

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 **Martyn Fisher**

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

This statement (consisting of: **6**..... 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: **4th February 2014**

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

I am Police Constable Martyn Fisher and I have worked for the Metropolitan Police Service for over 25 years. For the past five years I have been in post as the Licensing Enforcement Officer for Enfield Borough Police, dealing with all the licensed premises across Enfield borough. My role involves proactive patrols of these premises, offering help and reassurance to both patrons and management, as well as ensuring premises fully uphold the licensing objectives.

This statement is submitted in support of the expedited review application for Club 303, 1 Jute Lane, Enfield, Middlesex, EN3 7PJ. It details the issues of serious crime and disorder regarding violent disorder, directly associated with the venue, which triggered the need for Police to call for the expedited review.

I have made a brief chronology of events of the night in question, to assist the licensing sub committee. I also have included written statements from police and copies of the crime report and 999 CAD call to police.

The criminal investigation into this incident is in the early stages and therefore further relevant information may come to light as the investigation progresses.

Club 303 is situated on an industrial estate next to the level crossing at the end of Green Street in Enfield. The venue is spread across the ground floor with VIP seating areas and has a capacity of 250 people including staff. It currently holds a late licence for the supply of alcohol and all regulated entertainment until 03.00, seven days a week and should be closed by 03:30. The premises licence holder (PLH) and designated premises supervisor (DPS) is a Mr Aydogan Islamoglu who applied to transfer the licence and vary the DPS in to his name on 22nd November 2013 with the licence being granted on 12th December 2013.

I submit a copy of the application process formally recorded on Enfield Councils M3 system with my interactions with Mr Islamoglu reference number WK/213070254, (Reacted) as my exhibit MGF/1. This worksheet refers to an email I sent to Mr Islamoglu with a list of all conditions on the licence and a meeting at the club with Mr Islamoglu and the new leaseholder, Mr Coskun. The meeting detailed was held to discuss conditions on the licence, operating hours and the use of SIA approved contractors as door staff. An existing booking was also discussed and Mr Islamoglu was informed that the event was due to finish beyond the terminal hours on the licence and as such the promoter would have to be

Signature: Signature witnessed by:

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informed that the event would have to finish at 03:00 which Mr Islamoglu confirmed he would do. The worksheet also provides details of the new SIA approved contractors as provided by Mr Islamoglu.

WK/213079862, (Redacted) as my exhibit MGF/2. Gives details of a complaint made to police (CAD 4129/27Dec13) by a member of the public referring to numerous altercations, drug taking and criminal damage by customers attending Club 303.

The venue has come to the notice of police licensing enforcement recently regarding the use of in house door supervisors instead of SIA approved contractors as stipulated on the licence (Condition number 25) this matter was only brought to a satisfactory conclusion as late as Friday 24th January 2014.

WK/213084905, (Redacted) as my exhibit MGF/3. Refers to information that the club was not using SIA approved contractors but their own in-house team. This worksheet gives details of my contact with Mr Islamoglu and an email sent to him outlining the breach of condition relating to this matter. The worksheet also gives details of the new approved contractors engaged and confirmation from me that they had taken up the contract to work at the club.

On Saturday 1st February 2014 at 05:25, a call was made to Police by an anonymous female to a fight in progress at Jute Lane in the club. No calls were made to Police to attend by management or staff from Club 303.

Upon arrival of police, officers were told by staff that it was 'kicking off bad inside!' There were large numbers of people exiting the club, some of whom were running obviously in fear for their own safety. As officers entered the foyer area there was a large group of males gathered together who were immediately hostile towards the officers. Door staff told one of the officers that a male was inside, unconscious and in need of CPR. Officers described the customers as drunk and dishevelled and some of them with blood on their clothing. It was obvious that a number of them had been involved in a fight.

One male was identified as being wanted for another matter and was detained whilst trying to exit the club. He became violent and had to be restrained. Another male then intervened and started throwing punches at officers. This male was also subsequently detained. Officers commented that whilst this was taking place, they were being abused and sworn at by other customers and felt that they were going to be attacked by the group of males gathered. Two of the officers had to deploy their tazers in order to recover the situation. Many officers commented on the lack of assistance offered by door staff on scene.

I have formally requested CCTV footage covering the incident and other paperwork relating to conditions for the club by email to Mr Islamoglu. I have also tried to contact him on his mobile phone but it is not being answered at this time.

A significant number of police resources were called upon to assist in restoring law and order to the situation, including India 99 (Helicopter) and most of the available officers from Enfield with a number of other units accepting the urgent assistance request from neighbouring boroughs. London Ambulance service (LAS) also attended.

I have attached copies of statements from the following officers who highlight the aggressive and violent behaviour towards themselves and colleagues throughout the incident as follows;

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Statement from PC Derek Ewart, (Redacted) as exhibit DE/1. PC Ewart describes large numbers of people outside of the club, some of whom were running and a report of a male inside requiring CPR. Upon entering the club, PC Ewart describes the hostile atmosphere and aggression towards officers. PC Ewart witnesses the arrest of a male and the ensuing struggle including his involvement in restraining another suspect who got involved. PC Ewart then describes why he was forced to employ his tazer for his own and his colleague's safety. PC Ewart also mentioned the lack of assistance by security staff

Statement from PC Gareth Bowen, (Redacted) as exhibit GB/1. PC Bowen described a large number of excitable males leaving the club on his arrival and being informed by a doorman that a male was inside requiring CPR. PC Bowen stated that in his opinion that a large number of customers were drunk and dishevelled. PC Bowen then describes seeing two males being detained by colleagues and the ensuing fracas with 5 to 10 males looking to become involved in the incident, one of whom shouted 'Let's fucking have it!. PC Bowen fearing for his colleague's safety also drew his tazer in to a high profile position and conducted a red dot challenge. One of the door staff shouted tazer and the group backed away. PC Bowen then sees a male approaching a colleague with a bottle in his hand and how he removed it from him and gave it to a staff member to put away. PC Bowen mentions one particular female member of staff shouting and swearing towards him and other officers and that she was taken away by an unknown male. PC Bowen stated that although there was a number of security staff present, they did not get involved or prevent the group of males who were attempting to get at Police officers or assist with the disorder. PC Bowen also mentions the male who needed CPR as being safe and well and did not require medical treatment.

PC Cathy Asser, (Redacted) exhibit CA/1. States that upon arrival she was called by a doorman to enter the club as a fight was going on inside. PC Asser describes the arrest of a male and how she assisted other officers in restraining him. PC Asser then sees another male approach with a beer bottle in his hand and shouted for it to be taken from him as she feared it would have been used as a weapon. PC Asser mentions that no assistance was offered by staff and that one female staff member actually shouted 'You're too fucking late!' and was indeed quite obstructive.

PC James Robinson, (Redacted) as exhibit JR/1. Describes attending the venue and speaking to a member of the clubs security who informed him that a fight was taking place inside. Upon entering PC Robinson states that it was mainly males inside and that a number of them were bloodied and had been involved in a disturbance including one male washing in a nearby disabled toilet. PC Robinson mentioned that the wooden floor was extremely wet and slippery. PC Robinson then recognises a male that he knows to be wanted for a breach of Court Order and describes detaining him and a subsequent violent struggle including another male who had been washing in the disabled toilet earlier getting involved. PC Robinson also described other customers shouting abuse at him and colleague's before they were able to remove both suspects from the scene.

PC Jason Dellar, (Redacted) as exhibit JD/1. Describes attending the call to Club 303 and being told that twenty to thirty males were still inside fighting and that male had a head injury and was unconscious but was being assisted by staff. PC Dellar describes that a number of males inside had blood on them and there was clear signs that a fight had taken place. PC Dellar sees a colleague take hold of a male and a number of other males trying to get at the officer. One particular male with blood on his hands and face then tried to attack the officer. PC Dellar then restrained the male who then started to aim blows at him. This male was also detained by PC Dellar and PC Clarke but the male continued to resist arrest and broke free punching PC Dellar to the face and chest. The male was eventually subdued but continued to aim a torrent of abuse at officers before being removed from the scene.

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PC Matt Clarke, (Redacted) as exhibit MC/1. States that he was informed by a female that a large fight was taking place inside of Club 303 involving twenty to thirty males and that one male in particular had a bad head injury and had fell unconscious and that she had given him CPR. PC Clarke then describes entering the club and seeing clear signs of a disturbance with a number of males loitering around, a number of whom seemed to be heavily intoxicated and abusive. PC Clarke describes another officer detaining a male inside and a group of males trying to get at his colleague as he did so. Another male then tries to get to his colleague and PC Clarke and PC Dellar both restrain him to prevent him from doing so. PC Clarke describes how the male struggled after being stopped and aimed a number of punches at both himself and PC Dellar. PC Clarke then describes how the male was subsequently restrained but continued to be hostile and abusive and aim punches at both himself and his colleague. PC Clarke described how other males tried to get involved and that the area they were in was quite small and poorly lit at the time and that he had to move these other males out of the way as he feared for his safety. PC Clarke states that whilst outside with an ambulance crew who were treating his prisoner, an Irish male made himself known and stated he had been beaten up inside and had a large wound to the back of his head. The male was described as being intoxicated and didn't provide any further information. PC Clarke then states that he went to the managers' office to view the CCTV footage and noted that only six of the eighteen cameras were in operation, none of which covered the area where the arrests had taken place.

PC Ben Wale, (Redacted) as exhibit BW/1. Describes his arrival at the club and seeing a number of people leaving who he described as being slow moving and staggering and that many of them appeared to be drunk. PC Wale describes recognising a male he knew to be wanted for another matter. PC Wale then describes how he attempted to detain the male who tried to resist arrest and break away and the ensuing struggle. PC Wale mentions that he saw a number of other males approach him and his colleagues in a menacing fashion and push him away from the male he had detained and that they were shouting 'Fuck off, leave him, get the fuck off him!' PC Wale stated that the floor was wet and was fearful that if he fell over the other males would attack him. PC Wale also sees another colleague, PC Dellar restraining another male and goes to their assistance and that a female wearing a Club 303 uniform was shouting at officers 'Do your fucking job properly!' PC Wale mentioned that with the assistance of staff that the group were eventually ushered away.

PC Michelle Debnam, (Redacted) as exhibit MD/1. Describes attending the scene and seeing a number of people leaving and that they were waved over to the club by a male standing at the door and that on approaching him he stated that twenty to twenty five people were inside still fighting and that a male was also inside who needed CPR. PC Debnam then enters the club and witnesses colleagues detaining a male and how a crowd had gathered around them as they did so. Fearing for the safety of both herself and colleagues, PC Debnam activated the emergency button on her radio requesting that further units attend the venue. PC Debnam then describes assisting colleagues in detaining one of the males and that a female with a black polo shirt with 'Club 303' thereon was shouting and swearing at officers before she was removed by another member of staff.

Insp Skinner, (Redacted) as exhibit DS/1. Gives evidence of a group of twenty males causing a disturbance outside of the club on his arrival and speaking to the PLH/DPS Mr Aydogan Islamoglu who was shouting at an unknown female at the time. Insp Skinner notes at least thirty people in the bar area and officers dealing with an abusive male on the floor. Insp Skinner mentions that officers were concerned that after they had entered the club, staff had shut the doors behind them preventing further other officers from coming to their aid. Insp Skinner states that after the crowd had been dispersed, he went to the managers office with Mr Islamoglu and asked him what time his licence finished at and was told 03:30. Insp skinner inform asked why the first call to the club was at 05:30 some two hours after the licence should have finished. Mr Islamoglu could not give a satisfactory answer. Insp Skinner also asked Mr Islamoglu why the clubs doors had been shut so that Police could not enter and was told that

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he opened them as soon as he was aware of officers trying to get in. Insp Skinner then asked to view the clubs CCTV system and noted that out of eighteen cameras, only six appeared to be switched on and that Mr Islamoglu did not know if they were actually recording as he was awaiting further equipment to make the system work.

Insp Skinner also issued Mr Islamoglu with a closure order under Sec 161 Licensing act 2003, closing the club for a period of twenty four hours from Saturday 1st February 2014, 06:00 to Sunday 2nd February 2014, 06:00. Copy of closure notice attached as exhibit DS/2.

WK/213089146, (redacted) as my exhibit MGF/4. Refers to emails sent to Mr Islamoglu requesting a full report relating to the incident on Saturday 1st February 2014 and a request for various documents and CCTV footage covering the same evening. Also a copy of a text response from Mr Islamoglu confirming that he had received the emails and was acting on them.

CRIS: 5202391/14, (Redacted) as my exhibit MGF/5. Details the arrest of a male for assaulting and obstructing a Police officer inside of Club 303 on Saturday 1st February 2014 at 05:20.

CRIS: 5202392/14, (Redacted) as my exhibit MGF/6. Details the arrest of a male from within Club 303 on Saturday 1st February 2014 for possession of cocaine

CRIS: 5202607/14, (Redacted) as my exhibit MGF/7. Details a report relating to the serious violent disorder that took place at Club 303 on Saturday 1st February 2014.

CAD 1981/01Feb14, (Redacted) as my exhibit MGF/8. 999 phone call made to Police from an anonymous female stating that a fight was in progress at Club 303. This report records the time of police arrival and a request for urgent assistance made at 05:40 and a request for a dog van at the same time. At 05:44 an officer comments that the doors to the club are locked and wants to know what is happening. At 05:51 a comment is made regarding the unconscious male not being found despite the club being searched in order to locate him.

CAD 2001/01Feb14, (Redacted) as my exhibit MGF/9. 999 phone call made to Police from an anonymous female to a fight at Club 303

CAD 2006/01Feb14, (Redacted) as my exhibit MGF/10. 99 phone call made to police to attend Club 303 as the fight was now taking place both inside and outside.

CAD 2011/01Feb14, (Redacted) as my exhibit MGF/11. Call from LAS asking if they are required to attend Club 303. Response to attend regarding a male knocked unconscious and receiving CPR.

CAD 2028/01Feb14, 05:39, (redacted) as my exhibit MGF/12. Call relating to an urgent assistance request made by PC 668YE

CAD 2054/01Feb14, (Redacted) as my exhibit MGF/13. Request for an officer to speak with LAS to see if HEMS is required to assist.

The evidence presented in this statement outlines a serious and total breakdown in management procedures at the venue on the 1st February 2014 which resulted in very serious and unacceptable violent disorder. Police have no confidence in the ability of the premises licence holder to manage the premises effectively and promote the licensing objectives. The MPS seek immediate suspension of the premises licence to prevent any further serious crime and disorder occurring.

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Continuation of Statement of **Martyn Fisher**.....

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

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)

- a) The criminal justice process and 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 police — what happens next?' 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 proceedings e.g. child care proceedings, CICA Yes No
- 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 decline their services:

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: