

RESTRICTED (when complete)

MG11

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WITNESS STATEMENT**Criminal Procedure Rules r 27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B**

URN

Statement of: **Martin Richard THORLEY**

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

This statement (consisting of five 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: 16th December 2020

Check box if witness evidence is visually recorded ☐ (supply witness details on last page)

I am Police Constable 14627 Martin Thorley of the Greater Manchester Police stationed at Ashton-under-Lyne Police Station. My current role is that of Licensing Officer, Strategic Demand Reduction Team for the Tameside District.

I have delegation of authority on behalf of the Chief Officer of Police for all applications made in respect of the Licensing Act 2003.

I am aware that this statement will be used as part of an application for a review of the licensed premises **JITS Super Shop, 21 Market Street, Stalybridge SK15 2AL**.

At 1407hrs on Wednesday 3rd June 2020 PC Lawton sent me an email in relation to the under aged sale of alcohol which had been observed by Police Officers earlier that day.

I have exhibited a copy of this statement which is listed as Exh Ref MRT/1.

Council CCTV from a street overt camera which was panning at the time of the under aged sale and the Police Officers attendance has been viewed and verifies the accounts given by the attending Police Officers. This footage has been provided in relation to this review hearing.

At 0811hrs on 19th October 2020 Kevin Cock, Tameside MBC CCTV Operational Support Co-ordinator emailed me with details stating that one of his operators has filmed a school aged child going into **JIT's Super Shop on Market Street Stalybridge** at 8am earlier that morning and coming out with single cigarettes.

As a result of this information I arranged to visit **Jits Super Shop, 21 Market Street, Stalybridge SK15 2AL** on the morning of 20th October 2020 along with Mike Robinson from TMBC Licensing.

On the visit a lone female worker was spoken with and she made contact with the DPS via a telephone. The DPS who I now know to be Mr Jeiten Panchani attended shortly afterwards.

We spoke with Mr Jeiten Panchani who initially denied that any member of staff would sell single cigarettes to children. He confirmed that the CCTV inside the store was fully operational and he was asked to show us the CCTV from the shop floor and the counter covering the times identified by TMBC Operational Support Officer, Kevin Cocks.

Mr Jeiten Panchani was showing me the footage on his mobile telephone and the screen was small and the footage unclear. The time and date was recorded on the footage and was small in size due to the size of the

Signature:.....

Signature witnessed by:

2010/11

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screen. I quickly established that Mr Jeiten Panchani was showing me the footage from around 0800hrs on the previous day to the alleged incident. I pointed this out to Mr Jeiten Panchani and asked him to please assist with our enquiries and show the correct footage.

This was then done and the footage was viewed on the mobile devise of Mr Jeiten Panchani by me and Mike Robinson in the presence of Mr Jeiten Panchani.

The footage clearly shows on both camera 2 and camera 4 a bearded shop assistant wearing a light blue beanie hat, black Adidas jacket with white stripes down each sleeve taking cash in the way of coins from a school aged child who was wearing black Nike hoody. The shop assistant is seen to hand over two single cigarettes before counting the coins and the school child leaves the shop in the direction of Chapel Street.

Later the same day this footage was forwarded to myself by Mr Jeiten Panchani via whatsapp and is evidenced as Exh Ref MRT/2

On the afternoon of Tuesday 20th October I attended at Copley High School with Mike Robinson and we spoke with one of the Senior Leadership Team at the School, Mr Scott who was shown the footage detailed in Exh Ref MRT/2. Mr Scott was able to identify the young man involved as a pupil under the age of 16 who attends Copley High School.

Following the visit to Jits Super Shop, having received the CCTV footage and confirmed an under aged and unlawful sale had taken place, I text Mr Jeiten Panchani at 1114hrs on 27th October ***"many thanks for the footage. Please could you provide me with the full details of Mitch. I need to know all details including his address and date of birth. All the details you know would be appreciated"***

The reply came back at 2009hrs the same day ***"I don't have any other details about Mitch as he failed his training. I did not employ him after what he did"***.

On Wednesday 4th November at 1356hrs I was copied into an email from the Assistant Head teacher from West Hill School which detailed ***"Just an FYI – found a lad here with fire crackers on him today, where did he buy them – Jits. It's a concern, because they might be selling things more serious to minors"***.

On Thursday 5th November I attended at West Hill School Stalybridge where I spoke with the Support and Inclusion Manager who informed me of the details of a school child under the age of 16 who had been involved in possessing "Snap Bangers" whilst at school. The box of "Snap Bangers" was photographed and is exhibited as Exh Ref MRT/3.

I have caused the production of the following exhibits which are to be presented for the Review Panel Hearing:-

MRT/1 Statement of PC Tony Lawton

MRT/2 CCTV Footage from Jits relating to 19/10/20

MRT/3 Photographs of SNAP BANGERS Box 5/11/20

MRT/4 Redacted list of incidents from JITS

MRT/5 Delegated Authority from Chief Constable.

It is my opinion that having reviewed the CCTV footage and having been informed of other incidents which have been occurring at JITS Super Shop premises that Mr Jeiten Panchani as DPS and his staff have failed

Signature:.....

Signature witnessed by:

in Promoting of the Licensing Objectives as the manner in which the premises have been managed, clearly allows age restricted goods to be sold to children. The illegal sales of cigarettes, alcohol and snap bangers evidences behaviour and actions of the management and staff at **JITS Super Shop** to be totally irresponsible.

To the best of my knowledge and belief there is no reasonable ground for believing that the information produced above, from various Police computer systems, and included in this statement is inaccurate because of improper use of the computers and to the best of my knowledge and belief at all material times the computers were operating properly, or if not, any respect in which they were not operating properly or were out of operation was not such as to effect the production of information or its accuracy.

PC 14627 Martin Thorley

Signature:.....

Signature witnessed by:

Witness contact details

URN

Home address:

C/O Hyde Police station

Postcode: SK14 2LJ

Home telephone no.:

Work telephone no:

Mobile no: [REDACTED]

E-mail address:

Preferred means of contact:

(Specify details for vulnerable/intimidated victims and witnesses only):

Gender: Male

Date and place of birth:

Former name:

Ethnicity code 16+1

DATES OF WITNESS NON-AVAILABILITY:**Witness care**

- a) Is the witness willing and likely to attend court? If 'No', include reason(s) on form MG6. ☒ Yes ☐ No
- b) What can be done to ensure attendance?
- c) Does the witness require Special Measures Assessment as a vulnerable or intimidated witness? Youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case) If 'Yes' submit MG2 with file in anticipated not guilty, contested or indictable only cases. ☐ Yes ☒ No
- d) Does the witness have any particular 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 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 the police' ☐ Yes ☒ No
- d) I consent to police having access to my medical record(s) in relation to this matter: ☐ Yes ☐ No ☒ N/A
(obtained in accordance with local practice)
- 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 or other proceedings if applicable: e.g. child care proceedings, CICA. ☐ Yes ☐ No ☒ N/A
- g) Child witness cases only. I have had the provision regarding reporting restrictions explained to me. ☐ Yes ☐ No ☒ N/A
- I would like CPS to apply for reporting restrictions on my behalf ☐ Yes ☐ No ☒ N/A
- I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court;

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): Self

Station: Hyde

Time and place statement taken: 1400 hrs H/A



THROWDOWN

CE 1170

ITEM NO: FKS01(T8900)

CATEGORY F1 CE: 1170-F1-03825

ITEM NAME: SNAP BANGERS

MINIMUM AGE LIMIT 18 YEARS. NEC: 0.018g

BATCH NUMBER: S19-1

SAFETY INFORMATION

MUST BE SOLD AS PACKAGED. USE ONE AT A TIME.
DO NOT THROW AT OR NEAR PEOPLE OR ANIMALS.
THROW ONTO HARD GROUND. DO NOT CARRY
THROW DOWNS LOOSE IN THE POCKET.

CONTENTS COMPLIES WITH BS EN15947:2015

