

1. Statement on behalf of the Claimant
2. Statement of Claimant
3. First Statement
4. Date of statement:

IN THE OXFORD COUNTY COURT

Case No: 2YK50373

B E T W E E N :

MR ALEXEI KOSYKHIN

Claimant

-v-

THE CHIEF CONSTABLE OF THAMES VALLEY POLICE

Defendant

STATEMENT OF

ALEXEI KOSYKHIN

Background

1. I am 45 years old and live in Windsor. I am currently at college doing courses in English and Accountancy. I was born in Astrakhan in Russia and after my parents split up I lived with my mother and we moved to Moscow.
2. In 1996 I was living in Moscow. I had completed a degree in Physics at Moscow State University and after leaving, I worked part time as a nuclear physicist in a laboratory in Moscow. However it was difficult to make a living and so I left that job and started doing other things and by 1996 I had a job trading fruit and vegetables following cuts in the science budget. I was living with my wife and son. My mother lived in a flat in a nearby block about 200 to 300 metres away.
3. One day, I came back from work late, some time around midnight. but when I got home there was nobody there. I was surprised and did not know where my wife and son were, so I decided to go to my mother's flat as I thought they might be there.

4. When I opened the door, which was unlocked, the flat was dark and I could not make the lights work. I could make out that the flat was in a horrible state. I saw what I thought was meat on the floor and the walls were covered in blood. It smelled terrible. I also saw some material on what I thought was the meat. While I realised something horrible had happened, I did not know what to do. I left the flat and noticed that the lift was not working. I remember running downstairs and walking towards my flat and bumped into my wife who was walking along. She was with some other people who told me that I ought to go home and that they would go to my mother's flat.
5. My wife later told me that they were non uniform police officers. While I was in the kitchen of my flat, they came round and told me that my mother had died.
6. I cannot remember everything. This is partly because of the trauma and partly because a lot of the therapy that I have had to deal with the trauma was to try to stop thinking about it and it has affected my memory. But I do remember realising that what I had seen was not meat on the floor but my mother who had been beaten so badly that she was unrecognisable.
7. At this point I thought my mother had been murdered by normal people. She was a trader in gold and jewellery and I wondered if it was because someone trying to steal from her. I knew that the police had previously tried to make her pay money to them, but this was normal and I did not think it was anything to do with them. I went to the local police station to talk to them about it and they told me that they would not investigate it as there was nothing to be done. I did not understand but felt I could not do anything else.
8. About two years later, my wife and I split up and I needed somewhere to live. I had kept my mother's flat and other people had cleaned it. But when I moved back, I would sometimes find drops of blood or other horrible things which caused me such distress I had to move out.
9. Some time after that, I met with a friend called Marina. I knew him as he was also a friend of my mother's and worked in the gold and jewellery trade. He told me that he had met a policeman who was very drunk. The policeman had brought him some gold and wanted to sell it urgently as he needed the

money. Marina recognised the jewellery as my mother's stock as it was unique because it was family antiques.

10. I went back to the local police and they denied that it was an issue and said that it was a mistake. I then went to Central Moscow to the police headquarters and spoke to them. They agreed to start an investigation and appointed an investigator. I believe he met with Marina to get the evidence.
11. Some time later, two local police officers came to my house with two people who were not in uniform. It is important to know that in Russia many police officers are in the mafia, which might explain why there is some confusion in some of the previous doctors' notes about whether it was the police or the mafia. Also, my English was not very good when I came to the UK, so I think that must have caused some confusion too. Unfortunately, many police officers are in the mafia and even those who are not, are influenced by them. These people who came to my house questioned me and told me that I had to drop the case. They said that what happened to my mother could happen to me. I said nothing but it was clear at this point that it was the police who had killed and robbed my mother and they were now threatening me. By this stage it was 2001.
12. One day, I received a telephone call from someone I worked with who told me that the police were looking for me. I was not sure what to do and I was frightened and I knew I had to get out of where I was staying in case they tried to find me. I planned to go to my father's house but I thought the police would know his address so I ended up moving in with my friend, Sergi, to hide.
13. While I was there, I applied for a visa to the UK which I got within a few weeks. It was a visitor's visa because I hoped that I could simply stay out of the country for a short while and then return when things got better.
14. While I was in the UK, I emailed my friends and my ex wife regularly to ask what was happening. I could not ask for specific details as I worried that somebody might see the emails, but I asked about the situation in general and politics hoping I could find a way back.
15. I did not make a final decision. I realised that the longer I stayed in the UK the better as there was more chance to understand the situation in Russia. But I

was really struggling with my mental health too. Every day I changed my mind, some days I would decide to go back and thought everything would be fine and then in the evening I would change my mind and think that I could be attacked. At this point I had still not been diagnosed with PTSD.

16. At that stage I was living in Southampton. I had money but it was beginning to run out. I then moved to Aberdeen because I thought it would be cheaper, in either November or December 2001. My visa was coming to an end and one night, the police came to the house where I was living. They asked who was living there but I was not there at the time. I got scared and went to the Shetland Islands.

17. While I was living on the Shetland Islands, my neighbour was from the council and I think he called the Home Office. They came to the house some time in February 2002 and I was arrested and taken to a detention centre near Glasgow, in Lanarkshire. While I was there I applied for asylum. By this point I realised I could not go back. I was held in the detention centre for eight months while they made their decision and there were two court hearings.

18. The first time I applied the Home Office said, "No" on the papers but I appealed to have a hearing. After I told them what had happened, the judge said that he believed me. The Home Office appealed but they lost and that was some time in 2003.

19. At that stage I was granted Humanitarian Protection and the right to live in the UK for the next three years. The Court said that I was a credible witness.

20. Shortly afterwards I moved to Slough, after I had been attacked in Glasgow. I had made some friends in the detention centre who were living in Slough so I moved there.

21. As soon as I could, I began looking for work as I was entitled to work when I was here under Humanitarian Protection. It took time for the Home Office to sort out my papers so that I could work but I started looking for a job as soon as I could. I couldn't find a job which used my physics degree, or my maths which was the part I was strongest at, and so I ended up working as a cleaner. I worked in several places, first in a Barnardo's school, then I worked

in Asda as a shelf stacker, then I worked in Tesco as a cleaner. I was working through an agency and was eventually placed in a school in 2006.

22. Prior to this, in 2004, I went to visit a GP and this was around the first time that my PTSD became more clear. He asked me if I had an injury to my throat because of how I spoke. It was then that I realised I might have physical features to what I was going through.

First police incident

23. On 1 August 2006, I was in my home, which at that time was at Cobb Close in Datchet. I heard some people banging on the door and shouting and swearing and I thought they were bad people because I had only moved to the property a month before and this had happened to me a few times because of the previous occupant, who I think may have been involved in something bad.
24. I telephoned the police to report what was happening but did not understand what they were saying to me. I later found out they were saying that the people at the door were police officers. I only partly made that out and did not really believe it because the people at the door were swearing and I did not think that police officers in the UK behaved like that.
25. I went upstairs because I was frightened but several police officers, including PC Doyle, broke down the floor of the flat and entered and came upstairs and found me. They were actually looking for someone else.
26. One of the officers was shouting at me and threatening me and the police were asking me information about my identity. I was so frightened that I could not speak, but I had some papers nearby which had my name and details on them. I gave them some documents which confirmed that I was here under humanitarian protection, but they ignored them and I was arrested and taken to Slough Police Station. They said it was because I was "illegal." I was held there for a while but then released without charge.
27. Eventually I went to see Slough Refugee Support who helped me do a complaint. I made that on 8 August 2007. During that complaint, PC Doyle

gave a statement and said that he was the person who had arrested me so I always assumed that he was the angry, shouting, officer.

28. The police officers who investigated the complaint dismissed it so I went to see solicitors because I thought that if I showed that I could find a lawyer to write a letter for me, the police would leave me alone. I told my solicitor that was all I wanted, for them to acknowledge that they had behaved badly and she even made an offer to settle the case before issuing it in court, but they ignored it.

29. On 13 March 2008, my lawyers sent a letter of claim for wrongful arrest, assault and battery, and false imprisonment. I know that this solicitor and the police's solicitor wrote to each other thinking that PC Doyle was the relevant person and in fact, until the current incident, I did not know any differently. On 27 July 2010, the police agreed to settle the claim by paying me compensation, which was more than I had asked for 2 years early. I did not care about the compensation really, I just hoped that it would stop the police from causing problems for me and since the complaint process did not really work, I thought that if they had to pay money, they would leave me alone.

The current incident

30. On 4 June 2009 at approximately 1.30pm, I was walking towards my house because I needed to get ready to go to work later. I was working as a part time cleaner at a nearby primary school at the time. My hours at the school were every weekday from 15:15 to 17:45.

31. I was walking up Barry Avenue towards my home up Goswell Road. I had just gone onto the corner and PC Doyle and another officer were in a police car. They pulled alongside me and asked me to wait a moment, which I did. They then drove around the corner onto Barry Avenue and I walked back towards the corner which was only between two and five metres behind me.

32. The female police officer stayed in the car and she did not speak to me. I do not know why she did not give a statement though, because she must have seen what happened. PC Doyle, got out of the car and approached me.

33. I did not know that he was PC Doyle at the time. But I did recognise him from the last arrest. He was not the arresting officer who was very aggressive in the last incident, but he was there so I remembered him. I also remembered him because in 2006 when I was in the cell at the police station, he swore at me with his middle finger through the door. I have not mentioned that before or in the last case because I thought PC Doyle was a different person so I didn't think it was important. I was also embarrassed because I did not want to copy bad behaviour in front of my solicitor.
34. The first thing that PC Doyle asked me was whether I was from Cobb Close. I told him I used to live there. He said, "I arrested you before so I have to check you again". He asked me to confirm my name. I told him. It seemed he could not understand me, perhaps because I was getting frightened again, so I wrote my name down and my date of birth and my signature, which are all in his notebook, in my handwriting. I strongly deny giving a false name as he says I did.
35. He did not give me any other reasons for why he had stopped me, just that he was checking me because I had been arrested before. He never told me why he was arresting me and did not caution me.
36. PC Doyle said, "You're on our list". I started getting really anxious and upset because I did not know what he meant about a list. He said he was going to arrest me and I kept asking him why, but PC Doyle refused to tell me. I said I would complain about him because I thought it would make him stop but I was really struggling to speak. The next thing I remember was him handcuffing me.
37. I remember seeing some people across the road and I was really embarrassed and upset. After this point my memory is not very good. My PTSD makes it very difficult for me to remember everything in detail if I am undergoing something I find traumatic. So I do not remember the journey and my next memory is of being at the front desk at the police station. Maidenhead Police Station is only 15 minutes away so I do not know what happened between the time that I was arrested and the time I arrived at the police station.

38. I remember the officers talking to me and I did not really understand what they were saying. I could not really speak and I asked for a pen and paper to be able to write things down but they refused. They kept telling me that I should talk to them but I couldn't.
39. I don't remember much of my detention at the police station, I just remember feeling scared and really confused because I did not know why I was there. I also think that there were two shifts. I remember the first shift being worse and the second shift being okay, but I don't remember enough to say anything specifically. One thing I do remember was that at some point somebody pushing their fingers behind my ears, but I do not know who, where or why. I don't remember seeing a solicitor at the police station but I saw in the custody record that it said I did see one. I'm not saying I did not, I just do not remember and I certainly did not get any advice.
40. The next day I was given an interpreter using a telephone. He told me that I had been arrested for stealing wine from a shop in Datchet. This was the first that I had heard of it and I was very shocked because I would never do something like that.
41. The only other thing I really remember was that at some stage I saw a doctor and I asked if they could help me, give me some anti depressants because I did not have my own medication with me. They said they could not which was very difficult. I saw the reports by the other doctors but I cannot remember seeing them or what happened. I only remember one doctor.
42. I also remember some people from some sort of community organisation who came to the police station who visited me. They helped me feel calm and so I was able to explain what had happened, and I think about half an hour later I was released on bail.
43. After I was released, I realised that the shop they had said I had stolen from was a shop that I knew as my friend Lucas worked there.
44. I called Lucas and explained what I had been accused of. He could not believe it and said that there must have been a mistake but he told me that he

had once introduced me to his manager so he could check if the manager remembered me because then he could call the police and explain.

45. On 9 June 2009 I received two text messages from Lucas. The first was at 14:56:04 and said, "Aley could you text me your name and surname plus crime number if yo have any". Then, at 19:23:44 I received a message saying, "Hi Alex. The manager of wine rack will phone up the police and try to sort things out. Don't worry!" Unfortunately I do not have that phone any more as I changed it but I had it when I gave my statement for the complaint.
46. I did not know the manager's name as I'd only met him once, but I was later told by Lucas that the manager had called the police to let them know that I was not involved in any thefts. I did not ask Lucas to be involved in this case because he had already helped me and I was embarrassed. I also thought that he would find it very difficult to help me do a case against the police because he would be scared.
47. I was bailed to return to the police station for 23 July 2009. As I knew that the manager had told the police that it was not me, I expected that the case would end. However, because I was scared of the police I took someone with me who is from social services. By this stage the council had put me in touch with, "Looking Ahead". I asked him to come to the police station with me but when we got there, the police would not allow him to come in and support me. They said that I could not have an appropriate adult.
48. I went through and the police officer told me that he was going to charge me. I looked at the charge sheet to check because I was so shocked. I told them that I had not done it and I told them that the manager had said it wasn't me, but they would not listen and they told me I had to sign it anyway. I kept looking at the charge sheet. For a few moments I was speechless, but I did not collapse.
49. I was charged with three counts of theft and for failing to provide a sample to check for drugs. I do not know what this sample thing is because I did not understand what the police wanted from me. I was not trying to resist or stop the police from doing things, even though I should not have been arrested. I just did not know what was happening.

50. When I came out of the police station, on 23 July 2009, I instructed a criminal solicitor to represent me from Asghar & Co. I had to go to Maidenhead Magistrates' Court on 12 August 2009. I decided that the matter should go to a Crown Court trial. I told my solicitor that I had done nothing wrong and that it wasn't me and I know that on that day he was given CCTV footage.
51. My solicitor told me that when he looked at the footage he knew it was definitely not me and that he was going to write to the Crown Prosecution Service (CPS) telling them that it was obviously not me. I have seen the footage, including the photograph that was given to PC Doyle and it does not look like me.
52. My solicitor told me that the CPS did not respond so we had to go back to Court on 7 October 2009. My solicitor was going to tell the Court that it was obviously not me in the footage and so the case should not proceed. By this stage I had told my criminal solicitor that I had made a complaint about PC Doyle and that there was a civil claim against the police in which he was involved, but he told me that he did not need to tell the Court that because the footage was obviously not me.
53. My solicitor eventually told me that the CPS were dropping the charges and that the evidence was, "Fatally flawed".
54. It was shortly after this that I contacted my civil lawyer who was suing the police in the first case and I told her about how PC Doyle was not the main person. I know she wrote to the police to tell them it was the wrong person.
55. I had seen the documents in the case and from the criminal documents I could see problems straight away. It looks like PC Doyle did not tell anybody that I complained about an incident in which he was involved and that there was a civil claim. I can see from his comments in his interview that he knew that I would be arrested and charged on his evidence.
56. I also found out that they had phoned my employer to ask if I could speak English. I was so embarrassed that they contacted my employer that it began to make things really difficult at work and I felt more and more embarrassed. I felt that they were suspicious of me of stealing because of the allegation

made by the police and eventually I had to leave that job because I could not keep going.

57. I also saw that the statement that the police took from my employer said the hours that I worked. The time of the thefts were all when I was at work. That was obvious straight away to me so why did they not ask if I was at work n those days?

58. I had had a lot of therapy to help me with my PTSD by this stage. In very stressful situations the symptoms would occur again, but generally I was getting much better.

59. My therapy had focused on what happened in Russia and how it affected my everyday life. I rarely spoke to my therapist about the English police and although I did speak about the first incident after it happened. My pyschologist Dr Nicholson used various things to help me. My psychiatrist had given me medication called Setraline. That medication made it very difficult for me to think clearly. It was effecting my studying, for example. But Dr Nicholson also used some sort of hypnosis and it helped me to stop thinking about things and stop remembering it all the time.

60. When all the incidents with the police happened it was my GP who suggested I start going again to see the psychistarist. He referred me to Dr Mahmood's department. I was so embarrassed about everything, I even took the papers from my criminal solicitor to show Dr Mahmood that I was not a thief.

61. My PTSD became really bad and I became so nervous that I lost my friends because I could not face them and keep in contact with them. I had to start taking Setraline again and it made me feel like a zombie. I was very embarrassed about being arrested and I thought that the school were suspicious of me. Before this I had no problems with work but they started saying that there were because I think they thought I was a thief, and it became really stressful and upsetting so I had to leave.

62. I was ashamed to take benefits because I really wanted to contribute to the country which had taken me in. This was even though I was on less money when I was working than if I took benefits. I thought that every possible

contribution was important, even cleaning toilets. But after all this I could not continue and I ended up having to take benefits.

63. I had also enrolled at a local college doing part time courses in English and accountancy. The medication did not help either with that so I was learning everything very slowly. After this incident, in 2009, I stopped the accountancy course as my PTSD had got worse again. I was on an increased dose of Setraline and I was suffering flashbacks, I was not sleeping properly and was not eating properly. For a few months after this happened, I would only sleep for two hours and I couldn't relax. I stopped going out and I lost a lot of weight. In the end I dropped the course because I did not think that I could do the exams.

64. In 2011 when I was feeling better, I enrolled for an English course. I have been trying to study at home to pass my exams. In 2012 I went back to study accountancy. The first course that I had used to do had been discontinued so I was looking for another college that did a similar one. I found one in 2012. I am still doing the course but have passed two exams and have one left. This is an Association of Accountancy Technicians course and I do a lot of it online and speak to the tutors. I am also doing a GCSE in English which is difficult as most of the people are native English speakers. I hope to find a job as an Accountancy Clerk even on minimum wage.

65. The worst thing about this whole situation is how frustrating and unfair it is. I feel I was not treated properly in society. When I did the second complaint their decision was obviously wrong but I decided not to appeal because I did not have any faith in it being looked at properly. If the police had looked at it and apologised I would not have done this again. One side of me really wanted to forgive, I even spoke to a priest about it and the church teaches forgiveness. All I wanted at the time was an apology but I feel that the officers were looking down on me as an ordinary person and that PC Doyle was only doing this to try and protect himself in the other case so I decided to carry on.

66. I was very scared of being convicted and getting a criminal record. I think that if you are convicted you can be sent back and I might get sent to Russia, although I am now a British citizen but at the time I thought it could stop me getting a passport and I would have to go to Moscow and face the Russian

police again. I know they spoke to my uncle only a few years ago asking for me again, so they have not forgotten me.

Comments on PC Doyle's ID Statement

67. In his statement in which he identifies me, he does not mention the complaint or the civil claim and that he knew he could get me charged as he said so in his interview.

68. I only lived in Datchet from July 2006 until October 2007 and I think I have only seen him five times in my whole life. The first time was when I was arrested in 2006, then I saw him on my way to the library in August 2006, the third time I saw him was while he was in the car once, the fourth time near my house. The fifth time was when he arrested me again. He says he saw me cycling every day in the statement. I never saw him so I do not understand how he can say he could see me every day. I felt he was exaggerating to make his identification stronger. And then in his interview he says that he only saw me on a weekly basis. This is very strange to me.

69. PC Doyle also knew that I have a strong accent and all that the police had to do was ask the people who dealt with the thief if they spoke with an accent.

70. Also when he contacted the school to ask about my English he could have asked for more detail about my working hours, for example they could have got a record which showed when I was working. I remember asking the school about it at the time and they said they had the records and would have been able to tell the police that I was there but even that did not make me feel comfortable with the school.

71. I also see that PC Doyle says it is still me. This makes me really sad as he is just covering for himself and this is not acceptable. He is a policeman and he should know not to do that. He cannot believe it is me, it looks nothing like me and he has changed my opinion of UK police officers because I always thought that they would be good, but now even if a crime was committed against me I wouldn't go to the police because I don't want to deal with them. It is not as bad as Russia but I am still very scared.

I believe the facts stated in this statement are true.

Signed:

Dated: