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| Client Details: Elaine Eannetta  DSCC Ref : obtained by firm | Instructing Solicitor : JP Legal  Police Station (or location): Cannock |
| Representative : D Stevens  PIN No : 6886 | Date: 18.4.2024 |

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| Times From To | | Action | Remarks |
| 09.35  10.15  10.45  10.55  11.26  11.55  12.05 | 10.15  10.45  10.55  11.26  11.55  12.05  12.48 | TRAVEL  WAITING  DISCLOSURE  ATTEND CLIENT  INTERVIEW  ATTEND CLIENT  TRAVEL | For OIC |

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| **TELEPHONE CALLS** | | | |
| Time | Date | Spoken To | Outcome |
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**TOTALS FOR ATTENDANCE & TELEPHONE CALLS**

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| Travel : 83 | Attendance : 1hr 20 | Waiting : 30 |
| Mileage : 36 | Telephone Calls : | Disbursements : £2.00 |

**OUTCOME:**

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| Court/ Police Station :  TO BE NOTIFIED | Date : | Time : |
| Bail : NA Conditions applicable : NA | | |
| Any representations regarding the above: NA | | |

**CLIENT DETAILS**

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| Name: Elaine Eannetta | Date of Birth: 28.7.1977 |
| Address:  19 Driffold  Sutton Coldfield  B73 6HT | Place of Birth: Sutton Coldfield |
| NI No.: JP675833B |
| Employment: deputy director of finance – Black Country NHS  Earns over Legal Aid rates  Client is married with 2 children under 16 |
| Contact Number(s): 07811 959525  Email: elaineeannetta@gmail.com | Dependents: |

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| DETAILS OF ARREST | |
| Police Station:  Cannock | Custody Record Number:  voluntary |
| Arresting Officer: 27179 Parker  OIC: [27179@staffordshire.poli](mailto:27179@staffordshire.poli)ce.uk  Email:  Ext: 07814 784478 | Request to Inspect Custody Record Granted: NA |
| Time of Arrest : NA | Relevant Time: NA |
| Place of Arrest: NA | Detention Authorised: NA |
| Allegation: s47 assault and theft | Date: 19/3/2024 |

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| Access To Client Delayed : No | Extent of Delay: N/A |
| Reason: NA | |
| Co-defendants: NO | |
| Name : NA  Address : | Representing / Unrepresented |
| NA |
| Name : NA  Address : | Representing / Unrepresented |
| NA |
| **Appropriate Adult Required :** NO | Name : NA |
| Relationship to PIC: NA | Contact No: NA |
| |  |  | | --- | --- | | If applicable, role of appropriate adult explained: | NA | | Does client wish to have appropriate adult in consultation: | NA |   **Interpreter** Required: NO | Name : NA |
| Time of call/deployment : | Time attendance requested : 10.30 |
| Time Client spoken to : | Time attended : 10.15 |
| Time between call & contact: | Reason for any delay (if any): N/A |

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| **CASE INFORMATION** | |
| Significant Statement: NO |  |
| Details: NA | |

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| **SEARCHES** | |
| Client Searched: NA | Consent Given : NA |
| S18 Property Search : NA | |
| Property Recovered : | |
| **SAMPLES** | |
| Samples Taken: NA | Type: NA |
| Consent Given: NA  Mandatory Drug Test : NO | Legal Authority/ Reason: NA  Result : |

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| **EVIDENCE IMPLICATING CLIENT** | | |
| Admissions: | MG11’s: x | Eye Witness: |
| Physical: | Technical: | Forensic: |
| Photographic: | Video: x | ID Issues: |

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| **CLIENT’S BACKGROUND** | | |
| Previous Convictions: NO | | |
| Details : | | |
| On Licence: NO | | |
| Outstanding Cases: NO | | |
| Currently On Bail: NO | | |
| Probation Officer: NO | | |
| Social Worker: NO | | |
| Health Problems: High blood pressure/mental health stress has been off work for 6 months but is on a phased return to work | | |
| FME called: Not needed | Custody Record Noted: NA | |
| Client fit and well : | | YES |
| Does Client wish to see a doctor : | | NO |

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| **INJURIES** | | | |
| Injuries : NA | Witnessed : | FME Called : | Custody Record Noted : |

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| **DISCLOSURE**  This lady and her husband are shareholders and owners of this care company, Fern Thomson-Yates is the victim, she has had an affair with client’s husband. Victim was under impression he was divorced.  PIC found this out and there were discussions between the pair of them and it was believed to be amicable.  On Tuesday 19th March Elaine has travelled from wherever over to Rugeley to one of the care homes in Rugeley where she had known Fern to be working and they had a big fight on the drive, there are 2 witnesses who have provided statements who work there together with the IP’s.  There were punches, a wrestle on the floor and some injuries to Fern which there are photos of and also mention that an earring has been ripped out and threw by Elaine and seen then to pick up and put it in her pocket.  Fern is saying Elaine turned up to the door asking to speak to her, as Fern went to the door and close the door she grabbed her hair and she fell and they rolled around on the drive, Elaine has been heard to say things such as dirty slag for shagging her husband, she fucks married men whilst punching a number of times, when also challenged due to it been a children’s care home one of the staff members said you need to leave, there’s a vulnerable child present, she said you don’t have kids here at moment, I know no fuckin kids that’s why I came now.  Fern is the Manager there and still working there.  Injuries to IP are swelling to right eye and left eye, marks behind ear and she had one hoop earring left.  There is a Co-op opposite there is CCTV of someone matching description of client arriving.  Other witness says Fern was dragged out and hit a number of times and they both had to be broken up. 2 x independent witnesses. All three corroborate. |

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| **CLIENT’S INSTRUCTIONS**  On the day there were a few reasons she travelled there as she had noticed a car going up and down down her road slowly, this had been happening for a while, she was convinced it was her, but didn’t know what her car was, she was a little bit intimidated by her as she had already dragged her out of her own house, spat in her face and slept with her husband, she was the one who knocked on her front door and pulled her out and assaulted her which has caused her severe anxiety resulting in her having to go off work sick.  She was just starting to go back to work, they are selling their half of the business and she thinks the other owner is now in collusion with the IP as she had had a text from him, telling her that her husband was still in touch with her.  The IP, after it had cooled down a bit had asked her for a conversation to put her side of things and thought once and for all she would go up there and check whether it was her car and try and have a coffee and a conversation with her. She knew that the child there would be at school and so drove up there with that intention. She saw the same car outside the works and knew then straight away it was her car that drives up and down the road.  She literally just knocked on the door to say can we go for coffee talk this through as because she had been harassing her she just wanted the IP to leave her alone. A guy answered the door and she asked to speak to Fern, he went to get her and as far as she recalled just carried on with his business, there was nobody else there at that time, it was a thin porch and she had stood with one foot in the porchway and as Fern came to the door she said to her “no fuckin way not doing this no way fuck off” and walked forward and grabbed her arm and tried to push her out, she was stronger and taller than her and she fell backwards out of the porchway, knowing she was going backwards and was going down as there was a bit of a ridge by the door, she grabbed out to stop herself falling back which she thought was her clothing, she never grabbed hair but Fern, when client went down, landed on top, she was scared and tried to roll from underneath on the floor, but Fern, she grabbed her hair and she was swinging punches to the back of her head, she acted instinctively to get her off hitting out but didn’t know if she contacted, the injuries could’ve been caused when she had been rolling around on the floor, she did scream “get off me you dirty slag”, and did shout something like she slept with people’s husbands but she didn’t take any earring this is complete fabrication why would she want to steal one earring out of somebody’s ear, she managed to get up on her knees but Fern did as well and she still had hold of her hair so she did grab hers back saying if she let go of her she would let go of her and the male worker told Fern to let go of her and she just went inside.  Client called police from her car but she believes she called police and made the statement first as it would jeopardise her job. She said all they did was be nice, when she came around on another occasion she had climbed over a fence to get to the house and had told her she was sleeping with her husband, she sat in the house and never lost her temper with her or anything.  She has pictures to show officer of events leading up to this on her camera where she has been harassing her and also photographs of her injuries from the assault.  There are other notes she has brought with her which she may wish to refer to also.  We discussed a pre prepared statement but advised her that there was a history she clearly wanted to get across together with photographs she wished to show and her denials. There were two other witnesses who had also made statements that she wished to give an answer to around the theft of the earring. On the basis of this I advised there would probably be more she wanted to say herself than could be put in a short written statement, and so if she was fine to answer the questions and raise self defence to advance this. She will say the staff members work for Fern and wouldn’t have a clue who client was at the time, and so she believes they wouldn’t be independent and it is clear fabrication what has been said in one of the statements. |
| Confidentiality Explained: Yes |
| Legal Representation At Police Station Free: Yes |
| Disclosure: Yes |

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| Advised Client on | S34 | Yes | S36 |  | S37 |  |

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| Offence(s) explained : | Yes |
| Other offences that may be applicable explained : | NA |

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| **Advised Client on all options in interview and charge (if applicable) as to no comment, give verbal account, opening statement, no comment and a Prepared Statement before, during or after the interview and/or a Prepared Statement at charge. The disadvantages and advantages of the options are explained as well as the nature and consequences of the option.** |
| Client Decides: answer questions |
| Reason: is pleading not guilty to both offences needs to advance her version of events at earliest possible opportunity |

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| **CLIENT ADVISED FURTHER ON** | | |
| Caution: Yes | Special Warnings: | Asking for a break in interview: Yes |
| Implications of Audio/ Video tape: Yes | NA  Demeanour: Yes | Samples: NA |
| Advised Client on fingerprints, photographs & DNA and right of retention : yes, if charged |  | Commenting on previous convictions: NA |

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| **IDENTIFICATION PROCEDURES** | | |
| If identification is an issue: NO | | |
| Advised the Client of the consequences of failing to consent | | NA |
| Advised the Client as to the identification procedure; | | NA |
| Does Client agree to participate in identification procedure. | | NA |
| If No, reason for refusal : | |  |
| **COMPLAINTS** | | |
| Advised Procedure For Complaints: NA |  | |
| Details of Complaint (if any): NA |  | |

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| **INTERVIEW** |
| Start: 11.26 |
| Finish: 11.55 |
| Officers: 21719 parker  Client/Ms Stevens – JP  This is assault/ABH and theft aware of what theft and ABH are would you like me to explain – ABH  Its s47 assault next level up meaning its bruising/swelling injury wise  So ok with theft – know what that means yes  Rights/Caution  Tues 19h March involving self and Fern Thomson – I know Fern she appeared house 6/10 climbed over gate knocked on door to tell me sleeping with husband  Where she works childrens home where husband director didn’t know her until 6/10  Theres been 3 months of consistent harassment from Fern and more recently discreet harassment driving up and down my road which has led to me going there, also received text from one of firm’s directors to say Fern and Barry had been in touch and had been making an allegation about the previous affair which is 6 months later so those 2 events made me think I cant cope with not knowing whether this woman would ever go away and leave me alone, I drove purposefully to the address in Hednesford to put to bed whether this was or not this woman driving up and down the road slowly, 2-3 times a week in early march, I did that and parked at Co-op and saw car was a discovery sport which confirmed it was her going up and down road and slowing down by my house, at that point I wanted to have a conversation to say please can you come and have a conversation which she asked for by text, I was gonna say please can u just leave us alone you are still working there was going to ask her to come for a coffee, I knocked on door gentleman came to door said pls can I spk to fern he said I’ll go and get her, as she approached I’d got one foot in the porch thought she might slam door and it wouldn’t solve anything, as she came todoorway she said no fkin way am I doing this no fkin way and came with aveermont kinda demeanor in a grip claw I have got a photo, as she did it with force she kinda pushed me, there is a lip on the porch and as did that I fell backwards and I just reached out to grab to stop self falling I beliee grabbed her arm we both fell backwards fern on top of me rolling around on floor, I kinda felt pulling of hair and something hitting back of head, all along had bruise sensation lots of blows to head I was just swinging to get free and there was hair pulling she was taller than me bigger than me on top of me, we were sort of both sitting or kneeling it felt like minutes Fern was screaming saying call the police, a gentleman to the right said yes they were calling the police I just said can you get her to let go of my hair and I will let go and take her inside so the man shouted to Fern and I let go she let go, the guy who took her in said you do know it’s a childrens home and I said I did know and there weren’t any there they were at school I walked to my car, got in the car and rang police.  Thank you I have questions as a follow up can you describe what wearing – red shirt and black trousers/jeans not sure which  Fern stated it all stems from relationship with Barry and she spoke to you for approx. 2 hrs at your home address and then had no contact since November 23  6/10 I agree she came to house knocked on my door and was having an altercation with Barry in the hallway and she said I’ve been having an affair with your husband and then there was various  The last message I’ve got is on the 29/10 me saying go away so I don’t know about November  What did she say – call me please I’ve told you I’m not lying here  Why did you approach her on Tuesday 19th – I believe she was harassing me and driving up/down road and I felt intimidated wanted to confirm whether her or not  And then I also received a text business from the business partner saying did u know they had been in contact via their friend paul and she was making an allegation against Barry and wanted to say can you please leave us alone and I’d had many messages so I said once and for all if this is all you need  So intention – to talk to her away from the site and to move everybody forward  What did you say to her – I didn’t get a chance to say anything she told me to fuck off and go away  How would you describe your use of language – I would say at the end as she went back into the property I said you dirty something maybe slag I don’t know 100 per cent to be honest  You were heard to shout dirty slag for shagging husband  Did you make any threats towards Fern – no  Did she say or do something that made you angry – other than fuck off go away and pushed me out of the door, grabbed my arm  Would you say you lost your temper – no afraid to be honest and just trying to get free  Lose temper easily – no she sat in my house for 2 hrs the night she said she slept with husband and I didn’t lost my temper  20th and 28th October she came to house and spat in face and pulled hair and I didn’t do anything I just went back in I have CCTV footage of that as well  What was your bodylanguage when you approached Fern – placid just waited at the door for her to come  Who started – Fern and I wouldn’t say a fight she laid her hands on me as I asked to speak to her at the door  Who lashed out first – she grabbed my arm  Did you hit Fern – no  So one of the witnesses said you pulled Fern out of the house and wrestled her to the ground – that’s untrue I was falling backwards and I did grab think was her shirt and she lay on top of me on the drive  So Fern has provided us with a statement she said your hand on head and you hit head off ground did this happen – definitely not  Fern and witness said during melee you punched her to head did this happen – she was on top of her and I remember moving to try and get free and receiving blows to the back of my head  Officer who attended took photos of Ferns injuries this is AN1, 2 and 3  Shows photos swelling to right eye, swelling to left side of face and scratch marks to left side of ear and marks under the neck – ok  Could you explain or account for these injuries from Fern – no unless it happened as we were scuffling on the ground for me to get free  There is mention as well of an earring of Fern AN5 taken during the fight one of those hooped earrings have you taken this – no  Witnesses said you threw it at house then collected it and put in pocket then said dirty slag she sleeps with married men is this true – definitely not  Any intention of taking this earring – no  Have you put this in your pocket – no sorry if I sound flabbergasted, im just gobsmacked  Did anybody give you permission to take items from Fern – no  Anybody forced you to steal the earring – I didn’t steal it  Did you hope to achieve anything by the stealing of the earring – no  So a staff member has asked you to leave as vulnerable child present you said don’t have any kids there and I know theres no fuckin kids there that’s why I came now any reason why you would say this – no I didn’t say that  What did you say – im aware childrens home believe theres no children there as they are at school and I did not use any language  Anyway you would know how would you know theres no children present – basically because the child in that property so it’s a fair assumption midweek that child would be at school, it was an assumption  Where did you get hit – in the back of my head and on my arm but it was more than a grip/squeeze than a hit on my left arm  Witnesses said when you left no visible injuries did u have injuries to face – just redness  Why didn’t you just walk away and avoid the whole confrontation – I couldn’t because I got pushed to the ground  Did you think of any consequences before you approached Fern – no I honestly thought she’d be like lets do this in a calm way as 6 months had passed  Had you consumed alcohol before incident – no  Any drugs or meds on day – no  Any medical condition/illness – high blood pressure and now severe anxiety  If you are medicated for that does it affect you – no  Would you say your behaviour is justified – yes I was acting in self defence to get out of a situation where somebody was on top of me  What was going through your mind during the scuffle – I wanted her to get off me this is scary I’m scared having never had a scuffle or fight in my life and a position I don’t want to be in again  Again did Fern give you permission to assault her – no  Would you say this assault was an accident –  INTERVENE advise client ng so doesn’t have to answer  Aware against law to unlawfully assault – im aware you shouldn’t assault somebody  Believe done anything wrong 100 per cent not  Anything further you would like to add – yeah would like to say witnesses can’t be independent witnesses when they work for Fern and theres a lot of fabrication in the statement from Fern, Fern is their line manager  In particular around the earring that’s plain lies and the witnesses to be honest some of what was said 100 per cent did not happen  Just to re-cap then I wont go through all q’s this is related to the affair, you went to have a calm conversation and go for a coffee, you state wasn’t a fight fern put hand on you pushed out door u tripped fell back wards and falling sensation you grabbed top and landed on top of you then a scuffle where you say self defence and arms swinging – from both parties  The injuries to fern have they intentionally been caused – no  And you say just happened in the scuffle where you wanted to get free – I don’t even know if they happened there and then to be honest  You said you’ve not taken earring/not picked up and that ring not on your person and you’ve acted in self defence you have denied assaulting Fern  You then said the witnesses can’t be independent and possibly some parts fabricated as well as Fern  Reports for ABH/theft  Caution 11.56 |

**FURTHER NOTES & REPRESENTATIONS**

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