> <p>12 searches, et cetera? Do you feel you needed more</p> <p>13 support?</p> <p>14 <b>A. We never really had any meetings.</b></p> <p>15 THE CORONER: After taking possession of Port's laptop, did</p> <p>16 you have a password for you to log in to start your</p> <p>17 investigation into Anthony's death.</p> <p>18 <b>A. Into his laptop? I can't remember.</b></p> <p>19 THE CORONER: Into Port's laptop.</p> <p>20 <b>A. I can't remember if I had a password for his laptop or</b></p> <p>21 <b>not.</b></p> <p>22 THE CORONER: But you did quite shortly have the USB, didn't</p> <p>23 you?</p> <p>24 <b>A. Some time afterwards we did.</b></p> <p>25 THE CORONER: I think you have answered this, but I will ask</p> <p style="text-align: center;">Page 47</p>
<p>1 any mental state at the time of his death?</p> <p>2 <b>A. Not that I remember, the family liaison officer might be</b></p> <p>3 <b>able to help with that.</b></p> <p>4 THE CORONER: That is Mr Slaymaker?</p> <p>5 <b>A. Yes, sorry, madam, yes.</b></p> <p>6 THE CORONER: Do you feel personally responsible for</p> <p>7 failings or do you feel you may have been failed by</p> <p>8 senior officers to yourself at the time of this</p> <p>9 investigation, be it training or helping you with some</p> <p>10 of the reports submitted?</p> <p>11 <b>A. Some of the things I was asked to do I wasn't trained in</b></p> <p>12 <b>and had done for the first time.</b></p> <p>13 <b>I could have had more training which would have</b></p> <p>14 <b>helped me, but in terms of the laptop I could have done</b></p> <p>15 <b>more around that, yes, and for the last seven and a half</b></p> <p>16 <b>years, you know, I have wished I had have done that and</b></p> <p>17 <b>that is something I have to deal with.</b></p> <p>18 THE CORONER: Would you say it is normal practice for</p> <p>19 a trainee detective constable to be in charge of</p> <p>20 an unexplained death? I just want to confirm this is</p> <p>21 normal practice, is the question.</p> <p>22 <b>A. Not normally, no.</b></p> <p>23 THE CORONER: Was your job role as a trainee difficult at</p> <p>24 the time of Anthony's death?</p> <p>25 <b>A. Very much so, yes.</b></p> <p style="text-align: center;">Page 46</p>	<p>1 it again. With what you know now in regards to the</p> <p>2 laptop material and Port's constant lies as a witness,</p> <p>3 would you agree this evidence could have led to</p> <p>4 a potential murder or manslaughter conviction?</p> <p>5 <b>A. I don't know, that would be very difficult to answer.</b></p> <p>6 THE CORONER: Who was responsible for checking and making</p> <p>7 sure your reports are correct and that the tasks you</p> <p>8 were asked to do had been carried out?</p> <p>9 <b>A. That would be a line manager.</b></p> <p>10 THE CORONER: Who would have been?</p> <p>11 <b>A. Martin O'Donnell, sorry.</b></p> <p>12 THE CORONER: Sorry, Martin O'Donnell?</p> <p>13 <b>A. DS O'Donnell.</b></p> <p>14 THE CORONER: Did you feel that you and you team had enough</p> <p>15 resources to properly investigate Anthony's death? If</p> <p>16 not, do you remember any discussions you may have had</p> <p>17 with your superiors where these issues were addressed?</p> <p>18 <b>A. I don't think we did have enough resources and my</b></p> <p>19 <b>supervisors knew about that. They felt the same</b></p> <p>20 <b>I believe, but they can answer that question as well,</b></p> <p>21 <b>maybe.</b></p> <p>22 THE CORONER: There is one more to come. Thank you.</p> <p>23 I don't think this question is for you, but I will</p> <p>24 ask it in any event.</p> <p>25 The question is was the £800 ever recovered as</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 payment from Port to Anthony?  2 <b>A. No, I don't think so.</b>  3 THE CORONER: There is reference in a document to the fact  4 that the fact that Anthony was sometimes paid via  5 Bitcoin, for those taking a note, it is apparently  6 IPC000051, page 2, was any evidence found or  7 investigated to support that?  8 <b>A. Not to my knowledge.</b>  9 THE CORONER: All right. Yes, thank you very much. That  10 concludes all the questions.  11 Ms Collier.  12 Further questions from MS COLLIER  13 MS COLLIER: Just one small short question.  14 Sergeant Parish, you went to Anthony's house on  15 22 June 2014 in order to try and get in but you were not  16 able to on that occasion?  17 <b>A. That's correct.</b>  18 Q. We know that police had seized Anthony's holdall in  19 which were his keys. Was any consideration given to  20 using the keys to get access?  21 <b>A. No. No, it wasn't, sorry.</b>  22 MS COLLIER: No further questions, thank you, madam.  23 Questions from THE CORONER  24 THE CORONER: Why not?  25 <b>A. I don't know, madam. I can't answer that.</b></p> <p style="text-align: center;">Page 49</p>	<p>1 Mr Desai, the jury have been hearing evidence for  2 several days now. They have heard that Stephen Port was  3 interviewed during the borough investigation into  4 Anthony's death twice, once on Thursday, 26 June, and  5 then again the day after, on Friday, 27 June. It is  6 right, isn't it, that you were the person who  7 interviewed him on the first of those occasions?  8 <b>A. That's correct, yes.</b>  9 Q. Let me explain to you and, by that means to the jury as  10 well, how the next few hours is going to work.  11 I am going to, in a moment, ask you some questions,  12 first of all about things that happened earlier on on  13 that Thursday, leading up to the time when you  14 interviewed him. I hope I will manage to do that in  15 probably about half an hour or so, and so I hope that  16 may take us to a break, maybe a slightly later break but  17 our usual mid-morning break.  18 After that, what we are going to do is play the tape  19 of the interview that you conducted and we have a video  20 tape, so we will be able to watch that video and you  21 will be watching it with us. The jury may or may not  22 have noticed that there is a transcript of that  23 interview in the jury bundle, so while we are watching  24 it on the screen they will be able to follow the  25 transcript.</p> <p style="text-align: center;">Page 51</p>
<p>1 THE CORONER: His keys, which were probably his home keys --  2 <b>A. I retrieved items from his bag, that would have been  3 an oversight on my part again. I apologise.</b>  4 THE CORONER: Thank you.  5 Yes, thank you, officer, that is it. Thank you very  6 much.  7 It is very hot in here again today. I don't know  8 whether everybody is finding that. I don't know if we  9 can do anything about that, I am simply saying it in  10 case somebody who knows how to turn down the thermostat  11 can do so.  12 MR O'CONNOR: Yes, it was cold yesterday. The heat has  13 returned.  14 Madam, we now will call Mr Desai. I don't know  15 whether we need a break to clean the witness box or  16 whether we can simply just get on with calling him  17 straight away.  18 Perhaps we could do that and then we can bring  19 Mr Desai in and start his evidence. (Pause)  20 MR NAINESH DESAI (sworn)  21 Questions from MR O'CONNOR  22 MR O'CONNOR: Please take a seat, Mr Desai.  23 Can you give us your full name, please?  24 <b>A. Sure, my name is Nainesh Desai.</b>  25 Q. Thank you.</p> <p style="text-align: center;">Page 50</p>	<p>1 That video is I think about an hour and  2 three-quarters long, so depending on exactly when we  3 start, it is quite likely that we will have to break for  4 lunch while we are watching that video, so we will  5 resume after lunch and finish it off. You will remain  6 in the witness box -- not while we are having lunch, but  7 while we are watching the video -- and then once we have  8 finished the video I will ask you some questions about  9 the interview. It may well be that some of the lawyers  10 sitting behind me will have some questions for you at  11 that stage too.  12 Do you understand, that is how we are going to take  13 things for the rest of the day?  14 <b>A. Yes.</b>  15 Q. Let me start then with some introductory questions.  16 In 2014, the time we are investigating, you were  17 a detective constable in Barking and Dagenham borough  18 police, is that right?  19 <b>A. That's correct, yes.</b>  20 Q. How long had you been in the police at that stage?  21 <b>A. I was with the police for 11 years overall.</b>  22 Q. You had been in the police for 11 years by then?  23 <b>A. Yes, I joined in 2003, so, yes, 11 years. So by 2014 it  24 had been 11 years. I became a detective in 2008, so at  25 the relevant time six years by then.</b></p> <p style="text-align: center;">Page 52</p>

<p>1 Q. Had you been a detective then for three years or so, had 2 you been stationed in Barking for that whole three-year 3 period? 4 <b>A. No, I joined in Barking and Dagenham from 2009, I was at 5 another borough before that and I joined in January 2009 6 in Barking and Dagenham and then worked on different 7 units within the area really.</b> 8 Q. All right, and are you still a police officer? 9 <b>A. I am indeed. I am based at our head office at Empress 10 State Building now, in a different department.</b> 11 Q. Still a detective constable? 12 <b>A. Still a detective constable.</b> 13 Q. The first thing I need to ask you about is your extent 14 of dealings with this case before Thursday, 26 June. 15 The jury have heard plenty of evidence now about the 16 fact that Anthony's body was discovered in the early 17 morning of Thursday, 19 June. Then they have heard some 18 evidence about the post mortem that took place the next 19 day and some of the steps that were taken over the 20 weekend and into the next week. 21 As I say, we are going to be hearing evidence about 22 what you did a week after Anthony's body was discovered, 23 on Thursday, the 26th. 24 Had you had any dealings with this case before that 25 day?</p> <p style="text-align: center;">Page 53</p>	<p>1 discussing the case or you think it likely? 2 <b>A. No, just that we worked together and you probably would 3 have heard stuff going round but nothing that I can 4 recall in particular about the case in that time.</b> 5 Q. We are going to come to look at some formal steps that 6 you took in this investigation. Had you taken any 7 formal steps in the investigation before that day? 8 <b>A. No.</b> 9 Q. All right. 10 The morning of Thursday, the 26th, it is right 11 I think that you were on what we have heard described as 12 early turn that morning. What time then do you think 13 you would have got into the office? 14 <b>A. I feel it was a 7.00 start, so I probably would have 15 been in just before 7.00, maybe five or ten minutes 16 beforehand, around about that time.</b> 17 Q. Arriving in the office that day, no doubt you cannot 18 remember exactly what you were planning to do but what 19 would you think was your intention to spend the day 20 doing? 21 <b>A. So our usual routine would be to come in to the office, 22 we have an overnight book which is telling us the 23 overnight incidents and -- sorry, overnight incidents of 24 note or prisoners that are in custody that need to be 25 dealt with by ourselves, so there was one prisoner on</b></p> <p style="text-align: center;">Page 55</p>
<p>1 <b>A. Not that I can recall anything in particular. Just 2 working in the office alongside Dave and Martin and the 3 other team.</b> 4 Q. You will have to give their surnames, Dave and Martin 5 being? 6 <b>A. Sorry, Martin O'Donnell and Dave Parish.</b> 7 Q. So Mr Parish who was giving evidence before you? 8 <b>A. That's correct.</b> 9 Q. And Mr O'Donnell, who he referred to as his line 10 manager? 11 <b>A. He was my line manager as well.</b> 12 Q. That was going to be my next question, he was also your 13 line manager? 14 <b>A. He was, yes.</b> 15 Q. You all worked together in the same office? 16 <b>A. Yes, we did, yes.</b> 17 Q. Do you think it is likely that over that period of 18 a week you would have heard them discussing this case? 19 <b>A. Yes, we all sat together, so pretty much like yourselves 20 at a desk. There were two banks of desks on either side 21 and we sat together at our desk, with Eugene, 22 Eugene McCarthy, the detective inspector on the other 23 side of another desk. So we were all -- close proximity 24 like you guys are now, sitting down.</b> 25 Q. To be clear, are you saying that you do remember</p> <p style="text-align: center;">Page 54</p>	<p>1 there that I was going to be dealing with that day. 2 I can't remember anything else specific crime wise, 3 but normally if there is like a specific of note, that 4 is on there for us to look at in the morning we would do 5 so. 6 Q. In fact, that morning, did Inspector McCarthy ask you to 7 undertake a particular task relating to the 8 investigation into Anthony? 9 <b>A. Yes, so whilst I was doing my preparation work with the 10 prisoner that I had in custody that day, Mr McCarthy 11 asked me to go and get a search warrant from the local 12 Magistrates' Court.</b> 13 Q. To be clear, that is something you hadn't known about 14 before that morning? 15 <b>A. No, that was a complete surprise to me on that day.</b> 16 Q. You say that he asked you to go and get a search warrant 17 from the Magistrates' Court. Can you, in a few 18 sentences, describe what this process is all about, how 19 it works? 20 <b>A. Yes, so you have to get there to the Magistrates' Court 21 at --</b> 22 Q. Start a little bit earlier, tell us what a search 23 warrant is? 24 <b>A. Sorry, yes, we were given the search warrant by 25 Mr McCarthy.</b></p> <p style="text-align: center;">Page 56</p>

<p>1 Q. I'm sorry to interrupt. Just help the jury, we may all 2 have an idea in our minds, but what is a search warrant? 3 <b>A. So it is a form that we have to -- that has to be 4 completed, that we then take to the Magistrates' Court 5 for them to consider authorisation for us to search 6 a person's property. In this case, Mr Port's property 7 that we were after.</b> 8 <b>The form was already pre-filled and there is a layer 9 of information telling you a bit about why the search 10 warrant is required for the -- by the police.</b> 11 Q. All right. We are going to look at that form in 12 a moment together. Before we do, did Mr McCarthy give 13 you a briefing or give you an explanation of what the 14 case was all about or did he simply give you the 15 filled-in form and tell you to go and get on with it? 16 <b>A. Yes, that is pretty much it. I don't remember any 17 specific briefing, there would have been a layer of 18 information for me to have read and then any research 19 that I needed to have conducted I would have had to have 20 done myself at that time. There would have been time 21 constraints, because I would have had to get to the 22 court by the time that they open at 10.00 for the first 23 hearing, because that is the time that is designated for 24 application warrants to be seen.</b> 25 Q. Okay, let's have a look at it then. It is in the jury</p> <p style="text-align: center;">Page 57</p>	<p>1 Q. If you had wanted to make any changes to it, would that 2 have been possible? 3 <b>A. I imagine so, I would have asked Eugene McCarthy at the 4 time to consider changing whatever would have been 5 required to have been changed or altered. We would 6 probably have had to have a discussion about why I would 7 have wanted it changed or altered.</b> 8 Q. We will come to see that you signed this form. 9 Presumably that was not already filled in? 10 <b>A. No.</b> 11 Q. Can we take it you read the form through before you 12 signed it? 13 <b>A. That's correct.</b> 14 Q. Looking down the page, there is a box at the bottom 15 which identifies -- we see the heading, "What offence or 16 offences are you investigating: specify the legislation 17 or other law which creates the offence". What had been 18 filled in for you are three items, 1, "Theft of mobile 19 phone". 20 What did you understand that to refer to? 21 <b>A. Mr Walgate's phone was missing, so, yes, potentially 22 stolen.</b> 23 Q. Second, "Perverting the course of justice". What did 24 you understand that to mean? 25 <b>A. That he had lied to the police and was wanted for</b></p> <p style="text-align: center;">Page 59</p>
<p>1 bundle, the large B bundle, at tab 23. If you want to 2 look at a hard copy, Mr Desai, it is in that larger 3 bundle that you are holding but it will be brought up on 4 screen. It is IPC48. 5 Thank you. 6 The first thing we notice, Mr Desai, is the heading 7 refers to out-of-hours search warrants, but you have 8 just described the process involving going along and 9 being at the Magistrates' Court when it opened. Is it 10 possible that this document was drafted perhaps with the 11 idea that it might be applied for overnight, but as it 12 turned out, in the end, you were able to go along when 13 the court opened? 14 <b>A. That's correct, yes.</b> 15 Q. If we can turn over the page then to page 2, please, we 16 see at the top, or at least the second box down, this is 17 an application by, and then your name, DC Nainesh Desai. 18 Was that already filled in or did you have to complete 19 that? 20 <b>A. No, that was already filled in.</b> 21 Q. Did you in fact have access to this document as a soft 22 copy as it were which would have enabled you to make any 23 changes including putting in your name or were you given 24 it completely filled in with your name? 25 <b>A. Yes, completely filled in with my name on it.</b></p> <p style="text-align: center;">Page 58</p>	<p>1 <b>potentially for that.</b> 2 Q. Lied to the police in giving an account involving him 3 saying he had just happened on Anthony's body, but by 4 this stage there was evidence that in fact Anthony had 5 gone to his flat? 6 <b>A. Sorry, correct, yes.</b> 7 Q. Then number 3, it states: 8 "The unexplained death of Mr Anthony Patrick 9 Walgate." 10 What did you understand by that? 11 <b>A. Just as it is, that obviously his body was found and he 12 couldn't explain why that was. So it is as it is on the 13 application there.</b> 14 Q. The heading says "What offences are you investigating", 15 and I think we can all see that the theft and perverting 16 the course of justice, those are offences? 17 <b>A. That's correct.</b> 18 Q. What offence were you investigating relating to the 19 unexplained death of Mr Walgate? 20 <b>A. To be honest, I took it on the face value of what was 21 written there. I didn't think to ask anything further 22 regarding that aspect.</b> 23 Q. Offences relating to a death, murder, manslaughter? 24 <b>A. Yes, murder, it would have been potentially, I suppose.</b> 25 Q. Is that how you took this entry, that at this stage</p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 homicide offences were being considered in relation to 2 Mr Walgate or not? 3 <b>A. No, they were -- yeah, I believe so. I think from --</b> 4 <b>I am trying to think back to the time ...</b> 5 <b>Yeah, I would have said that was a reasonable thing</b> 6 <b>to be thinking, that potentially there could have been</b> 7 <b>a murder at that time that was being considered by</b> 8 <b>Mr McCarthy.</b> 9 Q. All right. Let's look at the next page, please. We see 10 here, in the large box 2, an explanation of the point at 11 which the investigation had reached by that stage. I am 12 not going to read it out. The jury are familiar with 13 the details, having heard it all from various witnesses 14 about how the body had been found, the special post 15 mortem, the discovery of Stephen Port's involvement and 16 the understanding by that stage that the first account 17 he had made was false. 18 Perhaps the only thing that the jury may not have 19 heard about so far, and let's just look at it, is the 20 line starting "Enquiries on the deceased's Oyster card". 21 If we see that, it says: 22 "Enquiries therefore on Anthony's Oyster card had 23 shown that he exited Barking train station on the 24 Tuesday evening, 17 June, at 22.13 hours." 25 That wasn't an enquiry you had made, obviously. But</p> <p style="text-align: center;">Page 61</p>	<p>1 read. It is notable, is it not, that it is in this 2 document referred to alongside Dr Biedrzycki's 3 preliminary indication that drugs may have played a part 4 in Anthony's death? 5 <b>A. Yes.</b> 6 Q. How did you read that? 7 <b>A. Just that -- just as it is. I don't remember too much</b> 8 <b>from the time, but I would have noted it as it is on</b> 9 <b>there accordingly, yes.</b> 10 Q. What we have is, first of all, reference to the fact 11 that the special post mortem had found at least 12 a suggestion that Anthony may have died from a drug 13 overdose. Secondly, alongside it, reference to the fact 14 that Stephen Port had had a previous allegation made 15 against him for raping someone following giving them 16 drugs. Sorry, let me -- yes: 17 "Gave his partner drugs and then had non-consensual 18 anal sex with him." 19 Is there a link being made between those two 20 matters? 21 <b>A. From reading the document I would say so, yes.</b> 22 Q. In fact is the suggestion here that Stephen Port may 23 have given Anthony Walgate drugs and that be part of the 24 circumstances leading to Anthony's death? 25 <b>A. Yes, I would say so.</b></p> <p style="text-align: center;">Page 63</p>
<p>1 no doubt you read it and it was consistent with the 2 other evidence about Anthony having gone to Barking that 3 evening, yes? 4 <b>A. Yes.</b> 5 Q. All right. 6 If we can turn over then, please, at the top, if we 7 can zoom in on the top two paragraphs. 8 The first paragraph, again, really just repeats 9 evidence that the jury have already heard about the 10 understanding of Stephen Port's activities by that 11 stage. 12 Then I want to ask you about the last paragraph, it 13 reads as follows: 14 "The pathologist noted that the deceased had a heavy 15 brain and heavy lungs, indicating [that should read no 16 doubt] drug use." 17 Then this: 18 "Mr Port was arrested on 31 December 2014 for rape 19 of a male over 16. It was alleged that Mr Port gave his 20 partner drugs and had non-consensual anal sex. No 21 further action was taken as the victim was unwilling to 22 substantiate the allegation." 23 The jury have heard about this previous incident and 24 the fact that it existed on the PNC records, which by 25 this stage the borough officers, your colleagues, had</p> <p style="text-align: center;">Page 62</p>	<p>1 Q. Is that do you think how you understood it at the time? 2 <b>A. From reading that, yes, I probably would.</b> 3 Q. We can go forward to page 7 in the document, please. 4 We see that in the box marked "Signed" it has been 5 redacted for data processing purposes, but can we take 6 it that that is where you signed this form? 7 <b>A. That would have been where I signed, yes.</b> 8 Q. We see it was signed on that day, Thursday, 26 June, and 9 in fact have you entered in manuscript the time of 8.30? 10 <b>A. Hmm.</b> 11 Q. That would be, if you say you arrived at the office 12 about 7.00, can we take it then that you had spent at 13 least some time going through this document, reading it 14 before you signed it? 15 <b>A. Yes.</b> 16 Q. You have said that you needed, or at least wanted to try 17 to get to court by about 10.00 in order to beat the 18 rush? 19 <b>A. Well, you have to get there, because that is the time</b> 20 <b>allocated for the warrants.</b> 21 Q. All right. You may not be able to remember now but did 22 you, as well as reading the form, look at any of the 23 background documents relating to this investigation? 24 <b>A. The only thing I probably would have looked at would</b> 25 <b>have been the CRIS reports, and that would have probably</b></p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)



<p>1 <b>been about --</b></p> <p>2 Q. The CRIS reports which are the jury are very familiar</p> <p>3 with, it's at tab 2 of our bundle, would have been</p> <p>4 available to you on a computer, would it not?</p> <p>5 <b>A. Yes, so we can view different crime reports once we have</b></p> <p>6 <b>got a reference number, so I would have --</b></p> <p>7 Q. Do you think you would have looked back at that?</p> <p>8 <b>A. I almost certainly would have probably looked up the</b></p> <p>9 <b>crime reports, just to make sure I was up to speed.</b></p> <p>10 Q. What about the PNC record that was referred to in the</p> <p>11 middle of the document, do you think you would have</p> <p>12 looked at that or not or can you not remember?</p> <p>13 <b>A. I can't remember to be honest. I couldn't say for</b></p> <p>14 <b>certainty.</b></p> <p>15 Q. The jury have seen witness statements that were</p> <p>16 available by that stage. Some of them taken at the</p> <p>17 scene, some of them taken afterwards.</p> <p>18 Would they have been available to you if you wanted</p> <p>19 to look at them?</p> <p>20 <b>A. If I pushed to see them, yes, I am sure I could have got</b></p> <p>21 <b>to see them, but they are not something that is readily</b></p> <p>22 <b>available, they would have been with the case officer at</b></p> <p>23 <b>that time.</b></p> <p>24 Q. You wouldn't have been able to call them up on the</p> <p>25 computer in the same way?</p> <p style="text-align: center;">Page 65</p>	<p>1 In fact I think you are right, Mr Desai, we will</p> <p>2 hear from Mr O'Donnell tomorrow, but I think you are</p> <p>3 right, we will hear from him that he wasn't on duty that</p> <p>4 day.</p> <p>5 <b>A. I was going to say, yes.</b></p> <p>6 Q. Let's move on on the chronology then, and we can do it</p> <p>7 by moving forward in this document, please. If we can</p> <p>8 go to page 21 -- no, sorry, first of all could we go to</p> <p>9 page 15. Do we see here, presumably as part of the</p> <p>10 application, the paperwork that you take to court, you</p> <p>11 need to take a copy of the order that you are going to</p> <p>12 ask the Magistrate to make. Is that what this is, we</p> <p>13 don't need to look at it in great detail, it is</p> <p>14 a document authorising a police officer to enter and</p> <p>15 search 62 Cooke Street. Is that right?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. Again, this would have been prepared for you?</p> <p>18 <b>A. Prepared, yes.</b></p> <p>19 Q. Then if we can now turn over to page 21, please, I think</p> <p>20 what we can see from this document is, in fact, the next</p> <p>21 two stages of the story.</p> <p>22 First of all, if we look towards the bottom of the</p> <p>23 page, we can see, can we, where we see the bottom two</p> <p>24 signatures. Does that show the order, that draft order</p> <p>25 that you had, was actually signed by one of the</p> <p style="text-align: center;">Page 67</p>
<p>1 <b>A. No, it is all paperwork, so you would have had a folder</b></p> <p>2 <b>and they would have been locked away in a cupboard</b></p> <p>3 <b>somewhere.</b></p> <p>4 Q. Do you think that you probably looked at those --</p> <p>5 <b>A. I wouldn't have thought I would have saw the hard copies</b></p> <p>6 <b>in particular, unless Eugene had left them out. I don't</b></p> <p>7 <b>recall seeing anything in particular, other than what</b></p> <p>8 <b>would have been on the crime report.</b></p> <p>9 Q. You have referred to Eugene McCarthy, the inspector who</p> <p>10 tasked you with this.</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. We have also heard from Mr Parish.</p> <p>13 The other officer involved in the case, Sergeant</p> <p>14 O'Donnell?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. We may see that he was, at that stage, what was</p> <p>17 designated the OIC, or officer in the case or officer in</p> <p>18 charge.</p> <p>19 Would you have tried to speak to him about the case</p> <p>20 before you went to court?</p> <p>21 <b>A. No, he -- I don't think he was on duty that -- I was not</b></p> <p>22 <b>sure if he was on duty that morning. I can't remember,</b></p> <p>23 <b>but I would have dealt directly with Eugene because he</b></p> <p>24 <b>is asking me to do the work.</b></p> <p>25 Q. Yes.</p> <p style="text-align: center;">Page 66</p>	<p>1 Magistrates?</p> <p>2 <b>A. That's correct.</b></p> <p>3 Q. Just tell us, so you went to court?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. You got there for 10.00?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. Would you have gone into see one Magistrate or more than</p> <p>8 one Magistrate?</p> <p>9 <b>A. No, just one Magistrate. So we walk in, see the clerk</b></p> <p>10 <b>beforehand, they take the paperwork off us, they take it</b></p> <p>11 <b>to the Magistrate in their office. When they are ready</b></p> <p>12 <b>they come out into the courtroom. I stand up, if they</b></p> <p>13 <b>have any questions they will ask -- I don't recall any</b></p> <p>14 <b>questions being asked.</b></p> <p>15 Q. Seven years later, can you actually remember this?</p> <p>16 <b>A. Nothing specific at that time.</b></p> <p>17 <b>Then they give you -- they sign the order and then</b></p> <p>18 <b>you take away the warrant, after it has been stamped,</b></p> <p>19 <b>back to the office.</b></p> <p>20 Q. Yes, so we see the signature showing that it was signed</p> <p>21 as you had asked it to be.</p> <p>22 Let's just leave that on the screen for a moment, go</p> <p>23 forward in the story. You went back to the office, did</p> <p>24 you?</p> <p>25 <b>A. Correct, yes.</b></p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 Q. Presumably one or more officers then went to execute the 2 warrant?</p> <p>3 <b>A. They would have done, yes.</b></p> <p>4 Q. Were you involved in that process?</p> <p>5 <b>A. I can't recall doing anything or being present but</b> 6 <b>I think my name was mentioned in PC Paul Smith's(?)</b> 7 <b>statement that I was present, although I can't remember</b> 8 <b>specifically anything in particular there.</b></p> <p>9 Q. The evidence we have seen suggests that the intention at 10 least, I think we will see what in fact happened, was 11 that officers went to 62 Cooke Street and did two 12 things, one was arrest Mr Port and take him back to the 13 station and the other was to execute the search warrant. 14 Does that jog your memory? Do you think you were 15 involved --</p> <p>16 <b>A. It doesn't jog my memory any further than that, to be</b> 17 <b>honest.</b></p> <p>18 <b>It wouldn't have been unusual for me to have been</b> 19 <b>present in the house assisting with the search, it</b> 20 <b>wouldn't have been unusual.</b></p> <p>21 Q. Sorry, it would not have been unusual?</p> <p>22 <b>A. Yes, but I can't remember anything specific about that,</b> 23 <b>I am afraid.</b></p> <p>24 Q. So you may have gone along?</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 69</p>	<p>1 <b>unusual.</b></p> <p>2 Q. If that is what happened, then the flat would simply 3 have -- the search warrant would have been executed, the 4 flat would have been --</p> <p>5 <b>A. Locked and secured.</b></p> <p>6 Q. -- locked and secured, with the plan to go back and 7 search it as soon as possible, but perhaps the next day?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. All right.</p> <p>10 Thank you, we can take that down now. That is all 11 I was going to ask you about the search warrant. 12 We have taken it forward, it appears, to about 2.00, 13 with Mr Port being arrested, taken back to the police 14 station. 15 We will see that he was interviewed that day and 16 that the interview started at about 5.45 in the evening, 17 so several hours later. We will see that it was you who 18 conducted the interview. 19 Do you remember when you became aware that it was to 20 be you who was going to conduct this interview?</p> <p>21 <b>A. Yes, it was late -- not too much longer before I did the</b> 22 <b>interview. I would have been in the office. I can't</b> 23 <b>remember what I was doing, where I was coming back from,</b> 24 <b>but Eugene McCarthy asked if I was able to stay on and</b> 25 <b>do the interview. I said, "Of course, guv ..." Sorry,</b></p> <p style="text-align: center;">Page 71</p>
<p>1 Q. Can we see from this document, it has been written on 2 "Executed", and I think we see a time -- take it from me 3 that the time, just above the top signature, is 14.12. 4 I don't think the exact timing matters very much, but 5 does it appear then it was shortly after 2.00, if this 6 is right, that officers went to Mr Port's flat?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. We will see other timings about arresting him, and 9 executed the search warrant?</p> <p>10 <b>A. That's correct.</b></p> <p>11 Q. You may or may not be able to remember the details of 12 the search, Mr Desai. Would the search of the flat been 13 contacted by specialist officers or simply DCs who were 14 available?</p> <p>15 <b>A. DCs who were available. Normally if it was a borough</b> 16 <b>investigation, it would normally be dealt with by</b> 17 <b>whoever attends to do the warrant.</b></p> <p>18 Q. We may see from the documents that Mr Port was arrested 19 on that day, taken back to the station, and then we will 20 hear about you interviewing him. But the flat actually 21 wasn't searched until the next day. Would that have 22 been unusual?</p> <p>23 <b>A. No. Not really. Depending on what the officer in the</b> 24 <b>case wanted to do, they have held the scenes, we refer</b> 25 <b>to as scenes rather, for a time afterwards. It is not</b></p> <p style="text-align: center;">Page 70</p>	<p>1 <b>"Of course, boss", I would help out. Yes.</b></p> <p>2 Q. It was not a plan from the start of the day, you were 3 simply asked later on to do this extra duty?</p> <p>4 <b>A. Yes.</b></p> <p>5 THE CORONER: What time should your shift have ended that 6 day, if you started --</p> <p>7 <b>A. 3.00 but, as said to you, I was dealing with another</b> 8 <b>matter in custody that day, so I was juggling things</b> 9 <b>around as well, but, yes, 3.00 would have been my time</b> 10 <b>to finish.</b></p> <p>11 <b>MR O'CONNOR: In fact we will see the interview didn't end</b> 12 <b>until 7.30 in the evening.</b></p> <p>13 <b>A. That's right, yes.</b></p> <p>14 Q. Just a few questions about training. You have said that 15 you had been by this stage a detective constable for 16 about three years. It is right, isn't it, that within 17 the police service there are different levels of 18 interview training?</p> <p>19 <b>A. That's correct.</b></p> <p>20 Q. All detectives have at least some of this training; is 21 that right?</p> <p>22 <b>A. That's correct.</b></p> <p>23 Q. If a detective is promoted to a higher rank, they are 24 required to have a higher level of training?</p> <p>25 <b>A. Yes, in essence there are different levels.</b></p> <p style="text-align: center;">Page 72</p>

<p>1 Q. All detective constables, I think it is right to say, 2 are expected to have at least what is known as level 2 3 interview training. 4 <b>A. All detective constables, yes, they would get level 2</b> 5 <b>training.</b> 6 Q. That is what you were at the time? 7 <b>A. That's correct, yes.</b> 8 Q. A detective constable could have a higher level of 9 training but needed at least level 2? 10 <b>A. That's correct.</b> 11 Q. What level did you have at this time? 12 <b>A. Just level 2.</b> 13 Q. All right. 14 Could we have up, please, a document on screen -- 15 this is not in the jury bundles -- MPS613. 16 Mr Desai, I don't know if you have seen this 17 document before. 18 <b>A. I can't recall it specifically.</b> 19 Q. What it is, it is a document that has been created 20 specifically for these proceedings. But it is in effect 21 a summary and in large part extracts from training 22 documents relating to, as one can see at the top, do you 23 see three lines down, tier 2 DC suspect interviewing, so 24 the training you had at this stage. 25 <b>A. Hmm.</b></p> <p style="text-align: center;">Page 73</p>	<p>1 Principle 2: 2 "Investigators must act fairly." 3 Principle 3: 4 "Investigative interviewing should be approached 5 with an investigative mindset." 6 What does that mean? 7 <b>A. You are in there to gather information to assist your</b> 8 <b>investigation, so when you are dealing with your</b> 9 <b>interview, you want to get as much as you can to assist.</b> 10 Q. Let's look at the others briefly. 11 Principle 4: 12 "You are free to ask a wide range of questions." 13 Principle 5: 14 "Investigators must recognise the positive impact of 15 an early admission in the context of the CJS." 16 Criminal justice system, in other words if someone 17 is going to admit doing something, the sooner the 18 better? 19 <b>A. Yes.</b> 20 Q. Principle 6: 21 "Investigators are not bound to accept the first 22 answer given. Questioning is not unfair merely because 23 it is persistent." 24 Is that a reference to the idea of challenging what 25 someone says?</p> <p style="text-align: center;">Page 75</p>
<p>1 Q. All I want to take you to a few parts of this document, 2 just to introduce some of the training, some of the 3 principles relating to interviewing that you would have 4 been aware of at the time you conducted the interview. 5 Can we start, please, by going to the second page of 6 this document. We see at the top what are described as 7 the seven principles of investigative interviewing. 8 Were you aware of those principles? 9 <b>A. I would have been when I did my course. But I did my</b> 10 <b>course in probably about 2006/2007, I think it was</b> 11 <b>around about 2007 when I did my course.</b> 12 Q. Before you became a detective constable? 13 <b>A. Yes, so you do -- you have to do the course before you</b> 14 <b>can become a qualified detective.</b> 15 Q. All right. Was there any refresher training, informal 16 or otherwise? 17 <b>A. No, once you have done the course, that is it, you are</b> 18 <b>left to then just continue interviewing as yourself goes</b> 19 <b>on.</b> 20 Q. The principles are fairly high-level, are they not? 21 <b>A. Yes.</b> 22 Q. Principle 1: 23 "The aim of investigating interviewing is to obtain 24 accurate and reliable accounts from victims, witnesses 25 or suspects about matters under investigation."</p> <p style="text-align: center;">Page 74</p>	<p>1 <b>A. Yes, yes, regarding challenging. So yes, yes.</b> 2 Q. Yes. 3 I will ask you a bit more about that in a moment. 4 Then the last one, which is not relevant for our 5 purposes: 6 "Even when a suspect exercises the right to silence 7 it is still necessary to put questions to them." 8 Can we turn over, please, I am only going to go to 9 one or two more parts of this document, so it is the 10 next page, please. Sorry, the whole page and it is 11 actually the bottom of the page I wanted to look at. 12 If you see at the bottom, "Summary training is given 13 below". 14 There is a reference here to what is described as 15 the PEACE model of interviewing, it is a mnemonic, is 16 this something you would have been trained on? 17 <b>A. That's correct.</b> 18 Q. Do you think you were aware of it at the time you 19 conducted this interview? 20 <b>A. Yes, I was.</b> 21 Q. Let's look at what those letters stand for. 22 First of all the P is for "Planning and 23 preparation"? 24 <b>A. Hmm.</b> 25 Q. Secondly "Engage and explain".</p> <p style="text-align: center;">Page 76</p>

<p>1 Then the A is "Account, clarification and 2 challenge". 3 C is "Closure". 4 The E is "Evaluate". 5 We see towards the bottom of the page: 6 "Planning and preparation is an important phase in 7 effective interviewing and should be carried out no 8 matter what type of interview is being considered, 9 victim, witness or suspect." 10 There is a reference then to the role of the second 11 officer, who will lead the interview? And who will be 12 second? 13 We will come to see that actually you were the only 14 person interviewing Mr Port on that day -- 15 <b>A. That's correct.</b> 16 Q. -- so there was no second officer? 17 <b>A. No.</b> 18 Q. Was that something that was usual in your experience at 19 the time? 20 <b>A. It is a mixture, we always like to have a second officer</b> 21 <b>available but with the resources there are, you have to</b> 22 <b>deal with it as you can, so if you have a second officer</b> 23 <b>it is great. If you don't, then unfortunately you do</b> 24 <b>need to deal with the interview as you can.</b> 25 Q. The E stands for evaluate. We all know what that word</p> <p style="text-align: center;">Page 77</p>	<p>1 challenges can be counterproductive and one wants to be 2 careful about when -- 3 <b>A. When and how, yes.</b> 4 Q. When and how you challenge a suspect's account? 5 <b>A. That's correct.</b> 6 Q. Thank you. 7 Before we have a break I want to ask you to have 8 a look at a couple of documents relating to the 9 interview we are about to see. They were both prepared 10 in advance of the interview. Before I do, can I ask 11 you, going back to the chronology of the day, we have 12 you coming back, if you did go -- the documents suggest 13 you did -- to Cooke Street, coming back to the police 14 station with Mr Port some time between 2.30 and 3.00 15 let's say, and then you interviewing him after 5.30. 16 Tell us if you can remember this or not, but do you 17 think you would have done some further preparation or 18 further reading into the case before you interviewed 19 Mr Port? 20 <b>A. Once I had been asked to do the interview, probably</b> 21 <b>I would have been asked just to refresh my memory again</b> 22 <b>over the CRIS reports and stuff.</b> 23 Q. You talked about the CRIS report. Do you think at that 24 stage you might have looked at witness statements, the 25 PNC document?</p> <p style="text-align: center;">Page 79</p>
<p>1 means but in this context, and in terms of someone who 2 is to conduct an interview, what is involved in the 3 evaluation stage? What is expected under this model of 4 an interviewing officer? 5 <b>A. Just to go through your interview again to see if there</b> 6 <b>is anything that you should look at again or go back on.</b> 7 <b>Or if there is anywhere you should be going forward,</b> 8 <b>I suppose, at the same time.</b> 9 Q. That is, one assumes because it comes after the C, 10 a process that happens after the end of the interview? 11 <b>A. Yes.</b> 12 Q. Then I think the last reference for my purposes, if we 13 can go to page 7, please, it is about halfway down the 14 page, we mentioned the concept of challenging, which is 15 actually part of the A of PEACE, but let's not worry 16 about that. You can see about four paragraphs down 17 there is a reference to the challenge stage: 18 "It's the stage of the interview process to bring in 19 the police evidence or agenda. Challenges should not 20 occur in the account phase. This is counterproductive 21 and will close down the interviewee. Keep the 22 challenges conversational not confrontational. 23 Challenges are the inconsistencies with the suspect's 24 agenda and the police agenda. 25 Is that a part of the training that, as it were,</p> <p style="text-align: center;">Page 78</p>	<p>1 <b>A. Not that I can recall at that time. Unless it was</b> 2 <b>readily available, no, I would have just worked with the</b> 3 <b>documentation that I was given and the CRIS report.</b> 4 Q. Of course you had the summary of the case in the search 5 warrant which you were familiar with by that stage? 6 <b>A. That's correct.</b> 7 Q. The scene photographs, is that something that would have 8 been available to you or you would have looked at? 9 <b>A. I didn't see any scene photographs. I am not sure if</b> 10 <b>they were available at that time. I know the process is</b> 11 <b>normally you have to order the photographs, but again,</b> 12 <b>I wouldn't have been aware unless they were given to me.</b> 13 Q. Let's look quickly if we can then at these two 14 documents. They are not in the jury bundle, the first 15 is, please, IPC551. 16 This is headed "Pre-interview disclosure relating to 17 Mr Stephen Port". If we can just look quickly at the 18 second page. We see at the bottom, it has the name of 19 Inspector McCarthy? 20 <b>A. That's correct.</b> 21 Q. Is this a document that he drafted? 22 <b>A. He did.</b> 23 Q. Was it a bit like the search warrant application, that 24 you were given this oven ready, as it were? 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 Q. Is that normal?</p> <p>2 <b>A. Yes, if I am dealing with other people's jobs, some of</b></p> <p>3 <b>them have it prepared, some of them don't. In this</b></p> <p>4 <b>case, Eugene had it prepared for me.</b></p> <p>5 Q. Explain to the jury what the purpose of this document</p> <p>6 is?</p> <p>7 <b>A. It is just to assist you throughout the interview, to</b></p> <p>8 <b>give you an idea -- an overall idea of where the</b></p> <p>9 <b>investigation is and if there had been a solicitor with</b></p> <p>10 <b>him, obviously they would have prepared this information</b></p> <p>11 <b>for the solicitor to have read. In this case there</b></p> <p>12 <b>wasn't at that point.</b></p> <p>13 Q. We will come to see that Mr Stephen Port didn't have</p> <p>14 a solicitor with him at the time of the interview, he</p> <p>15 chose not to.</p> <p>16 <b>A. That's correct.</b></p> <p>17 Q. You say that if there had been a solicitor it would have</p> <p>18 been given to that solicitor. It is called</p> <p>19 pre-interview disclosure?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. In the absence of a solicitor, would this document, was</p> <p>22 this document given to Mr Port?</p> <p>23 <b>A. No.</b></p> <p>24 Q. Why not?</p> <p>25 <b>A. There was no requirement for us to give it to Mr Port.</b></p> <p style="text-align: center;">Page 81</p>	<p>1 detail in it and if we can go on to the next page, there</p> <p>2 is a quotation at the top from the witness statement</p> <p>3 that Mr Port gave at the scene.</p> <p>4 <b>A. Hmm.</b></p> <p>5 Q. Which the jury are very familiar with. Of course, it</p> <p>6 was that statement which you and your colleagues now</p> <p>7 believed to have been false, yes?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. Then we see, as part of the narrative, towards the</p> <p>10 bottom of the page there is a reference to the police</p> <p>11 having attended the address on this very day, the door</p> <p>12 being answered by Mr Port, him being arrested and making</p> <p>13 no significant comments.</p> <p>14 Then, immediately below that, we see a reference to</p> <p>15 the fact, as we mentioned, that the premises hadn't</p> <p>16 actually been searched at that time.</p> <p>17 There is no reference in this document to the Police</p> <p>18 National Computer entry and the earlier allegation that</p> <p>19 had been made against Mr Port, in contrast to the search</p> <p>20 warrant.</p> <p>21 <b>A. That's correct.</b></p> <p>22 Q. Do you know why that is?</p> <p>23 <b>A. No, I didn't ask.</b></p> <p>24 Q. Let's look at the other document, please. Let's have up</p> <p>25 on screen IPC550. A much shorter document. Do you</p> <p style="text-align: center;">Page 83</p>
<p>1 <b>It is something I would have explained to him why he was</b></p> <p>2 <b>there, when we come to do the interview. Explain why he</b></p> <p>3 <b>is present. But no, there is no need for him to have</b></p> <p>4 <b>seen it at that time. So I would have just read it for</b></p> <p>5 <b>my self assessment and progressed with it.</b></p> <p>6 Q. Casting our eyes down it, we do see, if we can go back</p> <p>7 to the first page, please, at the top, first of all just</p> <p>8 looking at the offences, we see again the theft of the</p> <p>9 mobile phone and perverting the course of justice but</p> <p>10 there is no number 3 "Unexplained death", was that</p> <p>11 significant in your mind?</p> <p>12 <b>A. Not really, no. If Eugene had wanted it -- because</b></p> <p>13 <b>Eugene is my inspector, I would have taken his word as</b></p> <p>14 <b>what he wanted on there, to be honest.</b></p> <p>15 Q. To be clear, we will see when we get to the interview</p> <p>16 but you were, when you interviewed Mr Port, thinking</p> <p>17 about his possible involvement in Anthony's death?</p> <p>18 <b>A. Yes, just because he hasn't written it, doesn't mean</b></p> <p>19 <b>I wouldn't be thinking those things.</b></p> <p>20 Q. We can see that there is a time of arrest entered as</p> <p>21 14.12, so it does appear that Mr Port was arrested at</p> <p>22 the same time as the search warrant was executed?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. Then we can cast our eye down this document. It</p> <p>25 contains a summary of the case, which has familiar</p> <p style="text-align: center;">Page 82</p>	<p>1 recognise this document?</p> <p>2 <b>A. Yes. I have seen that.</b></p> <p>3 Q. Do you know who prepared it?</p> <p>4 <b>A. I believe it was Eugene.</b></p> <p>5 Q. It is self explanatory. We saw in the training the</p> <p>6 emphasis placed on preparing and planning the interview.</p> <p>7 This appears to be a plan. Would you not have wanted to</p> <p>8 plan the interview yourself?</p> <p>9 <b>A. You do some planning yourself anyway, but, generally</b></p> <p>10 <b>speaking, it is good to be given an indication of what</b></p> <p>11 <b>is also wanted from the interview. But I would have</b></p> <p>12 <b>mentally prepared myself for an interview anyway.</b></p> <p>13 Q. There is no mention in this document of Anthony's</p> <p>14 missing phone?</p> <p>15 <b>A. No.</b></p> <p>16 Q. Was it in any event something that you had in mind as</p> <p>17 part of --</p> <p>18 <b>A. I would have had that in mind anyway.</b></p> <p>19 Q. We have seen after all that one of offences he was</p> <p>20 arrested for was theft of the phone, but again there is</p> <p>21 no reference in this document to the previous incident</p> <p>22 relating to the allegation of rape and the possible link</p> <p>23 with the drug findings at the post mortem. Again, is</p> <p>24 that something that you at least had in mind?</p> <p>25 <b>A. I knew about it. It was something I would have</b></p> <p style="text-align: center;">Page 84</p>

21 (Pages 81 to 84)

<p>1 registered in my head at that time, yes.</p> <p>2 MR O'CONNOR: All right. Thank you.</p> <p>3 Madam, those are all the questions I was proposing</p> <p>4 to ask Mr Desai prior to playing the interview.</p> <p>5 THE CORONER: Yes.</p> <p>6 MR O'CONNOR: Perhaps this would be a convenient moment for</p> <p>7 a break and then when we come back we will start playing</p> <p>8 the interview and see how we get on.</p> <p>9 THE CORONER: Yes, thank you very much.</p> <p>10 Thank you very much, members of the jury. We will</p> <p>11 take a short break now. We will aim for 12.05, please.</p> <p>12 (11.52 am)</p> <p>13 (A short adjournment)</p> <p>14 (12.12 pm)</p> <p>15 (In the presence of the jury)</p> <p>16 MR O'CONNOR: Madam, we will shortly play the video.</p> <p>17 Can I ask you, Mr Desai, and also members of the</p> <p>18 jury, to turn to tab 28 in the large bundle, B/1. Yes,</p> <p>19 that one. What you will find there is a transcript of</p> <p>20 the interview we are about to watch.</p> <p>21 Just to be clear, the transcript will not come up on</p> <p>22 screen, for obvious reasons we will be watching the</p> <p>23 video on the screen, but it will be possible of course</p> <p>24 for those with the transcript to follow it in that way.</p> <p>25 Madam, the interview is divided into chunks of half</p> <p style="text-align: center;">Page 85</p>	<p>1 (1.15 pm)</p> <p>2 (Police interview was played to the court)</p> <p>3 (1.16 pm)</p> <p>4 MR O'CONNOR: Perhaps we could stop it there.</p> <p>5 THE CORONER: Can we stop it there? Thank you.</p> <p>6 We will break off, members of the jury, until 2.10.</p> <p>7 Thank you.</p> <p>8 (1.17 pm)</p> <p>9 (The Luncheon Adjournment)</p> <p>10 (2.13 pm)</p> <p>11 (In the presence of the jury)</p> <p>12 MR O'CONNOR: Madam, we will carry on playing the video, if</p> <p>13 we may.</p> <p>14 I hope everyone still has the place. In case they</p> <p>15 don't, on the transcript, we had reached a place in the</p> <p>16 transcript just about halfway down page 34 of the</p> <p>17 internal pages of the transcript.</p> <p>18 Perhaps if we can carry on playing the video. Thank</p> <p>19 you.</p> <p>20 THE CORONER: Tab 28.</p> <p>21 MR O'CONNOR: We might be missing the sound.</p> <p>22 (2.16 pm)</p> <p>23 (Police interview was played to the court)</p> <p>24 (3.00 pm)</p> <p>25 MR O'CONNOR: Detective constable, I am going to come on to</p> <p style="text-align: center;">Page 87</p>
<p>1 an hour, with the last one being quarter of an hour. It</p> <p>2 is 12.15, but may I suggest that we watch for an hour</p> <p>3 now and then break at 1.15.</p> <p>4 THE CORONER: Yes.</p> <p>5 MR O'CONNOR: Thank you. Can I then ask that the video be</p> <p>6 played.</p> <p>7 (12.14 pm)</p> <p>8 (Police interview was played to the court)</p> <p>9 (12.15 pm)</p> <p>10 MR O'CONNOR: Could the video be paused for a moment. It</p> <p>11 does appear that the audio is playing, but the video is</p> <p>12 not. I am not sure --</p> <p>13 THE CORONER: I was going to ask if the volume could be</p> <p>14 turned up slightly as well.</p> <p>15 MR O'CONNOR: I think it was also apparent, this is less of</p> <p>16 a problem, but just in case anyone was wondering, the</p> <p>17 very first words ...</p> <p>18 (12.15 pm)</p> <p>19 (Police interview was played to the court)</p> <p>20 (1.15 pm)</p> <p>21 MR O'CONNOR: Madam, in fact just another minute or so</p> <p>22 brings us to a sort of natural break in the interview.</p> <p>23 I wonder if we may just play on for another minute or so</p> <p>24 before we break for lunch?</p> <p>25 THE CORONER: Yes, of course.</p> <p style="text-align: center;">Page 86</p>	<p>1 ask you some detailed questions about what we have just</p> <p>2 been looking at.</p> <p>3 Before I do that, and perhaps casting your mind back</p> <p>4 to those principles of interviewing we were looking at</p> <p>5 before lunch, and the P-E-A-C-E method of interviewing.</p> <p>6 Can you just give the jury, in a few sentences, an idea</p> <p>7 of what you were trying to achieve during that</p> <p>8 interview, how you thought it went, whether you thought</p> <p>9 it was a success or not.</p> <p>10 <b>A. Yes.</b></p> <p>11 <b>So normally we start all the interviews with like</b></p> <p>12 <b>trying to get a bit of background information as well,</b></p> <p>13 <b>asking about his job and information just to get him</b></p> <p>14 <b>talking a little bit. I think overall I think the</b></p> <p>15 <b>interview went rather well from an investigative point</b></p> <p>16 <b>of view for the team. So we were able to gain valuable</b></p> <p>17 <b>information that would assist them.</b></p> <p>18 Q. I want to ask you, first of all, about Stephen Port's</p> <p>19 demeanour during that interview. We have had the</p> <p>20 advantage of being able to look at a video. The next</p> <p>21 interview that we will watch, or we will hear, in fact,</p> <p>22 is only an audio tape, so we will not have that chance</p> <p>23 on the second interview. It is obviously impossible for</p> <p>24 any of us to put out of our minds what we now know about</p> <p>25 Stephen Port, but, even so, watching that interview,</p> <p style="text-align: center;">Page 88</p>

<p>1 there are certain things about the way he was acting 2 that are very obvious, are they not? 3 Let me suggest a few points. 4 First of all, he was avoiding eye contact, he seemed 5 to be looking down most of the time. 6 He was sitting in a hunched posture, clutching his 7 hands, he even seemed to be rocking sometimes. 8 He was talking quietly and hesitantly. 9 None of us on experts on these matters, detective, 10 but are those not all signs that someone is not being 11 truthful or that they are withholding information? 12 <b>A. I think I said within the context of the interview</b> 13 <b>I felt he was holding back and, for sure, yes.</b> 14 Q. Is demeanour something that you are aware of or try to 15 be aware of during an interview? We didn't see it in 16 the training that we looked at but is it something that 17 you recognise as being important? 18 <b>A. Yes, that is not something you get taught, something you</b> 19 <b>learn with experience in interviewing, but when you are</b> 20 <b>looking at him, as you said, you get the feel of the</b> 21 <b>thing. Yes, for sure there is something about it that</b> 22 <b>makes you think that.</b> 23 Q. As you say, you did mention in the middle of the 24 interview his body language and you certainly said that 25 you thought he was holding something back, about halfway</p> <p style="text-align: center;">Page 89</p>	<p>1 fact any questions yourself about what happened in 2012. 2 <b>A. That was a conscious decision. He had only been</b> 3 <b>arrested for the theft of a mobile phone and perverting</b> 4 <b>the course of justice. He had already been interviewed</b> 5 <b>and arrested for the previous matter. It was something</b> 6 <b>that I could have used in the interview if I felt</b> 7 <b>I needed to use it. I wasn't going to stray into the</b> 8 <b>questioning of that rape allegation at that time, purely</b> 9 <b>because he hadn't been arrested for it. It wasn't</b> 10 <b>a matter -- there was no new evidence for me to raise at</b> 11 <b>that point in relation to that incident that I felt</b> 12 <b>comfortable going to at that time. But it was something</b> 13 <b>I was aware of and I could use, but as the interview</b> 14 <b>developed there was really no need to push into that</b> 15 <b>area for this interview at this time.</b> 16 Q. That was of course a matter of judgment for you -- 17 <b>A. Yes.</b> 18 Q. -- constable, and we of course have to remember it was 19 you there, and not us, but let me just press you on it 20 a little, because we have seen that search warrant 21 application haven't we, which you looked at that 22 morning, your introduction to this case, which made that 23 link between the findings at the post mortem about 24 Anthony perhaps having been drugged, and that previous 25 incident where Stephen Port had been alleged to have</p> <p style="text-align: center;">Page 91</p>
<p>1 through the interview. His body language didn't seem to 2 change very much even for the rest of the interview, did 3 it? 4 <b>A. No.</b> 5 Q. Is that something that you noticed? 6 <b>A. I would say, thinking back and looking at the interview,</b> 7 <b>I probably did, because you are looking at it and I am</b> 8 <b>watching him near the end, and you get -- it's the</b> 9 <b>impression you are feeling, yes.</b> 10 Q. Let me ask you about something else, in fact for these 11 purposes, let's just go to the transcript, if we can, 12 because I am sure the jury still have it open in front 13 of them. It is page 42. For the screen, it is IPC80, 14 page 42, please. 15 It is the bottom half of the page. These are the 16 references, Mr Desai, to what Stephen Port described as 17 the last time he helped police: 18 "... the last time I helped police I ended up being 19 interrogated and questioned as if I was the criminal ... 20 I am more reluctant now ..." 21 We have looked at the search warrant application 22 which referred to Stephen Port's arrest in 2012. Did it 23 seem to you that that was what he was referring to then? 24 <b>A. Yes, certainly what he was talking about.</b> 25 Q. You didn't seem to press him on the point or ask him in</p> <p style="text-align: center;">Page 90</p>	<p>1 given the man who said he had been raped by Stephen Port 2 drugs. 3 We have listened to the interview where Stephen Port 4 repeatedly described Anthony taking drugs and him not 5 wanting to take them. Might you not have pressed him 6 about the fact that the last time he was in trouble with 7 the police, it was the other way round and he was the 8 one who was said to have given the other person drugs? 9 <b>A. Again, it was something I was thinking about at the time</b> 10 <b>and it is an area that I could have gone into, but</b> 11 <b>I think with the way the interview was also developing,</b> 12 <b>I had to make a decision as to where do you go, do you</b> 13 <b>stay with where you are going or do you delve into</b> 14 <b>a different chapter. At that time I felt just stay on</b> 15 <b>the chapter I was going on. It is also something that,</b> 16 <b>if needed, if the interview had been shorter, I could</b> 17 <b>have maybe have revisited, if I had felt that was</b> 18 <b>appropriate for me to go back into.</b> 19 Q. Were you expecting there to be another interview of 20 Stephen Port? 21 <b>A. I would have been surprised if there wasn't. I think</b> 22 <b>the magnitude of the case at the time, the feelings of</b> 23 <b>what it possibly was. And also there was potentially</b> 24 <b>still outstanding evidence, that I think, you know, you</b> 25 <b>are going to be looking to put potentially new evidence</b></p> <p style="text-align: center;">Page 92</p>

<p>1 to him and maybe because the interview was an hour and</p> <p>2 45 minutes, you know, there is a chance there might have</p> <p>3 been anything I had missed, that could have been mopped</p> <p>4 up in a subsequent interview or carried on once they had</p> <p>5 reviewed the interview themselves.</p> <p>6 Q. Just to be clear, in summary, Inspector McCarthy hadn't</p> <p>7 told you there was going to be another interview?</p> <p>8 <b>A. No, there was no indication that there would be, I just</b></p> <p>9 <b>felt, especially as I did this interview, I just didn't</b></p> <p>10 <b>feel that that would be the only one.</b></p> <p>11 Q. I have just been asking you about the 2012 incident,</p> <p>12 which is referred to in the search warrant application.</p> <p>13 The jury have heard that there was another piece of</p> <p>14 intelligence available about Stephen Port which was much</p> <p>15 more recent, only a couple of weeks earlier, just to be</p> <p>16 clear that is not mentioned in any of the papers that we</p> <p>17 have seen today when I have been asking you questions.</p> <p>18 Were you aware of that at the time?</p> <p>19 <b>A. No.</b></p> <p>20 Q. Sorry, could you repeat that?</p> <p>21 <b>A. Sorry, no.</b></p> <p>22 Q. Thank you.</p> <p>23 Let me ask you another question, Mr Desai. The last</p> <p>24 version of events that Mr Port gave, Stephen Port gave,</p> <p>25 essentially was founded on his account that Anthony had</p> <p style="text-align: center;">Page 93</p>	<p>1 <b>A. Yes. Like I said, there are things I potentially would</b></p> <p>2 <b>have missed challenge wise, I accept that. There are</b></p> <p>3 <b>going to be things that I could have recounted on for</b></p> <p>4 <b>sure. There was no specific reason as to why I missed</b></p> <p>5 <b>that challenge, other than just the concentration of the</b></p> <p>6 <b>interview and trying to work through it.</b></p> <p>7 Q. Just taking a step back, Mr Desai. By the end of the</p> <p>8 interview we have just watched, which you describe as</p> <p>9 having been a successful interview, Port had provided</p> <p>10 three completely different accounts about what had</p> <p>11 happened in those couple of days, hadn't he?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. There is the account he gave to the ambulance service</p> <p>14 about having happened upon Anthony's body; there is the</p> <p>15 account he gave at the beginning of your interview,</p> <p>16 about Anthony having come to him on Tuesday night and</p> <p>17 then gone away and then his body appearing again on the</p> <p>18 Thursday morning.</p> <p>19 Then there was his last account, about Anthony</p> <p>20 having come and stayed, and stayed in bed and him</p> <p>21 putting him outside on the Thursday morning.</p> <p>22 Was there any more reason to believe the last</p> <p>23 account as there was the second or the first?</p> <p>24 <b>A. I think for me it would have been the change in his body</b></p> <p>25 <b>language near the end where he was coming to the point</b></p> <p style="text-align: center;">Page 95</p>
<p>1 come to his flat on the Tuesday night, the first time he</p> <p>2 had ever met him, contacted him on the internet, first</p> <p>3 time he had met him, come to his flat, didn't feel well,</p> <p>4 had gone to bed and then he, Stephen Port, had left for</p> <p>5 work halfway through the next day while Anthony was</p> <p>6 supposedly still asleep and he had simply left him in</p> <p>7 his flat.</p> <p>8 In your experience, did it seem to you to be very</p> <p>9 likely that someone like Stephen Port would simply leave</p> <p>10 someone who he had never met before in his flat while he</p> <p>11 went to work?</p> <p>12 <b>A. That is a hard question, because I am quite old</b></p> <p>13 <b>fashioned. So it is hard to say what people would do in</b></p> <p>14 <b>that respect, whether someone -- I personally wouldn't</b></p> <p>15 <b>leave someone in my house, but it is hard to say whether</b></p> <p>16 <b>I would feel someone else might do that. Without</b></p> <p>17 <b>wanting to sound like an ageist ...</b></p> <p>18 Q. Anthony had come to his flat as an escort, hadn't he,</p> <p>19 wouldn't it seem extremely unlikely that he would simply</p> <p>20 have been left inside the flat while Stephen Port went</p> <p>21 to work?</p> <p>22 <b>A. It would seem to be unlikely.</b></p> <p>23 Q. Isn't that something you thought you might have</p> <p>24 challenged Stephen Port about, after all that was his</p> <p>25 final account that he gave you?</p> <p style="text-align: center;">Page 94</p>	<p>1 <b>of talking, I felt a lot of people who tell lies also</b></p> <p>2 <b>tell truths within their lies in some of the interviews</b></p> <p>3 <b>we have had. This was potentially one of those parts</b></p> <p>4 <b>where I felt just the way he was changing at the part</b></p> <p>5 <b>and thinking about his options as to what he was</b></p> <p>6 <b>thinking about, I felt that was probably as close to the</b></p> <p>7 <b>truth as I got.</b></p> <p>8 Q. You thought the last story wasn't just another</p> <p>9 manufactured story, another lie, you thought it --</p> <p>10 <b>A. Potentially I thought it was probably closer to where we</b></p> <p>11 <b>were going to be eventually.</b></p> <p>12 Q. I am sure the jury won't have missed the fact that</p> <p>13 during that interview you said to Stephen Port that you</p> <p>14 thought he had murdered Anthony?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Did you think that?</p> <p>17 <b>A. 100 per cent I couldn't be certain. My feelings were</b></p> <p>18 <b>going in that direction. My instinct was he probably</b></p> <p>19 <b>has done it to him. I couldn't stay for definite,</b></p> <p>20 <b>evidence wise, as to what or how he died. But certainly</b></p> <p>21 <b>it was all very suspicious for me.</b></p> <p>22 Q. Your instinct was telling you that he had murdered</p> <p>23 Anthony. Why didn't you press him on that?</p> <p>24 <b>A. I felt I was pushing him with the questions that I had</b></p> <p>25 <b>within the interview. As I am trying to think through</b></p> <p style="text-align: center;">Page 96</p>

24 (Pages 93 to 96)



<p>1 <b>the interview, I am trying to think of everything to</b>  2 <b>push him on to. I can't really say further than that,</b>  3 <b>really. I am trying to think back to that time, as to</b>  4 <b>what was going on. There was obviously a lot going on</b>  5 <b>within my head for the interview, talking and everything</b>  6 <b>going on around. So it could have just been</b>  7 <b>an oversight on my part on that aspect of it, you know.</b>  8 Q. Let me ask you this. However much later it was, 10, 20  9 minutes later, at the end of the interview, was your  10 instinct telling you that Stephen Port had murdered  11 Anthony Walgate?  12 <b>A. I still wasn't 100 per cent certain, but I was still</b>  13 <b>going in that direction.</b>  14 Q. Going in which direction?  15 <b>A. That he murdered him, sorry.</b>  16 Q. I think what you said earlier was that the interview had  17 created some opportunities for further investigations,  18 words to that effect.  19 <b>A. Hmm.</b>  20 Q. Let me suggest a few examples to you.  21 First of all, Anthony's phone, which you asked him  22 about at various points during the interview.  23 Stephen Port's account was that Anthony had had his  24 phone with him when he arrived. He mentioned asking  25 Anthony to turn it off and seeing him do that and</p> <p style="text-align: center;">Page 97</p>	<p>1 with a forensic opportunity to check out the truth or  2 otherwise of what Stephen Port was saying?  3 <b>A. That's correct, yes.</b>  4 Q. Again, the flat hadn't yet been searched, had it?  5 <b>A. (Inaudible) yes.</b>  6 Q. Another matter that you asked Port about more than once  7 was his shift pattern at work and when he had gone to  8 work on Wednesday and Thursday. He told you, didn't he?  9 <b>A. That's correct.</b>  10 Q. It would not have been difficult, would it have, to have  11 checked -- I am not suggesting you should have done  12 this, but I am suggesting it is a fairly obvious  13 follow-on line of enquiry to contact, either go down to  14 Stagecoach in West Ham and ring them up and find out  15 when Stephen Port had been at work?  16 <b>A. Yes.</b>  17 Q. He, Port, also said when you asked him questions towards  18 the end of the interview, that he liked what he  19 described as gentle sex.  20 <b>A. Yes.</b>  21 Q. You asked him a bit more about it and he said he was not  22 the violent time, do you remember that?  23 <b>A. That's right.</b>  24 Q. Did it occur to you at the time that that was not  25 entirely consistent with the allegation of rape in 2012</p> <p style="text-align: center;">Page 99</p>
<p>1 putting it back in his pocket.  2 He, Port, certainly didn't say he had done anything  3 with the phone, did he?  4 <b>A. I can't remember if he -- did he say?</b>  5 Q. He said he hadn't seen it or touched it and by the end  6 Port was accepting that Anthony hadn't left the flat,  7 yes?  8 <b>A. Yes.</b>  9 Q. So it must be right that on Port's account that he gave  10 you, that phone must either have been in Anthony's  11 clothes or in his bag or still in the flat.  12 <b>A. Okay, yes.</b>  13 Q. Is that something you thought about at the time?  14 <b>A. Yeah, I think there were only so many options of where</b>  15 <b>the phone could be.</b>  16 Q. We know that the flat hadn't yet been searched?  17 <b>A. That's correct.</b>  18 Q. On another point we saw what Port said about Anthony  19 being sick in the bedroom. You asked him some quite  20 detailed questions about where he had been sick -- he  21 said it was on the bedding. You asked him what he had  22 done with the bedding, he said he had wiped it up and  23 then he had washed it and you said where is the bedding  24 now and he said back on the bed.  25 Is it right that that evidence provided the police</p> <p style="text-align: center;">Page 98</p>	<p>1 on the PNC intelligence?  2 <b>A. No, I hadn't really put the two together at that time,</b>  3 <b>thinking about each of the incidents, no.</b>  4 Q. Again, that could have been checked, couldn't it?  5 <b>A. Yes. There was an interview and the transcript and</b>  6 <b>everything, so it would have been a follow on of that</b>  7 <b>aspect.</b>  8 Q. It would have been possible -- for obvious reasons,  9 I hope the jury understand, that we haven't seen the  10 name of X1 on these documents, but you knew who X1 was,  11 didn't you?  12 <b>A. Yes.</b>  13 Q. You had contact details?  14 <b>A. Yes.</b>  15 Q. It would have been possible to go and take a statement  16 from him?  17 <b>A. Yes.</b>  18 Q. It would also have been possible to check whether  19 Stephen Port really did like what he described as gentle  20 sex by analysing the contents of his laptop, wouldn't  21 it?  22 <b>A. It is a logical line of enquiry, yes.</b>  23 Q. When I was asking you questions about the P-E-A-C-E  24 method --  25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 Q. -- we talked about the last of those, the second E, 2 which stood for evaluation. Do you remember that? 3 <b>A. Yes.</b> 4 Q. I asked you what that involved and you said something 5 about it is about going through the interview again 6 after it is finished, seeing if there is anything that 7 could be looked at again and going back to and also 8 seeing if there are any matters to consider going 9 forwards. 10 Let's just have a look at your interview summary, 11 that you prepared, it is at tab 29 of the bundle, 12 please. 13 For the screen, it is MPS770. 14 Mr Desai, we saw you in the video writing away -- 15 <b>A. Yes.</b> 16 Q. -- while Port was speaking. Perhaps we should be clear 17 about this, we all have the luxury of looking at this 18 nicely typed transcript. You didn't have access to 19 a transcript like that? 20 <b>A. No, not at that time, no.</b> 21 Q. You just simply had to write your notes? 22 <b>A. Yes, and then type it up later.</b> 23 Q. It would have been from those written notes that we saw 24 you making that you prepared the document we are looking 25 at now?</p> <p style="text-align: center;">Page 101</p>	<p>1 <b>I wanted to get it down on to a computer as fast as</b> 2 <b>I can.</b> 3 Q. Of course. Would he have asked you about or would you 4 have raised with him some of these further lines of 5 enquiry that emerged from the interview? 6 <b>A. No, he would have taken that from the summary and the</b> 7 <b>transcripts that would come out in due course.</b> 8 Q. We can look quite quickly because it is in effect -- it 9 is obviously not verbatim, it is much shorter than the 10 transcript but what you really have done is summarise 11 what Stephen Port said, haven't you? 12 <b>A. Yes.</b> 13 Q. There isn't a list of points that the next interviewer, 14 if there was to be one, might go back to. Would that 15 normally be part of that E, the evaluation? 16 <b>A. No, when we have generally done our own interviews</b> 17 <b>afterwards, it is not something that we would write down</b> 18 <b>afterwards, after the summary would be the expectation</b> 19 <b>that you would read it and then work from there again.</b> 20 Q. What about those further lines of enquiry, you say your 21 interview had given rise to them, we had gone through 22 some of them. It seems that it would be obvious for 23 you, who had just spent those hours in the room with the 24 man, to write down the points that the investigation 25 might take up?</p> <p style="text-align: center;">Page 103</p>
<p>1 <b>A. Yes.</b> 2 Q. We have heard that by the time that interview finished, 3 you had been at work for 12 hours/12.5 hours, you 4 arrived at 7.00 and it was 7.30 by the time it finished. 5 <b>A. Yes.</b> 6 Q. Can you remember whether you typed it up that night or 7 the next day? 8 <b>A. Yes, I did, I would have given Eugene a verbal handover,</b> 9 <b>he was still there, and then I would have sat down that</b> 10 <b>night and typed away until I had finished it and then</b> 11 <b>sent it over across by email to Eugene.</b> 12 Q. Then let me ask you about the debrief, if you like, 13 before I ask you about the document. Can you remember 14 that now or are you simply saying you would have done if 15 he was still there? 16 <b>A. I would have done. He was there, waiting for me,</b> 17 <b>I remember that.</b> 18 Q. You do remember him being there? 19 <b>A. Yes, because I am sure he had a meeting that night</b> 20 <b>planned with the MIT teams, again.</b> 21 Q. Would you have talked about your impressions that we 22 have just discussed, your instinct about murder? 23 <b>A. I am not sure. I probably would have mentioned</b> 24 <b>something, but I can't be definite what I would have</b> 25 <b>said, except for the main part of the interview and then</b></p> <p style="text-align: center;">Page 102</p>	<p>1 <b>A. No, I understand that. When you say it here, it does</b> 2 <b>sound logical in that respect. It wasn't a practice</b> 3 <b>that was normally done.</b> 4 Q. It sounds as though that last E, the evaluation, and 5 this is not a criticism, Mr Desai, but it does sound as 6 though that last E was something you left for others to 7 do? 8 <b>A. It was generally the way that we would normally have</b> 9 <b>done that on borough. We would just generally just do</b> 10 <b>the summary and type that on to their crime report for</b> 11 <b>them to assess afterwards. It is not perfect.</b> 12 Q. Well, you did type it out. 13 <b>A. Yes.</b> 14 Q. Let's just look at the last page, page 3. 15 You say: 16 "Stephen Port stated that he did not assault or kill 17 Anthony and that the reason he did not leave him in bed 18 as it would look suspicious just like last time." 19 <b>A. Hmm.</b> 20 Q. It sort of feels like there ought to be lots of dots 21 after that. 22 Did you go back to the PNC record and check what the 23 last time had actually consisted of? 24 <b>A. No, I would have been referring to the crime report that</b> 25 <b>was -- that I knew about.</b></p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 <b>Sorry, like last time -- so, no, I hadn't referred</b></p> <p>2 <b>to it there but I just tried to remember what he said to</b></p> <p>3 <b>me and then written it down.</b></p> <p>4 Q. We will remember that when he had referred to the last</p> <p>5 time, that was about halfway through the interview, and</p> <p>6 yet -- did you deliberately put it at the very end to</p> <p>7 draw attention to it or did it just --</p> <p>8 <b>A. No, no particular reason, it was just the late hour and</b></p> <p>9 <b>I was just trying to get as much information down as</b></p> <p>10 <b>I can do.</b></p> <p>11 Q. I think you said that you do have a memory of</p> <p>12 Eugene McCarthy being there and I think you said before</p> <p>13 lunch that Mr O'Donnell wasn't on duty that day?</p> <p>14 <b>A. That's right, yes.</b></p> <p>15 Q. The jury, Mr Desai, have spent a bit of time in the last</p> <p>16 few days looking at the CRIS. Should this summary have</p> <p>17 been loaded on to the CRIS?</p> <p>18 <b>A. They normally are. Normally, if I would have had</b></p> <p>19 <b>access, I would have copied and pasted it. I had -- as</b></p> <p>20 <b>I said, I had another custody job in that morning which</b></p> <p>21 <b>I was typing up after this interview and I copied and</b></p> <p>22 <b>pasted to that CRIS report --</b></p> <p>23 Q. Sorry, just let me interrupt you, did you say you did</p> <p>24 put this report on to Anthony Walgate's CRIS?</p> <p>25 <b>A. No, I didn't, I sent this by email to Eugene, because</b></p> <p style="text-align: center;">Page 105</p>	<p>1 to the CRIS.</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. And this -- I will not ask the jury to go through it,</p> <p>4 but this summary never did find its summary onto the</p> <p>5 CRIS, Mr Desai. Would it, in your understanding of</p> <p>6 procedure, have been a job for you to do having</p> <p>7 interviewed Mr Port or was it acceptable for you to send</p> <p>8 it to one of the other officers and expect them to do?</p> <p>9 <b>A. Normally, I would -- if I did an interview, I would</b></p> <p>10 <b>normally copy what I have just done, it is only copy and</b></p> <p>11 <b>paste, so I would have copied and pasted onto the crime</b></p> <p>12 <b>report. If I could have got in.</b></p> <p>13 <b>I am assuming I couldn't have got on to the crime</b></p> <p>14 <b>report, because I didn't paste it, but I would have</b></p> <p>15 <b>normally taken the liberty of doing that myself.</b></p> <p>16 Q. Might you have checked the next day to see whether it</p> <p>17 had got on?</p> <p>18 <b>A. Unfortunately I was off for three days thereafter and</b></p> <p>19 <b>then at court the following week, so I didn't get</b></p> <p>20 <b>an opportunity to get back to see what had occurred but</b></p> <p>21 <b>because obviously I had emailed Eugene, I assumed it</b></p> <p>22 <b>would be done in due course accordingly.</b></p> <p>23 Q. You thought that was enough?</p> <p>24 <b>A. So ...</b></p> <p>25 Q. Mr Desai, those are almost all the questions I have for</p> <p style="text-align: center;">Page 107</p>
<p>1 <b>only one person can update a crime report at any given</b></p> <p>2 <b>time, so I don't know if someone was in that report</b></p> <p>3 <b>updating it at that time. If that makes sense?</b></p> <p>4 Q. Yes, it is not as though for example only an officer</p> <p>5 working on the investigation can --</p> <p>6 <b>A. No, anybody can put it on.</b></p> <p>7 Q. You could have done. Is what you are saying that you</p> <p>8 tried to do it?</p> <p>9 <b>A. No, I can't remember if tried to do it, what I --</b></p> <p>10 <b>I would normally copy and paste onto the crime report</b></p> <p>11 <b>that I am dealing with. For whatever reason I could not</b></p> <p>12 <b>have obviously done it that night and I sent it to</b></p> <p>13 <b>Eugene.</b></p> <p>14 Q. Is it just because you perhaps thought it would be</p> <p>15 easier to email it to him?</p> <p>16 <b>A. I probably just couldn't get on to it, I would have</b></p> <p>17 <b>thought. I would normally have taken the moment to</b></p> <p>18 <b>paste it on to there, to finish it off.</b></p> <p>19 Q. As you describe from your own experience at the</p> <p>20 beginning of that day, if a new officer comes on to</p> <p>21 a case -- and the CRIS is the means they have of</p> <p>22 understanding everything about the investigation, isn't</p> <p>23 it?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. So it is important that material like this does get on</p> <p style="text-align: center;">Page 106</p>	<p>1 you. I just want to ask you about one other matter,</p> <p>2 which relates to the discovery of the body of</p> <p>3 Gabriel Kovari on 28 August 2014, so a little over two</p> <p>4 months after the day we have been discussing.</p> <p>5 It is right, isn't it, that you went to the</p> <p>6 churchyard on the morning that his body was discovered?</p> <p>7 <b>A. Yes, with a couple of my colleagues.</b></p> <p>8 Q. Yes, one of whom was Detective Sergeant Sweetman and the</p> <p>9 jury will be hearing about that event in due course.</p> <p>10 So here you were, two months later, at the scene --</p> <p>11 as the jury know, because they have walked it -- only</p> <p>12 a few hundred yards from Cooke Street, of another young</p> <p>13 man, apparently, nothing obviously wrong with him</p> <p>14 looking at his body, found dead.</p> <p>15 Did it strike you that this case was similar to the</p> <p>16 death of Anthony Walgate that you had been interviewing</p> <p>17 Mr Port about?</p> <p>18 <b>A. I have asked myself this question quite a few times</b></p> <p>19 <b>since, since this all -- and for the life of me,</b></p> <p>20 <b>I couldn't put the two scenes together. I can't really</b></p> <p>21 <b>say why I didn't think that the two scenes were linked</b></p> <p>22 <b>and I wish I had done, but it wasn't something that</b></p> <p>23 <b>occurred to me at the time unfortunately and I wish</b></p> <p>24 <b>I had. I really do.</b></p> <p>25 <b>MR O'CONNOR: Thank you very much, Mr Desai.</b></p> <p style="text-align: center;">Page 108</p>

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<p>1                   <b>Questions from MS HILL</b></p> <p>2   MS HILL: Good afternoon, I ask questions on behalf of the</p> <p>3       families of those who were murdered, save for the</p> <p>4       partner of Daniel Whitworth.</p> <p>5       I have about 15 minutes worth of questions, ma'am,</p> <p>6       are you content for me to start?</p> <p>7   THE CORONER: Yes, I am. If at all possible I would like to</p> <p>8       finish all questions now without a break this afternoon.</p> <p>9   MS HILL: I am grateful.</p> <p>10       Can I ask you to turn up please in jury bundle A the</p> <p>11       organogram which you were taken to at the beginning,</p> <p>12       which I think is at tab 3, and sets out the diagram of</p> <p>13       the Barking and Dagenham officers, can you find that?</p> <p>14       We can perhaps bring that up on screen, if not. It</p> <p>15       is INQ000041.</p> <p>16       I think that illustrates, doesn't it, some of the</p> <p>17       Barking and Dagenham officers in a broad structure. Do</p> <p>18       you see yourself on there?</p> <p>19   <b>A. Yes, I do.</b></p> <p>20   Q. I think it is clear that there is not everybody</p> <p>21       mentioned on the diagram, but does that broadly</p> <p>22       indicate, if I have this right, on the right-hand side</p> <p>23       the police officers or the uniform branch, if you like,</p> <p>24       and on the left-hand side the detectives?</p> <p>25   <b>A. That's correct.</b></p> <p style="text-align: center;">Page 109</p>	<p>1       were concerned, just going back a little bit in time,</p> <p>2       the offences that were under investigation were</p> <p>3       described as theft of the mobile phone, perverting the</p> <p>4       course of justice and then the unexplained death of</p> <p>5       Mr Walgate. That is what you had written on the warrant</p> <p>6       application, yes?</p> <p>7   <b>A. It wasn't what I had written, but it was written by</b></p> <p>8       <b>a colleague of mine.</b></p> <p>9   Q. What had been written on it?</p> <p>10   <b>A. Yes.</b></p> <p>11   Q. Then at the top of the internal page 4 that I have taken</p> <p>12       you to, you were asked by learned coroner's counsel</p> <p>13       about the second paragraph on that page, where there is</p> <p>14       mention of the pathologist findings and then mention of</p> <p>15       the previous allegation against Mr Port.</p> <p>16       Can I just ask you this. When you were approaching</p> <p>17       the interview, were you really already considering the</p> <p>18       possibility that Port had drugged Anthony or not?</p> <p>19       I'm sorry, it is a little hard to see, I think the</p> <p>20       screens have been moved and I cannot see you very well.</p> <p>21       If I move over here, that might be better.</p> <p>22   <b>A. I tried to keep an open mind. I couldn't say for</b></p> <p>23       <b>definite I was thinking that, but you are always</b></p> <p>24       <b>thinking that there are always going to be possibilities</b></p> <p>25       <b>of what has gone on for sure, but ...</b></p> <p style="text-align: center;">Page 111</p>
<p>1   Q. Does the grouping on the left-hand side of the CID</p> <p>2       department reflect the individuals that you were</p> <p>3       describing as sitting in desks a bit like the desks that</p> <p>4       we see here?</p> <p>5   <b>A. Yes. Yes.</b></p> <p>6   Q. Of the individuals on here, were they all sitting in</p> <p>7       a similar layout to what we have here?</p> <p>8   <b>A. Yes, we have the same layout on the same floor.</b></p> <p>9       <b>Different, obviously, not sitting in same place but,</b></p> <p>10       <b>yes.</b></p> <p>11   Q. That was, I think, an environment where, if I have your</p> <p>12       note correctly, you said that you would hear stuff going</p> <p>13       around. Is that right?</p> <p>14   <b>A. Where I was with Dave and Eugene, for sure, yes.</b></p> <p>15   Q. But it is an open plan office, is it, with lots of desks</p> <p>16       in it?</p> <p>17   <b>A. And lots of people, yes.</b></p> <p>18   Q. You were asked some questions about the warrant</p> <p>19       application and you were asked about the offences that</p> <p>20       were being considered at that point. Can I ask for the</p> <p>21       warrant to be brought up, please.</p> <p>22       In particular, I think it is IPC000048, internal</p> <p>23       page 4. Because you were asked some questions, officer,</p> <p>24       about an entry at the top of that page. Can we just</p> <p>25       scroll in at the top of that page, where, as far as you</p> <p style="text-align: center;">Page 110</p>	<p>1   Q. In terms of preparing for the interview, I think you</p> <p>2       were clear that you certainly looked at the CRIS in</p> <p>3       relation to Anthony's investigation. Is that right?</p> <p>4   <b>A. That's correct.</b></p> <p>5   Q. I think your evidence has been you yourself didn't look</p> <p>6       at any other documents; is that correct?</p> <p>7   <b>A. As best I can remember, I didn't look at them, that's</b></p> <p>8       <b>right.</b></p> <p>9   Q. Can I ask you to look at the contents of one of your</p> <p>10       statements, please, it's IPC000418, internal page 2.</p> <p>11       Can we scroll in on the bottom paragraph of that page,</p> <p>12       which begins, "Once I had been able to achieve that ..."</p> <p>13       You say this, and to put it in context, just going</p> <p>14       to the previous paragraph, you say:</p> <p>15       "I was interviewing Mr Port in relation to an</p> <p>16       allegation primarily perverting the course of justice</p> <p>17       and theft. I did believe that once he had accepted his</p> <p>18       wrongdoing in interview I had at least achieved</p> <p>19       a confession in relation to a criminal offence, which</p> <p>20       always assists any investigation. Once I had been able</p> <p>21       to achieve that, I believed my role was then to obtain</p> <p>22       a detailed account to see if the team could prove or</p> <p>23       disprove what he was saying."</p> <p>24       Then this:</p> <p>25       "My interview style is non-confrontational and not</p> <p style="text-align: center;">Page 112</p>

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<p>1 argumentative. I believe the interview is the 2 opportunity for the suspect to provide their account and 3 they can only be challenged when the evidence exists to 4 demonstrate what they are saying is a lie." 5 Does that reflect the mindset that you had when you 6 approached this interview? 7 <b>A. It does, but ...</b> 8 <b>I always go into an interview to try to make it</b> 9 <b>conversational to get them talking, as I thought I did</b> 10 <b>with Mr Port and got him to talk his way through what</b> 11 <b>occurred.</b> 12 Q. Just looking at what you have written there, it is the 13 role of an officer in some circumstances, isn't it, to 14 challenge what people are saying in interview? 15 <b>A. Sure, and I -- for definite areas where we have to</b> 16 <b>challenge as well and I believe, as in that interview,</b> 17 <b>there were challenges made and of course I accept that</b> 18 <b>more challenges could have obviously been made as well.</b> 19 Q. The end point, if you like, that you reached -- I am 20 going to see if I have the note of your evidence 21 correct -- you certainly felt, "This was all very 22 suspicious to me", I think that is what you said in your 23 evidence. By the end of the interview that is what you 24 thought? 25 <b>A. Hmm.</b></p> <p style="text-align: center;">Page 113</p>	<p>1 <b>A. Again, yes.</b> 2 Q. Can I just ask you to look at the interview transcript, 3 please, could we have that brought up and perhaps 4 someone can just remind me which tab it is in the 5 bundle -- I am afraid I have taken mine out. I think it 6 is 28, is that right? 7 If we can bring it up, please, it is IPC000080, 8 internal page 1 is where it starts, but I would like to 9 go, please, to page 37. 10 At the very top of that page there was discussion 11 with Mr Port about the taking of drugs. You then say, 12 at the very top of internal page 37: 13 "Did he take an overdose in your place?" 14 Do you see that? 15 <b>A. Yes I do, yes.</b> 16 Q. That was not something that Mr Port himself had 17 volunteered, was it? 18 <b>A. Not that I can recall, no.</b> 19 Q. So you were effectively suggesting that to him? 20 <b>A. As an option, I suppose, yes.</b> 21 Q. Then if we go, please, to internal page 44, is this 22 right, that you put to him -- just seeing if I have the 23 right page reference, bear with me a second. 24 In that long narrative on page 44, do you see that 25 beginning part of it, "I am not convinced ..." do you</p> <p style="text-align: center;">Page 115</p>
<p>1 Q. You said you thought you were going in the direction 2 that somehow Port had been involved in Anthony's death? 3 <b>A. Okay.</b> 4 Q. Just to be clear, I am agreeing with you, officer, I put 5 that to you now, because it is the family's position 6 that your suspicions were entirely right and were 7 entirely justified, but I just want to put to you a few 8 points where, in addition to those areas you have been 9 taken to, there could have been a little more challenge 10 of what Mr Port was saying. 11 We don't disagree with you that your outcome was 12 right, but I just want to put a few things to you, if 13 I may. 14 <b>A. Yes.</b> 15 Q. You are well aware as learned counsel has taken you to, 16 of the different sets of principles that you need to 17 follow in interviews. 18 One of them generally is to allow someone to give 19 their account, certainly at the beginning, quite freely. 20 There are various points, are there not, where Mr Port 21 was interrupted in his account, do you accept that? 22 <b>A. Yes.</b> 23 Q. It is also an important element of interviewing good 24 practice, isn't it, not to ask leading or what might be 25 called forced choice questions, is that right?</p> <p style="text-align: center;">Page 114</p>	<p>1 see that? 2 <b>A. Yes.</b> 3 Q. "I am not convinced ... and then on Thursday you have 4 panicked, you have taken the body outside." 5 Again, that was not something that Mr Port had 6 volunteered, was it? 7 <b>A. No.</b> 8 Q. That was something that you were suggesting to him? 9 <b>A. That's correct.</b> 10 Q. Then, final example on this, please, if I may, can we go 11 to internal page 47. There were various references on 12 this page, and in fact I think there had been earlier, 13 if we look on internal page 47, please, to fights. Do 14 you see that? 15 <b>A. That's correct.</b> 16 Q. You are putting to him, "No arguments, no fighting, you 17 didn't strike him at all?" 18 "No, no, of course not." 19 "Even during sex?" 20 You have put that to him. 21 Again, the idea of rough sex was not something 22 Mr Port had volunteered, was it? 23 <b>A. That's correct.</b> 24 Q. In terms of some of the examples where I think on 25 reflection you accept but where we would say he could</p> <p style="text-align: center;">Page 116</p>

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<p>1 have been challenged, can I just put a couple more to 2 you, please. 3 Page 14, please, of the interview. About four or 4 five lines down from the top, Mr Port gives his account 5 of calling the ambulance and he says: 6 "I waited till I saw the lights and then I went 7 inside." 8 Do you see that? 9 <b>A. Yes.</b> 10 Q. You said to him: 11 "So you saw the blue lights?" 12 Over the page he says: 13 "I saw them coming up St Ann's, I saw the flashing 14 lights, I could see the car or the ambulance was coming 15 right there. As it pulled up there I went inside, 16 home." 17 Just pausing there, if in fact he had been 18 an upstanding citizen who had found somebody, he would 19 have waited for the ambulance, wouldn't he? 20 <b>A. Yes, and think I mentioned that within --</b> 21 Q. That is at the very early part of his interview. That 22 surely was making you suspicious, wasn't it? 23 <b>A. Of course, yes.</b> 24 Q. Can I ask you about this passage, please, on internal 25 page 17. Mr Port said in answer to your question to him</p> <p style="text-align: center;">Page 117</p>	<p>1 I think if we can bring up page 42, "The last time 2 I helped the police ..." 3 I think your position on this is that you assumed, 4 is this fair, and please tell me if it is not, that you 5 assumed that the last time he helped the police is 6 a topic that somebody else would challenge in a further 7 interview? 8 <b>A. If they had felt that that was needed to be brought in, 9 yes.</b> 10 Q. And that, in fact, that further interview might identify 11 whether the last time he helped the police was any of 12 the occasions we have heard about or was something 13 different. Is that right? 14 <b>A. Possibly, yes, correct.</b> 15 Q. The very last passage that ends the interview, where he 16 says there was certainly no intention of any harm to 17 him, that's internal page 53, was a very odd comment for 18 Mr Port to make, wasn't it? It was one that certainly 19 merited follow up, wasn't it? 20 <b>A. You are used to people trying to give an excuse for 21 their actions, but again, yes, possibly I should have 22 followed that up.</b> 23 Q. It seems from your evidence that at the end of your 24 interview, you typed up the notes that we have seen -- 25 perhaps just bring that up, MPS000770, I think it is at</p> <p style="text-align: center;">Page 119</p>
<p>1 about X1, do you see that, you said: 2 "How old is X1?" 3 That's his former partner that we know features in 4 the previous allegation: 5 "He will be 21 on [redacted]. 6 "Have you been going out with X1 for long? On and 7 off for the last three years." 8 All right, just pausing there, that would make X1 at 9 that time 20, he will be 21 [redacted], so he was 20 at 10 the time of the interview. On and off for the last 11 three years would make him 17? 12 <b>A. Hmm.</b> 13 Q. Mr Port at the time of the interview was 39. Did that 14 give you any cause for concern or not? 15 <b>A. I will be honest with you, I didn't register the age 16 there, unfortunately not, no.</b> 17 Q. Similarly, at the foot of that page: 18 "X10, how old was X10?" 19 He was the previous partner before X1: 20 "He was 22 [redacted]." 21 So he would have been about 19, but that didn't 22 register either, is that right? 23 <b>A. That's correct.</b> 24 Q. I think learned counsel has already taken you to the 25 passage on page 42 where Mr Port himself volunteered,</p> <p style="text-align: center;">Page 118</p>	<p>1 tab 29 of your bundle. Just have a quick look at your 2 note, would you? 3 This note is intended to be a summary, isn't it, of 4 the interview, to help your colleagues and supervisors 5 and potentially people like the pathologist quickly 6 understand what has come out in a quite lengthy 7 interview, is that right? 8 <b>A. That's correct.</b> 9 Q. As I think we have established already, it doesn't 10 really amount to an evaluation of the interview and 11 a setting out of a list of further topics for challenge 12 or questioning, does it, you were hoping others would do 13 that? 14 <b>A. Not hoping, but obviously an expectation that people 15 would be doing that, yes.</b> 16 Q. Is it generally your practice to prepare this kind of 17 a note; is that what most of your colleagues do as well? 18 <b>A. Yes.</b> 19 Q. The final question I have is about just the methodology 20 you adopted in relation to that note, if I may. 21 I don't know if you can help with this or not. 22 I think you suggested in relation to why you emailed it 23 rather than sent it or put it straight on to the CRIS 24 that this might have been because somebody else was in 25 the CRIS at the time.</p> <p style="text-align: center;">Page 120</p>

<p>1 If I have understood it correctly, if we look please 2 at IPC000080_0001, the interview that you carried out 3 with Mr Port was in the late afternoon/early evening, it 4 was 5.50 we can see on that page. 5 If we scroll in the middle, it looks as if it starts 6 at 17.48, so 5.50, we know how long it lasted because we 7 have listened to it but I don't know if you can help 8 with this or not but if you marry that up with the CRIS, 9 I don't see that there is anybody else in the CRIS at 10 that time. If you look, please at IPC00035, internal 11 84, on this day, if I have this right, 26 June, which is 12 when the interview takes place, I can only see one entry 13 on the CRIS at 9.06 in the morning? 14 <b>A. Yes, I don't know if when you are in the update mode, 15 whether you have to -- whether that registers, when you 16 are in update mode.</b> 17 Q. I don't know, I am asking you the question. 18 Forgive me, if you look over the page, it looks as 19 if the CRIS is picked up the following day, the 27th, at 20 3.48 and I am very happy to be told if I am wrong but it 21 doesn't appear that anyone else is in the CRIS at that 22 time. 23 <b>A. So for the delay(?) of information that we put on the 24 details page, so when you go to update you are updating 25 the whole crime report itself, so I don't know if they</b></p> <p style="text-align: center;">Page 121</p>	<p>1 suspicious mind, and police do. It doesn't add up." 2 Then over the page, you then say: 3 "How is the coroner going to be able to do a proper 4 examination?" 5 Were you of the view that this was a case that was 6 going to go to the coroner rather than go to potential 7 criminal proceedings? 8 <b>A. No, I just assumed the coroner would be doing their 9 own -- we normally go to coroners, I have never dealt 10 with too many murders, but I would have assumed this 11 would have gone to coroners as well for them to do their 12 examination. There was no indication it was be 13 coroner's only thing, it was just a comment that that is 14 what I thought would happen, rather than that is what 15 did happen.</b> 16 Q. I think the jury has heard some evidence that generally, 17 if there are going to be criminal proceedings, the 18 coroner's enquiries will wait. Is that something you 19 were aware of or not? 20 <b>A. I wasn't too sure at that time. I am aware now, but at 21 that time I wasn't too clear as to the procedural aspect 22 of who takes precedence and how it all works out.</b> 23 MS HILL: I understand, thank you very much. 24 25</p> <p style="text-align: center;">Page 123</p>
<p>1 <b>are just viewing and accessing other areas. Personally 2 I don't know. I am just making an assumption that far 3 back that that is the reason I didn't put it on, because 4 normally it is something I would do.</b> 5 <b>Like I said earlier that day, I had another 6 prisoner, at 8.50 that night I pasted that record onto 7 that CRIS report, so I am assuming -- it is just 8 an assumption on my part -- that that is the reason, why 9 but I don't know why it didn't go straight round.</b> 10 Q. I think you would accept, because it is your normal 11 practice, that placing it on the CRIS is a much more 12 helpful way of making sure the wider team can see the 13 contents? 14 <b>A. That is normally where I would put it, yes.</b> 15 MS HILL: Bear with me a second, madam. Forgive me ma'am, 16 just a moment. 17 Forgive me, I do just have one further question 18 I forgot to put to you, can we bring up IPC000080, 19 internal page 39, just to try and see, officer, if I can 20 help understand your mindset a little bit, top of 21 internal 39, please. In fact, can we have the bottom of 22 38 alongside 39, please. 23 Bottom of 38 -- forgive me, I think this is not the 24 first time but you certainly set out very clearly to 25 Mr Port, "I have to be honest with you, I have a very</p> <p style="text-align: center;">Page 122</p>	<p>1 Questions from DR VAN DELLEN 2 DR VAN DELLEN: Detective Constable Desai, I ask questions 3 on behalf of Ricky Waumsley, Daniel Whitworth's partner. 4 Your evidence was that Acting Detective Inspector 5 McCarthy had asked you to conduct the interview; is that 6 correct. 7 <b>A. That's correct.</b> 8 Q. My learned friend, Mr O'Connor, counsel to the inquest, 9 asked you -- just to remind you, he asked you, did you 10 think Port had murdered Anthony. Your answer, my note 11 of your answer is that you couldn't be certain, thoughts 12 going in that direction, instinct probably, couldn't say 13 definitely, certainly all very suspicious. 14 When somebody is suspected of murder, are they 15 normally interviewed by homicide command or by the 16 borough? 17 <b>A. It is a very good question. Generally speaking it 18 should be the murder team that take on any murder 19 investigation, but I think this was one that was 20 being -- what is the right word? Discussed between both 21 parties as to who would take the case on.</b> 22 Q. You had been a detective constable for three years at 23 the time that you interviewed Anthony, how many people 24 suspected of murder had you interviewed in the preceding 25 three years?</p> <p style="text-align: center;">Page 124</p>

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<p>1 <b>A. None.</b></p> <p>2 Q. Do you agree that it would have been more appropriate</p> <p>3 for homicide command to have interviewed Anthony?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Sorry, interviewed Stephen, my apologies, my learned</p> <p>6 friend corrected me, my apologies for that.</p> <p>7 Thank you.</p> <p>8 Did you inform Acting Detective Inspector McCarthy</p> <p>9 that you thought it would have been more appropriate for</p> <p>10 Port to have been interviewed by homicide command rather</p> <p>11 than you?</p> <p>12 <b>A. No, in the sense of -- within reason, if I am asked to</b></p> <p>13 <b>do a task by a senior officer, within reason, I would</b></p> <p>14 <b>complete the task given. So completing an interview for</b></p> <p>15 <b>Mr McCarthy wouldn't have been an unusual request, if</b></p> <p>16 <b>that is what he asked me to do.</b></p> <p>17 DR VAN DELLEN: No further questions, madam, thank you.</p> <p>18 Questions from MR BERRY</p> <p>19 MR BERRY: Mr Desai, I ask questions on behalf the</p> <p>20 Metropolitan Police.</p> <p>21 A number of things have been suggested by counsel to</p> <p>22 you today that you could or should have put to Mr Port</p> <p>23 in interview.</p> <p>24 To ask any detailed questions, on the basis that</p> <p>25 Port had caused Anthony's death, you would have had to</p> <p style="text-align: center;">Page 125</p>	<p>1 <b>A. Oh yes, definitely.</b></p> <p>2 Q. Is it often the case when someone is arrested and their</p> <p>3 property is searched that items will be seized?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. That those items will have to be examined and analysed?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. And that if they provide evidence that is useful to the</p> <p>8 investigation, there will need to be a further interview</p> <p>9 when further questions are put to the suspect?</p> <p>10 <b>A. That's correct.</b></p> <p>11 Q. Is it always possible for seized items to be</p> <p>12 examined/explored in time to be the basis of questions</p> <p>13 at the first interview?</p> <p>14 <b>A. Oh no, they take several weeks.</b></p> <p>15 Q. These days, many people have some form of electronic</p> <p>16 media on them when they are arrested, don't they,</p> <p>17 a phone for instance?</p> <p>18 <b>A. They do, indeed.</b></p> <p>19 Q. Can it commonly take a number of weeks before the</p> <p>20 evidence is harvested from that electronic media?</p> <p>21 <b>A. It can do, yes.</b></p> <p>22 Q. In cases where you have electronic media outstanding, it</p> <p>23 can be some weeks before a further interview takes</p> <p>24 place?</p> <p>25 <b>A. That's correct.</b></p> <p style="text-align: center;">Page 127</p>
<p>1 caution him for manslaughter or murder, wouldn't you?</p> <p>2 <b>A. Yes, I suppose you should be going on that route,</b></p> <p>3 <b>but ... yes.</b></p> <p>4 Q. The fact is that whatever your suspicions were, you were</p> <p>5 not interviewing him for a homicide offence, were you?</p> <p>6 <b>A. No.</b></p> <p>7 Q. You didn't record anywhere that somebody else should</p> <p>8 interview him for a homicide offence, did you?</p> <p>9 <b>A. No.</b></p> <p>10 Q. I just want to take a step back and look at interviews</p> <p>11 generally. How common is it in policing that the OIC in</p> <p>12 the case might not be the person who actually conducts</p> <p>13 the interview with the suspect?</p> <p>14 <b>A. It is not unusual. As I said, I had a case that morning</b></p> <p>15 <b>which was not my case and I was interviewing for another</b></p> <p>16 <b>person's job, so it wasn't unusual at all.</b></p> <p>17 Q. Thank you.</p> <p>18 Where you are not the OIC, but you are contacting</p> <p>19 an interview of a suspect, is there normally a briefing</p> <p>20 from the OIC and perhaps a document containing the</p> <p>21 pre-interview disclosure for the suspect?</p> <p>22 <b>A. Sometimes, it really depends on the officer.</b></p> <p>23 Q. Is it right that there are sometimes a number of</p> <p>24 interviews of a single suspect during the lifetime of</p> <p>25 a criminal investigation?</p> <p style="text-align: center;">Page 126</p>	<p>1 Q. In those circumstances, would your expectation be that</p> <p>2 it will be likely that there will be a further interview</p> <p>3 at some stage?</p> <p>4 <b>A. Definitely.</b></p> <p>5 Q. Once you have completed an interview, in terms of the</p> <p>6 product, there is a video or voice recording, isn't</p> <p>7 there?</p> <p>8 <b>A. That's correct.</b></p> <p>9 Q. This was a video recorded interview, we have seen that,</p> <p>10 and you take the CD out of the system and you provide</p> <p>11 that to the investigators, is that right?</p> <p>12 <b>A. That's correct, yes.</b></p> <p>13 Q. The investigators might prepare a transcript of that</p> <p>14 recording, mightn't they?</p> <p>15 <b>A. Yes, it would eventually be done. Especially if it is</b></p> <p>16 <b>going to court.</b></p> <p>17 Q. What is often referred to as a ROTI, is that right?</p> <p>18 <b>A. That's correct, yes.</b></p> <p>19 Q. An interview summary is usually prepared by the</p> <p>20 interviewer, is that meant to be a summary essentially</p> <p>21 of what was said at the interview?</p> <p>22 <b>A. That's correct.</b></p> <p>23 Q. That could be used during the investigation?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. It could be sent to the CPS?</p> <p style="text-align: center;">Page 128</p>

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<p>1 <b>A. Yes.</b></p> <p>2 Q. And sometimes it could even go before the court in due</p> <p>3 course?</p> <p>4 <b>A. That's correct, yes.</b></p> <p>5 Q. All of those materials are available to be examined by</p> <p>6 the OIC, by the investigation, for lines of enquiry,</p> <p>7 aren't they?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. And for inconsistencies, and for any other matters that</p> <p>10 might further the investigation?</p> <p>11 <b>A. That's correct.</b></p> <p>12 Q. It is the OIC's job to do that, isn't it, unless of</p> <p>13 course you are asked to do it?</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. Turning to your interview with Port on 26 June, you were</p> <p>16 not the OIC, were you?</p> <p>17 <b>A. No.</b></p> <p>18 Q. Did you think it was your role after you had conducted</p> <p>19 the interview to set out lines of enquiry or</p> <p>20 inconsistencies for the OIC, for the investigation, or</p> <p>21 did you think it was for them to go through the</p> <p>22 materials and identify those themselves?</p> <p>23 <b>A. It wasn't a normal practice to type up other lines of</b></p> <p>24 <b>enquiries, no.</b></p> <p>25 Q. I don't need you to be shown it, but in your statement,</p> <p style="text-align: center;">Page 129</p>	<p>1 <b>A. And the house was still under --</b></p> <p>2 Q. Sorry, that very day, he had been arrested that very</p> <p>3 day, so this was an early stage of the investigation?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Were you aware, for instance, that the toxicology was</p> <p>6 outstanding?</p> <p>7 <b>A. I can't recall, I think it might have been on the CRIS</b></p> <p>8 <b>report, but I do know that takes time to get the</b></p> <p>9 <b>toxicology report back as well, it is not something that</b></p> <p>10 <b>would be done quickly so ...</b></p> <p>11 Q. From comments in the interview, when you referred to</p> <p>12 cause of death, were you aware that the post mortem was</p> <p>13 outstanding as well, or the result of the post mortem?</p> <p>14 <b>A. I can't remember what was said on the CRIS, to be</b></p> <p>15 <b>honest.</b></p> <p>16 Q. Were you expecting that after enquiries and further</p> <p>17 investigations were completed, there would be a further</p> <p>18 interview and a challenge would be made at that stage?</p> <p>19 <b>A. Yes.</b></p> <p>20 MR BERRY: Thank you, I have no further questions.</p> <p>21 Questions from MS DOBBIN</p> <p>22 MS DOBBIN: Just a couple of questions, please, DC Desai.</p> <p>23 Just to get an idea of what your day was like, the</p> <p>24 day that you did the interview, I think you have said</p> <p>25 that you were in work at 7.00 am. Is that correct?</p> <p style="text-align: center;">Page 131</p>
<p>1 you said you thought that this had the potential to be</p> <p>2 the first of many interviews, so not just one further</p> <p>3 interview but you thought there might be a number</p> <p>4 afterwards?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. You have been asked about the account and challenge</p> <p>7 stage of an interview under the PEACE model. When there</p> <p>8 are outstanding enquiries, might the challenge stage</p> <p>9 come not in the first interview, but in a subsequent</p> <p>10 interview or interviews?</p> <p>11 <b>A. They can do, yes.</b></p> <p>12 Q. As an interviewer, would you want to get a detailed</p> <p>13 account from the suspect, so that the investigative team</p> <p>14 can then make further enquiries and gather further</p> <p>15 evidence to prove or disprove what the suspect has said?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. As an interviewer, would you want to make a challenge</p> <p>18 when you had an informed basis upon which to do so?</p> <p>19 <b>A. I prefer to, yes.</b></p> <p>20 Q. In this case, Port's case, were you aware that there</p> <p>21 were outstanding investigations and enquiries?</p> <p>22 <b>A. I can't recall for definite, but I would have presumed</b></p> <p>23 <b>so, it was still the early part of the investigation.</b></p> <p>24 Q. It was, wasn't it, because Port had only been arrested</p> <p>25 the day before?</p> <p style="text-align: center;">Page 130</p>	<p>1 <b>A. That's correct, yes.</b></p> <p>2 Q. You were then asked to look at the material that related</p> <p>3 to the application that was going to be made for the</p> <p>4 search warrant; is that right?</p> <p>5 <b>A. That's correct.</b></p> <p>6 Q. To Port's address. You then made the application at</p> <p>7 court?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. It seems that you were involved in the search?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. All this time, I think you said you had a prisoner in</p> <p>12 custody?</p> <p>13 <b>A. That's correct.</b></p> <p>14 Q. All right, so would you also be expected in the course</p> <p>15 of that day to deal with the prisoner in custody that</p> <p>16 you had as well?</p> <p>17 <b>A. Yes, I was -- he had been in custody overnight. So in</b></p> <p>18 <b>between doing the tasking for the warrant, I was</b></p> <p>19 <b>arranging to get him interviewed, he required</b></p> <p>20 <b>a solicitor and pre-interview disclosure had to be done.</b></p> <p>21 <b>So I was working around all of those aspects, as well as</b></p> <p>22 <b>doing the warrant and then coming back to the station</b></p> <p>23 <b>then to further the interview for that case.</b></p> <p>24 Q. Then we know it seems you were asked to do the interview</p> <p>25 at fairly last minute. You were due to leave at 3.00,</p> <p style="text-align: center;">Page 132</p>

<p>1 but in fact you stayed on for many hours after that in 2 order to do the interview and to write up the summary as 3 well. Do I have that right?</p> <p>4 <b>A. That's right.</b></p> <p>5 Q. Ordinarily, this was the type of interview where you 6 would have liked, or certainly ought to have had 7 a second person with you, is that right?</p> <p>8 <b>A. Yes, normally it is always good practice to go in with 9 two people, it is easier, because one can write, one can 10 talk and the other person can give you some ideas or 11 feedback or keep you on track if you are going off, so 12 it is normally good practice to have two but 13 unfortunately it was just myself available at that time.</b></p> <p>14 Q. All right, so you didn't have that luxury. 15 Part of the rationale for having a second interview 16 then is that it allows another interviewer to take up 17 any lines of enquiry that are apparent on the face of 18 the first interview; is that right?</p> <p>19 <b>A. That's correct, yes.</b></p> <p>20 Q. The second interview can, as it were, take place quite 21 quickly after the first interview?</p> <p>22 <b>A. They can take any time they feel appropriate.</b></p> <p>23 Q. If there are obvious things that could be looked at. 24 Then, as you have already said, you can have many 25 more interviews after that point?</p> <p style="text-align: center;">Page 133</p>	<p>1 Q. By my learned friend Ms Hill. 2 But I think in fact, if we look in the interview, 3 Port already said if not on one occasion, that the 4 Anthony who had come to his flat had taken drugs and 5 then become ill. Is that right?</p> <p>6 <b>A. That's right, yes.</b></p> <p>7 Q. I just want to ask you a question about your office 8 setup. You were taken to the organogram and shown the 9 other teams of detectives who worked in the same office 10 as you. 11 Do you all work the same shifts as each other?</p> <p>12 <b>A. Oh, no, one worked an early shift, one worked a late. 13 One worked spares or would be off during that time, 14 because we worked the week, did a seven-day cover. And 15 also I think one of my colleagues was working nights, 16 when I did the interview, so out of our team, people 17 obviously have extractions for court, night duty and 18 other extractions. Like the following week I was off at 19 court that week, so I would have been extracted from 20 work, so not everyone is in at the same time generally 21 speaking.</b></p> <p>22 Q. Even people that are on the same team as you presumably 23 were coming and going?</p> <p>24 <b>A. Yes.</b></p> <p>25 MS DOBBIN: Thank you, officer.</p> <p style="text-align: center;">Page 135</p>
<p>1 <b>A. Definitely, yes.</b></p> <p>2 Q. Just in terms of the challenges you made during this 3 interview, I think we can see you got the detailed 4 account, and then you went back -- I will not go through 5 all of them but you were putting: 6 "Did Anthony come out alive? 7 "The actions that you took afterwards look funny. 8 "Do you expect the police to believe that he came 9 out alive? 10 "It doesn't look good." 11 You were constantly putting those sorts of things. 12 How important do you think that was in securing the 13 change of account from Port?</p> <p>14 <b>A. Very. It took him a while to finally concede the point 15 and I think he was -- it was essential to put the 16 pressure to -- with those challenges to get him to 17 finally concede that he was with Mr Walgate.</b></p> <p>18 Q. How significant did you think that change of account 19 was?</p> <p>20 <b>A. Oh, big time. I thought it was very important to the 21 investigation.</b></p> <p>22 Q. I think it was suggested to you that you had led 23 Stephen Port as regards Anthony having taken 24 an overdose. 25 <b>A. I suggested it was an option, yes.</b></p> <p style="text-align: center;">Page 134</p>	<p>1 MR O'CONNOR: Madam, I don't have any further questions. 2 THE CORONER: There are some questions from the jury. 3 I have looked at them again, members of the jury, some 4 of them have been answered during the course of this 5 afternoon's evidence so I am not going to repeat those. 6 Some are not for this witness, but I have kept them and 7 we will ensure they are answered later. 8 Questions from THE JURY 9 THE CORONER: Of the remaining ones. 10 Do you feel that you may have given Port the idea or 11 the avenue for stating that this was an accident?</p> <p>12 <b>A. No, I felt that was an opportunity for him just to talk. 13 Certainly it wasn't to give him an out as to what his 14 actions were, no.</b></p> <p>15 THE CORONER: Do you feel the fact that you had already 16 worked over your allocated hours may have affected the 17 way you conducted the interview?</p> <p>18 <b>A. Not consciously, but obviously subconsciously you are 19 going to be tired. There are going to be effects, but 20 I always try to ensure I do as good a job as I can do.</b></p> <p>21 THE CORONER: Why did you stop it when you did?</p> <p>22 <b>A. We had been going for about an hour and 45, and I felt 23 that was probably the best time -- I couldn't continue 24 for too long with the interview, I was worried about 25 whether I was going to -- because we are governed by</b></p> <p style="text-align: center;">Page 136</p>

34 (Pages 133 to 136)

1 **PACE, I wasn't sure how much longer I could go**  
 2 **an interview for without breaching it. But also**  
 3 **I needed a rest, I had been going for an hour and 45, if**  
 4 **there were things I needed to look at, I would have**  
 5 **needed to have stepped away at that point and have**  
 6 **a think about it.**  
 7 **But also I think Mr Port needed a rest, he had been**  
 8 **there for a while.**  
 9 **And with the change in the account, and I believed**  
 10 **that Eugene was going to go to see the murder team**  
 11 **again, and I think that information and that (Inaudible)**  
 12 **account would have been important for those discussions**  
 13 **to build upon for him.**  
 14 **So a multitude of things really, yes.**  
 15 THE CORONER: Thank you.  
 16 As far as I am concerned that has covered the  
 17 relevant questions, thank you.  
 18 MR O'CONNOR: If I may ask one question arising out of that  
 19 for clarity.  
 20 THE CORONER: Of course.  
 21 Further questions from MR O'CONNOR  
 22 MR O'CONNOR: Officer, you said you were covered by PACE,  
 23 just so the jury understand are you referring to the  
 24 rules which you have to operate under to provide for the  
 25 fairness of the process of interviewing suspects?

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1 **A. Yes, I forgot to say that, yes, the Police and Criminal**  
 2 **Evidence Act 1984 governs the way we should operate**  
 3 **within an interview, so there are all sorts of**  
 4 **conditions we have to follow.**  
 5 Q. As part of that, one very obvious thing, an interview  
 6 must not go on too long?  
 7 **A. Yes, I think it is two hours, I have had a subsequent**  
 8 **read and it is two hours should be the guidance of when**  
 9 **you should -- and then they should have a break**  
 10 **according to their needs and according to the time of**  
 11 **when they are breaking. So, yes.**  
 12 **MR O'CONNOR: Thank you.**  
 13 THE CORONER: Thank you very much, Mr Desai.  
 14 Members of the jury, we will stop there for today  
 15 and start again at 10.00 tomorrow morning.  
 16 (4.07 pm)  
 17 (The inquests adjourned until 10.00 am the following day)

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35 (Pages 137 to 138)

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