

WITNESS STATEMENT

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

Statement of [redacted] ..... URN: [ ] [ ] [ ] [ ]

Age if under 18 Over 18 ..... (if over 18 insert 'over 18') Occupation: Immigration Officer [redacted] .....

This statement (consisting of: .... 2..... 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: [redacted] ..... Date: 30/10/2021 .....

Tick if witness evidence is visually recorded [ ] (supply witness details on rear)

I, [redacted] Immigration Officer [redacted] am an arrest trained Immigration Officer, currently based with the Home Office [redacted] Enforcement Team.

On the 23rd of October 2021 I attended Noble House, 43 Osborne Road, Portsmouth, PO5 3LS as part of an Enforcement Visit with the view to locate and interview alleged illegal workers. Event reference on the PRONTO application is: EV19-806,572.

- On Duty at the time were the following staff;
Officer in Charge Immigration Officer [redacted]
Arrest 1. Immigration Officer [redacted]
Cover 1. Immigration Officer [redacted]
Arrest 2. Immigration Officer [redacted]
Cover 2. Immigration Officer [redacted]
Arrest 3. Immigration Officer [redacted]

My role as Arrest 1 was to enter the premises and head straight to the kitchen to contain any staff members encountered working in the kitchen. We had the power of entry under Section 179 of the Licensing Act 2003.

I entered the premises at 20:35 [redacted] and myself were instantly confronted by a male who I later learnt to be Albert CHOI the owner of Noble House, he was immediately hostile towards officers including myself where he raised his voice and told us to get out. He used his body to block officers from conducting their duties. There were two routes between the bar and tables to get to the kitchen area of the premises, [redacted] and myself headed down the route not blocked by CHOI to get to the kitchen area. Between the restaurant and the kitchen was a narrow corridor and two doors. As I entered the kitchen through the second door and saw 3 people working in the kitchen I received an airwave transmission from [redacted] warning me that CHOI was on his way to the kitchen area as the transmission ended the first door swung open and CHOI rushed through. It was clear at this moment that CHOI was trying to relay a message to his staff in the kitchen as he shouted to them in [redacted], I am unable to translate what he was saying but the kitchen staff acknowledged the message and carried on as they were barely acknowledging our presence at first. At this time I was stood in the second doorway, the area was very narrow and CHOI was on top of me in his attempts to reach the kitchen, physical contact was made by CHOI, he used his body to try and move me out of the way.

I wished to carry on with my duties and conduct initial examinations of the people in the kitchen, this was made difficult for multiple reasons; firstly it was an industrial kitchen space therefore noisy and cramped conditions, secondly the kitchen workers spoke very little English and finally I believe that the message CHOI had managed to get to his staff had an effect

Signature: [redacted] ..... Signature witnessed by: Self.....

Continuation of Statement of [REDACTED] .....

on how they were acting. At the time of my first initial examination (approx. 20:55hrs) CHOI was now inside the kitchen, CHOI was being extremely disruptive and to me it seemed he was attempting to assert his dominance over the situation, I could hear [REDACTED] explaining the purpose of our visit and the legal basis for our entry to the premises and CHOI was not listening to him, he continued to tell us we were on the premises illegally and trying to make us leave despite the explanations offered to him.

I am unaware if it was requested or presented but CHOI provided officers with a hand-written note of the names and dates of birth of the staff inside the kitchen area for us to conduct our checks, despite this not being ideal it did allow us to begin the process and began the engagement with the staff in the kitchen.

I am unaware of the exact time but I moved my interview to the restaurant as there were now no customers left, I sat my interviewee down at the table closest to the kitchen in the restaurant area and before I had moved around the table CHOI had positioned himself on the opposite side which was within earshot of the majority of interviews that were happening at the time. I do not know if this was deliberate or coincidental but my interviewee was certainly aware of his presence and did not become any more forthcoming or helpful at this time.

As it transpired, we moved our interview location back to the office at [REDACTED], as per [REDACTED] request, we departed Noble House at 22:55.

[REDACTED]

■

Signature: [REDACTED] ..... Signature witnessed by: Self .....

**Witness contact details**

URN: / / /

Name of witness: .....

Home address: ..... Postcode:.....

Email address:..... Mobile:.....

Home telephone number:..... Work telephone number:.....

Preferred means of contact (specify details for vulnerable/intimidated witnesses **only**):.....

Gender:..... Date and place of birth:.....

Former name:..... Ethnicity Code (16 + 1): .....

**DATES OF WITNESS NON-AVAILABILITY:** .....

**Witness care**

- a) Is the witness willing to attend court? Yes  No  If 'No', include reason(s) on form **MG6**.
- b) What can be done to ensure attendance? .....
- c) Does the witness require a 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*)  
Yes  No  If 'Yes', submit **MG2** with file in anticipated not guilty, contested or indictable only cases.
- 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 Home Office...." Yes  No
- d) I consent to police having access to my medical record(s) in relation to this matter (*obtained in accordance with local practice*) Yes  No  N/A
- 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 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 the 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*): ..... Station:.....

Time and place statement taken: .....