

## Witness Statement

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

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Statement of: **Wesley Abercrombie**Age if under 18 (if over insert "over 18"): **Over 18**Occupation: **Police Constable 7181**

This statement (consisting of .....2..... Pages(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: **W.ABERCROMBIE**Date: **21/112020**

I am Police Constable 7181 ABERCROMBIE currently based at TORQUAY POLICE STATION working as a Neighbourhood Beat Manager. This is my statement relating to a licence check that I was asked to conduct by PS BIRCH 12856 at SPORTYS, BELGRAVE ROAD, TORQUAY.

On Wednesday 11<sup>th</sup> November 2020 I was on duty in full uniform utilising the call sign SB131 in company with PC 5488 THOMAS. At approximately 1530hrs we were on routine patrol in an unmarked police car which if fitted with blue lights when we were contacted by PS BIRCH asking us to conduct a licence check on SPORTYS BAR, BELGRAVE ROAD, TORQUAY as he had received information from a unknown source that there was a breach of Covid regulations happening at the property.

On arrival at SPORTYS BAR, I have parked our vehicle at the rear of the property which is CHURCH LANE. PC THOMAS and I have then walked along the lane and onto the car port that is located at the rear of the bar. As I approached the steps that lead down to the back door of the bar, I could see that there was light on inside of the bar, music was playing and could hear male voice from inside who were shouting and laughing. Due to hearing this I have started to walk down the steps towards the back gate which was closed and when I have gone to open the gate it was bolted from the other side.

Due to the gate being locked, I have walked back up the steps to the car port to see if I could slide the bolt across on the gate so we could get access to the back door to speak to the people inside. I have tried to use PC THOMAS baton to unlock the gate, but the baton was too thick for me to do this. I have had a look around the car port and have located a thin bit of wood lying on the floor. With this bit of wood, I have managed to slide the bolt across and open the gate. Now that the gate was open I have then walked down the steps towards the back door and this is where I could see a couple of silhouettes from inside and they were playing pool and this is when I have knocked on the door. On knocking the door the people inside did not reply so I have knocked on the door again and this is when a male

Signature: **W.ABERCROMBIE**Signature Witnessed by: **N/A**

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wearing a white shirt walk towards the door and he shouted through the door "HANG ON A MINUTE" and has walked away and towards the other side of the room.

After a few seconds the music from inside sounded like it had been turned off and the voices had stopped. The male has then walked back towards the door and has opened it and greeted us before letting us inside. When inside I have asked the male who I now know to be Jim LANG if he was "OK" before asking him "WHERE IS EVERYONE HIDING?" to which the male replied, "THERE IS ONLY ONE UPSTAIRS". I have explained to LANG that it sounded like there was more than one other and he replied, "YES THERE IS". I asked LANG again where the other people were, and he told me that he would go get them. LANG has started to walk to the front of the bar, so I have asked him if we could have a look around to which he replied "YEAH, YEAH. THERE IS ONLY TWO OF US HERE PLAYING A BIT OF POOL" and has then walked back towards me. LANG has then opened a door that is located on your left as you enter the rear, and this led into the cellar and whilst turning the lights on for the room said, "I CAN'T BELIEVE ANYONE WOULD HAVE COMPLAINED". LANG kept telling me that it was remembrance Wednesday and that him and a friend were just having a couple of drinks and that he would get "██████" down in a minute. I asked LANG if he was the licensee and he replied "YES".

LANG went on again about it being remembrance Wednesday and how they wanted to celebrate what people had done for us to which I made no reply to him. We have walked back into the bar area and was stood next to the pool table and I have explained to him that there was definitely more people inside when we knocked on the door and LANG said "THERE IS ONLY TWO OF US. ██████'S OVER THERE AND I'M OVER HERE". I asked LANG why the male would run off before he answered the door to us and he replied, "BECAUSE I SAID TO THEM GET UP STAIRS BECAUSE IT'S THE POLICE AROUND". I have then asked LANG if we could have a look upstairs to which he said yes no problem but was only willing to let one of us upstairs, so I have let PC THOMAS go with him whilst I waited down stairs.

As PC THOMAS and LANG went upstairs, I have looked around downstairs and on the bar counter nearest the pool table I could see two empty beer glasses and on that was  $\frac{3}{4}$  full containing what I thought was cider and blackcurrant. To the counter that is located to the rear wall, that is located to your left hand side as you walk through the back door was another glass that had alcohol inside and there was another glass with a bottle of vodka underneath a table and a bottle of lemonade on top which is located directly behind the pool table to the right hand side. After approximately a couple of minutes another male has walked into the bar area and identified himself as ██████ and when I asked him who else was here, he told me that there was "THREE OF THEM". ██████ was talking to me and was

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asking me what I thought about the COVID situation and that he didn't think it was real. During the conversation with [REDACTED] he has lit a cigarette in front of me and started smoking it throughout the conversation. After a few minutes' PC THOMAS has walked back into the bar area with LANG and another male. PC THOMAS explained to LANG, [REDACTED] and the other male that they were breaching Covid regulations and that the regulations were in place for a reason to stop the spread of the virus and to protect lives and whilst talking to them [REDACTED] was still smoking and has taken a sip of his drink that was on the shelf. LANG and [REDACTED] were quite argumentative and both told us that they didn't believe in Covid and then in another breath LANG told PC THOMAS that he had caught Covid and had recovered from it within a week. PC THOMAS explained to LANG, [REDACTED] and the other male that they would need to leave and told LANG that we would have to report back to Julie SMART explaining that he had breach Covid regulations.

The serial number of my camera is P12468. At the time of writing this statement the footage has been uploaded onto DEMS360.

===== End of Witness Statement (ALWAYS Enter Text ABOVE this Line) =====

Signature: W.ABERCROMBIE

Signature Witnessed by: N/A