

WITNESS STATEMENT


(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, Rule 16.2)

NICHE Ref. No:

URN:

Statement of: Neil Haywood

Date of birth: Over 18

Occupation: PC 

This statement (consisting of 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: N Haywood

Date: 23-8-23

Signature witnessed by: N/A

Date:

Time and date statement taken: 23-8-23

Check box if witness evidence is visually recorded (supply witness defaults on rear)

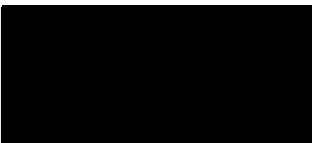
I am a West Yorkshire Police Officer currently stationed at Elland Road Police Station. I am the Licensing Officer covering East Leeds and Outer South Leeds.

At 12:20 hours on Wednesday the 23rd August 2023, I was on duty in civilian clothing in company with Carmel Brennand from Leeds City Council Licensing Team. At this time we attended M and S Off Licence, 128 Roundhay Road, Leeds to carry out a licensing visit.

Upon arrival we entered the store which is described as a small off licence with a counter to the left side as you enter. The store had a large amount of alcohol displayed and I would describe it as alcohol focused. At the rear was an open doorway to stock items in piles, and then there is a set of stairs leading down to a basement stock area,

I spoke to the male who was working at the counter who later identified himself as

Mehawi Yowhanse



His identity was later verified by checking his driving licence.

Yowhanse identified himself as the owner and licensee of the premises. I explained we were carrying out a licensed visit. Carmel asked him some questions about his delivery policy and we checked his CCTV. Mehawi was unable to operate the CCTV which he is required to do as part of his licence.

I asked Mehawi if he minded if I checked behind the counter, which he agreed. I looked behind and located a large pack of 10 sets of 16 balloons laid on various boxes of alcohol behind the counter. The other items appeared to be excess stock that was already on display, but there were no balloons on display in the store which appeared odd. I asked him what the items were to be used for and he replied to be sold. I asked him to who and he replied to sell to children for kids parties. I pointed out it was

Signature: N. Haywood

Signature witnessed by: N/A

NICHE Ref. No:		URN:	
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Continuation Statement of: Neil Haywood

strange the balloons weren't being displayed on the various shelves and hooks like all the other items. I asked him he sold any as nitrous oxide filled balloons and he replied no.

I was then alerted by my colleague Carmel to come to the back of the shop. When I got there, she pointed to a number of white boxes that were piled up around the stairway. These were clearly marked as "nitrous oxide". Each box is approximately 50 cm high and contained 6 large bottles of nitrous oxide gas. Each box had an indicated weight on it of 8.6 kg, so 86 kg of nitrous oxide in total.

I pointed the boxes out to Mehawi and asked him why he had so much nitrous oxide. He replied, "For cakes". I suspected this to be false.

As well as the nitrous oxide, there were large amounts of alcohol on the stairs and in the basement which was way in excess of what a store of this size would normally hold.

I informed Mehawi that I suspected he was selling nitrous oxide filled balloons and this was an offence.

At 12:30 I seized the following items

10 cases of nitrous oxide gas – exhibit NH1
10 packs of 16 balloons – exhibit NH2

I informed Mehawi these were being seized as evidence and he would be contacted at a later date to be interviewed about the offence.

I also took the following images as evidence.

Image of stairway at the rear of the store – NH3
Images of basement – NH4 - NH7
Image showing behind the counter where the balloons were located – NH8
Image showing a box of nitrous oxide which was seized – NH9
Image showing the balloons – NH10

Exhibits NH1 and 2 were subsequently booked into stores at Elland Road.

Signature: N Haywood

Signature witnessed by: N/A

Exhibit NH3 – Image showing stairs



Images of basement – NH4 - NH7





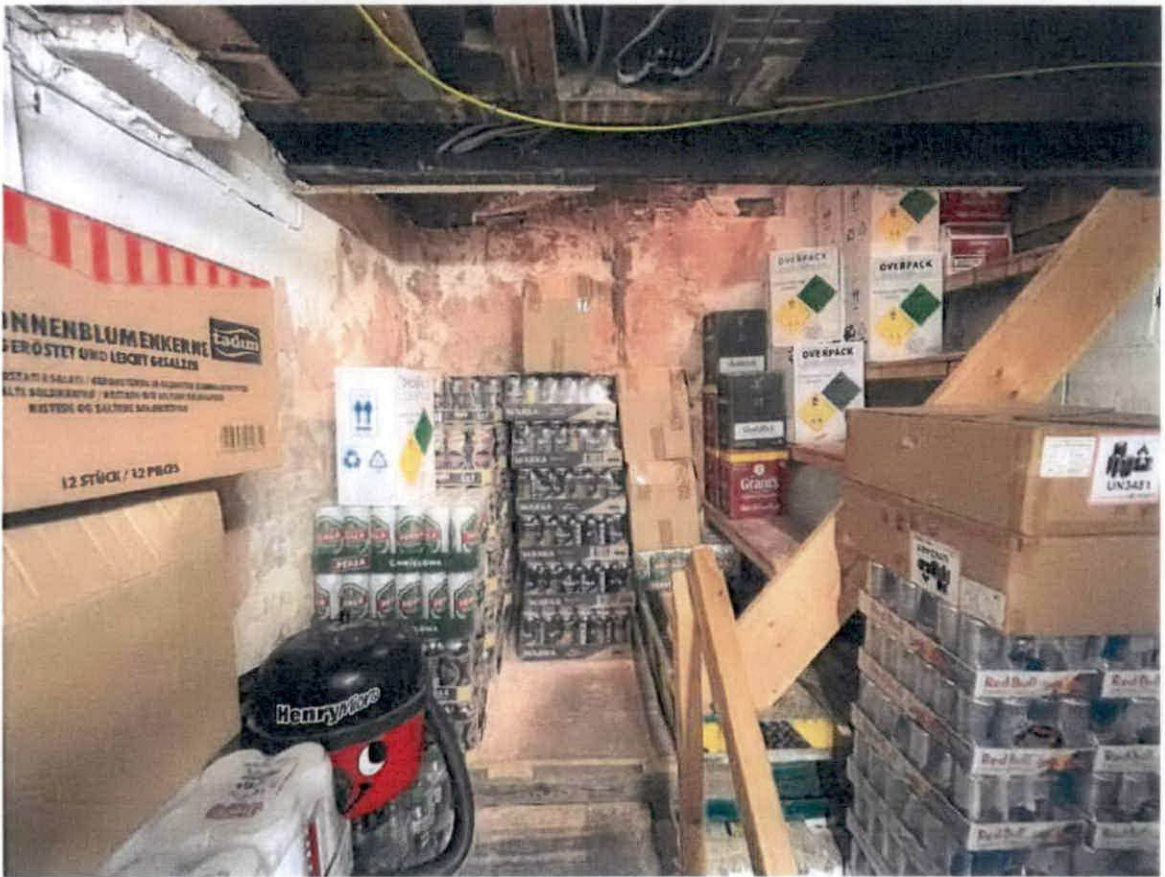


Image showing behind the counter where the balloons were located – NH8

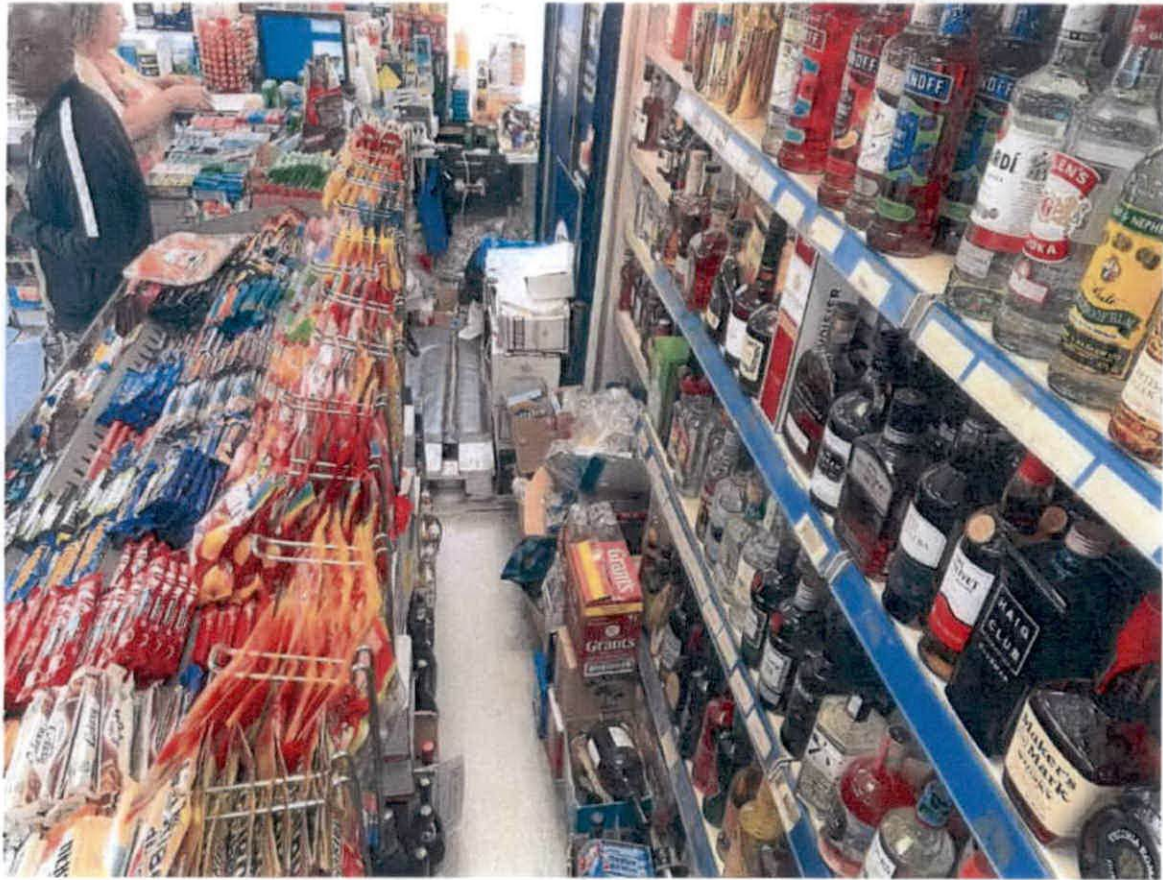


Image showing a box of nitrous oxide which was seized – NH9






Image showing the balloons - NH10

PREPARED STATEMENT

I Merthawi Molchense Lall Say as follows: -

- (1) I deny the allegation of Possession with Intent to Supply a Psychoactive Substance.
- (2) I deny the allegation of Money Laundering.
- (3) The boxes that contained the Nitrous Oxide were delivered the same day during a period when I was very busy in the shop.
- (4) They were delivered in error as I had not ordered the Nitrous Oxide.
- (5) They were I believe ~~made~~ delivered to the rear of the shop and I did not know the boxes were there until they were pointed out by the officer - if I said "those are for cakes" I didn't understand what the officer was asking me.
- (6) The balloons behind the counter were simply for sale for parties etc.
- (7) The Cash was from the shop and I intended to use it to buy stock eg Cigarettes and alcohol.

Signed.......... Date: 20/9/23? Time:.....

I confirm that I have interpreted the above statement into Tigrinya

Signed: 