

<p>1 Monday, 8 November 2021</p> <p>2 MR RICKY WAUMSLEY (affirmed)2</p> <p>3 Questions from MR O'CONNOR2</p> <p>4 Questions from MR DAVIES33</p> <p>5 Questions from DR VAN DELLEN38</p> <p>6 Questions from THE CORONER45</p> <p>7 MR ROLF SCHAMBERGER (sworn)46</p> <p>8 Questions from MR O'CONNOR46</p> <p>9 Questions from DR VAN DELLEN186</p> <p>10 Housekeeping221</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 1</p>	<p>1 with you and Daniel meeting, I think it was in 2010?</p> <p>2 A. August 2010, yes.</p> <p>3 Q. At the time, you were both living in Kent but some way</p> <p>4 away, you were living on the coast in Margate, he was</p> <p>5 living in Gravesend, is that right?</p> <p>6 A. That's correct, yes.</p> <p>7 Q. You explained in one of your statements how he used to</p> <p>8 come down and see you at the weekends?</p> <p>9 A. Yes. So he -- we met whilst he was on holiday in</p> <p>10 Margate, then he went back and then I visited him for</p> <p>11 about four weeks in Gravesend and then I couldn't go to</p> <p>12 Gravesend, so he decided to come to me every weekend.</p> <p>13 Q. I think you recall, in your witness statement that he</p> <p>14 used to cook a meal every weekend when he came down to</p> <p>15 visit you and your family, I think, in Margate?</p> <p>16 A. Yes, that's correct.</p> <p>17 Q. We know, of course, that that is what he did for</p> <p>18 a living?</p> <p>19 A. Yes, he loved cooking, that was his passion.</p> <p>20 Q. Then, was it in the next year, 2011, that you and Daniel</p> <p>21 moved in together?</p> <p>22 A. Yes, on 5 September 2011, we moved into a flat in</p> <p>23 Gravesend together.</p> <p>24 Q. Was that somewhere that he had been living in Gravesend</p> <p>25 before or was it a flat that was new to you both?</p> <p style="text-align: center;">Page 3</p>
<p>1 (10.00 am)</p> <p>2 (In the presence of the jury)</p> <p>3 THE CORONER: Good morning, members of the jury. We are</p> <p>4 ready to continue.</p> <p>5 Thank you.</p> <p>6 Yes.</p> <p>7 MR O'CONNOR: Madam, may we please call Ricky Waumsley.</p> <p>8 MR RICKY WAUMSLEY (affirmed)</p> <p>9 Questions from MR O'CONNOR</p> <p>10 MR O'CONNOR: Thank you, do please take a seat.</p> <p>11 A. Thank you.</p> <p>12 Q. Can you just give us your full name, please?</p> <p>13 A. My name is Ricky Spencer Waumsley.</p> <p>14 Q. Thank you.</p> <p>15 Mr Waumsley, you know what I am going to ask you</p> <p>16 about. You are here to answer some questions, first of</p> <p>17 all, about your life with Daniel Whitworth.</p> <p>18 A. Yes.</p> <p>19 Q. And then some questions about your involvement in the</p> <p>20 investigation into his death --</p> <p>21 A. Yes.</p> <p>22 Q. -- back in 2014?</p> <p>23 A. That's correct.</p> <p>24 Q. Let's start, as you do in your witness statement and</p> <p>25 also in the pen portrait of Daniel that you had read,</p> <p style="text-align: center;">Page 2</p>	<p>1 A. No, it was a flat that was new to both of us. He was on</p> <p>2 the council list for a flat, so he got it on 5 September</p> <p>3 and then I lost my job where I was working in Sandwich</p> <p>4 at the time. So I decided to move in with him.</p> <p>5 Q. Then, for the next four years or so, you and Daniel</p> <p>6 lived together in that flat in Gravesend?</p> <p>7 A. Yes.</p> <p>8 Q. Did you get a job further up, closer to Gravesend?</p> <p>9 A. I did, yes. For the first 18 months I had two different</p> <p>10 jobs. One was a temporary job nearby and then I had</p> <p>11 another job working for a water company. Then, in</p> <p>12 August 2013, I got a job in Sittingbourne.</p> <p>13 Q. Was Daniel working in various cooking-related jobs</p> <p>14 around that time?</p> <p>15 A. Yes. When we moved in together he was working in Brands</p> <p>16 Hatch, and then at some point, I can't remember the</p> <p>17 date, he got a job in London, in Canary Wharf.</p> <p>18 Q. Yes, so that was your work. How did you spend your time</p> <p>19 together when you were not working?</p> <p>20 A. So we would either be at home and he would be trying out</p> <p>21 new recipes for me to try or we would be visiting</p> <p>22 family, so we would go down to Margate and visit my</p> <p>23 family and spend the weekend with them or go and see</p> <p>24 Mandy and Adam and his nan Barbara, or we would go out</p> <p>25 with our friends socialising either down Margate or up</p> <p style="text-align: center;">Page 4</p>

<p>1 London.</p> <p>2 Q. One of the things we have seen, and we will see when we</p> <p>3 look at your witness statements was, if we now think</p> <p>4 closer to 2014, or rather in 2014, so by that time</p> <p>5 I think Daniel was working in Docklands. You were both</p> <p>6 working quite long shifts at the time, or certainly</p> <p>7 leaving the house early in the morning?</p> <p>8 A. So we pretty much both worked the same hours, so he</p> <p>9 worked roughly from 7.00 am till 3.00 pm and I think</p> <p>10 I worked 7.00 till 4.00, so Monday to Friday, which for</p> <p>11 his hours was very unusual in catering because it can be</p> <p>12 very unsociable hours.</p> <p>13 Q. But that involved then you both leaving the house, if</p> <p>14 you both started at 7.00 and Daniel was starting in</p> <p>15 Docklands at 7.00, living in Gravesend, really quite</p> <p>16 early in the morning?</p> <p>17 A. Yes, he would leave at around 5.45 in the morning every</p> <p>18 morning.</p> <p>19 Q. Yes. We will come to see that your normal routine, the</p> <p>20 two of you, involved you communicating quite frequently?</p> <p>21 A. Yes, every morning we would text non-stop until I left</p> <p>22 to go to work at 6.30. So it was around --</p> <p>23 Q. So after he left and before you left?</p> <p>24 A. That's correct, so around for about 45 minutes each</p> <p>25 morning.</p> <p style="text-align: center;">Page 5</p>	<p>1 A. Yes, it was.</p> <p>2 Q. Let's move on, Mr Waumsley, to those days around the</p> <p>3 time you discovered that Daniel had died. Of course we</p> <p>4 know that Daniel's body was discovered on Saturday,</p> <p>5 20 September. I am going to come to ask you about the</p> <p>6 events of that day.</p> <p>7 A. Okay.</p> <p>8 Q. I think it is right to say that you last saw Daniel when</p> <p>9 he left for work early on the morning of the Thursday</p> <p>10 before that?</p> <p>11 A. Yes, that's correct. On 18 September he left at around</p> <p>12 5.45 to go to work, as per normal. It was a normal day,</p> <p>13 there was nothing out of the ordinary and I got</p> <p>14 a Facebook message at around 2.45 to say that he was</p> <p>15 going to be leaving work at 5.00.</p> <p>16 Q. Which is a bit later than he normally did?</p> <p>17 A. Yes, that's correct.</p> <p>18 Q. Was that in fact the last communication you had from</p> <p>19 him?</p> <p>20 A. That was the last ever time I spoke to him.</p> <p>21 Q. As far as you understood then, he was running late --</p> <p>22 A. Yes.</p> <p>23 Q. -- but you were expecting him home that night?</p> <p>24 A. I was. I had no concerns at that point.</p> <p>25 Q. We know that he didn't come home.</p> <p style="text-align: center;">Page 7</p>
<p>1 Q. Yes. Then, when you were together, perhaps you didn't</p> <p>2 need to text?</p> <p>3 A. No. No. Not at all.</p> <p>4 Q. We have heard from Mandy and Daniel's dad Adam about</p> <p>5 that summer, the last month or two before Daniel died.</p> <p>6 Do you remember having family get togethers over that</p> <p>7 time or anything of that nature?</p> <p>8 A. I do remember round that Bank Holiday weekend in</p> <p>9 August 2014, I do remember going to the pub with Mandy,</p> <p>10 Adam, Barbara and we had a dinner and a couple of</p> <p>11 drinks, yes, I do remember that.</p> <p>12 Prior to that, over that summer, we did go out with</p> <p>13 one of his friends, called Katy, and we went for a night</p> <p>14 out in Soho and everything just seemed normal, yes.</p> <p>15 Q. I think Daniel was looking forward in fact to moving to</p> <p>16 a new job, moving away from Docklands to Sevenoaks, was</p> <p>17 it?</p> <p>18 A. That's correct. At the time he was working with his</p> <p>19 executive chef, who was going to a Spa resort in Borough</p> <p>20 Green and the executive chef wanted Daniel to go with</p> <p>21 him because he was doing so well, he was really good at</p> <p>22 his job, so he wanted him to go with him but he didn't</p> <p>23 know at the time when this place would be open, because</p> <p>24 they were renovating it.</p> <p>25 Q. So that was something that was in prospect?</p> <p style="text-align: center;">Page 6</p>	<p>1 A. Yes, that's correct.</p> <p>2 Q. No doubt you were concerned when he didn't come home?</p> <p>3 A. I was.</p> <p>4 I wasn't concerned until around 9.00 on that</p> <p>5 Thursday evening. I did message him throughout the</p> <p>6 evening, just sending texts about what I was up to and</p> <p>7 I wasn't getting a response whatsoever, so I did ring</p> <p>8 him. I can't remember at exactly what time, but I rung</p> <p>9 him Thursday evening and I couldn't get through to him.</p> <p>10 Q. When you say you couldn't get through --</p> <p>11 A. It would go straight to voicemail.</p> <p>12 Q. Right.</p> <p>13 A. And at that point I was just annoyed, because I thought</p> <p>14 he may have gone out drinking after work and not told</p> <p>15 me. So I stayed up and waited until 2.00 in the morning</p> <p>16 because I knew that was the last train from London, so</p> <p>17 I was waiting to see if he would get home on the last</p> <p>18 train and he didn't.</p> <p>19 Q. No doubt the next day, you started to be even more</p> <p>20 concerned?</p> <p>21 A. Yeah. I didn't get no sleep that night, so before</p> <p>22 I went to work I was looking on my iPad to see if I had</p> <p>23 any contact details of his work and I found some contact</p> <p>24 details for the executive chef I was telling you about</p> <p>25 earlier and I texted him that morning, I said, "Look,</p> <p style="text-align: center;">Page 8</p>

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<p>1 Daniel's not home, could you find out for me whether he 2 turns up for work today because I am a bit worried now". 3 And so I went to work as per normal, at 6.30, and 4 throughout that morning I was toing and froing trying to 5 phone the executive chef and his work, to try and find 6 out if he had turned up. By lunchtime that day, I got 7 a phone call from a supervisor or someone like that from 8 ISS to say that he had not turned up to work. 9 Q. That is a supervisor at Daniel's work, not the chef that 10 you had contacted? 11 A. No, not the chef. 12 Q. Right. 13 Then, just to move on, I think it is right to say 14 that in the middle of that afternoon, so the Friday 15 afternoon, you in fact contacted the police and reported 16 Daniel missing? 17 A. Yes, that -- at lunchtime, when I was told that he had 18 not turned up for work, that set alarm bells in my head 19 because he would never, ever, not go to work. So some 20 time on that Friday afternoon I phoned Kent Police to 21 report him missing. 22 Q. At some point around this time did you speak to Adam and 23 Mandy? 24 A. I believe I did, yes, just to let them know that he had 25 not come home from work.</p> <p style="text-align: center;">Page 9</p>	<p>1 A. Okay, so the police turned up, two police officers from 2 Kent Police turned up. So I answered the door and they 3 said to me: 4 "I am sorry to tell you this, but your partner 5 Daniel Whitworth has been found in the churchyard and he 6 has hung himself." 7 Q. That is what they told you? 8 A. That is what they told me. 9 Q. What was your -- tell us, if you can, all the thoughts 10 that must have gone through your mind at that point? 11 A. Well, the first thing I did was broke down and cried 12 hysterically, I just was in total shock. 13 I don't recall how long they were there for, 14 a couple of minutes. My colleague that I was with 15 sorted the police out and they just left. I was just in 16 total utter shock and confusion as to why he was in 17 Barking and he, from what Kent Police just told me, he 18 had hung himself. 19 Q. The jury have heard evidence from DC Slaymaker? 20 A. Yes. 21 Q. Who we know was a family liaison officer and had some 22 contact with Mandy and Adam and also you over the days 23 and weeks that followed. 24 A. Yes. 25 Q. Do you have a memory now of the first time that you had</p> <p style="text-align: center;">Page 11</p>
<p>1 Q. Of course it was the next day that Daniel's body was 2 found. I think you in fact weren't at home in Gravesend 3 but you had gone to, was it Gillingham to see a friend? 4 A. That's correct. I was at my work colleague's house in 5 Gillingham. While he was missing she phoned me to get 6 an update and said why don't you come over just to take 7 your mind off it while you get some updates. 8 Q. We have heard about the police officers going to see 9 Adam and Mandy. 10 A. Yes. 11 Q. And Mandy said that she phoned you while they were 12 there, knowing that the police would want to come and 13 speak to you as well? 14 A. Yes, that's correct. I got a phone call from Mandy, 15 basically asking me where I was, and not to go to 16 Gravesend, and not to go home, and I did ask her why but 17 she didn't say, and so I told her where I was and she 18 said Kent Police will be coming to you soon to talk to 19 you. 20 Q. That must have been very worrying. 21 A. Yes, I was waiting for around a half hour and at that 22 point I knew something was very, very wrong. 23 Q. Yes. You stayed where you were then? 24 A. I did. 25 Q. What did happen, did the police come?</p> <p style="text-align: center;">Page 10</p>	<p>1 anything to do with DC Slaymaker? 2 A. I do, yes. So roughly I would say an hour or two -- 3 an hour or two hours later from that initial contact 4 with Kent Police -- 5 Q. So still on the Saturday? 6 A. Still on the Saturday, I got a phone call from 7 DC Slaymaker, and he sent his condolences and sympathies 8 to me and the first I asked him was I wanted 9 clarification on this matter of did Daniel hang himself. 10 So I asked him that and he said, no, he did not hang 11 himself. He was found dead in a churchyard and it is 12 believed to be a drugs overdose. 13 Q. Right. Is there anything else that you recall him 14 saying? 15 A. Not from that phone call, no. 16 Q. Did he say anything about a note? 17 A. Not that I can remember. 18 Q. Did he ask you about Gabriel or anything of that nature? 19 A. He did. Not in that phone call. He phoned me a bit 20 later on in evening, it was a very quick phone call. He 21 just asked me do I know someone called Gabriel, and 22 I said no, and asked why he asked and he said that he 23 was looking into some enquiries about friends of Daniel 24 and that is all he said. 25 Q. I see. So that is the Saturday.</p> <p style="text-align: center;">Page 12</p>

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<p>1 A. Yes.</p> <p>2 Q. Let's move on to the next day, if we can, to the Sunday.</p> <p>3 Let me say, of course, everyone understands that some of</p> <p>4 these memories may have got a bit jumbled up in your</p> <p>5 mind but do you actually remember that Sunday? We know</p> <p>6 that it was on that day that an email was sent and</p> <p>7 a discussion was had between Adam and Mandy, on the one</p> <p>8 hand, and one of the Barking police officers, about the</p> <p>9 handwriting in the note, and we have heard about that.</p> <p>10 When they were giving that evidence, Adam and Mandy</p> <p>11 explained how, while that had been going on, they</p> <p>12 forwarded you the section of the note that they had been</p> <p>13 asked to look at. Let's just have a look at it on</p> <p>14 screen, please, it is INQ47. Yes. In fact, I am just</p> <p>15 remembering that email doesn't actually have the little</p> <p>16 excerpt of the writing, but I am sure you have it in</p> <p>17 mind, Mr Waumsley?</p> <p>18 A. Yes.</p> <p>19 Q. We see then that email was sent on Sunday, the 21st at</p> <p>20 11.00 or just after: 11.14.</p> <p>21 Do you remember those events?</p> <p>22 A. I do remember receiving that email. I was at my</p> <p>23 family's home in Margate. From my memories, I believe</p> <p>24 Mandy phoned me beforehand and said that they had been</p> <p>25 sent, like, the last part of the letter, could you</p> <p style="text-align: center;">Page 13</p>	<p>1 Q. Just let me stop you there, because I think you have</p> <p>2 explained when you looked at that your thought was,</p> <p>3 "I don't know, it is too bad a copy, I don't know</p> <p>4 whether this is Daniel's handwriting or not".</p> <p>5 A. Yes.</p> <p>6 Q. What did you say to Mandy?</p> <p>7 A. I said I couldn't confirm 100 per cent whether it was</p> <p>8 his handwriting.</p> <p>9 Q. Couldn't confirm 100 per cent. Did you express a view</p> <p>10 whether it was likely to be or might be or not?</p> <p>11 A. No, I just said I couldn't confirm 100 per cent.</p> <p>12 Q. I think you just mentioned talking to the police. Was</p> <p>13 there a conversation between you and the police on that</p> <p>14 day?</p> <p>15 A. No. Not on that day, no. It was later on.</p> <p>16 Q. All right, well, is that how then -- I will come on to</p> <p>17 talk to you about other days, but on that day, is that</p> <p>18 how the thing ended? I mean did either Amanda or Adam</p> <p>19 tell you later on that day what they thought, whose</p> <p>20 handwriting they thought it was or --</p> <p>21 A. From my memories, I can't recall them giving me</p> <p>22 an opinion on that day as to whether it was his</p> <p>23 handwriting or not.</p> <p>24 Q. All right. Well, let's move on then. That was the</p> <p>25 Sunday. Let's move on to the Monday.</p> <p style="text-align: center;">Page 15</p>
<p>1 confirm whether you think it is Daniel's handwriting,</p> <p>2 so --</p> <p>3 Q. Just let me stop you there. Let me ask you then.</p> <p>4 Thank you, we can take that down from the screen.</p> <p>5 First of all, do you think it was Mandy you spoke to</p> <p>6 rather than Adam?</p> <p>7 A. Yes, because I was always in contact with Mandy.</p> <p>8 Q. Did she say anything about what their view was, as to</p> <p>9 whether that was --</p> <p>10 A. Not that I could recall, no.</p> <p>11 Q. -- Daniel's handwriting.</p> <p>12 Did you look at the handwriting on the email that</p> <p>13 was sent through?</p> <p>14 A. I did, yes.</p> <p>15 Q. Did you have a view as to whether or not it was</p> <p>16 Daniel's?</p> <p>17 A. Well, my first view on that snippet of the letter was,</p> <p>18 when I looked on it on my phone, it was a very bad</p> <p>19 scanned copy, so when I looked at it I was like --</p> <p>20 I thought to myself I can't confirm this, because it is</p> <p>21 really bad and I can't say yes or no to whether it being</p> <p>22 Daniel Whitworth's handwriting, because I explained to</p> <p>23 Mandy and the police that back then in 2014 we</p> <p>24 communicated via text messaging or Facebook, so I really</p> <p>25 didn't know what Daniel's handwriting looked like.</p> <p style="text-align: center;">Page 14</p>	<p>1 A. Okay.</p> <p>2 Q. The documents that we have tell us that on that day,</p> <p>3 police officers came to your flat --</p> <p>4 A. That's correct.</p> <p>5 Q. -- and I think we will find spoke to you and also</p> <p>6 searched the flat and looked for items associated with</p> <p>7 Daniel.</p> <p>8 A. Yes.</p> <p>9 Q. We have heard, I think, DC Slaymaker was one of the two</p> <p>10 officers who came.</p> <p>11 A. Yes.</p> <p>12 Q. That would have been the first time you met him then?</p> <p>13 A. Yes, in person.</p> <p>14 Q. Let me ask you first of all about the search. If we</p> <p>15 could have up on screen, please -- well, let me ask you</p> <p>16 first of all, do you remember what it was that the</p> <p>17 officers were looking for and what they took?</p> <p>18 A. So I remember DC Slaymaker and DC Paul Berry coming to</p> <p>19 my house and they had a look round my bedroom and they</p> <p>20 asked for some handwriting of Daniel's, so I went</p> <p>21 through all my stuff and his stuff to find, like,</p> <p>22 an example.</p> <p>23 So what I found was a recipe sheet and I gave it to</p> <p>24 them.</p> <p>25 Q. Yes, let's have a look at that. For the jury, it is</p> <p style="text-align: center;">Page 16</p>

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<p>1 tab 36. For the screen, it is IPC72. If you could just 2 look at the screen, Mr Waumsley, it will come up. 3 A. Sure. 4 Q. Is that a photocopy of the recipe sheet that you gave 5 them on that day? 6 A. I can't recall it, like -- but that looks like something 7 that I would give them, because it is very food related, 8 so I am going to say yes. 9 Q. I mean just so you know, it is certainly looking at the 10 way the documents have been stored and logged by the 11 police, it looks as though this was the piece of paper 12 that they took that day. 13 A. Yes. 14 Q. Going back to what they asked you about, they were 15 asking then for a piece of paper which had a sample of 16 Daniel's handwriting on it? 17 A. Yes. 18 Q. Did you make a connection between what they were asking 19 you for and the excerpt from the note that you had seen 20 the day before? 21 A. Yes, I did. And I did ask if they were going to check 22 for the handwriting to confirm whether it was the same 23 as the letter and they said they was going to, yes. 24 Q. Did they tell you how they were going to check? 25 A. They didn't say how, but they said they was going to</p> <p style="text-align: center;">Page 17</p>	<p>1 A. I was really angry, because he was my partner of four 2 years and I wanted to see what he had to say for 3 himself. 4 Q. Did you tell them that Daniel had been your partner for 5 four years and you had lived together for the last three 6 years? 7 A. Absolutely I said that, yes, I made it clear. 8 Q. What did they say in response to that? 9 A. Just the same answer, "You are not the next of kin". 10 Q. There are two other particular days, at least at this 11 stage, that I want to ask you about. 12 The first of those was the time we think on the 13 dating it is 30 September, so it is 10 days or 8 days 14 after that visit to your house -- 15 A. Yes. 16 Q. -- when you came to Barking with, amongst others, Mandy 17 and Adam? 18 A. That's correct, yes. 19 Q. What do you remember about that day? 20 A. I remember going to Barking Abbey to the grounds of 21 where Daniel was found. 22 Q. Just to be clear, it is where the jury went, it is the 23 churchyard? 24 A. Yes, that's correct. 25 Q. There are some Abbey ruins there as well but it is all</p> <p style="text-align: center;">Page 19</p>
<p>1 check it. 2 Q. Did you tell them that you had seen a bit of the note? 3 A. Yes, but I said that I couldn't confirm whether it was 4 the handwriting or not. 5 Q. Do you remember now -- I know it is a long time ago, but 6 did they ask you whether you thought it was Daniel's 7 handwriting or did you just say I have seen the note and 8 I don't know one way or the other? 9 A. I just said it, because they asked for it, so ... 10 Q. Did you ask to see the whole note? 11 A. I did. I don't know whether I asked on that particular 12 day, but I did ask at some point to see the letter. 13 Q. I mean obviously we have been talking about the question 14 of handwriting -- thank you, that document can come down 15 from the screen now -- but I imagine there were other 16 reasons you wanted to see the note? 17 A. Yes. The main reason for me to see the note is to see 18 what it said. 19 Q. Yes. What response, as you say, you cannot remember 20 whether it was that day or not, but what response did 21 the police officers give you when you did ask to see the 22 note? 23 A. When I did ask, they said they wouldn't show me because 24 I am not next of kin. 25 Q. What did you think about that?</p> <p style="text-align: center;">Page 18</p>	<p>1 the same place, isn't it? 2 A. It is all the same place, but, yes, that is where we 3 went. They showed us where he was found and I remember 4 that -- I was just really angry that, in my mind, I was 5 thinking about ... I didn't know what the note said at 6 the time, because that was afterwards, but I was 7 thinking -- I knew that it was a potential suicide and 8 I couldn't understand why he was -- why he had killed 9 himself at that point still. So I knew I was angry and 10 I know I also asked about whether they had checked the 11 CCTV of the church grounds, and I can't remember the 12 exact response but the response I got, I know I was 13 really angry and I run off and my sister chased me to 14 comfort me, because I was so angry with their response. 15 Q. Do you think that, at least by this time, you were 16 asking to see the note? 17 A. Yes. 18 Q. I mean you have told us about the response you received. 19 A. Yes. 20 Q. There came a time when you had finished going to the 21 graveyard and seeing where Daniel had been found, were 22 you aware that Mandy and Adam were being taken off 23 somewhere else and that you were not, as it were, 24 invited? 25 A. I was aware of it, yes, and it was making me angry,</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 because I wanted to go along. And they wouldn't let me.</p> <p>2 Q. I was going to read out something you said in one of</p> <p>3 your witness statements, Mr Waumsley. You said:</p> <p>4 "I asked what they were going to be speaking about</p> <p>5 just before they went, but DC Slaymaker said they</p> <p>6 couldn't tell me at that moment, which really pissed me</p> <p>7 off and made me feel pushed out by the police."</p> <p>8 Does that describe how you were feeling?</p> <p>9 A. That is how I felt, yes.</p> <p>10 Q. You have used the words "pushed out by the police", is</p> <p>11 that a feeling you had just at that moment when Mandy</p> <p>12 and Adam were being taken somewhere else or more</p> <p>13 generally?</p> <p>14 A. That was the start of how I felt from the police, like</p> <p>15 I was being pushed out, that was the very first moment</p> <p>16 I felt that, yes.</p> <p>17 Q. Okay. Did you find out later what had happened, what</p> <p>18 Mandy and Adam had been -- what they had been shown?</p> <p>19 A. Yes, so they had gone off somewhere, at that time</p> <p>20 I didn't know where they had gone. So they had walked</p> <p>21 off with DC Slaymaker and DC Jackie Baxter, and I was</p> <p>22 left with DC Paul Berry and my sister.</p> <p>23 So we just walked round, grabbed a coffee and I was</p> <p>24 asking about the letter. He, DC Paul Berry, wouldn't</p> <p>25 tell me what it was about, so I just, in the end,</p> <p style="text-align: center;">Page 21</p>	<p>1 forward another week or so.</p> <p>2 A. Okay.</p> <p>3 Q. When you gave a witness statement to DC Slaymaker, and</p> <p>4 we are going to have a look at it in a minute.</p> <p>5 Before we do, just let me ask you, we have heard</p> <p>6 over the last few weeks about some witness statements</p> <p>7 being taken over the phone, so the police officer just</p> <p>8 talking to the individual over the phone and, as it</p> <p>9 were, getting their account that way, and others being</p> <p>10 taken in person. Which was it with you on this</p> <p>11 occasion?</p> <p>12 A. I don't recall how it was taken, but I also don't</p> <p>13 remember a phone call statement. So I believe that it</p> <p>14 was written down in person.</p> <p>15 Q. Well, we know that you met DC Slaymaker around that</p> <p>16 time, but you can't actually remember but you believe</p> <p>17 then that it was in person.</p> <p>18 A. Yes.</p> <p>19 Q. Do you have actually any memory of how the statement was</p> <p>20 put together, did DC Slaymaker ask you questions and</p> <p>21 then write something down himself, or did he ask you to</p> <p>22 write something down. Again, can you remember how it</p> <p>23 worked?</p> <p>24 A. From what I can recollect was we just chatted and he</p> <p>25 wrote it down and then I looked at it and signed it to</p> <p style="text-align: center;">Page 23</p>
<p>1 dropped it. After an hour, they came back and Mandy</p> <p>2 wouldn't tell me what it was about. So we just went</p> <p>3 home, because I was driving at the time, so we went home</p> <p>4 and then she told me about the letter, yes.</p> <p>5 Q. Was that the first time then that you -- it must have</p> <p>6 been the first time that you had any knowledge of --</p> <p>7 A. Of the contents.</p> <p>8 Q. -- the contents of that note?</p> <p>9 A. Yes.</p> <p>10 Q. Was it the first time that you had understood the idea</p> <p>11 that Daniel had killed someone else?</p> <p>12 A. Yes.</p> <p>13 Q. What did you think about all of that?</p> <p>14 A. Again, I was in complete shock. It didn't sound right,</p> <p>15 because Daniel, before he died, was just a normal</p> <p>16 person. There was nothing to indicate there was</p> <p>17 something wrong prior to 18 September when he had left</p> <p>18 for work that day. So I couldn't understand why this</p> <p>19 letter said he had done what he had done.</p> <p>20 Q. I think we have heard, is this right, that in fact you</p> <p>21 didn't actually see the note until the inquest in the</p> <p>22 middle of the next year?</p> <p>23 A. Yes, that's correct. Yes.</p> <p>24 Q. I said there were two times, that was the first one.</p> <p>25 The second one was on 7 October, so we are going</p> <p style="text-align: center;">Page 22</p>	<p>1 say that I agreed with what he had written.</p> <p>2 Q. Right. Let's just look at a couple of documents on the</p> <p>3 screen. First of all, could we see IPC337.</p> <p>4 I should have said -- I did mention the date of</p> <p>5 7 October, and we see that date at the top there?</p> <p>6 A. That's correct.</p> <p>7 Q. Someone has written out this statement, is that your</p> <p>8 handwriting?</p> <p>9 A. No, that is not my handwriting.</p> <p>10 Q. That would suggest that your memory is right and perhaps</p> <p>11 it was DC Slaymaker who wrote it out?</p> <p>12 A. Yes.</p> <p>13 Q. If we look over on to the next page, please, and then</p> <p>14 the page after, and then the page after that, so it is</p> <p>15 four pages. The signatures have all been taken out for</p> <p>16 data protection reasons but is your memory then perhaps</p> <p>17 that you were with DC Slaymaker as a result of the</p> <p>18 conversation, the questions he asked you, he wrote this</p> <p>19 out on these four pages and then you read it through and</p> <p>20 signed it?</p> <p>21 A. Yes.</p> <p>22 Q. Just because it is easier, let's have a look at the</p> <p>23 typed version of this document. That is MPS1173,</p> <p>24 please.</p> <p>25 Is it right, Mr Waumsley, that a fair amount of the</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 questions that DC Slaymaker asked you and what became 2 part of this statement was the sort of thing that 3 I asked you at the beginning of your questions today 4 about how you had met Daniel, your life together in 5 Gravesend and so on? 6 A. That's correct, it was like a lifestyle statement. 7 Q. Were there also some questions that he asked you about 8 what Daniel had been doing in August and including some 9 quite particular questions about what he had done on one 10 particular night? 11 A. Yes, I do remember him asking about the 27th, and 12 I checked some text -- 13 Q. Just before we get into what you said, let me ask you 14 this. Did you understand at the time why he was asking 15 you what Daniel had done on the 27th? 16 A. Yes, because I know from the suicide letter and, you 17 know, and I asked about the day that Gabriel Kovari was 18 found, so I did understand. 19 Q. So you hadn't seen the note but obviously you have 20 explained that Mandy had told you about it? 21 A. Yes. 22 Q. So you were aware why you were being asked about where 23 Daniel was on the 27th? 24 A. That's correct, yes. 25 Q. Let's have a look at what your statement says about</p> <p style="text-align: center;">Page 25</p>	<p>1 Q. So it was only a month and a half let's say from 2 27 August? 3 A. That's correct, yes. 4 Q. Do you think if he had in fact been away that evening, 5 you might have remembered quite separately from your 6 texts? 7 A. I might have remembered and I think the text messages 8 would have indicated he would have been out. 9 Q. Can we take it, because that is what is in your 10 statement, that that is essentially what you said to 11 DC Slaymaker on that day? 12 A. Yes. 13 Q. What we don't see there, for example, is anything about 14 the next morning. It is a long time ago now, but can 15 you help us one way or another whether DC Slaymaker 16 asked you whether Daniel was with you on the morning of 17 the 28th, or can't you remember? 18 A. I can't remember if he asked me about any other day but 19 the 27th. 20 Q. What we do know is that a year or so later you were 21 asked about the morning of the 28th and by officers from 22 Operation Lilford, weren't you? 23 A. That's correct, yes. 24 Q. If we could look on screen, now, please at MPS527 -- in 25 fact it was ... let me make sure I have the right ...</p> <p style="text-align: center;">Page 27</p>
<p>1 that. Can we look on page 3 of this document, please. 2 If we just look on the -- it is about seven or eight 3 lines up from the bottom: 4 "On 27 August Daniel had left for work as normal and 5 we were texting until about 6.30." 6 As you have explained, that was your normal routine? 7 A. That's correct. 8 Q. "I don't get signal at work, so we were Facebooking each 9 other until about 7.30. From my texts, it seems that 10 I had a busy day. I do not have any more messages from 11 him that day, so I am pretty certain he would have been 12 at home when I got home at around 4.45 in the 13 afternoon." 14 Just explain to us what you mean by the lack of 15 texts indicating something? 16 A. Okay, so how our relationship worked, the dynamics was 17 if he was out or I was out, we would just text each 18 other throughout the day, if we could, so when they 19 asked me about the text on the 27th, because I knew we 20 were both at work that day and then there was no other 21 text, for example in the evening, it didn't indicate 22 that he was anywhere else but either work or at home. 23 Q. I mean this was a conversation you were having on 24 7 October. 25 A. Yes.</p> <p style="text-align: center;">Page 26</p>	<p>1 In fact it was two years later, because it was 2 September 2016. Is this another statement you made for 3 the officers of Operation Lilford? 4 A. Yes, that is. 5 Q. Just picking it up, if we can just look at the bottom 6 paragraph, you are talking about an episode on 22 August 7 there, but you say Daniel wasn't very happy with you, 8 because you had been out for night but you made up. You 9 then say there were no messages between 23 and 10 26 August, which means that we were definitely together, 11 we would always text if one of us went out. So that, 12 one infers, is something you explained to 13 Operation Lilford officers, as you explained to us? 14 A. That's correct, yes. 15 Q. I also got a text from Daniel saying, "Loved all the 16 cuddles we had all weekend" on the 26th, which shows we 17 were together for the Bank Holiday weekend. 18 I think the Bank Holiday was the Monday, the 25th? 19 A. It was, yes. 20 Q. This is now Tuesday 26th. Reading on you say: 21 "On the 26th [the Tuesday] we have messaged between 22 us between 05.50 to 6.45 [the usual routine]. There are 23 messages about meeting his uncle, Phil Jones, that 24 evening I remember we met him in the Woodlands pub in 25 Gravesend, we only stayed an hour and then we went</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 home." 2 So that was the Tuesday night. Then you say: 3 "On the 27th [we are now getting to the territory 4 that was covered by your earlier statement] we texted 5 each other between 5.50 and 6.43." 6 It is apparent that those texts which you had talked 7 about with DC Slaymaker are still on your phone at this 8 time, yes? 9 A. Yes. 10 Q. So that is how you could give such accurate information? 11 A. That's correct, yes. 12 Q. "These were general texts, mainly about him making 13 cakes. We had no more messages that day, so he will 14 have come home after work and spent the evening with me. 15 Then on the 28th [so this was the morning on which 16 Gabriel's body was discovered] we have messages between 17 05.50 and 6.15, Daniel again mentions making cakes and 18 said he would try and bring some home. I remember from 19 reading this text that he did bring cakes home that day 20 and he stayed at home for the evening." 21 Then you go on to say the rest of the day. 22 It would seem, Mr Waumsley, and correct me if I am 23 wrong, so two years later you still had texts showing 24 that Daniel was with you at 5.50 or left for work at 25 5.50 on that Thursday morning and he was exchanging</p> <p style="text-align: center;">Page 29</p>	<p>1 is that right? 2 A. I was, yes. 3 Q. Tell us, if you can, what you remember about sitting 4 there and hearing the evidence at the inquest? 5 A. I remember -- the first thing I do remember was DC -- 6 sorry if I don't get his name right -- 7 Q. Don't worry if you don't -- 8 A. Rolf Schamberger, him giving evidence and the first time 9 I knew of the bedsheet, it really stuck out, it sticks 10 out in my mind that when he was asked about it, that he 11 said -- he confirmed they didn't do any DNA testing, so 12 that was the first thing that made me really angry. 13 Then the only other thing I remember was that it was 14 left as an open verdict. 15 Q. Yes, and as the jury heard at the very start of these 16 proceedings, the open verdict meaning the coroner, the 17 other coroner at the time, couldn't be satisfied either 18 that Daniel's death was suicide or an accident, and so 19 she had to leave what is called an open verdict. 20 A. Yes. 21 Q. We have heard some evidence about exchanges you had with 22 DI Schamberger after the inquest -- 23 A. Yes. 24 Q. -- tell us about that? 25 A. So the inquest finished with an open verdict, so we --</p> <p style="text-align: center;">Page 31</p>
<p>1 texts with you about bringing cakes home? 2 A. That's correct, yes. 3 Q. Would it make sense that you had those text messages two 4 years earlier when you were speaking to DC Slaymaker? 5 A. I would have done, yes, absolutely. 6 Q. If he had asked you about what was happening the next 7 morning, is there any reason why you wouldn't have told 8 him? 9 A. No. He -- I was, at the time, I might have not thought 10 about the other days but because he just asked for the 11 27th, I just answered the questions he asked me. 12 If he had pushed a bit more or asked to look at my 13 phone, or take it away or anything, I would have done, 14 I would have let him do whatever he needed to have done. 15 Q. Yes. 16 I am going to ask you, last of all, and this 17 involves us going forward some time, to the first 18 inquest into Daniel's death, which was in June of the 19 next year, 2015. 20 Thank you, we can take that down from the screen 21 now. 22 You have already told us that was the first time 23 that you actually saw the note. 24 A. Yes. 25 Q. You were also sitting in court while evidence was given;</p> <p style="text-align: center;">Page 30</p>	<p>1 myself, Mandy and Adam and Barbara went outside the 2 courtroom and I don't remember how we come to have 3 a conversation with DC Slaymaker and Rolf Schamberger, 4 but we did and one thing I do remember, I said to them, 5 "You didn't do your fucking job properly". They didn't 6 make a response to that. 7 Q. You have already told us you were angry, Mr Waumsley. 8 A. Yes, I was fuming. 9 Q. One can imagine you would have been angry about lots of 10 things, angry with grief. Was that the anger that you 11 mean or were you also angry about the investigation? 12 A. About how they conducted the investigation and didn't do 13 it properly, ie they didn't test the bedsheet. 14 Q. Just bringing these matters together, Mr Waumsley, we 15 have heard about the exchange with you over this long 16 period. That you were not allowed to go and see the 17 note, we have heard about what you saw and heard and 18 felt at the inquest. Can you give us a summary or what 19 were your general feelings about the way in which the 20 investigation into Daniel's death was handled? 21 A. I felt as if they took the suicide note at face value. 22 I believe they didn't do any more than that. That was 23 my thoughts on it. I thought they could do more, they 24 could have, at least, checked the handwriting to make 25 sure that it was correct and not just ask people at the</p> <p style="text-align: center;">Page 32</p>

<p>1 time who were grieving and not in that profession of 2 looking at handwriting. They should have got someone 3 else to do it. They should have got someone to check. 4 I gave them handwriting samples so – till this day, 5 I still don't understand why they couldn't have got it 6 checked.</p> <p>7 Q. Thank you very much, Mr Waumsley. Those are all my 8 questions for you.</p> <p>9 A. Thank you.</p> <p>10 Questions from MR DAVIES</p> <p>11 MR DAVIES: Mr Waumsley, good morning, I think you know I am 12 asking questions on behalf of various Barking borough 13 officers.</p> <p>14 A. Yes.</p> <p>15 Q. Can I start with your statement that is at MPS1173. 16 I think we are on it. This is the statement taken by 17 Mr Slaymaker on 7 October 2014. It has perfectly 18 properly been pointed out that it doesn't cover directly 19 events after a certain point that you could have covered 20 with text messages, and that criticism is accepted.</p> <p>21 But, on the other hand, if we look for example at 22 page 2, and the paragraph starting: 23 "The last few months of Daniel's life were quite 24 normal ..." 25 DC Slaymaker covered this ground at least, didn't</p> <p style="text-align: center;">Page 33</p>	<p>1 A. Yes.</p> <p>2 Q. I think you are also aware, and we have it at IPC263, 3 page 2, that the email of 25 September 2014 from him to 4 then A/DI Schamberger was making the point that there 5 may have been information in that purported suicide note 6 that, to put it neutrally, would have to be very 7 carefully handled with you as his partner. Can you see 8 that was the intention by which care was being taken 9 with showing you the note?</p> <p>10 A. Well, yes, I see it now. But I didn't see that email at 11 the time.</p> <p>12 Q. No. I accept that, of course. Mr and Mrs Whitworth 13 covered the point that the intention from the police was 14 that they would be consulted about you being shown the 15 note once they had seen it, but unfortunately that 16 process doesn't appear to have been followed. Can you 17 see that in the background to what happened?</p> <p>18 A. Sorry, can you say that again, please?</p> <p>19 Q. Yes, sorry, I am probably not being as clear as I might 20 be. 21 Do you remember you were present for Mr and 22 Mrs Whitworth's evidence?</p> <p>23 A. Yes.</p> <p>24 Q. One of the points DC Slaymaker covered was that the 25 intention was that Mr and Mrs Whitworth, when they were</p> <p style="text-align: center;">Page 35</p>
<p>1 he, with you, that the last few months of Daniel's life 2 were quite normal, he had recently been told he was 3 moving to a new restaurant and was excited ... didn't 4 have any money issues ... about to put a deposit down 5 for a house.</p> <p>6 You then said this: 7 "I do not think that Daniel was any different in the 8 last few months and if he did have any worries or 9 problems, he hid this very well. As far as I am aware, 10 Daniel did not use drugs at all. The only time he 11 touched drugs was in Amsterdam where we both tried 12 a joint."</p> <p>13 Can you see, at least, that DC Slaymaker was trying 14 to cover the ground as to Daniel's background drug use 15 or lack of background drug use in this statement?</p> <p>16 A. Yes, I can see that he asked me about it. Yes.</p> <p>17 Q. It is a different question as to what police did with 18 the information, Mr Waumsley, but it was at least 19 covered in your statement accurately, wasn't it?</p> <p>20 A. Yes.</p> <p>21 Q. As he has recognised, and I hope you heard his apology 22 about this, your lack of access to the full note until 23 the inquest he has recognised was a mistake, a failure 24 on the part of the police to show it to you earlier. 25 You heard him say that, I think?</p> <p style="text-align: center;">Page 34</p>	<p>1 shown the full note, would be asked for their views on 2 showing it to you?</p> <p>3 A. Yes.</p> <p>4 Q. All right?</p> <p>5 Now, that didn't happen. Which was a mistake. But, 6 again, can you see the motivation for this was at least 7 to take into account the potential effect on you of 8 information in the note?</p> <p>9 A. I see it in an email that I have not seen at the time. 10 Why they didn't ask me, I don't -- well, I know now but 11 at the time I didn't understand. They should have come 12 and asked me why.</p> <p>13 Q. Yes, and again, I am ending on this topic, really, in 14 terms of questions. DC Slaymaker has said you should 15 have been shown that full note well before the full 16 inquest, all right, so that mistake is accepted and the 17 effect on you is also accepted and apologised for, okay?</p> <p>18 A. Okay.</p> <p>19 Q. Just to go back to a couple of points of detail, please, 20 if I may. Could I have IPC338 up, please. 21 If we could go to page -- this is your statement of 22 28 April 2017.</p> <p>23 A. That's correct, yes.</p> <p>24 Q. Could we go through to page 3 of that, please, and this 25 is where you are covering again the question of the</p> <p style="text-align: center;">Page 36</p>

<p>1 handwriting.</p> <p>2 Top of the page you say:</p> <p>3 "At one point I was emailed the last part of the</p> <p>4 letter by Mandy, who had been sent it by DC Slaymaker to</p> <p>5 clarify whether it was Daniel's handwriting or not.</p> <p>6 I cannot remember at what point in time this was, but it</p> <p>7 was a really poor scanned copy which just said</p> <p>8 'Daniel PW' ..."</p> <p>9 Are you able to say whether, and when it was that</p> <p>10 you received this fragment through? We have seen there</p> <p>11 was an email from Mrs Whitworth that day, but you seem</p> <p>12 to be saying it was later here?</p> <p>13 A. So at the time of asking -- when IPCC asked me about</p> <p>14 this it was a couple of years later, so I can't exactly</p> <p>15 remember at what point I received it. Like I said, I do</p> <p>16 remember receiving it, I just didn't remember at the</p> <p>17 time of being asked when it was.</p> <p>18 Q. No. I emphasise, I am certainly not criticising you in</p> <p>19 any way for that, but no doubt the immediate days, if</p> <p>20 not longer, after you heard about Daniel's death were</p> <p>21 abysmal in terms of how you were feeling?</p> <p>22 A. Absolutely, yes.</p> <p>23 Q. IPCC828, please, page 5.</p> <p>24 This was another statement and here you appear to be</p> <p>25 saying it was approximately a week or two after Daniel's</p> <p style="text-align: center;">Page 37</p>	<p>1 If I could ask for IPCC338 to come up on the screen.</p> <p>2 You have been asked about this statement, but if I can</p> <p>3 just orientate you to it. In the top right-hand corner</p> <p>4 are the letters "IPCC", Independent Police Complaints</p> <p>5 Commission. It is right that this witness statement was</p> <p>6 taken whilst the IPCC were investigating 17 officers in</p> <p>7 relation to the four deaths; is that right?</p> <p>8 A. That's correct.</p> <p>9 Q. We see there you give your occupation as senior</p> <p>10 manufacturing technician, you work for a pharmaceutical</p> <p>11 company, is that right?</p> <p>12 A. That's correct, yes.</p> <p>13 Q. I am going to ask if we can go to page 4, the bottom</p> <p>14 paragraph on page 4. I am just going to point out to</p> <p>15 you, in the middle of that bottom paragraph, my learned</p> <p>16 friend Mr O'Connor, Queen's Counsel, counsel to the</p> <p>17 inquest, was asking you about what was happening on the</p> <p>18 evening of 27 August 2014. I asked Detective Chief</p> <p>19 Inspector Cliff Lyons, I asked him a question about you</p> <p>20 and Daniel having been at a pub in Gravesend on that</p> <p>21 night. In fact, the correct position is as outlined in</p> <p>22 this statement, the process that you described to</p> <p>23 Mr O'Connor of checking your text messages and working</p> <p>24 out from that that Daniel was with you that evening. Is</p> <p>25 that correct?</p> <p style="text-align: center;">Page 39</p>
<p>1 death you received that fragment. I don't want to make</p> <p>2 too much of this, but had there been discussions after</p> <p>3 this process between you and Mr and Mrs Whitworth by the</p> <p>4 time you gave these statements?</p> <p>5 A. Sorry, can you clarify what you are trying to get at?</p> <p>6 Q. Had you been discussing the handwriting and the whole</p> <p>7 process with Mr and Mrs Whitworth before you gave these</p> <p>8 witness statements?</p> <p>9 A. No.</p> <p>10 Q. No, all right. But in this one you are saying it was</p> <p>11 a week or two after Daniel's death that you got the</p> <p>12 scanned copy, okay?</p> <p>13 A. Again, it was a few years afterwards when I gave this</p> <p>14 statement, and a lot happened within the first</p> <p>15 two weeks, so I couldn't exactly remember when</p> <p>16 I received it.</p> <p>17 But again, I remember receiving it just not exactly</p> <p>18 on that point of the moment when I received it.</p> <p>19 MR DAVIES: Yes, Mr Waumsley, that is all I ask you, thank</p> <p>20 you.</p> <p>21 Questions from DR VAN DELLEN</p> <p>22 DR VAN DELLEN: Ricky, I ask questions on your behalf, as</p> <p>23 you well know.</p> <p>24 A. Yes.</p> <p>25 Q. I just have a few things to pick up with you, if I may.</p> <p style="text-align: center;">Page 38</p>	<p>1 A. Yes.</p> <p>2 Q. Moving on to page 5, if I may, the second paragraph,</p> <p>3 this is what you say in your statement:</p> <p>4 "I could never get hold of DC Slaymaker. I left</p> <p>5 messages but he never got back to me. I would call</p> <p>6 DC Slaymaker once a week and I might get one back once</p> <p>7 a month. From what I can remember, all contact stopped</p> <p>8 after Christmas and I don't think I ever spoke to them</p> <p>9 again until the inquest. I kind of gave up and didn't</p> <p>10 know where to turn or who else to talk to."</p> <p>11 You may remember me asking a question of Detective</p> <p>12 Constable Slaymaker about the number of times that you</p> <p>13 tried to contact him. Do you remember how many times it</p> <p>14 was?</p> <p>15 A. It was 12 times I called him.</p> <p>16 Q. Then just moving onto the next paragraph, if I may.</p> <p>17 My learned friend Mr O'Connor was asking you</p> <p>18 questions about the inquest. I am just going to take</p> <p>19 you to what you said about the inquest in your</p> <p>20 statement. The third line down, you say in your</p> <p>21 statement:</p> <p>22 "Before going into the inquest, I was shown Daniel's</p> <p>23 letter for the first time."</p> <p>24 I will skip the sentence after that, and I will pick</p> <p>25 it up on the fourth line, you say:</p> <p style="text-align: center;">Page 40</p>

<p>1 "When I saw it in front of me, I had a feeling that 2 something did not look right with that letter and it 3 seemed really impersonal. There were no references to 4 any family members and I still was not 100 per cent 5 whether it was Daniel's handwriting." 6 Do you still hold the view that you expressed in 7 your witness statement that the letter seemed really 8 impersonal? 9 A. I do. Yes. 10 Q. Then just going further down, you gave evidence about 11 the bedsheet but if I could just take you to halfway 12 down, it may be a little bit tricky to find, but it is 13 about halfway down on the right-hand side of the 14 paragraph, it's the sentence beginning, "As the inquest 15 went along ..." Do you see that? Do you where I am in 16 the paragraph, "As the inquest went along ..." 17 About halfway down on the right-hand side. 18 A. Just bear with me, please. Yes, yes, got it. 19 Q. Thank you: 20 "As the inquest went along things came out that the 21 police have never told us before. For example, there 22 was a bedsheet Daniel was found on or had wrapped around 23 him that they did not do DNA tests on. They did not do 24 DNA testing on the bottle he was found with. Did not 25 analyse the handwriting on the note and that bruising</p> <p style="text-align: center;">Page 41</p>	<p>1 they could just brush her question off and say that 2 a typical gay person would know about drugs like that." 3 Do you still hold that view now? 4 A. I do, absolutely. 5 Q. You have been sitting in court next to the Taylor 6 family, watching the inquest. You have been watching 7 online as well when you haven't been in court, when you 8 have been able to do so. The jury has heard a huge 9 amount of evidence about discussions between MIT, SC&O1, 10 the MIT team, and the borough about who should have 11 primacy, in other words who should take the lead in 12 investigating the deaths, including Daniel's death. 13 What is your view about that dispute? 14 A. About who should take primacy? 15 Q. Well, about the fact that there was this dispute going 16 on between the MIT team and the borough. What do you 17 think about that dispute? 18 A. Well, I believe that the MIT team should have handled 19 the case, yes. 20 Q. Just returning to the contents of the note, you 21 appreciate I have asked questions of a number of 22 witnesses on your behalf. Just returning to the 23 contents of the note, is it right that you had two 24 concerns about the contents of the note, one was the 25 reference to this mate's place where Gabriel supposedly</p> <p style="text-align: center;">Page 43</p>
<p>1 had been found under his chest, which suggested manual 2 handling, but they didn't look into this any further." 3 Now that I have refreshed your memory from looking 4 at the witness statement from 2017, do you now remember 5 that those were your concerns at the inquest? 6 A. Yes, that's right. 7 Q. Then, turning over to page 7, if I may, the top 8 paragraph, the last line, this is what you said in 2017: 9 "I have never heard of GHB before Daniel died and as 10 far as I was aware he had never done any sort of drugs, 11 except for that one joint." 12 So even though you worked for a pharmaceutical 13 company, you had never heard of GHB, is that right? 14 A. That's correct, I had never heard of GHB until that 15 point. 16 Q. So you were not aware that G was shorthand for GHB or 17 anything like that? 18 A. No, not at all. 19 Q. Then I am just going to take you to the second paragraph 20 on that page, if I may. This is what you said in 2017: 21 "When Mandy was read the letter by police she asked 22 them what G was and one of the officers, I believe it 23 was Jackie, told her to ask me because 'He should know'. 24 I don't know if that was because I am gay and it is 25 associated with the gay scene. I didn't understand how</p> <p style="text-align: center;">Page 42</p>	<p>1 died, and, secondly, who was this "guy I was with last 2 night"? Is it correct that those were your two concerns 3 about the contents of the note? 4 A. Yes, because Gabriel Kovari was found in a churchyard 5 and -- but the letter states "a mate's place", I don't 6 get or I didn't at the time get how there could be two 7 different locations and the police didn't pick up on it. 8 Q. Did you ever discuss or have an opportunity to discuss 9 that with DC Slaymaker, that you recall? 10 A. From my recollection, I didn't. I did try to get hold 11 of him to try and discuss it but I couldn't get hold of 12 him to discuss it. 13 Q. My last question is, you were obviously in a gay, 14 unmarried relationship with Daniel. 15 A. Yes. 16 Q. What is your view about whether you would have been 17 treated differently if you were in a straight unmarried 18 relationship, like Adam Whitworth and Mandy at the time? 19 A. I believe that, if that was the case, if it was 20 a straight couple, I wouldn't have been pushed out as 21 much as I was at that time. They just dismissed me in 22 every single way and I believe, and I stand by it, it 23 was because we were a gay unmarried couple. 24 DR VAN DELLEN: Madam, no further questions. Thank you. 25 MR O'CONNOR: Madam, I don't have any more questions for</p> <p style="text-align: center;">Page 44</p>

11 (Pages 41 to 44)

<p>1 Mr Waumsley.</p> <p>2 THE CORONER: There was a question from the jury but it has</p> <p>3 been answered already, Mr Waumsley, but can I just</p> <p>4 clarify two things with you.</p> <p>5 Questions from THE CORONER</p> <p>6 THE CORONER: Reference to the visit to the pub in</p> <p>7 Gravesend, should we forget all about that now?</p> <p>8 A. Sorry?</p> <p>9 THE CORONER: There was a suggestion that you had been to</p> <p>10 a pub in Gravesend over those August dates and now we</p> <p>11 look at your statement, it seems that you are not saying</p> <p>12 that now you have checked all the messages?</p> <p>13 A. In one of my statements, I said that we went to the pub</p> <p>14 on 26 August, yes.</p> <p>15 THE CORONER: Did you or not?</p> <p>16 A. We did, yes.</p> <p>17 THE CORONER: You did, all right, thank you.</p> <p>18 Can you help at all with when the family party was</p> <p>19 that Mandy and Adam told us about?</p> <p>20 A. From what I can remember, it was on the Bank Holiday</p> <p>21 Monday, from my recollection.</p> <p>22 THE CORONER: So that same weekend?</p> <p>23 A. That same week, yes.</p> <p>24 THE CORONER: Thank you very much indeed. Thank you.</p> <p>25 We will take a short break there, members of the</p> <p style="text-align: center;">Page 45</p>	<p>1 transferred over to CID and became a temporary detective</p> <p>2 constable?</p> <p>3 A. About that time, yes.</p> <p>4 Q. Then looking at your statement, I think that it was in</p> <p>5 2010 that you transferred across to Barking and Dagenham</p> <p>6 from Havering?</p> <p>7 A. Yes.</p> <p>8 Q. I think the words you use in your statement are "On</p> <p>9 promotion to sergeant"?</p> <p>10 A. Yes.</p> <p>11 Q. Would that be a detective sergeant you were promoted to?</p> <p>12 A. No, that was a uniformed sergeant at the time, that</p> <p>13 particular promotion process only allowed for promotion</p> <p>14 to uniformed roles.</p> <p>15 Q. Right, so you were a substantive detective constable by</p> <p>16 the time you were leaving Havering, I take it?</p> <p>17 A. Yes, yes, I was.</p> <p>18 Q. But then when you moved across to Barking and Dagenham,</p> <p>19 you were a uniformed sergeant?</p> <p>20 A. That's correct.</p> <p>21 Q. That is 2010?</p> <p>22 A. Hmm.</p> <p>23 Q. I have a note that, from 2013, you were then working as</p> <p>24 a substantive detective sergeant in Barking and</p> <p>25 Dagenham, is that right?</p> <p style="text-align: center;">Page 47</p>
<p>1 jury.</p> <p>2 A. Thank you.</p> <p>3 (11.06 am)</p> <p>4 (A short adjournment)</p> <p>5 (11.27 am)</p> <p>6 (In the presence of the jury)</p> <p>7 THE CORONER: Yes.</p> <p>8 MR O'CONNOR: Madam, could we please call DI Schamberger.</p> <p>9 MR ROLF SCHAMBERGER (sworn)</p> <p>10 Questions from MR O'CONNOR</p> <p>11 MR O'CONNOR: Thank you, DI Schamberger. Do take your mask</p> <p>12 off and take a seat.</p> <p>13 A. Thank you, sir.</p> <p>14 Q. Can you give us your full name, please?</p> <p>15 A. It is Rolf Schamberger.</p> <p>16 Q. You are currently a detective inspector?</p> <p>17 A. I am, that's correct.</p> <p>18 Q. You joined the Metropolitan Police, I think, in</p> <p>19 June 2003?</p> <p>20 A. Yes.</p> <p>21 Q. At the time you were a uniformed constable?</p> <p>22 A. Yes.</p> <p>23 Q. In Havering borough?</p> <p>24 A. Havering borough, that's correct.</p> <p>25 Q. Is it right that four years later, in 2007, you</p> <p style="text-align: center;">Page 46</p>	<p>1 A. Yes.</p> <p>2 Q. Moreover, that from that statement, so March 2013, not</p> <p>3 only were you working as a substantive DS, but that</p> <p>4 occasionally you were asked to act up temporarily as</p> <p>5 a DI?</p> <p>6 A. It was on one occasion.</p> <p>7 Q. Just one occasion?</p> <p>8 A. Just one occasion, yes.</p> <p>9 Q. So very occasionally.</p> <p>10 Then, is it right that on 15 September 2014, so</p> <p>11 really only a few days before the matters I am going to</p> <p>12 come on, as you know, to ask you about --</p> <p>13 A. Yes.</p> <p>14 Q. -- something different happened, which is that you were</p> <p>15 asked to take on a -- you tell us, was it a permanent</p> <p>16 acting up role as an acting DI?</p> <p>17 A. At that point, I did not know how long it was going to</p> <p>18 be for. There was no indication really, it was to cover</p> <p>19 for my line manager who was unavailable. So at that</p> <p>20 point I had no idea how long it was going to be for.</p> <p>21 Q. But it wasn't -- on the other hand, it wasn't just for</p> <p>22 a day, or you were not told it was just for a brief</p> <p>23 period of time, it was indefinite, shall we say?</p> <p>24 A. I guess you could say that, it was at no expectation as</p> <p>25 to how long it was going to last.</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 Q. But that was role and you know that I am going to come 2 on to ask you all about your involvement in the 3 investigation into the death of Daniel Whitworth and 4 Gabriel Kovari, a week or so after that time on 5 15 September, but that was the role that you were doing 6 and had been doing for a week or so by the time we get 7 to that investigation. Is that right? 8 A. Yes, mostly. I was still very much covering my DS role 9 at the same time. Because, as I said, I was unaware how 10 long I was going to be performing the acting DI role and 11 the person drafted in at very short notice to cover my 12 DS role was a detective constable who was performing the 13 role on an acting basis, who had, as far as I recall, 14 never worked in that particular remit before. 15 Q. You were having to do a bit of both, you were keeping 16 an eye on your old role and doing your new role? 17 A. Oh, more than keeping an eye on, it was active 18 involvement throughout, yes. 19 Q. I am going to ask you in just a minute to tell us 20 a little bit more about the nature, the substance of 21 that role. Before I do, let me just clarify a couple of 22 other things. 23 Perhaps we can do it by reference to a document we 24 were looking at on an almost daily basis but we haven't 25 seen recently, which is the sort of diagram of Barking</p> <p style="text-align: center;">Page 49</p>	<p>1 that Tony Kirk was your boss? 2 A. Yes. 3 Q. Secondly, beneath you in this table we see a number of 4 detective sergeants and beneath them detective 5 constables who they worked with. We are going to hear, 6 aren't we, that you worked particularly closely with 7 DS Turrell and a number of the DCs below her name in the 8 table. 9 Is that rank structure accurate? 10 A. The rank structure is accurate, yes. 11 Q. As I say, I am going to come back to ask you a little 12 bit more about how you worked together. 13 Thank you, you can take that down. 14 Again, before I do come on to ask you those 15 questions about the substance of your role, you 16 explained that you had been a substantive detective 17 sergeant for, what, about a year and a half by the time 18 we reach September 2014? 19 A. Something like that, yes. 20 Q. You were an acting DI at the time we are talking about? 21 A. Yes. 22 Q. You mention in your witness statement that you had in 23 fact passed what you describe as part 1 of your 24 inspectors' exams at that stage? 25 A. Yes.</p> <p style="text-align: center;">Page 51</p>
<p>1 and Dagenham. DI Schamberger, this is a document which 2 will come up on screen, but if you want to look at it, 3 it is in the smaller white bundle in front of you. Can 4 we go to jury bundle A, please, tab 4. For the screen, 5 it is INQ41. 6 Do you have that, DI Schamberger? 7 A. Yes, I've got that in front of me, thank you. 8 Q. I don't know if you have seen this document before but 9 the jury have looked at it on many occasions and just to 10 explain to you this, is a diagram, really, of Barking 11 and Dagenham police back in the time, 2014. To be 12 clear, it doesn't attempt to show everyone who was 13 there, or all the different departments, it is just 14 a very, very simple way of understanding how people 15 related to each other in department and rank. 16 A. I understand. 17 Q. The jury have heard on a couple of occasions from 18 temporary DCI Kirk, who we see over on the left-hand 19 side of the page, and then immediately underneath him, 20 we see two people of acting DI rank, one is DI McCarthy, 21 who the jury have heard from, and the other is you? 22 A. Yes. 23 Q. As I say, I am going to come back and ask you a little 24 bit more about the detail of your role, but is this 25 table accurate insofar as it indicates, first of all,</p> <p style="text-align: center;">Page 50</p>	<p>1 Q. So you were hoping to -- you were applying, wanting to 2 become a DI, at that time? 3 A. I had passed the national inspectors' exam, I think the 4 year before. 5 Q. That is a necessary step along the path to becoming a 6 substantive -- 7 A. Yes, that is the first step to eventually applying for 8 promotion, yes. 9 Q. Without going into too much detail, just give us an idea 10 of how much more there was that you needed to do before 11 you would actually have been able to be appointed as 12 a substantive detective inspector? 13 A. Okay, so in addition to a pass in the exam, there has to 14 be a minimum performance in your personal evaluation and 15 then a formal promotion process, which varies from year 16 to year what it is, but normally it is something like 17 a written application, which if that is passed, then 18 there are other stages which in my case included 19 an interview, a situational judgment test, a written 20 exercise and I think a presentation. 21 I think there were four elements to it. 22 Q. That is as far as the sort of application process is 23 concerned -- 24 A. Yes. 25 Q. -- were there elements of training that you would have</p> <p style="text-align: center;">Page 52</p>

<p>1 had, either before being appointed as a substantive DI 2 or after that you had not at that stage had?</p> <p>3 A. Yes, the passing of these various elements for the 4 promotion process would then make me eligible for 5 a posting as a temporary detective inspector. And in 6 terms of training, the minimum would be the detective 7 inspectors' course, which I did eventually complete in 8 I believe 2018 or 2019.</p> <p>9 Q. All right, so would it be fair to say that you had 10 started off on the journey of applying, or towards 11 applying to become a substantive detective inspector, 12 and you had passed those part 1 of your inspectors' 13 exams but there were several other stages still to come?</p> <p>14 A. Yes.</p> <p>15 Q. I said I was going to come back and ask you about the 16 substance of is that role that you were doing and 17 I think you have explained that in fact you had 18 previously been working as a detective sergeant, doing 19 much the same work --</p> <p>20 A. Yes.</p> <p>21 Q. -- and that the new role of temporary detective 22 inspector was you covering the person who had previously 23 been your line manager's job?</p> <p>24 A. Yes.</p> <p>25 Q. The substance didn't change, in the sense that it was</p> <p style="text-align: center;">Page 53</p>	<p>1 portfolio as an acting DI was away from the main CID 2 office, is that --</p> <p>3 A. Yes.</p> <p>4 Q. Trying to avoid using acronyms, DI Schamberger, can you 5 give us a sense of the type of work then that you were 6 doing?</p> <p>7 A. So as a detective sergeant I had three remits: one 8 being -- it was all under the public protection remit, 9 so the main part of it was something called a MASH, 10 which is a multi-agency safeguarding hub, it was 11 a children's social services led partnership working 12 based at a council building in Barking town centre, 13 where my team and I were co-located. It wasn't like 14 that where I started off in the unit, it was separate, 15 but the co-location was a huge step forward in terms of 16 being able to address risk, working together on a much 17 more effective basis, being co-located. So this 18 particular unit, the MASH unit was one of the areas. 19 The second area was missing persons. 20 The third area, which I didn't have initially 21 because it hadn't yet been formed, but later on came to 22 be part of it, was child sexual exploitation, or CSE for 23 short. 24 So these were the three parts that I had as 25 a detective sergeant.</p> <p style="text-align: center;">Page 55</p>
<p>1 work you had doing as a DS and now you were doing as 2 a temporary detective inspector, or acting detective 3 inspector?</p> <p>4 A. It was added to substantially, because one part of my 5 then line manager's portfolio and then my portfolio 6 subsequently was the unit that I was running, but there 7 were several other units as well that were included in 8 his portfolio that were not under my management as 9 a detective sergeant.</p> <p>10 Q. I see, so covering a larger area. Most of the witnesses 11 who we have heard from, certainly people like 12 DI McCarthy, DS O'Donnell, and others of the detective 13 constables were working in what they describe as the 14 main CID office --</p> <p>15 A. Yes.</p> <p>16 Q. -- in Fresh Wharf base. They describe that is where it 17 was.</p> <p>18 A. Yes.</p> <p>19 Q. When Chief Inspector Kirk gave evidence, he explained 20 that his area of responsibility covered not only that 21 main CID office, but also a number of other departments 22 of non-uniformed policing in Barking.</p> <p>23 A. Yes.</p> <p>24 Q. I think it is right to say that the work that you had 25 been doing, both as a DS and now with a slightly broader</p> <p style="text-align: center;">Page 54</p>	<p>1 Q. Certainly the sense one gets from you describing the 2 MASH element of your work was it wasn't to do with 3 investigating crimes, catching criminals --</p> <p>4 A. No, it was very much -- the main work was based around 5 a computer system called Merlin, I don't know whether 6 that has been mentioned before.</p> <p>7 Q. Yes, we have seen Merlin a number of times.</p> <p>8 A. Merlin has a number of entities that are recorded on it, 9 that includes missing persons, it includes safeguarding 10 concerns for children, later also safeguarding concerns 11 for adults, also deaths are recorded amongst other 12 things.</p> <p>13 The main work of the MASH team was to receive, to 14 analyse, risk assess and research in order to build 15 a full picture as to -- well, the fullest picture we 16 could possibly provide in terms of risk and then share 17 it where appropriate with our other colleagues within 18 MASH, which included children's social care, housing, 19 health, education, probation was sometimes present as 20 well, to try and effectively manage risk that came up in 21 those reports.</p> <p>22 Q. If we compare that with the work that we have heard 23 these other officers were doing in the main CID offices, 24 there had been a report, there has been an offence, go 25 and arrest this person, there is an unexplained death,</p> <p style="text-align: center;">Page 56</p>

14 (Pages 53 to 56)

<p>1 go and look at the body, investigate, take a witness 2 statement ...</p> <p>3 That work, from what you are saying, was quite 4 different to the work you were doing on a day-to-day 5 basis?</p> <p>6 A. Yes, so some of these cases may have triggered 7 a safeguarding risk that may have found its way onto 8 Merlin, so, for example, I don't know, a domestic 9 assault might have had some children present or other 10 parties that at risk that may have found its way into 11 ourselves, so there were times it was linked but 12 essentially, you are absolutely right, it was a separate 13 area of business.</p> <p>14 Q. You mention that building where you were working, the 15 multi-agency work.</p> <p>16 A. Yes.</p> <p>17 Q. Was that Roycraft House?</p> <p>18 A. It was.</p> <p>19 Q. One of the things you point to in your witness statement 20 is the fact that you were based there and not with the 21 other members of the team at the CID main office?</p> <p>22 A. Yes, so my CSE team which consisted of one person, later 23 two, was also based at Roycraft House.</p> <p>24 The missing persons unit worked in different areas 25 so they were not always based there, they were based at</p> <p style="text-align: center;">Page 57</p>	<p>1 A. It was on the 22nd, yes.</p> <p>2 Q. Therefore I am going to start my questioning at that 3 point in the chronology.</p> <p>4 Just give us an indication, DI Schamberger, of how 5 much of an independent memory do you have now of those 6 events seven or so years ago?</p> <p>7 A. It is going to be somewhat limited.</p> <p>8 Q. I mean, for example, let's take an example, I am going 9 to ask you in a little while about going to the special 10 post mortem.</p> <p>11 A. Yes.</p> <p>12 Q. That is the sort of thing that might stand out in the 13 memory.</p> <p>14 A. Ye.</p> <p>15 Q. Sitting here now, can you remember that?</p> <p>16 A. Yes.</p> <p>17 Q. Are there meetings or discussions that you had with 18 others around that time that you do have a memory of or 19 are you really reliant on the documents to help you 20 there?</p> <p>21 A. Vague, because I think it was a combination of some 22 conversations in person, some email traffic and some 23 conversations over the phone. So with specifics, I will 24 need to refer back to documents.</p> <p>25 Q. There are plenty of documents --</p> <p style="text-align: center;">Page 59</p>
<p>1 Fresh Wharf at one point and Dagenham police station at 2 another point.</p> <p>3 Q. One of the things we should bear in mind, is this right, 4 when we come to look at your engagement with people like 5 DS Turrell and DC Slaymaker, and we will see the 6 documents, is that they were actually working in 7 different building to the one that you went to on most 8 days?</p> <p>9 A. Yes.</p> <p>10 Q. As I say, the questions I am going to spend the rest of 11 the morning and I suspect some of the afternoon asking 12 you about will be focused on the investigation into the 13 death of Daniel Whitworth and Gabriel Kovari.</p> <p>14 It seems right to us that you were not involved in 15 either the investigation into Anthony Walgate's death 16 back in June 2014 or in fact the initial work around the 17 death of Gabriel Kovari when his body was first 18 discovered in August; is that right?</p> <p>19 A. Yes, that's correct. Yes.</p> <p>20 Q. It also appears that you weren't involved in the 21 investigation into Daniel Whitworth's death at the 22 start. We know his body was discovered on Saturday, 23 20 September. It appears from all the documents that 24 your first involvement in his case was on the morning of 25 Monday, 22 September?</p> <p style="text-align: center;">Page 58</p>	<p>1 A. Yes.</p> <p>2 Q. -- and it is also right, isn't it, that you have made 3 some statements, witness statements, that is, in the 4 intervening period. We will refer you to those, but we 5 will bear in mind what you have said about 6 understandably your lack of a direct memory of some of 7 those other matters.</p> <p>8 A. Thank you.</p> <p>9 Q. Let's turn then to Monday, 22 September 2014. I think 10 we will come to see that you were in work fairly early 11 that morning.</p> <p>12 With your work at Roycraft House, did you also work 13 the early turn/late turn/night duty type shifts that we 14 have seen others working?</p> <p>15 A. No, not normally. The usual shifts would be -- the MASH 16 operated Monday to Friday between office hours, which it 17 had to do to work effectively to align with all the 18 other partners.</p> <p>19 Q. I am not going to ask you exactly what time you arrived 20 at work that Monday morning but had it been a normal 21 day, roughly what time would you have got in around 22 that --</p> <p>23 A. Probably around 7.00.</p> <p>24 Q. 7.00 in the morning.</p> <p>25 It seems that perhaps the first thing that happened</p> <p style="text-align: center;">Page 60</p>

<p>1 was that DCI Kirk spoke to you and asked you, or told</p> <p>2 you, that you were going to be involved in this new</p> <p>3 case.</p> <p>4 Do you remember that now?</p> <p>5 A. Vaguely. There was an interaction but I can't remember</p> <p>6 the specifics of it.</p> <p>7 Q. Can we have a look, on screen, please, at a page of one</p> <p>8 of the witness statements you made. It is IPC408,</p> <p>9 internal page 4.</p> <p>10 If we could look at paragraph 8, which is at the</p> <p>11 bottom of the page, if we could enlarge it, please.</p> <p>12 This is a witness statement you made for the IOPC,</p> <p>13 inspector, and the way in which you describe this moment</p> <p>14 in this statement is that you "... don't recall when I</p> <p>15 first viewed the CRIS".</p> <p>16 We will come to see that CRIS in fact didn't exist</p> <p>17 at the time, it was initiated a few days later. You say</p> <p>18 your recollection is that DI Kirk spoke to you on the</p> <p>19 morning of the 22nd asking you to deal with the</p> <p>20 Whitworth body, in that the following day there was</p> <p>21 going to be a special post mortem and you cannot</p> <p>22 remember if that was a face-to-face meeting or</p> <p>23 a telephone call.</p> <p>24 Why did you use those words, inspector, "Deal with</p> <p>25 the Whitworth body"?</p> <p style="text-align: center;">Page 61</p>	<p>1 I think Superintendent Wilson actually drafted. If we</p> <p>2 can go to page 4 of the document, paragraph 4.3, if we</p> <p>3 could enlarge -- do we see it says:</p> <p>4 "The OIC ..."</p> <p>5 So officer in the case. It says "DC Debbie Turrell"</p> <p>6 but she was a DS, wasn't she?</p> <p>7 A. She was.</p> <p>8 Q. "... overseen by acting DI Schamberger."</p> <p>9 A. Yes.</p> <p>10 Q. There are different words we can use and we will see</p> <p>11 slightly different ways of expressing it in all the</p> <p>12 different documents, but is that actually the role that</p> <p>13 you undertook, you were overseeing an investigation that</p> <p>14 was being conducted by DS Turrell and her team?</p> <p>15 A. I think that is fair to say, yes.</p> <p>16 Q. It is your chance to tell us whether it is or isn't?</p> <p>17 A. Yes.</p> <p>18 Q. Was that your understanding at the start, from DCI Kirk</p> <p>19 telling you what he expected you to do in this case?</p> <p>20 A. I am not quite sure whether it was all right at the</p> <p>21 start or whether it emerged a bit later on, but that is</p> <p>22 certainly the way it transpired.</p> <p>23 Q. Leaving to one side then exactly what DCI Kirk told you</p> <p>24 on that morning. I think you have agreed that that</p> <p>25 description that we saw in that document of you</p> <p style="text-align: center;">Page 63</p>
<p>1 A. I think that may have been just in reference to the</p> <p>2 special post mortem the following day.</p> <p>3 Q. I mean, do you think that is actually what you heard</p> <p>4 DCI Kirk say to you, either on the phone or in person,</p> <p>5 "I want you to deal with the Whitworth body"?</p> <p>6 A. I can't say whether that was the words that were used.</p> <p>7 Q. We will come to see that you had a much more extensive</p> <p>8 role in this investigation than dealing with the body,</p> <p>9 didn't you?</p> <p>10 A. Yes.</p> <p>11 Q. Do you think it is what he said or not?</p> <p>12 A. I can't say exactly what he said. I am afraid I do not</p> <p>13 have any more detailed recollection of that</p> <p>14 conversation.</p> <p>15 Q. In fact, if we look at another document, let's take that</p> <p>16 down, I am now going to show you a document which is in</p> <p>17 the larger jury bundle, inspector and probably we won't</p> <p>18 go to that small one anymore, but there will be quite</p> <p>19 a few references in the larger one, they will all come</p> <p>20 up on the screen so it is a matter for you whether you</p> <p>21 want to look at it on the screen or look at it in the</p> <p>22 bundle.</p> <p>23 If we look at tab 39 in the bundle, this is moving</p> <p>24 on, in fact, to the next day. If we go, please, to</p> <p>25 IPC225, tab 39 in the bundle, this is a document that</p> <p style="text-align: center;">Page 62</p>	<p>1 overseeing the investigation is a reasonable one.</p> <p>2 A. Yes.</p> <p>3 Q. Tell us this. How usual was it in your experience for</p> <p>4 you to oversee an investigation of this nature?</p> <p>5 A. It wasn't, it did not happen in my position before.</p> <p>6 Q. Whenever it was that it became apparent to you that that</p> <p>7 is what you were doing, whether it was in that first</p> <p>8 conversation with DCI Kirk or later that day or the next</p> <p>9 day, did you say to DCI Kirk, "What are you expecting of</p> <p>10 me? This is not something I am used to".</p> <p>11 A. The situation on the borough at the time, and this is</p> <p>12 something that had been built up over a number of</p> <p>13 months, at least, was -- I mean I recall conversations</p> <p>14 with my then line manager, about resourcing, about --</p> <p>15 this was mainly due to the ever-increasing workload</p> <p>16 within the MASH team, I mean some of the figures that</p> <p>17 I looked at on the system, if I may, indicate that --</p> <p>18 Q. Just tell us what you are looking at.</p> <p>19 A. It is just some figures from Merlin which indicates the</p> <p>20 number of reports that we were dealing with, the</p> <p>21 safeguarding reports.</p> <p>22 So, for example, in 2013, it was 6,690.</p> <p>23 By 2014 that had risen to 8,446.</p> <p>24 And by 2015 we are talking nearly 10,200.</p> <p>25 So from that point alone, resources were being</p> <p style="text-align: center;">Page 64</p>

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<p>1 stretched quite considerably in my existing role as 2 a DS, which was really two jobs, and later got split 3 into two jobs with the missing persons and the child 4 sexual exploitation side being taken on by a separate 5 DS.</p> <p>6 So we had had conversations around extra resourcing 7 and the constant feedback was there is no more, you just 8 basically deal with what you have got.</p> <p>9 There was an additional burden placed upon the 10 missing persons, who used to operate Monday to Friday. 11 I was given the task of stretching that cover to seven 12 days a week, so I had to draw again on my MASH team 13 staff to supplement that for weekend cover. I put 14 myself on some of the weekend shifts as well, just to be 15 able to fill the gap, so the option of really saying, 16 "I am not best placed to deal with this" had been eroded 17 away through other dealings long before this case, so at 18 that point I didn't really think I had the option 19 anymore to say, "This is too much, I am not best placed 20 to deal with this", it was a case of any -- all the 21 previous attempts to actually try to raise resources, to 22 try and work in a more safe environment where we can 23 actually give each case the attention it deserves, which 24 was the case when I initially started -- I recall when 25 I started initially on the MASH team that we would come</p> <p style="text-align: center;">Page 65</p>	<p>1 expecting you to do, because of that context of 2 stretched resources, although on the one hand it was 3 an extra pressure for you, when you were already 4 pressed --</p> <p>5 A. Yes.</p> <p>6 Q. -- your understanding of the wider position was that 7 everyone was pressed and you were just going to have to 8 do it?</p> <p>9 A. Yes.</p> <p>10 Q. Coming back to the fact that this was not something that 11 you had done before, did that flag up to you right from 12 the start that this was an unusual case, that a DI was 13 being asked to supervise the work of the DS and her team 14 in investigating this case?</p> <p>15 A. Not in itself. I mean I recall as a detective constable 16 in Havering, working on case which would be supervised 17 by detective sergeant, but a detective inspector would 18 have at least an awareness of what went on, there was 19 obviously not so much direct interaction between me and 20 the detective inspectors at the time, but --</p> <p>21 Q. Did you say to DCI Kirk, "What is it? Why does this 22 case warrant me supervising it? What are you expecting 23 me to do in supervising this case?"</p> <p>24 A. I don't recall a conversation like that.</p> <p>25 Q. Do you recall DCI Kirk briefing you that morning about</p> <p style="text-align: center;">Page 67</p>
<p>1 in on a Monday morning to a backlog but, generally 2 speaking, by the Friday afternoon, we would be on top of 3 it again, so there wouldn't be any delays into the 4 following week.</p> <p>5 That had long gone.</p> <p>6 Q. Just to summarise, DI Schamberger, we have heard from 7 other witnesses those officers who were working in the 8 main office, a similar account of stretched resources 9 over this period.</p> <p>10 A. Yes.</p> <p>11 Q. The words that one of them used was we were expected to 12 do more with less.</p> <p>13 A. Yes.</p> <p>14 Q. We have heard about different shift patterns creating 15 extra challenges as well, and it sounds from what you 16 are saying as though with your work at Roycraft House 17 and the MASH teams, it was a similar challenge?</p> <p>18 A. The work was getting more and I was obviously concerned 19 that we were going to not give each individual case the 20 attention that it needed.</p> <p>21 Q. Coming back to this situation, which is after all what 22 we are focusing on --</p> <p>23 A. Yes.</p> <p>24 Q. -- I think what you are saying is that when you were 25 told by DCI Kirk that this was another thing he was</p> <p style="text-align: center;">Page 66</p>	<p>1 the facts of the case, about what had happened, what was 2 going to happen going forwards?</p> <p>3 A. Possibly some facts, but I can't recall the extent of 4 them. But one that was definitely mentioned was the 5 post mortem for the following morning, the following 6 day.</p> <p>7 Q. Yes. I mean the jury have heard that quite a lot had 8 happened in the day or two before that Monday morning.</p> <p>9 A. Yes.</p> <p>10 Q. Do you recall -- again, this may be just something you 11 cannot help us with because it is so precise -- speaking 12 to Debbie Turrell that morning about the case?</p> <p>13 A. It is possible. Again, I am not quite sure whether the 14 conversations were in person or over the phone.</p> <p>15 Q. Let's have a look at another document, it is tab 22 in 16 the jury bundle. For the screen, it is IPC627.</p> <p>17 A. Is it the smaller or larger jury bundle?</p> <p>18 Q. You can assume that all of the references I give now are 19 going to be in the larger one, unless I mention the 20 smaller one. Tab 22. These are some notes that 21 Debbie Turrell made, it is her daybook. If we go to 22 page 5, if we can expand the middle part of that page. 23 Obviously we are going to talk to her about this, but it 24 looks like these are some notes of a meeting she had 25 with DCI Kirk that morning about this case. She is</p> <p style="text-align: center;">Page 68</p>

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<p>1 talking about various actions. You see there cell site, 2 and call data? 3 A. Yes. 4 Q. I don't know if this jogs your memory. If we could look 5 on the screen a little further down, please, can you see 6 where it says "CCTV [something] Barking", do you see 7 that? 8 A. Yes. 9 Q. Then just below that, there looks like there is 10 a reference to Paul -- I think that probably says 11 "Paul Berry exhibits", and then this: 12 "Rolf DI." 13 Do you see that? 14 A. Yes. 15 Q. That looks like that might be a reference to you? 16 A. Yes. 17 Q. I don't know whether that helps answer the question of 18 whether you were there when they were having this 19 discussion or not, perhaps it suggests you weren't -- 20 who knows, can you help us? 21 A. I don't recall being present at a meeting, at least not 22 that day, with Tony Kirk. 23 Q. Perhaps we need to remember that you were in Roycraft 24 House that morning, were you, is that where you would 25 have normally gone to work that Monday morning?</p> <p style="text-align: center;">Page 69</p>	<p>1 though, even a little bit later at 11.20 in the morning, 2 you were sent the HAT return, Sergeant Denley's HAT 3 return that he had drafted on the Sunday, the afternoon 4 before this? 5 A. Yes. 6 Q. On the face of the documents, these are all things that 7 you were sent that morning, on the Monday morning? 8 A. Yes. 9 Q. So, yes, you knew there was a special post mortem the 10 next day, but it looks as though you were either orally 11 or by these documents given quite a lot more information 12 about the case at that stage, were you not? 13 A. Yes. 14 Q. Presumably -- I am sure you cannot remember exactly now, 15 but presumably you would have to one degree or another 16 familiarised yourself with those documents when they 17 arrived? 18 A. Yes, to what extent I can't remember, because at the 19 time I was still very much getting to grips with 20 everything else that had just been added to my remit, as 21 well as the Monday morning rush of trying to risk grade 22 a whole number of reports that had come in over the 23 weekend. 24 Q. Of course, you will have appreciated I am sure that one 25 of the central features of this case was the fact that</p> <p style="text-align: center;">Page 71</p>
<p>1 A. Yes (Inaudible) duty. 2 Q. Whereas, is it right that DCI Kirk and Debbie Turrell 3 were both based at Fresh Wharf? 4 A. Yes. 5 Q. One thing we can say with some confidence is that you 6 were sent various documents about this case that 7 morning. 8 A. Yes. 9 Q. If we can just look at them briefly on screen. 10 First of all, if we can just go to IPC204, please, 11 so these are not in the jury bundle, DI Schamberger, but 12 they will just come up on screen. So IPC204, we see 13 DCI Kirk sending you -- this is at 8.35 in morning, that 14 was DS Sweetman's initial email that he had sent in 15 August about his visit to the Gabriel Kovari scene. 16 A. Yes. 17 Q. That is clearly an email that you received, yes? 18 Let's look at IPC207, please, again, a little bit 19 later now, it is 9.22 on the same morning and DCI Kirk 20 is sending you an email chain. I think we will find 21 this goes on, but it was emails that were exchanged over 22 the weekend about the developing understanding of the 23 case. 24 A. Yes. 25 Q. Then, finally, if we can look at IPC215, it looks as</p> <p style="text-align: center;">Page 70</p>	<p>1 Daniel's body had been found holding a note? 2 A. Yes. 3 Q. Which, amongst other things, referred to him having 4 killed someone else. 5 A. Yes. 6 Q. In the note, Gabriel Kline, but over the weekend, before 7 this Monday morning, that person had been identified as 8 Gabriel Kovari? 9 A. Yes. 10 Q. Do you remember whether you saw the note, I mean not the 11 exact note but a copy of it or a transcription of it 12 that morning? 13 A. I don't. 14 Q. You would have wanted to familiarise yourself with the 15 contents of that note fairly early, I imagine? 16 A. Yes. Yes. 17 Q. What about the question of handwriting? We know that 18 the day before you became involved on the Monday, 19 a small section of the note was sent to Daniel's father 20 and his partner and a discussion had been had about 21 whether or not that was Daniel's handwriting. Do you 22 know what you understood about that process on the 23 Monday morning? 24 A. I understood that the handwriting had been compared and 25 verified as that of Daniel Whitworth.</p> <p style="text-align: center;">Page 72</p>

<p>1 Q. We have seen that you received a copy of the HAT advice.</p> <p>2 A. Yes.</p> <p>3 Q. We saw from that very first reference in your witness</p> <p>4 statement to the fact that you were told that there was</p> <p>5 going to be a special post mortem the next day?</p> <p>6 A. Yes.</p> <p>7 Q. Were you also told that you were going to attend it?</p> <p>8 A. Yes.</p> <p>9 Q. Was there an explanation as to why you, a DI in the MASH</p> <p>10 group who was going to oversee an investigation by these</p> <p>11 more experienced, shall we say, or people's whose daily</p> <p>12 job was investigating, amongst other things, unexplained</p> <p>13 deaths, why it should be you rather than them that were</p> <p>14 going to go to the special post mortem?</p> <p>15 A. I think the reason was that I was covering the role of</p> <p>16 duty inspector that day, on the Monday. I should</p> <p>17 probably explain that each day one of the DIs or acting</p> <p>18 DIs had to be duty inspector, so as far as I recall, on</p> <p>19 Monday, the 22nd, that was me.</p> <p>20 Q. Do you mean the duty inspector for the borough, which</p> <p>21 was a uniformed role, or the CID duty inspector?</p> <p>22 A. The CID duty inspector.</p> <p>23 Q. Sorry, I may have not made my question very clear. You</p> <p>24 think, does that explain why it was you that was tasked</p> <p>25 to deal with this case rather than any of the other</p> <p style="text-align: center;">Page 73</p>	<p>1 that Daniel -- that in the note, on the face of it,</p> <p>2 Daniel was admitting to killing another person.</p> <p>3 A. Yes.</p> <p>4 Q. You have seen DS Sweetman's email where he had been to</p> <p>5 site of Gabriel's body being found. You understood, did</p> <p>6 you, that, as well as investigating the circumstances of</p> <p>7 Daniel's death, the content of the note meant that</p> <p>8 Gabriel's death was being looked at again, as well?</p> <p>9 A. Yes.</p> <p>10 Q. Was your understanding that your role was to oversee, as</p> <p>11 it were, the combined investigation into those two</p> <p>12 deaths, as it was now?</p> <p>13 A. I think so, yes.</p> <p>14 Q. I am going to come to ask you about the various steps</p> <p>15 you took, starting in a moment with you attending the</p> <p>16 gold group --</p> <p>17 A. Yes.</p> <p>18 Q. -- and we will go on to see that you went to the special</p> <p>19 post mortem, you reviewed the CRIS, you set some</p> <p>20 actions. You were involved in drafting -- or you did</p> <p>21 draft the closing reports --</p> <p>22 A. I did.</p> <p>23 Q. -- that were prepared for the coroner, and then it was</p> <p>24 you who then went to the inquests and gave evidence at</p> <p>25 the inquests?</p> <p style="text-align: center;">Page 75</p>
<p>1 inspectors?</p> <p>2 A. I believe so.</p> <p>3 Q. My question was intended to ask a slightly different</p> <p>4 point, which is, for example, why wasn't it DS Turrell</p> <p>5 that was sent to the special post mortem?</p> <p>6 A. I am not sure.</p> <p>7 Q. Did you ask?</p> <p>8 A. I can't recall.</p> <p>9 Q. Might you have said, well, I am going to be overseeing</p> <p>10 this investigation, but it is actually DS Turrell, who</p> <p>11 is a substantive detective sergeant in the CID main</p> <p>12 office, wouldn't it make more sense for her, who going</p> <p>13 to as it were be the driving force of the investigation,</p> <p>14 to go to the special post mortem?</p> <p>15 A. I don't remember asking that question at the time. It</p> <p>16 could have been something as simple as Mr Kirk saying</p> <p>17 I need you to attend this post mortem tomorrow and as</p> <p>18 with everything else at the time, there didn't seem even</p> <p>19 the option of trying to get this job allocated to</p> <p>20 someone else, because it had been given to me and it was</p> <p>21 therefore mine to do.</p> <p>22 Q. All right.</p> <p>23 A different point, you understood by this stage</p> <p>24 about the fact of the note, whether you had read the</p> <p>25 note or not, you knew that there was a note, you knew</p> <p style="text-align: center;">Page 74</p>	<p>1 A. Yes.</p> <p>2 Q. Just going back to the question of what role you played</p> <p>3 then, would it be fair to say that you led this</p> <p>4 investigation?</p> <p>5 A. I don't know whether -- I don't know whether I had given</p> <p>6 a definition of what I was doing a lot of thought.</p> <p>7 I think given everything he was that was going on as</p> <p>8 well, I just did whatever was raised at the time that</p> <p>9 needed doing. The whole situation with the remit that</p> <p>10 I had and the job that I had was very much, because the</p> <p>11 system was overloaded, just dealing with whatever was in</p> <p>12 front of me at the time, as in the biggest fire first.</p> <p>13 So if something came up that needed doing and I was in</p> <p>14 a position to do it, I would have just tried to do it.</p> <p>15 Q. I don't want to get tangled up in words but, before we</p> <p>16 get into all these actions that you took, steps that you</p> <p>17 took, I just want to try and get a sense of what you</p> <p>18 understood the substance of your role to be. To choose</p> <p>19 another word: did you feel you were in charge of this</p> <p>20 investigation?</p> <p>21 A. I felt like I provided some oversight, but sometimes</p> <p>22 stepped in to do different elements, like the closing</p> <p>23 report, like going to the inquest, I mean that could</p> <p>24 have been done by someone else as well and in hindsight</p> <p>25 somebody else may have been better placed to do this.</p> <p style="text-align: center;">Page 76</p>

<p>1 Q. It is because that word "oversight" is a tricky one, 2 that I am just trying to explore it. Did you feel that 3 someone else was in charge of the investigation? If so, 4 who? 5 A. Well, I felt the investigate was being run by Debbie and 6 her team and, because of my -- the demands that I had 7 felt on me, across the whole piece, particularly on 8 reflection, I think I was quite heavily dependent on 9 them coming to me with issues, rather than being able to 10 dedicate a lot of physical, mental and time-wise 11 capacity for the case ... cases. 12 Q. Right, well let's move on. I am going to ask you now 13 about the gold group, which took place that same day, 14 didn't it, on the Monday? 15 A. Yes, it did. 16 Q. Again, not something you necessarily could remember 17 independently but we have the documents to show us. 18 Again, in the jury bundle, it is tab 37, please. 19 For the screen, it is IPC43. 20 These are the minutes of the meeting. The first 21 thing we can see, just below the red title, it is at 22 4.00 in the afternoon on that day, and it is at Fresh 23 Wharf. 24 A. Yes. 25 Q. We can see you are there. Do we take it that you were</p> <p style="text-align: center;">Page 77</p>	<p>1 choose, that must have marked it for you as being 2 an important case? 3 A. Well, it meant I needed to go along to the gold group 4 and ascertain more information as to -- I don't think 5 I would have been fully up to speed at that point, so it 6 would have been an opportunity to gain further 7 information. 8 Q. No, but all I am suggesting at the moment, 9 DI Schamberger, is here we have two things about this 10 case. 11 First of all, that you have been asked to oversee 12 it. 13 Secondly, that Superintendent Wilson thought it was 14 important enough to hold a gold group about. 15 A. Yes. 16 Q. Those two things, independently and also together, were 17 no doubt telling you: here is an important case. Is 18 that fair or not? 19 A. I think you could say that. I mean clearly some value 20 over and above other cases had been attributed to it in 21 order to have those things, yes. 22 Q. If we look over on the second page, please, point 5, 23 "Primacy of each investigation". Nothing in the 24 minutes, but our understanding from other witnesses is 25 that there was some discussion about the question of</p> <p style="text-align: center;">Page 79</p>
<p>1 there in person? 2 A. I believe I was, yes. 3 Q. So at that stage, if not before, you would have left -- 4 A. Roycraft House. 5 Q. Roycraft House and gone over to Fresh Wharf? 6 A. Yes. 7 Q. Help us, those of us who are not familiar with Barking, 8 how close are the two buildings, how easy is to get from 9 one to the other? 10 A. I normally walked when I had to go there, and I would 11 imagine that to be 20 minutes, maybe, maybe a bit less 12 on a brisk walk. 13 Q. You had come over and you were sitting in a room with 14 Superintendent Wilson, DCI Kirk and others in the 15 conference room at Fresh Wharf? 16 A. Yes. 17 Q. Was attending a gold group something that you did often? 18 A. Not often. 19 Q. Something you would actually done before at all or was 20 this the first time? 21 A. Yes. No, I had been to gold groups before, although the 22 specifics escape me but ... 23 Q. Again, the fact that a gold group is being held into 24 this new investigation on this -- that you have been 25 asked to oversee or lead or whatever word one wants to</p> <p style="text-align: center;">Page 78</p>	<p>1 whether, in fact, MIT, SC&O1, whatever one wants to call 2 it, homicide command, should take over and run these 3 cases as opposed to them being pursued by the borough. 4 We have heard a lot of evidence about discussions 5 the previous day and also earlier that day involving 6 Superintendent Wilson. I am sure you were not involved 7 in those discussions -- 8 A. I wasn't. 9 Q. -- but do you remember the discussion at the gold group 10 on this issue when you were there? 11 A. Not in any great detail, other than that the borough 12 were going to keep the investigation. 13 Q. Do you remember at least that the reason it was even 14 being suggested that SC&O1 should take over this case is 15 because it involved potentially a homicide? 16 A. I can't recall for sure, but it is quite likely. 17 Q. That is the only reason that MIT would take over a case, 18 isn't it? 19 A. Yes -- well, not necessarily, but mostly, yes. 20 Q. You knew enough about the case by this stage, didn't 21 you, first of all to know that there was on the face of 22 the note, it did appear that Daniel Whitworth had killed 23 Gabriel Kovari? 24 A. Yes. 25 Q. That on the face of it was a homicide issue, yes?</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 A. Yes.</p> <p>2 Q. Were you also aware, perhaps from having read the HAT</p> <p>3 return, that there were suspicious aspects around the</p> <p>4 death of Daniel Whitworth, not just the fact that he</p> <p>5 appeared to have killed Gabriel Kovari, but other things</p> <p>6 too, were you aware of that?</p> <p>7 A. Yes, I believe so.</p> <p>8 Q. Let's look at the item above, do you see it says</p> <p>9 "Outstanding issues"? There is an entry here which</p> <p>10 says:</p> <p>11 "Phone data to be obtained around the death of</p> <p>12 Kovari."</p> <p>13 Just pausing there, the jury have heard quite a lot</p> <p>14 of evidence about phone data, and we have heard from</p> <p>15 others that, perhaps it is obvious, even from the words,</p> <p>16 but that is a reference to the need to try and do phone</p> <p>17 work to obtain cell site data and also call data around</p> <p>18 the time of 28 August when Gabriel Kovari's body was</p> <p>19 found.</p> <p>20 A. Yes.</p> <p>21 Q. Does that seem to you to be what that is a reference to?</p> <p>22 A. Yes.</p> <p>23 Q. Then it says, "DCI Kirk to request by the 23rd" which is</p> <p>24 the day after. He has told us that that shouldn't be</p> <p>25 read too literally and that that is something he would</p> <p style="text-align: center;">Page 81</p>	<p>1 there is no evidence at this stage to suggest any third</p> <p>2 party involvement. However, it is necessary to</p> <p>3 investigate and establish the full facts before</p> <p>4 confirming this as the situation. To move the body of</p> <p>5 Gabriel post mortem would take some strength and</p> <p>6 Whitworth may not have been physically able to do this."</p> <p>7 Then just below that:</p> <p>8 "The crux of my advice is to gather all known</p> <p>9 information regarding Gabriel, his death and the finding</p> <p>10 of his body."</p> <p>11 Then he goes on to say:</p> <p>12 "This includes speaking to DS Sweetman ..."</p> <p>13 We have seen you had received that HAT advice on the</p> <p>14 Monday morning.</p> <p>15 A. Yes.</p> <p>16 Q. Quite reasonably you said you cannot now remember</p> <p>17 whether you had sat down and read it all or not, but</p> <p>18 would it be fair to say that either having read that or</p> <p>19 your attendance at the gold group or talking the matter</p> <p>20 through with DS Turrell or DCI Kirk, would it be fair to</p> <p>21 say that on that day you had an understanding about the</p> <p>22 manslaughter-suicide analysis that we have just read</p> <p>23 there and also the fact that there were suspicious</p> <p>24 circumstances about both these deaths which needed to be</p> <p>25 explored?</p> <p style="text-align: center;">Page 83</p>
<p>1 have delegated. Is that something in fact which was</p> <p>2 delegated to you to do?</p> <p>3 A. I don't recall any specific delegation of that point.</p> <p>4 Q. Is it fair though to say that the fact that this was</p> <p>5 something discussed at this gold group with</p> <p>6 Superintendent Wilson is a mark that even at that stage</p> <p>7 it was regarded as being an important action to</p> <p>8 undertake?</p> <p>9 A. Yes. Yes, I think that is fair.</p> <p>10 Q. We see also reference to other actions, including CCTV</p> <p>11 there, yes?</p> <p>12 A. Yes, which has got my name against it.</p> <p>13 Q. I just want to -- you have said that you had had the HAT</p> <p>14 report in mind. I want to ask you to look at a part of</p> <p>15 it, please, so for these -- we can take that off the</p> <p>16 screen -- go to tab 26 of the bundle, please. For the</p> <p>17 screen, it is IPC11. Page 3, please.</p> <p>18 If we can look at the top paragraph. Do you see the</p> <p>19 second line down there is a sentence starting with the</p> <p>20 word, "Based ..."</p> <p>21 A. Yes.</p> <p>22 Q. I am going to read this and then ask you some questions</p> <p>23 about it:</p> <p>24 "Based on the information available at this time, it</p> <p>25 seems that this matter is a manslaughter-suicide, and</p> <p style="text-align: center;">Page 82</p>	<p>1 A. Yes.</p> <p>2 Q. Were you also understanding that that was, in fact, the</p> <p>3 reason why there was going to be a special post mortem</p> <p>4 the next day, as the first step in exploring those</p> <p>5 potentially suspicious circumstances?</p> <p>6 A. Yes.</p> <p>7 Q. The reason I ask you those questions, DI Schamberger, is</p> <p>8 you said something slightly different in a witness</p> <p>9 statement you made. Let me just ask you about that.</p> <p>10 For the screen, please, it is IPC408. If we can go to</p> <p>11 page 10, please.</p> <p>12 I want to read out paragraph 20, which starts at the</p> <p>13 bottom of page 10 and then goes over.</p> <p>14 What you said here was this:</p> <p>15 "The fact that there was a special post mortem in</p> <p>16 relation to Daniel Whitworth was not something which</p> <p>17 caused me to have any heightened sense of concern around</p> <p>18 whether it was a suspicious death or not. It was clear</p> <p>19 that an initial view had been taken by DS Sweetman in</p> <p>20 relation to when the body of Gabriel Kovari was found</p> <p>21 and a similar view by DS Turrell in relation to</p> <p>22 Daniel Whitworth. I was not aware of any compelling</p> <p>23 evidence, or indeed any evidence at all in the early</p> <p>24 stages, that caused me that concern around what appeared</p> <p>25 to be the obvious scenario in relation to Mr Whitworth</p> <p style="text-align: center;">Page 84</p>

21 (Pages 81 to 84)

<p>1 having confessed to killing Gabriel Kovari and then, 2 sadly, taking his own life. The fact that there was 3 a special post mortem in the case of Daniel Whitworth, 4 I am told, is more to do with the speed of having the 5 post mortem carried out than the fact that there is any 6 greater degree of suspicion surrounding the 7 circumstances of his death." 8 Well, what you wrote in that statement, which was 9 some years ago now, is not the same as what you have 10 just told us, is it? 11 A. Well, I think what I am saying now is also with the 12 benefit of a long period of reflection, so it is very 13 difficult for me to be very clear on the finer points on 14 something that did happen a long time ago. 15 Q. All right, but would it be fair to say though that you 16 did understand at the time that a special post mortem 17 was only called because there were suspicious 18 circumstances about a death? 19 A. Probably not entirely. 20 Q. It seems astonishing that a police officer of so many 21 years' service in 2014 wouldn't have known the 22 circumstances which called for a special post mortem. 23 A. Again, it is something that in my service I have not had 24 a lot of dealings with, I had not attended a post mortem 25 before this one. It was not something that I had been</p> <p style="text-align: center;">Page 85</p>	<p>1 building, did you send her an email? We haven't seen 2 one. How would it have worked in those circumstances, 3 where you were based in a different building? 4 A. Probably a combination of phone calls and emails. 5 Q. Let's just look, for example, in the bundle at tab 34, 6 please. For the screen it is IPC213. We have seen 7 a couple of these emails, DI Schamberger, that 8 Sergeant Turrell sent to her team. 9 A. Yes. 10 Q. This one and there is another one the next day, which 11 essentially were giving out actions, but you are not 12 copied in on them. How were you to be aware of what the 13 team were doing, if you were not, as far as we can see, 14 copied in on the actions? 15 A. If I wasn't copied in, then the only way I could have 16 been aware would have been through other contact. 17 Q. Do you think you should have been copied in on these 18 emails? 19 A. Probably, yes. 20 Q. One reason why, perhaps -- we can ask her this -- 21 DS Turrell was sending these emails was because a CRIS 22 hadn't yet been set up. 23 I mean, as the jury have heard, the jury have seen 24 the CRIS into the Anthony Walgate case, we know there 25 was one set up in this case a few days later.</p> <p style="text-align: center;">Page 87</p>
<p>1 involved in to that extent. 2 Q. In any event, I think you have accepted that the gloss 3 that is put on these matters in this witness statement, 4 to the effect that, as far as you were concerned, there 5 was nothing suspicious about either death and that on 6 the face of it, the obvious explanation contained in the 7 suicide note, nothing to challenge that. That is not 8 the same as what is in the HAT report, is it? I think 9 you have told us that it was actually the HAT report, 10 the concern, the possible suspicious circumstances that 11 you were aware of on that day. Is that right? 12 A. I can't say whether it was on that day but at some 13 point, yes. 14 Q. You became aware that there were suspicious 15 circumstances or potentially suspicious circumstances 16 that needed investigation? 17 A. Yes. 18 Q. May I just ask you a couple of very practical questions. 19 First of all, going forward in the next few days and 20 weeks, how did you actually work with DS Turrell and her 21 team? To give you an example, how did you feed back to 22 them what had happened in the gold group, we see that 23 you were responsible for some actions, DI Kirk was 24 responsible, which he may or may not have delegated. 25 Did you go and talk to her while you were in the</p> <p style="text-align: center;">Page 86</p>	<p>1 A. Yes. 2 Q. And once the CRIS is set up, that is the way in with the 3 team can communicate, isn't it? Actions can be set -- 4 A. Actions can be set, yes. 5 Q. We will see that you set some? 6 A. Yes. 7 Q. Why had a CRIS not been set up on that day? 8 A. I am not sure. 9 Q. Did you not give an instruction that it should be set 10 up? 11 A. I can't remember. 12 Q. It doesn't seem that you did, but shouldn't you have 13 done? 14 A. I could have done, yes. 15 Q. You could have done? 16 A. I could have done. Possibly should have done -- 17 Q. Is this a case, an investigation, which is important 18 enough for a gold group to be held and for an acting DI 19 to oversee the investigation. 20 It is obvious, isn't it, that there ought to have 21 been a CRIS set up from the start? 22 A. From the start, yes. 23 Q. Isn't it a fairly basic question for you to ask: is 24 there a CRIS? And if there wasn't one, tell them to do 25 it that moment?</p> <p style="text-align: center;">Page 88</p>

<p>1 A. Yes.</p> <p>2 Q. That's a mistake you made, is it?</p> <p>3 A. It is something I didn't do at the time, yes.</p> <p>4 Q. It is actually even more important -- I mean I think we</p> <p>5 should show you, I could show you a policy which says</p> <p>6 that it was something that is completely standard and</p> <p>7 should have been done anyway, but if you were going to</p> <p>8 be working in a different building, it is even more</p> <p>9 important that a CRIS should have been set up straight</p> <p>10 away, isn't it?</p> <p>11 A. You could say that, yes.</p> <p>12 Q. I have just said it. I am asking you whether in fact</p> <p>13 that is another reason why a CRIS should have been set</p> <p>14 up that day?</p> <p>15 A. The CRIS should have been set up anyway, so for that</p> <p>16 reason as well as others, yes.</p> <p>17 Q. Let's move on to the special post mortem, which took</p> <p>18 place the next day on the Tuesday.</p> <p>19 Again, just so you know, you may well have been told</p> <p>20 this, but the jury have heard some evidence already from</p> <p>21 Dr Swift who conducted the post mortem, and Sergeant</p> <p>22 Denley who was there as well.</p> <p>23 A. Yes.</p> <p>24 Q. Can I just be clear about something you have mentioned</p> <p>25 once or twice already this morning. Was this the first</p> <p style="text-align: center;">Page 89</p>	<p>1 A. Yes.</p> <p>2 Q. Do you think that was something you were aware of before</p> <p>3 you walked in the door that morning?</p> <p>4 A. I am not sure. If yes, then not to a great extent. As</p> <p>5 I said, my dealings -- I had had no dealings with</p> <p>6 something like this before that time.</p> <p>7 Q. We know that you went over to Fresh Wharf building on</p> <p>8 that Monday afternoon to go to the gold group.</p> <p>9 A. Yes.</p> <p>10 Q. You were sitting round a table with DCI Kirk and</p> <p>11 Superintendent Wilson, amongst others, and no doubt</p> <p>12 there were other experienced officers in the building</p> <p>13 who you may have stopped and chatted to on your way in</p> <p>14 or out of the meeting. You would have known then that</p> <p>15 you were going to go off to this special post mortem the</p> <p>16 next day, the first time you had ever been to a post</p> <p>17 mortem.</p> <p>18 If you were so unsure about what it was all about,</p> <p>19 one might have thought that you would have asked</p> <p>20 someone?</p> <p>21 A. Well, as far as I was aware, the homicide team were</p> <p>22 going to be represented there as well.</p> <p>23 Q. How does that answer my question?</p> <p>24 A. So there would have been guidance available there at the</p> <p>25 time.</p> <p style="text-align: center;">Page 91</p>
<p>1 post mortem of any type that you had attended?</p> <p>2 A. Yes.</p> <p>3 Q. You have been a police officer for how long, 11 years by</p> <p>4 then?</p> <p>5 A. Yes.</p> <p>6 Q. You hadn't been to a post mortem at all?</p> <p>7 A. No.</p> <p>8 Q. I think, does it follow from the exchange we had a few</p> <p>9 minutes ago, that you at best were rather vague as to</p> <p>10 what a special post mortem was all about?</p> <p>11 A. Yes.</p> <p>12 Q. You must have realised as soon as you arrived and saw</p> <p>13 police officers present, carefully logging exhibits and</p> <p>14 so on, that this was not to do with speed, it was to do</p> <p>15 with making the post mortem a proper forensic exercise,</p> <p>16 evidence-based exercise. That must have been obvious to</p> <p>17 you?</p> <p>18 A. I think so.</p> <p>19 Q. Just try and help us, we have heard from DCI Lyons that</p> <p>20 the reason he authorised the special post mortem, or</p> <p>21 instructed that it should take place, was because of his</p> <p>22 concern about possible suspicious circumstances relating</p> <p>23 to Daniel's death and the possibility of third party</p> <p>24 involvement, the sort of things we just saw in that HAT</p> <p>25 return.</p> <p style="text-align: center;">Page 90</p>	<p>1 Q. You wouldn't have thought to ask anyone about what it</p> <p>2 was all about, this special post mortem in this</p> <p>3 investigation you were overseeing or leading, because</p> <p>4 someone else was going to be there?</p> <p>5 A. Well, at Fresh Wharf, it was not a place where I was</p> <p>6 based so, it was not like coming into a building where</p> <p>7 I was familiar with everybody or on close personal or</p> <p>8 working relationships with people there. So it wasn't</p> <p>9 like walking into, for example, the office I worked in</p> <p>10 at Roycraft House, where I had a close working</p> <p>11 relationship with the whole team.</p> <p>12 Q. Okay, well, let's look at the notes, because there were</p> <p>13 a number of other people at the post mortem, but one of</p> <p>14 them was a crime scene manager, Mr Gallagher, do you</p> <p>15 remember that?</p> <p>16 A. Yes.</p> <p>17 Q. Let's look at his notes, because he actually made some</p> <p>18 quite detailed notes of the post mortem, which we have</p> <p>19 been using.</p> <p>20 For the bundle, it is tab 42. For the screen, it is</p> <p>21 MPS1099. Page 2. It is the bottom half of the page we</p> <p>22 need, please, you see where it says 10.45 on the</p> <p>23 left-hand column?</p> <p>24 A. Yes.</p> <p>25 Q. Is this a document you have had a look at before you</p> <p style="text-align: center;">Page 92</p>

<p>1 came to give evidence today, DI Schamberger?</p> <p>2 A. Yes, but not very recently and not in detail.</p> <p>3 Q. There's probably quite a lot of documents you have</p> <p>4 looked at. Let me read out this passage and then ask</p> <p>5 you about it.</p> <p>6 We see it says at the Queen's Hospital Mortuary and</p> <p>7 then it says:</p> <p>8 "Discussed strategy with A/DS Denley."</p> <p>9 Was that the first time you had met Sergeant Denley?</p> <p>10 A. I believe so.</p> <p>11 Q. Yourself, DI Schamberger, and Dr Swift the pathologist.</p> <p>12 Then this, "Strategy". What we have heard from the</p> <p>13 others is that this was a discussion held prior to</p> <p>14 Dr Swift starting his examination of Daniel's body.</p> <p>15 I asked you right at the beginning whether this day</p> <p>16 was something that stood out in your mind and I think</p> <p>17 you said it was. Do you actually remember having those</p> <p>18 discussions before the post mortem itself?</p> <p>19 A. Not specifically, no.</p> <p>20 Q. Let's look at the record then. It says "Strategy", then</p> <p>21 there is an indication, "Note ..." We think that says</p> <p>22 "verified by family":</p> <p>23 "Ascertain cause of death, is it consistent to</p> <p>24 details on note?</p> <p>25 "Any sign of possible assault or third party</p> <p style="text-align: center;">Page 93</p>	<p>1 scene manager as well.</p> <p>2 Q. Right, do you actually, can you actually help us with</p> <p>3 this, DI Schamberger, or can you simply not remember</p> <p>4 what happened?</p> <p>5 A. I can't remember this discussion, no.</p> <p>6 Q. Can we take it in any event that this was not a strategy</p> <p>7 that you objected to, or disagreed with?</p> <p>8 A. No. Yes.</p> <p>9 Q. That's right?</p> <p>10 A. Yes, that's right.</p> <p>11 Q. Can you help us at all with whether you had thought</p> <p>12 about what the strategy should be before you arrived at</p> <p>13 the post mortem?</p> <p>14 A. Not in terms of that timing, no.</p> <p>15 Q. Did you take notes at the post mortem?</p> <p>16 A. Very briefly.</p> <p>17 Q. Where did you take them?</p> <p>18 A. In my notebook.</p> <p>19 Q. Is that a book which, as far as you are aware, we have</p> <p>20 seen?</p> <p>21 A. I don't -- no, I don't think so.</p> <p>22 Q. Right, well, I am going to ask you some questions. If</p> <p>23 you want to refer to that then -- don't get it out now.</p> <p>24 If there comes a time when you want to refer to it, then</p> <p>25 say so and we might ask to have a look at it.</p> <p style="text-align: center;">Page 95</p>
<p>1 involvement?</p> <p>2 "Try to identify man victim had described as having</p> <p>3 sex with the previous evening."</p> <p>4 Does that jog your memory?</p> <p>5 A. Not in terms of the actual discussion, no.</p> <p>6 Q. Someone had set this strategy --</p> <p>7 A. Yes.</p> <p>8 Q. -- as matters to be explored --</p> <p>9 A. Yes.</p> <p>10 Q. -- by means of the post mortem. Is that your strategy?</p> <p>11 A. I don't recall coming up with the strategy, so I don't</p> <p>12 know who actually set that. Whether it was</p> <p>13 Mr Gallagher.</p> <p>14 Q. You are going to have to help us, we know at this point</p> <p>15 this is an investigation which homicide command have</p> <p>16 declined to take over.</p> <p>17 A. Yes.</p> <p>18 Q. So, to use the term, borough has primacy.</p> <p>19 A. Yes.</p> <p>20 Q. You are the acting DI from the borough, the senior</p> <p>21 borough officer present. It is the borough</p> <p>22 investigation. Wouldn't it be expected that therefore</p> <p>23 it would be the borough, that is you, setting the</p> <p>24 strategy?</p> <p>25 A. The strategy could have been suggested by the crime</p> <p style="text-align: center;">Page 94</p>	<p>1 What I am going to do is just go through those three</p> <p>2 strategy points -- we don't need to have it back on</p> <p>3 screen -- and ask you some questions about it.</p> <p>4 The first one was the cause of death.</p> <p>5 The second one was the sign of possible assault or</p> <p>6 third party involvement.</p> <p>7 The last one was identifying the man who the victim</p> <p>8 had described as having sex with.</p> <p>9 As far as the first point is concerned, the cause of</p> <p>10 death, it is right, isn't it, that the post mortem was</p> <p>11 inconclusive on that day?</p> <p>12 A. Yes, it was awaiting toxicology, as far as I remember.</p> <p>13 Q. That's right. We have heard from Dr Swift and others</p> <p>14 that there was some evidence of bruising to the neck,</p> <p>15 which raised the possibility of strangulation, but</p> <p>16 equally the voicebox, the hyoid bone, was intact, which</p> <p>17 suggested that that was not the cause of death.</p> <p>18 A. Yes.</p> <p>19 Q. We have seen references to Dr Swift saying that that</p> <p>20 bruising around the neck could also be consistent with</p> <p>21 fitting, following an overdose.</p> <p>22 A. Yes.</p> <p>23 Q. So inconclusive, as you say, need for toxicology. We</p> <p>24 will see some references in the documents but you agree</p> <p>25 then that was the position that was reached as far as</p> <p style="text-align: center;">Page 96</p>

<p>1 that first head of strategy was concerned?</p> <p>2 A. Yes.</p> <p>3 Q. As far as the second, that is any sign of possible</p> <p>4 assault or third party involvement. There was, wasn't</p> <p>5 there, some bruising found under Daniel's arms and</p> <p>6 shoulders?</p> <p>7 A. Yes.</p> <p>8 Q. Let's have a look, please, at the HAT advice which</p> <p>9 records the post mortem. It is jury bundle 45, screen</p> <p>10 IPC42, please. Page 2.</p> <p>11 What we see that Sergeant Denley has recorded is</p> <p>12 this -- I'm looking at the top:</p> <p>13 "There were bruises under his arms/armpits which</p> <p>14 could be consistent with being manhandled and the</p> <p>15 pathologist suggested these could have been caused if</p> <p>16 somebody had carried or moved the deceased either pre or</p> <p>17 post mortem."</p> <p>18 Is that consistent with your memory?</p> <p>19 A. My memory is not so exact of that. So I can't say for</p> <p>20 sure.</p> <p>21 Q. You remember these bruises under Daniel's arms were</p> <p>22 found, or armpits?</p> <p>23 A. Yes.</p> <p>24 Q. And that was, was it not, a sign of, to use the words in</p> <p>25 the strategy, "possible assault or third party</p> <p style="text-align: center;">Page 97</p>	<p>1 A. Yes.</p> <p>2 Q. -- and he does go on, admittedly in the next paragraph,</p> <p>3 to talk about discussions with you. Do you think might</p> <p>4 have discussed it with you or do you think --</p> <p>5 A. We did obviously speak on the day, but I can't remember</p> <p>6 the content of our discussion or conversation.</p> <p>7 Q. I am not going to press you any more about your memory,</p> <p>8 because you can't remember, but it is perhaps</p> <p>9 concerning, because we know that this was</p> <p>10 a conversation, certainly as far as DS Denley and</p> <p>11 Dr Swift are concerned, that took place without</p> <p>12 Dr Swift's involvement. That on one view at least</p> <p>13 Dr Swift having identified these bruises and saying that</p> <p>14 they appeared to be consistent with manhandling Daniel's</p> <p>15 body, which is something that gives rise to concern or</p> <p>16 suspicion, you agree.</p> <p>17 There is then immediately a conversation, which</p> <p>18 doesn't involve Dr Swift, which suggests this other</p> <p>19 possible explanation, rough sex, tending towards making</p> <p>20 it non-suspicious. Do you see the concern, which is</p> <p>21 that as soon as Dr Swift had raised something that might</p> <p>22 be thought to be suspicious, police officers are coming</p> <p>23 up with their own theory sidelining that and making it</p> <p>24 look less suspicious? Is there anything you want to say</p> <p>25 about that?</p> <p style="text-align: center;">Page 99</p>
<p>1 involvement"?</p> <p>2 A. Possibly, yes.</p> <p>3 Q. Did that, in that sense, concern you?</p> <p>4 A. It definitely made me think that we needed to establish</p> <p>5 as to how Daniel Whitworth's body had come to be where</p> <p>6 it was.</p> <p>7 Q. Yes. Let's look at the next couple of paragraphs down,</p> <p>8 at a further entry that we asked Mr Denley about. We</p> <p>9 see there is a paragraph:</p> <p>10 "There was discussion around how the injuries could</p> <p>11 have been caused and it is possible that the bruising</p> <p>12 under his arms, armpits, throat, could have been</p> <p>13 sustained some time before death and during sexual acts.</p> <p>14 The deceased's suicide note suggested he had sex with</p> <p>15 a male the night of his death and he clearly led</p> <p>16 a double life that his partner knew nothing of."</p> <p>17 He then goes on:</p> <p>18 "I discussed the matter with A/DI Schamberger. He</p> <p>19 is aware that further investigation is required ..."</p> <p>20 Is this something that you remember discussing with</p> <p>21 DS Denley, the possibility that all of the bruising, the</p> <p>22 throat and the armpit bruising, could be in fact</p> <p>23 explained by, let's call it rough sex?</p> <p>24 A. I don't recall that discussion with DS Denley.</p> <p>25 Q. Well, DS Denley has discussed it with someone --</p> <p style="text-align: center;">Page 98</p>	<p>1 A. As I don't recall the conversation, I don't know what</p> <p>2 else I can say to that.</p> <p>3 Q. Just understanding that you don't remember the</p> <p>4 conversation, or whether you were part of it --</p> <p>5 A. Yes.</p> <p>6 Q. -- there is an assumption, isn't there, that someone who</p> <p>7 was gay, who had sex with a male the night before his</p> <p>8 death, must have been into rough sex?</p> <p>9 A. Not necessarily.</p> <p>10 Q. That seems to be the assumption that is drawn in this</p> <p>11 paragraph, isn't it?</p> <p>12 A. It is a possibility that is raised by DS Denley, these</p> <p>13 are his words.</p> <p>14 Q. All that was known at that stage about Daniel from the</p> <p>15 note, as he has made clear here, is simply that he had</p> <p>16 had sex with a male the night before and shall we say</p> <p>17 that the conclusion seems to have been leapt to, not</p> <p>18 definite but possible, "Ah, well, in that case maybe it</p> <p>19 was all just rough sex". Can you see why that is</p> <p>20 a rather concerning inference to draw?</p> <p>21 A. I can see what you are saying.</p> <p>22 Q. Were you, whether in relation to this conversation or</p> <p>23 generally, were you, do you think, trying to downplay in</p> <p>24 your mind any suspicions that were aroused during that</p> <p>25 special post mortem?</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 A. I don't think so, because, had that been an explanation, 2 had that been an accepted explanation, then it would 3 have maybe somewhat limited the relevance of following 4 enquiries, which wasn't the case. 5 Q. Well, if that had been the working hypothesis then, for 6 example, people might not have bothered to conduct the 7 investigations into how Daniel died. Is that what you 8 are saying? 9 A. No, but if that had been decided, this was the accepted 10 hypothesis, then it would have more or less excluded 11 anything else, which I don't think it did. 12 Q. It didn't exclude anything else, because we can see that 13 some things were done? 14 A. Yes. 15 Q. But another possibility is that, if this was, let's say, 16 the idea at the backs of people's minds, it might have 17 meant that people didn't do a very good job in 18 investigating Daniel's death. 19 A. I can't really say much to that. 20 Q. Well, you can say whether in your own mind, as far as 21 you can remember -- 22 A. In my own mind, no. 23 Q. In your mind, this was a death where you needed to get 24 to the bottom of what had happened? 25 A. We still needed to get to the bottom of the movements --</p> <p style="text-align: center;">Page 101</p>	<p>1 Q. Presumably, that would have made it even more important 2 than it was at the start to identify the male who was 3 described as having sex with Daniel the night before? 4 A. That was always an important line of enquiry. 5 Q. How did you intend to go about tracing that male? 6 A. Through tasking of phone work, of CCTV, of having -- 7 searching for further witnesses. Some of the work, some 8 statements, had already been taken at that point. 9 Q. That is phone work, witness statements, CCTV. 10 A. Yes. 11 Q. But here -- 12 A. And social media. 13 Q. -- we are focusing on the special post mortem. 14 A. Yes. 15 Q. The special post mortem and the discussions around it, 16 I suggest, generated at least two lines of enquiry for 17 you to try and identify that man. 18 The first is the swabs that were taken for Daniel's 19 body from the sort of anal area of his body, what is 20 sometimes described as sex swabs. You are familiar with 21 those, you know what I am talking about? 22 A. I know what you are talking about, yes. 23 Q. You know that if those are sent for analysis they can 24 identify who an individual had sex with, yes? 25 A. Yes.</p> <p style="text-align: center;">Page 103</p>
<p>1 Daniel Whitworth's last movements and how he came to be 2 where he was and at that time what the conclusive cause 3 of death as well actually was. 4 Q. Also his involvement, if any, with the death of 5 Gabriel Kovari? 6 A. Yes. 7 Q. And that -- well, the first of those, his movements 8 around the time of his death, takes us to the last of 9 those strategy points. 10 A. Yes. 11 Q. Which was trying to identify the male the victim had 12 described as having sex with the previous evening? 13 A. Yes. 14 Q. Did you think perhaps that that was even more important, 15 given the finding of shoulder bruising? 16 A. It was important before, so in terms of gradings of 17 importance, I am not sure. 18 Q. It was important enough before this post mortem started 19 for it to be one of the three strategy points, yes? 20 A. Yes. 21 Q. But once the post mortem had happened, you knew that 22 there was bruising to Daniel's shoulders, which, as you 23 say, gave rise to concern about how Daniel may have 24 arrived at the graveyard? 25 A. Yes.</p> <p style="text-align: center;">Page 102</p>	<p>1 Q. That then is an obvious line of enquiry, if what you are 2 trying to identify is the person who, on the face of it, 3 Daniel has said "I had sex with last night", that would 4 be a very obvious way of investigating that, wouldn't 5 it? 6 A. It would. 7 Q. Let's also look, and remind ourselves, at what Dr Swift 8 said about this. 9 If we go to tab 44 in the bundle, please. For the 10 screen, it is IPC331. This, as we will come to hear -- 11 there is much more to say about this in due course -- is 12 a report that only became available many months 13 afterwards, in April 2015. 14 A. Yes. 15 Q. If we go to page 9, we see some comments made by 16 Dr Swift. If we then, in fact, go over to page 10, we 17 see Dr Swift recording something which he said at the 18 debriefing, so I am looking at paragraph 8. This is the 19 debriefing at the post mortem. 20 He said: 21 "At the debriefing, it was strongly recommended that 22 further examination of the bedsheet within which he was 23 apparently wrapped be examined and positive confirmation 24 made of the handwriting." 25 Of course, DI Schamberger, there will be much more</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 to be said about this bedsheet but, first of all, 2 Dr Swift was quite clear, both in this report and when 3 he gave evidence, that that was something he said, that 4 was a recommendation, to use his words, a strong 5 recommendation, that he made at the debriefing. 6 Do you remember him making it? 7 A. No. Not that comment. There was another comment, 8 a recommendation he made, he brought up about the 9 presence of a pen to check whether or not there was 10 a pen in Daniel's -- Daniel Whitworth's possession that 11 could match -- of the same type of ink on the note. So 12 I remember that. But not any discussion around the 13 bedsheet at all. 14 Q. To be clear, are you saying that Dr Swift didn't say 15 that, that he didn't strongly recommend that the 16 bedsheet -- 17 A. No, I can't say that he didn't say it. But after the 18 post mortem, the -- I recall going into a, I don't know, 19 like a locker room to get rid of the barrier clothing 20 and retrieve belongings from the locker and things like 21 that. So the only way I could imagine that this 22 happened is that conversations took place, not all of 23 which I was party to. 24 Q. There is another explanation, isn't there, which is that 25 he said it, you were there and you didn't make a note</p> <p style="text-align: center;">Page 105</p>	<p>1 Q. Let's put to one side the question of what Dr Swift 2 said, whether you heard it or not. 3 A. Yes. 4 Q. The fact remains that you knew that Daniel had been 5 found on a bedsheet, did you not? 6 A. At that point I do not recall the bedsheet being 7 mentioned. I do not remember seeing it anywhere. It 8 was mentioned in the CRIS report, but I do not recall it 9 featuring in my mind at all as an item of significance. 10 I don't remember anything specific about it at all. 11 Q. Are we left then that, in terms of that third strategy 12 point, trying to identify the male the victim had 13 described as having sex with, as far as you understood 14 the forensic matters at the post mortem, it was the sex 15 swabs that gave you that forensic opportunity? 16 A. Potentially, yes. 17 Q. Before we leave the post mortem, you have emphasised 18 that this was the first time you had ever been to a post 19 mortem, a special post mortem. 20 A. Yes. 21 Q. I think Sergeant Denley gave evidence that he had been 22 to several. It was very much more part of his job than 23 yours? 24 A. Yes. 25 Q. Did you discuss with him, did you try and take advantage</p> <p style="text-align: center;">Page 107</p>
<p>1 and you have now forgotten it? 2 A. Well, I made a note of the fact that there was 3 discussion around the pen. So I believe that had he 4 said that in my presence I would have noted that and 5 acted upon it accordingly, as well. 6 And hasn't mentioned it in the ... when I went back 7 and updated the CRIS report, I mentioned it on there as 8 well, so I simply do not recall him saying that at all 9 and it is possible that he did say -- I am not saying he 10 didn't say it, of course, but I am saying he didn't say 11 it in my presence and that I didn't take it away from 12 the post mortem. That is what I am saying. 13 Q. You say you made a note of him referring to the pen? 14 A. Yes. 15 Q. Is that a note you made in the notebook you referred to 16 a few minutes ago? 17 A. Yes, it just literally says "Pen?" on the day. 18 Q. I think it is right to say that that is not a document 19 we have seen. What I am going to suggest, we are going 20 to break for lunch in 10 or 15 minutes anyway, so we can 21 perhaps make some arrangements over lunch to have a look 22 at that book. 23 In the meantime, I am going to carry on asking you 24 questions. 25 A. Yes.</p> <p style="text-align: center;">Page 106</p>	<p>1 of his experience of what steps you should be taking, 2 how to progress this investigation into, amongst other 3 things, who this man was, who apparently Daniel had had 4 sex with the night before? 5 A. Again, I have spent a lot of time thinking about this 6 and I can't recall the details of our conversations, and 7 I clearly did speak to him when we were there, but 8 I can't recall the details of our conversations. 9 Q. Let's have a look at just one or two emails that you 10 sent after the post mortem, Mr Schamberger. 11 First of all, could we have on screen, please, 12 IPC226. The post mortem was on the 23rd, this is at the 13 end of the day. Don't worry about the first paragraph 14 but the second, you say: 15 "The post mortem was not really conclusive, a few 16 minor issues. I will do a review of the job tomorrow, 17 I had a chat with Debbie today around the immediate 18 actions of getting the CRIS created." 19 A "few minor issues", is that how you described the 20 post mortem? 21 A. That is clearly how I described it at the time, but 22 I can't recall what exactly I was referring to or why 23 I used those words. 24 Q. The fact that bruising had been found on Daniel's body, 25 giving rise to possible third party involvement.</p> <p style="text-align: center;">Page 108</p>

27 (Pages 105 to 108)

<p>1 A minor issue, was that?</p> <p>2 A. I suspect this email was a fairly quickly sent email at</p> <p>3 the end of the day, whilst trying to sort of finalise</p> <p>4 a lot of other business as well and I mean the choice of</p> <p>5 words is clearly not reflective of the circumstances,</p> <p>6 but it is what I wrote on the day.</p> <p>7 Q. We saw from that, the second line of that paragraph,</p> <p>8 that I read on:</p> <p>9 "Still no CRIS, end of day on the Tuesday."</p> <p>10 It is an administrative function, isn't it, one</p> <p>11 simply has to sit down in front of the computer, open</p> <p>12 a CRIS and enter the data?</p> <p>13 A. Yes.</p> <p>14 Q. Why had it still not been done? Not only was it not</p> <p>15 done on the Monday, it was not done on the Tuesday?</p> <p>16 A. Yes, I don't know why it hadn't been done before.</p> <p>17 Q. Let's look at another email that you sent the next day,</p> <p>18 IPC230, please.</p> <p>19 If we can just zoom in on the top half, please, we</p> <p>20 are now on Wednesday the 24th. You are emailing</p> <p>21 Jayne Day, one of the coroner's officers.</p> <p>22 A. Yes.</p> <p>23 Q. "The special post mortem yesterday was inconclusive.</p> <p>24 Waiting toxicology. Dr Swift did say there was bruising</p> <p>25 under the arms, as well as pinpoint bruising around the</p> <p style="text-align: center;">Page 109</p>	<p>1 to page 3, I think, sorry.</p> <p>2 Do we see there, 25 September, that's the Thursday</p> <p>3 morning, you are saying:</p> <p>4 "Hi Stuart, quick question, as far as you are</p> <p>5 concerned, is there any benefit to holding on to</p> <p>6 Daniel Whitworth's body following the special post</p> <p>7 mortem or can this now be released?"</p> <p>8 A. Yes.</p> <p>9 Q. Of course one understands the family's concern to take</p> <p>10 the body and arrange burial.</p> <p>11 A. Yes.</p> <p>12 Q. But, having said that, this was a case where only two</p> <p>13 days previously there had been a special forensic post</p> <p>14 mortem.</p> <p>15 A. Yes.</p> <p>16 Q. One might have thought that it was obvious that it was</p> <p>17 too early to release the body when investigations were</p> <p>18 really only just starting, but not obvious to you?</p> <p>19 A. No, not obvious to me, because I didn't know whether</p> <p>20 there was anything further that could potentially be</p> <p>21 gained at a later stage. As I said, I was not familiar</p> <p>22 with the post mortem processes so I didn't know whether</p> <p>23 this had been exhaustive or whether any other</p> <p>24 examination or re-examination would or could need to be</p> <p>25 done at some point.</p> <p style="text-align: center;">Page 111</p>
<p>1 eyes and some bruising on the neck. The voicebox</p> <p>2 however was intact. He thought that the bruising was</p> <p>3 consistent with strangulation. Could not make a call on</p> <p>4 that, but could also have been caused by fitting after</p> <p>5 overdosing. Toxicology will be looking for traces of</p> <p>6 GHB. No evidence of sexual assault."</p> <p>7 You mentioned on this occasion the bruising under</p> <p>8 the arms?</p> <p>9 A. Yes.</p> <p>10 Q. Can you help us with your thinking at this point, you</p> <p>11 talk about the toxicology looking for tastes of GHB,</p> <p>12 which of course was the drug referred to in the suicide</p> <p>13 note?</p> <p>14 A. Yes.</p> <p>15 Q. Is it possible that, in your mind, was that well, if the</p> <p>16 toxicology does find GHB, that will just explain this</p> <p>17 case?</p> <p>18 A. That would have tied that aspect of it together but not</p> <p>19 necessarily explain the whole case, no.</p> <p>20 Q. I see.</p> <p>21 Let's look at another email on the next day, please.</p> <p>22 We are now on Thursday, 25th. It is IPC246.</p> <p>23 This is an email we looked at, it is an exchange</p> <p>24 between you and Sergeant Denley. I think we may have to</p> <p>25 scroll down a bit. Yes, even further down, please, on</p> <p style="text-align: center;">Page 110</p>	<p>1 Q. If we can go back to the main document and scroll up, we</p> <p>2 see Sergeant Denley's response. If we could zoom in on</p> <p>3 it, please:</p> <p>4 "Hi Rolf, best not to release the body to the family</p> <p>5 as there are still not enough answers to all concerned</p> <p>6 to be satisfied regarding the cause of death. My advice</p> <p>7 is await the results of the toxicology, as if it turns</p> <p>8 out to be an unlawful killing of some kind there is</p> <p>9 potential for more work to do done. Also, if it is</p> <p>10 an unlawful killing and a suspect is identified or if</p> <p>11 the coroner is not happy for some reason, there will be</p> <p>12 a second post mortem carried out."</p> <p>13 A. Yes.</p> <p>14 Q. As well as giving you a short answer to your question,</p> <p>15 which is: it is too early. Sergeant Denley is</p> <p>16 anticipating the possibility that this death -- not</p> <p>17 Gabriel Kovari's death, but Daniel Whitworth's death --</p> <p>18 might turn out to have been an unlawful killing. There</p> <p>19 might be a suspect. Someone might be prosecuted for</p> <p>20 a homicide offence in relation to Daniel Whitworth's</p> <p>21 death. That is what he is saying, isn't it?</p> <p>22 A. Yes, he is raising that possibility.</p> <p>23 Q. Is that something that surprised you when you read that</p> <p>24 email?</p> <p>25 A. I can't remember.</p> <p style="text-align: center;">Page 112</p>

<p>1 Q. Well, try and help us, not necessarily with the moment 2 you read that email but your mindset at the time, that 3 week, the first few days of this investigation, did you 4 understand that you were investigating a possible 5 homicide? 6 A. I am not sure, because, again, at that time, I was still 7 very much being pulled from pillar to post with all the 8 other various matters that were going on. It was 9 something where I just wasn't in a position to do what 10 in hindsight of course I should have done, which was to 11 convene the team, have a proper review of matters as to 12 where we were, and task actions accordingly. So a much 13 more thorough approach. 14 So in terms of what triggered what at what point, it 15 is very difficult to say. 16 Q. We will come to the practical questions and we will come 17 on I think after lunch to see how you did, in fact on 18 that day, undertake a review of the file? 19 A. Yes. 20 Q. But I really wanted to focus on your mindset. It is 21 quite clear that Sergeant Denley is regarding this as 22 a potential murder case, not to put too fine a point on 23 it. 24 A. Hmm. 25 Q. Is that how you saw it?</p> <p style="text-align: center;">Page 113</p>	<p>1 clear, that is not a criticism of you personally. 2 Sometimes these things just fall through the gaps. 3 But we have had a chance to look at some pages of 4 the daybook over the lunchtime, and before I go on, 5 I want to ask you a few questions about some of those 6 pages. Others may have more questions when they come to 7 ask you about them. 8 In fact, the first question I want to ask you does 9 not relate to the post mortem but in fact to the Monday, 10 that first day when you were first asked to get involved 11 in this case. 12 You recall that I asked you about that, at the very 13 start of my questions this morning. 14 A. Yes. 15 Q. I was asking you about how you were briefed? Do you 16 recall that? 17 A. Yes, the daybook does provide some clarity on that. 18 Q. Let me ask you, because do you remember me showing you 19 an extract from DS Turrell's daybook, where it appears 20 she had had a meeting with DCI Kirk that morning and 21 I asked you whether you were there. 22 A. Yes. 23 Q. I think you said you couldn't remember or you didn't 24 know? 25 A. Yes.</p> <p style="text-align: center;">Page 115</p>
<p>1 A. I think in my mind it was unresolved, open. So -- 2 Q. Certainly unresolved, because it was the start of the 3 investigation, DI Schamberger -- 4 A. Yes. 5 Q. -- but was it an investigation which in your mind could 6 possibly lead towards murder? 7 A. I don't think I put a label on it, so to speak. 8 MR O'CONNOR: Madam, I am just about to move on to another 9 topic. Would this be a convenient moment to break for 10 lunch. 11 THE CORONER: Yes, thank you. We will break off for lunch 12 there, members of the jury, until 1.45, please. 13 (Proceedings continued in the absence of the jury) 14 (12.57 pm) 15 (The Luncheon Adjournment) 16 (1.44 pm) 17 (In the presence of the jury) 18 THE CORONER: Yes. 19 MR O'CONNOR: DI Schamberger, just before lunch, I was 20 asking questions about the post mortem, you will recall, 21 and you mentioned that you had made a note in your 22 daybook which was relevant to all of that. 23 A. Yes. 24 Q. In fact that daybook, as I think I indicated, was not 25 something that we had seen before. Let me just make it</p> <p style="text-align: center;">Page 114</p>	<p>1 Q. If we can look, please at the first page of this 2 document, on the screen. We seem to see a date at the 3 top, there, "22 September 2014", which is that Monday, 4 is it not? 5 A. Yes, it is. 6 Q. You have then written, I think this says, "Meeting re 7 death of Whitworth/Kovari", 9.45 perhaps? 8 A. 09.40. 9 Q. 09.40, "@Fresh Wharf, DCI Kirk"? 10 A. Yes. 11 Q. Then we see a number of entries referring to a special 12 post mortem to be held the next day: 13 "FLO Paul Slaymaker, PM on Kovari ..." 14 Something about "open source" and then "phone work". 15 Do you see that? 16 A. Yes. 17 Q. The answer seems to be yes you were there at that 18 meeting with DCI Kirk that morning and indeed you made 19 these notes at it? 20 A. It indicates that I spoke to DI Kirk this morning, 21 I don't know whether it was the same meeting that 22 Debbie Turrell was at or whether it was a separate 23 conversation, but, yes, that clearly indicates that at 24 9.40 I would have spoken to DI Kirk. 25 Q. Not just spoken to him, "@Fresh Wharf", so you went to</p> <p style="text-align: center;">Page 116</p>

<p>1 a meeting at Fresh Wharf that morning with DI Kirk to be 2 briefed?</p> <p>3 A. Yes. Yes, that clarifies that.</p> <p>4 Q. It just seems a bit surprising that when I asked you 5 about that this morning, DI Schamberger, when you had 6 had these notes you said you didn't know?</p> <p>7 A. Yes, these had slipped my mind.</p> <p>8 Q. One might have thought you would have looked back 9 through your notes before giving evidence?</p> <p>10 A. There was a lot of material. I didn't go through this 11 particular one.</p> <p>12 Q. As far as we know, there are only four pages of your 13 daybook.</p> <p>14 A. No, I meant the daybook. I didn't actually have another 15 look through the daybook very recently.</p> <p>16 Q. No.</p> <p>17 Can we go on, please, to the third page of this 18 document. This seems to be headed "PM [post mortem] 19 Dr Ben Swift"?</p> <p>20 A. Yes.</p> <p>21 Q. Are these the notes that you made at the post mortem?</p> <p>22 A. I believe so, yes.</p> <p>23 Q. Two questions to ask -- perhaps three. The first is we 24 see halfway down on the left, the word "Pen"?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 117</p>	<p>1 A. I would think so, yes.</p> <p>2 Q. Is that perhaps because he was expecting to get a call 3 from you?</p> <p>4 A. I don't know.</p> <p>5 Q. You don't know?</p> <p>6 A. I don't know if he was expecting a call from me, no.</p> <p>7 Q. You are a detective --</p> <p>8 A. Yes.</p> <p>9 Q. -- DI Schamberger, do you think he might have given you 10 his phone number because he was expecting you to ring 11 it?</p> <p>12 A. Possibly.</p> <p>13 Q. Can you remember discussing future steps that you might 14 take in this investigation with Neil Gallagher?</p> <p>15 A. No. No, I can't.</p> <p>16 Q. You cannot but there may have been some?</p> <p>17 A. I can't remember what conversation we had. We clearly 18 did have conversations that day, but I just cannot 19 remember what they were.</p> <p>20 Q. Thank you, we can take that down now.</p> <p>21 That was the Tuesday of that week, Inspector 22 Schamberger, and we had looked just before lunch at some 23 emails that you had sent later that day, and then the 24 next day, to the coroner's officer, and then --</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 119</p>
<p>1 Q. What is the significance of that?</p> <p>2 A. That, as far as I recall is "Pen?" A note made to 3 myself to follow up from Dr Swift's -- I don't know what 4 you want to call it, action/observation/request to see 5 whether there was a pen that matched.</p> <p>6 Q. Yes.</p> <p>7 A. It was a -- a reminder for me to make sure I included it 8 later on.</p> <p>9 Q. The second point is more about what is not there, rather 10 than is. As you told us before lunch, there is no 11 reference, is there, to anything about a bedsheet?</p> <p>12 A. No, there is not.</p> <p>13 Q. The last point I wanted to ask you about is just 14 a couple of lines below where it says "Pen", if we had 15 had more time we would have redacted this phone number, 16 just because it is personal data, but underneath the 17 phone number it says Neil Gallagher, doesn't it?</p> <p>18 A. Yes.</p> <p>19 Q. He was the crime scene manager, whose notes we have 20 seen?</p> <p>21 A. Yes.</p> <p>22 Q. Is it a reasonable inference from this that perhaps 23 towards the end of that day, or when you were at the 24 hospital, you spoke to Neil Gallagher and he gave you 25 his phone number?</p> <p style="text-align: center;">Page 118</p>	<p>1 Q. -- the exchange of emails on the Thursday, 25th, with 2 DS Denley, you remember that?</p> <p>3 A. Yes.</p> <p>4 Q. Also on the Thursday, 25th you conducted a review of the 5 CRIS. By that stage the CRIS had been set up by then; 6 is that right?</p> <p>7 A. Yes.</p> <p>8 Q. If we can have on screen, please, IPC133, and go within 9 it to page 3, please, this is not in the bundle, it is 10 a part of the CRIS which for some reason hasn't found 11 its way in, but the review screens are a separate part 12 of the CRIS to the places where people enter in the 13 actions they have done and the daily updates and so on, 14 are they not?</p> <p>15 A. Yes, there is like a running log which is updated and 16 then you have a review section and action sections. 17 They are separate.</p> <p>18 Q. The review section, which has, for whatever reason, not 19 found its way into the jury bundle, perhaps we can put 20 it in, but it would still have been accessible to all 21 those other users of the CRIS, would it?</p> <p>22 A. Yes.</p> <p>23 Q. So a fairly lengthy document that you have created. If 24 we can see at the top, on that Thursday, 25 September, 25 at 10.54 in the morning, yes?</p> <p style="text-align: center;">Page 120</p>

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<p>1 A. Yes.</p> <p>2 Q. We see your name.</p> <p>3 I am going to take you through the document and</p> <p>4 identify one or two parts of it, but just tell us,</p> <p>5 before I do that, what this piece of work was, why you</p> <p>6 did it, what its purpose was?</p> <p>7 A. My purpose was to effectively, as best I could at the</p> <p>8 time, take stock of where we were and task actions</p> <p>9 accordingly. To sum it up quickly.</p> <p>10 Q. We see then, casting our eyes down, there is a lot that</p> <p>11 is familiar in here.</p> <p>12 A. Yes.</p> <p>13 Q. At the top, there is a brief summary of the</p> <p>14 circumstances in which Daniel's body was found. Then,</p> <p>15 at item 2, you see where it says "Victims", perhaps we</p> <p>16 can scroll down, there is a reference to a special post</p> <p>17 mortem and a summary of what had happened?</p> <p>18 A. Yes.</p> <p>19 Q. We see, just above the words "Gabriel Kovari, you have</p> <p>20 made a note that Whitworth's property needs to be</p> <p>21 checked for a pen matching the one used for the note.</p> <p>22 That, no doubt, is part of what you were telling us</p> <p>23 about that note written in your notes?</p> <p>24 A. Yes.</p> <p>25 Q. We note there is nothing there about a bedsheet, again</p> <p style="text-align: center;">Page 121</p>	<p>1 Q. Let's go over the page, please.</p> <p>2 Forensic strategy, point 6. As far as Kovari is</p> <p>3 concerned, there of course already had been a post</p> <p>4 mortem, the toxicology results were still awaited at</p> <p>5 that stage. We will move on to that.</p> <p>6 Then, as far as Daniel Whitworth, you refer to the</p> <p>7 toxicology samples to be submitted as soon as possible,</p> <p>8 that is the blood and urine samples?</p> <p>9 A. Yes.</p> <p>10 Q. Then you say:</p> <p>11 "Swabs to be retained -- at this time I do not see</p> <p>12 the benefit of submitting sexual swabs for testing."</p> <p>13 Then you refer to the decision being reviewed.</p> <p>14 A. Yes.</p> <p>15 Q. We will all immediately remember that third limb of the</p> <p>16 strategy, "Identify male who victim had sex with the</p> <p>17 night before".</p> <p>18 A. Yes.</p> <p>19 Q. Why then are you saying, two or three days later, that</p> <p>20 there is no benefit in submitting the sexual swabs?</p> <p>21 A. I can't say for sure, but I think what must have played</p> <p>22 on my mind at the time is that there was no evidence of</p> <p>23 sexual assault, I remember having that raised somewhere.</p> <p>24 Q. That is, if you don't mind me saying so, DI Schamberger,</p> <p>25 completely irrelevant, is it not?</p> <p style="text-align: center;">Page 123</p>
<p>1 that is consistent with how you have explained the</p> <p>2 matter to us already.</p> <p>3 Item 4 "Witnesses", again some familiar names,</p> <p>4 Barbara Denham, Ricky Waumsley, John Pape, and then at</p> <p>5 the very bottom, Daniel Whitworth's place of work:</p> <p>6 "Work records to be checked and statement from</p> <p>7 employers regarding employment hours, shifts</p> <p>8 particularly around 28 August."</p> <p>9 The significance of that date being?</p> <p>10 A. Gabriel Kovari's death.</p> <p>11 Q. Right, so what was the purpose of checking</p> <p>12 Daniel Whitworth's place of work around 28 August?</p> <p>13 A. To try to establish whether or not there was a link</p> <p>14 between Gabriel Kovari and Daniel Whitworth.</p> <p>15 Q. Because if, for example, he called in sick on 28 August,</p> <p>16 that would, at the very least, be consistent with him</p> <p>17 having been in Barking and killed a man the night</p> <p>18 before?</p> <p>19 A. Initially it would have meant he was not at work, which</p> <p>20 would raise the possibility that he would have been</p> <p>21 elsewhere.</p> <p>22 Q. Conversely, if he was at work on 28 August?</p> <p>23 A. Then, again, it would confirm that he was at work and,</p> <p>24 yes, that he couldn't have been in Barking at the same</p> <p>25 time as he would have been at work.</p> <p style="text-align: center;">Page 122</p>	<p>1 A. Yes.</p> <p>2 Q. All right, so let's leave that to one side.</p> <p>3 A. Yes.</p> <p>4 Q. The strategy was to identify who Daniel had been with</p> <p>5 the night before. He had referred in the note, on the</p> <p>6 face of it, to having sex with a man the night before.</p> <p>7 You had sex swabs.</p> <p>8 A. Yes.</p> <p>9 Q. Why not submit them as a means of trying to identify who</p> <p>10 that person was? It has nothing to do with sexual</p> <p>11 assault. You are just trying to find out who that</p> <p>12 person was.</p> <p>13 A. Yes, I mean I can see the logic in what you are saying,</p> <p>14 but what I cannot say is why at that point I didn't</p> <p>15 consider that as an action.</p> <p>16 Q. You did consider it, if you don't mind me saying so.</p> <p>17 A. I did consider but didn't send it as an action.</p> <p>18 Q. You have considered it and what you have recorded is</p> <p>19 that there is no benefit in submitting the swabs, when</p> <p>20 it seems that it would have been an important evidential</p> <p>21 route for one of the three core parts of your strategy?</p> <p>22 A. Yes, on reflection that's correct.</p> <p>23 Q. Can you have any explanation as to how you made such</p> <p>24 a serious mistake on that day in September 2014?</p> <p>25 A. I can't, other than going back to the fact that I don't</p> <p style="text-align: center;">Page 124</p>

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<p>1 think, and, again, I have given this a lot of thought</p> <p>2 and reflection over recent years, that I was in</p> <p>3 a position to generate the proper mental and time wise</p> <p>4 capacity to really think things through to the extent</p> <p>5 that they should have been.</p> <p>6 Q. Just look up again at a few lines above, or just the two</p> <p>7 lines immediately above this, you talk about the</p> <p>8 toxicology samples being submitted?</p> <p>9 A. Yes.</p> <p>10 Q. And you add, "... with a request to test for GHB"?</p> <p>11 A. Yes.</p> <p>12 Q. On the one hand, that might seem an obvious request to</p> <p>13 make given the contents of the note.</p> <p>14 A. Yes.</p> <p>15 Q. But is it possible, DI Schamberger, that one reads</p> <p>16 a little bit more into that and that in fact what you</p> <p>17 were waiting for in this case is confirmation that</p> <p>18 Daniel had indeed taken GHB and that, really, you had</p> <p>19 given up on the idea of looking for the man he had been</p> <p>20 with the night before and that if the toxicology results</p> <p>21 came back showing that GHB was present in Daniel's body,</p> <p>22 then really that was going to be the answer to this</p> <p>23 case?</p> <p>24 A. No, I don't accept that, because there was -- even if</p> <p>25 GHB was found, which it ultimately was, it doesn't</p> <p style="text-align: center;">Page 125</p>	<p>1 A. I did.</p> <p>2 Q. These are in the jury bundle, so for these we can go to</p> <p>3 tab 46 in the jury bundle. For the screen it is IPC33.</p> <p>4 If we go to page 85, there are a series of actions</p> <p>5 which you set on that day, the 25th, DI Schamberger.</p> <p>6 I am not going to look at them all in detail, others</p> <p>7 may. But having noted that they start at page -- sorry,</p> <p>8 they start in fact at page 84.</p> <p>9 A. Yes.</p> <p>10 Q. We can go through them and the first of them I would</p> <p>11 like to ask you about is on page 86, please.</p> <p>12 A. Yes.</p> <p>13 Q. Just to note there, if we look at the top part of the</p> <p>14 page, that is the submission of samples,</p> <p>15 Daniel Whitworth samples for toxicology, as we saw in</p> <p>16 the earlier document, including test for GHB?</p> <p>17 A. Yes.</p> <p>18 Q. Nothing about submission of the bedsheet but that is for</p> <p>19 reasons, no doubt, you have already explained.</p> <p>20 Before we leave this action, do you see here that</p> <p>21 the reference relating to the submission of samples</p> <p>22 refers to CSM Neil Gallagher and also his colleague</p> <p>23 Brad Jones?</p> <p>24 A. Yes.</p> <p>25 Q. Those were the people who would be involved in passing</p> <p style="text-align: center;">Page 127</p>
<p>1 explain how the GHB came to be in the system.</p> <p>2 Q. The note gave you an explanation, didn't it?</p> <p>3 A. It gave an explanation, but it is not the only</p> <p>4 explanation.</p> <p>5 Q. It isn't the only explanation, but my question to you</p> <p>6 is, were you really interested at that stage in trying</p> <p>7 to find any other explanation?</p> <p>8 A. Yes.</p> <p>9 Q. Or were you really just assuming that the note was</p> <p>10 right, and waiting to see if GHB was found in the body</p> <p>11 and if it was, as far as you were concerned, that would</p> <p>12 be the end of this investigation?</p> <p>13 A. No, I don't think I was making that assumption. I don't</p> <p>14 think it was unreasonable to speculate that GHB would be</p> <p>15 found, but not beyond that.</p> <p>16 Q. Because of course there was something else the note</p> <p>17 said, wasn't there, which was, "Please don't blame the</p> <p>18 guy I was with last night"?</p> <p>19 A. Yes.</p> <p>20 Q. Your decision not to submit those sex swabs took the</p> <p>21 investigation in that course as well, didn't it?</p> <p>22 A. As a consequence, it did, yes.</p> <p>23 Q. Let's have a look at another part of the CRIS, because</p> <p>24 on the same day, no doubt as part of this exercise, you</p> <p>25 set some actions, didn't you?</p> <p style="text-align: center;">Page 126</p>	<p>1 the toxicology samples on?</p> <p>2 A. Yes, so they would have needed -- so Neil Gallagher is</p> <p>3 a crime scene manager, and Brad Jones was a borough</p> <p>4 forensic manager, so he was actually based on Barking</p> <p>5 and Dagenham borough, but his authority would have been</p> <p>6 required for lab work.</p> <p>7 Q. Neil Gallagher, the hand who took the notes of the</p> <p>8 special post mortem that we looked at, was an expert, if</p> <p>9 you like, in forensics, in analysing scenes and so on,</p> <p>10 was he not?</p> <p>11 A. I assume so, yes.</p> <p>12 Q. I mean that's his job?</p> <p>13 A. Yes.</p> <p>14 Q. He is the man whose phone number you took, or who gave</p> <p>15 you his phone number?</p> <p>16 A. Yes.</p> <p>17 Q. One thing that may have taken place in this case is what</p> <p>18 is called a forensic strategy meeting, where the</p> <p>19 investigating officer, that is you or Sergeant Turrell,</p> <p>20 sits down with the CSM and talks about how their</p> <p>21 forensic expertise can assist you?</p> <p>22 A. Yes.</p> <p>23 Q. That would be a normal standard type of meeting to have</p> <p>24 in a case like this, would it not?</p> <p>25 A. I think so, yes.</p> <p style="text-align: center;">Page 128</p>

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<p>1 Q. It may even be that Neil Gallagher gave you his phone 2 number in the expectation that that sort of meeting 3 would happen. That is possible, isn't it? 4 A. That I can't answer, but yes, it's possible. 5 Q. Had a meeting like that taken place, it would have been 6 possible to discuss all the forensic opportunities in 7 the case, including, for example, submitting the sex 8 swabs? 9 A. Yes, it would have been. 10 Q. Submitting the bedsheet? 11 A. Hmm. 12 Q. It would have meant that you had some expert input on 13 talking those decisions rather than just sitting on your 14 own, writing up that CRIS review and deciding whether 15 the sex swabs should go in? 16 A. Yes. 17 Q. No such meeting took place, did it? 18 A. Not that I recall, no. 19 Q. Why not? 20 A. I can't give a definite explanation, other than that 21 a combination of other demands, of experience, of 22 knowledge, of all that put together is the best answer 23 I can come up with. 24 Q. You had Neil Gallagher's phone number? 25 A. Yes.</p> <p style="text-align: center;">Page 129</p>	<p>1 A. Yes. 2 Q. And also Whitworth's place of work and we see the point 3 about 28 August again. 4 A. Yes. 5 Q. Were you aware at this stage, first of all, that 6 Daniel Whitworth had lived with Ricky Waumsley? 7 A. I don't recall whether I knew they lived together. 8 Q. They had lived together for three years. 9 A. Three or four years, yes. 10 Q. Sorry, were you aware of this or not? 11 A. No, not at the time. 12 Q. Because, of course, the same point about the importance 13 of 28 August and Daniel Whitworth's movements around 14 that time could just as well have been asked of 15 Ricky Waumsley, couldn't it? 16 A. It could have done, yes. 17 Q. In fact, it was probably more likely that his partner 18 would know of his precise movements on the evening of 19 one day and the morning of the next than his employer, 20 isn't it? 21 Let's move on, please, to action 5. For that we 22 need to look at page 90. 23 We have seen a number of references already, 24 DI Schamberger, to phone work. 25 A. Yes.</p> <p style="text-align: center;">Page 131</p>
<p>1 Q. You could have rung him up, you could have told 2 Sergeant Turrell to ring him up, arrange a meeting, 3 "Let's talk about the forensics", it didn't happen? 4 A. Well, the consultation with him was requested as part of 5 the action, but I did not ring him up, that is true. 6 Q. Be careful, DI Schamberger, what we are looking at -- 7 perhaps we can zoom in, please, at the top part of this 8 page. 9 Let's just be clear about this, shall we? 10 A. Yes. 11 Q. This action instructs DC Berry to: 12 "... submit the samples for toxicology in 13 consultation with either Neil Gallagher or Brad Jones"? 14 A. Yes. 15 Q. That has nothing to do with consulting Neil Gallagher? 16 A. That is not the same as a forensic strategy meeting, no. 17 No. 18 Q. No. All right. 19 Can we go on to action 3, please, IPC33, page 8. 20 Just to note, and again we covered it when I went 21 through the review, but this is the instruction to take 22 statements. It includes a statement from Ricky Waumsley 23 to cover his relationship with Whitworth, their social 24 activities, as well as any knowledge around Whitworth's 25 online activities and friends or associates, yes?</p> <p style="text-align: center;">Page 130</p>	<p>1 Q. We saw it in DS Turrell's manuscript notes in her 2 daybook, we saw it in fact in your manuscript notes that 3 we have just seen. 4 A. Yes. 5 Q. We have seen it at the gold group. This work, amongst 6 other things, was designed for just the same reason as 7 that statement from the employers, wasn't it? 8 A. Yes. 9 Q. To try and understand where Daniel Whitworth was around 10 the time that Gabriel Kovari's body was found. 11 A. Yes. 12 Q. Because the jury have seen that, in fact, over that 13 weekend, before you became involved, the phone work 14 relating to Daniel Whitworth was done for just a week 15 back from when he died, when they were trying to work 16 out who Gabriel Kline was. 17 A. Yes. 18 Q. If we look at this action, what you are asking for, you 19 say: 20 "Phone work to be requested on Kovari's and 21 Whitworth's phones, subscriber checks, incoming outgoing 22 call data, IMEI, last cell site." 23 You have the timeframe: 24 "1 August to date. Rationale: to build a picture of 25 communication between Whitworth and Kovari as well as</p> <p style="text-align: center;">Page 132</p>

<p>1 establishing any common contacts which may lead to 2 identification of witnesses." 3 A. Yes. 4 Q. As far as Gabriel Kovari's phone, there had been no 5 phone works had there, so you were asking for that to be 6 done afresh? 7 A. I think so, yes. 8 Q. As far as Daniel's phone, you already had that one week 9 you were asking to go back further to 1 August? 10 A. Yes. 11 Q. One thing that was obvious -- thank you, we can take 12 these down now -- I think, it is fair to say, inspector, 13 when you did your review and you were looking at your 14 note, thinking about this case, was that it involved the 15 LGBT community? 16 A. Yes. 17 Q. Not just the fact that Daniel or for that matter Gabriel 18 were gay but there is reference, isn't there, to the 19 meeting up at a mate's place, which at least apparently 20 involves another person, again, drugs and so on. 21 A. Hmm. 22 Q. Did you give any thought when you were reviewing the 23 case at that stage to trying to liaise with or reach out 24 to the local LGBT community? 25 A. I couldn't see any evidence that I did. So I don't</p> <p style="text-align: center;">Page 133</p>	<p>1 community might take this investigation further? 2 A. I don't think so, no. 3 Q. I want now to go to a series of entries on the CRIS 4 which will show your involvement in the investigation as 5 it then went forward. We still need on the screen, 6 please, IPC33. If we can go first to page 48. We see 7 here an entry you have made on 30 September. It is 8 around the visit to Barking that we have heard about, of 9 DC Slaymaker and Daniel's family. 10 A. Yes. 11 Q. We have all heard -- in fact we heard from 12 Ricky Waumsley this morning that he was not allowed to 13 be shown the note on that day. When I asked 14 DC Slaymaker about that, he said that was a decision 15 that had been made and which I had no authority to 16 change. 17 We see here a reference to: 18 "Actions agreed. The family's visit to the site 19 will be facilitated and the father will be shown the 20 full note." 21 Is this right, that you made a decision on the face 22 of it that only Adam Whitworth was going to be shown the 23 note? 24 A. No, I don't recall making the decision that only 25 Mr Whitworth senior was to be shown the full note. That</p> <p style="text-align: center;">Page 135</p>
<p>1 remember, but I couldn't see any record that I did. 2 Q. Well, there is no evidence that you did. 3 A. Yes. 4 Q. Why not? 5 A. I am not sure why not. 6 Q. We have seen that it was done actually at the suggestion 7 of the homicide command. But it was done in the 8 investigation into Anthony Walgate's death. 9 A. Yes. 10 Q. We have heard about LGBT liaison officers, a Facebook 11 page which had been created by the LGBT network. Were 12 you aware of that side of policing in Barking? 13 A. Not to a great extent, no. My daily business was 14 mostly -- located remotely to a lot of the policing 15 activity, being located in a local authority building. 16 Q. Even if you weren't aware of LGBT liaison officers and 17 so on, there is a reference in your notes to anniversary 18 visits. 19 A. Yes. 20 Q. So a presence in the Abbey grounds on a -- whether it is 21 a week after or two weeks after, to try and get 22 witnesses. 23 A. Yes. 24 Q. Did it just not occur to you from a simple evidence 25 gathering basis that trying to engage with the LGBT</p> <p style="text-align: center;">Page 134</p>	<p>1 reads to me more like we want to take the family and 2 show the father the note and I am saying yes, yes to 3 that, as opposed to, "Don't show it to anyone else". 4 Q. Let's not trouble ourselves too much with the writing. 5 Tell us what your memory was of whatever decisions were 6 or were not made at the time? 7 A. I don't recall decisions around that. 8 Q. Do you agree that it would have been an extremely 9 valuable thing to have shown Ricky Waumsley the note on 10 that day? 11 A. Yes, or earlier. 12 Q. Not just on the level of humanity -- 13 A. Yes, I do. 14 Q. -- but also because he had a lot to offer in terms of 15 the investigation? 16 A. Yes. 17 Q. Should DC Slaymaker have shown him the note? 18 A. I think it would have been appropriate, yes. 19 Q. Is it possible that DC Slaymaker saw your entry here, or 20 had a conversation in similar terms, and thought that 21 you were telling him that he may only show the father 22 the note? 23 A. I do not recall putting any conditions on anyone seeing 24 the note without being discussed -- 25 Q. You have written that the family -- I suggest you knew</p> <p style="text-align: center;">Page 136</p>

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<p>1 that more than just Adam Whitworth were going --</p> <p>2 A. Yes.</p> <p>3 Q. "... the family's visit will be facilitated and the</p> <p>4 father will be shown the full note."</p> <p>5 You do seem to have anticipated that not everyone on</p> <p>6 the visit would be shown the full note?</p> <p>7 A. Yes, but the way I read it is not as in no one else will</p> <p>8 be, it is in response to the -- can we take the family</p> <p>9 to the scene, have you got any issues with that? And</p> <p>10 can the father be shown the note? So I don't think it</p> <p>11 excludes anyone, or I made a decision to exclude anyone.</p> <p>12 I don't think so.</p> <p>13 Q. Let's move on. We need to go to page 50, please.</p> <p>14 You have made an entry here on 3 October at the top,</p> <p>15 and perhaps we can enlarge the first half, the top half.</p> <p>16 This was eight days or so after that review we were</p> <p>17 looking at.</p> <p>18 A. Yes.</p> <p>19 Q. You have entitled it "Supervision".</p> <p>20 A. Yes.</p> <p>21 Q. Tell us what were you doing here? Did you have a look</p> <p>22 through the CRIS and see how the actions that you had</p> <p>23 set were getting on?</p> <p>24 A. Basically, yes. Again, probably because of the</p> <p>25 constraints I have mentioned, not as thorough and</p> <p style="text-align: center;">Page 137</p>	<p>1 Q. We see that, in a way, the main question he is asking</p> <p>2 you is going back to that exchange you had with</p> <p>3 DS Denley "Can we now release the body?" Yes?</p> <p>4 A. Yes.</p> <p>5 Q. In order to, as it were, contextualise his request, he</p> <p>6 has set out a number of actions that have been taken;</p> <p>7 can you see that?</p> <p>8 A. Yes.</p> <p>9 Q. I want to ask you about just a couple of them. Do you</p> <p>10 see two turrets down he says:</p> <p>11 "Statements taken from ..."</p> <p>12 Then he has listed who the statements have been</p> <p>13 taken from.</p> <p>14 A. Yes.</p> <p>15 Q. The first one is Ricky Waumsley?</p> <p>16 A. Yes.</p> <p>17 Q. He has mentioned a few others, John Pape,</p> <p>18 Barbara Denham, and so on?</p> <p>19 A. Yes.</p> <p>20 Q. Was that the first you knew about those statements being</p> <p>21 taken?</p> <p>22 A. I don't know. I mean I was physically remote from the</p> <p>23 file, so I wouldn't have had a chance to review the</p> <p>24 physical file, so it would be dependent on being</p> <p>25 informed by other means, for example email or phone call</p> <p style="text-align: center;">Page 139</p>
<p>1 detailed as it should have been, but these are just</p> <p>2 things that I picked up on this quick review that I felt</p> <p>3 should be expedited at that time.</p> <p>4 Q. Again, I am not going to ask you all about them, but</p> <p>5 let's just look at the bottom asterisk, "CIU submissions</p> <p>6 around the phone numbers as per specified parameters",</p> <p>7 that is the phone work, isn't it?</p> <p>8 A. Yes.</p> <p>9 Q. I mean it must have crossed your mind that you had sat</p> <p>10 in the gold group on 22 September, when the plan had</p> <p>11 been to get that done the next day, on the 23rd.</p> <p>12 A. Yes.</p> <p>13 Q. Here you were on 3 October and it still hadn't been</p> <p>14 done?</p> <p>15 A. Yes.</p> <p>16 Q. That, no doubt, is one of the reasons you said it should</p> <p>17 be expedited?</p> <p>18 A. Yes.</p> <p>19 Q. Let's move on in the chronology, please. To do that we</p> <p>20 have to go away from the CRIS and go, please, to</p> <p>21 an email which is in the jury bundle at tab 47. For the</p> <p>22 screen, it is IPC263. If we can look at the bottom</p> <p>23 email, please, this is an email that DC Slaymaker sent</p> <p>24 to you on 13 October.</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 138</p>	<p>1 that something had been done, unless the CRIS had been</p> <p>2 updated.</p> <p>3 Q. What we know, and you may have heard me asking questions</p> <p>4 to Ricky Waumsley about this --</p> <p>5 A. Yes.</p> <p>6 Q. -- is that in between that last entry you have made on</p> <p>7 the CRIS and this email, DC Slaymaker had indeed taken</p> <p>8 a statement from Ricky Waumsley?</p> <p>9 A. Yes.</p> <p>10 Q. Amongst other things, in a short two- or three-page</p> <p>11 statement, that statement said that Ricky Waumsley was</p> <p>12 "pretty certain", his words, that Daniel Whitworth was</p> <p>13 at home with him on the evening of 27 August. Had you</p> <p>14 read that statement?</p> <p>15 A. I don't think so.</p> <p>16 Q. Should you have read it?</p> <p>17 A. Ideally, yes.</p> <p>18 Q. Because when I asked DC Slaymaker about this, he said,</p> <p>19 "Well, I put it into the system, that was my job". So</p> <p>20 whose job was it to read that statement and realise that</p> <p>21 Ricky Waumsley was in effect saying that it was, shall</p> <p>22 we say, very unlikely that Daniel Whitworth had had</p> <p>23 anything to do with the death of Gabriel Kovari?</p> <p>24 A. I would have had an expectation that either the person</p> <p>25 taking the statement or their supervisor would have</p> <p style="text-align: center;">Page 140</p>

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<p>1 raised that issue, identified it. They would be best</p> <p>2 placed who took the statement.</p> <p>3 Q. So it was DC Slaymaker's job to flag that up, was it?</p> <p>4 A. I believe so.</p> <p>5 Q. And DS Turrell's job to read it?</p> <p>6 A. Well, or at least for any issues to be flagged up to</p> <p>7 her. I mean I remember, as a detective constable,</p> <p>8 taking statements and raising issues that came up as</p> <p>9 a result of whatever was said at the time.</p> <p>10 Q. I suppose DC Slaymaker could have flagged it up in this</p> <p>11 email to you?</p> <p>12 A. He could have done.</p> <p>13 Q. What about you reading those statements, DI Schamberger?</p> <p>14 You are supervising this investigation, it is not as</p> <p>15 though there are 50 or 100 statements. I think there</p> <p>16 are about four or five statements. Wouldn't it really</p> <p>17 have been your job as well to have read those statements</p> <p>18 and seen where those investigation stood?</p> <p>19 A. Yes, I wouldn't have been the first person, but yes.</p> <p>20 Q. But you never did?</p> <p>21 A. Not at that point, no.</p> <p>22 Q. Did you ever read that statement from Ricky Waumsley?</p> <p>23 A. I believe so. But it was later on and I can't recall</p> <p>24 when.</p> <p>25 Q. Give us an idea, was it before the inquest?</p> <p style="text-align: center;">Page 141</p>	<p>1 "I have requested that we go back a bit further and</p> <p>2 are awaiting answers from SPoC".</p> <p>3 A. Yes.</p> <p>4 Q. What did you think about what he had written there?</p> <p>5 A. That the action was ongoing. CIU work, it is the</p> <p>6 communications intelligence unit that have single points</p> <p>7 of contact that actually are able to obtain phone data</p> <p>8 from networks.</p> <p>9 Q. You were not alarmed by what he has written there, you</p> <p>10 just thought it is happening?</p> <p>11 A. Yes.</p> <p>12 Q. Let's go then, please, to the -- we need to go back to</p> <p>13 the CRIS for the next day, 14 October. So it's in the</p> <p>14 jury bundle tab 46. For the screen, it is IPC33. It is</p> <p>15 page 59 of the CRIS.</p> <p>16 I think we have gone from it now but in answer to</p> <p>17 that email from DC Slaymaker you said that you might try</p> <p>18 and get over to Fresh Wharf and read the file.</p> <p>19 A. Yes.</p> <p>20 Q. Do you think maybe that you did read the file and that</p> <p>21 is what prompted this further entry on the CRIS on</p> <p>22 14 October?</p> <p>23 A. I think it is unlikely that I would have gone over at</p> <p>24 the same time, because I think had I capacity on that</p> <p>25 day -- was it the email on 13 October?</p> <p style="text-align: center;">Page 143</p>
<p>1 A. I can't say. I can't say for sure.</p> <p>2 Q. Well, just help us because if you read it, presumably</p> <p>3 when you read Ricky Waumsley saying that</p> <p>4 Daniel Whitworth was at home on the 27th, that would</p> <p>5 have been something that struck you very forcefully?</p> <p>6 A. I would like to think so.</p> <p>7 Q. Are you telling us that you did read that statement and</p> <p>8 did realise its significance at some point during this</p> <p>9 investigation?</p> <p>10 A. No, I am saying I would have had access to the</p> <p>11 statement, I may have read over the statement but not</p> <p>12 realised the significance of it.</p> <p>13 Q. You are saying you overlooked that fact?</p> <p>14 A. I must have done. Must have done.</p> <p>15 Q. Let's just look at the bottom tiret, "Phone work" what</p> <p>16 DC Slaymaker is saying on 13 October, over a fortnight</p> <p>17 after you had set that action:</p> <p>18 "Phone work was completed on Whitworth's phone for</p> <p>19 up to a week prior to his death and we have that</p> <p>20 information."</p> <p>21 A. Yes.</p> <p>22 Q. He had done that even before you set the action, hadn't</p> <p>23 he?</p> <p>24 A. That had been done before and yes.</p> <p>25 Q. He then says:</p> <p style="text-align: center;">Page 142</p>	<p>1 Q. Yes, so this was the next day.</p> <p>2 A. The next day, I think it is very unlikely I would have</p> <p>3 gone to read the file in the intervening period.</p> <p>4 Because if I had had capacity on that day, I would have</p> <p>5 said I will come over today or tomorrow.</p> <p>6 Q. Let's just quickly look at the entries here. At the</p> <p>7 start you say:</p> <p>8 "Work around the phones and toxicology still</p> <p>9 ongoing."</p> <p>10 As you have just explained. So not complete then.</p> <p>11 No phone data actually obtained at that stage, correct?</p> <p>12 A. I think so, yes.</p> <p>13 Q. Two paragraphs down you say:</p> <p>14 "The statements obtained to date provide background</p> <p>15 information."</p> <p>16 Where do you get the idea that they provide</p> <p>17 background information, had you read them, do you think?</p> <p>18 A. No, that would have been in either a phone conversation</p> <p>19 or -- it must have been a phone conversation.</p> <p>20 Q. Then a couple of lines down we see, amongst other</p> <p>21 things, that you are chasing the need to check</p> <p>22 Whitworth's property to establish the presence of a pen.</p> <p>23 That is something you have referred to in your own</p> <p>24 notes?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 144</p>

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<p>1 Q. In any event that is -- then you say at the bottom: 2 "Once any leads from the social network research 3 have been explored, I hope to be able to make a decision 4 regarding the release of Whitworth's body." 5 Then, finally, as far as this is concerned, if we 6 can go, staying in the CRIS, to page 62, please, you 7 describe here a supervision update, this is another week 8 or so later. 9 A. Yes. 10 Q. Do you think perhaps you had read the witness statements 11 by this stage? 12 A. I am not sure. 13 Q. Let's just quickly look at this, you say you had spoken 14 to DS Turrell, CCTV has been explored and doesn't 15 assist, toxicology and lab work results still some time 16 off. Then you say: 17 "Given the circumstances of the case, bearing in 18 mind the effect on Whitworth's family and weighing this 19 up against any potential evidence still to be gained 20 from his body, I am happy now for Whitworth's body to be 21 released." 22 Then you refer to the swabs and samples available 23 from the special post mortem. 24 A. Yes. 25 Q. You are balancing the benefit of retaining the body</p> <p style="text-align: center;">Page 145</p>	<p>1 and waiting for a response. So that part of the 2 investigation, which as we have heard, started on day 1, 3 endorsed at the gold group, just came to nothing? 4 A. It does seem that way, yes. Yes. 5 Q. How on earth did that happen? 6 A. I can't offer any further explanation to that, other 7 than that heavy dependency on the team over at Fresh 8 Wharf and the phone contact I did have was clearly 9 insufficient and the dependency, I guess, misplaced to 10 a degree. 11 Q. The dependency on that team was to get the work done, 12 wasn't it? 13 A. Yes. 14 Q. Your role, one of your roles, on the way this form and 15 this system worked was to sign off these actions once 16 they had been done? 17 A. Yes. 18 Q. Because once you sign them off, the system regards it as 19 all being over and no more prompts are sent and so on, 20 correct? 21 A. Well, there are no prompt its -- I am not aware of 22 a prompt system. There may be, I am not sure. 23 Q. Let's not get tied up in the technicalities, once you 24 have signed it off -- 25 A. Once an action is signed off, it is signed off, yes.</p> <p style="text-align: center;">Page 147</p>
<p>1 against the distress caused to the family. 2 A. Yes. 3 Q. So you don't actually mention the witness statements? 4 A. No. 5 Q. You don't mention the phone work either? 6 A. No. 7 Q. That action that had been mentioned at the very 8 beginning, mentioned again in the gold group, had it 9 fallen off your radar by that stage, DI Schamberger? 10 A. That is entirely possible. 11 Q. In fact, the next thing that we can see, if we note that 12 that was an entry you made on 20 October, we can go 13 forward in the chronology and go to page 90 of the CRIS. 14 We are back to the action relating to the phone work? 15 A. Yes. 16 Q. If we look at the bottom of that page, on 4 November, so 17 a fortnight or so after you made that entry agreeing to 18 release Daniel Whitworth's body, you have essentially 19 signed off this action? 20 A. Yes. 21 Q. You have signed it off notwithstanding the fact that no 22 phone data whatsoever had been recovered? 23 A. Yes. 24 Q. As we established from DC Slaymaker, the position simply 25 had not moved on from him sending an email to the SPoC</p> <p style="text-align: center;">Page 146</p>	<p>1 Q. All you need to do for these purposes is just satisfy 2 yourself that the work has been done? 3 A. Yes. 4 Q. We have seen it in other circumstances, when these 5 reports come in, they come in in a sort schedule form, 6 don't they, the phone work? 7 A. Yes. 8 Q. You can see what calls were made, what time, the cell 9 sites and so on? 10 A. Yes, I wouldn't necessarily have received the original 11 documents, but yes they do come -- 12 Q. You could have asked to see them, couldn't you? 13 A. Yes, I could. 14 Q. How else were you going to satisfy yourself that this 15 work had been done before signing it off? 16 A. Only by a verbal assurance over the phone. 17 Q. Do you think you were told that it had been done? 18 A. I think so, I can't see myself signing an action off 19 unless I had at least some confirmation of the phone and 20 saying, "Yes, that is now done". 21 Q. Do you think it is possible, if we look further up the 22 page, you just looked at the entry that Detective Berry 23 had made, DC Berry, where he said: 24 "This has been updated on the CRIS report." 25 In fact, that was just an entry by DC Slaymaker</p> <p style="text-align: center;">Page 148</p>

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<p>1 saying exactly the same as he said in the email, that he 2 was getting on with it. 3 A. Yes. 4 Q. And you just thought, "Well, okay, I see it has been 5 updated" and without bothering to check whether it had 6 actually been done you signed it off? 7 A. I am not sure. 8 Q. If you did do that, it would have been an incredibly 9 inefficient way of working, wouldn't it? 10 A. Yes. 11 Q. The fact is that this action, which was understood right 12 from the start to be central, just didn't happen? 13 A. Yes. 14 Q. And that you, as a supervisor, allowed it not to happen, 15 by signing it off, is that fair? 16 A. Yes -- yes. 17 Q. That was 4 November? 18 A. Yes. 19 Q. We can see from another part of the CRIS that there were 20 further developments as November went on. If we can go 21 back, please, to page 65, we see here, if we can look at 22 the bottom half of the page, please, we see here the 23 text of an email from Denise Stanworth, and the jury 24 have heard from Denise Stanworth. She said: 25 "I am the toxicologist investigating the death of</p> <p style="text-align: center;">Page 149</p>	<p>1 possible that at this time, within a week or so, let's 2 say a fortnight, you have confirmation that GHB was 3 found in Daniel Whitworth's body, confirmation that 4 Gabriel Kovari also had GHB in his body, both of them 5 fatal doses. In fact, just as the note found in 6 Daniel's hand had said. 7 Do you think it is possible that at around this time 8 you took the view, "Well, there we are, the note was 9 right, nothing more to do, they both died of GHB 10 poisoning", end of investigation? 11 A. I don't recall coming to that conclusion. 12 Q. What do you think then you were thinking at the time? 13 A. I am not sure, I can't recall exactly what my thoughts 14 were at the time. 15 Q. If we just read on in the CRIS, we see, first of all, 16 there is an entry on 2 December, at the bottom of that 17 page, with -- thank you, if we can just scroll forward, 18 please. DC Berry has in fact uploaded at some length 19 Denise Stanworth's report on the toxicology. 20 A. Yes. 21 Q. Then, if we carry on scrolling through, please, through 22 pages 66, 68, 69, and 70, that is all Denise Stanworth's 23 report. Then we get to page 71. Page 71, we see 24 an entry by Sergeant Turrell on 4 December -- 25 A. Yes.</p> <p style="text-align: center;">Page 151</p>
<p>1 Daniel Whitworth, the work on the post mortem samples is 2 now complete. My findings include a high concentration 3 of GHB." 4 Do you see that? 5 A. Yes. 6 Q. This was a little before her final statement but it was 7 giving you an indication of what her findings were going 8 to be. 9 A. Yes. 10 Q. Do you remember seeing that or being aware of it at the 11 time? 12 A. I don't recall being aware of it at the time. 13 Q. In any event, that news came in on 17 November. 14 A. Yes. 15 Q. If we go over the page, so to page 66, please, we see 16 that at only 10 days later on 27 November, an entry 17 relating to the final post mortem report in 18 Gabriel Kovari's case. 19 A. Yes. 20 Q. Which was given as a mixed drug overdose and, as the 21 jury have seen, that also -- that process, the 22 toxicology and the post mortem, confirmed the existence 23 of GHB in his body as well. 24 A. Yes. 25 Q. Going back to the questions I asked you before, is it</p> <p style="text-align: center;">Page 150</p>	<p>1 Q. -- instructing the OIC to forward the toxicology 2 statement to the coroner's officer and then 3 an indication that that had happened -- 4 A. Yes. 5 Q. -- by DC Berry. 6 Then, on the same day, DC Berry saying: 7 "I have now received the original statement from 8 Denise Stanworth." 9 On 22 December, do you see at the bottom of the 10 page, DC Berry saying: 11 "This matter is now complete and can be put away." 12 A. Yes. 13 Q. Then, over the page, an entry by DS Turrell on 14 7 January: 15 "A/DI Schamberger has completed the closing report, 16 once a copy is received for the file this can be PA'd." 17 A fortnight later, on 22 January -- no entries in 18 between all of this -- an entry from you. 19 A. Yes. 20 Q. "Closing report for Kovari has been updated on the 21 review screen, whilst the closing report for Whitworth 22 has not yet been requested." 23 Then this: 24 "The investigation is complete and the report can be 25 closed."</p> <p style="text-align: center;">Page 152</p>

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<p>1 A. Yes.</p> <p>2 Q. It is hard, is it not, to avoid the conclusion,</p> <p>3 DI Schamberger --</p> <p>4 A. It is.</p> <p>5 Q. -- that as far as you were concerned, and in fact as far</p> <p>6 as your whole team were concerned, the toxicology</p> <p>7 results showing GHB in Gabriel's body and in Daniel's</p> <p>8 body, as far as you were concerned, that was the end of</p> <p>9 the case.</p> <p>10 A. Yes.</p> <p>11 Q. Why is there no entry from you saying what about the</p> <p>12 bruising? What about the possibility of third party</p> <p>13 involvement? What about that third limb of the</p> <p>14 strategy, where we were supposed to be trying to find</p> <p>15 out who the man that Daniel spent the night before with?</p> <p>16 What about the HAT return? What about</p> <p>17 manslaughter-suicide?</p> <p>18 A. Yes, and I understand there is a significant number of</p> <p>19 unanswered questions there. But the only explanation</p> <p>20 I can give is that, through time capacity, those factors</p> <p>21 that I have spoken about before, that at the time</p> <p>22 a phone conversation perhaps, most likely, with</p> <p>23 Debbie Turrell:</p> <p>24 "Has everything that was said been completed?"</p> <p>25 "Yes it has."</p> <p style="text-align: center;">Page 153</p>	<p>1 Q. You are not suggesting, are you, that that --</p> <p>2 A. No, I can't ... it must have just not registered that</p> <p>3 there was a full report outstanding. I am not sure.</p> <p>4 I can offer any other explanation to that, other than</p> <p>5 that it clearly didn't.</p> <p>6 Q. In fact, DI Schamberger, tell us, is in fact what</p> <p>7 happened here that you were a busy man, leading a busy</p> <p>8 team, and that as far as you and your team were</p> <p>9 concerned, this was a case about two young gay men, they</p> <p>10 had been engaged in chemsex, you regarded them as</p> <p>11 running all the risks associated with engaging in</p> <p>12 chemsex, and that ultimately you just accepted what the</p> <p>13 note said and didn't pursue the matter any further?</p> <p>14 A. Well, I agree with the part about the busy team. In</p> <p>15 terms of deciding what had happened and therefore</p> <p>16 shutting it down because of that, I don't accept that.</p> <p>17 Q. Let me ask you two slightly different questions.</p> <p>18 A. Yes.</p> <p>19 Q. Did you ever consider, throughout all of the time you</p> <p>20 were conducting this investigation, that these two</p> <p>21 deaths you were investigating might be linked to the</p> <p>22 death of Anthony Walgate?</p> <p>23 A. No, Anthony Walgate had not come up to my knowledge.</p> <p>24 Q. Did any of your team mention the possibility themselves</p> <p>25 or did they refer to anyone else mentioning the</p> <p style="text-align: center;">Page 155</p>
<p>1 "Okay ..."</p> <p>2 Q. DI Schamberger, you agreed with me before lunch, or you</p> <p>3 accepted that at the start of this investigation you</p> <p>4 were aware that it might be a homicide investigation?</p> <p>5 A. Yes.</p> <p>6 Q. You said, when I was asking you questions, that you</p> <p>7 weren't trying to minimise the questions in this case.</p> <p>8 A. No.</p> <p>9 Q. That you knew there was something to get to the bottom</p> <p>10 of.</p> <p>11 A. Yes.</p> <p>12 Q. You used words like that. How was it then that this</p> <p>13 case just stopped?</p> <p>14 A. I can't offer any other further explanation. It is very</p> <p>15 regrettable that it did happen. But I can't offer any</p> <p>16 further explanation other than what I have already said.</p> <p>17 Q. Most importantly, perhaps, how on earth was it the</p> <p>18 case -- you having been present at the special post</p> <p>19 mortem, how was this case closed before Dr Swift had</p> <p>20 even produced his report?</p> <p>21 A. Yes, I can't add anything further to that.</p> <p>22 Q. Surely it was in your mind on 22 January 2015 that you</p> <p>23 hadn't yet had a report from Dr Swift?</p> <p>24 A. I think there had been a report which was the</p> <p>25 preliminary report, but --</p> <p style="text-align: center;">Page 154</p>	<p>1 possibility?</p> <p>2 A. Not to me, no.</p> <p>3 Q. Were you even aware of Anthony Walgate's death and the</p> <p>4 investigation that had been conducted into it?</p> <p>5 A. No, not at the time. I have subsequently become aware</p> <p>6 that a request for a check was forwarded to me, because</p> <p>7 I had access to a system, the Police National Database,</p> <p>8 but I didn't make the connection. It was a one-off</p> <p>9 check that I think DI Petty had sent to me and</p> <p>10 I returned -- I recall seeing an email about that, but</p> <p>11 not in this context, no.</p> <p>12 Q. What about concerns that were being raised by people to</p> <p>13 whom your officers were speaking, in particular</p> <p>14 Thierry Amodio and John Pape, about the possible</p> <p>15 circumstances of Gabriel and Daniel's death, in</p> <p>16 particular Gabriel's death. Were you aware of any of</p> <p>17 those matters?</p> <p>18 A. I don't think they were filtered back to me.</p> <p>19 Q. Let's look at a couple of documents on screen, please.</p> <p>20 IPC200. Are you familiar with this document,</p> <p>21 DI Schamberger?</p> <p>22 Let's just look at it, it is a document dated</p> <p>23 21 September. So it's the Sunday, the day after</p> <p>24 Daniel's body was found. It is an email from</p> <p>25 Yinka Adeyemo-Phillips to Debbie Turrell and</p> <p style="text-align: center;">Page 156</p>

<p>1 Paul Slaymaker. You are not copied into it.</p> <p>2 A. No.</p> <p>3 Q. She is talking there about a conversation she has had</p> <p>4 with Thierry Amodio, who was an ex-boyfriend of</p> <p>5 Gabriel's. One can read through, there is a message to</p> <p>6 having received a message -- sorry, reference to</p> <p>7 Jon Luck, the special party that Gabriel was attending</p> <p>8 with another friend called Dan. The jury have seen all</p> <p>9 of these messages, reference to someone called</p> <p>10 Tony Fairy.</p> <p>11 A whole story, if you like, about, apparently at any</p> <p>12 rate, about Gabriel's life, events towards the end of</p> <p>13 his life and a possible connection with Daniel. Were</p> <p>14 you ever either shown this email or anything like it to</p> <p>15 give an idea of what the concerns that Thierry Amodio</p> <p>16 was expressing?</p> <p>17 A. Not to that extent. It may have featured that there</p> <p>18 were, in conversations with Debbie for example, that</p> <p>19 there had been some contact with people in the</p> <p>20 background or in the lives of Gabriel, but not to this</p> <p>21 extent, not at the time, no.</p> <p>22 Q. We have looked at various actions that you issued and</p> <p>23 emails and so on, with those lists, we see the same list</p> <p>24 time and time again, of witnesses, a statement needs to</p> <p>25 be taken from them. Barbara Denham?</p> <p style="text-align: center;">Page 157</p>	<p>1 Q. -- in the summer of 2014, to Jackie Baxter.</p> <p>2 A. Yes.</p> <p>3 Q. The jury again have looked at these emails. There is</p> <p>4 a series of emails that John Pape sent to Jackie Baxter</p> <p>5 over a course of months without getting any reply.</p> <p>6 These ones in December 2014, if we just look at the top</p> <p>7 one, he says:</p> <p>8 "Let me be more blunt. I have heard that Gabriel</p> <p>9 and the young guy who died in the same churchyard</p> <p>10 (Daniel) were present at the same gay chemsex party the</p> <p>11 weekend before Gabriel died. I have had indirect</p> <p>12 information about the party. This person described</p> <p>13 a scenario in which older men drug younger men in order</p> <p>14 to take advantage of them sexually. Four young men have</p> <p>15 died of unexplained deaths in Barking."</p> <p>16 Did you see these emails?</p> <p>17 A. I don't recall seeing these emails.</p> <p>18 Q. Should you have done?</p> <p>19 A. Yes, they would have been helpful.</p> <p>20 Q. What would you have done if you had seen them?</p> <p>21 A. It would have -- well, at the very least, it would have</p> <p>22 been a full statement from John Pape and following up</p> <p>23 any other leads around where this party may have been,</p> <p>24 who may have been present at it and what information</p> <p>25 they might hold.</p> <p style="text-align: center;">Page 159</p>
<p>1 A. Yes.</p> <p>2 Q. Ricky Waumsley?</p> <p>3 A. Yes.</p> <p>4 Q. The employer?</p> <p>5 A. Hmm.</p> <p>6 Q. I mean a statement was never taken from Thierry Amodio.</p> <p>7 If you had seen something like this, surely you would</p> <p>8 have said in your supervisor role, "Let's get</p> <p>9 a statement from Thierry Amodio"?</p> <p>10 A. I would like to think so, yes.</p> <p>11 Q. We know that you didn't. How much detail do you think</p> <p>12 Debbie Turrell told you about all of this?</p> <p>13 A. Not this amount.</p> <p>14 Q. Enough that in retrospect you should have raised with</p> <p>15 her the possibility or the need to get a statement from</p> <p>16 Thierry Amodio?</p> <p>17 A. That I don't know, but if something had come up to that</p> <p>18 effect, I would have expected her to task that off her</p> <p>19 own back.</p> <p>20 Q. Let's look at another document, please. This one is in</p> <p>21 the jury bundle at tab 50. For the screen, it is</p> <p>22 IPC758.</p> <p>23 This is an email from John Pape, so the man with</p> <p>24 whom Gabriel had lived for a few weeks --</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 158</p>	<p>1 Q. It is obvious, isn't it, that what Thierry Amodio was</p> <p>2 saying to DC Adeyemo-Phillips, what John Pape was saying</p> <p>3 to Jacqueline Baxter, was of the first importance in, to</p> <p>4 use your words, trying to get to the bottom of this</p> <p>5 case?</p> <p>6 A. Yes.</p> <p>7 Q. Let's move on, please. We looked at the CRIS, or those</p> <p>8 entries around the time that the CRIS was closed.</p> <p>9 A. Yes.</p> <p>10 Q. You will recall there was a reference to you having</p> <p>11 drafted the closing report for Gabriel Kovari?</p> <p>12 A. Yes.</p> <p>13 Q. Just tell the jury what a closing report is?</p> <p>14 A. My understanding of a closing report, I don't know</p> <p>15 whether that is a proper definition, was a summary of</p> <p>16 the case for the coroner.</p> <p>17 Q. We can see when you drafted this, if we look on the</p> <p>18 screen, first of all, please, IPC133, page 7, because in</p> <p>19 fact you drafted this as another one of the review</p> <p>20 sheets in the CRIS, or at least it was uploaded in that</p> <p>21 way, wasn't it?</p> <p>22 A. Yes, it was.</p> <p>23 Q. We get from there the date of 21 January 2015?</p> <p>24 A. Yes.</p> <p>25 Q. Which was the same date as the CRIS was closed.</p> <p style="text-align: center;">Page 160</p>

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<p>1 A. Yes, so the report may have been drafted slightly before 2 and then just copied onto there. 3 Q. So at least not later than that date, possibly a day or 4 two earlier, and then you uploaded it on the 22nd? 5 A. Yes. 6 Q. Then if we could have on screen, please, IPC277, we can 7 see here, if we look at the bottom, well, there is 8 a request -- Teresa Steadman is one of the coroner's 9 officers and at that stage she is just sending through 10 the toxicology report. Debbie Turrell forwards it to 11 you -- sorry, can we go up to the top, now? 12 That is right, so looking at the top, it is in fact 13 13 January, so it is a little bit before the 22nd? 14 A. Yes. 15 Q. You are sending to Teresa Steadman the closing report in 16 relation to Gabriel Kovari. 17 A. So it must have been done before 17 January and uploaded 18 on the 22nd. 19 Q. That's right, so loaded up onto CRIS a week or so later? 20 A. Yes. 21 Q. The document itself is in the jury bundle. For the 22 screen we just go on to page 3 of this same document. 23 For the jury bundle we go to tab 59. 24 If we just run through the document, DI Schamberger, 25 you set out something about the background. Again,</p> <p style="text-align: center;">Page 161</p>	<p>1 that, hadn't they? 2 A. Yes. 3 Q. They had not only said that, as far as Ricky was aware, 4 Daniel didn't know anyone called Gabriel, Ricky had also 5 said that Daniel was at home on the night of the 27th, 6 hadn't he? 7 A. Yes, although I was not aware of that at the time. 8 Q. When you drafted this, you still hadn't read Ricky's 9 statement or do you think by this time you had read the 10 statement but overlooked that detail? 11 A. That is more likely. But I don't know for sure. 12 Q. That -- sorry, inspector, it is just that that is such 13 an important factor of this case. 14 A. It is. 15 Q. It was there in black and white. And, as I understand 16 it, what you are saying is that by this time you had 17 actually read that statement, but simply not understood 18 the significance of what Ricky was saying. Is that what 19 you are saying? 20 A. That is the most likely. I can't say for sure that 21 I had definitely read the whole statement by then. But 22 that is the most likely. 23 Q. What adjective would you use to describe that conduct on 24 your behalf? 25 A. Insufficient.</p> <p style="text-align: center;">Page 163</p>
<p>1 familiar detail. 2 A. Yes. 3 Q. You then at the bottom of the page refer to the 4 investigation, the presence at the scene. 5 A. Yes. 6 Q. If we can go over the page, there is a reference to the 7 post mortem, the standard post mortem. 8 Then, in the middle of the page, you say that on 9 20 September, a further body was found by 10 Barbara Denham, and the note is set out, yes? Do you 11 see that? 12 A. Yes. 13 Q. You then say: 14 "Investigation around social media established that 15 Gabriel Kovari was indeed known as Gabriel Klein, 16 amongst other names. However, no definite links could 17 be established to show association between Gabriel and 18 Daniel." 19 A. Yes. 20 Q. "This included enquiries with Daniel's partner." 21 What you are saying there is that enquiries with 22 Ricky Waumsley had not established any links with 23 Gabriel? 24 A. Yes. 25 Q. In fact, enquiries were Ricky had done a bit more than</p> <p style="text-align: center;">Page 162</p>	<p>1 Q. Can I suggest that that was a dreadful mistake for you 2 to make. 3 Let's read on -- 4 THE CORONER: Sorry, you nodded? 5 A. Yes. 6 THE CORONER: Are you agreeing with that? 7 MR O'CONNOR: The next paragraph reads: 8 "A post mortem on Daniel Whitworth's body and 9 toxicology concluded that he had died of a GHB overdose 10 combined with sleeping pills." 11 This document, drafted in January 2015, was some 12 months before Dr Swift had concluded anything in terms 13 of a written report, wasn't it? 14 A. Yes, I think that was my understanding that, using the 15 initial report, was the preliminary report. 16 Q. All the preliminary report said was that he couldn't 17 decide how Daniel had died, isn't it? 18 A. With the toxicology, it had determined that there was 19 a high dosage of GHB present. 20 Q. That is all the toxicology report said, wasn't it? 21 A. Yes. 22 Q. It wasn't for you to interpret the toxicology report, 23 was it? 24 A. No. 25 Q. It wasn't for you to decide on a cause of death. That</p> <p style="text-align: center;">Page 164</p>

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<p>1 is why you have pathologists?</p> <p>2 A. Yes.</p> <p>3 Q. That is what their job is. So that is not true, is it,</p> <p>4 it is not true to say that when you wrote this a post</p> <p>5 mortem had concluded that Daniel had died of a GHB</p> <p>6 overdose?</p> <p>7 A. No, because the full report was still pending.</p> <p>8 Q. Is that an indication of the point I have put to you</p> <p>9 more than once, which is that that is your own</p> <p>10 conclusion that you drew on receiving that toxicology</p> <p>11 report?</p> <p>12 A. It must be my own conclusion or -- well, yes.</p> <p>13 Q. What about the next sentence:</p> <p>14 "No suspicious marks or injuries were noted."</p> <p>15 What about the bruising?</p> <p>16 A. Well -- the -- I guess the bruising was inconclusive at</p> <p>17 the time, not definitely suspicious by its nature, but</p> <p>18 I agree with that that doesn't fully reflect the ...</p> <p>19 Q. Is this you in your role as -- is this simply you,</p> <p>20 DI Schamberger, just wishing away everything that</p> <p>21 doesn't quite fit with your easy route through this</p> <p>22 case, "It is the note, it is the GHB, nothing more to</p> <p>23 see here, move on"?</p> <p>24 A. It is me doing the best I can with what I have at the</p> <p>25 time.</p> <p style="text-align: center;">Page 165</p>	<p>1 Q. If we could have on screen, please, IPC170. We see in</p> <p>2 April 2015 Teresa Steadman essentially telling you there</p> <p>3 is going to be an inquest?</p> <p>4 A. Yes.</p> <p>5 Q. Two inquests, Gabriel and Daniel's inquests, they are</p> <p>6 both going to be held on Friday, 19 June.</p> <p>7 A. Yes.</p> <p>8 Q. You knew that you had already done the closing report</p> <p>9 for Gabriel --</p> <p>10 A. Yes.</p> <p>11 Q. -- and as at this date, you knew you were going to need</p> <p>12 to do one for Daniel, yes?</p> <p>13 Yes or no?</p> <p>14 A. I don't know whether that had registered with me.</p> <p>15 I took from that the advanced warning to attend on</p> <p>16 Friday, 19 June 2015. But I don't know whether it</p> <p>17 registered that another report was due.</p> <p>18 Q. I had been rather assuming that because you drafted the</p> <p>19 closing report factor Gabriel Kovari, you knew that was</p> <p>20 a standard requirement for an inquest?</p> <p>21 A. I don't think that registered with me particularly at</p> <p>22 the time.</p> <p>23 Q. What, so did you draft the Kovari report just in case it</p> <p>24 was needed and send it to the coroner's officer because</p> <p>25 you thought it was a good idea?</p> <p style="text-align: center;">Page 167</p>
<p>1 Q. What it isn't is you getting to the bottom of the case,</p> <p>2 as you said you wanted to do?</p> <p>3 A. No.</p> <p>4 Q. It is not that, is it?</p> <p>5 A. No, it is not that. It is not exhaustive.</p> <p>6 Q. Let's look at the next page, please, the paragraph</p> <p>7 underneath conclusion:</p> <p>8 "Both enquiries have not been able to piece together</p> <p>9 the final movements of Gabriel or Daniel or to determine</p> <p>10 the exact nature of their association.</p> <p>11 "It appears both had several casual encounters with</p> <p>12 other gay men via websites."</p> <p>13 What was the basis for that statement?</p> <p>14 A. I can only think that was again conversations that</p> <p>15 I would have had with the team.</p> <p>16 Q. So that, do we see here that you did know something</p> <p>17 about what Thierry Amodio or John Pape was saying?</p> <p>18 A. I can't say that for sure. It could have been that</p> <p>19 something was mentioned in conversation, but, again,</p> <p>20 I fully accept that a more through review by myself of</p> <p>21 the material, I would have been in a position to do so</p> <p>22 at the time, would have not led to a closing report like</p> <p>23 this.</p> <p>24 Q. Let's move on. So that was January.</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 166</p>	<p>1 A. No. There would have been some request for it or</p> <p>2 request for me to do it, otherwise I wouldn't have done</p> <p>3 it, but I don't think I made the connection from this</p> <p>4 email that automatically the second report was required,</p> <p>5 by this time.</p> <p>6 Q. All right, I am not going to pursue that.</p> <p>7 Just by way of chronology, it was in fact -- I don't</p> <p>8 know whether this is connected or not, but it was in</p> <p>9 fact the next day, 17 April, when Dr Swift produced his</p> <p>10 report.</p> <p>11 A. Yes.</p> <p>12 Q. Can we look back in the jury bundle, please at tab 42,</p> <p>13 back to CSM Gallagher's notes. For the screen it is</p> <p>14 MPS1099. If we can go to page 4, please. It might be</p> <p>15 easier if we start on page 3.</p> <p>16 We can see just towards the bottom there are some</p> <p>17 notes which are later than the special post mortem.</p> <p>18 Most of this document is CSM Gallagher's notes of the</p> <p>19 post mortem --</p> <p>20 A. Yes.</p> <p>21 Q. -- but then we can see from the date column on the</p> <p>22 left-hand side, there are some which are later than</p> <p>23 that. Do you see 25 September, 13 October?</p> <p>24 A. Yes.</p> <p>25 Q. 16 April 2015?</p> <p style="text-align: center;">Page 168</p>

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<p>1 A. Yes.</p> <p>2 Q. Then, if we go over to the next page, 5 May 2015, "Copy</p> <p>3 of post mortem report, attached, original sent to DC</p> <p>4 Paul Berry at Barking". Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. That is 5 May, two or three weeks after 17 April.</p> <p>7 When did you first read Dr Swift's report?</p> <p>8 A. Not before the inquest, as far as I remember.</p> <p>9 Q. But that was over a month later?</p> <p>10 A. Yes.</p> <p>11 Q. How was it that DC Berry had this report and you didn't</p> <p>12 see it?</p> <p>13 A. Because the file would have been at Fresh Wharf and</p> <p>14 I wasn't and I don't remember being made aware at any</p> <p>15 point that this report had been received.</p> <p>16 Q. I suppose it was partly because the case had been</p> <p>17 closed.</p> <p>18 A. Well, the report was still received and still went into</p> <p>19 the file, so it could have still been raised.</p> <p>20 Q. There was no CRIS anymore for DC Berry to note it on or</p> <p>21 upload the conclusions or anything like that. That had</p> <p>22 been closed, hadn't it?</p> <p>23 A. Yes, but he could have still sent an email or asked for</p> <p>24 the CRIS to be reopened.</p> <p>25 Q. Let's have IPC768, please.</p> <p style="text-align: center;">Page 169</p>	<p>1 Could she have a separate report with regards to the</p> <p>2 investigation into his death, please?"</p> <p>3 A. Yes.</p> <p>4 Q. So the day before the inquest you hadn't done the</p> <p>5 Whitworth closing report, you had to be asked for it?</p> <p>6 A. Yes.</p> <p>7 Q. Had you at that stage, do you think, read Dr Swift's</p> <p>8 report?</p> <p>9 A. I don't think so.</p> <p>10 Q. So the day before the inquest, you sat down in a hurry.</p> <p>11 Did you read the report then?</p> <p>12 A. I can't remember how much of the file I read, I remember</p> <p>13 looking through some of the file but there just wasn't</p> <p>14 time or capacity to give it the time it needed.</p> <p>15 Q. Let's have a look at the report. It is tab 60 of the</p> <p>16 jury bundle. For the screen, IPC15.</p> <p>17 You were in a hurry, DI Schamberger?</p> <p>18 A. Yes.</p> <p>19 Q. And you wrote the closing report, the Metropolitan</p> <p>20 Police closing report to the coroner, into the death of</p> <p>21 Daniel Whitworth --</p> <p>22 A. Yes.</p> <p>23 Q. -- by amending the document you had already done</p> <p>24 relating to Gabriel Kovari, didn't you?</p> <p>25 A. Basically, yes.</p> <p style="text-align: center;">Page 171</p>
<p>1 What we see here is that the day before the inquest</p> <p>2 you were sent some queries, weren't you?</p> <p>3 A. Yes.</p> <p>4 Q. If we actually look the very bottom of the page, we see</p> <p>5 in fact it starts with an email from the coroner</p> <p>6 herself, Nadia Persaud?</p> <p>7 A. Yes.</p> <p>8 Q. She is emailing her officer, it says:</p> <p>9 "Hi Jayne, the file of Whitworth contains a police</p> <p>10 overview relating to Gabriel Kovari."</p> <p>11 That is the closing report?</p> <p>12 A. Yes.</p> <p>13 Q. "Whilst it [that is the Kovari closing report] refers to</p> <p>14 Daniel Whitworth [as we have seen] it provides no detail</p> <p>15 around the investigation into Whitworth's death. Did</p> <p>16 they check CCTV when DW was found? Did they check the</p> <p>17 handwriting was his? Did they examine the bedsheet that</p> <p>18 he was wrapped in?"</p> <p>19 That email then gets sent on to you, does it not?</p> <p>20 A. Yes.</p> <p>21 Q. Later that morning:</p> <p>22 "Dear DS Schamberger, as discussed on the phone,</p> <p>23 please find attached the questions that senior coroner</p> <p>24 Ms Persaud would wish to be answered at the inquest</p> <p>25 tomorrow with regards to the death of Mr Whitworth.</p> <p style="text-align: center;">Page 170</p>	<p>1 Q. You didn't do a very good job of that?</p> <p>2 A. No, there was -- Gabriel's name was still on it.</p> <p>3 Q. What you crossed it out and wrote in his name, did you?</p> <p>4 A. I don't know when that happened, because the initial</p> <p>5 report would have gone by email. So I am not quite sure</p> <p>6 where this particular copy has come from.</p> <p>7 Q. It seems more likely that you just missed that and left</p> <p>8 the name "Gabriel Kovari" in and someone else has</p> <p>9 crossed it out and put "Daniel Whitworth", is that</p> <p>10 right?</p> <p>11 A. It might have been me, I am not quite sure which version</p> <p>12 this is a photocopy of. But effectively, yes, the</p> <p>13 report was very last minute and it did contain that</p> <p>14 mistake.</p> <p>15 Q. Let's briefly look at the contents of this. Go over to</p> <p>16 the second page, please, because we have read the</p> <p>17 Gabriel version before.</p> <p>18 A. Yes.</p> <p>19 Q. Do you see about five paragraphs down it says:</p> <p>20 "Open source research was also requested on Daniel's</p> <p>21 details, as well as work around his phone number to</p> <p>22 establish any further leads on who he had been in</p> <p>23 contact with."</p> <p>24 A. Yes.</p> <p>25 Q. Did it occur to you while you were writing this, that</p> <p style="text-align: center;">Page 172</p>

<p>1 although that work had been requested, it had never been 2 done? 3 A. At that time, I don't think there was a lot of time to 4 think in a lot of detail. I do remember phone 5 conversations just trying to -- on a very, very basic 6 level, see whether there was anything outstanding or 7 whether everything that had been tasked had been done. 8 Q. We will see in a moment, you were asked at the inquest 9 about this phone data, and you had to sort of ruffle 10 through the file to try and work it out? 11 A. Yes. 12 Q. It hadn't been done? 13 A. No. 14 Q. Did you even bother to work out whether it had been done 15 or not when you wrote this paragraph? 16 A. I might have missed that. 17 Q. Is it possible that this is actually rather carefully 18 worded and you are deliberately saying that the work was 19 "requested", knowing that in fact it had not happened? 20 A. No. 21 Q. Let's look on, you say: 22 "... there was no information forthcoming to 23 identify the male Daniel may have had sex the night 24 before." 25 A. Yes.</p> <p style="text-align: center;">Page 173</p>	<p>1 Q. Then, if we look over the page, there is a paragraph 2 which refers to at least one of those queries you had 3 been asked by the coroner: 4 "Further to the questions raised by the senior 5 coroner, checking through the reports I found no record 6 of the bedsheet Daniel was found in being submitted for 7 forensic examination." 8 A. Yes. 9 Q. This report is terribly inadequate, isn't it? 10 A. Yes, it falls short of what it should have been. 11 Q. It falls a very long way short of what it should have 12 been, doesn't it? 13 A. It does. I wasn't able to give it the attention it 14 required and also didn't have, on reflection, the 15 knowledge or experience to prepare such a document in 16 the level of detail and comprehensiveness that it needed 17 to be. 18 Q. Let me ask you -- I am going to do this briefly -- some 19 questions about the inquests themselves. 20 A. Yes. 21 Q. We have the transcripts. Gabriel Kovari's inquest took 22 place in the morning of that day and Daniel's in the 23 afternoon? 24 A. Yes, that's right. 25 Q. Behind tab 52, please, for the transcript of Gabriel's</p> <p style="text-align: center;">Page 175</p>
<p>1 Q. You hadn't sent the sex swabs off, had you? 2 A. I hadn't. 3 Q. You hadn't submitted the bedsheet? 4 A. No. 5 Q. You then refer: 6 "During a visit to Daniel's home address police 7 seized a diary to check the handwriting." 8 That was a mistake, wasn't it? 9 A. Yes. 10 Q. It wasn't a diary, was it? 11 A. It was an address book. 12 Q. Did you complete this report in a really great rush? 13 A. Yes, I did. 14 Q. You then, in the next paragraph, simply used the same 15 wording as you had used on Gabriel Kovari's report? 16 A. Yes. 17 Q. By this stage, of course, you had Dr Swift's final 18 report, didn't you? 19 A. In my possession, but I hadn't read it or digested it. 20 Q. So you left in the sentence, "No suspicious marks or 21 injuries were noted", without even bothering to read the 22 final report to check whether that was accurate or not? 23 A. I didn't have a chance to review a lot of paperwork 24 that -- the day before, including the post mortem 25 report.</p> <p style="text-align: center;">Page 174</p>	<p>1 evidence. I am not going to take you through this in 2 detail but John Pape gave evidence in that inquest, did 3 he not? 4 A. Yes. 5 Q. During that evidence he explained a lot about what he 6 had learnt from Thierry Amodio, the information that 7 came via Jon Luck, and others. I take it from what you 8 have said that a lot of that information you were 9 hearing for the first time? 10 A. Yes. 11 Q. Let's look, please. For the screen, this is IPC1042 on 12 page 35. 13 By the time you came to give evidence, the 14 coroner -- this is the fourth entry down -- is asking 15 you: 16 "Were you able to ascertain how they [that is 17 Gabriel and Daniel] came to be together? What they had 18 been doing together, any more facts around their 19 interactions?" 20 You said: 21 "I am afraid not, our enquiries could not place 22 Gabriel and Daniel conclusively at the same place at any 23 given time." 24 The coroner says: 25 "We have had some additional information today,</p> <p style="text-align: center;">Page 176</p>

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<p>1 albeit hearsay evidence, from Mr Pape. Did you listen 2 to any of that information about the party they had been 3 to beforehand?" 4 You said: 5 "No, we were not able to find out any details of any 6 party they may or may not have been at." 7 You didn't try, did you? 8 I mean your team did not pursue the evidence about 9 a party that had come to them via Thierry Amodio and 10 John Pape and so on, did you? 11 A. I think ultimately those enquiries were not pursued. 12 Q. If we just scroll through the next couple of pages, we 13 see the coroner asking you about cell siting -- 14 A. Yes. 15 Q. -- and whether the phone was actually checked. 16 A. Yes. 17 Q. In the end, you said that you just weren't sure it had 18 happened. You had to agree you couldn't say that it had 19 happened. Is that right? 20 A. That's right. 21 Q. Can we turn to page 39, please. 22 John Pape asked you some questions. At the very 23 bottom of the page, John Pape asks you about 24 Anthony Walgate's death, doesn't he? He doesn't use 25 that name, but he talks about a death before Gabriel's,</p> <p style="text-align: center;">Page 177</p>	<p>1 A. Yeah. 2 Q. Why didn't you say, "I am sorry, I don't know really 3 anything about that case, it is not something I have 4 ever given any thought to"? 5 A. I don't know. 6 Q. I want to move on and ask you about the second inquest 7 that happened in the afternoon. Daniel Whitworth's 8 inquest. For the jury, it is tab 55. For the screen, 9 it is IPC1041. 10 If we go to page 13, please, we see here that the 11 coroner asks you about the note and about checking the 12 handwriting. 13 A. Yes. 14 Q. She says: 15 "Was the note provided to the family members?" 16 You say: 17 "Yes it was." 18 "Did they recognise the writing as being Daniel's?" 19 You say: 20 "Yes, they did. It was done by the family liaison 21 officer." 22 A. Yes. 23 Q. She says: 24 "And did you also check yourself against examples of 25 Daniel's writing?"</p> <p style="text-align: center;">Page 179</p>
<p>1 21 year old male, quite close to the cemetery? 2 A. Yes. 3 Q. He says: 4 "Was it even considered that there could be any link 5 with that?" 6 Your answer, if we go over the page, is: 7 "I was not involved in that investigation but I am 8 aware that an incident took place nearby, not long 9 beforehand, and that there was consideration given to 10 there being a link but to the best of my knowledge no 11 link was ever established." 12 What were you referring to there about 13 "consideration" being given to there being a link? 14 A. It is hard to say now. It could have been something 15 that came up in conversation, I ... 16 Q. You have just told us that you hadn't given any thought 17 to the Anthony Walgate death at all. In fact you hardly 18 even knew about it? 19 A. That's right. 20 Q. Why didn't you say that in answer to Mr Pape's question? 21 A. I can't say. 22 Q. You are closing him down, aren't you? "... no link was 23 ever established": 24 "There was consideration given to there being a link 25 but no link was ever established."</p> <p style="text-align: center;">Page 178</p>	<p>1 You say: 2 "I didn't check it myself, but police colleagues 3 checked the writing against a diary ..." 4 Which you explained was found at Daniel's house. 5 What were you talking about there? 6 A. That is the impression that I had been given, that is 7 what I had taken away from my conversations with the 8 team. 9 Q. There was no diary taken from Daniel's house. 10 A. I know that now. 11 Q. How do you explain what you told the coroner in evidence 12 at that inquest? 13 A. I think diary -- was there an address book? 14 Q. Was it the sample of handwriting relates to recipes that 15 you may have had in mind? 16 A. It could have been. All I know was that I was told that 17 the writing had been compared and verified. 18 Q. I want to take you to one more reference, please. 19 A. Yes. 20 Q. That is page 19. 21 A. Page? 22 Q. 19. 23 A. Thank you. 24 Q. We see here that the coroner comes back to the question 25 of the bedsheet, which she had asked about in the email.</p> <p style="text-align: center;">Page 180</p>

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<p>1 A. Yes.</p> <p>2 Q. She said:</p> <p>3 "The pathologist has already commented [we have seen</p> <p>4 in his report] that it was recommended that further</p> <p>5 examination of the bedsheet as well as positive</p> <p>6 confirmation of the handwriting, which you have</p> <p>7 confirmed, be obtained. Was that something that was</p> <p>8 done?"</p> <p>9 And you have said no. She said:</p> <p>10 "Why was that?"</p> <p>11 And you said this:</p> <p>12 "It is a consideration. But the circumstances at</p> <p>13 the time indicated towards no other external parties</p> <p>14 being involved."</p> <p>15 What circumstances were those?</p> <p>16 A. I can't really explain this answer. I am not sure what</p> <p>17 I was referring to at that point.</p> <p>18 Q. You, DI Schamberger, had a strategy aim at the post</p> <p>19 mortem to discover who was the person that Daniel had</p> <p>20 apparently been with the night before, didn't you? That</p> <p>21 was one of the aims that was there at the post mortem?</p> <p>22 A. Yes.</p> <p>23 Q. You were there at the post mortem when the bruising was</p> <p>24 discovered under Daniel's shoulders?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 181</p>	<p>1 whatever may or may not have happened, whatever may or</p> <p>2 may not have been said --</p> <p>3 A. Yes.</p> <p>4 Q. -- it surely must have been the case that when you</p> <p>5 finished those two inquests on that day, you realised</p> <p>6 that things had gone badly wrong with these two</p> <p>7 investigations, didn't you?</p> <p>8 A. At that point, I don't think -- I mean I had had very</p> <p>9 little experience with inquests. I wasn't -- I don't</p> <p>10 think I was in a position to absorb what the open</p> <p>11 verdict meant.</p> <p>12 And, also, I didn't take away any directions like</p> <p>13 I had been used to for example from Crown Courts, where</p> <p>14 if there was something that was unsatisfactory and the</p> <p>15 judge would make an order to go and do something, this</p> <p>16 would be done.</p> <p>17 Q. DI Schamberger, I am not talking about you being baffled</p> <p>18 by inquest procedure. I am talking about the fact that,</p> <p>19 as we have seen, the following things must have been</p> <p>20 very apparent to you.</p> <p>21 First of all, John Pape had given evidence about</p> <p>22 a whole load of discussions, information, evidence from</p> <p>23 other parties, that you had never even heard before,</p> <p>24 hadn't he?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 183</p>
<p>1 Q. Which absolutely indicated third-party involvement,</p> <p>2 didn't it?</p> <p>3 A. Yes.</p> <p>4 Q. You agreed with me when I suggested to you that that</p> <p>5 finding just made it all the more important to try and</p> <p>6 find out who he had been with the night before?</p> <p>7 A. Yes, it did.</p> <p>8 Q. Why did you say to the coroner that the circumstances at</p> <p>9 the time indicated towards no other external parties</p> <p>10 being involved?</p> <p>11 A. I can't explain that now.</p> <p>12 Q. DI Schamberger, we have heard about the discussions you</p> <p>13 had with John Pape after the Kovari inquest, and what he</p> <p>14 said to you about if you are going to accept the note,</p> <p>15 that must mean that Gabriel was taken or dragged to the</p> <p>16 graveyard, what are you going to do about it? We have</p> <p>17 heard about the words that were exchanged between you</p> <p>18 and the Whitworth family, about Ricky shouting at you,</p> <p>19 swearing at you, storming off --</p> <p>20 A. I don't recall those interactions. I remember speaking</p> <p>21 to Mr Pape before the inquest, I don't remember speaking</p> <p>22 to him afterwards.</p> <p>23 I remember speaking to Mr Waumsley and Daniel's</p> <p>24 grandmother before the inquest, but not afterwards.</p> <p>25 Q. DI Schamberger, whatever you may or may not remember,</p> <p style="text-align: center;">Page 182</p>	<p>1 Q. You had realised, if you hadn't realised before, that</p> <p>2 the phone work, the efforts to work out what phone calls</p> <p>3 had been made, the cell siting on Gabriel and Daniel,</p> <p>4 hadn't been done?</p> <p>5 A. I knew that I hadn't been able to find them in the file.</p> <p>6 Q. Well, shall we agree that there was a very real doubt in</p> <p>7 your mind at that stage as to whether that work had ever</p> <p>8 been done or not?</p> <p>9 A. Okay.</p> <p>10 Q. You realised that the bedsheet hadn't been tested?</p> <p>11 A. Yes.</p> <p>12 Q. And you must have been aware, at least at that stage,</p> <p>13 that Dr Swift had recommended that it should be done,</p> <p>14 yes?</p> <p>15 A. At that point, yes.</p> <p>16 Q. No doubt one can point to other things, but you must</p> <p>17 have realised at this stage that there were serious</p> <p>18 questions about that investigation and more that could</p> <p>19 be done. My question to you is: why didn't you at that</p> <p>20 stage reopen the investigation and make sure that those</p> <p>21 matters were looked at?</p> <p>22 A. In hindsight, that was a clear failing, but at the time</p> <p>23 I don't think I was in a position to -- I don't know,</p> <p>24 how to put it, fully absorb the impact of what had</p> <p>25 happened with what needed to happen going forward.</p> <p style="text-align: center;">Page 184</p>

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<p>1 Q. It has nothing to do with what the coroner did or didn't 2 say or what the verdict was or wasn't -- 3 A. No, I mean the situation as a whole. I cannot explain 4 any better than that. 5 Q. Did you speak to your boss, DCI Kirk, about it? 6 A. I don't recall a conversation. 7 Q. Is it possible that you decided not to take any steps 8 about what had been revealed because you were worried 9 that your own failings would be highlighted? 10 A. No, I don't think so, because they would have been 11 highlighted in any event. 12 Q. Is it possible that you thought that if you did reopen 13 these investigations the failures that you had made in 14 supervising the investigation the first time round would 15 be revealed? 16 A. No, I don't think so, for the same reason. 17 Q. Did you perhaps just think that because these cases 18 involved just young gay men, living a life of casual 19 encounters with other gay men -- 20 A. No, absolutely not. 21 Q. -- they just were not worth investigating properly? 22 A. Absolutely not. 23 MR O'CONNOR: Thank you, DI Schamberger, those are my 24 questions. 25 THE CORONER: Yes, we will take a short break at that stage.</p> <p style="text-align: center;">Page 185</p>	<p>1 remember me showing him that statement? 2 A. I do remember you showing the statement, yes. 3 Q. The IPCC stands for the Independent Police Complaints 4 Commission, doesn't it? 5 A. It does. 6 Q. The jury have seen a large number of documents in this 7 inquest where the three letters at the beginning of that 8 document are "IPC". Those documents, I suggest to you, 9 are documents that were generated for or in relation to 10 the IPCC investigation. Is that right? 11 A. I believe so. 12 Q. The IPCC has changed its name and has become the 13 Independent Office for Police Conduct? 14 A. Yes it has. 15 Q. You are aware of that? 16 A. I am. 17 Q. Some of the documents I am going to be showing you today 18 still have their old name on them, because they were the 19 IPCC at the time. 20 A. Yes. 21 Q. It is right, isn't it, that the IPCC investigated 22 a total of 17 Metropolitan Police officers in the course 23 of their investigation, is that right? 24 A. I believe so, yes. 25 Q. You were one of those 17, weren't you?</p> <p style="text-align: center;">Page 187</p>
<p>1 Thank you. 2 (3.16 pm) 3 (A short adjournment) 4 (3.30 pm) 5 (In the presence of the jury) 6 Questions from DR VAN DELLEN 7 DR VAN DELLEN: Detective Inspector Schamberger, I ask 8 questions on behalf of Ricky Waumsley -- 9 A. Good afternoon. 10 Q. -- Daniel Whitworth's partner, who is sitting to your 11 left, next to the Taylor family. 12 My learned friend Henrietta Hill, Queen's Counsel, 13 who sits to my right, represents the other families. 14 She has kindly agreed that I may ask you questions 15 first. 16 My learned friends may disagree, but I have asked 17 relatively few questions in this inquest but as the 18 supervising officer for the death of Daniel Whitworth, 19 I have a significant number of questions for you this 20 afternoon. 21 Were you present in court this morning when Ricky 22 gave evidence? 23 A. I was watching from the room next door, yes. 24 Q. You may recall that one of the documents I showed him 25 was a statement that he had made for the IPCC. Do you</p> <p style="text-align: center;">Page 186</p>	<p>1 A. I was. 2 Q. I am going to ask for you to be shown IPC001032. You 3 will probably recognise this document when it comes up, 4 it is a ROTI, or record of interview, of your interview 5 with the IPCC investigators, have you seen this document 6 before? 7 A. I believe I have. 8 Q. Just to orientate you to it, you had three interviews 9 with the IPCC over the course of one day. That is 10 right, isn't it? 11 A. It was interviews over one day. I don't remember 12 whether it was three but, yes. 13 Q. In fairness, I will show you the ROTIs for each one of 14 them. 15 A. Okay. 16 Q. This is the ROTI for the first interview? 17 A. Yes. 18 Q. You can see at the top: 19 "DI Rolf Schamberger. Place of interview: IPCC 20 Southern House, Croydon, 7 September 2017." 21 You will see the time it commenced 10.01, time 22 concluded 11.34, so this is the first round of 23 interviewing on that day. 24 A. Yes. 25 Q. Duration of interview, "1 hour and 33 minutes."</p> <p style="text-align: center;">Page 188</p>

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<p>1 You were interviewed by two people, Ben Williams, 2 lead interviewer, and Olivia Roth, both of them from the 3 IPC, do you remember that? 4 A. I do. 5 Q. Then below that, it says: 6 "Other persons present: Matt Cane federation 7 friend." 8 Just to be clear, correct me if I am wrong, you are 9 not allowed legal representation at this interview but 10 you are allowed to be accompanied by somebody from the 11 Police Federation, is that correct? 12 A. That's correct. 13 Q. The Police Federation, the police do not have a trade 14 union, do they? They are not allowed to have a trade 15 union? 16 A. Yes. 17 Q. But the Police Federation assist and advises officers in 18 circumstances such as this, where there is 19 an investigation by the IPCC, is that correct? 20 A. Yes. 21 Q. I am going to ask you not to give any evidence about any 22 legal advice that you received before this interview, or 23 give any evidence about any advice you received from 24 your federation friend before this interview. 25 A. Yes.</p> <p style="text-align: center;">Page 189</p>	<p>1 remember him cautioning me. 2 Q. Just to be clear, this is not a criminal caution? 3 A. Yes. 4 Q. This is not a criminal interview, you are not being 5 interviewed under PACE or anything like that, like in 6 the police station, but this is a caution because you 7 are potentially facing misconduct or in fact gross 8 misconduct proceedings? 9 A. Yes. 10 Q. You are not being taken to a gross misconduct hearing, 11 but they are investigating is that correct? 12 A. That's correct. 13 Q. Then, if we turn to page 2, the first full paragraph, at 14 the top it says: 15 "The IPCC is an independent body of the police." 16 So the Independent Police Complaints Commission, you 17 are aware of that? 18 A. Yes. 19 Q. Then bottom paragraph, I am just going to take you 20 slowly through that if I may. This is what Mr Williams 21 is recorded as having said to you, fifth line down: 22 "That is that you were the senior investigating 23 officer responsible for oversight of the investigation 24 into the deaths of Gabriel Kovari and Daniel Whitworth." 25 Then moving three lines below that:</p> <p style="text-align: center;">Page 191</p>
<p>1 Q. But it is right, isn't it, that you did receive some 2 form of legal advice before this interview, is that 3 correct? 4 A. Yes. 5 Q. Okay, I am not going to ask you about the content of it 6 and please don't divulge what legal advice you received. 7 A. Certainly not. 8 Q. I will just take you through this. I will show you the 9 other two interviews as well, but let's start with this 10 one. 11 If we look at the third -- it is quite a full 12 paragraph, about three-quarters of the way down, with 13 "BW" on the left? 14 A. Yes. 15 Q. The fifth line from the bottom is Ben Williams is saying 16 to you "Caution", and that is: 17 "Whilst you do not have to say anything it may harm 18 your case if you do not mention when interviewed or when 19 relying or when providing any information to 20 an investigation something which you later rely on in 21 any misconduct proceedings or special case hearing or 22 any appeal hearings. Do you understand the caution?" 23 A. Yes. 24 Q. Do you remember Mr Williams saying that to you? 25 A. I didn't remember the exact words but, yes, I do</p> <p style="text-align: center;">Page 190</p>	<p>1 "It is indicated the investigations you carried out 2 into the deaths of Gabriel Kovari and Daniel Whitworth 3 were inadequate. It is indicated that you may have 4 failed to carry out reasonable lines of enquiry and 5 failed to robustly scrutinise the evidence, that had the 6 effect that the investigation incorrectly concluding 7 that Daniel Whitworth had been responsible for Gabriel's 8 delta and then committed suicide." 9 Then, two lines below that: 10 "The coroner raised a number of concerns which 11 should have resulted in further enquiries being 12 undertaken by the investigation which you were 13 responsible for." 14 Top of page 3, carrying on in that paragraph: 15 "Enquiries were not carried out expeditiously." 16 You know what "expeditiously" means, Detective 17 Inspector Schamberger? 18 A. Yes. 19 Q. It means promptly, is that right? 20 A. Yes, promptly, efficiently, yes. 21 Q. "... and remained outstanding until the investigation of 22 these deaths were taken over by the homicide and serious 23 crime command in October 2015. Now, that was assessed 24 as amounting to gross misconduct and that may result in 25 your attendance at a misconduct hearing."</p> <p style="text-align: center;">Page 192</p>

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<p>1 You were aware, when you had the interview, what the 2 concerns from the IPCC were about your conduct, is that 3 right? 4 A. Yes. 5 Q. You will see on the left, there is a box with MC in it, 6 do you see that? 7 A. I do. 8 Q. I am looking at the box below that, with BW in it. 9 Going down six lines it says: 10 "Matt has obviously indicated that you will not be 11 answering questions today and absolutely I acknowledge 12 that as your right to do so." 13 A. Yes. 14 Q. So through your federation representative, Matt Cane, 15 you indicated that you would not be answering questions 16 in the interview, is that right? 17 A. That's right. 18 Q. In fairness to you, that is your right to do so, is that 19 correct? 20 A. Yes. 21 Q. In fairness to you, you had also provided a written 22 statement to the IPCC, is that right? 23 A. There were several in the course -- 24 Q. Absolutely, several supplementary, but I am not 25 suggesting that you didn't answer any questions in</p> <p style="text-align: center;">Page 193</p>	<p>1 relating to this." 2 You were fully aware of that at the start of this 3 interview; is that correct? 4 A. Yes. 5 Q. Let's turn over the page, to page 4. You can look at 6 the bottom of the fourth large paragraph, you see it 7 ends the second last line, "Who was it that asked you to 8 act up?" Do you see the question being asked by 9 Mr Williams? 10 A. Yes, I can see that line. 11 Q. That is the first question he asks you and your answer 12 is: 13 "I have nothing further to add at this time." 14 Is that correct? 15 A. That's correct. 16 Q. Then on the rest of that page every time Mr Williams 17 asked you a question, you repeat the same thing. Is 18 that correct? 19 A. Yes. 20 Q. Then we turn over the page, page 5, halfway down, your 21 answers are in bold, "RS" on the left, halfway down you 22 say: 23 "Nothing further to add." 24 Do you see that? 25 A. I do.</p> <p style="text-align: center;">Page 195</p>
<p>1 writing but it is right, isn't it, that when the IPCC 2 investigators asked questions of you, as is your right, 3 you declined to answer those questions. Is that 4 correct? 5 A. On that day in these interview, yes. 6 Q. All three interviews? 7 A. Yes, as I said I was not aware they were counted as 8 three. I had it in mind as one. 9 Q. Absolutely, whether it was one interview broken into 10 three parts or three interviews, we are talking about 11 that day. 12 A. Yes. 13 Q. Then just staying in that paragraph, if I may, it is 14 a little bit difficult to find but there is a line 15 starting, "High profile investigation ...", do you see 16 that, 10 from the bottom. Do you see that line 17 beginning like that? 18 A. Not yet -- yes, I've got it now, thank you. 19 Q. Okay. 20 What Mr Williams said: 21 "A high profile investigation for the IPCC and also 22 for the Metropolitan Police. So there are not only four 23 families who are demanding and deserving answers here of 24 what happened to their loved ones but there is a far 25 wider public interest and community interest in matters</p> <p style="text-align: center;">Page 194</p>	<p>1 Q. Then basically after that, bar three further. "I've got 2 nothing further to add", you didn't answer any further 3 questions. Is that correct? 4 A. I believe that is correct, yes. 5 Q. The first interview lasted 1 hour and 33 minutes? 6 A. Yes. 7 Q. The second interview lasted 1 hour and 19 minutes. 8 The third interview lasted 1 hour and 8 minutes. 9 By my calculation, I'm sure I will be corrected if 10 I've got it wrong, that was a total of four hours of 11 interviews that day. Does that more or less accord with 12 what you recall? 13 A. I think so, yes. 14 Q. I have counted up the questions -- I am sure I will be 15 corrected if I am wrong. The first interview, 16 I appreciate you consider it one interview in three 17 parts. 18 The first part, there were 274 questions you didn't 19 answer. 20 The second part, there were 246 questions you didn't 21 answer. 22 The third part, there were 186 questions you didn't 23 answer. 24 By my calculation, that is 706 questions, from the 25 IPCC which you declined to answer. Is that correct?</p> <p style="text-align: center;">Page 196</p>

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<p>1 A. In that interview. As I said, I did make written 2 statements.</p> <p>3 Q. It is correct, isn't it, that you were not the only 4 officer to decline to answer questions in an interview. 5 Only 1 out of the 17 officers agreed to answer questions 6 in an interview when interviewed by the IPCC. That's 7 correct, isn't it?</p> <p>8 A. I don't know whether that is correct, but if you are 9 telling me, I would accept that.</p> <p>10 Q. Not one of the 17 officers was disciplined by the 11 Metropolitan Police, were they?</p> <p>12 A. It depends what you mean by "disciplined".</p> <p>13 Q. Did they go to a misconduct hearing?</p> <p>14 A. No.</p> <p>15 Q. You weren't disciplined either, were you?</p> <p>16 A. Well, there was shortcomings found which were addressed 17 in management actions, so it depends what you mean by 18 "disciplined".</p> <p>19 Q. Explain to the jury what management action is?</p> <p>20 A. It is basically where a shortcoming in an action is 21 found and is addressed through the line manager 22 explaining that things need to be improved. In 23 a nutshell.</p> <p>24 Q. Let's have a look at a different document. IPC408, 25 page 3. Just to orientate you, you are extremely</p> <p style="text-align: center;">Page 197</p>	<p>1 sergeant was a team of police constables and civilian 2 staff who formed the police contingent to the 3 multi-agency safeguarding hub. There were two police 4 constables that were part of the missing persons unit 5 and one, then two, detective constables as part of the 6 child sexual exploitation remit. All separate from the 7 CID department on the borough.</p> <p>8 Q. Detective Constable Slaymaker, was he keeping you 9 updated generally and what was the nature of the updates 10 he was giving you?</p> <p>11 A. It is difficult to recall in full detail now but 12 I remember having obviously some email traffic, which is 13 part of the records, but also the occasional or some 14 occasion or some phone conversations with Debbie Turrell 15 and with Paul Slaymaker as well. But I couldn't tell 16 you how frequently they were.</p> <p>17 Q. What can you remember specifically DC Slaymaker saying 18 to you about his actions or the information from the 19 family?</p> <p>20 A. With the time that has passed, it is a bit difficult for 21 me to differentiate between who might have told me what. 22 So I might have spoken to Paul Slaymaker, I might have 23 spoken to Paul Berry, I might have spoken to 24 Debbie Turrell. So I can't, with any degree of 25 certainty, say that a certain bit of information</p> <p style="text-align: center;">Page 199</p>
<p>1 familiar with this document, this is one of your written 2 responses to the IPC, isn't that correct?</p> <p>3 A. Yes. I can't see -- it looks like it, yes. I can't see 4 the front page at the moment.</p> <p>5 Q. Okay, we can go back to page 1, just in fairness to you. 6 I want to make sure that you are familiar with this?</p> <p>7 A. That's correct, yes.</p> <p>8 Q. That is page 1 of the document.</p> <p>9 A. Yes.</p> <p>10 Q. We are on page 3. Paragraph 5, not the bullet point in 11 paragraph 5, but the full paragraph 5, fourth line down, 12 end of that line, "I did not know the CID team ..."</p> <p>13 A. Yes.</p> <p>14 Q. Do you see that?</p> <p>15 You were a detective sergeant on Barking and 16 Dagenham borough --</p> <p>17 A. I was.</p> <p>18 Q. -- before you became the acting detective inspector, 19 weren't you?</p> <p>20 A. Yes.</p> <p>21 Q. You previously said that you were detective sergeant on 22 Barking and Dagenham borough. Were the CID team you 23 were referring to there, is that the same people you 24 have worked with as a detective sergeant?</p> <p>25 A. No. It is not. The place I worked as a detective</p> <p style="text-align: center;">Page 198</p>	<p>1 definitely would have come from Paul Slaymaker at 2 a given time. Unless it is obviously part of the email 3 record.</p> <p>4 Q. The note. When that was being considered being shown to 5 Daniel Whitworth's father Adam, were other options for 6 verifying the handwriting considered?</p> <p>7 A. I can't answer that question, because, by the time 8 I became involved in the investigation, I was informed 9 that the handwriting had already been verified.</p> <p>10 Q. Was this a decision made by other officers?</p> <p>11 A. Yes.</p> <p>12 Q. Who were those other officers?</p> <p>13 A. I am not sure who made the decision. I am just aware 14 from the records that there were a number of officers 15 involved in the earlier stages of the investigation over 16 that weekend.</p> <p>17 Q. Do you think the decision of how they verified the 18 handwriting to be appropriate yourself?</p> <p>19 A. Sorry, could you repeat the question?</p> <p>20 Q. Do you think the decision of how they verified the 21 handwriting to be appropriate yourself?</p> <p>22 A. By my understanding of how it happened, as in the 23 handwriting being verified by the family and then 24 compared. For an initial assessment, yes. Later on, if 25 there had been any doubts, the services of a handwriting</p> <p style="text-align: center;">Page 200</p>

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<p>1 expert would have been useful. Like was done later on.</p> <p>2 Q. What was your consideration about getting evidential</p> <p>3 confirmation that the handwriting was Daniel's?</p> <p>4 A. That is again difficult to say now because of the</p> <p>5 information I had received initially that the</p> <p>6 handwriting had been verified, taken in combination with</p> <p>7 the capacity issues that have regrettably put me in</p> <p>8 a position where I was not able to dedicate the time and</p> <p>9 resourcing into the investigation that clearly, on</p> <p>10 reflection, would have been required.</p> <p>11 Q. Did you consider asking his father to complete an MG11</p> <p>12 witness statement to say that he had seen the writing</p> <p>13 and in his view it was Daniel's?</p> <p>14 A. I don't recall.</p> <p>15 Q. Did you consider asking an officer who apparently</p> <p>16 reviewed the diary and the handwriting on the note to do</p> <p>17 an MG11 witness statement to say, "I have viewed it and</p> <p>18 I think it is the same"?</p> <p>19 A. Again, I do not recall. Although that would have been</p> <p>20 very useful as well.</p> <p>21 Q. The special post mortem, you have said in one of your</p> <p>22 written responses that the fact that there was a special</p> <p>23 post mortem in relation to Daniel was not something</p> <p>24 which caused you to have any heightened sense of concern</p> <p>25 around whether it was a suspicious death.</p> <p style="text-align: center;">Page 201</p>	<p>1 statements you said you went through the case files for</p> <p>2 both deaths the night before and that some of the</p> <p>3 material was familiar to you and some of the material</p> <p>4 was not familiar to you?</p> <p>5 A. Yes.</p> <p>6 Q. Which of the material was familiar to you at that point?</p> <p>7 A. I can't remember in detail but ...</p> <p>8 No, it is difficult to recall now.</p> <p>9 Q. Having identified there was material you weren't</p> <p>10 familiar with, what did you do about checking that</p> <p>11 material or looking into that material further?</p> <p>12 A. I spent the little bit of time that I had looking at</p> <p>13 what I could, but I have acknowledged before and I am</p> <p>14 happy to do so again that the time I was able to spend</p> <p>15 on there was not sufficient for me to have a full</p> <p>16 understanding of the contents of the file.</p> <p>17 Q. In one of your written statements you say you didn't</p> <p>18 read everything, what didn't you read?</p> <p>19 A. Again it is very difficult to say, but the full</p> <p>20 pathology report was one of those documents that</p> <p>21 I either didn't read or not completely read. As for</p> <p>22 other documents, I am not sure.</p> <p>23 Q. Was it a case that you didn't think was significant,</p> <p>24 given that you were going to be giving evidence under</p> <p>25 oath in court the following day?</p> <p style="text-align: center;">Page 203</p>
<p>1 What was your understanding at the time of the</p> <p>2 reason a special post mortem was being conducted?</p> <p>3 A. I believe at that time it was to do with the speed at</p> <p>4 which it could be arranged.</p> <p>5 Q. Where did that view come from?</p> <p>6 A. It was probably -- it is difficult to say now. Possibly</p> <p>7 due to the fact that, at that point, I was told on the</p> <p>8 Monday that the post mortem was taking place the</p> <p>9 following day, but then I had quite limited experience</p> <p>10 around that, I mean none with post mortems.</p> <p>11 Q. If it was the case that having a special post mortem</p> <p>12 would speed up matters, then surely everyone who might</p> <p>13 want the body of their loved one returned sooner would</p> <p>14 have a special post mortem. Is that right?</p> <p>15 A. Well, I was aware that the special post mortem had been</p> <p>16 authorised or requested -- I am not quite sure what the</p> <p>17 right term is -- by the detective chief inspector from</p> <p>18 the murder command.</p> <p>19 But I am sure you are right when you say that</p> <p>20 everybody would want the quickest possible service at</p> <p>21 any time.</p> <p>22 Q. Turning to the first inquest touching on Gabriel and</p> <p>23 Daniel's deaths, so that inquest took place in 2015.</p> <p>24 A. Yes.</p> <p>25 Q. Preparing for the inquest, in one of your written</p> <p style="text-align: center;">Page 202</p>	<p>1 A. I don't think it was anything to do with the</p> <p>2 significance, it was the limitations of the situation.</p> <p>3 As I said, it was very last minute, getting hold of the</p> <p>4 file meant retrieving it from Fresh Wharf and</p> <p>5 transporting it, I think I remember it was a box file</p> <p>6 and maybe something more, I remember taking a -- like,</p> <p>7 what is it called, a trolley case with me to ensure</p> <p>8 I had the file. So it wasn't something I could easily</p> <p>9 carry around with me.</p> <p>10 Q. Were you not expecting to have to answer questions about</p> <p>11 that file at the inquest?</p> <p>12 A. I was expecting to answer questions about the file.</p> <p>13 Q. What was your understanding about who was going to be</p> <p>14 giving evidence at the inquest?</p> <p>15 A. As far as I was -- I knew I was going to be giving</p> <p>16 evidence at the inquest, but I wasn't sure who else was.</p> <p>17 Q. Given that there was material that you were not familiar</p> <p>18 with, and you realised there was material that you were</p> <p>19 not familiar with, did this come as a surprise to you?</p> <p>20 A. How do you mean?</p> <p>21 Q. Well, you are looking through the file.</p> <p>22 A. Yes.</p> <p>23 Q. You are going to be giving evidence under oath, in</p> <p>24 court, the following day --</p> <p>25 A. I see what you mean.</p> <p style="text-align: center;">Page 204</p>

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<p>1 Q. There is evidence in there that you are not familiar 2 with. 3 A. Yes. 4 Q. You are the supervising officer? 5 A. Yes. 6 Q. Did it come as a surprise to you that there was evidence 7 in that file that you were not familiar with? 8 A. I don't know, because it had been a while since I had 9 actually seen the file. So reflecting upon it now, 10 there was clearly a concern that there was material in 11 there that had not been raised to me that had not either 12 been sent to me, copied to me. So I can say that. 13 Q. The handwriting. 14 A. Yes. 15 Q. How did you form the impression that the handwriting 16 sample collected from Ricky's home had been compared 17 with the note? 18 A. In conversation with the team, although it has caused me 19 great difficulty since that I have not been able to 20 reconstruct who gave me this information and when, 21 because that would have been very helpful. 22 Q. What enquiries did you take yourself to verify the 23 handwriting? 24 A. No further enquiries. 25 Q. Did you yourself look at the handwriting sample taken</p> <p style="text-align: center;">Page 205</p>	<p>1 the investigation that the possible man was 2 Stephen Port? 3 A. Not to me, no. 4 Q. The bedsheet. Were you aware of the significance of the 5 bedsheet after the inquest? 6 A. After the inquest, yes. 7 Q. What actions did you take in relation to the bedsheet 8 after the inquest? 9 A. None. 10 Q. When was the first time you can remember that you were 11 aware that Daniel had been found with the bedsheet? 12 A. I think at the inquest, or not long before. I think 13 when the coroner raised it in the email the day before. 14 Q. Where did you think the bedsheet had come from? 15 A. I was not aware of the bedsheet. 16 Q. When you became aware of the bedsheet, where did you 17 think the bedsheet had come from? 18 A. From the scene. 19 Q. Where do you think it came from before the scene, 20 detective inspector? 21 A. I don't know where it had come from. 22 Q. Were Daniel's family or Ricky spoken to about any 23 missing bed linen? 24 A. Not that I am aware of. 25 Q. Were Daniel's family or Ricky asked to identify the</p> <p style="text-align: center;">Page 207</p>
<p>1 from Ricky's home? 2 A. No, I did not. 3 Q. In terms of what was being suggested that the diary had 4 been compared to, and the family said it was Daniel's 5 writing, what evidential material did you have to 6 support that contention? 7 A. No additional information. Sorry, no additional 8 evidence. 9 Q. Was there any photographic evidence putting the note and 10 the handwriting sample collected from Ricky's home next 11 to each other and identifying potential similarities? 12 A. Not that I saw. 13 Q. What was your awareness about any expert analysis or 14 expert view about the handwriting? 15 A. That no expert analysis had been done. 16 Q. The person referred to in the note as "the person last 17 night", what attempts had been made to trace that 18 person? 19 A. That was part of my intention to be done through the 20 social media, through witnesses, through again the 21 setting of the phone work. 22 Q. Was there ever an indication of who that person might 23 be? 24 A. Not as far as I am aware. 25 Q. Was a name ever mentioned or a name ever highlighted in</p> <p style="text-align: center;">Page 206</p>	<p>1 sheet as belonging to Daniel? 2 A. Again, not that I am aware of. 3 Q. Were Daniel's family or Ricky asked whether they were 4 able to say where the bedsheet came from? 5 A. Not that I am aware of. 6 Q. You have said in evidence that the bedsheet was not 7 forensically examined until Operation Lilford. 8 A. Yes. 9 Q. That is my recollection of your evidence, I am sure 10 I will be corrected if I have that wrong. You have just 11 said a moment ago the first you were aware of the 12 bedsheet was when the coroner's officer, Jayne Day, 13 emailed you the day before the inquest, is that correct? 14 A. I think so, yes. I think so. 15 Q. Who was responsible for forensic examination of the 16 bedsheet? 17 A. That could have been anyone in the investigative team. 18 Q. Who was responsible for decisions about sending the 19 bedsheet for forensic examination? 20 A. Most likely Debbie or myself. 21 Q. Dr Swift's report. Why did you not review Dr Swift's 22 report for the inquest? 23 A. I think it is a matter of capacity, access to the file, 24 the circumstances just I found myself in just did not 25 allow me the time to fully review everything that was in</p> <p style="text-align: center;">Page 208</p>

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<p>1 that file. Which, again, falls short of where it should</p> <p>2 have been.</p> <p>3 Q. Was that a failing?</p> <p>4 A. Yes.</p> <p>5 Q. Were you under the impression, at the end of the</p> <p>6 inquest, that the enquiries were concluded?</p> <p>7 A. Again, I have given this a lot of thought, and I think</p> <p>8 so, yes, because in my previous dealings with Crown</p> <p>9 Courts, particularly, if actions were required, or</p> <p>10 anything was felt to have not been completed or carried</p> <p>11 out, there would be very clear directions coming out of</p> <p>12 that and at the time I think I failed to appreciate,</p> <p>13 I was not able to understand the meaning of the outcome.</p> <p>14 Q. At that time, what training had you received at any</p> <p>15 point in your training about dealing with what is</p> <p>16 colloquially known as "a staged scene"?</p> <p>17 A. I don't recall any training making reference to</p> <p>18 something called a staged scene.</p> <p>19 Q. Jon Luck. My learned friend, Mr O'Connor, Queen's</p> <p>20 Counsel, counsel to the inquest, showed you an email</p> <p>21 from Thierry Amodio referring to Jon Luck. Do you</p> <p>22 remember being shown that document?</p> <p>23 A. I remember the email, yes.</p> <p>24 Q. What was your awareness of the enquiries that had been</p> <p>25 undertaken to identify Jon Luck?</p> <p style="text-align: center;">Page 209</p>	<p>1 A. Not that I tasked.</p> <p>2 Q. The note itself, and the contents of the note. When you</p> <p>3 looked at the note, did you think about what was to be</p> <p>4 expected in a suicide note?</p> <p>5 A. I am not quite sure I understand the question. I am not</p> <p>6 quite sure what you would expect in a suicide note.</p> <p>7 Q. Is your evidence that your mind never turned to what you</p> <p>8 would expect to see in a suicide note, is that right?</p> <p>9 A. Well, possibly someone saying goodbye, but beyond that</p> <p>10 I am not quite sure what I would expect to find in</p> <p>11 a suicide note.</p> <p>12 Q. When you looked at the note, did you think -- sorry, the</p> <p>13 note itself makes multiple mentions by the author to "my</p> <p>14 family", but doesn't go into details about his family.</p> <p>15 What discussions, if any, did you have with your team</p> <p>16 about that?</p> <p>17 A. About this specific point, I don't recall any</p> <p>18 discussions.</p> <p>19 Q. The note said he couldn't live the shame of having</p> <p>20 killed Gabriel and couldn't put his family through going</p> <p>21 to jail, but didn't name anybody, didn't identify his</p> <p>22 mother or father or partners, no one is named in that</p> <p>23 note. Did that strike you as odd at all?</p> <p>24 A. Possibly not, because, I don't know, again, this is</p> <p>25 something I have reflected on quite a lot. If I try and</p> <p style="text-align: center;">Page 211</p>
<p>1 A. Specifically Jon Luck, nothing above the general</p> <p>2 enquiries around social media and witnesses and to see</p> <p>3 whether it came up in anyone's statement.</p> <p>4 Q. What enquiries did you make to identify Jon Luck?</p> <p>5 A. No further enquiries.</p> <p>6 Q. I am going to suggest that this is somebody outside the</p> <p>7 note who could potentially link Gabriel and Daniel.</p> <p>8 This is potentially somebody who can fill in the gaps in</p> <p>9 the movements and the association between Gabriel and</p> <p>10 Daniel. What was being done to speak to Jon Luck?</p> <p>11 A. Nothing further to the enquiries that had been set.</p> <p>12 Q. You were shown minutes of the gold group of</p> <p>13 22 September. Do you remember that?</p> <p>14 A. I do.</p> <p>15 Q. There is mention in those minutes of a press line to</p> <p>16 appeal for witnesses, do you remember that, in the</p> <p>17 minutes?</p> <p>18 A. Yes.</p> <p>19 Q. What was the result of those enquiries, that appeal for</p> <p>20 witnesses?</p> <p>21 A. I don't recall. I don't think I was involved in the</p> <p>22 drafting of the press lines, so I don't recall what the</p> <p>23 outcome of them was.</p> <p>24 Q. Was there any liaison with the LGBT community about</p> <p>25 seeking witnesses?</p> <p style="text-align: center;">Page 210</p>	<p>1 put myself in a position where I could contemplate</p> <p>2 ending my life, I wouldn't be in the same frame of mind</p> <p>3 that I am in now or normally. So, thinking about that,</p> <p>4 I find it very difficult to nail down in my mind how</p> <p>5 I would expect somebody who was genuinely in those kind</p> <p>6 of circumstances to, express themselves.</p> <p>7 Q. But there was no attempt to approach Ricky to see what</p> <p>8 his thoughts were about the contents of the note, were</p> <p>9 there?</p> <p>10 A. Not specifically tasked by me. There was contact with</p> <p>11 the family liaison officer, I think as you have spoken</p> <p>12 about, but I didn't task the specific action like that.</p> <p>13 Q. Was it ever raised with you that the note didn't have</p> <p>14 a personal touch?</p> <p>15 A. No, I don't recall that being raised.</p> <p>16 Q. Did anyone ever say to you that they were concerned</p> <p>17 about the lack of personality in the note?</p> <p>18 A. No.</p> <p>19 Q. GHB. What was your knowledge at that time of GHB?</p> <p>20 A. I think I was aware of its existence, but not too much</p> <p>21 beyond that.</p> <p>22 Q. What enquiries did you make about GHB, having been made</p> <p>23 aware that this was a potentially GHB-related death,</p> <p>24 given the reference to G in the note?</p> <p>25 A. I don't remember. I remember seeing an update on the</p> <p style="text-align: center;">Page 212</p>

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<p>1 crime report by, I think, Paul Berry quite a bit later</p> <p>2 on which details some of the ways it can be used and the</p> <p>3 effects it could have, but at the time I am not sure.</p> <p>4 Q. What guidance at that time was available to you about</p> <p>5 GHB?</p> <p>6 A. I'm not aware of any specific guidance, but there is</p> <p>7 a lot of material, so I am not quite sure whether, for</p> <p>8 example, on the intranet pages there may have been</p> <p>9 something, but I am not aware of anything specific.</p> <p>10 Q. Were you aware that GHB was a class B drug in 2014?</p> <p>11 A. I would say that is probable, but I can't say for sure.</p> <p>12 Q. What enquiries were made about where Daniel had obtained</p> <p>13 GHB from?</p> <p>14 A. I am not sure.</p> <p>15 Q. What enquiries were made about who supplied the GHB to</p> <p>16 Daniel?</p> <p>17 A. Again, I am not sure. Not that I tasked.</p> <p>18 Q. The note refers to "the guy I was with last night", do</p> <p>19 you remember that?</p> <p>20 A. Yes.</p> <p>21 Q. What were the results of the enquiries made, when you</p> <p>22 first became involved in the investigation, into</p> <p>23 identifying that person?</p> <p>24 A. As far as I was aware, the person had not been</p> <p>25 identified and wasn't identified, not even through the</p> <p style="text-align: center;">Page 213</p>	<p>1 identified?</p> <p>2 A. Sorry, what was the question?</p> <p>3 Q. The question was why is it that, throughout the</p> <p>4 investigation, the guy that Daniel supposedly had sex</p> <p>5 with last night was not identified?</p> <p>6 A. It was either because there wasn't such a person or</p> <p>7 because our efforts didn't identify and locate them.</p> <p>8 Q. How was it that the investigation for which you were</p> <p>9 supervising failed to find him?</p> <p>10 A. The enquiries that I set and that were also carried out</p> <p>11 by others did not identify him.</p> <p>12 Q. As the investigation continued, what was your awareness</p> <p>13 of the progress of the investigation?</p> <p>14 A. Through the entries that I placed on the crime report</p> <p>15 and through contact with email and over the phone and</p> <p>16 possibly occasionally in person with the team.</p> <p>17 Q. Were you updated about attempts to trace Daniel and</p> <p>18 Gabriel's phones?</p> <p>19 A. Again, it is very difficult for me to reconstruct all</p> <p>20 the updates, but in terms of what is evident on the CRIS</p> <p>21 report and emails, yes.</p> <p>22 Q. You were updated about that?</p> <p>23 A. It depends what you mean by updated. I can't say how</p> <p>24 frequently or to what detail.</p> <p>25 Q. Just be absolutely clear. Were you updated about</p> <p style="text-align: center;">Page 215</p>
<p>1 later enquiries.</p> <p>2 Q. What were your consideration about that individual when</p> <p>3 you first began supervising this investigation?</p> <p>4 A. That he was somebody we should try to locate -- identify</p> <p>5 and locate.</p> <p>6 Q. What significance did you place on his potential role?</p> <p>7 A. Well, he was, potentially, able to provide information</p> <p>8 where there was none, fill gaps.</p> <p>9 Q. What significance did you place on his ability to</p> <p>10 explain what happened with Daniel's death?</p> <p>11 A. Potentially very high.</p> <p>12 Q. Would you agree that that person is a highly important</p> <p>13 witness to your investigation?</p> <p>14 A. Yes.</p> <p>15 Q. Would you agree that there is a possibility that that is</p> <p>16 where the bedsheet came from?</p> <p>17 A. It is possible, yes.</p> <p>18 Q. What discussions were had about the importance and</p> <p>19 nature of the evidence he could have?</p> <p>20 A. I don't recall beyond what is on record in the email</p> <p>21 chains and on the crime report. A lot of time has</p> <p>22 passed, so I don't recall the specifics of our</p> <p>23 discussions.</p> <p>24 Q. Why was it that, throughout the investigation, the guy</p> <p>25 that Daniel supposedly had sex with last night was not</p> <p style="text-align: center;">Page 214</p>	<p>1 attempts made to trace Gabriel's and Daniel's phones?</p> <p>2 A. In that case I have to say I can't recall.</p> <p>3 Q. Were you updated about attempts to trace the person</p> <p>4 referenced in the note?</p> <p>5 A. I can't remember.</p> <p>6 Q. Were you updated about attempts to trace Jon Luck?</p> <p>7 A. I can't remember.</p> <p>8 Q. Were you updated about attempts to trace the supplier of</p> <p>9 the drugs that were taken by Gabriel and Daniel?</p> <p>10 A. I don't think so.</p> <p>11 Q. Were you updated about attempts to identify Gabriel and</p> <p>12 Daniel's movements in the period that was unaccounted</p> <p>13 for?</p> <p>14 A. Again, beyond the records on the crime reports, I can't</p> <p>15 recall.</p> <p>16 Q. What was your understanding of why those enquiries were</p> <p>17 not identifying anything or coming to fruition?</p> <p>18 A. I am not quite sure how to answer that.</p> <p>19 Q. Let me ask the question in this way. These enquiries</p> <p>20 were seemingly coming up with no result?</p> <p>21 A. Yes.</p> <p>22 Q. What effect did that have on your thinking about what</p> <p>23 had happened to Daniel and Gabriel?</p> <p>24 A. It hadn't taken us any further forward in establishing</p> <p>25 what had happened.</p> <p style="text-align: center;">Page 216</p>

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<p>1 Q. When you worked on Barking and Dagenham borough, how 2 often, if ever, did you walk down East Street, one block 3 away from this courtroom? 4 A. Probably not that often. My normal journey was straight 5 to Roycraft House. 6 Q. When you did walk down East Street, what if anything did 7 you notice about the community which you were policing? 8 A. How do you mean? 9 Q. Would you agree that it is a diverse community? 10 A. In Barking, yes. 11 Q. Would you agree that Barking and Dagenham is one of the 12 poorest parts of London? 13 A. I don't know about that. It is certainly not one of the 14 more affluent boroughs. 15 Q. It is not Kensington and Chelsea, is it? 16 A. It is not, no. 17 Q. The jury have heard from a significant number of 18 witnesses in this inquest, only two witnesses from the 19 police have not been white, Detective Constable 20 Adeyemo-Phillips and Detective Constable Desai, every 21 other witness above the rank of constable has been 22 white, are you aware of that? 23 A. I wasn't. 24 Q. Do you agree that the police does not reflect the 25 community that it serves in terms of racial diversity?</p> <p style="text-align: center;">Page 217</p>	<p>1 supervising officers, then Superintendent Sean Wilson, 2 now Chief Superintendent Sean Wilson. 3 A. Yes. 4 Q. He agreed that there hadn't been engagement with the 5 LGBT community. Would you agree with his assessment of 6 that? 7 A. As far as I am aware, that is correct. 8 Q. Every police witness that this jury has heard from, 9 above the rank of sergeant, has been male. Are you 10 aware of that? 11 A. I wasn't. 12 Q. Do you agree that in 2014 there was a macho culture in 13 the police? 14 A. Not that I encountered. The culture of where I was 15 based most of the time was, in 2014, was a multi-agency 16 set up. I was working very closely with a number of 17 partners from a number of agencies. So that would not 18 be representative of my experience. 19 Q. Former Chief Superintendent Ewing gave evidence to this 20 inquest, to this jury, that in 2013/2014 Barking and 21 Dagenham was the most improved borough in the 22 Metropolitan Police. Were you aware of that? 23 A. I wasn't. Improved in what way? 24 Q. Well, it was his evidence, not mine. 25 So these three cases, Anthony, Gabriel and Daniel,</p> <p style="text-align: center;">Page 219</p>
<p>1 A. If that is the way it has been represented then yes, 2 I agree. 3 Q. Would you agree that the police are disengaged with the 4 community that they police? 5 A. No, I don't accept that. I spent two years -- my first 6 two years in Barking and Dagenham borough as a uniformed 7 sergeant on a safer neighbourhoods team, where we were 8 actively engaging with as many people as possible on the 9 ward that I had responsibility for. 10 Q. This jury has heard evidence from Kiera Brennan, 11 a friend of Anthony Walgate, that between her and 12 China Dunning they made over 30 calls to the police. 13 They have heard evidence from John Pape about his 14 attempts to contact the police. 15 A. Yes. 16 Q. They have heard evidence from my client, Ricky, about 17 his 12 attempts to contact your detective constable, 18 Detective Constable Slaymaker, and him giving up after 19 Christmas. 20 A. Yes, I heard that. 21 Q. Does that not reflect a pattern of the police 22 disengaging with the community that they are policing? 23 A. I can't speak for other colleagues, I can only speak for 24 my personal efforts and what I have tried to do. 25 Q. This jury has heard evidence from one of your former</p> <p style="text-align: center;">Page 218</p>	<p>1 were not successes? 2 A. No, they were not. 3 Q. They involved three young gay men, didn't they? 4 A. They did. 5 Q. The jury may be under the impression, having listened to 6 a large number of police witnesses, that the police just 7 didn't care about the lives of young gay men. Would you 8 agree with that? 9 A. I can't speak for others, but from my point that is 10 absolutely not the case. 11 Q. Would you agree that these three families -- I only 12 represent Ricky, but for these three families, they 13 didn't receive the service that they should have 14 received from the police? 15 A. Yes, and that is very regrettable. 16 Q. If these three deaths had involved young women in 17 Kensington and Chelsea, do you think they would have 18 been investigated in the same way? 19 A. I cannot say. 20 Q. Ricky gave evidence this morning and you said that you 21 heard his evidence. He said that he believed he was 22 treated differently, "They dismissed me in every single 23 way because we were a gay unmarried couple". Why do you 24 think he had that impression from the officers that you 25 were supervising?</p> <p style="text-align: center;">Page 220</p>

55 (Pages 217 to 220)

<p>1 A. I can't answer that.</p> <p>2 Q. If the police service doesn't appear or gives</p> <p>3 an impression of not caring about the death of three</p> <p>4 young gay men, would you agree that that would amount to</p> <p>5 institutional prejudice?</p> <p>6 A. I am not quite sure how to answer that either, because,</p> <p>7 to me, an impression of something leading to evidence of</p> <p>8 something is a step, so I can't answer that.</p> <p>9 DR VAN DELLEN: Madam, no further questions, thank you.</p> <p>10 THE CORONER: Yes, we will break off there for today, until</p> <p>11 10.00 tomorrow.</p> <p>12 Housekeeping</p> <p>13 THE CORONER: Before you go, members of the jury, can I just</p> <p>14 mention a couple of things about timing. Both of which</p> <p>15 I think you are somewhat aware of already.</p> <p>16 As with the other day off we had, with the proviso</p> <p>17 that everything needs to go well between now and then,</p> <p>18 if everything goes well between now and Wednesday</p> <p>19 afternoon, Thursday will not be a sitting day, all</p> <p>20 right.</p> <p>21 Again, don't make any arrangements that you cannot</p> <p>22 unravel, but it is very probable, bearing in mind where</p> <p>23 we have reached, we are still right on the timetable,</p> <p>24 exactly where we should be, so that Thursday will be</p> <p>25 a day off for you.</p> <p style="text-align: center;">Page 221</p>	
<p>1 In relation to Friday, as a result of a commitment</p> <p>2 that one of you has, we are going to stop at lunchtime,</p> <p>3 but the quid pro quo for that is we are going to start</p> <p>4 at 9.00 on Friday. So we will sit 9.00 until 1.00 on</p> <p>5 Friday. So you can make your arrangements around that.</p> <p>6 10.00 tomorrow.</p> <p>7 (4.21 pm)</p> <p>8 (The inquests adjourned until 10.00 am the following day)</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 222</p>	

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