

<p>1 Friday, 29 October 2021</p> <p>2</p> <p>3 MR MARK YEXLEY (affirmed)2</p> <p>4 Questions from MS COLLIER2</p> <p>5 Questions from MS HILL43</p> <p>6 Questions from DR VAN DELLEN48</p> <p>7 Questions from MR BARTH51</p> <p>8 Questions from THE JURY54</p> <p>9 Statement of MR ABDELLAH AROUI56 (read)</p> <p>10 MR MARK JOYCE (sworn)61</p> <p>11 Questions from MR O'CONNOR61</p> <p>12 Questions from MS HILL138</p> <p>13 Questions from DR VAN DELLEN153</p> <p>14 Questions from THE JURY161</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 1</p>	<p>1 Barking. Can you briefly explain why that was?</p> <p>2 A. A call came in that a lifeless body had been found in</p> <p>3 the grounds of the church, in the graveyard area. We</p> <p>4 was tasked with responding to the call, so we attended.</p> <p>5 Q. You and PC Stephen Brown were the first officers on the</p> <p>6 scene, I think that is right, isn't it?</p> <p>7 A. That's correct.</p> <p>8 Q. May I ask, do you have, as you sit here now,</p> <p>9 an independent memory of that morning?</p> <p>10 A. I do have some independent memory, yes. I did</p> <p>11 a statement as well.</p> <p>12 Q. You did a statement at the time and you have had the</p> <p>13 opportunity to reread that?</p> <p>14 A. I have, yes.</p> <p>15 Q. Is your statement there in front of you?</p> <p>16 A. I have it here, yes.</p> <p>17 Q. If you wish, do please feel free to refer to it during</p> <p>18 the course of your evidence.</p> <p>19 A. Thank you.</p> <p>20 Q. I want to ask you questions this morning about what you</p> <p>21 saw and what you did at the scene when you responded to</p> <p>22 the call that we have heard was made by Barbara Denham</p> <p>23 that morning.</p> <p>24 I am going to ask you about who else attended at the</p> <p>25 scene. Also I would like to ask you about your</p> <p style="text-align: center;">Page 3</p>
<p>1 (10.01 am)</p> <p>2 (In the presence of the jury)</p> <p>3 THE CORONER: Good morning, members of the jury.</p> <p>4 Yes, Ms Collier.</p> <p>5 MS COLLIER: May we call Mark Yexley, please.</p> <p>6 MR MARK YEXLEY (affirmed)</p> <p>7 A. Good morning, ma'am.</p> <p>8 THE CORONER: Good morning.</p> <p>9 Questions from MS COLLIER</p> <p>10 MS COLLIER: Good morning, officer, do take a seat.</p> <p>11 A. Good morning.</p> <p>12 Q. Can you give us your full name, please?</p> <p>13 A. Mark Yexley.</p> <p>14 Q. Mr Yexley, we can see that you are a serving police</p> <p>15 officer, in September 2014 you were attached to Barking</p> <p>16 borough as a uniformed PC, currently I believe you are</p> <p>17 serving with Havering Police?</p> <p>18 A. That's correct, yes.</p> <p>19 Q. You have been there since January 2020?</p> <p>20 A. That's correct, yes.</p> <p>21 Q. In fact that is when you moved from Barking to Havering.</p> <p>22 A. That's correct.</p> <p>23 Q. On the morning of Saturday, 20 September 2014 you a were</p> <p>24 response officer on patrol along with PC Brown. You</p> <p>25 were assigned to a call at St Margaret's Church,</p> <p style="text-align: center;">Page 2</p>	<p>1 attendance at the special post mortem that was held in</p> <p>2 Daniel's case on 23 September.</p> <p>3 If we start then with your attendance at</p> <p>4 St Margaret's Churchyard on the morning of the 20th, can</p> <p>5 you remember roughly what time the call came through to</p> <p>6 you?</p> <p>7 A. 11.20 in the morning.</p> <p>8 Q. And according to your witness statement, I think the</p> <p>9 first person you encountered when you arrived at the</p> <p>10 graveyard was a man with a can of Strongbow lying on</p> <p>11 a bench in front of the church, is that right?</p> <p>12 A. That's correct, yes.</p> <p>13 Q. He was asleep, but you woke him up, is that right?</p> <p>14 A. We did, yes.</p> <p>15 Q. I will come back to ask you some more questions about</p> <p>16 this man a bit later. But is it right that you quickly</p> <p>17 understood that that wasn't the person who Mrs Denham</p> <p>18 had rung the police about?</p> <p>19 A. That's correct.</p> <p>20 Q. Did you meet Mrs Denham at the churchyard?</p> <p>21 A. We did, yes, we was directed to the rear of the</p> <p>22 churchyard, where Mrs Denham was. She then directed us</p> <p>23 towards the body.</p> <p>24 Q. I am going to ask you to look at a bundle, please, and</p> <p>25 I hope someone can help you find the bundle. It is jury</p> <p style="text-align: center;">Page 4</p>

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<p>1 bundle C. Officer, it is tab 17, please in that bundle, 2 that I would like you to look at, which is IPC453. This 3 is a CAD relating to your call out on that day, 4 isn't it? 5 A. That's correct, yes. 6 Q. The jury have seen some CADs before so they have some 7 familiarity with the format, but I will be asking you to 8 explain some entries. 9 Can I ask you to turn, please, to page 4 of the CAD. 10 Then the entry there at 11.30.34, I think it is right 11 that your call sign is 513KG at that time? 12 A. At that time, that's correct, yes. 13 Q. There is an entry from you, "We have found the body"? 14 A. That's correct. 15 Q. That suggests that you said it was about 11.20 that you 16 were called out and then you, having had a brief 17 encounter with the man lying on the bench, were directed 18 by Mrs Denham to the scene. Does this suggest it was 19 about then that you would have arrived with the body? 20 A. That's correct, the 10 minutes would have included 21 travelling time from wherever we were on the borough to 22 get to the scene, so ... 23 Q. Yes. Can I ask you to look -- I am going to ask you to 24 look at a photograph, please, in jury bundle A, which 25 won't come up on the screen. For the jury, it is</p> <p style="text-align: center;">Page 5</p>	<p>1 A. So he was sitting up against the wall, slumped slightly 2 to his left. 3 Q. Can you remember where his arms were placed? 4 A. I believe they were around his lap area, if I remember 5 correctly. 6 Q. It is a long time ago. 7 A. Yes. 8 Q. Just if what you can remember -- the jury have seen the 9 photograph. 10 A. I can't remember exactly, but I believe it was around 11 his lap area. 12 Q. Are you able to describe what he was wearing at all? 13 A. His clothing was slightly pulled up, exposing his 14 midriff. A blue hooded top, I believe it was. 15 Q. Yes, that is what you put in your statement, yes. 16 The hooded top, can you remember whether the hood 17 was up or down? 18 A. I can't remember exactly. 19 Q. In your statement you say that it was pulled up onto his 20 head? 21 A. Onto his head, sorry, yes. 22 Q. And his lower body was covered by a dark blue bedsheet? 23 A. That's correct. 24 Q. That is right, this is the statement you made on the day 25 itself?</p> <p style="text-align: center;">Page 7</p>
<p>1 tab 14. 2 These are photographs that were taken later that 3 day. I think that is right. Can I ask you about the 4 photograph at the top. 5 A. The one with the gravestones? 6 Q. Yes. Then what is that, is that a tent that we see 7 there? 8 A. That is the forensic tent. 9 Q. Then, underneath, does that photograph correspond with 10 your memory of the body as you came upon it? 11 A. Yes. 12 Q. Thank you. You can put that away now. 13 Having arrived and you -- can you describe the 14 location within the walled bit of the -- well, where the 15 graveyard is contained, within the perimeter wall. The 16 jury have been to the scene and therefore they have 17 familiarity with the general layout, but if you could 18 describe where it is. 19 A. As you can see from the picture, you walk down the 20 pathway. There was a large tree in the corner of the 21 graveyard, to your left the pathway veers out into the 22 park area. Mr Whitworth's body was just to the right of 23 the tree, against the perimeter wall. 24 Q. Can you describe the body as you saw it then, so I am 25 asking you about body position.</p> <p style="text-align: center;">Page 6</p>	<p>1 A. Yes, that's correct. 2 Q. Are you able to remember -- perhaps referring to your 3 witness statement if you need to -- any other items that 4 were with the body? 5 A. He was wearing denim jeans, Adidas gazelle trainers, 6 there was a two-litre bottle of Tesco Cola stuck between 7 his legs, also a white T-shirt and a square small black 8 board that was under his legs. 9 Q. Officer, you had just come across one sleeping man in 10 the churchyard. Did you think that this man was 11 sleeping? 12 A. No. 13 Q. Why not? 14 A. You could tell. When I approached him, he was cold, 15 lifeless, I tried to take a pulse and I could feel no 16 pulse. 17 Q. Could I ask you to look at the CAD, please, which is 18 behind tab 17, and the entry please at 11.43.06, which 19 is at the bottom of page 5. 20 A. Yes. 21 Q. It says there, and again this is your entry, I think: 22 "The body has been checked, no obvious sign of abuse 23 or wounds." 24 A. That's correct. 25 Q. Can you tell us about that, what checks did you conduct?</p> <p style="text-align: center;">Page 8</p>

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<p>1 A. Basically, when we attend scenes of a sudden death, we 2 had roll the body to check for any obvious signs of 3 wounds, whether they be just non-natural wounds like 4 stab wounds or head injuries or bleeding or -- we 5 couldn't find any at all. 6 Q. PC Brown's witness statement says that although he was 7 wearing gloves to examine Daniel's body, he could 8 nevertheless feel that the body was very cold and that 9 his clothing was wet. 10 A. That's correct. 11 Q. Did you also experience that? 12 A. Yes. 13 Q. Looking again at the CAD, please, on page 4, at 14 11.33.41, which is towards the bottom, it is the 15 penultimate entry on page 4, IPC453, the entry there is 16 made by 565KG, which was PC Brown's call sign? 17 A. That's correct. 18 Q. There he says: 19 "The male appears to be in this condition for some 20 time." 21 He therefore seems to be expressing the view that 22 Daniel had been dead for some time; do you agree? 23 A. Yes. 24 Q. Is that a view that you shared? 25 A. We did, yes.</p> <p style="text-align: center;">Page 9</p>	<p>1 A. I can't remember what they are called, it is the sleeves 2 you normally get in binder folders, you just slide the 3 paper into it, protective sleeves. 4 Q. You said the note was handwritten, did you read the note 5 at the time? 6 A. I did, yes. 7 Q. Can you turn, please, to tab 20 of that bundle, which is 8 IPC14. 9 Firstly, can I ask, is this the note that was with 10 Daniel? 11 A. Yes, that is the photocopy of the note. 12 Q. Yes, not ... yes. 13 I will read it: 14 "I am sorry to everyone, mainly my family, but 15 I can't go on anymore. I took the life of my friend 16 Gabriel Klein. We was just having some fun at a mate's 17 place and I got carried away and gave him another shot 18 of G, I didn't notice while we were having sex that he 19 had stopped breathing. I tried everything to get him to 20 breath again but it was too late. It was an accident 21 but I blame myself for what happened and I didn't tell 22 my family I went out. I know I would go to prison if 23 I go to the police and I can't do that to my family and 24 at least this way I can at least be with Gabriel again. 25 I hope you will forgive me. By the way, please do not</p> <p style="text-align: center;">Page 11</p>
<p>1 Q. Can you explain why you came to that conclusion? 2 A. Just from the condition of the body, it was wet, 3 extremely cold to the touch. You could just tell -- 4 it's hard to explain, really, but -- 5 Q. What about the colour of the body? 6 A. Yes, completely pale, lifeless. I had 17 years' 7 experience at the time of this incident and I have dealt 8 with plenty of dead bodies and you could tell he had 9 been there for some time. 10 Q. The next entry I would like you to look at, please, is 11 at 11.31.09. 12 A. Yes. 13 Q. Firstly, can I observe that that seems to be about 14 a minute after you had found the body, according to the 15 CAD. Does that seem about right? 16 A. It would be, yes. 17 Q. The entry there is, again, your entry: 18 "Appears to be a suicide, we have a note with the 19 body." 20 What does this entry relate to? 21 A. Basically in Daniel's left hand was an A4-size 22 protective sleeve and inside that was a piece of paper, 23 which had a note written on it, a handwritten note. 24 Q. You said a protective sleeve. Can you describe what 25 that was, what was it made out of?</p> <p style="text-align: center;">Page 10</p>	<p>1 blame the guy I was with last night. We only had sex 2 then I left. He knows nothing of what I have done. 3 I have taken what G I had left with sleeping pills, so 4 if it does kill me it is what I deserve. Feeling dizzy 5 now, as took 10 minutes ago, so hoping you understand my 6 writing. 7 "I dropped my phone on the way here, so should be in 8 the grass somewhere. Sorry to everyone. Love as 9 always, Daniel PW." 10 I want to ask you some questions about others whose 11 attended the scene and about actions that were taken 12 there and by yourself and other officers. Then I am 13 going to come back to ask you about this note in a bit 14 more detail. 15 A. Okay. 16 Q. As you have said, you and PC Brown were first on the 17 scene. At some stage the ambulance arrived with you, is 18 that right? 19 A. That's correct. 20 Q. And also other officers? 21 A. That's correct. 22 Q. Firstly, the ambulance, I think we can tell from the CAD 23 that the ambulance service experienced some difficulty 24 in finding the scene. 25 If we can turn briefly back to the CAD, which is</p> <p style="text-align: center;">Page 12</p>

<p>1 behind tab 17 at IPC453, the entry at 11.42.04, which is 2 at page 5, it is an entry from the ambulance service, 3 isn't it, saying, "Can we have some more details because 4 we can't find you?" 5 But then, by 11.46, over the page at IPC453, 6, we 6 have at 11.46.06, it says that the London Ambulance 7 Service is on scene. 8 A. That's correct. 9 Q. Can you remember what the paramedic did at all? If you 10 can't, just do say. Did he, for example, perform any 11 examination or tests? 12 A. I know he used his machine, placing the various pads 13 onto Mr Whitworth's body to show for signs of life. 14 There were no signs, so I believe he pronounced life 15 extinct at 11.45. 16 Q. Could we look behind tab 21, please, at page 5, which is 17 IPC53, page 5. 18 Do we see here that this is a verification of the 19 fact of death form. Sorry, it is page 5, officer. 20 A. That's correct. 21 Q. Is this a type of document with which you are familiar? 22 A. I know of it. I am not particularly familiar with it, 23 because it is an ambulance document. 24 Q. Yes, it is an ambulance document but, as it suggests, it 25 is the formal verification of the fact of death?</p> <p style="text-align: center;">Page 13</p>	<p>1 is also there in the top left hand part of the corner of 2 the form, underneath the date. 3 A. That's correct. 4 Q. That document can come down. 5 We have heard in evidence from the previous deaths, 6 that of Anthony Walgate and Gabriel Kovari, that the 7 duty officer, an officer who is a rank of inspector, 8 should attend the scene of any unexplained death? 9 A. That's correct. 10 Q. Did a duty officer attend in this case? 11 A. It was, it was Mark Joyce, my duty officer for the day. 12 Q. Can I ask you to speak up a little bit? 13 A. Sorry, Mark Joyce was the duty officer for the day, he 14 attended. 15 Q. His call sign, I believe, was KG1E? 16 A. Yes, that is for early turn. 17 Q. That is? 18 A. E stands for the early turn. 19 Q. Thank you. 20 His witness statement says that he arrived at 21 approximately 11.45. Can I ask you to look again at the 22 CAD, which is behind tab 17, IPC453, page 6. The entry 23 at 11.45 is again made by you, you make some 24 observations about G, which we will come back to, and 25 then say:</p> <p style="text-align: center;">Page 15</p>
<p>1 A. Yes. 2 Q. Would a copy of this paperwork be left with either 3 yourself or someone else at the scene, generally? 4 A. Yes. 5 Q. Can we look, please, at section C. So if you see where 6 it says "DPA" in large letters, and then underneath 7 that, there are sections A, at the top on the left, and 8 section C, at the top on the right, do you have that? 9 A. Yes. 10 Q. That is factors to confirm that resuscitation would be 11 futile. Then the box that is ticked there is, "Longer 12 than 15 minutes since cardiac arrest and asystole on ECG 13 for longer than 30 seconds", and that has been ticked. 14 You mentioned a moment ago that you said that you knew 15 that the paramedic -- I think it was the ECG that you 16 were describing, wasn't it? 17 A. I believe so, yes. 18 Q. Yes. 19 As we see in section E, the paramedic has ticked all 20 those boxes there -- 21 A. That's correct. 22 Q. -- and confirmed life extinct, as you said, I think at 23 11.45? 24 A. That's correct. 25 Q. We see 11.45 -- I think the entry is on the CAD but it</p> <p style="text-align: center;">Page 14</p>	<p>1 "We are sealing off this graveyard to start 2 a scene." 3 A. That's correct. 4 Q. Firstly, do you think that it was on the instruction of 5 Inspector Joyce that that took place? 6 A. I can't remember who -- we can make the scene -- we can 7 create a scene ourselves or it can be under the 8 instruction of Inspector Joyce. So I can't remember. 9 Q. It could be either? 10 A. It could be either, yes. 11 Q. Can you explain what it means to start a scene? 12 A. To keep the area sterile, for supervisors and CID to 13 attend and to make a more thorough investigation of the 14 scene. It keeps members of the public out and to keep 15 the area sterile, so it doesn't disturb anything. 16 Q. In practice, does that mean putting police cordon tape 17 up? 18 A. Yes, cordon tape would go round all the entry and exit 19 points. I believe it was the graveyard we kept as the 20 scene, not the actual church buildings, so tape was 21 erected and we created a crime scene. 22 Q. In terms of other officers who attended, along with 23 Inspector Joyce, I think there is Police Sergeant Hogg? 24 A. Terry Hogg, yes. 25 Q. And then a Detective Sergeant Turrell?</p> <p style="text-align: center;">Page 16</p>

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<p>1 A. Debbie Turrell, yes.</p> <p>2 Q. Detective Constable Adeyemo-Phillips?</p> <p>3 A. That was Yinka, yes.</p> <p>4 Q. Those two officers, Debbie Turrell and</p> <p>5 Yinka Adeyemo-Phillips, they are officers from CID, is</p> <p>6 that right?</p> <p>7 A. That's correct.</p> <p>8 Q. I should have asked, Police Sergeant Hogg, CID or</p> <p>9 uniform?</p> <p>10 A. Uniform.</p> <p>11 Q. Then I think there were a number of other uniformed</p> <p>12 constables who also attended?</p> <p>13 A. That's correct.</p> <p>14 Q. Their role was to do what in general terms?</p> <p>15 A. Within the note, they spoke of a mobile phone, so we</p> <p>16 asked those officers to start looking for a mobile phone</p> <p>17 and also the note spoke about G, and that it is</p> <p>18 dispensed with a pipette bottle, so the officers were</p> <p>19 tasked with looking for a phone or a pipette bottle.</p> <p>20 Q. You said earlier in your evidence that you checked</p> <p>21 Daniel's body for injuries?</p> <p>22 A. That's correct.</p> <p>23 Q. Did you search the body at all?</p> <p>24 A. I gave it a cursory search to look for identification,</p> <p>25 and I believe I found his wallet.</p> <p style="text-align: center;">Page 17</p>	<p>1 Q. Were you there when PC Brown took the photographs,</p> <p>2 because I understand that was later on in the</p> <p>3 incident -- later on?</p> <p>4 A. I believe I had left at that point.</p> <p>5 Q. I see, thank you.</p> <p>6 Looking again at the CAD, at 11.38.08 -- sorry,</p> <p>7 firstly, I should say it is IPC453, page 5. The first</p> <p>8 entry is 11.37.29, towards the top, it says there -- do</p> <p>9 you know -- it says:</p> <p>10 "Need a forensic tent down here, all ours are</p> <p>11 dirty."</p> <p>12 A. Yes.</p> <p>13 Q. Then later, 11.38.08:</p> <p>14 "Can anyone assist with a forensic tent, please?"</p> <p>15 A. Yes, that is quite common. If the forensic tent hadn't</p> <p>16 been cleaned from the previous scene, it would get sent</p> <p>17 to the surrounding boroughs, so they have listed there</p> <p>18 KD is Romford, KF is Newham, HC is Tower Hamlets, JC is</p> <p>19 Waltham Forest, Walthamstow, that area. So you would</p> <p>20 ask other boroughs for a forensic tent and then someone</p> <p>21 would bring it down.</p> <p>22 Q. I think we saw in the photograph earlier that there was</p> <p>23 a forensic tent --</p> <p>24 A. That's correct.</p> <p>25 Q. -- so can we assume from that that the request from</p> <p style="text-align: center;">Page 19</p>
<p>1 Q. First of all, can you remember where you found his</p> <p>2 wallet?</p> <p>3 A. I found the wallet in his front left pocket of his</p> <p>4 jeans. That contained his driving licence and other</p> <p>5 correspondence to assist in identifying him.</p> <p>6 Q. Were you able, from the driving licence therefore, to</p> <p>7 identify the body that you --</p> <p>8 A. Yes.</p> <p>9 Q. Can we look at the CAD, please, behind tab 17, IPC453,</p> <p>10 page 5, the entry at 11.37.41, which is near the top.</p> <p>11 This I think is not your entry, is it, because it is</p> <p>12 PC Brown's call sign. But what he has recorded is that</p> <p>13 the male's details were obtained from his driving</p> <p>14 licence, as you have said, and they have been captured</p> <p>15 on the CAD?</p> <p>16 A. That's correct.</p> <p>17 Q. PC Brown's witness statement says that he took some</p> <p>18 photographs, including a close up of Daniel's jeans</p> <p>19 pockets, because he found a small bottle of some kind</p> <p>20 with a dark-coloured lid there. Do you remember that</p> <p>21 from your cursory search at all?</p> <p>22 A. Not completely. Once I found a wallet, I concentrated</p> <p>23 on the wallet. Yes, so not completely.</p> <p>24 Q. It is not something you remember?</p> <p>25 A. No.</p> <p style="text-align: center;">Page 18</p>	<p>1 a forensic tent from a neighbouring borough was</p> <p>2 answered?</p> <p>3 A. It was, yes.</p> <p>4 Q. Do you remember that happening, do you remember the</p> <p>5 forensic tent arriving?</p> <p>6 A. No, I think I had left by then.</p> <p>7 Q. Can we look again at the entry at 11.43.06, which is on</p> <p>8 that same page, page 5 of the CAD, but at the bottom.</p> <p>9 You say there:</p> <p>10 "The note states that he has taken G, believed to be</p> <p>11 a drain cleaner."</p> <p>12 A. That's correct.</p> <p>13 Q. Then, over the page, please, on page 6, the entry at</p> <p>14 11.45.00, again, this is one of your entries:</p> <p>15 "G is a recreational drug containing drain cleaner,</p> <p>16 must not be mixed with alcohol."</p> <p>17 Was this something then from your general knowledge?</p> <p>18 A. No, PC Brown is gay and he knew of it. He said he knew</p> <p>19 about it and he was the one who appraised me of it and</p> <p>20 that is why we updated the CAD as such.</p> <p>21 Q. Then, the CAD entry at 12.40, let me find the page</p> <p>22 reference, which is on page 6, here, this is PC Brown's</p> <p>23 entry, he says:</p> <p>24 "Do you have a SOCO available to assist with the</p> <p>25 photographer, our local SOCO is not able to deal."</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 Does it seem like that not only difficulties with 2 a forensic tent but also with a photographer? 3 A. Yes. 4 Q. Then can you help us with the entry at 12.42: 5 "Regret we are unable to assist." 6 KG CP, who is replying? 7 A. I can't remember exactly what CP stands for, but 8 I believe it is the central SOCO. There is a number 9 that we can call and it is the scenes of crime central 10 hub that we can phone and they will try and find one 11 from the neighbouring borough or wherever, but obviously 12 depending how busy it is, whether we can get one. 13 Q. Then again, if I can just refer to PC Brown's witness 14 statement: 15 "I remained at the scene for some time [this is 16 after the inspector had left] taking some digital photos 17 of Mr Whitworth on a digital camera." 18 The photos that you have seen, however, are not 19 those photographs but SOCO photographs. Can we look at 20 the CAD, at 13.10, please, which is on page 7. 21 A. Yes. 22 Q. That entry says: 23 "PHO127 has been assigned, travelling from 24 Eric Street." 25 Would I be right in thinking that that means that</p> <p style="text-align: center;">Page 21</p>	<p>1 do further enquiries, maybe get in touch with a next of 2 kin or ... 3 Q. Were you aware when you were at the scene that the 4 person whose body you had been dealing with was someone 5 who in fact had been reported missing from Gravesend in 6 Kent? 7 A. I can't remember if I -- I don't believe I put that in 8 my statement. I don't remember at the scene being told 9 about it, I can't remember, but ... 10 Q. You are not sure. 11 Can I ask about CCTV then. Was there any 12 consideration given to looking for CCTV? 13 A. There was, but there was none in the graveyard area. 14 Q. Is that something that would normally be entered on the 15 CAD? 16 A. Sometimes. You would be looking around, trying to look 17 for CCTV but if CCTV is found, then an entry would be 18 made on the CAD to say there is CCTV at this location. 19 But it is not common, I suppose. 20 Q. Okay. You said that there wasn't any. Is that 21 something that you have learnt since or is it something 22 that you knew about at the time, do you know? 23 A. Sorry, you say that I said there was none? 24 Q. Yes, I thought I understood you to say -- maybe -- 25 A. Yes, sorry, within the graveyard, there was no CCTV at</p> <p style="text-align: center;">Page 23</p>
<p>1 a photographer has been found by that point and assigned 2 to come to the scene? 3 A. That's correct. 4 Q. You may not be able to answer that, but is it your 5 understanding, therefore, that the photographs that you 6 looked at in tab 14 were the ones taken by the scenes of 7 crime -- 8 A. Possibly, yes. 9 Q. You cannot say? 10 A. I don't know. 11 Q. Okay. 12 Could you look now, please, at another entry in the 13 CAD, which is at 12.35.22, which is on page 6. This is 14 a CAD entry which sets out that information had been 15 received from Kent Police, who had been dealing with the 16 reports of a missing person. The Merlin record, that 17 was created later that day by Barking, says that the 18 subject had been located on PNC as a missing person. 19 Does that suggest that at the time enquiries were made 20 at the scene as to whether there was any record on PNC 21 for Mr Whitworth? 22 A. Yes. As soon as you have details, you would put them on 23 to the CAD and then the control room would do checks to 24 see -- they would do PNC checks to see if he was 25 reported missing or if he has a record that we can then</p> <p style="text-align: center;">Page 22</p>	<p>1 all. I can't remember if the building had one. I can't 2 recollect completely but it may not have been working 3 but if there was one there, but there was no CCTV as far 4 as I can remember. 5 Q. As far as you are concerned, there were efforts made to 6 locate CCTV? 7 A. Yes. 8 Q. But they weren't -- they didn't yield any CCTV? 9 A. That's correct. 10 Q. Can I ask you then some more questions about the note 11 found with Daniel's body. You explained you did read 12 the note when you first came across it. Did you discuss 13 it with PC Brown at all? 14 A. Yes. 15 Q. What about any of the other officers, did you discuss it 16 with any of the other officers? 17 A. We would have, yes. 18 Q. Can you remember doing that? 19 A. Yes, yes, I can. Yes. He had the suicide note, it was 20 relevant. We would have spoken of it. 21 Q. Can you remember who you spoke to at all, of the 22 officers who were there? 23 A. It would have been Mr Joyce, Sergeant Hogg, CID when 24 they arrived. 25 Q. The note says, "I got carried away and gave him another</p> <p style="text-align: center;">Page 24</p>

<p>1 shot of G".</p> <p>2 You have explained that PC Brown knew about G?</p> <p>3 A. That's correct.</p> <p>4 Q. Did you look for any drugs at the scene?</p> <p>5 A. Only the pipette bottle that they were talking about.</p> <p>6 Q. Sorry, I can't hear you.</p> <p>7 A. Only the bottle, the pipette that PC Brown explained</p> <p>8 that sometimes it is dispensed from a pipette bottle.</p> <p>9 Q. Yes, well, that is what PC Brown said, isn't it, and my</p> <p>10 question is did you look at the scene for any pipette</p> <p>11 bottle?</p> <p>12 A. We did, we tasked other officers to look for the phone</p> <p>13 and the bottle.</p> <p>14 Q. Did they find it?</p> <p>15 A. No, they did not.</p> <p>16 Q. Can we look at the CAD again, please, at IPC453, page 6.</p> <p>17 At 11.58, it says:</p> <p>18 "Little bottle of G found, looking for mobile phone</p> <p>19 now."</p> <p>20 A. All right.</p> <p>21 Q. I just want to ask, because I think you spoke about</p> <p>22 a pipette.</p> <p>23 A. Yes, in my --</p> <p>24 Q. And that may be distinct from the bottle.</p> <p>25 A. Yes, it is because in my statement I have put:</p> <p style="text-align: center;">Page 25</p>	<p>1 note was written at the scene, because he said, "I have</p> <p>2 dropped my phone on the way here"?</p> <p>3 A. That would make sense, yes.</p> <p>4 Q. Does that mean that he must have come to the graveyard</p> <p>5 then with a pen, a piece of paper and a weatherproof</p> <p>6 plastic sleeve?</p> <p>7 A. Potentially, yes.</p> <p>8 Q. Did you look for a pen at all?</p> <p>9 A. I didn't, no.</p> <p>10 Q. What about a phone, did you look for the phone?</p> <p>11 A. We did task units to look for a phone.</p> <p>12 Q. Sorry, you have said that, yes.</p> <p>13 A. Yes, within the graveyard.</p> <p>14 Q. Was it in the scene that you have described that you</p> <p>15 looked, was that the area covered?</p> <p>16 A. That is the area we looked.</p> <p>17 Q. Within the perimeter of the walls?</p> <p>18 A. That's correct.</p> <p>19 Q. The note also says, "By the way, don't blame the guy</p> <p>20 I was with last night".</p> <p>21 What did you make of that?</p> <p>22 A. Well, because I had spoken to someone when I first came</p> <p>23 into the graveyard, he was the only other person that</p> <p>24 was there, I thought maybe it might be that person at</p> <p>25 the other end of the graveyard that he was talking of.</p> <p style="text-align: center;">Page 27</p>
<p>1 "Officers were tasked with looking for the pipette</p> <p>2 bottle as well. The search was conducted but to no</p> <p>3 avail."</p> <p>4 I think that is where I've got confused.</p> <p>5 Q. Yes. So is it right then that there was a bottle as</p> <p>6 described and photographed by PC Brown in Daniel's</p> <p>7 pocket?</p> <p>8 A. Yes.</p> <p>9 Q. But, as far as any other search -- any other pipette or</p> <p>10 any other bottle was concerned, although you looked for</p> <p>11 it, or not you personally, other officers looked for it,</p> <p>12 but there wasn't anything found?</p> <p>13 A. That's correct.</p> <p>14 Q. You have said that there is a little bottle of G found,</p> <p>15 but surely you can't have known what was in the bottle,</p> <p>16 could you?</p> <p>17 A. No, I wouldn't have known.</p> <p>18 Q. Is it that you thought that it was G because of what the</p> <p>19 note said?</p> <p>20 A. From what the note said and what PC Brown was explaining</p> <p>21 to me.</p> <p>22 Q. The note says:</p> <p>23 "I dropped my phone on the way here, so it should be</p> <p>24 in the grass somewhere."</p> <p>25 Firstly, can I ask, did that suggest to you that the</p> <p style="text-align: center;">Page 26</p>	<p>1 Q. Did you think it might be important to try and find the</p> <p>2 man referenced in the note?</p> <p>3 A. Yes.</p> <p>4 Q. What about the fact that, according to this note, the</p> <p>5 man who was lying dead there was responsible for someone</p> <p>6 else's death. Did that strike you as important?</p> <p>7 A. Yes.</p> <p>8 Q. Because, can I suggest, Mr Yexley, there is nothing on</p> <p>9 the CAD to show that, according to the note, the</p> <p>10 deceased had killed someone else. It should be recorded</p> <p>11 on the CAD, shouldn't it?</p> <p>12 A. Not necessarily, as long as it is on the report.</p> <p>13 Q. Which report?</p> <p>14 A. On the murder report or within a statement. It doesn't</p> <p>15 necessarily have to go on to the CAD, I don't believe.</p> <p>16 The CAD states that there is a suicide note with the</p> <p>17 body, but we wouldn't put the full details of the note</p> <p>18 onto a CAD.</p> <p>19 Q. At the moment, isn't this the document where all</p> <p>20 information as it arises is entered, so that other</p> <p>21 people understand the scene as it is developing?</p> <p>22 A. It can be.</p> <p>23 Q. I think earlier in your evidence you said as information</p> <p>24 came to you, you would enter it onto the CAD. Isn't</p> <p>25 that in fact what should be happening?</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 A. Yes.</p> <p>2 Q. According to this note, someone else called</p> <p>3 Gabriel Klein had been killed, which is a homicide?</p> <p>4 A. That's correct.</p> <p>5 Q. On reflection, is that something that perhaps should</p> <p>6 have been on the CAD?</p> <p>7 A. It could have been. It would have been something that</p> <p>8 was discussed with supervisors and CID. But because we</p> <p>9 had already put that the suicide note had been found,</p> <p>10 that was on the CAD, so ...</p> <p>11 Q. No, the suicide note explains, perhaps, the death of</p> <p>12 Daniel but it doesn't explain the death of the other</p> <p>13 person, does it?</p> <p>14 A. No, there is obviously further enquiries to be dealt</p> <p>15 with. Which would have been dealt with. But by putting</p> <p>16 it on the CAD it is not going to make those enquiries --</p> <p>17 the CAD is for there and then, whereas those enquiries</p> <p>18 are extended enquiries that would need to be taken</p> <p>19 for ...</p> <p>20 Q. In terms of tracing the person who the note suggested</p> <p>21 Daniel had been with the night before, you have</p> <p>22 explained that your first thought was perhaps it is the</p> <p>23 man who was also in the churchyard asleep?</p> <p>24 A. That's correct.</p> <p>25 Q. From your statement we know that a little later you went</p> <p style="text-align: center;">Page 29</p>	<p>1 night.</p> <p>2 Q. What did that make you think?</p> <p>3 Firstly, him telling you that he knew Daniel.</p> <p>4 Then, secondly, becoming, as you thought, defensive?</p> <p>5 A. Initially, I have thought maybe he knew something about</p> <p>6 it but then as time went on, being a rough sleeper and</p> <p>7 he was of Eastern European, there was a bit of</p> <p>8 a language barrier as well, so it may have been he</p> <p>9 didn't understand fully and being a rough sleeper and</p> <p>10 drinking as well, sometimes they can get aggressive,</p> <p>11 they have mood swings and ...</p> <p>12 Q. What did you do then, having been given this account?</p> <p>13 A. Several times I challenged him but each time he got more</p> <p>14 defensive, stating he was alone all night and then</p> <p>15 calmed him down and explained what was going on, the</p> <p>16 situation we had with regards to Mr Whitworth's body at</p> <p>17 the end of the graveyard.</p> <p>18 Again, he did not change his tone, he kept denying</p> <p>19 any knowledge of Daniel. I tried to reassure him that</p> <p>20 I was not accusing him of any wrongdoing and that maybe</p> <p>21 I was trying to help him but he still refused to accept</p> <p>22 any knowledge of Daniel. I then stopped asking him</p> <p>23 questions regarding that and got his full details.</p> <p>24 Q. Then, having got his full details, can I ask you to</p> <p>25 look, please, at the CAD, IPC453, page 8, the entry at</p> <p style="text-align: center;">Page 31</p>
<p>1 back to that man. Can you explain why you went back to</p> <p>2 see him?</p> <p>3 A. Because he had been in the graveyard all night, he was</p> <p>4 one of the rough sleepers, so obviously he needed to be</p> <p>5 questioned, and be spoken to as to whether he saw Daniel</p> <p>6 arrive or whether he was with Daniel, so he needs to be</p> <p>7 spoken to.</p> <p>8 Q. One of the rough sleepers. Were there others?</p> <p>9 A. Barking has a lot of rough sleepers. He was inside the</p> <p>10 graveyard. I think there was a couple more dotted</p> <p>11 outside, if I remember. The church gets quite a lot of</p> <p>12 rough sleepers.</p> <p>13 Q. When you went back to speak to him, can you tell us</p> <p>14 about that, what happened, was he still on the bench?</p> <p>15 A. He was still on the bench. I woke him up, helped him to</p> <p>16 sit up straight on the bench. And then asked him his</p> <p>17 name, which he gave to me. He was still a little rough</p> <p>18 sounding and then I asked him if he knew Daniel and he</p> <p>19 agreed, "Yes, Daniel, yes". I asked, "You were here</p> <p>20 with Daniel?" He said, "Yes, yes".</p> <p>21 Then I asked:</p> <p>22 "Do you know where Daniel is now?"</p> <p>23 He has then paused and then suddenly changed his</p> <p>24 tone to a more defensive tone and completely denied</p> <p>25 knowing anyone called Daniel and that he was alone all</p> <p style="text-align: center;">Page 30</p>	<p>1 13.25.17.</p> <p>2 This is, again, one of your entries. You say:</p> <p>3 "Arrest is for breach of court order. He is a drunk</p> <p>4 male who is being a bit sketchy about why he is in the</p> <p>5 church grounds."</p> <p>6 A. That's correct.</p> <p>7 Q. Does this entry relate to the man with the Strongbow?</p> <p>8 A. That's correct.</p> <p>9 Q. So you arrested him?</p> <p>10 A. I did.</p> <p>11 Q. What happened next?</p> <p>12 A. I then left the scene, I then went back to custody.</p> <p>13 Q. With him?</p> <p>14 A. With him. Booked him in.</p> <p>15 Q. Did you at that stage think that he had anything to do</p> <p>16 with Daniel?</p> <p>17 A. No, I believe he was just a drunk rough sleeper in the</p> <p>18 area.</p> <p>19 Q. While you were dealing with this man with the Strongbow</p> <p>20 can, PC Brown was liaising with the coroner. Can we</p> <p>21 look at the entry, please, on the CAD at 13.09, which is</p> <p>22 IPC453, page 7. It is page 7 of the CAD. Does this</p> <p>23 section here record contact with the coroner? Is that</p> <p>24 your interpretation of that entry?</p> <p>25 A. That is my interpretation, yes.</p> <p style="text-align: center;">Page 32</p>

<p>1 Q. Yes. PC Brown's witness statement says: 2 "I liaised with the coroner's officer, Jayne Day, by 3 phone and explained the circumstances." 4 Then he later says in his statement that he returned 5 to Fresh Wharf patrol base where he completed a Merlin 6 report and then sent all associated paperwork to the 7 coroner's officer. 8 Is that what you would expect to be done at the end 9 of the scene? 10 A. That's correct, yes. 11 Q. What about any further investigation of how it is that 12 Daniel came to be in the churchyard? Who would be 13 responsible for undertaking that? 14 A. That would be to CID, we would hand over the 15 investigation, we are the initial responders, we turn 16 up, deal with the scene. CID may task us with doing 17 some other enquiries, but generally CID would control 18 the unexplained investigation. 19 Q. Yes. I am going to move away now to a different topic, 20 which is the topic of the special post mortem. As we 21 will come to hear, a special post mortem was authorised 22 for Daniel's case and you were asked to attend as 23 continuity officer. 24 A. That's correct. 25 Q. Firstly, can you explain to the jury what is</p> <p style="text-align: center;">Page 33</p>	<p>1 and that was separate from where the pathologist was 2 conducting his examination. Can you remember how it was 3 arranged and where everyone was or not? 4 A. If I remember correctly, using you, ma'am, the 5 pathologist was roughly where ma'am was and we would be 6 off to the left, it was like a setback area where we 7 were standing, in the group. 8 Q. It is all in the same space, is it? 9 A. Yes, but it would from there -- probably just a bit 10 further away from where you are, a bit further back. 11 But it was all in the same room. 12 Q. Would it just be the pathologist over there and everyone 13 else attending in the other area? 14 A. Yes. 15 Q. We have heard, again, earlier in the inquests that the 16 sort of rough format of a special post mortem would be 17 that there would be a briefing to start with, then there 18 would be the post mortem, and then once that had been 19 concluded, so when the post mortem -- that is to say 20 that is when the pathologist would be examining the 21 body -- 22 A. That's correct. 23 Q. -- and samples would be taken, then after that had 24 finished, there would be a debrief? 25 A. That's correct.</p> <p style="text-align: center;">Page 35</p>
<p>1 a continuity officer in this context? 2 A. A continuity is -- as the attending officer, the initial 3 officer on the scene, you would then attend the post 4 mortem to confirm that that is the same body that was 5 found. It is just a flow, it is continued chain of 6 evidence to -- that is basically it, just that I am 7 there to identify the body. 8 Q. The special post mortem took place on Tuesday, 9 23 September. At 11.00 with the pathologist Dr Swift? 10 A. That's correct. 11 Q. Also attending were Detective Sergeant Stuart Denley, do 12 you remember that? Or you don't remember exactly who 13 was there? 14 A. I don't. I remember Sergeant Schamberger. 15 Q. Acting Detective Inspector Schamberger? 16 A. That's it. 17 Q. The crime scene manager Neil Gallagher? 18 A. Yes. 19 Q. Then I think I believe there was also DC Hooper as 20 exhibits officer. 21 Can I ask you, had you been to a special post mortem 22 before? 23 A. No, it was the first time. 24 Q. How was it set up? What I mean by that is we have heard 25 earlier in the inquests that there was a viewing area,</p> <p style="text-align: center;">Page 34</p>	<p>1 Q. Is that the structure that the special post mortem that 2 you attended followed? 3 A. It was. I was there for the initial briefing where 4 I acted as continuity to confirm it was the same body. 5 I was then present during the post mortem, but I then 6 left after the post mortem and I wasn't present for the 7 debrief. 8 Q. Can we look at tab 42, please, which is MPS1099. This 9 is the CSM, crime scene manager's case note log of that 10 post mortem. Do you know whether you would ever have 11 seen a copy of these notes? 12 A. No. Never seen. 13 Q. No. They contain the crime scene manager's notes of 14 what happened on the 23rd. Can I ask you to look, 15 please, at page 2. Then we see the time 10.45 in the 16 left-hand column, and then around five lines down it 17 says: 18 "Strategy [<u>underlined</u>]. 19 "Ascertain cause of death, is it consistent to 20 details on note? Any sign of possible assault or third 21 party involvement? Try to identify male victim had 22 described as having sex with the previous evening." 23 Does that note, as far as you are concerned, capture 24 accurately what the strategy was as discussed before the 25 post mortem took place?</p> <p style="text-align: center;">Page 36</p>

<p>1 A. I don't remember.</p> <p>2 Q. You can't remember, that is fine --</p> <p>3 A. Like I say, I was there as continuity to confirm the</p> <p>4 body and --</p> <p>5 Q. You don't remember.</p> <p>6 A. No.</p> <p>7 Q. I am going is to ask you some more questions about what</p> <p>8 happened. If you can remember, please help us but if</p> <p>9 you can't, then you must say so.</p> <p>10 A. Will do.</p> <p>11 Q. That document can come down for the moment.</p> <p>12 I don't think we need to turn it up, but the</p> <p>13 preliminary post mortem that was prepared by the</p> <p>14 pathologist, Dr Swift, says:</p> <p>15 "The post mortem examination identified the presence</p> <p>16 of bruising to both armpits and the front of the chest,</p> <p>17 petechiae [which Google tells me are tiny red purple</p> <p>18 dots, but we will hear from the pathologist more about</p> <p>19 that] were present about both eyes and bruising was</p> <p>20 documented within the muscles of the neck, although</p> <p>21 there was no fracturing of the hyoid bone or laryngeal</p> <p>22 cartilages."</p> <p>23 It would appear from this preliminary post mortem</p> <p>24 record, which is dated the following day, the day after</p> <p>25 the post mortem, it appears the pathologist had</p> <p style="text-align: center;">Page 37</p>	<p>1 that context you remember something about bruising, you</p> <p>2 remember bruising being --</p> <p>3 A. I vaguely remember something being said about bruising.</p> <p>4 But, again, I wasn't there on the evidential chain,</p> <p>5 I was there as the continuity, so I can't remember</p> <p>6 exactly what it was.</p> <p>7 Q. I am not suggesting that you ought to remember --</p> <p>8 A. There was no conversation directed at me, so ...</p> <p>9 Q. All right.</p> <p>10 It also seems from the crime scene manager's notes</p> <p>11 that one strategy that had been identified was to try</p> <p>12 and identify or investigate the identify of the man</p> <p>13 referred to in the note. Do you agree -- well, you have</p> <p>14 agreed that the man who he had been with would be</p> <p>15 an important person to speak to.</p> <p>16 A. Yes.</p> <p>17 Q. One way of seeking further information about that man,</p> <p>18 if the note was to be taken at face value, was to see if</p> <p>19 there was any DNA material on Daniel's body, because the</p> <p>20 note suggested there had been sexual contact the night</p> <p>21 before. Does that seem right?</p> <p>22 A. Again, I don't know if -- it is not something I would be</p> <p>23 leading, like looking into.</p> <p>24 Q. No, I am just wondering, as a police officer -- I am not</p> <p>25 suggesting that you should have done anything at the</p> <p style="text-align: center;">Page 39</p>
<p>1 discovered that Daniel's body had bruising to both</p> <p>2 armpits and front of chest and within the muscles of the</p> <p>3 neck.</p> <p>4 Can you remember, did Dr Swift offer any</p> <p>5 observations about what might have caused that bruising?</p> <p>6 A. I can't remember.</p> <p>7 Q. Do you remember no discussion at all about bruising?</p> <p>8 A. Not during the post mortem. I vaguely remember</p> <p>9 something about bruising but I can't remember exactly</p> <p>10 what it was. Obviously it is going to be what you just</p> <p>11 said but, no, I can't remember.</p> <p>12 Q. Do you remember that one of the purposes of the post</p> <p>13 mortem was to try and work out if there was any evidence</p> <p>14 of any third party contact, do you remember that being</p> <p>15 a feature of the post mortem?</p> <p>16 A. Apparently -- I believe so. I know that is part of the</p> <p>17 post mortem. But again, like I say, I was there as</p> <p>18 continuity and to watch the post mortem, which was more</p> <p>19 of a learning curve for myself.</p> <p>20 Q. I understand that this was an opportunity for you to see</p> <p>21 what a special post mortem was like. I am just</p> <p>22 interested in understanding what, if anything, you</p> <p>23 remember about the discussions. You think you do</p> <p>24 remember that part of the purpose of the post mortem was</p> <p>25 to look for any sign of a third party involvement. In</p> <p style="text-align: center;">Page 38</p>	<p>1 time -- do you think that if a note says that Daniel had</p> <p>2 had sex with someone the night before, then one possible</p> <p>3 investigative route to establishing who that person was</p> <p>4 would be to look for any DNA that was on Daniel's body,</p> <p>5 does that seem --</p> <p>6 A. That can be a line of enquiry, yes.</p> <p>7 Q. With that in mind, can I ask you what you remember, and</p> <p>8 please, again, if you can't, that is fine, but what you</p> <p>9 remember about any discussion about samples.</p> <p>10 Do you remember there being any samples taken from</p> <p>11 Daniel's genitals or anus?</p> <p>12 A. I can't recollect. I can't remember much about the post</p> <p>13 mortem, to be fair. I can't remember what samples were</p> <p>14 taken, but obviously Dr Swift would ...</p> <p>15 Q. Yes, yes, again, there are other people who we can ask,</p> <p>16 it's that you were there and therefore it is worth</p> <p>17 asking you what you remember.</p> <p>18 A. Yes.</p> <p>19 Q. Is it the case then that you cannot remember anything</p> <p>20 about any discussion about sex samples?</p> <p>21 A. I can't remember any discussion, no. Like I say, a lot</p> <p>22 of the discussions that were going on were between CID</p> <p>23 and the pathologist. I was just towards the back,</p> <p>24 watching.</p> <p>25 Q. Yes, but in order to learn from the experience of being</p> <p style="text-align: center;">Page 40</p>

<p>1 in a special post mortem, then you would need,</p> <p>2 I suggest, to understand what they were talking about</p> <p>3 and why they were talking about it?</p> <p>4 A. That is true.</p> <p>5 Q. I will come then to ask you one more question about the</p> <p>6 special post mortem, one more set of questions.</p> <p>7 When you went to the scene that morning, Daniel's</p> <p>8 body was on a blue bedsheet, wasn't it?</p> <p>9 A. That's correct.</p> <p>10 Q. You obviously saw that and looked at the blue bedsheet.</p> <p>11 Can you remember touching it at all?</p> <p>12 I think if you look in your statement, you say:</p> <p>13 "I tried to check for pulse on his wrist but could</p> <p>14 not feel any, then I unwrapped bedsheet and found him to</p> <p>15 be wearing a dark ..."</p> <p>16 A. That's correct.</p> <p>17 Q. Can I ask you if you can remember the initial -- what is</p> <p>18 the word -- position of the bedsheet or arrangement of</p> <p>19 the bedsheet?</p> <p>20 A. It was just loosely wrapped around him. He was sat on</p> <p>21 it and it was just pulled over.</p> <p>22 Q. You undid that in order to see what was underneath?</p> <p>23 A. Yes.</p> <p>24 Q. Were you asked at all about the bedsheet at the --</p> <p>25 A. I wasn't, no.</p> <p style="text-align: center;">Page 41</p>	<p>1 A. As a general rule you are told paper bags for clothing,</p> <p>2 it let's them dry and if they are really sodden, you</p> <p>3 have to take them to a drying room and ...</p> <p>4 Q. I think you in fact said earlier that in Daniel's case</p> <p>5 his clothing was very wet?</p> <p>6 A. It was wet, yes.</p> <p>7 Q. And the sheet?</p> <p>8 A. It was wet as well, it was -- it had been raining</p> <p>9 I believe, or -- it was wet. The ground was wet. It</p> <p>10 wasn't just morning dew, it was wet.</p> <p>11 MS COLLIER: Thank you, officer, I have no further</p> <p>12 questions, thank you.</p> <p>13 A. Thank you.</p> <p style="text-align: center;">Questions from MS HILL</p> <p>14 MS HILL: Good morning, officer.</p> <p>15 A. Good morning.</p> <p>16 Q. I ask questions on behalf of the families of those who</p> <p>17 were murdered by Stephen Port, some of whom sit here in</p> <p>18 court and some of whom are watching remotely, save for</p> <p>19 partner of Daniel Whitworth, who is represented by the</p> <p>20 lawyer to my left.</p> <p>21 A few questions please first of all about the note</p> <p>22 that you found in the plastic packet.</p> <p>23 A. Certainly.</p> <p>24 Q. It has been referred to on some occasions as a suicide</p> <p>25</p> <p style="text-align: center;">Page 43</p>
<p>1 Q. Because you would have been the only person I think</p> <p>2 present who would have -- is this right -- been at the</p> <p>3 scene and seen the bedsheet?</p> <p>4 A. That's correct.</p> <p>5 Q. Did anyone ask you, can you remember, about exactly how</p> <p>6 it was, just as I have asked you now?</p> <p>7 A. I can't remember. I honestly cannot remember about what</p> <p>8 questions were asked.</p> <p>9 Q. Do you remember Dr Swift recommending that the bedsheet</p> <p>10 be forensically examined?</p> <p>11 A. I can't recollect that.</p> <p>12 Q. Do you know the answer to this, again you may not: do</p> <p>13 you know where the blue bedsheet was at the time of the</p> <p>14 special post mortem?</p> <p>15 A. I can't remember completely where it was.</p> <p>16 Q. Where would it be likely to be if it is taken from the</p> <p>17 scene as an exhibit, which it would have been --</p> <p>18 A. If it is as an exhibit, being clothing, I would expect</p> <p>19 it to be placed into a paper bag, to preserve evidence,</p> <p>20 and then conveyed to wherever, whether it is to be</p> <p>21 booked into a drying room if it was wet, to be dried.</p> <p>22 But I had already left the scene, so I am not sure</p> <p>23 how it was transported or -- so I am not 100 per cent</p> <p>24 sure.</p> <p>25 Q. You cannot say, but that is what you would expect?</p> <p style="text-align: center;">Page 42</p>	<p>1 note, I think that is a shorthand that is often used but</p> <p>2 in reality this note implicated somebody, the writer of</p> <p>3 the note, in another death, didn't it?</p> <p>4 A. That's correct.</p> <p>5 Q. If one is going to use any shorthand for it, it really</p> <p>6 was on its face a murder-suicide note, wasn't it? Or at</p> <p>7 least a manslaughter-suicide note?</p> <p>8 A. Yes, I wouldn't say a murder suicide but there was</p> <p>9 further lines of enquiries that needed to be conducted</p> <p>10 due to the content of the note.</p> <p>11 Q. The content of the note was highly unusual, wasn't it,</p> <p>12 in your 17 years' experience?</p> <p>13 A. Hmm ...</p> <p>14 Q. Put another way, had you ever come across a suicide</p> <p>15 note, so-called, where the writer of the note had said</p> <p>16 I had also been involved in taking someone else's life?</p> <p>17 A. Personally, no, I had never come across that before.</p> <p>18 Q. The plastic packet in which the note was found, I don't</p> <p>19 know if you can help with this, could be consistent with</p> <p>20 a distraught suicide person taking steps to preserve the</p> <p>21 note, but could also be consistent with someone else</p> <p>22 taking steps to make sure that note was preserved, who</p> <p>23 hadn't taken their own life, couldn't it?</p> <p>24 A. It could be. It could also -- like you said, it could</p> <p>25 also be the initial part you said. Yes, it was a note</p> <p style="text-align: center;">Page 44</p>

<p>1 inside a plastic sleeve. It was a wet night. Trying to 2 protect the note. 3 Q. Somebody who has written that note has taken some steps 4 to try and make sure it is preserved, haven't they? 5 A. That's correct. 6 Q. A few questions, please, about the discussions that took 7 place by other people who came to the scene. I think we 8 are going to hear, aren't we, that some members of the 9 CID attended and Inspector Joyce attended? 10 A. That's correct. 11 Q. There were some discussions that took place about 12 whether or not this death should be regarded as 13 suspicious or not; is that right? 14 A. That's correct. 15 Q. Do you recollect any discussion that you overheard about 16 the reasoning for that? 17 A. Vaguely due to the note, I believe, and that is why they 18 were treating it as non-suspicious and the scene itself, 19 there were no bodily -- no injuries to Mr Whitworth. 20 That is why I believe it was treated as non-suspicious 21 but unexplained at that time. 22 Q. Just to be clear about your role in this, is it really 23 the case that you explained to more senior officers and 24 to the CID officers, what you had seen, but that the 25 decision making was really for others, not you.</p> <p style="text-align: center;">Page 45</p>	<p>1 advice of the BOCU DI will be sought to resolve the 2 issue." 3 Do you see that? 4 A. I do, yes. 5 Q. What is your understanding about whether that advice was 6 sought at the scene? 7 A. I don't know. I am not sure if they spoke with the 8 on-call DI or the BOCU DI. 9 Q. What is your understanding of any discussions at the 10 scene about calling the HAT car, did you ever hear 11 anything of that nature? 12 A. Not that I recollect. 13 Q. Is this right, that you also didn't overhear anything at 14 the scene to suggest that there was consideration of 15 declaring the scene a critical incident? 16 A. No, not that I recollect, no. 17 Q. You have explained, I think, a little bit about the 18 nature of what happened at the scene in terms of 19 searches that were made -- I think you said for the 20 pipette and the phone, is that right? 21 A. That's correct. 22 Q. Just so that the jury understand what happened, the 23 scene was not forensically preserved, was it? 24 A. Not forensically, it was -- a crime scene was created 25 and then a search was completed amongst the gravestones</p> <p style="text-align: center;">Page 47</p>
<p>1 A. Yes, it would be -- we call -- for something like this, 2 where a young person has been found, we would call CID 3 and supervisors to the scene and then the decision would 4 be with them. 5 Q. Can I ask to have brought up on screen, please, it is 6 tab 19 of the jury bundle A. It is the homicide and 7 unexplained death policy, IPC63, page 1. We can see on 8 the document you may or may not be very familiar with 9 this, but it sets out the different roles and 10 responsibilities of different people. Do you see that? 11 A. Yes. 12 Q. We are going to hear about the duty officer -- I think 13 that was Inspector Joyce, is that right? 14 A. That's correct. 15 Q. Then the borough CID officers who attended, the policy 16 suggests that in the case of any sudden death where 17 a medical practitioner cannot certify the death cause, 18 CID officer, preferable of sergeant rank, will go to the 19 scene and assess the situation. That was 20 Sergeant Turrell on this occasion? 21 A. That's correct. 22 Q. Then this, it says: 23 "If there is the slightest doubt, then the event 24 will be dealt with as suspicious. In the event of any 25 doubt about whether a death is suspicious or not the</p> <p style="text-align: center;">Page 46</p>	<p>1 for the missing phone and for any other pipette bottles 2 and drug paraphernalia, et cetera. 3 Q. That was a search I think carried out by you and your 4 uniformed colleagues; is that right? 5 A. That's correct. 6 Q. I think it is right, isn't it, that there was no 7 POLSA-led recovery operation, anything of that nature? 8 A. There wasn't, because I am a licensed search officer, so 9 I assisted by creating a line search, myself and one 10 other colleague was search trained, so we conducted 11 a line search. It is only a small area within the 12 graveyard, so it was something we could conduct 13 ourselves. 14 Q. There was no examination, for example, forensically, of 15 the wall, the immediate area around the body, things of 16 that nature, much more detailed searches were not 17 carried out. Is that right? 18 A. I believe so. That is not something I know of. 19 MS HILL: Thank you. 20 Questions from DR VAN DELLEN 21 DR VAN DELLEN: Police Constable Yexley, I ask questions on 22 behalf of Ricky Waumsley, who is Daniel Whitworth's 23 partner. 24 I wonder whether I could take you back to the CAD, 25 if I may. It is IPC453, page 7. This is an entry at</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 12.35. I probably have the wrong page, it is probably 2 page 6, apologies. 3 If I could just direct your attention, if I may, to 4 the entry at 12.35.22. My learned friend Ms Collier has 5 already taken you to that entry. 6 A. That's correct. 7 Q. That relates to a communication, or an anticipated 8 communication, with Sergeant Searle at Kent Police? 9 A. That's correct. 10 Q. There is a reference in there, third line down, to 11 a medium risk misper. If I could just ask you a few 12 questions on that, if I may. "Misper" stands for 13 "missing person", is that correct? 14 A. That's correct. 15 Q. It is classified, certainly currently, but probably back 16 in 2014 as well, as no risk, low risk, medium risk and 17 high risk, is that right? 18 A. That's correct. 19 Q. The jury has heard some evidence of a computer system, 20 used by the Metropolitan Police called Merlin. Are you 21 familiar with the existence of Merlin? 22 A. Yes, I am. 23 Q. Merlin has details of misper, missing persons, on it, is 24 that right? 25 A. That's correct.</p> <p style="text-align: center;">Page 49</p>	<p>1 DR VAN DELLEN: Thank you, madam, no further questions. 2 Questions from MR BARTH 3 MR BARTH: I ask questions on behalf of the Metropolitan 4 Police. 5 You were asked before by Ms Hill about whether the 6 BOCU DI was contacted, and I think you said you don't 7 know? 8 A. I don't know whether he was or not. 9 Q. Can you have a look, please, in your bundle at tab 19. 10 It is IPC32, page 5. This is the Merlin report, is that 11 right? 12 A. That's correct. 13 Q. If you have look, please, at the box at the top -- 14 sorry, the first complete box at the top, that starts 15 "Subject was reported missing ..." 16 The fourth paragraph in that box says that on-call 17 DI Sam Tales was informed of this incident by 18 DS Turrell." 19 Is the on-call DI Sam Tales the BOCU DI? 20 A. I couldn't say -- the on call could be from another 21 borough or it could be the BOCU DI, I don't actually 22 know. 23 Q. Would an on-call DI be the DI that is contacted when 24 there is not a borough DI available. 25 A. That's correct.</p> <p style="text-align: center;">Page 51</p>
<p>1 Q. Just to be clear, that information about Daniel being 2 missing and being medium risk, your understanding of 3 looking at this CAD is that information, that Merlin 4 information, is not going to be sitting within the 5 Metropolitan Police, it is going to be sitting within 6 Kent Police, is that correct? 7 A. I believe so. It was a Kent report that was -- a Kent 8 misper report. 9 Q. You would expect on scene, reading this CAD, you would 10 expect there to be some information about Daniel sitting 11 on Merlin in Kent Police, is that right, or a Merlin 12 equivalent in Kent Police? 13 A. Whatever the report Kent Police took, whatever 14 information they have got, should be placed onto the 15 Merlin. 16 Q. Just very briefly, the difference between a medium risk 17 misper and a high risk misper, if somebody has mental 18 health problems, they would potentially be a high risk 19 misper rather than a medium risk misper, is that 20 correct? 21 A. It is not solely for mental health. It could be for 22 a young child, something like that, medical conditions, 23 someone with heart problems, you know, someone who is at 24 high risk. That is generally for the high end of the 25 spectrum for mispers. That is the way I understand it.</p> <p style="text-align: center;">Page 50</p>	<p>1 Q. You were asked about various searches and decisions made 2 at the scene. I just want to ask you about some 3 timings. You were at the scene at 11.30, is that right? 4 A. That's correct. 5 Q. Inspector Joyce and PS Hogg, your senior officers, 6 arrived at 11.45, is that right? 7 A. I believe so, if the crime scene log states is that. 8 Q. That is what Inspector Joyce says in his statement. 9 A. Yes. 10 Q. In that 15 minutes, you had done a cursory search of the 11 body? 12 A. That's correct. 13 Q. You had found Daniel's wallet and his ID and reported 14 back his name and checks were done on his identity? 15 A. That's correct. 16 Q. You found the note, and had a discussion about G with 17 PC Brown, and the LAS arrived and pronounced life 18 extinct at 11.45, is that right? 19 A. That's correct. 20 Q. I think you said you couldn't recall if Inspector Joyce 21 had arrived to instruct the scene or you did that 22 yourself, so it is possible that in that 15 minutes you 23 also cordoned off the scene, is that right? 24 A. Potentially. 25 Q. You and PC Brown provided a briefing, an update, to</p> <p style="text-align: center;">Page 52</p>

<p>1 Inspector Joyce, is that right?</p> <p>2 A. Correct.</p> <p>3 Q. From that point on, when Inspector Joyce had arrived,</p> <p>4 who was responsible for decision making, tasking</p> <p>5 searches, that sort of thing?</p> <p>6 A. It would go through the supervisors and CID.</p> <p>7 Q. Finally, I just want to turn back to the post mortem,</p> <p>8 the special post mortem, on 23 September. If you have</p> <p>9 a look, please, in your bundle at tab 42, it is MPS1099.</p> <p>10 You were taken to this document before. In particular,</p> <p>11 over the page on page 2, to the strategy and the action</p> <p>12 plan that was discussed.</p> <p>13 Just before "strategy" is underlined, it is recorded</p> <p>14 at 10.45 in the middle of the page, do you see that?</p> <p>15 A. Yes.</p> <p>16 Q. "At Queen's Hospital Mortuary, discussed strategy with</p> <p>17 ..."</p> <p>18 This is a note of the crime scene manager, isn't it?</p> <p>19 A. That's correct.</p> <p>20 Q. So the crime scene manager discussed strategy with, and</p> <p>21 then it says:</p> <p>22 "A/DS Denley, A/DI Schamberger and Dr Swift."</p> <p>23 A. That's correct.</p> <p>24 Q. Is it likely that you were not involved then in that</p> <p>25 discussion?</p> <p style="text-align: center;">Page 53</p>	<p>1 a death outside in these circumstances?</p> <p>2 A. A suicide note and death? One or two.</p> <p>3 THE CORONER: Over the whole time you have been a police</p> <p>4 officer?</p> <p>5 A. Yes.</p> <p>6 THE CORONER: Finally, were you aware of the death of</p> <p>7 Gabriel Kovari.</p> <p>8 A. Only from the dog walker, Ms Denham, I believe. Only</p> <p>9 because she had said she had found a body two weeks</p> <p>10 earlier, I believe it was.</p> <p>11 THE CORONER: Did she tell you the name?</p> <p>12 A. No.</p> <p>13 THE CORONER: Right.</p> <p>14 Thank you very much indeed.</p> <p>15 Thank you, officer.</p> <p>16 We will take a break at this stage.</p> <p>17 We will take a break now, members of the jury.</p> <p>18 Thank you.</p> <p>19 (11.24 am)</p> <p>20 (A short adjournment)</p> <p>21 (11.43 am)</p> <p>22 (In the presence of the jury)</p> <p>23 THE CORONER: Yes, Mr O'Connor.</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 55</p>
<p>1 A. Yes, I wasn't -- I was there as continuity.</p> <p>2 Q. That is normal if you are there simply as a continuity</p> <p>3 officer?</p> <p>4 A. That's correct.</p> <p>5 MR BARTH: Thank you.</p> <p>6 MS COLLIER: Madam, I have no further questions for this</p> <p>7 witness.</p> <p>8 I don't know if the jury do?</p> <p>9 THE CORONER: Thank you. There are questions.</p> <p>10 Questions from THE JURY</p> <p>11 THE CORONER: The first note I received I think is not for</p> <p>12 this officer, so we will deal with that with other</p> <p>13 evidence.</p> <p>14 The second one asks, first of all: how long have you</p> <p>15 been a police officer?</p> <p>16 A. At the time of the incident or now?</p> <p>17 THE CORONER: Let's deal with the time of the incident.</p> <p>18 A. At the time of the incident, 17 years.</p> <p>19 THE CORONER: How long had you been in Barking and Dagenham</p> <p>20 at the time of the incident?</p> <p>21 A. I joined Barking and Dagenham in 2007, so it would have</p> <p>22 been seven years.</p> <p>23 THE CORONER: How many deaths have you dealt with where</p> <p>24 there has been a suicide note -- it says in these</p> <p>25 circumstances, but I suspect it means a suicide note and</p> <p style="text-align: center;">Page 54</p>	<p>1 Statement of MR ABDELLAH AROUI (read)</p> <p>2 MR O'CONNOR: Madam, before we call our next witness, I am</p> <p>3 going to read a statement from the London Ambulance</p> <p>4 Service member of staff who attended the scene of</p> <p>5 Daniel's body on 20 September. The statement is in the</p> <p>6 name of Mr Abdellah Aroui, it is dated 19 November 2014,</p> <p>7 so a couple of months or so after Daniel's body was</p> <p>8 found. The statement at the end indicates that Mr Aroui</p> <p>9 confirms that the account he has given is a true and</p> <p>10 accurate statement as he recollects.</p> <p>11 At the top of the document, as well as giving his</p> <p>12 name, Mr Aroui gives his job title as that of paramedic</p> <p>13 and indicates that his length of service was 11 years</p> <p>14 and 7 months. The statement reads as follows:</p> <p>15 "On Saturday, 20 September 2014 I was on duty in the</p> <p>16 fully operational uniform of the London Ambulance</p> <p>17 Service NHS trust, LAS, in my role as paramedic. For</p> <p>18 the duration of this shift I was on the rapid response</p> <p>19 car, call sign K250, based at Becontree ambulance</p> <p>20 station. My planned duty times for this shift were 0600</p> <p>21 to 1800.</p> <p>22 "At 11.28 I received an emergency call via our</p> <p>23 mobile data terminal from our control room requiring my</p> <p>24 attendance at St Margaret's Church, North Street,</p> <p>25 Barking, reference CAD 2313. The details of the</p> <p style="text-align: center;">Page 56</p>

<p>1 emergency call were given to me as 20 year old male 2 found unconscious in the street. The call came from the 3 police KG [as we know the sign for Barking and 4 Dagenham]. 5 "When I received the call I was in the Romford area. 6 I responded to the scene of the emergency call, 7 utilising audible and visual warnings, blue light and 8 sirens, arriving at the scene of the call at 1138 hours. 9 The location on the MDT [the mobile data terminal] was 10 not showing the right address, so I had to contact EOC 11 to get an update on the address. Then I moved down to 12 the other end of North Street, where I saw three police 13 cars outside the church. Upon arrival at the scene 14 I was directed by the police to the patient's location, 15 which was behind the church. 16 "I noticed the patient was in a sitting position, 17 against a wall, leaning forward to his left side, 18 wearing a hood with his head down, resting onto his left 19 arm. There were no signs of life. There was no CPR in 20 progress. There was no pulse and my initial examination 21 showed signs of post mortem staining to his left side of 22 abdomen and left upper limb: 23 "The 15 lead ECG monitor showing asystole rhythm on 24 the screen. The police then stated that they found 25 a suicide note with the patient and a liquid solution,</p> <p style="text-align: center;">Page 57</p>	<p>1 that is the form that we are looking at now. If we 2 perhaps just look very briefly at a few points on the 3 form. 4 First of all, a couple of lines below the patient 5 report form title, dispatch time is given as 11.28, 6 which is the time that Mr Aroui referred to having 7 received the emergency call. 8 Then over to the right, and a little below, we see 9 the times indicated as having arrived on scene at 11.38, 10 and arriving at the patient at 11.45. Just tallying 11 that with Mr Aroui's statement, he gave the time of 12 arriving on the scene as 11.38, but then you will recall 13 he described -- as other witnesses have -- not being 14 sure where to go and driving on a little bit further and 15 then seeing the police cars. That perhaps explains the 16 7 minutes between 11.38 and 11.45. If we could look 17 down towards the bottom of the page, please, on the 18 right-hand side. 19 Yes, just we see a block of writing, but just above 20 that, and on the right-hand side, there is a box which 21 has the words "Recognition of life extinct". You can 22 see that the box next to that has been marked and the 23 time given is 11.45. We see there are a series of boxes 24 in small writing underneath that, which have been 25 crossed, including asystolic rhythm strip, which was</p> <p style="text-align: center;">Page 59</p>
<p>1 which they believe it is drug G. 2 "Due to the fact that there was post mortem staining 3 with asystole rhythm on the defibrillator, and no 4 evidence of any CPR being carried out, I made a decision 5 not for resuscitation. I informed the police who were 6 also on scene. Due to the nature of the call, I did not 7 do a complete examination of the whole body, but there 8 were no obvious injuries like external bleeding or head 9 injury that I could see. I left the body as I found it 10 for the police to investigate. I updated EOC about this 11 incident. I got the patient's details from the police. 12 I filled in the two forms, patient report form, LA4, and 13 form LA3, verification of fact of death, and I submitted 14 a copy of both forms to the police with a copy of the 15 asystolic rhythm strip. I left the scene at 13.10." 16 Madam, that is the end of the statement. 17 Mr Aroui referred at the end of his statement to 18 filling in two documents, may I just show those to the 19 jury, in fact they have seen one of them this morning. 20 Members of the jury, if you could go in your jury 21 bundles, please, to tab 21, this is jury bundle C and 22 tab 21. For the screen, it is IPC53, please. 23 The first of the documents that Mr Aroui mentioned 24 filling in was what he described as patient report form 25 LA4. One can see from the very top of this form that</p> <p style="text-align: center;">Page 58</p>	<p>1 referred to by Mr Aroui in his statement. 2 Just, finally, if one looks at the very bottom, 3 towards the middle of the document, one sees that the 4 document has been signed or at least Mr Aroui has 5 entered his name at the bottom of the page. 6 That is the LA4, form. 7 Then the second form. Members of the jury, if you 8 can turn over one page in your bundle, it is internal 9 page 5 of IPC53. In fact that is a clearer copy, at the 10 top on the left we see this is the second form that 11 Mr Aroui mentioned and this is the one we have already 12 seen this morning, verification of fact of death, LA3. 13 We see about halfway down on the left that Mr Aroui has 14 ticked the hypostasis box, which no doubt tallies with 15 his reference to having seen post mortem staining. 16 Then, on the right, there are I think two boxes which in 17 fact reflect what Mr Aroui said about using the ECG 18 machine and obtaining a result of asystole. Then at the 19 bottom again one sees Mr Aroui's name on the form. 20 That is Mr Aroui's evidence, madam. 21 May we now, please, call Inspector Joyce. 22 23 Inspector, will you please stand to take the oath. 24 25</p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 MR MARK JOYCE (sworn)</p> <p>2 Questions from MR O'CONNOR</p> <p>3 MR O'CONNOR: Thank you very much, do sit down.</p> <p>4 Can you give us your full name, please?</p> <p>5 A. Inspector Mark Joyce.</p> <p>6 Q. Thank you. You are, as you have said, an inspector in</p> <p>7 the Metropolitan Police?</p> <p>8 A. That's correct.</p> <p>9 Q. Just tell us how long you have been in service, please?</p> <p>10 A. 27 years now.</p> <p>11 Q. You are now, I think it is right to say, an inspector</p> <p>12 attached to Barking and Dagenham borough?</p> <p>13 A. I am, but I am actually part of the Metropolitan Police</p> <p>14 custody command, so I am custody manager for the custody</p> <p>15 site there.</p> <p>16 Q. You are doing a job located I think at Fresh Wharf</p> <p>17 police base in Barking?</p> <p>18 A. That's correct, sir.</p> <p>19 Q. Your job is custody manager?</p> <p>20 A. That's correct.</p> <p>21 Q. Then is the point you are making that in fact you are</p> <p>22 not technically working within the borough --</p> <p>23 A. That's correct.</p> <p>24 Q. -- but you are part of an organisation that spans the</p> <p>25 Metropolitan Police which deals with custody?</p> <p style="text-align: center;">Page 61</p>	<p>1 April 2014, when you were posted to that job, there were</p> <p>2 times when you undertook a different role, which was the</p> <p>3 role of duty inspector for the entire borough?</p> <p>4 A. That's correct.</p> <p>5 Q. The jury have already heard evidence from Detective</p> <p>6 Inspector Learmonth, who was the duty inspector at the</p> <p>7 time when Anthony Walgate's body was discovered, and</p> <p>8 yesterday we heard from DI Harman, who was the duty</p> <p>9 inspector at the time that Gabriel Kovari's body was</p> <p>10 discovered. We will hear, won't we, that you were the</p> <p>11 duty inspector when Daniel Whitworth's body was</p> <p>12 discovered?</p> <p>13 A. That's correct.</p> <p>14 Q. I am going to ask you a number of questions about that</p> <p>15 day, the day that Daniel's body was found.</p> <p>16 It is also the case, isn't it, that you were</p> <p>17 involved, briefly perhaps, in the events surrounding</p> <p>18 Anthony Walgate's death?</p> <p>19 A. Yes, I was.</p> <p>20 Q. I am going to start by asking you some questions about</p> <p>21 that.</p> <p>22 Before I do though, inspector, let me just ask you</p> <p>23 what we have asked most of the witnesses, which is</p> <p>24 whether in fact, now some seven years later, you have</p> <p>25 any independent memory of these various events that took</p> <p style="text-align: center;">Page 63</p>
<p>1 A. That's correct, yes.</p> <p>2 Q. Back in 2014, is it right that you were working in this</p> <p>3 area of London, but in fact you were a borough police</p> <p>4 officer at that stage?</p> <p>5 A. That's correct, sir.</p> <p>6 Q. I think it is right to say you took up a new post in</p> <p>7 April 2014; is that right?</p> <p>8 A. That's correct, sir.</p> <p>9 Q. You were an inspector then. Had you been an inspector</p> <p>10 for some time in April 2014?</p> <p>11 A. About seven years up to that point.</p> <p>12 Q. Right, and in April 2014 you took up a role of what you</p> <p>13 describe in your statement as safer neighbourhood</p> <p>14 inspector within the Barking and Dagenham borough?</p> <p>15 A. That's correct.</p> <p>16 Q. I think you referred to that as being part of the</p> <p>17 community and partnership department?</p> <p>18 A. That's right.</p> <p>19 Q. We don't need to go into too much detail, but is it</p> <p>20 right that as a safer neighbourhood inspector you had</p> <p>21 responsibility for safer neighbourhood matters for one</p> <p>22 geographical sector of the borough?</p> <p>23 A. That's correct.</p> <p>24 Q. We will hear a little bit about your work in that area,</p> <p>25 inspector, but is it also the case that, as from</p> <p style="text-align: center;">Page 62</p>	<p>1 place, first of all in June and then later in</p> <p>2 September 2014?</p> <p>3 A. Yes, I do have some recollection, yes.</p> <p>4 Q. You do have some memory. You are not one of those</p> <p>5 witnesses who made a statement about these matters at</p> <p>6 the time, or within a few days or a week or so of it?</p> <p>7 A. That's correct.</p> <p>8 Q. There is a statement you made I think a year or so ago,</p> <p>9 which we may look at, but there are some contemporaneous</p> <p>10 documents which either you made or others made which we</p> <p>11 will show you while you give evidence.</p> <p>12 A. Okay.</p> <p>13 Q. If you are asked a question about something you simply</p> <p>14 can't remember, of course you must say so.</p> <p>15 A. Okay.</p> <p>16 Q. Let's start then, please, with 19 June 2014, which as</p> <p>17 the jury know is the day on which Anthony Walgate's body</p> <p>18 was found in Barking. We have heard a lot of evidence</p> <p>19 about what happened at the scene. It is right to say</p> <p>20 you did not attend the scene, isn't it?</p> <p>21 A. That's correct.</p> <p>22 Q. What were you doing that day?</p> <p>23 A. I was the partnership inspector based at Dagenham and</p> <p>24 I would have telephoned in to the morning conference</p> <p>25 call, which would have been hosted by one of the senior</p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)

<p>1 leadership team.</p> <p>2 Q. You say a morning conference call. The jury have heard</p> <p>3 something about Pacesetter meetings --</p> <p>4 A. That is the terminology.</p> <p>5 Q. -- which used to happen in the morning, and then the</p> <p>6 afternoon and the evening I think.</p> <p>7 A. That's correct.</p> <p>8 Q. Is that the meeting you are referring to?</p> <p>9 A. That's correct.</p> <p>10 Q. We will look at minutes of meeting in a minute, but let</p> <p>11 me ask you this. When Detective Inspector, as he then</p> <p>12 was, Harman gave evidence yesterday, he told us that in</p> <p>13 his experience as a duty inspector, although it was</p> <p>14 reasonable common to go to the scenes of sudden deaths,</p> <p>15 to go to a sudden death of a young, apparently healthy</p> <p>16 person was rather unusual?</p> <p>17 A. It wouldn't have been the norm, no. Most sudden deaths</p> <p>18 would have been obviously care homes, that sort of</p> <p>19 thing. A collapse or a sudden death in the street would</p> <p>20 be a rarer occasion, yes.</p> <p>21 Q. He gave us an estimate of attending maybe only two young</p> <p>22 person death-in-street-type incidents a year. It is</p> <p>23 obviously approximate, but would you agree with that?</p> <p>24 A. It would be a fair assessment. I wouldn't be able to</p> <p>25 put an exact figure on that, but that would probably be</p> <p style="text-align: center;">Page 65</p>	<p>1 Q. Give as you sense, just looking at that top box, there</p> <p>2 are about between five and ten people at the meeting,</p> <p>3 how many of them would normally actually be present and</p> <p>4 how many people would be testifying it?</p> <p>5 A. It would be a mixture. At the time Fresh Wharf was the</p> <p>6 main building, we had the senior leadership team located</p> <p>7 there, along with the CID, but because we were safer</p> <p>8 neighbourhoods, we were spread out across the borough,</p> <p>9 so there would be a mixture of maybe five to six people</p> <p>10 physically present and then other people would telephone</p> <p>11 in, like myself.</p> <p>12 Q. Inspector, I am not criticising you, not for one second,</p> <p>13 and I am sure we can all understand that giving evidence</p> <p>14 can be a nerve-racking business, but you are answering</p> <p>15 very quickly indeed, my questions --</p> <p>16 A. Sorry.</p> <p>17 Q. If you can try and speak a little bit more slowly, it</p> <p>18 will help the stenographers but also just help everyone</p> <p>19 in the room hear what you are saying, all right and</p> <p>20 there are other people who are following these</p> <p>21 proceedings remotely and it is perhaps a bit difficult</p> <p>22 for them to hear what you are saying.</p> <p>23 A. Sorry.</p> <p>24 Q. Don't apologise, but I will just say that and see if you</p> <p>25 can speak a little more slowly.</p> <p style="text-align: center;">Page 67</p>
<p>1 fair, yes.</p> <p>2 Q. In any event, that was the type of incident that</p> <p>3 presented itself on 19 June. Let's go, please, to the</p> <p>4 minutes of that meeting. To do that, I am afraid, we</p> <p>5 will have to go -- the minutes are in the Walgate jury</p> <p>6 bundle, so that is bundle B. We can also get it up on</p> <p>7 screen though, and it may be sufficient for these</p> <p>8 purposes, inspector.</p> <p>9 Let just try it, for your purposes let's just have</p> <p>10 it up on screen, or you may have a copy in front of you.</p> <p>11 Within bundle B, the Walgate jury bundle, it is</p> <p>12 tab 11, please, and for the screen it is HAL7. We see</p> <p>13 from the top left of the document, inspector, that this</p> <p>14 is a meeting that took place at 9.30 in the morning on</p> <p>15 19 June.</p> <p>16 A. That's correct.</p> <p>17 Q. We see that it was chaired by Superintendent Hamer, who</p> <p>18 is a man from whom the jury have heard. We see, do we</p> <p>19 in the middle column at the bottom, that you were</p> <p>20 present at the meeting, although you have told us, when</p> <p>21 we say present, you telephoned into the meeting, did</p> <p>22 you?</p> <p>23 A. That's correct.</p> <p>24 Q. Was that quite normal?</p> <p>25 A. That was, yes.</p> <p style="text-align: center;">Page 66</p>	<p>1 A. All right.</p> <p>2 Q. It is obvious, isn't it, that the different people we</p> <p>3 see on the top here have different roles that they are</p> <p>4 performing. You are performing something called MVU,</p> <p>5 what does that stand for?</p> <p>6 A. That actually stands for motor vehicle unit, but it is</p> <p>7 part of the community and partnership portfolio.</p> <p>8 Q. Perhaps what stands for is less important than you can</p> <p>9 tell us you were there representing the community and</p> <p>10 partnership group?</p> <p>11 A. That's correct, yes.</p> <p>12 Q. Right.</p> <p>13 We see that item 1 on agenda, so I have just gone</p> <p>14 down a little bit and over to the left, is headed</p> <p>15 "Critical threats, crime and ASB".</p> <p>16 ASB is antisocial behaviour?</p> <p>17 A. That's correct, yes.</p> <p>18 Q. The first of the critical threats that is discussed is</p> <p>19 the discovery of Anthony's body?</p> <p>20 A. That's correct.</p> <p>21 Q. We see, we don't need to read through what is written</p> <p>22 there, because we have heard much of this evidence</p> <p>23 before, but we perhaps note, over on the right-hand</p> <p>24 side, in the "Actions" column, the intention to hold</p> <p>25 a gold group meeting the next day?</p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 A. That's correct.</p> <p>2 Q. Just help us with this, you are sitting there on the</p> <p>3 phone, no doubt listening to discussion about the</p> <p>4 discovery of Anthony's body, which was about five hours</p> <p>5 earlier?</p> <p>6 A. Hmm.</p> <p>7 Q. Would that have been the first you had heard of it?</p> <p>8 A. That was indeed, yes, that's correct.</p> <p>9 Q. Okay. If we can turn over, please, within the document,</p> <p>10 to page 4, which is the last page of the document, we</p> <p>11 see just at the very bottom of the document, item 6,</p> <p>12 "Confirmation of priorities", and it has been made clear</p> <p>13 that the unexplained death, which I assume was Anthony's</p> <p>14 death, was the top priority, as it were?</p> <p>15 A. That's correct.</p> <p>16 Q. Then if we go up a level to item 5, daily deployment</p> <p>17 plan, and we go over to the right-hand side, there is</p> <p>18 a reference to press lines about the unexplained death,</p> <p>19 and then this:</p> <p>20 "Mark Joyce to identify availability for gold group</p> <p>21 meeting and forward contact details to CI Kirk."</p> <p>22 You are being tasked to do that?</p> <p>23 A. That's correct.</p> <p>24 Q. Was that a general request to contact anyone who might</p> <p>25 attend the gold group meeting or was it more focused</p> <p style="text-align: center;">Page 69</p>	<p>1 a community impact assessment was initiated in relation</p> <p>2 to Anthony's death; is that right?</p> <p>3 A. That's correct.</p> <p>4 Q. Is that something you remember or something you have</p> <p>5 another record of?</p> <p>6 A. I didn't initiate it, no, but I was tasked with doing</p> <p>7 that as a mandatory consideration by Superintendent</p> <p>8 Hamer.</p> <p>9 Q. What is a community impact assessment?</p> <p>10 A. It is a means by which the Metropolitan Police can gauge</p> <p>11 community feeling, get a sense of that feeling and sort</p> <p>12 of grade it in terms of community tensions.</p> <p>13 Q. That is what its purpose is --</p> <p>14 A. That's right.</p> <p>15 Q. -- what actually is it, is it a phone call you make, is</p> <p>16 it a meeting, is it a document?</p> <p>17 A. It is a document, sir.</p> <p>18 Q. You have to gauge the likely impact on the community of</p> <p>19 a particular event?</p> <p>20 A. That's correct.</p> <p>21 Q. Did you do that?</p> <p>22 A. No.</p> <p>23 Q. Why not?</p> <p>24 A. Because as the title is, it is an assessment, so</p> <p>25 therefore it is a living document. It is strategic</p> <p style="text-align: center;">Page 71</p>
<p>1 than that?</p> <p>2 A. More focused than that, it would have been specifically</p> <p>3 aimed at the chair of the IAG, the independent advisory</p> <p>4 group.</p> <p>5 Q. The jury have heard something about the independent</p> <p>6 advisory group. Why would you have been tasked with</p> <p>7 speaking to the chair of the IAG?</p> <p>8 A. Because I am the community partnership representative</p> <p>9 and I had close links with the chair person.</p> <p>10 Q. As far as you recall, did you do that?</p> <p>11 A. Yes, I did.</p> <p>12 Q. The jury have heard that in the event the gold group</p> <p>13 meeting didn't take place?</p> <p>14 A. That's correct.</p> <p>15 Q. Were you aware of that at the time?</p> <p>16 A. I found out the next day that that wasn't going ahead,</p> <p>17 that's correct.</p> <p>18 Q. Do you remember, at this distance in time, what if</p> <p>19 anything you were told about why the gold group was not</p> <p>20 going ahead?</p> <p>21 A. I didn't know the specifics of why that had been</p> <p>22 cancelled, no.</p> <p>23 Q. I think that is as far as this document takes us about</p> <p>24 what happened on that day. In your witness statement</p> <p>25 you talk about also being tasked with ensuring that</p> <p style="text-align: center;">Page 70</p>	<p>1 document but it is also a living document. It can be</p> <p>2 initiated at any time and just it wouldn't necessarily</p> <p>3 be initiated there and then or that day. It takes time</p> <p>4 to gather the information, to put feelers out into the</p> <p>5 community, get that information back in for a variety of</p> <p>6 sources and then for me to make -- look at that and see</p> <p>7 if what the community are experiencing if it is allied</p> <p>8 with what is being evidenced from our perspective.</p> <p>9 Q. That explains why you might not be able to do it</p> <p>10 immediately, and perhaps one can see how if one wants to</p> <p>11 do an effective impact assessment one has to have some</p> <p>12 material and evidence to base it on.</p> <p>13 Am I right in understanding that you didn't do it at</p> <p>14 all?</p> <p>15 A. No, I didn't, in the end, no.</p> <p>16 Q. Why not?</p> <p>17 A. Because obviously the gold group had been cancelled, so</p> <p>18 therefore it was a fair assumption that the critical</p> <p>19 elements from the day before no longer existed, so</p> <p>20 therefore I didn't do that, no.</p> <p>21 Q. I see. All right.</p> <p>22 I am going to move on, inspector.</p> <p>23 If we imagine the chronology, we have just been</p> <p>24 focusing on the events on 19 June 2014. A little over</p> <p>25 a month later, the jury have heard that on Thursday,</p> <p style="text-align: center;">Page 72</p>

<p>1 28 August -- sorry, not one month, two months later, the 2 body of Gabriel Kovari was discovered, a few hundred 3 yards away from where Anthony's body had been found, 4 this time in the graveyard of St Margaret's Church. 5 Let me say straight away, we have not seen your name 6 on any of the documents relating to that day, that 7 scene. 8 Did you in fact either attend the scene or find out 9 anything about Gabriel Kovari's body being discovered? 10 A. I had absolutely no knowledge of that incident 11 whatsoever. 12 Q. It might strike one as odd that you in your community 13 engagement role had been informed of Anthony Walgate's 14 body being discovered, and also asked to prepare 15 an impact assessment, but then when two months later 16 Gabriel's body was found in broadly similar 17 circumstances, not only is there no community impact 18 assessment but you are not told about it at all? 19 A. No, there are four inspectors and as I say 20 geographically I am responsible for a completely 21 different area. It may well be that I didn't phone in 22 on that day and therefore I would have had no knowledge 23 of that. 24 Q. The bodies were found in the same area, were they not? 25 A. They were.</p> <p style="text-align: center;">Page 73</p>	<p>1 frequently in those days did you undertake that duty? 2 A. Possibly a couple of times a month to cover for 3 sickness, annual leave that sort of thing. 4 Q. I see, because we have heard that that was in fact 5 a job, there were people who were duty officers day in, 6 day out? 7 A. That's correct, and I had previously in previous years 8 been a full-time duty officer. 9 Q. But now, as we have heard, you had a different main 10 role, and as I think you have explained then, you would 11 just do it quite rarely, really, to cover for holidays 12 or absences? 13 A. It would be on an ad hoc basis, yes. 14 Q. On that day, you were on early turn I think? 15 A. That's correct. 16 Q. It is a term which the jury are now familiar with. We 17 heard from DI Harman yesterday that that, at least in 18 those days, would have involved starting at 7.00 in the 19 morning and perhaps going through to 3.00? 20 A. That's correct. 21 Q. We are going to look at some documents and some timings 22 in a moment, but is it right to say that you were 23 alerted to the incident shortly after the CAD had been 24 opened? 25 A. That's correct.</p> <p style="text-align: center;">Page 75</p>
<p>1 Q. You were told about the first body being found in that 2 area? 3 A. Yes. 4 Q. Just help us, why then were you not told about the 5 second body being found in that area? 6 A. As I have just said, there was four inspectors, we each 7 took it in turns, depending on the shift or whatever the 8 case may be, the workload, to telephone in, so it may 9 well be that it wasn't my turn to be the community 10 partnership representative on that day. 11 Q. I see, so you were not necessarily on a rota, as it 12 were, to phone in to the Pacesetter meeting on that day? 13 A. That's correct. 14 Q. But was there no system that would have ensured that 15 you, all of the inspectors responsible for the community 16 found out about this body being discovered? 17 A. The inspectors allied to that area probably would have 18 done, but I would haven't been informed, no. 19 Q. I see. 20 That is 28 August then. We then go forward a month, 21 or a bit less than a month, to 20 September. As I have 22 already mentioned, that was a day on which you were 23 performing this different duty of being borough duty 24 inspector. 25 Just give us a very rough idea, inspector, how</p> <p style="text-align: center;">Page 74</p>	<p>1 Q. Do you remember where you were at the time? 2 A. I was sat in the what we call the Grip and PACE control 3 room at Fresh Wharf patrol base. 4 Q. The Grip and PACE control room -- 5 A. That's correct. 6 Q. -- two words we have heard about -- 7 A. Hmm. 8 Q. -- in Fresh Wharf base? 9 A. That's correct. 10 Q. Then, as we will see, you then attended the scene with 11 Sergeant Hogg? 12 A. That's correct. 13 Q. Who was he and what role was he performing that day? 14 A. He was the section sergeant and would have been my 15 support sergeant on the day, and what we call the 16 section sergeant. 17 Q. Let's look then at just a few timings, please. To do 18 that we can start by looking at the CAD, which is 19 a document the jury have seen this morning already. 20 I will just put the Walgate bundle away. 21 If we can go in the jury bundle, we are now back to 22 jury bundle C, tab 17, please. For the screen, it is 23 IPC453. 24 As I say, inspector, the jury are familiar with this 25 document and indeed documents like it, so I am just</p> <p style="text-align: center;">Page 76</p>

<p>1 going to first of all take us to a series of references 2 and then I will ask you some questions. 3 A. Okay. 4 Q. Of course, if you want to going back or go to any other 5 parts of the CAD, just tell us. 6 A. Okay. 7 Q. We can see, just looking at the first page of this 8 document, at the top, about four lines down from the 9 top, you see where it says: 10 "Incident number 4433, entered at 11.20." 11 A. That's correct. 12 Q. Does that indicate that 11.20 is the time when the call 13 would have been received and when this therefore CAD was 14 created? 15 A. That is very much correct, yes. 16 Q. Then if we can go over to page 3, please, about halfway 17 down the page, for those of you looking in files, it is 18 next to the top hole punch, there is an entry at 11.25, 19 do we see "KG1E", would that have been your call sign? 20 A. That's correct. 21 Q. Again we have heard that is not your personal call sign 22 but the call sign for the early turn duty inspector? 23 A. That's correct. 24 Q. "KG1E made aware of CAD." 25 Yes?</p> <p style="text-align: center;">Page 77</p>	<p>1 with the time. 2 Q. Inspector, I don't think that the difference of a minute 3 or two is something that need concern us, but you tell 4 us -- 5 A. We arrived slightly later than that. 6 Q. You think you arrived slightly later than that? 7 A. We did, yes. 8 Q. In any event, about 11.45 or thereabouts? 9 A. Yes. 10 Q. With that in mind, before we leave this document we will 11 see -- we will come to this later, but this log at any 12 rate says that you left the scene at 1.05? 13 A. That's correct. 14 Q. Again, the precise timing perhaps doesn't matter but you 15 were there on the scene for about an hour and 20 16 minutes? 17 A. That's correct. 18 Q. With that in mind and in particular the arrival of 19 11.44, let's go back, if we can, to the previous tab, 20 page 5 of the CAD, IPC453, page 5. The entry at 11.41, 21 I think -- you tell us, but it would appear that this is 22 before you arrived at the scene, because the timing is 23 11.41 and you said you in fact arrived -- 24 A. Apologies, could you rephrase the question, sorry? 25 Q. Yes. If you look at the entry at 11.41.13, it is about</p> <p style="text-align: center;">Page 79</p>
<p>1 A. That's correct. 2 Q. Then, over the page, please, to page 4. An entry at 3 11.31.32, again, about halfway down, another entry from 4 KG1E: 5 "I will be attending, I will take down a forensics 6 tent." 7 That is at 11.31, so five or six minutes after you 8 had been told about the incident. 9 Then, again over the page, please, to page 5, 10 11.41.13, again the middle of the page: 11 "KG1E, can LIT officer in GPC contact Kent to obtain 12 more details." 13 I am going to come back and ask you a little more 14 about that in just a moment, but just to complete this 15 little chronology. Can we in fact go to a different 16 document, in fact the next tab in the bundle, so tab 18. 17 For the screen, it is MPS 149. 18 Crime scene log, inspector? 19 A. Yes. 20 Q. Just if we can go to page 2 of that document, please, 21 there is an entry four boxes down, showing KG1 and KG3, 22 arriving at the scene at 11.44. 23 A. That's correct. 24 Q. That would be you, KG1, and Sergeant Hogg, KG3? 25 A. Yes, but the crime scene log is slightly out of kilter</p> <p style="text-align: center;">Page 78</p>	<p>1 halfway down page 5 of the CAD, do you have that? 2 A. No. 3 Q. Okay, it is IPC453, page 5, there is an entry about 4 halfway down, 11.41.13. It is the, "KG1E can the LIT 5 officer ..." 6 Don't worry, inspector, we will find it, it is 7 there. It is page 5. Actually the internal page 8 numbers and the computer page numbers are the same. 9 A. Okay. 10 Q. Do you have it? 11 A. Sorry, I've got a duplicate of the CAD, so apologies. 12 Q. Don't worry, we will get there. It may be easier to 13 start from the beginning and just go forward from the 14 start to the fifth page. 15 A. I have found it now, yes. 16 Q. Yes. 17 Halfway down, 11.41.13, can you see that entry, it 18 is one we looked at a moment or so ago? 19 A. Yes. 20 Q. I just wanted to establish that it appears this was 21 a message you sent before you arrived at the scene? 22 A. That would be correct, yes. 23 Q. Just help us with some of the acronyms, who is the LIT 24 officer? 25 A. That would be the local intelligence team, that would be</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 an officer embedded in the Grip and PACE control room.</p> <p>2 Q. In Barking?</p> <p>3 A. That's correct.</p> <p>4 Q. And then perhaps we -- the GPC is indeed the Grip and</p> <p>5 PACE control room?</p> <p>6 A. That's correct.</p> <p>7 Q. You are asking that person in the Barking control room</p> <p>8 to contact Kent to obtain more details?</p> <p>9 A. That's correct.</p> <p>10 Q. We know that Daniel lived in Kent and it looks as though</p> <p>11 you did by that stage as well?</p> <p>12 A. Yes, that's correct.</p> <p>13 Q. You are asking your own control room to contact,</p> <p>14 presumably, Kent Police to find out more about the</p> <p>15 circumstances?</p> <p>16 A. That's correct.</p> <p>17 Q. Okay.</p> <p>18 We are going to come to talk about some of the</p> <p>19 actions you took when you arrived at the scene.</p> <p>20 The jury have heard a number of times about the five</p> <p>21 building blocks that are, as it were, the central</p> <p>22 matters that someone like you needs to consider arriving</p> <p>23 at a scene like this. You refer to them in your witness</p> <p>24 statement.</p> <p>25 A. That's correct.</p> <p style="text-align: center;">Page 81</p>	<p>1 A. I would probably say more seven or eight.</p> <p>2 Q. Seven or eight?</p> <p>3 A. Yes.</p> <p>4 Q. You were leading those seven or eight officers?</p> <p>5 A. That's correct.</p> <p>6 Q. And tasking them out?</p> <p>7 A. That's correct.</p> <p>8 Q. Did you in fact deal with the ambulance service,</p> <p>9 Mr Aroui, whose statement we have just heard from?</p> <p>10 A. No, I didn't, I arrived after life was pronounced</p> <p>11 extinct, so I didn't actually have a direct conversation</p> <p>12 with him, no.</p> <p>13 Q. We have heard that two CID officers arrived while you</p> <p>14 were there?</p> <p>15 A. That's correct.</p> <p>16 Q. You would have dealt with them?</p> <p>17 A. That's correct.</p> <p>18 Q. Let's just look then at some of the actions that you</p> <p>19 undertook while you were there.</p> <p>20 First of all, you mention in your statement that you</p> <p>21 secured the perimeter of the scene.</p> <p>22 A. That's correct.</p> <p>23 Q. We can go back to tab 18 in the bundle. MPS149 on the</p> <p>24 screen, please.</p> <p>25 PC Yexley was asked whether in fact they had already</p> <p style="text-align: center;">Page 83</p>
<p>1 Q. The preservation of life.</p> <p>2 Securing and preserving the scene.</p> <p>3 Identifying the victim.</p> <p>4 The witness.</p> <p>5 The suspects.</p> <p>6 You say this in your witness statement. Were those</p> <p>7 the key matters that you would have had in mind when you</p> <p>8 arrived at the scene?</p> <p>9 A. That's correct, yes.</p> <p>10 Q. I will come to ask you about some of the particular</p> <p>11 practical matters you dealt with. But just give us</p> <p>12 an idea of the context. We know that you have arrived</p> <p>13 with your sergeant?</p> <p>14 A. That's correct.</p> <p>15 Q. We have heard from PC Yexley who was already there with</p> <p>16 PC Brown, I think it is right to say?</p> <p>17 A. Hmm.</p> <p>18 Q. Looking at the log, it seemed they were not the only</p> <p>19 police officers who were already there when you arrived.</p> <p>20 It may be that some other constables arrived at about</p> <p>21 the same time as you or just after?</p> <p>22 A. Yes, that's correct.</p> <p>23 Q. Would it be fair to say then, in terms of the uniformed</p> <p>24 police staff that were there, it was as many as ten or</p> <p>25 between five and ten?</p> <p style="text-align: center;">Page 82</p>	<p>1 created that crime scene and started to put the cordon</p> <p>2 up before you arrived. I don't know whether you</p> <p>3 remember that or not?</p> <p>4 A. I don't, it would probably be a secondary double check,</p> <p>5 it was a walled cemetery anyway, so it had a natural</p> <p>6 border, so we didn't have to actually use any cordon</p> <p>7 tape.</p> <p>8 Q. If one looks at page 2 of the log, someone had clearly</p> <p>9 started taking this log before you arrived.</p> <p>10 A. It would appear, so yes.</p> <p>11 Q. Because you are not the first entry in it, are you?</p> <p>12 A. That's correct.</p> <p>13 Q. In any event, that was something that you had</p> <p>14 consideration to?</p> <p>15 A. That's correct.</p> <p>16 Q. We have heard about the reasons why, it is important to</p> <p>17 keep an area sterile, stop members of the public walking</p> <p>18 through and so on. That was an action you took?</p> <p>19 A. That's correct.</p> <p>20 Q. We have also seen that in fact, even before you arrived,</p> <p>21 you were seeking further information about the victim of</p> <p>22 this incident. One of the building blocks.</p> <p>23 We saw the request that you made on the CAD. In</p> <p>24 fact if we go back to the CAD now, so it is back to</p> <p>25 tab 17, and we look at page 6 of the CAD. For the</p> <p style="text-align: center;">Page 84</p>

<p>1 screen it is IPC453, page 6. There is an entry at 2 12.35, do you see that?</p> <p>3 A. That's correct.</p> <p>4 Q. It is also about halfway down the page, they all seem to 5 be about halfway down the page.</p> <p>6 A. Yes.</p> <p>7 Q. There is a record that 530CO, who would that be?</p> <p>8 A. That is actually -- I don't know the officer directly, 9 but that would be an officer based in the main control 10 room at Bow, which is our 999 complex.</p> <p>11 Q. In any event, that person says they have spoken to 12 Sergeant Searle from Kent Police, he has been dealing 13 with the medium risk misper [missing person] subject 14 reported missing by his partner Ricky. He was last seen 15 on the 18th when he left for work as a chef in E14. He 16 told his partner he was working late. However, on 17 enquiries, it transpired that he left at 1500 stating he 18 was meeting friends. Kent will be dealing with NOK 19 [next of kin]. Contact number for Sergeant Searle given 20 to KG1."</p> <p>21 That is you, is it?</p> <p>22 A. That's correct, yes.</p> <p>23 Q. Personal phone number is given and it then says: 24 "KG1 [again, that is you] appraised who will contact 25 Sergeant Searle."</p> <p style="text-align: center;">Page 85</p>	<p>1 had found within the space of a few weeks?</p> <p>2 A. I think prior to leaving the control room, actually, 3 I was aware of that, yes.</p> <p>4 Q. That must have been struck you as very surprising?</p> <p>5 A. Very surprising, yes, indeed. It was quite unique to be 6 fair.</p> <p>7 Q. What were your thoughts then about Mrs Denham and about 8 the fact that this was the second body she had found?</p> <p>9 A. I hadn't really formulated any opinion at the time upon 10 leaving the control room. I was going to wait until 11 I got to the cemetery to come to any hard and fast 12 conclusions.</p> <p>13 Q. We will come on to talk about what views you formed 14 about the scene. But you do say in your witness 15 statement that, as far as Mrs Denham was concerned, 16 another of the tasks you undertook was to make sure she 17 was looked after?</p> <p>18 A. That's correct, yes.</p> <p>19 Q. How did you do that?</p> <p>20 A. I think I assigned initially uniformed officers and then 21 I had a conversation with detective Sergeant Turrell and 22 I know she spoke to Mrs Denham as well, as like a family 23 liaison type situation.</p> <p>24 Q. Another of the tasks, which again appears to be 25 consistent with those five building blocks, was</p> <p style="text-align: center;">Page 87</p>
<p>1 Is it fair to say this was information being 2 provided of the type you had requested as you travelled 3 towards the scene?</p> <p>4 A. That's correct.</p> <p>5 Q. Perhaps one doesn't know whether it was because you 6 requested it or because it was being obtained anyway but 7 in any event you were provided with this information?</p> <p>8 A. That is correct.</p> <p>9 Q. Were you actually told about that information while you 10 were standing in the graveyard?</p> <p>11 A. Yes, that would have come through whilst I was in the 12 yard, yes.</p> <p>13 Q. There was a couple of references to you being appraised, 14 so we can take it this is not for example you looking at 15 the CAD when you got back to the station, you were told 16 about this information?</p> <p>17 A. It would have been told by my radio, yes.</p> <p>18 Q. No doubt, given the request you had made, you would have 19 been expected to be told about it?</p> <p>20 A. Most definitely, yes.</p> <p>21 Q. Just moving on then to another task which you refer to 22 in your witness statement, another of the building 23 blocks is to do with witnesses. Of course Mrs Denham 24 was there, having found Daniel's body. When did you 25 become aware that in fact this was the second body she</p> <p style="text-align: center;">Page 86</p>	<p>1 undertaking a search at the scene?</p> <p>2 A. That's correct.</p> <p>3 Q. You, I am sure, looked at what has been described as the 4 suicide note, the note that Daniel was holding. When 5 did you, if you can remember, how quickly after you 6 arrived at the scene would you have seen that?</p> <p>7 A. Probably pretty much upon speaking to PC Yexley, very 8 soon upon arrival.</p> <p>9 Q. Just to be clear, I am sure he told you about it, did 10 you actually look at it yourself?</p> <p>11 A. Yes, I did.</p> <p>12 Q. You will have seen then the reference to a dropped 13 phone?</p> <p>14 A. That's correct.</p> <p>15 Q. What did you do about that?</p> <p>16 A. I instigated what we call a flash search, which is not 17 a fingertip search but it is a search of the surrounding 18 area, with the officers I had available at the time just 19 to have a look for that telephone.</p> <p>20 Q. We sometimes see pictures on the television of police 21 officers literally walking forward inch by inch, is what 22 you describe as a fingertip search?</p> <p>23 A. That is a fingertip search, yes.</p> <p>24 Q. This was something different, using, give us an idea, 25 seven or eight officers there, how many officers --</p> <p style="text-align: center;">Page 88</p>

22 (Pages 85 to 88)

<p>1 A. Three or four officers to do that.</p> <p>2 Q. Looking for a phone?</p> <p>3 A. That's correct.</p> <p>4 Q. Within the cordon?</p> <p>5 A. That's correct.</p> <p>6 Q. The jury have been to the scene. The green area or the</p> <p>7 grassy area extends outside the churchyard, doesn't it?</p> <p>8 A. Yes, there is a green area the other side of the</p> <p>9 perimeter wall, yes.</p> <p>10 Q. Did you search there?</p> <p>11 A. No, I didn't, no.</p> <p>12 Q. What about CCTV, it is another potential source of</p> <p>13 evidence, another building block that you were dealing</p> <p>14 with at the scene. Did you take any actions relating to</p> <p>15 CCTV?</p> <p>16 A. Yes, I double-checked that was there CCTV initially on</p> <p>17 the entrance to the cemetery and I had a conversation</p> <p>18 with Detective Sergeant Turrell about wider CCTV from</p> <p>19 the local authority cameras.</p> <p>20 Q. Breaking that down, there is the CCTV consideration</p> <p>21 about any cameras that might actually be on the scene?</p> <p>22 A. Around the cemetery, yes.</p> <p>23 Q. What did you do about those?</p> <p>24 A. I believe it was fed back to me from officers that they</p> <p>25 had spoken to somebody from the church and were informed</p> <p style="text-align: center;">Page 89</p>	<p>1 you in fact do about it?</p> <p>2 A. We would have contacted the control room. Either not</p> <p>3 necessarily on the PR, the personal radio, but also via</p> <p>4 my mobile telephone.</p> <p>5 Q. You would have put the process of obtaining those</p> <p>6 intelligence checks in motion?</p> <p>7 A. That's correct.</p> <p>8 Q. All right.</p> <p>9 Inspector, we have gone through a number of</p> <p>10 different practical steps you took, or you asked others</p> <p>11 to take at the scene.</p> <p>12 Would it normally be the practice for those steps,</p> <p>13 and others like them, to be recorded in an incident</p> <p>14 management log?</p> <p>15 A. That's correct.</p> <p>16 Q. You in fact refer in your statement, which, to be clear,</p> <p>17 you made I think last year, so some years after the</p> <p>18 event, to your expectation that these matters would have</p> <p>19 been referred to in an incident management log?</p> <p>20 A. That's correct.</p> <p>21 Q. But you said in your statement that you hadn't had sight</p> <p>22 of that log when you were drafting your statement?</p> <p>23 A. No, I didn't.</p> <p>24 Q. Have you had sight of it since?</p> <p>25 A. No.</p> <p style="text-align: center;">Page 91</p>
<p>1 that the cameras were not fixed on the actual entry</p> <p>2 point to the cemetery but actually on the church itself.</p> <p>3 Q. They were not going to help?</p> <p>4 A. No.</p> <p>5 Q. Was that something that in fact had been looked into</p> <p>6 before you arrived or at least while you were there?</p> <p>7 A. I believe ongoing, whilst I was there.</p> <p>8 Q. Then you mentioned what is perhaps a separate matter,</p> <p>9 which is seeing if you could interrogate the local</p> <p>10 authority cameras. I think we have seen this in one of</p> <p>11 the other cases, perhaps related to Anthony's body being</p> <p>12 discovered, but what did you do about that?</p> <p>13 A. I had a conversation with Detective Sergeant Turrell in</p> <p>14 relation to that, prior to leaving the scene and my</p> <p>15 expectation was that that would have been expedited with</p> <p>16 the local authority control room.</p> <p>17 Q. Right. You also mention in your witness statement as</p> <p>18 a separate matter intelligence checks. What did you do</p> <p>19 about that?</p> <p>20 A. Obviously we needed background checks on -- there was</p> <p>21 a named male called Gabriel Klein within the suicide</p> <p>22 note, so I needed background checks on that and</p> <p>23 background checks on the incident that had occurred two</p> <p>24 weeks before and on Mrs Denham herself as well.</p> <p>25 Q. That explains what you might have wanted to do, what did</p> <p style="text-align: center;">Page 90</p>	<p>1 Q. Just to if we can look -- perhaps we can just bring this</p> <p>2 up on the screen, it is easier, IPC625. That is</p> <p>3 a document which the jury were looking at yesterday. It</p> <p>4 is the incident management log that was completed in</p> <p>5 relation to the Gabriel Kovari scene, which DI Harman</p> <p>6 talked us through. In fact it contains many of the same</p> <p>7 types of decision and activity that you have been</p> <p>8 discussing with us.</p> <p>9 Searches have not discovered an incident management</p> <p>10 log for the day that Daniel's body was found --</p> <p>11 A. That's correct.</p> <p>12 Q. -- have they?</p> <p>13 A. No.</p> <p>14 Q. Does that mean that there wasn't one made?</p> <p>15 A. No, I did complete one and it was filed but to this very</p> <p>16 day it has never been brought to my attention since.</p> <p>17 Q. Have you looked for it?</p> <p>18 A. I -- because I was approached by Operation Lilford back</p> <p>19 in 2016 --</p> <p>20 Q. Yes.</p> <p>21 A. -- we couldn't find it and they couldn't find it.</p> <p>22 Q. All right. But despite these searches, your not finding</p> <p>23 this document on the police systems, you do think one</p> <p>24 was made, do you?</p> <p>25 A. Yes, I did complete one, yes.</p> <p style="text-align: center;">Page 92</p>

<p>1 Q. All right.</p> <p>2 Thank you, we can take that down.</p> <p>3 I want then to move on to a different issue, which</p> <p>4 is focused on the view you took at the time, in fact the</p> <p>5 conclusion you reached at the time, about whether this</p> <p>6 scene was to be treated as suspicious or non-suspicious.</p> <p>7 Before we get into the detail, just a couple of</p> <p>8 preliminary points.</p> <p>9 The first is this. Is it right to say that, as the</p> <p>10 duty inspector on the scene, it was for you to make the</p> <p>11 decision as to whether the scene was to be treated as</p> <p>12 suspicious or non-suspicious?</p> <p>13 A. That's correct, yes.</p> <p>14 Q. That is certainly the evidence we heard yesterday from</p> <p>15 DI Harman and that was your understanding --</p> <p>16 A. That's correct, yes.</p> <p>17 Q. -- of your role, yes?</p> <p>18 A. Yes.</p> <p>19 Q. Let's just look then, if we can, at tab 19 in the jury</p> <p>20 bundle. This is the Merlin record for this incident.</p> <p>21 For the screen it is IPC32.</p> <p>22 Do you have that?</p> <p>23 A. Yes, I do.</p> <p>24 Q. We see at the top of the first page, the date of</p> <p>25 20 September, reference to sudden death, and so on, so</p> <p style="text-align: center;">Page 93</p>	<p>1 That would have been recorded on the CAD system, so no,</p> <p>2 that wouldn't.</p> <p>3 Q. Do you think that PC Brown was under the impression that</p> <p>4 it was his decision to make?</p> <p>5 A. No, I just think it probably would have been a typing</p> <p>6 error.</p> <p>7 Q. By whom?</p> <p>8 A. Probably by PC Brown.</p> <p>9 Q. What so he has been intending to type "DI Joyce", and he</p> <p>10 has just in error typed his own name, is that what you</p> <p>11 mean?</p> <p>12 A. Possibly, yes. The decision was solely my decision.</p> <p>13 Q. That is not very likely, is it, that he has accidentally</p> <p>14 typed his own name when he meant to type yours?</p> <p>15 A. I cannot comment for PC Brown, I am afraid.</p> <p>16 Q. Let me put it a different way, inspector. Do you think,</p> <p>17 when you were there at the scene, that you were making</p> <p>18 it clear that this was a decision for you to take and</p> <p>19 not for anyone else?</p> <p>20 A. Yes, most definitely.</p> <p>21 Q. There is one more reference in the same document. If we</p> <p>22 can turn over to page 4, please, at the bottom of the</p> <p>23 page, later the same day -- so this is now at 3.22,</p> <p>24 PC Brown makes another entry. If we look just at the</p> <p>25 very bottom:</p> <p style="text-align: center;">Page 95</p>
<p>1 it is clear that this is the incident we are dealing</p> <p>2 with, is that right?</p> <p>3 A. That's correct, yes.</p> <p>4 Q. In fact we can see that the sheet is opened by PC Brown,</p> <p>5 PC Yexley's partner?</p> <p>6 A. That's correct.</p> <p>7 Q. Then underneath that we see Daniel's name.</p> <p>8 If we can turn over to page 2, please, we looked at</p> <p>9 a very similar entry yesterday in relation to</p> <p>10 Gabriel Kovari's death. About five or six lines down</p> <p>11 from the top, there is a heading stating "Death</p> <p>12 considered suspicious" and the entry "N" for no, is that</p> <p>13 right?</p> <p>14 A. That's correct.</p> <p>15 Q. Then if we drop down to the next, or underneath the</p> <p>16 reason, this is recorded as the decision having been</p> <p>17 made by PC Brown, supervised by Sergeant Hogg, and there</p> <p>18 is no reference to your name. That is a mistake then,</p> <p>19 is it?</p> <p>20 A. That is a mistake, yes.</p> <p>21 Q. Just to be clear, who made the decision that this scene</p> <p>22 was not suspicious?</p> <p>23 A. I did.</p> <p>24 Q. Does it matter that it is incorrectly recorded here?</p> <p>25 A. No. Not primarily, no. The decision lies with me.</p> <p style="text-align: center;">Page 94</p>	<p>1 "KG2E, Police Sergeant Hogg, and KG1E, Inspector</p> <p>2 Mark Joyce, also attended the scene and agreed with</p> <p>3 attending officers that there was nothing obviously</p> <p>4 suspicious about the subject's passing."</p> <p>5 In fairness to you, on the one hand we do see you as</p> <p>6 being involved but, again, the words that are used do</p> <p>7 not imply that that was a decision that you took, more</p> <p>8 that you were agreeing with the decision that others had</p> <p>9 taken. That is another mistake, is it?</p> <p>10 A. I agree it reads like that, but the officers would have</p> <p>11 known that the sole decision rests with the duty</p> <p>12 inspector.</p> <p>13 Q. All right, thank you.</p> <p>14 Let's move on to the other matter I wanted to</p> <p>15 address with you at this early stage, and that is just</p> <p>16 about the approach that you would have taken to</p> <p>17 determining whether this scene was suspicious or not.</p> <p>18 It involves looking at one or two documents that the</p> <p>19 jury have seen before.</p> <p>20 If we can go, please, to jury bundle A, you should</p> <p>21 have this, inspector, you will not have that in your own</p> <p>22 file but it is a small jury bundle that may be in one of</p> <p>23 those boxes. The documents will come up on screen. It</p> <p>24 may be you are happy just to look at them on screen,</p> <p>25 otherwise I think you are going to be helped with</p> <p style="text-align: center;">Page 96</p>

24 (Pages 93 to 96)

<p>1 a file.</p> <p>2 For the jury, if we can go to tab 23, please.</p> <p>3 For the screen, it is IPC127.</p> <p>4 Do you have that, inspector, tab 23?</p> <p>5 A. Yes, I do, yes.</p> <p>6 Q. Just to explain, what you are looking at in the file is</p> <p>7 an extract from a much longer document. What you can</p> <p>8 see on the screen is the first page of that much longer</p> <p>9 document, you can see it is the ACPO murder</p> <p>10 investigation manual. We can see it is dated 2006, and</p> <p>11 the jury have heard that it was still in force in 2014.</p> <p>12 From memory, it is hundreds and hundreds of pages</p> <p>13 long. No one will expect you to be familiar with every</p> <p>14 single page of that document. But were you, in general</p> <p>15 terms, familiar with this document in 2014?</p> <p>16 A. I was, but at the time the Metropolitan Police also had</p> <p>17 their own version of this called the London homicide</p> <p>18 manual and it was that document that I was originally</p> <p>19 trained on as an inspector when I was first promoted, so</p> <p>20 my familiarity would have been with the London homicide</p> <p>21 manual, more so than the ACPO.</p> <p>22 Q. All right, well, the jury may hear -- I think they</p> <p>23 probably already have heard that in fact that document</p> <p>24 by 2014 had, at the very least, gone into abeyance, but</p> <p>25 let's not get tied up in the different policies for</p> <p style="text-align: center;">Page 97</p>	<p>1 "The actions taken by the first officers attending</p> <p>2 the scene of a homicide or major incident are critical</p> <p>3 to the success of the investigation. From the outset,</p> <p>4 officers should adopt an investigative mentality and</p> <p>5 approach."</p> <p>6 Is that something that you were trained on and</p> <p>7 reflects your practice?</p> <p>8 A. Yes, that's correct.</p> <p>9 Q. Underlining the importance of an investigative mentality</p> <p>10 at a scene, yes?</p> <p>11 A. Yes.</p> <p>12 Q. Secondly, the next paragraph:</p> <p>13 "During the initial response it is sometimes</p> <p>14 difficult to determine if a death is the result of</p> <p>15 natural causes, an accident, suicide or homicide. If in</p> <p>16 doubt, investigate as homicide until the evidence proves</p> <p>17 otherwise."</p> <p>18 Again, is that an approach that you were familiar</p> <p>19 with in 2014?</p> <p>20 A. Yes, that was.</p> <p>21 Q. If we go back two pages for the screen. Just back to</p> <p>22 paragraph 2.2.1 in this document, for those of you</p> <p>23 looking at the hard copy. This is a passage of the</p> <p>24 document which may not have been aimed at someone like</p> <p>25 you, but it explains this principle. Let's just have</p> <p style="text-align: center;">Page 99</p>
<p>1 their own sake, inspector. I am going to ask you about</p> <p>2 a few passages within this document and you can tell me</p> <p>3 whether that reflects the approach you would have taken.</p> <p>4 A. Okay.</p> <p>5 Q. First of all, can we go, please, to -- for the screen,</p> <p>6 it is page 37. For those looking at the bundle, it is</p> <p>7 the last of the pages. It is a bit confusing because</p> <p>8 the document has different internal numbers to the</p> <p>9 computer. But I hope we are all looking at</p> <p>10 paragraph 2.2.2, "Initial response". Do you have that?</p> <p>11 A. I do, yes.</p> <p>12 Q. First of all, you were the duty inspector responding to</p> <p>13 this incident?</p> <p>14 A. That's correct.</p> <p>15 Q. You were at least part of the initial response?</p> <p>16 A. Very much so, yes.</p> <p>17 Q. We see, for example, the five building blocks in block</p> <p>18 shape at the bottom of the page.</p> <p>19 Do you think this is a section of the manual that</p> <p>20 applied to you on that day?</p> <p>21 A. Yes, that's correct, yes.</p> <p>22 Q. Let's read the words and you can tell us if that</p> <p>23 summarises or reflects the approach you would have had,</p> <p>24 even if you were trained on a different manual.</p> <p>25 First paragraph:</p> <p style="text-align: center;">Page 98</p>	<p>1 a look at it and see if you agree that this is why it</p> <p>2 was important to have an investigative mentality and to</p> <p>3 investigate as homicide if there is any doubt.</p> <p>4 What this passage reads is, very bottom of the page:</p> <p>5 "It is not always obvious from the initial report of</p> <p>6 an incident that it involves homicide. Reports of</p> <p>7 bodies found with injuries that may have been caused by</p> <p>8 an assault or reports made by those responsible for the</p> <p>9 homicides are relatively straightforward and will prompt</p> <p>10 an appropriate initial response [turning over]. Less</p> <p>11 obvious scenarios include [there is a list given which</p> <p>12 includes, towards the bottom] ... suicides and</p> <p>13 drug-related deaths."</p> <p>14 Then it says this:</p> <p>15 "If the potential for these reports to involve</p> <p>16 homicide is overlooked, opportunities to gather</p> <p>17 significant material may be lost. Where death or</p> <p>18 serious injury is reported or the circumstances of</p> <p>19 an incident appear suspicious, call handlers should</p> <p>20 always think murder."</p> <p>21 You, of course, were not a call handler. But does</p> <p>22 that really describe the rationale for taking that very</p> <p>23 cautious approach at, for example, deaths that appear to</p> <p>24 be suicide or drug related?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 Q. It comes back to the building blocks, doesn't it?</p> <p>2 A. It does, yes.</p> <p>3 Q. Because if you jump to conclusions and if you jump to</p> <p>4 the wrong conclusions, then evidence can be lost, the</p> <p>5 investigation may be hampered?</p> <p>6 A. Yes.</p> <p>7 THE CORONER: Mr O'Connor, I have been asked by the jury for</p> <p>8 a break, so I think what we will do is take an early</p> <p>9 lunch at that stage.</p> <p>10 MR O'CONNOR: Yes, madam.</p> <p>11 THE CORONER: Members of the jury, we will break off until</p> <p>12 1.45 pm.</p> <p>13 (12.44 pm)</p> <p>14 (The Luncheon Adjournment)</p> <p>15 (1.45 pm)</p> <p>16 (In the presence of the jury)</p> <p>17 THE CORONER: Yes.</p> <p>18 MR O'CONNOR: Inspector Joyce, we looked before lunch,</p> <p>19 didn't we, at the Merlin report?</p> <p>20 A. That's correct.</p> <p>21 Q. Which recorded the conclusion reached at the scene that</p> <p>22 there was nothing suspicious about Daniel Whitworth's</p> <p>23 death, do you recall?</p> <p>24 A. Yes, that that's correct.</p> <p>25 Q. We saw it was entered under the name of PC Brown, but</p> <p style="text-align: center;">Page 101</p>	<p>1 that policy document said you needed to?</p> <p>2 A. Yes, I had an openness to evidence, yes.</p> <p>3 Q. You reached the position then, did you, that you were in</p> <p>4 no doubt that Daniel's death was not suspicious?</p> <p>5 A. That's correct.</p> <p>6 Q. Let's have a look at your statement. We can call it up</p> <p>7 on the screen, please. It is HAL6. You probably have</p> <p>8 a copy there, but it will be on the screen for you,</p> <p>9 inspector. I think we can pick it up at page 4 at the</p> <p>10 bottom, please. We can enlarge the bottom half of the</p> <p>11 page.</p> <p>12 We see just at the end of that paragraph 11, you</p> <p>13 referring to the fact that you formed the opinion that</p> <p>14 this case was a suicide, and you then say your rationale</p> <p>15 was this ... and then there are a series of</p> <p>16 subparagraphs, aren't there?</p> <p>17 A. That's correct.</p> <p>18 Q. I will read through them and then ask you some questions</p> <p>19 about them, all right?</p> <p>20 A. Okay.</p> <p>21 Q. First of all you say:</p> <p>22 "The deceased had allegedly left a very</p> <p>23 comprehensive note and had gone to great lengths to</p> <p>24 preserve the integrity of the note, ensuring its</p> <p>25 discovery. The deceased had explained the plausible</p> <p style="text-align: center;">Page 103</p>
<p>1 said that was a decision that you made at the scene.</p> <p>2 In the witness statement that you have prepared for</p> <p>3 the inquest, you set out a number of reasons explaining</p> <p>4 that decision. I am going to take you through them in</p> <p>5 a moment.</p> <p>6 Before I do that, may I ask this, when we looked at</p> <p>7 the log, we saw that you were only at the scene for</p> <p>8 an hour and 20 minutes or so that morning?</p> <p>9 A. That's correct.</p> <p>10 Q. We have heard about all the officers who were there, who</p> <p>11 you were in charge of deploying. We have heard about</p> <p>12 the fact that CID arrived and you spoke with them.</p> <p>13 A. Hmm.</p> <p>14 Q. We have heard about those tasks, the perimeter, the</p> <p>15 search for the phone, sorting out Mrs Denham,</p> <p>16 intelligence checks, trying to find out about CCTV.</p> <p>17 Those must all have taken some time?</p> <p>18 A. That's correct, yes.</p> <p>19 Q. Was there actually time whilst you were at the scene for</p> <p>20 you to think carefully about what was there in front of</p> <p>21 you and to read the note and actually reach a considered</p> <p>22 view about whether there was any suspicion or not?</p> <p>23 A. Yes, I think so, yes.</p> <p>24 Q. Do you think that you considered all of those matters</p> <p>25 that were before you with an investigative mindset, as</p> <p style="text-align: center;">Page 102</p>	<p>1 reasons for his actions, which appeared credible, he</p> <p>2 expressed resource and justification to his family."</p> <p>3 If we could go on, please, there is, over the page,</p> <p>4 the next consideration:</p> <p>5 "The deceased had also referenced the consumption of</p> <p>6 G along with sleeping tablets. I was aware that GHB was</p> <p>7 the drug most likely been referred it and that it could</p> <p>8 be dissolved in liquid and taken. The discovery of</p> <p>9 a small vial and vola bottle indicated this was the</p> <p>10 case."</p> <p>11 A. That's correct.</p> <p>12 Q. Next consideration:</p> <p>13 "The deceased had been reported missing prior to his</p> <p>14 death. In my experience, whilst a person may be of</p> <p>15 troubled mind and considering such self-harm measures,</p> <p>16 the distancing of oneself from loved ones can be</p> <p>17 a deliberate precursor to such action. This can be</p> <p>18 compounded by the methodical approach seemingly</p> <p>19 undertaken as in this case."</p> <p>20 A. That's correct.</p> <p>21 Q. Next:</p> <p>22 "The body of the deceased was examined. There was</p> <p>23 no apparent external bruising or abrasions conducive</p> <p>24 with a struggle."</p> <p>25 Next:</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 "I was aware of the increasing trend in suicide 2 rates nationally. This was particularly applicable to 3 young males under the age of 25. Mr Whitworth fitted 4 this demographic and gender." 5 Then lastly: 6 "Barking town centre itself was one of the top 10 7 ASB [antisocial behaviour]/crime hot spots in London. 8 The socio/economic decline of the town was apparent, as 9 a consequence it attracted a street life culture which 10 brought unwanted street drinking, drug abuse and rough 11 sleepers. St Margaret's Church was a very accessible 12 but hidden quiet location where people could congregate 13 to drink or take drugs. The discovery of a potential 14 overdose at that location would not necessarily raise 15 heightened concerns." 16 A. That's correct. 17 Q. That is what you describe as the rationale for that 18 decision that the death was not suspicious, it was 19 a suicide? 20 A. That's correct. 21 Q. Perhaps I ought to ask you this. This was a statement 22 that, as we can see at the bottom of the page, you 23 signed, you wrote, last year, in August 2020. 24 A. That's correct. 25 Q. That is not a criticism, because, as I said at the</p> <p style="text-align: center;">Page 105</p>	<p>1 St Margaret's Church attracted rough sleepers, drug 2 takers and so on. 3 Would you agree that those are all what we might 4 call generic considerations, they had nothing to do with 5 Daniel's particular case, did they? 6 A. I would disagree. The missing person report most 7 definitely did, yes. 8 Q. He was a missing person, but those considerations that 9 you are identifying there, that missing persons perhaps 10 are likely to commit suicide or that you know they do 11 and that Daniel was a male and that young men commit 12 suicide and that Barking town centre was a place that 13 attracted people taking drugs. Those were contextual 14 considerations weren't they, would you prefer to 15 describe them in that way? 16 A. That would be fair to say, yes. 17 Q. That were not actually homing in on what you can see in 18 front of you, were they? 19 A. Not necessarily, no. 20 Q. Would it be fair to say that if one places too much 21 weight at any rate on generalisations like that, one can 22 be led into making assumptions about what is going on, 23 rather than actually looking and seeing precisely what 24 is in front of you? 25 A. That could occur, yes.</p> <p style="text-align: center;">Page 107</p>
<p>1 start, you were not asked to provide a statement before 2 then, were you? 3 A. No. 4 Q. How easy did you find it in 2020 to remember in fact, 5 the things that had gone through your mind in the 6 graveyard in 2014? 7 A. I had a recollection but, yes, it was difficult to do 8 that. 9 Q. You have done the best you can, have you, to set down 10 the thoughts that were in your mind? 11 A. Yes. 12 Q. Perhaps we just have to, when reading them, bear in mind 13 the in fact that you undertook that task many years 14 afterwards? 15 A. I did, yes. 16 Q. Let me ask you first of all, inspector, about three of 17 those considerations. They are 11(c), (d) and (f), do 18 you see the last one, 11(f), and then (c) and (d). We 19 have read through them. 20 The fact that Daniel was a missing person -- sorry, 21 I should have said (c), (e) and (f). 22 (c) is the fact he was a missing person. 23 (e) was the fact that he was a young male, and 24 suicide trends being what they are. 25 (f) was the fact that Barking town centre and</p> <p style="text-align: center;">Page 106</p>	<p>1 Q. In fact, that is the very opposite of an investigative 2 mindset, isn't it, just making assumptions about what 3 might be happening? 4 A. Yes. 5 Q. Do you think, looking at these reasons and thinking 6 about you there on that day, that you may have, at least 7 in part, just allowed yourself to assume that, because 8 you were looking at the body of a young man and you knew 9 he had been registered as a missing person and there was 10 a drugs issue and that you were in this churchyard, that 11 somehow this must be a suicide. Do you think you may 12 have started to think in that way? 13 A. I do reproach myself for considering that there is 14 an element maybe of conscientious bias -- sorry, 15 confirmation bias, what I mean by that is that you form 16 an opinion and you look for the evidence that takes you 17 towards that. That could be a possibility, yes. 18 Q. All right. Let's just look at the other factors. 19 11(d) you refer there to the fact that there was 20 an examination of the body, so far as you could examine 21 it at the scene, and there was no sign of violence, if 22 we could put it that way, no sign of a struggle, in 23 other words no sign that anyone else had been involved, 24 at least as far as the investigation of the body that 25 you could undertake was concerned?</p> <p style="text-align: center;">Page 108</p>

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<p>1 A. That's correct.</p> <p>2 Q. That doesn't necessarily tell you what has happened, but</p> <p>3 it is something that you can use to perhaps exclude</p> <p>4 other things, yes?</p> <p>5 A. That's correct.</p> <p>6 Q. You must have been aware that the examination of the</p> <p>7 body that you could undertake wasn't at all complete or</p> <p>8 reliable, just standing there in the graveyard.</p> <p>9 Did you bear that in mind?</p> <p>10 A. Yes but it wouldn't ever have been able to be</p> <p>11 100 per cent in the graveyard, yes.</p> <p>12 Q. We bear in mind, do we, the policy documents which say</p> <p>13 that if there is any doubt at all, the case needs to be</p> <p>14 treated as suspicious?</p> <p>15 A. With all the other factors that I took into</p> <p>16 consideration, then I was satisfied it was a suicide.</p> <p>17 Q. What about consideration 11(b), inspector. We have seen</p> <p>18 the note, we will have another look at it in a minute,</p> <p>19 and it refers to G, doesn't it, we have heard from PC</p> <p>20 Yexley, I think he said that PC Brown knew something</p> <p>21 about that drug. Did you know anything about G or GHB?</p> <p>22 A. I had a slight working knowledge. I think it would be</p> <p>23 fair to say that all of us on the scene wasn't</p> <p>24 particularly conversant in GHB.</p> <p>25 Q. Let me just ask you this, did you know that G stood for</p> <p style="text-align: center;">Page 109</p>	<p>1 taking steroids. I had heard of it in that guise as</p> <p>2 well.</p> <p>3 Q. You had heard of it being used by bodybuilders?</p> <p>4 A. Hmm.</p> <p>5 Q. Had you heard of it being used as a date rape drugs?</p> <p>6 A. Not as a date rape drug, but I knew it was used in --</p> <p>7 could be a chemsex drug, yes.</p> <p>8 Q. Did any of the officers on the scene bring to your</p> <p>9 attention the fact that GHB was sometimes used as a date</p> <p>10 rape drug?</p> <p>11 A. No, I don't think we had that conversation.</p> <p>12 Q. If they had, then that would have been something that</p> <p>13 presumably you would have considered potentially made</p> <p>14 this case suspicious?</p> <p>15 A. Potentially.</p> <p>16 Q. Let's just scroll back, please, to 11(a), it involves</p> <p>17 going back to the page before on the screen. This is</p> <p>18 the only part of the rationale that describes the note,</p> <p>19 isn't it?</p> <p>20 A. Yes, that's correct.</p> <p>21 Q. What you say is that the deceased had allegedly left</p> <p>22 a very comprehensive note and had gone to great lengths</p> <p>23 to preserve the integrity of the note ensuring its</p> <p>24 discovery. Well, it is certainly true, if we think of</p> <p>25 the plastic folder that the note was in. It is</p> <p style="text-align: center;">Page 111</p>
<p>1 GHB?</p> <p>2 A. I worked it out from the suicide note, yes. Yes.</p> <p>3 Q. It was you that worked that out, not something that</p> <p>4 PC Brown or PC Yexley told you?</p> <p>5 A. There was a hypotheses I believe, going on on the radio</p> <p>6 from PC Brown that it was GHB and possibly it had been</p> <p>7 mixed with drain fluid, but I am not sure where that</p> <p>8 came from.</p> <p>9 Q. Do you mean mixed with drain fluid? I think the jury</p> <p>10 may have heard evidence or may hear evidence that that</p> <p>11 is how it is made?</p> <p>12 A. I am not entirely sure.</p> <p>13 Q. Did you investigate that angle? Did you ask for anyone</p> <p>14 to look into how GHB was made or what the drain --</p> <p>15 A. Not at the scene, no.</p> <p>16 Q. Slightly unusual thing to read, that it is something</p> <p>17 mixed with drain fluid. Did you want to get to the</p> <p>18 bottom of that issue?</p> <p>19 A. It wouldn't have been something I would have been able</p> <p>20 to ascertain there in the graveyard at the time.</p> <p>21 Q. Did your knowledge of GHB extend to the fact that it was</p> <p>22 regarded or known to be a date rape drug?</p> <p>23 A. I had heard of it and I had also heard of it in another</p> <p>24 context with bodybuilders using it actually, as</p> <p>25 a slightly different context, as a counteractive to them</p> <p style="text-align: center;">Page 110</p>	<p>1 certainly true that someone had gone to great lengths to</p> <p>2 ensure its integrity and discovery, hadn't they?</p> <p>3 A. Yes.</p> <p>4 Q. Did you think about the possibility that it wasn't the</p> <p>5 deceased but it might be someone else who had put the</p> <p>6 note into that plastic file?</p> <p>7 A. No.</p> <p>8 Q. When you were reading the note and looking in the</p> <p>9 graveyard and using your investigative mindset, thinking</p> <p>10 about it, didn't it really strike you as very odd that</p> <p>11 this man, who must have taken this desperate act in the</p> <p>12 middle of the night in a graveyard, in the dark, in the</p> <p>13 rain, had thought ahead to equip himself with a plastic</p> <p>14 wallet?</p> <p>15 A. Potentially, yes.</p> <p>16 Q. Did it or didn't it?</p> <p>17 A. Sorry?</p> <p>18 Q. Did it or didn't do strike you as odd when you stood in</p> <p>19 the graveyard?</p> <p>20 A. No.</p> <p>21 Q. Should it have done?</p> <p>22 A. No. Not necessarily.</p> <p>23 Q. What is your position about this, inspector, you are</p> <p>24 agreeing that it is something that is odd, yes?</p> <p>25 A. No. The fact that it was in a plastic sleeve to</p> <p style="text-align: center;">Page 112</p>

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<p>1 preserve the integrity, suggested to me that it was 2 designed to be found. 3 Q. We have established that. I am just trying to press you 4 a little bit. If one imagines trying to understand the 5 scene, isn't there something strange about the fact that 6 someone who is in the position of wanting to commit 7 suicide in the middle of the night in the dark, actually 8 has with them a plastic sleeve to put the suicide note 9 in. Isn't that something, as a police officer, if you 10 are investigating this incident, isn't that something 11 that you would have thought demanded a bit more thought? 12 A. No, because I think allied to the fact that he had been 13 missed for 48 hours, would suggest to me that he was of 14 the mindset that it was pre-planned, possibly 15 premeditated, so I wouldn't think it would be completely 16 strange. 17 Q. It must be premeditated, is what you thought? 18 A. Potentially, yes. 19 Q. You keep saying "potentially", inspector, but I would 20 just like you to answer my questions. What you just 21 said was that because he had been missing 48 hours then 22 the suicide must have been premeditated, do you mean 23 planned? 24 A. Planned, that's correct, yes. 25 Q. Why?</p> <p style="text-align: center;">Page 113</p>	<p>1 A. That's correct, yes. 2 Q. Having that in your mind, and then looking at this note 3 that you have described in this witness statement as 4 very comprehensive, did it strike you as odd that there 5 was no reference in the note to Ricky? 6 A. No. 7 Q. Why not? 8 A. No. Because it appeared to me that he mentioned having 9 sex with another male, so therefore it looked like he 10 may have been possible infidelity, I don't know, but it 11 didn't occur to me, no. 12 Q. Or that in fact the note contained no reference to any 13 names apart from Gabriel Klein, no reference to any 14 names of -- whether Ricky or his parents or siblings 15 that he may or may not have, friends, no names at all. 16 Did that seem a bit odd in a suicide note to you? 17 A. No. 18 Q. But certainly not a comprehensive note though, is it? 19 A. It is a comprehensive note, yes. 20 Q. Are you sure that you read through that note with what 21 has been described as an investigative mindset, 22 inspector? 23 A. Yes. 24 Q. Let me ask you to look at another reference, please. 25 This is in the jury bundle A, so it is a photograph. It</p> <p style="text-align: center;">Page 115</p>
<p>1 A. For the other factors that I have mentioned. 2 Q. Isn't that just another assumption, inspector, that 3 because someone had been missing 48 hours, they must 4 have been planning to commit suicide? 5 A. In conjunction with the suicide note, yes, that's 6 correct. 7 Q. Another word you used to describe the note is "very 8 comprehensive". We saw on the CAD that on your way to 9 the scene, you had asked for more detail about this man, 10 yes? 11 A. That's correct. 12 Q. Let's just look back at the CAD, briefly. So it is 13 tab -- I think it is 17 in the bundle. And it is 14 page 6. We went to it earlier. For the screen, it is 15 IPC453, page 6. 16 Do you recall, I asked you about this, and you said 17 that this was information that you would have been given 18 at the scene. There are a couple of references to you 19 being appraised. If we look at the entry at 12.35, 20 there is the detail about you being told that Daniel had 21 been reported missing by his partner Ricky and then 22 details about where Daniel worked and reporting in or 23 telling Ricky that he was going to work late and in fact 24 leaving at 3.00 and all of that detail. That was 25 information I think you agreed you had at the time?</p> <p style="text-align: center;">Page 114</p>	<p>1 will not come up on screen. Can we go to tab 14 of jury 2 bundle A, please. You should have it there, inspector, 3 it is the slimmer file which contained the policy 4 documents we were looking at. 5 If we can look at tab 14, we haven't taken you to 6 these photographs so far. We looked at them with PC 7 Yexley. Do you see that there? 8 A. Yes, I do. 9 Q. PC Yexley said that was a photograph which showed 10 Daniel's body in the position/state that he found it. 11 Does it also accord with your memory, to the extent you 12 have a memory, of what you saw that day? 13 A. It does. 14 Q. Amongst the other things that we see are -- do you see 15 just on the right-hand side of Daniel's body as we look 16 at it, but on his left, there is a black shape. That 17 was a table mat, wasn't it? 18 A. That's correct. 19 Q. Did the presence of a table mat strike you as a bit odd? 20 A. It did, but I must confess I didn't give it particular 21 attention to detail. 22 Q. You did or didn't? 23 A. I didn't. 24 Q. What about the fact that, as we can see, there and as we 25 have heard from others, Daniel's hoody is pulled up and</p> <p style="text-align: center;">Page 116</p>

<p>1 his trousers are pulled down. Did that strike you as 2 a bit strange? 3 A. No. 4 Q. Or the fact that he is sitting on a bedsheet? 5 A. No. 6 Q. Did you consider the possibility that Daniel had 7 actually been placed here, that this is what might be 8 described as a staged scene? 9 A. It would have been a consideration, but I ruled that 10 out. 11 Q. Would have been or was? 12 A. It was a consideration. 13 Q. You did think through the possibility that someone else 14 had placed Daniel here? 15 A. It would have been a consideration, yes, but I concluded 16 that wasn't the case. 17 Q. I am sorry to press you, inspector, I just want to be 18 clear, you keep saying "would have been", are you saying 19 that that is something that you considered in that hour 20 and 20 minutes that you were in the graveyard? 21 A. Yes, it would have been a consideration. 22 Q. How did you explain to yourself then, for example, the 23 fact that there was a table mat there? 24 A. I didn't, as I said. I didn't give that as much 25 consideration as I should have done.</p> <p style="text-align: center;">Page 117</p>	<p>1 other body was found? 2 A. Yes, I didn't find that out at the scene, no. 3 Q. Did you think about that Pacesetter meeting you had been 4 at in June, a few months before, where a third body had 5 been found just a few hundred metres away? 6 A. No, I didn't, no. 7 Q. Why not? 8 A. Just the correlation never occurred to me at the time. 9 Q. If we draw all these matters together, inspector, I want 10 to just ask you to reflect and see whether you agree 11 that in fact there were plenty of things about this 12 scene that should have led you to conclude that there 13 was at least some room for doubt about whether this 14 scene was suspicious. What do you think? 15 A. There is always room for doubts, but as I said to you, 16 the evidence that I had before me, which was the suicide 17 risk factors, of drugs, reference to the suicide letter, 18 that there was trauma in Daniel's life, the fact that he 19 had slightly disassociated himself from his partner and 20 the fact that he felt he couldn't go to his family were 21 risk factors in terms of a man possibly considering 22 suicide. 23 Q. We have been through those background factors, 24 inspector, I am not going to go back over them, but you 25 said there is always room for doubt. Let's not play</p> <p style="text-align: center;">Page 119</p>
<p>1 Q. You knew when you were there, didn't you, that another 2 body had been found pretty much in exactly the same 3 spot? 4 A. I wasn't -- in the same cemetery, yes, I wasn't aware of 5 the location. 6 Q. Did you not pick up from Mrs Denham the fact that this 7 body was almost exactly where she had found the previous 8 body? 9 A. Sorry, can you say that again? 10 Q. Did you not pick up from Mrs Denham or one of the other 11 officers that this body was pretty much exactly where 12 the -- 13 A. That was never brought to my attention at all. 14 Q. Should you have found that out for yourself? 15 A. Potentially, yes. 16 Q. I mean, it must have been -- I cannot remember the word 17 you described before lunch, but to have a witness or 18 individual who finds two bodies within a few weeks of 19 each other, is incredibly unusual, isn't it? 20 A. It is, yes. 21 Q. If you are approaching this with an investigative 22 mindset, that is something you are going to want to 23 understand fully, isn't it? 24 A. Yes. 25 Q. Surely the first thing you would want know is where the</p> <p style="text-align: center;">Page 118</p>	<p>1 with words. The policies that we looked at made it 2 clear that unless you were sure that this was 3 non-suspicious, then you should have classed it as 4 a suspicious case. 5 A. No, I was satisfied that in the attendant circumstances 6 it was a suicide. 7 Q. All right, I am going to move on. 8 I want to ask you now about another aspect to all of 9 this, because whatever view you formed of Daniel's 10 death, and you have explained that you concluded it was 11 suicide and you have told us why, it is also the case, 12 isn't it, that the note referred to another death. 13 That's right, isn't it? 14 A. That's correct, sir. 15 Q. In fact, what the note said was that Daniel had been 16 responsible for causing that other death, yes? 17 A. That's correct. 18 Q. That must have been really a very unusual thing in your 19 experience? 20 A. Potentially, yes. 21 Q. Potentially or yes it was very unusual? 22 A. Not very unusual, no. 23 Q. Had you ever been to a scene where you had found 24 a suicide note, or an apparent suicide note, where the 25 individual in question admitted to having killed another</p> <p style="text-align: center;">Page 120</p>

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<p>1 person?</p> <p>2 A. Not personally, no.</p> <p>3 Q. Have you been to such a scene since?</p> <p>4 A. No.</p> <p>5 Q. Will you agree that it was very unusual?</p> <p>6 A. It was unusual, yes.</p> <p>7 Q. Unusual or very unusual, inspector?</p> <p>8 A. It was unusual, yes.</p> <p>9 Q. How much consideration did you give to that aspect of</p> <p>10 the case?</p> <p>11 A. I -- the intelligence checks that were being presented</p> <p>12 to me at the time just did not give me any link</p> <p>13 whatsoever to Mr Kovari two weeks before. I had -- the</p> <p>14 intel that we were running was on Gabriel Klein and</p> <p>15 I just simply wasn't given any information in relation</p> <p>16 to that at the time.</p> <p>17 Q. That is understood, inspector. I think the evidence is</p> <p>18 clear, it was a different name and you didn't know at</p> <p>19 the time that that reference to Gabriel Klein was in</p> <p>20 fact a reference to Gabriel Kovari. Let's put that to</p> <p>21 one side. Because what you did have was a note stating</p> <p>22 clearly that there had been another death, didn't you?</p> <p>23 A. That's correct.</p> <p>24 Q. That fact alone should have meant that that was</p> <p>25 a homicide which needed to be investigated and where you</p> <p style="text-align: center;">Page 121</p>	<p>1 Q. I am not sure the jury have at least seen directly</p> <p>2 a document like this before, but we are familiar with</p> <p>3 the fact that there are the different shifts during the</p> <p>4 day, or turns, night duty, early turn, late turn. And</p> <p>5 that the DI, the duty inspector, passes from one to the</p> <p>6 other as the turns go by?</p> <p>7 A. That's correct.</p> <p>8 Q. I know it is within an email, but is the substance of</p> <p>9 this document a briefing that you would have prepared at</p> <p>10 the end of your shift, your early turn, in order to, as</p> <p>11 it were, fill in the person taking over for the late</p> <p>12 turn on what has happened during your shift?</p> <p>13 A. That's correct, yes.</p> <p>14 Q. Would you in fact have written it during your shift or</p> <p>15 at the end before you go off?</p> <p>16 A. Towards the latter part of the end of the shift.</p> <p>17 Q. All right.</p> <p>18 The entry I want to read is at the bottom of the</p> <p>19 page, headed "Incident details". It goes over the page.</p> <p>20 Let's read it through and then I will ask you, as I say,</p> <p>21 about it, if we could scroll through on the screen as we</p> <p>22 go.</p> <p>23 It says this -- we see the heading "Suicide,</p> <p>24 non-suspicious", that was the view you had reached as</p> <p>25 you have explained:</p> <p style="text-align: center;">Page 123</p>
<p>1 were standing was a scene in a homicide investigation,</p> <p>2 isn't that right?</p> <p>3 A. No, that is not correct, no.</p> <p>4 Q. Why not?</p> <p>5 A. Because Mr Daniel Whitworth was the scene for a suicide.</p> <p>6 I didn't have a scene for a murder, as you are</p> <p>7 suggesting, for the other party that was mentioned.</p> <p>8 Q. Well, if -- I am going to explore this a little bit</p> <p>9 further in a moment, but if there has been a homicide,</p> <p>10 and you then have a scene where the individual who is</p> <p>11 responsible for the homicide dies, isn't that other</p> <p>12 scene linked to the homicide investigation?</p> <p>13 A. It is linked, yes.</p> <p>14 Q. Isn't it in fact going to be a scene that needs to be</p> <p>15 investigated in order to investigate the homicide?</p> <p>16 A. Not necessarily, no.</p> <p>17 Q. I want to look at another document now, please. That is</p> <p>18 the handover notes that you made at the end of your</p> <p>19 shift. In the bundle, this is going back to the large</p> <p>20 bundle, it is tab 23. For the screen it is MPS802.</p> <p>21 What I want to do, first of all, is let's establish</p> <p>22 what this document is. Then we will read through</p> <p>23 an entry in it and then I will ask you some questions</p> <p>24 about, all right?</p> <p>25 A. Okay.</p> <p style="text-align: center;">Page 122</p>	<p>1 "Police called to Barking Abbey at 11.20 am by</p> <p>2 a passerby walking her dog in the cemetery. She came</p> <p>3 across a white male, 21 years old, slumped against</p> <p>4 a wall in the graveyard and returned home to call</p> <p>5 police. Officers arrived to find the lifeless body of</p> <p>6 the male. Upon checking the body, officers found</p> <p>7 a driving licence in the name of the deceased. He is</p> <p>8 shown as a missing person from Kent Police, Gravesend,</p> <p>9 reported missing since Thursday, 18 September by his</p> <p>10 partner. Subject was last known to have gone to work on</p> <p>11 the E14 area, where he works as a chef. Kent Police</p> <p>12 have been made aware and are informing next of kin.</p> <p>13 Misper [missing person] was holding a very comprehensive</p> <p>14 suicide note. In the note the victim makes reference to</p> <p>15 having gay sex with a male called Gabriel Klein, they</p> <p>16 were high on the drug GHB, referred to in the letter as</p> <p>17 simply G. During sexual intercourse, Gabriel has</p> <p>18 apparently died and the victim has panicked and left</p> <p>19 him. It is this reason why he has taken his own life.</p> <p>20 It is not clear where, when or if this alleged incident</p> <p>21 has ever taken place. Kent and MPS indices checked but</p> <p>22 both negative for the details provided in the letter.</p> <p>23 Subject states in the letter he has mixed GHB and drain</p> <p>24 fluid together. Between his legs was a coke bottle,</p> <p>25 three-quarters empty. Subject also states in his letter</p> <p style="text-align: center;">Page 124</p>

<p>1 that he lost his phone in the cemetery. Area search, no 2 trace. Officers did try to ring it, but Kent Police 3 state it has been unobtainable since he went missing. 4 Scene preserved with a forensic tent and photog 5 requested for coroner's report, awaits removal of the 6 body under coroner's instructions." 7 That was the description of the screen, the note, 8 your thinking that you were passing on to your 9 colleague? 10 A. That's correct. 11 Q. It goes without saying, perhaps, that it was important 12 that you provided an accurate and a detailed summary for 13 that officer to take over? 14 A. That's correct. 15 Q. I wonder if we can just put the second page that we have 16 been looking at on one side of the screen and the note, 17 which if the jury want to look at it at the same time, 18 is tab 20 in the bundle and for the screen it is IPC14. 19 I wonder if we can put those two documents side by side 20 on the screen. 21 I just want to ask you a few questions about the 22 content of this note, inspector, and your briefing. 23 First of all, not perhaps the most important point, 24 but perhaps we noticed as we read through, you said 25 subject states in his letter that he has mixed GHB and</p> <p style="text-align: center;">Page 125</p>	<p>1 the circumstances of how it happened, but what did 2 happen, according to this note, is that I took the life 3 of my friend, yes, so I have killed someone? 4 A. That's correct, yes. 5 Q. Let's just look at what you have put in your report 6 about this, about five or six lines down you say: 7 "During sexual intercourse Gabriel has apparently 8 died." 9 That is not the same as, "The person who wrote the 10 note says that he has killed someone", is it? 11 A. No. 12 No. 13 Q. Just going back to those contextual matters about 14 churchyard containing drug addicts, young people 15 committing suicide. Do you think that you may have 16 allowed another assumption to creep in here, which is 17 that gay people take drugs, have sex, sometimes die 18 during having sex? Do you think you may have allowed 19 that assumption to have colour your judgment here, 20 inspector? 21 A. No, not at all. 22 Q. Can you explain why you described this reference, which 23 is to one person admitting to taking the life of 24 another, simply as the other person, to use your words, 25 "apparently dying"?</p> <p style="text-align: center;">Page 127</p>
<p>1 drain fluid together. He didn't write that, did he? 2 A. No, he didn't, that was a typing error by myself in 3 compiling the report. 4 Q. It is not a typing error, inspector, it is just you got 5 it wrong, didn't you? 6 A. Yes, that is the wrong entry, yes. 7 Q. Sorry? 8 A. That is the wrong entry, yes. 9 Q. It just doesn't say that in the note? 10 A. No, it doesn't. 11 Q. No. 12 Let's look at another matter. What you say in your 13 report -- or rather let's do it the other way round. 14 Let's look at the note, at the top of the note, what is 15 written is: 16 "I took the life of my friend." 17 Then a little bit later, whoever wrote it says that 18 if they go to the police, they think they will go to 19 prison, yes? 20 A. Yes. 21 Q. There is no mystery about this, what this note is saying 22 is I have killed someone. Yes? 23 A. Not necessarily. It says that it could have been 24 a potential accident. 25 Q. Inspector, let's not beat about the bush. Accident is</p> <p style="text-align: center;">Page 126</p>	<p>1 A. I probably can. I didn't make a verbatim note of the 2 suicide note, PC Yexley did, so when it came to the end 3 of shift, when completing this precis, I didn't have the 4 verbatim context of note to hand. So between my own 5 notes and the CAD, which I used to write this, there 6 would have been an error in my writing. 7 Q. Did it not stick in your mind that almost the first 8 words in the note were, "I have taken the life of my 9 friend"? 10 A. Yes, it did. 11 Q. If you found a scene like this and the note read 12 something like, let's say, "I met a girl called Rachel 13 in a nightclub, we went back to a hotel room and 14 I accidental strangled her while we were having sex", 15 would you report that as, "During sexual intercourse 16 Rachael has apparently died"? 17 A. Yes, I would, yes. 18 Q. You would say that? 19 A. Yes. 20 Q. All right. 21 The same part of note -- sorry, not the note, your 22 report, five or six lines down, you say these words: 23 "They were high on the drug GHB." 24 Presumably you mean Daniel and the other person, 25 Gabriel?</p> <p style="text-align: center;">Page 128</p>

32 (Pages 125 to 128)

<p>1 A. Yes.</p> <p>2 Q. Actually the note doesn't say that at all, does it?</p> <p>3 A. No, it doesn't.</p> <p>4 Q. The note said that Daniel, we assume, had given Gabriel</p> <p>5 another shot of GHB.</p> <p>6 A. Hmm.</p> <p>7 Q. It doesn't say anything about the person who wrote the</p> <p>8 note taking any drugs on that occasion at all, does it?</p> <p>9 A. Sorry, say that again?</p> <p>10 Q. The note doesn't say anything about the person who we</p> <p>11 are to assume wrote it taking drugs at the time that</p> <p>12 Gabriel died, does it?</p> <p>13 A. No, it doesn't.</p> <p>14 Q. Did you just assume that they must both have taken</p> <p>15 drugs?</p> <p>16 A. Yes, at the time I probably did assume that, yes.</p> <p>17 Q. Does that really reflect you thinking about this note</p> <p>18 with an investigative mindset, inspector?</p> <p>19 A. Yes, it does.</p> <p>20 Q. I would suggest it doesn't, inspector. Because if you</p> <p>21 make assumptions which lead you into making a simple</p> <p>22 factual mistake then you are not being investigative, it</p> <p>23 is the reverse of being investigative. It is just</p> <p>24 making inaccurate assumptions. What do you say about</p> <p>25 that?</p> <p style="text-align: center;">Page 129</p>	<p>1 that because this earlier death that was referred to in</p> <p>2 the note involved gay men, involved drugs, it wasn't</p> <p>3 a proper homicide that needed investigating? Do you</p> <p>4 think you might have thought that?</p> <p>5 A. No, that is not the case.</p> <p>6 Q. Inspector, did you really read through this note and</p> <p>7 think about the implications of what was said about this</p> <p>8 other person being killed?</p> <p>9 A. Yes, I did.</p> <p>10 Q. Why then did you not take steps for it to be treated as</p> <p>11 a homicide investigation, instead of just declaring the</p> <p>12 whole scene non-suspicious?</p> <p>13 A. Because at the time, with Daniel, it was non-suspicious</p> <p>14 as far as I was concerned. I couldn't prove either way</p> <p>15 if this had even happened at all whilst I was in the</p> <p>16 graveyard.</p> <p>17 Q. I am not asking you about Daniel's death for these</p> <p>18 purposes, I am asking you about the other death.</p> <p>19 We have seen in the policy documents the importance</p> <p>20 that is placed on assuming that homicide has taken place</p> <p>21 until you are satisfied that it hasn't.</p> <p>22 I understand that you had no way of knowing whether</p> <p>23 that other homicide had in fact taken place or not, but</p> <p>24 what I am pressing you on is your apparent assumption</p> <p>25 that, because you didn't know whether it had taken place</p> <p style="text-align: center;">Page 131</p>
<p>1 A. I say that is not the case.</p> <p>2 Q. What about the passage a little bit later on in your</p> <p>3 note, where you say:</p> <p>4 "It is not clear where, when or if this alleged</p> <p>5 incident has ever taken place."</p> <p>6 Surely you should be investigating this episode on</p> <p>7 the assumption that it did take place?</p> <p>8 A. As I said, I didn't have the intelligence to hand to</p> <p>9 ascertain that at the time.</p> <p>10 Q. Going back to my example, what about if you had seen</p> <p>11 that note where someone refers to strangling someone in</p> <p>12 a hotel room. Would you again say, "Well, we don't even</p> <p>13 know if this has happened"?</p> <p>14 A. I could only view what was available to me at the time.</p> <p>15 Stood in the graveyard, it is very difficult for me to</p> <p>16 make those investigative enquiries.</p> <p>17 Q. What about if you saw a note where someone said they had</p> <p>18 accidental killed a child, run over them in a street.</p> <p>19 Would you write a report like this saying, "At this</p> <p>20 stage we don't even know if that is true, nothing to</p> <p>21 investigate here"? Is that really what you would write</p> <p>22 in a case like that?</p> <p>23 A. Yes, I have written what I have written because that is</p> <p>24 the facts I believed them to be, so ...</p> <p>25 Q. I am just trying to see whether you may have thought</p> <p style="text-align: center;">Page 130</p>	<p>1 or not, there was nothing for you to do. I suggest that</p> <p>2 you ought to have treated this as though that homicide</p> <p>3 had taken place, and made sure it was investigated.</p> <p>4 Did you, for example, consider involving the HAT</p> <p>5 car?</p> <p>6 A. No.</p> <p>7 Q. Did you consider declaring this a critical incident?</p> <p>8 A. No.</p> <p>9 Q. I want to ask you, finally, just a few questions about</p> <p>10 events that happened two days later, on Monday,</p> <p>11 22 September. For these purposes, let's go to tab 37 of</p> <p>12 the jury bundle, please. For the screen, it is IPC43.</p> <p>13 These are the minutes of a gold group meeting, the</p> <p>14 jury have heard something about a gold group. At the</p> <p>15 beginning of my questions we established that the gold</p> <p>16 group wasn't held after Anthony's death, but we can see</p> <p>17 here that a gold group was held, the Monday after the</p> <p>18 discovery of Daniel's body on the Saturday, yes?</p> <p>19 A. That's correct.</p> <p>20 Q. We see a list of people who were present, we are going</p> <p>21 to hear evidence from several of them next week, but for</p> <p>22 the moment, we see that your name is there and you are</p> <p>23 here now.</p> <p>24 Tell us this, that list of six people, were you all</p> <p>25 present in the same room or were some people dialing in?</p> <p style="text-align: center;">Page 132</p>

<p>1 A. I believe we were all present actually.</p> <p>2 Q. All right.</p> <p>3 Do you remember this meeting now or are you really</p> <p>4 limited to what you can see on the page?</p> <p>5 A. I do recall elements of the meeting, yes.</p> <p>6 Q. All right.</p> <p>7 Let's look over the page, please. Before we do,</p> <p>8 just to look at some of those people who were there,</p> <p>9 Superintendent Wilson was the chair of the meeting. It</p> <p>10 is right, isn't it, that he took over from</p> <p>11 Superintendent Hamer as the deputy borough commander?</p> <p>12 A. That's correct, yes.</p> <p>13 Q. I think it was at the beginning of July, so he had been</p> <p>14 in post for a month or two by this stage.</p> <p>15 The jury have heard from DCI Kirk, who will give</p> <p>16 evidence again.</p> <p>17 Also DI -- or I think he was Acting DI Schamberger,</p> <p>18 someone else who the jury will hear from in due course.</p> <p>19 As I say, you were there. Why were you there?</p> <p>20 A. Again, as a community partnership lead, I note the time</p> <p>21 was 1600 hours. As I explained in my statement we used</p> <p>22 to split the day up between having an inspector in the</p> <p>23 morning and an inspector in the afternoon up to 10.00 at</p> <p>24 night, so that probably would have been my shift for the</p> <p>25 day.</p> <p style="text-align: center;">Page 133</p>	<p>1 that Mr Wilson has provided. He hasn't yet given</p> <p>2 evidence, he is coming next week, so we will ask him all</p> <p>3 about this. Since you are here now, please do put up</p> <p>4 the statement, MPS591, page 3. Since you are here now,</p> <p>5 we will ask you.</p> <p>6 At paragraph 10, so if we can enlarge the top half</p> <p>7 of the page, Mr Wilson says:</p> <p>8 "I was concerned about a number of unexplained</p> <p>9 apparent coincidences with the death of Mr Whitworth and</p> <p>10 that of Mr Kovari."</p> <p>11 Then he lists them:</p> <p>12 "Both deceased were found at the same location.</p> <p>13 "The positioning of Mr Kovari at the location was</p> <p>14 very similar to the positioning of Mr Whitworth, namely</p> <p>15 at the time when each were found, each was positioned</p> <p>16 sat against the same wall at the same location.</p> <p>17 "Both were found by the same member of the public</p> <p>18 walking a dog.</p> <p>19 "An apparent suicide note on Mr Whitworth's body</p> <p>20 indicated that he was responsible for the death of</p> <p>21 a Gabriel Klein, [he adds] now known to be Mr Kovari."</p> <p>22 As the jury will hear, that was something that was</p> <p>23 discovered in the really hours following the discovery</p> <p>24 of the body:</p> <p>25 "... who had died at another location, which then</p> <p style="text-align: center;">Page 135</p>
<p>1 Q. It was really just coincidence that you were there at</p> <p>2 this meeting which was about these deaths --</p> <p>3 A. Yes.</p> <p>4 Q. -- and that you had been duty inspector at the scene?</p> <p>5 A. That's correct.</p> <p>6 Q. You were not there because you were duty inspector at</p> <p>7 the scene?</p> <p>8 A. No.</p> <p>9 Q. I see.</p> <p>10 Let's turn over the page, please, then now, and we</p> <p>11 see item 5 on the agenda, "Primacy of each</p> <p>12 investigation".</p> <p>13 There is in fact no detail underneath that agenda</p> <p>14 item to show what was or was not discussed. Do you</p> <p>15 remember either the question of whether or not these</p> <p>16 deaths were suspicious or -- it is obviously a linked</p> <p>17 issue -- whether primacy should be taken by homicide</p> <p>18 command? Do you remember either or both of those issues</p> <p>19 being discussed at the meeting?</p> <p>20 A. I cannot recall, no.</p> <p>21 Q. Let me see if I can jog your memory. I am going to call</p> <p>22 up on the screen a witness statement that Superintendent</p> <p>23 Wilson has provided. Can we have MPS591, please. Can</p> <p>24 we go to page 3, first of all.</p> <p>25 Just to be clear about this, this is a statement</p> <p style="text-align: center;">Page 134</p>	<p>1 made me question as to how the body arrived at the</p> <p>2 location of the churchyard."</p> <p>3 Finally:</p> <p>4 "Drugs appeared to have been a factor in both</p> <p>5 deaths."</p> <p>6 That is Mr Wilson now explaining some concerns he</p> <p>7 had. Do you remember him raising those concerns, either</p> <p>8 at the meeting or any other time?</p> <p>9 A. Not exactly, I can't recall that, no.</p> <p>10 Q. Let's just look at one other paragraph in the statement</p> <p>11 then. We need to go forward to page 5, please, and it</p> <p>12 is paragraph 20.</p> <p>13 What Superintendent Wilson says about the meeting is</p> <p>14 this:</p> <p>15 "Although the minutes contain no entry under primacy</p> <p>16 of each investigation, we did discuss the issue of</p> <p>17 primacy. Chief Inspector Kirk reiterated the point that</p> <p>18 this was not a murder investigation. The general</p> <p>19 feeling at the group was that the deaths were not</p> <p>20 suspicious and were what would be described as</p> <p>21 unexplained. Although I felt there were a number of</p> <p>22 unexplained elements (as I have articulated in</p> <p>23 paragraph 10) [that is what we have just read]</p> <p>24 I accepted the rationale provided by experienced</p> <p>25 detectives. For this reason the focus of the</p> <p style="text-align: center;">Page 136</p>

34 (Pages 133 to 136)

<p>1 investigation would be around supporting the coroner's 2 investigation, including conducting a special post 3 mortem and other lines of enquiry." 4 He goes on to dealing with other matters. 5 First of all, let me ask this. Does that jog any 6 memories that you may have had about a discussion of 7 primacy or suspicion at the meeting? 8 A. Yes, it does. I think the direction of the meeting was 9 as has been mentioned there, it was about being 10 non-suspicious and not a murder, yes. 11 Q. What Superintendent Wilson appears to be describing is 12 being persuaded at the meeting by others that there 13 wasn't anything to worry about and that these were not 14 suspicious deaths, contrary to the concerns he had. He 15 says he was persuaded, if you like, by the rationale 16 provided by experienced detectives. 17 I appreciate you were not in CID, but you probably 18 knew more about that case than than any of the other 19 people round the table, having been at the scene. Were 20 you one of the people, inspector, who was arguing that 21 the deaths were not suspicious at that meeting? 22 A. No, not at all. I provided my account of what I did at 23 the time. That was obviously down to the superintendent 24 to come and form his own conclusions. 25 Q. Of course he needed to make a decision. But you have</p> <p style="text-align: center;">Page 137</p>	<p>1 You have been taken repeatedly to the investigative 2 mindset point, and you have been taken already to the 3 proposition that one should investigate as homicide 4 until the evidence proves otherwise. But is this right, 5 that within the manual, at page 45, paragraph 2.2.6, 6 there is specific provision made for those who are 7 missing people. Do you see that? 8 A. Yes, I do, yes. 9 Q. There are particular factors to look at in terms of 10 whether someone has gone missing, is there a reason why 11 they have gone missing? Is the disappearance out of 12 character? What are the circumstances of the last 13 sighting? Did they prepare for a leave of absence from 14 home? Are they at risk? Then it reminds investigators, 15 doesn't it, in bold again in the specific context of 16 missing people, "If in doubt, think murder", isn't that 17 right? 18 A. That is in the document, yes. 19 Q. The entire thrust of these policies is, as you have 20 already been asked about, to think murder unless 21 satisfied otherwise. Isn't that the case? 22 A. That is not the first thought, no. 23 Q. Isn't the presumption here, as you have already had put 24 to you, that you should think murder unless it is proved 25 otherwise?</p> <p style="text-align: center;">Page 139</p>
<p>1 spent the last hour or so telling us how you had decided 2 at the scene that these deaths were not suspicious? 3 A. That's correct. 4 Q. Do you think that you might have made the same arguments 5 that you have made today at that gold group meeting? 6 A. I would have explained my actions at the time, yes, most 7 definitely. 8 Q. Not just your actions but your conclusions? 9 A. It would be a natural assumption, yes. 10 MR O'CONNOR: Thank you very much. Those are all my 11 questions. 12 Questions from MS HILL 13 MS HILL: Good afternoon, as I think you know I ask 14 questions on behalf of the families of those who were 15 murdered by Stephen Port, save for Daniel Whitworth's 16 partner, who is represented by my learned friend to my 17 left. 18 Just so that you understand, the family of 19 Daniel Whitworth are watching upstairs, the family of 20 Gabriel Kovari will be watching remotely and other 21 families are here as well. 22 You have been taken through the various policies by 23 learned counsel for the coroner. I will not repeat that 24 exercise but can I just draw up one further part of the 25 policies, please, IPC127, internal 45, please.</p> <p style="text-align: center;">Page 138</p>	<p>1 A. You would need to think latterly about the evidence you 2 had before you and have an objective basis for that 3 evidence, yes. 4 Q. You have been asked a lot of questions about the note. 5 On its face, that note was inherently suspicious, wasn't 6 it? 7 A. I didn't believe so, no. 8 Q. Really? 9 A. Yes, really. 10 Q. When it referred to two deaths, not just one, correct? 11 A. Sorry, what is the second death? 12 Q. It referred in the note, taken at its face, Daniel is 13 talking about his own death and someone else's death, 14 isn't that right? 15 A. I see. That's correct, yes. 16 Q. On its face, that is an inherently suspicious document? 17 A. No, I didn't see it as such, no. 18 Q. I think you have accepted that it was unusual but 19 unprecedented in your experience; isn't that right? 20 A. It is unusual. Unprecedented, yes, but -- yes. 21 Q. You have been taken through the reasoning that you have 22 set out as to why you thought that Daniel's death was 23 a suicide, that is what you have already been asked 24 about? 25 A. That's correct.</p> <p style="text-align: center;">Page 140</p>

35 (Pages 137 to 140)

<p>1 Q. It has been put to you I think already that some of the 2 factors that you relied on -- perhaps we can bring up 3 HAL6, internal page 5 -- some of those factors, it has 4 been suggested to you are generic factors. For example 5 11(e) and (f), the nature of suicide rates generally and 6 the nature of Barking generally, are nothing to do with 7 the person who has been found dead, are they? 8 A. No, whilst generic, they obviously are an influencing 9 factor on my decision making. 10 Q. The fact that he had been reported missing might support 11 the suicide theory, but it might very well not, isn't 12 that the case? 13 A. There was two schools of thought. 14 For me it supported my theory that it was more 15 inclined to suicide. 16 Q. The fact that as you say at 11(a), go back up, please, 17 to internal page 4, the note appeared to be 18 comprehensive and somebody had appeared to go to lengths 19 to preserve it might be consistent with suicide but 20 might very well not be, isn't that fair? 21 A. Yes, and I deemed it was conducive with suicide. 22 Q. Isn't it a fairer reading of this note, a fairer reading 23 of the note, that at best some of those factors that you 24 relied on to support the suicide theory in fact were 25 entirely equivocal and could have been in support of</p> <p style="text-align: center;">Page 141</p>	<p>1 A. No, I agree that the objectivity may have not been what 2 it was. 3 Q. On its face, that note plainly referred to two deaths, 4 didn't, it, not just one? 5 A. Yes. 6 Q. The death of Gabriel, if that note was correct, was 7 a homicide, wasn't it? 8 A. Potentially, yes. 9 Q. Did you think the note was true? 10 A. Yes, I did. 11 Q. If that's right, it must be the case that you should 12 have treated the Gabriel element of the note as 13 a homicide, don't you agree? 14 A. Yes, I do agree. 15 Q. If that is right, you should have declared this 16 a suspicious death, both of them suspicious deaths, 17 isn't that right? 18 A. Yes, that could have been the case, yes. 19 Q. If in fact the note was correct, and Gabriel had been 20 the subject of a homicide of some sort, isn't it right 21 that there were a series of criminal offences that might 22 have been committed? 23 A. That's correct. 24 Q. Isn't it right therefore, whether it was a murder or 25 a manslaughter or an administration of drug offence,</p> <p style="text-align: center;">Page 143</p>
<p>1 a homicide, isn't that fair? 2 A. On the balance of probabilities, I concur with my 3 decision that actually I felt it was a suicide. 4 Q. Isn't your role at this point in an investigation to 5 give this note, if you like, the most lateral or 6 flexible reading and give it the benefit of the doubt? 7 What I am suggesting to you is that on its face you shut 8 this down too quickly, if you like, as a suicide. Do 9 you understand that? 10 A. I do, yes. 11 Q. Do you accept now that you did that too quickly? 12 A. I accept that my objectivity may have been clouded, 13 potentially. As I said to you, as I have mentioned 14 before, about confirmation bias, and if you have 15 a theory you look for the answers that support that 16 theory, and obviously I had the suicide note, I had 17 drugs, I had the missing person report. All those 18 factors taken together obviously led me to believe that 19 it was suicide. 20 Q. If you were looking for factors in support of your 21 theory, you weren't really conducting this with an open 22 mind, were you? You had a theory and you were looking 23 for the evidence that supported that theory that Daniel 24 had taken his own life but you were ignoring, weren't 25 you, evidence that pointed away from it?</p> <p style="text-align: center;">Page 142</p>	<p>1 that this was exactly the sort of complex case where the 2 HAT team should have been called? 3 A. With hindsight, yes, potentially. 4 Q. Well, not with hindsight, I am suggesting to you, based 5 on the note on its face. On its face, if that note was 6 true, Gabriel had been the subject of a homicide and 7 therefore this should have been treated as suspicious, 8 and the HAT team called. Isn't that right? 9 A. No, on the face of it I couldn't prove when it 10 happened -- if it had happened at all, so I had no 11 investigative avenue to explore there at all. 12 Q. You shut it down rather than investigate at all, is that 13 right? 14 A. I concluded it was a suicide at the scene, but that 15 doesn't mean the investigation comes to an end in its 16 totality. 17 Q. If the note was not right, okay, let's just explore that 18 proposition, if the note was not right, there were 19 surely real concerns about how Daniel had died. Did you 20 even consider that the note was not accurate? 21 A. Yes. I would have considered that, but deemed, as I say 22 with all the attendant circumstances and intelligence, 23 that I deemed it as a suicide. 24 Q. Are you sure you really considered the theory that the 25 note had been faked?</p> <p style="text-align: center;">Page 144</p>

36 (Pages 141 to 144)

<p>1 A. It was a consideration, but I didn't think it was, no,</p> <p>2 I believed it was genuine.</p> <p>3 Q. In your witness statement where you in 2020 set out</p> <p>4 those various factors -- perhaps just let's bring that</p> <p>5 up, it is HAL6, internal page 4, please, you set out</p> <p>6 a series of reasons in support of why you thought Daniel</p> <p>7 had taken his own life and why the note was valid, if</p> <p>8 you like?</p> <p>9 A. That's correct.</p> <p>10 Q. Have you really considered that the note had been faked?</p> <p>11 A. Yes, I had.</p> <p>12 Q. I don't think we see any detailed reasoning about that.</p> <p>13 Had you really ever considered that this entire scene</p> <p>14 had been staged?</p> <p>15 A. Yes, it would have been a consideration, most</p> <p>16 definitely.</p> <p>17 Q. You say it would have been. Are you sure you actually</p> <p>18 did it?</p> <p>19 A. Yes, I did. Yes.</p> <p>20 Q. I will be corrected if I am wrong, but I don't believe</p> <p>21 we see any detailed rationale for you saying, for</p> <p>22 example, "I have considered whether the note was fake,</p> <p>23 and whether the scene was staged, but I have rejected</p> <p>24 that and on balance I believe this is what happened".</p> <p>25 In fact, what seems to be the case is that your</p> <p style="text-align: center;">Page 145</p>	<p>1 day?</p> <p>2 A. That's correct.</p> <p>3 Q. Doesn't that mean that there is a real possibility that</p> <p>4 forensic opportunities were lost from that scene?</p> <p>5 A. There is always a possibility of that, yes.</p> <p>6 Q. There is a real possibility because you shut it down,</p> <p>7 isn't that fair?</p> <p>8 A. That's correct.</p> <p>9 Q. Your acceptance of this note as being accurate was based</p> <p>10 I think as you have said by reading it at face value.</p> <p>11 I think this is right, isn't it, that at no point did</p> <p>12 you try and test the content of the note with Daniel's</p> <p>13 family?</p> <p>14 A. That's correct.</p> <p>15 Q. Whether or not the note itself made sense to his family</p> <p>16 was surely something that should have been done before</p> <p>17 a decision was taken to accept its contents, don't you</p> <p>18 think?</p> <p>19 A. It would have been a consideration, but as I deemed it</p> <p>20 a suicide, then I didn't consider that course of</p> <p>21 investigative avenue.</p> <p>22 Q. Did you even consider how he might have written it in</p> <p>23 the dark?</p> <p>24 A. Yes, I did.</p> <p>25 Q. But you thought that was something you could iron out in</p> <p style="text-align: center;">Page 147</p>
<p>1 reasoning focuses in favour of supporting the suicide</p> <p>2 theory only. Do you understand what I am suggesting to</p> <p>3 you?</p> <p>4 A. I do, indeed.</p> <p>5 Q. What I suggest to you is that you accepted that note at</p> <p>6 face value. Do you want to answer that?</p> <p>7 A. Yes, I did consider it and take it on face value, yes.</p> <p>8 Q. You ignored obviously suspicious factors pointing away</p> <p>9 from the theory you had adopted, and in so doing you</p> <p>10 closed this down too quickly?</p> <p>11 A. No, I don't believe that is the case.</p> <p>12 Q. The consequence of your not declaring this a suspicious</p> <p>13 incident and not calling the HAT team was that the</p> <p>14 nature of the forensic opportunities at the scene was</p> <p>15 more limited than they would otherwise have been. That</p> <p>16 is the case, isn't it?</p> <p>17 A. Obviously with a HAT team you had the benefit of having</p> <p>18 a dedicated crime scene manager, but if I was going to</p> <p>19 call it -- at no point did I ever consider it murder.</p> <p>20 If it was unexplained, then the preservation of the</p> <p>21 scene would have been exactly the same.</p> <p>22 Q. Isn't the reality that by the time, as we will hear next</p> <p>23 week, colleagues from the homicide command were</p> <p>24 contacted, there was no crime scene in place, because of</p> <p>25 the decisions you took to close this down on the first</p> <p style="text-align: center;">Page 146</p>	<p>1 your own head, as with the plastic packet?</p> <p>2 A. I had nothing to confirm it was written in the dark,</p> <p>3 so --</p> <p>4 Q. He was found, wasn't he, in a scenario where you had to</p> <p>5 consider how he got there, how the note had got there</p> <p>6 and all of those things, but you seem to have been able</p> <p>7 to work this out in your mind without really thinking it</p> <p>8 through, isn't that fair?</p> <p>9 A. No, that is not fair.</p> <p>10 Q. The families of both Daniel Whitworth and Gabriel Kovari</p> <p>11 have lived with that decision, that acceptance of this</p> <p>12 being a genuine suicide note, and indeed it being</p> <p>13 accepted that Daniel was somehow responsible for</p> <p>14 Gabriel's death for over a year, until Jack Taylor's</p> <p>15 death and Operation Lilford. Is there anything now that</p> <p>16 you would like to say to them?</p> <p>17 A. Offer my sincere condolences, as a father of a young man</p> <p>18 who is exactly the same age, I cannot begin to imagine</p> <p>19 the trauma, the hurt and the pain they must be</p> <p>20 experiencing and, yes, they have my sincere condolences.</p> <p>21 I made the decisions based on rationale, objective bases</p> <p>22 that I believed was the right thing at the time, based</p> <p>23 on the information I had available.</p> <p>24 Q. Can I just bring up another email, please, from</p> <p>25 22 September, MPS835, internal page 1, please. I think</p> <p style="text-align: center;">Page 148</p>

37 (Pages 145 to 148)

<p>1 this is an email chain initiated by you, and you will 2 see the response at the top of the page, but at the foot 3 of the page, I think we see the email chain begins on 4 22 September at 5.43, is that right? 5 Perhaps it is the other way round. 6 A. Sorry, I have never seen this email, apologies. 7 Q. The bottom of the page is an email I think from you, 8 22 September at 5.43 pm, is that right? 9 A. Yes, that's correct, yes. 10 Q. You are emailing a team I think within your safer 11 neighbourhoods group, is that right? 12 A. Yes, that's correct. 13 Q. You say over the page: 14 "Team, I have just come from a gold group in 15 relation to Daniel Whitworth who was discovered dead in 16 St Margaret's Churchyard on Saturday, it would appear he 17 had taken an overdose of GHB and sleeping tablets. This 18 death is linked to the other death we had last month 19 [which I think we now know to be Gabriel]. It appears 20 that Daniel and the other chap had been involved in 21 a sexual relationship ..." 22 Do you see that? 23 A. Yes, that's correct. 24 Q. What does that signify in the email? 25 A. Sorry, what.</p> <p style="text-align: center;">Page 149</p>	<p>1 A. No, I probably mean the cemetery area. It is called the 2 Barking Abbey, that is what we refer to. 3 Q. Calling the Barking? 4 A. Abbey. 5 Q. Abbey, we know that, but what I am interested in is the 6 area that you have talked about here. Did you somehow 7 have a theory that based on your investigations at the 8 scene, Daniel and Gabriel had had sex in Abbey grounds 9 and this would be an unfortunate community presentation, 10 is that what you thought? 11 A. Potentially, yes. 12 Q. What basis for that did you have? 13 A. Just probably from the general context of the meeting, 14 the gold group meeting. 15 Q. All right. 16 You mention within the email here a desire to reach 17 out to homeless charities I think, is that right? 18 A. That's correct. 19 Q. And try and understand a bit more about what they might 20 have to offer. 21 You explained I think that you had some knowledge of 22 GHB, is that right? 23 A. Yes, some knowledge. 24 Q. Some knowledge that it was used in the chemsex scene? 25 A. Yes.</p> <p style="text-align: center;">Page 151</p>
<p>1 Q. What are the dot-dot-dots for? 2 A. Nothing in particular. 3 Q. Are you sort of setting up a story here? 4 A. No, not at all. 5 Q. What are the dot-dot-dots for? 6 A. I have no knowledge at all what that means. 7 Q. Isn't that the sort of thing that you do to imply you 8 are leaving this for other people to think about what 9 you mean? 10 A. No, not at all, no. 11 Q. You go on to say: 12 "The reason for my email, Superintendent Wilson is 13 concerned about the community feelings about the area 14 becoming known for a haven for gay sex (even dogging) 15 and rough sleepers." 16 Do you see that? 17 A. I do, yes. 18 Q. The gay sex that you refer to here, is that because 19 somehow you had formed the view that Daniel and Gabriel 20 had had gay sex in the churchyard area? 21 A. Sorry, can you repeat the question? 22 Q. When you talk about the area becoming known as a haven 23 for gay sex, do you mean the churchyard area where the 24 bodies were found, do you mean Barking generally, or 25 what do you mean?</p> <p style="text-align: center;">Page 150</p>	<p>1 Q. If you were taking time in this email to reach out to 2 the homeless groups, and we can see if we go back in the 3 chain please to 835, internal page 1, there were 4 discussions about rough sleepers and things of that 5 nature, why not try and understand a bit more about GHB 6 and chemsex and whether or not it was in fact a date 7 rape drug, if you didn't know that? 8 A. I think it had been tasked to Glynis Rogers, who was the 9 community safety lead from Barking and Dagenham council 10 at the time. 11 THE CORONER: To who, sorry? 12 A. To Glynis Rogers, who is in the gold group meetings, 13 ma'am. 14 MS HILL: I am sorry to ask you to do this, but can you 15 explain to the jury what you meant by "dogging"? 16 A. Dogging in its colloquial term would be open-air sex. 17 Q. You had no real basis for thinking that that is what had 18 happened here, did you? 19 A. Not me personally, no. 20 Q. Right, but you were the one that sent the email? 21 A. That's correct, yes. 22 Q. Then you end it with a PS that says, "Parks for info 23 also ..." 24 A. That's correct, we had a parks team that would have been 25 assigned to that.</p> <p style="text-align: center;">Page 152</p>

38 (Pages 149 to 152)

<p>1 MS HILL: Thank you.</p> <p>2 Questions from DR VAN DELLEN</p> <p>3 DR VAN DELLEN: Detective inspector, I ask questions on</p> <p>4 behalf of Ricky Waumsley, who is Daniel Whitworth's</p> <p>5 partner.</p> <p>6 You explained to the jury that in 2014 you had been</p> <p>7 an inspector for seven years, is that right?</p> <p>8 A. That's correct.</p> <p>9 Q. I am going to ask for HAL7 to be brought up on the</p> <p>10 screen. It is a document which my learned friend</p> <p>11 Mr O'Connor Queen's Counsel, counsel to the inquest,</p> <p>12 showed you a moment ago.</p> <p>13 Just to be absolutely clear, this doesn't relate to</p> <p>14 Daniel's death, this relates to Anthony's death but I am</p> <p>15 just going to draw your attention to it, to the bottom</p> <p>16 half of that, where it says, "Public protection, DV</p> <p>17 vulnerable person, mispers, 20 mispers, 9 awaiting</p> <p>18 debrief, 11 outstanding".</p> <p>19 Do you see that?</p> <p>20 A. I do, indeed.</p> <p>21 Q. I am not suggesting that you were responsible for</p> <p>22 mispers, we can see at the top of that page that another</p> <p>23 one of your colleagues was responsible for that, but</p> <p>24 that was a regular item on the agenda of Pacesetter</p> <p>25 meetings, is that right, mispers?</p> <p style="text-align: center;">Page 153</p>	<p>1 Daniel Whitworth."</p> <p>2 This is 19 September 13.38 and Ricky is talking</p> <p>3 about Daniel last being seen on the day before, on the</p> <p>4 18th. Daniel is found the following day on the 20th, so</p> <p>5 we are dealing with the 19th, that middle day:</p> <p>6 "Informant states that he is very concerned and</p> <p>7 worried about his partner Daniel Whitworth. Informant</p> <p>8 last saw Daniel at 05.40 yesterday morning,</p> <p>9 18 September. Daniel was leaving the property to go to</p> <p>10 work. Daniel is a chef, Daniel has worked there for two</p> <p>11 months. He would have travelled to work by train from</p> <p>12 Gravesend. He would have got off at south DLR, he</p> <p>13 seemed in good spirits when he went out. 14.46</p> <p>14 yesterday, Daniel texted informant and said that he was</p> <p>15 having a good day and that he was running late with</p> <p>16 preparation and paperwork. That is the last contact</p> <p>17 informant has had. Informant was expecting Daniel home</p> <p>18 last night."</p> <p>19 Then if we can go to page 3 of this document, what</p> <p>20 you will see there, there are three paragraphs at the</p> <p>21 bottom of that page, if we can just look at the second</p> <p>22 and third paragraphs, so I am at the third last</p> <p>23 paragraph, inspector, it says:</p> <p>24 "XC16:</p> <p>25 "I spoke to MP's colleague."</p> <p style="text-align: center;">Page 155</p>
<p>1 A. Yes, it would be, yes.</p> <p>2 Q. I am going to ask for another document to be brought up</p> <p>3 on the screen, if I may. It is IPC21. This may or may</p> <p>4 not be a document which you have seen before, but just</p> <p>5 to orientate you, this is a document from Kent Police,</p> <p>6 and this is their equivalent of what you would know as</p> <p>7 a Merlin on a misper. I appreciate it is from another</p> <p>8 police service, so I will take you through it a little</p> <p>9 bit more slowly than I would if it was a Merlin</p> <p>10 document.</p> <p>11 At the top there, you see Daniel's name, do you see</p> <p>12 that? It's the top line, 19/9/14, 14.36, misper?</p> <p>13 A. Yes, I do.</p> <p>14 Q. There is an abbreviation MP, that is going to be used in</p> <p>15 document, misper Daniel Whitworth, with his date of</p> <p>16 birth. Then below that, the full paragraph below that:</p> <p>17 "Complainant's details [complainant is also referred</p> <p>18 in the document as an informant] surname/first name</p> <p>19 Waumsley Ricky ..."</p> <p>20 And an address in Gravesend.</p> <p>21 Then if we carry on down to the comments section,</p> <p>22 and in fairness to you I will just read this out to you,</p> <p>23 it says:</p> <p>24 "Daniel Whitworth, 22 March 1993, informant states</p> <p>25 that he is very concerned and worried about his partner</p> <p style="text-align: center;">Page 154</p>	<p>1 Now, I know that looks like MPS, but it will become</p> <p>2 very apparent that that is "MP", it stands for "missing</p> <p>3 person". XC16 is a Kent member of the police, who makes</p> <p>4 this entry:</p> <p>5 "I spoke to MP's colleague Christine, the missing</p> <p>6 person told her that he was going to Barking to meet</p> <p>7 friends. She provided a description of the missing</p> <p>8 person, she confirmed his mobile number is above.</p> <p>9 Appeared AIO when he left."</p> <p>10 Are you familiar with that acronym, at the bottom of</p> <p>11 that paragraph, "appeared AIO when he left"?</p> <p>12 A. Sorry, I can't see where that is?</p> <p>13 Q. Okay, so third last paragraph, XC16:</p> <p>14 "I spoke to MP's colleague Christine ..."</p> <p>15 You are in that paragraph?</p> <p>16 A. Yes, I am, yes.</p> <p>17 Q. Bottom line, "... appeared AIO when he left".</p> <p>18 Are you familiar with that acronym?</p> <p>19 A. No, I am not.</p> <p>20 Q. "Nothing of concern."</p> <p>21 Do you see that?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Next paragraph, XC16, the same Kent member of</p> <p>24 police staff making this entry:</p> <p>25 "I also spoke to David O'Connell. He is a chef and</p> <p style="text-align: center;">Page 156</p>

39 (Pages 153 to 156)

<p>1 was the last person to see the missing person, he worked 2 with the missing person all day and stated did not do or 3 say anything to cause him any concern that he did 4 nothing to cause him any concern. Missing person 5 advised him that he was going to meet friends in Barking 6 and explained that he would have to change [that's 7 a typo] at West Ham as it is not a direct train. They 8 got onto the DLR together at South Quay and the missing 9 person got off at the next stop, Heron Quay, to get on 10 the next train on the Jubilee line and did not go out 11 with any friends from work and travelled alone from this 12 point." 13 Then if we go to the next page, the next page, 14 page 4, there is what you would expect to see, 15 I suggest, on a missing person enquiry, second full 16 paragraph. There is the bank account, the financial 17 search being done. You are familiar with this concept, 18 are you? 19 A. Yes, yes. 20 Q. What it says, is it says: 21 "I obtained the following bank account details from 22 informant. All accounts are NatWest, with account 1 and 23 2 both being in the name of Mr Whitworth and 24 Mr Waumsley." 25 Gives the details there, and then a third account,</p> <p style="text-align: center;">Page 157</p>	<p>1 yes. 2 Q. Just so I can be clear about your evidence, for 3 a medium-risk missing person, you would expect your 4 borough missing person unit to conduct CCTV enquiries? 5 A. If it was being requested by an outer force, then, yes, 6 but I am not aware -- 7 Q. That was not my question, inspector. My question was 8 not whether it was requested by Kent. Would you expect 9 Barking and Dagenham borough missing person police unit, 10 for a medium-risk missing person, from another police 11 service, to conduct a CCTV search? 12 A. Probably not, no, if it is -- no. 13 Q. The jury has heard evidence from Detective Inspector 14 Mark Richards from homicide command about cell site 15 searches, there is no reference to a cell site check for 16 Daniel's mobile phone. Would you expect there to be 17 a cell site check by the Barking borough missing person 18 unit for a medium-risk missing person? 19 A. Not for an outer force missing person, no. 20 Q. Are there two standards of services? Is there 21 a standard of service for somebody who is a Met Police 22 missing person and a standard of service for somebody 23 who is another police force missing person? 24 A. It is about the originating, who owns the missing 25 person. So Kent Police would own that and make the</p> <p style="text-align: center;">Page 159</p>
<p>1 which only is in the informant's name. 2 Then if we carry on down that page, page 4, there is 3 a reference there, it is below the description of 4 Daniel, "Blue T-shirt, various shades with white 5 sleeves, blue jeans", and below that is a line that 6 says: 7 "Met to broadcast description in Barking, Met ref 8 CHS117219." 9 Do you see that? 10 A. Yes, I do, yes. 11 Q. I suggest to you that is a reference for the Barking 12 borough to broadcast a description of Daniel, would you 13 agree with that? 14 A. Yes, it looks like that, yes. 15 Q. The jury has already heard evidence that Daniel was 16 a medium-risk missing person. There is no reference on 17 that to Barking borough doing any CCTV searches, is 18 there? 19 A. I am not able to comment, I don't know. 20 Q. Would you normally expect there to be a CCTV search for 21 a medium-risk missing person? 22 A. I would expect that information to go to the 23 Metropolitan Police misper unit, which would be based -- 24 we have a local one and I would expect that to have gone 25 there and maybe then enquiries to have been conducted,</p> <p style="text-align: center;">Page 158</p>	<p>1 enquiries and probably do that. The Metropolitan Police 2 wouldn't do that. 3 Q. Let's just think about that answer if we can, inspector. 4 This is Kent Police, that have contacted Barking, 5 and said, "We have got a medium-risk missing person". 6 Is your evidence that, because that information is 7 coming from Kent, the sort of things that would be done 8 are different if that information was coming from 9 Barking borough? 10 A. No, I would expect Kent Police to do the cell site 11 analysis. 12 Q. Even though this person's last known destination was in 13 Barking, you expect Kent Police to do that work? 14 A. I probably would, yes. 15 Q. In terms of adopting an investigative mindset, you 16 didn't obtain and read this Kent missing person document 17 before you decided that Daniel's death was suspicious, 18 did you? 19 A. No, I didn't. 20 THE CORONER: Was not suspicious, it was suicide? 21 DR VAN DELLEN: Was not suspicious, yes. 22 Thank you, madam, no further questions. 23 MR O'CONNOR: Madam, I don't have any more questions for 24 this witness. 25</p> <p style="text-align: center;">Page 160</p>

40 (Pages 157 to 160)

<p>1 Questions from THE JURY</p> <p>2 THE CORONER: There are some questions from the jury, some</p> <p>3 of which again will be answered by other evidence, I can</p> <p>4 assure you. If I don't deal with them now, I am keeping</p> <p>5 them and will make sure you get your answers from the</p> <p>6 appropriate witness.</p> <p>7 There are one or two you can deal with,</p> <p>8 Inspector Joyce, and this is one of them.</p> <p>9 When you read the note, did it not strike you as odd</p> <p>10 that a young male would go a strange place, in other</p> <p>11 words from Kent to Barking, to have sex with a stranger</p> <p>12 and then go on to commit suicide?</p> <p>13 A. No, it didn't.</p> <p>14 THE CORONER: Does it seem to you strange now, thinking</p> <p>15 about it now?</p> <p>16 A. With hindsight, I have taken a lot of thoughts and it</p> <p>17 has caused me a lot of consternation, the decisions that</p> <p>18 I made on that day. I still believe that the</p> <p>19 information I had available to me led me to come to that</p> <p>20 conclusion, that it was suicide.</p> <p>21 THE CORONER: The next note is really something that you</p> <p>22 have been asked already, but out of courtesy to the</p> <p>23 jury, I will ask it again and give you another</p> <p>24 opportunity of dealing with it.</p> <p>25 How is a possible admission to either murder or</p> <p style="text-align: center;">Page 161</p>	<p>1 THE CORONER: Just going back to the early part of your</p> <p>2 evidence, in relation to the incident management log,</p> <p>3 you were quite clear you had created one?</p> <p>4 A. I did, yes, that's correct.</p> <p>5 THE CORONER: You understand that it has not come to light.</p> <p>6 What would be the system for filing it, is the question,</p> <p>7 and do you have any theories for why it has gone</p> <p>8 missing?</p> <p>9 A. I can only equate for what today I know I produce as</p> <p>10 custody manager, boxes not dissimilar to this size every</p> <p>11 month that just get filed together, as one lock, stock,</p> <p>12 so it could be in amongst them. And that is the filing</p> <p>13 system sometimes for the Metropolitan Police.</p> <p>14 THE CORONER: All right, and if we could have up on the</p> <p>15 screen, please, IPC14, which is the note, bearing in</p> <p>16 mind the last line, "I dropped my phone on the way here,</p> <p>17 so it should be in the grass somewhere", did you read</p> <p>18 that line?</p> <p>19 A. I did, yes.</p> <p>20 THE CORONER: Did you then think the note must have been</p> <p>21 written where his body was found, because otherwise he</p> <p>22 couldn't say, "I dropped my phone on the way here"?</p> <p>23 A. Yes, that is a reasonable assumption, madam.</p> <p>24 THE CORONER: Yes, so did you look for a pen?</p> <p>25 A. No, I didn't.</p> <p style="text-align: center;">Page 163</p>
<p>1 manslaughter in the note, "I took the life of another",</p> <p>2 and suicide left in the note, which is what the case</p> <p>3 would have been at the time, how is that not to be</p> <p>4 addressed as suspicious?</p> <p>5 A. I dealt with the suicide. I agree, my objectivity may</p> <p>6 have been clouded but there is, for me, all the evidence</p> <p>7 did suggest it was suicide. So on that basis, I was</p> <p>8 happy with that.</p> <p>9 THE CORONER: The note goes on, even though you knew</p> <p>10 a second body had been found in the same churchyard, if</p> <p>11 not in exactly same location, very recently.</p> <p>12 A. I knew there was another male had been found, yes, but,</p> <p>13 as I say, there was just simply no evidence at all or</p> <p>14 information to link the two together.</p> <p>15 THE CORONER: Did you know that the name of the first young</p> <p>16 man was Gabriel?</p> <p>17 A. No, I didn't.</p> <p>18 THE CORONER: Had you known that, reading the note, would</p> <p>19 that have made you more suspicious about contents of the</p> <p>20 note.</p> <p>21 A. Most definitely and there was information come to light</p> <p>22 I understand from the DI in the intelligence bureau</p> <p>23 later in the evening. If I had have been in receipt of</p> <p>24 that information, then I am certain that would have</p> <p>25 changed the whole context of my viewpoint.</p> <p style="text-align: center;">Page 162</p>	<p>1 THE CORONER: Do you think you should have done?</p> <p>2 A. With hindsight, yes.</p> <p>3 THE CORONER: Yes, thank you. That is all the questions the</p> <p>4 jury have.</p> <p>5 Thank you, Mr Joyce.</p> <p>6 A. Thank you, madam.</p> <p>7 THE CORONER: Is that as far as we can go this week?</p> <p>8 MR O'CONNOR: It is, madam.</p> <p>9 THE CORONER: You won't mind that, members of the jury,</p> <p>10 a bit of an early finish on a Friday, off for the</p> <p>11 weekend. See you at 10.00 on Monday morning. Have</p> <p>12 a good weekend.</p> <p>13 (3.04 pm)</p> <p>14 (The inquests adjourned until 10.00 am on Monday,</p> <p>15 1 November 2021)</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 164</p>

41 (Pages 161 to 164)

A				
A/DI 53:22	acronyms 80:23	100:1 107:3	anymore 11:15	19:19 23:13
A/DS 53:22	act 112:11	119:10 121:5	anyway 84:5 86:6	27:15,16 32:18
A4-size 10:21	acted 36:4	143:1,13,14	apart 115:13	34:25 35:6,13
Abbey 124:1 151:2	Acting 34:15	158:13 162:5	apologies 49:2	48:11,15 57:5
151:4,5,8	133:17	agreed 30:19	79:24 80:11	62:3,24 73:21,24
abbreviation	action 53:11 84:18	39:14 96:2	149:6	74:2,5,17 84:17
154:14	104:17	114:25	apologise 67:24	88:18 89:6,7,8
Abdellah 1:8 56:1	actions 12:11	agreeing 96:8	apparent 104:23	124:11 125:1
56:6	68:24 81:19	112:24	105:8 120:24	150:13,20,22,23
abdomen 57:22	83:18 89:14 99:1	ahead 70:16,20	131:24 135:9,19	151:1,6
abeyance 97:24	104:1 138:6,8	112:13	156:2	arguing 137:20
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