

WITNESS STATEMENT

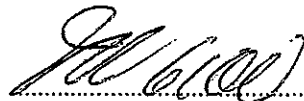
Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of Christopher Yarwood URN:

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

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: 14/6/12

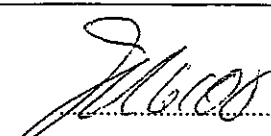
Tick if witness evidence is visually recorded (supply witness details on rear)

I am Christopher Yarwood Acting Detective Inspector at Torquay CID. Further to my previous statement I wish to add the following information.

On Tuesday the 12th of June 2012 a 17 year old male was arrested in connection with police enquiries into the Glassing incident at Cafe Mambo on Thursday the 10th of May 2012. This is still under investigation however certain information has come to light which I can disclose. This relates to the conduct of staff at Cafe Mambo and not to the incident itself.

Between 11pm and midnight on that night the 17 year old went into Mambo with a group of friends. He was not challenged at the door, or asked for any form of identification. He had a drink which he bought himself from the bar. He was not subject to "challenge 21" or any other way challenged over his age. An incident occurred, and the female friend he was with, pushed another person, then a fight ensued. He stated that "bouncers" who had seen at least some of the incident, took him downstairs to a room with the alleged victim.

He was searched, his wallet was searched, his details were taken and they let him go. He told the staff what had happened. They asked him how old he was and he told them he was 17. He stated " They obviously flapped and just let me go I think" he was asked why he thought that and said, "I think it is just because I was too young to be in there and that's why they let me go because they didn't want to get in trouble." He said that when the two staff found out how old he was they looked at each other in an awkward way, they said basically, "You're banned from Mambos and when your 18 you're banned as well and let me go." He corroborated other aspects of the incident already described in my previous statement such as the victim of the incident being in the room. He stated that he bought two alcoholic drinks himself and was tipsy but not drunk. He stated that a female friend was also drinking in Cafe

Signature:  Signature witnessed by:

Continuation of Statement of

Christopher Youwood

Mambo and that she was in the year below him in school. He believed she was either 16 or 17 years old. She has been identified and is 16yrs old. She also had been drinking in the club and was in a different group to the 17 year old. The comments of the 17 year old were in reply to open questions about what had happened on the night, including open questions posed by his own legal representative, and I have no reason to doubt his account. This account, together with the information provided by [REDACTED] indicates that Mr Towersley, and his door staff knew the name, and date of birth of the suspect for this crime, and deliberately concealed this information by failing to record the details, and failing to supply supply information when asked to do so by investigating officers.

The investigation has been seriously hampered, and is threatened, by the fact that there is no CCTV to assist in clarifying who did what, by the failure of Cafe Mambo to report the incident, and by the failure of the Designated Premises Supervisor, Nathan Towersley, to supply the details of the suspect when asked to do so.

The above information supports my submission this was a deliberate and irresponsible cover up, in order to protect business interest. As a result public safety has been compromised and the course of justice impaired.

In addition I have seen a five or six line statement signed by the victim of this Grievous Bodily harm offence. This was handed to me with a statement from Nathan Towersey at the Expedited Hearing and is still in possession of managers of Cafe Mambo. Also present when this document was shown by Mr Campbell, was Mr Watson (Barrister acting for the police), and Mrs Smart (licencing officer). I was told that [REDACTED] (victim) had voluntarily attended the club, and asked to make a statement which was then typed on his behalf, and signed by him. It contained words to the effect that [REDACTED] approved of the way Mambo had handled the incident, and that he had not wished to report the matter to police.

[REDACTED] says that he was, in fact, approached by "Nathan" in the club, and asked to go to the office. Whilst there he was asked to make a statement on behalf of Mambo. The statement was typed by Mr Towersley without [REDACTED] having any input on what was written. It was then offered to [REDACTED] who signed the document. It is unclear whether he read it, but the investigating officers think it unlikely as [REDACTED]'s education has been disrupted over the years by lengthy absences through treatment for Leukemia. They are certain he would not understand the implications of signing such a document.

[REDACTED] is a key witness in this investigation and the approach to him is at best highly inappropriate, and presents even more problems for the investigating officers in terms of disclosure. This investigation will continue over the coming weeks.

Signature:

M. Jones

Signature witnessed by: