

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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Statement of: Patrick Moran

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 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.

Witness Signature: P. Moran Date: 03/11/2016

This statement refers to THE SHAFTESBURY PUB, being a licensed premises situated in the parade of shops in SHAFTESBURY CIRCLE. Which I visited on Thursday 3rd November 2016 at 1510 hours CAD 5175 refers.

The purpose of my visit was to return the recording machine DVRS which had been taken away by police after the incident reported on 30th June 2016. This where Craig Daniel was seriously assaulted which mounted to broken collar bone and other injuries. The machine was taken away as sectors on the hard drive were reporting errors. These drive errors prevented officer downloading the CCTV footage of his serious assault.

I entered the pub and could see one female member of staff behind the bar. There were three customers inside the venue sitting around the bar. I could see alcoholic drinks in front of them this being a pint of Guinness and a pint of beer. I spoke to the staff member who was dispensing beer from the pump. I asked if The DPS was around this being Craig Daniel or is he upstairs in the flat?

The female was Michelle Rayner who I have dealt with in the past. She informed me wasn't upstairs, I asked her for his mobile number, she called him on her phone. I spoke to Mr Craig Daniel on the phone, explained I have returned your machine. I informed him the machine had errors on the hard drive and it may not work correctly. Craig Daniel insisted arguing that the machine wasn't faulty before police took it away.

I explained to Craig Daniel that when I spoke to you on Tuesday 1st November at 1355 hours I would be taking the machine, which had been loaned to you by police while yours was being investigated for evidence of incident back in June 2016. I informed him I would be seizing our machine under Section 24 of PACE to prevent loss or damage to evidential information which may be stored on the machine. As you are not able to assist police in their investigation to the incident on Saturday 29/10/2016 which happened outside the SHAFTESBURY PUB. Where patrons who had been drinking inside were involved in a serious disorder outside your premises. He was incoherent in his ability to communicate and was intoxicated. I could smell liquor from his breath he was unsteady on his feet as I escorted him to his flat later on with the assistance of another police officer.

I informed Craig Daniel now that as I have seized the DVRS machine, as there is no machine in place to record inside the premises, it would be a breach of licence conditions to

Witness Signature: P. Moran

Signature Witnessed by Signature:

Continuation of Statement of:

open the bar and sell alcohol without a DVRS machine recording. I made a pocket book entry to this. Page 35 BOOK 2182.

He informed me he had not opened the premises since the incident on Saturday 29/10/2016. He did not intend to open it, he has never experienced such a difficult premises to run in all his time as a landlord of a pub, he wished to get rid of it. I told him I will arrange for the return of the machine as soon as I speak with the officer dealing with his incident ASAP.

I told Craig Daniel that I would be making a statement regarding the visit as you have breached one of your Premises Licence conditions by not having a machine to record the activities in the licensed premises.

The mandatory Conditions being condition are:-

CONDITION 1:- CCTV SYSTEM SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE SPECIFICATION DETAILED BY THE METROPOLITAN POLICE SERVICE. THE SYSTEM SHALL BE IN USE AT ALL TIMES DURING LICENSABLE ACTIVITIES WHEN PREMISES IS OPEN.

Witness Signature: *P. Amorim*

Signature Witnessed by Signature: