

**WITNESS STATEMENT****Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s. 9**

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Statement of: PC Neal Hutchings 2754AW

Age if under 18: OVER 18

(if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of 2 page(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:

~~(witness)~~

PC Hutchings 2754AW

Date: 24/05/2020

This statement refers to a licensing visit carried out at JACK'S which is café which is allowed to sell alcohol, 152 WANDSWORTH BRIDGE ROAD SW6.

On Friday 22<sup>nd</sup> of May 2020 at 18:00 hours I was on duty in full uniform, I was in company with my colleagues PC JACKSON 3172AW and PC KARBOWNIK 1340AW. We had been asked to attend the venue with two council licensing officers. This visit was asked to be conducted by PC KARBOWNIK 1340AW by PC Tom STEWART and myself and PC Jackson 3172AW were requested to attend as extra numbers to avoid any breach of the peace.

We had arranged to meet the two licensing officers at a junction near the venue just before 1800 hours. When we had met up we switched on our body worn cameras and walked partly down the road to JACK'S property, which we entered at approx 1805 hours. JACKS itself appears to be a café when looking in from outside, as it has a glass protected counter the length of the serving area with food, but this then goes into a brick walled, paved back garden. We could see that JACKS was very busy when we entered, with three people in the serving area and lots of people congregated on garden furniture in the back, all with pints of beer on the table.

When the council license officers entered we followed them straight to the back of the premises with our body worn cameras on. As we walked past the three men in the serving area one of them took offence to this as he was the owner of the venue. He asked who they were and the licensing officers showed their ID, to which the owner stated that they were "RUDE". Pc Jackson 3172AW stated why that the reason for our presence was that the licensing team were worried about the breach of COVID regulations in having a large number of people congregating in the back garden area drinking, we then stated that our body worn camera's was recording audio and video. I then followed my colleagues into the back garden where I tried to explain to the customers that they were breaching the regulations congregating and drinking, to which there were two groups that instantly left but some other customers stayed. Other customers asked why police had not moved on the large number of people who had congregated on beaches and open spaces during the week's hot weather. I stated that I didn't know anything about this and I was concerned that there were so many people who seemed unwilling to listen to the guidance given and being asked to leave as part of the police's engage, encourage, explain, enforce strategy. A lot of them were quite intoxicated.

After a short while speaking to some customers trying to explain to them why they should not be there congregating and drinking in a beer garden, the owner of the venue came out very aggressively. I saw him arguing with the council officers and then asking why we were there, I then saw him arguing with Pc Jackson 3172AW who stated that their had been complaints, to which he asked why other premises were not being treated the same way for serving people in the same way. He then started cutting off the licensing officer and raising his voice.

As I was speaking to the customers, I heard the owner talking more aggressively to the licensing officers, and shouting at them to "GET OUT". He repeated this several times while the licensing officer was speaking calmly and then told the licensing officer to "FUCK OFF GET OUT", before walking away. At this point Pc Jackson 3172AW tried to calmly warn the owner of the shop of his behaviour and language, to which Pc Jackson 3172AW was in turn told to "FUCK OFF", followed by "GET THE FUCK OUT, GET THE FUCK OFF MY

PREMISES". He kept shouting at the licensing officers stating that they was not allowed to be there. He continued to swear and described a neighbour as a "SILLY BITCH".

At this point I had told the owner of the shop to stop swearing and calm down he was not listening, I made him walk away from the other officers and I then said to this male "if you wanted to act like a child I would threat him like a child, there is only one place you are going tonight if you carry on like that and that is custody" I went on to state that he would be arrested if he carried on this abusive behaviour he calmed down lowered his voice and then talked normally.

The owner then went with the council officers and Pc Jackson 3172AW and Pc Karbownik 1340AW to the front of the shop, I then had another long period of having to try and explain the COVID regulations and guidelines to argumentative customers.

After approximately 10 minutes the customers started to come to the front of the venue on the pavement on WANDSWORTH BRIDGE ROAD. The owner still refused to engage with the licensing officers other than to argue that having the customers drinking on the street at the front was worse than having them at the back. Then followed a long period of trying to explain the regulations to drunk punters again.

I then stated to the owner of the shop that if he continued to breach his license and not comply with the COVID 19 regulations and guidelines then he would lose his license, I then warned him not to carrying on letting customers drink in his shop and that police will be working over the long period of the bank holiday doing COVID 19 patrols checking on all venues selling alcohol, he understood this but I got the feeling from him that he would breach his license again, he was offered the copy of the council letter he had already been given on the 15th May, the owner refused to take it so it was left it on the table outside the front of the property and we made him aware it was there, we then left the venue.

I returned to Empress state building and I docked my body worn footage of this incident which I exhibit as NH/1 (1) one body worn footage

On the 24<sup>th</sup> of May 2020 at 14:25 hours, I was on duty in full uniform and again attended the venue along with two police officers who worked at Westminter licensing team, one of the officers was a Pc Dewltz, I was asked again to attend the venue by Pc Stewart ( who is the Hammersmith and Fulham licensing officer ) as the owner of Jacks cafe had again breach his license on the 23<sup>th</sup> of May 2020 letting customers into his shop and drink alcohol in his yard at the back of his shop, we entered the venue and saw three males drinking alcohol at the front of the shop, their was a table at the front of the shop and two males was sitting down drinking alcohol, we spoke to two ladies who was working behind the counter as the owner of the shop was not in the premises, Pc Dewltz ( the licensing officer ) then stated to the two ladies working behind the counter that they had again breached their license and get the customers to move away from the shop, both ladies understood this and was happy to move the customers away from the venue.

Pc Deweltz then gave one of the workers a copy of the licensing form to what they can do and cannot do as part of their license, they was even infortmed that they can look this up on the internet and read about the guildelines of the COVID 19 regulations.

After a few minutes the customers moved away from the venue and we left the property.

I returned to Empress state building and I docked my body worn footage of this incident which I exhibit as NH/2 (1) one body worn footage.

Signature:  27584AW

Signature witnessed by:

**Witness contact details**

URN

Name of witness: PC Neal Hutchings 2754AW  
 Home Address: EMPRESS STATE BUILDING,  
 EMPRESS STATE APPROACH, LILLIE ROAD SW6  
 E-mail address:  
 Neal.K.Hutchings2@met.pnn.police.uk  
 Home Telephone Number:

Postcode: SW61TR

Mobile:

Work Telephone Number:

Preferred means of contact (*specify details for vulnerable/intimidated victims and witnesses only*):

Gender: MALE

Date and place of birth:

Former name:

Ethnicity Code (16 + 1): 1

**DATES OF WITNESS NON-AVAILABILITY:** N/A

**Witness care**

- a) Is the witness willing to attend court? Y If 'No', include reason(s) on form **MG6**.
- b) What can be done to ensure attendance? N/A
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? (*youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case*) N/A If 'Yes' submit **MG2** with file in anticipated not guilty, contested or indictable only cases.
- d) Does the witness have any particular needs? N/A If 'Yes' what are they? (*Disability, healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?*).

**Witness Consent (for witness completion)**

- a) The Victim Personal Statement scheme (victims only) has been explained to me Yes  No
- b) I have been given the Victim Personal Statement leaflet Yes  No
- c) I have been given the leaflet "Giving a witness statement to the police..." Yes  No
- d) I consent to police having access to my medical record(s) in relation to this matter (*obtained in accordance with local practice*) Yes  No  N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence Yes  No  N/A
- f) I consent to the statement being disclosed for the purposes of civil, or other proceedings if applicable, e.g. child care proceedings, CICA Yes  No  N/A
- g) **Child witness cases only.** I have had the provision regarding reporting restrictions explained to me. Yes  No  N/A   
 I would like CPS to apply for reporting restrictions on my behalf. Yes  No  N/A

*'I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court'.*

Signature of witness:

PRINT NAME: PC Neal Hutchings

Signature of parent/guardian/appropriate adult:

PRINT NAME:

Address and telephone number (of parent etc.), if different from above:

Statement taken by: PC Neal Hutchings 2754AW

Station: EMPRESS STATE BUILDING

Time and place statement taken: 1800 hours

EMPRESS STATE BUILDING SW6 0 27/05/2020