

Sussex Police Exhibit 2 - MG11 Insp Hartley dated 16/09/2020

SUSSEX POLICE

MG 11(T)

RESTRICTED (when complete)**WITNESS STATEMENT**

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

JRN

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Statement of: Jonathan HARTLEY

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Inspector CH862

This statement (consisting of 4 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 anything in it, which I know to be false or do not believe to be true.

Signature: _____ Date 16th September 2020Tick if witness evidence is visually recorded (supply witness details on rear)

My current role is Prevention Inspector for Sussex police and I have primacy over matters in relation to Neighbourhood Policing in Rother, East Sussex, I have been in this role for 22 months.

As part of my responsibilities, I get notified of anti-social behaviour and crime and disorder that occurs within the district that may require further intervention from the Police Prevention teams or from partners in statutory and other organisations. Over the last year I have been notified of problems being reported at the Devonshire Public House which is situated at Devonshire Square, Bexhill on Sea, East Sussex.

To document some of the incidents that have occurred a search of Police logs has been completed and the following incidents have been highlighted since 2019, the following is a copy of text recorded when calls are made to Sussex Police and do not form my original notes or words, the inclusion in this statement is to demonstrate the impact incidents at the Devonshire Public House have had on policing.

- 10/11/2019 23:47 common assault. Call from staff reporting that three drunken males had thrown an ashtray at the head of the dps before head-butting him. When officers attended the offender was identified to them and arrested for common assault.
- 06/12/2019 19:47 drunk & disorderly / high intox. Report of a drunk/drugged female who became aggressive and then asked to leave. She became quite rowdy and as staff were escorting her out of the premises she broke free, ran back to victim, grabbed her head and pulled her hair.
- 07/12/2019 22:13 Report of 2 large groups of males fighting outside the pub. They are using belts to hit one another. They were all in the pub and have gone outside to fight. Second call stating it all kicked off after the boxing. Police attended, all standing down, people have been sent on their way. Nfa.
- 21/12/2019 02:17 Drunk & disorderly/high intox. Report of an altercation involving a male who is very intoxicated. Victim has bruised eye and bloody nose.
- 21/12/2019 02:19 Caller reporting his customer has been assaulted (poss linked to above). Victim has learning difficulties, bleeding from nose and eye. Suspect still in pub. Police attended and have taken victim to hospital aio, no lines of enquiry.
- 02/02/2020 23:31 Suspect was in the bar the previous evening, heavily intoxicated so was ejected

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and barred. He has returned this evening and when told he is barred, he has started to shout and swear at staff.

- 21/02/2020 21:48 drunk & disorderly / high intox. An altercation between a husband and wife spilled outside and she has then hit him on the head with a glass. Both had consumed alcohol. Victim and his friend appeared intoxicated and during interview victim's level of awareness dropped and his intoxication increased. Victim does not want to pursue so bail for suspect cancelled.
- 21/03/2020 01:25 Victim reporting he was punched in the face by another male. Bouncers intervened and brought caller to the ground.
- 04/07/2020 Intelligence/information. Caller has seen on post on social media showing a relative and 13 friends sitting round a table in bar, not social distancing.
- 04/07/2020 21:29 intelligence/information. Caller's son sat outside with girlfriend. Stating that inside the pub table full and packed with people standing at bar, staff not wearing masks, no guidelines in place, no sanitiser in ladies toilet.
- 05/07/2020 12:00 intelligence/information. Incident happened yesterday evening. Caller reporting pub was breaching social distancing rules. Patrons were very intoxicated and rowdy, to the point that caller thought a fight might break out. Staff did not appear to be in control. Spreadsheet / storm & passed to trading standards.
- 08/07/2020 10:53 aggressive, hate crime customer has been thrown out but won't leave. Customer is screaming at the manager and other customers screaming and making racist comments. Male has now left. Allocated to ri.
- 08/07/2020 11:21 aggressive linked to above. Caller reporting her son has been assaulted at the pub (suspect from above link). Landlord saying male was removed from pub for being abusive. Caller saying her son recently lost a friend and is drinking a lot, suffers with mental health.
- 08/07/2020 00:20 intelligence/information anon caller reporting a lot of rowdy people outside the pub. About 30 people earlier but only one now.
- 10/07/2020 00:38 antisocial behaviour, noise complaint since the pub opened, every night there are people leaving, being loud and congregating outside the pub. Op that is running tonight have been made aware. They will deal with later.
- 19/07/2020 23:58 common assault: regular customer verbally abused staff because he was asked to leave. Another customer stuck up for caller and the male spat at him. Male has now left.
- 26/07/2020 09:20 assault ABH / GBH conquest hospital calling to say a patient came in after being at the pub Friday evening/early hours of Saturday. He was attacked by security who flung him to the ground causing fracture to radius and ulna & bruising. He will need surgery today.
- 26/07/2020 00:23 noise complaint. Caller reporting again about the noise level from the pub. Excessive noise from outside the pub. Caller advised to keep a log. spreadsheet/storm and passed to trading standards
- 26/07/2020 00:44 Noise complaint different caller to above asking for a drive by as the bar is not adhering to social distancing measures. Caller stating they're all very drunk and noisy. Security have confirmed they have had over 200 people in this evening to make as much money as possible. Only licenced to have 75. Cad has been emailed to licensing pc. Spreadsheet/storm and passed to trading standards
- 27/07/2020 01:47 criminal damage, public order, weapon staff called re a female who had been in the pub earlier and now returned with a hammer and trying to smash windows (over a stolen phone). Female arrested for criminal damage, public order act and possession of offensive weapon. spreadsheet/storm and passed to trading standards
- 29/07/2020 00:05 assault ABH / GBH, drunk & disorderly/high intox: police called to 12-15 people fighting outside pub. Three males pulled victim to floor and started kicking him. A crowd has then

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gathered and were kicking the male on the floor. Staff tried to split them up but failed. Victim was noticeably intoxicated, had swelling to face, bloody nose and cut lip. Victim made mention that they had been drinking in the pub that night. He had lost consciousness at some point. Victim taken to hospital, scans confirmed no breaks, male discharged. Staff said suspects had been in pub earlier that night. One of the witnesses was also very drunk and had been drinking in the same pub. Not clear if they had been drinking elsewhere after being in Devonshire. Photos were taken from ledger where customers are meant to write their names but this is not a ledger that was kept by staff so likely suspects name is not in there. spreadsheet/storm and passed to trading standards

- 29/07/2020 13:41 antisocial behaviour caller asking to be contacted by licensing team about the ongoing asb issues with the pub. Email sent to licensing pc. spreadsheet/storm and passed to trading standards
- 30/07/2020 18:38 aggressive report of a group of travellers outside fighting and being aggro to staff who want them to leave. Police attended, they are going to move on, finishing drinks, all in good spirits, just too much drink possibly. They then started to fight but are now moving on. licensing aware
- 30/07/2020 03:49. Caller reporting an incident on the 8.7.20 which has already been recorded. Not clear why reporting again. Customer swearing and escorted off the premises. spreadsheet/storm and passed to trading standards
- 31/07/2020 13:34 antisocial behaviour. Caller reporting ASB due to pub and pub has no regards for government restrictions. Has reported this to police station and advised licensing officer would contact him but no contact made as yet.
- 31/07/2020 23:28 assault abh/gbh : police called by ambulance to report of a male that had been bottled but refused treatment. Police attended, victim had been standing outside the bar near the smoking area. He was approached by suspect who head butted victim and then hit him on the head with a glass bottle. Victim has inch laceration to skin but refused to go to hospital. Suspect was still in the bar and arrested for gbh. Glass bottle retrieved after staff had swept it up and threw it away. bailed to 24.8.20
- 01/08/2020 sexual offence. cad 0138 01/08 refers to a sexual assault. the circs are unclear at this time and at the time of writing this the victim is still to be visited by police but from the cad it appears that a female was sexually assaulted (by touching) by a male within the premises. The police were not called by the premises. It is assumed that the fight and the sexual assault are all one incident but this needs to be confirmed.
- 02/08/2020 01:19 sexual offence. Female has approached caller to say she has been sexually assaulted (caller very drunk). Victim told call taker a male was trying to kiss her and slapped her bottom twice. Security aware and have spoken to suspect. She is very upset and crying. This has caused quite a disturbance and ensuing chaos has caused pub to close early. Victim will make her way home. Police have tried to contact victim without success
- 04/08/2020 aggressive 01/08 00:50 call received from ops manager stating that there had been a fight and had directed that the premises be closed. I was also informed that following my visit the previous evening had been instructed to supply a 3rd door supervisor and had stated that the door staff being provided were useless and not doing what they were told.
- 08/08/2020 00:28 intelligence/information caller reporting he has noticed glass bottles of alcoholic drinks left by his communal door. He assumes they are left there by people going in to the Devonshire pub. Caller has reported issues with the pub before. Some of the bottles are smashed. spreadsheet/storm and passed to trading standards
- 08/08/2020 00:13 assault abh/gbh, drug possession. Male reporting that his girlfriend has head-butted him and broken his tooth. They had been for meal and then ended up in Devonshire. Suspect began to drink excessively and was ordering trays of jagerbombs. Victim wanted to go home and did not want to drink anymore but suspect wanted to stay and drink more. As they left to go home she has head-butted him causing broken tooth. suspect arrested for abh and possession of class b.

Signature

Signature witnessed by:

PTO

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spreadsheet/storm and passed to trading standards

- 08/08/2020 02:05 caller lives above pub. Reporting that there are approx. 50 people in private area outside pub. Thinks pub should shut at 0200. Licence states 0230. Caller threatening to deal with it himself, has a knife. Police report at 02:39 there are around 40 people still on scene, they appear to be closing up but there re still people around. moving everyone on now, pub now closed spreadsheet/storm and passed to trading standards
- 16/08/2020 03:21 aggressive report of a fight outside premises. Security not out there but there are staff on scene. Not clear if they had been in premises or if premises was still open? spreadsheet/storm and passed to trading standards
- 16/08/2020 22:55: female saying male asked her for sexual favours. She went out to get something to eat and sat around the corner Devonshire pub near factory store. She had a kebab and beer. Not clear if she had come out of premises? Kept repeating herself. Male left. spreadsheet/storm and passed to trading standards

The volume of calls detailed is significant and the range of allegations include serious violence, drug supply, anti-social behaviour and the use of bottles / glasses from the premises as weapons. During the outbreak of the pandemic, there has been a clear identified lack of control in relation to the Covid 19 regulations with the risk that this poses to trying to control the spread of this virus.

In addition to this, I am aware of a number of complaints that local residents have made regarding the Devonshire Public House to partners at Rother District Council. I have been contacted by local Councillors who have raised concerns made by their constituents, these include residents being kept awake at night, rubbish being left and the fear of violence. In my professional view this premises is causing a significant impact on crime, disorder and anti-social behaviour in Bexhill. The demand that this has impacts our emergency response team, our local policing teams and our investigation teams. Without intervention I believe that the likelihood of someone suffering a serious injury as a result of intoxication and lack of management at this premises as being high. There is not one other premises in Rother that has the impact on the community that the Devonshire Public House is currently having.