

WITNESS STATEMENT APPENDIX E

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

Statement of Ian Clements PC 362 MD..... URN: [] [] [] []

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Officer 193760

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: [Redacted] PC 362 MD..... Date: 5th July 2017

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

I am Police constable Ian Clements I have been a Police officer for over 24 years, for the past 6 or so years I have been in post as the Police licensing officer for Southwark Borough. I have specific responsibilities for all licensed premises under the licensing act 2003 and have the delegated authority to deal with all licensing matters on behalf of Southwark's Borough Commander.

This statement is made in relation the forthcoming premises licence review hearing for the premise known as The Charlie Chaplin 26 New Kent Road SE1 6TJ

Police welcome the initial response from the premises licence holders and the swift actions to rectify the issues identified at the interim measures hearing.

On the 27th June the premises made further representations against the interim steps following a change in circumstances at the venue. These changes included the installation of a door to restrict access to the bar area, the removal and storage of knives away from the public areas, the installation of a new CCTV system and the promise that this system will be checked on each day the premises is in use under the premises licence.

The DPS was also changed from Mr Adrian Ennis to Craig Morrison. Although not challenged at the time I now feel that this could be a matter that needs further consideration.

Mr Morrison was in charge of the venue on the night of the incident in his capacity of Manager. It is therefore the case that he should have been responsible for ensuring all the conditions of the premises licence could be satisfied before opening the doors to the public.

One of the aggravating factors in this case was the excessive consumption of Alcohol. As stated by Mr Morrison himself, the suspect for this serious assault had been allowed to consume alcohol to the point where he felt that staff should stop serving him due to his behaviour.

Signature: [Redacted] PC 362 MD..... Signature witnessed by:

Continuation of Statement of Ian Clements PC 262 MD

The victims of this assault had been drinking in the venue since 4pm, seven hours of consuming alcohol. Staff describe in their own words that the victim was someone who could certainly take their drink. This is my opinion would suggest this was someone who had consumed excessive amounts of alcohol and this might have had an impact on the outcome of this incident.

There is some conflicting evidence from the Police on scene in regard to staff having consumed alcohol, this might also be an aggravating factor. The overriding issue in this is that we cannot rely on any CCTV from the venue to investigate these issues as it was not working. This could also have an impact on the investigation and identification of the suspect for the assault.

I therefore recommend that Mr Morrison is removed as the DPS and also prevented from working at the venue in any capacity.

In addition to the above, the licensing subcommittee imposed an additional condition re the employment of one (1) SIA door supervisor. From representations made on the 27th June it was suggested that this should not remain a full term condition on the premises licence.

Police are recommending that this interim step remains and forms a condition on the premises licence. The reasoning for this request is for the promotion of the prevention of crime and disorder. The key word in all of this is Prevention, I feel the employment of an SIA door supervisor would act as deterrent to anyone causing disorder, and will without doubt provide reassurance to staff employed at the venue, that they have someone fully qualified and trained to deal with conflict management, and able to comply with condition 340 of the premises licence.

340: Our staff will refuse to serve a person who appears intoxicated. They will additionally discourage binge drinking and remove anyone behaving badly from the premises.

Only those trained and qualified as a door supervisor should be removing persons from the premises or hopefully prevent them from entering in the first instance.

To address the issue around the consumption of alcohol by staff. The evidence from Police is conflicting and this matter is strongly disputed by the staff on duty that night. For the avoidance of any further doubt, police recommend that a condition is added to the licence that prevents staff on duty from consuming any alcohol.

With the addition of the above recommendations and those changes already made I feel that this would be sufficient for the promotion of the prevention of crime and disorder licensing objectives

Signature:

[Redacted Signature]

362 ma

Signature witnessed by:

.....

Heron, Andrew

From: [REDACTED] on behalf of
SouthwarkLicensing@met.pnn.police.uk
Sent: 05 July 2017 15:52
To: Heron, Andrew
Subject: RE: Charlie Chaplin
Attachments: MG11 CHASE CCPH.PDF; Full review support.pdf; CCTV Statement Charlie Chaplin.pdf; Charlie Chaplin 3017427/17

Dear Andrew

Please find additional documents in relation to the forthcoming full review hearing.

Kind Regards

*Ian Clements PC 362 MD
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323 Borough High Street SE1 1JL
T 0207 232 6756
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ian.clements@met.pnn.police.uk*

Heron, Andrew

From: [REDACTED]
Sent: 21 June 2017 12:06
To: [REDACTED]
Subject: Charlie Chaplin 3017427/17

Hiya Mark!

I did indeed attend the Charlie Chaplin Pub to deal with a double stabbing that occurred on the premises. Myself and George Beechey were first on scene. We dealt primarily with the casualties and crime scene. Although we spoke briefly with staff, I did not consider the bar staff or landlord to be intoxicated or drunk. I know that Jason Chase has made a comment about this on CRIS, but I was totally unaware there were any concerns the staff had been drinking and I did not have this impression. In my opinion, the staff were very co-operative and helpful while we were dealing with this incident and did everything that was expected of them. There is a lot of BWV attached to the CRIS report if you need to view it, and MG11s have already been completed by us and passed to CID. However, I see a note on the CRIS system which states that the CCTV system was not working/recording at the time this incident occurred, which is probably more of interest to you.

If you need anything else from me, let me know!

Cheers!

Matt 975

From: Lynch Mark A - MD
Sent: 20 June 2017 10:35

[REDACTED]

Subject: Charlie Chaplin 3017427/17

Good Morning

I believe you all attended the GBH at the Charlie Chaplin Public House SE1 on the 17th June 2017 in which two males were stabbed. Licensing are looking to take the venue to review this week for a number of licence condition breaches and the seriousness of the offence. I have seen on the CRIS that the bar staff and land were inebriated, would you mind doing brief statements stating that they were drunk, inebriated, intoxicated and how you were aware of this. I appreciate you are all very busy at the moment but these statements would really assist in closing the venue. If you could mail me the statement and I will come collect the hard copies

Many Thanks
Mark

Pc Mark Lynch 246MD
Southwark Licensing
Southwark Police Station
323 Borough High Street
SE1 3JL
0207 232 6756

WITNESS STATEMENT

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

URN

Statement of: Jason CHASE

Age if under 18: 018 (if over 18 insert 'over 18') Occupation: T/Detective Constable p228139

This statement (consisting of 2 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:

228139

Date: 22/06/2017

This statement is to detail my actions on 18/06/2017 in relation to attending a crime scene at The Charlie Chaplin public house, SE1 in relation to a male that had been stabbed.

On 18/06/2017 I was on duty in plain clothes employed on the duty of night duty CID call sign MD5 when at approximately 0010 hours I attended The Charlie Chaplin public house, 26 New Kent Rd, London SE1 6TJ in company with T/DC DEMPSTER in relation to male that had been stabbed at the location, CAD 10213/17JUN17 refers.

On arrival at the scene I liaised with PC BAILEY 975MD inside who apprised me of the circumstances of the incident. The venue was a crime scene and there were no patrons present. There was a barmaid behind the bar named 'Sharon' who pointed out some items on the bar that the suspect had been in contact with. 'Sharon' also directed me to the landlord of the venue and said 'he's the guvnor, he's on the brandy'. Sitting in the corner by the front aspect of the building was a male I now know to be Mr Craig MORISSON dob [REDACTED] Mr MORISSON identified himself as the landlord of the venue. He was drinking a large neat brandy from a brandy glass.

T/DC DEMPSTER and I conducted enquiries in relation to securing evidence and ensuring there were no outstanding lines of enquiry at the scene in our capacity as MD5.

Directly outside of the venue I spoke briefly with the barmaid 'Sharon' to ascertain if she was willing to provide a statement to officers. She stated she had witnessed the incident and appeared genuinely shaken by what had happened; she wanted some time to consider if she

Witness Signature:

228139

Signature Witnessed by Signature:

Continuation of Statement of: *TDC JASON CRAJE*
wanted to give a statement. Her eyes were glazed and her speech was slightly slurred, small bits of spittle came from her mouth when she spoke; she appeared to be drunk. If she had been willing to I would have taken a written initial account from her but I would not have deemed her suitable to take a comprehensive statement.

I then spoke with Mr MORISSON with regards to securing the CCTV footage from the venue. He stated he did not know how to burn the footage onto a disc. I asked him how long it was retained for and he replied he wasn't sure but at least for a period of thirty (30) days. I informed him we would arrange for someone to attend to acquire the CCTV at a later date. He was still drinking neat brandy and I could smell it strongly on his breath as he spoke even though we were outside in the open air. His eyes were glazed and he appeared mellow; he was drunk although not disorderly so.

I have never met Sharon or Mr MORISSON prior to this incident. I have never attended the venue prior to this incident. I was at the venue (inside the pub and the area outside) for approximately twenty (20) minutes in total.

 *22839*

Witness Signature:  *22839*

Signature Witnessed by Signature:

Not Disclosable

WITNESS STATEMENT

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

URN [] [] [] []

Statement of: James Glynn

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of 3 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: [Redacted] (witness) Date: 22/06/2017

This statement refers to my visits to the Charlie Chaplin Public House 26 New Kent Road London SE1 6TJ.

At the request of DC Brian Gillespie from Walworth CID I was asked to visit the public house in order to download some CCTV footage in relation to a violent incident. DC Gillespie stated the Landlord was unable to view the footage and did not know how the system worked.

I visited the public house at 0938 hours on 19th June 2017, the person I was told was the Landlord Craig Morrison welcomed me into the pub and to a small cluttered room that was located behind the bar. He told me he had used the CCTV system in the past but he was having difficulty getting it to work. The Digital Video Recorder did not have a commercial make labelled on it, the time displayed on the system was 0906 hours the real time was 0940 hours. The DVR was very warm to touch. The cameras appeared to be working correctly. As I entered the play back menu, I tried to select past dates to play back footage. I tried several times of different recent dates and including 17th June 2017. No data was coming up to playback. The playback function would not even playback footage from that morning. I told the Landlord that I was not sure if his system was recording any footage. I

Signature: [Redacted] Signature witnessed by:

went into the DVR's backup menu and again tried several dates to backup no footage was coming up again as if no data was being saved. I asked the Landlord for an instruction manual and he stated he did not have one. I told him the system appeared to be not working properly and I would go back to DC Gillespie with this information and that he may look to seize the DVR to retrieve footage. The landlord stated he would phone the for a CCTV engineer to have a look at the DVR to see if he could fix it.

I reported my findings to DC Gillespie later that day, he stated he would contact the Landlord and seek permission to seize the DVR.

On 20th June 2017 I spoke again to Mr Morrison who stated that the engineer had looked at the DVR and was not able to get it working either. He said I could come round any time and agreed he would allow for the DVR to be taken but his boss wanted a replacement DVR fitted in its place. That afternoon around 1200 hours, I walked to the Charlie Chaplin public house with a replacement DVR. A female member of staff who stated she did not understand CCTV systems welcomed me to the room containing it. I switched off the DVR's power and took out its camera feed wires and power source and began to put our replacement DVR in place. As I was doing this, I noticed that our DVR which was a QVIS serial VL-152 was not accepting the camera feeds on being powered up. I decided to put back the original DVR and explained this to the female member of staff who was working the bar. I successfully put the pubs DVR back but noticed a large crackle static sound coming from the power source of the DVR and also that slight movements of this wire would fluctuate the power and cause this noise. This appeared to me to be unsafe. I had reattached the camera feeds and the pubs DVR was working as before. The female staff member said to me that the engineer had be round and said there was 'no hard drive' in the DVR. This was backed up in my opinion by the DVR error message stating there was an error reading the disc. The female staff member said she would put the boss on as she didn't understand the CCTV system and it

would be better I explain to her boss what had taken place. I spoke to her boss from her mobile phone and explained my steps. He stated that the DVR had worked before, I stated that during my time and it would appear from the engineer's time studying the DVR that it was not working properly. I also warned him that the power supply seemed unsafe and may electrocute someone in the future. He stated that he would look into the situation as he thought the DVR was working. I then left the premises with the MPS DVR in my possession.

On returning to Wakworth Police Station, I explained to DC Gillespie what had happened.

