

1 Monday, 1 November 2021  
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1 (09.59 am)  
 2 (In the presence of the jury)  
 3 THE CORONER: Good morning, members of the jury.  
 4 Yes, Mr O'Connor.  
 5 MR O'CONNOR: Madam, may we please call Dr Swift.  
 6 THE CORONER: Yes.  
 7 DR BENJAMIN SWIFT (affirmed)  
 8 Questions from MR O'CONNOR  
 9 MR O'CONNOR: Thank you very much, doctor. Do please take  
 10 your mask off and take a seat.  
 11 **A. Thank you.**  
 12 Q. Can you give us your full name, please?  
 13 **A. My name is Dr Benjamin Swift.**  
 14 Q. Can you give us in a few sentences, doctor, an outline  
 15 of your qualifications?  
 16 **A. I am a fully registered and licensed medical**  
 17 **practitioner, meaning I am a medical doctor. I hold**  
 18 **a bachelor of medicine, bachelor of surgery, doctorate**  
 19 **of medicine in forensic pathology, a postgraduate**  
 20 **diploma in post mortem CT scanning, I'm a fellow of the**  
 21 **Royal College of Pathologists and founding member of the**  
 22 **faculty of forensic and legal medicine at the Royal**  
 23 **College of Physicians in London.**  
 24 **I have been a consultant forensic pathologist since**  
 25 **2005 and practising within the area of London since**

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1 **2006.**  
 2 Q. Thank you.  
 3 You are a registered Home Office pathologist?  
 4 **A. I am.**  
 5 Q. How long have you been registered in that capacity for?  
 6 **A. I was entered onto the Home Secretary's register in**  
 7 **early 2006.**  
 8 Q. I think I take it from what you said you remain  
 9 a registered Home Office pathologist?  
 10 **A. I do.**  
 11 Q. The jury have heard already from Dr Biedrzycki, who  
 12 I think is one of your colleagues in your practice,  
 13 about the work of registered Home Office pathologists  
 14 and in particular the conduct of special post mortems,  
 15 which is why you have come to give evidence today?  
 16 **A. Yes.**  
 17 Q. Do you understand?  
 18 Let me ask you though, just briefly. We are  
 19 focusing on the year 2014, which is when you conducted  
 20 the special post mortem relating to Daniel Whitworth.  
 21 At that time, give us an idea of your working life.  
 22 Were you conducting exclusively special post mortems at  
 23 that time or other work as well?  
 24 **A. I believe at that time I was exclusively conducting**  
 25 **forensic examinations. I may have performed second**

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1 **examinations at the requests of coroners and the**  
 2 **defence, but I was not undertaking any routine practice.**  
 3 Q. In general terms, how many of these special post mortems  
 4 or forensic examinations were you conducting annually?  
 5 **A. I think about 90?**  
 6 Q. Thank you.  
 7 As I say, doctor, you are here to give evidence  
 8 about the post mortem you conducted relating to  
 9 Daniel Whitworth, is that right?  
 10 **A. Yes.**  
 11 Q. I want to start just by introducing the chronology of  
 12 events. Then we will go back and look in more detail at  
 13 your examination and your findings.  
 14 The jury have heard -- in fact they heard last  
 15 week -- about Daniel's body being discovered on  
 16 Saturday, 20 September 2014.  
 17 We will hear, will we not, that the special post  
 18 mortem that you conducted was undertaken the next week,  
 19 on Tuesday, 23 September. Is that right?  
 20 **A. Yes.**  
 21 Q. We will see -- perhaps we can just go -- I will not  
 22 bring this up on screen, but perhaps if the jury can  
 23 look in their large bundle.  
 24 Doctor, this is a bundle that you have in front of  
 25 you too, it should have bundle C on the spine. It is

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<p>1 probably the one you have straight in front of you, 2 towards the back of your desk. Yes, is it that one? 3 I just want to take the jury to some of the 4 documents we will be coming back to. If we look at 5 tab 42 of this bundle, there are some notes there which, 6 let me say at once are not your notes, doctor, but 7 I think we will see they were notes made at the time of 8 that post mortem, by someone called Neil Gallagher, who 9 was a crime scene manager. Are you familiar with him, 10 at least, and that he was there at the post mortem? 11 <b>A. Yes, I am and yes he was.</b> 12 Q. I think we will then hear that the next day you prepared 13 a preliminary report related to Daniel Whitworth, and if 14 we just again turn back in the bundle to tab 41, does 15 that look like the preliminary report that you prepared? 16 <b>A. It is.</b> 17 Q. About halfway down, well, we see both the date and time 18 of examination, 23 September, and then towards the 19 bottom of that page, the date of this document, which is 20 the next day, 24 September? 21 <b>A. Yes.</b> 22 Q. We will come back to have a look at the content of that 23 document in a moment. It was the case, was it not 24 though, that you were unable to make any final 25 conclusions about the cause of death, based on your</p> <p style="text-align: center;">Page 5</p>	<p>1 report, if we look at the top of the page, in bold, 2 under the heading "Toxicology", starting a couple of 3 lines down, you have written: 4 "Despite repeated requests to be provided with the 5 results it was not until 15 April 2015 that I was 6 forwarded a copy of the witness statement of 7 Denise Stanworth, dated 21 November." 8 You refer to another report which we will be looking 9 at, which was dated about the same time. 10 Does that explain the delay in providing your 11 report? You in fact hadn't been provided with the 12 toxicology results until a day or so until you then 13 finalised your report in April 2015? 14 <b>A. Precisely, yes.</b> 15 Q. Before we go on, may I just ask you a more general 16 question -- thank you, we can take that down from the 17 screen -- arising from the sequence. What we see here 18 is your final report in April is drafted or concluded 19 seven months or so after the post mortem, and the jury 20 have seen that it is perhaps not uncommon for that final 21 report to be written some time after the post mortem, 22 because of the need to conduct tests and so on in the 23 interim. Is that right? 24 <b>A. Yes.</b> 25 Q. In fact, help us with this. The delay of seven months,</p> <p style="text-align: center;">Page 7</p>
<p>1 examination alone, and as the jury now are quite 2 familiar with, because that was the position with the 3 other deaths as well, it was necessary to send off 4 samples for toxicology? 5 <b>A. Yes, it was.</b> 6 Q. The toxicology results relating to Daniel Whitworth came 7 back, or at least the report was drafted about two 8 months later. If we turn over to tab 43, we see the 9 statement, the report, of Denise Stanworth, who the jury 10 have heard from, dated 21 November. Do you see that? 11 <b>A. I do.</b> 12 Q. That is just a little bit less than two months after 13 your post mortem. 14 Then, to complete the chronology, if we turn to 15 tab 44 in the bundle, is this your final report, doctor? 16 <b>A. It is.</b> 17 Q. Dated, as we see, 17 April 2015. 18 <b>A. Yes.</b> 19 Q. Which is more or less five months after the date of the 20 toxicology results and, just if we can have up on 21 screen, please, IPC331, internal page 9, and we can turn 22 over to page 9 of the report. I am going to be coming 23 back in detail to the content of the report, doctor, but 24 just so that there is no mystery about that gap of five 25 months or so between the toxicology results and your</p> <p style="text-align: center;">Page 6</p>	<p>1 is that typical or is that actually rather longer than 2 is normal? 3 <b>A. No, I would say that is much longer than normal.</b> 4 Q. In any event, what is unusual is the final report being 5 produced some time, weeks or months, after the initial 6 post mortem? 7 <b>A. Yes.</b> 8 Q. Just help us then, how do you manage to draft that final 9 report with all your findings and all the detail that it 10 would contain after such a long period of time? 11 <b>A. Because I -- sorry, along with some of my colleagues, we 12 dictate the case as we go during the post mortem 13 examination. So we will have the briefing, I will 14 dictate those and then dictate my anatomical findings 15 for the external. I will then continue that after 16 having completed the internal examination, and I will 17 then formulate my initial conclusions at that time -- 18 obviously in this case it was pending further 19 investigations.</b> 20 <b>So my report is effectively written at the time. 21 I will then have to edit it and update it with further 22 information when I receive it at a later time.</b> 23 Q. Yes, I see, thank you. 24 Let me just ask you this as well by way of general 25 question. We have seen now then the various documents</p> <p style="text-align: center;">Page 8</p>

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<p>1 that you drafted really, or the two documents, your 2 preliminary report and your final report. You have 3 explained how they would be written. We are now some 4 seven years or so after that post mortem, are you 5 completely reliant on these documents for your evidence 6 about what happened, or do you actually still have 7 a memory of conducting that post mortem and discussions 8 around it and so on? 9 <b>A. I absolutely have a memory of conducting the examination 10 and the discussions around it. But the majority of the 11 information, obviously, will lie within these reports as 12 the information was contemporaneous.</b> 13 Q. Yes, thank you. 14 With those general matters out of the way, let's 15 turn to the starting point, which is Tuesday, 16 23 September, and the post mortem that you conducted. 17 It took place at the Queen's Hospital in Romford, 18 I think it is right to say? 19 <b>A. Yes, it did.</b> 20 Q. If we could look, please, in fact at your report, you 21 may still have it open in front of you. It is tab 44. 22 For the screen, it is IPC331. If we can go to internal 23 page 4, please, we see here a list of the people who 24 were present, as well as you. 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 9</p>	<p>1 working with the police. Were any of these people 2 people that you knew, as it were, professionally, that 3 you had met frequently in the course of that work? 4 <b>A. Certainly Neil Gallagher, I continue to know. And 5 Andrew Goddard as well, as a photographer I would work 6 with him regularly.</b> 7 <b>As to the other officers, I am afraid I have to 8 admit I am terrible at remembering people and their 9 names.</b> 10 Q. The jury have heard a lot and will hear more from some 11 of these people about some of them being on the borough 12 police, some of them being homicide command and the 13 perhaps rather nuanced way in which they worked together 14 and who had responsible for what and so on. Was that 15 information that you would have been aware of at the 16 time or would you have simply as it were seen them as 17 police officers who were there to witness who was going 18 on? 19 <b>A. Typically the latter. Sometimes it is obvious in cases 20 where there is this to and fro between the homicide and 21 the borough police, but as whether there I was aware at 22 this time, I can't say.</b> 23 Q. You did, in 2017, make a statement which expanded on the 24 contents of your report and explained some matters about 25 how the post mortem had gone. Once or twice in that</p> <p style="text-align: center;">Page 11</p>
<p>1 Q. We see them listed as Stuart Denley, and you have 2 written "IO" next to his name. What do the letters IO 3 stand for? 4 <b>A. Investigating officer.</b> 5 Q. Neil Gallagher, who we have already referred to, crime 6 scene manager, we looked briefly at his notes, yes? 7 <b>A. Yes.</b> 8 Q. Then there is a list of other police officers, 9 PC Mark Yexley, who the jury heard from last week, 10 continuity officer, Acting DI Rolf Schamberger, there is 11 no description of his role. Andrew Goddard, 12 photographer and DC Hooper, exhibits officer, I will 13 come back to ask you about those, but just for 14 completeness then, also present there is you. Are there 15 also your assistants or -- 16 <b>A. Yes, there would have been an anatomical pathology 17 technologist present who assists with the examination 18 and assists with the reconstruction afterwards.</b> 19 Q. Going back to this list. First of all, how was that 20 list created? Would you have taken or dictated then 21 a list of who was there? 22 <b>A. I believe I was provided with the list of the 23 individuals, to my office.</b> 24 Q. We know that the work of a Home Office pathologist 25 involves undertaking special post mortems like this,</p> <p style="text-align: center;">Page 10</p>	<p>1 statement you referred to directing comments to what you 2 describe as the SIO. Can you help us with who that was 3 in this post mortem? 4 <b>A. I believe it was probably Stuart Denley, but I wouldn't 5 be certain. It is whoever was asking me the questions, 6 I was asking and directing my answers back to.</b> 7 Q. Does it work, as it were, that at the beginning of each 8 post mortem you would want to understand who the SIO was 9 or on the other hand does it work the other way that 10 there is usually one person who is asking you questions 11 and you rather assume that that is the SIO? 12 <b>A. I believe in these situations, particularly with this 13 case, where it is unknown whether this was a homicide or 14 not at that time, that there is often a to and fro as to 15 who will continue the case, whether it is the homicide 16 or the borough. It is a case that is somewhat in 17 a state of flux, and so therefore I will usually answer 18 my questions to the person who is asking me in the first 19 place.</b> 20 Q. Yes. Let me ask you first about the briefing that you 21 received. To do that, let me ask you to turn in your 22 bundle, please, to tab 40, and for the screen it is 23 IPC131. 24 What we have here, doctor, is a HAT return, or HAT 25 report. The format of these documents is something the</p> <p style="text-align: center;">Page 12</p>

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<p>1 jury are very familiar with, because they have seen 2 a number of documents like this, relating to the 3 investigation into Anthony Walgate's death. In fact 4 this particular document is not one we have looked at 5 before. It was drafted by Mr Denley, who is coming to 6 give evidence tomorrow, and we will look in some detail 7 at this document with him then.</p> <p>8 Is it right to say that you were provided with this 9 document by way of a briefing and we see some manuscript 10 notes made on it. Are those your notes?</p> <p>11 <b>A. They are.</b></p> <p>12 Q. We can see, if we look around the middle of the page 13 over on the right -- no, in fact sorry, that is the 14 wrong date. In fact we need to go, if we wanted to, we 15 could go back. I am not going to ask for this to be 16 brought up on the screen, but it is at the end of the 17 document that it is dated 21 September, so that was the 18 Sunday, a couple of days before your post mortem?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. In general terms, doctor, and I don't want to go into 21 the detail with you, were you aware that Daniel's body 22 had been found in the churchyard in Barking?</p> <p>23 <b>A. I was.</b></p> <p>24 Q. And that life had been pronounced extinct by the 25 ambulance service in the graveyard?</p> <p style="text-align: center;">Page 13</p>	<p>1 need to take during the --</p> <p>2 <b>A. Yes, I have.</b></p> <p>3 Q. Would that have been something that you have recorded 4 during those conversations?</p> <p>5 <b>A. Yes, it is.</b></p> <p>6 Q. Let's just have a look, please, at Mr Gallagher's notes 7 of the post mortem. It is tab 42 in the bundle, and it 8 is MPS1099.</p> <p>9 I did mention, doctor, these are obviously his 10 notes, not yours. I know you have seen them in advance 11 of giving evidence today but would you normally be 12 provided with them in the normal run of events?</p> <p>13 <b>A. No.</b></p> <p>14 Q. If we turn over to the second page, and we see there is 15 an entry at 07.00 that we don't need to worry about, but 16 we move down, about halfway, to an entry that is timed 17 at 10.45, which appears to be the start of the post 18 mortem itself, more or less. There is a reference to 19 the Queen's Hospital mortuary. Then Mr Gallagher has 20 written:</p> <p>21 "Discussed strategy with. 22 "A/DS Denley, SC&amp;O1. 23 "A/DI Schamberger, KG." 24 We all know that stands for the Barking borough. 25 And you:</p> <p style="text-align: center;">Page 15</p>
<p>1 <b>A. Yes.</b></p> <p>2 Q. We see towards the bottom of this page the contents of 3 the note that he was found with set out. Were you aware 4 of not only the existence of the note but what it had 5 said?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. Let's move on. I want to ask you a little bit about the 8 strategy that was discussed at the start of the post 9 mortem. Before we look at the detail, we have mentioned 10 the briefing. I now want to come on to the strategy 11 discussions.</p> <p>12 Are those regular staging posts, if you like, during 13 a post mortem like this?</p> <p>14 <b>A. Absolutely, yes. Following the briefing, I will then 15 have a discussion with the crime scene manager, with the 16 investigating officers also present, to identify what 17 the forensic strategy will be, what samples will be 18 necessary or not necessary. And that plan, again, also 19 remains changeable, so that if when we examine the body, 20 that we need to do additional work, then we will change 21 the plan at that point.</b></p> <p>22 Q. We don't need to call it back up but if we still have it 23 in front of us do we see in fact you have made some 24 notes in the bottom right-hand corner of the HAT return 25 of the types of samples or swabs that you are likely to</p> <p style="text-align: center;">Page 14</p>	<p>1 "Dr Swift."</p> <p>2 Before we look at the detail, that is a select 3 group. One of the things we heard from Mr Yexley, when 4 he gave evidence, he was the continuity officer, is that 5 his role was, if you like, rather secondary, he was 6 there to really deal with exhibits and evidence and he 7 said more than once that he was not involved in the 8 questioning and the work that you were doing.</p> <p>9 Again, is that a typical way of working on occasions 10 like this?</p> <p>11 <b>A. Yes, but I imagine that they were present at the 12 briefing, as was the photographer. We usually all sit 13 in the same room. Whether they take part in the 14 discussions or not is a different matter.</b></p> <p>15 Q. Yes. In any event, Mr Gallagher has identified 16 Mr Denley, Mr Schamberger and you and he, who took part 17 in the strategy discussions. What he has written, the 18 writing is not particularly easy to decipher but it 19 appears to read as follows:</p> <p>20 "Strategy, note verified by family ..."</p> <p>21 That is matter we will hear more about later today, 22 but then he has written I think three different limbs of 23 the strategy. First:</p> <p>24 "Ascertain cause of death [I think that reads], is 25 it consistent to details on note?"</p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

<p>1 Secondly: 2 "Any signs of possible assault or third party 3 involvement." 4 Third: 5 "Try to identify male victim had described as having 6 sex with previous evening." 7 I don't know whether you have any independent 8 recollection of those being the identified lines of 9 strategy, but does that seem right to you, that those 10 were the matters that were discussed? 11 <b>A. Those are matters for the police investigation. It is 12 actually the next part that is titled "Action plan" 13 which is relevant to the post mortem examination, 14 because these are the samples that, following 15 discussion, we had decided to take.</b> 16 Q. The strategy that we have just -- those three aims, as 17 it were, were they the police's aims or your aims? 18 <b>A. The police's aims.</b> 19 Q. Is it right then that they would have explained those to 20 you and you would have then gone on to a discussion 21 about how you were going to try and achieve that, which 22 samples would need to be taken and so on? 23 <b>A. It is more that those were discussed with the crime 24 scene manager and it is the crime scene manager's job to 25 ascertain the best way to answer those questions.</b></p> <p style="text-align: center;">Page 17</p>	<p>1 Q. We will come back to look at some of the things that may 2 or may not have been discussed at the debrief. 3 Let's look then at the preliminary report that you 4 prepared, or that is dated the next day. 5 Can we go back a tab, please, in the bundle to 6 tab 41. For the screen, it is IPC330. 7 I mentioned the timing, we see just below halfway 8 down there is a line, "Date/time of examination". The 9 time is given as 11.35 to 13.55. This may not matter 10 much, but would that have been the time spent on 11 physical examination of the body, following the briefing 12 and the strategy discussions and so on? 13 <b>A. Yes.</b> 14 Q. Then if we can turn over the page, please, we see what 15 you have written of substance. There is no doubt 16 a standard form line which says, "I give as the 17 provisional cause of death", and you have entered, "... 18 pending further investigation." 19 That is something which the jury are now familiar 20 with, because that is something that happened on each of 21 the four post mortems. Just give us an idea as to how 22 common it is, in your work, to need to go off and 23 undertake further tests before you can give a final view 24 as to the cause of death? 25 <b>A. Oh, it is very common, the majority of cases I do will</b></p> <p style="text-align: center;">Page 19</p>
<p>1 Q. I see. 2 Having had those discussions, you would have 3 commenced with the examination of the body? 4 <b>A. Yes.</b> 5 Q. I think we will see from another document, your 6 preliminary report, that the whole post mortem took two 7 hours and 20 minutes. Would it seem right that the 8 examination of the body took -- well, how long roughly 9 speaking, as part of that time? 10 <b>A. For that full time.</b> 11 Q. Right. We will come back to talk about the findings. 12 But then, would -- we heard in fact from Dr Biedrzycki, 13 when he told us about the post mortem in 14 Anthony Walgate's death, that at the conclusion of the 15 post mortem there was a debrief, again with him and the 16 police officers discussing findings, next steps and so 17 on. Again, is that a routine part of the post mortems 18 that you conduct? 19 <b>A. It is.</b> 20 Q. In fact, these notes, the jury will recall that the 21 crime scene manager's notes of Anthony Walgate's post 22 mortem included a record of the debrief. For whatever 23 reason, these notes don't seem to, but nonetheless do 24 you think there would have been a debrief in this case? 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 18</p>	<p>1 <b>have some further ancillary testing, whether it is 2 toxicology, histology or specialist examination of 3 organs.</b> 4 Q. You have then written some additional comments, doctor, 5 and you said this: 6 "The deceased was found dead in a churchyard on 7 20 September 2014 by a member of the public. 8 A handwritten note was found in his hand indicating 9 regret and that he had taken sleeping pills and G." 10 That is your summary of the note. You have used the 11 words "in his hand", presumably that was relying on what 12 you had been told about the verification, is it? 13 <b>A. No, I mean physically in his hand.</b> 14 Q. I see, so that is where it was located? 15 <b>A. That is what I was informed.</b> 16 Q. Thank you for that. 17 The next paragraph: 18 "Post mortem examination identified the presence of 19 bruising to both armpits and the front of the chest. 20 Petechiae were present around both eyes and bruising was 21 documented within the muscles of the neck, though there 22 was no fracturing of the hyoid bone or laryngeal 23 cartilages. There were no fingernail abrasions or 24 fingertip bruises." 25 Q. Tell us, if you can, what you regarded as being of</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 significance with those findings and why you included 2 them in this document?</p> <p>3 <b>A. Petechiae are little pinpoint areas of bleeding that you 4 can see to the skin's surface, or below the structures 5 of the eyes, and these can be an indicator of types of 6 asphyxial death, particularly those where there has been 7 compression of the neck, so forms of ligature or manual 8 strangulation. So in a forensic setting of a sudden 9 death of a young person it is a potential cause of death 10 that we needed to examine, and when there is bruising as 11 well within the structures of the neck, underneath, 12 again this raises that possibility of compression of the 13 neck.</b></p> <p>14 <b>However, going against that, there was no fracturing 15 to the small structures of the voicebox and there was no 16 grazing or fingertip bruising to the neck, so I left it 17 open at that time as to what that meant, and in light of 18 the toxicology findings, there is a different possible 19 cause for those findings, which I highlight in my 20 conclusions.</b></p> <p>21 Q. Just to come back to that, you mentioned the no damage 22 to the small structure of the voicebox, that is the 23 reference to the hyoid bone and the laryngeal 24 cartilages. You then say what you have written here, 25 "There were no fingernail abrasions or fingertip</p> <p style="text-align: center;">Page 21</p>	<p>1 Q. All right.</p> <p>2 There is nothing here -- it is fair to say that you 3 have referred to those two sets of findings, the 4 bruising on the armpits and the chest, and then the 5 findings that are all to do with the neck and the 6 petechiae and the eyes and the lack of findings relating 7 to the voicebox and so on but you haven't said anything 8 about any possible explanation or any possible cause of 9 death there. You have not, for example, speculated 10 about the possibility of drugs being involved in the 11 death. Is that because you didn't have a view at the 12 time or you didn't think it appropriate or normal to 13 venture an explanation?</p> <p>14 <b>A. It wouldn't be appropriate to speculate in a statement 15 such as this as to what might or might not have been 16 a potential cause of death. That is for later reports, 17 when you have evidence given to you that you can draw 18 upon to create a statement.</b></p> <p>19 Q. All right.</p> <p>20 Let's move on in the sequence, and have a look at 21 the toxicology results. We will bear in mind when we do 22 so that although the report itself came back within 23 a couple of months, as we have seen, you were then not 24 shown it for some time thereafter.</p> <p>25 In the bundle, it is tab 43. For the screen, it is</p> <p style="text-align: center;">Page 23</p>
<p>1 bruises", can you just explain why that is significant 2 if one is considering possible strangulation or 3 asphyxiation?</p> <p>4 <b>A. If in a case of manual strangulation fingers have been 5 pressed into the structures of the neck, then the 6 fingernails may leave grazes and the tips of the fingers 7 applying pressure can leave little rounded bruising as 8 well, and again these are signs of manual strangulation 9 that were not present in Mr Whitworth's case.</b></p> <p>10 Q. I see.</p> <p>11 You have mentioned the petechiae then, and the 12 voicebox, the lack of any fingernail abrasions and so 13 on. What about the first line of that paragraph, that 14 refers to separate bruising, to Daniel's armpits and the 15 front of his chest. Is that connected to the petechiae 16 and so on are or is this a separate finding?</p> <p>17 <b>A. No, this is a separate finding.</b></p> <p>18 Q. Why did you refer to it? What significance did you 19 consider that it may have?</p> <p>20 <b>A. As I will go on to indicate, the finding of bruising to 21 the armpits and the front of the chest is unusual, 22 particularly for someone who may have died of accidental 23 means, and were more in keeping with manual handling of 24 his body. So carrying or picking up by the arms or 25 under the arms.</b></p> <p style="text-align: center;">Page 22</p>	<p>1 IPC327. In fact, Dr Swift, there were two components to 2 the toxicology results in this case, were there not?</p> <p>3 There was Denise Stanworth's report relating to the 4 samples that had been taken from Daniel's body, and then 5 there was a separate shorter document which gave you the 6 results of some samples taken from bottles that were 7 found with Daniel's body. Is that right?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. We will deal with them in turn.</p> <p>10 As far as Denise Stanworth's report is concerned, 11 the jury have heard evidence from her about her 12 findings, but let's just remind ourselves what they 13 were, perhaps the best place to do that is if we can 14 look at page 3 of the report, at the bottom. This gives 15 the results of the blood samples.</p> <p>16 Just going down the list, first of all there is 17 a reference to what is described as a low concentration 18 of alcohol. There is then a finding relating to GHB, 19 a finding relating to mephedrone, a finding relating to 20 diphenhydramine. We will see I think that that is 21 a prescribed drug which is used amongst other things as 22 a sleeping tablet; is that right?</p> <p>23 <b>A. Yes, it is an antihistamine.</b></p> <p>24 Q. But there has been other evidence about sleeping tablets 25 in this case.</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 <b>A. Yes, it has a sedative effect. It is seen in</b>  2 <b>preparations such as Nytol, so it aids in sleep.</b>  3 Q. Then, finally, we see at least reference to caffeine and  4 nicotine. When it says simply "detected", does that  5 mean to say there were relatively low levels of those  6 two drugs found or simply that it is not possible to  7 measure?  8 <b>A. I am not entirely certain whether LGC Forensics at that</b>  9 <b>time would have given a value, because nicotine and</b>  10 <b>caffeine tend not to be drugs that need to be assessed</b>  11 <b>for their concentrations.</b>  12 Q. Thank you.  13 Let's just look over the page, please, at the  14 reference, towards the bottom of the page then, to the  15 section dealing with GHB. We see that in  16 Denise Stanworth's record, she has written:  17 "GHB is an anaesthetic drug with primarily sedative  18 properties originally developed as a pre-medication  19 prior to surgery. It gained popularity in the 1980s  20 amongst bodybuilders for its ability to stimulate muscle  21 development, it has recently gained popularity as  22 a recreational drug, particularly on the dance and club  23 scene, and has also been implicated in date rape  24 incidents."  25 That last point about the fact that GHB had been</p> <p style="text-align: center;">Page 25</p>	<p>1 <b>concentration that likely reflects those seen in people</b>  2 <b>who abuse that compound, who take it recreationally.</b>  3 Q. Is that term "abuse amounts" intended to indicate  4 whether it is a fatal dose or not?  5 <b>A. No.</b>  6 Q. Then we see a section headed "Diphenhydramine", which we  7 have mentioned and as you have said, she describes it as  8 an antihistamine, but looking three lines down she adds:  9 "It has pronounced sedative effects. It is also  10 used in the short-term management of insomnia in  11 preparations such as Nytol."  12 Is that where we get the idea that it might be  13 commonly referred to as a sleeping tablet or sleeping  14 drug?  15 <b>A. Yes.</b>  16 Q. Then if we can go over the page, please, sticking with  17 the diphenhydramine, we see that Denise Stanworth has  18 said:  19 "The concentration of that drug detected in  20 Mr Whitworth's body is slightly higher than would be  21 expected following the recent consumption of  22 a therapeutic amount of this drug, suggesting the use of  23 a higher than usual dose, however as diphenhydramine is  24 subject to post mortem redistribution, the measured  25 concentration may be higher than that present at the</p> <p style="text-align: center;">Page 27</p>
<p>1 implicated in date rape incidents was something, as we  2 will see, that you mentioned in your final report. Did  3 you simply, as it were, pick up on what she had said or  4 were you aware from your general practice about GHB and  5 its use in this context?  6 <b>A. No, I was fully aware of it beforehand.</b>  7 Q. If we can go over to page 5, please, there is a section  8 dealing with mephedrone, which as we saw was one of the  9 drugs detected. We heard some evidence -- I think it  10 was last week or possibly the week before -- from  11 Dr Soosay, who conducted the post mortems into  12 Gabriel Kovari and Jack Taylor, about mephedrone. Tell  13 us -- well, we see Denise Stanworth was referred to it  14 as a stimulate drug, it is often referred to as M-CAT or  15 meow meow, it was originally marketed in the form of  16 a powder.  17 Just dropping down, towards the end of the second  18 paragraph we see that the amount that has been measured  19 in this case, which, to remind ourselves was  20 0.17 milligrams per litre, Denise Stanworth has  21 described as being "likely to reflect the use of abuse  22 amounts".  23 Is that a term of art, what does that mean "abuse  24 amounts"?  25 <b>A. Generally it means that this is the sort of</b></p> <p style="text-align: center;">Page 26</p>	<p>1 time of death."  2 Can you just explain the point she is making there,  3 doctor?  4 <b>A. This is an issue that happens after an individual has</b>  5 <b>died, medications, drugs, can effectively move about the</b>  6 <b>body. They can increase or decrease in concentration,</b>  7 <b>and they can switch to prodrug forms, as well as</b>  8 <b>continue to be metabolised or broken down afterwards.</b>  9 <b>What she is indicating here is that the higher than</b>  10 <b>usual dose concentration of diphenhydramine that was</b>  11 <b>present in Mr Whitworth's blood, she couldn't exclude</b>  12 <b>the possibility that this was higher than it was at the</b>  13 <b>time of his death, that the concentrations have</b>  14 <b>effectively increased as the drug has leached into the</b>  15 <b>blood or changed its position after death, giving</b>  16 <b>an artificially high concentration.</b>  17 Q. Yes, so not possible to say on the basis of these post  18 mortem tests exactly how much was in his system at the  19 time he died?  20 <b>A. Yes.</b>  21 Q. But no question that there was some of that material --  22 clearly there had been diphenhydramine, he had taken it  23 prior to his death?  24 <b>A. Yes.</b>  25 Q. Then, as you mentioned, relatively brief references to</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 caffeine and nicotine, both of which Denise Stanworth 2 says she attaches no further significance to but then 3 towards the end of that page, there is a heading "Drug 4 interaction": 5 "GHB and diphenhydramine are both depressants of the 6 central nervous system and when used in combination 7 an enhancement of their effects may occur." 8 I think this is a topic we have touched on both with 9 Dr Biedrzycki and Dr Soosay now. The jury have heard 10 about GHB being a depressant and the effect that has on 11 the body. They have also heard that other drugs, 12 diphenhydramine being one but alcohol being another, can 13 exacerbate that effect of the GHB. Is that what really 14 Denise Stanworth is describing? 15 <b>A. Yes.</b> 16 Q. Looking at the conclusions: 17 "A high concentration of GHB was detected that alone 18 could provide a toxicological explanation for death. 19 The presence of diphenhydramine, an antihistamine drug 20 which can also be used as a sleeping drug, was detected 21 at a therapeutic concentration. The use of this drug 22 could also enhance the depressant effects of GHB and the 23 presence of mephedrone was also detected." 24 If we can just go over the page: 25 "Although low concentrations of alcohol were</p> <p style="text-align: center;">Page 29</p>	<p>1 <b>mention of those two bottles, doctor?</b> 2 <b>A. Yes.</b> 3 Q. Then we can trace this through the -- I think these two 4 documents are not in the bundle. But if we can look at 5 the screen then, please, at IPC471, page 6, this is 6 a list -- it is within a document prepared by the 7 borough investigators. It is a list of exhibits 8 relating to items that were found with Daniel's body, 9 and we see there, about halfway down IRS/3 is the cola 10 bottle, yes? IRS/4 is the contents of the cola bottle 11 which have been decanted into another bottle. 12 Is that standard practice, doctor? 13 <b>A. I wouldn't know.</b> 14 Q. All right, and then IRS/5 is the small bottle containing 15 unknown liquid. 16 <b>A. Yes.</b> 17 Q. Then, bearing in mind those two IRS/4 and IRS/5, if we 18 can go to a different document, which is IPC162, 19 page 11, I think this was a document that you did see, 20 doctor? 21 <b>A. Yes.</b> 22 Q. Is this a report on the contents of those two bottles? 23 <b>A. Yes.</b> 24 Q. We see, towards the bottom, the heading "Exhibits 25 examined" on the left-hand side.</p> <p style="text-align: center;">Page 31</p>
<p>1 detected in the blood and urine, Mr Whitworth would not 2 have been experiencing its effects at the time of his 3 death." 4 Finally, she records the fact that she hasn't found 5 anything else, any other drugs detected in these 6 samples. 7 That, then, is what you were provided with 8 eventually as to Denise Stanworth's examination of those 9 blood samples. As I mentioned, there were also some 10 samples of the contents of bottles that were found with 11 Mr Whitworth. 12 I wonder if I can just ask you, doctor -- this will 13 not come up on the screen -- if you can reach for 14 a different bundle, it is called the generic jury bundle 15 <b>A. The jury have copies of this bundle as well.</b> 16 <b>If we go to tab 14 in this bundle, these are some</b> 17 <b>photographs taken at the scene where Daniel Whitworth's</b> 18 <b>body was discovered.</b> 19 <b>If we go to the third page, please, we see, first of</b> 20 <b>all, there is a bottle that looks like a Coca-Cola</b> 21 <b>bottle, the sort of large Coke bottle that we might buy</b> 22 <b>in the supermarket, between Daniel's legs, and then</b> 23 <b>there is also a small brown bottle, a photograph of it</b> 24 <b>and a sort of marker. I think we heard evidence that</b> 25 <b>that bottle was found in his pocket. Do you recall</b></p> <p style="text-align: center;">Page 30</p>	<p>1 The first exhibit is IRS/4, which is that bottle 2 which had contained the decanted contents of the cola 3 bottle. The description, "Brown liquid". 4 Quantity, "98 millilitres", and then there is just 5 a finding "Negative". What do we and do we not read 6 into that finding? 7 <b>A. One assumes it is negative for any drugs of abuse.</b> 8 Q. It is not telling us what it is, but it is telling us 9 that they have tested it for a range of drugs of abuse 10 and nothing has been found? 11 <b>A. Yes, it is telling us what it isn't. I suspect what it</b> 12 <b>is is cola.</b> 13 Q. Quite. 14 Just, for example, had there been GHB or GBL in the 15 bottle, would that have come up? 16 <b>A. I would have expected it to, yes.</b> 17 Q. What about the diphenhydramine, the sleeping tablets, do 18 you know one way or another whether these tests would 19 have tested that liquid for that drug? 20 <b>A. I would have expected it to, yes.</b> 21 Q. The report, as we see, says "Negative". 22 Then the other bottle, the small brown bottle, which 23 was IRS/5, we see there that it has been tested as -- 24 well, help us with this, the finding says "GBL" and the 25 jury are familiar with GBL, the drug which converts</p> <p style="text-align: center;">Page 32</p>

8 (Pages 29 to 32)



<p>1        itself into GHB in the body. Do we read this as</p> <p>2        a finding that that is all that the liquid is or that it</p> <p>3        contains GBL or does it not help us one way or another</p> <p>4        with that?</p> <p>5        <b>A. It tells you that that liquid contains GBL.</b></p> <p>6        Q. Yes, okay.</p> <p>7            Thank you. Those are the toxicology results and the</p> <p>8        jury will recall that those were the results that you</p> <p>9        were not provided with initially. We saw the reference</p> <p>10       in your report, your final report, to the delay in you</p> <p>11       obtaining them.</p> <p>12       Just help us, whose job is it, normally, to send you</p> <p>13       the toxicology reports?</p> <p>14       <b>A. It is normally the duty of the officers in the case who</b></p> <p>15       <b>are investigating to provide me with the reports.</b></p> <p>16       <b>They commission the reports, they receive the</b></p> <p>17       <b>reports, and therefore they have to send it on to me.</b></p> <p>18       <b>I do not receive them automatically.</b></p> <p>19       Q. No.</p> <p>20       <b>A. I will then receive it from them. We, my office, sends</b></p> <p>21       <b>out regular reminders and did in this case, requesting</b></p> <p>22       <b>that information so that I may complete my report. In</b></p> <p>23       <b>the end, no officer, I believe, provided me with the</b></p> <p>24       <b>toxicology. In fact it was provided through the</b></p> <p>25       <b>coroner's office on that date.</b></p> <p style="text-align: center;">Page 33</p>	<p>1        investigating officers?</p> <p>2        <b>A. They would.</b></p> <p>3        Q. You are waiting for toxicology reports in order to</p> <p>4        finish your report. Do you have the details of the</p> <p>5        investigating officers in order to chase for those</p> <p>6        reports or do you have contact with a different part of</p> <p>7        the police?</p> <p>8        <b>A. No, contact is usually made through the crime scene</b></p> <p>9        <b>managers, as they tend to remain constant throughout,</b></p> <p>10       <b>whereas the investigating officers can change.</b></p> <p>11       Q. So you mentioned chasing for these results?</p> <p>12       <b>A. Yes.</b></p> <p>13       Q. It may not have been you personally, it may have been</p> <p>14       someone in your office, but who would you or your office</p> <p>15       have chased in order to try and get hold of the results?</p> <p>16       <b>A. It is usually the crime scene manager or there is</b></p> <p>17       <b>a central point of contact in the operations department</b></p> <p>18       <b>there that contact would be made through. But also</b></p> <p>19       <b>remember, in my preliminary report it clearly indicates</b></p> <p>20       <b>that the toxicology results are required before I can</b></p> <p>21       <b>complete. So whomever receives that and reads it should</b></p> <p>22       <b>be aware.</b></p> <p>23       Q. I think you said as a matter of fact, between the post</p> <p>24       mortem in September and you finally receiving the</p> <p>25       results in April you or your office did in fact make</p> <p style="text-align: center;">Page 35</p>
<p>1        Q. Perhaps we should just go back a stage or two to the</p> <p>2        post mortem itself. The blood samples that were sent</p> <p>3        off to Denise Stanworth to be tested would have been</p> <p>4        taken during the post mortem; is that right?</p> <p>5        <b>A. Yes.</b></p> <p>6        Q. We have heard from PC Yexley, the police officers there</p> <p>7        would have treated them as exhibits, and so they would</p> <p>8        have then taken those samples away with them, would</p> <p>9        they?</p> <p>10       <b>A. Yes.</b></p> <p>11       Q. Tell us, the cola bottles and so on, would they actually</p> <p>12       have been at the post mortem or would they never have</p> <p>13       found their way that far?</p> <p>14       <b>A. No, I never physically saw them. Those were dealt with</b></p> <p>15       <b>by the crime scene manager.</b></p> <p>16       Q. Following the post mortem, it would have been the police</p> <p>17       officers who would have had those exhibits, the blood</p> <p>18       samples taken at the post mortem, the bottles and so on,</p> <p>19       which they had had all the time.</p> <p>20       You are telling us, are you, that it would have been</p> <p>21       the officers investigating the case who would have had</p> <p>22       the role of sending them off, the bottle and the blood</p> <p>23       samples, to the toxicology experts?</p> <p>24       <b>A. Yes.</b></p> <p>25       Q. Then the results would have come back to the</p> <p style="text-align: center;">Page 34</p>	<p>1        attempts to obtain these results?</p> <p>2        <b>A. Yes, on several occasion.</b></p> <p>3        Q. Who did you -- I don't necessarily need the name, but</p> <p>4        did you go ... perhaps there are three possibilities,</p> <p>5        there are the borough investigating officers, there is</p> <p>6        Sergeant Denley from SC&amp;O1, and there is Mr Gallagher</p> <p>7        and his CSM team.</p> <p>8            Do you know which of those three organisations you</p> <p>9        or your office chased for these results?</p> <p>10       <b>A. Not without checking, but I would imagine it is usually</b></p> <p>11       <b>through the crime scene manager team, that they will</b></p> <p>12       <b>then direct our email to the investigating officers who</b></p> <p>13       <b>are still involved.</b></p> <p>14       Q. I see, yes.</p> <p>15       Then I think, just to finish on this, did you say</p> <p>16       that in fact in the end you received the results not</p> <p>17       from the police but direct from the toxicologist?</p> <p>18       <b>A. No, from the coroner's office.</b></p> <p>19       Q. Yes, the coroner's office, thank you.</p> <p>20       Let's, doctor, turn then to your final report. That</p> <p>21       was tab 44 in the bundle.</p> <p>22       We see that it is dated, on the first page, so for</p> <p>23       the screen it is IPC331. We see from the first page</p> <p>24       that it is dated 17 April 2015, and we will see in</p> <p>25       a moment the passage that we looked at at the start, but</p> <p style="text-align: center;">Page 36</p>

<p>1 it was on 15 April that you finally received the</p> <p>2 toxicology results, so you turned it round within</p> <p>3 a couple of days, having received those results?</p> <p>4 <b>A. Yes, and that time, also, incorporates time required by</b></p> <p>5 <b>a colleague to review -- to review my report before it</b></p> <p>6 <b>goes out, so yes.</b></p> <p>7 Q. The report, doctor, is structured in the same way as</p> <p>8 some of the other reports -- I think all the other</p> <p>9 reports -- we have seen. In that: you describe the</p> <p>10 circumstances of the death, as far as you had been told</p> <p>11 them; you then describe your findings at the post mortem</p> <p>12 in terms of external appearance; then your findings on</p> <p>13 your internal examination of the body; then you come on</p> <p>14 to toxicology and histology results; and in the end you</p> <p>15 go through your conclusion.</p> <p>16 Would it be fair to say, and I think really we have</p> <p>17 probably got this far already, that in terms of your</p> <p>18 physical examination of the body, both external and</p> <p>19 internal, there were some features that were worthy of</p> <p>20 note, we have mentioned the bruising for example, but</p> <p>21 nothing that provided an adequate basis for you to reach</p> <p>22 a conclusion as to the cause of death?</p> <p>23 <b>A. Yes, there were some changes and injuries that were</b></p> <p>24 <b>concerning, but nothing that could have accounted</b></p> <p>25 <b>anatomically for his death.</b></p> <p style="text-align: center;">Page 37</p>	<p>1 contained GBL, a class C compound. The toxicology</p> <p>2 results indicate a high blood concentration of gamma</p> <p>3 hydroxybutyrate, GHB, and a high concentration of</p> <p>4 diphenhydramine, mephedrone was also present in</p> <p>5 a concentration likely to reflect the use of abuse</p> <p>6 amounts, only a very low concentration of alcohol was</p> <p>7 noted."</p> <p>8 Is that your summary of the toxicology results we</p> <p>9 have just looked at?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Moving on then to the comments, comment 1:</p> <p>12 "The body was that of a white adult male, showing</p> <p>13 evidence of significant natural disease that could have</p> <p>14 caused or contributed to his death."</p> <p>15 Number 2, we can see:</p> <p>16 "The body of the deceased was found by a dog walker</p> <p>17 in a churchyard on 20 September 2014. He was apparently</p> <p>18 slumped to his left side, clothed ... partially wrapped</p> <p>19 in a dark blue bedsheet. In his left hand with</p> <p>20 a handwritten note in a clear mask sleeve which I have</p> <p>21 been informed has been positively identified as being</p> <p>22 within the deceased's handwriting by the next of kin.</p> <p>23 The note indicates the taken GHB with 'sleeping pills'."</p> <p>24 Is that a summary of the briefing that you had</p> <p>25 received from the police officers?</p> <p style="text-align: center;">Page 39</p>
<p>1 Q. We have heard that in other cases, and I think we will</p> <p>2 see in this, histology samples, that is samples of</p> <p>3 tissue, were sent off for testing in much the same way</p> <p>4 as the toxicology samples that we have looked at.</p> <p>5 Did they assist you in reaching a view as to the</p> <p>6 cause of death?</p> <p>7 <b>A. No, there was nothing on examination of that material</b></p> <p>8 <b>that could have caused or contributed to death.</b></p> <p>9 Q. But, as we have seen then, was it the toxicology results</p> <p>10 which in fact led you to your conclusion as to the cause</p> <p>11 of death in this case?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. What I am going to do, given that, is rather than go</p> <p>14 through the earlier sections of your report, I am going</p> <p>15 to go straight to the toxicology section, and then the</p> <p>16 comments. As we go through the comments, we will go</p> <p>17 back, occasionally, to your findings relating to your</p> <p>18 physical examination, do you understand.</p> <p>19 Let's go, please, to page 9 of the report. At the</p> <p>20 top of that page is the section we looked at briefly at</p> <p>21 the start, with your explanation for the delay in</p> <p>22 production of your report.</p> <p>23 You summarise in the second paragraph, underneath</p> <p>24 this heading, the findings. You say:</p> <p>25 "The small bottle recovered from the deceased</p> <p style="text-align: center;">Page 38</p>	<p>1 <b>A. Yes.</b></p> <p>2 Q. Paragraph 3:</p> <p>3 "Post mortem examination identified bruising below</p> <p>4 both arms in the armpit regions of the chest which</p> <p>5 continue around to the front of the chest wall. This is</p> <p>6 an unusual distribution to have been caused accidentally</p> <p>7 and may have occurred as a result of manual handling of</p> <p>8 the deceased, most likely prior to death."</p> <p>9 This is the bruising, the armpits and chest, which</p> <p>10 we saw you referred to in slightly shorter terms in the</p> <p>11 preliminary report.</p> <p>12 Do you think this is a matter that you would have</p> <p>13 discussed with the officers in the debrief at the time</p> <p>14 of the post mortem?</p> <p>15 <b>A. Yes, I believe it is referred to by Neil Gallagher in</b></p> <p>16 <b>his debrief notes.</b></p> <p>17 Q. The words that you have used at the end of the paragraph</p> <p>18 here, you have said that the bruising -- it could have</p> <p>19 happened as a result of manual handling and then this:</p> <p>20 "... most likely prior to death."</p> <p>21 I would like to ask you some questions about that,</p> <p>22 please. The jury have heard that there was quite</p> <p>23 similar bruising found on Anthony Walgate's body and</p> <p>24 I think the view that was expressed there was that it</p> <p>25 must have been caused prior to death because of the way</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 in which bruising is caused, it only happens when the 2 blood is flowing, so one can say not that it probably is 3 caused prior to death but that it would have been caused 4 prior to death.</p> <p>5 Why have you expressed yourself in slightly 6 different terms here?</p> <p>7 <b>A. Generally speaking I would agree with the statement you 8 just made, that it requires an adequate blood pressure, 9 so someone to have been alive, in order to create 10 bruising within a person. However, there are reported 11 incidents where it is possible to create bruising in 12 an already deceased person and these are often referred 13 to in forensic textbooks as a possible caveat.</b></p> <p>14 <b>Therefore, I have allowed for that by saying "most 15 likely prior to death". I think it is likely that they 16 happened prior to death but, because there is this 17 literature that suggests in certain situations you can 18 produce bruising after death, then I am allowing for 19 that.</b></p> <p>20 Q. I just want to ask you to look at a different document, 21 please, it is in the bundle at tab 45 and for the screen 22 it is IPC42.</p> <p>23 This is another document written by Sergeant Denley, 24 again we will ask him about it in detail tomorrow. 25 Doctor, this is not your document, I don't know whether</p> <p style="text-align: center;">Page 41</p>	<p>1 could think it is no surprise that he has bruises there, 2 someone must have picked him up and put him into the 3 hearse or the ambulance and then he may have been moved 4 in the mortuary, so nothing to worry about there.</p> <p>5 Could it have been caused by his body being moved 6 from the scene or within the mortuary?</p> <p>7 <b>A. No. Hence why I indicated that it was an unusual 8 finding.</b></p> <p>9 Q. Right.</p> <p>10 Let's go back, please, to your report. It is 11 tab 44, and page 9. For the screen, it is IPC331. I am 12 going to carry on reading through your comments.</p> <p>13 Number 4: 14 "Congestion was present at the anal margin and I was 15 informed that the deceased was gay. However, there were 16 no definite injuries to indicate traumatic sexual 17 assault. Swabs for sexual contact had been taken and 18 could be analysed, should this be of concern."</p> <p>19 Just summarise then, doctor, so no finding of 20 assault in the anal area?</p> <p>21 <b>A. There was no positive pathological evidence of assault, 22 that doesn't exclude the possibility. All I can say is 23 that there were no injuries.</b></p> <p>24 Q. The jury have heard about what have been described as 25 sex swabs. Those are swabs, are they not, taken from</p> <p style="text-align: center;">Page 43</p>
<p>1 you have seen it before, quite possibly not, but it is 2 Mr Denley's writeup of this post mortem. If we can go 3 over to the second page, please.</p> <p>4 We see at the top what he has written down about 5 this particular finding. He said: 6 "There were bruises under his arms, armpits which 7 could be consistent with being manhandled ..."</p> <p>8 Pausing there, very similar to what you have 9 expressed in your report and no doubt perhaps that is 10 what was said at the debrief, but he goes on: 11 "... and the pathologist suggested these could have 12 been caused if somebody had carried or moved the 13 deceased, either pre or post mortem."</p> <p>14 So we lose the "likely to have been post mortem" 15 angle there.</p> <p>16 Do you think that in the debrief you might have 17 expressed yourself as generally as that?</p> <p>18 <b>A. No, that is quite a clumsy way to refer to -- I was 19 probably attempting to be more nuanced, as I have 20 indicated in my report that it is most likely to have 21 occurred pre mortem, or ante mortem.</b></p> <p>22 Q. For example, of course Daniel's body was moved from the 23 graveyard to the mortuary, and may well have been moved 24 around in the mortuary. One could, if one was simply 25 looking at what Sergeant Denley has written there, one</p> <p style="text-align: center;">Page 42</p>	<p>1 that area that can be used to test for DNA, which may or 2 may not provide findings as to sexual partners?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. Moving on to paragraph 5, I think we will see we come 5 now to deal with that other bruising that we touched on 6 earlier, around the neck and the evidence around the 7 eyes: 8 "Streaky bruising was also identified within the 9 structures of the neck and this in combination with the 10 florid petechiae present around the eyes raised concerns 11 regarding potential compression of the neck as a factor 12 in his death. However, there was no damage to the hyoid 13 bone, no damage to the cartilage of the larynx and 14 further there was no bruising within the tongue, nor any 15 abrasions of a fingernail-type nature or fingertip 16 bruising to the structures of the neck. There is 17 therefore not enough evidence to support positive 18 confirmation of fatal compression of the neck having 19 played a factor in his death."</p> <p>20 Pausing there, that is pretty much in slightly 21 longer terms what you said in the preliminary report. 22 Namely, the existence of the dots around the eyes and 23 the bruising around the neck, but the absence of other 24 findings that you might have expected to find, had cause 25 of death involved strangulation?</p> <p style="text-align: center;">Page 44</p>

11 (Pages 41 to 44)

<p>1 <b>A. Yes, it is.</b></p> <p>2 Q. Now, of course, you know a bit more about the case,</p> <p>3 because of the toxicology results, so you add, having</p> <p>4 said that there is not enough evidence to support</p> <p>5 confirmation of fatal compression of the neck having</p> <p>6 played a factor in his death, you add:</p> <p>7 "A view that would appear to be supported by the</p> <p>8 toxicology results."</p> <p>9 What do you mean by those extra words?</p> <p>10 <b>A. So that there is a potentially fatal concentration of</b></p> <p>11 <b>GHB present within his blood, and that that in itself</b></p> <p>12 <b>could account for some of the changes. What I go on to</b></p> <p>13 <b>say is that --</b></p> <p>14 Q. Yes, read out the last sentence and then explain what</p> <p>15 you meant by it.</p> <p>16 <b>A. "It is possible that some or all of these findings may</b></p> <p>17 <b>be accounted for by a terminal episode of vomiting with</b></p> <p>18 <b>hypoxic seizure event."</b></p> <p>19 <b>In individuals who are rendered unconscious and</b></p> <p>20 <b>unable to protect their airways, they may bring up vomit</b></p> <p>21 <b>which they then inhale. This can create a situation</b></p> <p>22 <b>where you are diminishing the amount of oxygen getting</b></p> <p>23 <b>into the blood and a person suffer as seizure, like</b></p> <p>24 <b>a fit. That very process of having a fit is known to</b></p> <p>25 <b>produce pinpoint dots around the eyes, it is known to</b></p> <p style="text-align: center;">Page 45</p>	<p>1 is a paragraph which starts under the numbered sections</p> <p>2 1 to 5, about three or four lines down, and there is</p> <p>3 a sentence which starts towards the end of the line, do</p> <p>4 you see:</p> <p>5 "The larynx, vocal cords, trachea and both major and</p> <p>6 minor bronchi."</p> <p>7 Are we talking about the inside of the neck and the</p> <p>8 back of the mouth?</p> <p>9 <b>A. Yes, we are talking about the voicebox, the windpipe and</b></p> <p>10 <b>the small airways that go to the lungs.</b></p> <p>11 Q. Reading on:</p> <p>12 "Those areas contained a mixture of frothy mucoid</p> <p>13 material and possibly gastric content."</p> <p>14 Three or four lines further down:</p> <p>15 "The lungs were expanded showing congestion and</p> <p>16 oedema on sectioning and possible aspirated gastric</p> <p>17 contents."</p> <p>18 Those both findings that would -- tell us, what do</p> <p>19 they tell us about the possibility of Daniel having</p> <p>20 vomited?</p> <p>21 <b>A. Again, it would suggest a terminal aspiration, so in the</b></p> <p>22 <b>last moments of life, where he has lost consciousness,</b></p> <p>23 <b>that he likely vomited and inhaled that vomit down into</b></p> <p>24 <b>his airways.</b></p> <p>25 Q. The meaning of terminal is obviously, but can you give</p> <p style="text-align: center;">Page 47</p>
<p>1 <b>create bruising within the structures of the neck.</b></p> <p>2 <b>So in view of the toxicology, these findings, rather</b></p> <p>3 <b>than being due to compression of the neck, could be</b></p> <p>4 <b>accounted for just by the very final moments as he was</b></p> <p>5 <b>dying.</b></p> <p>6 Q. We have heard from the other pathologists about -- as</p> <p>7 I have said -- the depressant effects of GHB, the</p> <p>8 starvation of oxygen, the body just closing itself down.</p> <p>9 I think you are adding that vomiting can be part of that</p> <p>10 series of events?</p> <p>11 <b>A. Yes, it is a common final event.</b></p> <p>12 Q. There was, in fact, from your examination, evidence that</p> <p>13 Daniel had vomited prior to death?</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. If we just go back to page 4 of your report, please,</p> <p>16 under the heading "External appearance", about eight or</p> <p>17 nine lines down, there is a line which starts:</p> <p>18 "The nose was palpably intact."</p> <p>19 You go on:</p> <p>20 "With what appeared to be gastric contents at the</p> <p>21 nostrils."</p> <p>22 In layman's terms, he had some vomit or possible</p> <p>23 vomit in his nose, is that right?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. Again, if we go to page 7 of your report, please, there</p> <p style="text-align: center;">Page 46</p>	<p>1 us any sense of how long before he died this would have</p> <p>2 happened?</p> <p>3 <b>A. It may be seconds, it may be minutes.</b></p> <p>4 Q. Is there any way of giving us an idea of the likely</p> <p>5 volume of this vomit?</p> <p>6 <b>A. No.</b></p> <p>7 Q. If he had vomited seconds or minutes before he died, the</p> <p>8 content of the note, if one reads it, makes it clear, at</p> <p>9 least as far as the note is concerned, Daniel died in</p> <p>10 the graveyard.</p> <p>11 If he had vomited in this way, would one have</p> <p>12 expected to find some vomit perhaps on his clothes or in</p> <p>13 the graveyard itself?</p> <p>14 <b>A. Possibly.</b></p> <p>15 Q. Did you find any evidence of vomit on his clothes?</p> <p>16 <b>A. I did not examine his clothing in detail.</b></p> <p>17 Q. Just help us, because, if we go back to page 5 of your</p> <p>18 report, at the top there you do describe what he was</p> <p>19 wearing and no doubt presumably those clothes were</p> <p>20 removed, but can you tell us one way or the other then</p> <p>21 whether they had any vomit on them or would you not have</p> <p>22 examined them that closely?</p> <p>23 <b>A. No, I didn't examine them that closely. It would have</b></p> <p>24 <b>been for a different forensic expert to have done that.</b></p> <p>25 Q. Just to be clear about this, I asked you a couple of</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 questions ago whether you could help us with the volume 2 of the vomit, you said you couldn't but is it then 3 possible that really we could be talking about quite 4 small amounts of vomit, and therefore which might not 5 have marked the clothes or the ground very much and 6 might have been missed?</p> <p>7 <b>A. Yes, and if we consider that his stomach still contains 8 a volume of material, he certainly hasn't vomited up his 9 full stomach contents.</b></p> <p>10 Q. Yes. This whole little sub topic about the vomit, it 11 wasn't something that was in your preliminary report. 12 Do you think it is something that you might have 13 discussed at the debrief with the officers or can you 14 not be sure at this stage?</p> <p>15 <b>A. I am not certain whether it was discussed. It is more 16 that -- it is more that this provides, having had the 17 toxicology results, it provides an explanation for the 18 pinpoint bleeding around the eyes and the bruising in 19 the neck. To steer away from it being a potential 20 strangulation case.</b></p> <p>21 Q. Yes, thank you. 22 We were looking, as you say, at the paragraph of 23 your comments which dealt with that bruising in the neck 24 and around the eyes. I would like to ask you to look 25 back at Sergeant Denley's document, so it is back to</p> <p style="text-align: center;">Page 49</p>	<p>1 Q. Albeit that it was too early, you didn't yet have the 2 toxicology results which made that more likely, or clear 3 to be the answer. 4 There is then a passage we have already looked at 5 relating to the bruises under the arms, consistent with 6 being manhandled, the point about pre-and post mortem, 7 which I have asked you about. Reading on: 8 "There was no evidence of an assault, sexual or 9 otherwise, but sex swabs were taken." 10 Reference to Dr Swift not being able to give a cause 11 of death. Then this next paragraph that I want to ask 12 you about: 13 "There was discussion around how the injuries could 14 have been caused and it is possible that the bruising 15 under his arms/armpits/throat could have been sustained 16 some time before death and during sexual acts. The 17 deceased's suicide note suggests he had sex with a male 18 the night of his death and he clearly led a double life 19 that his partner knew nothing of." 20 That comment has brought together the two different 21 types of bruising, has it not, the shoulder/armpit type 22 bruising and also bruising at the throat and it has 23 expressed a view that in fact it could have been caused 24 during sexual acts. 25 Is that something that you discussed with the</p> <p style="text-align: center;">Page 51</p>
<p>1 tab 42 in the bundle, please. 2 Hang on, I might have the wrong reference. It's 3 tab 45 in the bundle. For the screen it is IPC42 -- 4 that where I took the 42 from. 5 I want to pick it up at the bottom of the first 6 page. Mr Denley has referred then to this area of 7 bruising, he said: 8 "The pathologist noted some bruising to the 9 next/throat area and some pinpoint bleeding around the 10 eyes. This can be consistent with strangulation, but 11 there is no other evidence to support this as there are 12 no injuries to bones in the throat or the voicebox." 13 So far so consistent with the way you have explained 14 your findings. 15 He goes on: 16 "Dr Swift stated the above noted injuries could also 17 be as a result of the deceased taking an overdose and 18 fitting. This can cause both bruising to the neck and 19 blood around the eyes." 20 This document, written -- it doesn't seem to be 21 dated, but clearly just after your post mortem, it 22 suggests that you did in fact at least raise that 23 alternative explanation for the neck bruising at the 24 time of the post mortem? 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 50</p>	<p>1 officers during your debrief? 2 <b>A. I don't believe so, no.</b> 3 Q. Is it a view that you think you would have expressed to 4 the officers? 5 <b>A. No.</b> 6 Q. If it was the case that this in fact reflects the 7 discussion that they had after the post mortem, after 8 you had left, if they had come back to you and said, 9 "Hang on a minute, you have talked about manhandling, 10 you have talked about the throat and fitting, but can't 11 we explain all of this by, to use a common term, 'rough 12 sex?'" 13 What would you have said? 14 <b>A. I would not have agreed with that.</b> 15 Q. Why not? 16 <b>A. Because the pattern of bruising, as I say, is not the 17 sort that one might see with, as you refer to it, rough 18 sex, whether consensual or not. That is not the area 19 that is typically grabbed or restrained, it is more of 20 a picking up, manhandling, as has been noted, injury.</b> 21 Q. When I think when you are talking about the area, there 22 you are talking about the armpits? 23 <b>A. Yes.</b> 24 Q. As far as the neck bruising was concerned, you had in 25 fact expressly not found any evidence of, as it were,</p> <p style="text-align: center;">Page 52</p>

<p>1 hands on the neck?</p> <p>2 <b>A. Yes. There was obviously the other reason why there was</b></p> <p>3 <b>bruising in those areas but there was certainly nothing</b></p> <p>4 <b>that would suggest that this was as a result of a grip</b></p> <p>5 <b>mark around the neck.</b></p> <p>6 Q. Police officers at a special post mortem no doubt do</p> <p>7 quite a lot of listening to what you are telling them,</p> <p>8 but you have said they do also ask you questions.</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. Once the post mortem has ended, they then have to go and</p> <p>11 conduct their investigations. No doubt they come up</p> <p>12 with further theories as the evidence develops.</p> <p>13 Are they able to contact you again and say, "We have</p> <p>14 just found this further bit of evidence", or even, "We</p> <p>15 have just thought these findings could be linked in</p> <p>16 a different way, what do you think about that?"</p> <p>17 Is that something that happens?</p> <p>18 <b>A. Absolutely. And often we may have case conferences and</b></p> <p>19 <b>discuss the relevance of new information, new evidence,</b></p> <p>20 <b>and see how it fits in with the pathology findings. So</b></p> <p>21 <b>they are absolutely able to and they do.</b></p> <p>22 Q. If the officers had thought after the post mortem that</p> <p>23 this could all actually just be explained by</p> <p>24 Daniel Whitworth's sex life, they could have come back</p> <p>25 and asked you, either in person or on the phone or by</p> <p style="text-align: center;">Page 53</p>	<p>1 gastric content was identifiable within the upper or</p> <p>2 airways suggesting such a terminal episode.</p> <p>3 Are you there in effect bringing together the</p> <p>4 toxicology and also those findings of gastric content?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. You have added that diphenhydramine was also present,</p> <p>7 being an antihistamine medication that may also be use</p> <p>8 for its mild sedative action in treating insomnia.</p> <p>9 Paragraph 7, "There were no marks of an offensive,</p> <p>10 defensive or restraint-type nature". Are those matters</p> <p>11 that you would always look for in a special post mortem?</p> <p>12 <b>A. They are.</b></p> <p>13 Q. You would always, in a case like this, where there was</p> <p>14 a nil finding, you would always draw attention to the</p> <p>15 fact that you had not found anything of that nature?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. Then, paragraph 8:</p> <p>18 "At the debriefing it was strongly recommended that</p> <p>19 further examination of the bedsheet within which he was</p> <p>20 apparently wrapped be examined and positive confirmation</p> <p>21 made of the handwriting, to ensure that the body of the</p> <p>22 deceased had not been moved into the position within</p> <p>23 which it was found by a third party, either whilst the</p> <p>24 deceased was in a moribund state ..."</p> <p>25 Just explain the word "moribund", doctor?</p> <p style="text-align: center;">Page 55</p>
<p>1 email perhaps, what you thought of that theory?</p> <p>2 <b>A. Yes, they could have.</b></p> <p>3 Q. But did they?</p> <p>4 <b>A. No, I had no further contact regarding this case at all.</b></p> <p>5 Q. Thank you.</p> <p>6 Let's go back to your report, please, so it is</p> <p>7 tab 44. It is IPC331. We were on page 9, but in fact</p> <p>8 we reached the end of page 9, so we need to go over to</p> <p>9 page 10.</p> <p>10 At the top then, comment 6:</p> <p>11 "Toxicological analyses have revealed the presence</p> <p>12 of a concentration of GHB at a concentration considered</p> <p>13 likely fatal. It would appear this has arisen following</p> <p>14 an ingestion of GBL, a prodrug that is rapidly</p> <p>15 metabolised into GHB. A small bottle found on the</p> <p>16 deceased was tested and shown to contain GBL."</p> <p>17 The jury have heard about how GBL is metabolised</p> <p>18 into GHB in the body. You have then said:</p> <p>19 "GHB acts as an anaesthetic drug, producing</p> <p>20 a sedative effect, it has been implicated in date rape</p> <p>21 cases. Ingested in high concentrations GBL or GHB may</p> <p>22 lead to coma resulting in respiratory depression,</p> <p>23 inhibition of the protective airways reflex such that</p> <p>24 a person may experience terminal aspiration/vomit."</p> <p>25 In fact you have referred to the fact then that</p> <p style="text-align: center;">Page 54</p>	<p>1 <b>A. In a very poorly, near-death state.</b></p> <p>2 Q. "... or already dead. I have to date not been made</p> <p>3 aware of any of these findings."</p> <p>4 This is you in April 2015 referring back to comments</p> <p>5 or rather recommendations that you had made in</p> <p>6 September; is that right?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. It is one of the reasons I asked you at the very</p> <p>9 beginning how, as it were, you kept a record of the</p> <p>10 events at the post mortem, pending the time when you</p> <p>11 made your final report. Do you think that is something</p> <p>12 that you would have dictated at the time or that you</p> <p>13 would have just remembered?</p> <p>14 <b>A. I don't believe that was, but it is certainly something</b></p> <p>15 <b>I remembered and certainly, completing the report, it</b></p> <p>16 <b>was very much in my mind for me to have commented upon</b></p> <p>17 <b>it.</b></p> <p>18 Q. Just focus on what you say, the strong recommendation</p> <p>19 that you record here that further examination of the</p> <p>20 bedsheet be made. Can you tell us what the intended</p> <p>21 purpose of that examination was?</p> <p>22 <b>A. Well, to ascertain whether there was another party's DNA</b></p> <p>23 <b>upon it.</b></p> <p>24 Q. How would that help?</p> <p>25 <b>A. Well, it was to assist in identifying the individual who</b></p> <p style="text-align: center;">Page 56</p>

<p>1 <b>the person had been with the night before, which was</b>  2 <b>part of the strategy from the crime scene manager --</b>  3 Q. Yes.  4 <b>A. -- and to aid in the line of enquiry that I have</b>  5 <b>indicated that the bruising was unusual and that he had</b>  6 <b>appeared to have been moved into that position by</b>  7 <b>another person. So it is possible or probable that that</b>  8 <b>person whose DNA is on that sheet would have done that</b>  9 <b>act.</b>  10 Q. You say that it appeared that he had been moved into  11 that position. Is that a view that you yourself formed?  12 <b>A. Yes.</b>  13 Q. From what?  14 <b>A. From the fact that he was lying upon a bedsheet, it is</b>  15 <b>a very unusual thing for a person who is moving to</b>  16 <b>a scene to take with them.</b>  17 Q. I see.  18 I just wanted to be clear, because we have heard  19 a lot of evidence about the way in which Daniel was  20 propped up, if that is a term that has been used, but  21 that is not something you were familiar with, you of  22 course had not been to the scene, I don't know whether  23 you had seen photographs of the scene, but your concern  24 that he may have been moved arose simply from the  25 presence of a bedsheet at the scene, is that fair?</p> <p style="text-align: center;">Page 57</p>	<p>1 Q. Sorry, yes, you have recorded it there.  2 Just take a step back from this and help us, because  3 on the one hand, doctor, you are a doctor. The  4 qualifications you refer to at the outset of your  5 evidence are all to do with medicine and pathology.  6 When the jury heard from Dr Soosay, who was  7 a hospital pathologist, she made it clear that that was  8 really where her expertise finished.  9 You had been a Home Office pathologist for many  10 years by the time that you conducted this post mortem,  11 involved in investigating or being part of  12 investigations into suspicious deaths. What I am  13 getting at is, when you made these recommendations to  14 the police officers on this day, was that unusual? Was  15 it something that you often did, to make suggestions as  16 to how the police might advance their forensic  17 investigations?  18 <b>A. I don't think it is unusual. We often have the</b>  19 <b>discussions about the evidence that we will be taking</b>  20 <b>and the reasons and the rationale behind it. But, as</b>  21 <b>I say, as to what gets tested, is not my role.</b>  22 Q. Do you find that when you make recommendations like  23 this, they tend to be followed up or can you not answer  24 that question?  25 <b>A. In the majority of cases I would say yes, they are</b></p> <p style="text-align: center;">Page 59</p>
<p>1 <b>A. It was the fact he was on a bedsheet that was</b>  2 <b>unaccounted for, that he had an apparently handwritten</b>  3 <b>note, that I believe was in a plastic folder, which,</b>  4 <b>again is unusual, and that the officers, when I asked</b>  5 <b>them at the time of the briefing whether a pen was found</b>  6 <b>with him, they were unable to confirm that.</b>  7 <b>All of these, combined with the already unusual</b>  8 <b>circumstances that had made them request a forensic</b>  9 <b>examination in the first place, made me believe that</b>  10 <b>further investigation was required.</b>  11 Q. Doing the best you can, are these the sorts of concerns  12 that -- what you are telling us now -- you would have  13 shared with the officers at the time?  14 <b>A. Yes.</b>  15 Q. You wouldn't have just said "you need to get this  16 bedsheet tested", it would have been part of  17 a conversation of you explaining why you thought it  18 needed to be tested?  19 <b>A. It was my belief that it should have been tested. It is</b>  20 <b>not my job or duty to request that test to occur.</b>  21 Q. No, but --  22 <b>A. It is for the others, but, yes, I certainly -- I tried</b>  23 <b>to make it apparent that that was my belief and also it</b>  24 <b>is my belief, as written within my final report, that</b>  25 <b>the officers should have read.</b></p> <p style="text-align: center;">Page 58</p>	<p>1 <b>followed up.</b>  2 Q. Thank you.  3 Just concluding then, you mentioned that it was  4 necessary, in fact it is standard practice, is it not,  5 for another colleague to review your report and you  6 refer to that at paragraph 9 of your report?  7 <b>A. Yes.</b>  8 Q. Then the final cause of death you give as GHB toxicity,  9 we see that just below the heading "Cause of death".  10 The jury have heard from Dr Soosay, in Gabriel Kovari's  11 case, that in his case, there was -- as here -- a dose  12 of GHB which was in itself capable of explaining the  13 death, but also other findings, including I think  14 a finding of mephedrone which Dr Soosay explained would  15 have exacerbated the physical effects of the GHB and  16 sort of created a vicious circle.  17 I think what the evidence we have heard here is that  18 the diphenhydramine would have worked with the GHB or  19 might have done and sort of compounded the depressive  20 effect.  21 Is there any magic in the fact that you have  22 provided the cause of death as GHB toxicity, whereas  23 Dr Soosay entered a conclusion of mixed-drug overdose?  24 <b>A. No. I don't believe so. Going from the toxicology</b>  25 <b>report that I was provided, the toxicologist indicated</b></p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 <b>that the data at that time on mephedrone, and its</b></p> <p>2 <b>concentrations, with regards to fatalities was</b></p> <p>3 <b>uncertain. As such, I didn't feel I could on the</b></p> <p>4 <b>balance of probabilities or beyond reasonable doubt say</b></p> <p>5 <b>that the mephedrone had definitely caused Daniel's</b></p> <p>6 <b>death.</b></p> <p>7 <b>Likewise, with the diphenhydramine, do you remember</b></p> <p>8 <b>we had the discussion about post mortem redistribution,</b></p> <p>9 <b>so we are not exactly clear on the concentration at the</b></p> <p>10 <b>moment of his death with regards to that.</b></p> <p>11 <b>So, again, I couldn't rely upon that as having</b></p> <p>12 <b>contributed to death.</b></p> <p>13 <b>What we did have was a GHB level that was definitely</b></p> <p>14 <b>within the fatal range, so, whilst I gave the cause of</b></p> <p>15 <b>death as gamma hydroxybutyrate toxicity, I would</b></p> <p>16 <b>certainly say that a mixed-drug toxicity would be</b></p> <p>17 <b>an equally valid cause of death.</b></p> <p>18 Q. Thank you.</p> <p>19 Just a final few questions, doctor. What happened</p> <p>20 to this report once you had concluded it, once your</p> <p>21 colleague had peer reviewed it, once you had signed it?</p> <p>22 Who did you or your office send it to?</p> <p>23 <b>A. Generally two copies are sent.</b></p> <p>24 <b>One to the coroner, because the case is conducted</b></p> <p>25 <b>under the instructions of Her Majesty's Coroner.</b></p> <p style="text-align: center;">Page 61</p>	<p>1 appearance, six foot two inches tall and that he was</p> <p>2 61 kilograms, that is 9 stone, 10?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. You will appreciate that the investigation into Daniel's</p> <p>5 death and also Gabriel's death, one of the matters they</p> <p>6 had to grapple with was how it was that Daniel's body,</p> <p>7 but also Gabriel's body, ended up in the graveyard,</p> <p>8 particularly in the case of Gabriel's body, given that</p> <p>9 the note that Daniel was found with talked about him</p> <p>10 dying not in a graveyard but somewhere else, "at</p> <p>11 a mate's place" was the term that was used.</p> <p>12 We have heard evidence that Gabriel was a little</p> <p>13 shorter and lighter, quite a lot lighter, he was</p> <p>14 180 centimetres tall, and seven and a half stone in</p> <p>15 weight.</p> <p>16 Were you ever asked about whether Daniel, given what</p> <p>17 we know about his physique, would have been able to</p> <p>18 carry Gabriel's body, knowing what we know about his</p> <p>19 weight and height?</p> <p>20 <b>A. No.</b></p> <p>21 Q. If you had been asked, and tell us if it is really not</p> <p>22 something that falls into your expertise, but would you</p> <p>23 have been able to offer a view about that?</p> <p>24 <b>A. Not as an expert but common sense, I would probably have</b></p> <p>25 <b>provided my opinion.</b></p> <p style="text-align: center;">Page 63</p>
<p>1 <b>And the second is sent to the investigating officer.</b></p> <p>2 <b>I believe it is also sent through the crime scene</b></p> <p>3 <b>managers so that they may forward it on to the relevant</b></p> <p>4 <b>investigating team.</b></p> <p>5 Q. Sorry, just to be clear, when you said it was the second</p> <p>6 copy was sent to the investigating officer, do you mean</p> <p>7 that you think it likely it would have been sent to the</p> <p>8 crime scene manager, who would then have sent it to the</p> <p>9 investigating team?</p> <p>10 <b>A. Yes, that is what I said.</b></p> <p>11 Q. Thank you.</p> <p>12 In your experience, do police investigators</p> <p>13 sometimes make contact with you after they receive</p> <p>14 a final report like this to ask you more questions</p> <p>15 relating to their investigation?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. Did that happen here?</p> <p>18 <b>A. No.</b></p> <p>19 Q. Then, I think, just finally, two more questions. If we</p> <p>20 could go back to your report, please. For the screen,</p> <p>21 it is IPC331, and I imagine you still have it in front</p> <p>22 of you, doctor.</p> <p>23 Page 4, you have recorded that Daniel Whitworth was</p> <p>24 six foot, two inches tall.</p> <p>25 Do you see just immediately under external</p> <p style="text-align: center;">Page 62</p>	<p>1 Q. Tell us what that is?</p> <p>2 <b>A. I see no reason why he would not have been able to have</b></p> <p>3 <b>moved him.</b></p> <p>4 Q. Thank you.</p> <p>5 The very last point, doctor, is this. The jury will</p> <p>6 hear evidence that Daniel left work on a Thursday</p> <p>7 afternoon, on 18 September, and then he wasn't seen</p> <p>8 again until his -- or at least he wasn't seen alive</p> <p>9 again until his body was found two days later, mid</p> <p>10 morning on 20 September.</p> <p>11 First of all, let me ask you this. Were you ever</p> <p>12 asked during this investigation if you could assist in</p> <p>13 being any more precise as to Daniel's time of death than</p> <p>14 that he was alive on the afternoon of the Thursday and</p> <p>15 found dead on the morning of the Saturday? Were you</p> <p>16 ever asked that?</p> <p>17 <b>A. I was not.</b></p> <p>18 Q. Had you been asked, would you have been able to be any</p> <p>19 more precise about his time of death?</p> <p>20 <b>A. No, there is no means of identifying time of death that</b></p> <p>21 <b>is reliable in any use.</b></p> <p>22 <b>MR O'CONNOR: Thank you very much, doctor. Those are all my</b></p> <p>23 <b>questions.</b></p> <p>24 <b>Madam, I wonder if that might be time to take</b></p> <p>25 <b>a short break.</b></p> <p style="text-align: center;">Page 64</p>



<p>1 THE CORONER: Yes, we will take a 15-minute break now, 2 members of the jury. Thank you. 3 (11.29 am) 4 (Proceedings continued in the absence of the jury) 5 (11.31 am) 6 (A short adjournment) 7 (11.48 am) 8 (In the presence of the jury) 9 THE CORONER: Yes, Mr O'Connor. 10 MR O'CONNOR: Doctor, before I sit down, may I just follow 11 up with you a point that has been raised by the jury, 12 and it relates to that gap in time between 13 November 2014, when the toxicology results became 14 available, and, as you have told us, April 2015, when 15 you received them. 16 First of all, are you able to help us by explaining 17 how often and when your office chased for the toxicology 18 results? 19 <b>A. Well, from information that has been extracted from our</b> 20 <b>database, after the original preliminary report was</b> 21 <b>sent, dated 24 September, which indicated my requirement</b> 22 <b>for the toxicology, additional reminders were sent on</b> 23 <b>28 October 2014, on 5 February 2015, and on</b> 24 <b>30 March 2015.</b> 25 Q. Thank you, and then the next question is: are you able</p> <p style="text-align: center;">Page 65</p>	<p>1 start by looking at the HAT advice and your copy of it. 2 Members of the jury have this at their tab 40 and for 3 the screen, for your benefit, doctor, it is IPC131, and 4 I would like to look at the first page. 5 Do you recall being asked some questions about this 6 by Mr O'Connor? 7 <b>A. Yes.</b> 8 Q. If we look halfway downish, the main box, the brief 9 details of the incidents, about a third of the way from 10 the bottom, it says: 11 "The note in the victim's hand reads ..." 12 Yes? 13 <b>A. Yes.</b> 14 Q. We have probably all heard this a number of times, but 15 I am just going to read it out: 16 "I am sorry to everyone, mainly my family, but 17 I can't go on anymore. I took the life of my friend 18 Gabriel Klein. We was just having some fun at a mate's 19 place and I got carried away and gave him another shot 20 of G. I didn't notice while we was having sex that he 21 had stopped breathing. I tried everything to get him to 22 breathe again but it was too late. It was an accident 23 but I blame myself for what happened and I didn't tell 24 my family. I went out. I know I would go to prison if 25 I go to police and I can't do that to my family and at</p> <p style="text-align: center;">Page 67</p>
<p>1 to tell us who those reminders were sent to? 2 <b>A. Currently, unfortunately, I have been unable to. The</b> 3 <b>reason being that our database is currently being</b> 4 <b>updated. It is quite difficult to go back to 2014</b> 5 <b>readily with a short -- with only a short notice. It is</b> 6 <b>usual, as I say, the operation's forensic consultant who</b> 7 <b>is emailed the list of cases that require further</b> 8 <b>information to complete. Otherwise it is the crime</b> 9 <b>scene manager.</b> 10 Q. All right. Is there any prospect that you might be able 11 to provide an accurate answer, or your assistants might 12 be able to at some point in the next day or so, or is 13 that hoping too much? 14 <b>A. My personal assistants are currently trying to go</b> 15 <b>through the database to identify who it was and if upon</b> 16 <b>conclusion of my evidence I find that information out,</b> 17 <b>I will provide it to the court.</b> 18 <b>MR O'CONNOR: Thank you very much indeed.</b> 19 <b>Questions from MR STOATE</b> 20 MR STOATE: Good morning, doctor. 21 <b>A. Good morning.</b> 22 Q. I am asking questions on behalf of Daniel's mum and dad, 23 Daniel's partner's barrister sits next to me, and I am 24 also representing the other families of the victims. 25 I just have a very few questions, in fact. Can I</p> <p style="text-align: center;">Page 66</p>	<p>1 least this way I can at least be with Gabriel again, 2 I hope he will forgive me. BTW [by the way] please do 3 not blame the guy I was with last night. We only had 4 sex, then I left. He knows nothing of what I have done. 5 I have taken what G I had left with sleeping pills, so 6 if [I think it is supposed to be 'it'] does kill me, it 7 is what I deserve. Feeling dizzy now as too 10 minutes 8 ago, so hoping you understand my writing, I dropped my 9 phone on way here so should be in the grass somewhere. 10 Sorry to everyone, love always Daniel PW." 11 Yes? 12 Did you understand that to be a typed copy of the 13 handwritten note that had been found with Daniel? 14 <b>A. Yes.</b> 15 Q. Did you read that prior to undertaking your post mortem 16 examination? 17 <b>A. Yes, this is the note that I was provided at the</b> 18 <b>briefing, upon which I have written my notes.</b> 19 Q. So, indeed, that is my next question. We can see at 20 various points, if we can just go back to page 1, 21 please, we can see at various points, in the top left 22 corner for example, you have asked about this, and you 23 have written the date 23 September 2014, Queen's's 24 Hospital, Romford, you have written the coroner's name 25 I think, HMC Persaud, the East London coroner. Yes?</p> <p style="text-align: center;">Page 68</p>

<p>1 <b>A. Yes.</b></p> <p>2 Q. We have looked at the one in the bottom right-hand</p> <p>3 corner, where you have noted some exhibits.</p> <p>4 What I wanted to ask you about and this may seem</p> <p>5 like a small point, it might even seem like an obvious</p> <p>6 point, but you have underlined, where it says "The note</p> <p>7 in the victim's hands reads ..." You have underlined</p> <p>8 "victim's hands" and part of "reads".</p> <p>9 Do you see?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Was that you who did that?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. Later on, just in the first and second sentences:</p> <p>14 "I took the life of my friend Gabriel Klein, we was</p> <p>15 just having fun at a mate's place ..."</p> <p>16 You appear to have double underlined that as well,</p> <p>17 was that you as well?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. Can you tell us, looking back now or perhaps it is</p> <p>20 fresher in your memory than that, what was the</p> <p>21 significance of underlining those two things and</p> <p>22 particularly the latter one, the mate's place, because</p> <p>23 Mr O'Connor referred to that phrase earlier?</p> <p>24 <b>A. I think it is just I am trying to put things in my head</b></p> <p>25 <b>and I am doing it -- effectively, when I am writing</b></p> <p style="text-align: center;">Page 69</p>	<p>1 <b>A. Well, again that, is not for me to suggest. That is</b></p> <p>2 <b>part of police to do as part of their investigation.</b></p> <p>3 Q. Whether or not it was for you to suggest, do you recall</p> <p>4 any discussion between you and the officers, or any</p> <p>5 discussion at all in relation to that?</p> <p>6 <b>A. I don't recall that, no.</b></p> <p>7 Q. Some of the other witnesses, in particular</p> <p>8 Inspector Joyce, who was an officer of 17 years' service</p> <p>9 at the time of Daniel's death, was asked whether he had</p> <p>10 encountered a scene with an apparent homicide/suicide.</p> <p>11 He was asked last Friday and I am looking at page 120,</p> <p>12 line 25 of the transcript, and he said in effect he</p> <p>13 hadn't been to such a scene before and he hadn't been</p> <p>14 since.</p> <p>15 Was something like this, a note like this, in your</p> <p>16 experience unusual?</p> <p>17 <b>A. There were unusual elements to this. That was the very</b></p> <p>18 <b>reason why a forensic examination had been requested</b></p> <p>19 <b>rather than a routine examination by a hospital</b></p> <p>20 <b>pathologist, which is what would have happened if it was</b></p> <p>21 <b>considered purely to be an individual taking their own</b></p> <p>22 <b>life.</b></p> <p>23 <b>So there were elements and, obviously, the note, the</b></p> <p>24 <b>contents of the note and the manner in which it had been</b></p> <p>25 <b>written were all unusual.</b></p> <p style="text-align: center;">Page 71</p>
<p>1 <b>things, it helps me with my thought process, what is</b></p> <p>2 <b>going on, and it is like putting down a flag, a marker,</b></p> <p>3 <b>as I am reading what it says. I don't believe that it</b></p> <p>4 <b>has any relevance to my thought process. I can't</b></p> <p>5 <b>account for why I did at that time.</b></p> <p>6 Q. Looking at it now:</p> <p>7 "I look the life of my friend Gabriel Klein, we was</p> <p>8 just having some fun at a mate's place."</p> <p>9 You have underlined it, did it strike you as an odd</p> <p>10 feature?</p> <p>11 <b>A. I don't think so, no. I think sometimes when I am</b></p> <p>12 <b>asking for clarification on things with officers in</b></p> <p>13 <b>attendance I will mark upon a sheet like that things</b></p> <p>14 <b>that I am wishing to discuss. I can't account for why</b></p> <p>15 <b>I have done that. I don't believe that it is</b></p> <p>16 <b>necessarily of relevance to my thought process, because</b></p> <p>17 <b>this is discussing something that he apparently is</b></p> <p>18 <b>saying has happened previously. It is not related to</b></p> <p>19 <b>the circumstances directly to his death, which is what</b></p> <p>20 <b>I would be concerned with.</b></p> <p>21 Q. You may have answered this already then, but was there</p> <p>22 any discussion between you and the officers about</p> <p>23 further investigations relating to the mate's place, or</p> <p>24 the place at which, as Mr O'Connor put it to you, Daniel</p> <p>25 may have died?</p> <p style="text-align: center;">Page 70</p>	<p>1 Q. Just to pick up on something you said there, the fact</p> <p>2 that you were carrying out a special post mortem,</p> <p>3 a forensic post mortem, in and of itself suggested</p> <p>4 something unusual about the death that required that</p> <p>5 level of investigation. Is that right?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. If we look at -- very briefly, I appreciate it is not</p> <p>8 your document but the jury have it at tab 40, it is</p> <p>9 MPS1099, it's Mr Gallagher's case notes log --</p> <p>10 THE CORONER: 42.</p> <p>11 MR STOATE: So sorry, I have written the wrong tab down,</p> <p>12 tab 42.</p> <p>13 Apologies, members of the jury, tab 42.</p> <p>14 I only want to ask you briefly, this is not your</p> <p>15 document, is it, but can you see halfway down, after</p> <p>16 Mr Gallagher's name, and the scene location, a CAD name,</p> <p>17 it says:</p> <p>18 "Incident/offences, possible manslaughter and</p> <p>19 suicide."</p> <p>20 Yes?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. Again, accounting for the fact this is not yours, was</p> <p>23 Daniel's death being discussed, or Daniel and/or</p> <p>24 Gabriel's death, as it is mentioned in the note, in</p> <p>25 those terms, as possible manslaughter and suicide when</p> <p style="text-align: center;">Page 72</p>

<p>1 you were discussing it with the officers?</p> <p>2 <b>A. I don't think we had formally discussed the wording of</b></p> <p>3 <b>it like this. But clearly there was something unusual</b></p> <p>4 <b>in the case that required further investigation. And</b></p> <p>5 <b>hence why the forensic examination was requested.</b></p> <p>6 Q. You were asked about GHB and you were referred to</p> <p>7 Dr Stanworth's view about GHB, do you recall that?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. You said you were fully aware of GHB?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Were you fully aware of it as a date rape drug or had</p> <p>12 you dealt with it in the context of deaths prior to</p> <p>13 Daniel's death?</p> <p>14 <b>A. Both.</b></p> <p>15 Q. Are you able to give us any numbers on that, how many</p> <p>16 times, how commonly you dealt with it?</p> <p>17 <b>A. I don't think I would be able to. It would be a small</b></p> <p>18 <b>number of cases. It would not be a significant number</b></p> <p>19 <b>that I dealt with but, as part of my forensic training,</b></p> <p>20 <b>learning about the toxicology of certain substances that</b></p> <p>21 <b>may be abused, it is very important and so, having</b></p> <p>22 <b>a knowledge of GHB, and also other relevant aspects of</b></p> <p>23 <b>that same chemical compound as well for forensic</b></p> <p>24 <b>interpretation is an important part of my training.</b></p> <p>25 Q. Thank you.</p> <p style="text-align: center;">Page 73</p>	<p>1 with the officers and others that you have noted that</p> <p>2 told you or led to you believe, in the way you have</p> <p>3 written it down here, that the handwriting had been</p> <p>4 positively identified as Daniel's by the next of kin?</p> <p>5 <b>A. I believe that it would have been one of the officers in</b></p> <p>6 <b>attendance at the briefing would have informed me of</b></p> <p>7 <b>that. I am not able to say who, but clearly I have</b></p> <p>8 <b>documented that. I wouldn't normally have indicated</b></p> <p>9 <b>that it had been positively identified unless I had been</b></p> <p>10 <b>specifically told that.</b></p> <p>11 Q. In terms of who that might be, who that might have been,</p> <p>12 you cannot help us at this distance?</p> <p>13 <b>A. No, as I say, the only communication I had with any</b></p> <p>14 <b>officers regarding this case was those who were in</b></p> <p>15 <b>attendance at the briefing and the debriefing</b></p> <p>16 <b>immediately after the examination.</b></p> <p>17 MR STOATE: Yes.</p> <p>18 Thank you, ma'am.</p> <p>19 Questions from DR VAN DELLEN</p> <p>20 DR VAN DELLEN: Dr Swift, I ask questions on behalf of</p> <p>21 Ricky Waumsley, Daniel Whitworth's family, he is sitting</p> <p>22 to your left, together with the Taylor family.</p> <p>23 A few very brief questions, if I may. You were</p> <p>24 taken by my learned friend, Mr O'Connor of Queen's</p> <p>25 Counsel, counsel to the inquest, to who was in</p> <p style="text-align: center;">Page 75</p>
<p>1 Final question, please. Your final post mortem</p> <p>2 report, if we could just bring up, please, IPC331,</p> <p>3 internal page 9. This is tab 44 -- he says with fingers</p> <p>4 crossed, and I am getting nods, which is good -- of the</p> <p>5 jury bundle. Can you see paragraph 2 in your comments</p> <p>6 section, yes?</p> <p>7 "The body of the deceased was found by a dog walker</p> <p>8 in a churchyard on 20 September 2014. He was apparently</p> <p>9 slumped to his left side, clothed and partially wrapped</p> <p>10 in a dark blue bedsheet."</p> <p>11 It is this next couple of sentence I want to ask you</p> <p>12 about. You say:</p> <p>13 "In his left hand was a handwritten in a clear</p> <p>14 plastic sleeve which I have been informed has been</p> <p>15 positively identified as being within the deceased</p> <p>16 handwriting by the next of kin. The note indicates that</p> <p>17 the deceased had possibly taken ...</p> <p>18 "You put "GBH", you mean "GHB", yes?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. "... with 'sleeping pills'."</p> <p>21 The next sentence may not matter to you immediately,</p> <p>22 but the characterisation of "positively identified" is</p> <p>23 not something that is accepted by Daniel's family. All</p> <p>24 I want to ask is do you have any recollection of who it</p> <p>25 is or when it was during the discussions that you had</p> <p style="text-align: center;">Page 74</p>	<p>1 attendance at the post mortem. One of those present was</p> <p>2 Acting Detective Inspector Rolf Schamberger. You were</p> <p>3 also referred to the toxicology report from</p> <p>4 Denise Stanworth. My note of your evidence was that you</p> <p>5 were fully aware of GHB before then. My learned friend,</p> <p>6 Mr Stoate, on behalf of the other families, has asked</p> <p>7 you some questions about that.</p> <p>8 Do you recall being asked any questions about G or</p> <p>9 GHB by Acting Detective Inspector Rolf Schamberger at</p> <p>10 the special post mortem?</p> <p>11 <b>A. I can't say I can recall any conversation.</b></p> <p>12 Q. Do you recall any conversation with any of the other</p> <p>13 officers present at the special post mortem about G or</p> <p>14 GHB, where they might have been asking you about what</p> <p>15 you knew about that drug?</p> <p>16 <b>A. They may have, I cannot say that I recall. Certainly,</b></p> <p>17 <b>obviously within the HAT report it indicates that that</b></p> <p>18 <b>is a potential compound present, that we may have had</b></p> <p>19 <b>discussion about it.</b></p> <p>20 Q. My final question is a document you have been asked</p> <p>21 about, which is tab 44, IPC331. Your final post mortem</p> <p>22 report, page 10, paragraph 8. In fairness to you,</p> <p>23 I will just pick up, again:</p> <p>24 "It was strongly recommended that further</p> <p>25 examination of the bedsheet within which he was</p> <p style="text-align: center;">Page 76</p>

<p>1      apparently wrapped be examined and positive confirmation 2      made of the handwriting ..."</p> <p>3      My note of your evidence is that lying on bedsheet, 4      very unusual thing for person to take with them, on 5      bedsheet, handwritten note in plastic folder again is 6      unusual, whether pen was found unable to confirm that, 7      combined with already unusual circumstances made them 8      request forensic post mortem in the first place.</p> <p>9      Just to be clear, is part of those unusual 10     circumstances the presence of bruising that you found 11     under the armpits and the front of the chest consistent 12     with manhandling?</p> <p>13     <b>A. Pathologically, yes, but from the investigation point of 14     view, that is also alluding to the fact that Daniel had 15     been found in the same churchyard by the same lady and 16     in very similar circumstances, which, again, was 17     a reason why a forensic examination was requested, this 18     duplication apparently between the cases.</b></p> <p>19     DR VAN DELLEN: Madam, no further questions, thank you. 20     Questions from MR DAVIES</p> <p>21     MR DAVIES: Dr Swift I am asking questions on behalf of 22     a number of Barking CID officers, including then 23     A/DI Schamberger.</p> <p>24     I am sorry if any of these questions are implied in 25     what you have said already. We are all trying to avoid</p> <p style="text-align: center;">Page 77</p>	<p>1      Q. Is the recording of the dictation preserved after you 2      have completed your final report?</p> <p>3      <b>A. It is.</b></p> <p>4      Q. Is it still available?</p> <p>5      <b>A. It should be.</b></p> <p>6      Q. Right.</p> <p>7      Can you help as to this. The debrief, are you shown 8      the notes made by others at the debrief, in writing or 9      otherwise, for you to check that they have got the right 10     end of the stick?</p> <p>11     <b>A. No.</b></p> <p>12     Q. Again, is that because you are effectively relying on 13     them taking it down accurately in the first place?</p> <p>14     <b>A. Yes, but also in the knowledge that I will be providing 15     the preliminary report the next day, as a statement that 16     they can then use as part of their investigation.</b></p> <p>17     Q. In terms of the briefing and conduct of this particular 18     forensic examination, your position was, to 19     Mr O'Connor's questions, that you were directing 20     comments to the SIO that you believe was probably 21     A/DS Denley in the context of this particular forensic 22     examination?</p> <p>23     <b>A. Yes.</b></p> <p>24     Q. Can you picture this conversation now, or is it 25     something else?</p> <p style="text-align: center;">Page 79</p>
<p>1      repetition.</p> <p>2      Can you help with this, though. One of the issues 3      is what was said and by whom in the currency of your 4      special post mortem, your forensic examination. You 5      obviously used some form of dictation to conduct your 6      post mortem. Can you help, firstly, as to at what point 7      you would have started recording such a dictation?</p> <p>8      <b>A. Yes, it is after the briefing, before I start conducting 9      the external examination. That is when I dictate case 10     details and information that I have been provided at the 11     briefing.</b></p> <p>12     <b>I then -- when I start the examination, I continue 13     the dictation through generally to when I have completed 14     my external examination.</b></p> <p>15     <b>I will then pause, perform the internal and then 16     dictate my findings and initial conclusions.</b></p> <p>17     Q. Right. So the focus of all of that is the pathological 18     examination?</p> <p>19     <b>A. Yes.</b></p> <p>20     Q. Did you record the debriefing element of this forensic 21     examination?</p> <p>22     <b>A. No.</b></p> <p>23     Q. I take it from that that generally speaking, you don't 24     record the debriefing element?</p> <p>25     <b>A. I do not.</b></p> <p style="text-align: center;">Page 78</p>	<p>1      <b>A. No, I would be unable to picture it.</b></p> <p>2      Q. The crime scene manager plays an important role, don't 3      they?</p> <p>4      <b>A. Very much so.</b></p> <p>5      Q. They set a forensic strategy which we have seen recorded 6      in their notes. Subsequent to the forensic examination, 7      subsequent to the debrief, they appear to be, in most 8      case, your point of liaison?</p> <p>9      <b>A. Yes.</b></p> <p>10     Q. They are sent the final post mortem report routinely?</p> <p>11     <b>A. I believe that it is sent through to, effectively, their 12     manager, who will then distribute it to the appropriate 13     team who has taken on the case.</b></p> <p>14     Q. Would you expect a crime scene manager to pick up the 15     specific recommendations you make in a debrief and 16     record them?</p> <p>17     <b>A. It depends if they read the report or not.</b></p> <p>18     Q. It is my fault, it is the chronology. In your debrief 19     at the forensic examination itself, would you expect 20     them to record in writing your recommendations?</p> <p>21     <b>A. I would hope that they would.</b></p> <p>22     Q. And for obvious reasons?</p> <p>23     <b>A. Yes.</b></p> <p>24     Q. GHB you have told us, and it is not in dispute, was 25     a recreational drug, is a recreational drug, but it has</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 also been implicated in date rape situations. 2 Mephedrone, found here, is not implicated in the same 3 way, is it, in date rape situations? 4 <b>A. Not in a date rape situation, no.</b> 5 MR DAVIES: Thank you, Dr Swift. 6 Questions from MR SKELTON 7 MR SKELTON: Dr Swift, I ask questions on behalf of the 8 Metropolitan Police. 9 The first, just to pick up on a question you were 10 asked by Mr Stoate a short while ago, and that is to do 11 with the provenance of the information about Daniel's 12 handwriting or the conclusion that it had been 13 positively identified. 14 Can I ask you to look back at the HAT return from 15 21 September, in bundle C, tab 40, please. I think you 16 will recall that you read this, I think shortly before 17 the examination took place. Your sort of note is there 18 at 11.00 am. If you go to page 4 of that, please, you 19 will see a section towards the bottom, which says 20 "Borough updates from work so far". The first sentence 21 of that says: 22 "The next of kin has identified the handwriting on 23 the suicide note as that of Daniel Whitworth." 24 Might that be the provenance of the information on 25 which you were reliant?</p> <p style="text-align: center;">Page 81</p>	<p>1 In the comments section of your final report you 2 expressed the view that it was an unusual distribution 3 to have been caused accidentally and may have occurred 4 as a result of manual handling, most likely prior to 5 death. 6 By "manual handling", do you mean another person 7 effectively applying some force to both armpits? 8 <b>A. Yes, someone manually, so using their hands, to move the 9 individual.</b> 10 Q. You cannot say precisely in what circumstances the 11 manual handling would have occurred? 12 <b>A. No.</b> 13 Q. Otherwise, presumably, you would have done so in the 14 context of a special post mortem? 15 <b>A. Yes, I can say that it did not appear to be the sort of 16 bruising one sees with manual restraint. But beyond 17 that, and beyond saying the potential for manual 18 handling, I am unable to be more specific.</b> 19 Q. You cannot rule out the possibility on that basis that 20 it could have been caused by a consensual sexual 21 activity? 22 <b>A. Again, for the reasons that I have stated before, it 23 would be unusual to get bruising with consensual acts, 24 although not impossible, but equally that this is not 25 the sort of bruising one sees with acts of a sexual</b></p> <p style="text-align: center;">Page 83</p>
<p>1 <b>A. Potentially, yes, I may have read this and have 2 questioned the officers, we may have had a discussion. 3 Certainly within this document that I was provided with 4 before doing the post mortem examination that is what 5 I was told.</b> 6 Q. Thank you. 7 Just returning to the subject of GHB generally, you 8 were referred to Ms Stanworth's report, which is 9 obviously relevant to Daniel's death. Can I just ask 10 you to look again at page 5 of that, which is IPC000327, 11 and then at page 5. It is under tab 43 for your hard 12 copy. 13 She says in the second paragraph on that page: 14 "At low doses GHB is reported to produce euphoria, 15 to lower social inhibitions and to increase libido." 16 Do you agree with that, as far as recreational use 17 is concerned? 18 <b>A. Yes.</b> 19 Q. Were you aware, either as a pathologist or more 20 generally from your understanding of the use of the 21 drug, that it was sometimes used in the context of 22 consensual sex? 23 <b>A. Yes.</b> 24 Q. May I return to the subject of the bruising that you 25 found under Daniel's armpits, please.</p> <p style="text-align: center;">Page 82</p>	<p>1 <b>nature.</b> 2 Q. When you say "one sees", do you mean as a pathologist, 3 you dealing with deceased people who have previously had 4 consensual sexual activity that resulted in bruising, 5 and you have had experience of that? 6 <b>A. Yes.</b> 7 Q. That includes sexual activity between men? 8 <b>A. Yes.</b> 9 Q. You are not an expert on how sexual activity may occur 10 and what bruising may result, in terms of consensual 11 sexual activity? 12 <b>A. Sorry, I don't know if there would be an expert in that 13 field, but I think a forensic pathologist, someone who 14 examines both dead and living individuals, would be well 15 placed to comment upon that.</b> 16 Q. In terms of this post mortem, it is possible, isn't it, 17 that Daniel may have sustained those bruises as a result 18 of sexual activity? 19 <b>A. Again, for the reasons I have stated before, I think it 20 unusual that it has occurred in such a manner. It would 21 appear to be more the sort of injuries that one sees 22 from manhandling, picking up someone and moving them 23 from one place to another.</b> 24 Q. Seven years on do you have a precise recollection of 25 exactly what the police officers said to you during the</p> <p style="text-align: center;">Page 84</p>

21 (Pages 81 to 84)

<p>1 two hours that you were conducting the post mortem?</p> <p>2 <b>A. No.</b></p> <p>3 Q. You were taken to the HAT return that was written on the</p> <p>4 day of the post mortem, which was 23 September.</p> <p>5 Mr O'Connor asked you some questions about that. Do you</p> <p>6 remember being asked about that HAT return when the</p> <p>7 IPCC, the Independent Police Complaints Commission,</p> <p>8 contacted you in 2017?</p> <p>9 <b>A. Yes, I provided that to them at the time.</b></p> <p>10 Q. And you gave them a statement?</p> <p>11 <b>A. I did.</b></p> <p>12 Q. In the statement, you said that the document, the HAT</p> <p>13 return, was consistent with what you recall telling the</p> <p>14 officers, save for the discussion about how Daniel may</p> <p>15 have sustained the injuries which you don't recall, and</p> <p>16 you have said today that you don't think you were there?</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. Do you stand by that?</p> <p>19 <b>A. I do.</b></p> <p>20 MR SKELTON: Thank you.</p> <p>21 MR O'CONNOR: Madam, there was one matter I was going to go</p> <p>22 back to.</p> <p>23 Further questions from MR O'CONNOR</p> <p>24 MR O'CONNOR: Can we look at your final report, please,</p> <p>25 Dr Swift, tab 44, IPC331, page 10.</p> <p style="text-align: center;">Page 85</p>	<p>1 <b>front of my mind that this was an unusual and suspicious</b></p> <p>2 <b>case that warranted further investigation. I believe</b></p> <p>3 <b>the next time I heard about Mr Whitworth was the BBC</b></p> <p>4 <b>News website.</b></p> <p>5 Q. How confident are you then that the recommendations that</p> <p>6 you record here, in your written report, were</p> <p>7 recommendations that you did give in September 2014</p> <p>8 orally?</p> <p>9 <b>A. I am very confident.</b></p> <p>10 <b>MR O'CONNOR: Thank you very much.</b></p> <p>11 <b>Questions from THE CORONER</b></p> <p>12 THE CORONER: Just one question from me Dr Swift.</p> <p>13 You have clarified for us that you were given</p> <p>14 information that the next of kin had identified Daniel's</p> <p>15 handwriting. In the light of that, can you articulate</p> <p>16 for the jury why you were still positively recommending</p> <p>17 positive confirmation of that fact in paragraph 8?</p> <p>18 <b>A. I think it is because I wanted to be certain of that</b></p> <p>19 <b>fact, even though that information was provided to me.</b></p> <p>20 <b>You know, I am very mindful today of the fact that</b></p> <p>21 <b>people don't write handwritten notes to each other</b></p> <p>22 <b>anymore. It is a lot of messaging. I certainly</b></p> <p>23 <b>question whether how many members of my family would</b></p> <p>24 <b>recognise my own handwriting, so I wanted to absolutely</b></p> <p>25 <b>have that with clarity being confirmed that it had been</b></p> <p style="text-align: center;">Page 87</p>
<p>1 Paragraph 8, just the question about what you</p> <p>2 describe here as your strong recommendations made at the</p> <p>3 debriefing. I just want to be clear about your evidence</p> <p>4 on this point, doctor. You are describing in this</p> <p>5 document, which was dated April 2015, the debriefing at</p> <p>6 the end of the post mortem back in September 2014?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. Yes. You are describing there certain things that you</p> <p>9 said during that debriefing.</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. I think it is -- what the effect of the answers you have</p> <p>12 given is that, whereas, for example, the detail that is</p> <p>13 in this report relating to your findings of the physical</p> <p>14 examination of the body would have been dictated by you</p> <p>15 whilst you were doing the post mortem, you would not</p> <p>16 have dictated on that day what we see in paragraph 8.</p> <p>17 Is that right?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. I don't know if it is going to be suggested that in fact</p> <p>20 you didn't give those recommendations back in</p> <p>21 September 2014, but if it were to be suggested, what</p> <p>22 would you say?</p> <p>23 <b>A. Well, I would dispute that. Clearly these were my</b></p> <p>24 <b>thought processes, even in completing this report in</b></p> <p>25 <b>April of the next year it was still very much at the</b></p> <p style="text-align: center;">Page 86</p>	<p>1 <b>identified positively.</b></p> <p>2 THE CORONER: We are going to hear more about that, but in</p> <p>3 your mind, in what manner would that positive</p> <p>4 confirmation be obtained?</p> <p>5 <b>A. That is not for me, that is not part of my</b></p> <p>6 <b>investigation.</b></p> <p>7 THE CORONER: Had you contemplated that?</p> <p>8 <b>A. I hadn't, but, again, that is not for me to have</b></p> <p>9 <b>arranged or decided.</b></p> <p>10 THE CORONER: Thank you.</p> <p>11 Thank you very much, Dr Swift.</p> <p>12 Yes.</p> <p>13 MS COLLIER: May we please call Yinka Adeyemo-Phillips.</p> <p>14 MS YINKA ADEYEMO-PHILLIPS (affirmed)</p> <p>15 Questions from MS COLLIER</p> <p>16 MS COLLIER: Thank you, please do take a seat.</p> <p>17 Could you give the court your full name, please?</p> <p>18 <b>A. My name is Yinka Adeyemo-Phillips.</b></p> <p>19 Q. You are currently a police officer?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. You joined the MPS in 2003 and served in Tower Hamlets</p> <p>22 for eight years before transferring to Barking borough</p> <p>23 in 2011; is that right?</p> <p>24 <b>A. That's correct.</b></p> <p>25 Q. Then whilst at Barking, in 2013, you registered your</p> <p style="text-align: center;">Page 88</p>

22 (Pages 85 to 88)

<p>1 interest in becoming a detective?</p> <p>2 <b>A. That's correct.</b></p> <p>3 Q. When did you qualify as a full detective?</p> <p>4 <b>A. Around 2015/2016.</b></p> <p>5 Q. So the years with which we are concerned, that is to say</p> <p>6 2014 and 2015, you were a trainee detective constable,</p> <p>7 although you have said you may have qualified at some</p> <p>8 point in 2015?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. You were attached at that point, 2014/2015, to the</p> <p>11 Barking borough CID?</p> <p>12 <b>A. That's correct.</b></p> <p>13 Q. I think it is right that you remained with the CID until</p> <p>14 around about 2016/2017; is that correct?</p> <p>15 <b>A. That's correct.</b></p> <p>16 Q. At that point, Barking borough merged with the east</p> <p>17 area -- that is Ilford?</p> <p>18 <b>A. That's correct, as well.</b></p> <p>19 Q. So from 2016/2017 you were in Ilford, until around about</p> <p>20 six months ago when you joined the economic crime</p> <p>21 department --</p> <p>22 <b>A. That's correct, as well.</b></p> <p>23 Q. -- in Putney?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. You have made a few statements about the investigations</p> <p style="text-align: center;">Page 89</p>	<p>1 this period?</p> <p>2 <b>A. It has been seven years, I can't remember. However, the</b></p> <p>3 <b>documented statement I can recall through the statement</b></p> <p>4 <b>that was given at the time.</b></p> <p>5 Q. May I ask, what was your experience in 2014 of attending</p> <p>6 sudden deaths?</p> <p>7 You went to the Daniel Whitworth scene, was that the</p> <p>8 first sudden death that you had attended?</p> <p>9 <b>A. At that particular time, no.</b></p> <p>10 Q. Can you give us an idea of how many sudden deaths you</p> <p>11 had attended prior to that one?</p> <p>12 <b>A. I can't remember the number.</b></p> <p>13 Q. Would it have been less than five, more than five?</p> <p>14 <b>A. To be honest with you, I can't remember the number.</b></p> <p>15 Q. I am going to be asking you today about your attendance</p> <p>16 at the Whitworth scene.</p> <p>17 The investigations that you were given to do as part</p> <p>18 of the Daniel Whitworth and Gabriel Kovari</p> <p>19 investigation, particularly over the period 21 to</p> <p>20 23 September 2014.</p> <p>21 Then I will be asking you about your attendance at</p> <p>22 the Jack Taylor scene.</p> <p>23 Then, finally, your role in charging Stephen Port in</p> <p>24 connection with the Walgate investigation.</p> <p>25 May I start then with the attendance at the</p> <p style="text-align: center;">Page 91</p>
<p>1 into the death of Port's victims. I think you should</p> <p>2 have them there in front of you. Do you have them? You</p> <p>3 didn't bring them yourself?</p> <p>4 <b>A. No.</b></p> <p>5 Q. In that case, I can bring them up for you, if you want</p> <p>6 to see them.</p> <p>7 You had a very brief involvement, I think, with the</p> <p>8 investigation into Anthony Walgate's death, and that was</p> <p>9 that you were the officer who charged Stephen Port with</p> <p>10 perverting the course of justice in January 2015, is</p> <p>11 that right?</p> <p>12 <b>A. That's right.</b></p> <p>13 Q. Other than that, did you have any involvement in that</p> <p>14 investigation?</p> <p>15 <b>A. Not at all.</b></p> <p>16 Q. Then you were at both the Daniel Whitworth scene and the</p> <p>17 Jack Taylor scene -- that is to say, where the bodies</p> <p>18 were discovered?</p> <p>19 <b>A. That's correct.</b></p> <p>20 Q. You were one of the detectives on the team investigating</p> <p>21 Gabriel Kovari and Daniel Whitworth's deaths; is that</p> <p>22 right?</p> <p>23 <b>A. That's right.</b></p> <p>24 Q. It is helpful, officer, for the jury to understand, do</p> <p>25 you have an independent memory of your actions during</p> <p style="text-align: center;">Page 90</p>	<p>1 Whitworth scene. You were called out to the Whitworth</p> <p>2 scene with Detective Sergeant Debbie Turrell; is that</p> <p>3 right?</p> <p>4 <b>A. That's right.</b></p> <p>5 Q. We see from the crime scene log, although we don't need</p> <p>6 to perhaps necessarily go to it, that you were there</p> <p>7 from 12.03 to 12.50 that afternoon, so a period of about</p> <p>8 an hour, does that seem right?</p> <p>9 <b>A. That's right.</b></p> <p>10 Q. When you were there, would I be right in thinking that</p> <p>11 you would have seen the body of Daniel, and what I mean</p> <p>12 by that is you would have seen where it was positioned</p> <p>13 within the churchyard, and then how it was positioned,</p> <p>14 that is to say, in a sitting position with his back</p> <p>15 against the wall, albeit slumped over to one side.</p> <p>16 Do you remember seeing that?</p> <p>17 <b>A. I can't recall now but I was at the -- I was at the back</b></p> <p>18 <b>of the churchyard at the time.</b></p> <p>19 Q. Although you can't remember that now, because you were</p> <p>20 there you think that you would have seen that?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. Were you aware at the time that the same dog walker who</p> <p>23 had alerted the police that day to Daniel's body had</p> <p>24 found another young man there in exactly the same spot,</p> <p>25 about three weeks previously?</p> <p style="text-align: center;">Page 92</p>

<p>1 <b>A. Not at the time.</b></p> <p>2 Q. Did you come to know that shortly afterwards? Excuse</p> <p>3 me -- shortly after, within that day?</p> <p>4 <b>A. No.</b></p> <p>5 Q. You were there with, as I have said, Detective Sergeant</p> <p>6 Turrell and also the duty inspector. You were at that</p> <p>7 time a trainee detective constable. Your role is as</p> <p>8 an investigator, as part of CID, but would I be right in</p> <p>9 saying that you would be tasked to do things by your</p> <p>10 supervisor, Detective Sergeant Turrell, rather than</p> <p>11 taking the decisions yourself at the scene?</p> <p>12 <b>A. That's correct, I would be tasked -- I was tasked.</b></p> <p>13 Q. Indeed you say in your witness statement that you were</p> <p>14 tasked to conduct CCTV enquiries around the</p> <p>15 St Margaret's Church and North Street around Barking?</p> <p>16 <b>A. That's correct.</b></p> <p>17 Q. What was the purpose of those enquiries?</p> <p>18 <b>A. I think at that time the purpose was to find out if</b></p> <p>19 <b>there was any CCTV at the entrance of the church, around</b></p> <p>20 <b>the church surroundings and any CCTV around Barking that</b></p> <p>21 <b>might be pointing towards the church entrance.</b></p> <p>22 Q. Why did you want to find out if there was that CCTV?</p> <p>23 <b>A. To capture any coming and going into the churchyard.</b></p> <p>24 Q. Did you want to see how Daniel had arrived in the</p> <p>25 churchyard?</p> <p style="text-align: center;">Page 93</p>	<p>1 were asked to do that. How do you know that it was at</p> <p>2 approximately 10.30 am that that is what you were asked</p> <p>3 to do?</p> <p>4 <b>A. I believe there will be either my notes or my daybook</b></p> <p>5 <b>that put that time, or there might be an email that was</b></p> <p>6 <b>sent at that time.</b></p> <p>7 Q. We don't have any email that was sent at that time. But</p> <p>8 is it your view then that you were probably checking</p> <p>9 with a document?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. We can take that down now, thank you.</p> <p>12 DS Turrell said speak to Adam Whitworth. Was there</p> <p>13 any discussion of how you were going to contact him,</p> <p>14 that is to say whether it was going to be by telephone,</p> <p>15 by email, face to face?</p> <p>16 <b>A. I believe it would be by telephone, because at that</b></p> <p>17 <b>point I recall we only have a phone number and also</b></p> <p>18 <b>I believe that Mr Whitworth lived around Kent area and</b></p> <p>19 <b>it wouldn't be face-to-face conversation.</b></p> <p>20 Q. You were asked to check with Daniel's father whether it</p> <p>21 was Daniel's handwriting on the note. Why did the</p> <p>22 investigation want to know whether it was Daniel's</p> <p>23 handwriting?</p> <p>24 <b>A. That was the action that I was tasked with and that was</b></p> <p>25 <b>the information I was given by my supervising officer at</b></p> <p style="text-align: center;">Page 95</p>
<p>1 <b>A. Yes.</b></p> <p>2 Q. What did you do then in response to that request to</p> <p>3 search for the CCTV?</p> <p>4 <b>A. I believe on that day, the church was open on that day.</b></p> <p>5 <b>I spoke to the person in charge of the church to find</b></p> <p>6 <b>out if there was any -- if there is any CCTV in the</b></p> <p>7 <b>churchyard and also I believe I contacted the borough</b></p> <p>8 <b>CCTV to find out if there was any CCTV, also on North</b></p> <p>9 <b>Street or East Street that might capture that.</b></p> <p>10 Q. Was there anything else that you were specifically</p> <p>11 tasked to do before you left that scene?</p> <p>12 <b>A. There were other -- I believe there would be other --</b></p> <p>13 <b>there might be other actions but I cannot remember now.</b></p> <p>14 Q. Okay.</p> <p>15 Can we have on screen IPC371. This is your witness</p> <p>16 statement dated 10 November 2015, in which you outline</p> <p>17 what dealings you had with the investigation into Daniel</p> <p>18 and Gabriel's deaths. Could we look, please, at page 2.</p> <p>19 On the second paragraph it says:</p> <p>20 "On Sunday, 21 September 2015, at approximately</p> <p>21 10.30 hours, I was tasked by DS Turrell to speak to</p> <p>22 Adam Whitworth, Daniel Whitworth's next of kin, and</p> <p>23 confirm if the handwriting on the suicide note was</p> <p>24 Daniel's."</p> <p>25 This witness statement was made a year after you</p> <p style="text-align: center;">Page 94</p>	<p>1 <b>that point.</b></p> <p>2 Q. But why did you think you were being asked to do that?</p> <p>3 <b>A. Mainly because I was the only other officer present at</b></p> <p>4 <b>that time.</b></p> <p>5 Q. My question is: why would it be important to find out</p> <p>6 the answer to that question? Not why was it you who was</p> <p>7 asked to do it but why did the police want to know from</p> <p>8 Daniel's father whether the note was in his handwriting?</p> <p>9 <b>A. I think they want to confirm that before proceeding with</b></p> <p>10 <b>another line of investigation.</b></p> <p>11 Q. Why did you think they would have wanted to confirm it?</p> <p>12 <b>A. I was told at the time that it was part of the action</b></p> <p>13 <b>that was given by the HAT car to be conducted.</b></p> <p>14 Q. Did you not yourself have any thought about why this</p> <p>15 would be useful information to know?</p> <p>16 <b>A. Like I mentioned previously, I was a trainee detective</b></p> <p>17 <b>at that time and I followed the action that was given to</b></p> <p>18 <b>me.</b></p> <p>19 Q. Could it be that the note says that Daniel is</p> <p>20 responsible for Gabriel's death? The police had already</p> <p>21 assessed Gabriel's death as unexplained, but this note</p> <p>22 might provide an explanation for Gabriel's death,</p> <p>23 mightn't it?</p> <p>24 <b>A. At the time that action was given, I had no idea about</b></p> <p>25 <b>Gabriel's death.</b></p> <p style="text-align: center;">Page 96</p>

24 (Pages 93 to 96)



<p>1 Q. Well the note itself, did you read the note?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. It said, didn't it, that Daniel had been responsible for</p> <p>4 Gabriel's death, Gabriel Klein's death. That's right?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. And the police had overnight managed to trace</p> <p>7 Gabriel Kovari as being someone whose body had been</p> <p>8 found in the churchyard three weeks previously, hadn't</p> <p>9 they?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Coming back to the note, the note might provide</p> <p>12 an explanation of Gabriel's death that had hitherto been</p> <p>13 assessed as unexplained, mightn't it, if that note were</p> <p>14 true?</p> <p>15 <b>A. Can you repeat that question, please?</b></p> <p>16 Q. The note says that Daniel has killed Gabriel?</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. It was thought by Sunday, the 21st that the "Gabriel"</p> <p>19 referred to in the note might be Gabriel Kovari, wasn't</p> <p>20 it?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. So Gabriel Kovari's death had previously been assessed</p> <p>23 by DS Sweetman as unexplained, but this note potentially</p> <p>24 provided an explanation, didn't it, for what had</p> <p>25 happened to Gabriel, because it said that Daniel had</p> <p style="text-align: center;">Page 97</p>	<p>1 Q. So between 10.30, when you were asked to contact him,</p> <p>2 and the sending of the email?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. Do you have any memory of that conversation?</p> <p>5 <b>A. I can't recall exactly what was said to Mr Whitworth at</b></p> <p>6 <b>this time.</b></p> <p>7 Q. If you cannot recall exactly what was said, can you give</p> <p>8 a more general idea of what you said to him?</p> <p>9 <b>A. I believe the conversation will have been along the line</b></p> <p>10 <b>of the letter that was found on Adam -- sorry, that was</b></p> <p>11 <b>found on Daniel, and it will be to find out if the</b></p> <p>12 <b>handwriting on the letter belongs to Daniel.</b></p> <p>13 Q. Sorry, find out if?</p> <p>14 <b>A. To find out if the handwriting on the letter was</b></p> <p>15 <b>actually Daniel's handwriting and also to obtain</b></p> <p>16 <b>Mr Whitworth's email address, in order to email the part</b></p> <p>17 <b>of the statement -- part of the note to him.</b></p> <p>18 Q. Your email says:</p> <p>19 "I have attached a copy of the note."</p> <p>20 Can we turn over the page, please, to I think</p> <p>21 page 3, actually.</p> <p>22 This is a fragment of the whole note, isn't it?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. Why did you send only this fragment, rather than the</p> <p>25 whole note?</p> <p style="text-align: center;">Page 99</p>
<p>1 killed him by giving him "an extra shot of G"?</p> <p>2 <b>A. Yes, at the time the note was sent I wasn't aware of</b></p> <p>3 <b>that information.</b></p> <p>4 Q. I am going to suggest that the first step in working out</p> <p>5 whether the events in the note were accurate was to work</p> <p>6 out whether the note was actually written by Daniel or</p> <p>7 not, and for that reason his family were asked to check</p> <p>8 the handwriting. Is that right?</p> <p>9 <b>A. I believe so, yes.</b></p> <p>10 Q. On Sunday, the 21st, you sent an email to Daniel's</p> <p>11 father, Adam Whitworth. You should have a bundle there</p> <p>12 which says jury bundle C in front of you. Could you</p> <p>13 turn to tab 30, please.</p> <p>14 Which is IPC629.</p> <p>15 This is an email that you sent to Adam Whitworth at</p> <p>16 10.52 on Sunday, 21 September. It says:</p> <p>17 "Dear Mr Whitworth, as per my conversation with you,</p> <p>18 I have attached a copy of the note found in Daniel's</p> <p>19 possession."</p> <p>20 Firstly then, you must have spoken to Mr Whitworth,</p> <p>21 had you, because you say, "As per my conversation with</p> <p>22 you ..."?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. When was that conversation?</p> <p>25 <b>A. I believe that was before sending the email to him.</b></p> <p style="text-align: center;">Page 98</p>	<p>1 <b>A. I was told to send part of the note, due to the</b></p> <p>2 <b>sensitive nature of the message that was written</b></p> <p>3 <b>previously.</b></p> <p>4 Q. Who told you to do that?</p> <p>5 <b>A. I believe I will have been tasked -- that information</b></p> <p>6 <b>will have been by my supervising officer.</b></p> <p>7 Q. DS Turrell?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. When you say "due to the sensitive nature", what did you</p> <p>10 understand that to be?</p> <p>11 <b>A. Part of the note mentioned about Daniel killing somebody</b></p> <p>12 <b>and that information -- I believe that information would</b></p> <p>13 <b>be sensitive information to send to Daniel's dad.</b></p> <p>14 Q. Having sent the email with the fragment there of the</p> <p>15 note, did Mr Whitworth contact you?</p> <p>16 <b>A. I believe I called Mr Whitworth afterwards.</b></p> <p>17 Q. You called him?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. Could we look at IPC628, which is behind tab 28 of the</p> <p>20 bundle. In about the middle of the page, it says:</p> <p>21 "Part of the suicide note has been scanned to</p> <p>22 Adam Whitworth, the father of Daniel Whitworth. At</p> <p>23 1102 hours today Adam has confirmed the handwriting to</p> <p>24 be that of his son."</p> <p>25 Firstly, it looks from that record that you had had</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 the conversation with Mr Whitworth after having sent the 2 email to him.</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. At about 11.02, if that is right. Is that correct?</p> <p>5 <b>A. I can't remember the time, but there is a time of 11.02</b> 6 <b>there, but the email that was sent will have showed the</b> 7 <b>time the email was sent to him.</b></p> <p>8 Q. Yes. The email was sent at 10.52, and then it looks 9 from this document that you will have spoken to 10 Mr Whitworth by 11.02, some 10 minutes later.</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. Can you remember the words that Adam Whitworth said to 13 you when you asked him about the handwriting?</p> <p>14 <b>A. I can't remember the exact words that was said to me.</b> 15 <b>However, it was confirmed during that phone call that</b> 16 <b>the handwriting was Daniel's writing.</b></p> <p>17 Q. The handwriting fragment was sent, as we have said, at 18 10.52, as we have seen from the email, on the Sunday 19 morning, which was the morning after the discovery of 20 Daniel's body, Daniel having been missing since Thursday 21 evening when he did not return from work.</p> <p>22 Mr Whitworth had been told of his son's death at 23 approximately 2.30 the previous day, on Saturday 24 afternoon. You may not have known at the time that you 25 were having your conversation with Mr Whitworth the</p> <p style="text-align: center;">Page 101</p>	<p>1 handwriting, it might be that there would be other clues 2 in the content of the note which would allow him to 3 judge whether or not it was genuine or not?</p> <p>4 <b>A. That's true.</b></p> <p>5 Q. Did you tell him that there would be an opportunity in 6 due course to see the whole note?</p> <p>7 <b>A. I don't remember having that conversation with</b> 8 <b>Mr Whitworth.</b></p> <p>9 Q. Mr Whitworth, in a statement made in April 2017 -- so 10 that is two and a half years after the conversation he 11 had with you on Sunday morning -- says that he told you 12 that he was unable to confirm that it was Daniel's 13 handwriting, because he was not sure. Might it be the 14 case that he told you that it could be Daniel's 15 handwriting but he was not sure?</p> <p>16 <b>A. I don't remember having that kind of conversation that</b> 17 <b>it might be. I was told that it was his handwriting,</b> 18 <b>not that it might be.</b></p> <p>19 Q. Did you ask him if he needed some time to think about 20 it, because you had, after all, only sent it to him 10 21 minutes previously?</p> <p>22 <b>A. No.</b></p> <p>23 Q. Did he ask you if he could have some time to think about 24 it?</p> <p>25 <b>A. No.</b></p> <p style="text-align: center;">Page 103</p>
<p>1 exact time that he had learnt of his son's death, but 2 you must have understood, must you not, that it had been 3 less than 24 hours since he had been told that his son's 4 dead body had been found in Barking. Is that right?</p> <p>5 That you knew that he would only very recently have 6 learnt of his son's death?</p> <p>7 <b>A. That's correct.</b></p> <p>8 Q. Do you agree that Mr Whitworth had had very little time 9 to progress what must have been extremely shocking, 10 confusing and profoundly distressing information?</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. Do you agree also that it would undoubtedly be much 13 easier to judge if the handwriting was Daniel's if there 14 was more to go on, if there was more than one sentence?</p> <p>15 <b>A. That's right.</b></p> <p>16 Q. Did Mr Whitworth ask to see the rest of the note?</p> <p>17 <b>A. I believe yes.</b></p> <p>18 Q. What did you say to him in response to that?</p> <p>19 <b>A. I can't remember what I said to him. I think it would</b> 20 <b>be along the line that we are still looking at it, that</b> 21 <b>was the only information I was allowed to send through</b> 22 <b>to him.</b></p> <p>23 Q. Did Mr Whitworth ask you what the rest of the note said?</p> <p>24 <b>A. I don't remember.</b></p> <p>25 Q. Because, do you agree, it might not just be the</p> <p style="text-align: center;">Page 102</p>	<p>1 Q. Did you suggest to him that he might want to find some 2 other examples of Daniel's handwriting, in order to 3 compare it with the note -- or not the note, the 4 sentence of the note?</p> <p>5 <b>A. I didn't make that suggestion to him.</b></p> <p>6 Q. Did you ask him if he was sure that it was Daniel's 7 handwriting?</p> <p>8 <b>A. I believe I did.</b></p> <p>9 Q. You say you believe you did. Can you remember doing 10 that?</p> <p>11 <b>A. I can't remember, but ...</b> 12 <b>I can't remember.</b></p> <p>13 Q. Could you look, please, behind tab 31. It is IPC203 and 14 it is page 3, first of all, please.</p> <p>15 At the bottom of the page, at the bottom of page 3, 16 we have an email from Martin Kirby, sent on 17 21 September, that same day, at 11.42.</p> <p>18 So around half an hour after you would have had 19 a conversation with Mr Whitworth.</p> <p>20 Can we turn over the page, please. Looking at the 21 fourth paragraph down, the paragraph that starts: 22 "We have no options around scenes ..."</p> <p>23 It says, second sentence: 24 "As for scenes for yesterday's incident, we still 25 have nothing to suggest foul play in relation to that</p> <p style="text-align: center;">Page 104</p>

<p>1 one, in fact quite the contrary given the very details 2 [should be 'detailed'] suicide note the male was 3 clutching. (Handwriting scanned and confirmed by 4 deceased's father as his sons. I am told it is very 5 distinctive) ..."</p> <p>6 Did you form the view that the handwriting was 7 distinctive?</p> <p>8 <b>A. That is not my words.</b></p> <p>9 Q. Did Mr Whitworth describe Daniel's handwriting as 10 distinctive?</p> <p>11 <b>A. I don't remember him mentioning that. I don't remember 12 him using that particular word.</b></p> <p>13 Q. Do you think then he didn't use that particular word or 14 are you saying that you just cannot remember whether he 15 did or he didn't?</p> <p>16 <b>A. I don't remember him using that particular word.</b></p> <p>17 Q. Can we look -- no, in fact, there is no email 18 confirmation from Mr Whitworth, so we have no written 19 record from him confirming that the handwriting was 20 Daniel's. Did you ask him to confirm in writing by 21 responding to your email?</p> <p>22 <b>A. No, I did not.</b></p> <p>23 Q. Surely you should have done, given the importance to the 24 investigation into not only Daniel's death but also 25 Gabriel Kovari's?</p> <p style="text-align: center;">Page 105</p>	<p>1 handwriting was Daniel's?</p> <p>2 <b>A. I didn't have any conversation with Ricky Waumsley at 3 all, and I believe that was done by the family liaison 4 officer.</b></p> <p>5 Q. I understand that you didn't. My question was about 6 discussion in the office between, for example, yourself 7 and DS Turrell as to whether Mr Waumsley would be asked 8 to identify Daniel's writing. Can you remember that 9 being something that was discussed at all?</p> <p>10 <b>A. No.</b></p> <p>11 Q. Are you saying that it wasn't or that you just cannot 12 remember whether it was?</p> <p>13 <b>A. I can't remember having that discussion.</b></p> <p>14 Q. Again, I just want to check, when you say you cannot 15 remember having that conversation, are you saying that 16 it didn't happen or that you just cannot remember?</p> <p>17 <b>A. Personally, I wasn't involved in any discussion about 18 that.</b></p> <p>19 Q. I am going to move on to a ... 20 In fact, maybe now is a good time to stop for lunch. 21 THE CORONER: Yes, thank you. 22 Members of the jury, we will break off for lunch now 23 until 1.55, please. I don't know why I am looking at 24 that clock, but 1.55. 25 (12.58 pm)</p> <p style="text-align: center;">Page 107</p>
<p>1 <b>A. That's correct, I should have. But I didn't.</b></p> <p>2 Q. It is standard practice, isn't it, to create a record of 3 the result of an enquiry?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Can you say where, in an investigation, you would 6 normally do that, would the CRIS be the most usual place 7 to record the outcome of an action?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. We know that at this stage there was no CRIS for the 10 investigation. 11 Shouldn't you therefore have sent an email to 12 DS Turrell, so that she had a record of the outcome of 13 that task that she had allocated to you?</p> <p>14 <b>A. I believe so. But it is just, at the time, I remember 15 we were in the same office, we work in the same office, 16 that information was passed through to him, passed 17 through to the DS immediately.</b></p> <p>18 Q. You are saying that you told her the outcome?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. Therefore it seemed to you unnecessary to make a record 21 of it?</p> <p>22 <b>A. I wouldn't say it was unnecessary, but at that time 23 I did not.</b></p> <p>24 Q. Can you remember, was there any discussion of asking 25 Ricky Waumsley to give his opinion on whether the</p> <p style="text-align: center;">Page 106</p>	<p>1 (The Luncheon Adjournment) 2 (1.55 pm) 3 (In the presence of the jury)</p> <p>4 THE CORONER: Yes. 5 MS COLLIER: Officer, I am told that you should have now 6 hard copies of your witness statements in front of you 7 in the bundle, should you wish to refer to them. 8 I am going to move on to ask you about some other 9 enquiries that you undertook on 21 September 2014, the 10 Sunday after Daniel's body had been discovered. 11 On that Sunday, you were tasked by Detective 12 Sergeant Turrell to contact the Slovakian embassy to see 13 if Gabriel's body was still available or whether it had 14 been cremated already, can you remember being asked to 15 do that?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. Can you remember why that was necessary, why did the 18 police want to know if his body was still available?</p> <p>19 <b>A. I believe at that time they had managed to find out that 20 the Gabriel Klein in the note happens to be the same as 21 Gabriel Kovari, and that was the reason why I was tasked 22 to do that.</b></p> <p>23 Q. Why was it considered important to know whether 24 Gabriel Kovari's body was still available, how would 25 that assist the investigation?</p> <p style="text-align: center;">Page 108</p>

27 (Pages 105 to 108)

<p>1 <b>A. That was the instruction I was given and I didn't ask</b>  2 <b>the reason why at that time.</b>  3 Q. You didn't know why you were being asked to do that?  4 <b>A. No.</b>  5 Q. Could it be that Gabriel's body might have forensic  6 opportunities -- there might be forensic opportunities  7 to investigate Gabriel's body?  8 <b>A. Yes, possibly.</b>  9 Q. But you were not aware of that at the time?  10 <b>A. No.</b>  11 Q. You emailed the Slovakian embassy. We don't need to  12 have it up but we have an email from you to the  13 Slovakian embassy at 13.38 that day.  14 Is it right that you would need to chase that up on  15 Monday -- can I ask you please to look before you answer  16 that question, if you look at tab 28 in the bundle,  17 IPC628.  18 It is page 2, please. The paragraph that starts  19 about four paragraphs down:  20 "Iveta has been spoken to on the emergency number."  21 We see at the end of that paragraph:  22 "T/DC Adeyemo-Phillips has sent the embassy  23 an email. T/DC Adeyemo-Phillips will follow this up on  24 Monday the 22nd."  25 Do you remember that?</p> <p style="text-align: center;">Page 109</p>	<p>1 <b>find out I believe he must have mentioned -- he</b>  2 <b>mentioned that there was a ceremony, however he wasn't</b>  3 <b>sure if there was a burial or not.</b>  4 Q. Did he provide you with Gabriel's family's contact  5 details?  6 <b>A. Yes.</b>  7 Q. During the course of that conversation with  8 Thierry Amodio, he told you, didn't he, that he had been  9 receiving messages on Facebook from some people who had  10 known Gabriel during his time in the United Kingdom.  11 <b>A. I believe, yes.</b>  12 Q. Could we look, please, at IPC200. This we see is  13 an email which you sent on Sunday, the 21st at 17.42 to  14 your supervisor, Detective Sergeant Debbie Turrell, and  15 to T/DC Paul Slaymaker, who is another one of the  16 trainee detective constables on the team.  17 <b>A. Yes.</b>  18 Q. Then, looking at this email, you have explained to your  19 supervisor that you received a telephone call at 5.10  20 that afternoon from Thierry Amodio. And that he  21 mentioned that he had been getting messages on Facebook  22 from Gabriel's friends in the UK.  23 In particular, theory told you that a friend of  24 Gabriel called Jon Luck had messaged him on Facebook  25 telling him about a special party that Gabriel was</p> <p style="text-align: center;">Page 111</p>
<p>1 <b>A. Yes.</b>  2 Q. As part of your enquiries as to whether Gabriel had been  3 buried or cremated yet or whether his body was still  4 available, you contacted John Pape, John Pape being the  5 man who lived in Lewisham and who had rented his spare  6 room to Gabriel from mid July until 22 August?  7 <b>A. That's right.</b>  8 Q. The reason you contacted him I think was because you  9 wanted a contact number for Gabriel's family?  10 <b>A. That's correct.</b>  11 Q. Because, again, that was something you were trying to  12 work out from Gabriel's family, whether or not his body  13 was still available?  14 <b>A. Yes.</b>  15 Q. John Pape told you that he had not been in touch with  16 Gabriel's family but had been in contact with  17 Thierry Amodio, who was Gabriel's recently ex-boyfriend?  18 <b>A. That's correct.</b>  19 Q. Thierry Amodio then rang you later that day, so still on  20 the Sunday, and, as I have said, what you primarily  21 wanted to know from Mr Amodio was whether he knew if  22 Gabriel had been buried or cremated?  23 <b>A. Yes.</b>  24 Q. What did he tell you?  25 <b>A. I believe I contacted him on the CID phone number and to</b></p> <p style="text-align: center;">Page 110</p>	<p>1 attending at a secret location in Barking with another  2 friend called Dan. Thierry told you, didn't he, that  3 Jon Luck lived in Dagenham and that Gabriel had been at  4 Jon Luck's flat in Dagenham on 26 August 2014, that is  5 to say two days before his body was discovered.  6 Thierry told you that Gabriel had travelled to  7 Kilburn Park to meet a male called Tony Fairy, who was  8 believed to be a pub manager in Kilburn Park and  9 Jon Luck was aware that Gabriel, Dan and Tony Fairy  10 travelled in a cab to the special party in Barking.  11 Then Thierry suggests that the people that Gabriel  12 knew in the UK were people he had met through Grindr and  13 his contacts would be on his mobile phone.  14 Thierry told you that Jon Luck still had  15 Tony Fairy's contact number on a piece of paper at his,  16 that is to say Jon Luck's, flat and he also, Thierry,  17 told you that Jon Luck didn't know Dan personally but  18 that he had spoken to him on the phone.  19 Up until this point -- can we keep that on the  20 screen, please -- the last the police knew about what  21 Gabriel had been doing in the days before his death was  22 that he had left John Pape's flat on Friday, 22 August,  23 and then had messaged John Pape the following day, on  24 the Saturday, to tell him that he was going to Barking.  25 What Thierry has told you on Sunday afternoon is</p> <p style="text-align: center;">Page 112</p>

28 (Pages 109 to 112)

<p>1 a lot of information that was previously unknown to the 2 police, wasn't it? 3 <b>A. Yes.</b> 4 Q. In particular, he has suggested two potential witnesses, 5 Tony Fairy and Jon Luck. 6 <b>A. Yes.</b> 7 Q. As they had, according to this information that Thierry 8 was telling you, been with Gabriel two days before his 9 body was found, it would be important to speak to them, 10 wouldn't it? 11 <b>A. Yes.</b> 12 Q. They would have been able to tell you about Daniel as 13 well, if what was written in this email is correct? 14 <b>A. Yes.</b> 15 Q. Tony Fairy, according to what Thierry was telling you, 16 was a pub manager in Kilburn. It might have been 17 possible to trace this person, mightn't it? 18 <b>A. Yes.</b> 19 Q. If it is correct that he had been to a party with 20 Gabriel, then he might have been able to tell police 21 about what happened next, mightn't he? 22 <b>A. Yes.</b> 23 Q. Did you take any steps to trace Tony Fairy? 24 <b>A. I believe the name was passed -- was put through the PNC</b> 25 <b>at that time to find out if there is any information on</b></p> <p style="text-align: center;">Page 113</p>	<p>1 wouldn't it, if there was someone who could tell you 2 about Gabriel and Dan, if that was Daniel Whitworth, 3 being together? 4 <b>A. Yes, it would be.</b> 5 Q. That would mean it would be very important to trace 6 Jon Luck if at all possible, wouldn't it? 7 <b>A. Yes.</b> 8 Q. Can I ask, did you appreciate at the time that Jon Luck 9 was a significant witness and that it would be important 10 to trace him? 11 <b>A. Yes.</b> 12 Q. Can we look at IPC4. Can we look at page 3, please. 13 This is an email chain from Thierry Amodio to 14 yourself. It is sent from Thierry to you on 15 21 September at nearly 5.30, and he says, "It is his 16 Facebook". You have forwarded that on, haven't you, to 17 T/DC Slaymaker, we see from the email above, shortly 18 afterwards saying, "Facebook page from Jon Luck". 19 Did you take any steps to trace Jon Luck? 20 <b>A. No, not apart from the PNC that was done initially, no.</b> 21 Q. Why not? You said that you appreciated the importance 22 of Jon Luck, why didn't you take any action to see if 23 you could find out who he was? 24 <b>A. Because part of my -- the information that I received,</b> 25 <b>I passed it on the supervising officer and also to the</b></p> <p style="text-align: center;">Page 115</p>
<p>1 <b>that. But I don't think there is any information that</b> 2 <b>come back on that name.</b> 3 Q. Other than the PNC, were there any other steps which you 4 took to trace Tony Fairy? 5 <b>A. I don't remember any other step taken at this time.</b> 6 Q. You say you don't remember -- 7 <b>A. I don't remember that there was any other step taken by</b> 8 <b>myself.</b> 9 Q. Is it in fact the case that there weren't any other 10 steps? 11 <b>A. Yes.</b> 12 Q. Jon Luck had apparently -- had contact details for 13 Tony Fairy, according to this and he had indicated, 14 hadn't he -- Jon Luck, according to this, had indicated 15 that Gabriel had been with someone called Dan. So 16 Jon Luck was making a connection between Gabriel and 17 Dan, between Gabriel and someone called Dan, which might 18 have been Daniel Whitworth, wasn't he? 19 <b>A. Possibly.</b> 20 Q. Well, he was, because he was saying that Gabriel and Dan 21 had gone to a party. That is not to say it was the same 22 Dan as Daniel Whitworth, but it might have been, 23 mightn't it? 24 <b>A. It might be.</b> 25 Q. That would be very significant for the investigation,</p> <p style="text-align: center;">Page 114</p>	<p>1 <b>other officer that was dealing with the intel at that</b> 2 <b>... at that time.</b> 3 Q. Did you speak to Detective Sergeant Turrell and say, 4 look, it is really important that we trace this man, 5 Jon Luck? 6 <b>A. I think we had that discussion, and that email was sent</b> 7 <b>to her as well as T/DC Slaymaker as well.</b> 8 Q. Are you aware of any steps that were taken other than 9 the PNC check to trace Jon Luck? 10 <b>A. No.</b> 11 Q. Do you know if there were any steps taken? 12 <b>A. I don't know what other steps the other officer took</b> 13 <b>but, I mean, apart from the PNC check that I did,</b> 14 <b>I didn't take any other step.</b> 15 Q. That document can come down, thank you. 16 Do you think that you should have taken steps to 17 trace Jon Luck, other than the PNC check that you did? 18 <b>A. Yes.</b> 19 Q. Thierry Amodio had passed on a lot of information from 20 Jon Luck, but it is possible, isn't it, that in relaying 21 it over the phone, Mr Amodio had missed some information 22 out or possibly got some of it wrong? 23 <b>A. Yes, it was -- yes, possible.</b> 24 Q. Did you request copies of the messages that Mr Amodio 25 told you about?</p> <p style="text-align: center;">Page 116</p>

<p>1 <b>A. No.</b></p> <p>2 Q. Do you think that you should have in order to check that</p> <p>3 Mr Amodio had reported it accurately and in case the</p> <p>4 messages contained any more information than Mr Amodio</p> <p>5 had passed on to you?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. Can we look behind tab 49.</p> <p>8 Before I move onto this, can I ask why you didn't</p> <p>9 ask for the copies of the messages?</p> <p>10 <b>A. Well, I don't remember -- I don't know why I didn't ask,</b></p> <p>11 <b>but I didn't ask him that question.</b></p> <p>12 Q. Can you look behind tab 49, which is IPC600. This is</p> <p>13 a summary of the Facebook Messenger conversation between</p> <p>14 Thierry Amodio and Jon Luck. I don't know if you have</p> <p>15 seen this document before, do you recall having seen</p> <p>16 this before?</p> <p>17 <b>A. No.</b></p> <p>18 Q. Can I ask you to look at the dates of the messages,</p> <p>19 please. On page 1, we have messages from Jon Luck on</p> <p>20 10 September, and then if we go over the page, please,</p> <p>21 again, messages from 10 September. Over the page,</p> <p>22 please, to page 3. Messages on 11 September.</p> <p>23 Over the page again, page 4, the 11th, and, sorry,</p> <p>24 I should have pointed out that at no stage is anyone</p> <p>25 called Dan mentioned in these messages.</p> <p style="text-align: center;">Page 117</p>	<p>1 took all his stuff with him [that is to say Gabriel's]</p> <p>2 Dan came to his house first. They all chatted over</p> <p>3 a drink for about an hour and then Tony called them</p> <p>4 a cab to Barking. He said Gab wanted to return if he</p> <p>5 couldn't stay with Dan but he never texted back."</p> <p>6 If you had obtained the messages between Mr Amodio</p> <p>7 and Jon Luck, then you or someone else in the team might</p> <p>8 have noticed that had Dan was only mentioned on</p> <p>9 19 September, when Daniel Whitworth was missing. Do you</p> <p>10 think that is possible?</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. Can I ask you what you now make of the fact that</p> <p>13 Jon Luck was saying that Dan and Gabriel had been at</p> <p>14 an orgy in Barking where drugs were being used only at</p> <p>15 a point when Daniel Whitworth was dead?</p> <p>16 Do you understand what I am saying, that this</p> <p>17 information is passed from Jon Luck to Mr Amodio on the</p> <p>18 date when we know that Daniel Whitworth was already</p> <p>19 dead.</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. Does that mean that you might be suspicious of what</p> <p>22 information this Jon Luck was passing?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. We have seen that Mr Amodio did send you Jon Luck's</p> <p>25 Facebook page. Did you make any enquiries into the</p> <p style="text-align: center;">Page 119</p>
<p>1 Page 5, please. Messages on the 11th and then the</p> <p>2 12th.</p> <p>3 Again nothing about anyone called Dan.</p> <p>4 Then over the page, please, to page 6.</p> <p>5 Then the top message on that page is a message from</p> <p>6 Jon Luck to Thierry Amodio on 19 September at 22.02.</p> <p>7 You will recall that Daniel's body was found on the</p> <p>8 morning of the 20th. Here, what Jon Luck says is:</p> <p>9 "Hey mate, I have managed to find the gay Gab left</p> <p>10 with, his name's Tony Fairy he lives in Kilburn Park,</p> <p>11 I text him and asked what happened to Gab and he said he</p> <p>12 left with a young guy about his age named Dan and they</p> <p>13 were heading to a party/orgy in Barking.</p> <p>14 "He gave them money for a cab. Dan is tall, light</p> <p>15 brown hair he said, looks similar to Gab just bit</p> <p>16 taller.</p> <p>17 "Very slim."</p> <p>18 Then, on the 20th, Thierry Amodio asks:</p> <p>19 "Do did that Tony told you what he did with Gabriel</p> <p>20 and why he left with the other guy?"</p> <p>21 Then the reply from Jon Luck in the afternoon:</p> <p>22 "He spent one night with him. He didn't say what</p> <p>23 they did. Said he was chatting to another lad called</p> <p>24 Dan on Grindr and that he was going to an orgy in</p> <p>25 Barking and he invited Gab to join him. Tony said he</p> <p style="text-align: center;">Page 118</p>	<p>1 Facebook page itself?</p> <p>2 <b>A. No, not personally.</b></p> <p>3 Q. Are you aware now of who Jon Luck in fact was?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Stephen Port?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. Can we go back, briefly, to IPC200.</p> <p>8 We see here on the tracking information that both</p> <p>9 DS Turrell and T/DC Slaymaker read your message. Did</p> <p>10 you get any response from either of them to this email?</p> <p>11 <b>A. No, not to the email but I believe we had a discussion</b></p> <p>12 <b>before -- we had a discussion on that day but not any</b></p> <p>13 <b>response back to the email.</b></p> <p>14 Q. You had a discussion. What was your discussion about</p> <p>15 then?</p> <p>16 <b>A. It was just a discussion about the information that was</b></p> <p>17 <b>provided -- that was provided to me and, also, what</b></p> <p>18 <b>action that we would need to take about the information.</b></p> <p>19 Q. What actions was it established should be taken?</p> <p>20 <b>A. I believe it was to do a check on who Jon Luck was and</b></p> <p>21 <b>also with the email address. With the Facebook address,</b></p> <p>22 <b>it would be to do, perhaps, do a source check on it,</b></p> <p>23 <b>open source check on it.</b></p> <p>24 Q. Can we move on, please, to tab 28, which is IPC628. Can</p> <p>25 we look, please, at page 3 of that document. This is</p> <p style="text-align: center;">Page 120</p>

30 (Pages 117 to 120)

<p>1 the document, officer, created by DS Turrell, dated</p> <p>2 21 September 2014, dated on the face of it</p> <p>3 21 September 2014.</p> <p>4 Looking there at the penultimate entry on page 3, it</p> <p>5 says that you have spoken to an ex-partner of Kovari,</p> <p>6 Thierry Amodio, who resides in Madrid and it is recorded</p> <p>7 there that Thierry had indicated that there was</p> <p>8 a ceremony, as you have said, to celebrate the passing</p> <p>9 of Kovari but was unable to confirm whether the actual</p> <p>10 burial or cremation had taken place.</p> <p>11 So part of your conversation with Thierry Amodio has</p> <p>12 been recorded, hasn't it by DS Turrell?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. But there is no mention, either here or indeed in the</p> <p>15 rest of the document, about any actions to check who</p> <p>16 Jon Luck is?</p> <p>17 <b>A. No.</b></p> <p>18 Q. Don't you think that if that discussion had taken place,</p> <p>19 this is where it would be set out, further actions</p> <p>20 arising from the conversation that you had?</p> <p>21 <b>A. Possibly.</b></p> <p>22 Q. Does the fact that it is not in there suggest that there</p> <p>23 wasn't a discussion about actions arising out of what</p> <p>24 you had been told by Mr Amodio?</p> <p>25 <b>A. The information was passed through to my sergeant at</b></p> <p style="text-align: center;">Page 121</p>	<p>1 <b>A. No.</b></p> <p>2 Q. Why did you not do that?</p> <p>3 <b>A. Because I wasn't tasked to do that.</b></p> <p>4 Q. Here it says that you are arranging to do that, so are</p> <p>5 you saying that DS Turrell, having written that you are</p> <p>6 arranging to do the MIB checks, in fact simply forgot to</p> <p>7 ask you to do them?</p> <p>8 <b>A. It is possible, but I was not tasked to do that check.</b></p> <p>9 Q. There is the task that you were set to contact the</p> <p>10 Slovakian embassy. Although there is no record of you</p> <p>11 being asked to do that, we know from the email that you</p> <p>12 sent the Slovakian embassy that you did do it?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Certainly insofar as that task is concerned, this</p> <p>15 document here is accurate, isn't it?</p> <p>16 <b>A. Sorry, repeat that question, please?</b></p> <p>17 Q. I am saying, if you look up at the third entry in this</p> <p>18 document, of DS Turrell's, it says that you have been</p> <p>19 tasked to contact Slovakia?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. Although there is no other separate record of you being</p> <p>22 asked to do that, there is no email asking you to do</p> <p>23 that, for example, we know that you did do it because we</p> <p>24 have an email that you sent to the Slovakian embassy?</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 123</p>
<p>1 <b>that time and the information regarding the ceremony was</b></p> <p>2 <b>passed through at the same time as well as the email</b></p> <p>3 <b>that was sent through to her. So I don't know why that</b></p> <p>4 <b>would not be on her daybook. I can't tell you the</b></p> <p>5 <b>reason why that was not put there.</b></p> <p>6 Q. We can see that the emails weren't but my question</p> <p>7 relates to the discussion that you have told us that you</p> <p>8 had. I am suggesting to you that, if you had had</p> <p>9 a discussion about tracing Jon Luck then you would</p> <p>10 expect, wouldn't you, that the actions arising be put on</p> <p>11 this log which is called "Ongoing enquiries into the</p> <p>12 death of Daniel Whitworth".</p> <p>13 <b>A. I can tell you that there was a discussion. I don't</b></p> <p>14 <b>know why it is not on the book.</b></p> <p>15 Q. Can we look, please, at page 2 of this document, which</p> <p>16 is -- then at the entry fourth from the bottom, which</p> <p>17 says that you are:</p> <p>18 "... arranging for MIB to conduct checks on</p> <p>19 subject's names that have come up for any possible links</p> <p>20 and also to consider the Walgate death in May 2014 [that</p> <p>21 is an error, because it occurred in June 2014] that also</p> <p>22 involved the gay community and links with the website</p> <p>23 and Bender Grindr &amp; Bender."</p> <p>24 Firstly, can I ask, did you arrange for checks to be</p> <p>25 conducted by the MIB on anyone?</p> <p style="text-align: center;">Page 122</p>	<p>1 Q. Insofar as that entry is concerned, that task, this</p> <p>2 document is accurate, isn't it, it contains an accurate</p> <p>3 record of what you were asked to do?</p> <p>4 <b>A. The part that mentioned that I was tasked to contact the</b></p> <p>5 <b>embassy, yes, but the other part that you mentioned</b></p> <p>6 <b>about arranging for MIB checks to be conducted, I don't</b></p> <p>7 <b>remember being given that task.</b></p> <p>8 Q. No. Might it be that you were asked to do it and you</p> <p>9 didn't get around to doing it that day and now you</p> <p>10 cannot remember being asked to do it?</p> <p>11 <b>A. No, I wasn't asked to do that task. I wasn't asked to</b></p> <p>12 <b>do that task.</b></p> <p>13 Q. Secondly, I want to ask about the Walgate case. In that</p> <p>14 same entry, fourth from the bottom, it says that you</p> <p>15 have been asked to consider the Anthony Walgate death.</p> <p>16 Can you recall any conversation between yourself and</p> <p>17 DS Turrell, DC Slaymaker and others, about whether there</p> <p>18 were any links between the Gabriel Kovari and</p> <p>19 Daniel Whitworth deaths that you were investigating and</p> <p>20 the Anthony Walgate case?</p> <p>21 <b>A. No, I don't remember having that conversation.</b></p> <p>22 Q. This document noted, just here, in that fourth entry</p> <p>23 from the bottom, noted that the Walgate death also</p> <p>24 involved the gay community and links with Grindr and</p> <p>25 Bender. It is right, isn't it, that T/DC Slaymaker was</p> <p style="text-align: center;">Page 124</p>

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<p>1 the family liaison officer for the Walgate family, 2 wasn't he, so it is possible that he may have pointed 3 out those similarities. Do you think that could be 4 right?</p> <p>5 <b>A. It is possible, but I don't remember having any 6 conversation about the Grindr and Bender with 7 T/DC Slaymaker.</b></p> <p>8 Q. So, as far as you are concerned, I am not talking about 9 this document specifically, I am just saying in general, 10 on the days that you, DS Turrell and DC Slaymaker were 11 conducting these investigations into Daniel Whitworth's 12 death, are you saying that you cannot recollect any 13 conversation at all about any similarities with 14 Anthony's case?</p> <p>15 <b>A. No.</b></p> <p>16 Q. Did you independently of any conversation with anyone 17 else consider any links between Anthony Walgate's case 18 and Gabriel Kovari and Daniel Whitworth's case?</p> <p>19 <b>A. I do not have that much information about 20 Anthony Walgate's case, so I wouldn't be able -- 21 I wouldn't have been able to link it to Kovari or 22 Whitworth.</b></p> <p>23 Q. Can we look, please, behind tab 29, which is IPC201. 24 Here we have another email from Mr Amodio to 25 yourself. It follows on from the one in which he sent</p> <p style="text-align: center;">Page 125</p>	<p>1 on it and opening it, you didn't think, "Oh that, is 2 about Anthony Walgate", because you didn't know very 3 much about Anthony Walgate, is that right?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Did you take steps to ask any of your colleagues: what 6 does this death relate to? Which case is this?</p> <p>7 <b>A. Possibly I might have but I don't know -- yes, I might 8 have asked one of my colleagues about that.</b></p> <p>9 Q. You might have, you say. Did you or didn't you?</p> <p>10 <b>A. I don't know now, I can't remember it now.</b></p> <p>11 Q. Is it right then that even if you cannot remember, or 12 even if you say that DS Turrell didn't ask you to look 13 at any connections between the Walgate case and the 14 Kovari and Whitworth cases, we can see that Mr Amodio 15 was asking you that same evening, wasn't he, about 16 whether there could be any connection between them?</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. We don't have an email of you forwarding it on to 19 Sergeant Turrell or DC Slaymaker. Does that suggest 20 that you didn't forward it on to them?</p> <p>21 <b>A. That particular information I don't remember forwarding 22 on.</b></p> <p>23 Q. We do have a reply from you to Mr Amodio, however. Can 24 we look, please, at IPC248. It is the middle email 25 there, which you sent to Mr Amodio on 22 September. So</p> <p style="text-align: center;">Page 127</p>
<p>1 the Facebook page for Jon Luck. We see it is sent to 2 you on Sunday the 21st at 7.50 in the evening. There is 3 a link to the Barking and Dagenham Post, and I will come 4 on to show you the article in just a moment but his 5 question to you is:</p> <p>6 "Can this be related to Gabriel and Daniel?"</p> <p>7 Can we turn over the page, please, to look at the 8 article.</p> <p>9 Do you see that this is an article about a man who 10 died in unexplained circumstances on Cooke Street in 11 Barking in June?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. Did you look at the article upon receiving Mr Amodio's 14 email?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Did you know which case this related to, this article?</p> <p>17 <b>A. I believe at the time I did have a look at the Barking 18 and Dagenham Post and I might have -- I did have a look, 19 but I couldn't have immediately related it to 20 Anthony Walgate case and, yes, I did have a look.</b></p> <p>21 Q. You had a look at the article. You had a look at this, 22 so you saw that it was about a young man dying in 23 unexplained circumstances in Barking?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. Are you saying that you didn't, at the point of clicking</p> <p style="text-align: center;">Page 126</p>	<p>1 that is the following day, the Monday, at 2.24 in the 2 afternoon. You have said:</p> <p>3 "Hi Thierry, the news on the Barking and Dagenham 4 Post is nothing about Gabriel or Daniel. Have you 5 contacted Jon Luck? Get Jon Luck to contact me." 6 Why did you tell him that the Anthony Walgate case 7 was nothing to do with Gabriel or Daniel?</p> <p>8 <b>A. I think I believe at that time, I assumed the question 9 was relating to information on -- relating to the 10 article, particularly mentioning about Gabriel or 11 Daniel, so it was an assumption at that point, when 12 I said it is nothing to do about Gabriel or Daniel.</b></p> <p>13 Q. You replied to him with an assumption that there was no 14 connection, is that what you are saying?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Did you discuss it with anyone before replying?</p> <p>17 <b>A. I don't know if I discussed that with anyone.</b></p> <p>18 Q. Mr Amodio having asked you whether there might be 19 a connection between the young man who was found dead in 20 unexplained circumstances earlier that year, did you 21 consider that that might be something that it would be 22 worth looking into, whether there was a connection?</p> <p>23 <b>A. I didn't consider it.</b></p> <p>24 Q. Before I move on to another topic, which is the task you 25 were given on that day, the Monday, I just want to ask</p> <p style="text-align: center;">Page 128</p>



<p>1 you one more question about 21 September. 2 Can we look at IPC325, please, the first page. 3 This, officer, is a witness statement made by Mr Pape on 4 2 March 2017. If you recall, your evidence was that you 5 had had a conversation with him on Sunday, 21st as part 6 of your enquiries as to whether Gabriel's body was still 7 available. 8 <b>A. Yes.</b> 9 Q. Can we look, please, at page 4. 10 We see there, in the second paragraph, Mr Pape has 11 explained that you had contacted him and you wanted 12 a number for Gabriel's family, do you see that there? 13 <b>A. Yes.</b> 14 Q. Then, in the next paragraph, what Mr Pape has said is 15 that he said he called you back that day and the reason 16 for his call was because he was concerned for his 17 safety. He explains that he had received a text from 18 Gabriel the Friday before he died and it wasn't from his 19 phone, the text from Gabriel was from someone else's 20 phone and it was from a man called Cosmos Marcus, who 21 John Pape knew was ex-army [redacted] and he had been to 22 his, John's, flat. The point is that Mr Pape was 23 worried about who might know where he lived. It says 24 there: 25 "I explained to Adeyemo-Phillips that I was</p> <p style="text-align: center;">Page 129</p>	<p>1 <b>the reason why we would like to contact the next of kin.</b> 2 <b>I believe the question that when he called me back on</b> 3 <b>that day, the question was to find out if it was a -- if</b> 4 <b>the incident that happened to Gabriel happens to be</b> 5 <b>a murder or not and I said no, because particular to the</b> 6 <b>discussion that was -- the investigation that was</b> 7 <b>conducted in the office, it wasn't -- there wasn't any</b> 8 <b>mention about any murder or not, so I said no.</b> 9 Q. What about talking then about Gabriel's death, no talk 10 at that time about it being a murder. What about it 11 being a homicide? 12 <b>A. No, there wasn't any talk -- any decision or any topic</b> 13 <b>about that.</b> 14 Q. No discussion at all about whether Gabriel's death was 15 a homicide? 16 <b>A. No.</b> 17 Q. Thank you, that can come down now. 18 Can we look, please, at IPC213. This is, if we can 19 just scroll up, so we can see who the email is from, 20 this is an email sent on 22 September, so that is 21 Monday, at 11.13, from Detective Sergeant Turrell to 22 yourself and to Paul Berry, another detective on the 23 team, Jacqueline Baxter, another detective, and 24 Paul Slaymaker? 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 131</p>
<p>1 concerned for my safety and I remember saying that if 2 this is murder, you have to tell me." 3 Do you remember that conversation at all? 4 <b>A. I remember having a conversation, yes.</b> 5 Q. Do you remember that he was concerned for his safety? 6 <b>A. Yes, I remember him saying that.</b> 7 Q. Do you remember him asking you to tell him if it was 8 murder, because he was concerned for his safety? 9 <b>A. Yeah, I remember him asking, yes.</b> 10 Q. Do you remember what you told him? 11 <b>A. I think the question he asked was if it was for murder</b> 12 <b>or not and I said to him, no, it wasn't -- well, I said,</b> 13 <b>because at that point I didn't know if it was a murder</b> 14 <b>or not, so I said to him no.</b> 15 Q. Can I ask you then, if I have understood your evidence, 16 there you said that you didn't know whether it was 17 a murder or not at that time? 18 <b>A. Yes.</b> 19 Q. What were you referring to when you said "it", Gabriel's 20 death, Daniel's death, what? 21 <b>A. I think the question -- because when I called -- when</b> 22 <b>I phoned the request was to find out if there was -- to</b> 23 <b>find the next of kin for Gabriel, so when I was asked</b> 24 <b>that question, I told him -- because I told him also the</b> 25 <b>reason why we are trying to find out the next of kin and</b></p> <p style="text-align: center;">Page 130</p>	<p>1 Q. Is it right that, as a group, there was Sergeant Turrell 2 and then the four detectives who we see in the "to" line 3 of the email? 4 <b>A. Yes.</b> 5 Q. These were the people who were primarily involved in the 6 investigation of the Kovari/Whitworth deaths? 7 <b>A. Yes.</b> 8 Q. If we can look down to where your name is, this is 9 an email from your supervisor, allocating to each of you 10 detective constables various tasks. Your ones you have 11 been allocated to locate paperwork and photos connected 12 with Gabriel's death, also the pathologist's report and 13 a copy of the toxicology report when completed. You 14 have also been asked to take a further statement, 15 a further witness statement, from Barbara Denham, the 16 dog walker. 17 <b>A. Yes.</b> 18 Q. Firstly then, Mrs Denham's witness statement, you did 19 this, I think, she gave a witness statement on 20 25 September. I can pull it up, but I don't think you 21 dispute that you did that, did you? 22 <b>A. Yes.</b> 23 Q. What about the information about Gabriel's death; did 24 you do this? 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 132</p>

<p>1 Q. Can we look at IPC216. 2 This is an email sent to you from Detective Sergeant 3 Sweetman on 22 September that morning. What he has done 4 is forwarded to you his report into the death of 5 Gabriel, hasn't he? 6 <b>A. Yes.</b> 7 Q. Can we look at under the heading "CID assessment 8 DS Sweetman", it says at the end of that paragraph: 9 "The deceased was sat on what appeared to be 10 a jacket underneath a tree which clearly offered shelter 11 from the rain. He was also sat propped against the west 12 side cemetery wall, there was blood visible which had 13 run from his nose, it is my opinion that the deceased 14 placed himself in that position." 15 Your investigation was in possession the note that 16 was found with Daniel, which said that Gabriel had died 17 whilst having sex with Daniel. Does that suggest that 18 someone must have brought him when already dead to the 19 churchyard? 20 <b>A. It is a little bit difficult for me to say because that 21 wasn't -- I didn't read that information that CID 22 assessment as that.</b> 23 Q. Sorry, you didn't read the email that DS Sweetman sent 24 you? 25 <b>A. No, I did not -- the wording, the information that was</b></p> <p style="text-align: center;">Page 133</p>	<p>1 carrying out a task? 2 <b>A. Yes.</b> 3 Q. Normally, is it right that that would be done on the 4 CRIS? 5 <b>A. Yes.</b> 6 Q. But there wasn't a CRIS open at this time on the 22nd? 7 <b>A. That's right.</b> 8 Q. In terms of the other material that you collected, you 9 were asked to locate paperwork and photos that were 10 associated with Gabriel's death. Did you locate -- 11 I think you said that you did do that. Did you obtain 12 the photos that had been taken by the scene of crime 13 officers? 14 <b>A. I believe an email was sent to the scenes of crime 15 officer and -- email was sent through to the scene of 16 crime officer and it was mentioned that either the 17 picture was sent which is somebody else and there was 18 an email following up from that.</b> 19 Q. Did you receive the scene of crime photos from the 20 Gabriel scene? 21 <b>A. No.</b> 22 Q. But wasn't that what you were asked to do? 23 <b>A. Yes.</b> 24 Q. I am afraid I have not understood your evidence. You 25 were asked to look for the photographs associated with</p> <p style="text-align: center;">Page 135</p>
<p>1 <b>given by DS Sweetman, I did not read that information to 2 be that somebody brought him to the scene.</b> 3 Q. No, well it is not what it says. DS Sweetman says that, 4 in his opinion, Gabriel had placed himself in that 5 position, but this was his opinion on 28 August. What 6 I am suggesting to you is that you now had information 7 which appeared to contradict DS Sweetman's assessment, 8 because the information you had contained in the note 9 was that Gabriel had died whilst having sex with Daniel. 10 <b>A. Okay.</b> 11 Q. Do you agree there is a contradiction there, between 12 what DS Sweetman has suggested and the information that 13 you had on the face of the note? 14 <b>A. Yes.</b> 15 Q. Is that a contradiction which struck you at the time 16 that you read this email from DS Sweetman? 17 <b>A. No.</b> 18 Q. That can come down now, thank you. 19 It would appear that this was one of the items which 20 you had located regarding Gabriel's death. What about 21 the other material? I don't think we have any email 22 from you saying, "This is what I have got, here they are 23 attached to this email". 24 Would it normally be good practice to create 25 a record of the result that you have achieved in</p> <p style="text-align: center;">Page 134</p>	<p>1 Gabriel's death, and you didn't do it? 2 <b>A. I did do it. I requested for that information but that 3 information was not personally sent back to me because 4 the team -- the CID team that were dealing with that 5 particular investigation, there were four of us, 6 including the sergeant, I believe at that time, dealing 7 with that information. I requested for it and then 8 I believe the information could have been sent through 9 to any of the officers but, personally, I didn't get 10 that picture back, but I did request for it.</b> 11 Q. Okay, you said that the information could have been sent 12 through to any of the officers -- 13 <b>A. Yes.</b> 14 Q. -- but are you saying that you don't know? 15 <b>A. I don't know that.</b> 16 Q. Is it right then that you actually don't know if the 17 scene of crime photos came to the investigation? 18 <b>A. I don't know.</b> 19 Q. Could we look at IPC213. This is the email we have just 20 looked at. Can I ask you to look at the paragraph 21 underneath your two paragraphs, "Yinka is to locate 22 paperwork" and, "Yinka to liaise with Jayne Day", it 23 says: 24 "Paul Slaymaker has already conducted some phone 25 work on Whitworth's phone, please continue with this for</p> <p style="text-align: center;">Page 136</p>

34 (Pages 133 to 136)

<p>1 incoming/outcoming calls going back to at least 2 28 August for any possible connections with Kovari and 3 cell site as well. Please also establish if this can be 4 done for Kovari phone if the details are known." 5 Firstly, I want to ask you why was this work being 6 carried out? 7 <b>A. Sorry, can you repeat the question?</b> 8 Q. Yes. If we look at the section of the email which deals 9 with phone work, so it is the first of the 10 Paul Slaymaker, it says: 11 "Paul Slaymaker has already conducted some phone 12 work on Whitworth's phone, please continue with this for 13 incoming/outgoing calls ..." 14 Do you have that? 15 <b>A. Yes, I am looking at that, but ...</b> 16 Q. Do you think that this is an instruction to 17 Paul Slaymaker? 18 <b>A. I believe so.</b> 19 Q. I wanted to ask you, nevertheless, did you understand 20 why that work was being carried out? The phone work? 21 <b>A. Yes.</b> 22 Q. Why? 23 <b>A. I believe to find out if -- to find out the last person 24 or the last people that were contacting on both numbers 25 and also to do a cell site to find out if there is any</b></p> <p style="text-align: center;">Page 137</p>	<p>1 Q. -- did you understand why it might be valuable to know 2 where Daniel's phone was on the evening of 27 August? 3 <b>A. Yes.</b> 4 Q. You did know? 5 <b>A. Yes.</b> 6 Q. It says in that paragraph: 7 "Paul Slaymaker has already conducted some phone 8 work, please continue with this ..." 9 Yes? 10 <b>A. Yes.</b> 11 Q. Then in the paragraph below, it says: 12 "Paul Slaymaker, can you confirm if you have 13 documented the CCTV enquiries?" 14 What I wanted to ask you, officer, is the phone 15 work -- was that an instruction that was addressed to 16 you? Because it says, "Yinka to locate paperwork", 17 "Yinka to liaise with Jayne Day". 18 Then it says, "Paul Slaymaker has already done some 19 phone work, please continue with this". 20 Did you understand that to be for you or for 21 Paul Slaymaker? 22 <b>A. I believe that would be for Paul Slaymaker, because he 23 was dealing with the enquiry before.</b> 24 Q. Did you check with DS Turrell or DC Slaymaker? 25 <b>A. About the phone work?</b></p> <p style="text-align: center;">Page 139</p>
<p>1 <b>location around Barking or any other location somewhere 2 else.</b> 3 Q. For example, if the cell site analysis showed Daniel's 4 phone to be in Barking on the evening of 27 August, that 5 is to say the evening before Gabriel's body was 6 discovered, then that would be one thing. But if the 7 cell site analysis showed that Daniel's phone was at 8 home in Gravesend on that evening, then that would cast 9 serious doubts on whether they were together in Barking 10 the night that Gabriel arrived, either dead or alive, in 11 the churchyard, do you agree? 12 <b>A. Yes.</b> 13 Q. Similarly, if there were messages or call data on 14 Daniel's phone, which either supported the idea that he 15 was with Gabriel on the evening of 28 August, or which 16 tended to show he wasn't, then that would be really 17 important information for the investigation, wouldn't 18 it? 19 <b>A. Yes.</b> 20 Q. Do you think that you realised at the time that these 21 investigations might produce valuable results? 22 <b>A. I think I don't really understand the last question. 23 I don't understand it.</b> 24 Q. At the time in September 2014 -- 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 138</p>	<p>1 Q. Who was supposed to do that, did you check? 2 <b>A. No.</b> 3 Q. Can we look, please, behind tab 38, IPC224. 4 This is another email from your supervisor to you. 5 It is the following day, that is to say the Tuesday, the 6 23rd. You were given two tasks in this email. You 7 needed to arrange download of the CCTV and then also to 8 obtain a statement from someone whose name is redacted, 9 but someone who we know is the man who was found with 10 a can of Strongbow asleep on a bench -- 11 <b>A. Yes.</b> 12 Q. -- when the officers went to the Daniel Whitworth scene. 13 I would like to focus on one of those instructions, 14 and that is the CCTV. What it says there is that you 15 were asked to arrange for a download of the church CCTV 16 from 7.30 the night before to Kovari and Whitworth being 17 found. 18 Did you interpret that as needing to get CCTV from 19 7.30 the night before Gabriel's body was discovered, and 20 then, also, from 7.30 before Daniel's body was 21 discovered? 22 <b>A. I think --</b> 23 Q. Or -- 24 <b>A. -- that was meant to be 7.30 before Daniel's body was 25 found, until when Gabriel was found.</b></p> <p style="text-align: center;">Page 140</p>

35 (Pages 137 to 140)

<p>1 Q. I think it might be the other way round --</p> <p>2 <b>A. The other way round.</b></p> <p>3 Q. -- because Gabriel was found first.</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. So the entirety of the time from 7.30 pm, on 27 August,</p> <p>6 all the way through to the discovery of Daniel's body.</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. From what you said earlier in your evidence, is this</p> <p>9 something that you had already set in train when you</p> <p>10 were at the scene at Daniel's scene, had you already --</p> <p>11 I think you said earlier you had already made some</p> <p>12 enquiries about CCTV?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. So this was to follow up on that?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Can we look behind tab 46, which is IPC33. This is the</p> <p>17 CRIS that was opened for the investigation on the 24th.</p> <p>18 Can we look, please, at page 52.</p> <p>19 Here we see an entry in October, that is your entry,</p> <p>20 that relates to CCTV. Firstly, can I ask about the</p> <p>21 date. Does that mean that the task that you were</p> <p>22 allocated in the email that we have just seen was</p> <p>23 resulted by you on 10 October?</p> <p>24 <b>A. Possibly, yes.</b></p> <p>25 Q. Why possibly?</p> <p style="text-align: center;">Page 141</p>	<p>1 ask you, what did you do about Daniel?</p> <p>2 <b>A. I think the same enquiry will have been made about</b></p> <p>3 <b>Daniel, the date of the 21 or on 20 September.</b></p> <p>4 Q. Okay, but not entered on the CRIS then?</p> <p>5 <b>A. Possibly -- well, yes.</b></p> <p>6 Q. Are you saying that you did look for that?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. Can we have that back up on screen, please. It is</p> <p>9 IPC33, page 52.</p> <p>10 We have looked at the CCTV for church and cemetery,</p> <p>11 and then I want to ask you about the entry in connection</p> <p>12 with the Barking CCTV. Again, my question is this seems</p> <p>13 to relate to the incident in August, so that is to say</p> <p>14 it relates to Gabriel. What happened to the footage</p> <p>15 regarding Daniel. Is that something that you did?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. Why did you not make an entry on the CRIS?</p> <p>18 <b>A. I don't know the reason why the entry wasn't made on the</b></p> <p>19 <b>CRIS report.</b></p> <p>20 THE CORONER: Could you just repeat that? I don't think</p> <p>21 some of the jury heard what you said.</p> <p>22 <b>A. I said I don't know the reason why it was not entered on</b></p> <p>23 <b>the CRIS report.</b></p> <p>24 MS COLLIER: Thank you. That can come down now.</p> <p>25 I had a general question about CCTV. By the morning</p> <p style="text-align: center;">Page 143</p>
<p>1 <b>A. Because the -- just looking at the date and the day it</b></p> <p>2 <b>was entered by myself, so it is possible that entered on</b></p> <p>3 <b>that day. It might not be resolved on that day, however</b></p> <p>4 <b>it was entered on that day.</b></p> <p>5 Q. Right, but this is an entry where you explain that you</p> <p>6 have requested a download from the Newland Lab: is that</p> <p>7 right?</p> <p>8 <b>A. Yes. Yes.</b></p> <p>9 Q. Can I ask you then what -- you said:</p> <p>10 "I have asked the Newland Lab about obtaining</p> <p>11 footage from 28 August 2014 regarding Gabriel Kovari."</p> <p>12 Then:</p> <p>13 "At this time the lab cannot confirm if the footage</p> <p>14 for 28 August will still be on the system."</p> <p>15 What happened to footage regarding Daniel?</p> <p>16 <b>A. I believe the hard drive from the church was seized by</b></p> <p>17 <b>the -- was seized and then was taken to the lab, because</b></p> <p>18 <b>they couldn't get any physical information or any</b></p> <p>19 <b>physical CCTV from the system, so the hard drive was</b></p> <p>20 <b>seized and sent to the lab.</b></p> <p>21 <b>And when the check was done on there, they couldn't</b></p> <p>22 <b>really -- well, there wasn't any footage for 28 August.</b></p> <p>23 <b>However, I can't remember now if there was any footage</b></p> <p>24 <b>that shows the 24th or 28 September on it.</b></p> <p>25 Q. Right. This entry relates to Gabriel only, so I want to</p> <p style="text-align: center;">Page 142</p>	<p>1 of Sunday, 21 September, Barking CID knew that Daniel</p> <p>2 had left work at 3.00 on Thursday the 18th, and had told</p> <p>3 his colleague that he was going to meet friends in</p> <p>4 Barking.</p> <p>5 On one view, he might well have arrived in Barking</p> <p>6 on Thursday the 18th. Did you think it ought to be</p> <p>7 possible to find some CCTV of him in Barking during that</p> <p>8 timeframe from the evening of Thursday the 18th, to the</p> <p>9 morning of Saturday the 20th?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Were you able to find any CCTV?</p> <p>12 <b>A. From Barking, I was tasked to look around the church and</b></p> <p>13 <b>also around the location towards the entry of the</b></p> <p>14 <b>church.</b></p> <p>15 Q. Yes.</p> <p>16 My question before was what about other areas of</p> <p>17 Barking, is that something that the enquiry considered?</p> <p>18 I appreciate you were not tasked to do that, but is that</p> <p>19 something that was -- was there any discussion about</p> <p>20 that?</p> <p>21 <b>A. No.</b></p> <p>22 Q. Do you think that perhaps that ought to have been done?</p> <p>23 <b>A. Yes, it should have been.</b></p> <p>24 Q. Did you ever learn what the cause of death was in</p> <p>25 Daniel's case?</p> <p style="text-align: center;">Page 144</p>

<p>1 <b>A. No.</b></p> <p>2 Q. Did you ever see Dr Swift's post mortem report?</p> <p>3 <b>A. No.</b></p> <p>4 Q. When did you stop working on the investigation?</p> <p>5 <b>A. I believe that would be technically the second week,</b></p> <p>6 <b>because I was allocated a different job and I continued</b></p> <p>7 <b>with that different job.</b></p> <p>8 Q. In terms of the entry that we have just seen on</p> <p>9 10 October, is that something that you did after you had</p> <p>10 been reallocated?</p> <p>11 <b>A. It would be.</b></p> <p>12 Q. I am going to move on now to ask you about the</p> <p>13 Jack Taylor scene.</p> <p>14 You attended the scene at Barking Abbey Green where</p> <p>15 Jack Taylor's body was found on 14 September 2015,</p> <p>16 correct?</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. As the jury have come to understand, the usual procedure</p> <p>19 is that the first responders, who are uniformed</p> <p>20 officers, then contact CID, the detectives, in order to</p> <p>21 ask them to attend the scene. Is that what happened in</p> <p>22 this case?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. In response, you and Detective Sergeant Sweetman</p> <p>25 attended?</p> <p style="text-align: center;">Page 145</p>	<p>1 joined"?</p> <p>2 <b>A. When he moved to the borough. Not just joined, when he</b></p> <p>3 <b>moved to the borough. I think he was new to the borough</b></p> <p>4 <b>during the Kovari one, the Kovari incident. So he</b></p> <p>5 <b>mentioned attending a similar location -- well, the same</b></p> <p>6 <b>location.</b></p> <p>7 Q. So he said he attended a crime scene at the same</p> <p>8 location. Did he say anything about the deceased on</p> <p>9 that occasion?</p> <p>10 <b>A. No.</b></p> <p>11 Q. You had attended the Daniel Whitworth scene in almost</p> <p>12 exactly the same spot --</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. -- the previous September.</p> <p>15 Did you tell DS Sweetman that you had done that?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. What did you tell DS Sweetman about that?</p> <p>18 <b>A. I think I only mentioned to DS Sweetman that I attended</b></p> <p>19 <b>the crime scene on the other side, at the rear of the</b></p> <p>20 <b>churchyard.</b></p> <p>21 Q. Did you tell him anything about the deceased on that</p> <p>22 occasion?</p> <p>23 <b>A. No.</b></p> <p>24 Q. Was that also on the way to the crime scene?</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 147</p>
<p>1 <b>A. Yes.</b></p> <p>2 Q. The police were called that day, at 1.12, by the cleaner</p> <p>3 who found Jack's body. Again, we doesn't need to look</p> <p>4 at it but the crime scene logs suggest that you and</p> <p>5 DS Sweetman arrived on the scene at 2.01 and then left</p> <p>6 at 2.55.</p> <p>7 Now, DS Sweetman had been called to the</p> <p>8 Gabriel Kovari scene in almost exactly the same spot</p> <p>9 just over a year earlier, in 2014.</p> <p>10 Do you remember that you received the email from</p> <p>11 DS Sweetman when you were asked to look into the Kovari</p> <p>12 death, that was an email that he sent to you?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Did he mention that he had been at a similar scene</p> <p>15 a year ago?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. What did he say to you about that?</p> <p>18 <b>A. I think he only mentioned that, I believe, on the way to</b></p> <p>19 <b>the crime scene, but I don't know if there was any other</b></p> <p>20 <b>information -- any other information about that or any</b></p> <p>21 <b>other thing that he might have said about that now.</b></p> <p>22 Q. What did he mention then?</p> <p>23 <b>A. I think he only mentioned about attending the crime</b></p> <p>24 <b>scene when he was quite new to the borough.</b></p> <p>25 Q. He said, "I attended a crime scene when I had just</p> <p style="text-align: center;">Page 146</p>	<p>1 Q. When you arrived at the Jack Taylor scene, did it strike</p> <p>2 you that the deceased on that occasion was a similar age</p> <p>3 to Daniel, whose crime scene you had attended a year</p> <p>4 before?</p> <p>5 <b>A. No.</b></p> <p>6 Q. Had you attended any other sudden deaths of a young</p> <p>7 person in the intervening 12 months?</p> <p>8 <b>A. No.</b></p> <p>9 Q. Did you discuss with DS Sweetman whether the death that</p> <p>10 you had there, of Jack Taylor, was suspicious or</p> <p>11 non-suspicious?</p> <p>12 <b>A. No, that was not my -- that was ...</b></p> <p>13 <b>Because of my -- DS Sweetman happens to be my</b></p> <p>14 <b>supervising officer at that point. It wouldn't be</b></p> <p>15 <b>a discussion about a job is suspicious or not.</b></p> <p>16 Q. Just so I understand your evidence, are you saying that,</p> <p>17 because he was a sergeant and you were a constable, he</p> <p>18 wouldn't be discussing with you whether the scene, the</p> <p>19 Jack Taylor scene, was suspicious or not?</p> <p>20 <b>A. No, it wouldn't be a discussion -- well, it would be</b></p> <p>21 <b>a discussion that we can have. However, it is his</b></p> <p>22 <b>decision.</b></p> <p>23 Q. Yes, that is understood. Sorry, I should have made</p> <p>24 myself clear.</p> <p>25 It is understood it was certainly not your decision.</p> <p style="text-align: center;">Page 148</p>

<p>1 But did you nevertheless have a discussion with him 2 about whether the scene appeared suspicious or not? 3 <b>A. No.</b> 4 Q. Are you aware of him having a discussion with anyone 5 about that at the scene? If not you, did he talk about 6 it with anyone else? 7 <b>A. There was a discussion with the inspector, the duty 8 inspector, but I can't remember who the duty inspector 9 is now.</b> 10 Q. In your witness statement, dated 10 November 2015, you 11 say that you asked PC Merritt to check behind the wall, 12 where the body was found. Can we look at IPC372. And 13 page 2, please. 14 Then, penultimate paragraph: 15 "I asked PC Merritt to check the wall behind where 16 the body was found, in case other property or mobile 17 phone was discarded behind the wall. The search came 18 back negative." 19 Firstly, can you confirm that this is an MG11 20 statement that you produced for the purposes of the 21 Jack Taylor investigation? 22 <b>A. Yes.</b> 23 Q. Did you include in this witness statement everything 24 that you thought at the time was relevant to your part 25 in the investigation at that stage?</p> <p style="text-align: center;">Page 149</p>	<p>1 that there were no mobile phones found at the scenes of 2 Gabriel Kovari or Daniel Whitworth and therefore you 3 were making a connection between this scene and the 4 other scenes. Is that right? 5 <b>A. Yes.</b> 6 Q. Did you think that there was -- did you think there 7 might be a connection then between the deaths, between 8 the scenes that you had attended and knew about, that is 9 to say the Gabriel Kovari scene, the Daniel Whitworth 10 scene and the Jack Taylor scene? 11 <b>A. It might be, because it was the same -- similar -- well 12 technically the same location.</b> 13 Q. Isn't that something that is incredibly important to 14 record on a witness statement, if you think there is 15 a connection between the deaths of three young men? 16 <b>A. Yes.</b> 17 Q. Are you sure that you thought that at the time, rather 18 than it being something that you have subsequently 19 imagined that you thought? 20 <b>A. The statement that was given previously, or the 21 statement that we looked through previously mentioned 22 that I asked the officer to check for mobile phone. The 23 reason why I asked the officer to check if there was any 24 mobile phone was because I believe I know that there 25 wasn't any mobile phone found on Kovari or Whitworth,</b></p> <p style="text-align: center;">Page 151</p>
<p>1 <b>A. Yes.</b> 2 Q. In your later witness statement, which is IPC373, which 3 is a witness statement dated 8 September 2017, if we 4 look at page 3, so this is a statement that is produced 5 nearly two years later, you say at the top of the page: 6 "I think I told DS Sweetman that I was aware that no 7 mobile phone had been found on Kovari and Whitworth." 8 Two questions. 9 Firstly, why didn't you include in your earlier 10 witness statement any mention of Gabriel Kovari or 11 Daniel Whitworth? 12 <b>A. I don't know why I didn't put that down.</b> 13 Q. Is it something that would be relevant in your opinion 14 to an investigation of Jack Taylor? 15 <b>A. Yes.</b> 16 Q. Why did you think it would be relevant? 17 <b>A. I don't know why that wasn't put in my initial 18 statement. However, it was something that I thought of 19 and that was the reason why I asked the officer to look 20 and then we both have a look to find out if there was 21 any mobile phone -- any mobile phone around or to find 22 out if there was any mobile phone on Jack Taylor at that 23 time.</b> 24 Q. Are you saying that you thought that the reason why you 25 tasked the officer to look was because you had recalled</p> <p style="text-align: center;">Page 150</p>	<p>1 <b>and that was the reason.</b> 2 <b>However, it wasn't put in my statement the reason 3 why I requested nor that mobile phone to be searched 4 for.</b> 5 Q. Nor is it recorded anywhere else? 6 <b>A. No.</b> 7 Q. That is why I am wondering if, maybe, it is a case of 8 over time thinking that that is what you thought -- 9 <b>A. No, because I wouldn't have asked for mobile phone to be 10 checked at the scene.</b> 11 Q. We have heard at the other scenes, looking for a mobile 12 phone was carried out. It is not an unusual thing to 13 do, is it? 14 <b>A. Yes.</b> 15 Q. That can come down, thank you. 16 Finally, I want to come to the role that you had in 17 charging Stephen Port. 18 Can you explain how it came about that you charged 19 Stephen Port with perverting the course of justice on 20 27 January 2015? Why were you asked to do that? 21 <b>A. I believe I was the -- at that time I was working more 22 like a flexible working hours, whereby I worked with 23 other teams whenever my team members are not in, and on 24 that day I was working in the office without my team 25 being -- for one reason or the other, maybe my team was</b></p> <p style="text-align: center;">Page 152</p>

38 (Pages 149 to 152)

<p>1 <b>working a different shift and I was in the office and</b>  2 <b>the other team asked for a favour for me to charge</b>  3 <b>somebody for them. I didn't know anything about the</b>  4 <b>investigation, I was told by the sergeant from the other</b>  5 <b>team to charge somebody and that is what I did.</b>  6 Q. You didn't know anything about the investigation, but  7 presumably you would have needed to know the basic facts  8 in case, for example, he said, "I am sorry, I don't  9 understand why I am being charged with this"?  10 <b>A. The basic facts was I was told that information, the</b>  11 <b>rationale behind the decision, was already put on the</b>  12 <b>custody record and the only thing I need to know is just</b>  13 <b>all of that information has been put on the record</b>  14 <b>already, has been put on the custody record already.</b>  15 Q. Are you saying that you knew absolutely nothing about  16 the circumstances which had led to the charge?  17 <b>A. Yes.</b>  18 Q. Then can I ask what about curiosity, were you not  19 a little bit curious as to what this man you were  20 charging had done?  21 <b>A. No.</b>  22 MS COLLIER: I have no further questions, thank you.  23 THE CORONER: Yes, we will take a short break, members of  24 the jury.  25 Thank you.</p> <p style="text-align: center;">Page 153</p>	<p>1 Q. You made no written record of that conversation or of  2 Adam's answers at all, did you?  3 <b>A. No. Not a written record.</b>  4 Q. You accept that you should have done?  5 <b>A. Sorry?</b>  6 Q. You accepted to Ms Collier that you should have done so?  7 <b>A. Yes.</b>  8 Q. Adam Whitworth, from whom the jury will hear, disputes  9 that he confirmed that the handwriting was Daniel's. Do  10 you understand that?  11 <b>A. Yes.</b>  12 Q. You understand?  13 <b>A. Yes, now.</b>  14 Q. In his statement, his IPCC statement of April 2017,  15 which Ms Collier has already mentioned, Mr Whitworth  16 states:  17 "They [referring to the police] wanted us to confirm  18 it was Daniel's handwriting, but I was unable to do this  19 as I was unsure."  20 In her statement of April 2017 to the IPCC  21 Adam Whitworth's partner Mandy, from whom the jury will  22 also hear, states as follows:  23 "We told the police we were unable to make  24 a judgment on whether the handwriting belonged to  25 Daniel, based on what they had provided us."</p> <p style="text-align: center;">Page 155</p>
<p>1 (3.18 pm)  2 (A short adjournment)  3 (3.31 pm)  4 (In the presence of the jury)  5 Questions from MR STOATE  6 MR STOATE: Thank you, ma'am.  7 Good afternoon, officer, I am asking questions on  8 behalf of the families of those who died. Mr Waumsley,  9 Daniel Whitworth's partner, has his own barrister who  10 sits next to me.  11 I only have time to pick up a few points with you,  12 please, so can I start, please with the enquiries around  13 Daniel Whitworth's handwriting?  14 <b>A. Okay.</b>  15 Q. The handwriting on the note found with Daniel Whitworth.  16 We have heard counsel to the inquest take you  17 through this, at 10.52 on 21 September 2014 you sent  18 an email to Adam Whitworth, Daniel's father, attaching  19 a fragment of the handwriting in the note found with  20 Daniel's body, didn't you?  21 <b>A. Yes.</b>  22 Q. You told us that when you then spoke on the phone  23 Adam Whitworth, to use your phrase, confirmed that the  24 handwriting was of that his son Daniel?  25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 154</p>	<p>1 Finally, Mr Waumsley, Ricky's Waumsley, Daniel's  2 partner in his statement of April 2017 recalls he had  3 been forwarded an email with the sample of that  4 handwriting that you sent attached from Ms Pearson, from  5 Mandy Pearson, rather than from the police and he  6 states:  7 "I couldn't confirm 100 per cent whether it was his  8 [Daniel's] handwriting and I told Mandy and the police  9 that I didn't know."  10 All right?  11 <b>A. Yes.</b>  12 Q. You heard and understood all of that, yes?  13 <b>A. Yes.</b>  14 Q. My questions then. You must have reflected, mustn't  15 you, upon this case?  16 <b>A. Yes.</b>  17 Q. Do you think, officer, that you might simply have been  18 wrong, incorrect, about what Adam Whitworth said to you?  19 <b>A. No.</b>  20 Q. Do you think you might simply have misunderstood what  21 Adam was saying to you?  22 <b>A. No.</b>  23 Q. The most that the evidence that I have just read out to  24 you amounts to is we who knew Daniel cannot be sure. We  25 don't know, it might be his but we don't know for sure.</p> <p style="text-align: center;">Page 156</p>

<p>1 Reflecting on the case, is that really what was said</p> <p>2 to you and you simply wrongly recorded it or</p> <p>3 misunderstood?</p> <p>4 <b>A. Repeat that question, please?</b></p> <p>5 Q. Yes.</p> <p>6 The most that the family and his partner's position</p> <p>7 amounts to is we cannot be sure whether it is</p> <p>8 handwriting, it might be but we cannot be sure, yes?</p> <p>9 <b>A. At the point, at the time, the handwriting was sent</b></p> <p>10 <b>through to Mr Whitworth, he confirmed that it was</b></p> <p>11 <b>Daniel's handwriting.</b></p> <p>12 Q. Yes. You understand, he will dispute that and say that</p> <p>13 is not what he said. You understand that?</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. So you are not simply mistaken?</p> <p>16 <b>A. No.</b></p> <p>17 Q. Did you ask Adam any further questions about the</p> <p>18 handwriting?</p> <p>19 <b>A. No.</b></p> <p>20 Q. You didn't?</p> <p>21 <b>A. No, I did not.</b></p> <p>22 Q. Can I suggest, "What about that signature? Have you</p> <p>23 seen the signature before? Did you ask him anything</p> <p>24 like that?"</p> <p>25 <b>A. No.</b></p> <p style="text-align: center;">Page 157</p>	<p>1 didn't ask him anything, did you? You asked him, in</p> <p>2 your evidence, one question, this grieving father: is</p> <p>3 that Daniel's handwriting?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Despite your lack of recall on many other matters, you</p> <p>6 are crystal clear, are you, he said, "Yes, that is</p> <p>7 Daniel's handwriting", and you are going to stand by</p> <p>8 that evidence?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. Very well.</p> <p>11 Did you suggest getting any further samples?</p> <p>12 <b>A. Sorry, any other samples to who?</b></p> <p>13 Q. Did you think I need to satisfy myself about this,</p> <p>14 perhaps I could have a few samples?</p> <p>15 <b>A. The task that was asked was to show the note, part of</b></p> <p>16 <b>the note, and that was the task I carried out.</b></p> <p>17 Q. With great respect, officer, you are in CID, you are not</p> <p>18 there to simply parrot answers or be a robot, are you?</p> <p>19 What about satisfying yourself that this was the</p> <p>20 handwriting, did you suggest getting any other samples,</p> <p>21 for example?</p> <p>22 <b>A. No.</b></p> <p>23 Q. People communicate now, don't they, and did then, very</p> <p>24 largely by phone, email, social media. Do you agree?</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 159</p>
<p>1 Q. "Is that how Daniel normally signs off letters?"</p> <p>2 <b>A. I didn't ask him that question.</b></p> <p>3 Q. "Would he have written 'Daniel PW' for his name?"</p> <p>4 <b>A. I did not ask him that question.</b></p> <p>5 Q. "When did you last receive a letter from Daniel?"</p> <p>6 <b>A. I did not ask him that question.</b></p> <p>7 Q. "How sure are you that this is Daniel's handwriting?"</p> <p>8 <b>A. I asked him -- I asked him if that was Daniel's</b></p> <p>9 <b>handwriting, that was the question that I asked.</b></p> <p>10 Q. You asked him one question?</p> <p>11 <b>A. I believe I asked him the necessary question at that</b></p> <p>12 <b>time.</b></p> <p>13 Q. Right.</p> <p>14 Those questions I have suggested -- and you could</p> <p>15 pick any you like, really, they are basic questions,</p> <p>16 aren't they, if you are trying to establish whether or</p> <p>17 not some handwriting belongs to a potential suicide,</p> <p>18 potential homicide, whatever it is, a deceased person,</p> <p>19 they are basic questions that I have suggested, aren't</p> <p>20 they?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. You didn't ask any of them, did you?</p> <p>23 <b>A. No, not the particular questions that you mentioned.</b></p> <p>24 Q. No, but nothing like it, either, not just those</p> <p>25 particular questions, I have just thought of those, you</p> <p style="text-align: center;">Page 158</p>	<p>1 Q. The pathologist this morning, just by way of example,</p> <p>2 told us he wasn't sure how many of his own family would</p> <p>3 recognise his writing. Did you hear that evidence?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Did you think about that at the time?</p> <p>6 <b>A. Not at the time.</b></p> <p>7 Q. Have you thought about it now?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. There were basic steps, officer, weren't there, beyond</p> <p>10 a very brief call with a grieving father in the</p> <p>11 immediate aftermath of his son's apparent suicide that</p> <p>12 needed to be taken by you in order even to carry out the</p> <p>13 basic task you were asked to do of verifying the</p> <p>14 handwriting, would you agree?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Thank you.</p> <p>17 Thereafter, thereafter, whether or not Daniel's</p> <p>18 family had told the police that they recognised the</p> <p>19 handwriting or not, and I am very clear -- we have had</p> <p>20 a discussion about what their position is -- it would</p> <p>21 also, wouldn't it, have been possible to take other</p> <p>22 further steps to verify the handwriting, including, for</p> <p>23 example, the use of some expert analysis?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. Are you aware that that is what happened in</p> <p style="text-align: center;">Page 160</p>

40 (Pages 157 to 160)



<p>1 Operation Lilford?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. Are you aware that once the handwriting samples were</p> <p>4 submitted to the handwriting expert, the response came</p> <p>5 back in one day?</p> <p>6 <b>A. Yes, I am aware of that but not the time period.</b></p> <p>7 Q. Are you aware that it verified not only that it wasn't</p> <p>8 Daniel's handwriting, but that it was in fact</p> <p>9 Stephen Port's?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. You are?</p> <p>12 Did you undertake any such further steps?</p> <p>13 <b>A. No.</b></p> <p>14 Q. Were you told to undertake any such further steps?</p> <p>15 <b>A. No.</b></p> <p>16 Q. Was there any discussion between you and anyone else of</p> <p>17 undertaking any such further steps?</p> <p>18 <b>A. No.</b></p> <p>19 Q. Looking at the place this was recorded, the apparent</p> <p>20 outcome of your call was recorded on what is described</p> <p>21 on its face as the ongoing enquiries log written by your</p> <p>22 supervisor DS Turrell, yes?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. Could we have IPC628, page 1, please. This is the one</p> <p>25 we are talking about. Ms Collier referred this to you.</p> <p style="text-align: center;">Page 161</p>	<p>1 one, is this a format, is this a type of document that</p> <p>2 rings a bell to you?</p> <p>3 <b>A. No.</b></p> <p>4 Q. DS Turrell was your supervisor, wasn't she?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. Was it her usual practice to keep a note like this,</p> <p>7 recording the actions in the ongoing enquiries?</p> <p>8 <b>A. We do have daybooks where we write actions conducted or</b></p> <p>9 <b>actions that we want an officer to do, to act on, but</b></p> <p>10 <b>this is not something that will have been shown to me or</b></p> <p>11 <b>I might have privilege to look at.</b></p> <p>12 Q. Had you worked on other cases with DS Turrell?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Had she ever shown you a document like this?</p> <p>15 <b>A. No.</b></p> <p>16 Q. Never?</p> <p>17 <b>A. No.</b></p> <p>18 Q. The first one you have seen?</p> <p>19 Can you help, I am not asking you -- to be clear --</p> <p>20 to put yourself in DS Turrell's mind, but can you help</p> <p>21 with why DS Turrell apparently has written on the notes</p> <p>22 in the ongoing enquiries that she was tasking you with</p> <p>23 completing intelligence bureau checks without apparently</p> <p>24 having actually done so, can you help us?</p> <p>25 <b>A. No, I can't help you with that, because that will have</b></p> <p style="text-align: center;">Page 163</p>
<p>1 In your witness statement of 2017, it's IPC374, you</p> <p>2 said you didn't think you had ever seen this document</p> <p>3 before?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. If we could go to the second page, you have already been</p> <p>6 asked about this, haven't you? About a third up from</p> <p>7 the bottom, where it says:</p> <p>8 "T/DC Adeyemo-Phillips [you] is arranging for MIB to</p> <p>9 conduct checks on subjects' names that have come up for</p> <p>10 any possible links and also to consider the Walgate</p> <p>11 death in May 2014, that also involved the gay community</p> <p>12 and also links with the websites Grindr &amp; Bender."</p> <p>13 You are saying simply, "I never saw that document,</p> <p>14 I have never seen this action before, no one showed it</p> <p>15 to me, I've never seen it"?</p> <p>16 <b>A. I have never seen that document before.</b></p> <p>17 Q. In any event, you have already accepted you didn't carry</p> <p>18 out any such enquiries, did you?</p> <p>19 <b>A. Not that particular action, no.</b></p> <p>20 Q. Your evidence is that no one in fact asked you to carry</p> <p>21 them out; is that right?</p> <p>22 <b>A. No.</b></p> <p>23 Q. Can I ask you this then, this document that's on screen,</p> <p>24 can you perhaps go back to page 1, have you ever seen</p> <p>25 a document of this type before, if not this particular</p> <p style="text-align: center;">Page 162</p>	<p>1 <b>been something that she wrote in her book and there will</b></p> <p>2 <b>have been a reason why she has put that in there.</b></p> <p>3 <b>Personally I don't know why ...</b></p> <p>4 THE CORONER: When you say wrote in her book, what do you</p> <p>5 mean?</p> <p>6 <b>A. We do have a daybook whereby we do have -- we have names</b></p> <p>7 <b>or ongoing investigation, if we are dealing with</b></p> <p>8 <b>an investigation, we do write things, information in it</b></p> <p>9 <b>or a task, especially with the sergeant, because there</b></p> <p>10 <b>wasn't any CRIS report at the time. It is possible that</b></p> <p>11 <b>this typed document will have been from a daybook, not</b></p> <p>12 <b>on a regular email or action that has been sent through</b></p> <p>13 <b>to me.</b></p> <p>14 MR STOATE: Was DS Turrell in the habit of showing you her</p> <p>15 daybook?</p> <p>16 <b>A. No.</b></p> <p>17 Q. Jon Luck, subsequently found out to be Stephen Port.</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. You have answered lots of questions about what</p> <p>20 Thierry Amodio told you, Gabriel's ex-partner. I just</p> <p>21 want to ask you about one aspect of this. Can I have</p> <p>22 IPC248, please, on screen. You have been shown some of</p> <p>23 this, it is the email exchange between you and</p> <p>24 Thierry Amodio, yes?</p> <p>25 Despite Jon Luck apparently having detailed</p> <p style="text-align: center;">Page 164</p>

41 (Pages 161 to 164)

<p>1 information about the days prior to Gabriel Kovari's 2 death, you took no active steps to locate or interview 3 him, did you? 4 <b>A. Sorry, can you repeat?</b> 5 Q. Yes. Despite Jon Luck apparently having, from what 6 Thierry Amodio told you -- Ms Collier you took you 7 through all of the steps that you had written across to 8 all of your supervisors -- but despite that information 9 about the days prior to Gabriel Kovari's death, you 10 didn't take any active steps to locate Jon Luck or to 11 interview Jon Luck, did you? 12 <b>A. No.</b> 13 Q. In fact, you had an email exchange with Mr Amodio, and 14 we can see it on the screen, about a quarter of the way 15 down: 16 "Have you contacted ..." 17 This is you, isn't it, writing to Mr Amodio? 18 <b>A. Yes.</b> 19 Q. A member of the public, isn't it? 20 <b>A. Yes.</b> 21 Q. "Have you contacted Jon Luck? Get Jon Luck to contact 22 me. 23 "Regards. 24 "Yinka." 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 165</p>	<p>1 <b>send a message on Facebook.</b> 2 Q. You could have done it on the borough, could you or 3 would that need more specialist input, to send a message 4 to this man, given that you have just tasked a member of 5 the public to contact him, get him to contact me. You 6 could have sent a message requesting contact via 7 Facebook, couldn't you? 8 <b>A. I could have sent a message yes.</b> 9 Q. You could have conducted intelligence research on other 10 social media search, couldn't you, pretty basically? 11 <b>A. No.</b> 12 Q. No. Could you have asked someone else to do that or 13 suggested that it be done? 14 <b>A. Yes, it could have been asked. The intel unit could</b> 15 <b>have been asked to do that, yes.</b> 16 Q. On the borough? 17 <b>A. Yes.</b> 18 Q. Social media profiling, locating IP addresses, basic 19 steps again, could have been done on the borough? 20 <b>A. That could have been done, yes.</b> 21 Q. All right. 22 Briefly, because I don't have very long, 23 Mr Walgate's death. 24 Your evidence, if I have understood this correctly 25 is that you had little involvement in the investigation</p> <p style="text-align: center;">Page 167</p>
<p>1 Q. That is what you have written? 2 <b>A. Yes.</b> 3 Q. I don't want to labour the point, but is that is not 4 sufficient, is it? 5 <b>A. When you mean it is not sufficient, in what way.</b> 6 Q. It is simply not adequate policing, is it, to ask 7 a member of the public to contact somebody with 8 potentially vital information about the last days after 9 deceased person, and to write, "Get Jon Luck to contact 10 me". 11 Simply cannot be adequate basic policing, do you 12 accept that? 13 <b>A. Yes.</b> 14 Q. Every effort, every effort, words the jury might hear 15 later from somebody else, not just from me, should have 16 been made to contact Jon Luck, shouldn't it? 17 <b>A. Yes.</b> 18 Q. This could have been done through a series of basic 19 steps, couldn't it? 20 <b>A. Yes.</b> 21 Q. Sending a message requesting contact via Facebook. You 22 could have done that, couldn't you, yes? 23 <b>A. That could have been done, yes.</b> 24 Q. It could have been done also by you, couldn't it? 25 <b>A. Not sending a message, because I do not have access to</b></p> <p style="text-align: center;">Page 166</p>	<p>1 into the death of Anthony Walgate? 2 <b>A. Yes.</b> 3 Q. You charged Stephen Port with perverting the course of 4 justice as a result of statements he made in connection 5 with the death of Anthony Walgate, yes? 6 <b>A. Sorry?</b> 7 Q. We can get the page up, please, it is IPC65, internal 8 page 59. 9 IPC65, internal page 59, please. 10 Can you see this, yes? 11 <b>A. Yes.</b> 12 Q. This is part of a long document comprising 13 Stephen Port's custody record? 14 <b>A. Yes.</b> 15 Q. You will have seen documents like this no doubt all the 16 time? 17 <b>A. Yes.</b> 18 Q. Just to help the jury, when somebody goes into custody 19 a record is kept, isn't it, and this is part of that 20 record? 21 <b>A. Yes.</b> 22 Q. This is the charge page, this says at the top, 23 "Charge(s)" we can see the charge in the middle there: 24 "Commit an act/series of acts with intent to pervert 25 the course of justice."</p> <p style="text-align: center;">Page 168</p>

42 (Pages 165 to 168)

<p>1 Then it gives some details: 2 "On 19 June 2014 at Cooke Street, Barking with 3 intent to pervert the course of public justice ..." 4 Yes? 5 <b>A. Yes.</b> 6 Q. Then at the bottom there in the box, we can see officer 7 charging and where it says surname, we can see you? 8 <b>A. Yes.</b> 9 Q. Rank DC, is that your number, P217637, yes? 10 <b>A. Yes.</b> 11 Q. All right. In your witness statement of October 2017 12 you describe the charging procedure as "purely 13 administrative"? 14 <b>A. Yes.</b> 15 Q. Is your evidence, and I know that Ms Collier has asked 16 you this but I want to just check this is the evidence 17 you want to give. Is your evidence really that you did 18 not even have an understanding of the most basic outline 19 of the case against Mr Port when charging him with 20 perverting the course of justice? Is that the evidence 21 you want to give? 22 <b>A. Yes.</b> 23 Q. Mr Port went to prison for perverting the course of 24 justice, didn't he? 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 169</p>	<p>1 P217637 number again and then we see your surname? 2 <b>A. Yes.</b> 3 Q. Go down please, it says subject details, it is 4 Anthony Walgate, forename Anthony, surname Walgate and 5 then a description of him, his date of birth, male, 6 English, slim, white European, five foot ten. All that 7 stuff, yes? 8 <b>A. Yes.</b> 9 Q. Then there is a box containing the circumstances, yes, 10 can we see this? I am not going to read it all out, 11 0418 hours, the occupant of 62 Cooke Street, 12 a Mr Stephen Port, returned home to find a white male 13 collapsed outside the door to the block, Mr Port moved 14 the male away from the entrance a short distance, 15 leaning him up against the wall. Port noted the male 16 was gurgling, yes ... so forth. 17 There is talk about the visible footprint on the 18 body, carry on over the page. I would like to spend 19 longer, but I am afraid I do not have longer. 20 On this page, can we see where it says "Dets", this 21 is page 2 now. Yes, "Dets" does that mean "details"? 22 <b>A. Yes.</b> 23 Q. We can see a date, there can't we, 19 June 2014, 13.44, 24 user is you? 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 171</p>
<p>1 Q. Have you charged other people in the past with crimes? 2 <b>A. Yes.</b> 3 Q. Have some of them gone to prison? 4 <b>A. Yes.</b> 5 Q. Did you or do you regularly know nothing at all about 6 the people or the crimes with which you are charging in 7 cases where people might actually go to prison? 8 <b>A. Yes, sometimes.</b> 9 Q. That is a regular occurrence, is it? 10 <b>A. Yes, sometimes, yes.</b> 11 Q. Could I have IPC516 on the screen, please. 12 Can I ask you about this document. 13 <b>A. Yes.</b> 14 Q. Have you seen this before? 15 <b>A. Yes.</b> 16 Q. Can you explain what this is, please? 17 <b>A. That is a Merlin report.</b> 18 Q. What is a Merlin report, please? 19 <b>A. It is a missing person or person found report.</b> 20 Q. So this says "Restricted", and we can see the "Found 21 date", 19 June 2014 at 0418 hours. We can see an 22 "Allocated at" in the top box there, 19 June 2014 at 23 1301 hours. Yes? 24 <b>A. Yes.</b> 25 Q. Then it says this "Assigned officer", we see that</p> <p style="text-align: center;">Page 170</p>	<p>1 Q. Then it says: 2 "Type manual user entry." 3 What does that mean? 4 <b>A. That information was typed in, it wasn't something 5 already on the template of the form.</b> 6 Q. Who was typing it in? 7 <b>A. I did.</b> 8 Q. It goes on, doesn't it, again, I haven't got time to 9 read it all out but there are details, aren't there and 10 some length about Anthony Walgate and the state in which 11 he was found, yes? 12 <b>A. Yes.</b> 13 Q. "The subject was leaning against an outbuilding in 14 a sitting position with his head leaning up to his left 15 shoulder, he was of skinny build, about 20 years of age 16 and he was wearing a black zip up hoody with the hood 17 up, black tight-fit jeans with the flies undone." 18 Further down: 19 "The subject's eyes were partially open, he had 20 dark, blond, dirty hair, coming from under the hood of 21 his hoody on to his forehead. His jumper was also 22 slightly pulled up to the right-hand side of his body at 23 a gradient so that his bare torso was on display on the 24 right-hand side of his body." 25 You typed all this in?</p> <p style="text-align: center;">Page 172</p>

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<p>1 <b>A. All of that information came from the night duty OB.</b></p> <p>2 Q. Officer, with great respect, you didn't just charge</p> <p>3 Stephen Port in relation to the death, in relation to</p> <p>4 statements he made about the death of Anthony Walgate,</p> <p>5 did you? That is not correct, is it?</p> <p>6 <b>A. What I have said previously is right. This Merlin</b></p> <p>7 <b>report information came from the night duty OB. I was</b></p> <p>8 <b>tasked to create a Merlin report, which I did. The</b></p> <p>9 <b>investigation into the Walgate case wasn't something</b></p> <p>10 <b>that I was -- I have any knowledge about.</b></p> <p>11 Q. I am not trying to be facetious here, but you simply</p> <p>12 cannot have picked -- just simply have typed all this in</p> <p>13 without any of it impinging at all upon your</p> <p>14 consciousness, can you? You must have known what you</p> <p>15 were typing in, mustn't you?</p> <p>16 <b>A. Yes, I do understand what was -- what I was typing in.</b></p> <p>17 <b>However, I am saying to you now that all the information</b></p> <p>18 <b>that was typed in came from the night duty OB that was</b></p> <p>19 <b>given to me for me to -- for me to create a Merlin</b></p> <p>20 <b>report for this.</b></p> <p>21 Q. Okay, you have told us where the information comes</p> <p>22 from --</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. -- and I am suggesting it contains a very detailed</p> <p>25 account of the state in which, for example,</p> <p style="text-align: center;">Page 173</p>	<p>1 Q. None?</p> <p>2 <b>A. No.</b></p> <p>3 Q. You simply batted Thierry Amodio away, didn't you?</p> <p>4 <b>A. No, I did not.</b></p> <p>5 Q. You batted him away, "The news on the Barking and</p> <p>6 Dagenham Post is nothing about Gabriel or Daniel". You</p> <p>7 simply batted him away, didn't you?</p> <p>8 <b>A. No.</b></p> <p>9 Q. What did you do then?</p> <p>10 <b>A. Because I have mentioned previously the email that was</b></p> <p>11 <b>sent -- the email that was sent, I read it as the</b></p> <p>12 <b>information -- it said the news on the Barking and</b></p> <p>13 <b>Dagenham is nothing to do about Gabriel or Daniel. The</b></p> <p>14 <b>reason why I mentioned that, because I assume the</b></p> <p>15 <b>question that he was asking me was about Gabriel or</b></p> <p>16 <b>Daniel.</b></p> <p>17 Q. Even if that is what you said to Mr Amodio, a member of</p> <p>18 the public, is it your evidence, having read that, and</p> <p>19 having been the person we now know, this is the first</p> <p>20 time we have heard about this, who typed in all that</p> <p>21 Merlin, no connection was made in your mind between</p> <p>22 these deaths?</p> <p>23 <b>A. No.</b></p> <p>24 Q. None?</p> <p>25 <b>A. No.</b></p> <p style="text-align: center;">Page 175</p>
<p>1 Anthony Walgate was found. How he was positioned. His</p> <p>2 height. His build. His skin colour. Where he was. It</p> <p>3 is all there, isn't it?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. You typed it all in, didn't you?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. You didn't just charge Anthony Walgate, pick up a file</p> <p>8 and administratively say, "I have read out the charge,</p> <p>9 do you understand?" And off you went about your</p> <p>10 business. You have typed a detailed account about his</p> <p>11 death into a police system on the day he was found,</p> <p>12 haven't you?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. When Mr Amodio sends you an email, a link, and we can</p> <p>15 see it, please, the reference was -- sorry, IPC248.</p> <p>16 That is it, can we see in the middle there,</p> <p>17 Thierry Amodio sends you the article about the young man</p> <p>18 in Cooke Street, doesn't he?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. Did you really click on it and read it?</p> <p>21 <b>A. I did.</b></p> <p>22 Q. Having clicked on it and read it, did it not ring any</p> <p>23 bells about the lengthy description you typed into the</p> <p>24 Merlin report about the death of Anthony Walgate?</p> <p>25 <b>A. No.</b></p> <p style="text-align: center;">Page 174</p>	<p>1 Q. You didn't make any link at all between the deaths of</p> <p>2 these young gay men in such close proximity to each</p> <p>3 other?</p> <p>4 <b>A. No.</b></p> <p>5 Q. I have I am afraid I have to suggest, officer, all the</p> <p>6 evidence I have put to you suggests that you didn't even</p> <p>7 try to make that link, did you? You didn't even try.</p> <p>8 What do you say?</p> <p>9 <b>A. I don't know how to answer the question when you say</b></p> <p>10 <b>I didn't even try, because I carried out the duty that</b></p> <p>11 <b>I was tasked to me at the time.</b></p> <p>12 Q. A phrase that the jury have heard and may hear again is</p> <p>13 "a lack of professional curiosity". It is not my view,</p> <p>14 that is the view of the deputy assistant commissioner,</p> <p>15 Mr Cundy. The evidence suggests that you simply lacked</p> <p>16 the professional curiosity required for the involvement</p> <p>17 you had in each of these four investigations; would you</p> <p>18 accept that?</p> <p>19 <b>A. I wouldn't say that.</b></p> <p>20 Q. What is it you want to say to the families now then,</p> <p>21 what would you say about your role?</p> <p>22 <b>A. About my role at the time, I did carry out the task that</b></p> <p>23 <b>was given to me, that was given, and I did carry out</b></p> <p>24 <b>what the task that was given to me.</b></p> <p>25 Q. Considered as a whole, the approach of local policing</p> <p style="text-align: center;">Page 176</p>

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<p>1 and your part in it should have been better and could</p> <p>2 have led to the earlier arrest of Mr Port on suspicion</p> <p>3 of murder, couldn't it? Would you accept that?</p> <p>4 <b>A. (Pause)</b></p> <p>5 <b>Well, I don't know.</b></p> <p>6 Q. That the approach local policing should have been</p> <p>7 better?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. Had it been better it could have led to the earlier</p> <p>10 arrest of Mr Port on suspicion of murder?</p> <p>11 <b>A. Yes, possibly.</b></p> <p>12 MR STOATE: Thank you, ma'am.</p> <p>13 Questions from DR VAN DELLEN</p> <p>14 DR VAN DELLEN: Detective Constable Adeyemo-Phillips, I ask</p> <p>15 questions on behalf of Ricky Waumsley, who is</p> <p>16 Daniel Whitworth's partner, he is sitting to your left</p> <p>17 next to the Taylor family. I only have two very brief</p> <p>18 questions for you because time is pressing.</p> <p>19 The first relates to IPC628, a document you have</p> <p>20 been shown a number of times. It is tab 28 in the</p> <p>21 jury's bundle, halfway down. Part of the suicide note</p> <p>22 has been scanned to Adam Whitworth, the father of</p> <p>23 Daniel Whitworth, at 11.02 today, Adam has confirmed the</p> <p>24 handwriting to be that of his son's.</p> <p>25 I am going to ask for another document to come up.</p> <p style="text-align: center;">Page 177</p>	<p>1 <b>to me, but that wasn't the case.</b></p> <p>2 Q. My client's position is that this fragment, when it</p> <p>3 reached him, not from you, from Mr Whitworth, the</p> <p>4 quality of the scan was so poor that my client told</p> <p>5 Mr Whitworth he was unable to confirm whether this was</p> <p>6 Daniel's writing or not.</p> <p>7 Do you have any comment to make about that?</p> <p>8 <b>A. No.</b></p> <p>9 Q. You were asked by my learned friend Ms Collier, counsel</p> <p>10 to the inquest, a question:</p> <p>11 "Any discussion asking Ricky [my client] to give his</p> <p>12 opinion whether the handwriting was Daniel's?"</p> <p>13 Your answer is:</p> <p>14 "I didn't have any conversation with Ricky at all,</p> <p>15 I believe it was done by the family liaison officer."</p> <p>16 Just to be clear, the family liaison officer was</p> <p>17 Trainee Detective Constable Paul Slaymaker. Is that</p> <p>18 correct?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. Looking back, do you consider that you should have asked</p> <p>21 not only Mr Adam Whitworth but also my client,</p> <p>22 Ricky Waumsley, whether that handwriting was Daniel's or</p> <p>23 not?</p> <p>24 <b>A. Should have. However, I was told to ask the next of</b></p> <p>25 <b>kin.</b></p> <p style="text-align: center;">Page 179</p>
<p>1 That was 11.02. INQ47, this is a document you will not</p> <p>2 have seen and the jury will not have seen.</p> <p>3 You can ignore the top bit, but the bit below that</p> <p>4 is an email from Adam Whitworth to my client,</p> <p>5 Ricky Waumsley, sent on the same day at 11.14, 2 minutes</p> <p>6 later, after 11.02. The reason why Mr Whitworth is</p> <p>7 sending my client an email is because they had</p> <p>8 a conversation shortly before that where Mr Whitworth</p> <p>9 asked my client to look at a fragment -- if we look at</p> <p>10 the next document, INQ48, that is the fragment that was</p> <p>11 attached to the email from Mr Whitworth sent to my</p> <p>12 client 12 minutes after the entry referred to in the</p> <p>13 previous document.</p> <p>14 I am going to suggest to you that Mr Whitworth's</p> <p>15 contacting my client is more consistent with</p> <p>16 Mr Whitworth not positively identifying, so that he was</p> <p>17 sure, that the handwriting was Daniel's. What do you</p> <p>18 have to say about that?</p> <p>19 <b>A. I do not have -- I don't know what to say about that,</b></p> <p>20 <b>because the note was sent to Mr Whitworth and there</b></p> <p>21 <b>wasn't any information back from Mr Whitworth saying</b></p> <p>22 <b>that the handwriting -- it was confirmed that it was the</b></p> <p>23 <b>handwriting of Daniel to me on the phone and I believe</b></p> <p>24 <b>the forwarding that information, if there was any</b></p> <p>25 <b>conflicting information it should have been passed back</b></p> <p style="text-align: center;">Page 178</p>	<p>1 Q. So it is the fault of your detective sergeant, is that</p> <p>2 what you are saying?</p> <p>3 <b>A. That was the information -- yes, that was the action</b></p> <p>4 <b>I was -- that was the information I was given and that</b></p> <p>5 <b>was the person I was told to ask.</b></p> <p>6 DR VAN DELLEN: Madam, thank you, no further questions.</p> <p>7 Questions from MR BARTH</p> <p>8 MR BARTH: I ask questions on behalf of the Metropolitan</p> <p>9 Police.</p> <p>10 You were taken by Mr Stoate to the Merlin for</p> <p>11 Anthony Walgate, IPC516. I am not sure if it would be</p> <p>12 possible, can we have two documents on screen side by</p> <p>13 side, IPC516 and MPS242.</p> <p>14 On IPC516, could we go to page 2, please.</p> <p>15 Forgive me, I am sure the jury are familiar now,</p> <p>16 having looked at both of these documents, the one on the</p> <p>17 right is the Merlin with your name on it.</p> <p>18 On the left, is it right, this is a Merlin that has</p> <p>19 been assigned to PC Benson, is that right?</p> <p>20 <b>A. Sorry, can you repeat that?</b></p> <p>21 Q. On the right-hand side, IPC516, perhaps we could just go</p> <p>22 back to page 1 to orient ourselves, this is the document</p> <p>23 you were just taken to by Mr Stoate, and it is the</p> <p>24 Merlin on Anthony Walgate that has your name as the</p> <p>25 assigned officer. Is that right?</p> <p style="text-align: center;">Page 180</p>

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<p>1 <b>A. Yes.</b></p> <p>2 Q. On the left-hand side, also a Merlin in relation to</p> <p>3 Anthony Walgate, has an assigned officer as PC Benson,</p> <p>4 can you see that?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. If we go on IPC516 over to page 2, please, if you just</p> <p>7 cast your eye over the details that have been entered</p> <p>8 there, starting on Thursday, 19 June, and then the next</p> <p>9 paragraph:</p> <p>10 "Officers attending arrived a few minutes later and</p> <p>11 were met by the solo ambulance crew."</p> <p>12 Then look to the entry on PC Benson's Merlin,</p> <p>13 number 2, it says there in what appears to me to be</p> <p>14 almost identical language exactly the same information,</p> <p>15 and that continues throughout both of these documents</p> <p>16 not entirely the same but almost exactly the same, can</p> <p>17 you see that?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. Can you explain why there might be two Merlins assigned</p> <p>20 to two different officers, both containing very similar</p> <p>21 information?</p> <p>22 <b>A. Like I mentioned previously, I was tasked to put the</b></p> <p>23 <b>Merlin on and the information on the Merlin came from</b></p> <p>24 <b>the night duty OB, because I didn't go to the scene.</b></p> <p>25 <b>I don't know, the other Merlin report that you have</b></p> <p style="text-align: center;">Page 181</p>	<p>1 deceased's father as his son's I am told it is very</p> <p>2 distinctive)." </p> <p>3 <b>A. Yes.</b></p> <p>4 Q. So the only source of information about the handwriting</p> <p>5 being confirmed as Daniel's was from you in your</p> <p>6 conversation with him?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. So the information included in that email, in</p> <p>9 particular, "I am told it is very distinctive", that</p> <p>10 must have come from you and your conversation with him,</p> <p>11 is that right?</p> <p>12 <b>A. The word "very distinctive" didn't come from me.</b></p> <p>13 Q. Sorry, I didn't catch that?</p> <p>14 <b>A. I said -- I had a conversation with Mr Whitworth but</b></p> <p>15 <b>I don't remember having any information about the</b></p> <p>16 <b>handwriting being "distinctive", the way it has been put</b></p> <p>17 <b>in this email.</b></p> <p>18 Q. It cannot have come from anyone else, because it was not</p> <p>19 a conversation that they had with Mr Whitworth?</p> <p>20 <b>A. Yes.</b></p> <p>21 MR BARTH: Thank you.</p> <p>22 Questions from MR DAVIES</p> <p>23 MR DAVIES: You are one of the officers I am representing,</p> <p>24 so I am going to ask you a few final questions, please.</p> <p>25 Chronologically, if I can, the Merlin entry on</p> <p style="text-align: center;">Page 183</p>
<p>1 <b>just -- that -- just looking at now, I wasn't even aware</b></p> <p>2 <b>that that Merlin report exists until now, because I was</b></p> <p>3 <b>tasked to create the Merlin report because there wasn't</b></p> <p>4 <b>any.</b></p> <p>5 Q. Thank you. We can take those down.</p> <p>6 I want to ask you about sending the part of the note</p> <p>7 to members of Daniel's family.</p> <p>8 It is right I think that your evidence was that you</p> <p>9 were directed by DS Turrell to send the note to the</p> <p>10 family?</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. You had I think a discussion with her about whether to</p> <p>13 send all of the note or just part of the note, is that</p> <p>14 right?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. That was a conversation I think in your witness</p> <p>17 statement, it is just between the two of you, no other</p> <p>18 officers were involved in at that conversation, were</p> <p>19 they?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. Finally, you were taken to IPC203, page 4. It is tab 31</p> <p>22 of the jury's bundle C.</p> <p>23 You were asked in particular about the fourth</p> <p>24 paragraph down, which said in brackets:</p> <p>25 "(Handwriting scanned and confirmed by the</p> <p style="text-align: center;">Page 182</p>	<p>1 19 June -- we need not look it up again -- you say you</p> <p>2 took this from the night duty overnight book, the OB</p> <p>3 book.</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Can you try to explain to the court to what extent you</p> <p>6 have to engage with the subject matter that you are</p> <p>7 transferring from the overnight book to the Merlin</p> <p>8 report or whether it is mechanical or what. You tell</p> <p>9 the jury?</p> <p>10 <b>A. Because I think with the Merlin report, I did not --</b></p> <p>11 <b>I wasn't at the crime scene. The night duty officer</b></p> <p>12 <b>went to the crime scene. They recorded everything in</b></p> <p>13 <b>their log that was handed over to the early turn and</b></p> <p>14 <b>that was the information that I was given to provide</b></p> <p>15 <b>a Merlin report.</b></p> <p>16 Q. Right. I don't want to put words in your mouth, but it</p> <p>17 sounds as if you are saying it was essentially a copying</p> <p>18 exercise from one document to another?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. Is that right?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. Did you become part of the Walgate investigation?</p> <p>23 <b>A. No.</b></p> <p>24 Q. Is that kind of, frankly, mechanical exercise of</p> <p>25 transferring information from one document into</p> <p style="text-align: center;">Page 184</p>

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<p>1 a computer, do you retain that sort of information in</p> <p>2 your mind or not, day to day?</p> <p>3 <b>A. Not really.</b></p> <p>4 Q. Similarly, you have covered this but I think six months,</p> <p>5 seven months later, you charged Mr Port with perverting</p> <p>6 the course of justice.</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. Again, I don't want to put words in your mouth, you are</p> <p>9 sounding as if that was really you happened to be on</p> <p>10 duty and you happened to be asked to charge him. You</p> <p>11 were not part of the investigation?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. Did anything in the language of the charge you used</p> <p>14 trigger a memory of that Merlin activity seven months</p> <p>15 before?</p> <p>16 <b>A. No.</b></p> <p>17 Q. Onto the suicide note, please, and your role there.</p> <p>18 You were a trainee detective constable at the time?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. Had you in any other enquiry ever had to get involved</p> <p>21 with confirming handwriting?</p> <p>22 <b>A. No.</b></p> <p>23 Q. If you were to do it now, would you go about it the same</p> <p>24 way?</p> <p>25 <b>A. No, differently.</b></p> <p style="text-align: center;">Page 185</p>	<p>1 question you asked or the answer you received?</p> <p>2 <b>A. No.</b></p> <p>3 Q. You didn't obtain a statement from Mr Whitworth?</p> <p>4 <b>A. No, I didn't.</b></p> <p>5 Q. To give him the chance to add qualifications to anything</p> <p>6 he had told you?</p> <p>7 <b>A. No, I didn't take a statement.</b></p> <p>8 Q. I think you have accepted both of those were mistakes?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. But by 11.02, at that time, as far as you were</p> <p>11 concerned, had Mr Whitworth confirmed or not his son's</p> <p>12 handwriting?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. He had.</p> <p>15 Do you remember any qualifications being expressed</p> <p>16 by him when he confirmed it?</p> <p>17 <b>A. No.</b></p> <p>18 Q. If we can go to page 4 of the same document, please, on</p> <p>19 screen, I think we can see that the borough updates, at</p> <p>20 the bottom of the page, "The next of kin has identified</p> <p>21 the handwriting on the suicide note as that of</p> <p>22 Daniel Whitworth". There is no qualification there in</p> <p>23 what has been fed into HAT, correct?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. If we go to the next page, we can see that this record</p> <p style="text-align: center;">Page 187</p>
<p>1 Q. If we can just look at where it started, please, can we</p> <p>2 see IPC11 -- it is at our tab 26, if needed -- page 2,</p> <p>3 please.</p> <p>4 I think we can see the request to do this starts</p> <p>5 with the bottom record, "Record of advice given", from</p> <p>6 the HAT team?</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. It will be for the HAT officer to tell us, but the</p> <p>9 record starts at about 9.00 in the morning and the</p> <p>10 initial advice given is:</p> <p>11 "Have the next of kin for Whitworth look at the</p> <p>12 handwriting of the suicide note and ascertain if it is</p> <p>13 that of Daniel."</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. That is the starting point. So the borough team are</p> <p>16 doing it on advice from HAT through a family member?</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. We know that you emailed the fragment to Mr Whitworth,</p> <p>19 at or around 10.52?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. We know that by 11.02, it is going in the system,</p> <p>22 DS Turrell's note, "Adam Whitworth has confirmed the</p> <p>23 handwriting".</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. You have made no record at all in writing of the</p> <p style="text-align: center;">Page 186</p>	<p>1 is completed at 15.00 on the 21st?</p> <p>2 <b>A. Yes.</b></p> <p>3 Q. That can come down, please.</p> <p>4 You were asked by Ms Collier as to whether there was</p> <p>5 discussion on the team as to whether Mr Kovari's death</p> <p>6 was a homicide.</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. If I understood you correctly, you said there wasn't or</p> <p>9 you don't remember any discussion to that effect?</p> <p>10 <b>A. No. I do not.</b></p> <p>11 Q. What was it you were investigating then, bearing in mind</p> <p>12 what was contained in the purported suicide note from</p> <p>13 Mr Whitworth, who had said he had killed Gabriel?</p> <p>14 <b>A. I think with the suicide note, initially it was just to</b></p> <p>15 <b>find the link between -- to find the link between the</b></p> <p>16 <b>Gabriel Klein -- yes, the Gabriel Klein that was</b></p> <p>17 <b>mentioned in the suicide note and also to find out if</b></p> <p>18 <b>there was any link with Daniel Whitworth.</b></p> <p>19 Q. Yes, but what I want to understand is, bearing in mind</p> <p>20 the suicide note from Mr Whitworth had said he had</p> <p>21 killed Gabriel, what were you discussing if it wasn't</p> <p>22 a potential homicide in relation to Gabriel?</p> <p>23 Do you get the point? Mr Whitworth was talking</p> <p>24 about a homicide, officer?</p> <p>25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 188</p>

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<p>1 Q. So what was the team discussing if not a homicide?</p> <p>2 <b>A. I don't -- I don't know if there was any discussion</b></p> <p>3 <b>about that, about the -- I don't know what the team was</b></p> <p>4 <b>discussing.</b></p> <p>5 Q. Right.</p> <p>6 Next topic, CCTV. Could we have IPC214 up, please.</p> <p>7 Tab 38 if that is easier.</p> <p>8 I just want to make sure I have the right reference,</p> <p>9 I'm sorry, it is a bit late.</p> <p>10 224, I am sorry. My handwriting.</p> <p>11 IPC224.</p> <p>12 The entry you were asked about is about</p> <p>13 three-quarters of the way down, where DS Turrell has</p> <p>14 tasked you, to use that verb, to arrange a download of</p> <p>15 the CCTV from 1930 hours the night before to Kovari and</p> <p>16 Whitworth being found.</p> <p>17 Also the borough nearest camera.</p> <p>18 Just so I am clear, did you take that to mean what,</p> <p>19 in terms of what you were being asked to do? There are</p> <p>20 two separate dates on which young men are found in the</p> <p>21 graveyard.</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. What were you being asked to look at in terms of the</p> <p>24 time period of CCTV?</p> <p>25 <b>A. To look at the time period between 19.30 on 20 September</b></p> <p style="text-align: center;">Page 189</p>	<p>1 <b>A. Sorry.</b></p> <p>2 Q. The investigation into Mr Whitworth's death and</p> <p>3 Mr Kovari's death. When do you believe, roughly</p> <p>4 speaking, you left the investigation?</p> <p>5 <b>A. I think it would be a week or two weeks afterwards.</b></p> <p>6 Q. Right.</p> <p>7 The email I have put up is from your supervisor,</p> <p>8 DS Turrell, 29 September, to Eugene McCarthy. So one up</p> <p>9 in the hierarchy. You are copied in, as are your team,</p> <p>10 "Subject: crime levels".</p> <p>11 DS Turrell says:</p> <p>12 "Eugene, due to it being a busy week last week, my</p> <p>13 team and I are struggling to complete all the enquiries</p> <p>14 for the two/three unexplained deaths,</p> <p>15 Kovari/Whitworth/Ahmed. There is a lot of CCTV to do</p> <p>16 and other enquiries. Is there any way we can obtain</p> <p>17 an overtime code in order to complete these enquiries on</p> <p>18 top of their normal workload. Yinka has a lot to do on</p> <p>19 the GBH at Pondfield Road where we have no leads to</p> <p>20 suspects at this time.</p> <p>21 Thanks, Debbie."</p> <p>22 Does that help you explain to the court the level of</p> <p>23 your workload at the time of these enquiries you were</p> <p>24 being asked to do?</p> <p>25 <b>A. I believe at the time I was dealing with another GBH and</b></p> <p style="text-align: center;">Page 191</p>
<p>1 <b>to -- and also to look for another CCTV that covered</b></p> <p>2 <b>20 August.</b></p> <p>3 Q. Right. On one view, it makes, insofar as one interprets</p> <p>4 it, it may be thought to make sense to look from 19.30</p> <p>5 the night before each was discovered, but can you recall</p> <p>6 how you interpreted it?</p> <p>7 <b>A. I think my interpretation is to look for the 19.30 on</b></p> <p>8 <b>the day -- on the date -- sorry.</b></p> <p>9 <b>The 19.30 the night before Daniel was found and also</b></p> <p>10 <b>to look --</b></p> <p>11 Q. Limited to those dates?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. Because the period between the dates, it wouldn't make</p> <p>14 as much sense, would it?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. It being a public graveyard.</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. Right.</p> <p>19 Next topic, could we look at your workload at the</p> <p>20 time, please. We have heard about your experience,</p> <p>21 IPC778. Because I think you have told the court already</p> <p>22 you did not stay with this investigation until its</p> <p>23 conclusion.</p> <p>24 Can you help as to when you did leave it, in</p> <p>25 practical terms?</p> <p style="text-align: center;">Page 190</p>	<p>1 <b>there were lots of enquiries regarding that GBH as well,</b></p> <p>2 <b>and I didn't spend much time on the deaths of Kovari or</b></p> <p>3 <b>Whitworth, because I was dealing with other</b></p> <p>4 <b>investigation --</b></p> <p>5 Q. How would you characterise the quantity of work you had</p> <p>6 generally at the time?</p> <p>7 <b>A. Very high workload.</b></p> <p>8 Q. Sorry?</p> <p>9 <b>A. High workload, very high workload.</b></p> <p>10 Q. High workload, all right.</p> <p>11 That can come down, thank you.</p> <p>12 Finally this, the witness statement Ms Collier asked</p> <p>13 you about, IPC372. If that could come up, and, again,</p> <p>14 back to page 2, please, this is your statement of</p> <p>15 10 November 2015. The line you were asked about,</p> <p>16 because it appears to contrast with what you said in</p> <p>17 a 2017 statement, was you:</p> <p>18 "... asked PC Merritt to check the wall behind the</p> <p>19 body was found in case other property or mobile phone</p> <p>20 was discarded behind the wall. The search came back</p> <p>21 negative."</p> <p>22 You appeared to say two years later, or thereabouts,</p> <p>23 that you had in mind, when you attended in relation to</p> <p>24 Mr Taylor, missing mobile phones for the earlier</p> <p>25 victims.</p> <p style="text-align: center;">Page 192</p>

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<p>1 <b>A. Yes.</b></p> <p>2 Q. Ms Collier was really giving you the opportunity to</p> <p>3 reflect on that and whether that memory, that link,</p> <p>4 wasn't actually made in 2015, but has been made</p> <p>5 afterwards, through some process of your memory</p> <p>6 reconstructing things.</p> <p>7 Let me ask, you went to the scene of Mr Taylor's</p> <p>8 death, where he was found at least, yes?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. Once you realised his phone was missing or there was no</p> <p>11 phone, would it not have been a sensible line of</p> <p>12 investigation to look for it at the scene?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Does that search require you to have made a link at the</p> <p>15 time to the deaths from a year before?</p> <p>16 <b>A. It should have, yes.</b></p> <p>17 Q. Did you make that link at the time?</p> <p>18 <b>A. At the time, yes, I believe I mentioned the two --</b></p> <p>19 <b>I believe I did mention it, but I don't remember</b></p> <p>20 <b>recording that information.</b></p> <p>21 Q. I think the point being made was if you had remembered</p> <p>22 it, you would have recorded it. Do you follow?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. How sure are you that you made the link at the scene</p> <p>25 with Mr Taylor?</p> <p style="text-align: center;">Page 193</p>	<p>1 which I will deal with in just a moment. Ms Collier,</p> <p>2 could we just have back up on the screen the document</p> <p>3 that referred to -- it is IPC777.</p> <p>4 It looks as if I have made the wrong note.</p> <p>5 It is the one that dealt with workload. There were</p> <p>6 references to the two or three unexplained deaths and it</p> <p>7 was Kovari, Whitworth and a man named Ahmed, I don't</p> <p>8 think the jury have heard anything about him.</p> <p>9 Can we just deal with that now?</p> <p>10 MR BARTH: 778, madam.</p> <p>11 THE CORONER: Thank you very much.</p> <p>12 In a nutshell, and correct me if I am wrong, can we</p> <p>13 disregard the name Ahmed for the purposes of these</p> <p>14 inquests?</p> <p>15 MS COLLIER: Yes, we can.</p> <p>16 THE CORONER: Nothing to do with it.</p> <p>17 Thank you very much.</p> <p>18 Questions from THE JURY</p> <p>19 THE CORONER: Officer, you were asked questions about the</p> <p>20 scenes of crime photographs, I don't know whether you</p> <p>21 can remember, that was quite a long time ago now. The</p> <p>22 question from the jury is why you didn't chase them up?</p> <p>23 Was it just an oversight?</p> <p>24 <b>A. I believe so.</b></p> <p>25 THE CORONER: All right. Thank you.</p> <p style="text-align: center;">Page 195</p>
<p>1 <b>A. I believe that was the reason why I requested for the</b></p> <p>2 <b>mobile phone to be checked.</b></p> <p>3 Q. You wouldn't look for that anyway?</p> <p>4 <b>A. Pardon?</b></p> <p>5 Q. You wouldn't have looked for the mobile phone anyway?</p> <p>6 <b>A. Well, I would have looked for the mobile phone, if the</b></p> <p>7 <b>mobile phone wasn't found anyway.</b></p> <p>8 MR DAVIES: Well I can't take that further with you.</p> <p>9 Thank you, that is all I ask.</p> <p>10 Further questions from MS COLLIER</p> <p>11 MS COLLIER: One further point, please.</p> <p>12 Can I have IPC203 up on screen, please, and page 4.</p> <p>13 This is the email, officer, from Martin Kirby sent on</p> <p>14 21 September. Can I ask you about the words in the</p> <p>15 brackets in the middle there, "(That the handwriting was</p> <p>16 scanned and confirm by deceased father as his son's,</p> <p>17 I am told it is very distinctive)".</p> <p>18 We cannot tell from this email, can we, who it is</p> <p>19 that told Mr Kirby that the handwriting was distinctive?</p> <p>20 <b>A. I think it would be Debbie Turrell, but, personally,</b></p> <p>21 <b>I didn't have any conversation with Mr Kirby.</b></p> <p>22 Q. We cannot tell from the email, can we, who said that?</p> <p>23 <b>A. No.</b></p> <p>24 MS COLLIER: Thank you, I have nothing further.</p> <p>25 THE CORONER: There are a number of questions from the jury</p> <p style="text-align: center;">Page 194</p>	<p>1 There is then a question in relation to you being</p> <p>2 tasked to do jobs, did you always have to be tasked to</p> <p>3 do a job before you would do it or were you able to</p> <p>4 think for yourself about jobs that might need doing and</p> <p>5 do them?</p> <p>6 <b>A. In a particular job, you have to be tasked to do -- to</b></p> <p>7 <b>conduct some action, unless the job has been handed over</b></p> <p>8 <b>to you for you to deal with as your own investigation.</b></p> <p>9 THE CORONER: You have been asked quite a lot of questions</p> <p>10 about the way in which you dealt with the handwriting</p> <p>11 sample and you said you would deal with it differently</p> <p>12 if you were asked to do it now. One of the jurors</p> <p>13 suggests would it not have been just as easy and more</p> <p>14 compassionate to ask Daniel's father to provide you with</p> <p>15 a sample of Daniel's handwriting, so you could</p> <p>16 cross-examine -- it says, but cross compare?</p> <p>17 Also, don't you think that would have been a more</p> <p>18 accurate way of confirming?</p> <p>19 <b>A. Yes, but at the time, it was a first hand -- it was</b></p> <p>20 <b>a task that was given to me that was meant to be</b></p> <p>21 <b>conducted within a certain period of time, not an action</b></p> <p>22 <b>that could have -- I could have travelled to Kent to go</b></p> <p>23 <b>and verify that or ask for a letter or note from</b></p> <p>24 <b>Mr Whitworth to confirm that myself.</b></p> <p>25 THE CORONER: Yes, but I suppose Mr Whitworth could have</p> <p style="text-align: center;">Page 196</p>

1 done what you did and scanned to you some of Daniel's  
2 handwriting, couldn't he, by email?  
3 **A. Yes, that is true.**  
4 THE CORONER: Do you think, even if Daniel's father had  
5 confirmed the writing, that this should have been taken  
6 as it was on face value or now do you think other steps  
7 should have taken?  
8 **A. Yes.**  
9 THE CORONER: You now think other steps should have been  
10 taken?  
11 **A. Yes.**  
12 THE CORONER: Then this final question in relation to the  
13 MIB checks. Do you remember it says there is a note to  
14 the effect that you are doing the checks and you say you  
15 were never asked.  
16 Bearing in mind your lack of memory on other  
17 matters, do you think you might have just forgotten to  
18 do it or simply not done it?  
19 **A. No.**  
20 THE CORONER: You are adamant you were not asked?  
21 **A. No.**  
22 THE CORONER: Thank you very much indeed. Thank you.  
23 Members of the jury, we will break off there now for  
24 today, until 10.00 tomorrow morning.  
25 Thank you.

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1 (4.31 pm)  
2 (The inquests adjourned until 10.00 am the following day)  
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<b>A</b>				
<b>A/DI</b> 15:23 77:23	<b>act</b> 57:9 163:9	<b>adjournment</b> 65:6	<b>allocating</b> 132:9	<b>answered</b> 70:21
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