

**RESTRICTED (when complete)**

MG 11 (T)

**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 DALY 2364EA..... URN: 

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

This statement (consisting of: ..... 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: ~~12/10/2018~~ 01/08/19Tick if witness evidence is visually recorded  (supply witness details on rear)

This statement relates to my attendance in the capacity of a police licensing officer at the 2019 WEARE FESTIVAL at DAMYNS HALL AERODROME, UPMINSTER and during the licensing process.

- The first section of this statement details observations recorded during the festival.
- The second section provides an over view of the revised process pre-festival including the provision of documents pre-festival.

**Section 1 – Observations during festival 2019.**

1. During my attendance at the festival I made contemporaneous notes in an EAB, I exhibit this EAB as OPD/1.
2. From notes taken in OPD/1 I recorded the following observations:
3. Friday 24<sup>th</sup> May
4. 18:15hrs – Six males walking road from Gate H towards Gate A, winding rds, no traffic restrictions, no stewards
5. 19:25 – attended FREEMANS bar training – present was Keith Bush, Kasey Conway, Adrian Studd. Presenting the training was Mark Worthington.
6. 21:10hrs – bar 11 attended, one refusal recorded in the book. Bar was not busy.
7. Saturday 25<sup>th</sup> May
8. 16:16 hrs – attended off licence in Upminster and witnessed staff serving open containers to customers in shop. Shop warned about breaches of licensing act. Venue closed voluntarily for weekend shortly after visit.

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Continuation of Statement of PC DAW

9. 17:35 – attended the main entrance via the arena. Shortage of security evidence. Spoke to male who had no wristband, stated he was pushed through from behind with no search taking place. Queue monitored and no evidence of any searching taking place.
10. 18:00 – witnessed male being attended to by medical staff at main entrance beyond search gates. Male clearly having medical episode. Bag and IV line administered by medical staff. Pads from defibrillator removed from packaging and placed near male.
11. 18:37 – Bar no. 4, prem licence displayed, 5 refusals recorded
12. 19:23 – test purchase conducted with LA. No ID requested at VIP bar.
13. 19:32 – TP conducted with LA. Failure at bar opposite "The Maze". Server FIC3, large build with pigtales.
14. 19:44 – TP with LA. Pass at bar 11, ID requested.
15. 20:02 – Pass at bar beside WEARE BASS.
  
16. From 19:23 to 20:02 witnessed five drug incidents whilst conducting TP OP.
17. IC3 male with grey joggers and no top removed drugs from waistband in front of G force ride. Also IC1 male with IC1 female snorted white powder from hand in front of G force ride. Group of IC1 males snorting white powder from hand in front of bar 11. Whilst walking from WEARE BASS to production tent witnessed IC1 male breaking orange tablet in half and consuming. Two ic1 males seen white small white snap bags of white powder.
18. 21:22 – Travelled from arena into campsite along with PC CLAY AND PC KIDDLE. No checks or searches conducted whilst walking through.
19. 00:30 – Left site travelling to Upminster, several people seen walking in the road. Photographs taken.
  
20. Sunday 26<sup>th</sup> May.
  
21. 14:30 – attended main arena front gate, queue system in place, extra lanes, ticket checks placed before search lanes to allow movement between checking systems.
22. Enhanced search – long queue of approx. 15 persons waiting to be searched. Eviction team not clearly defined. Several jumpers at fence at rear of eviction tent. Comment made by security that HERAS fencing placed in wrong direction allowing jumpers to use as a ladder. Approx 20 jumpers seen one seen detained.
23. 17:20 – Attended VIP area along with PC CLAY, PC KIDDLE and LA officers to conduct TP. Witnessed three males sharing white powder from hands. Males detained and admitted possession of class a including snap bags of cocaine and sixteen MDMA tablets. Males taken to rear of VIP area towards production gate for ejection.
24. 17:30 – breach at production gate, approx. 15 males seen entering and running away from security towards event control and into arena.
25. 17:40 – Male detained at front of event control. Male subsequently searched and arrested in possession of large quantity of class A drugs and cash. Currently under investigation – full details of arrest recorded in separate EAB.
26. 20:15 – TP along with LA at Bar 5, failure to request ID. John Freeman spoken to regarding series of failures to request ID. Stated that there had been retraining conducted with all staff. Raised concerns of security not being allocated to bars.

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Continuation of Statement of REDACTED

**Section 2 – Pre-festival process**

1. Following the 2018 appeal at Havering Magistrates court in relation to the full premises licence, several key dates were added to the licence conditions for the premises licence holder to provide documentation to the Responsible Authorities (RA) by.
2. Documentation was provided on time by the organisers.
3. The content of that documentation did on occasions fall short of the level of detail that had been provided in previous years.
4. An example being the detail in the security plan on the 12<sup>th</sup> April 2019.
5. On the same date the previous year the plan was on version 2, at the same point in 2019 it remained on version 1 with several key considerations missing.
6. I recorded observations on security plan on the 12<sup>th</sup> april and they are detailed below:

**Security plan 2019**

Remains on version 1, there are considerable gaps in the plan which can be compared with v2 which was published in March last year. Summary of absent contents below with key points.

Absent contents:

Pre show search regime

what measures are in place for set up and staff searching. Previous years have found staff in possession of substantial amounts of class A and weapons.

Security numbers 2019?

Previous years numbers based on 30k attendance:

|      |      |
|------|------|
| 2018 | 2017 |
| 493  | 207  |

Based on 35k attendance:

|      |      |
|------|------|
| 2018 | 2017 |
| 576  | 507  |

Licensing Act considerations absent from security plan?

How does security plan reflect licence conditions?

Enhanced search tent, cctv coverage in tent, staff recording details of persons searched

Searching of vehicles and persons pre event and on entry – detail required absent from security plan

Drugs policy for event

Amnesty bins, emptying of and on site testing considerations

Transport hub – no mention in security plan. Previous issues involve sale of NOS pre event and fights at bus queues post event. Fights were well managed as plan was in place with appropriate staffing and queue system

Car park patrols?

Campsite and more importantly staff campsite patrols. With two rapes reported last year staffing levels in staff campsite should be greatly increased. 2018 staffing report details 73 persons on campsite through course of the day, this was not separated between campsites. Expectation is a designated staff campsite security plan based on sexual assaults recorded with victims under the influence of alcohol and drugs.

Perimeter and observation tower considerations

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Continuation of Statement of PC DAW

27. Mon 27<sup>th</sup> May

28. Attended Hot debrief on site. Provided document to event organisers and outlined concerns regarding potential breaches of the licence. Text contained within document below.

**WEARE FESTIVAL 2019 – DEBRIEF 27/05/2019**

Licence – Potential breaches sec 136 LA2003

Below are conditions of the premises licence which may have been breached during the course of 2019 festival. (N.B. The EMP contents also form part of the licence as per condition 7 of the premises licence, at this debrief the EMP has not been interrogated for any potential breaches)

Conditions:

3. The premises licence holder shall appoint suitably competent persons who shall prepare and implement the plans included in the Event Management Plan (EMP).

Note: Whilst the wording of the condition does not clarify whether the same person can perform multiple roles the appointment of an individual whose sole responsibility is security co-ordination may be necessary

34. The licence holder will operate a 'Challenge 25' policy at all bars.

Of eight test purchases conducted four were failures. Four were conducted on Saturday, consultants and freemans were informed of failures and additional training was provided on Sunday morning. In spite of training there remained a 50% failure rate.

37. Numbers of security personnel shall be agreed by the LA prior to the event and included in the final EMP.

Requires verification and evidence that numbers detailed in EMP were actually numbers on site.

38. Persons, equipment and vehicles shall be searched on entry to the designated search area, including staff, contractors, artists and VIPs in accordance with the searching protocols agreed with the Police and included in the final EMP. The premises licence holder shall deploy passive drug detection dogs at all entry points to the designated search area in consultation with the Police.

Various breaches at various points across weekend. Includes main arena breach, jumpers of fence and industrial scale evidence of nitrous oxide on site.

46. A steel shield fence be erected around the perimeter of the campsite and event as shown on the site plan and constantly monitored by security staff.

Were staff monitoring the fence at the rear of the enhanced search tent then prior warning could have been given to security to deploy to that area, as witnessed by officers security were unaware that there were potential fence jumpers.

Comment – The above licence conditions have been added to the licence as a means of ensuring that issues from previous events are managed effectively. They also place a legal requirement on the premises licence to ensure that the conditions are adhered to. Whilst there could be a legal argument that they may not constitute breaches, were those conditions embraced by the premises licence holder then issues that arose over the weekend could have been avoided.

Crimes (as of 07:30 27/05/2019, recorded on cris, details of incidents not interrogated)

Summary:

Total 41 recorded crimes.

Breakdown:

- 2 X ABH
- 1 X COMMON ASSAULT
- 1 X GBH
- 16 X PWITS DRUGS
- 3 X POSSESSION DRUGS
- 2 X ROBBERY
- 16 X THEFT AND OTHER

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Drug dogs

Comms and communication plan

Accreditation

7. The Crowd Safety plan for 2019 was provided on the final date available to avoid breaching the licence conditions.
8. There had been considerable discussion around the document, this had been raised at a security meeting on the 22<sup>nd</sup> March 2019 by T/Supt Piscopo.
9. Mick Bowles had stated that Eric Stewart would be writing the plan. This did not turn out to be the case with MB writing the plan.
10. Within the crowd safety plan there is no mention of the introduction of digital wristbands. A search on the entire EMP reveals limited mention of wristbands throughout. There is no mention of any digital wristband systems being in place for the 2019 festival.
11. The digital wristband system introduced depended on the wristbands being scanned by staff at the entry gates, data was then transferred and the wristband activated.
12. The cause of the delay at the front gate, by the admission of the event organisers, was the introduction of these wristband and the necessity for them to be scanned and activated.
13. In preparation for an appeal of the condition attached to the 2017 festival regarding the introduction of ID Scanners, WEARE festival commissioned a report by Mind Over Matter (MOM) consultants. Exhibit OPD/2.
14. The MOM report states in the foreword "Mind Over Matter Consultancy Ltd (MOM) was appointed by We Are FSTVL to conduct an impartial enquiry into the efficacy of providing ID scanners at the 2017 festival."
15. The report itself is 55 pages long, there are observations on the festival ingress and egress policies, a test case of utilising ID scanners and observations on crowd safety as a whole.
16. In 5.12 the author comments: "As Fruin states in Causes and Prevention of Crowd Disasters, the aim of crowd management is "... to prevent the build-up of large accumulations of patrons particularly
17. within short time periods in confined spaces" Fruin (1986:48-53).
18. At 10.3 the author makes the following observation: "Paragraph 5.7 provides a range of aspects which need to be taken into consideration including: increased force, lack of information, inappropriate design, inadequate space and the management of crowd flow and density. The institution of a full scanning system, which doubles ingress time will affect a number of these aspects."
19. At 10.7: "The situation of the scanners at the gate focuses the ingress in one area and the extra time afforded by the introduction of a time rich process will inevitably increase queuing and the build-up of attendees. In the test protocols carried out; as already identified, the time taken to pass through the initial system would be substantially greater. Which could cause issues for those awaiting scanning or trying to gain access to the festival. In such cases evidence shows that attendees use varying amounts of ingenuity to try to gain access. This is true of festivals, sports events and railway stations where the author has conducted many major studies in the past."
20. At 11.9 – "Any increase in pre-ingress activities must be met with a concomitant increase in security/crowd management/customer care staff as it is clear that when new activities are folded into the process, then the existing staff have to work much harder to maintain

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the customer care standards expected by those attending.”

21. At the conclusion of the report the author states: “12.14 To conclude the recommendations and as a final note, it is clear from the observations by the author of the testing, knowledge of a wide range of festivals and events and the documentation provided by the police, local authority and the event that the key characteristics related to this report centre on the following issue(s). The length of time that patrons would be required to wait to gain full access to the site would be unreasonable. This is compounded by the possibility of disorder and issues of safety which cannot be overlooked. The use of an untried and untested scanning system in an outdoor event environment is not a strong enough basis for the recommendation of its use.”
22. Given the lack of detail within the 2019 crowd safety report around the introduction of digital wristbands it would appear that the organisers have disregarded the advice given in the report the commissioned in 2017.
23. The crowd surge seen at the main entrance was well publicised on national media, accompanied by footage of the event taken by patrons.
24. CCTV of the surge has been provided by the premises licence holder to the police. From CCTV it is clear that the build up of patrons can be seen at approx. 15:00hrs at the three gates at the entrance to the main gate. There have been reports of injuries at this point.
25. In statements provided by victims at the 15:00hrs surge they state that they were conscious of the last entry time of 16:00hrs.
26. The last entry time was dictated by the event organisers.
27. Within the crowd safety plan there is no reference to how the last entry time may impact on the behaviours of the crowd.
28. CCTV has been viewed of the ingress on the Sunday of the event, I also attended at the time and spoke with one of the security managers about what additional measures had been implemented.
29. The reduction of the need to scan wristbands, combined with additional staff and extended lanes meant that there was no significant build-up of any crowds at the main entrance during Sunday of the 2019 event.

*PC DAILY 2364 AT*

Signature: *PC DAILY 2364 AT* Signature witnessed by: .....