

**CRIS 5109868/14 - UNEXPLAINED DEATH**

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| <b>Protective Marking</b>                 | Restricted                   |
| <b>Suitable for Publication</b>           | No                           |
| <b>Title &amp; Version</b>                | Current Situation Report - 3 |
| <b>Relevant to</b>                        | CRIS 5109868/14              |
| <b>Branch, Code &amp; OCU/Directorate</b> | 01KG BOCU/TP Crime           |
| <b>Date Created</b>                       | 27.06.2014                   |
| <b>Review Date</b>                        | N/A                          |

**1. BACKGROUND;**

Police are investigating the unexplained death of Mr Anthony Patrick WALGATE.

On Thursday 19.06.2014 police were called to outside 59, COOK STREET, BARKING, ESSEX, IG11 7AF by a member of the public. Mr Stephen PORT of 62, COOK STREET, BARKING, ESSEX, IG11 7AF. He stated that he came home from work in the early hours of the morning, saw a male slumped against the entrance to his block of flats. To gain entry he moved him, subsequently called the London Ambulance Service and then went to be.

At the location was a deceased male - Mr Anthony Patrick WALGATE Date of Birth; 08.05.1991 of: DPA He was found propped up against a bin cupboard in an open pedestrian area. Life was pronounced extinct at 07:51 a.m. Mr WALGATE had no visible injuries.

On Friday 20.06.2014 a Special Post Mortem was conducted at Queens Hospital Romford by Dr BIEDRZYCKI. The result of this was inconclusive and the results to toxicology are outstanding. The pathologist noted that the deceased had a 'heavy brain & heavy lungs' indicting drug use. At this time the death remains unexplained.

A friend of the deceased, Miss China DUNNING has provided lifestyle information and has stated that he worked as a male prostitute. She stated that he had arranged to meet a client on 17.06.2014. The client provided the deceased with his details as follows; Joe DEAN DOB 02.02.1986 of 72, ST. ANNES ROAD, IG11 7AF. Miss DUNNING stated that the client agreed a price of £800.00 for the services of the deceased. The deceased was concerned about this as the client agreed to the price. (This is unusual as the deceased would have expected some discussion over the price).

Miss DUNNING provided a distinctive description of the client that was shown to her by the deceased on his mobile phone on 17.06.2014. Police compared this description to a photograph of Mr Stephen PORT (the original informant) held on police indices and noticed similarities. As a result, the image was shown to Miss DUNNING on 25.06.2014 and has stated that she is 97% certain that this is the same male as the photo shown to her by the deceased.

Enquiries on the deceased's Oyster Card has shown that he exited Barking Train Station on 17.06.2014 at 22:13 Hrs.

On 19.06.2014 Mr Stephen PORT provided a statement to police and stated that he happened to pass by the y the deceased and found him in the street. This account is now believed to be false. There is now information to indicate that Mr PORT that Mr PORT had arranged to meet with the deceased on 17.06.2014 and that the deceased travelled to meet him in Barking to engage in sexual activity. The deceased was found some 15-20 meters from the front door of Mr PORT and the post code of the client that the deceased was due to meet - IG11 7AF - is the same as Mr PORT'S home address.

### **2. VENUE;**

Outside 59, COOK STREET, BARKING, ESSEX, IG11 7AF. (See #4 below 'SCENE EXAMINATION / FORENSICS'). A Section 8 PACE 1984 Warrant has been executed at this address on 26.06.2017 at 14:14. The premises were subsequently searched a MIT 7 officer and SOCO Belinda GRIFFIN. The search was completed on 27.06.2014 at 17:10. A number of exhibits were seized, however none at this time to indicate any involvement in the death of Mr WALGATE.

### **3. POLICE RESPONSE;**

The first officer on scene - PC186KG BENSON - saw what she believed to be a footmark (from a Nike trainer) on the deceased's torso and also an injury to the mouth.

Upon subsequent examination this was found not to be the case - the footmark was in fact discolouration of the decomposing body and there was no injury to the mouth. No further evidence was found to suggest a cause of death.

At 07:51 life was pronounced extinct by Dr MUNRO.

The scene was secured and CSM Alan TRIBE and Photographer Andy GODDARD attended. CSM Cheryl KYNASTON also subsequently attended the scene.

DCI JONES (SC&O1 - MIT 20) authorised a Special Post Mortem to be conducted in order to establish the cause of death.

CAD 1209/19JUN14 refers to the initial call made to police.

KG N/D CID also attended - TDC RIDGEN & TDC HARVEY.

SC&O1 HAT car attended & N/D Cluster DI - DI John DELANEY (JI).

The matter was subsequently reported under CRIS 5109868/14.

### **HAT Advice 1; 19.06.2014 05:20 Hrs.;**

1. Special Post Mortem advised - COMPLETE.
2. Survey the scene for CCTV to trace route taken by the collapsed male (Anthony WALGATE) - COMPLETE - No CCTV at the scene identified..
3. Continue Local enquiries re witnesses - Initial enquiries conducted. Further actions raised.
4. Conduct Intel re WALGATE to locate and trace next of kin. Early intel suggests WALGATE self harmed in 2010 in Yorkshire. Borough to liaise with Yorkshire Police and establish if any next of kin can be traced. COMPLETE.
5. Scene to remain open until results of Special Post Mortem. COMPLETE.

6. Witnesses to be interviewed to provide full accounts - Witnesses Stephen PORT (62 Cooke Street) - COMPLETE
7. Suspects N/A
8. Intel being conducted by KG officers. Early intel suggests VIW Anthony Patrick WALGATE lives in Hull.
9. CCTV - Local enquiries made by local officers
10. Phones N/A
11. Forensics Scene attended BY CSM, all exhibits being taken at time of writing. Special Post Mortem advised
12. H2H Local officers conducted house to house
13. Media/Appeals - Holding Press Lines being held by KG Borough
14. Family Liaison Next of kin still unknown at time of writing
15. Risk Reduction Measures in Place N/A
16. What Management Grip & Support is There? This matter is being dealt with by KG Borough with support from SC&01 officers.
17. Significant Community Impact? To be monitored by KG Borough
18. Any Local / MPS Vulnerabilities? As above

**HAT Advice 2; 20.06.2014 18:00 Hrs.;**

1. Appoint FLO - COMPLETE.
2. Submit samples for toxicology - AWAITS.
3. Submit sex swabs - AWAITS.
4. Submit bottle found in victims possession for toxicology / fingerprinting - AWAITS.
5. Conduct enquiries to locate WALGATE'S telephone - ONGOING.
6. Complete financial enquiries to ascertain how the victim was paid and obtain telephone billing from WALGATE'S telephone to identify client and assist with last movements - AWAITS.
7. Complete research on informant and 'Jo Dean' - ONGOING.
8. If informant believed identical with Jo Dean re interview / consider offences committed - ONGOING.

**HAT Advice 3; 20.06.2014 18:00 Hrs.;**

ADI MCCARTHY & TDC Dave PARISH attended MIT 20 at 11:45 on 20.06.2014. Present were DCI Chris JONES & DI Cliff HAINES.

Details of the investigation were relayed along with the current status of the enquiry. This matter does not fall within the MIT remit at this time as there is no evidence of a homicide - notwithstanding the account provided by Mr PORT.

MIT 20 will provide further written advice, however a summary of the advice / priorities at this time are as follows;

1. Attempts to be made to execute the Section 8 PACE 1984 search warrant at the premises at the earliest opportunity.
2. Mr PORT to be arrested if there is evidence of an offence. I have reviewed the evidence and Mr PORT should be arrested for the following offences;
  - i) Theft of Mobile Phone - Section 1, Theft Act, 1968.
  - ii) Perverting the Course of Justice - Common Law.

3. Once premises are secured and suspect arrested, he is to be interviewed and an account obtained. MIT 20 to be contacted once this account obtained and a search strategy will be put in place.
4. MIT 20 will seek to provide an officer to assist in the interview of the suspect.
5. MIT 20 will see to provide officers / assistance in the following areas;
  - i) Interpretation / analysis of cell site data.
  - ii) Officers to assist in CCTV retrieval.
  - iii) Assistance / advice in relation to search of the premises.
6. The other occupant of the address - who took police to Mr PORT - to be identified and treated as a Significant Witness.
7. Local Directed Enquiries to be prioritised. (These have been completed at the time of reporting, however this will be reviewed).
8. Associates of the victim to be spoken to and statements obtained regarding victim history / lifestyle / possible drug use etc.
9. Retrieve CCTV - Utilise VIIDO  
(In relation to HAT Advice 3 - this is a brief update. I am awaiting the full document and this CSR will be updated accordingly).

**HAT Advice 2; 27.06.2014 13:00 Hrs.;**

Record of Advice Given (free text but headings included as aide memoirs)

1. Witnesses to be interviewed to provide full accounts.
2. Ensure victim's clothing and bag is searched in an attempt to locate the missing mobile phone. Intel being conducted by MIT7 officers. Borough enquiries to continue into usage of the victim's phone post death.
3. Review pornographic material found at scene to identify any additional offences
4. Ensure suspect's phone and laptop computer are submitted for download
5. H2H - Local officers conducted house to house
6. Media/Appeals Holding Press Lines being held by KG Borough
7. Family Liaison - A borough FLO (DC Slaymaker) has been appointed. Advised to contact family and update them re arrest. Consideration to be given to obtaining background MG11's from the victim's closest friends.
8. What Management Grip & Support is There? - This matter is being dealt with by KG borough with support from SC&01 officers
9. Significant Community Impact? To be monitored by KG Borough
10. Any Local / MPS Vulnerabilities? As above

**4. SCENE EXAMINATION / FORENSICS;**

The scene was secured and CSM Alan TRIBE and Photographer Andy GODDARD attended. CSM Cheryl KYNASTON also subsequently attended the scene.

On Friday 20.06.2014 a Special Post Mortem was conducted at Queens Hospital Romford by Dr BIEDRZYCKI. The result of this was inconclusive and the results to toxicology are outstanding. The pathologist noted that the deceased had a 'heavy brain & heavy lungs' indicting drug use. At this time the death remains unexplained. TDC Dave PARISH is currently the Exhibits Officer.

### **7. FAMILY LIAISON;**

TDC Paul SLAYMAKER is currently FLO and remains in contact with the family.

MIT advice on Family Liaison obtained from MIT7 on 27.06.2014.

TDC SLAYMAKER was Rest day on 27.06.2014, however he has contacted family and provided a brief update on the arrest of the subject for potential other offences around the death of the deceased. He is working 28.06.2014 and will provide family with a full update.

### **8. MEDICAL EVIDENCE;**

Awaits.

### **9. SUSPECTS;**

At this time the death remains unexplained.

However, what is of concern is that VIW2 - Mr Stephen PORT appears to have provided police with a false account i.e. that he happened to pass by the deceased and found him in the street.

There appears to be evidence / information (provided by Miss DUNNING) that Mr PORT had arranged to meet with the deceased on 17.06.2014 and that the deceased travelled to meet him in Barking to engage in sexual activity.

This information has come to light on 25.06.2014 when police compared the description provided by Miss DUNNING against the Custody Imaging of Mr PORT. She subsequently was shown the Custody image and stated that she was 97% sure that he was the male that had arranged to meet the deceased.

Attempts were made to relate this information to MIT20 on 25.06.2014, however the team were unavailable.

DC Syria HUSSAIN was spoken to and advice sought on the following;

SC&O1 advice / assistance regarding the new information. Consideration was being given to attending the address to arrest Mr PORT for possible offences in connection with the death of Mr WALGATE or to execute a Section 8 PACE 1984 warrant at the premises. SC&O1 involvement would be ideal for the following reasons; preservation of a potential crime scene and minimise disruption of this scene by KG officers. She stated that KG should continue with their actions and then contact SC&O1 for advice / assistance.

Further advice was sought from the on-call HAT car - DS Jason GRAY. Informed of the circumstances and stated that and action was a matter for KG to consider and that the original MIT team - MIT 20 - would provide advice and assistance. He confirmed that MIT 20 would be informed of the request.

(See Lines of Enquiry).

### **Further to the above - update on 26.06.2014;**

On 26.06.2014 police obtained a search warrant under Section 8 PACE 1984 at BARKINGSIDE Magistrates Court in order to search 62, COOK STREET, BARKING, ESSEX, IG11 7AF for the following;

1. Mobile phone belonging to the deceased, Mr Anthony Patrick WALGATE.

2. Controlled Drugs that may have contributed towards the death of the deceased, Mr Anthony Patrick WALGATE.

3. Evidence that the deceased, Mr Anthony Patrick WALGATE was at 62, COOK STREET, BARKING, ESSEX, IG11 7AF.

Police attended the address on 26.06.2014 and the door was answered by Mr PORT. He was arrested and cautioned for the following offences at 14:12 Hrs.;

1. Theft of Mobile Phone - Section 1, Theft Act, 1968.

2. Perverting the Course of Justice - Common Law.

He made no significant comments.

The premises at 62, COOK STREET, BARKING, ESSEX, IG11 7AF have not been searched at this time.

**Interview Summary Mr Stephen PORT - C/N 01KW/5015/14 - Interviewed by DC DESAI on 26.06.2014;**

*Thursday the 26th of June 2014*

*Interview of Stephan Port DOB 22/02/1975*

*Custody number 01KW/5015/14*

*Start 1748 finish 1930 hours master tape D0420495V exhibit NAD/1*

*No one else present*

*Stephen Port started the interview by saying that he resides at 62 Cook Street, Barking IG11 7AF, the property is a one bedroom flat and Stephen Port purchased the property 8 years ago in August 2014. The flat was purchased under part buy part rent, and Stephen Port states that he currently has a Ben art winkle living at the property, and that Ben Artwinkle is the brother in law of a boyfriend. The property is a block of flats that has three floors and 4 flats on each floor.*

*Ben Artwinkle was only supposed to be at the property for a few weeks but he has been staying there for a few months and hopefully this is coming to end soon, Ben Artwinkle is only staying there as he has problems with his girlfriend. Ben Artwinkle is currently employed by Tesco working 10pm until 6am and he has had this job for the last few weeks.*

*Stephen Port states that he works for a catering company called OCS and they are hired by stagecoach to manage the canteen at West Ham bus garage, Stephen Port has been working for OCS for the last 16 years and that he has worked at West Ham bus garage since it opened which was about 3 years ago.*

*Stephen Port works on a rota basis and the shift are 6am- 2pm and 2pm - 10pm, and on some occasions he has to work nights so that they can deep clean the kitchen when they have inspections visits.*

*Stephen Port owns a Peugeot RCZ index DPA and is a 2 door sports car that I purchased in March this year and I purchased the vehicle with Toyota Finance and I pay £252 a month. Stephen Port has his own parking space which is C4 which is located at the rear of the property.*

*Stephen Port then confirmed his original account, he stated that on Wednesday he had been at work 0845pm to 0345am on Thursday morning and that he finished work and that he was at home by 4am. Stephen Port parked his car in his parking bay and that he came around to the front of the house and that he saw the young boy in the door way and that his head was leaning against the door.*

Stephen Port picked up the body and moved it slightly to the side and moved the body to the fence so that the deceased was leaning against his fence, Stephen Port has then moved the body to the raised pavement area where the ambulance staff found him. Stephen Port called Las and then when he saw the car ambulance lights in Cook Street he went inside his flat and that he did not want to get involved, Stephen Port then went to sleep and was woken up the next day by Ben Artwinkle who had police officers with him who interviewed Stephen Port.

Stephen Port states that his current partner is [X1] aged 21 years of age and he has been in a relationship with him for 3 years on and off, when they have broken up Stephen Port had a relationship with a [X10] aged 22 years of age and that Ben Artwinkle is the brother in law of [X10]. Before [X1] there had been no real partner but they had been casual relationships, Stephen Port stated that he does take drugs and that he takes light meth, Stephen Port explained that it is what is given to athletes and that it gives a high and has a side effect that it makes sex last longer.

Stephen Port explained that Light Meth is a white powder that he buys about 20 grams and it cost £20 and that Stephen Port would crush the Light meth and snort it, Stephen Port states that sex would last for 12 hours normally.

Stephen Port would also take legal poppers during sex as well as Light meth and that you can purchase poppers from sex shops, Stephen Port then explained that on Tuesday the 17th of June 2014 he met a man called Anthony on a website called Fit Lad, Stephen Port described Anthony as having blonde hair, blue eyes and was cute.

Stephen Port stated that they got to know each other and that they got on and that they agreed to meet and that they had sex and that Anthony had left after 2 hours, Stephen Port stated that on Wednesday he got up at about 1100 hours and that he went to work for 2pm and that he finished at 10pm and that he watched TV and went to bed. Stephen Port stated that on Thursday he woke up at about midday and that he pottered about and that Stephen Port did some cleaning, shopping and then went to work at 845pm.

Stephen Port was asked if he knew Anthony Walgate and he stated that the only Anthony he knew was the person that he met on Tuesday, Stephen Port also stated that he has used male prostitute in the past and that he was previously a male prostitute in the past.

Stephen Port stated that when he was at college he was a male prostitute and that he still has clients but he has not had a client for over a year.

Stephen Port stated that he used to charge £150 an hour or £300 for the night, Stephen Port stated that he owns a Samsung Galaxy Pocket phone which is on a contract for 16 months and that the contract expires in December 2014. Stephen Port just upgraded his phone when he needed it and that this is the first time he has had a mobile phone with internet access.

Stephen Port described Anthony as F510-slim build, blonde hair, blue eyes, spoke very nicely, he seemed very intelligent and that Anthony informed him that he wanted to be a designer and that he wanted to finish university and that he wanted to start his own clothing business.

Stephen Port stated that he picked up Anthony from Barking station outside KFC at 1015pm and that they went straight to Stephen Port flat, when they were at the flat they

*had a cuddle on the sofa and that Anthony asked Stephen Port if he wanted to take anything and Stephen Port replied no.*

*Anthony asked Stephen Port if he minded if he took something to make him high, Stephen Port said no and Anthony took out a bottle and placed a powder in a glass and asked Stephen Port for water and then Anthony drank the water and drug which was added to the water.*

*Stephen Port and Anthony had then gone to the bedroom and they had sex and the session lasted for about 45 minutes, Anthony then felt sick on the bed and Stephen Port asked Anthony if he was okay and that Anthon my replied yes and that this was a side effect to taking the drugs.*

*I cleaned up the sick and I told Anthony that there was blood in the sick but he said that he was okay, Anthony went into the bathroom and had a shower and I cleaned up the sick and that I washed the blanket and out it back on the bed.*

*Anthony got dressed and left at 1210 hours and stated that he had a friend in Barking that he was going to visit, Anthony had a dark blue/black sports bag which he took with him and Anthony left the property. Stephen Port went to sleep and did not think anything of it.*

*Stephen Port stated that he was wearing Black trousers and shirt, Stephen Port stated that he moved the body as he wanted to the person to be comfortable, Stephen Port stated that he did not look at the body and did not realise that the body was dead.*

*Stephen Port does not know anything about the mobile phone belonging to Anthony and Stephen Port stated that he had asked Anthony to switch his mobile phone off prior to having sex as he did not want to be disturbed during sex.*

*Stephen Port stated that he did not pay any money to Anthony and that Anthony was not going to charge him any money as they got on so well.*

*Stephen Port was pressed on his account and the facts that Stephen Port was the last person to speak and touch Anthony it does look suspicious, Stephen Port then asked what if it was an accident, what trouble am I in.*

*Stephen Port then stated that he did meet Anthony on Tuesday as previously mentioned and that they had sex on Tuesday night, Stephen Port stated that instead of leaving Anthony stated that he was not feeling well. Stephen Port said to Anthony if you are not feeling well then stay and sleep here and that Stephen Port will take Anthony home in the morning.*

*Stephen Port woke up on Wednesday and that Anthony was still sleeping and that he was breathing, Stephen Port thought nothing of it as when his partner had taken drugs before then Stephen Port partner had been out of it for hours before.*

*Stephen Port came home on Wednesday night after finishing work at 10pm and Anthony was still in bed and Stephen Port thought this was not right, Stephen Port thought that Anthony was in a deep sleep and did not realise that he was dead. Stephen Port then took the body out and as described earlier Stephen Port placed the body by the door and then by the fence and then eventually on the pavement where ambulance staff found him.*

*Stephen Port stated that he went back inside the flat and got Anthony Bag and took the bag out to the body and that he moved the body as he was unsure where to leave Anihony. Stephen Port stated that he did not assault or kill Anthony and that the reason he did not leave him in the bed as it would look suspicious just like last time.*

Further MIT advice review was requested on 26.06.2014 via Det. Supt. SWEENEY. In light of this DI Andrew KELLY reviewed enquiry and provided officers from MIT7 to support the enquiry. Subsequently Mr PORT was further interviewed by MIT7 officers - DC HOLT & DC LEVOIR.

**Interview Summary Mr Stephen PORT - C/N 01KW/5015/14 - Interviewed by DC HOLT & DC LEVOIR on 27.06.2014;**

At this time only a handwritten account is available of notes. The interviewing officers will provide a full update over the weekend. The suspect again provided a full account and clarified details of his first account. He denied the allegation of theft of the phone and believed that it may be with the deceased's clothing.

Mr PORT has been interviewed in custody on two occasions. He has now been Bailed to Return to 05.08.2014 at 12:30 in order for further enquiries to be conducted in to this matter.

(Consideration was given to approaching the CPS in relation to the allegation of 'Perverting the Course of Justice' whilst in custody, however this was decided against due to the outstanding enquiries i.e. awaiting result of cause of death etc. DI KELLY appraised and agreed with this course of action).

**10. PHONES;**

CIU have been tasked to conduct enquiries in relation to the victim's mobile number. At this time the handset remains outstanding.

I have confirmed with Analyst Kevin BUTLER that the last signal received from the victim's phone was on 18.06.2014 in the early hours of the morning. There has been no further outgoing activity from the phone.

**11. PHYSICAL EVIDENCE;**

Exhibits have been seized both from the scene and the Post Mortem.

A Forensic Strategy Meeting will be held with the BFM / CSM regarding submission of exhibits for examination. (CSM has provided advice at the PM).

MIT advice has been received. The scene has been examined along with the premises of Mr PORT. A number of exhibits have been seized and a Forensic Strategy Meeting will be held w/c 30.06.2014. In brief, examination of samples for toxicology will be required along with property found on the victim. In relation to Mr PORT, his mobile phone & computer will require examination.

**11. INTELLIGENCE;**

At this time Intel products have been requested on the following persons;

- i) VIW1 - Mr Anthony Patrick WALGATE
- ii) Mr Stephen PORT. Of note is that there is a previous allegation of crime against Mr PORT - subsequently NFA - that he had un-consensual anal sex with a male after making him take 'poppers'.