Evidence

Bundle

2

Evidence relating to Paginated page 5:

Incident No 1 dated:
Monday 14th March
2016

1 x Police Statements

1 x Seaford Pubwatch
Banning Notice

WITNESS STATEMENT

(CJ Act 1967, s.9; MC A	ct 1980, ss.5A(3) (a) and	d 5B: Criminal Pr	ocedur <u>e Rules</u>	2005, Rule	e 27.1	
			URN			
Statement of: PC PITTMA	N DP211					
Age if under 18: <u>O/18</u>	(if over 18 insert 'over 18')	Occupation:	Police Office	er		
· · · · · · · · · · · · · · · · · · ·	····					
This statement (consisting of and belief and I make it know wilfully stated in it, anything w	wing that, if it is tendere		shall be liable to be true.	e to prosecu		have
Signature:			Date _	01/09/2016		
Tick if witness evidence is vis	ually recorded (s	supply witness d	etails on rear)			
On Monday 14th March 201	16, I was on duty in fu	Il uniform, crew	ved with PC I	ROSE CR	593. My	tour
of duty was from 23:00 hou	rs to 07:00 hours.					
At 23:45, we were assigned	d to reports of an assa	ault at the Bay	Tree Inn, in S	Seaford. Th	he inforr	mant
from this call was a F	W statin	ng that he had	been assau	lted by a r	male na	ımed
J B B						
We arrived on scene at 00:14 and the pub appeared closed. We knocked loudly on the door and a male opened it. He began to make rude comments about us arriving late and "TAKING OUR TIME". I explained that we had been very busy and short staffed, but the male didn't appear to take this on board and just stared at us strangely. It was evident that this male was not 'Pro Police'. It was apparent that this male worked at the pub as he sauntered off behind the bar, still muttering about us being late. There was also a female member of staff who seemed somewhat more polite. I now know this staff member to be OBB. At the right hand end of the bar, there was a male who I now know to be R. W. Slumped up against the bar, clearly very intoxicated.						
When asked what had hap said "I'VE BEEN ASSAUL" refused to say where. I ask and he was very difficult moved into the light as req W was very uns	TED". When asked if ked W to nabout this, refusing t	he had any in nove into the li to answer my t reddening to	juries, he jus ght as he wa questions pr his left cheel	st replied " is stood in roperly. Ev	'LOOK" a dark ventually	and spot y he
Signature:	Sign	ature witnessed	hv:			
oignaturo.	_ Signi	ataro withooodu	~ / .	N	/IG11 5/200)7





Staff stated that his cheek had been bleeding but the cut was so small, it could barely be seen by the naked eye. I took photographs of his injury at the time.

When asked what had happened, W stated that he had been arguing with a male named J B W confronted B after B had placed a tune on the Duke box and said "WHAT HAVE YOU PUT THIS NIGGER MUSIC ON FOR?" He then said that an argument had ensued and B has punched W to the face. W had stumbled and fallen over and B has kicked him whilst he was on the floor.

I challenged W for using racially aggravated language. W could not understand how this was a racist term and then stated "BUT THAT'S WHAT THEY CALL EACH OTHER" before going on to say that he had lived in Africa for 5 years and "THAT'S WHAT THEY WANT TO BE CALLED". I explained to W that he had himself committed a racially aggravated Section 5 Public Order Offence as he was in a public place.

PC ROSE was obtaining an account from the female member of staff at this time. Once I challenged W on his behaviour, I noticed that she became very quiet and stated that she no longer wanted to give a statement about the matter. The male behind the bar coincidently also stopped making rude remarks to us about "DOING SOMETHING".

and the two bar staff appeared bewildered that the term "NIGGER" was racially abusive and could not seem to understand why. It was apparent that they somehow deemed this language and behaviour as acceptable in the pub and believed that only B had done anything wrong.

I explained to W that this was not a defence for B punching him several times, but he would need to be interviewed about the matter, as would B became even more argumentative and rude towards me, demanding my name and warrant number in order





Continuation of statement of	PC PITTMAN DP211
to complain. This was writte	n on a calling card for him, along with the CAD number and I explained
that he would be contacted	when he was sober.

I asked William how much he had had to drink, to which he slurred "A LOT".

We then left the pub, stating that we would contact W the next day when he was sober. I tried to call W the next day with no answer. I then wrote him a letter stating that the matter would be filed and reasons why, to which he made no reply.

This statement forms part of my original notes made once requested after the incident.



Pubwatch Offender Record - Pubwatch GROUP MEMBER ACCESS ONLY

All access and activity is recorded and can be traced.

Banned by Seaford Pubwatch

Record ID: Record entered 13/01/2016

Full name



Ban Length 24 months

Start (/2017 Finish (

Any nick names (alias)

N/A



Click image to enlarge

Description & Identifying marks (tattoos etc)

N/A

Town of origin

Offence details

Occurred on 04/12/2015 Details:

Details:
Subject went into the Cinque orts armed with a hammer and threatened the landlord. He used the Hammer to cause damage to the bar. He also visited the boot and started waving the hammer about before he went onto the Cinque Ports. He had been banned on the 3rd Dec Pubwatch for his general aggressive behaviour however the day after finding this out he carried out this act.

Occurred at premises

The Boot and the Cinque Ports

Police incident number

Pubwatch decision

Indefinite ban voted for by teh scheme due to the extreme violent and personalised attack. Bennet was arrested and is currently on bail.

Pubwatch Offender Record - Pubwatch GROUP MEMBER ACCESS ONLY

Evidence relating to Paginated page 6:

Incident No 4 dated: Sunday 1st May 2016

2 x Police Statements

be taken home by us.



AND THE RESIDENCE OF THE PARTY
WITNESS STATEMENT
(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B: Criminal Procedure Rules 2005, Rule 27.1
URN URN
Statement of: Darran Reynolds
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police officer
This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false or do not believe to be true.
Signature: Date 23/09/16
Tick if witness evidence is visually recorded (supply witness details on rear)
At 0120hrs on the 1st of May 2016 I attended the BAY TREE PUBLIC HOUSE SEAFORD to the report of a recent assault, the Ambulance service had made the call to police stating that they were attending the pub in relation to a reported glassing.
I attended the scene with my colleague PC THWAITES CT176, on our arrival at scene there were very few customers left in the bar and the few members of staff appeared to be tidying up ready for closing, we located a male with facial injuries in the rear garden who eventually gave his name as A A A A A A A A A A A A A A A A A A
From speaking with staff member F Remark the alleged incident had taken place in the rear garden, she did not witness the incident but did hear a disturbance, she had seen a smashed glass on the floor and seen the amount of blood to A face and assumed he had been glassed, I checked the area for any signs of a scene but was told by Fiona that the staff had since cleaned it all up, I asked F if there was any CCTV coverage of the area but she stated that the staff having only taken over the pub 2 weeks ago did not yet know how to use it as it is password protected and they did not have the code, PC THWAITES went with a male member of staff to the CCTV unit but neither of them could get it to play any footage.
With no current suspects and A still refusing to co-operate there was little else we could do at scene, as such A was left in the care of the bar staff who advised us that they would take him home as he refused to

RESTRICTED (when complete)

WITNESS STATEMENT (CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B: Criminal Procedure Rules 2005, Rule 27.1

ū				URN			74	
Statement of: Ja	amie Thwaites							
Age if under 18:	(if over 18 insert 'over	er 18')	Occupation:	Police con	stable	e CT1	76	
This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false or do not believe to be true.								
Signature:				Date	2/09	/2016	6	
Tick if witness evide	ence is visually recorded		(supply witness d	etails on rea	r)			

Around 01.00 hours on 1st May 2016 I was on full uniform duty with Pc Reynolds CR380, we attended Bay tree inn public house in Seaford due to reports that a patron had been glassed. As a result of this I asked to view the CCTV footage, on looking at the system I could see images displayed in real time but when I asked to review the footage of the incident, I was told that the system is password protected and that no one had the password as he had only recently taken over the pub, he assured me that he would be able to get the password the following day, this enquiry was handed on to other officers to follow up and I do not know the result.

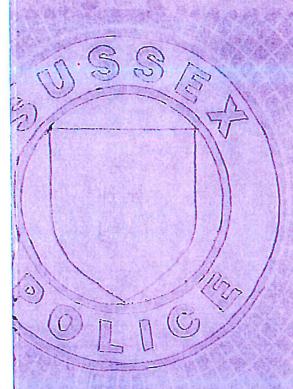
Evidence relating to Paginated page 7:

Meeting Dated: Friday 6th May 2016

1 x Investigator's Note
Book Extract
Referenced in
statements of
PS Vokins (1)
PC Rush (2)



INVESTIGATOR'S NOTE BOOK

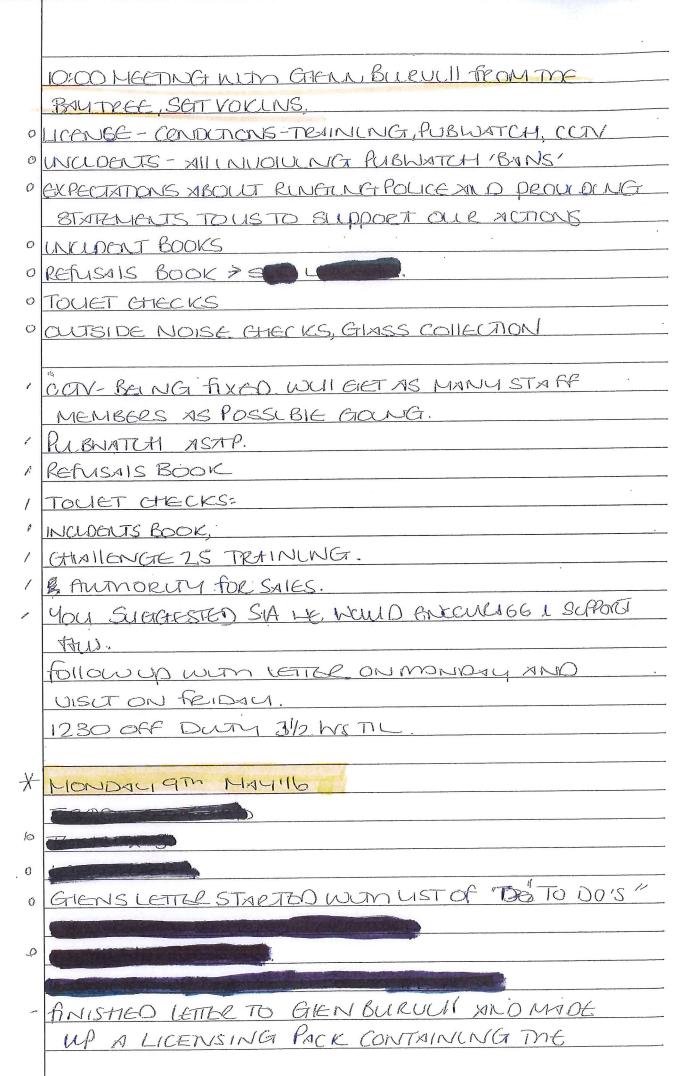


Issue Number:

42919

Pc Rusty DR.403 LICENSING

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*	terony 6h Hay'lb.
	0800 SEXFORD
	TEXT TO GIENN BURVUL SUGGESTING LIEMS THE BRINGS
	TO THIS MORNINGS MEETING.
	PACKAGED TOGETHER & LUTTLE PACK OF INCLIDENTS
	MND INNICEGOER ENTRIES.
	PEINTED OUT EURO I EITER AND CRIME SCENE
	MANAGEMENT FOR GIENN TO KEEP.



Evidence relating to Paginated page 8:

Letter dated: Monday 9th May 2016

1 x Copy Letter



Licensing Department

9th May 2016

The Bay Tree Inn Pelham Road, Seaford

Dear Mr Burvill

RE: The Bay Tree

I am writing to you in your capacity as Designated Premises Supervisor for the above named premises. The conduct of these premises is a concern as the licensing objectives are not being promoted. You have had two serious assaults at the premises since you took over as DPS two months ago on the 1st March 2016.

Due to this we held a meeting with myself and Sgt Vokins which you attended on Friday 6th May. I thank you for your time in doing this. During this meeting we discuss certain elements that we wanted you to improve upon and we gave you a time period of a week to get these suggestions into place. They are as follows:

- Get CCTV working to full capacity Make sure you and several other staff members have training in its use. All CCTV should be time and date stamped with the correct details and should be stored for a minimum of 28 days. If an issue takes place within your premises we would expect you to provide us with the relevant CCTV without delay. Steve Brumwell needs to be contacted and spoken to about putting the most up to date version of the CCTV condition onto the actual premises Licence. Find out what type of device your system records on (USB or DVD) and have a small supply to hand.
- Join Pubwatch On line and get included in the 'What's App' group chat that the Scheme operate. You will also need a copy of the names and pictures for your staff to refer to. These are to be treated with the strictest confidentiality. You need to be familiar with the names and faces so you can feel confident to reuse someone entry to your premises. You will attend the meetings and put people forward for Bans as and when they arise. You must not serve anyone who you suspect is on a current Ban. Do not wait for the next meeting you can get signed
- Refusals Book This can be provided by Lewes District Council. However you and your staff must record the fact that you've refused someone and the reason behind it. This is to be kept under the bar so it is accessible to your staff and to the relevant people who may ask to inspect it.
- Incident Book You will need to provide this yourself. An A4 Diary should be a good start. Record under the relevant date any incident that takes place within your premises with stands out for any reason. It may be that you have refused service, you may have witnessed an argument and made an intervention, it may be a group of suspicious people, a thrown glass or anything else that is out of the ordinary. This can be a very effective tool when used correctly and shows you are looking at the bigger picture regarding people's behavior and what they may be involved in after leaving your premises. You can use it to log Pubwatch ban breaches and write up any incidents that you wish to bring up yourself. This way you are not simply relying on your memory as dates and names/descriptions are important.
- SIA This was a suggestion you made yourself at the meeting and is one we would always support. Having SIA about can help you establish a good environment for your customers whilst being a second pair of eyes taking care of the premises and its reputation. They can help with quiet dispersal at the end of the night and the earlier

refusal of banned people who have been getting into your premises since you have taken over. We would always encourage the use of SIA staff.

- Toilet Check list This needs to show the date and times that the toilets were checked and by whom. During a busy weekend we would suggest checks at least every hour. These need to be noted and signed for. They can then be stored together for inspection as and when asked for. These checks are to look for any suspicious activity Such as people taking drugs, being too drunk or ill, being upset or having a medical episode. Look for evidence of drug taking and make sure the toilets are thoroughly cleaned after each shift so you can spot anything that looks out of place. If you do find anything it needs to be recorded in your incident book. If you find anything that is more than an empty baggy you need to call 101 and record this fact. Myself or a local PCSO can then be tasked to collect it from yourself or you can drop it into the Police station. Make sure this is done as soon as possible and that it is secure in the meantime.
- Staff Training It is up to you how often you give your staff training, but it does need to be regular and it does need to be recorded (another document to store in your folder). Things to cover are the licensing objectives and how they relate to your staffs positions, how and when to ask for ID, how to refuse people and where this is to be recorded, the use of the CCTV system, the toilet checks, incident and refusals books where they are kept and when to use them. What the expectations are of the Police; that they will provide a statement to support our prosecution and provide any CCTV footage without delay. Challenge 25 and what that actually means. Note the date and time of the training and who attended, who gave the training and what it covered. Get your staff to sign your records.
- Authority to sell alcohol Your staff sell Alcohol under your authority, It is best practice to have this down in writing and even displayed behind the bar. This obviously needs keeping up to date as staff come and go.
- Noise Limiters Request a visit from the Environmental Health Team to assess your music and its levels. A limiter could be fitted which means you will not be able to go above a certain level. It will help your neighbours and prevent noise complaints. You should be aware of your noise levels especially when you have live entertainment or a DJ.
- Call the Police We expect all of our licensees to engage with us and inform us of any issues within their premises. If a crime has been committed we expect full cooperation from yourself and your staff regarding statements, CCTV and securing possible witnesses and the 'crime scene'. See Handout I have included. This will only reflect well on you.
- Know your Licence read it over and over to get to understand it.

We expect you to reduce incidents of crime and disorder in your licensed premises. However, should the situation continue then further action will be taken which may include a formal action plan or request for the Licensing Authority to review your premises licence.

Yours sincerely

Hannah Rush PC DR403 Lewes District Licensing Officer

Telephone: 101 | 01273470101

Evidence relating to Paginated page 9:

Letter Dated:

Wednesday 11th May 2016

1 X Copy Letter



Licensing Department

11th May 2016

Mr. Steve Brumwell,

Dear Premises Licence Holder

The Bay Tree, Pelham Road, Seaford.

I write to you in your capacity as Premises Licence Holder for the above named premises. The conduct of these premises is starting to be of concern as the licensing objectives are not being promoted.

Since the new management took over we have had two serious assaults take place at the premises. These have occurred in the two short months since this change has taken place. We held a meeting with your new DPS Glen Burvill last Friday along with Sgt Vokins at the Police Station and we have asked for a number of actions to be completed. One of our major concerns was the lack of knowledge around the CCTV system. You currently have "CCTV to be in operation" on your Premises Licence, but as I'm sure you can appreciate in this day and age that simply isn't a good enough condition. We now have a standard of CCTV conditions. We would now like to formally request a minor variation to your licence to include the following conditions:

- . Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
- The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
- CCTV footage will be stored for a minimum of 31 days
- The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
- The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
- Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.

Telephone: 101 | 01273470101

Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

This condition makes it very clear what we expect of the licensee.

I have written to Mr Burvill and we have agreed a number of actions to be carried out to help him with his management of the premises. We have informed him that a serious improvement needs to be made. If it does not, we will be requesting a formal action plan and if things still haven't improved significantly we will then consider a request to the Licensing Authority to review your Premises Licence.

To make a minor Variation you will need to speak to S at Lewes District Council.

Yours sincerely

Hannah Rush
PC DR403
Lewes District Licensing Officer

Evidence relating to Paginated page 10:

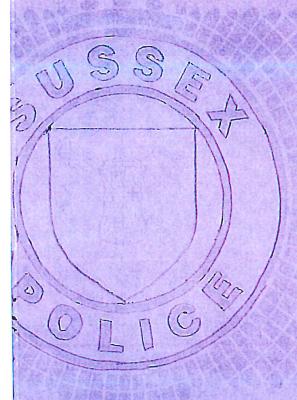
Licensing Visit

Friday 13th May 2016

1 x Investigator's Note
Book Extract
Referenced in statement
of PC Rush (2)



INVESTIGATOR'S NOTE BOOK

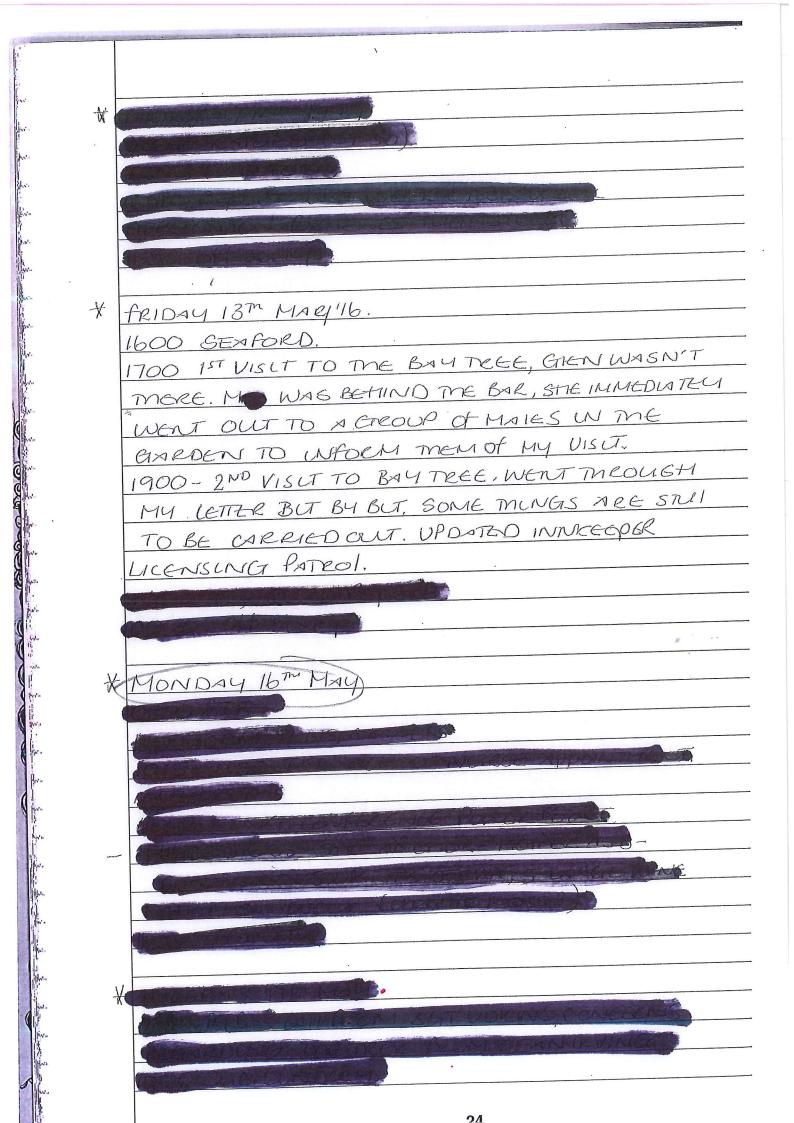


JEIST TURE - ST JUIN

Issue Number:

42919

PC RUSH DR.403



Evidence relating to Paginated page 11:

Incident No 9 dated: Sunday 15th May 2016

1 x Police Statement
Referenced in statement
of PS Vokins (1)



WITNESS STATEMENT Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B				
	URN			
Occurrence Number: 47160063305				
Statement of: CARLIE FRANKS				
Age if under 18: Over 18 (if over 18 insert 'over 18')	Occupation: Police Constable DF989			
This statement (consisting of two page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.				
Signature: #DF989 FRANKS, C.	Date: 15/05/2016 05:04			
Tick if witness evidence is visually recorded ☐				

On Sunday 15th May 2016 I was on duty with PC O'CONNOR CO348 working under call sign ES102. At approximately 02.15hrs I was made aware by the control room of a report of a domestic assault at Seaford. A third party from a neighbouring address had reported that she had seen a male assaulting his partner at the address around 30 minutes earlier and that he was still at the address banging around and being aggressive. I assigned us to the incident and attended the address arriving a few minutes later.

I knocked on the door and a male appeared on the inside. He requested that we walked to the side door to be let into the house. PC O'Connor and I walked around the house and were let in by a male that I now know to be He was topless, and wearing jeans. He was clearly heavily intoxicated. He was slightly unsteady on his feet and his eyes were glazed. PC O'CONNOR and I went into the property which led us into the kitchen. I could see a female sitting down at a table that I now know to be D.O.B She also appeared intoxicated. PC O'CONNOR started to speak to the couple and explained that Police had been called due to a sound of a disturbance at the address. He requested that move to another room with him so both parties could discuss the matter in private. agreed and they left the room. I remained with . I asked her what had happened and she stated that they had been out for the evening and both had consumed a large amount of alcohol before getting a taxi back and she had home address. The taxi driver had been a male that she knew conversed with him in the car, which had not liked and they had argued when they returned home. stated that during the argument had pushed her and then slapped her around the face. I explained to that she had alleged an assault and that it would need to be investigated. I asked her if she would be willing to provide a statement, however she appeared to be non committal. I explained that would be arrested and taken to Eastbourne Custody where he would be interviewed. asked how long it would be until I returned to take her

MG11

statement and I informed her that it may be up to a couple of hours until I got back to her. At 02.35hrs I went into the lounge where PC O'CONNOR and were speaking. I said to I have been speaking to and she has made an allegation that during an argument between yourselves early this morning you have pushed her and slapped her to the face. In order to prevent any further offences or injury from occurring and to protect a vulnerable person I am going to arrest you on suspicion of common assault." I then cautioned him to which he made no reply. was fully compliant. He gathered his shoes and a jacket and left the address with PC O'CONNOR. I remained in order to confirm that understood what was happening. I explained that I would return to see her as soon as possible. I then joined PC O'CONNOR in the Police car and transported to Eastbourne Custody where his detention was authorised.

This statement, was made at Newhaven Police Statement.

Evidence relating to Paginated page 12:

Incident No 11 dated: Saturday 28th May 2016

1 x Police Statement
Incident Related
Statement of PC Rush
(2)



WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B: Criminal Procedure Rules 2005, Rule 27.1
URN URN
Statement of: Tomas Williamson
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable CW562
This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false or do not believe to be true.
Signature: Date 12/07/2016
Tick if witness evidence is visually recorded (supply witness details on rear) On Saturday 28 th May 2016 I was on duty along with PC BANKS CB032 when we were tasked to attend
reports of an assault at the Bay Tree Inn in Seaford. This report had come via SECAMB control.
Whilst on route to this incident CCTV operators identified a male with injuries walking from the direction of
the Bay towards the Shore Public house on Dane Road.
As we arrived at around 0130hrs the male was already being spoken to by SECAMB crew. I immediately
recognised the male as P H from many previous dealings. He was leaning against the wall at the
Shore and it would appear this was the only reason he was upright. He could not focus and barely string his
words together through the effects of alcohol. He was very, very drunk and had a swollen eye and a bloodied
nose. After a lot of effort he managed to tell us he had been at the Bay, so we confirmed he was the injured
party from the original call. He could not identify who the offender was and was not willing to divulge what
exactly had occurred. He was highly agitated and just rambling on about how he was the hardest man in
Seaford and no one should mess with him.
He was clearly not in a fit state to be left in the public domain due to his drunkenness and after he refused
medical treatment, PC BANKS and I coerced H into the police vehicle and transported him home. On
arrival at his home address he became very emotional, again in my opinion due to his drunkenness and gave
me a hug before going inside.
In my opinion H was very drunk and was in no fit state to be served alcohol. He admitted to having
been drinking in the Bay Tree Inn and it was clear they had facilitated him in getting that drunk.
Here was contacted after this date and refused to support police in the investigation and the matter was
filed with no further action.



WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B: Criminal Procedure Rules 2005, Rule 27.1 11(T)

	URN				
Statement of: Hannah Rush					
	Occupation: Police Constable DR403				
This statement (consisting of 01 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false or do not believe to be true.					
Signature PC DR403	Date 7 th July 2016				
Tick if witness evidence is visually recorded (supp	ly witness details on rear)				
On Monday 20th June 2016 I made a phone call to a ma	ale I now know to be Mr T				
2016 a call was made to Sussex Ambulance by a mol	oile number stating that a 20 year old male had				
been assaulted in The Bay Tree Public House, Pelham	Road, Seaford. The male was reported to have				
head injuries. Sussex Ambulance forwarded this cal	I to us including the mobile number that was				
used to make the call. At around Midday I dialled	the mobile telephone number and introduced				
myself and the reason why I was calling. The male who answered the phone confirmed his name as					
Mr L Tame and confirmed he had made the call to the Ambulance on the 28th May. He informed me					
that he had been inside The Bay Tree and had just come out of the toilets when he saw a male being					
pushed and shoved outside the front door of the premises. Mr Temm stated that he followed the					
male outside and confirmed this was when he saw the injury to the males head. Mr T					
this assaulted took place inside the premises. Mr T went onto say that he tried to calm the male					
down and called him the Ambulance whilst outside with him. He told him to stay sitting down outside					
the premises and to wait for the ambulance. My Temes then got into a taxi and went home. The last					
time he saw the injured male was outside of the Bay Tree. Mr T was not willing to make a					
statement regarding this incident. PC DR403					
re degree					