

<p>1 Monday, 18 October 2021 2 MR MARTIN O'DONNELL (continued)2 3 Questions from MR DAVIES2 4 Further questions from THE JURY27 5 MS JUDITH LEVOIR (sworn)30 6 Questions from MR O'CONNOR31 7 Questions from MS HILL93 8 Questions from MR DAVIES117 9 Questions from MR SKELTON125 10 Questions from THE JURY134 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 1</p>	<p>1 order to make mistakes? 2 A. No, not at all. 3 Q. You did not joint the police to conduct investigations 4 where things fell between the cracks, to use the 5 vernacular? 6 A. No, I didn't. 7 Q. But it can be seen in the Anthony Walgate investigation 8 that both of those things happened? 9 A. That's right, yes. 10 Q. And you are taking your share of responsibility for 11 that? 12 A. I am, yes. 13 Q. Let me try to identify through you, if I may, some of 14 the factors in your case that may have caused or 15 contributed to these mistakes, these outcomes. 16 Firstly, the reality of your other wider operational 17 duties at the time, detective sergeant, all right? 18 A. Yes. 19 Q. I am taking this from your statement of 7 August 2017. 20 It needn't go on screen, but for our reference it is 21 IPC355. I am going to lead you on this, because I don't 22 think it is going to be controversial. 23 You had transferred, as Mr O'Connor established, to 24 CID in Barking and Dagenham in about 2010/2011? 25 A. That's right, yes.</p> <p style="text-align: center;">Page 3</p>
<p>1 2 (10.00 am) 3 (In the presence of the jury) 4 THE CORONER: Good morning, members of the jury. You will 5 see we have DS O'Donnell back. He is here to be asked 6 some questions by Mr Davies, who works with Ms Dobbin, 7 and represents some of the borough officers. 8 Yes, Mr Davies. 9 MR DAVIES: Thank you, madam. 10 MR MARTIN O'DONNELL (continued) 11 Questions from MR DAVIES 12 MR DAVIES: Detective Sergeant O'Donnell, on Friday in these 13 proceeding you recognised a number investigative 14 mistakes that you had made? 15 A. Yes, that's right. 16 Q. You apologised for them in public? 17 A. That's right, yes. 18 Q. Those apologies, no doubt, reflected your opportunity 19 over the last seven years to consider why these mistakes 20 were made and what may have contributed to them? 21 A. That's correct, yes. 22 Q. Nothing I ask you today is intended in any way to 23 qualify what is an unqualified apology. 24 A. Right. 25 Q. But can we take it that you did not join the police in</p> <p style="text-align: center;">Page 2</p>	<p>1 Q. Having come from a safer neighbourhood team? 2 A. That's right, yes. 3 Q. Although you had been with CID three, into four, years, 4 your immediate prior experience would not have involved 5 these types of investigations? 6 A. No, on promotion I returned to uniform and worked with 7 the emergency response team and then the safer 8 neighbourhoods team, so yes. 9 Q. It has already been covered but, on Barking and Dagenham 10 at the time, there were effectively three teams for CID? 11 A. That's right, yes. 12 Q. Working shift patterns -- 13 A. Yes. 14 Q. -- and rarely overlapping? 15 A. That's right, yes. 16 Q. In terms of your own team, the inquiry has already 17 considered on numerous occasions the organogram numbers 18 acting in acting or trainee capacities, and I need not 19 cover all that again, but in terms of your own team, to 20 what extent were you ever present in that office at the 21 same time on a day-to-day basis? 22 A. We sometimes were but, with regards to our own 23 commitments and extractions, it wasn't unusual for us to 24 really not see each other for days. 25 Q. Right. Did that produce the result that communication</p> <p style="text-align: center;">Page 4</p>

<p>1 updates and so on had to be through a combination of 2 email, telephone calls and updating the CRIS? 3 A. That's right, yes. If I was away from the office, it 4 would take the form of an email or more likely 5 a telephone call, yes. 6 Q. It may be obvious but, if you are not at a police 7 station on a CRIS terminal, are you able to either 8 update or access the CRIS? 9 A. No. No, I can't. 10 Q. Are you able to update or access the CRIS or other 11 police intelligence systems from home? 12 A. No, because none of us had portable devices at that 13 time. 14 Q. Right. 15 Looking at your remit, you had to deal, according to 16 your statement, paragraph 4, with the more serious 17 criminal investigations, high-volume violent or sexual 18 offences, but other serious crimes such as blackmail, 19 arson, stalking, some fraud matters, the supply and 20 production of drugs and firearms on the borough? 21 A. That's right, yes. 22 Q. You were expected to progress other matters not dealt 23 with in other specialist units, such as high-risk 24 missing persons? 25 A. That's right, yes.</p> <p style="text-align: center;">Page 5</p>	<p>1 Q. With their own separate demands and complexities, no 2 doubt? 3 A. That's correct, yes. 4 Q. Each of them with a CRIS to review and update, no doubt? 5 A. Yes, that's right. 6 Q. The nature of the work, and to some extent the inquest 7 has heard this already, could be reactive in the sense 8 that whatever you had planned for the day could alter 9 overnight by developments in the different case. 10 A. Definitely. It was quite usual for us to have plans for 11 the day in terms of our own enquiries, only to find that 12 people had been arrested overnight or there had been 13 a serious incident and we would literally have to drop 14 everything, cancel our plans, maybe go to a crime scene 15 or deal with prisoners that were obviously time critical 16 in having to deal with them. So, yes, that would be 17 quite a common occurrence. 18 Q. The inquest has heard an example for Detective Constable 19 Desai where he came in, was tasked -- to use the police 20 jargon -- at short notice with swearing out a warrant, 21 conducting the search and conducting the interview, none 22 of which was in his plan at the start of the day? 23 A. No, that is entirely possible, yes. 24 Q. Which would have pushed other cases back, by definition? 25 A. Yes. Yes, it would.</p> <p style="text-align: center;">Page 7</p>
<p>1 Q. Sudden deaths? 2 A. Correct. 3 Q. Actionable intelligence, for example Crimestoppers, 4 covert source, warrant applications and, when delegated 5 to your team, enquiries on behalf of other teams across 6 the Met? 7 A. That's right, all that came to the CID main office, yes. 8 Q. You have provided data in that statement that, between 9 June 2014 and February 2015, you were personally 10 delegated some 278 investigations? 11 A. That's correct, yes. 12 Q. Of which you kept -- by which I take you mean you kept 13 as directly responsible -- about 70 investigations in 14 that period alone? 15 A. That is right, yes. It is not ideal really for 16 a supervisor to be conducting their own investigations, 17 because it obviously takes them away from supervising 18 the team but these particular investigations I felt 19 would be too much for the team -- any one member of the 20 team to take responsibility on their own. I think they 21 were just too complex or would have produced just 22 an overwhelming workload for them. 23 Q. The gravity of those investigations no doubt varied, but 24 serious enough to be in CID? 25 A. Yes, definitely.</p> <p style="text-align: center;">Page 6</p>	<p>1 Q. You said in your statement, paragraph 9: 2 "There was an increased workload, as cutbacks meant 3 that things such as duties planning, operational health 4 and human resources were deferred to sergeants and you 5 had to perform the new role of evidence review officer 6 for CPS advisers." 7 A. That's correct, yes. 8 Q. The evidence review officer, in a few sentences, was 9 what? 10 A. It would -- an evidence review officer would review 11 a case that the officer in a case would feel was ready 12 to put to the CPS, and we would have to look at it in 13 terms of the criteria that was given to us under the 14 Director of Public Prosecution's guidance and we would 15 then determine whether it was suitable to pass to the 16 CPS. 17 Q. In addition to managing your team, your workload and 18 investigations, the direct effected of reduced resources 19 on borough was to put even greater responsibility on you 20 for administration and conducting these evidence 21 reviews? 22 A. Yes, definitely. There just seem to be more and more 23 coming into our responsibility. 24 Q. Okay. 25 You have said this at paragraph 8:</p> <p style="text-align: center;">Page 8</p>

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<p>1 "It was pretty frantic." 2 At times you felt that in terms of resources and 3 your capacity to address the workload, you were: 4 "... literally clinging on by your fingernails and 5 keeping the whole thing up and running and operational 6 in some genuine sense of the word on the borough." 7 Do you stand by that? 8 A. Yes, definitely. 9 Q. You have set out in your statement the multiple dates 10 when you were abstracted from duties between June and 11 December. I am not going to take you through the full 12 detail of that, but were you in particular the officer 13 in the case in a fraud trial at that period -- 14 A. Yes. 15 Q. -- that took you away from other duties. When was that? 16 A. That's correct, that was in the middle of July. The 17 trial date was for two weeks in the middle of July. 18 Q. You were line manager for a number of detective 19 constables or trainee detective constables? 20 A. Yes, that's correct. 21 Q. This particular investigation was delegated to a trainee 22 detective constable? 23 A. That's correct, yes. 24 Q. Was that satisfactory? 25 A. No. If I was given a choice, and the opportunity, it</p> <p style="text-align: center;">Page 9</p>	<p>1 Q. Let me turn to the Anthony Walgate investigation, 2 please, and some of the points that arose in your 3 questioning last week. 4 Could we start with the question of Joe Dean, 5 because the questioning in part was reflecting the fact 6 that Joe Dean's name did not appear on the CRIS, all 7 right? 8 A. Yes. 9 Q. Could we look at IPC525, please, which is the jury 10 bundle, tab 18. In fact, detective sergeant, and I am 11 taking this quite shortly, can we see that as early as 12 the HAT advice of 20 June at 18.00 the name Joe Dean was 13 fully integrated to the thinking of this investigation? 14 A. Yes, that was clear in the HAT advice there, yes. 15 Q. And in the sense that the meeting between Anthony and 16 Port was in the context of a provision of sexual 17 services on a commercial basis? 18 A. That is what we understood, yes. 19 Q. In your mind, did the fact Port had used a false name 20 point one or the other to what was happening behind 21 this? 22 A. Sorry, could you say that again? 23 Q. Did the use of a false name by somebody in that context, 24 whether Anthony or Port or both, given the services 25 being contracted for, surprise you?</p> <p style="text-align: center;">Page 11</p>
<p>1 would have been -- obviously it would have been to 2 a much more experienced detective. 3 Q. It may be said, that being the case, your duty of 4 supervision increased? 5 A. It certainly did, yes. 6 Q. Were you able to discharge the level of supervision you 7 would have liked in relation to a trainee detective 8 constable, given your other duties? 9 A. Not at all, no. 10 Q. Were these challenges raised on borough with the senior 11 management team? 12 A. They were, they were regularly, yes. 13 Q. With what outcome? 14 A. They would -- they understood and they would in turn 15 move it up the chain of command, as it were to the point 16 where the borough commander, again, was fully aware of 17 our challenges and they would in turn go to the area 18 commander, but the general response would always be 19 there are no other -- you know, you are not getting any 20 more resources, you are not getting any more police 21 officers to your borough. 22 So we pretty much had to deal with what we had. 23 Q. The problem was recognised as being genuine, but they 24 couldn't create additional resources? 25 A. No.</p> <p style="text-align: center;">Page 10</p>	<p>1 A. No, not at all. 2 Q. But it was in the investigation and known to HAT as 3 early as 1800 on the 20th. 4 On the second page of this document, two points. 5 Firstly, it reflects a summary prepared by HAT, the 6 specialists who had attended the post mortem, of the 7 outcome of that special post mortem. Correct? 8 A. Yes, that's right, yes. 9 Q. Anything on there about turned-out underpants? 10 A. No, not from my understanding. 11 Q. The suggestion of a drugs overdose, further information 12 at the bottom about Joe Dean, and in capital letters at 13 the bottom, and we can read it: 14 "There is nothing to suggest the victim has been 15 assaulted. This investigation remains with borough and 16 SC&O1 involvement is complete. Should there be any 17 significant developments BOCU have been advised to 18 contact the HAT car." 19 Did that alert you to anything from the post mortem 20 that should have generated further investigation? 21 A. You mean the HAT, the advice there? 22 Q. Yes. 23 A. Well I was obviously at the post mortem myself with the 24 DS from the HAT team but it was clear from the sentence 25 at the bottom that they were drawing a line under their</p> <p style="text-align: center;">Page 12</p>

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<p>1 involvement and leaving us to continue the 2 investigation. 3 Q. Can I next turn chronologically to 23 June, please, and 4 page 76 of the CRIS, so IPC35, page 76, jury bundle 2. 5 This is the 23rd, your entry, you were asked about 6 the, under "Investigative strategy": 7 "Considering the HAT advice to date, I have 8 determined the following enquiries are required to 9 progress this matter sufficiently for a coroner's 10 inquest." 11 You were asked about that line -- 12 A. Yes. 13 Q. -- but not the next: 14 "Should any information come to light that would 15 suggest criminal activity contributing to his death, 16 then this would be reviewed by HAT." 17 A. That's right, I thought considering the advice, they are 18 obviously the specialists but I wanted to remain 19 flexible to the fact that the investigation could 20 develop either one way or another and that comment 21 reflects that, really. 22 Q. You were then asked as to whether the interview by 23 DC Desai on 26 June had gone on the CRIS. 24 A. Yes, I was. 25 Q. I wonder if we could pull up, please, IPC743, page 21.</p> <p style="text-align: center;">Page 13</p>	<p>1 IPC753, jury bundle 30. Thank you, this is a familiar 2 document to the jury. Mr Kirk's email out, not to you 3 but to Messrs Sweeney, Jones, Hamer, Ewing and McCarthy, 4 setting out, it may be thought in relatively unambiguous 5 terms, why borough believe this should be an MIT 6 investigation. This was nine minutes after the 7 interview was put on the CRIS. 8 There's no time to read it all now but there is 9 a paragraph starting, "The suspect has previous for 10 plying another male with drugs and raping him". 11 If that could be highlighted, it is about the fifth 12 or sixth paragraph: 13 "This, added to the fact that Walgate charges £800 14 for the night and Port has no means to pay this fee 15 would give a more sinister angle to the events." 16 Was this the mood of borough in terms of who should 17 have this job? 18 A. Definitely, it was a constant topic of conversation, 19 that this should be dealt with by the major 20 investigation team, yes. 21 Q. Yes. 22 The next day, if we go to tab 36, by this point, 23 there was a statement from Mr Aldwinckle? 24 A. That's correct, yes. 25 Q. Have you read his second statement?</p> <p style="text-align: center;">Page 15</p>
<p>1 These are not presently in the jury bundle but these 2 are the review pages on the CRIS. Is that right, 3 detective sergeant? 4 A. That's right, yes. 5 Q. We can see -- this may be taken through in more detail 6 with Mr McCarthy -- on 26 June 2014, at 21.44, 7 A/DI McCarthy is putting on DC Desai's full summary of 8 that interview? 9 A. That's right, yes. 10 Q. Which, one observes, may be why DC Desai could not get 11 on the system at the same time, according to his 12 evidence? 13 A. That's correct. 14 Q. But the interview went on the CRIS in the review section 15 at 21.44, didn't it? 16 A. That's right, yes. 17 Q. Do you recall if you read it? 18 A. Sorry? 19 Q. Can you recall if you read that on the review page, and 20 if so when? 21 A. It would have been some time after I returned to the 22 office after the trial, so possibly late July/August. 23 Q. Thank you. 24 If we turn then please chronologically, and I am 25 taking this quickly, 21.53, so nine minutes later,</p> <p style="text-align: center;">Page 14</p>	<p>1 A. I have, yes. 2 Q. If you had had that second statement at the time of your 3 investigation, do you believe it may have affected your 4 investigation? 5 A. Yes, it would have done. 6 Q. Again, we will come on to that at a later stage of the 7 inquest. 8 Tab 36, please, to concentrate on what you did have 9 at the time, is the HAT return timed at 15.30 hours on 10 the 27th. Following the interview and following that 11 email from the previous evening. Page 2 of that, 12 please, jury bundle 36, two features I want to 13 highlight, as others have: 14 "Intel, record of advice given, intel being 15 conducted by MIT 7 officers". 16 Stopping there, you are aware, you have recognised 17 that the PND entry -- sorry, could that be on screen, 18 please, so IPC45, page 2, on screen. Thank you very 19 much. 20 I hope we can all see, "Intel being conducted by MIT 21 7 officers". 22 You gave evidence on Friday that the failure to get 23 the PND British Transport Police incident that was 24 proximate in time to the events concerning Anthony was 25 a terrible failure, whatever adjective you have used?</p> <p style="text-align: center;">Page 16</p>

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<p>1 A. Yes.</p> <p>2 Q. And the limitations of your personal understanding of</p> <p>3 PND at the time, but I want to ask this. Looking at</p> <p>4 that, "Intel being conducted by MIT 7 officers", what</p> <p>5 was your expectation of MIT 7 in terms of feeding back</p> <p>6 the product of that exercise?</p> <p>7 A. Well, I thought we had covered the intelligence that</p> <p>8 would be sort of local and Met intelligence to the</p> <p>9 databases that were available to us. Anything more</p> <p>10 would have been sent to us.</p> <p>11 Q. Bearing in mind that appears to be a responsibility they</p> <p>12 had taken on, if all they are doing is what the local</p> <p>13 officers could have done, what would have been the</p> <p>14 point?</p> <p>15 A. Exactly, yes.</p> <p>16 Q. What did you expect back from this specialist MIT in</p> <p>17 terms of intel checks into Port?</p> <p>18 A. I thought possibly they would be able to check the</p> <p>19 indices that we wouldn't have access to normally, for</p> <p>20 example like PND, possibly the HOLMES database as well,</p> <p>21 and to feed back any results that they might have had.</p> <p>22 Q. To put it directly, did you expect them to check every</p> <p>23 possible intelligence database and give you the product?</p> <p>24 A. Yes.</p> <p>25 Q. Did they give you anything?</p> <p style="text-align: center;">Page 17</p>	<p>1 A. No, I haven't ever seen that before.</p> <p>2 Q. In terms of GHB, your understanding was limited?</p> <p>3 A. Yes.</p> <p>4 Q. Had you had any training?</p> <p>5 A. Not from memory, no. Not specifically around GHB.</p> <p>6 Q. Did you understand at least that it was used</p> <p>7 recreationally, voluntarily, by people for sexual</p> <p>8 purposes?</p> <p>9 A. In discussion with the toxicologist, yes, that came to</p> <p>10 me, yes.</p> <p>11 Q. So we are out of the territory of drugs, date rape</p> <p>12 drugs, that are simply used offensively, into the</p> <p>13 territory of drugs that are used recreationally and</p> <p>14 voluntarily by both sides?</p> <p>15 A. That's right, yes.</p> <p>16 Q. Does that make it easier or harder to determine who has</p> <p>17 administered it, who has taken it?</p> <p>18 A. It makes it much more difficult?</p> <p>19 Q. When you were asked questions as to your language that</p> <p>20 the outcome did not affect your assessment of causation,</p> <p>21 in that statement.</p> <p>22 A. Yes.</p> <p>23 Q. You said it wasn't well worded, what did you mean by the</p> <p>24 laptop enquiry did not affect your assessment of</p> <p>25 causation?</p> <p style="text-align: center;">Page 19</p>
<p>1 A. No, we didn't have anything back from them.</p> <p>2 Q. The second point on this obviously is:</p> <p>3 "Ensure the suspect's phone and laptop are submitted</p> <p>4 for download."</p> <p>5 Again, you have been asked a lot of questions about</p> <p>6 that, perfectly properly, by others.</p> <p>7 Were you given at any point any rationale in the</p> <p>8 context of this case of what the download, once</p> <p>9 obtained, could be reasonably expected to show?</p> <p>10 A. No. No, nothing at all.</p> <p>11 Q. Because there came a point didn't there, quite quickly</p> <p>12 after Port's interviews that he had accepted meeting</p> <p>13 Anthony, accepted they had had sex, accepted it was</p> <p>14 initially at least on a commercial basis. Port had</p> <p>15 changed his accounts repeatedly, but those basic facts</p> <p>16 were known and it looked as if it was a drugs overdose</p> <p>17 on the initial investigation from the special post</p> <p>18 mortem, although the detailed toxicology results were</p> <p>19 pending. So in the end you did not send this laptop for</p> <p>20 examination for download, but did you have any prior</p> <p>21 experience of GHB being used as a weapon?</p> <p>22 A. No, none whatsoever.</p> <p>23 Q. Did you have any prior experience from other cases of</p> <p>24 the type of material that ultimately was produced on</p> <p>25 Port's laptop?</p> <p style="text-align: center;">Page 18</p>	<p>1 A. Well, we had established the fact that the cause of his</p> <p>2 death was a GHB overdose and all the terms, sites and</p> <p>3 searches on the laptop didn't change that, because that</p> <p>4 was effectively the cause of death and that was</p> <p>5 established. Obviously it then pointed towards Port's</p> <p>6 mindset, what his interests were and would have</p> <p>7 certainly pointed the direction of the investigation</p> <p>8 down that way.</p> <p>9 Q. So you are differentiating the medical cause of death,</p> <p>10 causation, from it leading to what may be thought to be</p> <p>11 some obvious lines of enquiry as to the broader</p> <p>12 circumstances?</p> <p>13 A. That's right, the cause of death was a GHB overdose and</p> <p>14 it didn't change anything.</p> <p>15 Q. All right, I am moving on.</p> <p>16 Port having given his accounts in interview,</p> <p>17 effectively saying that Anthony had himself taken this</p> <p>18 drug with unintended adverse consequences, your duties</p> <p>19 under the Police and Criminal Evidence Act code of</p> <p>20 conduct would have been to pursue all reasonable lines</p> <p>21 of enquiry, wouldn't they?</p> <p>22 A. That's right, yes.</p> <p>23 Q. It is a basic duty. Those lines of enquiry should have</p> <p>24 included on that basis examining his hair samples,</p> <p>25 shouldn't it, to seek to establish one way or the other</p> <p style="text-align: center;">Page 20</p>

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<p>1 whether Anthony had used GHB before?</p> <p>2 A. But I wouldn't know to check hair samples for GHB.</p> <p>3 Q. Right, but looking at it now --</p> <p>4 A. Yes.</p> <p>5 Q. -- that would have been a legitimate line of enquiry to</p> <p>6 investigate his claims in interview?</p> <p>7 A. That's right, yes, if I knew that hair retained traces</p> <p>8 of used drugs, then, yes, that would certainly give us</p> <p>9 an idea.</p> <p>10 Q. Is this fair, officer, obviously police officers have to</p> <p>11 listen and give respect to and take into account the</p> <p>12 understanding of friends and family of victims, but</p> <p>13 sometimes those parties don't know the full story about</p> <p>14 a victim?</p> <p>15 A. That's right, yes.</p> <p>16 Q. And the police had to keep an open mind?</p> <p>17 A. Definitely, yes, we did.</p> <p>18 Q. You have said in evidence that in July and August</p> <p>19 particularly you felt, because of other duties, you did</p> <p>20 not have the grip on this investigation that you would</p> <p>21 have liked.</p> <p>22 A. That's right, yes.</p> <p>23 Q. Did you nonetheless do your best to discharge your</p> <p>24 duties?</p> <p>25 A. Yes, I tried my best.</p> <p style="text-align: center;">Page 21</p>	<p>1 the CRIS, IPC743, you made some entries yourself on</p> <p>2 this. Page 25 of that document.</p> <p>3 Here is one, 4 October, so 12 days before that note</p> <p>4 to Mr McCarthy:</p> <p>5 "A discussion will take place re case disposal for</p> <p>6 Port, however this will not be effected until after HAT</p> <p>7 advice is received and the final pathologist report has</p> <p>8 been received."</p> <p>9 A. That's right, yes.</p> <p>10 Q. At that time, looking at that, did you have an open or</p> <p>11 closed mindset about Port's criminality?</p> <p>12 A. It was still open. I still felt that the overall</p> <p>13 overarching investigation into the involvement of Port</p> <p>14 in the death of Anthony Walgate was still very much</p> <p>15 open.</p> <p>16 Q. Turning over to the next entry, 3 November, page 26,</p> <p>17 please. Again, it is an entry on the review page,</p> <p>18 entered by you:</p> <p>19 "The OIC has submitted a report to the CPS to charge</p> <p>20 with perverting. Any outstanding actions are being</p> <p>21 consolidated with a view to presenting to coroner's</p> <p>22 court, as it appears the cause of death could well be</p> <p>23 drugs related. A report will be finalised and sent to</p> <p>24 SC&O1 for their review."</p> <p>25 A. That's right, yes.</p> <p style="text-align: center;">Page 23</p>
<p>1 Q. We have heard that obviously the pathology, the</p> <p>2 toxicology in particular, came through on</p> <p>3 10 September 2014, our tab 41, I need not go back to it.</p> <p>4 The pathology was not until December.</p> <p>5 A. That's right, yes.</p> <p>6 Q. Efforts were made to fast track the toxicology, were</p> <p>7 they not?</p> <p>8 A. That's right, yes.</p> <p>9 Q. And that was refused?</p> <p>10 A. That's right, yes.</p> <p>11 Q. We come to IPC 269, which is 16 October 2014, your email</p> <p>12 to Eugene McCarthy, setting out the current situation</p> <p>13 report for this investigation?</p> <p>14 A. That's right, yes.</p> <p>15 Q. Pointing out that you are still awaiting the</p> <p>16 pathologist's final report?</p> <p>17 A. That's correct, yes.</p> <p>18 Q. Was there anything in the toxicology that dramatically</p> <p>19 changed your assessment or anyone else's of what could</p> <p>20 be proved in this case?</p> <p>21 A. No, we had had the preliminary report that indicated the</p> <p>22 presence of GHB, but, no, it clearly showed the overdose</p> <p>23 as being the cause -- or consistent with the cause of</p> <p>24 death.</p> <p>25 Q. If we could look at the review pages again, please of</p> <p style="text-align: center;">Page 22</p>	<p>1 Q. Was that the intention?</p> <p>2 A. Yes, that was it. The delay in me creating the report</p> <p>3 was to see whether or not we would be able to get the</p> <p>4 final pathology report from Dr Biedrzycki, as we</p> <p>5 didn't -- as he wanted to create a complete further</p> <p>6 examination, I completed a report to be sent on to</p> <p>7 SC&O1.</p> <p>8 Q. I am going to come back to that and finish on that in</p> <p>9 a second, but the final review page entry is on page 27,</p> <p>10 so I will just complete that, please.</p> <p>11 Again by you, 10 December:</p> <p>12 "Still await CPS decision and HO pathologist's final</p> <p>13 report."</p> <p>14 A. That's right, yes.</p> <p>15 Q. Jumping ahead a bit, the CPS was sent a report?</p> <p>16 A. The CPS, yes.</p> <p>17 Q. Yes. And was sent and asked for and was sent, on</p> <p>18 request, further underlying evidence?</p> <p>19 A. That's right, yes.</p> <p>20 Q. In terms of that process, what were your expectations,</p> <p>21 that the CPS would do what with the material they</p> <p>22 received?</p> <p>23 A. My initial submission was for the perverting the course</p> <p>24 of justice charge, which I wanted them to look at but as</p> <p>25 it developed, they were requesting pretty much the</p> <p style="text-align: center;">Page 24</p>

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<p>1 entire material collected to date in the investigation,</p> <p>2 so they were looking to review and I expected them to</p> <p>3 review the whole thing as it turned out.</p> <p>4 Q. To put it bluntly, if the CPS lawyer, the reviewing</p> <p>5 lawyer, saw evidence grounding a suspicion of homicide</p> <p>6 rather than perverting the course of justice, would you</p> <p>7 have expected that to be pointed out to the police?</p> <p>8 A. Definitely, I would have expected a whole load of</p> <p>9 actions to be completed in order to continue the</p> <p>10 investigation.</p> <p>11 Q. Did any such observation come back to you based on the</p> <p>12 material you provided?</p> <p>13 A. No. No, it didn't.</p> <p>14 Q. You provided -- it is INQ4, page 55 for the record, it</p> <p>15 needn't go on screen -- the full package of evidential</p> <p>16 material to the coroner as well, didn't you, including</p> <p>17 the CRIS for the incident we did know about?</p> <p>18 A. Yes, everything we had we passed to the coroner.</p> <p>19 Q. There is obviously a gap -- I am finishing on this</p> <p>20 now -- between the 16 October email to Mr McCarthy and</p> <p>21 the decisions with the CPS and so on, of at least</p> <p>22 a couple of months.</p> <p>23 It is also obvious that this report was not sent to</p> <p>24 HAT for their final review. What is your explanation of</p> <p>25 that, detective sergeant?</p> <p style="text-align: center;">Page 25</p>	<p>1 Further questions from THE JURY</p> <p>2 THE CORONER: If you were unable to give the trainee</p> <p>3 detective the supervision and the help he needed, why</p> <p>4 did you give this case to him and not to a more</p> <p>5 experienced detective?</p> <p>6 A. Well, I didn't really give the case to him. He was the</p> <p>7 only officer available on the day to go to the special</p> <p>8 post mortem, which I thought he was able to do because</p> <p>9 we had the murder squad forensics and the advanced</p> <p>10 exhibits officer there.</p> <p>11 But, no, Dave was very conscientious and he is</p> <p>12 a very good officer and he took it upon himself and</p> <p>13 I asked him to do a number of actions with regards to</p> <p>14 this case but I didn't give it to him, it wasn't his</p> <p>15 case, it was my case and I asked him to complete</p> <p>16 a number of actions for it, as well as Nainesh and any</p> <p>17 other officers to assist, so no, it wasn't -- this is</p> <p>18 why I retained the CRIS report myself, rather than</p> <p>19 screen it into him and show it as the OIC. It was one</p> <p>20 of those investigations that I didn't want to give to my</p> <p>21 team, because I think it would have been just too much</p> <p>22 for one officer and a detective to have on their own.</p> <p>23 So by retaining it on my own work file I could then</p> <p>24 give actions and, you know, actions and tasks to other</p> <p>25 officers, rather than overwhelming one officer with the</p> <p style="text-align: center;">Page 27</p>
<p>1 A. At the time, like I explained, I anticipated that Eugene</p> <p>2 would have passed that, since that was the ongoing</p> <p>3 process and he was in contact with the HAT car. I just</p> <p>4 felt that by this time it was the fourth time we had</p> <p>5 gone back to them and we had been knocked back ever</p> <p>6 since with regards to primacy. I felt that we had all</p> <p>7 that we could have at that time to pass to the CPS for</p> <p>8 them to review and didn't feel that anything more would</p> <p>9 be coming from specialist crime.</p> <p>10 Q. To put it very directly, it looks as if you thought he</p> <p>11 was going to send it, and it may be he will say he</p> <p>12 thought you had sent it, and it fell between the crack?</p> <p>13 A. I think so. Looking at his email that he sent to us</p> <p>14 previously, there was a, "You could send it or you could</p> <p>15 send it to me and I will send it" and I think my email</p> <p>16 to him was possibly unclear as to the fact that I wanted</p> <p>17 him to send it on.</p> <p>18 Q. All right, as I say, the questions have been directed at</p> <p>19 exploring context. Your apology for your share of</p> <p>20 responsibility stands, no doubt.</p> <p>21 A. Thank you.</p> <p>22 MR DAVIES: Thank you, detective sergeant.</p> <p>23 MR O'CONNOR: Madam, I don't have any more questions.</p> <p>24 THE CORONER: There is one question from the jury.</p> <p>25</p> <p style="text-align: center;">Page 26</p>	<p>1 responsibility of carrying the investigation. If that</p> <p>2 makes sense?</p> <p>3 THE CORONER: Thank you very much, Mr O'Donnell.</p> <p>4 A. Thank you.</p> <p>5 THE CORONER: You can leave us now, yes.</p> <p>6 MR O'CONNOR: Madam, we are going to move on to the next</p> <p>7 stage of the evidence.</p> <p>8 The jury have heard of course all about the first</p> <p>9 interview conducted with Stephen Port, conducted by</p> <p>10 DC Desai. We watched the video of that last week.</p> <p>11 They have also heard, including from Mr O'Donnell,</p> <p>12 that there was a second interview conducted by HAT</p> <p>13 officers on the next day, on Friday 27 June.</p> <p>14 I wonder if the jury could turn in their bundles</p> <p>15 please, this is the large bundle, to tab 34.</p> <p>16 That is the transcript of the second interview.</p> <p>17 Just very briefly looking at the top, one sees that it</p> <p>18 was an interview conducted, as I have said, on the 27th,</p> <p>19 that is Friday, 27 June. We see it started at 1.10 in</p> <p>20 the afternoon and finished at 2.55, so it is in fact</p> <p>21 a similar length to the first interview, an hour and</p> <p>22 three-quarters.</p> <p>23 Following it down a few more lines, we see that the</p> <p>24 two officers were DC Holt and DC Levoir, her name is</p> <p>25 misspelt there, it is L-E-V-O-I-R.</p> <p style="text-align: center;">Page 28</p>

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<p>1 Madam, we will be hearing from DC Levoir later on 2 today but our suggestion is that we now simply play this 3 interview, so that the jury can have that in mind when 4 we call DC Levoir. 5 I should say, in fact as one sees in block capitals 6 just towards the bottom of the page, unlike the last 7 interview, this I am afraid was not video recorded, it 8 was only audio recorded but the jury do have this 9 transcript to follow it. 10 As I said, it is an hour and three-quarters long. 11 Perhaps if we can play the first half of it or so, we 12 may then pause for a break at a convenient moment. 13 THE CORONER: Yes, certainly. 14 (10.40 am) 15 (Police interview was played to the court) 16 (11.27 am) 17 MR O'CONNOR: Madam, I wonder if we might pause the tape at 18 that point. 19 I am grateful, madam. 20 THE CORONER: Yes. 21 MR O'CONNOR: Perhaps we could have a break. 22 THE CORONER: Yes, we will take a short break, members of 23 the jury, thank you. 24 (11.28 am) 25 (A short adjournment)</p> <p style="text-align: center;">Page 29</p>	<p>1 Questions from MR O'CONNOR 2 MR O'CONNOR: Do take a seat. 3 Could you give us your full name, please? 4 A. Yes, Judith Levoir. 5 Q. You joined the Metropolitan Police Service in 2002? 6 A. I did, yes. 7 Q. Do we take it you were not in the police at all before 8 you? 9 A. That's right, I wasn't, no. 10 Q. And you joined as a uniformed constable? 11 A. Yes. 12 Q. You became a detective constable in 2007, I think? 13 A. That's correct, yes. 14 Q. So, as you know, we are going to be asking you questions 15 about events relating to June 2014, and so it would be 16 right then that at that stage you had been a detective 17 constable for seven years or so? 18 A. Yes. 19 Q. Is it right that, since 2014, you have in fact been 20 promoted to detective sergeant? 21 A. I have, yes. 22 Q. That was in 2020? 23 A. Yes. 24 Q. And is that the rank that you remain in today? 25 A. I am, yes.</p> <p style="text-align: center;">Page 31</p>
<p>1 (11.45 am) 2 (In the presence of the jury) 3 MR O'CONNOR: Madam, we had reached about halfway down 4 page 29 of the transcript at tab 34 of the jury bundle. 5 Perhaps we can restart the tape. 6 THE CORONER: Yes. 7 (11.46 am) 8 (Police interview was played to the court) 9 (12.45 pm) 10 MR O'CONNOR: Madam, that is indeed the end of the 11 interview. As I said, before we started, we have 12 DC Levoir who we will be asking questions about it but 13 given the time, may I suggest we do that after lunch? 14 THE CORONER: Yes, certainly. 15 We will break off there now for lunch, members of 16 the jury, until 1.50. 17 (12.47 pm) 18 (The Luncheon Adjournment) 19 (1.47 pm) 20 (In the presence of the jury) 21 THE CORONER: Yes. 22 MR O'CONNOR: Could we please call Judith Levoir. 23 MS JUDITH LEVOIR (sworn) 24 25</p> <p style="text-align: center;">Page 30</p>	<p>1 Q. You are a still a member of the Metropolitan Police 2 Service? 3 A. Yes. 4 Q. As I say, the questions I am going to ask you focus on 5 events in June 2014, and in fact on one day in that 6 month, Friday, the 27th, when you were involved in 7 conducting the interview that the jury have been 8 listening to this morning. 9 Do you in fact have any independent memory of those 10 events? 11 A. Some memory, yes. 12 Q. You will obviously tell us if there are things that we 13 ask you that you simply cannot remember at all after all 14 this time. I know that you have prepared a couple of 15 witness statements, not at that time but in the years 16 that followed -- I think you have copies of them with 17 you? 18 A. I have, yes. 19 Q. If there does come a time when you want to refer to 20 those, then all you need to do is ask and we will make 21 sure you have a copy there if necessary we can put them 22 up on screen, all right? 23 A. Okay. 24 Q. In 2014 then, I think it is right to say that you were 25 a member of one of the major incident teams within the</p> <p style="text-align: center;">Page 32</p>

<p>1 Metropolitan Police?</p> <p>2 A. Yes, I was.</p> <p>3 Q. Team 7, is that right?</p> <p>4 A. Yes.</p> <p>5 Q. Let's have a look, we have been looking with many of the</p> <p>6 witnesses at the helpful organograms which just remind</p> <p>7 us of the structure for these purposes.</p> <p>8 For the jury, if you could go to jury bundle A,</p> <p>9 tab 3, please.</p> <p>10 Ms Levoir, I will bring this up on the screen so</p> <p>11 maybe you don't need to turn to it. It is INQ40 --</p> <p>12 I don't know if you have seen this document before?</p> <p>13 A. No.</p> <p>14 Q. Don't worry if you haven't, it has just been prepared</p> <p>15 for our purposes and we see it is meant to represent the</p> <p>16 structure of SC&O1 homicide command or major incident</p> <p>17 command in 2014, we see it was headed by someone called</p> <p>18 Detective Superintendent Duthie and then directly below</p> <p>19 him are two detective superintendents, we have heard</p> <p>20 particularly about Detective Superintendent Sweeney.</p> <p>21 Then the jury have heard there were in fact a great</p> <p>22 number of incident teams, not just the ones we see here,</p> <p>23 and also each team had far more officers than we see</p> <p>24 represented here, these are just the officers who are</p> <p>25 relevant for these purposes.</p> <p style="text-align: center;">Page 33</p>	<p>1 Help us with this, was it really just a coincidence</p> <p>2 that the two Barking teams happened to be involved in</p> <p>3 this case and therefore in terms of your work, did your</p> <p>4 work focus on the west of London or did you find</p> <p>5 yourselves working all over London at the time?</p> <p>6 A. Generally, we worked within a specific area, so at the</p> <p>7 time when we were on HAT car we focused more often on</p> <p>8 west London and central London. And when we were on HAT</p> <p>9 car support, which is what this particular incident was,</p> <p>10 we were responsible for supporting the HAT car across</p> <p>11 London.</p> <p>12 Q. Let me ask you about that. The jury have heard a lot of</p> <p>13 evidence about the HAT car duty that, as it were,</p> <p>14 rotated from team to team, is that right?</p> <p>15 A. That's correct.</p> <p>16 Q. At this time, your team, MIT 7, was not on HAT car duty,</p> <p>17 but you were on what I think you call reserve or support</p> <p>18 duty?</p> <p>19 A. Yes, so we --</p> <p>20 Q. That is something the jury haven't really heard anything</p> <p>21 about, so perhaps you could just explain what that</p> <p>22 involved?</p> <p>23 A. Okay, so we have a HAT car rota which -- has that been</p> <p>24 explained?</p> <p>25 Q. The rota for the HAT car duty itself has been explained,</p> <p style="text-align: center;">Page 35</p>
<p>1 A. Okay.</p> <p>2 Q. Do we see over on the left, major incident team 7, that</p> <p>3 was your team?</p> <p>4 A. That is correct, yes.</p> <p>5 Q. At the top of the list of names, is Detective Sergeant</p> <p>6 Reeves, and is it right we will come to hear he was, as</p> <p>7 it were, your line manager on this day?</p> <p>8 A. That's correct, yes, he was the supervisor, yes.</p> <p>9 Q. Supervisor. We have heard, just casting your eye across</p> <p>10 to the right, from DCI Jones, as he then was, who headed</p> <p>11 MIT 20. Is it right that your team was also headed by</p> <p>12 a detective chief inspector?</p> <p>13 A. Yes.</p> <p>14 Q. Was that Nicola Wall at the time?</p> <p>15 A. It was, yes.</p> <p>16 Q. I will ask you in due course, I don't think she was</p> <p>17 directly involved in events on that day but we do see</p> <p>18 her name and I will ask you about that in due course.</p> <p>19 A. Okay.</p> <p>20 Q. We have heard so far about major incident teams 20, as</p> <p>21 I say, and also 22. We have heard that they were in</p> <p>22 fact based in Barking by chance. Where was your team</p> <p>23 based?</p> <p>24 A. At Putney.</p> <p>25 Q. In Putney.</p> <p style="text-align: center;">Page 34</p>	<p>1 yes, but we have not heard about the support team.</p> <p>2 A. Also within our rota, we had one week, at least one week</p> <p>3 in the year, where we were what is called HAT car</p> <p>4 support.</p> <p>5 So the whole team would be available to support</p> <p>6 other HAT cars across London. And also on occasions</p> <p>7 support local boroughs as well.</p> <p>8 Q. I am sure it varied but can you give as you idea of how</p> <p>9 frequently during that week that you were on the support</p> <p>10 duty you actually had to go and help in one way or</p> <p>11 another with the HAT work?</p> <p>12 A. I think, to be fair, it would sometimes, when we</p> <p>13 were on HAT support, we would never get called out to</p> <p>14 assist. And sometimes we would do. It would depend on</p> <p>15 the nature of what was happening.</p> <p>16 Q. Thank you.</p> <p>17 Now, again, just let me ask you some more general</p> <p>18 questions about another matter before we get on to the</p> <p>19 events of the day, and that is about your training as</p> <p>20 an interview adviser.</p> <p>21 We heard from a detective constable in the Barking</p> <p>22 borough, last week, DC Desai, who conducted the</p> <p>23 interview before yours with Stephen Port. He explained</p> <p>24 to us that all detective constables, at least at the</p> <p>25 time we are talking about, had to be trained up to</p> <p style="text-align: center;">Page 36</p>

<p>1 tier 2 for interviewing.</p> <p>2 A. That's correct.</p> <p>3 Q. He explained, amongst other things, the PEACE model of</p> <p>4 interviewing that was followed by Metropolitan Police.</p> <p>5 Could we call something up on screen so we can remind</p> <p>6 ourselves of that, it is MPS613, page 3, please.</p> <p>7 This probably is not a document you have seen</p> <p>8 before, DS Levoir, but can we just zoom in on the bottom</p> <p>9 half, please. I just want to show you the PEACE model,</p> <p>10 I am sure this is very familiar to you.</p> <p>11 A. Yes.</p> <p>12 Q. P, planning and preparation.</p> <p>13 E, engage and explain.</p> <p>14 A, account clarification and challenge.</p> <p>15 C, closure.</p> <p>16 E, evaluate.</p> <p>17 Is that, as it were, just the very basic scheme of</p> <p>18 interviewing technique?</p> <p>19 A. Yes, that is the structure, the framework, for</p> <p>20 interviewing, yes.</p> <p>21 Q. We will come, when I am asking you questions about this</p> <p>22 particular interview, to talk about the difference</p> <p>23 between someone who is being interviewed providing their</p> <p>24 account and then, secondly, challenging that account.</p> <p>25 Can you give us a little bit more detail about those</p> <p style="text-align: center;">Page 37</p>	<p>1 areas that require further investigation.</p> <p>2 Q. Just to be clear, and again this may vary and we will</p> <p>3 come on to talk about this particular interview in due</p> <p>4 course, but is the evaluation phase something that</p> <p>5 should happen at the end of every interview or something</p> <p>6 that happens only when, as it were, all the interviews</p> <p>7 of a particular suspect have been completed?</p> <p>8 A. I think it can happen at different stages, although it</p> <p>9 is laid out there at the end. If, as in this case, we</p> <p>10 had completed the account phase, we would still have</p> <p>11 evaluated -- or the interview and evidence would have</p> <p>12 still been evaluated.</p> <p>13 Q. That is helpful, thank you. We can take that down.</p> <p>14 As I said, you were trained not just at tier 2 like</p> <p>15 Constable Desai, but to tier 5, which is the highest</p> <p>16 level of that particular form of training at the time?</p> <p>17 A. Yes.</p> <p>18 Q. Was that simply because you had had an interest in that</p> <p>19 area or that you had been asked to get that extra</p> <p>20 qualification? How did it work?</p> <p>21 A. I think it was probably a bit of both. I was</p> <p>22 an experienced interviewer and the next level up is to</p> <p>23 be trained as a tier 5, and manage that process.</p> <p>24 Q. Just to help the jury have some idea of what is involved</p> <p>25 then in that high tier 5 level of training, can we call</p> <p style="text-align: center;">Page 39</p>
<p>1 stages, please?</p> <p>2 A. Particularly the account and challenge?</p> <p>3 Q. Yes.</p> <p>4 A. Yes, so the account phase of the interview is when</p> <p>5 a suspect is being interviewed and asked questions, in</p> <p>6 detail, about the circumstances surrounding what the</p> <p>7 offence is.</p> <p>8 The challenge phase is part of the interview</p> <p>9 process, but it is normally a very structured part of</p> <p>10 the process and normally the challenge phase would take</p> <p>11 place once the evidence was gathered or witness accounts</p> <p>12 were taken or, for instance, phone data was obtained,</p> <p>13 because then you can look at the account that the</p> <p>14 suspect has given, you can then look at the evidence or</p> <p>15 information that you have got and you have got a basis</p> <p>16 to challenge their account, if it differs from the</p> <p>17 evidence that you have got.</p> <p>18 Does that make sense?</p> <p>19 Q. Yes, it does, thank you.</p> <p>20 Last on this, can you again amplify what is meant by</p> <p>21 the last of those stages, so the evaluation phase?</p> <p>22 A. The evaluation is when you have -- when the process is</p> <p>23 complete and you are reviewing the outcome of the</p> <p>24 interview and identifying either areas that are key to</p> <p>25 be put in front of the Crown Prosecution Service or</p> <p style="text-align: center;">Page 38</p>	<p>1 another document up on screen, please, and you will see</p> <p>2 it on your screen, Ms Levoir, it is MPS617, and we need</p> <p>3 to go to pages 9 to 12.</p> <p>4 Yes, so that tells us the five-tier structure.</p> <p>5 Can we go on to page 10. This is a sort of chart</p> <p>6 showing all the attributes, if you like, of an interview</p> <p>7 adviser, which is the tier 5 trainer, is that right?</p> <p>8 A. Yes.</p> <p>9 Q. We can see it involves quite a lot of different tasks.</p> <p>10 Would it be fair to say that an interview adviser is</p> <p>11 someone who is likely to take part in a large-scale or</p> <p>12 complicated interviewing process, perhaps within</p> <p>13 a complicated case?</p> <p>14 A. Yes, more often than not, yes.</p> <p>15 Q. We see, for example, reference to the top right there,</p> <p>16 assistance with expert advice, yes?</p> <p>17 A. Yes.</p> <p>18 An example of that would be, perhaps, seeking the</p> <p>19 expert advice from psychologists or from the National</p> <p>20 Crime Agency, key experts or advising on -- a tier 5</p> <p>21 doesn't just manage the process for suspects, it goes --</p> <p>22 it covers witnesses as well.</p> <p>23 Q. Let's go on to the next page, please. So that is, as it</p> <p>24 says, "A role description for interview advisers".</p> <p>25 Again setting out, as you have said, some of the more</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 complicated tasks that that level of training equips you 2 to undertake?</p> <p>3 A. Yes.</p> <p>4 Q. Then, lastly, if we can go on to page 12, please, this 5 is described as the service provided to SIOs. So is 6 that the service that you as an interview adviser would 7 provide to the person leading the investigation?</p> <p>8 A. Yes.</p> <p>9 Q. We see the matters include: 10 "Selecting interviewers and interview teams, 11 briefing those people, coordinating teams in cases 12 involving the simultaneous conduct of multiple victims, 13 witnesses ..."</p> <p>14 Again, that is the reference to more rather 15 complicated cases: 16 "Remote monitoring of interviews, debriefing 17 interviewers and interview teams. Independently 18 analysing information obtained during interviews." 19 Does that take us back to that concept of 20 evaluation?</p> <p>21 A. Yes.</p> <p>22 Q. Then: 23 "Monitoring the welfare of victims, witnesses, 24 suspects and interviewers." 25 A. Yes.</p> <p style="text-align: center;">Page 41</p>	<p>1 Q. That was just a long way of asking you when you started 2 work that day.</p> <p>3 A. Right.</p> <p>4 Q. Maybe you can remember or maybe you can't?</p> <p>5 A. I would think I started at 8.00, the beginning of the 6 shift.</p> <p>7 Q. You would have gone to your base in Putney?</p> <p>8 A. Would have gone to Putney, yes.</p> <p>9 Q. Do you remember when you discovered that you were going 10 to go to Barking that day?</p> <p>11 A. I can't remember exactly what time it was, but we were 12 at Putney and a request had been made for the HAT car 13 support to attend, and I believe it was DS Reeves who 14 was the supervisor, they requested one DS and six DCs.</p> <p>15 Q. Barking is on the other side of London?</p> <p>16 A. Yes.</p> <p>17 Q. Presumably you had other work that you were intending to 18 do that day. Was it an unwelcome piece of news, that 19 that was what you were going to be doing that day?</p> <p>20 A. I think it was -- when you are on HAT car support, it 21 was almost expected that there was always the 22 possibility that you could get called out across London. 23 So it wasn't unusual.</p> <p>24 Q. Just one of those things?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 43</p>
<p>1 Q. Thank you.</p> <p>2 The jury know quite a bit about this particular 3 investigation now, DS Levoir, and we have heard the 4 interview. It appears that your tier 5 training 5 equipped you to be involved in rather more complicated 6 cases than this, would that be fair?</p> <p>7 A. Yes, I would -- as a tier 5 -- be deployed by the senior 8 investigating officer. It was not something that is 9 a self deployment, it would be for the senior 10 investigating officer to decide that they required the 11 assistance of a tier 5 and then they would deploy.</p> <p>12 Q. Just to finish that point, we will come to it in the 13 chronology, but we will come to the point where you were 14 asked to conduct this interview or to be involved in 15 conducting this interview. Was that because you were 16 a tier 5 interviewer or not?</p> <p>17 A. No.</p> <p>18 Q. Let me then just ask you some basic questions about what 19 happened on that day. Do you recall -- the jury have 20 heard a little bit about early turn, late turn, night 21 duty and so on. Were you working those shifts on the 22 day in question? Was the MIT team following early term, 23 late turn and so on or was there a different structure?</p> <p>24 A. I believe that, on the support week, yes, we did the 25 same. So I think I would have been early turn.</p> <p style="text-align: center;">Page 42</p>	<p>1 Q. I think we saw from the chart, we see from the papers, 2 there was a group of you that went over there, DS Reeves 3 and then I think five or six --</p> <p>4 A. Six of us, I think.</p> <p>5 Q. -- other detective constables. Did you travel as 6 a group, do you remember, did you go in a vehicle, did 7 you go on the train --</p> <p>8 A. I think we drove and we probably would have gone in two 9 vehicles, maybe three. I can't remember the exact 10 details of that.</p> <p>11 Q. Very roughly, you say you would have started work in 12 Putney at 8.00. Do you remember what time you left, 13 what time you got to Barking, any idea?</p> <p>14 A. If I am honest, I can't remember what time we left. 15 I think the timings I would have to take from the 16 timings that were in the interview.</p> <p>17 Q. Yes, there is at least one more time to come, but I mean 18 we perhaps can imagine it would have taken at least 19 an hour to get across London at that time of the 20 morning?</p> <p>21 A. Yes.</p> <p>22 Q. Before you left, did you know any more than that you 23 were needed to assist in Barking?</p> <p>24 A. Not that I can recall, no.</p> <p>25 Q. Were you informed en route or even when you got there by</p> <p style="text-align: center;">Page 44</p>

<p>1 DS Reeves or were you left not knowing until I think you 2 had -- you have referred in your witness statement -- 3 a briefing from DI McCarthy at Barking on your arrival. 4 Was that when you really found out what this was all 5 about? 6 A. Yes. 7 Q. What did he tell about what was going on and what was to 8 be asked of you? 9 A. From my memory, I can't recall the exact details of 10 everything but I believe he explained the circumstances 11 of what the investigation was about, I think he had 12 highlighted the key areas that he needed assistance 13 with, I believe that obviously one was interview, 14 I think there was a search at the property, I think 15 there was some CCTV enquiries and then there was some 16 other local enquiries, I recall. 17 Q. The jury have heard that part of the background to your 18 trip to Barking that day was a debate about whether 19 homicide command should in fact take over this 20 investigation. Were you aware of anything about that? 21 A. I wasn't aware of any debate, no. 22 Q. Was it explained to you that the borough needed or at 23 least had asked for specialist assistance in conducting 24 the investigations that you were there to assist with? 25 A. I think that is what -- because it was usual for us not</p> <p style="text-align: center;">Page 45</p>	<p>1 reinterviewed and we would like you to do it? 2 A. Yes. 3 Q. Can I just ask you whether you wondered when you were 4 asked to do it and no doubt as we will hear prepared to 5 do it, quite why he was being re-interviewed on that 6 day? 7 Let me ask you a couple of questions and then you 8 can respond. 9 There were two -- at least two different elements to 10 the story involving Stephen Port, were there not? He 11 had been arrested for perverting the course of justice 12 because of the lies he had told to the police, or 13 initially to the ambulance service and then to the 14 police when they took their first statement from him. 15 But, as I am sure you realised quite quickly, he had 16 already accepted that he had lied to the police, had he 17 not, in DC Desai's interview? 18 A. That's right, yes. 19 Q. The other angle to the investigation at that stage was 20 the suspicion that Stephen Port may have in fact been 21 involved in Anthony Walgate's death and, connected to 22 that, the theft of the phone. Is that right? 23 A. Yes. 24 Q. That is something that DC Desai had explored with 25 Stephen Port the day before. He explained to us that it</p> <p style="text-align: center;">Page 47</p>
<p>1 to only on HAT support week to go and assist a HAT car, 2 but we on occasion did go and assist a local borough 3 with the investigation or enquiries. So it wasn't 4 unusual, no. 5 Q. You have mentioned that there were various tasks that 6 needed doing. Do we take it from what you have said 7 that DI McCarthy had in mind those tasks that you and 8 the other people from your team would undertake? 9 A. I believe so, yes. 10 Q. Did he personally allocate those tasks to particular 11 officers or did he ask DS Reeves to do that? 12 A. I think he asked DS Reeves, because I think it was 13 DS Reeves that tasked each of us. 14 Q. And, as we know, the particular task that you were 15 linked to was interviewing or reinterviewing 16 Stephen Port? 17 A. Yes. 18 Q. You have already explained -- why were you allocated to 19 that task? 20 A. I imagined that out of the six people that were there, 21 from my memory I think that myself and DC Holt were the 22 most experienced interviewers. 23 Q. Right. You played no part in the decision that 24 Stephen Port should be re-interviewed, did you, is that 25 right, you were simply told he is going to be</p> <p style="text-align: center;">Page 46</p>	<p>1 wasn't possible for him to challenge Stephen Port about 2 it, or at least no more he had done because of the early 3 stage of the investigation, there were other enquiries 4 to undertake, much as you have explained, before 5 a challenge interview could be done? 6 A. Yes. 7 Q. Why the reinterview the next day by you and DC Holt? 8 Mr Stephen Port had accepted that he had lied to the 9 list, so perverting the course of justice, and the 10 enquiries were no further forward as far as challenging 11 him in relation to his involvement in Anthony's death? 12 A. I think -- if I recall properly, I think that 13 DI McCarthy maybe had some concerns about the experience 14 level of DC Desai, and so he was clear that he was 15 asking us to obtain a further full detailed account from 16 him. 17 Q. I see. I see. 18 As we have seen on the transcript, the interview 19 started -- this is where we have come back to the 20 timings, at 1.10 in the afternoon. 21 A. Yes. 22 Q. There is one document, one further document, which 23 helps, gives a little bit of chronology, perhaps we can 24 just call it up on screen very quickly, it is MPS769. 25 If you zoom in on the top, please. This is an email</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 from DI McCarthy to you and DC Holt, presumably sending</p> <p>2 you a copy of the summary of the interview that DC Desai</p> <p>3 had conducted the day before?</p> <p>4 A. Yes, that's correct.</p> <p>5 Q. That is timed at 10.47?</p> <p>6 A. Yes.</p> <p>7 Q. One assumes that was after you had been allocated to</p> <p>8 that task after his briefing?</p> <p>9 A. Yes.</p> <p>10 Q. Does that sound about right to you?</p> <p>11 A. That sounds right, yes.</p> <p>12 Q. If is that right, then that is still two and a half</p> <p>13 hours or so before your interview took place.</p> <p>14 A. Yes.</p> <p>15 Q. Do you know why there was that delay and what happened</p> <p>16 during that period of time?</p> <p>17 A. We prepared for the interview, because -- and we also</p> <p>18 needed to understand the situation in custody with</p> <p>19 Stephen Port. So we would never have just -- we were</p> <p>20 not in a position just to take this interview summary</p> <p>21 and go straight into interview without preparing, so</p> <p>22 that was the delay.</p> <p>23 Q. The point about custody is that there are various rules</p> <p>24 about exactly when you can interview someone, whether</p> <p>25 they have had enough sleep, whether they have had</p> <p style="text-align: center;">Page 49</p>	<p>1 A. Yes.</p> <p>2 Q. Is it right then that you were clearly aware of the</p> <p>3 story about Stephen Port giving one account and then</p> <p>4 changing it when he was interviewed by DC Desai?</p> <p>5 A. Yes.</p> <p>6 Q. Were you also aware, in terms of context, of the concern</p> <p>7 that Stephen Port may have been involved in</p> <p>8 administering any drugs to Anthony Walgate that may have</p> <p>9 caused his death?</p> <p>10 A. I don't think so much specifically that. It was,</p> <p>11 although he was arrested for perverting the course of</p> <p>12 justice and theft of a mobile phone, there was still the</p> <p>13 backdrop of the unexplained death of Mr Walgate.</p> <p>14 Q. Yes. And a concern that Stephen Port may have been</p> <p>15 involved?</p> <p>16 A. Exactly, yes.</p> <p>17 Q. Did you also look at the PNC report of a previous</p> <p>18 incident involving Stephen Port on New Year's Eve 2012?</p> <p>19 A. I think -- I think DC Holt looked at the PNC record,</p> <p>20 because you have to have specific access to look at the</p> <p>21 PNC records and I don't have that. Or didn't have that</p> <p>22 at the time.</p> <p>23 Q. Right.</p> <p>24 A. But I think he did, yes.</p> <p>25 Q. Did he tell you about it?</p> <p style="text-align: center;">Page 51</p>
<p>1 something to eat and so on?</p> <p>2 A. Yes.</p> <p>3 Q. In any event, I think you have told us you needed to</p> <p>4 spend some time reading into the case before you</p> <p>5 interviewed Stephen Port?</p> <p>6 A. Yes.</p> <p>7 Q. You had the interview summary from DC Desai, I am not</p> <p>8 going to go to that now, but I will show it to you in</p> <p>9 due course.</p> <p>10 Did you also have a chance to look at other</p> <p>11 documents relating to the investigation?</p> <p>12 A. Yes, I think we looked at the CRIS report, as well.</p> <p>13 Q. The jury are very familiar with that.</p> <p>14 A. Yes, and I think we had a copy of Stephen Port's</p> <p>15 statement, whether or not it was the actual statement or</p> <p>16 we certainly had a copy that was -- I think the details</p> <p>17 were on the CRIS report.</p> <p>18 Q. Yes.</p> <p>19 Would you also have, one way or another, found out</p> <p>20 about the post mortem that had happened the week before?</p> <p>21 A. I think the details that we had were on the CRIS report.</p> <p>22 Q. You would have seen from that that there was -- although</p> <p>23 the post mortem was inconclusive, there was a suspicion</p> <p>24 that there were drugs involved one way or another in</p> <p>25 Anthony's death?</p> <p style="text-align: center;">Page 50</p>	<p>1 A. Yes, I think so.</p> <p>2 Q. Because we will come to ask you about this, but you were</p> <p>3 planning the interview together, I think?</p> <p>4 A. Yes.</p> <p>5 Q. Tell us, did you have an understanding about that</p> <p>6 incident as you were planning the interview?</p> <p>7 A. I think I was aware that he had been arrested before for</p> <p>8 that incident, yes.</p> <p>9 Q. Were you aware that the incident, at least on the face</p> <p>10 of the report, had involved an allegation that</p> <p>11 Stephen Port had tried to make another young man take</p> <p>12 drugs and of rape?</p> <p>13 A. I believe I was, yes.</p> <p>14 Q. Did you undertake any other intelligence research</p> <p>15 relating to Stephen Port as a part of your planning for</p> <p>16 the interview?</p> <p>17 A. I don't recall anything, no.</p> <p>18 Q. You have already mentioned another factor that was</p> <p>19 something you were aware of while you were planning the</p> <p>20 interview, which is the fact that Stephen Port's flat</p> <p>21 was being searched?</p> <p>22 A. Yes.</p> <p>23 Q. I think it is actually the timings on one of the</p> <p>24 documents we have seen is that it was being searched</p> <p>25 between 12.30 and 2.30 on that day, so really as you</p> <p style="text-align: center;">Page 52</p>

<p>1 were preparing and then interviewing Stephen Port?</p> <p>2 A. Yes, I was aware that it was being conducted because it</p> <p>3 was some of my colleagues that were involved in that.</p> <p>4 Q. Just to be clear, were you, although the search started</p> <p>5 before your interview, and then your interview went on</p> <p>6 for, as we know, an hour and three-quarters, were you</p> <p>7 ever aware of any results of that search while you were</p> <p>8 interviewing Stephen Port.</p> <p>9 A. No.</p> <p>10 Q. Would you have expected to be?</p> <p>11 A. Not necessarily, no, at that stage.</p> <p>12 Q. You have explained, and we have seen, the fact that your</p> <p>13 interview was a no challenge interview, and you have</p> <p>14 explained that in fact it was DI McCarthy who asked you</p> <p>15 to do it that way, simply to obtain a full account from</p> <p>16 Stephen Port.</p> <p>17 A. Yes.</p> <p>18 Q. Did you make a written plan for your interview -- we</p> <p>19 have seen from DC Desai, I can't remember now whether</p> <p>20 said he prepared it or DI McCarthy prepared it, but</p> <p>21 there was a short list of bullet points that he intended</p> <p>22 to cover and then there was a longer document that was</p> <p>23 also prepared in advance of DC Desai's interview, which</p> <p>24 was a pre-interview disclosure pack.</p> <p>25 Did you prepare either one or other or both of those</p> <p style="text-align: center;">Page 53</p>	<p>1 DC Holt asked the vast majority of the questions during</p> <p>2 the interview and you played a secondary role?</p> <p>3 A. Yes.</p> <p>4 Q. Who decided which of you should play which role and why?</p> <p>5 A. I can't remember now why. We are both experienced</p> <p>6 interviewers, I can't remember why we decided who would</p> <p>7 lead and who would second.</p> <p>8 Q. It was not a significant matter?</p> <p>9 A. No.</p> <p>10 Q. Can I just ask you to look at another document, please,</p> <p>11 and let's have it on screen, it is MPS614 and if we</p> <p>12 could go forward to pages 19 to 20, please.</p> <p>13 Starting with page 19, again, this may or may not be</p> <p>14 a document you have seen before, but I just want to ask</p> <p>15 you about some of the content, could we have the bottom</p> <p>16 half, please, and if we could enlarge it, thank you.</p> <p>17 This is simply a few bullet points on the different</p> <p>18 roles of lead interviewer, that was DC Holt, and</p> <p>19 secondary interviewer, that was you. It says:</p> <p>20 "The PEACE model is essentially a one-interviewer</p> <p>21 model, the lead interviewer should conduct the bulk of</p> <p>22 the interaction with the suspect, that is to ensure the</p> <p>23 attention of the suspect is focused on one interviewer."</p> <p>24 It then says why having half of one and half of the</p> <p>25 other is a bad idea, because you lose concentration and</p> <p style="text-align: center;">Page 55</p>
<p>1 types of document?</p> <p>2 A. The pre-interview disclosure is a document that would be</p> <p>3 provided to a solicitor, and then they would then have</p> <p>4 a consultation with their client.</p> <p>5 In this situation, I believe -- that is prepared in</p> <p>6 advance. In this situation, Mr Port didn't have</p> <p>7 a solicitor, so that document wouldn't have been handed</p> <p>8 across to the solicitor. We were aware when we went</p> <p>9 into the interview that he didn't want a solicitor</p> <p>10 still, so we wouldn't have prepared a pre-interview</p> <p>11 briefing.</p> <p>12 Q. A plan?</p> <p>13 A. A plan, we -- I think that I am sure that we did a plan,</p> <p>14 yes, with the key areas to cover, as DC Desai did.</p> <p>15 Q. We haven't seen a copy of it -- doesn't mean to say it</p> <p>16 didn't exist. What we have seen is the interview</p> <p>17 itself, and did the interview follow essentially the</p> <p>18 course that you planned it to?</p> <p>19 A. Yes, I would say so.</p> <p>20 Q. DC Desai of course had interviewed Stephen Port on his</p> <p>21 own. But he did say that it was not uncommon, in fact</p> <p>22 it is the better practice to have two officers attending</p> <p>23 an interview, they simply didn't have the resources the</p> <p>24 night before for him to be accompanied by anyone else.</p> <p>25 As we have heard, and seen on the transcript,</p> <p style="text-align: center;">Page 54</p>	<p>1 it allows the suspect to be evasive or play one off</p> <p>2 against the other?</p> <p>3 A. Yes.</p> <p>4 Q. In fact, as we heard on the tape, it was indeed DC Holt</p> <p>5 who asked almost all the questions?</p> <p>6 A. Yes.</p> <p>7 Q. You were playing the role of the secondary interviewer</p> <p>8 and this document stresses that is still an important</p> <p>9 role. You support the lead interviewer by watching for</p> <p>10 any topic areas or relevant questions that have been</p> <p>11 missed; is that right?</p> <p>12 A. Yes.</p> <p>13 Q. It is for the secondary interviewer to bring these to</p> <p>14 the attention of the lead or to ask, when invited in ...</p> <p>15 but then it does make the point that if the first person</p> <p>16 is going their job right, there shouldn't be too many of</p> <p>17 those situations.</p> <p>18 A. Yes.</p> <p>19 Q. If we can just go to the next page, I think there is</p> <p>20 a little more.</p> <p>21 Yes, just at the very top, it says:</p> <p>22 "The second needs self discipline not to dilute the</p> <p>23 interview by speaking merely for the sake of it ... the</p> <p>24 other role that the second interviewer should play is to</p> <p>25 make notes that accurately capture the important</p> <p style="text-align: center;">Page 56</p>

<p>1 information from the interview, in order for a realistic 2 appraisal of the interview content to be made in breaks 3 during the interview or at the conclusion." 4 Is that another reference to the evaluation phase? 5 A. Yes. 6 Q. I think we will see you did in fact make notes during 7 the interview? 8 A. Yes, the notes I made during the interview were as 9 contemporaneous as I could make them. When you are in 10 an interview with an experienced interviewer, you are 11 aware of the -- I think the pace of the interview, so if 12 the lead interviewer is asking questions or somebody is 13 speaking too quickly for you to keep up with, then you 14 would highlight that to them, whether or not it was the 15 person that you were interviewing or the person who was 16 asking the questions. 17 I think it is important to make sure that the notes 18 that are made are as full as possible, because without 19 the interview transcript, which has been produced 20 afterwards, they are the notes that you are producing 21 your interview summary from and as much detail as 22 possible needs to go in there. 23 So, for instance, when somebody is talking in 24 an interview, then the details of what the suspect is 25 saying I would normally write down. I wouldn't</p> <p style="text-align: center;">Page 57</p>	<p>1 return -- sorry, it is at IPC45. 2 This is the HAT return that was produced as a result 3 of that day's work by MIT 7. Were you involved in 4 producing this document, do you recall? 5 A. No, that was produced by DS Reeves. 6 Q. You may then or may not be able to help us just on the 7 timing. Can you see about half the way down towards the 8 right-hand side, under "DI McCarthy", there is a box for 9 dates and time. It is given at 1.00. Do you see that? 10 Date, 27 June 2014, time, 1300 hours. Just above 11 halfway, on the right-hand side, there is a shaded box 12 which says "Date and time", do you see it? 13 A. As in time requested or time responded? 14 Q. No, no, sorry. 15 A. "Date and time", sorry, yes. 16 Q. Don't worry, it is very difficult to navigate your way 17 around this. 18 There is date and time and it says 27 June, we know 19 that is right and then it says 1300 hours, so 1.00. 20 That is actually in fact before your interview has even 21 started. 22 If we can just look over the page, the second page 23 of the document, again at the bottom, it is signed off, 24 as you say, by DS Reeves and at the time there is given 25 as 3.30, which is half an hour after your interview.</p> <p style="text-align: center;">Page 59</p>
<p>1 necessarily write the question, because that would 2 take -- it is too much to write. When you are dealing 3 with somebody who is going no comment or not answering, 4 then it is the other way round, I would write the 5 question that they are being asked and then their 6 response just of no comment. 7 So in essence, the notes that come out of that 8 interview should be as full and detailed as possible. 9 Q. I am going to come in a minute or two and ask you about 10 the transcript and about certain passages during the 11 interview. Before I do that, I just want to establish 12 the sequence of events and what happened, including 13 after the interview. We have seen -- I will not call it 14 up now, but we know that the interview started at 1.10 15 and finished just before 3.00 in the afternoon. 16 Let's just have a look a screen, we will go back to 17 them, but for the jury it is tab 35 of your bundles and 18 it is INQ4, page 31, please. Those are your notes, 19 aren't they, DS Levoir? 20 A. Yes. 21 Q. We will come to look at a few pages in them. Those are 22 the notes you were making during the interview? 23 A. Yes. 24 Q. If we could look please -- for the jury it is the next 25 document in the bundle, tab 36. This is the HAT</p> <p style="text-align: center;">Page 58</p>	<p>1 One does come across documents that don't seem to 2 make sense. This is one of them. Do you have any 3 understanding of why those times are different or how we 4 understand what was going on at that time? 5 A. I don't know why those times are as they are. 6 Q. All right, well, I won't ask you any more about that, 7 but other than to go back to the first page of the 8 document, please, so it is IPC45. 9 Yes, so item numbered 1 in the advice box on the 10 bottom half of the page, do you see that? 11 A. Yes. 12 Q. That is a reference to the interview which you conducted 13 with DC Holt, there are a couple of sentences describing 14 the content of the interview and then the last sentence, 15 "Full interview summary passed to DI McCarthy". 16 That is not right, is it? It seems what happened 17 was that you gave DI McCarthy your manuscript notes or 18 a copy of them, but no more at that stage. Can you 19 remember or -- 20 A. I do remember typing up the content of the interview 21 notes. 22 Q. But you don't remember when? 23 A. I believe it was on that occasion, because we left the 24 notes with him. 25 Q. I am just going to show you a couple more references to</p> <p style="text-align: center;">Page 60</p>

<p>1 see if it helps, DS Levoir. Can we go, for the jury 2 this is tab 37, and for the screen it is MPS780. This 3 probably is not a document you have seen before, 4 DS Levoir, it is a document which was drafted by 5 DI McCarthy. In fact he drafted it right at the start 6 of the investigation and then updated it as the 7 investigation went on.</p> <p>8 This is a version of it, if we can just go to 9 page 12, please, you see this is a version of it that 10 was dated that Friday evening, the 27th. If we go back 11 to page 10, do you see the second paragraph "Interview 12 summary"?</p> <p>13 A. Yes.</p> <p>14 Q. What DI McCarthy has written is:</p> <p>15 "At this time only a handwritten account is 16 available of notes. The interviewing officers will 17 provide a full update over the weekend."</p> <p>18 At least as far as that document is concerned, it 19 would appear that you left Barking with just leaving 20 your manuscript notes and said that you would send on 21 some typed notes?</p> <p>22 A. I think we did it while we were there. I know we didn't 23 do our interview statements while we were there, so 24 whether or not there was some confusion over that, but 25 we -- I am fairly sure we did it while we were there.</p> <p style="text-align: center;">Page 61</p>	<p>1 back to page 12, we can see that in this document, for 2 DC Desai's interview, they have simply cut and pasted 3 his entire summary.</p> <p>4 We can ask DI McCarthy about this but it looks as 5 though, when they were updating this document, even in 6 October, they still didn't have a summary from you, they 7 have actually just obtained and attached a transcript of 8 the whole interview, do you see. There are other -- we 9 have seen other documents, again, where rather than the 10 summary being provided to other people involved, like 11 the pathologist, just an entire transcript.</p> <p>12 I just wanted, so you could see the context of it, 13 but what you are saying is that you do remember typing 14 a summary?</p> <p>15 A. I remember typing up the summary, because I think 16 I remember highlighting in bold some of the details that 17 we got from interview.</p> <p>18 Q. Was that -- I mean I am going to ask you as we go 19 through some of those points, so let's not get ahead of 20 ourselves, but was that summary then part of the 21 evaluation exercise?</p> <p>22 A. Yes.</p> <p>23 Q. We see DC Desai, his summary, as you will recall, was 24 really just a -- just that, he summarised what he 25 regarded as the important content of the interview</p> <p style="text-align: center;">Page 63</p>
<p>1 Q. Right. Just to finish off the tale, I know it is not 2 going to change how far you can help us with this but 3 just to finish off the tale, can we go to one more 4 reference, please.</p> <p>5 For the jury, it is tab 43. 6 For the screen, it is IPC269. If we go to page 2, 7 please.</p> <p>8 Do you see, this is another later version of the 9 same document, DS Levoir, it is actually -- I should 10 have shown you on the page before, but we are now in 11 October 2014. If we go forward in this document to 12 page 13, we see there is the same heading and in fact 13 the same text:</p> <p>14 "At this time only a handwritten account is 15 available, the interviewing officers will provide a full 16 update over the weekend."</p> <p>17 Then a new paragraph underneath has come, they have 18 added:</p> <p>19 "Subsequently Mr Port was further interviewed by MIT 20 7 officers ROTI ..."</p> <p>21 What does that stand for?</p> <p>22 A. That is the transcript from the interview.</p> <p>23 Q. "... ROTI attached."</p> <p>24 If we can just, so we can see it, the jury will be 25 able to see because it is in hard copy, but if we go</p> <p style="text-align: center;">Page 62</p>	<p>1 without flagging anything up or referring to any further 2 actions that might take place or anything of importance.</p> <p>3 Did the summary that you remember drafting, although 4 we don't have a copy of it, did it do matters of that 5 nature?</p> <p>6 A. Yes.</p> <p>7 Q. All right, well, I will not ask you any more about that 8 now, because it is probably best explored as we go 9 through the interview, and I will ask you if you 10 remember what you included in your summary and what you 11 didn't.</p> <p>12 The transcript for the jury is at tab 34. You 13 may -- you have it, the larger of the white bundles, if 14 you go to tab 34, you will then have a hard copy 15 transcript in front of you. It will be coming up on 16 screen as well, but since we are going to go to a few 17 passages it may assist.</p> <p>18 For the screen, it is IPC137, and if we can go to 19 page 2, first of all, please.</p> <p>20 About halfway down the page, we see -- obviously 21 this is at the very start of the interview -- DC Holt 22 saying that the purpose primarily of the interview is to 23 get your true and final account, we want one final 24 truthful account from you so we just iron out all of the 25 question marks.</p> <p style="text-align: center;">Page 64</p>

<p>1 Is that in essence him saying this is going to be 2 a no challenge interview, as we have discussed? 3 A. I don't think so much -- it is not made as clear to the 4 suspect as that. I think that was laying out to him the 5 purpose of this interview. He had been interviewed 6 previously, he had given a statement previously, and it 7 was just DC Holt laying out what the aim/objective of 8 the interview was. 9 Q. Thank you. 10 Could we look at the next page, please, so page 3. 11 What we see here is part of a long answer which 12 Stephen Port gave right at the start of the interview, 13 essentially going through his story, isn't it? 14 A. Yes. 15 Q. He wasn't interrupted while he gave that. Is that 16 something that is part of the interviewing technique 17 that you were employing? 18 A. Yes. It is known as, I guess, free recall. So it is 19 allowing somebody to give their full account and then we 20 would then go back and go into further detail in 21 relation to aspects of what they had said. 22 Q. Just looking, about a quarter of the way down the page, 23 so about seven or eight lines down, Stephen Port says -- 24 he is talking about after he and Anthony got back to his 25 flat, he says:</p> <p style="text-align: center;">Page 65</p>	<p>1 from intelligence? 2 A. Yes. 3 Q. Would that have been something that you considered in 4 your role as a secondary interviewer, either pressing on 5 yourself at some stage or suggesting to DC Holt that he 6 questioned about? 7 A. I think later on in the interview it was spoken about. 8 Q. The PNC incident, but not this particular issue about 9 whether in fact he was telling the truth about not 10 wanting to take drugs on that occasion? 11 A. I think at this point, as you say, we weren't 12 interrupting, we were not questioning, we were allowing 13 him to talk. 14 Q. Might this have been something that you drew attention 15 to in your summary, this inconsistency? 16 A. I certainly would have, in my notes, I think, from my 17 recollection I did highlight in my notes the incidents 18 that he talked about. So that would have been in the 19 summary, yes. 20 Q. Sorry, do you mean the incident, as in the Barking 21 station incident or -- I am just at the moment asking 22 you about the drug taking? 23 A. I think he spoke about two incidents. 24 Q. Yes. 25 A. Yes.</p> <p style="text-align: center;">Page 67</p>
<p>1 "Yeah, he asked if I minded if he took a little bit 2 of stuff to make him high. He asked, and I don't want 3 any myself, I don't really do anything like that with my 4 boyfriend." 5 This was the first of a whole series of occasions 6 during the interview where Stephen Port makes it clear 7 that it was Anthony who was taking drugs and that he 8 didn't other than poppers, and when asked if he wanted 9 to have them, he declined? 10 A. Yes. 11 Q. Did it strike you that that was inconsistent or at least 12 different to the account in the Police National Computer 13 record, where Stephen Port had been alleged to have in 14 fact pressed drugs on the other male who made the 15 allegation of rape against him? 16 A. I think at this point he was giving his account to us 17 and so he was being allowed to give his account. 18 Q. Just to be clear, I am not suggesting that you should 19 have interrupted or stopped him or challenged him, 20 perhaps either at this stage or at any other, but as 21 part of your evaluation of what was happening, either at 22 the time or later, did that point occur to you that this 23 repeated insistence on his part that he wasn't the one 24 taking drugs, was rather different, in fact completely 25 different, to that other instance which you knew about</p> <p style="text-align: center;">Page 66</p>	<p>1 Q. I am going to ask you about that. 2 A. Yes. 3 Q. I want to ask you about a different matter first. That 4 is about shift patterns and when Stephen Port was at 5 work and when he wasn't. 6 Can we start, please, by looking at DC Desai's 7 summary. For the jury, that is tab 29 in their bundle. 8 For the screen it is MPS770. 9 If we look on the first page, the one we are looking 10 at, just below halfway down, do we see a paragraph 11 starting, "Stephen Port then confirmed his original 12 account ..." do you see that? 13 It is a paragraph starting: 14 "Stephen Port then confirmed his original account. 15 He stated that on Wednesday he had been at work from 16 8.45 in the morning to 3.45 on Thursday morning and that 17 he finished work and that he was home by 4.00 am. He 18 said he had parked his car in the parking bay and 19 happened upon Anthony Walgate's body." 20 In other words, the account being that he had been 21 at work in the middle of the night, and it was on his 22 way home from work, very early on the Thursday morning, 23 that he found the body. That was the account he had 24 given to the police in his house on the day they went 25 round to see him. That would have been the statement</p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 you saw and that was also the account that he started by 2 giving to DC Desai the day before you interviewed him, 3 yes? 4 A. Yes. 5 Q. But, as you know, he then changed his account, in fact 6 he changed it more than once but the last account he 7 gave to DC Desai, if we go on to page 3 of this 8 document, please, we note, don't we, that Anthony went 9 to see Stephen Port on the Tuesday night of that week. 10 If we then pick it up about 10 lines or so from the 11 bottom, there is a paragraph starting, "Stephen Port 12 woke up on Wednesday ..." Do you see that? 13 "... Anthony was still sleeping, he was breathing, 14 Stephen Port thought nothing of it." 15 Then the next paragraph: 16 "He came home [that is came home from work on 17 Wednesday night] after finishing work at 10.00 pm, 18 Anthony was still in bed. Stephen Port thought he was 19 in a deep sleep. Didn't realise he was dead ..." 20 And then later in the night he took him out onto the 21 pavement. 22 That was the account that he gave at the end of his 23 interview with DC Desai, so having come home from work 24 on the Wednesday evening, being in the flat essentially 25 with Anthony there and later on in the night taking him</p> <p style="text-align: center;">Page 69</p>	<p>1 again later in your interview, he went back to what he 2 had said to DC Desai, didn't he, about coming home from 3 work and in fact getting into bed and waking up early in 4 the morning and putting Anthony's body outside then, but 5 at this point he is mixing his stories up on the face of 6 it, he says something different, he says in fact he had 7 gone out to work on that Wednesday night and come back 8 early in the morning. 9 Again, help us with this, is that something that you 10 as a secondary interviewer might have noticed and passed 11 a note to DC Holt and said ask him about that? 12 A. I think because we had got that first account, we were 13 then going to go through each of the areas of his 14 account and get more detail in everything, so, no, 15 I wouldn't have passed him a note or highlighted that to 16 him at that point, because we were going in with the 17 purpose to get a full detailed account from him on 18 everything. 19 Q. It would have been significant, wouldn't it, that in 20 this no challenge interview, in effect, Stephen Port has 21 said something inconsistent. The first time he went 22 through his story he referred to going to work late on 23 Wednesday night/early Thursday, and then later on he was 24 back to what he said to DC Desai. That is important, 25 whether you challenge him or not at the time, that is</p> <p style="text-align: center;">Page 71</p>
<p>1 out to the pavement. 2 If we can go back, please, to the transcript of your 3 interview, so that is IPC137, you may probably still 4 have it in front of you, if not it was tab 34 and if we 5 can go to page 4, please, it is at the top of this page, 6 Stephen Port seems to be giving the same account of 7 going to work on the Wednesday, leaving Anthony in the 8 bed, and just casting your eyes down that and then about 9 10 lines or so down, he says: 10 "I myself have been out like that 15 hours when 11 I have had stuff like that in the past, so I thought he 12 was just still sleeping, so again I left him, I felt he 13 was still warm, still wrapped up." 14 This is after he has got home from work on the 15 Wednesday evening. He said: 16 "I have just carried on, watched TV, had something 17 to eat, thought he would wake up in a second." 18 Then he said this: 19 "... I had a quick shift so I (inaudible) went to 20 work again and when I come home 4.00 in the morning, he 21 was still there." 22 He actually, at the beginning of your interview, 23 gave an account which wasn't quite the same as the 24 account he had given to DC Desai. 25 Now it is fair to say when he went through the story</p> <p style="text-align: center;">Page 70</p>	<p>1 important, isn't it? 2 A. It is important and would have been important further on 3 down the line for the challenge phase, yes. 4 Q. Do you think that is something that you would have 5 flagged up to the investigating team in your interview 6 summary? 7 A. I can't remember, if I am honest. 8 Q. It is obviously unfortunate we have not got it in front 9 of us, so I am having to ask you about a document you 10 wrote years ago. 11 A. Yes. 12 Q. Is it the sort of thing you think you would have 13 mentioned, or is it just too detailed or is it not 14 important for some other reason? 15 A. It is an important detail, so certainly that detail 16 would have been in there. 17 Q. Given the different accounts that Stephen Port had given 18 about when he went to work, this one obvious example 19 being whether he did or didn't go to work in the middle 20 of the night on Wednesday/Thursday. One can imagine 21 that that could have been checked with his employer? 22 A. Yes. 23 Q. That is a possible investigative action in response to 24 something that he said in interview? 25 A. Yes.</p> <p style="text-align: center;">Page 72</p>

<p>1 Q. Is that the sort of thing you might have said in your 2 summary or would you have left that to the investigation 3 team to decide on? 4 A. I would have left that to the investigation team to 5 decide. 6 Q. Let me ask you about another area, and sticking with the 7 transcript, if we just go ahead to page 10, please, 8 there are some questions here about Stephen Port's email 9 address. It is quite easy to see on the transcript 10 because they have been redacted for data protection. 11 But essentially, DC Holt is asking him to give details 12 of his email address and he says we may want to look 13 into this, so please could you give us the password, and 14 so on? 15 A. Yes. 16 Q. And we can go forwards in the transcript to page 48 and 17 49, these are not the only similar references, but at 18 page 48 and 49 -- we see towards the bottom of 48 19 Stephen Port starts explaining that he was talking to 20 someone, I think his boyfriend's mother, on Facebook? 21 A. Yes. 22 Q. Then if we go over to 49, we see DC Holt saying, "Please 23 tell us your Facebook account details ..." 24 A. Yes. 25 Q. Actually, if we look at your notes, so tab 35 of the</p> <p style="text-align: center;">Page 73</p>	<p>1 he was asking those questions, there is a little bit 2 more delay in the questions as far as the password is 3 concerned, maybe. 4 Q. The value to the investigation team of email addresses, 5 Facebook accounts, passwords, is obvious, is it not? 6 A. Invaluable, yes. 7 Q. Can you remember, is this something you had actually 8 discussed with DI McCarthy, that you would try and 9 obtain this information, or is it something that was so 10 routine that he would simply have expected you to try 11 and do that? 12 A. He didn't ask us to get those details; it is -- it is 13 something that I would normally do, because then you can 14 access much easier with passwords and email addresses, 15 accounts of suspects. The same with PIN codes for 16 phones. 17 Q. I did mention that these -- I have taken you to the 18 email address and Facebook account, but there were other 19 similar sections of the interview, were there not? 20 I think you are right, one of them was about his phone. 21 A. Yes. 22 Q. Would you have just left those details as it were there 23 in the transcript or in the notes for the investigators 24 or is that something that you would have in some way 25 pulled out or drawn attention to in your summary?</p> <p style="text-align: center;">Page 75</p>
<p>1 jury bundle, and for the screen it is INQ4, again, if we 2 can go to page 33, that seems to be the references to 3 the email account that you have written down there. Do 4 you see that? 5 A. Yes. 6 Q. I may be wrong but I think you actually, when we were 7 listening to it on the tape, you asked him to repeat it, 8 or something like that. 9 Then if we go on in here to page 41, please, do we 10 see halfway down the page, "Chatted on FB [Facebook] 11 while watched TV" and then there were the details. 12 Do you see that? 13 A. Yes. 14 Q. You have an asterisk next to "chatted on Facebook". At 15 this distance in time -- you may not be able to 16 remember, but can you help us with why there was 17 an asterisk there? 18 A. I think it was just a note for myself to ensure that the 19 further details were obtained, because I think it took 20 a couple -- as I was writing, I would have highlighted 21 to myself, or thought to myself, we need to explore 22 this, the Facebook details and everything, and I think 23 I had highlighted that just in case DC Holt didn't pick 24 it up, whereas I think previously, when we were talking 25 about the email addresses, I think it was quite quickly</p> <p style="text-align: center;">Page 74</p>	<p>1 A. I would have drawn attention to them. 2 Q. Moving on, I want to ask you a few questions about the 3 other incident that you referred to. To do that we need 4 to go, please, back to the interview transcript, which 5 is IPC137, tab 34, that you have in front of you, 6 DS Levoir. If we can go to page 54, please. 7 If we just look at this section, it starts about 8 halfway down page 54, DC Holt says: 9 "There is a comment here, Stephen, perhaps you could 10 recall on some previous experiences of your own, it says 11 here that you said that you didn't assault or kill 12 Anthony and the reason you didn't leave him in the bed 13 is that it would look suspicious 'Just like last time'. 14 Those are the words that ended DC Desai's interview 15 summary, I don't know if you remember, but it is clear 16 that is what DC Holt is reading from, because he says: 17 "... the words that are recorded here -- I don't 18 know what was said in the interview, but perhaps you 19 could just mention about whether that was playing on 20 your mind and what that was about?" 21 Stephen Port answers by saying: 22 "Err, yes, last time I was helping a friend to the 23 station, he was quite unwell, well, not unwell, he just 24 looked like he had taken something. He wasn't with me 25 at the time. I took him to the station, got him some</p> <p style="text-align: center;">Page 76</p>

<p>1 help, got him a medic and then the police dragged me to 2 a corner and five officers, I said what is wrong, I said 3 his name's [we have ciphered it as X3] he is a friend, 4 they search me, didn't have no drugs on me, they said 5 what am I doing? I just on my way to the boyfriend's 6 and they said we saw you on a 623 searching his bag, why 7 I was looking through his bag, looking for his phone so 8 he can call his mum, getting himself home, he seemed 9 a little bit ... didn't know what he was doing in 10 Barking. Yeah, my friends, my colleagues I work with 11 saw me at the station, said I saw you being arrested at 12 the station I said I wasn't being arrested, I said I was 13 being questioned about a friend that was ill, but 14 because of the way the police dragged me to the corner, 15 it looked like I was being arrested." 16 DC Holt then said that was not what I was expecting 17 you to talk about, and I imagine you weren't expecting 18 him to give that response either? 19 A. No. 20 Q. Because DC Holt was intending to ask him about the New 21 Year's Eve incident that he had seen on the PNC 22 record -- 23 A. Yes. 24 Q. -- and indeed he went on to turn the conversation back 25 towards that incident.</p> <p style="text-align: center;">Page 77</p>	<p>1 and there was reference to this person's phone being 2 missing, which must have struck a chord with you about 3 Anthony's case. 4 The significance of this account must have been 5 obvious; is that right? 6 A. Yes. 7 Q. It must also have been obvious to you that the 8 investigation at this stage was not, or at least may 9 not, be aware of this episode? 10 A. Because the only one that we knew about was the New 11 Year's Eve. 12 Q. Exactly. 13 A. Which is why I think DC Holt said that was not what we 14 were expecting. 15 Q. Quite. 16 A. So both of those two were significant and highlighted 17 later on. 18 Q. You had been briefed about the PNC incident? 19 A. Yes. 20 Q. No one had told you anything about this? 21 A. No. 22 Q. So it must have occurred to you that this was actually 23 completely fresh information you were being given, or at 24 least there was a risk that the borough investigators 25 didn't know anything about this?</p> <p style="text-align: center;">Page 79</p>
<p>1 This description of something going on a Barking 2 station and Stephen Port being with someone who looked 3 like he had taken something, the police getting 4 involved, someone suggesting that he had gone through 5 his bag looking for his phone. This was all completely 6 new to you; is that right? 7 A. Yes. 8 Q. Did it occur to you during the interview that this 9 incident that Stephen Port was describing was 10 potentially very significant to this investigation? 11 A. Yes. 12 Q. It must have been, mustn't it? 13 A. Yes. 14 Q. Because here was Stephen Port, who, although the matter 15 was still pretty opaque, there was a concern he was 16 mixed up in the death of Anthony Walgate, who appeared 17 to have died from a drug overdose? 18 A. Yes. 19 Q. You knew that there was an incident on New Year's Eve, 20 an allegation of rape, something to do with him pressing 21 drugs on someone, and then here he is recounting 22 a completely separate incident, where the details are 23 thin but he seems to have been stopped by police 24 involved with a different young man, who appeared to 25 have taken drugs or people thought he had taken drugs,</p> <p style="text-align: center;">Page 78</p>	<p>1 A. Yes. 2 Q. You were the second interviewer. So, as we saw, part of 3 your role is to sort of have more time to think about 4 the answers that are being given than the first 5 interviewer, who is always thinking about the next 6 question. 7 We can see, I will not read it all out but we have 8 heard that DC Holt steered the discussion back on to the 9 New Year's Eve incident that he knew about and pressed 10 Stephen Port about that. 11 You were in a position to think, what are we going 12 to do about this information he has just given us about 13 this new incident that we didn't know about. Did it 14 occur to you, first of all, either to ask yourself or to 15 suggest that DC Holt might ask some further questions 16 about this incident? For example the date that it had 17 taken place or which police force was involved or 18 anything else for you to find out more information about 19 what Stephen Port was describing? 20 A. I can't remember, if I am honest, at the time. I think 21 I potentially thought that we could probably find out 22 about this incident through our police indices. 23 Q. It would have been possible to find out about it, one of 24 the things that Stephen Port did tell you about this 25 incident, in fact he was quite insistent upon it, was</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 that he had not been arrested then.</p> <p>2 A. Yes.</p> <p>3 Q. He said that, didn't he?</p> <p>4 A. Yes.</p> <p>5 Q. It might have been going through your mind that that</p> <p>6 explained why it wasn't on the PNC, because if someone</p> <p>7 is not arrested the record doesn't go on to the PNC,</p> <p>8 does it?</p> <p>9 A. No, it doesn't but if somebody is stopped by the police,</p> <p>10 there is a record made of that, so that would be on the</p> <p>11 police indices.</p> <p>12 Q. We have heard there are a number of different</p> <p>13 intelligence databases, but one of them is the Police</p> <p>14 National Database, which does contain information about</p> <p>15 incidents which haven't actually resulted in an arrest,</p> <p>16 isn't it?</p> <p>17 A. Yes.</p> <p>18 Q. Did it occur to you to pause the interview to find out</p> <p>19 more about this incident, including by doing a PND check</p> <p>20 or a check on some other police database, find out the</p> <p>21 full details and then ask Stephen Port more questions</p> <p>22 about it?</p> <p>23 A. No, because we were still in the stages of getting his</p> <p>24 account and wouldn't have paused the interview at that</p> <p>25 stage to go and do that inquiry, no.</p> <p style="text-align: center;">Page 81</p>	<p>1 point, just pressing Stephen Port about the PNC, the New</p> <p>2 Year's Eve incident, so why would you not have wanted to</p> <p>3 ask him also about this other matter?</p> <p>4 A. I think I can just say that we were -- we wouldn't --</p> <p>5 certainly wouldn't have stopped the interview and</p> <p>6 I don't know how else to answer that.</p> <p>7 Q. Let's just look back at your notes. It is tab 35, for</p> <p>8 the jury bundle. For the screen it is INQ4 and it is</p> <p>9 page 43, please. The top half of the page, which are</p> <p>10 your notes about what Stephen Port said about this</p> <p>11 episode. Again, there is a slightly different sort of</p> <p>12 asterisk or cross you have there, what did those</p> <p>13 signify?</p> <p>14 A. I think again it was highlighting a line of enquiry or</p> <p>15 something that needed further investigation.</p> <p>16 Q. Thank you, you can take that down.</p> <p>17 I am going to come back to that but, before I do,</p> <p>18 let's just finish off going through the interview.</p> <p>19 Another issue, as you say, which in fact</p> <p>20 Stephen Port had been arrested was theft of Anthony's</p> <p>21 mobile phone. Was it part of your interview strategy to</p> <p>22 ask him about where the phone was?</p> <p>23 Sorry, can you --</p> <p>24 A. Yes, sorry. Yes.</p> <p>25 Q. If we go within the transcript to page 43, please. So</p> <p style="text-align: center;">Page 83</p>
<p>1 Q. Could you have passed a message to someone outside of</p> <p>2 the room to make those enquiries so that you could have</p> <p>3 asked him at a later stage of the interview?</p> <p>4 A. At that point, no, it is possible now when we have</p> <p>5 laptops, but back in 2014, it would have been stopping</p> <p>6 the interview, exiting the interview room, stopping the</p> <p>7 tapes running, updating the custody record ...</p> <p>8 Yes, that is -- that would not have been possible</p> <p>9 without stopping the interview.</p> <p>10 Q. All right. Why didn't you stop the interview?</p> <p>11 A. Because we were still obtaining Stephen Port's account.</p> <p>12 Q. All right. Why didn't you wait until you got to the end</p> <p>13 of his account -- we saw it is in fact only a few</p> <p>14 minutes later that DC Holt ends the interview, and why</p> <p>15 didn't you say:</p> <p>16 "Thank you very much, Stephen Port, those are all</p> <p>17 our questions for now, we are just going to go and make</p> <p>18 a few more enquiries and we will come back in half</p> <p>19 an hour. We may have some more questions for you."</p> <p>20 A. Because I think this, along with other areas that had</p> <p>21 come up in the interview, would form part of any</p> <p>22 challenge phase of the interview, subsequent to further</p> <p>23 enquiries being conducted.</p> <p>24 Q. Is that right, because DC Holt had included in this</p> <p>25 so-called non-challenge interview in fact this very</p> <p style="text-align: center;">Page 82</p>	<p>1 it is IPC137, page 43, do you see about halfway down 43,</p> <p>2 DC Holt -- do you see there is a question saying:</p> <p>3 "Before you met him on Tuesday night you had been</p> <p>4 communicating with him on his phone. So he had his</p> <p>5 phone on him then, did you see him with his phone at</p> <p>6 all?"</p> <p>7 Stephen Port then says:</p> <p>8 "No, I told him to turn it off when we were having</p> <p>9 sex."</p> <p>10 DC Holt says:</p> <p>11 "Did you see him with the phone turning it off?"</p> <p>12 Stephen Port:</p> <p>13 "No, I didn't, he took it to the bathroom, his bag,</p> <p>14 didn't see him with his phone when he turned it off."</p> <p>15 Is that the start of the passage where DC Holt is</p> <p>16 asking questions which tried to bottom out exactly where</p> <p>17 that phone ended up?</p> <p>18 A. Yes.</p> <p>19 Q. We then see, if we go over the page, there is a series</p> <p>20 of questions that DC Holt asks Stephen Port.</p> <p>21 About five lines down:</p> <p>22 "You didn't see him use the phone, you haven't seem</p> <p>23 the phone.</p> <p>24 "No.</p> <p>25 "You haven't touched his phone?"</p> <p style="text-align: center;">Page 84</p>

<p>1 "No. 2 "You don't know where the phone is now? 3 "No." 4 Then there are some questions: 5 "You don't know if it was in his jeans, in his bag, 6 in his jacket?" 7 Stephen Port gives answers to the effect, when he 8 went to turn it off, he was standing near his jacket, 9 and that is where he presumed his phone was. 10 Then to the bottom of that page and over to the next 11 page, they established that in fact then he had worked 12 later in the evening, he had been wearing his jacket 13 when he, on Stephen Port's account, had been in the bed. 14 Then Stephen Port says -- when DC Holt says: 15 "Is there a chance that the phone is in your house 16 anywhere?" 17 He says: 18 "It could have dropped out of his pocket, under the 19 bed, it is a possibility." 20 He says he has changed the sheets, asked if he had 21 seen the phone he says no, and then DC Holt says: 22 "You didn't panic and dispose of it or anything?" 23 "No." 24 That is where that passage ends. 25 Were those questions designed to identify where the</p> <p style="text-align: center;">Page 85</p>	<p>1 you have to do with Stephen Port, he is taken back to 2 the cells? 3 A. That's correct, yes. 4 Q. By that time it is 2.55 in the afternoon. What time was 5 your shift due to end? 6 A. It would have been 4.00. 7 Q. You were due to end it in Putney, I take it? 8 A. Yes. 9 Q. Would you have been quite keen to get away? 10 A. No, not necessarily, because if we have to work over our 11 shift hours, that is what we have to do. It is a given 12 that if we need to work for more than eight hours then 13 we do do, it is part of the job. 14 Q. I think one thing we know for sure is you gave a copy of 15 those manuscript notes to DI McCarthy, because he kept 16 them and mentioned that he had them. Just coming back 17 to the business of the summary, what do you think that 18 you sat down and typed something up there and then? Is 19 that your best memory or do you think you may have done 20 it later, in accordance with what DI McCarthy said in 21 his note? 22 A. I do remember typing up the summary. I am not sure if 23 my colleagues were -- had finished with the enquiries 24 that they were doing, but I do have a recollection of 25 typing up my notes.</p> <p style="text-align: center;">Page 87</p>
<p>1 phone might be. Of course you knew that the search of 2 the flat was going on very much at the same time as you 3 were interviewing him? 4 A. Yes. 5 Q. Did you have that in mind with these questions? 6 A. Yes. 7 Q. Would your summary then have included some sort of 8 summary of the places that they might particularly want 9 to look, according to Stephen Port's account? 10 A. I think it would have included the content of what his 11 responses were to the questions. 12 Q. All right. Would it also have flagged up, and it is 13 right, isn't it, that according to the account that 14 Stephen Port gave, the phone had to be in the house, 15 because he gave -- in answer to your questions, he said 16 that Anthony had turned it off in his flat and then on 17 the basis of everything else he said, it was either in 18 his flat or in Anthony's jacket when he was outside, and 19 that -- because of the story he told, it wasn't possible 20 that Anthony had taken it anywhere else, because he 21 explained that Anthony was so unwell. Is that right? 22 A. Yes, that's correct. Yes. 23 Q. We have seen the interview lasted an hour and 24 three-quarters also. You get to the end, we see DC Holt 25 saying that is the end and presumably that is the last</p> <p style="text-align: center;">Page 86</p>	<p>1 Q. Coming back to this information that Stephen Port had 2 given you about this other incident which you had never 3 heard of before, did you do anything about that when you 4 came out of the interview? 5 A. I think it was just another -- it was another line of 6 enquiry that needed looking into in respect of what he 7 had said in interview. 8 Q. Even though you hadn't heard, you have told us, about 9 the fact there had been a debate between the borough and 10 HAT about primacy, you were familiar, as a member of the 11 major investigation team, that on occasions you would 12 take over primacy of an investigation, when it became 13 sufficiently clear that it was a homicide? 14 A. Yes. 15 Q. You are familiar with that. 16 When he gave evidence to us, DCI Jones said that if 17 he had become aware of the information in the British 18 Transport Police intelligence record that related to 19 this incident, that would have been enough for him to 20 take primacy. 21 To be fair to you, what Stephen Port was telling you 22 was not all the detail that was in that intelligence 23 report but did it nonetheless occur to you that what he 24 had said about another incident involving a young man 25 and perhaps drugs, was important enough not just for you</p> <p style="text-align: center;">Page 88</p>

<p>1 to write in the summary but for you actually to go and</p> <p>2 speak to someone, presumably DS Reeves, to say, look,</p> <p>3 there is more to this than we thought, we might need to</p> <p>4 have to take over this case?</p> <p>5 A. I didn't say that, no.</p> <p>6 Q. Do you think you should have done?</p> <p>7 A. It is not -- it is not my job as a DC to be dictating or</p> <p>8 giving an opinion on whether or not the MIT team should</p> <p>9 take over an investigation.</p> <p>10 Q. Not your job to decide on primacy --</p> <p>11 A. No.</p> <p>12 Q. -- but surely your job to draw to the attention of your</p> <p>13 superiors something that is an important and perhaps</p> <p>14 previously unknown aspect of the investigation?</p> <p>15 A. I don't think ... no, it wasn't -- I think I had</p> <p>16 included it in my summary, so perhaps I felt that was</p> <p>17 sufficient with all of the other details in there.</p> <p>18 Q. You have said that time was not an issue. Did it not</p> <p>19 occur to you -- we have heard the PND checks described</p> <p>20 as one of the most basic police intelligence checks</p> <p>21 there is. Did it not occur to you just to do the check</p> <p>22 yourself?</p> <p>23 A. I don't have access to PND, and I think when I came out</p> <p>24 of the interview, I was -- I believe I was busy typing</p> <p>25 up the notes. So I wouldn't have done that, no.</p> <p style="text-align: center;">Page 89</p>	<p>1 sure exactly what time, but at the end of the day that</p> <p>2 box describes those things as having been done and gives</p> <p>3 a bit more information?</p> <p>4 A. Yes.</p> <p>5 Q. Then if we turn over the page, something a bit</p> <p>6 different, because under the record of advice section,</p> <p>7 it seems to be describing not something which has</p> <p>8 already been done, but something which is still going</p> <p>9 on. If we look four lines down:</p> <p>10 "Intel being conducted by MIT 7 officers."</p> <p>11 Does that ring any bells with you at all? Do you</p> <p>12 remember what -- presumably intel searches means</p> <p>13 intelligence searches, so searches on the type of</p> <p>14 database, PND, that we are talking about?</p> <p>15 A. Yes.</p> <p>16 Q. Do you know anything about that, can you remember?</p> <p>17 A. I don't know anything about that.</p> <p>18 Q. Is it possible that you may have tasked or asked one of</p> <p>19 your colleagues to do some intelligence searches on the</p> <p>20 basis of that memory by Stephen Port which you heard</p> <p>21 about?</p> <p>22 A. I don't know what that is referring to.</p> <p>23 Q. All right.</p> <p>24 Can you help us with just one last practical thing,</p> <p>25 you say you have this memory of typing up that summary.</p> <p style="text-align: center;">Page 91</p>
<p>1 Q. We have heard that investigating officers like yourself</p> <p>2 would actually just task someone else to do a PND check,</p> <p>3 so why didn't you task someone else to do the check</p> <p>4 while you typed up the notes?</p> <p>5 A. I don't know.</p> <p>6 Q. Could I just ask you to look back at the HAT return,</p> <p>7 please. So it is tab 36 in the bundle. For the screen,</p> <p>8 it is IPC45. So there is a bit of uncertainty about the</p> <p>9 time, it is obviously -- by the time you come out of</p> <p>10 your interview it is 3.00.</p> <p>11 Sorry, if we could go to the second page, that box</p> <p>12 "Record of advice" -- sorry, just so I can ask the</p> <p>13 question properly, I would like to go back to the first</p> <p>14 page, please, just to set the context.</p> <p>15 If we look at the lower box there, DS Levoir, we</p> <p>16 see, don't we, I have shown you paragraph 1, and that</p> <p>17 was a reference to your interview. Then paragraphs 2, 3</p> <p>18 and 4 refer to other enquiries that members of your team</p> <p>19 had been conducting.</p> <p>20 A. Yes.</p> <p>21 Q. Going right back to the start of my questions about the</p> <p>22 briefing from DI McCarthy and the different tasks you</p> <p>23 were there to do, broadly speaking that is those things,</p> <p>24 you went there for the day, you were asked to do these</p> <p>25 things, you did them and at the end of the day, I am not</p> <p style="text-align: center;">Page 90</p>	<p>1 You can't be sure whether it was at the time or later.</p> <p>2 Let's just assume -- whether it was while you were still</p> <p>3 at Barking or not, how would it have been sent to the</p> <p>4 Barking investigators?</p> <p>5 A. I think I would have printed out a copy and handed it</p> <p>6 over with the interview notes.</p> <p>7 Q. To someone like DI McCarthy or to your boss?</p> <p>8 A. Yes, either to DS Reeves, who then gave it to</p> <p>9 DI McCarthy, or straight to DI McCarthy. I can't</p> <p>10 recall.</p> <p>11 Q. It is just we saw from that earlier document that you</p> <p>12 had DI McCarthy's email address, he had sent you</p> <p>13 an email. Is it possible that you might have emailed</p> <p>14 him or is that not the way things were done?</p> <p>15 A. Potentially.</p> <p>16 Q. I really cannot remember.</p> <p>17 A. No.</p> <p>18 MR O'CONNOR: Thank you very much, DS Levoir. Those are my</p> <p>19 questions.</p> <p>20 THE CORONER: Yes, I don't know whether representatives can</p> <p>21 give me an idea of how long they are going to be, is it</p> <p>22 an appropriate time to take a short break?</p> <p>23 MS HILL: I think it might be. I think I have been</p> <p>24 allocated 24 minutes and I suspect I will need that.</p> <p>25 THE CORONER: All right, thank you very much.</p> <p style="text-align: center;">Page 92</p>

<p>1 We will take a short break, members of the jury. 2 (3.15 pm) 3 (A short adjournment) 4 (3.29 pm) 5 (In the presence of the jury) 6 Questions from MS HILL 7 MS HILL: Good afternoon, as I think you know, I ask 8 questions on behalf of the families of those who were 9 murdered by Stephen Port, save for the partner of 10 Daniel Whitworth, who has his own lawyer. 11 Can I have brought up on screen, please, first of 12 all, MPS000068, internal page 3, which I think is 13 an extract from your training record. 14 If we scroll into the middle of this document, do we 15 see the tier 5 interview adviser's course being done, 16 I think I can read it, in January 2010, is that about 17 right? Do you see that? 18 A. Yes. 19 Q. It follows at the time of these interviews -- I am not 20 sure your microphone is on, actually. I am not sure 21 people can hear you. 22 A. Is that better? 23 Q. Is that right, January 2010? 24 A. Yes. 25 Q. At the time of these interviews, you had had your tier 5</p> <p style="text-align: center;">Page 93</p>	<p>1 for 2015. Perhaps we can just scan through it, it is 2 a four-page document, can we go to the end please and 3 see that it is dated May 2015. Do you see that? 4 A. Yes. 5 Q. It is a relatively short document. Just going back, 6 please, if we can to internal page 1, it is written in 7 sort of human resources speak if I can call it that, do 8 we see number 3 are drivers that have to be completed, 9 and then there is "Operational effectiveness" and 10 underneath, the things that you have to evidence in your 11 PDR are, "Conduct serious and complex investigations", 12 do you see that? 13 A. Yes. 14 Q. Over the page we have a couple more, the third of which 15 is at the foot of internal page 2, "Interview suspects 16 in serious and complex investigations". 17 You referred to your experience in this interview; 18 is that right? 19 A. That's correct, yes. 20 Q. You said that you are often called upon to interview 21 suspects in cases of murder, manslaughter and 22 unexplained deaths. On this occasion you responded to 23 a call from the borough as part of the HAT team. You go 24 on to say that you reviewed and assessed all relevant 25 material, which allowed to you complete a detailed</p> <p style="text-align: center;">Page 95</p>
<p>1 qualification for the best part of just over four years? 2 A. Yes. 3 Q. You have explained about the different teams and where 4 you were based and so on. The description you have 5 given of the HAT support team, is that something that 6 people might refer to as the spare team? Have you heard 7 it called that? 8 A. Potentially, yes. 9 Q. For the learned coroner's note, we don't need to bring 10 this up, but I am referring now to FAM000006, internal 11 page 4, paragraph 26, I am just going to read this out 12 to you and see if you accept this or not: 13 "The requirement for a spare team historically was 14 not welcomed by officers, they viewed it as a chore and 15 that they would often have to travel large distances 16 across London for relatively menial tasks in support of 17 investigations for which they will have no further 18 involvement." 19 A. I don't agree with that. 20 Q. Did you regard this task as a menial one? 21 A. No. 22 Q. I think we know, do we, if you bring up on screen 23 another document, it is internal -- forgive me, sorry, 24 MPS000869, please. 25 This I think is your performance development review</p> <p style="text-align: center;">Page 94</p>	<p>1 interview plan: 2 "... through careful strategic questioning, you were 3 able to obtain a full account from the suspect who was 4 later charged with perverting the course of justice." 5 Have you seen that? 6 A. Yes. 7 Q. I think in fairness we can see that the majority of the 8 questions were asked by your colleague; is that right? 9 A. Yes. 10 Q. Nevertheless you selected this as one example to go in 11 your PDR? 12 A. Yes. 13 Q. Just for completeness, if we look over the page, please, 14 I think there are just two more competencies you are 15 required to evidence in what is quite a short document. 16 In terms of your role in this interview, you have 17 given a witness statement where you have described what 18 your role was. Can we have brought up, please, 19 MPS000722, internal page 2. Scrolling, please, to 20 paragraph 8, I think you have explained the thrust of 21 this already: 22 "On this occasion [about which we are talking] I was 23 not specifically deployed as an interview adviser, just 24 as part of an interview team." 25 Pausing there, that was the formal way in which you</p> <p style="text-align: center;">Page 96</p>

24 (Pages 93 to 96)

<p>1 had been deployed, wasn't it, because you were not being 2 sent specifically as an interview adviser, you were part 3 of this HAT spare team I think we have heard it called, 4 is that right? 5 A. Yes. 6 Q. It nevertheless follows, doesn't it, that in fact you 7 were, as we have heard, a level 5 qualified interview 8 officer? 9 A. That's correct, yes. 10 Q. There should be no reason, should there, why you would 11 hold back that expertise from the interview? 12 A. The interview adviser, the role of the interview adviser 13 that we went through earlier on in that PowerPoint, it 14 is not specific to being part of the interview team. It 15 is a different role. 16 Q. I understand, but the point I am making is that you were 17 level 5, which I think is the highest level of 18 qualification in this area. Is that right? 19 A. Yes. 20 Q. Your colleague, DC Holt, I think was level 2, is that 21 correct? 22 A. I am not sure. 23 Q. That is in his account. But there would be no reason 24 for you, even if you were not being formally deployed as 25 an interview adviser, to draw on the skills that you had</p> <p style="text-align: center;">Page 97</p>	<p>1 "Investigative interviewing should be approached 2 with an investigative mindset. Accounts obtained from 3 the person who is being interviewed should always be 4 tested against what the interviewer already knows or 5 what can be reasonably established." 6 Isn't that a fair summary of what the role of 7 a general interview is? 8 A. Yes. 9 Q. If you look, please, within further training 10 documentation that I think you have taken to, MPS000614, 11 please, internal page 25, this is further training 12 material, just to orientate you I think from 13 a specialist course. What is set out here are different 14 types of questioning, so do you see at the foot of 15 internal 25, there is opening question, over the page, 16 first account, then interviewee topics, so those are 17 things the suspect chooses to talk about and then this 18 at the foot of internal 27: 19 "Interviewer topics: this area is commonly referred 20 to as the police agenda." 21 That is where the police get to explore their own 22 topics with the suspect; isn't that right? 23 A. Yes. 24 Q. That is something that could have taken place in this 25 interview, isn't it?</p> <p style="text-align: center;">Page 99</p>
<p>1 picked up in training, level 2, 3, 4 and 5, isn't that 2 fair? 3 A. In terms of the tier 5 adviser role, that is something 4 that I would be deployed in by the senior investigating 5 officer. 6 Q. Learned counsel brought up for you the different tiers 7 on the five-tier structure and it must follow that you 8 had carried out all of the training up to level 5, is 9 that not right? 10 A. Yes. 11 Q. You were well aware of the best possible type of 12 interviewing that could occur, because you have the 13 highest level of qualification, haven't you? 14 A. Yes. 15 Q. Although you have explained that you understood that 16 this wasn't really a challenge interview, can I just 17 explore that a little bit, please. 18 Can we bring up the interviewing policy statement at 19 MPS000621. That is the 2012 Metropolitan Police 20 investigative interviewing policy document, I think you 21 have been taken to this. 22 It is MPS000621. We can see that is dated May 2012, 23 so it is in force at this time. Then can we look, 24 please, at the policy statement at the foot of page 2. 25 The last bullet point there says this, doesn't it:</p> <p style="text-align: center;">Page 98</p>	<p>1 A. The areas were covered. 2 Q. But the purpose of an interview that you were carrying 3 out was not entirely to let Mr Port speak freely, was 4 it? 5 A. No, but we had our interview plan with the areas that we 6 were going to cover, the topic areas. 7 Q. I don't want to spend any longer on the PEACE model, 8 because you have already been taken to that, but would 9 you take it from me that the evaluate phase is mentioned 10 repeatedly in the training material, it's the E I think 11 of the PEACE model, is that right? 12 A. Yes. 13 Q. Just to look in a little more detail on that, please, 14 MPS000614, internal 15, which I think indicates what you 15 have to show you can do to pass the course, so: 16 "Evaluate the interview [this is in a little box at 17 the top of the page] to identify and prioritise the 18 necessary further action, brief the investigating 19 officer and update relevant others, evaluate all the 20 available material as a result of the interview, fully 21 document all decisions, actions, options and rationale 22 in accordance with current policy and legislation." 23 Does that reflect, broadly, what the expectations of 24 the evaluation phase are? 25 A. Yes.</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 Q. In terms of the way in which you and DC Holt were 2 selected, can I just ask you to comment on what is in 3 his witness statement about this. Can I have brought 4 up, please, IPC000417, internal page 2, and can we 5 scroll in on the middle of that page, he says: 6 "I was tasked with DC Levoir to conduct the 7 interview. DC Levoir is tier-5 trained and I am tier-2 8 trained. I would imagine we were tasked to conduct the 9 interview as two experienced trained and well-regarded 10 interviewing officers." 11 Do you think that is fair? 12 A. I would say so, yes. 13 Q. The jury may hear -- we don't need to bring it up -- 14 from the coroner's expert, INQ000024, internal page 5, 15 paragraph 21, something to this effect, that you were 16 not deployed, as you have said, as an interview adviser 17 but the jury may hear this: 18 "I maintain my view that having had those skills, 19 I would have expected DC Levoir to share her 20 professional expertise in the interview." 21 Do you want to respond to that? 22 A. I think I go back to the fact that I was never deployed 23 as a tier 5. 24 Q. But you are being deployed, are you not, as a specialist 25 resource to support the borough, in simple terms, isn't</p> <p style="text-align: center;">Page 101</p>	<p>1 part of DC Holt's statement, it is IPC000417, internal 2 page 4. 3 Scroll in, please, on the penultimate paragraph: 4 "Following the interview, we informed our supervisor 5 that Port had chosen to answer our questions and had 6 provided a detailed account consistent with his latter 7 part of his previous interview. Our supervisor 8 subsequently provided the HAT advice and a copy of our 9 interview notes." 10 They are your notes, aren't they? 11 A. Yes. 12 Q. And it doesn't look, and I will be happy to be corrected 13 if I am wrong, as if he refers here to any typed notes 14 by you or any typed briefing, do you see that? 15 A. Yes, he doesn't. 16 Q. Again, very happy to be corrected if I am wrong but 17 I don't believe that we have seen a typed document from 18 you. Do you understand? 19 A. Yes. 20 Q. Are you confident that that is what you did at the end 21 of this interview, rather than just handing over your 22 handwritten notes? 23 A. I have a recollection that I typed up the notes. 24 Q. You do appreciate, I think, that the role of handing 25 over at the end of the interview did require you to help</p> <p style="text-align: center;">Page 103</p>
<p>1 that right? 2 A. I was deployed to conduct the interview. 3 Q. Why hold back the knowledge that you clearly had from 4 your level 5 training? 5 A. Because when I -- I go back to the fact that I was 6 deployed to conduct the interview to obtain a further 7 account from Mr Port. 8 Q. You have been asked a lot of questions about what you 9 did at the end of the interview, and you have been 10 questioned about the handwritten notes which we can see 11 did you provide. Is it right, looking at those 12 handwritten notes -- I don't think we need to bring them 13 up -- that you have marked on them with little crosses 14 a small number of issues? 15 A. Yes. 16 Q. Including both of the previous occasions that Mr Port 17 volunteered? 18 A. Yes. 19 Q. That you clearly thought they were significant? 20 A. Yes. 21 Q. By marking them with a cross you were hoping, I think, 22 that that would be obvious to others reading them, is 23 that fair? 24 A. It was a note to myself as well as to others, perhaps. 25 Q. Can I ask to have brought up, please, again, another</p> <p style="text-align: center;">Page 102</p>	<p>1 the borough by indicating key issues that had emerged in 2 the interview and further lines of enquiry. You would 3 understand that to be part of your role, I think? 4 A. Yes. 5 Q. Your position, I think, is that that is set out in the 6 typed document in large part, is that right? 7 A. From my recollection, yes. 8 Q. If it is right that you were not expected to challenge 9 Mr Port at all any more than you did in the interview, 10 is it your position that that is because you thought 11 there were going to be further interviews taking place? 12 A. Yes. 13 Q. You would agree that in the interview you carried out 14 there were plenty of lines of enquiry and plenty of 15 issues that needed further exploration? 16 A. Yes, to robustly and appropriately challenge him. 17 Q. Final part, please, of what the learned coroner's expert 18 may say that I think you should have the chance to 19 respond to: 20 "A further review of the interviews would have 21 highlighted the need for further actions to be raised. 22 DC Levoir, as a tier-5 interviewer, could then have 23 prepared the strategy for the subsequent interview which 24 would have been helpful, especially as she had already 25 had a good understanding of the case."</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 That is INQ000006, internal page 14, paragraph 54.</p> <p>2 That is something that you could have done, isn't it,</p> <p>3 helped sketch out a strategy for the next interview?</p> <p>4 A. Absolutely, I could have -- if I was deployed to do</p> <p>5 that, I would have reviewed all of the previous ... all</p> <p>6 of the interviews that were conducted, I would have</p> <p>7 reviewed the outcome of the lines of enquiries that had</p> <p>8 been conducted and I would have planned and prepared</p> <p>9 a structured further interview for the challenge of</p> <p>10 Mr Port.</p> <p>11 Q. Just pulling up now, if we may, please, and we can take</p> <p>12 that down, it is INQ000004 please, which are your notes</p> <p>13 that begin at internal page 31. Your handwritten notes</p> <p>14 that I am sure you have been through in preparing to</p> <p>15 give evidence.</p> <p>16 The little indications that I have referred to in</p> <p>17 your notes are at internal page 43, if we look at that,</p> <p>18 please, where you put a little cross next to "Last time</p> <p>19 helping a friend to the station ..." Then underneath</p> <p>20 you have written a little cross:</p> <p>21 "Situation that hadn't done anything wrong."</p> <p>22 That is because you recognised I think, did you,</p> <p>23 that these previous occasions where Mr Port had had</p> <p>24 contact with the police were significant?</p> <p>25 I am sorry, it is at tab 36 I think in the jury's</p> <p style="text-align: center;">Page 105</p>	<p>1 the witness statement from X1; do you see that?</p> <p>2 A. Yes.</p> <p>3 Q. Just to try and take this shortly, if I may, can we go</p> <p>4 within another document, please to, IPC000588, internal</p> <p>5 page 18. This is where questions were put to Mr Port</p> <p>6 based on the account that X3 had given, that is the</p> <p>7 person at the train station. Do you see that?</p> <p>8 A. Yes.</p> <p>9 Q. Just scrolling down, you can see I think that as it</p> <p>10 happens, at this point Mr Port is going no comment,</p> <p>11 because you cannot see any answers from him, but you can</p> <p>12 see, if we just scroll through, please, from internal</p> <p>13 18, 19, 20, 21, 22, 23, 24, 25, 26, a long series of</p> <p>14 questions put to him testing each detail of X3's</p> <p>15 account. That is the sort of thing you would have</p> <p>16 expected to happen?</p> <p>17 A. Absolutely.</p> <p>18 Q. Another document, please, IPC000592, internal page 27.</p> <p>19 You would have expected the issue of Mr Port's laptop,</p> <p>20 which we know was being seized at around the time of</p> <p>21 your interview, to be put to him, wouldn't you?</p> <p>22 A. Yes.</p> <p>23 Q. You would expect what was found on that laptop to be put</p> <p>24 to him as well?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 107</p>
<p>1 bundle, is that right or 35 I am afraid I can't read my</p> <p>2 own notes, it is internal page 43, you seem to have put</p> <p>3 little crosses by the previous incidents, is that right?</p> <p>4 A. Yes.</p> <p>5 Q. Looking through your notes, and again very happy to be</p> <p>6 told if I am wrong, I think there is one other one that</p> <p>7 learned counsel for the coroner took you to, next to the</p> <p>8 things about Facebook on internal page 41, you have put</p> <p>9 a little star next to that, is that right?</p> <p>10 A. That's right, yes.</p> <p>11 Q. Does it follow from that that you understood that</p> <p>12 understanding a bit more about the previous incidents,</p> <p>13 and understanding a bit more about Mr Port's social</p> <p>14 media history or internet use, were relevant lines of</p> <p>15 enquiry?</p> <p>16 A. Yes.</p> <p>17 Q. If there was indeed a further interview of Mr Port, you</p> <p>18 would have expected those matters to be put to him, is</p> <p>19 that right?</p> <p>20 A. Yes.</p> <p>21 Q. Can I have brought up, please, IPC000590, internal 27.</p> <p>22 These are the interviews where Mr Port was finally</p> <p>23 challenged by Operation Lilford on some of these</p> <p>24 matters. Can you see at internal page 27 questions that</p> <p>25 put to him issues about X1. Lots of questions based on</p> <p style="text-align: center;">Page 106</p>	<p>1 Q. But a way of testing a suspect is to ask an open</p> <p>2 question and see what they volunteer, isn't it?</p> <p>3 A. Yes.</p> <p>4 Q. Here if we look, please at internal page 27, you can see</p> <p>5 at the foot of that page Mr Port is asked about his</p> <p>6 laptop -- I think to be very clear we can see at the top</p> <p>7 of the page it is the blue Acer laptop found in a jigsaw</p> <p>8 box under the table in his flat. I think we know it is</p> <p>9 same laptop we are talking about. He says at the foot</p> <p>10 of internal 27:</p> <p>11 "... uses the laptop to get my music. You might</p> <p>12 have or you were, YouTube and things."</p> <p>13 Admittedly he is talking about a particular weekend</p> <p>14 but that, we now know is not right. If you go over the</p> <p>15 page, the officer challenges him and says, internal 28:</p> <p>16 "That is a lie, isn't it, Stephen? You're lying to</p> <p>17 us again. You have been lying repeatedly throughout</p> <p>18 this interview because the searches that you were</p> <p>19 conducting were of the sort that the jury have seen to</p> <p>20 their summary at tab 58.</p> <p>21 "I was just comparing Fraternity X videos he says."</p> <p>22 He goes on to say, he is challenged by that by the</p> <p>23 officer:</p> <p>24 "Why are you searching for, 'Boy drug rape'?"</p> <p>25 Port says this:</p> <p style="text-align: center;">Page 108</p>

27 (Pages 105 to 108)

<p>1 "I don't know, just looking for general porn. 2 "That is not general porn, Stephen, is it? You are 3 specifically searching for videos of porn to do with 4 people who are either asleep or have been drugged or 5 have been raped, you have typed in the word 'rape', 6 haven't you? 7 "Err, yeah, it is just searching for random videos, 8 nothing specific." 9 Do you see that? 10 A. Yes. 11 Q. Admittedly this is in the context of questions about 12 Jack Taylor by this point, but the principle is the 13 same, isn't it, that an officer would challenge him if 14 he had given an untrue account about what was on his 15 laptop and specifically put to him the sort of material 16 that had been found? 17 A. Yes. 18 Q. You would expect, would you, in a further interview, 19 Port to be asked further questions about Anthony's 20 telephone that remained missing? 21 A. Yes. 22 Q. Broadly, if I have understood it correctly, in the 23 interview with you he had given some explanation for 24 what he thought had happened to the phone, hadn't he? 25 A. That's correct, yes.</p> <p style="text-align: center;">Page 109</p>	<p>1 A. Yes. 2 Q. -- and your colleague? 3 A. Yes. 4 Q. A couple of further points, please, IPC000635, internal 5 23. 6 He was asked further questions about his 7 relationship with Anthony and the element of payment, 8 and whether or not he was going to pay Anthony. He had 9 been clear with you I think in the interview that 10 Anthony was an escort who was going to be paid, is that 11 right? 12 A. That's right. 13 Q. There is a lot of questions that are put to him here 14 based on statement I think from Anthony's friend, 15 I think it is the China Dunning statement that is being 16 put specifically. 17 Port says this, if you look about three or four 18 exchanges down from the top, the question is: 19 "Is it your understanding that you would have to pay 20 him some money?" 21 Then Port says this, it's about five lines down: 22 "No [internal page 23, I hope], he told a friend of 23 his he was coming over to the Barking area. He told his 24 friend that because his friend wanted him to think he 25 was doing business but he didn't want basically for his</p> <p style="text-align: center;">Page 111</p>
<p>1 Q. If you look, please, now at IPC000635, internal page 43. 2 Top of that page, he was asked outright by the 3 interviewing DC: 4 "Did you take Anthony's mobile phone?" 5 Do you see that: 6 "No. 7 "Because it is missing when he was found. 8 "I know, the police said that." 9 Then Port says this: 10 "It would be pointless, because phone records, you 11 don't need their phone to access their phone records, 12 that is the first thing police would do is access their 13 phone record, you don't need the actual phone to do 14 that." 15 Then goes on to make further comments of that 16 nature: 17 "Did you take his phone to stop police finding any 18 incriminating text messages or social network content? 19 "No, I did not, no." 20 That is a different explanation to the missing 21 phone, isn't it? He is saying, essentially, of course 22 I wouldn't hide it, there is no point because the police 23 would be able to get the data anyway. That is quite 24 different from the approach he took when he was asked 25 about the phone by you --</p> <p style="text-align: center;">Page 110</p>	<p>1 personal, he wanted to go for his personal reasons." 2 There is lots more discussion but eventually at the 3 foot of that page, Mr Port settles on this, DC Thomas 4 says: 5 "In fact, the reality was when he was with you, he 6 just wanted to be there with you?" 7 Port says: 8 "Yes, that's correct." 9 That is on the face of it directly different to what 10 he had said to you and what China Dunning and others had 11 said to the officers, isn't it? 12 A. Yes. 13 Q. Had he been tested on that further, that is a further 14 lie on the face of it Mr Port has come up with, isn't 15 that right? 16 A. That's right. 17 Q. You were asking him lots of detailed questions about how 18 he had met Anthony, physically on the night. I think 19 there were questions about where Stephen had picked him 20 up and things like that. 21 If you look, please, IPC000633, 0008, please, where 22 Port describes for the first time I think -- I don't 23 think this is in your interview, but I will be corrected 24 if I am wrong, at the foot of that page he describes how 25 you cannot park at the station so he parked at Vicarage</p> <p style="text-align: center;">Page 112</p>

28 (Pages 109 to 112)

<p>1 Field, just on the road of Vicarage Field that I think 2 is just opposite the station, is that right? 3 You might not know that, in fairness -- 4 A. I don't know the area. 5 Q. He has giving a location of where he parked his car? 6 A. Yes. 7 Q. That is the sort of line of enquiry that would have been 8 triggered by a further interview, isn't it? 9 A. Yes. 10 Q. Officers could have checked to see if there was any CCTV 11 of him parking his car there, to see whether his account 12 was true or not? 13 A. Yes. 14 Q. You were given an account by Port about his relationship 15 with Anthony and about how they had had sex, you went 16 through that I think with him in the interview. 17 Your account, if I can call it that, the account he 18 gave you, we don't need to bring it up, IPC000137, 19 internal 29, he describes the different positions that 20 he and Anthony were in and he describes how Anthony was 21 and how they had sex. In fact we will just bring it up 22 briefly if I may, it is IPC000137, internal 29, broadly 23 talking about different positions at the foot of that 24 page. In terms of duration, talking about: 25 "... change positions to like a spooning motion, we</p> <p style="text-align: center;">Page 113</p>	<p>1 A. Yes. 2 Q. When he gave the account to you, he talked about Anthony 3 saying he was going to take drugs and that the drugs 4 made him hyper, whereas here, four lines down from the 5 top, please, Port's account is that Anthony said, 6 "I just need to take some more stuff and calm me down 7 a bit", do you see that? 8 A. Yes. 9 Q. Again, that is another series of inconsistencies, isn't 10 it, about his interactions with Anthony? 11 A. Yes. 12 Q. Then, finally, as and when it became understood that 13 Anthony had died from a GHB overdose, can you bring up, 14 please, IPC000591, internal page 4, and scroll down to 15 the bottom half of that page. You would expect a series 16 of testing questions of Port about how Anthony had those 17 drugs in his body. Do you see DC Thomas says: 18 "Is it the case with Anthony that you did give some 19 drugs and you gave him enough knowing it would render 20 him unconscious and that you had sexual intercourse with 21 you so that you raped him, is it that what happened? 22 "No comment. 23 "Is it the case that you did rape him but at no 24 stage did you have any intention of causing him serious 25 harm or intention to kill him, is that what happened?</p> <p style="text-align: center;">Page 115</p>
<p>1 was like that for about 10 minutes." 2 Do you see that? 3 A. Yes. 4 Q. When he was tested further on this -- bring this up, 5 please, it is IPC000633, internal 12, DC Thomas tested 6 him further about what had happened with Anthony and he 7 says at the top of the page: 8 "We had sex maybe an hour and a half, maybe two 9 hours." 10 He goes to say: 11 "Anthony went to get a drink I think, got it myself, 12 had a drink in the kitchen." 13 Then he says this: 14 "Again we had sex for another hour or so ..." 15 Do you see that? 16 A. Yes. 17 Q. It is quite different to the impression he was giving 18 you. 19 Significantly, in this account, he describes Anthony 20 being sick in the toilet, after the second time of 21 having sex, whereas when he had given the account to you 22 it had been between the two, is that right? 23 A. Yes. 24 Q. He also talked about Anthony being sick in the toilet 25 and not on the bed.</p> <p style="text-align: center;">Page 114</p>	<p>1 "No comment. 2 "Did Anthony agree to have GHB with you, either on 3 his own or with you that evening? 4 "[No reply]." 5 Question: 6 "It was consensual from he, he consented, he agreed 7 to have GHB in your flat so that you could have 8 intercourse with him, is that what happened? 9 "No comment. 10 "Either he accidentally took too much or you 11 accidentally gave him too much and he died as a result, 12 is that what happened? Or did you intend on killing him 13 when you gave him a drug to such high toxic level that 14 is it rendered him unconscious and eventually led to his 15 death?" 16 Those are the sort of propositions that you would 17 expect Port to be tested on; is that right? 18 A. Yes. 19 Q. I think, as we know, there was no further interview of 20 Port, but that is an illustration, is it not, of the 21 sort of thing that you would have expected him to be 22 tested on? 23 A. Yes. 24 MS HILL: Thank you. 25 MR DAVIES: Madam, thank you.</p> <p style="text-align: center;">Page 116</p>

29 (Pages 113 to 116)

<p>1 Questions from MR DAVIES</p> <p>2 MR DAVIES: Detective constable, I am asking questions on</p> <p>3 behalf of, amongst others, A/DI McCarthy.</p> <p>4 Can I just try to focus on two areas.</p> <p>5 Starting with the chronology of the day. Can we</p> <p>6 start with IPC45, please, page 1. Tab 36. Which is the</p> <p>7 familiar HAT report, which shows in the third row down,</p> <p>8 "Time requested 800 hours, time responded 8.30".</p> <p>9 A. Yes.</p> <p>10 Q. Okay. If we can go back to MPS544, tab 32, we can see</p> <p>11 an email sent on the same date at 10.43, by Mr Sweeney</p> <p>12 to Messrs Basu, Duthie, Kelly and Reeves, can you see</p> <p>13 that?</p> <p>14 A. Yes.</p> <p>15 Q. It sets out -- I will not read it all out again, but the</p> <p>16 specialist resource will be directed at a number of</p> <p>17 things, bottom quarter of the page, including</p> <p>18 interviewing Mr Port.</p> <p>19 A. Yes.</p> <p>20 Q. "The above measures [final line] are to ensure that</p> <p>21 nothing is missed and that the investigation has</p> <p>22 sufficient expertise to undertake the tasks. As these</p> <p>23 tasks are completed, it will hopefully shed light on the</p> <p>24 circumstances of the as-yet unexplained death of</p> <p>25 Anthony Walgate. Should I consider that it points to</p> <p style="text-align: center;">Page 117</p>	<p>1 onto the CRIS. Isn't that normal practice?</p> <p>2 A. To cut and paste onto a CRIS?</p> <p>3 Q. Yes.</p> <p>4 A. Potentially, yes.</p> <p>5 Q. Rather than simply printing off a hard copy with no</p> <p>6 electronic version distributed?</p> <p>7 A. Sorry, I don't understand the question.</p> <p>8 Q. I will come back to it, but you are telling us that you</p> <p>9 may not have distributed an electronic version of the</p> <p>10 notes you believe you made after the interview. And</p> <p>11 I am making the point that you would normally cut and</p> <p>12 paste from a Word document on to the CRIS.</p> <p>13 A. You can do, yes.</p> <p>14 Q. So that the CRIS gets it, rather than just a hard copy?</p> <p>15 A. Yes.</p> <p>16 Q. That didn't happen, did it?</p> <p>17 A. That it was cut and paste onto the CRIS?</p> <p>18 Q. Yes.</p> <p>19 A. Or that it was emailed?</p> <p>20 Q. Yes, that didn't happen?</p> <p>21 A. I did -- I have a recollection that there was a hard</p> <p>22 copy and I would have emailed it I think as well.</p> <p>23 Q. Well, that is not accepted by A/DI McCarthy. We will</p> <p>24 keep on with the chronology.</p> <p>25 Your interview, as we know, took place between 13.10</p> <p style="text-align: center;">Page 119</p>
<p>1 a homicide more than a drugs overdose, or that the</p> <p>2 investigation at that stage is beyond the capabilities</p> <p>3 or capacity of the BOCU, I will make the decision for</p> <p>4 SC&O1 to take the investigation on and relieve BOCU of</p> <p>5 any investigative role."</p> <p>6 That is the rationale there for Mr Sweeney at 10.43</p> <p>7 the same day.</p> <p>8 Can you recall what time you arrived at Barking, the</p> <p>9 original call and that rationale having been reflected</p> <p>10 by 10.43 in the morning?</p> <p>11 A. I can't recall, I think I started, as I say, at 8.00</p> <p>12 that morning and then we would have travelled over, once</p> <p>13 we were advised that that is where we were being tasked</p> <p>14 to go.</p> <p>15 Q. In Mr Port's first interview, the DC Desai one, IPC743,</p> <p>16 page 24, please, last two lines again, of page 24, so</p> <p>17 scroll down a bit, please and pause:</p> <p>18 "Stephen Port stated that he did not assault or kill</p> <p>19 Anthony and that the reason he did not leave him in bed,</p> <p>20 as it would look suspicious just like last time ..."</p> <p>21 This is the review page on the CRIS. Would you have</p> <p>22 reviewed this when you went into interview?</p> <p>23 A. I think this is the same as the summary that we were</p> <p>24 sent.</p> <p>25 Q. I observe it is a cut and paste from a Word document</p> <p style="text-align: center;">Page 118</p>	<p>1 and 14.55 and the jury has that and has been taken quite</p> <p>2 rightly to the pages dealing with this important new</p> <p>3 information about the incident at Barking railway</p> <p>4 station. You do agree, don't you, that was an extremely</p> <p>5 important piece of information?</p> <p>6 A. Yes.</p> <p>7 Q. If we go back, please, to IPC45, the interview ended at</p> <p>8 1455. On the second page of this document we can see</p> <p>9 that it appears to be concluded at 15.30, including the</p> <p>10 time spent on incident, about three-quarters of the way</p> <p>11 down, just below the red writing, in the middle of the</p> <p>12 red writing:</p> <p>13 "DCI 2 hours, DI 0 hours, DS 8 hours, DCs 40 hours."</p> <p>14 That looks like the end of the job for SC&O1 that</p> <p>15 day, doesn't it, at 15.30?</p> <p>16 A. Yes.</p> <p>17 Q. You were under a duty on all the training material to --</p> <p>18 if needed this is at MPS614, page 5, it's part of the</p> <p>19 specialist suspect interview course. We can see, as</p> <p>20 directed at the specialist interviewer that you were:</p> <p>21 "At the conclusion of the interview, you must be</p> <p>22 able to evaluate the interview, to determine what</p> <p>23 further action is required, fully briefing and updating</p> <p>24 any relevant others, summarising interview records and</p> <p>25 ensuring the integrity and security of records is</p> <p style="text-align: center;">Page 120</p>

30 (Pages 117 to 120)

<p>1 maintained."</p> <p>2 There is your duty. If we go back to the HAT</p> <p>3 record, IPC45, page 1, there is only 35 minutes on the</p> <p>4 face of it, and DS Reeves can speak to this document,</p> <p>5 between the end of the interview and the completion of</p> <p>6 this document.</p> <p>7 That is not time to have produced a typed summary,</p> <p>8 is it? Of an interview that lasted an hour and 45</p> <p>9 minutes?</p> <p>10 A. I think you are correct, but I don't know that that</p> <p>11 timing is accurate. I think that is what was said</p> <p>12 earlier. It says on here, "Full interview summary</p> <p>13 passed to DI McCarthy".</p> <p>14 Q. That could describe your manuscript note, couldn't it?</p> <p>15 A. I didn't write this, so --</p> <p>16 Q. That could describe your manuscript note, couldn't it?</p> <p>17 A. I think if it was referred to on here, it would have</p> <p>18 potentially said "Interview notes", as opposed to "Full</p> <p>19 interview summary".</p> <p>20 Q. Where did you make this typed note that you believed you</p> <p>21 made?</p> <p>22 A. I remember typing it up and if I am honest, then</p> <p>23 I believe it was when we were still at Fresh Wharf, and</p> <p>24 the -- what makes me doubt that is other stuff that</p> <p>25 I have read. But I do believe -- I am being honest --</p> <p style="text-align: center;">Page 121</p>	<p>1 station, that was an important lead, wasn't it, for all</p> <p>2 the reasons that have been given?</p> <p>3 A. Yes.</p> <p>4 Q. Do you agree on the face of this decision log, intel</p> <p>5 being conducted by MIT 7 officers. So it was your</p> <p>6 specialist interview, this is MIT's record of advice</p> <p>7 given, and it says in terms, "Intel being conducted by</p> <p>8 MIT 7 officers". That should have included those</p> <p>9 incidents Mr Port had talked about in interview,</p> <p>10 shouldn't it?</p> <p>11 A. As I said already, I don't know what that refers to.</p> <p>12 Q. Would you expect intel checks conducted by MIT 7, the</p> <p>13 specialist unit, to include all relevant local and</p> <p>14 national police indices?</p> <p>15 A. It would depend on what was being requested.</p> <p>16 Q. Would you expect in the context of the interview that</p> <p>17 whatever else the intelligence check covered, it would</p> <p>18 check specifically and report back on the two incidents</p> <p>19 Mr Port related in interview, if nothing else?</p> <p>20 A. Again, I am not -- because I am not clear what this is</p> <p>21 referring to, whether or not it is intel that has been</p> <p>22 conducted prior to the interview or intel that is being</p> <p>23 conducted during the interview or after the interview,</p> <p>24 I can't comment on what -- that intel is.</p> <p>25 Q. Detective constable, you had heard and highlighted the</p> <p style="text-align: center;">Page 123</p>
<p>1 I do believe I did it when I was there.</p> <p>2 Q. The whole point of it, if you did it, would be to have</p> <p>3 an electronic version that could be cut and paste on to</p> <p>4 other records. That is just the way the police work,</p> <p>5 isn't it?</p> <p>6 A. Sometimes you have a hard copy, sometimes you have</p> <p>7 electronic, sometimes you have both.</p> <p>8 Q. Yes. If you did it, why is there no email record of it</p> <p>9 being distributed?</p> <p>10 A. I can't answer that.</p> <p>11 Q. Were you present for the meeting reflected in the HAT</p> <p>12 between DS Reeves and DI McCarthy?</p> <p>13 A. No.</p> <p>14 Q. When and how did you brief either of these officers</p> <p>15 before this record was completed?</p> <p>16 A. I believe that we briefed DS Reeves when we came out of</p> <p>17 interview and I can't recall if DI McCarthy was there or</p> <p>18 it was just DS Reeves.</p> <p>19 Q. Turning to page 2 of it, please, and Mr O'Connor has</p> <p>20 taken you, detective constable, already to the current</p> <p>21 situation reviews that appear to reflect the fact that</p> <p>22 your typed record hasn't been received -- I am not going</p> <p>23 to go back through that. But turning to page 2, the</p> <p>24 intelligence that was at pages 54 of that interview that</p> <p>25 you had conducted, about the incident at Barking railway</p> <p style="text-align: center;">Page 122</p>	<p>1 incident at Barking railway station.</p> <p>2 A. Yes.</p> <p>3 Q. You hadn't heard about that before the interview?</p> <p>4 A. No.</p> <p>5 Q. That demanded an intelligence check, didn't it?</p> <p>6 A. It was another enquiry that needed to be conducted, yes.</p> <p>7 Q. It demanded an intelligence check, to see what he was</p> <p>8 talking about?</p> <p>9 A. Yes.</p> <p>10 Q. On the face of the HAT advice, that was being done by</p> <p>11 MIT 7.</p> <p>12 A. It says here "Intel being conducted by MIT 7 officers",</p> <p>13 but I can't comment as to what they were doing.</p> <p>14 Q. If you prepared your -- if you prepared a typed note</p> <p>15 from the manuscript, how long did it take?</p> <p>16 A. I don't know, I can't remember.</p> <p>17 Q. Where and when did you hand it to DI McCarthy?</p> <p>18 A. As I said, I think it was with the interview notes that</p> <p>19 went to him.</p> <p>20 MR DAVIES: That is all I ask, thank you.</p> <p>21 MS HILL: Madam, just before my learned friend, could I just</p> <p>22 interject I think I made an error in referring to the</p> <p>23 blue notebook, there are three different laptops taken</p> <p>24 from Mr Port, my understanding is that every one of them</p> <p>25 has drug/rape type porn material on them.</p> <p style="text-align: center;">Page 124</p>

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<p>1 I had to clarify that, thank you.</p> <p>2 Questions from MR SKELTON</p> <p>3 MR SKELTON: DS Levoir, I ask questions on behalf of the</p> <p>4 Metropolitan Police.</p> <p>5 May I ask you first just to explain, again, what or</p> <p>6 why tier 5 interview advisers may be deployed in certain</p> <p>7 situations?</p> <p>8 A. Where it is a complex investigation, or an investigation</p> <p>9 that involves multiple suspects that you have got</p> <p>10 a number of suspects in custody, you may have a strategy</p> <p>11 to interview those suspects in a certain order. The</p> <p>12 tier 5 adviser is also responsible for producing the</p> <p>13 pre-interview briefing. That type of thing.</p> <p>14 Q. So major or complex crimes?</p> <p>15 A. Yes.</p> <p>16 Q. Not the type of crime you were deployed to assist on on</p> <p>17 27 June 2014?</p> <p>18 A. No.</p> <p>19 Q. Did you actually do any of the kind of tasks associated</p> <p>20 with a tier 5 interview adviser on the 27th, for example</p> <p>21 selecting interviewers and interview teams, et cetera?</p> <p>22 A. No.</p> <p>23 Q. So was it your single objective on DI McCarthy's</p> <p>24 instructions to get a more detailed account from Mr Port</p> <p>25 than had been obtained the previous evening by DC Desai?</p> <p style="text-align: center;">Page 125</p>	<p>1 flat was being searched?</p> <p>2 A. Yes.</p> <p>3 Q. But the search results were not available to you?</p> <p>4 A. No.</p> <p>5 Q. Was it in effect the borough's strategy, as you</p> <p>6 understood it, to get Port to commit to a detailed</p> <p>7 account in an interview with you, so that as the</p> <p>8 investigation evolved and further information came to</p> <p>9 light, he could be challenged on inconsistencies and</p> <p>10 lies?</p> <p>11 A. I am not sure I was aware of what the strategy was, but,</p> <p>12 yes, we were tasked with getting a detailed account.</p> <p>13 Q. Is it usually the way that you draw out an account as</p> <p>14 fully as possible from a suspect so that you can go back</p> <p>15 later and challenge them on it when you have better</p> <p>16 information, for example toxicology, CCTV, witness</p> <p>17 evidence?</p> <p>18 A. Yes.</p> <p>19 Q. Indeed electronic evidence, so, for example, phone</p> <p>20 communications, internet browser history and so on?</p> <p>21 A. Yes.</p> <p>22 Q. Also intelligence checks, which would show previous</p> <p>23 involvement with the police, previous inconsistent</p> <p>24 accounts, previous charges and so on?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 127</p>
<p>1 A. Yes.</p> <p>2 Q. The focus of that account was about the hours and days</p> <p>3 preceding Anthony's death and Port's involvement with</p> <p>4 him?</p> <p>5 A. Yes.</p> <p>6 Q. You were not instructed, were you, to challenge Mr Port?</p> <p>7 A. No.</p> <p>8 Q. Were you instructed to put to Port all of the</p> <p>9 inconsistencies between the various accounts he had</p> <p>10 given to the police by the 27th?</p> <p>11 A. No, because that would have fallen within the -- excuse</p> <p>12 me -- fallen within the challenge phase.</p> <p>13 Q. If I understand this, your earlier evidence was that the</p> <p>14 reason you were doing this second interview and not the</p> <p>15 borough officers is because, put simply, you and DC Holt</p> <p>16 were good at it?</p> <p>17 A. Yes.</p> <p>18 Q. By the 27th, you knew that Port had been arrested the</p> <p>19 previous day?</p> <p>20 A. Yes.</p> <p>21 Q. You knew that he had given an account to DC Desai the</p> <p>22 previous evening, in which it became apparent that he</p> <p>23 had lied?</p> <p>24 A. Yes.</p> <p>25 Q. You also knew that while you were interviewing Port, his</p> <p style="text-align: center;">Page 126</p>	<p>1 Q. On the 27th, were you under any time pressure to</p> <p>2 conclude your interview with Stephen Port?</p> <p>3 A. No.</p> <p>4 Q. Would you have worked overtime if necessary to have</p> <p>5 completed either the interview or the interview summary</p> <p>6 that you completed afterwards?</p> <p>7 A. Yes.</p> <p>8 Q. Is that something you routinely did?</p> <p>9 A. Yes.</p> <p>10 Q. You have read your interview. I don't think you have</p> <p>11 heard it again today but I think you have read it</p> <p>12 recently. Do you consider it that you fulfilled the</p> <p>13 brief to get a detailed account of Port of his dealings</p> <p>14 with Anthony in the days and hours before he died?</p> <p>15 A. I think so, yes.</p> <p>16 Q. Were you, do you think, looking back, in a position to</p> <p>17 challenge Stephen Port on particular issues that may</p> <p>18 have proved to be of importance, so for example the loss</p> <p>19 of Anthony's phone?</p> <p>20 A. No, because at that point we weren't aware whether or</p> <p>21 not the search was complete, whether the phone had been</p> <p>22 found in the premises or not.</p> <p>23 Q. In other words, that was something still being</p> <p>24 investigated, whether the phone was in Mr Port's flat?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 128</p>

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<p>1 Q. Or indeed in some of Anthony's possessions?</p> <p>2 A. Yes.</p> <p>3 Q. Were you in a position to challenge Stephen Port for</p> <p>4 example about Anthony's drug use? You may have read</p> <p>5 that China Dunning, a friend of Anthony's, gave evidence</p> <p>6 in July, so some time later, a statement on the 8th,</p> <p>7 that Anthony wouldn't have taken drugs other than</p> <p>8 poppers while undertaking his work as a sex worker. Is</p> <p>9 that the kind of thing that you go back and challenge</p> <p>10 Stephen Port on afterwards?</p> <p>11 A. Yes.</p> <p>12 Q. The transcript has been played today and it appears that</p> <p>13 you only interview on a few occasions, as the secondary</p> <p>14 interviewer. One of your interventions is to ask</p> <p>15 Mr Port about the precise circumstances of how he moved</p> <p>16 Anthony; why was that?</p> <p>17 A. I think because, with the questions that had been asked</p> <p>18 and I think I was aware from the CRIS report, there was</p> <p>19 potential suggestion of bruising and I wanted to be</p> <p>20 clear, and I wanted to understand what Mr Port was</p> <p>21 saying, about how he physically moved Mr Walgate.</p> <p>22 I didn't feel that he had covered it in his answers to</p> <p>23 DC Holt, so I just wanted to get the detail about that,</p> <p>24 to understand whether or not he had just lifted him and</p> <p>25 moved him, whether there was any point where he had</p> <p style="text-align: center;">Page 129</p>	<p>1 like his Facebook account, if anything had been</p> <p>2 highlighted on that. That type of thing.</p> <p>3 In order to do that, I would have had to have had</p> <p>4 all of that information and I would have done it in</p> <p>5 a very structured way.</p> <p>6 Q. Did you understand, when you left after the 27th, that</p> <p>7 Anthony's death was continuing to be investigated?</p> <p>8 A. Yes.</p> <p>9 Q. So the type of information which you have just talked</p> <p>10 about, and earlier throughout your evidence, was being</p> <p>11 collected by the borough team and could have been used</p> <p>12 to reinterview Port?</p> <p>13 A. Yes.</p> <p>14 Q. Do you think the borough was capable of reinterviewing</p> <p>15 Port using the information they were gathering?</p> <p>16 A. Yes.</p> <p>17 Q. Was it also open to them to call upon your services</p> <p>18 again, or indeed your colleagues' services in MIT, to</p> <p>19 undertake that interview if required?</p> <p>20 A. I believe so, yes.</p> <p>21 Q. You have described, or the jury have seen your interview</p> <p>22 notes, and you have a few issues highlighted. In</p> <p>23 particular the two intelligence-related issues, or the</p> <p>24 two incident issues, if I can call it that, where you</p> <p>25 have done a circle with a cross through it. Is that the</p> <p style="text-align: center;">Page 131</p>
<p>1 bumped into something or knocked something that maybe</p> <p>2 could have caused a bruise. So I just wanted to clarify</p> <p>3 that at that point.</p> <p>4 Q. If there had come a time for Port to be challenged,</p> <p>5 would that have required planning?</p> <p>6 A. Yes.</p> <p>7 Q. Could you explain what kind of planning would have been</p> <p>8 required?</p> <p>9 A. If I was to look to challenge him, I would have started</p> <p>10 off with the accounts that he had given, I would have</p> <p>11 worked through each of the accounts he had given and</p> <p>12 worked out the inconsistencies and identified all of</p> <p>13 those.</p> <p>14 In terms of the mobile phone, I would have</p> <p>15 understood where the phone was, if the phone wasn't in</p> <p>16 the property, it wasn't on Mr Walgate himself, and</p> <p>17 Mr Port hadn't provided any explanation, then it was</p> <p>18 either lost or he had disposed of it.</p> <p>19 So I would have understood the outcome of those</p> <p>20 enquiries that had been made in terms of the mobile</p> <p>21 phone. I would have challenged him in respect of the</p> <p>22 other incidents that he had highlighted. I would have</p> <p>23 challenged him, depending on what the outcome of his</p> <p>24 phone download was, what the download of his laptop</p> <p>25 computer was and any other devices. Any social media,</p> <p style="text-align: center;">Page 130</p>	<p>1 kind of thing which you would have expected to have been</p> <p>2 followed up by the borough after this interview?</p> <p>3 A. Yes.</p> <p>4 Q. Why?</p> <p>5 A. Because it was still remaining primacy with the borough.</p> <p>6 Q. Were those issues so urgent that the interview needed to</p> <p>7 be suspended and the research done there and then so</p> <p>8 Port could be challenged in that interview?</p> <p>9 A. No.</p> <p>10 Q. Would that, in your view, have been an appropriate</p> <p>11 strategy to take towards him?</p> <p>12 A. To pause the interview?</p> <p>13 Q. And then challenge him on those two issues or the new</p> <p>14 issue, at least, during your interview with him?</p> <p>15 A. No.</p> <p>16 Q. Why?</p> <p>17 A. We were in a position where we were at that stage, what</p> <p>18 was it, three-quarters of the way through the interview,</p> <p>19 and trying to get as much detail, a detailed account, to</p> <p>20 assist the investigation as possible. Potentially had</p> <p>21 we stopped the interview, it is just not an appropriate</p> <p>22 way to interview.</p> <p>23 Q. You have described passing handwritten notes to</p> <p>24 DI McCarthy. Your best recollection today is that you</p> <p>25 did a summary in electronic form, in other words you</p> <p style="text-align: center;">Page 132</p>

<p>1 must have typed it on a computer, printed it off and 2 handed it over. 3 A. Yes. 4 Q. You also describe highlighting it, do you mean literally 5 highlighting an electronic copy with a highlighter pen? 6 A. No, I have a recollection that certain – that I put 7 things like the passwords and the email addresses, 8 I think I put them in bold. That is my recollection. 9 Q. Would the interview summary have given the borough 10 a series of tasks to follow up or would it just simply 11 have highlighted issues which you thought were important 12 that came out of the interview and it was for them to 13 determine how best to proceed? 14 A. The latter. 15 Q. As far as you were concerned, was there anything else 16 you needed to tell the borough before you left on the 17 27th? 18 A. No. 19 Q. Did you have any further involvement at all with this 20 investigation? 21 A. No. 22 MR SKELTON: Thank you. 23 MR O'CONNOR: Thank you, madam. I don't have any more 24 questions, myself. 25 THE CORONER: There are a few questions from the jury.</p> <p style="text-align: center;">Page 133</p>	<p>1 THE CORONER: I am trying to make sure I ask the questions 2 in a sensible order, but if we look back at the very 3 beginning of the interview, behind divider 34, on 4 page 2, DC Holt says: 5 "The purpose primarily of this interview is to get 6 your true and final account." 7 But you have told us you expected there to be at 8 least one further interview to challenge some of the 9 things he had said and the inconsistencies, so how do 10 those two things square? 11 A. I think in terms of obtaining his final account of what 12 he said happened, he had given his witness statement, he 13 had -- or he had said what he said to the -- he had 14 given his account in his witness statement. He then had 15 another interview and it was this was the opportunity 16 for him to give his final account. 17 THE CORONER: That wasn't implying this was necessarily 18 a final interview? 19 A. No. 20 THE CORONER: I think you have already answered this, but 21 just to be clear, what would you have anticipated should 22 or would have happened next? 23 A. He was further interviewed following the lines of 24 enquiries that had been conducted and challenged 25 appropriately, depending on what the outcome was.</p> <p style="text-align: center;">Page 135</p>
<p>1 Questions from THE JURY 2 THE CORONER: Just on the last topic you were being asked 3 about, in your handwritten notes, which are in our 4 divider 35, who did you expect to carry out those 5 further investigations? 6 A. The borough who were -- who had the investigation. 7 THE CORONER: Why didn't you ask the questions, or most of 8 the questions, in the interview, why was it decided that 9 DC Holt should ask them? 10 A. I can't remember how we came to that conclusion. But in 11 his role as lead interviewer, and I think it was shown 12 on the screen earlier on, it is quite important that 13 when you are interviewing, that one person asks the 14 majority of the questions, because it focuses the person 15 that is being interviewed on that person and you can -- 16 rather than having somebody else -- having the second 17 ask questions and interrupt, and that sort of thing. 18 THE CORONER: I think the questioner is asking because you 19 were tier 5 and DC Holt was tier 2, wouldn't it have 20 been more appropriate for you to be the questioner? 21 A. The level of -- tier 5 is not necessarily about 22 interviewing skills. It is more about the management of 23 the process and getting the appropriate resources in 24 place, managing the interview teams, rather than being 25 a more skilled interviewer.</p> <p style="text-align: center;">Page 134</p>	<p>1 THE CORONER: Who would you have anticipated would conduct 2 those interviews? 3 A. The investigating officer. 4 THE CORONER: From the borough? 5 A. Yes. 6 THE CORONER: I think you have already told us you don't 7 know whether any intel was conducted by MIT 7 officers, 8 you have seen the reference on the HAT. You don't know 9 whether it was done or not or what it was -- 10 A. No. 11 THE CORONER: Can I be clear then finally for my note what 12 you say you typed up. Did you just type up the 13 handwritten notes we have here? 14 A. Yes. 15 THE CORONER: That is what you typed up? 16 A. Yes. 17 THE CORONER: Nothing else, it wasn't a summary, it was just 18 a typed-up version of what we have here? 19 A. It was -- yes. It is what you have got there, with the 20 highlighted sections in it. 21 THE CORONER: Right, so would it be verbatim what we have 22 here, save that where we have a password for example, 23 that would be in bold type? 24 A. Yes, and I probably would have -- where I have made 25 notes there, in terms of what he said, I would have put</p> <p style="text-align: center;">Page 136</p>

1 **it into a sentence format, if that makes sense, so, "He**
2 **said ..."**
3 THE CORONER: Then, after the interview, I think you said
4 you did speak to DI McCarthy, that's orally you briefed
5 him on what Mr Port had said, did you?
6 **A. I think I do recall -- I recall speaking to DS Reeves**
7 **and I believe DI McCarthy was there as well. That is**
8 **all I can recollect.**
9 THE CORONER: All right, thank you.
10 Are there any other questions arising out of that?
11 All right, no. Thank you very much.
12 Members of the jury, we have overrun by two minutes
13 today, I am very sorry about that. We will see you
14 again tomorrow at 10.00.
15 (Proceedings continued in the absence of the jury)
16 (4.32 pm)
17 (The inquests adjourned until 10.00 am the following day)
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