

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 Neal Heffernen

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

This statement (consisting of:**2**.... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: 15/08/2009

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

On SUNDAY 12th JULY 2009 I was on duty in full uniform posted as the driver of QA18N in the company of PC 292QA HUBERT when we received a call to attend SAHARA LOUNGE, 3-5 STANMORE HILL, STANMORE to an informant that stated that he had been attacked by some Asian males (CAD 1589/12jul09 refers) The time of origin of this CAD was 0318 hours. On route we were informed that there was a second allegation that two (2) males had been "touching woman's arses" (CAD 1558/12jul09) The caller of this CAD was Jason QUAKE the owner of SAHARA LOUNGE. The time of origin of this CAD was 0314 hours.

We arrived on scene a short while later after this. On arrival at scene I saw that PS13QA Currie and Inspector GLEEN was speaking to two (2) IC3 males on STANMORE HILL further up from the SAHARA LOUNGE. One of these males is a male i now know to be XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX and the other was his cousin (I do not recall his name). Upon getting out of the vehicle I noticed that there was several people sitting outside the SAHARA LOUNGE in designated seats for the premises. There was very loud music coming from the venue. Two (2) males that stated that they worked at the premises approached me. They went onto tell me that the two (2) males that had been stopped by PS13QA Currie and Inspector GLEEN had been in the premises and were touching female customers bottoms. However the females had left and did not want to make any allegations. Upon speaking to the worker he was very quick to tell me that he had not been serving anyone any alcohol. He stated that the drunken people in the premises had come to the premises from other venues after drinking there. He stated that he was only serving people non-alcoholic drinks. I asked him did he have a license to do this and he stated that he had a license to do that and play music to 0400 hours. He stated that he just wanted to other two (2) males banned from the premises. I then went and spoke with to XXXX and his cousin who were with PS 13QA CURRIE and Inspector GLEEN, they stated that they had been assaulted by Asian males who had ran up the road towards STANMORE BROADWAY. It was clear that both males had been drinking; they smelt of intoxicating liquor, XXXXX's cousin was very unsteady on his feet and he had to lean against the wall to hold

Signature: Signature witnessed by:

Continuation of Statement of

himself up, their eyes were glazed as well as speech slurred. Both the males were drunk. They stated that they wished to go home and not make any allegations however it was clear that some kind of altercation had taken place due to the fact that XXXX'S cousin had an injury which appeared to be a small cut to his left eye. I told both males not to return to the SAHARA LOUNGE and then both males walked towards STANMORE BROADWAY stating that they were going home. The members of staff at the SAHARA LOUNGE stayed at the premises after police left and the music continued. (I did not realise at this point that this was against their license.)

I have driven past the location after this point on other night duties at a similar time of the morning and there has always been loud music coming from the premises and on some occasions there has seemed to be people sitting in the allocated seats outside the SAHARA LOUGE for the premises smoking shisha. All of the other premises on STANMORE HILL are closed at these times in the morning and the road would be quiet if it was not for the loud music coming from the SAHARA LOUNGE and the people sitting outside. I was disappointed by being called out to this incident at this time of the morning as the premises should not be playing outdoor music after 00:00 and similarly the premises should not have even been open to the public. It was a very busy SATURDAY night duty and we had very few units on so my time could have been spent dealing with other incidents where the public needed my help.

Signature: Signature witnessed by:

Witness contact details

Home address:

..... Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

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

Dates of witness non-availability

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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)

- | | | | | | |
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| a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | |
| b) I have been given the Victim Personal Statement leaflet | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | |
| c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | |
| d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A <input type="checkbox"/> |
| e) I consent to my medical record in relation to this matter being disclosed to the defence: | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A <input type="checkbox"/> |
| f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | |
| 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 <u>decline</u> their services: | | | | <input type="checkbox"/> | |

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): Station:

Time and place statement taken: