

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 Williams 2164EA URN:

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

This statement (consisting of: 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: 07/07/2022.....

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

I have been a licensing officer on East area for the last 3 and half years and this is my statement regarding incidents and actions regarding The Rising Sun Public House in Hornchurch town centre.

The Rising Sun is located in Hornchurch town centre and is one of the largest venues of its kind. The venue also has VLT nightclub on the 1st floor which is open until 0330 hours on Friday and Saturday.

Over the last 12 months the venue have been connected with a number of serious incidents which will be highlighted and detailed with in this statement.

Prior to these incidents the venue also had issues during COVID lockdown and the 05th Nov 2020 the venue was visited by both the Police licensing team and the Havering Council licensing team, **CAD8271/05NOV21 refers**. Upon entry to the venue it was very apparent that there was no social distancing, mixed households, no masks, very loud music and tables of up to ten people. Due to this the council in conjunction with the Police requested that the venue be closed on a voluntary basis, which was done. The breaches were recorded on officer's body worn video (which is available upon request), <https://share.uk.evidence.com/share/VR37NHxb> refers. The council, as we are aware the local authorities were taking the lead on these matters, did make the request that a £10,000 fine was issued regarding the breaches but this, for unknown reasons, was not actioned.

On the 30th Aug 2021 Police were contacted by Havering council CCTV stating that a male was potentially unconscious outside the Rising Sun Pub High Street Hornchurch. Police arrived at 00.37. And the victim was laying in the recovery position being tended to by several members of the public on the footpath directly outside the pub. The victim was awake when police arrived but members of the public stated said he had been unconscious for 2-3 minutes prior. The victim had a cut upper lip which was bleeding and a large swelling to the back of his head. His injuries were consistent with falling after a punch to the face and hitting his head on the footpath, **CAD1130/30AUG21** and **CRIS 5413095/21 refers**. When at hospital it was discovered that the victim had a significant fracture of the skull and a bleed on the brain. Police licensing were made aware of this incident by the DPS from the venue. At the time the incident did appear to have happened in the street. The door staff from the

Signature: Signature witnessed by:

Continuation of Statement of **Adam Williams**.....

venue assisted the victim as did MOPS. The venue had CCTV of the incident which was provided to CID the following morning. What was apparent was that both the victim and the suspect had been in the venue prior to his incident which happened directly outside the front at closing time. Also of note the suspect for this matter has been seen in the venue on numerous occasions but the door staff, management and staff stated they did not recognise him.

In August 2021 an allegation of GBH was made whereby a victim was pushed to the ground by door staff after being refused entry into the venue for allegedly being intoxicated and threatening. Whilst on the ground he was then kicked in the head as he lay on helpless on the floor by a door supervisor, **CRIS 5413126/21** refers. The door supervisor was later interviewed and charged with the offence of ABH. On the 02/09/2021 a meeting was held at the venue with the DPS, license holder, the door company area manager and the venues licensing consultant, the following measures were put in place:

- **Door staff are to wear high vis tabards and body cam at all times with immediate effect**
- **There must be a written incident log and door register on site not just the electronic version that can be provided to anyone from the responsible authorities upon request**
- **All serious incidents Police and licensing to be made aware ASAP**
- **The number of door staff will not be changed without consultation with Police licensing team**
- **The venues license and conditions will be a part of the staff-training book and all staff will be brought up to speed on the conditions.**
- **The door staff will cover the area outside the venue ,10 either side of the exit in line with the dispersal condition on the license**

As stated, in the meeting the door staff involved in the incident were removed and a period of three months was given so that the situation could then be revaluated.

On the 1st January 2022 at 0030 hours Police were called by security for the venue to a large fight involving around 20 people in outside smoking area of the venue. A male suffered various facial injuries including a bruise under the eye and stated he was the victim of a random unprovoked attack in the venue. As a result of the 1st January incident conversations were had between Police licensing and the venue’s licensing consultant, DPS and license holder where it was agreed the venue should utilise an identification scan system and to have it operating from 1900 hours to the close of business on Thursday through to Sunday and including all bank Holidays. This was

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sent on the 05/01/2022 to Graham Hopkins, I will exhibit this email as ARW/1 and it will be include in the submitted appendix.

Subsequently a request was made to the venue to submit a minor variation by Police licensing and the following conditions were added to the venue’s premises license around the 9th January 2022.

Those conditions being:-

- 1) The premises shall adopt a club ID scan or a suitable equivalent, which shall be utilised as part of the conditions of entry after 19:00 on any day where SIA door supervisors are engaged, Thursday through to Sunday and including all bank holidays. This will cover The Rising Sun PH and The VLT.
- 2) All patrons attending the venue must produce identification, which must be scanned into the ID scanning recognition machine; this should be photographic Driving Licence, proof of age card with the PASS logo or a current Passport.
- 3) All patrons being scanned into the venue must have a clear head and shoulders photo taken on the device.
- 4) All staff shall be suitably trained in the use of the ID Scanner. The training shall be written into a programme ongoing and under constant review and must be made available to a relevant responsible authority when called upon.
- 5) In the event of a technical failure of the ID scanning equipment, the DPS shall immediately inform the authorities and will admit customers via a manual check of ID. Technical failures must be rectified within 7 days.
- 6) Entry will be refused for any anti-social behaviour towards staff or other customers either within the Premises or the vicinity. This includes queue jumping and offensive language.
- 7) The venue must operate a 100% search policy. Guests must also undergo a property search including bags. This is a condition of entry. Any person who refuses a search will not be admitted to the venue and the details logged.
- 8) Admission will be refused to any person deemed to be intoxicated or under the influence of illegal or legal high substances.

Unfortunately in the last few months there have been two further serious incidents at the venue.

On Sunday 20th March 2022 the venue were showing the West Ham v Tottenham football match when a fight took place in the bar area of the Rising Sun which resulted in a victim being stabbed in the arm. This victim later presented himself at Queens’s Hospital (**CAD6259/20MAR22 refers**).

The victim arrived at the venue which at around 1730 hours, venue was not busy or crowded with only approx. 12 -15 members of the public present. The victim was with friends having a drink. The alleged suspects arrived in the venue approx. an hour after the victim and it became clear and obvious that he knew the victim and his group. They were all seen on CCTV to be talking and sitting with one another. All appeared to be well but then for some unknown reason the group have begun to argue and a physical altercation took place. The incident was over in approximately 30 seconds. The victim did not state how he had received his injury and no weapons were seen by staff or independent witnesses. Staff along with members of the victims group then provided first aid to the victim, he then left with friends prior to Police arrival.

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A call was made to Police asking for units to attend The Rising Sun due to a disturbance and a knife potentially seen (CAD 6025/20MAR22 refers). The manager of The Rising Sun advised the attending officers that a fight had taken place in the corner of the venue and that CCTV would be available and would show the incident. Prior to Police arrival a member staff from the venue washed blood away that was on the floor rather than taking steps to prevent loss of evidence and to preserve for possible forensic evidence until Police arrived. What was more concerning was the fact that the venue did not call Police or the London Ambulance Service at the time of the incident.

The victim presented himself at Queens Hospital around 2015 hours but didn't cooperate with Police who arrived as per protocol after the Hospital called Police. The victim refused to engage with officers and would not explain what took place or how he received his injuries. An x-ray was completed which showed no broken bones or serious damage but it was later found that the wound was a 2cm cut on one side the arm and a 1cm cut on the other side.

Post incident the venue then contacted the Police licensing team making them aware of the incident, they had downloaded CCTV, were willing to provide statements and staff did provide first aid for the alleged victim. The venue also provided a copy of the incident log and made CCTV available for collection first thing in the morning.

However, as per the venues current license (**Annex 2 condition 32**) a minimum of two (2) SIA licensed door supervisors shall be on duty at the premises when West Ham football matches are being shown at the premises from at least an hour before kick-off time until at least an hour after the match finishes. The venue had **NO** door staff present. As a result of having no SIA door staff present no identification scanner was in place as per **annex 2 condition 46 which states the premises shall adopt a club identification scan or a suitable equivalent which shall be utilised as part of the conditions of entry after 19:00 on any day where SIA door supervisors are engaged, Thursday through to Sunday and including all bank holidays and covers both The Rising Sun PH and VLT.** This condition was added to the premises license as a result of the incident on the 1st January as stated above and exhibited in exhibit ARW/1.

As a result of the incident and an initial visit by Police a meeting was requested by Police licensing with the Licensee and venue management. This meeting took place on the 13th April 2022 at 1315 hours, whereby the Licensee Joe Sullivan, staff member Sam Gittins, licensing consultant Graham Hopkins and ex DPS Emma Thomas were in attendance. Gittins admitted there was a lack of door staff and scannet in place that night when there should have been and venue management including the licensee agreed and in his words that "they dropped the ball". They also agreed that the blood shouldn't have been washed away prior to Police arrival. The meeting was recorded and are detailed below, these were also sent to all present on the 13/04/2022. This email has been submitted for the appendix and will be exhibited as ARW/2:

Rising Sun Meeting 1315 13/04/2022

People Present:

Signature: Signature witnessed by:

Continuation of Statement of **Adam Williams**.....

License Holder – Joe Sullivan
DPS – Emma Thompson
Staff – Sam Gittens
Licensing Consultant – Graham Hopkins
Police – Pc Williams and Pc Stockman

Meeting Started at 1315.

Meeting was called regarding the incident that occurred on the 20th March 2022 where by a male was stabbed in the arm.

Meeting was started by Pc Stockman with introductions. Pc Stockman explained the incident and asked what the venue thought.

SG – Admitted that was his issue with the lack of the door staff, scan net and fully admitted that he had dropped the ball. He explained that the male involved was on his own with a female, then the other group arrive and they spend an approx. an hour talking to each other on and off before it became heated. He walked to the pool table to see what was happening, the incident occurred very quickly and was over in 27 seconds, they didn't see any weapons or know that the male had been stabbed. When they realised that blood was on the floor outside bar staff did clear the blood away but this was down to a lack of experience that will be addressed ASAP. Police arrived and didn't seem interested and walked away, it was explained that he had made Pc Williams aware and was sorting the CCTV for Police.

CS – Explained that Police returned due to the male being at hospital, he asked did the venue call Police.

SG - said no due to how quick the incident happened but that he did make Pc Williams aware.

CS - Who was covering the DPS role?

SG - stated that he was present and James was covering the DPS role with written authority as he has a personal license.

JS – Stated that he is not defending the blood being cleaned up but that is because he pushS the staff to clean. Going forward all staff are made aware going forward that blood is not be cleaned away. He fully admitted the venue dropped the ball and it wouldn't happen again.

SG - Stated that he did make the officers aware that blood had been cleaned away.

JS - Moving forward we need to look at how many door staff are present during West Ham games. Would it be able to consider numbers? The venue is getting very busy again and we are happy to work with the Police and do anything that is needed to make this work. Emma will now be in a GM manager role and Wayne Clark will be the DPS.

SG – Action Plan

Guarantee doorman and scanner on all West Ham Games

Scanner will be out an hour before KO not at 7pm

Door staff to be more vigilant.

Anymore incidents that occur nothing is cleared away until told by the authorities.

We will request the incident reference number.

Staff to have full crime scene training which will be logged.

The same relationship will be had with Pc Stockman as with Pc Williams.

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Continuation of Statement of **Adam Williams**.....

DPS will be present at all times.
 Door staff will have BWV, hand wands, full search of patrons upon entry.
 Extra door staff at all big events.
 No re-entry to either venue, part from smoking area.
 All coats to be put in the cloakroom.
 Make sure CCTV is always working, weekly checks to be carried out. Now up to 50 cameras in both venues. All are 4k HDR. The main camera above the bar has also been changed to and upgraded.
 Full rebrand and name change of the venue.
 New toughened glasses with lids and no removable straws have been implemented in VLT

AW - Pointed out that both sides need to go through the current license to remove conditions that are not required. Venue to go through and send us what they think and we will agree or disagree.

CS - Would the venue be happy to add the mentioned action plan as a minor variation.

JS – Agreed to the above. He also pointed out that the venue does not actually make money on West Ham games and they are considering not showing them. If we could get four functions a week we would not need to have to show the football.

AW – You haven’t had any issues with TENS recently?

JS - The entire function area has been sound proofed and since then the venue has had no noise complaints. This has been confirmed by Mike Richardson from Havering council.

CS - We have to have confidence that the proposed action plan will be adhered to, what you can do to fill us with confidence.

JS - All staff are now given a handbook, 6 months refresher training, crime scene management training and on any given weekend we have at least 5 personal license holders and a DPS. Also Easter Monday we will not be opening.

CS – Pointed out that everyone in the venue needs to know the license and all the conditions inside out.

GH - Can we ask for 7 days to return the license?

AW – That is not an issue.

AW - We would like to have met Wayne Clark as he does have a past, which does not come into play due to the reoffenders act but we have to take it into consideration so we would like a full background on him , where his has worked before, how experienced and so forth.

JS - Unfortunately Wayne is ill but we will provide a full breakdown by end of business.

AW - pointed out people vaping in CCTV the night of the incident.

JS – Signs will be going up ASAP and anyone found doing so will be barred.

CS - We need the action plan sent to us as a matter of urgency

JS - This will be done by the end of the day and anything we need to do will be done.

ET - I have spoken at length to Wayne about how the venue should be run and what is expected.

Pc Stockman was then taken for a walk around of the venue, CCTV cameras pointed out and shown exactly what all parts of the venue are for.

Meeting concluded - 1430

The venue fully admitted there fallings in the incident and brought these to our attention without being pushed, they came prepared with a full action plan and ideas to make sure that these type of incidents do not occur again.

Signature: Signature witnessed by:

Continuation of Statement of **Adam Williams**.....

The license holder was more than willing to listen to any suggestions from Police and will be providing the full action plan to us by the end of business 13/04/2022.

Following the meeting the venue were sent an email detailing the following intended action plan:-

- 1) For every West Ham Game played inside the venue we will make sure the scanner is put outside & Doormen are present an hour before the game starts & an hour after the game finishes.
- 2) We will implement a list of names & facial recognition of those that are barred from Havering.
- 3) Making sure we have the correct professional door team onsite at all times- dress code & manner is key to the business.
- 4) Any incident that occurs at the venue which has evidence for the police to see will NOT be tampered with at any time until the attending officers have processed the scene.
- 5) If police attend the venue for a reported incident we will ask for a CAD number for our own reference.
- 6) We will keep in constant contact with the local & surrounding shops to see if they have any other information on suspects/witnesses.
- 7) 999 MUST be called form the venue (not an individual) for any incidents at all times.
- 8) The DPS will be present Wednesday-Sunday every week without fail as these are the busier periods but will always be contactable by phone anytime day or night.
- 9) We will enforce the "NO VAPING" signs to be placed inside & outside the building.
- 10) We will look into rebranding the business name ASAP.

This email has also been submitted for the appendix and will be exhibited as ARW/3.

Further to the action plan it was decided that the conditions for the venue would be looked at by Police licensing and the venue to make them more manageable.

Whilst the conditions were being looked into another serious incident occurred on the 28th May 2022.

On Saturday 28th May 2022 around 0100 hours a fight broke out in the smoking terrace on the 1st floor of the VLT nightclub between two groups (CAD 401/28MAY22 refers).

The altercation spread to the area at the top of the stairs leading down to the entrance. During the incident a male who was involved fell down approximately 15 steps. First aid was given by security staff and the male was taken to hospital where it was discovered that he had suffered a fractured skull, broken eye socket and later found to have a bleed on the brain.

At the time of submitting this statement it is still not clear if the victim was pushed down stairs off camera or if he just fell as a result of stumbling whilst attempting to escape the group of males. This cannot be confirmed as the victim still is not in a fit state to talk to Police.

Signature: Signature witnessed by:

Continuation of Statement of **Adam Williams**.....

The venue worked with Police and provided statements, details of all the door staff and CCTV footage.

Details of those present in the venue were requested to see who was in the club at the time of the incident to assist the investigation and to possibly obtain details of potential witnesses and suspects via the Scannet system .A report was requested and submitted to Police licensing but worryingly only contained one scanned person for the Friday night compared to Saturday which contained 97 person scans. (Still a very low number)

At first the venue stated the reason for the Scannet report only containing 1 scan for the Friday was due to the system not syncing the names and a possible issue with a loose wire that wasn't plugged in. The manager advised Police that he wasn't made aware of this on the night. The venue were told that they needed to urgently contact the company the machine was hired from to enquire whether customer information was first on the system and second whether it could be retrieved.

On the 2nd June Police Licensing visited the venue and spoke with manager Sam Gittins and employee Harrison. Harrison is a member of staff who is paid to take customers money and scan them into the venue. This is his main role dueirng the weekends. He was asked directly about the lack of persons scanned using the Scannet system and he responded by saying "He just didn't scan anyone". When asked why "he stated that he just wasn't with it". The venue were advised in no uncertain terms that this was a breach of the license as per **annex 2 condition 46 which states the premises shall adopt a club identification scan or a suitable equivalent which shall be utilised as part of the conditions of entry after 19:00 on any day where SIA door supervisors are engaged, Thursday through to Sunday and including all bank holidays and covers both The Rising Sun PH and VLT** and would be dealt with as such. SIA door supervisors were present at the time but Scannet wasn't used.

The venue have cooperated and worked with police previously to try and prevent further incidents. This has included multiple change of DPS, a change of license holder and minor variations. The venue has had a number of action plans and at the start of 2022 submitted the minor variation for scannet. It is unfortunate these measure have not seen a decline in serious incidents occurring. Whist we acknowledge that the venue have worked with Police, they have had a number of notable incidents and two serious incidents in a matter of months.

Despite various measures put in place as detailed above, an exhaustive list of extra conditions and extra door staff, serious incidents still occur and Police are concerned that sooner or later we will have an incident that results in another serious injury or even worse a fatality.

The venue has failed in its responsibility to uphold the licensing objectives namely, the prevention of crime and disorder and public safety. While the venue has worked with Police and have done everything that has been asked of them, unfortunately they're still having major issues with crime and disorder and Public safety.



Signature: Signature witnessed by:

Witness contact details

Home address: **c/o romford police station** Postcode: **RM1 3BJ**

Home telephone number Work telephone number
Mobile/pager number Email address: **adam.williams2@met.police.co.uk**.....

Preferred means of contact:

Male / ~~Female~~ (delete as applicable) Date and place of birth: **18/08/1978**.....

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): **Police Constable P228842 Williams** Station: **ROMFORD**.....

Time and place statement taken: