

<p>1 Friday, 15 October 2021</p> <p>2</p> <p>3 MR MARTIN O'DONNELL (sworn)2</p> <p>4 Questions from MR O'CONNOR2</p> <p>5 Questions from MS HILL120</p> <p>6 Questions from DR VAN DELLEN142</p> <p>7 Questions from MR BERRY146</p> <p>8 Questions from THE JURY161</p> <p>9 Statement of MR JASON GREY (read)170</p> <p>10 Statement of MR CLIFFORD HAINES173</p> <p>11 (read)</p> <p>12 MR ANDREW KELLY (sworn)182</p> <p>13 Questions from MS COLLIER182</p> <p>14 Questions from MS DOBBIN203</p> <p>15 Questions from MR BERRY209</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 1</p>	<p>1 A. I think it was probably about three years later, when</p> <p>2 I moved to Barking and Dagenham.</p> <p>3 Q. The precise dates don't matter, but some time around</p> <p>4 perhaps 2010?</p> <p>5 A. Yes, 2010/2011, I think it was.</p> <p>6 Q. First of all you transferred from the uniform branch to</p> <p>7 CID?</p> <p>8 A. That's right, yes.</p> <p>9 Q. As a sergeant?</p> <p>10 A. That's right, yes.</p> <p>11 Q. Secondly, you moved to Barking and Dagenham borough?</p> <p>12 A. That's right, yes.</p> <p>13 Q. So, as you know, the questions I ask you today will be</p> <p>14 focused on the period of 2014/2015 and it would be right</p> <p>15 then, that at that time, you had been first of all a CID</p> <p>16 sergeant for something in the order of four years?</p> <p>17 A. That's right, yes.</p> <p>18 Q. Secondly, that you had been working in the Barking and</p> <p>19 Dagenham borough for about the same time?</p> <p>20 A. That's right, yes.</p> <p>21 Q. Are you still a police officer with the</p> <p>22 Metropolitan Police?</p> <p>23 A. That's right, yes, still a detective sergeant.</p> <p>24 Q. Still a detective sergeant?</p> <p>25 A. That's right, yes.</p> <p style="text-align: center;">Page 3</p>
<p>1</p> <p>2 (10.00 am)</p> <p>3 (In the presence of the jury)</p> <p>4 THE CORONER: Good morning, members of the jury.</p> <p>5 MR O'CONNOR: Could we please call DS Martin O'Donnell.</p> <p>6 MR MARTIN O'DONNELL (sworn)</p> <p>7 Questions from MR O'CONNOR</p> <p>8 MR O'CONNOR: Do please take a seat.</p> <p>9 A. Thank you.</p> <p>10 Q. Could you give us your full name, please?</p> <p>11 A. Yes, it is Martin O'Donnell.</p> <p>12 Q. Mr O'Donnell, you joined Essex Police, I think, in 2001?</p> <p>13 A. That's correct, yes.</p> <p>14 Q. Was that as a uniformed constable?</p> <p>15 A. That's right, yes.</p> <p>16 Q. You transferred to the Metropolitan Police three years</p> <p>17 later in 2004?</p> <p>18 A. Correct, yes.</p> <p>19 Q. Still as a constable?</p> <p>20 A. That's right, yes.</p> <p>21 Q. You say in one of the statements you have made that you</p> <p>22 were then promoted to a substantive sergeant rank in</p> <p>23 2007?</p> <p>24 A. That's right, yes.</p> <p>25 Q. At what stage did you join CID?</p> <p style="text-align: center;">Page 2</p>	<p>1 Q. Mr O'Donnell, I have been asking some of the witnesses</p> <p>2 who the jury have been hearing questions which are</p> <p>3 focused on a particular day or a particular week of</p> <p>4 their involvement in the investigation into</p> <p>5 Anthony Walgate's death.</p> <p>6 A. Right.</p> <p>7 Q. As you will appreciate, with you, as indeed, as the jury</p> <p>8 heard from Mr Parish yesterday and the day before, the</p> <p>9 time span of the questions is going to be a lot longer</p> <p>10 than that.</p> <p>11 A. Right, yes.</p> <p>12 Q. Because you were involved in one way or another in the</p> <p>13 investigation into Anthony Walgate's death for many</p> <p>14 months, were you not?</p> <p>15 A. Yes, that's correct, yes.</p> <p>16 Q. All of those events took place a long time ago, seven</p> <p>17 years or more. Do you still have a memory of what you</p> <p>18 were doing at that time?</p> <p>19 A. Yes, yes I was in the main office of the CID at that</p> <p>20 time, yes.</p> <p>21 Q. As I said to others, I know you have some witness</p> <p>22 statements that you made and they were not actually made</p> <p>23 at the time but they were made closer to the time, so if</p> <p>24 you want to refer to them, please do say so and we will</p> <p>25 arrange for you either to look at the copies you have</p> <p style="text-align: center;">Page 4</p>

<p>1 got or for them to be brought up on screen.</p> <p>2 A. Thank you.</p> <p>3 Q. Before I get into the detail of the events of that time,</p> <p>4 I just want to start by asking you about three general</p> <p>5 matters.</p> <p>6 The first is just to get a sense of your place in</p> <p>7 Barking and Dagenham CID. This is an exercise we have</p> <p>8 done with many of the other witnesses and the jury will</p> <p>9 be expecting me to ask you to look at tab 4, please, of</p> <p>10 the smaller bundle, or it will be brought up on screen.</p> <p>11 It is INQ41, please.</p> <p>12 Mr O'Donnell, this is an organogram, a chart, which</p> <p>13 just shows in very simplified form how certain of the</p> <p>14 officers in Barking and Dagenham related to each other.</p> <p>15 It is not an attempt to show everyone -- I am sure you</p> <p>16 could tell us a lot more officers than this, but we can</p> <p>17 see, can't we, that on the left-hand side of the page we</p> <p>18 have the CID officers?</p> <p>19 A. That's right, yes.</p> <p>20 Q. At the top of the tree, as it were, is DCI Kirk and</p> <p>21 below him, do we see the names of two DIs, or acting</p> <p>22 DIs, DI McCarthy and DI Schamberger?</p> <p>23 A. That's right, yes.</p> <p>24 Q. Then below them do we see the names of three detective</p> <p>25 sergeants?</p> <p style="text-align: center;">Page 5</p>	<p>1 Q. He said it was a bit like this room with desks?</p> <p>2 A. Very much so, yes.</p> <p>3 Q. You sat fairly close to each other?</p> <p>4 A. We were pretty close, yes.</p> <p>5 Q. He did add the important point that of course with the</p> <p>6 shift patterns one should not assume you were all</p> <p>7 sitting next to each other at the same time --</p> <p>8 A. Not at all.</p> <p>9 Q. -- there might be periods of time when you were on</p> <p>10 different shifts or someone was at court, so you might</p> <p>11 not see them for several days?</p> <p>12 A. That's right, yes. And, as well, Eugene had</p> <p>13 responsibility for running the community safety unit, so</p> <p>14 he would sometimes be out of the office dealing with</p> <p>15 other things, other meetings and what have you.</p> <p>16 Q. Thank you.</p> <p>17 The next point I just want to ask you about, as</p> <p>18 I say, before we get into the detail, really focuses on</p> <p>19 your role, your formal role into the investigation into</p> <p>20 Anthony's death.</p> <p>21 Perhaps we can look, please -- again this is going</p> <p>22 to be brought up on screen, but for the jury, this is</p> <p>23 the CRIS, so tab 2 of the large jury bundle. For the</p> <p>24 screen, please, it is IPC35.</p> <p>25 This is a very lengthy document and we have been and</p> <p style="text-align: center;">Page 7</p>
<p>1 A. That's correct, yes.</p> <p>2 Q. Debbie Turrell, Peter Sweetman, both of whom the jury</p> <p>3 will hear from in due course --</p> <p>4 A. And myself.</p> <p>5 Q. -- and thirdly you?</p> <p>6 A. That's correct, yes.</p> <p>7 Q. Then underneath we see some detective constables. Just</p> <p>8 help us with this, there are actually lines, arrows</p> <p>9 which suggest that you worked closely with DC Desai, who</p> <p>10 the jury heard from yesterday, and DC Parish also and</p> <p>11 that DS Sweetman and DS Turrell worked with those other</p> <p>12 officers whose names are on the left. Is that right?</p> <p>13 A. That's right, yes, Dave Parish and Nainesh were in my</p> <p>14 team, so I had immediate line manager responsibility for</p> <p>15 them. From memory Paul Slaymaker was in the same</p> <p>16 building but in a different office, he was in the</p> <p>17 serious inquisitive crime unit and I can't remember</p> <p>18 where Jackie and Paul and Yinka were at the time as</p> <p>19 well, but they were all part of the same unit, if you</p> <p>20 like.</p> <p>21 Q. Before we leave this, I think it was Mr Desai who told</p> <p>22 us that in terms of the working environment, you,</p> <p>23 DI McCarthy, and he and Mr Parish, all worked in the</p> <p>24 same space?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 6</p>	<p>1 we will need to dip into parts of it --</p> <p>2 A. Sure.</p> <p>3 Q. -- but in fact for these purposes it is the very front</p> <p>4 page I want to ask you about.</p> <p>5 A. Sure.</p> <p>6 Q. Do you see about halfway down, there is a bold heading,</p> <p>7 just three letters, "OIC"?</p> <p>8 A. That's right, yes.</p> <p>9 Q. What do those letters stand for?</p> <p>10 A. That stands for the officer in charge of the case and it</p> <p>11 generally means the officer who has responsibility for</p> <p>12 progressing the investigation.</p> <p>13 Q. I think, tell me if I have understood this right, if we</p> <p>14 go to the bottom of the page, do we see -- well, before</p> <p>15 I say that, essentially is this a list of the people who</p> <p>16 have ever been designated as officer in the case?</p> <p>17 A. That's right, yes.</p> <p>18 Q. We see the first officer in the case was in fact</p> <p>19 Constable Benson, who became the officer in the case --</p> <p>20 this is the not the far right-hand entry but the one</p> <p>21 next to it, on 19 June, the day that Anthony's body was</p> <p>22 found at 10.36.</p> <p>23 Then, moving up one, we see that in fact Inspector</p> <p>24 McCarthy was designated as the officer in the case,</p> <p>25 taking over from Ms Benson a few hours later, at 1.30 in</p> <p style="text-align: center;">Page 8</p>

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<p>1 the afternoon, yes?</p> <p>2 A. That's right, yes.</p> <p>3 Q. Then on the same day, you became the officer in the case</p> <p>4 at 5.15 in the afternoon?</p> <p>5 A. That's right.</p> <p>6 Q. Then we see that in fact, as far as this list is</p> <p>7 concerned, you remained the officer in the case then for</p> <p>8 seven months or so until 17 January 2015?</p> <p>9 A. That's right, yes.</p> <p>10 Q. That is a date that we will be come back to later in the</p> <p>11 morning.</p> <p>12 A. Yes.</p> <p>13 Q. For all of that time you were the officer in the case?</p> <p>14 A. That's right, yes.</p> <p>15 Q. The way I think you just described it is that the</p> <p>16 officer in the case is the person who is in charge of</p> <p>17 progressing the investigation?</p> <p>18 A. That's right, yes.</p> <p>19 Q. We heard from Mr Parish, who was, as we have seen from</p> <p>20 the chart, one of your subordinates, you would task him</p> <p>21 to do things and we heard on a number of occasions him</p> <p>22 saying, "Well, I wouldn't have done that unless I was</p> <p>23 told to by Mr O'Donnell".</p> <p>24 A. That is true.</p> <p>25 Q. No doubt you will give evidence about Inspector</p> <p style="text-align: center;">Page 9</p>	<p>1 Q. I think we are all getting used to the names.</p> <p>2 A. Yes.</p> <p>3 Q. Thank you.</p> <p>4 The third general matter I wanted to address with</p> <p>5 you, because I think it is important to get it clear at</p> <p>6 the start, is just to get a sense of when you were and</p> <p>7 were not in the office. The jury have now heard a lot</p> <p>8 of evidence about the events of the first week or so --</p> <p>9 A. Okay, yes.</p> <p>10 Q. -- after Anthony's body was discovered. I think we need</p> <p>11 to just get it understood right from the start when you</p> <p>12 were around --</p> <p>13 A. Sure.</p> <p>14 Q. -- and when you were not around.</p> <p>15 A. Okay.</p> <p>16 Q. Just for that period of time.</p> <p>17 A. Sure.</p> <p>18 Q. Let me take you through it and tell me if I have this</p> <p>19 right, but I hope I have because I have taken it from</p> <p>20 your witness statement.</p> <p>21 A. Sure.</p> <p>22 Q. Thursday 19 June, which is the day Anthony's body was</p> <p>23 discovered early in the morning, you were not on duty?</p> <p>24 A. That's correct, yes.</p> <p>25 Q. The next day, Friday, 20 June, which was the day amongst</p> <p style="text-align: center;">Page 11</p>
<p>1 McCarthy. Would it be right to say that he had a more</p> <p>2 strategic role in terms of charting or making decisions</p> <p>3 about the direction of the investigation?</p> <p>4 A. That's right, yes, he was -- sorry, carry on -- I was</p> <p>5 going to say, he was in regular contact, or at least</p> <p>6 contact with the major investigation team, so, yes, he</p> <p>7 would pass down, like you say, the strategic nature or</p> <p>8 direction and actions as well that he wanted carried</p> <p>9 out.</p> <p>10 Q. Yes, but he would have relied on you to get those</p> <p>11 actions done --</p> <p>12 A. That's right, yes, he would have expected me to --</p> <p>13 Q. -- in the meantime.</p> <p>14 A. Yes, that's right.</p> <p>15 Q. I mentioned in passing Chief Inspector Kirk, who was two</p> <p>16 above you?</p> <p>17 A. That's right.</p> <p>18 Q. Did you have any routine contact with him about this</p> <p>19 case?</p> <p>20 A. No, not really much at all. I can remember about two</p> <p>21 occasions where I specifically went into his office to</p> <p>22 discuss it but, no, it was mainly regular sort of</p> <p>23 discussions in the office with Eugene, really.</p> <p>24 Q. Eugene McCarthy?</p> <p>25 A. That's right, yes.</p> <p style="text-align: center;">Page 10</p>	<p>1 other things the post mortem took place, you were on</p> <p>2 duty?</p> <p>3 A. That's correct, yes.</p> <p>4 Q. We will hear that you attended the post mortem?</p> <p>5 A. That's right, yes.</p> <p>6 Q. The weekend, Saturday, Sunday and in fact the Monday,</p> <p>7 again you were on duty those days?</p> <p>8 A. That's right, yes.</p> <p>9 Q. The Tuesday you weren't on duty.</p> <p>10 The Wednesday, which was a day that we will hear</p> <p>11 something about, you were back?</p> <p>12 A. Hmm.</p> <p>13 Q. But then the jury will recall that the Thursday and</p> <p>14 Friday, at the end of that week, were busy days --</p> <p>15 A. Hmm.</p> <p>16 Q. -- the days when a warrant was obtained to search</p> <p>17 Stephen Port's premises --</p> <p>18 A. Yes.</p> <p>19 Q. -- he was arrested. He was interviewed, both on the</p> <p>20 Thursday and then again on the Friday. And there were</p> <p>21 those discussions going on about primacy?</p> <p>22 A. Yes.</p> <p>23 Q. But you were not on duty on the Thursday or the Friday?</p> <p>24 A. No, I wasn't, no.</p> <p>25 Q. In fact you were not on duty at the weekend either?</p> <p style="text-align: center;">Page 12</p>

<p>1 A. That's correct, yes.</p> <p>2 Q. But you were back on duty at the beginning of the next</p> <p>3 week, on 30 June?</p> <p>4 A. That's right, yes.</p> <p>5 Q. I am not going to take it any further, but just I think</p> <p>6 it is important because those days we have heard a lot</p> <p>7 about and of course I am not going to be asking you very</p> <p>8 much about the things that took place on those days when</p> <p>9 you were not there, for that reason?</p> <p>10 A. Okay.</p> <p>11 Q. It is for that reason I am not going to start with the</p> <p>12 19th, when Anthony's body was found --</p> <p>13 A. Right.</p> <p>14 Q. -- but I am now going to start to ask you some more</p> <p>15 detailed questions and we will start with the Friday,</p> <p>16 which was the day that you came back.</p> <p>17 Do you remember what time you would have come on to</p> <p>18 duty that day?</p> <p>19 A. It would normally be about 8.00 in the morning, we would</p> <p>20 have come into the office.</p> <p>21 Q. I assume you would have discovered about the</p> <p>22 investigation into Anthony's death?</p> <p>23 A. That's right, yes, I remember there was a folder on my</p> <p>24 computer keyboard and I opened it and it had I think the</p> <p>25 post mortem notes and a briefing. When I looked on on</p> <p style="text-align: center;">Page 13</p>	<p>1 some time later.</p> <p>2 Q. In any event, we have heard from Mr Desai that you would</p> <p>3 have had access to the CRIS?</p> <p>4 A. Yes.</p> <p>5 Q. The jury have seen that quite a few entries had been</p> <p>6 made on the CRIS on the day before about what had been</p> <p>7 found at the scene?</p> <p>8 A. That's right, yes.</p> <p>9 Q. I assume you were able to look at those?</p> <p>10 A. I didn't have much time, because we were -- I was trying</p> <p>11 to get together ... for example, I needed an exhibits</p> <p>12 officer and Dave was the only person there available,</p> <p>13 luckily he was on my team as well. So there was a fair</p> <p>14 bit of running around trying to make sure that I was</p> <p>15 prepared.</p> <p>16 Q. Yes.</p> <p>17 A. But didn't have much time to read the CRIS at all.</p> <p>18 Q. All right. You have also mentioned that Eugene had left</p> <p>19 for you the briefing that he had drafted, which the jury</p> <p>20 have seen.</p> <p>21 A. Yes.</p> <p>22 Q. In a way, that probably captured a lot of the</p> <p>23 information that was on the CRIS?</p> <p>24 A. Yes, I made sure I read that, so that gave me a good</p> <p>25 overview of what had happened.</p> <p style="text-align: center;">Page 15</p>
<p>1 the computer booking on system I saw Eugene had left me</p> <p>2 an email with the briefing for the pathologists and</p> <p>3 a brief precis of what had gone on on the previous day.</p> <p>4 Q. Did you become aware, either through an email from</p> <p>5 Eugene or otherwise, that you were actually the officer</p> <p>6 in the case for this investigation?</p> <p>7 A. Yes, that was pretty much it, yes, that we were going to</p> <p>8 a special post mortem that morning and, yes, to --</p> <p>9 basically: here it is.</p> <p>10 Q. Is that an unusual state of affairs, that you have a day</p> <p>11 off and come back to find that something has happened,</p> <p>12 that there is an investigation that is just starting and</p> <p>13 that in fact you are in charge of it and you need to go</p> <p>14 to a post mortem that day?</p> <p>15 A. I think it is unusual in respect -- if you hadn't been</p> <p>16 there at the beginning of the investigation, in terms</p> <p>17 of -- unless it was, for example, a team that were about</p> <p>18 to go into a load of rest days and there were some</p> <p>19 urgent actions needed, maybe it would be given to</p> <p>20 someone to take care of while they were off, but usually</p> <p>21 the people there at the beginning are best placed,</p> <p>22 because being at the scene at the beginning of</p> <p>23 an incident, certainly as an incident as serious as</p> <p>24 this, you learn a great more from being at the scene and</p> <p>25 from attending from the outset, rather than taking over</p> <p style="text-align: center;">Page 14</p>	<p>1 Q. Having sorted out those practical matters, you went off</p> <p>2 to attend the post mortem?</p> <p>3 A. That's right, yes.</p> <p>4 Q. The jury have heard a lot about that post mortem from</p> <p>5 a number of the other people who were present at it.</p> <p>6 A. Right.</p> <p>7 Q. As you probably know, including Dr Biedrzycki and other</p> <p>8 police officers, so I am not going to spend a lot of</p> <p>9 time questioning you about the post mortem, but I do</p> <p>10 just want to ask you about at least a couple of matters.</p> <p>11 We can do that by looking at the notes, which I think</p> <p>12 you made at the post mortem.</p> <p>13 For the jury, this is tab 17 of the large bundle.</p> <p>14 If we can bring it up on screen, please, it is IPC75.</p> <p>15 Is that a document you are familiar with?</p> <p>16 A. Yes.</p> <p>17 Q. If we can perhaps just go to the next page, again is</p> <p>18 that your handwriting?</p> <p>19 A. That's right, yes, that is.</p> <p>20 Q. In fact the questions I have for you are about the last</p> <p>21 page in this document, so could we go forward to</p> <p>22 page 13, please.</p> <p>23 The other pages, Mr O'Donnell, as you will remember,</p> <p>24 we looked at the first one, it is a pro forma, isn't it?</p> <p>25 A. That's right, yes.</p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

<p>1 Q. So you fill in the blanks?</p> <p>2 A. That's right.</p> <p>3 Q. This page is different, it looks, as far as we can see,</p> <p>4 you start just with a blank piece of paper, it may have</p> <p>5 been part of the form or it may have been another page.</p> <p>6 Can you explain to us, before we look at the detail,</p> <p>7 just what this page is and what it is you have written</p> <p>8 down and when you wrote it?</p> <p>9 A. On the left, I think you can just about see it, I think</p> <p>10 that is the time the actual post mortem started, but</p> <p>11 I think the numbers are only half visible.</p> <p>12 On the left column I think I tried to take details</p> <p>13 of what was happening at the post mortem, as much as</p> <p>14 I could. This was actually the first special post</p> <p>15 mortem I had attended in my career, bar one I was</p> <p>16 an observer at in probation. So I was sort of playing</p> <p>17 it by ear really.</p> <p>18 So I took details of what I could see was happening</p> <p>19 on the left-hand side, I think.</p> <p>20 And on the right-hand side, I think these were</p> <p>21 possibly things to do.</p> <p>22 Q. I am going to ask you about some of them but let's just</p> <p>23 take a step back. You said this was the first special</p> <p>24 post mortem you had attended, as it were, for real?</p> <p>25 A. That's it, as an investigator, yes I attended one</p> <p style="text-align: center;">Page 17</p>	<p>1 A. Yes, that's right.</p> <p>2 Q. Then underneath that, it seems to read, "Underwear</p> <p>3 inside out/back to front".</p> <p>4 A. That's right, yes.</p> <p>5 Q. We have heard from others who were there about this, but</p> <p>6 you noted that down?</p> <p>7 A. That's right, yes.</p> <p>8 Q. Did it seem to be significant?</p> <p>9 A. Yes, I think it did. Because inside out and back to</p> <p>10 front, it would appear that maybe someone had put that</p> <p>11 underwear on rather than the person, I don't think many</p> <p>12 people would --</p> <p>13 Q. Sorry, could you just repeat that?</p> <p>14 A. Sorry, yes. I felt that maybe the underwear had been</p> <p>15 put on by someone, because it is unusual for someone to</p> <p>16 put their own underwear on inside out and back to front.</p> <p>17 Maybe inside out, but --</p> <p>18 Q. Just to be clear, you thought it might have been put on</p> <p>19 by someone else?</p> <p>20 A. Possibly, yes.</p> <p>21 Q. And in the context of a suspicious death --</p> <p>22 A. That's right, yes.</p> <p>23 Q. -- that is of significance?</p> <p>24 A. Yes, that is.</p> <p>25 Q. Just on the right-hand side then, I think you said, and</p> <p style="text-align: center;">Page 19</p>
<p>1 literally in my first year as a probationer, because</p> <p>2 I felt it was something I needed to have experience of,</p> <p>3 but I hadn't actually been to one as an investigator</p> <p>4 before, no.</p> <p>5 Q. But you knew what a special post mortem was, and the</p> <p>6 jury have heard about why, both in general and in this</p> <p>7 case, it was felt necessary to have a special post</p> <p>8 mortem?</p> <p>9 A. That's right, yes.</p> <p>10 Q. You mentioned in one of your statements that -- I will</p> <p>11 read out the words you used:</p> <p>12 "At this time there was no doubt that the death was</p> <p>13 being treated as suspicious."</p> <p>14 Is that right?</p> <p>15 A. Yes. Yes.</p> <p>16 Q. Of course that is why there was a special post mortem?</p> <p>17 A. That's right, yes.</p> <p>18 Q. As you say, the list, the notes on the left-hand side,</p> <p>19 do appear to be notes you have made of observations that</p> <p>20 were made and things that became apparent during the</p> <p>21 course of the post mortem?</p> <p>22 A. Yes.</p> <p>23 Q. You have noted about seven lines down, do you see where</p> <p>24 it says:</p> <p>25 "Clothes taken/bagged."</p> <p style="text-align: center;">Page 18</p>	<p>1 it does appear to be the case, that this was some form</p> <p>2 of list of things to do?</p> <p>3 A. I think so. Either things to do or things that might</p> <p>4 have been done already. I can't be certain.</p> <p>5 Q. Do you remember when you wrote these notes -- do you</p> <p>6 think you wrote them at the post mortem or afterwards</p> <p>7 or --</p> <p>8 A. Possibly written them at the time, maybe at the end with</p> <p>9 the debrief. I can't be certain.</p> <p>10 Q. We have seen that there was a debrief with</p> <p>11 Dr Biedrzycki, and we have seen a record of Ms Kynaston,</p> <p>12 the crime scene manager, wrote down a list of the points</p> <p>13 that he made.</p> <p>14 Do you think that you may have perhaps, after you</p> <p>15 left Dr Biedrzycki, have discussed the case with others,</p> <p>16 in particular the police officers there?</p> <p>17 A. Yes, there was a DS from the MIT team there, the major</p> <p>18 investigation team, there, as well as Tony Davidson, who</p> <p>19 was assisting with the exhibits, so yes.</p> <p>20 Q. The DS was DS Southon, who the jury have heard from,</p> <p>21 tell us, do you remember talking through the case with</p> <p>22 him or do you think you might have done or --</p> <p>23 A. I don't remember talking about it in great detail,</p> <p>24 I think. No. I can't remember a conversation we had.</p> <p>25 We would have discussed it, but I don't remember</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 anything in great detail.</p> <p>2 Q. At this stage the jury will recall Stephen Port was</p> <p>3 known to the investigation, he was known as the man who</p> <p>4 had called the ambulance?</p> <p>5 A. That's right, yes.</p> <p>6 Q. He had given a statement at the scene, which the jury</p> <p>7 have had read to them and it is in their bundle. Of</p> <p>8 course there is an extract from that statement in the</p> <p>9 briefing that Mr McCarthy had prepared.</p> <p>10 A. Yes.</p> <p>11 Q. It is noticeable, Mr O'Donnell, that a number of these</p> <p>12 points on your to do list relate to Stephen Port. If we</p> <p>13 just look, perhaps can we have the document back on</p> <p>14 screen, please?</p> <p>15 Thank you.</p> <p>16 It isn't easy to read, but it looks as though,</p> <p>17 perhaps the second one down says something like,</p> <p>18 "Comments from witness Port"?</p> <p>19 A. Yes, "MG11 crime scene manager re comments from witness</p> <p>20 Port".</p> <p>21 Q. We read all that together, do we?</p> <p>22 A. Yes.</p> <p>23 Q. Then the second bullet point, does this say significant</p> <p>24 witness interview Port?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 21</p>	<p>1 intelligence means that you have available to you and we</p> <p>2 will hear more about that.</p> <p>3 A. Correct, yes.</p> <p>4 Q. Then we see a reference a few lines down to "Port</p> <p>5 flatmate", we have heard about that, that was</p> <p>6 Mr Aldwinckle, but at the very bottom of that list,</p> <p>7 there is this, Mr O'Donnell:</p> <p>8 "Port = Joe Dean."</p> <p>9 There may or may not be a question mark at the end</p> <p>10 there. What does that mean?</p> <p>11 A. I was aware of the circumstances around Port finding</p> <p>12 Anthony, or at least the circumstances as he gave them</p> <p>13 to us. I think it was just -- I found it so strange</p> <p>14 that someone would find that person and call the</p> <p>15 ambulance and then leave, very strange, very strange</p> <p>16 behaviour, and --</p> <p>17 THE CORONER: Excuse me, sorry to interrupt. One of our</p> <p>18 jurors needs an urgent break so I will let the jury go,</p> <p>19 briefly. Do go.</p> <p>20 It is probably best, members of the jury, if you all</p> <p>21 go and we will get you back when we are ready.</p> <p>22 (Proceedings continued in the absence of the jury)</p> <p>23 (10.26 am)</p> <p>24 (A short adjournment)</p> <p>25 (10.40 am)</p> <p style="text-align: center;">Page 23</p>
<p>1 Q. Help us with that, because by this stage, of course, the</p> <p>2 day before an officer had been to Mr Port's flat and</p> <p>3 taken a statement from him, does this anticipate</p> <p>4 a different exercise?</p> <p>5 A. I think -- I honestly cannot remember who might have</p> <p>6 said that with regards to taking a significant witness</p> <p>7 interview with, yes, with Stephen Port.</p> <p>8 Q. You seem to have written it down?</p> <p>9 A. Yes, yes, so I think it would have been probably advised</p> <p>10 by either the MIT DS or the-- or possibly the CSM. More</p> <p>11 than likely the MIT DS, I think.</p> <p>12 Q. All right.</p> <p>13 Then just going down, do you see there are two</p> <p>14 entries that say, "PNC print DEC and IIP DEC"?</p> <p>15 Does that relate to intelligence enquiries that you</p> <p>16 might make in relation to Anthony Walgate, deceased, the</p> <p>17 "DEC"?</p> <p>18 A. That's right, yes.</p> <p>19 Q. But then underneath "IIP Port"?</p> <p>20 A. That's right, yes.</p> <p>21 Q. Are you thinking there of undertaking intelligence</p> <p>22 checks in relation to Stephen Port?</p> <p>23 A. Yes, that's right.</p> <p>24 Q. The jury have heard that I think IIP stands for</p> <p>25 "integrated intelligence platform", but it's one of</p> <p style="text-align: center;">Page 22</p>	<p>1 (In the presence of the jury)</p> <p>2 THE CORONER: Can we have DS O'Donnell back, please?</p> <p>3 MR O'CONNOR: Yes, can we have back on screen, please,</p> <p>4 IPC75, page 13.</p> <p>5 Mr O'Donnell, you will remember we were just looking</p> <p>6 at these notes and we were just looking towards the</p> <p>7 bottom on the right-hand side at "Port = Joe Dean" and</p> <p>8 you were saying that it just seemed very odd to you that</p> <p>9 Stephen Port had called the ambulance and then not</p> <p>10 stayed to see them. Do carry on.</p> <p>11 A. It was just a spontaneous thought I think, in that --</p> <p>12 and I wrote it down, that was just it, really, it was so</p> <p>13 strange and, if that -- I think that note was probably</p> <p>14 made at the end of the post mortem, we were aware and</p> <p>15 apologies if I am jumping ahead a little bit here, we</p> <p>16 were made aware of some bruises under his armpits, that</p> <p>17 I thought to myself might be consistent with him being</p> <p>18 moved.</p> <p>19 I just started to maybe make a little bit of</p> <p>20 a picture, so, yes, it was just a thought that entered</p> <p>21 my head, that I thought I would write down.</p> <p>22 Q. Let's just hold that thought and look at another</p> <p>23 document which for the jury is the next tab, tab 18 of</p> <p>24 the bundle. For the screen, IPC525.</p> <p>25 You may or may not remember this, Mr O'Donnell, this</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 is the HAT report that was prepared after the post 2 mortem by DS Southon, yes?</p> <p>3 A. Yes.</p> <p>4 Q. Would you have seen that at the time?</p> <p>5 A. Yes, or a short time afterwards. He would have prepared 6 it after the post mortem, yes.</p> <p>7 Q. If we can go over to the second or -- sorry, if we just 8 look at the first page, if we could go back to the first 9 page, we see just about three or four lines up from the 10 bottom:</p> <p>11 "There is a suspicion that the person who alerted 12 police to Walgate on the 19th [that is Stephen Port] may 13 have been Walgate's client [that is Joe Dean]."</p> <p>14 We see there DS Southon expressing the same thought 15 as you. Do you think you may have discussed it at the 16 hospital or did you simply both have the same thought, 17 do you think?</p> <p>18 A. Possibly, yes. Possibly. We didn't really talk much 19 while it was happening, because obviously we wanted to 20 pay attention to what Dr Biedrzycki was saying, but 21 afterwards, yes, we chatted about what we had seen.</p> <p>22 Q. It probably doesn't matter much whether you both had the 23 same thought or you discussed it. The point is --</p> <p>24 A. We both came to it.</p> <p>25 Q. -- here is a suspicious death and what you are</p> <p style="text-align: center;">Page 25</p>	<p>1 central recording document where people who are working 2 on the investigation or may come to it later --</p> <p>3 A. That's right.</p> <p>4 Q. That is their resource, isn't it, to understand what has 5 happened and what is important?</p> <p>6 A. No, you are right. Yes, that's right.</p> <p>7 Q. The record that we were just looking at was 8 a handwritten document, I am sure you would have filed 9 it somewhere. But, for example, Mr Desai coming on 10 board next week to interview Stephen Port, he wouldn't 11 have seen your notes of the post mortem, would he?</p> <p>12 A. No, that's right.</p> <p>13 Q. He would have looked at the CRIS?</p> <p>14 A. That's right, yes.</p> <p>15 Q. When he looked at the CRIS, he wouldn't have seen 16 anything about the underpants?</p> <p>17 A. That's right.</p> <p>18 Q. Even though you thought that that might have suggested 19 that someone else had put the underpants on Anthony. So 20 it should have been there, shouldn't it?</p> <p>21 A. It should have been there.</p> <p>22 Q. Mr O'Donnell, what about your thought that Stephen Port 23 might be Joe Dean, we don't see any mention of that 24 either?</p> <p>25 A. No. It is possible that I would have held back on</p> <p style="text-align: center;">Page 27</p>
<p>1 contemplating is the fact the person who called the 2 ambulance may actually have been lying to the police and 3 may have been someone who knew Anthony?</p> <p>4 A. That's right, yes.</p> <p>5 Q. And that is something of real potential significance to 6 the investigation.</p> <p>7 A. That's right, yes.</p> <p>8 Q. Let's take that document down, please, and look at the 9 CRIS. For the jury, that is back to tab 2. For the 10 screen it is IPC35. If we can go to page 71, please. 11 Do see at the top the date is 20 June, that's the 12 Friday, the day of the post mortem?</p> <p>13 A. That's right.</p> <p>14 Q. It is late afternoon now, it is 5.40 in the evening, do 15 you see that?</p> <p>16 A. Yes.</p> <p>17 Q. Here is your entry recording the special post mortem, 18 much of it is familiar, Dr Biedrzycki, the people who 19 were there, the fact that the result was inconclusive 20 and had to await analysis. You have listed some points 21 that the pathologist commented on. You haven't listed 22 anything about the underpants?</p> <p>23 A. No, no, I don't know why. That seems to be a bit of 24 an oversight I think. No.</p> <p>25 Q. The CRIS is, as we have heard from you and Mr Desai, the</p> <p style="text-align: center;">Page 26</p>	<p>1 putting it on the CRIS because it was, you know, 2 a speculative thought. And I would probably want to put 3 some substance behind it and I knew for the next few 4 days we were going to try and establish whether or not 5 that was the case.</p> <p>6 So I thought we would probably get there in the end, 7 but I can't remember making a conscious decision not to 8 put it on there, if that makes sense.</p> <p>9 Q. If you had been taken sick or someone else came to look 10 at this, they wouldn't have known about that thought of 11 yours?</p> <p>12 A. No, I understand, yes.</p> <p>13 Q. In any event then, we know from the chronology that 14 I went through, you were in fact working over that 15 weekend and I am sure you knew you were going to?</p> <p>16 A. That's right, yes.</p> <p>17 Q. If we just carry on in this document, if we go to 18 page 73, please, in the middle of the page, it is 19 page 73, we heard that Kiera Brennan had tried to 20 contact you and left a message for you to ring back. So 21 we see on the Saturday the 21st, mid morning, 11.00 or, 22 so, you tried to ring her and left a message with her 23 and you entered that on the CRIS?</p> <p>24 A. That's right.</p> <p>25 Q. Then towards the bottom of the page, we see an entry by</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 DC Parish, that was his attempt to go to Anthony's flat 2 but he couldn't get in because he didn't have the key? 3 A. That's right. 4 Q. If you go over the page, we can see there are some 5 entries, we now have to jump -- DP Parish went to the 6 flat on the Sunday and we are now on ... you see some 7 more entries on the Sunday from DP Parish about the 8 Oyster card, and then we go on to the Monday again, 9 again DP Parish. Then we see at 2.30 in the 10 afternoon -- I am now looking at the bottom of page 74, 11 an entry you made about speaking to Sarah Sak. 12 A. That's right, yes. 13 Q. That has taken us through Saturday, Sunday and Monday. 14 At least from the CRIS there is nothing that you seem to 15 have done to advance this question of whether 16 Stephen Port might have been Joe Dean? 17 A. No, that is clearly correct. I think at that time I had 18 started the CIU enquiries, the communication 19 investigation unit enquiries, into the telephone. 20 I thought the best way of trying to see who or where 21 Anthony went was to track his phone, as well as that 22 would also give us an idea of who he called, who called 23 him. So I made that a priority and that was -- those 24 were all electronic forms online that I would have done 25 at that time.</p> <p style="text-align: center;">Page 29</p>	<p>1 progress this matter sufficiently for a coroner's 2 inquest." 3 Just pausing there, are you still investigating 4 a suspicious death? 5 A. Yes. Yes, I am. 6 Q. If you are investigating a suspicious death, why do you 7 refer to a coroner's inquest? 8 A. It is difficult to explain that. I think I had possibly 9 been contacted by the coroner's officer, but I was 10 definitely carrying on investigating if there was any 11 criminal involvement in Anthony's death. 12 Q. Right. 13 A. I am not sure why I put that, to be honest. 14 Q. It was still at a very early stage of the investigation; 15 was it not? 16 A. Definitely, yes. 17 Q. We see then some entries regarding mobile phone records, 18 the fact that his mobile phone hadn't been recovered, 19 movements on public transport. You have mentioned you 20 wanted to try and find out where Anthony travelled and 21 when he got there. 22 Social media activity, you refer to the fact that 23 you are going to search his room in Golders Green, you 24 had already tried once and you were planning to go back, 25 to recover his laptop computer and any other relevant</p> <p style="text-align: center;">Page 31</p>
<p>1 Q. I see. 2 One of the things on that action list was 3 an interview with Mr Port, Stephen Port? 4 A. That's right, yes. 5 Q. Is that something you considered doing? 6 A. I thought -- obviously considered it. I thought we 7 would try and establish a route of travel or a meeting 8 through his phone and the Oyster card, that was, you 9 know, those enquiries were already progressing, in order 10 to be able to possibly challenge him at a later date or 11 have some substantive evidence, the fact that they met 12 up or Anthony travelled to Barking. 13 Q. If we can turn over in the CRIS, please, to page 76, 14 there is an entry here by you, again about 2.30 in the 15 afternoon on the Monday. Then we see a title saying 16 "Exhibits" and then underneath that another title 17 "Investigation strategy"? 18 A. Right. 19 Q. Was this the time when you put down on the CRIS what 20 your plan was, as it were? 21 A. Yes, I think it would have been -- yes, a narrative of 22 what I was planning to do. 23 Q. What you say is: 24 "Considering the HAT advice to date, I have 25 determined the following enquiries are required to</p> <p style="text-align: center;">Page 30</p>	<p>1 items: 2 "This [I take it you mean Anthony's laptop] will be 3 sent for analysis." 4 That is a very standard investigative technique; is 5 it not? And you also refer to open source -- 6 THE CORONER: Do you agree? 7 A. Sorry, yes. 8 MR O'CONNOR: You also refer to open source enquiries, 9 financial enquiries, "We will look at his account ..." 10 That is Anthony Walgate's account, is it? 11 A. Accounts, yes, sorry, yes, I think so. 12 Q. "Further local enquiries, we have details of a potential 13 client he met that week." 14 Who would that be? 15 A. I think that possibly is referring to Port, I am not 16 entirely sure. 17 Q. Well, we will come back to that but just seeing that 18 there is an entry relating to pathology, the submission 19 of swabs -- finally, can we just go over the page, 20 I should have said. 21 Yes, sorry, I probably asked you a question when you 22 didn't have it in front of you on the screen, so let's 23 go back to it. 24 A. Got it. 25 Q. "We have details of a potential client [we can now see]</p> <p style="text-align: center;">Page 32</p>

<p>1 he met that week, so we will attempt to contact them if 2 the details prove to be genuine." 3 A. Okay. 4 Q. A potential client who Anthony met that week? 5 A. I think, yes, that is possibly referring to Port, or who 6 we thought might be Port. 7 Q. Then, for completeness, reference to pathology and the 8 appointment of an FLO, a family liaison officer. 9 Again, let me ask you this, Mr O'Donnell, there is 10 nothing here about, at least explicitly, that thought 11 you had had three days earlier about Stephen Port 12 possibly being Joe Dean. Nothing recorded in any event 13 about any steps you had been taking to try and advance 14 that, what you agree is potentially a very significant 15 matter? 16 A. Yes, I thought the phone work, because we knew Port 17 lived in Barking, I thought the phone work may indicate 18 that he called Port or certainly travelled to Barking 19 and I thought that was probably the quickest way of 20 establishing that kind of connection with Port. 21 Q. So the words, "So we will attempt to contact them if the 22 details prove to be genuine", you thought the details 23 might not prove to be genuine? 24 A. In terms -- I think we had like Joe Dean and we had 25 a false address for him or a different address for him,</p> <p style="text-align: center;">Page 33</p>	<p>1 around -- I can't remember now whether it was the entire 2 period since the 19th, but certainly he was also in the 3 office on the Wednesday? 4 A. Okay, yes. 5 Q. That was a day on which the investigation moved forward, 6 was it not? 7 A. I believe so. 8 Q. We have heard that on that day Mr Parish went back to 9 Anthony's flat to gain entry to it, this time with a key 10 from the landlord. 11 A. Yes. 12 Q. We have seen that while he was there, he asked, or 13 someone asked, China Dunning to go to the flat so she 14 could see if everything was there or anything had been 15 disturbed? 16 A. That's right. 17 Q. It was while he was there that someone asked the 18 officers who were with her, someone to show her 19 a photograph of Stephen Port and ask her if it was the 20 same as the picture she had seen of Anthony's client? 21 A. Yes. 22 Q. Do you remember all that happening? 23 A. Yes, yes, that was me. I asked -- 24 Q. That was going to be my next question, so it was you 25 who set that process in train?</p> <p style="text-align: center;">Page 35</p>
<p>1 so at the time -- 2 Q. Forget the address, what about the name? 3 A. The Joe Dean name? 4 Q. You thought that Joe Dean wasn't the real name of 5 Anthony's client? 6 A. Yes, I thought definitely that was possible. 7 Q. What you are writing here is that we will attempt to 8 contact Joe Dean if his details are genuine? 9 A. Inasmuch as probably attend the address to find out 10 whether there was a Joe Dean there, is I think what 11 I meant by that statement. 12 Q. I don't want to get into -- I am not interested in the 13 precise drafting, but do you agree with me that this 14 report or strategy doesn't seem to make very clear to 15 anyone reading it that point that you had thought of on 16 Friday, that you thought Stephen Port might be Joe Dean? 17 A. That's right, yes. 18 Q. Let's move forward, Mr O'Donnell. We can take this off 19 the screen for the moment. That was the Monday, and we 20 saw it was Monday afternoon you set that strategy. You 21 weren't in the office on Tuesday? 22 A. No. 23 Q. But you were back in the office on Wednesday? 24 A. Yes, I believe so. 25 Q. I think we will hear that Mr McCarthy hadn't been</p> <p style="text-align: center;">Page 34</p>	<p>1 A. Yes, I mean once I realised that he had shared details 2 of the person with China, and actually showed her 3 a photo, I thought then that was the quickest way to 4 then determine whether or not the client Joe Dean was 5 Stephen Port. 6 Q. How was it that you realised that Anthony had shown 7 China a photograph? 8 A. I think it is from -- I forget who she spoke to, but she 9 mentioned that he had shown her the photo of the person 10 that he was going to see and given her the address. 11 I think it was an arrangement he used to make, with 12 regards to the time he used to arrive and the time 13 afterwards, with his friends. Obviously he did so with 14 China on this occasion. 15 So I thought, if she had seen the photo of the 16 person he was going to see, and she could remember it, 17 it was, you know, it was a good idea to see if she could 18 recognise it. 19 Q. Yes, a very effective way of trying to see if that 20 suspicion was founded. 21 Let's just go back to the CRIS please, and look at 22 page 67. IPC35, page 67. 23 This is a record dated 19 June, so before you were 24 involved in the case. 25 A. Yes.</p> <p style="text-align: center;">Page 36</p>

<p>1 Q. The jury have seen it. It is a record of what 2 China Dunning told to police officers at Golders Green 3 police station when she reported Anthony missing. 4 It is all set out there, what she knew about 5 Joe Dean, the fact that Anthony had requested those 6 details. Then if we look over the page, please, at 7 page 68, we see that this is China Dunning telling the 8 police: 9 "Joe Dean also sent a photo, which was of a white 10 male, 28 to 30 years, possible acne scars, who was of 11 skinny muscular build, spikey blond hair ..." 12 A. Yes. 13 Q. That was on the CRIS as of 19 June. 14 Was it that that made you think that it would be 15 a good idea to show the photo to China? 16 A. I think so, yes. Because she had clearly seen a photo 17 that he had sent Anthony before they met. 18 Excuse me. 19 Q. That is obviously something you could have done on the 20 Friday, the Saturday, the Sunday, or the Monday, because 21 this was on the CRIS before you were even involved in 22 the case? 23 A. No, you are right, yes. 24 Q. But it didn't happen until the Wednesday? 25 A. No.</p> <p style="text-align: center;">Page 37</p>	<p>1 the very top there is a read out, isn't there, of the 2 date and the time that this document was printed? 3 A. That's right, yes. 4 Q. That is 4.01 on Wednesday, 25 June? 5 A. Yes. 6 Q. In the middle of the page we can see "Print for 7 DS O'Donnell," that's you? 8 A. That's right. 9 Q. Does that help you to locate, in terms of timing -- does 10 this show us it was about 4.00 on that day that you 11 accessed the PNC? 12 A. No, that only shows what time it was actually printed 13 out. 14 Q. Yes. 15 A. So when you ask for a printout from PNC, it sends you 16 an email, so the email could have been on -- excuse me, 17 on my email system for a few days, but I think that time 18 is the actual time I have printed it out. 19 Q. Well, certainly no later than 4.00 on that day was when 20 you were looking at the PNC? 21 A. No, certainly not, no. 22 Q. The precise time, as I say, doesn't matter. 23 Probably that document doesn't tell us really very 24 much more than that, but if we go to the next document 25 in the bundle, so it is in fact behind tab A. For the</p> <p style="text-align: center;">Page 39</p>
<p>1 Q. The photograph that you showed, or not you personally, 2 but that you sent to be shown to China Dunning, was from 3 police records? 4 A. That's right, yes. 5 Q. How did you obtain that then? 6 A. I noticed when -- when we completed a PNC search on him, 7 that he had been arrested previously. 8 Q. Yes. 9 A. So he would have had a custody image taken when he was 10 brought into the police station. So we used that image 11 to show her, to compare as the only picture we really 12 had of him. 13 Q. I was going to ask you whether the PNC check came before 14 you showed the photograph to China Dunning or after, but 15 it did seem likely that it was before because that is 16 how you got the photograph? 17 A. That's right, yes, it was before. 18 Q. Let's have a look at that, please. 19 For the jury, this is tab 22 in the same bundle that 20 we have been using. 21 For the screen, please, it is a little bit fiddly, 22 but first of all if we could have IPC49. 23 We don't need to perhaps get into the fine detail of 24 this, Mr O'Donnell, but if we go to the second page of 25 this document, please, do we see here, first of all, at</p> <p style="text-align: center;">Page 38</p>	<p>1 screen, this is INQ4, starting at page 67, please, this 2 is another -- I don't know if you are familiar with this 3 very document but, looking at it, you can see this is 4 another PNC-type print, isn't it, Mr O'Donnell? 5 A. Yes. 6 Q. I don't think this one carries your name. But if we can 7 go, please, move on, to page 69. If we can sort of 8 expand it so Mr O'Donnell can read it. You can see here 9 a line across the top, 25/06/14, so the same date and it 10 is actually the same time, 16.03? 11 A. That's right. 12 Q. Can you help us, is this then part of that same process 13 you did that day of looking at the PNC? 14 A. Yes, it is part of the record. I don't remember exactly 15 when I viewed the record, but, yes, it is part of PNC. 16 Q. We don't want to get into the fine details of how it all 17 works, but it shows us that at about that time on that 18 day -- or at least not later than that time -- you were 19 doing some work on the PNC? 20 A. That's right, yes. 21 Q. We see here Stephen Port's name, what you would have 22 done? Would you have searched under his name? 23 A. Yes, searched under name and if we had a date of 24 birth, date of birth or a rough age. 25 Q. The PNC stores records of processes against individuals?</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 A. That's right, yes.</p> <p>2 Q. On this occasion, that this document relates to,</p> <p>3 Stephen Port was arrested, was he not?</p> <p>4 A. That's correct.</p> <p>5 Q. It was the fact that he was arrested which means that it</p> <p>6 generated information which was stored on the PNC?</p> <p>7 A. That's right, yes.</p> <p>8 Q. What was he arrested for -- we see the offence "Rape of</p> <p>9 a male aged 16 years or over"?</p> <p>10 A. That's right, yes.</p> <p>11 Q. Date, New Year's Eve 2012, and the location is given as</p> <p>12 62 Cooke Street, which is an address the jury are very</p> <p>13 familiar with?</p> <p>14 A. That's correct.</p> <p>15 Q. If we go over to the next page, please, there are just</p> <p>16 a few details, a few extra details given about the</p> <p>17 details of this incident. It states:</p> <p>18 "The victim has made an allegation that DP ..."</p> <p>19 That would be "detained person", that is</p> <p>20 Stephen Port?</p> <p>21 A. That's right.</p> <p>22 Q. "... his partner, had given him poppers [drugs], and</p> <p>23 had non-consensual anal sex with him."</p> <p>24 That is all, as far as the detail is concerned.</p> <p>25 Then we see there is a reference to a CRIS report.</p> <p style="text-align: center;">Page 41</p>	<p>1 that --</p> <p>2 A. Okay.</p> <p>3 Q. -- before we do, can I ask you to look, please, at</p> <p>4 another document, in fact it is shown on the CRIS. So</p> <p>5 it is, for the jury, tab 2. For the screen, IPC35. Can</p> <p>6 we go to page 77, please.</p> <p>7 At the very bottom of this page, do we see that</p> <p>8 Mr McCarthy has made an entry at 7.45 on the evening of</p> <p>9 that Wednesday?</p> <p>10 A. Yes.</p> <p>11 Q. It is entitled "Current situation review"?</p> <p>12 A. That's right, yes.</p> <p>13 Q. Was it him that drafted this?</p> <p>14 A. Yes, it would be, yes.</p> <p>15 Q. We will see, won't we, that this document existed both</p> <p>16 on this occasion, as something that had been loaded on</p> <p>17 to the CRIS, but it was also a Word document which was</p> <p>18 updated as the investigation developed and we will look</p> <p>19 at other iterations of that document. It takes up</p> <p>20 several pages of this CRIS document, this version of it.</p> <p>21 If we can go forward to page 82, please -- I was going</p> <p>22 to say it is point 11, but it is the second of the two</p> <p>23 points 11 that I want to ask you about, where it says</p> <p>24 "Intelligence".</p> <p>25 It says as follows:</p> <p style="text-align: center;">Page 43</p>
<p>1 The jury know all about CRIS reports because we have</p> <p>2 a lengthy one relating to this, but that would be a CRIS</p> <p>3 report relating to that incident, would it?</p> <p>4 A. That's correct.</p> <p>5 Q. That is how you would have understood it?</p> <p>6 A. That's right, yes.</p> <p>7 Q. Quite apart from providing you, presumably, with a means</p> <p>8 of getting hold of a photo, this must have seemed to you</p> <p>9 to be a very significant development?</p> <p>10 A. Definitely, yes. Clearly it shows that he has been</p> <p>11 previously arrested for rape and the type of rape it</p> <p>12 was, and so I looked at the CRIS report shown there.</p> <p>13 Q. Did it also strike you that that incident had related to</p> <p>14 drugs, and Stephen Port giving the complainant, the</p> <p>15 victim, drugs?</p> <p>16 A. That's right.</p> <p>17 Q. Did you make any connection at that time in your mind</p> <p>18 with what Dr Biedrzycki had said at the post mortem</p> <p>19 about Anthony's heavy brain and lungs and that at least</p> <p>20 suggesting that there may have been a drug angle to his</p> <p>21 death?</p> <p>22 A. Obviously, yes.</p> <p>23 Q. Is that a thought that you had at the time?</p> <p>24 A. Yes.</p> <p>25 Q. You say that you looked at the CRIS. We will come to</p> <p style="text-align: center;">Page 42</p>	<p>1 "At this time, intel products have been requested on</p> <p>2 the following persons, first of all, Anthony Walgate,</p> <p>3 and secondly, Mr Stephen Port."</p> <p>4 A. Yes.</p> <p>5 Q. "Of note is that there is a previous allegation of crime</p> <p>6 against Mr Port, subsequently NFA, that he had</p> <p>7 unconsensual anal sex with a male after making him take</p> <p>8 poppers."</p> <p>9 A. Yes.</p> <p>10 Q. Pausing there, that sounds like it was taken from that</p> <p>11 document we have just looked at, that summary of the</p> <p>12 offence.</p> <p>13 Then it says:</p> <p>14 "Currently awaiting full details."</p> <p>15 A. Yes.</p> <p>16 Q. What full details were awaited?</p> <p>17 A. I don't know, because I looked at the crime report and</p> <p>18 read it, so it could be that Eugene hadn't or I hadn't</p> <p>19 shared it with Eugene or we hadn't discussed it at the</p> <p>20 time that he wrote this.</p> <p>21 Q. Your memory is that you looked at the PNC, and the</p> <p>22 summary entry we have just looked at, which refers to</p> <p>23 the CRIS for that incident. Do you think you looked at</p> <p>24 the CRIS straight away?</p> <p>25 A. Possibly, yes, I think I did.</p> <p style="text-align: center;">Page 44</p>

11 (Pages 41 to 44)

<p>1 Q. Possibly or can you not remember?</p> <p>2 A. I think I did, yes, because it had the crime reference</p> <p>3 number there, so it would have been quite easy to look</p> <p>4 up straight away.</p> <p>5 Q. At some stage presumably you told Mr McCarthy about what</p> <p>6 you had found?</p> <p>7 A. Yes. Yes.</p> <p>8 Q. Both the summary and the details from the CRIS or did</p> <p>9 you print them off and show them to him or --</p> <p>10 A. I can't remember, I would have probably discussed the</p> <p>11 details that were on the CRIS with him. He may have</p> <p>12 looked at it himself, I don't know.</p> <p>13 Q. Well, we can ask him but at any rate, at 7.45 that</p> <p>14 evening, he seems to have included the summary and says</p> <p>15 that he is still awaiting some further details.</p> <p>16 A. Yes.</p> <p>17 Q. Let's look at the CRIS for this incident, please.</p> <p>18 For the jury, it is tab 56 in the bundle, so that</p> <p>19 means it is in the second part of the bundle, please.</p> <p>20 For the screen, it is IPC23.</p> <p>21 The first thing we can note about this document,</p> <p>22 Mr O'Donnell, is if we can look at the very bottom, you</p> <p>23 see where it says page 1 of 21, and then to the left</p> <p>24 there, this copy of this document, at any rate, was</p> <p>25 printed out, or it appears, not on Wednesday, 25 June,</p> <p style="text-align: center;">Page 45</p>	<p>1 That's the name of the complainant, the victim. The</p> <p>2 jury have heard other evidence that X1 was someone who</p> <p>3 Stephen Port described as an on/off boyfriend, but this</p> <p>4 record says:</p> <p>5 "X1 stated that his ex-partner Port had given him</p> <p>6 poppers and alcohol the previous night and then had anal</p> <p>7 sex with him against his will."</p> <p>8 That is the language that we had seen in the earlier</p> <p>9 document:</p> <p>10 "X1 stated that Port kept plying him with poppers</p> <p>11 and alcohol each time he refused to have sex with him</p> <p>12 until X1 was unable to say no."</p> <p>13 Then there is reference to the couple having been in</p> <p>14 a relationship with each other for a while. Then this:</p> <p>15 "However X1 states that on a few occasions he has</p> <p>16 felt pressured into sexual activity. This is not the</p> <p>17 first time that Port has used drugs and alcohol to take</p> <p>18 advantage of X1."</p> <p>19 Would it be fair to say, Mr O'Donnell, that this</p> <p>20 document adds some important information, it is not just</p> <p>21 one incident that X1 is complaining off, he is actually</p> <p>22 saying this has happened on a few occasions.</p> <p>23 A. No, you are right. That's right. I was also aware of</p> <p>24 the place and time he was making this allegation as</p> <p>25 well, it was a pub in Barking on New Year's Eve, so</p> <p style="text-align: center;">Page 47</p>
<p>1 but on the next day, the 26th, at just before 1.00.</p> <p>2 A. Right.</p> <p>3 Q. That may or may not be significant. Does that help you</p> <p>4 remember anything? Do you think it is possible that</p> <p>5 actually you didn't look at the CRIS until the next day</p> <p>6 or maybe tell us, or you looked at it and didn't print</p> <p>7 it out or can you simply not remember?</p> <p>8 A. It is possible I looked at it and didn't print it out.</p> <p>9 I can't remember, to be honest.</p> <p>10 Q. You may have printed it out and then printed it out</p> <p>11 again the next day and we have just got this one?</p> <p>12 A. No, you are right, I can't remember to be honest at what</p> <p>13 exact point I looked at the CRIS in detail.</p> <p>14 Q. If we can go forward in the document, please to page 10,</p> <p>15 there is an account there, is there not, of what the</p> <p>16 police officers who attended this incident found. What</p> <p>17 people who were involved told them.</p> <p>18 A. Yes.</p> <p>19 Q. I think the jury have looked at this once before. Let's</p> <p>20 just look at it again. It explains that -- looking at</p> <p>21 paragraph 2:</p> <p>22 "The police received a call from the victim stating</p> <p>23 he had been sexually assaulted by a male the previous</p> <p>24 night. He was now on scene in the Barking Dog public</p> <p>25 house. On arrival the police spoke with X1 ..."</p> <p style="text-align: center;">Page 46</p>	<p>1 I thought that was significant, especially considering</p> <p>2 the comments the officers made about his general mental</p> <p>3 state as well.</p> <p>4 Q. I am going to show -- we will look at some passages</p> <p>5 about X1's mental health, but why is it significant that</p> <p>6 this was about a pub in Barking on New Year's Eve?</p> <p>7 A. I just think possibly that he had been drinking and</p> <p>8 I thought that maybe this -- there was more to this</p> <p>9 possibly than the allegation he was making.</p> <p>10 Q. What do you mean more to it?</p> <p>11 A. Well, in terms of the officers describing his highly</p> <p>12 emotional state, said he could hear voices, so</p> <p>13 I wondered if there was also a mental health issue here.</p> <p>14 Q. Is what you mean that there was actually less to it?</p> <p>15 A. No, it was just something to consider in terms of what</p> <p>16 he was telling the officers in the context that it was</p> <p>17 told to them.</p> <p>18 Q. So when you read about a complaint of rape that happens</p> <p>19 in a pub, is that something that you consider in</p> <p>20 a particular way?</p> <p>21 A. No, that is not what I am saying at all. I think</p> <p>22 I am -- yes, it is not something at all. It was just</p> <p>23 the context at which this allegation was made and the</p> <p>24 concern the officers had for his mental health state.</p> <p>25 Q. Let's just look at that. We can just see on the bottom</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 paragraph:</p> <p>2 "Whilst being dealt with by police, X1 was very</p> <p>3 highly emotional and stated that he wished to slit his</p> <p>4 throat."</p> <p>5 Then if we look over the page, the next page,</p> <p>6 please, do we see about three or four paragraphs down:</p> <p>7 "Due to X1's mental state and the fact that he was</p> <p>8 asking police to take him somewhere he couldn't hurt</p> <p>9 himself, he was sectioned under the Mental Health Act."</p> <p>10 A. That's right, yes.</p> <p>11 Q. That provides, as you say, some context.</p> <p>12 A. Yes.</p> <p>13 Q. Can we look on, please, and just go to page 16 of this</p> <p>14 document, which I imagine you read the whole of the</p> <p>15 CRIS, did you?</p> <p>16 A. Yes.</p> <p>17 Q. As we have seen reference, and we will see more,</p> <p>18 although Port was arrested, he was never charged?</p> <p>19 A. No, that's right.</p> <p>20 Q. That is because X1 didn't wish to pursue the matter?</p> <p>21 A. That is right, yes.</p> <p>22 Q. What we see here, it is IPC23, page 16.</p> <p>23 A. Yes.</p> <p>24 Q. We can see here, at the top:</p> <p>25 "X1 confirmed, as he had stated on the phone, that</p> <p style="text-align: center;">Page 49</p>	<p>1 indicate this. But I didn't."</p> <p>2 You have referred to context, Mr O'Donnell, which</p> <p>3 obviously is important.</p> <p>4 A. Yes.</p> <p>5 Q. But is it important, as part of that context, that in</p> <p>6 withdrawing this matter, X1 repeated that Stephen Port</p> <p>7 had plied him with alcohol and drugs and that he was</p> <p>8 scared of Stephen Port?</p> <p>9 A. That's right, yes.</p> <p>10 Q. Is that something you took into account?</p> <p>11 A. Yes, I obviously read the -- that passage and, yes,</p> <p>12 obviously I thought it was significant.</p> <p>13 I didn't know what to do with that particular</p> <p>14 allegation in terms of our own investigation at that</p> <p>15 point.</p> <p>16 Q. One thing you might have done is put some of that detail</p> <p>17 onto the CRIS, so the other officers could see it.</p> <p>18 A. No, I agree, yes.</p> <p>19 Q. Did you in fact put some of these extra details from the</p> <p>20 CRIS relating to the New Year's Eve event on to the</p> <p>21 Anthony Walgate CRIS?</p> <p>22 A. I don't believe so, no.</p> <p>23 Q. Another thing you could have done is update the current</p> <p>24 situation review in the weeks and months ahead. Let's</p> <p>25 just look in the bundle, please, at tab 43. It is</p> <p style="text-align: center;">Page 51</p>
<p>1 he did not wish to pursue this matter ..."</p> <p>2 A. That's right.</p> <p>3 Q. "... and provided us with the following withdrawal</p> <p>4 statement."</p> <p>5 No doubt you have come across cases where people</p> <p>6 say, "I don't want to carry on, I made it all up"?"</p> <p>7 A. That's right, yes.</p> <p>8 Q. Or just, "I don't want to carry on".</p> <p>9 Let's look at what X1 said. Picking it up about 10</p> <p>10 lines down, can you see that a line starting:</p> <p>11 "I spoke to a male officer and explained how</p> <p>12 I felt."</p> <p>13 A. Yes.</p> <p>14 Q. He said:</p> <p>15 "... I explained how I felt with regards to my</p> <p>16 emotions and the pressures I was feeling from Stephen.</p> <p>17 I also told them Stephen was forcing me to do sexual</p> <p>18 acts I wasn't comfortable with, by forcing I mean he</p> <p>19 would encourage me to drink large amounts of alcohol to</p> <p>20 get me started for poppers. He would then give me</p> <p>21 poppers to sexually arouse me. I was not comfortable</p> <p>22 with this at all, but I didn't say anything because</p> <p>23 I was scared in many ways about how he would react.</p> <p>24 Stephen would not have known that I didn't want to do</p> <p>25 those sexual acts, as I have never said anything to</p> <p style="text-align: center;">Page 50</p>	<p>1 IPC269, please.</p> <p>2 This is a document we will come back to a little</p> <p>3 later. We see the date, this is 16 October, so months</p> <p>4 later.</p> <p>5 A. Yes.</p> <p>6 Q. It is right, isn't it, that Mr McCarthy had asked you to</p> <p>7 update this document?</p> <p>8 A. That's right, yes.</p> <p>9 Q. We will hear about this, but the reason he wanted you to</p> <p>10 update it was so it could be sent to HAT?</p> <p>11 A. That's right, yes.</p> <p>12 Q. So that they could give a view on the case?</p> <p>13 A. That's right, yes.</p> <p>14 Q. It hardly needs to be said that they needed to know</p> <p>15 everything about this investigation in order to give</p> <p>16 their updated advice on the case?</p> <p>17 A. Yes.</p> <p>18 Q. If we turn forwards, please, to page 13 of the document,</p> <p>19 we see at the bottom, the second paragraph 11, just like</p> <p>20 the one we were looking at in the CRIS:</p> <p>21 "At this time intel products had been requested ..."</p> <p>22 Then on the next page:</p> <p>23 "Mr Stephen Port, of notice there were previous</p> <p>24 allegation of crime against Mr Port, subsequently NFA,</p> <p>25 he had unconsensual anal sex with a male after making</p> <p style="text-align: center;">Page 52</p>

<p>1 him take poppers. Currently awaiting full details." 2 In other words, exactly the same as the evening of 3 25 June. 4 Shouldn't some information gleaned from that CRIS, 5 the New Year's Eve CRIS, have been added somewhere so 6 that others investigating Anthony's death knew about the 7 circumstances of that allegation? 8 A. Yes. Yes, it should have. I am sure I spoke to Eugene 9 about the allegation in the CRIS, but it is not on 10 there. I don't know why. 11 Q. He asked you to update that document? 12 A. Yes, that's right. 13 Q. Is it possible, Mr O'Donnell, that there was something 14 to do with what you described as the context, the fact 15 that it happened in a pub, the fact that X1 was 16 suffering mental health problems. Did you think it 17 somehow wasn't worth taking forward? 18 A. No, not at all. I don't know, it is -- it seems like 19 a fairly significant mistake of mine not to have 20 included it in that briefing document. But it would 21 have been intelligence, whatever I thought of the 22 allegation and the context of it that would have been 23 useful in there, and, like I said, it is a terrible 24 mistake that I haven't put it in there. 25 Q. Can I suggest "useful" may be an understatement. I mean</p> <p style="text-align: center;">Page 53</p>	<p>1 A. I did. But I didn't end up doing that, or asking 2 someone to do that but, yes, I did consider it and weigh 3 it up. 4 Q. You had all his details? 5 A. Yes, they would have been in the CRIS. 6 Q. And you could have tasked DC Parish or one of the other 7 officers to do it? 8 A. That's right, yes. 9 Q. There was no rush. We have heard about the stretched 10 resources, but it would have been just a question of 11 a phone call and then possibly going to see X1? 12 A. That's right, yes. We should have done that. 13 Q. Let's look at a different reference in the CRIS, please. 14 So the jury bundle, tab 2. For the screen IPC35, and it 15 is page 116, please. 16 Mr O'Donnell, I think the jury have heard a little 17 bit about what the police term actions and that does 18 have a special meaning in police work, does it not, the 19 term "action"? 20 A. Yes. 21 Q. In summary, we have heard about delegation, it is 22 a situation where a more senior officer tasks someone 23 else, usually a more junior officer, to do something? 24 A. That's right. 25 Q. So that there is no confusion or doubt, either about</p> <p style="text-align: center;">Page 55</p>
<p>1 Stephen Port had lied to police about his dealings with 2 Anthony, there was a suspicion that Anthony's death was 3 caused by drugs, and you have here a detailed account of 4 a previous occasion where a complainant is saying that 5 Anthony had forced drugs on them on more than one 6 occasion. 7 Let me ask you about something different. 8 THE CORONER: Sorry, do you agree that was 9 an understatement? 10 A. Sorry, yes, no, you are absolutely right, that should 11 have gone on that report. 12 THE CORONER: Can I just can ask one of the juror's 13 questions, which fits in, before we move on. 14 Did you think that X1's mental state could have come 15 from the fact that he had just been violated or raped? 16 A. I think -- I don't know when the actual attack happened 17 but, yes, it is entirely possible that that could have 18 been the case. 19 MR O'CONNOR: That actually prompts another question which 20 I had meant to ask, which is that when you looked at the 21 CRIS, the New Year's Eve CRIS, even though you didn't, 22 as we have seen, update any of the other documents, did 23 you think about going to see X1 and asking him about 24 this incident and trying to get a better understanding 25 of his allegations against Stephen Port?</p> <p style="text-align: center;">Page 54</p>	<p>1 what they are being tasked to do or who is being tasked 2 to do it, it is written down on the CRIS? That also has 3 the advantage that when the officer does it, they can 4 fill in what the results of the action are and then it 5 is easy to see what the actions that have been set are, 6 which ones have been completed, which ones haven't been 7 and so on. 8 There is a special section on the CRIS for actions, 9 is there not? 10 A. That's right. 11 Q. We can see that on Wednesday, 25 June -- that day when 12 China was shown photograph, you will recall and you made 13 the PNC checks -- Mr McCarthy set in fact a number of 14 actions and I think it's right to say that most if not 15 all of them were directed towards you? 16 A. Yes. 17 Q. Presumably that didn't mean that you had to do them, 18 because it would have been open to you to ask Detective 19 Parish or one of the other detectives to do them for 20 you? 21 A. That's right. 22 Q. We are looking at page 116 and we see this was one of 23 the actions that we see the entered date, 25 June, 5.00 24 in the afternoon, entered by Mr McCarthy to you, yes? 25 A. That's right.</p> <p style="text-align: center;">Page 56</p>

14 (Pages 53 to 56)

<p>1 Q. The action text reads:</p> <p>2 "VIW [let's not worry about that, it is Mr Port,</p> <p>3 Stephen Port] he contacted LAS [the ambulance service]</p> <p>4 informing them of the location of the deceased."</p> <p>5 A. That's right, yes.</p> <p>6 Q. And then the action is this:</p> <p>7 "Conduct intel research PNC/IIP, et cetera."</p> <p>8 We know that actually about this time you were doing</p> <p>9 the PNC checks?</p> <p>10 A. Yes.</p> <p>11 Q. Presumably -- let me ask you, having done the PNC check</p> <p>12 and actually found this incident, would that have made</p> <p>13 it in your mind more important or less important that</p> <p>14 you conducted further checks?</p> <p>15 A. Certainly more important.</p> <p>16 Q. In fact, Mr McCarthy had tasked you in any event to do</p> <p>17 IIP checks, that is the integrated intelligence</p> <p>18 platform?</p> <p>19 A. That's right.</p> <p>20 Q. Did you conduct those checks?</p> <p>21 A. From memory I didn't do them, I think I might have asked</p> <p>22 someone else to do them.</p> <p>23 Q. Do you know who you asked or whether that person did</p> <p>24 them?</p> <p>25 A. I don't, sorry, I don't remember.</p> <p style="text-align: center;">Page 57</p>	<p>1 A. Yes.</p> <p>2 Q. Would you not have wanted to conduct searches on the</p> <p>3 Police National Database?</p> <p>4 A. That didn't initially cross my mind. It is not</p> <p>5 a database I have used regularly or am very familiar</p> <p>6 with. Certainly no one in the office, certainly no one</p> <p>7 in my team, would have had access to it.</p> <p>8 Q. We have heard a little bit about who has access to the</p> <p>9 PND. Before I go to that, did you go back to</p> <p>10 Mr McCarthy and ask him what he meant or whether he had</p> <p>11 any view about which databases should be searched?</p> <p>12 A. No, no.</p> <p>13 Q. The position with the PND is that even if you personally</p> <p>14 don't have access, you can simply ask someone on your</p> <p>15 behalf to check the PND. That's right, isn't it?</p> <p>16 A. Yes, you create a request for service through the</p> <p>17 intranet and it gets tasked out to someone, yes.</p> <p>18 Q. Is this right, it is something that can be done very</p> <p>19 easily and something that is in fact done quite</p> <p>20 commonly?</p> <p>21 A. Yes. Yes, like I said, I wasn't particularly familiar</p> <p>22 or had used the PND myself previously. So it didn't</p> <p>23 immediately spring to mind when I read that at all.</p> <p>24 Q. I would like to ask you to look at another document on</p> <p>25 the screen. This is not in the jury bundle. It is not</p> <p style="text-align: center;">Page 59</p>
<p>1 Q. But then, we see the letters "etc", it is clear, isn't</p> <p>2 it, that Mr McCarthy was intending you -- well, let me</p> <p>3 ask you: did you read this as meaning you just had to do</p> <p>4 PNC and IIP checks or did it mean do more checks than</p> <p>5 that?</p> <p>6 A. PNC and IIP are both readily used on the borough. So it</p> <p>7 didn't immediately jump out at me that he expected to go</p> <p>8 beyond that. Because IIP tends to cover quite a lot of</p> <p>9 different intelligence databases.</p> <p>10 Q. I mean if he had wanted you just to do PNC and IIP, he</p> <p>11 perhaps wouldn't have felt it necessary to put</p> <p>12 "et cetera"?</p> <p>13 A. No, you are right.</p> <p>14 Q. In any event, Mr O'Donnell, you are at this time</p> <p>15 a detective sergeant of several years' standing, yes?</p> <p>16 A. Hmm. Yes.</p> <p>17 Q. Apart from being tasked to do this, you have just found,</p> <p>18 in the context of a suspicious death, evidence that the</p> <p>19 man who reported the death has lied, and has been</p> <p>20 involved in a previous incident which is very</p> <p>21 concerning, is that fair?</p> <p>22 A. Yes, no, you are right.</p> <p>23 Q. Whatever you were or were not being tasked with in the</p> <p>24 words of this form, you would have wanted to explore</p> <p>25 that matter?</p> <p style="text-align: center;">Page 58</p>	<p>1 in the jury bundle because it relates to one of the</p> <p>2 other chapters of evidence that the jury will be</p> <p>3 hearing, relating into the investigations into the</p> <p>4 deaths of Gabriel Kovari and Daniel Whitworth, but can</p> <p>5 we have up on screen, please, IPC471.</p> <p>6 Just by way of context, Mr O'Donnell, because</p> <p>7 I think it is right to say you were not involved in this</p> <p>8 investigation into Gabriel Kovari and Daniel Whitworth's</p> <p>9 death at all?</p> <p>10 A. That's right, yes.</p> <p>11 Q. Daniel Whitworth's body was found on the morning of</p> <p>12 Saturday, 20 September 2014.</p> <p>13 A. Right.</p> <p>14 Q. As the jury have heard in the coroner's opening, and</p> <p>15 they will hear much more about and it may be that you</p> <p>16 are familiar just with these outline details, when his</p> <p>17 body was found, he was holding what appeared to be</p> <p>18 a suicide note?</p> <p>19 A. Right.</p> <p>20 Q. The suicide note suggested that he felt responsible for</p> <p>21 the death of another person.</p> <p>22 A. Right.</p> <p>23 Q. That person was named in the suicide note as</p> <p>24 "Gabriel Kline".</p> <p>25 A. Okay.</p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 Q. Investigations went on through that day and then 2 overnight, between the Saturday and the Sunday. 3 A. Right. 4 Q. Unsurprisingly, you may think, to try and find out who 5 Gabriel Kline was. 6 What we have here is a record that the constable on 7 duty was Constable Slaymaker, who was in your team, yes? 8 A. No, no, he wasn't my team. 9 Q. What I meant was he was on that organogram that we saw? 10 A. Yes, he works in another part of the office, yes. 11 Q. Someone that you work with? 12 A. Yes. 13 Q. He was on duty that night and he was making those 14 enquiries and this is a report that he made about what 15 he did? 16 A. Right. 17 Q. If we can go, please, within this document, to page 4, 18 and we see three paragraphs down a reference to him 19 making CCTV enquiries, yes? 20 A. Yes. 21 Q. Then it is really the next two paragraphs I wanted to 22 focus on. It says: 23 "PC Brown, a short while later, brought up all 24 documents that he had scanned and sent to the coroner. 25 From reading the statement the officers had written and</p> <p style="text-align: center;">Page 61</p>	<p>1 anything into a computer but just by tasking what he 2 described as the MIB to do the check. They did it and 3 told him what the answer was, twice? 4 A. Yes. 5 Q. That leaves us with the question of why, having found 6 the PNC record about Stephen Port, you didn't do a PND 7 check on Stephen Port. Why didn't you? 8 A. Like I said, it didn't cross my mind to conduct that at 9 the time. 10 Q. Mr Slaymaker is a detective constable, you by this time 11 were a police officer with many years' service. You had 12 been a detective sergeant I think you said for about 13 four years by then? 14 A. Yes. 15 Q. Yet it just didn't occur to you to undertake this check? 16 A. Just an oversight at the time of mine. Quite a serious 17 one. 18 THE CORONER: Do you know what "MIB" stands for? 19 A. Met Intelligence Bureau, yes. 20 MR O'CONNOR: The jury have heard that if you had done a PND 21 check on Stephen Port, just like the PNC check, it would 22 have come back with a result. If we can turn to tab 38 23 in the bundle, please, and it is for the screen IPC82. 24 THE CORONER: Sorry, can you give us the tab number again, 25 please?</p> <p style="text-align: center;">Page 63</p>
<p>1 the details of the suicide note it appeared that Daniel 2 talked about him taking the life of a Gabriel Kline, but 3 it was unclear if this was in the pass or recent. 4 I liaised with response team Inspector O'Donohue [that 5 was the police officer who had attended the scene] and 6 it was decided that we needed to try and establish who 7 Gabriel is, he may be in need of medical attention." 8 Then this: 9 "I tasked MIB to complete PND checks on 10 Gabriel Kline, these came back no trace. At this point 11 officers attended the office with Daniel's personal 12 belongings and exhibits from the scene. I looked at 13 suicide note and the name on the note is likely to be 14 'Kline' but also could be 'Idine', so I asked for 15 a further PND check on this name. That also came back 16 no trace." 17 Thank you, we can take that down now. 18 We can ask Mr Slaymaker about this, because he is 19 coming to give evidence, but would you agree with me 20 that the inference from that document is that a PND 21 check was a perfectly normal investigative step and one 22 that he was able to conduct not once but twice over the 23 course of a night? 24 A. Yes. 25 Q. No doubt not, as we can see, by him actually typing</p> <p style="text-align: center;">Page 62</p>	<p>1 MR O'CONNOR: Yes, it is 38. 2 THE CORONER: Thank you. 3 MR O'CONNOR: What we have here, Mr O'Donnell, is a record 4 made by British Transport Police, it is an intelligence 5 report. It didn't find its way on to the PNC, the 6 Police National Computer, because on this occasion, 7 Stephen Port wasn't arrested. 8 A. Right. 9 Q. Is that right? Is that your understanding, does that 10 make sense to you? 11 A. No, completely. 12 Q. Nonetheless, a report was made of this incident, 13 an intelligence report. We can see immediately that the 14 incident took place on 4 June 2014. That is a couple of 15 weeks or so before Anthony's body was found. 16 A. Right, yes. 17 Q. I am sure, had you looked at this document, then that 18 would have been immediately apparent to you? 19 A. Yes. 20 Q. We can look fairly quickly at the next page, because the 21 jury have seen this document before. 22 Have you seen this document recently? 23 A. Yes. 24 Q. We see on the second page what is recorded is that 25 Stephen Port was found at an incident that the police</p> <p style="text-align: center;">Page 64</p>

<p>1 had been called to at Barking station, yes? Is that 2 right?</p> <p>3 A. Sorry, yes. Yes.</p> <p>4 Q. It is a summary, but we just about halfway down: 5 "This was due to a report from staff that Port was 6 going through another male's bag and had assaulted him." 7 Yes?</p> <p>8 A. That's right, yes.</p> <p>9 Q. That male was someone who we have referred to as X3, we 10 see the reference to him being extremely ill. We see 11 a record of Stephen Port having said that he found him 12 under the influence outside his house. He then stated 13 that X3 had possibly taken meph or G, also known as GHB, 14 and there is a reference to Port having said that he was 15 going through X3's bag in order to find his phone. 16 Had you done this search at the time we are talking 17 about, you wouldn't have known about the evidence in GHB 18 in Anthony's body, would you?</p> <p>19 A. No, not at the time.</p> <p>20 Q. But you were very much aware that Anthony's phone had 21 never been discovered, weren't you?</p> <p>22 A. That's right, yes.</p> <p>23 Q. In any event, is it fair to say that had you discovered 24 this report about another incident involving 25 Stephen Port and someone who appears to have taken</p> <p style="text-align: center;">Page 65</p>	<p>1 have commissioned someone to go and take a statement 2 from X3?</p> <p>3 A. Almost certainly, yes.</p> <p>4 Q. Let me move on. That takes us to the end of the matters 5 I wanted to ask you about on Wednesday the 25th.</p> <p>6 A. Right.</p> <p>7 Q. As I mentioned earlier, we know that a lot happened in 8 the case on Thursday and Friday, Stephen Port was 9 arrested, interviewed, flat was searched, and there were 10 discussions about primacy with the HAT teams?</p> <p>11 A. Yes.</p> <p>12 Q. None of that you were involved with, because you were 13 not on duty?</p> <p>14 A. That's right, yes.</p> <p>15 Q. You came back to work at the beginning of the next week 16 on Monday, 30 June?</p> <p>17 A. Yes.</p> <p>18 Q. No doubt there was a lot for you to catch up on?</p> <p>19 A. Yes. Yes.</p> <p>20 Q. Possibly on your other cases, as well as this one.</p> <p>21 A. Yes.</p> <p>22 Q. Do you remember that or was it just the normal plate 23 spinning?</p> <p>24 A. No, I don't remember it at all.</p> <p>25 Q. I want to ask you about two particular subjects. The</p> <p style="text-align: center;">Page 67</p>
<p>1 drugs, only a few days before Anthony's body had been 2 found, you would have regarded that as being extremely 3 serious?</p> <p>4 A. Yes, definitely.</p> <p>5 And I don't know what to say really, it is just 6 a huge failure, really, not to have been able to obtain 7 that, or not to have obtained that report.</p> <p>8 Q. You say it didn't occur to you, but were you rushed at 9 the time, were you doing other work?</p> <p>10 A. More than likely, possibly. There was enormous pressure 11 in the office at the time. I was dealing with a number 12 of cases, me and the other sergeants used to describe 13 what we do as spinning plates. In that you would deal 14 with one plate that looked like it was crashing down and 15 then you would move to another one that looked like it 16 was crashing down. So it was a very difficult 17 environment to work in with lots of cases and demands to 18 deal with and, yes, it was easy to miss things.</p> <p>19 Q. In truth, all that would have been necessary would be 20 either for you to have tasked MIB to do a PND check or 21 you could have simply asked one of the other constables 22 to do it?</p> <p>23 A. You are right. You are absolutely right.</p> <p>24 Q. If you had seen this report I am sure it would have led 25 to a number of things, but do you think that you would</p> <p style="text-align: center;">Page 66</p>	<p>1 first, as I have said, you would have been aware that 2 HAT had been involved in the time you had been away. 3 I am sure your colleagues would have updated you on 4 that.</p> <p>5 Let's look, please, at tab 36 in the bundle. For 6 the screen it is IPC45. The jury have seen this before, 7 I am sure you are familiar with this type of document, 8 it is the HAT return, this was the one dated Friday, 9 27th.</p> <p>10 If we go over to the second page, please, we see 11 a record of advice given, and there are a list of pieces 12 of advice, are there not?</p> <p>13 A. Yes, yes.</p> <p>14 Q. And presumably in your situation, as the officer in the 15 case, who -- I know I haven't asked you this but you 16 must have perhaps been a bit frustrated or disappointed 17 that you were not at work when so much had happened in 18 your own case?</p> <p>19 A. Definitely, I felt I was struggling to catch up 20 afterwards because so much had gone on and so much 21 I think I wasn't involved in in terms of decisions being 22 made about the progress of the case. So I felt it 23 was -- yes, I definitely felt like I was struggling to 24 catch up and it was sort of out of my hands a bit.</p> <p>25 Q. But you needed to catch up, because you were the officer</p> <p style="text-align: center;">Page 68</p>

<p>1 in the case?</p> <p>2 A. Yes.</p> <p>3 Q. And perhaps you would have focused on just trying to</p> <p>4 work out what it was you needed to do.</p> <p>5 A. Yes.</p> <p>6 Q. It is this part of the HAT document that details those</p> <p>7 matters that the HAT team are advising the borough to</p> <p>8 undertake; is that right?</p> <p>9 A. That's right, yes.</p> <p>10 Q. We see there is a list of matters. What would you have</p> <p>11 done, would you have gone through them?</p> <p>12 A. Yes, I would have looked at them, discussed them,</p> <p>13 maybe(?) with Eugene, to see which ones and how to go</p> <p>14 about them, which ones were priority, and that sort of</p> <p>15 thing.</p> <p>16 Q. We see don't we, about five lines down, "Ensure</p> <p>17 suspect's phone, and laptop computer are submitted for</p> <p>18 download"?</p> <p>19 A. That's right.</p> <p>20 Q. You had mentioned in that very early strategy document</p> <p>21 that you put -- or the strategy that you set out on the</p> <p>22 CRIS, possibly sending off Anthony's laptop for</p> <p>23 download.</p> <p>24 A. Yes.</p> <p>25 Q. This was not an unusual or difficult thing to do, was?</p> <p style="text-align: center;">Page 69</p>	<p>1 at so far, of the current situation report. Do you</p> <p>2 remember we looked at it on the CRIS. That was the</p> <p>3 first draft of it, as it were. We can see, if you look</p> <p>4 in those lines at the top, the third line down, this</p> <p>5 says "Current situation report, 3". Perhaps that is the</p> <p>6 third version, I think it is right?</p> <p>7 A. Yes.</p> <p>8 Q. We see the date, 27 June, so it is the Friday?</p> <p>9 A. Yes.</p> <p>10 Q. I won't take you to the last page, but it is still</p> <p>11 signed, it's signed by Mr McCarthy and dated the same</p> <p>12 day, 27 June.</p> <p>13 Did you know that he had done an updated version of</p> <p>14 the current situation review?</p> <p>15 A. I can't tell to be honest. I can't remember.</p> <p>16 Q. It would have been another fairly obvious place to look,</p> <p>17 wouldn't it, when you were trying to work out what you</p> <p>18 needed to do in the case?</p> <p>19 A. Yes.</p> <p>20 Q. Do you think he might have drawn it to your attention?</p> <p>21 A. Like I said, I can't remember whether or not we would</p> <p>22 have exchanged emails or talked about it. I don't know.</p> <p>23 Q. Let's just look, please, at page 10 of the document.</p> <p>24 We can see, as we noted before, there are two</p> <p>25 paragraphs 11. The bottom one we have mentioned and we</p> <p style="text-align: center;">Page 71</p>
<p>1 A. No, no, it is a case of someone filling out a lab form</p> <p>2 and sending it off. As long as the borough forensic</p> <p>3 manager agrees and it is accepted at the forensic</p> <p>4 laboratory, yes, everything is fine.</p> <p>5 Q. Here we have obviously you hadn't known but it was</p> <p>6 obviously apparent to you by this stage that</p> <p>7 Stephen Port's computer had been seized from his flat</p> <p>8 and HAT saying that it needed to be sent for download.</p> <p>9 Perhaps that is something you would have thought in any</p> <p>10 event?</p> <p>11 A. I am not sure when, actually, I saw this HAT return, to</p> <p>12 be honest. I was preparing for a trial that was</p> <p>13 happening later in the month, in the next week or so.</p> <p>14 So I am not actually sure when I would have seen this</p> <p>15 HAT return.</p> <p>16 Q. You did see it, but you can't remember when?</p> <p>17 A. No, I can't remember when at all.</p> <p>18 Q. But you do remember seeing it?</p> <p>19 A. Yes.</p> <p>20 Q. Days later, weeks later?</p> <p>21 A. Could have been weeks later. I really can't tell.</p> <p>22 Q. Let's look at another document. For the jury it is the</p> <p>23 next document in the bundle. For the screen it is</p> <p>24 MPS780.</p> <p>25 This is another version, not one that we have looked</p> <p style="text-align: center;">Page 70</p>	<p>1 have already seen that, in fact, this is not the version</p> <p>2 that we saw before, but it has the same feature about</p> <p>3 it, it still just says as far as the PNC report, the</p> <p>4 current details are awaited.</p> <p>5 It is the first of the paragraphs 11 I want to ask</p> <p>6 you about here. Let's just look at the second paragraph</p> <p>7 within that numbered paragraph 11:</p> <p>8 "MIT advice has been received. The scene has been</p> <p>9 examined along with the premise of Mr Port. A number of</p> <p>10 exhibits have been seized and a forensic strategy</p> <p>11 meeting will be held week commencing 30 June."</p> <p>12 Was that meeting ever held, that you know of?</p> <p>13 A. Not that I was aware of, no.</p> <p>14 Sorry, where are we looking?</p> <p>15 Q. In the bottom half of the document --</p> <p>16 A. Yes.</p> <p>17 Q. -- we see number 11, "Physical evidence"?</p> <p>18 A. Yes.</p> <p>19 Q. We are looking at the second of the little paragraphs</p> <p>20 underneath that heading.</p> <p>21 A. Sorry, I am with you now.</p> <p>22 Q. I'm sorry. Just take your time and have a look at that.</p> <p>23 It starts with, "MIT advice".</p> <p>24 It refers to a forensic strategy meeting that seemed</p> <p>25 to have been planned for, as he wrote it on the Friday</p> <p style="text-align: center;">Page 72</p>

<p>1 evening, the next week.</p> <p>2 Then he says:</p> <p>3 "In brief, examination for samples of toxicology</p> <p>4 will be required, along with property found on the</p> <p>5 victim. In relation to Mr Port, his mobile phone and</p> <p>6 computer will require examination."</p> <p>7 There we have, do we not, Mr McCarthy saying the</p> <p>8 same thing, in fact, as the HAT return had said, which</p> <p>9 is that the computer needed to be sent off?</p> <p>10 A. That's right, yes.</p> <p>11 Q. In fact, we can just fill in the story a little more.</p> <p>12 If we turn in the bundle to tab 49, please. It is in</p> <p>13 the second bundle. For the screen it is IPC449.</p> <p>14 I think the jury may not have looked at this before, and</p> <p>15 we may come back to this more with Mr McCarthy because</p> <p>16 this is, is it right, Mr O'Donnell, that this is</p> <p>17 Mr McCarthy's decision log?</p> <p>18 A. Yes.</p> <p>19 Q. It is a standard police document where he records his</p> <p>20 own decision making in relation to the investigation?</p> <p>21 A. That's right, yes.</p> <p>22 Q. We see on the page we are looking at, he is identified</p> <p>23 as the SIO, you are identified as the IO. We don't need</p> <p>24 to get too caught up in the acronyms, but I think we</p> <p>25 have established what your respective roles were.</p> <p style="text-align: center;">Page 73</p>	<p>1 Then he has made the following points:</p> <p>2 "Actions to be completed on CRIS ADR screens ..."</p> <p>3 I think that says:</p> <p>4 "... make use of CPU officers."</p> <p>5 He has tasked DS Turrell with completing an FLO</p> <p>6 strategy. Then this:</p> <p>7 "Forensics exhibits to be submitted."</p> <p>8 Do you think, having looked at that, that the need</p> <p>9 to submit Stephen Port's laptop for download would have</p> <p>10 been addressed at that meeting on Monday, 30 June?</p> <p>11 A. Yes. Yes, if that is what he said, yes.</p> <p>12 Q. In a way it doesn't really matter when you read the HAT</p> <p>13 advice, because it seems that Mr McCarthy actually told</p> <p>14 you on that day that that was something that needed to</p> <p>15 be done?</p> <p>16 A. Yes.</p> <p>17 Q. But it wasn't done?</p> <p>18 A. No. No, it wasn't. No, it wasn't at all. Not until</p> <p>19 much later anyway.</p> <p>20 Q. Well, very much later. And, as we will see, for</p> <p>21 a different reason.</p> <p>22 Why wasn't it done?</p> <p>23 A. I think at the time I discussed with Eugene with regards</p> <p>24 to submitting it, Port was arrested for perverting the</p> <p>25 course of justice and the theft of a mobile phone. In</p> <p style="text-align: center;">Page 75</p>
<p>1 A. Sure.</p> <p>2 Q. Then if we can go to the last page of this document,</p> <p>3 please, it is page 24.</p> <p>4 It is dated, do you see in the bottom right-hand</p> <p>5 corner, 30 June, so that is the Monday, your first day</p> <p>6 back?</p> <p>7 A. Yes.</p> <p>8 Q. There is a meeting, which we see at the top, Mr McCarthy</p> <p>9 is there, you are there, and also someone called</p> <p>10 DS Turrell, about whom we will hear more as the weeks</p> <p>11 progress?</p> <p>12 A. Yes.</p> <p>13 Q. Do you remember this meeting?</p> <p>14 A. No, no I don't, I am sorry.</p> <p>15 Q. You have told us you had a lot to catch up on, not just</p> <p>16 on this case but on other cases?</p> <p>17 A. Yes.</p> <p>18 Q. It does seem that there was a time on that Monday when</p> <p>19 you sat down with Mr McCarthy and reviewed what needed</p> <p>20 to be done on this case?</p> <p>21 A. Yes, he has recorded that, yes.</p> <p>22 Q. Because he has said, if we look against "Reason", reason</p> <p>23 for the meeting perhaps:</p> <p>24 "It was to identify progress of enquiry and</p> <p>25 investigation/actions."</p> <p style="text-align: center;">Page 74</p>	<p>1 terms of submitting the laptop under those</p> <p>2 circumstances, I was thinking we would struggle to get</p> <p>3 the laptop -- the laptop through the forensic services,</p> <p>4 considering what he was arrested for and the fact that</p> <p>5 we didn't really know what was on the laptop, so it</p> <p>6 would be a speculative submission, which I had had</p> <p>7 experience previously that they tended to be rejected</p> <p>8 until we had more information about what we expected to</p> <p>9 gain from the submission that would significantly</p> <p>10 contribute to our investigation.</p> <p>11 Since he was arrested for perverting the course of</p> <p>12 justice, and we had sufficient evidence from his</p> <p>13 interviews that he lied, that he had made admissions</p> <p>14 that he lied to us at the outset, I thought it would be</p> <p>15 difficult to get the laptop through the forensic</p> <p>16 services in that respect because, like I said, it was</p> <p>17 a speculative submission and I made my concerns to</p> <p>18 Eugene as well.</p> <p>19 Q. Just help us with this, Mr O'Donnell. Was it your</p> <p>20 decision to make? HAT had said, very clearly, "Ensure</p> <p>21 the laptop is submitted for download".</p> <p>22 A. You are right.</p> <p>23 Q. That was on the Friday, I don't know what time it was,</p> <p>24 on the Friday, but Mr McCarthy had updated his own</p> <p>25 report saying that that needed to happen. We are going</p> <p style="text-align: center;">Page 76</p>

<p>1 to hear Mr McCarthy, so help us, but are you saying that</p> <p>2 you decided that despite those other matters, it</p> <p>3 wouldn't be done or are you saying that Mr McCarthy</p> <p>4 decided it wouldn't be done?</p> <p>5 A. No, not at all, I explained exactly what I just said.</p> <p>6 Q. What was the outcome? I mean was there a decision that,</p> <p>7 notwithstanding the HAT advice, this was not going to</p> <p>8 happen?</p> <p>9 A. No. Not from memory. I don't remember any -- like</p> <p>10 I said, I don't actually remember this meeting. So</p> <p>11 I can't say for certain that that was said to me at all.</p> <p>12 MR O'CONNOR: All right.</p> <p>13 Mr O'Donnell, I am going to move on to another</p> <p>14 topic.</p> <p>15 I can see it is 11.55. Madam, may I suggest we have</p> <p>16 a short break at this stage? Could we just limit it to</p> <p>17 10 minutes, thank you.</p> <p>18 THE CORONER: Yes.</p> <p>19 We will take a break until 12.05.</p> <p>20 (11.53 am)</p> <p>21 (A short adjournment)</p> <p>22 (12.06 pm)</p> <p>23 (In the presence of the jury)</p> <p>24 MR O'CONNOR: Mr O'Donnell, before the break I was asking</p> <p>25 you about Monday, 30 June, you coming back into the</p> <p style="text-align: center;">Page 77</p>	<p>1 A. I looked at his summary notes and I spoke to him about</p> <p>2 his interview. He basically said to me that he is lying</p> <p>3 to us, he has lied to us, and I asked him to see if he</p> <p>4 could obtain the transcripts of the second interview,</p> <p>5 because I didn't have anything on that. So yes.</p> <p>6 Q. Let me just ask you about one thing.</p> <p>7 A. Yes.</p> <p>8 Q. You will remember that the first interview which the</p> <p>9 jury watched yesterday, Stephen Port made several</p> <p>10 references to his work, his shift times, having to go</p> <p>11 in, come out, work all night cleaning because they had</p> <p>12 an inspection?</p> <p>13 A. That's right, yes.</p> <p>14 Q. One of the points of further investigation that Mr Desai</p> <p>15 agreed might arise from all that was finding out about</p> <p>16 his work, asking his work whether he had been in, and so</p> <p>17 on.</p> <p>18 In fact, if we can look at the CRIS, so we need to</p> <p>19 go to tab 2 in the bundle, IPC35, page 117, please, it</p> <p>20 is in fact the next action on from the one we were</p> <p>21 looking at before. So it is 117 within the CRIS.</p> <p>22 A. Yes.</p> <p>23 Q. It is another action, isn't it, it is another one that</p> <p>24 was set in fact on the Wednesday, the 25th, by</p> <p>25 Mr McCarthy, directed at you. What you were asked to</p> <p style="text-align: center;">Page 79</p>
<p>1 office, things having happened in your absence and</p> <p>2 reviewing what needed to be done to progress the</p> <p>3 investigation, given your role as officer in the case.</p> <p>4 I have asked you questions about the whole issue of</p> <p>5 submitting Stephen Port's computer for download?</p> <p>6 A. Yes.</p> <p>7 Q. I want to ask you about another matter, and that relates</p> <p>8 to the interviews which had happened in your absence.</p> <p>9 A. Right.</p> <p>10 Q. The jury have heard, and watched in fact, the first</p> <p>11 interview of Stephen Port by Constable Desai and they</p> <p>12 will hear next week about the second interview which</p> <p>13 took place on the Friday, with two MIT officers.</p> <p>14 We looked with DC Desai at the summary he made of</p> <p>15 the interview and it was really exactly that, a two- or</p> <p>16 three-page list of what Mr Port had said?</p> <p>17 A. Yes.</p> <p>18 Q. I asked him about the evaluation stage of interviewing,</p> <p>19 and what he had done to think about how things that</p> <p>20 Mr Port had said might be followed up, how they might be</p> <p>21 challenged, how they might give rise to further actions</p> <p>22 and he said, well, that was not something I would do,</p> <p>23 I would expect the officer in the case or others to look</p> <p>24 at my summary and think about that for themselves. Is</p> <p>25 that something you did?</p> <p style="text-align: center;">Page 78</p>	<p>1 investigate is the address of Stephen Port's workplace,</p> <p>2 and his movements, that is Stephen Port's movements,</p> <p>3 between 17 June and 19 June.</p> <p>4 So not exactly the same, but similar at least to the</p> <p>5 type of action that one might have undertaken following</p> <p>6 the interview, particularly when Stephen Port had said</p> <p>7 so much about his work and it was so much a part of his</p> <p>8 story going back and forth, back and forth.</p> <p>9 Either because of what he said at interview or</p> <p>10 because of this action, did you in fact make touch with</p> <p>11 that garage in West Ham and find out whether</p> <p>12 Stephen Port had been in work for those few days?</p> <p>13 A. Not from memory. Possibly I think someone did make</p> <p>14 an enquiry, but I can't remember exactly what it was and</p> <p>15 when it was.</p> <p>16 Q. Well, there is nothing on the CRIS about it.</p> <p>17 A. No.</p> <p>18 Q. Do you remember what the outcome of that enquiry was?</p> <p>19 A. No, I don't. I don't.</p> <p>20 Q. If we look at this action, you have put in as far as the</p> <p>21 results, "Witness arrested and interviewed"?</p> <p>22 A. Yes.</p> <p>23 Q. So you have asked Stephen Port about what he was doing</p> <p>24 on those few days?</p> <p>25 A. That was obviously the interview. Yes. But --</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 Q. The effect of that is to close this action, to mark it 2 as having been completed, is it not? 3 A. It looks that way. 4 Q. In response to the tasking, finding out what 5 Stephen Port was doing for those few days, your answer 6 is "We have asked him"? 7 A. Well, no, in terms of the action, I completed -- or at 8 least we completed a couple of those, but obviously not 9 the two that you have mentioned. 10 THE CORONER: Are you saying in fact you didn't make 11 enquiries at his workplace? 12 A. I am not sure. I think enquiries were made, I think we 13 had the address but I can't remember exactly what -- who 14 was spoken to. It is just a faint memory of someone 15 maybe approaching someone at I think it was a bus 16 garage, But I can't be sure. 17 MR O'CONNOR: We may hear more about that in due course, 18 Mr O'Donnell. 19 The second interview, you mentioned that you didn't 20 have a transcript? 21 A. That's right, yes, not for some time. 22 Q. Or we have seen Mr Desai's typed summary, you didn't 23 have one of those? 24 A. Not for the second interview, from what I can remember, 25 no.</p> <p style="text-align: center;">Page 81</p>	<p>1 "At this time only a handwritten account is 2 available of these notes. The interviewing officers 3 will provide a full update over the weekend." 4 Does that suggest -- the jury can go back to tab 35 5 and on the screen INQ4, page 31 -- that these 6 handwritten notes, which I am sure constable Levoir will 7 say were her notes of the interview, they were available 8 at the time? 9 A. It sounds like they were left behind, yes, where we were 10 working in the office. But, like I said, I can't 11 remember reading them. 12 Q. If you read Mr McCarthy's update, you would have known 13 that they existed? 14 A. Right. 15 Q. Presumably you would have wanted to read through them? 16 A. Yes, yes. 17 Q. Do you remember reading through them? 18 A. No, no I don't. 19 Q. I want to ask you about one part of these notes. If we 20 can turn on to page 43, please, towards the top, 21 starting at the very top, we see there is a reference 22 to, "Panic, didn't call ambulance". We can all imagine 23 the context in which Stephen Port said that. Then he 24 said: 25 "If was in coma or hurt, didn't want to be</p> <p style="text-align: center;">Page 83</p>
<p>1 Q. Could I ask you to look on the screen at INQ4, page 31, 2 please. For the jury it is tab 35. 3 Mr O'Donnell, as you say, we certainly have never 4 seen a typed summary of that interview -- that is the 5 second interview, but we have seen these written notes. 6 Do you think you saw them? 7 A. I don't think so. 8 Q. I think we will hear evidence -- I wonder if ... 9 Just give me a moment. 10 Yes, let's go, if members of the jury might want to 11 keep their finger in that tab and go on to tab 37. 12 Let's have on screen, please, MPS780. This is Inspector 13 McCarthy's current situation review, which we looked at 14 a moment ago. It is the Friday night version, yes? 15 A. Okay. 16 Q. In fact it was written or updated on the same day that 17 that second interview took place. 18 A. Right. 19 Q. If we can turn within the document to page 10, please, 20 if we look towards the top, can you see: 21 "Interview summary Mr Stephen Port interviewed by 22 DC Holt and DC Levoir." 23 That is the interview which happened on that Friday? 24 A. That's right, yes. 25 Q. We can see that Mr McCarthy has written:</p> <p style="text-align: center;">Page 82</p>	<p>1 questioned, cell, crime scene." 2 Then this: 3 "Last time helping a friend to station, he was quite 4 unwell. Taken to ..." 5 Not sure what the next word is: 6 "Take to [something] by the police and questioned, 7 searched me, said looked through bag to find his phone." 8 That is a reference to the Barking station incident, 9 isn't it? 10 A. That is what it sounds like, yes. 11 Q. The Barking station incident recorded on the PND 12 database which you hadn't looked at? 13 A. That's right, yes. 14 Q. And still hadn't looked at by the time of this 15 interview? But Stephen Port himself referred to that 16 incident in the interview. 17 A. Yes. But, like I said, I don't remember reading these 18 notes or being familiar -- 19 Q. You were the officer in the case, inspector. 20 An interview of a suspect has taken place while you were 21 not in the police station. Surely you would have read 22 through the notes of the interview? 23 A. Like I said, I wasn't aware that they were there. 24 I don't remember reading them. 25 Q. Inspector McCarthy tolled you they were there in his</p> <p style="text-align: center;">Page 84</p>

21 (Pages 81 to 84)

<p>1 review.</p> <p>2 A. Okay, I must have missed that.</p> <p>3 Q. Because you missed that, you didn't read these notes and</p> <p>4 you didn't see the fact that Stephen Port himself</p> <p>5 referred to an incident at Barking station.</p> <p>6 A. That's right, I completely missed that.</p> <p>7 Q. If you had read it, you would have wanted to find out</p> <p>8 more about that incident, wouldn't you?</p> <p>9 A. Yes. Yes.</p> <p>10 Q. Neither of those two interviews is summarised on the</p> <p>11 CRIS. That should have happened, shouldn't it?</p> <p>12 A. Yes, normally they do get summarised.</p> <p>13 Q. Was that something you should have done?</p> <p>14 A. Generally it is the officer that interviews the person</p> <p>15 that puts the summary on the CRIS.</p> <p>16 Q. Would you have checked that it had happened and if it</p> <p>17 hadn't happened would you have done it yourself?</p> <p>18 A. No, I would usually ask the officer that interviewed the</p> <p>19 person to update with a summary on the CRIS.</p> <p>20 Q. Mr O'Donnell, can I just ask you, when you came back on</p> <p>21 that Monday, were you still actually investigating</p> <p>22 Anthony Walgate's death as a possible unexplained or</p> <p>23 suspicious death?</p> <p>24 A. Yes. The investigation was continuing along those</p> <p>25 lines.</p> <p style="text-align: center;">Page 85</p>	<p>1 by Eugene or like I said the coroner's officer to send</p> <p>2 that on.</p> <p>3 Q. All right, and as the officer in the case, that would</p> <p>4 have fallen to you to draft, to put together this</p> <p>5 document for the coroner?</p> <p>6 A. Yes.</p> <p>7 Q. We can see, just casting our eye over the first page,</p> <p>8 and if we can go on to the next page, please, much of</p> <p>9 this document is familiar from the briefing at the post</p> <p>10 mortem and then the reviews that were done by</p> <p>11 Mr McCarthy and you. You may even have cut and pasted</p> <p>12 some of it into this document perhaps. No criticism for</p> <p>13 that, but you just needed to bring together the</p> <p>14 essential information for the coroner about where the</p> <p>15 investigation stood.</p> <p>16 A. Yes.</p> <p>17 Q. Is that right?</p> <p>18 A. That's correct, yes.</p> <p>19 Q. Just looking at the bottom of the second page, we see</p> <p>20 that you have described the post mortem, again it is</p> <p>21 familiar, the people who were there.</p> <p>22 In terms of what the pathologist commented on, were</p> <p>23 these things that you selected because you thought they</p> <p>24 were important for the coroner to know or did you simply</p> <p>25 take this information from perhaps that entry you made</p> <p style="text-align: center;">Page 87</p>
<p>1 I can't say, like I said earlier, that I had</p> <p>2 a particularly good grip at the time due to any number</p> <p>3 of other work pressures I had, with regards to other</p> <p>4 cases, upcoming court appearance with regards to another</p> <p>5 case.</p> <p>6 So I have – I fully admit that I didn't really have</p> <p>7 a grip of this investigation during the early part of</p> <p>8 July and August due to the amount of time I was away and</p> <p>9 the other pressures that were on me at work at the time.</p> <p>10 Q. On 1 September you sent a report on this investigation</p> <p>11 to the coroner; do you remember that?</p> <p>12 A. Yes.</p> <p>13 Q. Let's look at it please. It is tab 40 in the bundle and</p> <p>14 for the screen it is IPC47.</p> <p>15 We see, members of the jury, that at the top we can</p> <p>16 see it is entitled "Report to the coroner regarding the</p> <p>17 investigation into the death of Anthony Walgate". The</p> <p>18 date is given at 1 August. May I simply say it is</p> <p>19 apparent from an entry on the CRIS that in fact it was</p> <p>20 1 September and not 1 August.</p> <p>21 You make an entry on 1 August saying that you have</p> <p>22 sent a report to the coroner. What was the purpose of</p> <p>23 this document?</p> <p>24 A. It is possibly in response to a request from the</p> <p>25 coroner's officer to send them – or I was either asked</p> <p style="text-align: center;">Page 86</p>	<p>1 on the CRIS?</p> <p>2 A. Possibly from the CRIS.</p> <p>3 Q. At this stage in the investigation, was the fact that</p> <p>4 Anthony had deliberate self-harm marks on his leg of</p> <p>5 particular importance?</p> <p>6 A. No. Obviously it was something I had noted previously</p> <p>7 and included in this report.</p> <p>8 Q. Given the fact that Stephen Port had lied to you, given</p> <p>9 the fact that he had previous, at least to your</p> <p>10 knowledge, at least one incident involving drugs and</p> <p>11 an allegation of rape, would it have been significant to</p> <p>12 have mentioned the underpants on back to front, inside</p> <p>13 out?</p> <p>14 A. Yes. Yes, it would. I mean this was just an initial</p> <p>15 summary document. There would have obviously been more</p> <p>16 detail provided to the coroner in due course.</p> <p>17 Q. If you didn't tell the coroner, the coroner was not</p> <p>18 going to know?</p> <p>19 A. No, that's right, but, like I said, this was a summary</p> <p>20 document that I would later provide more information,</p> <p>21 more evidence when we speak to ...</p> <p>22 Q. Can we turn over to page 4 of the document, please.</p> <p>23 Do we see a subtitle saying "Stephen Port</p> <p>24 interview"?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 88</p>

22 (Pages 85 to 88)

<p>1 Q. Well, he had been interviewed twice, hadn't he?</p> <p>2 A. That's right, yes.</p> <p>3 Q. Did you not want to tell the coroner that he had been</p> <p>4 interviewed twice?</p> <p>5 A. Yes. Yes, I should have done. I didn't have the --</p> <p>6 like I said, I didn't have the transcript at the time of</p> <p>7 the second interview.</p> <p>8 Q. Let's look at the penultimate paragraph, let's read it</p> <p>9 out:</p> <p>10 "He [Stephen Port] stated that he hadn't used</p> <p>11 escorts before and didn't know about the costs."</p> <p>12 Where did you get that from?</p> <p>13 A. I don't know, to be honest.</p> <p>14 Q. You are telling the coroner about your own</p> <p>15 investigation, that you are in charge of.</p> <p>16 A. Yes.</p> <p>17 Q. And you are telling the coroner that Port stated he</p> <p>18 hadn't used escorts before and didn't know about the</p> <p>19 cost?</p> <p>20 A. If that is what he said in interview and I have recorded</p> <p>21 it on there, then, yes, it would have been a record of</p> <p>22 what he said.</p> <p>23 Q. In terms of what he said in interview, you presumably</p> <p>24 were going on what Mr Desai said in his summary, would</p> <p>25 that be right?</p> <p style="text-align: center;">Page 89</p>	<p>1 death?</p> <p>2 A. Yes. Yes, we were.</p> <p>3 Q. Let's go back to tab 40, your report, please.</p> <p>4 IPC47. Let's look at the top of page 5. This is</p> <p>5 where you tell the coroner about the intelligence check</p> <p>6 you had made, the PNC check. You have told us that you</p> <p>7 had read the CRIS in relation to that incident. But</p> <p>8 what you say is:</p> <p>9 "Port has one record on PNC and was arrested</p> <p>10 following an allegation that he gave his partner poppers</p> <p>11 (drugs) and had non-consensual anal sex with him. No</p> <p>12 further action taken. Withdrawal statement made by</p> <p>13 victim."</p> <p>14 As we have seen, the withdrawal statement made by</p> <p>15 the victim repeated the allegation, didn't it?</p> <p>16 A. Yes, you are right. Like I said, this was a summary</p> <p>17 document and was a brief document and I wouldn't have</p> <p>18 put all of the details in, because they would have come</p> <p>19 out later in further discussions with the coroner.</p> <p>20 Q. You don't need to put all the details in, but it does</p> <p>21 need to give a sense of what the document contains,</p> <p>22 doesn't it?</p> <p>23 A. I appreciate that, yes.</p> <p>24 Q. If the coroner read that, the coroner could be forgiven</p> <p>25 for thinking that this was an allegation which really</p> <p style="text-align: center;">Page 91</p>
<p>1 A. Yes.</p> <p>2 Q. Let's look at that briefly, tab 29 in the bundle,</p> <p>3 MPS770. If we can go to the second page, it is about</p> <p>4 halfway down, do you see the line starting,</p> <p>5 "Stephen Port was asked if he knew Anthony Walgate ..."</p> <p>6 A. Yes.</p> <p>7 Q. Can we zoom in on that, please.</p> <p>8 Then it reads this:</p> <p>9 "Stephen Port also stated that he has used male</p> <p>10 prostitutes in the past and that he was previously</p> <p>11 a male prostitute in the past. Stephen Port stated that</p> <p>12 when he was at college he was a male prostitute and that</p> <p>13 he still has clients but he has not had a client for</p> <p>14 over a year.</p> <p>15 "Stephen Port stated that he used to charge £150</p> <p>16 an hour or £300 for the night."</p> <p>17 How do you get from that to, "Stephen Port stated</p> <p>18 that he hadn't used escorts before and didn't know about</p> <p>19 the cost"?</p> <p>20 A. I don't know where I got that paragraph from, or those</p> <p>21 lines from.</p> <p>22 Q. At the very least, it suggests that you hadn't read that</p> <p>23 summary with much care. Doesn't it?</p> <p>24 A. It does suggest that, yes.</p> <p>25 Q. Were you really trying to get to the bottom of Anthony's</p> <p style="text-align: center;">Page 90</p>	<p>1 never had anything to it.</p> <p>2 A. Like I said, it is a correct summary of the record on</p> <p>3 PNC and there would have been more information</p> <p>4 forthcoming to the coroner at a later date regarding</p> <p>5 that.</p> <p>6 Q. Is that how you viewed that incident?</p> <p>7 A. Not at all.</p> <p>8 Q. Because there was a withdrawal statement, and because --</p> <p>9 A. Not at all.</p> <p>10 Q. -- X1 had mental health difficulties, really it wasn't</p> <p>11 something that concerned you?</p> <p>12 A. No, not at all.</p> <p>13 Q. I asked you a moment ago whether you were at this stage</p> <p>14 still investigating and wanting to get to the bottom of</p> <p>15 Anthony's death and you said that you were?</p> <p>16 A. Yes.</p> <p>17 Q. But there is nothing in this document that says that.</p> <p>18 There is nothing that says we are still investigating</p> <p>19 this as an unexplained death. Do you think that is</p> <p>20 something on reflection you should have drawn to the</p> <p>21 coroner's attention?</p> <p>22 A. Yes. Definitely.</p> <p>23 Q. Were you still investigating his death?</p> <p>24 A. Yes, we were.</p> <p>25 Q. On the page we have up, we can see that you refer to</p> <p style="text-align: center;">Page 92</p>

<p>1 initial toxicology screening results.</p> <p>2 A. Right.</p> <p>3 Q. The jury have heard evidence, we will look in a minute,</p> <p>4 that the final report from the toxicologist came through</p> <p>5 on 10 September. Some time in advance of that you</p> <p>6 received some initial results; is that right?</p> <p>7 A. Yes, I think so.</p> <p>8 Q. That is how you were able to include them in this</p> <p>9 document?</p> <p>10 A. That's right.</p> <p>11 Q. Of particular interest, if we look at the second</p> <p>12 paragraph underneath that title, you say that GHB was</p> <p>13 picked up, you don't know how much yet, and you also</p> <p>14 say, "Common drugs of abuse were all negative".</p> <p>15 Then we can see that in the next paragraph you said</p> <p>16 that poppers are very difficult to analyse or find</p> <p>17 evidence of in the analysis.</p> <p>18 A. That's right.</p> <p>19 Q. We know, and we will go back to Ms Stanworth's report in</p> <p>20 a minute, but we know when you did receive her report,</p> <p>21 10 days or so later, she confirmed the finding about GHB</p> <p>22 and in fact added that the findings relating to GHB were</p> <p>23 a possible likely cause of his death, they were within</p> <p>24 the range of --</p> <p>25 A. That's right, yes.</p> <p style="text-align: center;">Page 93</p>	<p>1 Q. Given what you knew about the PNC incident, it would be</p> <p>2 natural for you, would it not, to investigate this</p> <p>3 matter?</p> <p>4 A. Yes.</p> <p>5 Q. Let's just read on in the statement, you say:</p> <p>6 "Although we had some very full background,</p> <p>7 lifestyle information from China Dunning and others in</p> <p>8 relation to Anthony, the actual world that he inhabited</p> <p>9 and which has now come to light was perhaps a bit of</p> <p>10 a mystery to all of us at that stage. For my part, for</p> <p>11 example, I knew nothing about chemsex or particular</p> <p>12 details relating to the type of lifestyle which he</p> <p>13 appears to have led and I certainly have not had any</p> <p>14 training in relation to these issues in the course of</p> <p>15 investigations."</p> <p>16 What do you mean by the "actual world that</p> <p>17 Anthony Walgate inhabited"?</p> <p>18 A. I think I was referring to the escort activity that he</p> <p>19 was doing. I think that is what -- it is badly worded,</p> <p>20 I admit.</p> <p>21 Q. He was a student living in London?</p> <p>22 A. That's right, yes.</p> <p>23 Q. Who sometimes provided escort services using internet</p> <p>24 websites for money?</p> <p>25 A. That's right, yes.</p> <p style="text-align: center;">Page 95</p>
<p>1 Q. -- what was understood to be fatal doses of GHB.</p> <p>2 I would like to call up on your screen, please,</p> <p>3 a witness statement that you made in 2017. It is</p> <p>4 IPC355, page 10. It's the first sentence of</p> <p>5 paragraph 27 I would like you to look at. What you say</p> <p>6 is:</p> <p>7 "Obviously one line of enquiry which we were looking</p> <p>8 at and repeatedly revisited was whether or not he [that</p> <p>9 is Anthony] had actually administered the GHB ..."</p> <p>10 Let me go back:</p> <p>11 "Obviously one line of enquiry we were looking at</p> <p>12 and repeatedly revisited whether or not he [that is</p> <p>13 Port] had actually administered the GHB in inappropriate</p> <p>14 quantities to Mr Walgate."</p> <p>15 This is the point where you know that it was the GHB</p> <p>16 that has killed Anthony. Is it right then, what you say</p> <p>17 there, that you were looking at and repeatedly</p> <p>18 revisiting the question of whether in fact it was</p> <p>19 Stephen Port who had given him that GHB?</p> <p>20 A. I mean we were obviously still investigating the matter,</p> <p>21 with a view to seeing if we could establish whether or</p> <p>22 not Port had administered the GHB. That was a focus, or</p> <p>23 the crux of the investigation was whether or not we</p> <p>24 could get sufficient evidence together to show that Port</p> <p>25 had actually administered that GHB.</p> <p style="text-align: center;">Page 94</p>	<p>1 Q. Why did you choose those words "the actual world that he</p> <p>2 inhabited" and you refer to "the type of lifestyle which</p> <p>3 he appears to have led", what do you mean by those</p> <p>4 words?</p> <p>5 A. Just his mixing, his student life obviously with being</p> <p>6 an escort as well.</p> <p>7 Q. Yes. You have just described a factual situation, but</p> <p>8 you have done it without referring to an "actual world</p> <p>9 coming to light". Is there something deliberate about</p> <p>10 the choice of that language?</p> <p>11 A. No, not at all. It is badly worded, I admit, but no,</p> <p>12 you know, I wasn't being judgmental at all and it was</p> <p>13 just that, for my part, I didn't know much about male</p> <p>14 escorts or the transactions that go on and how, you</p> <p>15 know, how he used to go about that.</p> <p>16 Q. Is it possible, Mr O'Donnell, that your mindset at the</p> <p>17 time might have been that, however Anthony came by his</p> <p>18 death, it happened in a closed world, a world that you</p> <p>19 didn't understand, perhaps you didn't want to</p> <p>20 understand --</p> <p>21 A. No, no, that is not right at all.</p> <p>22 Q. -- and that questions about his death should just be</p> <p>23 left unanswered?</p> <p>24 A. No.</p> <p>25 Q. Is that possible?</p> <p style="text-align: center;">Page 96</p>

<p>1 A. I was just explaining there, I was just bringing to 2 light my own ignorance about male escorts and chemsex 3 and being in no way judgmental about his choice of 4 lifestyle, not at all. 5 Q. You said that you did have ignorance about these 6 matters. 7 A. Yes. 8 Q. You have also said that you repeatedly revisited, wanted 9 to investigate, how Anthony came by his death, and in 10 particular this question of whether Stephen Port had 11 given him the GHB? 12 A. Yes. 13 Q. I am going to suggest to you that there are least four 14 ways in which you could have tried to make up for that 15 ignorance on your part. 16 A. Yes. 17 Q. The first is to ask Ms Stanworth about all of this. 18 Let's call her report up, please. It is, for the 19 bundle, tab 41 and for the screen it is IPC326. 20 And if we can go to page 5, please, again, I am sure 21 you have seen this document, or you saw it at the time 22 and you have seen it before? 23 A. Yes. 24 Q. The section on GHB here describes GHB being 25 an anaesthetic drug, it describes it being used among</p> <p style="text-align: center;">Page 97</p>	<p>1 And also we would have discussed GHB as well, as 2 a date rape drug. 3 Q. Did you ring her when you saw this reference that she 4 had put about date rape incidents? 5 A. I can't remember when I rung her in relation to when 6 this was received, possibly after this. 7 Q. Did you in fact look at other cases where GHB had been 8 used as a date rape drug? 9 A. No. No, I wasn't aware of any other ones. 10 Q. Second, did it occur to you that if you wanted to find 11 out more about whether Stephen Port may have 12 administered the GHB, you could have done what HAT had 13 suggested back in June and submitted his computer, which 14 was still sitting there in your exhibits store, to be 15 downloaded? 16 A. No, absolutely. The computer clearly had, you know, the 17 evidence on it that would have shown his interests, his 18 intentions, and, you know, I can only apologise that 19 that was not done. 20 Q. I want to ask you about what your thought processes were 21 here. 22 We saw in that very early strategy document that you 23 were alive to the fact, in that case, Anthony's computer 24 may have provided background information about him. Why 25 did you not think, if you really did want to get to the</p> <p style="text-align: center;">Page 99</p>
<p>1 bodybuilders, and then it says: 2 "More recently it gained popularity as 3 a recreational drug, particularly on the dance and club 4 scene, and has also been implicated in date rape 5 incidents." 6 Can we assume, given the whole circumstances of this 7 case, that Ms Stanworth's reference to GHB being used in 8 date rape incidents must have jumped off the page when 9 you read this? 10 A. Obviously it was significant. 11 Q. What did you do about it? 12 A. Like I said, I was struggling to see how we could pull 13 sufficient evidence together to show that Port had 14 administered it and I said as much, it was difficult to 15 try and determine whether -- notwithstanding obviously 16 the mistakes I made in terms of the research of the 17 intelligence and previous incidents, I was at a bit of 18 a loss as to see whether or not we would be able to 19 prove that. 20 Q. It is Ms Stanworth who referred to the use of GHB and 21 date rape incidents, you could have asked her if she had 22 any further details? 23 A. I did speak to her on the phone prior to this report, 24 especially around poppers, which I had never heard of 25 before and she explained that.</p> <p style="text-align: center;">Page 98</p>	<p>1 bottom of this question of who administered the GHB, why 2 did you not think, well, now, now is the time to send 3 that computer in for download? 4 A. Like I said as well, earlier, with regards to the 5 submission of the laptop, and I think it became clear 6 later on when we did submit it, it wasn't going to get 7 treated as a priority submission. And I wasn't sure 8 that we would actually get it through the forensic 9 submission process, because, again, it was -- we were 10 speculating about what was on it rather than being able 11 to show that it, you know, we had an idea what was on it 12 and what we could find out from it. 13 Q. If it wasn't going to be treated as a priority, then 14 surely the sooner you did it, the better? 15 A. No, you are right but, like I said, I was not confident 16 that it would get through the submission process. 17 Q. You are a detective sergeant. If you think that it is 18 an important matter to investigate, then you make the 19 submission, do you not? 20 A. Yes, but it doesn't always -- it is not always 21 successful. 22 Q. If it is not successful, presumably you can challenge 23 that? 24 A. Yes, I have done in the past. 25 Q. But you were aware that your own superior officers had</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 been telling the homicide team they needed to 2 investigate this case.</p> <p>3 A. That's right, yes.</p> <p>4 Q. If you thought this was important, if it was pushed 5 back, you could have asked your senior officers to 6 insist that the computer was downloaded?</p> <p>7 A. That's right, I should have done that.</p> <p>8 Q. Did you think about trying to obtain more evidence from 9 Anthony's friends about GHB and about his attitude to 10 GHB?</p> <p>11 A. When I spoke to Paul, he suggested getting what he 12 called a victimology statement with regards to the 13 background of Anthony, so we could find out a bit more 14 about him. But I don't think she was familiar or knew 15 much more about GHB.</p> <p>16 Q. Let me ask you to look at a document please, for the 17 screen it's IPC78 and it's page 33.</p> <p>18 This you may or may not have seen at the time, and 19 I want to ask you, but it is an entry on 20 Paul Slaymaker's FLO log, on 21 September, so 11 days 21 after Denise Stanworth's report, it is a conversation 22 with China Dunning. If we look at the last sentence, he 23 says: 24 "China mentioned that if GHB was found, she does not 25 think that Anthony would take that of own accord."</p> <p style="text-align: center;">Page 101</p>	<p>1 sent on to the homicide command, if we are talking about 2 the September one?</p> <p>3 Q. Yes, let's just look at it, the jury have seen this 4 before, so we can take it quite quickly, but it is 5 tab 42. For the screen it is IPC257.</p> <p>6 This is an email -- ignore the top few lines to 7 start with -- do you see this, from Mr McCarthy to you, 8 as well as Mr Slaymaker and Mr Parish. It is to you, 9 dated 16 September, so a few days after Stanworth's 10 report arrives?</p> <p>11 A. Yes.</p> <p>12 Q. He starts with these words: 13 "In relation to suspicious death of Mr Walgate ..." 14 Did it surprise you that Mr McCarthy referred to 15 Mr Walgate's death as suspicious?</p> <p>16 A. No, no.</p> <p>17 Q. You were still treating it as a suspicious death?</p> <p>18 A. Yes.</p> <p>19 Q. We read through this email, but Mr McCarthy says he was 20 recently forwarded a copy of a toxicology report and 21 says that a copy of it is attached. He then refers to 22 the suspect, refers to there being unexplained issues 23 about how he paid or was to pay for the service. He 24 talks about charges or cautions for wasting police time 25 or perverting the course of justice. There is a mention</p> <p style="text-align: center;">Page 103</p>
<p>1 A. Right.</p> <p>2 Q. If you put that in the context of all the other evidence 3 about a date rape drug, about Stephen Port, that would 4 appear to be of some significance?</p> <p>5 A. Yes.</p> <p>6 Q. Were you aware of what China Dunning had said to 7 Paul Slaymaker?</p> <p>8 A. I think she had said previously that she didn't think he 9 would have taken GHB.</p> <p>10 Q. Did you not think that that was at least part of the 11 story here?</p> <p>12 A. Yes. Almost certainly. But then we had to go and show, 13 or at least obtain evidence, that would prove that Port 14 actually gave it to him.</p> <p>15 Q. Yes, you could have at least obtained a statement from 16 China Dunning, formally, giving this evidence?</p> <p>17 A. No, I agree.</p> <p>18 Q. You didn't do that?</p> <p>19 A. No, we didn't.</p> <p>20 Q. Ultimately, you could have gone back to homicide 21 command, couldn't you?</p> <p>22 A. Yes.</p> <p>23 Q. In fact you were told to refer the case back to homicide 24 command at about this time?</p> <p>25 A. I was asked to complete an updated report that was to be</p> <p style="text-align: center;">Page 102</p>	<p>1 about the FLO, and then he says, "Proposed: toxicology 2 report". He says: 3 "I am open to discussion, but I think we should 4 relay the current information ie toxicology result, back 5 to the MIT that provided the original advice ... MIT 20. 6 They should be able to give us a heads up as to any 7 other enquiries to be conducted in light of the findings 8 and any other current relevant information or should we 9 be completing a coroner's report ..."</p> <p>10 Effectively Mr McCarthy is saying we need to go back 11 to MIT, ask them what to do, ask them about further 12 enquiries or any current relevant information.</p> <p>13 A. Yes.</p> <p>14 Q. We are at a fork in the road, we are either going to 15 investigate this as a suspicious death or the reference 16 to coroner's report means we are not going to 17 investigate a suspicious death?</p> <p>18 A. Yes.</p> <p>19 Q. Then, under "Actions", he says: 20 "Martin [that's you,] Dave, could you try and get 21 the referral done ASAP."</p> <p>22 A. Yes.</p> <p>23 Q. So he is asking you to get the referral done?</p> <p>24 A. Yes.</p> <p>25 Q. Then he goes on to say that that current situation</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 review or report, which we have looked at a few times, 2 he basically wants it updated in order to send it to 3 HAT. 4 A. Yes. 5 Q. He says either if you provide me with the information, 6 I will update it or, this is the last sentence: 7 "Alternatively, if you are in a position to update, 8 then it can be forwarded to the MIT for their 9 information." 10 A. Yes. 11 Q. You said that you were asked to update a report? 12 A. Yes. 13 Q. In fact you were asked to update the report and then 14 refer the case to HAT. Is that a fair reading of this 15 email? 16 A. Yes, it was either or. 17 Q. We can see, just to go through the chronology -- we need 18 to go to the CRIS, so tab 2 in the bundle, IPC35, 19 page 92, please. 20 That email was on 16 September, and on 18 September, 21 we see halfway down this page you make an entry on the 22 CRIS saying, "File to be passed". 23 Acknowledging the fact that Mr McCarthy has decided 24 we are going to pass this file back to HAT. We are 25 going to decide whether we continue investigating this</p> <p style="text-align: center;">Page 105</p>	<p>1 and send it to HAT? So if you had updated it, why 2 didn't you just make the referral at that stage? 3 A. Well, I hadn't been involved in any of the MIT referrals 4 at that time. 5 He had always been in contact with the MIT teams, so 6 I took that email as a case of either I will submit it 7 or you will submit it, so I updated the report. I mean 8 the delay in the report was that we were expecting 9 Dr Biedrzycki to give his final report. He then wanted 10 to take -- to make further examinations, so we knew that 11 the report -- that his final report was going to be 12 delayed. But I thought it would be useful to have his 13 report in order to send it on to the HAT car, or the HAT 14 team. 15 Q. Sorry, do finish. 16 A. So that is why the delay was, and I explained that to 17 Eugene, it might be useful to wait, if Dr Biedrzycki is 18 indicating he might be able to supply us with the 19 report. In the end he didn't, so I then updated the CSR 20 and passed it back to Eugene for referral back to the 21 MIT, like the subject says, "Walgate report for referral 22 to SC&O1", because he was the one that was doing it up 23 until that point. I had never had any contact with the 24 HAT team or MIT. 25 Q. That is 16 October?</p> <p style="text-align: center;">Page 107</p>
<p>1 as a suspicious death or not but we need their help? 2 A. Yes. 3 Q. The next thing that seems to have happened, I am afraid 4 we need to go back, now, to that email, so for the 5 screen, IPC257. 6 Members of the jury we will be coming back to the 7 CRIS, so you might want to keep your finger in tab 2. 8 Tab 42, please. 9 Nothing seems to have happened between that entry 10 you made on the CRIS on 18 September and maybe two or 11 three weeks later. If you look at the top of this page, 12 Mr McCarthy just seems to have forwarded the same email 13 back to you. Do you see that? 14 A. Yes. 15 Q. It looks like he was chasing you? 16 A. Yes. 17 Q. That was on 6 October. 18 Then, if we turn over in the bundle to tab 43, for 19 the screen it is IPC269, 10 days after he chased, so he 20 chased you on 6 October, 10 days later, do we see you 21 sending Mr McCarthy the updated CSR? 22 A. Yes. 23 Q. When we looked at the email, it appeared that what 24 Mr McCarthy was really saying is either send me the 25 information so I can update the CSR or do it yourself</p> <p style="text-align: center;">Page 106</p>	<p>1 A. Yes. 2 Q. You didn't say in this email, "I know you asked me to 3 send this to the MIT, but please can you?" Or, "I am 4 waiting for you to do it", but did you speak to him? 5 A. Yes, I would have spoke to him. I would have spoken to 6 him, because I would have said there is obviously 7 a delay because I am waiting to see if we will actually 8 get the pathologist's report. 9 Q. Do you think that he knew that you were now expecting 10 him to send that off for the HAT advice that he had said 11 was necessary? 12 A. Considering the subject heading said "Walgate report for 13 referral to SC&O1", and the fact that he had been doing 14 it up until that point. I would say, yes, it was 15 a fairly reasonable assumption that he would then pass 16 it on to the HAT car. 17 Q. If we could go back to the CRIS please, so tab 2 in the 18 bundle, IPC35, page 94. 19 That email we were just looking at when you sent the 20 report to Mr McCarthy was 16 October. 21 At the top of this page, 30 October, so a fortnight 22 later, you make this entry in the CRIS, and you do say 23 much as what you have said to us just a moment ago. You 24 say: 25 "The updated report [three lines down] has been</p> <p style="text-align: center;">Page 108</p>

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<p>1 passed to DI McCarthy by me for submission to SC&O1 for 2 review and comment."</p> <p>3 A. Yes.</p> <p>4 Q. At the very bottom you refer to the fact: 5 "Awaits a CPS response but also SC&O1 advice." 6 A. Yes.</p> <p>7 Q. As things stood there, you were still, as it were, 8 stationary at that fork in the road? 9 A. Yes.</p> <p>10 Q. Mr McCarthy had identified the need for that advice 11 before you decided which way to go, you were waiting, 12 you had passed him the file, you were waiting for him to 13 make that referral. 14 I am sure you were expecting, when he did, the HAT 15 to what, to come and have a meeting? To discuss it? 16 A. I hadn't been involved in any meetings with the HAT or 17 the major investigation team, so I probably wasn't 18 expecting anything to come to me regarding that.</p> <p>19 Q. What about the HAT return advice, all those bits of 20 paper that we had seen? 21 A. I would have expected a HAT return, yes.</p> <p>22 Q. You would have expected Mr McCarthy to tell you, 23 wouldn't you? 24 A. Yes, more than likely.</p> <p>25 Q. It is quite important to deciding whether you are going</p> <p style="text-align: center;">Page 109</p>	<p>1 MIT advice before we decide what we are charging Mr Port 2 with?</p> <p>3 A. I think I discussed with Eugene the struggle we were 4 having with regards to proving that Port had 5 administered that. But I don't remember any 6 conversation about whether or not the MIT team had come 7 back to us. I would have mentioned it, I thought, 8 because it was obviously well overdue, but I don't 9 remember any specific conversations about that.</p> <p>10 Q. Mr McCarthy -- we can ask him about this because he is 11 coming, but Mr McCarthy had made it clear that he 12 thought this was the time to take further advice from 13 MIT? 14 A. That's right.</p> <p>15 Q. Do you have a clear memory of him saying, "I have 16 changed my mind, we don't need that advice anymore"? 17 A. No, because, like I said, I sent him an email with the 18 clear expectation that he would then pass it on and 19 refer it to the MIT, as he had done previously.</p> <p>20 Q. Yes, and this is a man who shares an office with you? 21 A. Yes, off and on, yes.</p> <p>22 Q. Not every day, but he is there? 23 A. No. That's right, yes.</p> <p>24 Q. Did you ask him what was going on about the referral? 25 A. Probably, yes.</p> <p style="text-align: center;">Page 111</p>
<p>1 to carry on investigating a suspicious death or simply 2 go to a coroner's inquest?</p> <p>3 A. Yes.</p> <p>4 Q. What happened? 5 A. I don't think I had a response, or I didn't have 6 a response regarding that.</p> <p>7 Q. You must have wondered what was happening? 8 A. Yes.</p> <p>9 Q. Did you ask Mr McCarthy what was happening? 10 A. I think I probably would have done, yes.</p> <p>11 Q. Did you send him an email saying, "We need to know, has 12 this gone to MIT or not?" 13 A. No, I don't remember any email.</p> <p>14 Q. Did you look back at his initial email and think, "Oh, 15 maybe he was expecting me to send that"? 16 A. No, no, I didn't take it in that way.</p> <p>17 Q. If we just cast our eye down this page, the next entry, 18 it is over two months later. 17 January. 19 A. Yes.</p> <p>20 Q. We heard with Mr Parish yesterday that the case had been 21 waiting with the CPS for some time and on 17 January 22 they decided, they authorised a charge against Mr Port 23 for perverting the course of justice. Yes? 24 A. Yes.</p> <p>25 Q. Did you around that time, say, don't we need to have the</p> <p style="text-align: center;">Page 110</p>	<p>1 Q. Let's look -- we see on 17 January, "Charge for 2 perverting course of justice authorised". 3 On the same day, you may recall I mentioned that 4 date, you stopped being the officer in the case and 5 Mr Parish becomes the officer in the case. 6 Then, if we can go on to the next page, please, 7 29 January, the suspect, Mr Port has been charged for 8 perverting the course of justice. He has been bailed. 9 This matter is now complete. You say on 2 February, 10 "Complete, please file". 11 We just cast our eye down that page, and I will come 12 back to this, that is the end of the CRIS, isn't it, for 13 the moment? 14 A. That is the end of that report.</p> <p>15 Q. Until 16 October, after Jack Taylor had been killed and 16 the whole matter is revived because of at that stage 17 Stephen Port is investigated for four murders? 18 A. That's right.</p> <p>19 Q. The question, Mr O'Donnell, is how did it happen that 20 essentially the case was closed and you made that entry, 21 "Complete, please file", without saying, "Hang on 22 a minute, I thought we were supposed to be going back to 23 MIT?" 24 A. Yes, I mean that is not necessarily something I would 25 have put on the crime report, but --</p> <p style="text-align: center;">Page 112</p>

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<p>1 Q. It doesn't matter whether you were going to put it on 2 the CRIS or not, why didn't you go and see Mr McCarthy 3 and say, "That email you sent, you said we needed to ask 4 HAT before we decided what to do, have you sent that 5 referral off?" 6 A. I think I would have done, but I just don't remember the 7 conversation. Because it was obviously there in his 8 email to me and my email response back to him but we -- 9 obviously there wasn't a response, so there would have 10 been a discussion about it, I am sure. 11 Q. I took you to that passage in your statement, 12 Mr O'Donnell, where you said that after you received the 13 toxicology report in September, you were, to use your 14 words, repeatedly revisiting the possibility that 15 Stephen Port had administered that drug to Anthony. 16 Were you repeatedly revisiting it during September, 17 October, November, December, January, of these pages on 18 the CRIS we were looking at? 19 A. It was still an ongoing investigation. 20 Q. It was ongoing until the time that you agreed it could 21 be closed? 22 A. Until the crime report was closed. 23 Q. It was closed at a time when it hadn't been referred 24 back to HAT, wasn't it? 25 A. I didn't know about the HAT referral, what had taken</p> <p style="text-align: center;">Page 113</p>	<p>1 himself or taken it himself. And I said I didn't think 2 we could prove that he did it. 3 Q. They said that they said to you about Stephen Port, 4 words to the effect, "This guy is dodgy as fuck". 5 A. Right, I don't remember them saying that. 6 Q. They remembered you answering: 7 "We can all have our assumptions but there were two 8 people there that night and one is dead. You need to 9 let it go, you are not going to find out." 10 A. That is not something I believe I would say. That is 11 just totally insensitive and unprofessional to say 12 something like that. That is not something I would say. 13 Q. Mr O'Donnell, we have spent a couple of hours going 14 through the course of this investigation -- 15 A. Yes. 16 Q. -- and you have admitted several times that there were 17 important steps in this investigation that were down to 18 you to take which never happened. 19 Is it just possible that you were conscious, perhaps 20 when you were challenged on that day about Stephen Port, 21 that you hadn't done everything you should have done and 22 that somehow you just wanted to close the discussion 23 down? 24 A. No. No, I wouldn't have said that. No, I just wouldn't 25 have said that. That is just not me.</p> <p style="text-align: center;">Page 115</p>
<p>1 place then. 2 Q. You must have known it hadn't been referred back to HAT. 3 A. I don't remember the conversations I had with Eugene 4 about it, I can't tell you. 5 Q. In March 2015, as a result of the charge we have just 6 been looking at, Stephen Port appeared in court, didn't 7 he? 8 A. Yes. 9 Q. He was prosecuted for perverting the course of justice 10 and he pleaded guilty to that charge? 11 A. Hmm, yes. 12 Q. You were in court that day, yes? 13 A. That's right, yes. 14 Q. So were China Dunning, Kiera Brennan and Sarah Sak's 15 husband? 16 A. That's right. 17 Q. They have told us about speaking to you. Do you 18 remember speaking to them? 19 A. I remember speaking to China, I don't remember speaking 20 to anyone else. 21 Q. Do you remember them challenging you about 22 Stephen Port's behaviour? 23 A. I remember saying to them that I -- you know, I had 24 every sympathy with them that they thought Stephen had 25 done this and Anthony would never have administered it</p> <p style="text-align: center;">Page 114</p>	<p>1 Q. Kiera Brennan gave evidence in front of this jury and 2 she was shown a passage of a statement where she said: 3 "I don't think the police were homophobic, but when 4 they found out he was an escort they wrote him off. 5 I think they just didn't try. They thought it was 6 a young boy shagging people for money, that was the 7 impression I got." 8 Did you write off Anthony Walgate? 9 A. Not at all. No, I didn't. 10 Q. Mr O'Donnell, I have asked you about downloading 11 Stephen Port's computer, and at one point when I was 12 asking you you said, "Well, it did happen", and I said, 13 "Well, much later". 14 A. Yes. 15 Q. We have seen that the CRIS, the criminal stage of the 16 investigation, was closed down in January/February time, 17 and it wasn't until after that, after the trial at 18 Snaresbrook, that in the end that material was 19 downloaded. That is right, isn't it? 20 A. Yes. 21 Q. It was done by Mr Parish at your request, following 22 a request made by Mr Kirk to you for the purpose of the 23 coronial investigation. Is that right? 24 A. That's right, yes. 25 Q. Did you look at the download at the time?</p> <p style="text-align: center;">Page 116</p>

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<p>1 A. No, I would have left that to Dave to complete.</p> <p>2 Q. I want to show you, please, this is in the second</p> <p>3 bundle, the summary, if you like, of what was found on</p> <p>4 Stephen Port's computer. For the screen, it is INQ45.</p> <p>5 The jury have seen this more than once before. We don't</p> <p>6 need to go all the way through it. But if we look at</p> <p>7 the second page, please. We see at the bottom, so at</p> <p>8 23.19, and this is on Friday, 13 June, we see at the</p> <p>9 bottom, do you see that, Stephen Port accessing the</p> <p>10 Sleepyboy escort website and contacting, sending out</p> <p>11 messages, can you see that?</p> <p>12 A. No.</p> <p>13 THE CORONER: It is not on the screen yet.</p> <p>14 MR O'CONNOR: It is now.</p> <p>15 Do you see 23.19, and that was the time on the 13th</p> <p>16 when Stephen Port sent out messages to several people,</p> <p>17 including Anthony, saying, "Are you free to come to</p> <p>18 Barking on Tuesday night?" Can you see that?</p> <p>19 A. Yes.</p> <p>20 Q. What the download of the computer showed was that in the</p> <p>21 hours before that Stephen Port had been watching porn</p> <p>22 and if we look at the top of the page, the Google</p> <p>23 searches which had led him to the porn that he was</p> <p>24 watching included, "Boys being fucked on G", "Boys drug</p> <p>25 fucked on drug porn videos", "Gay boys drug fucked porn</p> <p style="text-align: center;">Page 117</p>	<p>1 Q. I would like just to look at your first witness</p> <p>2 statement, please, IPC355, and page 11, if we can have</p> <p>3 the top half of the page, I am going to read a passage</p> <p>4 from your witness statement:</p> <p>5 "The download of the computer belonging to</p> <p>6 Stephen Port has now been made available to me and as</p> <p>7 far as I can tell, although it demonstrates a keen</p> <p>8 interest in gay and chemsex matters, and particularly</p> <p>9 gay sexual issues, as well as the drug GHB, there is</p> <p>10 nothing specifically which I think, even with the</p> <p>11 benefit of hindsight, would have necessarily caused me</p> <p>12 to reconsider his position in terms of matters directly</p> <p>13 relating to the causation of the death of Mr Walgate."</p> <p>14 Is that still the view you take?</p> <p>15 A. No, not at all and it is very badly worded, that part of</p> <p>16 the statement. It didn't reflect my position at all.</p> <p>17 Q. Mr O'Donnell, Kiera Brennan said that you just didn't</p> <p>18 try to investigate Anthony's Walgate's death. Can you</p> <p>19 see how someone might think that looking at this witness</p> <p>20 statement, even after Stephen Port had been convicted of</p> <p>21 four murders, you didn't try very hard to look at that</p> <p>22 download and to think about what it might mean?</p> <p>23 A. I can see how it would seem like that, but I can only</p> <p>24 apologise deeply to the families for not being able to</p> <p>25 do this to a standard that they would have expected from</p> <p style="text-align: center;">Page 119</p>
<p>1 videos", "Gay boys drug fucks sleeping gay porn".</p> <p>2 Then, just to take you to one other reference, if we</p> <p>3 can go to page 3, please, on Sunday, 15 June, so</p> <p>4 two days later, the downloads showed that Stephen Port</p> <p>5 received the response from Anthony to that email that he</p> <p>6 sent late on the Friday night. The response from</p> <p>7 Anthony directed him to look at his, that is Anthony's,</p> <p>8 page on a different website under "ryan018" do you see?</p> <p>9 A. Yes.</p> <p>10 Q. We then see that immediately Stephen Port went to that</p> <p>11 website at 23.12; can you see?</p> <p>12 A. Yes.</p> <p>13 Q. If we go over the page, in the period immediately after</p> <p>14 receiving that message from Anthony and then looking at</p> <p>15 Anthony's profile, he went back to looking at drug rape</p> <p>16 porn, and his Google search during that time was, "Boys</p> <p>17 being drug raped unconscious porn videos".</p> <p>18 You say you didn't look at the download when</p> <p>19 Mr Parish did.</p> <p>20 A. Hmm.</p> <p>21 Q. But it was made available to you, wasn't it, in 2017.</p> <p>22 A. Yes. Yeah.</p> <p>23 Q. After Jack Taylor had been murdered, and after</p> <p>24 Stephen Port's trial and sentence?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 118</p>	<p>1 us.</p> <p>2 It was there on his laptop and we should have got</p> <p>3 it. We just should have got it.</p> <p>4 MR O'CONNOR: Yes, thank you.</p> <p>5 Those are all my questions.</p> <p>6 THE CORONER: Right, we will break off there now for lunch</p> <p>7 until 2.05, please.</p> <p>8 (1.07 pm)</p> <p>9 (The Luncheon Adjournment)</p> <p>10 (2.05 pm)</p> <p>11 (In the presence of the jury)</p> <p>12 Questions from MS HILL</p> <p>13 MS HILL: Good afternoon, as I think you know I ask</p> <p>14 questions on behalf of the families of those young men</p> <p>15 who were murdered, save for the partner of</p> <p>16 Daniel Whitworth who has his own lawyer.</p> <p>17 In your evidence this morning you have made certain</p> <p>18 admissions which I think the family have found quite</p> <p>19 difficult to hear, all the families who are here in</p> <p>20 court and those who are watching remotely, because in</p> <p>21 some ways you have made admissions that go further than</p> <p>22 you made in your witness statements, isn't that right?</p> <p>23 A. Yes.</p> <p>24 Q. I think you will understand therefore why I still need</p> <p>25 to ask you a few questions on their behalf, although</p> <p style="text-align: center;">Page 120</p>

<p>1 I appreciate it may also be difficult.</p> <p>2 Can I ask you some questions, please, about the</p> <p>3 general approach to this investigation, first of all.</p> <p>4 Anthony's death involved an investigation that was</p> <p>5 at various points on the borderline of primacy between</p> <p>6 the borough and the MIT team; isn't that right?</p> <p>7 A. That's right, yes.</p> <p>8 Q. Very broadly, we know that there were several requests</p> <p>9 made for the MIT team to take over that was declined but</p> <p>10 there were certain discussions at senior level about who</p> <p>11 should take this case?</p> <p>12 A. That's right, yes.</p> <p>13 Q. It must follow therefore that throughout it was on the</p> <p>14 borderline of being a homicide-type case?</p> <p>15 A. That's right, yes.</p> <p>16 Q. That is very different to the kind of cases that your</p> <p>17 team normally investigated; that must be right?</p> <p>18 A. Yes, very much so.</p> <p>19 Q. It must be fair then to characterise it as at the most</p> <p>20 serious end of the sort of cases you were looking at?</p> <p>21 A. Yes. Yes.</p> <p>22 Q. This case, as we know, was allocated to one of the more</p> <p>23 junior officers, T/DC Parish, but it must follow that</p> <p>24 your job as a supervisor was to give him greater</p> <p>25 supervision than would be expected if he was</p> <p style="text-align: center;">Page 121</p>	<p>1 support?"</p> <p>2 He said:</p> <p>3 "We never really had any meetings."</p> <p>4 Elsewhere on the transcript, from the day before,</p> <p>5 I think at page 178, he said:</p> <p>6 "People didn't talk about what investigations they</p> <p>7 were completing at the time."</p> <p>8 At various points in his evidence he seemed to think</p> <p>9 that, unless he was specifically told to do something by</p> <p>10 you, even if it was on the CRIS, he wasn't required to</p> <p>11 do it.</p> <p>12 If he is right about that, that system doesn't sound</p> <p>13 to be very intrusive or effective supervision, does it?</p> <p>14 A. No, you are right. I tried my best to support him in</p> <p>15 the investigation with the time that I had, considering</p> <p>16 all the other investigations we were carrying at the</p> <p>17 time, the other victims we had to consider and the</p> <p>18 people I had to work with.</p> <p>19 Q. Is he right to say that there were not really very many</p> <p>20 meetings between you when you discussed this case?</p> <p>21 A. Well, we were working very closely with each other. We</p> <p>22 were within feet of each other every day when we came</p> <p>23 on, so I wouldn't -- I would say the meetings were</p> <p>24 constant and informal, we wouldn't have a specific</p> <p>25 meeting, a sit down, per se, we would just -- we would</p> <p style="text-align: center;">Page 123</p>
<p>1 an experienced detective, is that right?</p> <p>2 A. Yes, I would try to supervise him as best I could.</p> <p>3 Q. The need for greater supervision was all the more</p> <p>4 significant given the serious nature of this case; isn't</p> <p>5 that fair?</p> <p>6 A. Yes.</p> <p>7 Q. Because, effectively, you had the most serious kind of</p> <p>8 case for your team being investigated by the most junior</p> <p>9 kind of officer, is that fair?</p> <p>10 A. Yes, he was one of the trainees on my team, yes.</p> <p>11 Q. Would you agree that your role as his supervisor was to</p> <p>12 suggest lines of enquiry to him and make sure he had</p> <p>13 followed up the various things he had been asked to do?</p> <p>14 A. That's right, yes.</p> <p>15 Q. As well as interacting appropriately with those above</p> <p>16 you in the chain of command; is that right?</p> <p>17 A. That is right, yes.</p> <p>18 Q. In terms of your general way of working, when he gave</p> <p>19 evidence he seemed to suggest that there were not very</p> <p>20 many meetings between you, I am just going to read out</p> <p>21 something from page 47 of the transcript from yesterday.</p> <p>22 Juror asked a question:</p> <p>23 "How often is your senior officer expected to brief</p> <p>24 or discuss you via meetings, the outcomes of your</p> <p>25 searches, et cetera, do you feel you needed more</p> <p style="text-align: center;">Page 122</p>	<p>1 discuss it ongoing throughout the day, throughout our</p> <p>2 shifts, just because we were working together for the</p> <p>3 majority of the time.</p> <p>4 Q. You don't think, for example, there were regular</p> <p>5 meetings where you would sit down and say, "Right, this</p> <p>6 is all the evidence we now have, you need to go away and</p> <p>7 do this and let me check on you doing that"?</p> <p>8 A. There would be occasions when we would have sort of</p> <p>9 discussions like that, but we would generally discuss</p> <p>10 ongoing things in a day-to-day manner.</p> <p>11 Q. You were asked some questions before the lunch break</p> <p>12 about the PNC check that was done and the information</p> <p>13 that came to light around X1.</p> <p>14 A. Yes.</p> <p>15 Q. My record of your evidence in relation to that was:</p> <p>16 "It was a fairly significant mistake of mine not to</p> <p>17 include the details of that allegation in the</p> <p>18 intelligence document."</p> <p>19 Do you remember that part of your evidence?</p> <p>20 A. Yes, yes.</p> <p>21 Q. You would know, I think, from general detective</p> <p>22 training, that information about the person who had</p> <p>23 reported the finding of the body could be really</p> <p>24 important, couldn't it?</p> <p>25 A. Yes, yes.</p> <p style="text-align: center;">Page 124</p>

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<p>1 Q. We have seen that in the relevant ACPO manual. 2 Can I suggest to you that the significant mistake 3 here was not so much your failure to record it in the 4 intelligence document, but your failure to understand 5 what it might have meant about who Mr Port really was. 6 Do you understand the difference? 7 A. Yes, I do. But considering the allegation that was made 8 and the fact that he was arrested and interviewed and 9 despite the fact no further action was taken, didn't 10 make it any less significant to me in terms of that 11 allegation. 12 Q. But it clearly showed him as somebody who, with his 13 conduct, a partner had said, had given him drugs and 14 acted against him in a way that that partner didn't 15 like. That is broadly what the allegation was, wasn't 16 it? 17 A. That's right, yes, that was the case. 18 Q. It does give you a significant insight into the nature 19 of the man that you are dealing with? 20 A. Yes, for that incident, yes. 21 Q. You were asked some questions about the PND check. My 22 note of your evidence in relation to that issue, I hope 23 I have this right, was that it was a huge failure not to 24 have obtained that intelligence, is that what you said? 25 A. Yes. Yes, it would have been very significant if we had</p> <p style="text-align: center;">Page 125</p>	<p>1 PND and the information obtained from it are used 2 consistently across the police service and in compliance 3 with legal and policy requirements." 4 Do you see that? 5 A. Yes. Yes. 6 Q. Just before we leave this document, can we scroll down 7 to internal page 9, please, paragraph 2.1: 8 "The purpose of the Police National Database aligns 9 very much with general policing purposes." 10 Because it says: 11 "The PND is to be used solely [understandably] for 12 policing purposes." 13 One of those is protecting life, isn't it? 14 A. That's right, yes. 15 Q. Because the sharing of intelligence and the using of 16 intelligence cannot be underestimated can it in terms of 17 its potential significance? 18 A. No, you are quite right. 19 Q. Take that down, please. 20 You may or may not know very much about the 21 mechanics of how the PND works, but is it your 22 understanding that it uploads or updates information 23 from different police forces on an almost instantaneous 24 basis? 25 A. I assume so. If that is correct, yes.</p> <p style="text-align: center;">Page 127</p>
<p>1 have had it in front of us. 2 Q. To be clear, I think the PND has been described so far 3 in questioning as one of the most basic databases on 4 intelligence as well as the PNC. That is a fair 5 characterisation of it, isn't it? 6 A. I am not particularly familiar with -- I am not a user 7 of the PND, so I don't know really. 8 Q. All right, can I bring up MPS000622, please, internal 9 page 1. This is the Code of Practice in relation to the 10 PND, Police National Database, we can see it is dated 11 March 2010, so it's not a particularly new system by the 12 time you were dealing with Anthony's death, it has been 13 in place for at least four years. If you scroll down, 14 please, to paragraph 1.1, under the heading the general 15 introduction to it. It's on internal page 6, sorry, 16 scroll down a little bit further, please. 17 Do we see -- if you scroll in on the first two 18 paragraphs on this page: 19 "The PND is a national information management system 20 that improves the ability of the police service to 21 manage and share intelligence and other operational 22 information to prevent and detect crime and make 23 communities safer." 24 The next paragraph, just on this: 25 "As a national system, it is crucial that both the</p> <p style="text-align: center;">Page 126</p>	<p>1 Q. The opportunities for you to have acquired intelligence 2 from the Police National Database were, I would suggest 3 to you, two particular opportunities if I may. 4 Firstly, this is something that you should have done 5 at the very beginning of the investigation of your own 6 volition, shouldn't you? 7 A. Yes. No, you are right. 8 Q. Secondly, even if you had missed that at the very 9 beginning, in his interviews when Mr Port mentioned 10 previous incidents, that should have been another red 11 flag to you to obtain PND data, shouldn't it? 12 A. Yes. Certainly it warranted further enquiries around 13 his comments. 14 Q. We do in fact have the results of the PND search that 15 eventually took place. You have been taken to some of 16 it. But can I have brought up, please, on screen -- 17 I'll just get the right reference for this, bear with me 18 a second. Just bear with me. (Pause) 19 Can I bring up, please the BTP report that is in the 20 jury bundle that you have already looked at I believe, 21 I think it is at tab 38 of the jury bundle, is that 22 right? 23 Can I ask you to look, please, it's IPC000082, 24 internal page 2. 25 Just to be clear, I think that the chronology is</p> <p style="text-align: center;">Page 128</p>

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<p>1 correct, that the PND search itself that you would have 2 done would have resulted in different hits, if you like, 3 because one of those hits would have been the 4 December 2012 incident, but this is the product of one 5 of those hits that would have occurred. Do you 6 understand? 7 A. Right, yes. 8 Q. This is the intelligence report from the British 9 Transport Police. If you look, please, on page 2, there 10 are some significant similarities, are there not, 11 between what was being described by X3, and the incident 12 around that, in that, if you look, please, in the middle 13 of that page, firstly, Port had said he had found male 2 14 under the influence outside his house, which is very 15 similar to what he said about Anthony in the beginning, 16 isn't it? 17 A. Yes, it is, yes. 18 Q. Port had said that X3 had possibly taken meph or G, 19 isn't that right? 20 A. Yes. 21 Q. This was an incident that involved the presence of these 22 two men at Barking station, didn't it? 23 A. Yes. 24 Q. There was clearly a concern, wasn't there, about the 25 location of the phone belonging to this young man. Is</p> <p style="text-align: center;">Page 129</p>	<p>1 Q. If you can look back in the original report, there was 2 discussion about what Port was saying. If you bring up 3 the BTP incident again, which is at IPC000082, internal 4 page 2. In the middle of that page, Port said X3 had 5 possibly taken meph or G, but then a few lines down: 6 "X3 admitted meeting Port on the internet, but said 7 that he had not taken any substances this evening." 8 Do you see that? 9 A. Yes, I see it now, yes. 10 Q. Again, this issue in relation to X3 at the train station 11 is another example, isn't it, of Port having given 12 an account very similar to what he said about Anthony 13 and about a young man saying he had been drugged against 14 his will? 15 A. That's right, yes. 16 Q. If you had seen this, it has been put to you I think 17 already that obtaining a witness account from X3 was 18 a relatively easy thing you could have done, is that 19 right? 20 A. Yes, we would have had his details here and we would 21 have looked to have got that. 22 Q. I don't think it is necessary or appropriate to bring it 23 up on screen, but for the note we do have a full 24 statement from X3 at IPC000390, internal page 1 and 25 thereafter.</p> <p style="text-align: center;">Page 131</p>
<p>1 that what you understood from this? 2 A. In that I think he was looking for it, yes. 3 Q. Did you consider speaking to the British Transport 4 Police after this information, or is it because it never 5 came to your attention at all that you wouldn't have 6 done that? 7 A. It never came to my attention at all. 8 Q. If you had seen it, getting some further information 9 about the BTP officers present would have been 10 an obvious step, wouldn't it? 11 A. Yes, we would want to speak to them. 12 Q. In relation to that, just for the reference briefly, can 13 we bring up please, IPC000400, internal page 1. The 14 foot of that page, this is one of those BTP officers who 15 was eventually spoken to, the very foot of that page 16 makes clear doesn't it that the very reason this 17 incident had come to the attention of the police was 18 because it was thought that Port was trying to steal his 19 phone from his bag. Is that right? 20 A. Yes, I can see that at the bottom of the statement, yes. 21 Q. Is it also the case that your understanding now from the 22 BTP information is that X3 was denying having taken any 23 drugs. 24 A. Did it say that, sorry, I missed it, did it say it on 25 the PND report?</p> <p style="text-align: center;">Page 130</p>	<p>1 Broadly, X3 describes a series of occasions of going 2 to Stephen's flat. He says on the fourth of those 3 occasions he was given a drink that: 4 "Stephen insisted that I should drink the alcohol. 5 I told him it wasn't for me and I wouldn't even try it. 6 He went and got me a Coke, told me there was no alcohol 7 in it, I knew there was something else in it as it 8 didn't taste like normal Coke." 9 Do you remember that? 10 A. Yes. 11 Q. Did you know about that? 12 A. I haven't read the statement, if you are referring to 13 that statement. 14 Q. Perhaps just do it in this way then, it is on the fifth 15 occasion that X3 goes to Port's flat and he describes 16 being given some poppers by Stephen and he says: 17 "He gave me a small black bottle with a lid or 18 something, I held the bottle and inhaled it when I felt 19 a rush. Stephen continued to massage me and I fell 20 asleep. When I woke up I was laying on my side on the 21 top of his bed." 22 Then he describes Port giving him something from 23 a white plastic disposable cup, perhaps just bring up 24 the very foot of the page please, it's IPC000390, 25 internal page 3. Just bring up the last paragraph and</p> <p style="text-align: center;">Page 132</p>

<p>1 a bit of this page, please, so scrolling on internal 2 page 3, and bring up the last paragraph, thank you. 3 X3 says: 4 "After I had the glass of clear tasteless fluid 5 I was knocked out. The next thing I remember I awoke 6 and I was laying on the floor. I found myself naked and 7 I recall that my penis was erect. I didn't know why 8 I was aroused and I began screaming and shouting, I felt 9 I was out of my mind. I felt like I didn't know who 10 I was, who he was, where I was or what time it was." 11 He goes on to say: 12 "I wasn't in any pain but I was very disorientated. 13 Stephen came into the room. He was holding me up. 14 I was asking him how I got there. I kept repeating 15 I had to go home, my parents were going to kill me. 16 I was asking him if it was the next day or morning. 17 Stephen helped dress me, he put my shoes and coat on, as 18 I could barely dress myself." 19 Then he describes going to the train station and the 20 contact with the officers. 21 Just looking at that account, if you had got that 22 account from X3, this is quite significant, isn't it, 23 because it is not just -- if I can call it that, and 24 I don't mean to undermine it in any way. It is not 25 simply that he was saying he felt that drugs had been</p> <p style="text-align: center;">Page 133</p>	<p>1 Q. You accept, I think, officer, in relation to the laptop, 2 that you should have insisted on it being downloaded 3 sooner and you have deeply apologised to the families 4 for that, I think today for the first time. 5 It is right, isn't it, that that laptop gave yet 6 further insight into the sexual predator that 7 Stephen Port was and it was highly important 8 information, wasn't it? 9 A. Absolutely yes. 10 Q. When it became known that GHB had registered in the 11 toxicology readings for Anthony, it seems as if that was 12 something that you didn't know very much about, is that 13 fair? 14 A. At the time, yes, until I spoke to the toxicologist and 15 she explained it to me. 16 Q. Learned counsel for the coroner has put to you various 17 ways in which you could have found out more about GHB 18 and about its use as a date rape drug. 19 At the time, do you think you were sufficiently 20 professionally curious about GHB? 21 A. I probably could have sought out other sources of 22 information about GHB, yes. 23 Q. In relation to the period of time after Stephen Port's 24 second interview, just coming to that period now, if 25 I may officer.</p> <p style="text-align: center;">Page 135</p>
<p>1 put into his drink, he was saying here that he felt 2 something serious and sexual had happened with Stephen, 3 want he? 4 A. Yes, he was, definitely, the whole pattern of behaviour 5 there. 6 Q. He was talking about Stephen having held him up, and he 7 was talking about Stephen having dressed him? 8 A. Yes. 9 Q. Go, please, to the last page of that witness statement, 10 internal page 6. He says: 11 "I am convinced I was drugged by Stephen Port on the 12 occasion I have described, as there is no other 13 explanation that left me in the state I found myself in 14 having been given the drink by him. I never consented 15 to take anything given by him other than the poppers, 16 I am deeply concerned that having awoken from my 17 unconsciousness I was naked and was sexually aroused 18 with my penis erect, I did not take off my underwear and 19 did not consent to anyone else to remove it." 20 If you had had that account, together with the 21 information from the PNC check, together with 22 information from the laptop of Stephen Port, that would 23 have given you a real measure of the person you were 24 dealing with, wouldn't it? 25 A. Yes, it certainly would.</p> <p style="text-align: center;">Page 134</p>	<p>1 You have accepted I think in your evidence today, 2 and I hope I am quoting your evidence back at you 3 correctly: 4 "I did not really have a grip on the investigation 5 during July and August." 6 Is that right? 7 A. Yes, that is right. 8 Q. You didn't seem to have a prompt understanding of the 9 detail of the interview that Stephen Port had given on 10 the second occasion; is that right? 11 A. That's right, yes. 12 Q. When Mr Parish gave his evidence, I put a series of 13 propositions to him about investigative steps that he 14 did not take at around this time, after the interviews. 15 I put to him, just trying to summarise it, if I may, 16 checks with Mr Port's employer, checks of the bins, 17 checks of his previous partners, checks of social media, 18 I think I put, checks of his finances, fingerprint and 19 DNA analysis of the bottle, searching Mr Port's work 20 venue to try and find Anthony's phone. All of those 21 were things that you did not direct him to do; is that 22 right? 23 A. No, that's correct, yes. 24 Q. The correspondence you have been taken from 25 mid-September to early October, in trying to summarise</p> <p style="text-align: center;">Page 136</p>

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<p>1 that chain of emails, seems to result in a position 2 whereby you were being asked to submit a report to the 3 MIT team, you sent it back to your supervisor, you 4 perhaps seemed to think he was doing it, he perhaps 5 seemed to think that you were doing it, but from the 6 family's point of view, nobody did it, did they? 7 A. Not to my knowledge, no. 8 Q. Just so we are clear on the dates, the emails we have 9 been look at were from mid-September to early 10 October 2014. Gabriel had been murdered, hadn't he, on 11 28 August and Daniel on 20 September? 12 A. Yes, I understand that. 13 Q. Those two young men were killed at exactly the time when 14 this passing of information between you all was going 15 on; is that right? 16 A. That's right, yes. 17 Q. I would like to ask you some questions, please, about 18 your contact with Anthony's family. 19 A. Okay. 20 Q. Do you recollect a trip to Hull to meet his family? 21 A. Yes, I went with Paul Slaymaker, the family liaison 22 officer, yes. 23 Q. I think that was nine months after Anthony passed away 24 that you went to meet the family in person; is that 25 right?</p> <p style="text-align: center;">Page 137</p>	<p>1 Q. I am just going to pull up please an earlier statement 2 from Mr Sak, it's IPC000384, internal page 5. 3 Can you scroll on the second half of that page, 4 please, because again she describes this meeting, she 5 describes there being discussion about drugs: 6 "DC Slaymaker was still adamant that the liquid in 7 the bottles found in Anthony's rooms were drugs and 8 I kept telling him they were poppers. They did not talk 9 about having analysed them or evidence to back up their 10 theory. I began questioning them further on what police 11 investigated, and it was then that Slaymaker told me 12 again there were two people there, I am afraid one is 13 dead, so we are never going to know the truth." 14 Do you remember DC Slaymaker saying something like 15 that? 16 A. No, I don't. 17 Q. Isn't that very similar to what China Dunning recollects 18 you saying at the trial at Snaresbrook? 19 A. Yes, and I have said that I didn't say that. That is 20 not something I would have said. 21 Q. Officer, overall, this investigation became disjointed 22 and opportunities were missed. That's right, isn't it? 23 A. Yes, you are right there. 24 Q. There was no clear action list, no clear review after 25 the end of June and no independent review of all of the</p> <p style="text-align: center;">Page 139</p>
<p>1 A. I think it was, yes. 2 Q. The recollection that his mother has of that meeting, 3 just for the coroner's note, and we can perhaps bring 4 this up, FAM00008, internal page 6, it is internal 5 paragraph 16 on that page, please, was that this was the 6 only meeting in person that you had with them, is that 7 right? 8 A. That's right, yes. 9 Q. That although you claim that you spent a day with them, 10 in reality it was no more than about an hour, does that 11 sound right? 12 A. I made a mistake there, we pretty much travelled from 13 early morning to the evening, so we were travelling all 14 day but, no, we didn't spend all day actually with them 15 at all. So that was my mistake in the statement. 16 Q. The suggestion is that you didn't turn up with any 17 paperwork or detailed material; is that right? 18 A. I don't remember what we took. 19 Q. You gave them some information about Mr Port and the 20 upcoming trial; is that correct? 21 A. I believe so, but I didn't take notes of the meeting. 22 Q. Do you recollect a discussion in that meeting about what 23 drugs had been found in Anthony's house or flat? 24 A. Not specifically, no, but I would assume that we would 25 have discussed those.</p> <p style="text-align: center;">Page 138</p>	<p>1 evidence to ensure the correct focus and direction of 2 this investigation. Is that right? 3 A. No, that's right. Yes. 4 Q. Had this been done, as it should have been, then 5 Stephen Port's computer and wider background would have 6 been investigated, there would have been more intrusion 7 into the verification of his account, wouldn't there, 8 more testing of his account? 9 A. Yes. 10 Q. There would have been greater discussion between the 11 officers investigating, wouldn't there? 12 A. Yes, you would expect that. 13 Q. The jury may hear in due course the view expressed by 14 the Metropolitan Police that, while it is a matter 15 obviously for the jury to identify specific issues, as 16 a whole the approach of local policing should have been 17 better and could have led to the earlier arrest of 18 Mr Port on suspicion of murder. Partly because of 19 "a lack of professional curiosity of investigators". 20 Have you heard that phrase before? 21 A. Yes. Yes, I have. 22 Q. I don't need to bring it up, but for the coroner's note 23 it is MPS000718, internal page 6, paragraph 22, it's 24 what we anticipate we may hear from DAC Cundy. Do you 25 accept that you yourself did not have sufficient</p> <p style="text-align: center;">Page 140</p>

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<p>1 professional curiosity in this investigation?</p> <p>2 A. There was definitely things that I missed that I should</p> <p>3 have picked up.</p> <p>4 Q. Internal page 7 of that document, we may hear this:</p> <p>5 "More effective direction, leadership, support for</p> <p>6 investigators and resourcing of the original</p> <p>7 investigations could have identified and pursued other</p> <p>8 investigative lines of enquiry. There was a lack of</p> <p>9 clear investigation structures and strategies."</p> <p>10 Just to summarise it, the heading of that paragraph</p> <p>11 is around leadership, leadership of the original</p> <p>12 investigations.</p> <p>13 You were one of those -- albeit at the more junior</p> <p>14 end, if I may say -- leaders, weren't you?</p> <p>15 A. Yes, as a supervisor, yes.</p> <p>16 Q. Do you accept that your supervision could have been more</p> <p>17 effective and led to lines of enquiry being fully</p> <p>18 pursued?</p> <p>19 A. Yes, I would accept that. Yes.</p> <p>20 Q. Do you understand now why, having heard your evidence,</p> <p>21 the families remain very concerned that, had these steps</p> <p>22 been taken, the lives of three young men might have been</p> <p>23 saved?</p> <p>24 A. No, I understand that and I can't apologise enough.</p> <p>25 I know it will not make a difference to how this has</p> <p style="text-align: center;">Page 141</p>	<p>1 investigation of a case. The question he was asked was:</p> <p>2 "The decision about whether the investigation is</p> <p>3 taken over or not is a decision effectively that</p> <p>4 homicide command make rather than the borough, you would</p> <p>5 agree with that, wouldn't you?"</p> <p>6 His answer was:</p> <p>7 "Yes, I would."</p> <p>8 The jury, yesterday afternoon, heard evidence from</p> <p>9 one of your borough colleagues, Detective Constable</p> <p>10 Desai.</p> <p>11 A. Yes.</p> <p>12 Q. At the time he interviewed Port he had been a detective</p> <p>13 constable for three years and he was asked how many</p> <p>14 people suspected of murder he had interviewed in the</p> <p>15 preceding three years and his answer was none.</p> <p>16 I appreciate that your superior, Acting Detective</p> <p>17 Inspector McCarthy, was liaising with homicide command</p> <p>18 but in your opinion, do you think that this was a case</p> <p>19 that should have been investigated by homicide command?</p> <p>20 A. Definitely.</p> <p>21 Q. I am going to ask for a document to be called up on the</p> <p>22 screen, which you were taken to by my learned friend,</p> <p>23 Mr O'Connor, counsel to the inquest. It is IPC35 and it</p> <p>24 is page 116 of that. You will recognise the page when</p> <p>25 it comes up.</p> <p style="text-align: center;">Page 143</p>
<p>1 happened and how they feel, but -- you know, I thought</p> <p>2 I tried to do what I could do in the circumstances.</p> <p>3 I take pride in my job and this is a terrible thing.</p> <p>4 MS HILL: Just pause there, please.</p> <p>5 Thank you very much.</p> <p>6 Questions from DR VAN DELLEN</p> <p>7 DR VAN DELLEN: Detective Sergeant O'Donnell, I ask</p> <p>8 questions on behalf of Ricky Waumsley, who is</p> <p>9 Daniel Whitworth's partner.</p> <p>10 If any of my questions are not clear, please don't</p> <p>11 hesitate to ask me to repeat or clarify them.</p> <p>12 A. Okay.</p> <p>13 Q. You have apologised deeply and, on behalf of</p> <p>14 Mr Waumsley, I would like to thank you for your apology</p> <p>15 through the learned coroner.</p> <p>16 You gave evidence earlier today that you were</p> <p>17 spinning plates, it was a very difficult environment and</p> <p>18 there were lots of cases and demands on you.</p> <p>19 The jury has heard two pieces of evidence before</p> <p>20 today which, in fairness to you, I will just summarise</p> <p>21 briefly if I may.</p> <p>22 A. Okay.</p> <p>23 Q. The first was evidence from Detective Chief Inspector</p> <p>24 Jones from homicide command. He was asked about who</p> <p>25 decides whether homicide command takes over</p> <p style="text-align: center;">Page 142</p>	<p>1 A. Yes.</p> <p>2 Q. You were asked about the top paragraph, the bottom line</p> <p>3 of that says:</p> <p>4 "Conduct intel research PNC/IIP et cetera."</p> <p>5 You remember you were asked some questions about</p> <p>6 that?</p> <p>7 A. Yes.</p> <p>8 Q. My learned friend, counsel for the families, Ms Hill to</p> <p>9 my right, asked you a few moments ago about PND?</p> <p>10 A. Yes.</p> <p>11 Q. But I am going to ask you about another database and</p> <p>12 that is a database called HOLMES.</p> <p>13 A. Right.</p> <p>14 Q. Just to be clear, you don't have access to that in</p> <p>15 borough, do you?</p> <p>16 A. No.</p> <p>17 Q. Any information on HOLMES you wouldn't be able to access</p> <p>18 directly yourself; is that right?</p> <p>19 A. That's correct, yes.</p> <p>20 Q. I am going to ask you about drugs, if I may.</p> <p>21 A. Yes.</p> <p>22 Q. You explained that you had been a police officer for</p> <p>23 20 years, since 2001?</p> <p>24 A. Yes.</p> <p>25 Q. And a sergeant since 2007.</p> <p style="text-align: center;">Page 144</p>

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<p>1 Just to be, clear, I am going to ask you about your 2 state of knowledge in the middle of 2014, June 2014. 3 At that time, you would be very familiar with a drug 4 like cannabis, is that fair to say? 5 A. Yes, that's correct. 6 Q. You would be very familiar with a drug like cocaine; is 7 that right? 8 A. That's right, yes. 9 Q. You would be very familiar with a drug like heroin? 10 A. That's right, we commonly come across those drugs. 11 Q. You would have been a police officer by that point for 12 about 13 years. 13 A. Yes. 14 Q. It is fair to say you would have come across a number of 15 deaths involving heroin; is that right? 16 A. Not from attending those scenes, if you know what 17 I mean, but yes, I was familiar with the deaths. But 18 no, none that I can remember actually attending or 19 dealing with, if you know what I mean. 20 Q. But you were familiar that heroin is a dangerous drug 21 and is not uncommonly associated with overdose. Is that 22 fair to say? 23 A. Of course, yes. That's right, yes. 24 Q. I am going to ask for another document to come up, which 25 again you have seen, it is IPC355. It is page 10,</p> <p style="text-align: center;">Page 145</p>	<p>1 Q. DC Parish attended as the exhibits officer, didn't he? 2 A. Yes. 3 Q. He said yesterday that he was not trained for this role. 4 I don't think it was -- it certainly was not 5 suggested to him he did anything wrong in the role, but 6 does the role of exhibits officer at a special post 7 mortem essentially involve taking hold of the exhibits 8 passed to you, putting them in an evidence bag, marking 9 that bag and then creating a list at a later date? 10 A. I am sure there is more to that, since there is 11 a specific advanced exhibits course for people that 12 attend special post mortems. I know Dave wasn't 13 qualified, but I knew Anthony -- Tony Davidson I think 14 was attending, was qualified. 15 Q. Yes, so he was assisted by an MIT exhibits officer, and 16 he was also supervised by you, wasn't he? 17 A. Yes, I was in the viewing gallery, yes. 18 Q. If you had thought that DC Parish's lack of training 19 meant he could not do that role with that level of 20 supervision would you have allowed him to do it? 21 A. No, Dave was and is a very capable officer. I was happy 22 with the fact that Tony Davidson was working -- who was 23 a very experienced officer, was working closely with him 24 at the time and the CSM was there also, so although it 25 is not ideal obviously for him being a trainee to be in</p> <p style="text-align: center;">Page 147</p>
<p>1 paragraph 27. You were asked some questions about the 2 middle of that paragraph, where you said: 3 "I knew nothing about chemsex." 4 A. That's right. 5 Q. Your evidence also was that you were not familiar with 6 GHB around the middle of 2014; is that right? 7 A. No, not until I had spoken to the toxicologist about it, 8 and -- 9 Q. Would you agree that it was unusual in June 2014 to have 10 a death associated with GHB? 11 A. Very unusual. I had not actually heard of it happening 12 before. 13 Q. Would you agree that to have three deaths involving GHB 14 within four months in your borough in 2014 would, by 15 inference, then also be highly unusual? 16 A. Very unusual, yes. 17 DR VAN DELLEN: No further questions, madam, thank you. 18 Questions from MR BERRY 19 MR BERRY: Good afternoon, DS O'Donnell, I ask questions on 20 behalf of the Metropolitan Police. I have questions in 21 about six or seven areas that don't necessarily flow 22 chronologically. 23 I want to start asking you about the special post 24 mortem that you attended on 20 June 2014? 25 A. Okay.</p> <p style="text-align: center;">Page 146</p>	<p>1 that role, he was the only person available to me and 2 I thought there was sufficient supervision there. 3 Q. Thank you. 4 The HAT return from the special post mortem, which 5 you have said you saw, I will not ask for it to be 6 brought up, but it said on it: 7 "There is nothing to suggest that the victim has 8 been assaulted." 9 That is an accurate account of what the pathologist 10 was telling you at the special post mortem, isn't it? 11 A. Yes. I think in terms of the broad, if you can imagine, 12 crime type of assault, he obviously had bruises but, 13 yes, in terms of the obvious sign of assault that you 14 would see from, you know, cut wounds and large bruises, 15 no, that is what I took his comments to be. 16 Q. He was not describing any of the injuries on the body as 17 a sign of assault? 18 A. No, just as an event rather than those kind of injuries. 19 Q. Thank you. 20 The HAT return recorded advice to submit sex swabs 21 and you were taken to the CRIS entry you made after the 22 special post mortem that didn't include submission of 23 sex swabs, but, to be fair to you, can I ask for IPC35 24 to be brought up, at page 77. 25 At the top there, under "Pathology", you write:</p> <p style="text-align: center;">Page 148</p>

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<p>1 "As advised by the CSM, these will be sent for 2 toxicology as well as sex swabs for analysis." 3 Yes? 4 A. Yes. 5 Q. Perhaps from you looking at the actual HAT return at 6 a later date, in any event you did capture on the CRIS 7 that sex swabs were to be submitted as advised? 8 A. Yes. 9 Q. Can I move on then to the HAT advice after the 10 attendance of HAT at Barking on 27 June, accepting you 11 were not on duty at the time. 12 Officers attended to assist in a number of ways and 13 advice was set out with respect to a number of actions 14 suggested for borough. That is right, isn't it? 15 A. Yes. 16 Q. Your evidence earlier was that you might not have seen 17 that HAT return immediately. It was provided to 18 DI McCarthy not to you, wasn't it? 19 A. Yes, that's right. 20 Q. It is clear, isn't it, that DI McCarthy hadn't entered 21 the actions from that HAT return on to the CRIS, had he? 22 A. Not at that time, I don't think. 23 Q. When you came to see that HAT return, some time later, 24 you did not add the actions suggested by HAT on to the 25 CRIS either, did you?</p> <p style="text-align: center;">Page 149</p>	<p>1 team by you, is that right? 2 A. More than likely I would have asked one of them to do 3 that. 4 Q. He said he was not allocated to do that. 5 A. No, not specifically, no. 6 Q. But what we do know is that DC Parish did prepare 7 a submission of work for scientific examination with 8 respect to the laptop; have you seen that? 9 A. I have seen it, but I was not aware he had done that at 10 the time. 11 Q. Yes, and that submission made reference to Port being on 12 bail and to there being no cause of death for Anthony, 13 okay. When that was put to DC Parish, he accepted that 14 it was possible that this was because he had in fact 15 prepared it at some point in 2014 but then not gone on 16 to submit it until 2015 at the coroner's request, okay? 17 Is it possible that after DC Parish had actually 18 filled in or started to fill in the submission form, 19 a decision was taken not to submit it to the borough 20 forensic manager? 21 A. No, not at all. 22 Q. A decision was taken at some stage, wasn't it, not to 23 submit it to the borough forensic manager? 24 A. From what I understand he started filling out the form 25 but didn't complete it. That is all I know. I wasn't</p> <p style="text-align: center;">Page 151</p>
<p>1 A. No, in terms of on the actions page or as an individual 2 or anywhere? 3 Q. Anywhere. 4 A. No, I didn't. 5 Q. The actions on that HAT return were important, weren't 6 they? 7 A. Yes. Yes. 8 Q. If they are not recorded as actions on the CRIS, would 9 you agree with me that it is difficult for you, as 10 a supervisor, first to be confident that your 11 subordinates know what they are meant to be doing to 12 progress the investigation, would you agree? 13 A. Yes, that's right. 14 Q. Secondly, it is difficult for you as a supervisor to 15 monitor the investigation by checking that the actions 16 have actually been completed? 17 A. No, that is right, yes. 18 Q. One of the actions advised was: 19 "Ensure suspect's phone and laptop computer were 20 submitted for download." 21 You agreed with respect to Anthony's laptop, that is 22 a fairly basic investigative step, isn't it? 23 A. It can be sent off on a lab form, yes. 24 Q. DC Parish told the jury yesterday that an action to send 25 this off would have been allocated to members of the</p> <p style="text-align: center;">Page 150</p>	<p>1 aware of any decision made, certainly not to submit 2 something. 3 Q. Okay, well you were asked some questions earlier about 4 why the laptop wasn't submitted. As I understood your 5 answers. 6 First, there wasn't perhaps clarity of how that 7 might be relevant to the offence of perverting the 8 course of justice. 9 Secondly, you were not sure that the submission 10 would have got past the borough forensic manager. 11 Is that fair? 12 A. Yes, or rather more so the evidential reception. So it 13 gets approved by the borough forensic manager and then 14 it gets reviewed by the people at the forensic services. 15 Q. Thank you. 16 At the time there were two investigations, weren't 17 there, there was one into the offence of perverting the 18 course of justice but there was also an investigation 19 into the unexplained death of Anthony? 20 A. Yes, yes. 21 Q. I suggest that the laptop's contents would be relevant 22 to both investigations, but would you agree that the 23 contents would certainly be relevant to the 24 investigation into the unexplained death of Anthony? 25 A. Absolutely, yes.</p> <p style="text-align: center;">Page 152</p>

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<p>1 Q. The laptop could have been submitted to the borough 2 forensic manager to see if he would have okayed it or if 3 the next level would have okayed it, even if he thought 4 it wasn't likely? 5 A. Yes, we could have approached the borough forensic 6 manager, yes. 7 Q. If he had said no, so with some persuasion -- I think it 8 is a he, isn't it, Brad Jones? 9 A. Yes, Brad Jones. 10 Q. If some persuasion was required, would you have been 11 able to show him the HAT advice and say to him, "Well, 12 look, the homicide command are saying that this should 13 be analysed"? 14 A. Yes. 15 Q. Whatever the reason was for the form not being submitted 16 and the laptop not being submitted. Just to confirm, 17 the advice in the HAT return of 27 June, that the laptop 18 should be submitted, had not been varied or withdrawn in 19 any way, had it? 20 A. No. Not from what I understood, no. 21 Q. Still on the topic of submission, but not of the laptop 22 specifically, it's right, isn't it, that borough 23 officers are able to make fast-track submissions? 24 A. I am not sure in what circumstances they would be able 25 to do that, to be honest.</p> <p style="text-align: center;">Page 153</p>	<p>1 A. Yes, it is a submission we could have made, yes. 2 Q. Thank you. 3 Interviews, in the case of the first interview, it 4 was conducted by your colleague DC Desai, and he was not 5 the OIC for the case, was he? 6 A. No. 7 Q. He told us that was not unusual, for somebody who was 8 not the OIC to undertake an interview? 9 A. That's right, yes. 10 Q. That is right across policing generally, isn't it? 11 A. Yes. 12 Q. The second interview by DC Holt and DC Levoir, again 13 they were not the OICs in the case, were they? 14 A. No. 15 Q. They came in from MIT for one day and did that 16 interview? 17 A. That's right, yes. 18 Q. After an interview, the investigation has available to 19 it the tapes of the interview, is that right? 20 A. Yes, I believe -- yes, the discs or something, yes. 21 Q. The discs or the tape, perhaps I am being old fashioned. 22 It is probably a CD. You could get the interview 23 transcribed, you could have a ROTI prepared? 24 A. Yes, I did ask -- Nainesh kindly was going to chase them 25 up for me to get them transcribed, but it does take some</p> <p style="text-align: center;">Page 155</p>
<p>1 Q. Could I ask for IPC75 to be brought up. 2 You will see this is the record of post mortem you 3 filled in, page 13. 4 At this stage the investigation remained a borough 5 investigation and you have looked at this, you have been 6 shown this page before and this is really your list of 7 actions coming out of the post mortem. 8 A. Yes. 9 Q. If we look about halfway down the list on the right, 10 where it says "Something bottle", after that it says, 11 with a star on each side, "Fast track", doesn't it? 12 A. Yes, I probably made a note of that because someone 13 suggested or said it should have be fast tracked. 14 Q. Yes, so you would have been able to submit things fast 15 track? 16 A. I don't know whether I would have been able to submit 17 things fast track, because the borough forensic or the 18 borough access to forensic services is very different 19 from specialist crime. 20 Q. Right, but whether or not it would have been accepted as 21 a fast-track referral, you were able to submit something 22 for fast-track testing, weren't you? 23 A. I could submit it for testing, whether or not it would 24 be fast track, I wouldn't be able to say. 25 Q. It is a request you could have made, isn't it?</p> <p style="text-align: center;">Page 154</p>	<p>1 time. 2 Q. Also, the interviewer might prepare an interview 3 summary? 4 A. That's right, yes. 5 Q. It was suggested yesterday that DC Desai might have 6 highlighted inconsistencies or listed actions arising 7 out of the interview. 8 That might be helpful for the interviewer to do 9 that, but, at the end of the day, the interview, the 10 record of interview is something that the OIC needs to 11 examine, isn't it? 12 A. Yes, the transcript, yes, definitely. 13 Q. For lines of enquiry, inconsistencies, et cetera. 14 Would you agree it is inevitable that the OIC is 15 going to be more familiar with the case and how it is 16 going to progress than an officer who comes in for the 17 sole purpose of doing a single interview? 18 A. Definitely, yes. 19 Q. That will apply both to the interviews by DC Desai and 20 the interviews by DCs Holt and Levoir? 21 A. Yes, they would obviously have their input from their 22 experience of interview, but that is -- yes. 23 Q. You have said earlier that interview summaries were 24 usually put on the CRIS? 25 A. Yes, I would normally expect that to be done, yes.</p> <p style="text-align: center;">Page 156</p>

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<p>1 Q. Is it right that where MIT officers are involved in 2 an investigation by providing assistance, they don't 3 normally make entries directly on to the CRIS, it is 4 normally done by officers in the case? 5 A. I didn't know that, no, I wasn't aware of that. 6 Q. In any event, in your ongoing supervision of this case 7 you would have seen that there was not a summary of 8 either of these interviews on the CRIS, wouldn't you? 9 A. No, that's right, yes. 10 Q. Did you ever chase DC Desai or DC Levoir or indeed 11 anyone else for interview summaries to be added to the 12 CRIS? 13 A. I possibly would have asked Nainesh to put a summary on 14 and he was in touch with the other interviewers as well, 15 but I can't be certain. I don't think it was recorded 16 at all. 17 Q. When you were being asked about the coroner's report, 18 you said you didn't have a transcript of the interview 19 at that stage and I think you said a few moments ago you 20 had asked Nainesh about the transcript? 21 A. Yes. 22 Q. Certainly a transcript can be ordered, but in the 23 meantime the investigative team can watch or listen to 24 the recording of the interview, can't they? 25 A. That's right, yes, could have done that, yes.</p> <p style="text-align: center;">Page 157</p>	<p>1 through DC Desai's interview, would have gone through 2 DC Holt and DC Levoir's interview, would have made 3 a list of inconsistencies, pulled together all the 4 outstanding evidence and had him in for another 5 interview to put those points to him? 6 A. Possibly, you would have to weigh up certainly other 7 aspects like the custody time and things like that, 8 because I understand he had been given 9 a superintendent's extension, so, yes, and whether or 10 not you thought the challenge was -- would be relevant 11 and further the investigation. 12 Q. Yes, I accept there might be situations where you feel 13 you already have enough to charge somebody, so there is 14 no need to interview them again. That may well have 15 been the case with respect to perverting the course of 16 justice, but with respect to Anthony's unexplained 17 death, there were matters that could have been put to 18 Port in a further interview? 19 A. Yes, you could try to put them to him to see if he would 20 change his account or provide any further information. 21 Q. Thank you. 22 The final topic, involvement of the homicide 23 command. 24 You mentioned earlier on in your evidence that 25 advice was being received from the homicide command.</p> <p style="text-align: center;">Page 159</p>
<p>1 Q. Can I ask for IPC35 to be put up, please, page 90. 2 The top there, an entry by you on 13 August: 3 "Due to the dissemination of actions and the 4 timescales that the material collected has arrived, it 5 has been impractical to record on CR ..." 6 Is that CRIS? 7 A. Yes, the crime report, yes. 8 Q. That is not a criticism, just for confirmation. 9 A. Yes. 10 Q. It is the next bit I want to ask you about: 11 "That said, I will request a resume of Port's 12 interview to be added." 13 Is that resume or résumé? 14 A. Résumé that would be, probably. 15 Q. After 27 June, when Port was interviewed by the MIT 16 team, he was never interviewed again by the 17 investigation, was he? 18 A. No, he wasn't. 19 Q. Do you agree that there were points that arose in the 20 investigation after that point that would have been 21 worth putting to Port in an interview? 22 A. Yes. He changed his account so many times and there was 23 other information we had that we could have challenged 24 him on I think. 25 Q. In the ordinary course of events the OIC would have gone</p> <p style="text-align: center;">Page 158</p>	<p>1 Did you have any discussions personally with any member 2 of the homicide command after you left the special post 3 mortem? 4 A. No, I didn't. None at all. 5 Q. You have explained that the liaison was really 6 DI McCarthy's level? 7 A. Yes. 8 Q. We know that homicide command had involvement on 27 June 9 and we have heard evidence about DI McCarthy's plan to 10 go back to the homicide command after the toxicology 11 results were received. 12 The document that you updated on DI McCarthy's 13 behalf, you did not personally submit that to the 14 homicide command, did you? 15 A. No, I know there were two teams that had been involved 16 in our investigation, I didn't know firstly which team 17 and actually who to send it to. 18 Q. You do not know whether DI McCarthy actually submitted 19 the report to the homicide command, do you? 20 A. Not from memory, no. 21 Q. Is it right that there was in fact no involvement from 22 the homicide command sought after 27 June 2014? 23 A. No, I don't remember any further contact with -- either 24 direct or indirect with regards to the investigation. 25 Q. When you say advice was being received by the homicide</p> <p style="text-align: center;">Page 160</p>

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<p>1 command, do you in fact mean advice was being received 2 until 27 June 2014 but not after that date?</p> <p>3 A. As far as I knew, but, like I said, I was not involved 4 in any, so there could have been communication going on 5 behind the scenes that I didn't know about.</p> <p>6 Q. If there was any such communication behind the scenes 7 that you didn't know about, it wasn't recorded anywhere 8 on the CRIS, was it?</p> <p>9 A. No.</p> <p>10 Q. Or indeed in any other document that you were sent?</p> <p>11 A. Not that I know of, no.</p> <p>12 MR BERRY: Thank you, I have no further questions.</p> <p>13 THE CORONER: Mr O'Connor, questions on behalf of the 14 borough officers are going to be done on Monday --</p> <p>15 MR O'CONNOR: First thing Monday morning, that is right.</p> <p>16 THE CORONER: -- when Mr Davies is back. But I propose to 17 put to Mr O'Donnell some of the questions that the jury 18 have raised.</p> <p>19 MR O'CONNOR: Yes.</p> <p>20 Questions from THE JURY</p> <p>21 THE CORONER: Members of the jury, I have been through all 22 your questions and I know, as with other days, some of 23 them have already been answered so I am going to ask the 24 ones that I consider to remain being relevant.</p> <p>25 Firstly this, whose responsibility was it to follow</p> <p style="text-align: center;">Page 161</p>	<p>1 something is when we do it in the police, we do it if we 2 can do it and it is not a question of expense.</p> <p>3 THE CORONER: So did cost come into it at all?</p> <p>4 A. If I was asked directly a question, would it be 5 expensive to do something, then I would have answered 6 that, but I would never have brought it up with a member 7 of the family with regards to expenses to the police. 8 Because there is just no place for that kind of 9 conversation, I think.</p> <p>10 THE CORONER: Then there is a question about the sex swabs. 11 Firstly, were they in fact sent off?</p> <p>12 A. I don't believe we sent them off. I think, as I said 13 earlier, I was not really in the office much at all in 14 July and August. And when I realised they hadn't been 15 sent off, we were quite confident that the -- that 16 Anthony had gone to meet Stephen to have sex, Stephen 17 said that as well, although in amongst all the lies, 18 that was one of the things he said had happened. 19 So I could say with a certain amount of confidence 20 they would have had sex, so I think then the submission 21 of the sex swabs would have become much less important 22 since we already had a good idea and were fairly 23 confident that they would have had sexual contact. So 24 although it would have confirmed that, forensically, 25 I don't think it was a particularly pressing matter when</p> <p style="text-align: center;">Page 163</p>
<p>1 up enquiries into Port's place of work and why didn't 2 this happen?</p> <p>3 A. I don't know. It would have been, I suppose, something 4 that I could have allocated to another officer to do. 5 But that wasn't done.</p> <p>6 THE CORONER: I think you have answered this, but I am going 7 to ask it on behalf of the juror. Do you think that if 8 you had investigated the laptop properly there is 9 a chance the other deaths could have been prevented?</p> <p>10 A. I have often thought about that, I really have. In 11 terms of timescales, I -- if we had have sent the laptop 12 off, they normally take about several weeks to come 13 back, if we had sent it off under our normal borough 14 submission process. So I can't answer that. It is 15 something I think about quite a lot.</p> <p>16 THE CORONER: The jury have heard evidence and asked 17 a question in relation to Snaresbrook.</p> <p>18 A. Yes.</p> <p>19 THE CORONER: To the effect that friends of Anthony stated 20 that you said the laptop information was too costly to 21 get, did you say that?</p> <p>22 A. No. That is not what I would say to someone that had 23 just been in court regarding the death of one of their 24 friends. That would be just too insensitive and too 25 unprofessional and it is not for me to say how expensive</p> <p style="text-align: center;">Page 162</p>	<p>1 I realised that these things hadn't been sent out with 2 the rest of the samples.</p> <p>3 THE CORONER: Once the laptop had been searched and 4 DC Parish had done his perusal of the contents, was 5 there some sort of debrief between you and him?</p> <p>6 A. He told me he -- he sent me an email and he told me, 7 because I vaguely remember speaking to him about it, 8 saying that there is so much it on it, because it was 9 laptop you could imagine how many files on it, and that 10 he had looked at a few and seen videos of him having sex 11 with other men, but that was kind of the nature of the 12 conversation. He explained what was on it, but I did 13 obviously get the feeling that he was not able to 14 interrogate the whole computer, because you would 15 probably need an analyst to do that properly but he had 16 been able to look at certain aspects of it and been able 17 to tell me that that is what he found.</p> <p>18 THE CORONER: A question about Anthony's phone: did you get 19 a message from anyone regarding the possibility that 20 Anthony's phone had been turned on and messages sent? 21 After his death that is.</p> <p>22 A. I think that is referring to -- I think a statement that 23 one of his friends had made. Which I understand was 24 found to be as a result of texts that had been made 25 prior to him switching his phone off, being held --</p> <p style="text-align: center;">Page 164</p>

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<p>1 correct me if I am wrong, being held in a server 2 somewhere and then being sent en masse, which made it 3 look like his phone was being used afterwards. 4 But I would need to be corrected on that, but from 5 what I understand of the material provided to me as part 6 of this inquest, those messages came as a result of them 7 being stored, I think somewhere and I think they were 8 duplicates from messages that had previously been 9 sent -- that appeared to be sent after his death and 10 certainly after their concern about him was clear. 11 THE CORONER: Why did you believe that homicide command 12 should have taken over the investigation, if you didn't 13 believe it was a homicide? 14 A. I didn't say really I didn't believe it was a homicide. 15 But you get to a point where you think an investigation 16 requires the kind of structure, resources and experience 17 that a homicide team can provide. Sometimes you can 18 have quite a strange conversation with someone from 19 homicide command where they would say, "But you cannot 20 prove it is murder", but then that is what the 21 investigation is for. You cannot prove it is murder 22 until you investigate it. 23 And I knew from the outset that we would struggle 24 on -- you know, with our resources and experience to 25 really do this job justice and it was clear from the</p> <p style="text-align: center;">Page 165</p>	<p>1 the senior leadership team and borough commanders. 2 Barking and Dagenham was an unusual borough in that 3 the -- it was recognised that the workload that the 4 borough carried, it was a particularly busy borough for 5 the size and the boroughs have something called 6 a borough workforce target, a BWT, which effectively 7 says how many police you can have in at that borough 8 working. Having spoken to our borough commander at the 9 Pacesetter meeting, our borough workforce target was far 10 below what it should have been and despite him asking 11 and a number of subsequent borough commanders asking for 12 more police to resource the borough, they were not 13 coming, or at least were not coming soon. I think they 14 eventually came a few years later, but, no, this was 15 a constant ask of our senior leadership, just for more 16 people to help. 17 THE CORONER: Could that point have been made to HAT in 18 order to encourage them to take over primacy? 19 A. I don't think that would have held any water with them. 20 Because they would have their own workloads and their 21 own pressures as well. 22 THE CORONER: Dealing with the workload, which you told us 23 about, the spinning plates and so on, were any of the 24 other of those unexplained deaths? 25 A. I was dealing with an unexplained death from May, which</p> <p style="text-align: center;">Page 167</p>
<p>1 outset that the MIT team should take it. To me. 2 THE CORONER: Then there are three really rather similar 3 questions, but I will read them all. 4 You and your team seem to have made a few mistakes 5 during your investigation. Why do you think that 6 happened? 7 A. It is easy and difficult to say. 8 I think the easy answer is that we were just so 9 busy. We had so many demands placed on us over that 10 period of time, in terms of from all angles in terms of 11 other court cases, other victims, crime scenes, people 12 in custody that needed dealing with. And I know 13 I appreciate in the context of the death of these four 14 young lads, it pales into insignificance, but that is 15 the reality of where we were working. We were really, 16 like I said, spinning plates. We managed to just deal 17 with something to stop it from coming crashing down and 18 then before something else would come on top of us, and 19 it was really difficult to manage sometimes. And do 20 jobs justice and you knew you weren't doing probably as 21 best as you can, because you were being stretched so 22 much. 23 THE CORONER: In that context, did you seek help with that 24 or address concerns anywhere about resources? 25 A. I mean, we were constantly speaking to senior officers,</p> <p style="text-align: center;">Page 166</p>	<p>1 was the death of a young lady in suspicious 2 circumstances, considering the neighbours reported 3 a domestic argument with a partner earlier. I was 4 involved in that investigation, it was my investigation 5 and the partner was arrested on suspicion of murder. 6 It was ultimately found that she had died of natural 7 causes and that was in the middle of July/late July, so 8 I was carrying that investigation in the meantime, as 9 well as a two-week fraud trial, complex fraud trial 10 involving the London borough of Barking and Dagenham and 11 an employee, that I was preparing for for the two weeks 12 leading up to the middle of July. 13 So there were a number of, you know, quite weighty 14 investigations that I was dealing with at the time. 15 That is to name just two at the time. 16 THE CORONER: Then finally, two questions, one in relation 17 to the material on the laptop, the USB, is there 18 a policy or document that officers refer to or must 19 refer to when analysing that sort of data? 20 A. Not that I am aware of. There is with respect to 21 registered sex offenders, in terms of how you categorise 22 indecent images, but as a general submission in terms of 23 anybody's laptop, I don't believe there is but 24 specialist crime departments have analysts that are 25 trained, so I would assume that they work to certain</p> <p style="text-align: center;">Page 168</p>

<p>1 parameters, but on borough now, you would just send 2 a laptop off and get a USB stick back. 3 THE CORONER: Is there a policy document that instructs or 4 guides you on how to gather information from post 5 mortems or special post mortems? 6 A. A policy document regarding -- not that I am aware of. 7 That may be covered in the advanced exhibit officers' 8 course, because they are the officers that are most 9 involved in a special post mortem, but as a general 10 policy document for any other observers or investigating 11 officers, no, I don't believe so. 12 THE CORONER: All right, thank you. That completes the 13 questions. 14 I will give the jury a short break at this stage. 15 MR O'CONNOR: Yes, madam. 16 THE CORONER: Take a short break, members of the jury. 17 (3.09 pm) 18 (Proceedings continued in the absence of the jury) 19 (3.10 pm) 20 (A short adjournment) 21 (3.20 pm) 22 (In the presence of the jury) 23 THE CORONER: Yes, Ms Collier. 24 MS COLLIER: Madam, we propose to read two witness 25 statements.</p> <p style="text-align: center;">Page 169</p>	<p>1 "Firstly, the HAT return dated 25 June, which 2 I completed immediately after my involvement. 3 "Secondly, HAT return dated 26 June 2014. 4 "On 25 June 2014, I was on duty in the east area MIT 5 office at Hertford House, Barking. MIT 22 was the 6 on-call homicide assessment team, HAT, covering the east 7 area and my shift was responsible for the late turn, 8 1500 hours to 2300 hours. With me on this tour of duty 9 were DC Greg Rogers, DC Mike Nicholls, and our 10 supervisor, DI Andy Yeats. All of us were present 11 within our office at the time. 12 "At 16.50 one of the detective constables received 13 a phone call on the designated HAT phone. I was asked 14 in my capacity as the on-call detective sergeant to 15 speak to the caller, who is Acting Detective Inspector 16 Eugene McCarthy from Barking and Dagenham borough. 17 Acting Detective Inspector McCarthy informed me of 18 a development in an investigation in which the borough 19 CID had been assisted and advised by MIT 20. I had not 20 been briefed on and had no prior knowledge of this 21 investigation. 22 "I can see from what has been recorded on the HAT 23 return that I was told that a witness had been shown 24 a custody image of the original informant, Stephen Port, 25 who had discovered a deceased male. The witness claimed</p> <p style="text-align: center;">Page 171</p>
<p>1 First, that of Jason Grey. 2 Secondly, that of Clifford Haines. 3 Then we will hear from Andrew Kelly. 4 THE CORONER: Yes. 5 Statement of MR JASON GREY (read) 6 MS COLLIER: Members of the jury, I am going to read to you 7 two statements, both of them are supported by 8 a statement of truth that says that the maker of the 9 statement, Jason Grey in the first instance and 10 Clifford Haines in the second, each believe that the 11 contents of his witness statement to be true, that he 12 understands that proceedings for contempt of court may 13 be brought against anyone who makes or causes to be made 14 a false statement in a document verified by a statement 15 of truth without an honest belief in its truth. 16 Jason Grey says that he is formerly of the 17 Metropolitan Police, he is a retired police officer and 18 that he retired from the Metropolitan Police in 19 February 2020. He says: 20 "In June 2014 I was serving as a detective sergeant 21 on major investigation team 22, MIT 22, of the homicide 22 and serious crime command. I have very limited 23 recollection of events in June 2014 and cannot recall 24 specific conversations. I have, however, been referred 25 to the following documents.</p> <p style="text-align: center;">Page 170</p>	<p>1 [it says 'he' but should be 'she'] was 97 per cent sure 2 that Port was the same person that the deceased, 3 Anthony Walgate, had an image of on his mobile phone, 4 which he had shown the witness as security prior to 5 meeting a client on 19 June 2014. 6 "Acting Detective Inspector McCarthy was requesting 7 advice regarding arrest and further scene examination 8 and strategy. Given that MIT 20 had already provided 9 advice and assistance and were therefore already dealing 10 with the investigation, my advice to A/DI McCarthy was 11 that he should liaise directly with MIT 20 for further 12 assistance. I believed that the new information needed 13 to be referred to MIT 20 in order that the SIO and IO 14 could assess it and provide further advice and/or make 15 decisions on the investigation and any further 16 investigatory steps and strategy that may have been 17 required. I also asked A/DI McCarthy to stay on the 18 line while I informed my supervisor, Detective Inspector 19 Yeats, of the information that had been provided and the 20 advice that I had given. DI Yeats then spoke with 21 A/DI McCarthy himself and confirmed the instruction to 22 liaise with MIT 20. 23 "DI Yeats then instructed me to complete a HAT 24 return detailing the call and the instruction, which 25 I did and then sent by email to the relevant mailboxes.</p> <p style="text-align: center;">Page 172</p>

<p>1 I had no further conversation with A/DI McCarthy. 2 "I cannot recall if I looked at any documentation to 3 assist me in my decision, for example a CRIS report, but 4 this would have been unlikely as it was unnecessary 5 given the nature of the call and my advice. The time 6 I spent dealing with the call from A/DI McCarthy was no 7 more than 30 minutes, which included typing the HAT 8 return as a record of the call. I had no further 9 involvement in the investigation. 10 "I do not believe that I or my colleagues left the 11 office to attend Fresh Wharf patrol base in relation to 12 this incident, however I cannot recollect if we had 13 occasion to attend that building for any other police 14 purpose that evening. 15 "In providing this statement I have considered all 16 material available to me and can confirm that I do not 17 hold any further material, either physically or 18 electronically, that refers to these matters." 19 That is a statement that is dated 20 November 2020. 20 Statement of MR CLIFFORD HAINES (read) 21 MS COLLIER: Turning then to the statement of 22 Clifford Haines, dated 15 September 2020, he says: 23 "I am a member of police staff with the 24 Metropolitan Police Service. In June 2014, I was 25 a serving officer in the rank of detective inspector,</p> <p style="text-align: center;">Page 173</p>	<p>1 support is no longer required by the borough or the 2 homicide and serious crime command takes primacy for the 3 investigation, as it is considered to be a homicide. 4 MIT 20 was rostered HAT responsibilities for the week 5 commencing Tuesday, 17 June 2014." 6 Then he explains that he has reviewed the following 7 documents for the purposes of making the statement: the 8 HAT case report and record of advice, dated 9 19 June 2014; the HAT continued advice report, dated 10 20 June 2014, both of those by MIT 20; the HAT case 11 report and record of advice dated 25 June 2014, provided 12 by MIT 22; A/DI McCarthy's situation report dated 13 25 June 2014; then the HAT continued advice report dated 14 26 June 2014, provided by MIT 20." 15 He goes on: 16 "My involvement in this case commenced and concluded 17 on 26 June 2014 and is recorded in the HAT continued 18 advice report dated 26 June 2014. This report provides 19 a record of a meeting held at 11.30 hours that day 20 between myself, DCI Jones and Acting Detective Inspector 21 Eugene McCarthy from Barking borough CID." 22 I am so sorry about my voice: 23 "Prior to this meeting on 26 June 2014 I assume that 24 I would have briefed myself by considering the HAT 25 record regarding MIT 20's attendance on 19 June 2014 and</p> <p style="text-align: center;">Page 175</p>
<p>1 based on homicide and major investigation team 20, MIT 2 20, as an investigating officer, IO. 3 "After retiring as a police officer in April 2016 4 I was employed as a member of police staff in the MPS 5 specialist crime review group. 6 "I make this statement providing an account of my 7 involvement in MIT 20's support and advice to Barking 8 and Dagenham borough concerning the unexplained death of 9 Anthony Walgate. MIT 20 was based in the homicide and 10 serious crime command and was under the supervision of 11 Detective Chief Inspector Chris Jones as the senior 12 investigating officer. The homicide and serious crime 13 command provides initial support and guidance for basic 14 command unit officers, ie borough officers, at their 15 request in suspected homicide and critical incident 16 cases, including unexplained deaths where the 17 circumstances are deemed suspicious. 18 "Support is provided by a MIT for one-week periods 19 on a planned rota. Cover is provided on a 24-hour basis 20 for the duration of the MIT's rostered week and includes 21 a homicide assessment team, a HAT car, crewed by 22 officers from the MIT. 23 "Where a MIT HAT attends an incident it is normal 24 practice for that original MIT HAT to retain their role 25 in supporting borough officers until such time as MIT</p> <p style="text-align: center;">Page 174</p>	<p>1 the two subsequent HAT records, made on 20 June 2014 and 2 then 25 June 2014. In addition, it is likely I would 3 also have read the situation report drafted by 4 A/DI McCarthy, dated 25 June 2014. 5 "In summary, the three earlier HAT reports and 6 A/DI McCarthy's situation report record the following. 7 The HAT report of 19 June 2014 records details of MIT 8 20's initial attendance on 19 June 2014. The incident 9 was attended by the crew of the HAT car and DCI Jones. 10 Advice was provided to Barking borough officers 11 regarding the investigation. A special post mortem was 12 authorised and the scene was to remain open to await the 13 results. The report records that primacy for the 14 investigation remained with Barking borough with support 15 provided by MIT 20. 16 "The HAT report dated 20 June recorded that further 17 information had been uncovered that indicated that 18 Mr Walgate worked as a sex worker and had arranged to 19 meet a client on Tuesday night, that is to say 17 June. 20 The man he had arranged to meet was Joe Dean, with 21 a postcode of IG11 7AF, where Mr Walgate's body was 22 found. It was suspected that the person who first 23 alerted the police, Stephen Port, was Mr Walgate's 24 client. Mr Walgate's mobile telephone was missing. The 25 result of the post mortem conducted on 20 June was</p> <p style="text-align: center;">Page 176</p>

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<p>1 inconclusive. The cause of death was recorded as under 2 investigation. The brain and lungs were heavy, which 3 could suggest a drugs overdose. There were no signs of 4 assault or restraint.</p> <p>5 "Further advice had been provided by HAT to the 6 Barking borough investigation team. The report 7 concluded that there was nothing to suggest that the 8 victim has been assaulted. It records that the 9 investigation remained with the Barking borough and that 10 should there be any significant developments, the HAT 11 car should be contacted."</p> <p>12 The HAT report and record of advice dated 25 June 13 recorded A/DI McCarthy's request for advice from the 14 on-call HAT team, which was MIT 22, following new 15 information coming to light.</p> <p>16 "A witness had claimed that they were 97 per cent 17 sure that Port was the person whose image they had seen 18 on Mr Walgate's telephone prior to Mr Walgate meeting 19 his client. A/DI McCarthy was advised to liaise with 20 MIT 20, who had been responsible for providing earlier 21 advice and support.</p> <p>22 "The situation report from A/DI McCarthy dated 23 25 June recorded that Mr Walgate's death was 24 unexplained, but that there was concern that 25 Stephen Port had provided a false account to police and</p> <p style="text-align: center;">Page 177</p>	<p>1 "At this time the cause of death had not been 2 ascertained and further forensic tests were being 3 progressed. A/DI McCarthy asked for advice regarding 4 arresting Port and further scene examination. The 5 advice that DCI Jones and I provided was to arrest and 6 interview Port for the offences of perverting the course 7 of justice and theft of Anthony Walgate's mobile 8 telephone as a priority. The search warrant would be 9 executed at the same time and the property, including 10 its contents, could then be subject to a more detailed 11 forensic search as necessary following the interview 12 with Port. I cannot recall discussions at the meeting 13 specifically regarding arresting Port on suspicion of 14 murder at that stage. The fact that we were involved 15 indicated that there were concerns that evidence may 16 emerge and turn the investigation into a homicide 17 investigation.</p> <p>18 "However, by 26 June the cause of death had not been 19 established and clear grounds to arrest Port for the 20 offence of perverting the course of justice allowed him 21 to be fully interviewed regarding the circumstances 22 surrounding Mr Walgate's death.</p> <p>23 "I do not recall A/DI McCarthy suggesting that he 24 felt this was a homicide or that MIT 20 should take over 25 the investigation. I don't remember the specifics of</p> <p style="text-align: center;">Page 179</p>
<p>1 that Port had arranged to meet Mr Walgate. There was 2 also intelligence of a previous allegation against Port 3 of non-consensual sex with a male after making him take 4 poppers.</p> <p>5 "The meeting on 26 June between A/DI McCarthy, 6 DCI Jones and I came about because A/DI McCarthy had 7 contacted MIT 22 on 25 June 2014 and had been advised to 8 liaise with MIT 20 for advice. The purpose of the 9 meeting was to discuss the new information that cast 10 doubt on the account provided by the original informant, 11 Stephen Port. A/DI McCarthy had primacy of the 12 investigation and he was seeking advice and support from 13 the homicide and serious crime command. DCI Jones and I 14 were informed that there were clear indications that 15 Stephen Port had provided a false account to police 16 covering up his association with Anthony Walgate.</p> <p>17 "This provided reasonable grounds to suspect that he 18 had committed the offence of perverting the course of 19 justice. Mr Walgate's mobile telephone was also missing 20 and this gave further grounds to obtain a search warrant 21 under section 8 of the Police and Criminal Evidence Act 22 1984 to search Port's address, there being sufficient 23 grounds to believe that Mr Walgate had been inside the 24 address. A warrant had been obtained by the borough 25 investigation team.</p> <p style="text-align: center;">Page 178</p>	<p>1 the meeting but I recall that the meeting was 2 uncontentious and if there had been any disagreement on 3 this, I would have recorded it on my HAT advice. We 4 also advised that there were a number of outstanding 5 enquiries from the original HAT advice to be completed. 6 CCTV enquiries were being undertaken by borough 7 officers. We advised that local and house-to-house 8 enquiries near the scene needed to be reviewed and 9 completed as a priority.</p> <p>10 "In particular, we advised that the male who 11 identified himself to officers at the scene, 12 subsequently identified as Glen Aldwinckle, should be 13 traced, interviewed and treated as a significant 14 witness. We also advised that enquiries should be 15 undertaken as to whether Mr Walgate was a habitual user 16 of drugs, which might be relevant to forensic toxicology 17 examination assessments.</p> <p>18 "It was decided that the investigation was to remain 19 with the borough, with support and advice from MIT 20. 20 At that stage, we were satisfied that there was not 21 enough evidence that this was a homicide, but we would 22 continue to provide advice and resources because further 23 enquiries were necessary and it was possible that it 24 could progress into a homicide investigation. This was 25 agreed by all at the meeting.</p> <p style="text-align: center;">Page 180</p>

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<p>1 "At 5.00 pm on 26 June I updated the record to 2 reflect that the warrant had been executed and Port had 3 been arrested. We were informed by DC Priestley that 4 the male who identified himself to the police at the 5 scene was Glen Aldwinckle, who lived with Port. He 6 informed police at the time that he had just been 7 dropped off having worked a night shift and provided 8 access to Port's property. As set out above, I had 9 advised that he be traced, interviewed and treated as 10 a significant witness. 11 "MIT 20 officers were briefed and deployed to 12 conduct house-to-house enquiries at the scene and 13 a questionnaire was compiled to assist those officers. 14 I do not recall who wrote the questionnaire. Following 15 these enquiries, A/DI McCarthy was to consider the 16 responses. I noted that MIT 20 was to be off duty on 17 scheduled rest days from Friday, 27 June until Monday, 18 30 June. I noted that I was available for advice during 19 this period should there be any further developments 20 suggesting more serious offences had been committed. 21 HAT east, MIT 22, were on duty for the weekend and were 22 informed of the investigation, should further advice or 23 assistance be required while MIT 20 were off duty. 24 "I am aware that following submission of the HAT 25 report on 26 June to DCI Jones, he commenced</p> <p style="text-align: center;">Page 181</p>	<p>1 Q. But now you are a member of police staff? 2 A. I am now a member of police staff on the review group, 3 yes. 4 Q. In June 2014, which is the date with which we are 5 concerned, you were a detective inspector working within 6 SC&O1, homicide command, is that right? 7 A. That's correct, I was a detective inspector on major 8 investigation team 22, MIT 22. 9 Q. Could you look, please, you have two white bundles in 10 front of you. If you look at the smaller one, which is 11 on your right? 12 A. Yes. 13 Q. Then, if you look at tab 3, please. The reference for 14 the screen is INQ40. This is jury bundle A, tab 3, do 15 you see an organogram there? 16 A. Yes. 17 Q. You just said you were in MIT 20, so that is the second 18 one from the right. 19 Could you explain the line management, please? 20 A. So on MIT 22 there was also a detective chief inspector, 21 which at the time was Neale Baldock. 22 Q. Sorry to interrupt you. I should have said, this is not 23 a complete organogram showing everybody working in 24 homicide command. It is just those relevant to these 25 inquests.</p> <p style="text-align: center;">Page 183</p>
<p>1 arrangements to be put in place for the homicide and 2 serious crime command to provide continued support and 3 advice to the borough whilst MIT 20 were on rest days. 4 "After 26 June I do not recall providing any further 5 advice or support to Barking borough in this case, 6 reviewing any of the evidence obtained or any further 7 involvement in the investigation." 8 Then he confirms that in providing the statement he 9 has considered all the material available to him and 10 says that he doesn't hold any further material, either 11 physically or electronically, that refers to the matters 12 he has discussed. 13 Thank you. 14 May I call Andrew Kelly, please. 15 MR ANDREW KELLY (sworn) 16 Questions from MS COLLIER 17 MS COLLIER: Do have a seat, Mr Kelly. 18 A. Thank you. 19 Q. Could you give the court your full name, please? 20 A. Yes, I am Andrew Kelly. 21 Q. Mr Kelly, you retired as a police officer in 2015. 22 I think that is right? 23 A. That's correct, yes. 24 Q. How many years had you been serving prior to retirement? 25 A. 30 years at that point, nearly 31.</p> <p style="text-align: center;">Page 182</p>	<p>1 We see you in the box there, second from the right, 2 and then, above you, Detective Superintendent 3 Stuart Wratten? 4 A. That's correct, he was the MIT manager for our team. 5 Q. Then on the other side, on the sort of same level, so to 6 speak, Detective Superintendent John Sweeney? 7 A. That's correct. 8 Q. Who was he? 9 A. He was the MIT manager for MIT 7 and MIT 13. 10 Q. I see, so your direct line manager was Stuart Wratten? 11 A. At that time, yes. 12 Q. And John Sweeney line managed the other ones on the 13 other side? 14 A. Yes, there were other MIT teams that are not listed that 15 they were also responsible for. 16 Q. Thank you. 17 You can put that away now. 18 The jury has heard about MIT 20 based at Hertford 19 House, Barking, whereabouts was MIT 22 based? 20 A. We were also based at Hertford House in Barking. 21 Q. We are also going to be hearing during the course of the 22 afternoon about MIT 7, whereabouts were they based? 23 A. They were based at Putney. 24 Q. The other side of London? 25 A. The other side of London, yes.</p> <p style="text-align: center;">Page 184</p>

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<p>1 Q. As you know, Mr Kelly, you are here to give evidence 2 about your involvement with the police investigation 3 into the death of Anthony Walgate following the 4 discovery of his body on 19 June. 5 I think it is right to say that you were involved 6 for a very short period of time? 7 A. I think it was a two-day period, yes. 8 Q. Yes, 26 and 27 June? 9 A. That's correct. 10 Q. So that you are aware, the jury know that on Thursday, 11 26 June, Port was arrested and was interviewed by 12 DC Desai. That was the day on which MIT 20 officers had 13 been liaising with the borough and providing advice on 14 Port's arrest. Can I ask, do you have an independent 15 recollection of your work on the investigation over 16 those two days or are you mostly reliant upon the 17 materials that you have read since? 18 A. I was reliant on the material to the extent that it 19 reminded me. Having read it I recollected my 20 involvement, yes. 21 Q. You do remember? 22 Then you may have the witness statement that you 23 have made for these proceedings in your blue folder? 24 A. Yes. 25 Q. Do please feel free to refer to that if you wish during</p> <p style="text-align: center;">Page 185</p>	<p>1 assess it. 2 Q. Turning to the other bundle in front of you, the larger 3 one on the left, could you look, please, at tab 30. 4 That is jury bundle B/1, tab 30. The reference is 5 IPC753. If it is easier, it is on the screen, it is 6 a matter for you, whichever you would prefer. 7 A. I have got it on the screen, yes. I will get it as 8 well. 9 Q. This is an email that was not sent to you and was not 10 sent by you, but I just want to show it to you to ask 11 you questions about it. 12 You have just said that DS Sweeney spoke to you on 13 the evening of the 26th -- sorry, I will give you 14 a moment. I will direct you to the place to read it in 15 just a moment. Your evidence was that Superintendent 16 Sweeney spoke to you on the evening of the 26th, that is 17 the Thursday evening -- 18 A. Yes. 19 Q. -- and explained about the need for support. What 20 I wanted to ask you, if you look at this email here, the 21 sort of third line says: 22 "The request from Barking borough is for SC&O1 to 23 provide an SIO to take ownership of this investigation 24 for the following reasons." 25 I should say, this is an email sent on 26 June in</p> <p style="text-align: center;">Page 187</p>
<p>1 the course of your evidence. 2 A. Thank you. 3 Q. We are going to come to the detail a bit later, but 4 could you summarise for us, please, your involvement 5 then on 26 and 27 June. Just give an overview. 6 A. On the 26th, I believe it was in the evening, Detective 7 Superintendent Sweeney telephoned me regarding the case 8 of Anthony Walgate, to the effect that it was 9 an unexplained death that was currently being 10 investigated by Barking and Dagenham borough, but it had 11 been subject to ongoing HAT advice by MIT 20 and 12 a suspect had now been arrested, was in custody for 13 offences of perverting the course of justice and on 14 suspicion of stealing Stephen Walgate's mobile 15 telephone, and as the MIT 20 were going to be off duty 16 for a few days, for the weekend period, he was asking my 17 team, the on-call team, to provide assistance with 18 supporting the borough regarding the suspect in custody 19 and searches of the suspect's premises. 20 Q. You have referred to MIT 20 being on rest days. Is that 21 really the reason for your involvement, because the 22 borough needed some support and the MIT that had been 23 dealing with -- 24 A. I believe so. In order that the homicide command, as 25 a whole, could continue to support the investigation and</p> <p style="text-align: center;">Page 186</p>	<p>1 the evening and it is from DCI Kirk in Barking borough 2 to John Sweeney and copied to Chris Jones -- 3 A. Yes. 4 Q. -- who is MIT 20. Then, a number of other Barking 5 borough officers. What DCI Kirk says is that he would 6 like for SC&O1 to provide an SIO to take ownership of 7 the investigation into Anthony's death. 8 Can I ask, did Detective Superintendent Sweeney make 9 you aware that this is in fact what the borough had been 10 asking for? 11 A. I think he may have said that they wanted the homicide 12 command to take it, but his position was that it 13 remained with them but we would offer every support and 14 assistance that we could. So the primacy would remain 15 with them, at that stage. 16 Q. Turning then to tab 32, which is -- it will come up on 17 the screen, MPS544, this is an email of the following 18 day, 27 June. 19 A. Yes. 20 Q. If we ignore the FYI forwarding bit, but look at the 21 main email. 22 A. Yes. 23 Q. We see that it is sent by Detective Superintendent 24 Sweeney at 10.43 on the morning of Friday the 27th, to 25 Neil Basu and to Michael Duthie, but you are copied into</p> <p style="text-align: center;">Page 188</p>

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<p>1 it.</p> <p>2 A. Yes.</p> <p>3 Q. Noting that the time of day is about 10.45 in the</p> <p>4 morning, is it right that you were already actioning</p> <p>5 what Superintendent Sweeney had asked you to do the</p> <p>6 night before?</p> <p>7 A. Certainly by that stage, the support team, I believe,</p> <p>8 were at Fresh Wharf custody patrol base and, yes, things</p> <p>9 were occurring, yes.</p> <p>10 Q. Can we look down to about the last third of the email,</p> <p>11 where it says:</p> <p>12 "In the meantime ..."</p> <p>13 What Superintendent Sweeney has done is he has</p> <p>14 provided in the top part of the email an update on the</p> <p>15 investigation into Anthony's death, hasn't he?</p> <p>16 A. Yes.</p> <p>17 Q. Then he has explained that what Barking borough wanted</p> <p>18 was for homicide command to take primacy, and that that</p> <p>19 is not something that he was going to agree to at that</p> <p>20 stage.</p> <p>21 Then he says:</p> <p>22 "In the meantime I have appointed Detective</p> <p>23 Inspector Andrew Kelly (MIT 22 at Barking) to attend</p> <p>24 Barking with Sergeant Stuart Reeves and as many DCs from</p> <p>25 support team (MIT 7) that are required to support the</p> <p style="text-align: center;">Page 189</p>	<p>1 Q. I see, and when you say that you remained on HAT call,</p> <p>2 the email from Detective Superintendent Sweeney says</p> <p>3 that he has appointed you to attend Barking. Did you in</p> <p>4 fact go to Barking station?</p> <p>5 A. I didn't go Fresh Wharf, I was in another building in</p> <p>6 Barking but I was satisfied that five officers from the</p> <p>7 support team, including a detective sergeant, were</p> <p>8 deployed there and I was in direct contact with the</p> <p>9 investigating officer, Acting Detective Inspector</p> <p>10 McCarthy, and things were in hand and I was overseeing</p> <p>11 it.</p> <p>12 Q. You have just said that you were in contact with him.</p> <p>13 May I ask, did DI McCarthy -- firstly, can I ask, when</p> <p>14 did you first make contact with him?</p> <p>15 A. I am not entirely sure, I treat this with a little bit</p> <p>16 of caution whether I spoke to him the evening before,</p> <p>17 but I certainly spoke to him on several occasions during</p> <p>18 the 27th.</p> <p>19 Q. Was he aware when you spoke to him -- do you know, was</p> <p>20 he aware of the arrangements that had been put in place,</p> <p>21 because he is of course not copied in on this email</p> <p>22 from --</p> <p>23 A. As I recall, he requested officers to assist with</p> <p>24 a further interview of Port and to assist with the</p> <p>25 search and that is what we arranged.</p> <p style="text-align: center;">Page 191</p>
<p>1 BOCU in the investigation ..."</p> <p>2 Then he lists the investigations that he is</p> <p>3 directing should take place.</p> <p>4 A. Yes.</p> <p>5 Q. Does the email confirm what Detective Superintendent</p> <p>6 Sweeney had arranged with you over the telephone the</p> <p>7 evening before?</p> <p>8 A. Yes, I think it pretty much does. The previous evening</p> <p>9 I think I then, having spoken to him, had made contact</p> <p>10 with the support team and arranged for them to attend in</p> <p>11 the morning.</p> <p>12 Q. The support team being MIT 7?</p> <p>13 A. Yes.</p> <p>14 Q. Why did you contact MIT 7? Why not use MIT 22 officers,</p> <p>15 as they were in Barking?</p> <p>16 A. I think the reason was we were short staffed and also</p> <p>17 Mr Sweeney was not relieving us of HAT duties. We were</p> <p>18 still on call for any new HAT calls, and I didn't want</p> <p>19 to commit five or six officers to the next morning and</p> <p>20 then, during the night, if there was a major incident,</p> <p>21 we wouldn't be able to maintain that commitment, so the</p> <p>22 ideal solution to that was to use the support team, and</p> <p>23 I remained on HAT call the next morning.</p> <p>24 In that respect, this wasn't a new HAT call, so to</p> <p>25 speak, it was an ongoing advice and ongoing assistance.</p> <p style="text-align: center;">Page 190</p>	<p>1 Q. Having arranged for MIT 7 to come to Barking, what</p> <p>2 specifically did you ask them to do?</p> <p>3 A. That they were to be briefed -- having spoken to</p> <p>4 Mr McCarthy and myself, he was to provide them with</p> <p>5 a personal briefing of the investigation thus far and</p> <p>6 they were then to divide themselves in between</p> <p>7 an interview team and a search team for Port's premise.</p> <p>8 Q. In this sort of situation, where you have been asked to</p> <p>9 assist because a MIT team is on rest days but you need</p> <p>10 to maintain the capability of your own team and so you</p> <p>11 are asking for the support team to come and assist. Who</p> <p>12 at that stage is line managing or supervising the MIT 7</p> <p>13 officers that were actually carrying out the</p> <p>14 investigations on the 27th?</p> <p>15 A. Well, they had their own line management still at their</p> <p>16 base in Putney, but for the purposes of this I was line</p> <p>17 managing them.</p> <p>18 Q. The jury have heard reference this morning to two</p> <p>19 officers, DC Levoir and DC Holt, and heard that they</p> <p>20 interviewed Port on 27 June.</p> <p>21 Can I ask you two points about what happened after</p> <p>22 that interview?</p> <p>23 A. Yes.</p> <p>24 Q. Because they interviewed Port between about 1.00 pm and</p> <p>25 3.00 pm on the 27th. You would have been aware of that,</p> <p style="text-align: center;">Page 192</p>

<p>1 I take it?</p> <p>2 A. Yes.</p> <p>3 Q. Firstly, can I ask, after that interview, did MIT 7</p> <p>4 report back to you on the interview they had conducted</p> <p>5 with Port?</p> <p>6 A. The report I received back was via Mr McCarthy, Acting</p> <p>7 Detective Inspector McCarthy, as far as I can recollect,</p> <p>8 about the content of that interview.</p> <p>9 Q. They wouldn't directly have briefed you?</p> <p>10 A. I didn't speak with the interviewing officers, no.</p> <p>11 Q. We have seen that DC Levoir made some handwritten notes.</p> <p>12 Would you have had the opportunity to read those, would</p> <p>13 you expect to read those?</p> <p>14 A. I didn't see any notes. I had a verbal update from</p> <p>15 Mr McCarthy about it and I think he later sent me</p> <p>16 a current situation report, which covered it in brief</p> <p>17 summary.</p> <p>18 Q. Do you agree that, having interviewed Port, the next</p> <p>19 step, or a next investigative step, would have been to</p> <p>20 identify ways in which the account that he had given</p> <p>21 could be either verified or disproved, sort of followed</p> <p>22 up or challenged, and any further actions arising out of</p> <p>23 that interview?</p> <p>24 A. Certainly when a full transcript, a full record of the</p> <p>25 interview, could be obtained, then it would be -- it</p> <p style="text-align: center;">Page 193</p>	<p>1 you give DI McCarthy?</p> <p>2 A. Regarding the interview? I can't recall a specific</p> <p>3 piece of advice regarding the interview itself.</p> <p>4 Q. Wasn't it part of your role to check whether Barking</p> <p>5 borough it missed something, wasn't that the purpose of</p> <p>6 the support to be provided by MIT?</p> <p>7 A. One of things I was asked to do was to review the</p> <p>8 enquiries that had been taken thus far, which I did by</p> <p>9 reading the previous HAT reports and the CRIS report.</p> <p>10 The interview that happened on that day was -- that was</p> <p>11 quite a dynamic day in terms of progressing the</p> <p>12 investigation, lots of things happened with the search</p> <p>13 and the interview, and I -- as far as the interview was</p> <p>14 concerned, I was given a verbal update as to a summary</p> <p>15 of what had been said.</p> <p>16 Q. Can I take you back to the email from Superintendent</p> <p>17 Sweeney --</p> <p>18 A. Yes.</p> <p>19 Q. -- on the morning of 27 June. That is behind tab 32 --</p> <p>20 A. I have it.</p> <p>21 Q. -- at MPS544.</p> <p>22 Can I then just look at the bottom of the page, at</p> <p>23 the list of investigative steps to be taken.</p> <p>24 Interviewing Mr Port, we have heard about that.</p> <p>25 What about dealing with the crime scene? What</p> <p style="text-align: center;">Page 195</p>
<p>1 would naturally be, it would naturally follow for it to</p> <p>2 be looked at carefully and any discrepancies and</p> <p>3 questions which needed to be reasked or revisited would</p> <p>4 be considered.</p> <p>5 Q. On the other hand, there is a man in custody and the</p> <p>6 bail clock is -- sorry, the PACE clock is running --</p> <p>7 A. Yes, absolutely, so the verbal update was what was given</p> <p>8 at the time and I think you mentioned handwritten notes</p> <p>9 were provided to acting DI McCarthy, as a stopgap before</p> <p>10 a full transcript could be obtained.</p> <p>11 Q. Who would be responsible for -- at that stage, on the</p> <p>12 information that there was, that is to say the</p> <p>13 handwritten notes -- reviewing what had been said by</p> <p>14 Port in the interview and then deciding on what</p> <p>15 follow-up actions, if any, arose?</p> <p>16 A. The senior investigator for the investigation, and at</p> <p>17 that time it was Mr McCarthy and I was advising him as</p> <p>18 I saw fit.</p> <p>19 Q. How were you able to advise him if you hadn't heard back</p> <p>20 from the MIT 7 officers or read the notes?</p> <p>21 A. Well, he advised me that the content of the interview,</p> <p>22 along the lines, as I recall, that Port had essentially</p> <p>23 confirmed the details that he had given in the first</p> <p>24 interview.</p> <p>25 Q. What was the outcome of your discussion, what advice did</p> <p style="text-align: center;">Page 194</p>	<p>1 action did you take as regards that?</p> <p>2 A. With the assistance of MIT 7 a forensic examiner</p> <p>3 attended the scene with an officer acting as an exhibits</p> <p>4 officer role and a forensic search was conducted.</p> <p>5 Q. Then the family liaison strategy?</p> <p>6 A. I read and understood from my conversations that</p> <p>7 a family liaison officer had been appointed and the</p> <p>8 strategy at that stage was on that day was to update the</p> <p>9 family of Mr Walgate's that an arrest had been made and</p> <p>10 to keep them informed. And I was satisfied that</p> <p>11 a family liaison strategy was in place.</p> <p>12 Q. Is that what it is limited to, just updating -- it is</p> <p>13 not a criticism, I am just trying to understand, it is</p> <p>14 simply a matter of updating the family as to the arrest?</p> <p>15 A. On that day, yes. I was satisfied that an accredited</p> <p>16 family liaison officer had been appointed, I believe</p> <p>17 a family liaison coordinator also was involved and that</p> <p>18 seemed to be actioned appropriately.</p> <p>19 Q. Tracing the victim's missing phone?</p> <p>20 A. This was an aspect for the search at Port's address, it</p> <p>21 didn't in fact turn up the phone and it remained</p> <p>22 missing.</p> <p>23 Q. Then, finally, reviewing the enquiries already</p> <p>24 undertaken. You mentioned a moment ago that you did</p> <p>25 review the enquiries undertaken.</p> <p style="text-align: center;">Page 196</p>

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<p>1 A. Yes, I did. To the extent that I read the previous HAT 2 reports, I read the CRIS reports and I discussed the 3 progress of the investigation during the course of that 4 day on several occasions with Acting Detective Inspector 5 McCarthy, and indeed with Detective Superintendent 6 Sweeney.</p> <p>7 Q. Did you, as it were, make a list of the enquiries that 8 were supposed to have taken place? When you reviewed 9 the HAT advices, did you look at the advice section and 10 then identify all the enquiries that HAT had advised 11 over the previous days and looked to see if they had 12 been followed up?</p> <p>13 A. Most of them were still in hand. My assessment of the 14 investigation at that stage was that Barking and 15 Dagenham, Mr McCarthy, had identified appropriate lines 16 of enquiry and they were underway. I was satisfied that 17 the HAT team had provided further appropriate advice, 18 further appropriate lines of enquiry had been suggested 19 and it was clear to me that the investigation was far 20 from complete, but I was satisfied that the right lines 21 of enquiry were being undertaken.</p> <p>22 Q. Were you able to look at the CRIS at all?</p> <p>23 A. Yes, I did.</p> <p>24 Q. Can I ask you to look at tab 37, which is MPS 780, then 25 at page 11, please.</p> <p style="text-align: center;">Page 197</p>	<p>1 Q. No, I am sorry, it is because you are telling me you are 2 providing advice to Mr McCarthy and I am asking, 3 shouldn't that be reflected in a written record?</p> <p>4 A. I did have at the time a record of my conversations with 5 him, which is broadly reflected in his current situation 6 report. I don't have that record anymore.</p> <p>7 Q. I see.</p> <p>8 I am nearly coming to the end of my questions, but 9 I want to go back to the email from DS Sweeney, which is 10 at tab 32 -- sorry, Superintendent Sweeney. It is 11 MPS544.</p> <p>12 A. Yes.</p> <p>13 Q. Right at the bottom there, it says: 14 "The above measures are to ensure that nothing is 15 missed and that the investigation has sufficient 16 expertise to undertake the tasks. As these tasks are 17 completed, it will hopefully shed light on the 18 circumstances of the as-yet unexplained death of 19 Anthony Walgate. Then should I consider that it points 20 to a homicide more than a drug overdose ..."</p> <p>21 He then goes on to say that he will make the 22 decision if he thinks that, for SC&O1 to take the 23 investigation on.</p> <p>24 A. Yes.</p> <p>25 Q. Were you asked to contribute to any review by</p> <p style="text-align: center;">Page 199</p>
<p>1 Under 13 "Media", it says: 2 "DI Andrew Kelly reviewed the investigation on 3 27 June 2014 and the following press lines were 4 forwarded." 5 This appears to relate to a review for the purposes 6 of lines to take with the press. We have a record of 7 what is suggested there. Were those your suggestions 8 then?</p> <p>9 A. I provided an update to the department of media and 10 communications, as the press bureau are known, regarding 11 the investigation to assist Mr McCarthy, yes.</p> <p>12 Q. If we look up at "Lines of enquiry", do you know if you 13 had any input into this aspect of the review of the 14 investigation?</p> <p>15 A. Yes, I did. I read all these aspects and it is as it 16 said, some were outstanding and some had been completed.</p> <p>17 Q. Isn't it usually the case that when HAT provide advice, 18 that they provide it on -- or they provide a record to 19 follow up on that?</p> <p>20 A. We did provide a record of advice. That is the HAT 21 advice that the MIT support team provided.</p> <p>22 Q. I see. What I was referring to is an advice authored by 23 you about the advice you were giving, as opposed to the 24 advice that MIT 7 were providing.</p> <p>25 A. I didn't provide a separate advice report.</p> <p style="text-align: center;">Page 198</p>	<p>1 Superintendent Sweeney, any review that he was to 2 undertake, because he had asked you to ensure that these 3 things happen, in order that he can then undertake 4 a further review?</p> <p>5 A. I spoke to him on several occasions and I copied him 6 into a few emails I sent on that day and the HAT advice 7 from MIT 7, and my assessment for him was that the case 8 remained as an unexplained death, I retained an open 9 mind as to whether it was, at that stage, an accidental 10 overdose or in fact it was a serious crime had been 11 committed.</p> <p>12 So he didn't ask me to go any further. His position 13 remained at that stage that it should remain with the 14 borough, for primacy, but we should continue to support 15 the investigation.</p> <p>16 Q. When you say at that stage, do you mean at the time of 17 writing this email or after you had fed back to him what 18 had happened on the 27th?</p> <p>19 A. Yes, after I fed back to him in the afternoon, yes.</p> <p>20 Q. You have just said that you retained an open mind as to 21 whether it was an accidental overdose or -- what was the 22 alternative?</p> <p>23 A. Or a murder.</p> <p>24 Q. What steps do you think could have been taken to try and 25 establish which of those alternatives it was?</p> <p style="text-align: center;">Page 200</p>

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<p>1 A. Well, all the enquiries were ongoing at that stage.</p> <p>2 I am not quite sure what you mean by that, I am</p> <p>3 afraid.</p> <p>4 Q. Is it the enquiries that we see in the HAT review of the</p> <p>5 27th?</p> <p>6 A. Yes, I would say that my assessment of the case was that</p> <p>7 it was far from complete but appropriate lines of</p> <p>8 enquiry were -- had been identified, had been advised</p> <p>9 but the HAT team and were ongoing.</p> <p>10 Q. Can we look then at the HAT return of the 27th, which is</p> <p>11 behind tab 36, and it is IPC45.</p> <p>12 A. Yes.</p> <p>13 Q. This is the record of what has occurred on the first</p> <p>14 page, on the 27th, and then if we turn over the page,</p> <p>15 the record of advice given.</p> <p>16 A. Yes.</p> <p>17 Q. Is this what you mean when you say that you reviewed the</p> <p>18 investigation and HAT 7 provided a written account of</p> <p>19 the advice given?</p> <p>20 A. I was satisfied with the advice that they provided, that</p> <p>21 it was appropriate and I discussed it with Mr McCarthy</p> <p>22 and Mr Sweeney.</p> <p>23 Q. What we are looking at here, under record of advice,</p> <p>24 because if you look at the bottom, it says that the</p> <p>25 SC&O1 adviser is Stuart Reeves.</p> <p style="text-align: center;">Page 201</p>	<p>1 prepared I think, we have seen, in the evening.</p> <p>2 Turning to page 11 of that document --</p> <p>3 A. Yes.</p> <p>4 Q. -- if we look at 14 at the bottom, it says:</p> <p>5 "DI Kelly has informed IAG member who works with the</p> <p>6 LGBT community around sex workers."</p> <p>7 Then over the page an email, does that reflect what</p> <p>8 you have said?</p> <p>9 A. Yes, that is an extract of the email I sent. It doesn't</p> <p>10 have the date or time on it, but that is the content</p> <p>11 definitely, yes.</p> <p>12 Q. Just to be clear, who did you send the email to?</p> <p>13 A. To Mr Hodgson and I believe I copied in Mr Sweeney and</p> <p>14 Mr McCarthy.</p> <p>15 MS COLLIER: Thank you, I have no further questions.</p> <p>16</p> <p>17 THE CORONER: No questions?</p> <p>18 Thank you very much indeed, Mr Kelly.</p> <p>19 So sorry, Ms Dobbin, I didn't see you.</p> <p>20 MS DOBBIN: I do have some questions.</p> <p>21 Questions from MS DOBBIN</p> <p>22 MS DOBBIN: Could I please ask that MPS544 is brought up.</p> <p>23 Mr Kelly, I ask questions on behalf of some of the</p> <p>24 Barking officers. Thank you.</p> <p>25 If we look at the final couple of paragraphs, what</p> <p style="text-align: center;">Page 203</p>
<p>1 A. Yes.</p> <p>2 Q. Then the authorising name is DCI Nicola Wall, so I was</p> <p>3 just not sure whether this was a document to which you</p> <p>4 inputted.</p> <p>5 A. I discussed it with Mr McCarthy and Mr Sweeney, but</p> <p>6 I didn't actually type the form.</p> <p>7 Q. No, but did you sanction --</p> <p>8 A. It was all subject to the matters we had been discussing</p> <p>9 throughout the course of the day.</p> <p>10 Q. Then, finally, you have said in your witness statement</p> <p>11 that Superintendent Sweeney suggested that it might be</p> <p>12 useful in this case, given that Anthony was gay, to</p> <p>13 engage with an independent adviser with direct links to</p> <p>14 the LGBT+ community. Do you remember that?</p> <p>15 A. Yes, I think that was a very good idea by Mr Sweeney.</p> <p>16 Q. What did you do in response to this suggestion?</p> <p>17 A. So I contacted one of our trusted partners with</p> <p>18 appropriate links to the LGBT+ community, and that was</p> <p>19 Mr Bob Hodgson, I gave him a brief overview of what was</p> <p>20 being investigated in order that he could be alert if he</p> <p>21 heard anything through his contacts that could be</p> <p>22 relevant to the investigation.</p> <p>23 Q. Can you look behind tab 37, which is MPS780.</p> <p>24 A. Yes.</p> <p>25 Q. This is the current situation report of 27 June,</p> <p style="text-align: center;">Page 202</p>	<p>1 Mr Sweeney has said is that:</p> <p>2 "In the meantime I have appointed Detective</p> <p>3 Inspector Andrew Kelly ... to attend Barking ..."</p> <p>4 Then goes on to mention the DCs from the support</p> <p>5 team.</p> <p>6 A. Yes.</p> <p>7 Q. Then, as we have seen, goes on to mention reviewing the</p> <p>8 enquiries already undertaken. Then, as we have seen, he</p> <p>9 goes on to say that those measures were to ensure that</p> <p>10 nothing is missed and that the investigation has</p> <p>11 sufficient expertise to undertake the tasks?</p> <p>12 A. Yes.</p> <p>13 Q. He was clearly foreseeing when he wrote that email that</p> <p>14 you would actually go to the borough yourself, wasn't</p> <p>15 he, in order that you could review the enquiries that</p> <p>16 had already been undertaken?</p> <p>17 A. I didn't feel my physical presence was necessary on that</p> <p>18 morning. I had spoken to Mr Sweeney the night before</p> <p>19 about it and I was satisfied that sufficient detectives</p> <p>20 from the support team, with a supervisor, with</p> <p>21 a detective sergeant, were able to give -- provide that</p> <p>22 assistance, and I was in direct contact with Mr McCarthy</p> <p>23 and Mr Sweeney to offer further advice.</p> <p>24 Q. Did he know that you were not actually going to go to</p> <p>25 Barking? I know that you were in Barking, but did he</p> <p style="text-align: center;">Page 204</p>

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<p>1 know that you were not actually going to go 2 physically -- 3 A. He would have certainly known when I was speaking to him 4 where I was, yes. 5 Q. You told us, I think, that the only documents you 6 reviewed were the CRIS and the previous MIT advices, is 7 that right? 8 A. Yes. 9 Q. You didn't see the interview summary that had been 10 prepared? 11 A. I beg your pardon, I was also provided with a current 12 situation report by Mr McCarthy, which I believe 13 contained a summary of the first interview. 14 Q. All right. 15 You had it in that document. You had a summary as 16 it appears in that document? 17 A. Yes. 18 Q. I think that must mean that you didn't see any of the 19 underlying witness statements for example that had been 20 gathered? 21 A. I didn't see the original witness statements, no. 22 Q. If the purpose of you being appointed was to review the 23 enquiries that had already been undertaken, how were you 24 going to do that without recourse to more of the 25 underlying material?</p> <p style="text-align: center;">Page 205</p>	<p>1 was ongoing. The investigation was far from complete. 2 Q. There is a difference between reviewing the enquiries 3 that have already been undertaken and reviewing the 4 investigation; is that right? 5 A. I would say so, yes. 6 Q. If Detective Constables Holt and Levoir had received any 7 significant information during the interview that they 8 conducted, would you have expected them to have brought 9 that to your attention? 10 A. Yes, certainly to DS Reeves's attention and then on to 11 Mr McCarthy and myself, yes. 12 Q. Again, that would be important because you had been 13 appointed specifically to look at the investigations 14 which were ongoing and to see if anything could be added 15 to them? 16 A. Yes, I believe so. 17 Q. You were aware that Port had a conviction in 2012 -- 18 sorry, not a conviction, I apologise, there had been 19 a previous incident -- 20 A. Yes. 21 Q. -- in 2012, and that there had been an allegation made 22 against him that he had had unconsensual sex with 23 someone else. 24 Did you, when you reviewed this, consider further 25 investigative actions that could have been taken as</p> <p style="text-align: center;">Page 207</p>
<p>1 A. Reviewing the enquiries already undertaken was one of 2 several aspects which are listed there that he asked me 3 to oversee and during the course of that day there were 4 developments with the search, developments with the 5 interview and I was satisfied that I had reviewed the 6 enquiries he had asked me to do. 7 Q. Is this right, you were satisfied that just reviewing 8 the CRIS and the advices was enough to make sure that 9 nothing had been missed? 10 A. No, I am not saying that. This was part of an ongoing 11 advice and support from the homicide command as far as 12 I was concerned. I wasn't doing a final review of the 13 investigation of that nature, it was literally what was 14 happening over the weekend period and much of the detail 15 was given to me verbally by Mr McCarthy directly. 16 Q. Again, if we come back to the point that your 17 appointment is specifically for the purpose of ensuring 18 that nothing is missed, how are you to do that if you 19 are relying on information being conveyed to you rather 20 than looking at any of the underlying materials? 21 A. It wasn't -- I wasn't requested to conduct a form of 22 review that would look at every item of material at that 23 stage. It was an ongoing dynamic day on that particular 24 day and I was satisfied that we provided appropriate 25 support and advice from the homicide command and that it</p> <p style="text-align: center;">Page 206</p>	<p>1 regards that, so, for example, speaking to the victim 2 or -- 3 A. I believe that was discussed with -- I discussed it with 4 Mr McCarthy and he was awaiting full details of that 5 allegation, full details of the material that came from 6 that investigation. 7 Q. Can I ask you about that, because if we bring up IPC45, 8 page 2, all that it says, first of all there is 9 a generic, "Witnesses to be interviewed to provide full 10 accounts". 11 A. Yes, I think that appears on the blank form, 12 unfortunately. 13 Q. Sorry, I missed that? 14 A. I think that appears on a blank HAT report form, that 15 sentence, "Witnesses to be interviewed", so it is not 16 really specific to this. 17 Q. That is just a generic bit of advice that appears on all 18 forms? 19 A. I believe so, yes. 20 Q. This was not advice about interviewing any particular 21 witnesses then? 22 A. It doesn't specify, does it? 23 Q. No. 24 If we go down to the third bit of advice, it says, 25 "Intel being conducted by MIT 7 officers".</p> <p style="text-align: center;">Page 208</p>

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<p>1 A. Yes.</p> <p>2 Q. It was left, wasn't it, on that date, on 27 June, that</p> <p>3 the intelligence enquiries to be pursued would be taken</p> <p>4 up by the MIT 7 team?</p> <p>5 A. I can't recall exactly what that sentence is referring</p> <p>6 to specifically, but I had discussed with Mr McCarthy</p> <p>7 and seen that he had actioned a review of the</p> <p>8 intelligence regarding Port. That was one of the</p> <p>9 actions he had raised.</p> <p>10 Q. It is clear, isn't it, "Intel being conducted by MIT 7</p> <p>11 officers"?</p> <p>12 A. I am afraid I can't recall what exactly that is</p> <p>13 referring to, in terms of what it meant. Further than</p> <p>14 the research that was already being done.</p> <p>15 MS DOBBIN: No further questions, thank you.</p> <p>16 Questions from MR BERRY</p> <p>17 MR BERRY: Mr Kelly, I ask questions on behalf of the</p> <p>18 Metropolitan Police.</p> <p>19 You have explained that throughout the day you had</p> <p>20 a number of discussions with DI McCarthy and that he</p> <p>21 briefed the MIT 7 officers when they arrived at Fresh</p> <p>22 Wharf, yes?</p> <p>23 A. Yes.</p> <p>24 Q. In your discussions with him throughout the day, did he</p> <p>25 ever suggest that the support being given was</p> <p style="text-align: center;">Page 209</p>	<p>1 Q. Do you think it is likely you were cc'd into that</p> <p>2 because you were assisting on the day?</p> <p>3 A. Certainly, yes.</p> <p>4 Q. Were you aware from that email that there was a dispute</p> <p>5 over primacy for the investigation?</p> <p>6 A. Yes.</p> <p>7 Q. And that Mr Sweeney had decided that the homicide</p> <p>8 command would not take primacy at that stage?</p> <p>9 A. That's correct.</p> <p>10 Q. But that he would make a primacy decision at some point</p> <p>11 in the future?</p> <p>12 A. Yes.</p> <p>13 Q. You were asked about reviewing the investigation.</p> <p>14 It is right, isn't it, that this was a very early</p> <p>15 stage of the investigation, wasn't it?</p> <p>16 A. Yes, I would say so, yes.</p> <p>17 Q. Mr Port had been arrested just the day before.</p> <p>18 There were a number of outstanding actions, weren't</p> <p>19 there?</p> <p>20 A. Absolutely.</p> <p>21 Q. Including a number of actions suggested to the borough</p> <p>22 on the HAT return of 27 June 2014?</p> <p>23 A. That's correct.</p> <p>24 Q. Is it right that whilst you didn't write that document</p> <p>25 they were actions you would have discussed with</p> <p style="text-align: center;">Page 211</p>
<p>1 insufficient or that more officers were needed or</p> <p>2 anything along those lines?</p> <p>3 A. No, he didn't. And at the end of that day I offered any</p> <p>4 further assistance and advice that he may need over the</p> <p>5 weekend period, when I was -- which I was on duty</p> <p>6 throughout that period.</p> <p>7 Q. Did he ask for any?</p> <p>8 A. He didn't get back to me, no.</p> <p>9 Q. Did you have any involvement in selecting which of the</p> <p>10 MIT 7 officers should attend Barking?</p> <p>11 A. No, I didn't.</p> <p>12 Q. Did you ask for a tier 5 interview adviser to be</p> <p>13 deployed?</p> <p>14 A. Not specifically.</p> <p>15 Q. Had DI McCarthy asked for a tier 5 interview adviser to</p> <p>16 be sent?</p> <p>17 A. I don't recall him doing so to me.</p> <p>18 Q. Did you know that DC Levoir was being deployed to Fresh</p> <p>19 Wharf?</p> <p>20 A. I didn't know the individual officers from MIT 7.</p> <p>21 Q. Mr Sweeney's email, which was cc'd to you and to DS</p> <p>22 Reeves, that email arrived at 10.43, and I think the MIT</p> <p>23 7 team had arrived at Fresh Wharf at about 8.30, does</p> <p>24 that sound about right?</p> <p>25 A. I think so, yes.</p> <p style="text-align: center;">Page 210</p>	<p>1 DI McCarthy?</p> <p>2 A. Yes, I would ... yes.</p> <p>3 Q. You were shown an earlier version of DI McCarthy's</p> <p>4 current situation report. Can I ask for you to be shown</p> <p>5 MPS780.</p> <p>6 That is the current situation report updated on</p> <p>7 27 June, so on the day that the MIT 7 team were sent to</p> <p>8 Fresh Wharf. If I could ask you to be shown page 4 of</p> <p>9 that document, please. Do you see there that the HAT</p> <p>10 advice in the middle of the page, the HAT advice given</p> <p>11 by the team that you sent on the 27th, is set out there</p> <p>12 in the current situation report?</p> <p>13 A. Yes.</p> <p>14 Q. If during the course of your short involvement you had</p> <p>15 read or heard anything that suggested to you that Port</p> <p>16 should in fact be under investigation for homicide, what</p> <p>17 would you have done?</p> <p>18 A. I would have informed DSU Sweeney immediately.</p> <p>19 Q. Would that have been a difficult thing to do?</p> <p>20 A. Not at all.</p> <p>21 Q. Is it something you have done in the past?</p> <p>22 A. Many times, yes.</p> <p>23 Q. Were you given any ongoing role after 27 June?</p> <p>24 A. No, I heard nothing more about the case after that, no.</p> <p>25 Q. You were asked by Ms Dobbin Queen's Counsel about the</p> <p style="text-align: center;">Page 212</p>

1 line "MIT 7 conducting intel", did Mr McCarthy or anyone
 2 else ever come back to you and say: where is this intel?
 3 Where is the product? Were you ever asked anything like
 4 that?
 5 **A. I don't recall, no.**
 6 Q. In light of Mr Sweeney's email, were you expecting that
 7 Mr Sweeney, or somebody else under his instruction,
 8 would be making a primacy decision at some point in the
 9 future?
 10 **A. Possibly as the case developed, yes.**
 11 Q. Subject to rest periods, would it be usual for borough
 12 officers to liaise with the MIT team who had attended
 13 the original HAT call out?
 14 **A. Yes, my understanding from Mr McCarthy on that day was**
 15 **that after the weekend he would refer back to MIT 20 if**
 16 **he required any further advice.**
 17 Q. Thank you.
 18 In any event, is it open to borough officers to come
 19 back to the homicide command for further advice or
 20 further request for primacy at any stage?
 21 **A. Absolutely, there is a HAT phone that 24 hours a day is**
 22 **monitored.**
 23 MR BERRY: Thank you, I have no further questions.
 24 MS COLLIER: Nothing further from me, thank you.
 25 THE CORONER: Right, Mr Kelly, thank you very much indeed.

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1 **A. Thank you.**
 2 THE CORONER: Members of the jury, we will break off there
 3 now until 10.00 tomorrow morning -- I am so sorry,
 4 Monday morning. You can come tomorrow if you like?
 5 Monday morning.
 6 Before you go, I hope you have realised how
 7 carefully the plan has been put together to set out
 8 witnesses for you and to call them each day and I tell
 9 you that the plan was we should reach exactly this point
 10 at 4.30 this afternoon, so everybody involved has done
 11 very well at keeping to time and I thoroughly support
 12 them and thank them for doing that and I hope that that
 13 will continue. We are exactly where we said we would be
 14 at this time after the second week. I hope that
 15 reassures you.
 16 Thank you very much. Have a good weekend.
 17
 18 10.00 on Monday.
 19 MR O'CONNOR: Thank you, madam.
 20 (4.31 pm)
 21 (The inquests adjourned until 10.00 am on Monday,
 22 18 October 2021)
 23
 24
 25

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