

### WITNESS STATEMENT

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

Statement of PC DALY 364KD ..... URN: 

01			
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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation:

This statement (consisting of: .... **2**..... pages 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: 31/10/2016 01/11/16

Tick if witness evidence is visually recorded  (supply witness details on rear)


I am Police Constable Oisin Daly and I am a licensing officer on the London Borough of Havering, I have previously been a licensing officer on the London Borough of Brent as well as the Met Police Central Licensing Officer. Prior to joining the police I was a licensee and managed licensed venues in the night time economy.

This statement relates to the application for a review of the premises licence of New Tasty Chicken, 7 Station Chambers, RM12HS under section 51 of the Licensing Act 2003.

On the 22<sup>nd</sup> October 2016 at approx. 02:00hrs at the venue it is alleged that a male was eating some fast food when he was approached by another male who stated that he looked like someone who is on television. He has then returned that he doesn't have time to watch television as he has a life. So aggrieved was the suspect at the implication that he didn't have a life as he believed the victim to be on television he head butted the victim and offered him to fight outside the venue. Due to intervention by the victim's friend the fight didn't happen. The victim went to hospital and had his injuries examined. It is believed that he has a fractured eye socket and a dislocated jaw as well as dental damage. He reported the incident to police the next at his home address. This report was then recorded on a separate London borough and brought to the attention of Havering Licensing officers on the 25<sup>th</sup> October 2016. CCTV of the incident was requested by police for the incident on the 22<sup>nd</sup> October 2016. The management stated that this would be ready by the 27<sup>th</sup> October at 1900hrs. This was not provided by this time and on the 30<sup>th</sup> October 2016 I attended the venue to view the CCTV. I was informed by staff that the hard drive had been removed in order for the manager to extract the data. The manager has then stated that he could not download the footage and has provided a hard drive to the police station. This hard drive has no simple method of extracting data and will require specialist forensic analysis.

The venue had been approached by police on the 21<sup>st</sup> October 2016 at approx. 00:30hrs due to local gang members hanging around the venue. This was filmed by police at the time as an overt filming authority was in place due to recent issues in the vicinity. The venue were instructed to call police if the gang came back.

The venue were aware that they were subject to a licensing review yet the next night a victim has suffered serious

Signature:  ..... \* Signature witnessed by: .....

Continuation of Statement of PC DACT 364AD .....

injuries. The venue state that the incident never happened yet the CCTV that would exonerate them cannot be viewed. The venue is frequented by gang members who are believed to be the suspects for the crime and the venue have refused the offers of assistance from police in dealing with these individuals.

The cris report in relation to the GBH allegation is attached and exhibited as OPD/1.

A record of calls to police over a 12 month period is exhibited as OPD/2.

A photograph of the hard drive provided to police is exhibited as OPD/3.

*PC DACT 364AD*

Signature: *PC DACT 364AD* ..... Signature witnessed by: .....

- If physical force and/or officer safety equipment was used during the incident/arrest, give a detailed description of the use (describe technique used) and the reasons for use. You must tell the custody officer and, if appropriate, consult the FME. State what first aid was given.
- If crime summons procedure was adopted rather than arrest, include reasons.
- Remember to produce your exhibits.

**If you made or witnessed an arrest**

- Record the words used to tell the person they were under arrest. The 'caution' is on page 2 (inside front cover).
  - Record the grounds.
  - Record the offence.
  - Record the necessity for arrest.
- Please remember to cover points to prove the offence for which arrested.

**MERLIN PAC**

**Incidents/arrests involving a person under the age of 18**

Is there a concern about the child/young person not achieving one or more of the 5 ECM key outcomes: **Be Healthy; Stay Safe; Enjoy and Achieve; Making a positive contribution; Economic Well-being.**

Yes     No – No further action necessary

MERLIN PAC Ref. No. \_\_\_\_\_

MERLIN PAC threshold not met – Action taken to address concerns recorded in notes

**Supervisors:** To ensure that where MERLIN threshold has been met a MERLIN PAC has been created.



**WITNESS STATEMENT**

CJ Act 1967, s.9 MC Act 1980, ss 5A(3)(a) and 5B: MC Rules 1981, r70

Statement of |  
Age if under 18 |  
Occupation |

**This statement to the best of my knowledge is tendered in evidence, I shall be liable to prosecution if I have knowingly stated in it anything which I know to be false or do not believe to be true.**

Date: 25-10-16

Time: 1638

**Signature:**

This statement refers to what I  
when I got hard butt to the  
right side of the face. On  
SATURDAY 22ND OCTOBER 2016  
approximately between the hours  
of 0200 hours to 0240 hours. I  
was in CHICKEN PERI PERI  
which is on 7 VICTORIA ROAD  
RM1 2HS to get food with  
friends. The layout of the shop  
is table and chairs at left and  
right side of the store with the

Signature

Continued: the counter in front going across the store. I was sitting on the left side of the store and had just finished eating. I saw a male at the counter eating food and then two white males entered the store. I noticed one of the males with lots of tattoos who walked to the counter and I could see them talking to the tattooed male speaking with the customer at the counter. I saw the tattooed male playing with the customer hair and saying he looks like a guy from a music video. Then shortly after the tattooed male started speaking across the shop at me and says "Don't you think he looks like that guy out of that music video." I said to him "IS IT ON TELL?" the tattooed male said "YEAH!" I then said to him "SORRY MATE I DON'T WATCH MUCH TELL"

Signature: \_\_\_\_\_

Continued: I GOT A LIFE." The male then says in a aggressive manner what are you trying to say I aint got a life. I then said "I DIDNT MEAN IT LIKE THAT." Then shortly after the male walked towards me and said "COME OUT WE WILL HAVE IT OUTSIDE." I then raised my open hands in front of me at chest height due to he was right up in my face. The reason I did this is that I believed he was going to hit me. I said to him "WE ARE ALL HERE FOR A GOOD NIGHT." The male then walked away back to the counter and says He's trying to act Flash in front of his mates. The other male who entered the store with the tattooed male came across to me he was wearing blue jump suit he says to me Are you trying to disrespect my mate. He then walked away and I then sat back

Signature: \_\_\_\_\_

Continued: down. The Tattooed male walked over to me and I stood up. The male said "SOG YOU YEAAA!!" Then the male head butted the right side of my face once. Then one of my friends pushed him away and out of the shop. I then saw my friend cut side talking with the tattooed male who headed butted me and also the other male wearing the blue jumper. I heard the tattooed male say get him cut side and also say click head alot. I went cut side and the tattooed male tried to apologise to me. He then said to me "YOUR LUCKY IF IT WAS ANYONE ELSE I WOULD OF CUT YOU UP!" I then walked away to a bus stop with a friend. I would describe the tattooed male as white male approximately 5ft 10 slim build, shaved head. A tattoo on his right arm starting just below the elbow going up

Signature

Continued: and disappearing under his tee shirt. The tattoo was dark in colour and a tribal style. He was wearing a grey tee shirt and a grey sleeveless hoodie. I am unsure of what bottoms he was wearing. If I saw him again I would recognise him. On Sunday 23rd of October 2016 approximately 00:00 hours I attended Royal London Hospital where I had a number of different x-rays and was told by a doctor that I have a fractured right eye socket and a dislocated right jaw line which requires surgery. I also have further appointments at the hospital. I have numbness of the teeth which is from top middle going right across to the right side and this is causing me discomfort. I am currently of work due to this incident to my face. I am also struggling

Signature

Continued: to eat hard foods and I am  
eating sloppily food

Lined writing area for page 38.

Signature: .....

Continued:.....

Lined writing area for page 39.

Signature:.....

OD (1)

**General Information**

Screening Decision: IN

**Main**

IU: KD HAVERING  
 Crime Type: C H/O Crime Type: I  
 Allegation (Prefix):  
 Allegation:  
 Committed on/from Date: SAT 22/10/2016 02:00  
 Committed to Date: SAT 22/10/2016 02:40  
 Reported Date: SUN 23/10/2016 13:29  
 How Notified: NP Phone Call to Police  
 Restricted? By: Date:  
 Restriction Reason:

**Flags**  
 KD

**Borough**

**Branch**

**Service**

**Area (Historical)**

**OIC**

Is OIC Same As Reporting Officer ?  
 Investigating Officer's Rank: PC  
 Surname: HUGGETT Initials: N  
 Warrant Number: 227641 Div/D Number: 814KD Usual Relief: K  
 Duty: OA Other duty(Uniform)  
 Station/Branch: KDS Havering South LPA  
 Allocated Date/Time: 26/10/2016 15:03  
 Allocation Noted? Y Noted Date/Time: 26/10/2016 22:43  
 BWV Noted? BWV Noted Date/Time:

**Previous OIC Details**

Usual Relief	Duty	Station Branch	Allocated Date/Time	Noted Date/Time	BWV Noted Date/Time
DS 202287	JN KNIGHT				
1	AB Borough CID	VW	26/10/2016 08:09	26/10/2016 08:09	

PC 241140 S LARSEN 331HT  
 S AA Borough Uniform HT 25/10/2016 22:13 25/10/2016 22:13

OIC Supervisor: DS/202287 JN KNIGHT

**Press**

Suitable for Press? N  
 Restrictions:  
 Is this a Specrim? N

**General Information**

Date/Time:  
 Was a Firearm Used? N  
 Was other Weapon Used? N  
 Are there Terrorist Implications? N  
 Was a Suspect present on Police arrival? N  
 No. of Suspects Present:  
 Was the Suspect(s) arrested? N  
 No. of Suspects Arrested:

**Source System References**

Source System Name	Source System Reference	Entered Date/Time	Entered By
CAD	004501/23OCT16	25/10/2016 21:25	PC 331HT /241140 S LARSEN

**Totals**

Total Values:

Stolen £: Recovered £: Outstanding £: Damaged £:  
 Damaged On Recovery £:

Total:

VIW(s): 3 Property 0 Vehicles(s): 0  
 Accused: 0 Suspect(s): 1 CAIT Subject(s): 0

**Drugs/Fraud**

Is this CR for an arrest for possession etc. (not theft) of controlled drugs?  
 If Fraudulent Use-Item Used: N

**DV/Hate Crime**

Is this a Hate Crime/Domestic Incident/Carer Abuse? N

Domestic Incident? Forced Marriage?

Honour Based Violence? Carer Abuse? Hate Crime?

Initial Risk Assessment (SPECSS+):

Completed by:

Initial Risk Assessment Management Supervised?  
 Completed by:

Current Risk Assessment (SPECSS+):

Completed by:



**General Information**

Form 124D Completed?

Completed by:

Form124D Supervised?

Completed by:

Received by the CSU?

CSU Reference

Completed by:

LGBT Relationship?

**Category of Hate Crime**

Race?

Faith/Religion/Belief?  
Homophobia?

Religion Name:

Transphobia?

Disability?

Targeted because of Vulnerability?

**Digital Evidence**

Is there Body Worn Video content in this case? N

**Audio/Visual Content**

Data Protection Act - Dispose Of As Confidential Waste  
PC O DALY 364KD 228118  
CR:5417932/16 CrType:C Notifiable/MPS/Other:N-1 Status:U Press:N Class:S/GBH/Wound  
GLU:KD

**General Information**

#	AV Type	WtNo	Exhibit No	Evidential	Master	Link/66	Content shows
---	---------	------	------------	------------	--------	---------	---------------

**Location**

OMPD?  
Address:  
Chicken peri peri,7A,STATION CHAMBERS, VICTORIA ROAD,  
ROMFORD,ESSEX,RM1 2HS  
Location Text:

GLU: KD Local Id: KD14 Grid Ref: 551459,188438  
Watch Area:

**Main**

Location Type(s): CO Other Shop  
Is the Venue covered by CCTV or in a CCTV Area? Y  
CCTV Options: CE CCTV Not Recovered By Police

Approach:  
Entry Method:  
Entry Point:  
Exit Point:  
Security:  
Person On Premises?  
Other Info:

**Internal Transfer**

Date/Time	Transferred By	Previous GLU	Previous IU
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**Transfer From MPS**

Transfer from Met To:-  
Service:  
Station:  
Their Reference:

Received By:-  
Rank:  
Number:  
Surname:

**Details of Investigation**

25/10/2016 22:33

PC 241140 331HT S LARSEN

PRIMARY INVESTIGATION DETAILS : 1 Immediate action  
CAD 4501/23OCT16  
Call sign HI18L Officer PC LARSEN 331HT

Officer attended VIW1 address where he stated to officer that on 22-10-16 after being on night out with friends went to get food with friends VIW2 and VIW3. VIW1 and friends went to CHICKEN PERI PERI ON 7 VICTORIA ROAD RM1 2HS. While in the shop eating his food sitting down on the chair at the table when two males entered the store one being the SUS and another possibly friend of the SUS.

The SUS went to the counter and started playing with a customer's hair and the SUS saying he looks like a guy from a music video. VIW1 states that shortly after the SUS then started speaking towards the VIW1 across the shop and say to the VIW1 don't you think he looks like that guy out of that music video. VIW1 states that they said "IS IT ON TELLY?" The SUS1 said "YEAH". Then the VIW1 states they said "SORRY MATE IDON'T WATCH MUCH TELLY I GOT A LIFE".

VIW1 says that the SUS then in a aggressive manner says to the VIW1 what are you trying to say I aint got a life. The VIW1 stated they said "I DIDN'T MEAN IT LIKE THAT". The SUS has then walked towards the VIW1 and the VIW1 Has then stood up raised his open hands at chest level due to they state they thought they were going to get hit. The VIW1 says that the SUS then said "COME OUTSIDE WE WILL HAVE IT LIKE THAT". VIW1 stated they said "WE ARE ALL HERE FOR A GOOD NIGHT". The SUS has then walked away. Then VIW1 states that the SUS then walks back to them and said "SEE YOU YEAH" then immediately head butts the VIW1 one once to the right side of the face.

VIW1 states that friend pushed the SUS away

**Details of Investigation**

25/10/2016 22:33

PC 241140 331HT S LARSEN

**PRIMARY INVESTIGATION DETAILS : 1 Immediate action-**

outside shop and the VIW1 says they can he the SUS say get him outside and dick head a lot. VIW1 states that they went outside and the SUS tried to apologise and then said to the VIW1 "YOUR LUCKY IF IT WAS ANYONE ELSE I WOULD OF CUT YOU UP". VIW1 states they then walked away to the bus stop. VIW1 states that this incident happened between hours of 0200 to 0240hours.

VIW1 states that they went to Royal London hospital on Sunday the 23rd OCT 16 where they had a number of x rays and was told by the doctor that they have a fractured right eye socket and a dislodge right jaw line with will require surgery. The VIW1 also has numinous of the top row of the teeth starting from the centre going across the right side. VIW1 also says that this is causing discomfort and unable to eat hard foods and can only eat sloppy food. VIW1 also states that they are currently off work due to this incident.

VIW2 and VIW3 no address at this point due to at work and VIW1 unable to get in touch with them while at the appointment. There is apparently CCTV at the CHICKEN SHOP but not yet been collected or checked.

H History

N/A

A Aggravating Factors

N/A

V Victim

N/A

E Escalation

N/A

S – Steps

N/A

**SOLVABILITY ASSESSMENT**

**INVESTIGATION CONCLUSION:** I have reviewed the evidence in this investigation. Based on my assessment of the facts I believe this investigation is on going. Should any events or evidence change in this case the MPS will inform the victim regarding these developments.

The rationale is:-

Suspect – no known suspect

Witnesses-yes VIW2 VIW3

CCTV –at the Venue

not collect or viewed

**Details of Investigation**

25/10/2016 22:33

PC 241140 331HT S LARSEN

PRIMARY INVESTIGATION DETAILS : 1 Immediate action  
Forensics – nil

Other - nil

VICTIM UPDATE: called VIW by phone.

MG11 share drive HT :  
S:\All Boroughs\HT - Tower Hamlets\Primary Investigation Evidence\10. OCTOBER 2016\23RD -  
31ST OCTOBER 2016\5417932.16

PRIMARY INVESTIGATION DETAILS : 2 Scene

PRIMARY INVESTIGATION DETAILS : 3 Forensics

PRIMARY INVESTIGATION DETAILS : 4 Victims/Witnesses

PRIMARY INVESTIGATION DETAILS : 5 Suspects

PRIMARY INVESTIGATION DETAILS : 6 Other evidence

25/10/2016 22:59

PS 226448 8KD G ROGERS

CRIS SUPERVISION - Confirmed with KD5, they have been informed. Screen IN for further enquires.

25/10/2016 23:49

**Details of Investigation**

DC 230101 J LAM

**\*\*\*KD5 NIGHTS\*\*\***

I was called up and made aware of this CRIS

It seems an altercation has started inside of the shop which is now known as Tasty Chicken. This has led to outside where the victim as assault. The shop is known to have members of the Station Crew hang about.

The officer has not addressed any forensics according to the report ie clothing seizure.

I have emailed the officer as he saved the statement on HT shared drive which we do not have so I have got him to email me the statement.

It has been printed off the statement and it has been booked into the violent crime 105

I asked the reporting officer if a medical consent form was filled out and he said no so this will need to be obtained. I have advised the officer that it is essential and seeing as the victim does not live on our borough it makes it difficult.

I have called mercury CCTV and they will burn the CCTV off

I have called the Tasty chicken store and they do not remember an altercation but will burn the CCTV off and they do have a camera outside.

This will need to be picked up by whoever the crime is allocated to in the morning. The chicken shop member of staff was hussain and he said to call them before pick up. It would be after 12pm as that is when they open.

It seems the main issue is ID but as it

Data Protection Act - Dispose Of As Confidential Waste  
PC O DALY 364KD 228118  
CR:5417932/16 CrType:C Notifiable/MPS/Other:N-1 Status:U Press:N Class:S/GBH/Wound  
GLU:KD  
**Details of Investigation**

25/10/2016 23:49

DC 230101 J LAM

is a hotspot for the station crew and a description has been provided ie tribal tattoo on arm etc it seems likely that we will be able to establish a suspect if the CCTV is of good quality.

Possible VIDO for circulation or local borough may be able to recognise. Town centre would be ideal to see if they can ID the suspect

26/10/2016 00:19

DC 230101 J LAM

Statement 105-1578 violent crime

26/10/2016 00:46

DC 230101 J LAM

Mercury CCTV have reviewed the CCTV and cannot see anything  
One camera is pointed down south street, the other at the bus hub and the camera pointing at the shop is too far. The operator could not see nay altercation

26/10/2016 08:09

DS 202287 JN KNIGHT

OIC Changed

26/10/2016 09:55

PC 225985 460TP R DAVIES

Classification confirmed



**Details of Investigation**

26/10/2016 09:55

PC 225985 460TP R DAVIES

Screened In

26/10/2016 12:21

PC 227597 695KD B GOODWIN

This report has been viewed by Havering's Licensing Officer, Pc Belinda Goodwin 695kd during an overnight check of reports made where a licensed premise may be referred to in some manner. Seen and noted.

26/10/2016 15:03

DS 202287 JN KNIGHT

OIC Changed

26/10/2016 15:17

DS 202287 JN KNIGHT

1ST Review- DS KNIGHT

late report taken at HT BOCU

Victim Care

.....  
The victim has been examined at hospital. Possible fractured eye socket and dislocated jaw.  
Not known to susp personally  
Medical consent not signed  
Mg11 taken from HT officer

Suspect

.....  
Details are known. Not yet arrested. susp headbutted the vvw and has possible distinctive tribal tattoo.  
Possible "station crew" gang member based on MO, location of offence and description of susp

**Details of Investigation**

**Forensics**

.....  
None at this stage. Clothing not seized. Scene not visited due to contamination and late report

**Witnesses**

.....  
Possible witnesses within the chicken shop

**CCTV**

.....  
Possible positive

**Details of Investigation**

26/10/2016 15:17

DS 202287 JN KNIGHT

chicken shop

Property

.....

Nothing out of the ordinary

Crime prevention

.....

Stranger attack. OIC to give appropriate advice re drinking and interacting

QA

.....

No issues currently. I accept the VCD class at this time but this may be re-visited later

\*\*\*\*\*

**ACTIONS**

\*\*\*\*\*

1. Liase with viw and update VCOP
2. Obtain 172 medical consent form
3. Check chicken shop CCTV
4. Liase with DSU/ SNT re possible gang susp from "station crew"
5. Visit scene re possible other CCTV- consider VIDO circulation if positive
6. Visit scene re possible CCTV

27/10/2016 00:28

PC 227641 814KD N HUGGETT

Contact made with the venue who stated that they have the incident on their system but have currently been unable to make a copy. Contact details were given and they have stated that they will get a copy made as soon as possible

Data Protection Act - Dispose Of As Confidential Waste  
PC O DALY 364KD 228118  
CR:5417932/16 CrType:C Notifiable/MPS/Other:N-1 Status:U Press:N Class:S/GBH/Wound  
GLU:KD

**Details of Investigation**

27/10/2016 01:15

PC 227641 814KD N HUGGETT

I have been informed that the download has been successful and will be hand delivered to Romford police station marked for my attention on 27/10/2016 at 7pm

P228118

Save  
Search  
Reformat  
Export To Excel  
Export To Word  
Export To CSV File  
Export To ASCII File  
Open/Close Code  
Descriptions  
Stored  
Res ults/Enquiry Formats  
Previous Page  
Return To Enquiry Input  
Exit DARS

Incident Info Demand Info Resource Info General Admin Help

CAD Enquiry Generator

FOR POLICE USE ONLY - DISPOSE OF AS CONFIDENTIAL WASTE  
PROTECTIVE MARKING RESTRICTED

Enquiry Type: CAD Enquiry Generator  
Requested on 01 NOV 16 at 10:56:36  
GPAs Included: (OCUs) KD  
GPA Location Type: ATTENDANCE  
Opening Codes (1st, 2nd & 3rd): ALL  
Classification Codes (1st, 2nd & 3rd): ALL  
Qualifying Codes: ALL  
Resolution Codes: ALL  
Duplicate Incidents Included: YES  
Date Period: From 01 NOV 15 to 31 OCT 16 Between 00:00:00 and 23:59:59 (Each Day)  
Caller Type: ALL  
Phone No: 01708 720899 Phone No Types: ALL  
Urgency: ALL Received By: ALL  
CRIS Entry: ALL

1 Record retrieved

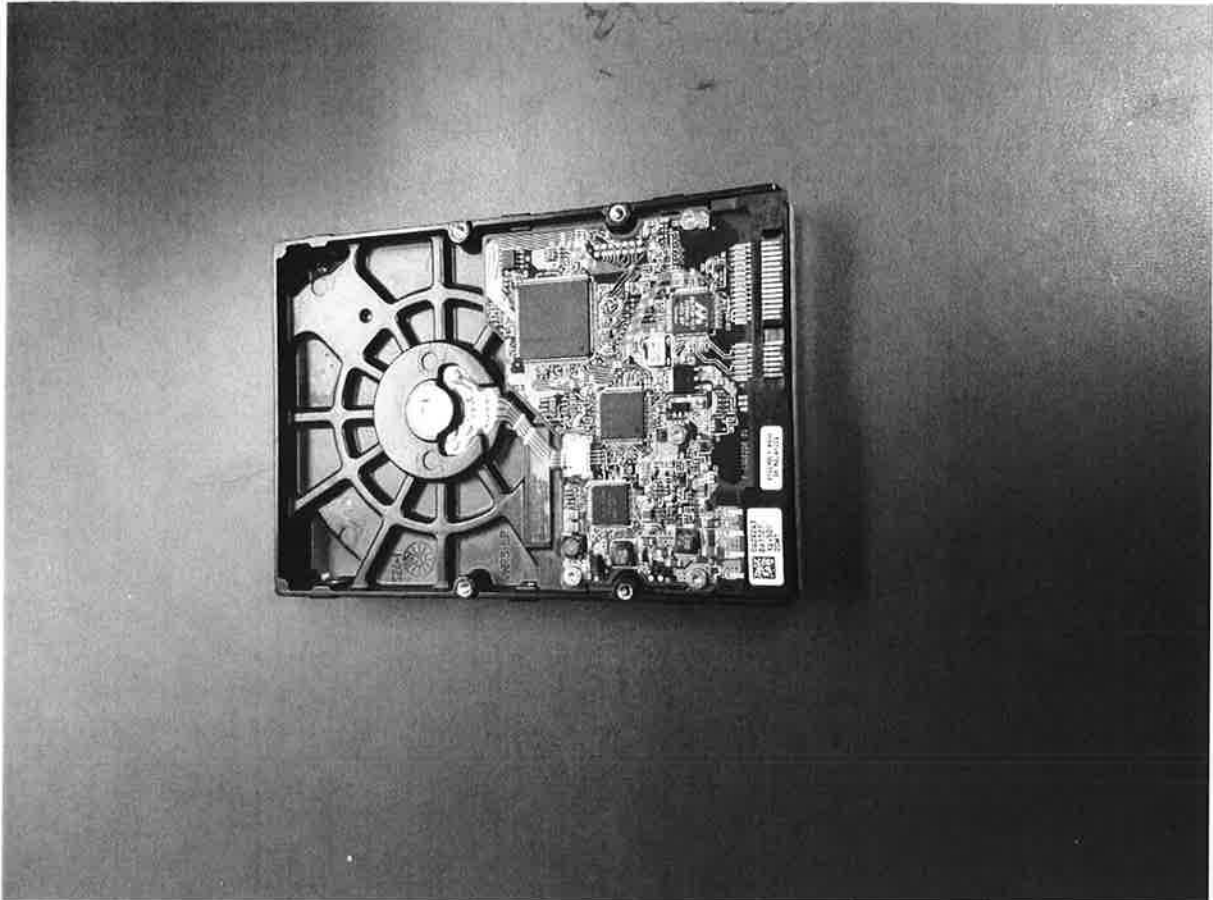
CHS Demand No	CHS Origin Date	CHS Origin Time	CHS Origin Day	Pass To CAD Date	Pass To CAD Time	Pass To CAD Day	Inc CAD No	CAD Origin Date	CAD Origin Time	CAD Origin Day	RB Origin Day	OP 01	OP 02	OP 03	Opening Text	Attendan	
20160223033964	20160223	17:35:40	TUE	20160223	17:36:05	TUE	8630	20160223	17:35:41	TUE	E	001	404			(ASB?)	7

... End of report ...

10:56 01/11/2016

Calls to police over a 12 month period from the venues listed number 01708 720999. Exhibit OPD/2.





Hard drive provided to police on 30<sup>th</sup> October 2016  
Exhibit OPD/3

