

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

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Statement of: Maria Ord.....

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Sergeant 1305

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:

Date 10th January 2022Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am Neighbourhood Sergeant 1305 Maria Ord of Northumbria Police, Southern Area Command based in Sunderland City Centre. I have been a police officer for 17 years and a police Sergeant for 8 of those years.

I have shared responsibility for policing within the City Centre of Sunderland and I am involved with all aspects of licensing relating to City Centre premises. I am responsible for delivering the Northumbria Police and Crime Commissioner's Plan which includes, amongst other things, the reduction of crime and disorder in the City. Another vital part of my role is to identify vulnerability and protect vulnerable people in the City Centre.

As part of my responsibility, I assess, in conjunction with Chief Inspector Stuart Liddell, the impact of new Licensing applications as well as individuals or businesses that already hold a licence and consider the impact, or the likely impact, a new or existing licence, licensee or Designated Premises Supervisor may have on the City centre. When doing this I consider residents, businesses and the variety of people visiting the city.

I make this statement in support of the Chief Constable of Northumbria Police decision to object to the application to vary the DPS to Mark Morrison at Josephs Bar, 29 Holmeside, Sunderland, SR1 3JE on the grounds of crime and disorder.

I have had prior dealings with Mark Morrison in his capacity as DPS at Jungle Bar. These dealing are outlined as follows:-

On 23rd July 2021 I advised the current DPS of the Jungle Bar (Anna Jacques) that following legal advice I was submitting a formal application to review the license at Jungle bar. This was following huge concerns around the level of crime and related disorder at the premises. Shortly after this, on 30th July 2021 an application was received to vary the DPS to Mark Morrison. In relation to this variation to the DPS, the usual checks were carried out and no concerns regarding Mark as the DPS were found however, I did have concerns over his lack of experience in running licensed premises. He had some limited experience in another bar but had not previously been a DPS.

On 3rd August 2021, I held a meeting, along with the licensing officer, with Mark to discuss my concerns about the Jungle Bar and his intention for the bar moving forward. I summarised the problematic history of the premises and the current position regarding the pending review. Mark explained he had been asked the previous week by a family member if he would consider taking over the role as the DPS. Mark stated he was happy to take on this role for possibly the next 6 months, however due to the fact he had commitments at home, moving forward he would look to remove himself. Mark was made fully aware of the expectations from the police regarding his new role and also the commitment he would need to make.

Jungle bar was visited on a number of occasions by however Mark was never seen by police in the premises after taking on the role as DPS role and issues continued to occur.

On 11th October 2021, Mark Morrison emailed council licensing to advise he was no longer DPS at the Jungle bar. When Mark was spoken to by council licensing he confirmed he had left his role on 3rd October 2021 but had not alerted the authorities. Staff at the premises were subsequently contacted by council licensing and stated they were not aware that Mark had left his role at the premises. The premises were closed temporarily as no DPS was in place.

On 22nd October 2021, a further application was received by John Kerr, Premises License Holder at the Jungle Bar to vary the DPS with immediate effect back to Mark Morrison. This could not be processed due to the paperwork being completed incorrectly.

On 26th October 2021, a further application was received by John Kerr to vary the DPS at the Jungle Bar with immediate effect to Mark Morrison.

On 29th October 2021 a meeting was held with me, Mark Morrison, Tony Shipley and CI Liddell. During the meeting I asked Mark what changes he had put in place at Jungle bar during his initial period as DPS but he was unable to specify any despite the premises being in the middle of a License Review and was unable to specify any positive actions he had taken. He also went on to state he could not dedicate any time to the premises in the next 3 weeks due to commitments at home. I asked Mark how his situation had changed due to the fact previously he had stated he could not devote the time needed that a business like Jungle Bar required. Mark stated he was prepared to complete the role again because Tony Shipley planned to get involved in the running of the premises moving forward.

On 2nd November 2021, Northumbria Police advised that they were objecting to vary the DPS at Jungle Bar back to Mark Morrison. I had major concerns regarding Mark completing the role of DPS. Incidents of crime and disorder had continued at the premises while Mark was holding the position of DPS including:-

- A male who was wanted in relation to an offence being found hiding behind the upstairs bar.
- The same male who was subject to a Pub watch ban also being found by cameras inside the premises in breach of his ban.
- An incident where a 15 year old girl was found at 3 am unconscious in the toilets.
- A disclosure made to the SIA for unnecessary use of force which resulted in a member of door staff's badge being suspended.
- Unlicensed Door Staff being used at the premises
- Continued evidence of cocaine drug use at the premises during Marks time in charge. On 18th September 2021 and 9th October 2021 cocaine drug use was found in the male and female toilets when officers used drug wipes on a licensed visit.

There were countless failings still on the license which had not been adhered to and it was clear that Mark had implemented no improvements to the policies or procedures at the venue. When police visited on countless occasions, Mark was never physically present in his managerial position.

On 19th November 2021, while the Jungle Bar application was still ongoing, an further application was received at Council Licensing which was a vary DPS application proposing Mark Morrison as DPS with immediate effect at Josephs Bar, Sunderland. This was now 2 premises where Mark was the DPS.

On 30th November 2021, Northumbria Police advised that they were also objecting to vary the DPS to Mark Morrison at Josephs Bar.

A hearing was held on Friday 3rd December 2021 at Sunderland Civic Centre in relation to the objection

to Mark Morrison as DPS of Jungle Bar and also the full review of Jungle Bar's license. In relation to Mark it was agreed at the hearing that the DPS application would be withdrawn. This was agreed as part of extensive legal discussions in relation to Jungle Bar held between the premises and Northumbria Police. It was also agreed that Jungle Bar would close for 3 months with immediate effect and during that time a complete new staff and management structure would be put in place which was fully agreeable to the police. It was also agreed that no person who previously had been involved with the running of this premises would be reemployed should the premises reopen. Subsequently, Mark was no longer involved in Jungle Bar and my future dealings with him were in relation to his role as DPS at Josephs Bar. I outline as follows:-

As a result of Marks new role of DPS at Josephs Bar, I attempted to arrange a meeting with him and the current Premises License Holder, Tony Shipley. This meeting was arranged to take place on 22nd November 2021 when both did not attend. A number of other further proposed meeting dates were arranged on 24th November 2021 and 8th December 2021, neither turned up as arranged again.

On 11th December 2021 a License Visit was conducted at Josephs at 2217 hrs. Mark Morrison was not present at the time. A staff member was in charge and stated Mark had just left, however door staff were spoken to separately and stated Mark had not been on the premises since they started at 1800 hrs. The officer reported that the patrons were extremely intoxicated and leaving the premises with glasses.

On 13th December 2021, a meeting had been agreed with Mark and Tony; however for the 4th time they were unable to attend the meeting.

On 14th December 2021 – the meeting went ahead with me, Tony Shipley, Mark Morrison, Licensing officer Kim Berston and PC 8046 Hutchinson to discuss issues which had arisen at Josephs and also our intentions around Mark as the DPS moving forward. We discussed a number of issues which had arisen recently at the premises including:-

- A Facebook post on Josephs page welcoming people back who had been previously barred for a second chance
- A person who was known to both Mark and Tony was frequenting the premises. They were made fully aware this individual was subject to a 2 year pub watch ban and this should be being monitored.
- Serious violence offence had occurred in the premises
- Addressed the outstanding license actions which had been identified during a recent visit with Council Licensing and Police Licensing Officer which had identified a number of license conditions being broken.
- We advised that we would update Mark around the ongoing progression of the vary DPS application.

On 17th November 2021 we updated all parties to confirm that Northumbria Police were still progressing the objection in relation to Marks role as DPS at Josephs Bar.

On 21st December 2021, I conducted a Licensing Visit at Josephs at 1520 hrs. Tony Shipley was in charge and Mark Morrison was not present.

On 8th January 2022, a further licensing visit was conducted at Josephs. Mark Morrison was not present at 2225hrs and door staff stated he had just left the premises to take a family member home. Drug wipes were used by attending officers in the male and female toilets and both showed a positive read of significant cocaine use.

I also had growing concern around this period of time in relation to incidents that were occurring at Josephs Bar. The following incidents all occurred after the meeting held on 14th December 2021:-

15/12/21 – FWIN 604 – Refers to a fight ongoing at the premises and an unconscious male on the floor. The victim was seen by ambulance and they confirmed he had suffered a head injury after being punched in the face. The stated the male actually unconscious. BWC footage reviewed and showed disturbance and injured male at Josephs.

18/12/21 – FWIN 558 – Refers to 2 assaults on victims (Crimed S39 and S47). They alleged door staff assaulted them. Attending officer asked for CCTV and was told by door staff that there was no CCTV at the premises. The was confirmed to be untrue and the investigation is progressing.

20/12/21 – FWIN 420 – Crimed - S39 Common Assault - Victim reports he has been assaulted by an unknown male in the premises who has punched him in the eye and made off.

22/12/21 – FWIN 558 – refers to a disturbance involving a known male from inside Joseph's Bar. The known male was observed by witnesses threatening the victim with a beer barrel after leaving the premises. Attending officer PC 2270 Fletcher stated that the staff from Josephs lied to him about the male leaving the premises during the incident, proven to be false on CCTV. He also made off back into Joseph's bar in order to avoid arrest. The officer reported that the staff were uncooperative with Police throughout.

25/12/21 – FWIN 573 – Report of a fight ongoing at Josephs observed by Civic Centre Cameras. A caller (15 years old) advised he had been assaulted by the owner of the premises. Civic Centre Cameras confirmed that a known associate of the owner who is currently on Pub Watch and banned from City Centre premises had been inside Josephs bar at that time.

31/12/21 – FWIN 665 – Concern for Child at the premises. – As I drove past Josephs on mobile patrol I immediately noticed a male drinking a pint at the front of Josephs. He appeared extremely young and extremely intoxicated. We approached the premises at which point the male in question was now standing inside the venue drinking a pint of lager. As we approached he put the lager down and attempted to leave when I stopped him. The male was 16 years old (without valid ID) and very drunk. He was alone and subsequently taken home to his mother in Seaham. The relevant child concerns were submitted.

03/01/22 – FWIN 353 – Section 4 Public Order Offence Crimed – Caller reported having threats of violence made against him and his partner by a friend of the owner (he referred to as regulars). The male involved is known by police and is subject to a Pub watch exclusion – Despite this being made clear to Mark and Tony they still allow the male into the premises. The Crime investigation is ongoing.

On Wednesday 12th January 2022 at 1400 hrs I attended a review meeting at Josephs Bar with Police licensing officer Kim Berston, Council licensing officer Scott Lawrence and PC 2325 Fenwick. Tony Shipley and Mark Morrison were in attendance. This was to discuss recent issues and concerns at the premises which had come to police attention and are previously outlined in my statement. Council Licensing also attended to conduct a follow up visit after the initial joint visit conducted on 10th November 2021 uncovered a number of conditions on the license which were not being adhered to. Council Licensing confirmed that some of the conditions were still not being adhered to and had not been addressed since the earlier meeting on 10th November.

The incidents highlighted previously were all discussed in depth with Tony and Mark and they provided their account of what had occurred. Mark had limited knowledge of any of the incidents due to the fact he stated he worked day shifts. Tony subsequently did the majority of the talking. I stressed that a number of these incidents gave police huge concern and improvements were essential. The incidents were not documented accurately in the pub's records kept at the premises, neither by staff or door staff .Pub Watch and banned persons were discussed as previous incidents highlight issues with this matter. Tony stated that the person in question was only in the pub in a work capacity and not when the pub was open. After reviewing the CCTV I was able to negate this account and confirmed the individual was in

the pub socially drinking alcohol. In summary, my recommendation to address these concerns would be to place the premises on a 6 week improvement plan which include regular visits to the premises for monitoring purposes. Both Mark and Tony accepted issues needed to be addressed and agreed with the action plan being implemented.

The role of DPS is to effectively manage the day to day running of the premises and is crucial to ensure that the licensing objectives are upheld. The DPS is a key and essential point of contact for the police to ensure that issues are dealt with swiftly and effectively. Subsequently Northumbria Police do not feel that Mark Morrison is able to effectively perform this role. He is not suitable for a number of reasons outlined in my statement. Throughout his time as DPS at Jungle Bar and Josephs he has continually fallen short of what is required. He has not effectively implemented any change or improvements. Mark does not appear to have full knowledge of what is happening at the premises and incidents of crime and disorder continue to occur under his management. A premise which can be problematic requires robust management, experience, and time and commitment necessary to improve.

I have spoken to Chief Inspector Stuart Liddell regarding this application and subsequent police objection. CI Liddell is fully aware of the previous and current involvement with Mark Morrison in the role of DPS. He has been kept updated throughout and he fully supports the objection made by the police.

I have worked in Sunderland City Centre for the majority of my 17 years' service and the past 5 years I have been the City Centre Neighbourhood Sergeant working with a wide range of premises in the night time economy. Policing of this area of the Night Time Economy, particularly when it is at its busiest, is extremely challenging and requires close scrutiny and dynamic management. It is an absolute priority of the police to protect the vulnerable and minimise crime and disorder. Any premise or individual that undermines those policing objectives must be instructed to make changes to their operation as a matter of urgency.

Signature:

M. Ad Sgt 1305

Signature witnessed by:

