





Continuation of Statement of [REDACTED]

in general conversation [REDACTED] another [REDACTED] male approximately [REDACTED] years old asked Pc [REDACTED] if [REDACTED] would like some "MDs"; [REDACTED] declined and then, a few other males approached and were discussing prices of drugs with the first male. A bouncer was stood approximately 2 meters behind this group and I believe he would have been in ear shot of this conversation as we were approximately equidistant from it. At no point did he approach. We then made our way back into the club. There was a number of door staff around, however they did not appear to be moving around much or paying attention to their surroundings as they should be. There were others who were constantly collecting glasses from the dance floor.

We went to the toilets, which were unisex and were manned by toilet attendants who waited at the front of the toilets only. They did not move around the toilet area.

We then made our way back to room 2, on our way Pc [REDACTED] pointed out a young IC1 male [REDACTED] who appeared extremely intoxicated; no one from the club approached him to check on him... As the night went on people in the club appeared more intoxicated, they were sweating profusely and were staring in to space, their eyes were glazed and red and they were drinking water. These people were not approached at any time by door staff or staff in the club.

We went in the smoking area a further time, we began to chat with 2 males – one of which was extremely intoxicated and was asking for help and slurring his words, his pupils were enlarged and his eyes were red. The other male said to me that he had given all of his drugs to his friend and that he wanted to get some more as his girlfriend was annoyed with him. On our way back into the club I witnessed door staff letting people in via the temporary barrier at the back of the club; however on the conditions of the club it states only access shall be gained from the club itself. I witnessed this a further time later on during the evening.

We then spent some time inside the club observing the door staff and other staff members. There were a large amount of stewards that were going around and searching the floor with flashlights and picking up any plastic ware that may be on the floor. The club became very busy and the main dance floors were crowded, however other areas of the club like stair ways and seating areas were not although

Signature: [REDACTED]

Signature witnessed by: .....

2007(1)

Continuation of Statement of [REDACTED]

there were people sitting down. We continued to observe the general atmosphere of the club which in general was friendly and non-threatening, I did not witness any kind of violence or confrontation. The age range of the club customers was generally young although there were some older people too, there was a mix of males and females although I would say that there were more groups of males. There was also a diverse demographic in regards to race, there were people who appeared to be speaking French, Italian and Chinese.

We visited the smoking area for a final time and an [REDACTED] male approached me and began to engage in conversation, he asked if we had any gear on us. He said that he "dropped" (taken his drugs) too early and that he was desperate for some more. He was exhibiting signs of having taken drugs as he was very twitchy, talking very fast and gurning. He also kept touching his face in a strange manor. He said that he was considering asking one of the bouncers for some. When we probed this further he said that if you are found with drugs the bouncers take this from you and then give it to people that they know.

He also said one of his friends had been found with drugs, he was taken away by the bouncers and was brought back a few minutes later -- he was then able to remain in the club. He also disclosed that his friend who is a dealer had been in the club on the night before (Friday) and had been there to deal drugs specifically, he mentioned that he had not put prices up that much. He also asked if we had managed to find a dealer. We made our way back into the club. On our way back into the club I asked the door staff member if we could leave the club via the temporary barriers as we were going and not coming back in. However we were declined.

We made our way back into the club and visited the unisex toilets again between rooms one and 2, it was very busy and I did not witness any one taking drugs or any evidence of drugs use however the staff were still situated at the front of the toilets and not moving around.

The club was not very well lit, there were a number of raised areas within room 2 which also went back approximately 2 meters and these were not lit up either. There were other small cubby holes which are obscured from the main room by walls and were not lit up. The smoking area was not well managed and there were not many door staff around to monitor loitering as per licensing conditions.

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2003(1)

Continuation of Statement of

We left the club at approximately [REDACTED] to make our way back to the RVP to be collected. On our way out we were asked if we were coming back in and if we needed a stamp to which we replied that we were not. We were also asked if we needed a taxi. On our way back to the RVP we were asked by 2 males standing outside another club just to the left of Fabric if you were coming out of the exit, if we had just came from fabric and what it was like. They said that they had their MDMA and so would be able to enjoy it anyway, they walked off towards Fabric. [REDACTED]

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3003(1)

### WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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Statement of

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

This statement (consisting of 5 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.

Witness Signature

Date: 06/07/2016

I am a Police Licensing Officer within the Borough Licensing and Night Time Economy Team. I have held this position since December 2014

On Saturday the 2<sup>nd</sup> of July 2016 I was deployed to assist the Central Licensing Team as part of Operation Lenor, and was in the company of PC I was in plain clothes and was not identifiable as a Police Officer. The purpose of this operation was to carry out an unannounced licensing inspection of Fabric, 77A Charterhouse Street EC1M 3HN following a drugs death on 25<sup>th</sup> June 2016. PC and I were tasked to enter the premises and ensure that the venue was operating in accordance with the conditions specified in the premises licence and the operating schedule held in respect of the venue.

Before the visit I was given a copy of the full premises licence, a plan of the venue and an opportunity to become familiar with the operating schedule of the premises. During my visit in the premises I was monitoring whether the premises was complying with the conditions laid out in that document. In order to do this I needed sufficient time to inspect the premises, and monitor the running of the venue. There are 53 conditions on the current premise licence, and the capacity across the three rooms is 1510 persons.

The power used to do this was s179 of the Licensing Act 2003 which states: **Section 179 of the Licensing Act 2003 gives an authorised person rights of entry to investigate licensable activities. Where a constable or an authorised person has reason to believe that any premises are being, or are about to be, used for a licensable activity, he may enter the premises with a view to seeing whether the activity is being, or is to be, carried on under and in accordance with an authorisation.**

At on Sunday 3<sup>rd</sup> of July I approached the venue, with PC. There was a queuing system in place with barriers manned by Door Supervisors. As I approached the venue I was asked by one of the SIA whether I had a ticket or whether I would be paying in the door. I stated that I would pay on the door. I was ushered into the far-right queue closest to the venue and walked towards the door. As I approached the door I was asked for I.D by another Door Supervisor slightly before the entrance to the venue. I gave him which he scrutinised for a moment before letting me into the venue. I walked in through a

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metal-detecting arch to another door supervisor who stated that I would be searched. I raised my arms and allowed him to search me. The search lasted less than five (5) seconds and consisted of a pat down to my torso, a feel of the outside of my pockets, and putting a finger into the small pocket of my jeans. It also consisted of feeling both sides of my crotch and up the inside of my legs. I was not asked to empty my pockets. In my pockets I had an opened pack of cigarettes, a wallet and a phone. I was not asked to remove anything from my pockets and my back pockets were not checked or felt. There was barely any queue so I did not have to wait to complete this process. I was not asked about the basis of my attendance at the venue during queuing nor asked any screening questions. This is a condition of the premises licence. Another condition is: **No patrons shall be admitted to the premises without being subjected to a thorough search of their person and bag.** I do not believe that the search which I was subjected to was particularly thorough, and as such would be a breach of conditions. There were other Door Supervisors next to me whilst I was being searched.

Upon entering the premises I was directed upstairs to a booth where I paid the entrance fee to enter the venue. Once I had paid I then went downstairs into the venue. Once we were inside the venue

We then went to the left and through the Sunken Bar to Room 2 to acquaint ourselves with the venue. At this stage the club was not crowded though there were a number of people already sitting in the seating area at the Sunken Bar. I noticed a couple, a male and a female sitting next to each other on the seats to the left nearest Room 2. As we came back through the venue a few minutes later I saw the same male show white pills to the female and saw her take one from his outstretched palm. As I passed I was only around half a metre from this, whilst the ambient lighting was such that I could clearly see the exchange. There were no SIA in visual range of this seating area and I saw no door staff patrolling this area for the period in which I was in the venue. As I walked back through the Sunken Bar towards Room 1 I noticed a white male in an alcove next to the unisex toilets. He walked into the alcove, turned his back to the room and raised his hands to his face. I believe that he was sniffing drugs there. The alcove lead nowhere and there appeared to be no reason for him to be there.

When we got to the right hand side of Room 1 and observed the crowd there. PC drew my attention to a white male dancing with a black female and told me that he had put something to his mouth and then took a drink of water straight afterwards. told me believed that he had just taken a pill. I turned around and saw him hand something very small to the female, which she then put in her pocket. After a few minutes we went to the bar in Room 1. which were decanted into plastic cups as per licensing conditions. The bar was not busy, and an electric till system was in use. Red Bull and various spirits were advertised for sale in signage behind. Not many people were buying alcohol, and many people on the dance floor, even at the beginning of the night could be seen holding bottles of water.

I then went to the toilet and entered one of the cubicles. Inside I saw two snap bags with a white powder residue inside, lying behind the bin. I took a picture of this and exhibit this as

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Shortly afterwards we went to the smoking area. I noted on my watch that this was at [redacted]. The smoking area is accessed to the rear of the venue. There are temporary fencing panels which lead into an outside area at the bottom of Greenhill Rents, a street behind the venue. Whilst there, I was approached by a white male [redacted] called [redacted] who engaged with us in general conversation. He was in the company of a white male [redacted] and a white female. Whilst we were chatting an [redacted] male, who was around [redacted] years old, wearing a [redacted] [redacted] approached us. He spoke to me in a normal voice, making no attempt to hide what he was doing, and said 'do you want MD?' I replied 'MDMA' and he said 'yes'. I then declined and said no thanks. He remained next to us, around a metre away, and was approached by [redacted] other males. As they were so close I could hear their conversation. The [redacted] males were debating prices for drugs. I heard [redacted] offer 0.3g for thirty pounds which the [redacted] males found too expensive. They continued bartering until a price was agreed. There was a member of door staff around a few metres from the group on the opposite direction from me. He did not intervene to stop the exchange. One condition within the premises licence is: **The premises licence holder shall adopt a policy of carrying out random drug searches of customers using the smoking area. Signage shall be displayed in the smoking area indicating that such searches will be carried out. A record shall be kept of all such searches.** I did not see anyone being searched whilst in the premises or smoking area.

We saw the male and female who were with [redacted] around an hour later, when we were in the smoking area, being let in by door staff through the smoking area fencing. They were not searched upon entry. One condition within the premises licence is: **The dedicated customer smoking area shall be maintained secure and only accessible via the premises. No drinks shall be permitted within the smoking area and customers shall be encouraged not to loiter within the smoking area. Any customer engaging in activity likely to cause a nuisance to occupants of dwellings within the vicinity shall be asked to leave.** We saw this condition being broken. I also never saw any persons being encouraged not to loiter, as per licensing conditions.

We then went back into towards the dance floor area in Room 2. On my way there I saw young, perhaps 18 year old, male with [redacted]. He was stumbling through the club in an almost catatonic state. His eyes were almost closed, and he was bumping into people as he made his way through the dance floor. There were members of staff, with torches, who were an almost constant presence on the dance floor. They appeared to be looking for discarded glasses though did not appear to pay much attention to the patrons. One passed the [redacted] male, though did not intervene to check on his welfare. Around 15 minutes later I saw the same male almost bouncing through the crowd. His behaviour was on the opposite extreme and he was extremely agitated and animated. I believe the result of this stimulation was likely to be chemical.

Within the dance floor areas there were door staff visible through their positions appeared static and I did not see door staff patrolling amongst the dance floor areas. Their lines of sight were also poor. In Room 2 there were raised stage areas which would have afforded a better view of the dance floor area, though there were no door staff positioned there. One member of door staff was positioned near the Green Room door, though with his line of sight he would have been unable to observe the goings on in the seating area where I saw the

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male pass pills to the female. Another member of door staff was positioned at the fire exit at room 1, though he was not on a raised dais or platform so would not have been able to see into the dance floor.

At this point the club became much more busy, and the crowd denser. The demographic was young and I heard mostly Italian, Spanish, German and Mandarin Chinese being spoken in addition to English. There were several groups, of mostly young males, who did look particularly young. The crowd was good-natured and peaceful though, despite not many people having alcoholic drinks in their hands, many appeared quite heavily intoxicated. Their eyes were glazed and their gait and movement indicative of intoxication.

We then went back out to the smoking area. There we were approached by two males and engaged in general conversation. One male [REDACTED] and the other [REDACTED] who introduced himself as Chris Chris was heavily intoxicated and his behaviour was erratic. He repeatedly said 'help, help me' whilst staring into the distance. His friend found this amusing and I could hear him say to PC [REDACTED] than he had given [REDACTED] all of his drugs. He stated that he was looking for some more and asked us if we had any. We stated that we did not. We then went back into the club. [REDACTED]

It was at this point I saw a Paramedic stationed at the front door. [REDACTED] could look at the searching going on. I had not seen the paramedic before this.

I then went into the toilet [REDACTED] and used another cubicle. In there, behind the bin, I found another discarded drugs snap bag. I took a picture of this [REDACTED] which I exhibit as [REDACTED]. Whilst I was in the toilet I heard two males in the same cubicle next to me speaking French. When I exited my cubicle I could still hear them speaking, though the cubicles at either side were empty. In the cubicles the toilet roll holder had a flat surface and could have been used to take drugs from. Guidance for Licensed Premises states that it is best-practice for all flat surfaces to be removed from locking cubicles, so as to discourage drugs use.

I saw the male [REDACTED] pass us on the stairs. He was still heavily intoxicated and still agitated.

In Room 2 I noticed a [REDACTED] male, [REDACTED]. I believed that he was dealing drugs, as he was approaching groups of people he did not appear to know, engaging them in brief conversation and then walking away. He was not intoxicated and did not seem to be on a night out, and appeared unduly wary of his surroundings. He was not challenged by door staff and I saw him circulate between Room 1 and Room 2 throughout the evening.

At around 03:00hrs PC [REDACTED] and I again went out to the smoking area as we had been concerned by the previous licensing breaches and this area demanded further attention. Both [REDACTED] and [REDACTED] were outside, and were still heavily intoxicated. I saw [REDACTED] leaning on his friend for support. I could see two or three door staff in fixed points. They were asking people to be quiet, particularly as they exited the club, though did not intervene otherwise. Whilst we were near the centre of the smoking area another male, who appeared to be of [REDACTED]

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[redacted] with a [redacted] accent approached PC [redacted] and began to speak to her and then spoke to me. He approached us and asked if we had any MDMA. We said 'no' though he continued to speak to us. He explained that he had 'dropped' (taken) his drugs before he entered the premises though thought he had taken them too early and was looking for more. He said that he had just had a conversation with a dealer in the venue, though he thought the price was too expensive. He was very twitchy and held his arms in front of him in a strange manner. He was gurning and exhibited all the signs of having taken drugs. If anyone was looking for persons exhibiting those signs then he would have stood out. At this point, [redacted] and his friend joined us, and the conversation. The male from [redacted] then continued speaking and said that his friend was a dealer and had been working from the club the previous Friday though he did not put the prices up as much as the male working that night. He then explained that he had seen the door staff approach a dealer and take him away. He then returned a few minutes later, without his drugs, though had been allowed to remain in the venue. It was unclear whether that was on the previous Friday, or on the day we were present. However, he repeated the story to [redacted] and his friend and told them that he believed that the door staff gave the drugs to dealers they were 'looking after' to re-sale. They then discussed where they were going to get drugs for the evening and asked us if we were also looking and if we'd managed to find a dealer. The male [redacted] then stated that he was going to ask a member of the door staff where he could buy. At this point, we made our excuses and left.

As we exited the smoking area we asked the member of the door team positioned at Greenhill Rents whether we could exit that way, though were politely declined. We did this as we had previously seen patrons passing through this way and wanted to check whether the licence condition was being continuously broken. We then went back to the toilets [redacted]. The toilets were busy and I did not see any drugs use at the [redacted]. There was a member of door staff and a toilet attendant positioned at the entrance of the toilets, directing people to the right area. However, from that position they had very poor line of sight into the facilities and would not have been able to monitor what was going on in [redacted].

At [redacted] hrs we then exited the club and walked back to the RVP. On exit we were asked by door staff if we were coming back in, and a taxi marshal asked us if we needed a taxi. These are conditions on the premises licence and were being complied with. Outside Cubana, on Charterhouse Street slightly west of Fabric, we were stopped by two males who asked us for a lighter. They asked us if we had just come from Fabric and what the music was like. We told them, and they didn't seem too happy with the music choice, though one stated 'we've got our MDMA - we'll be fine' and they walked in the direction of Fabric.

We then went back to the RVP and were picked up by our supporting officers and did not re-enter the nightclub.

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