

ICL INQUIRY STATEMENT
JAMES PORTEOUS

Introduction

1. During the early afternoon of Tuesday 11 May 2004 (11/05/2004) I was on duty, lecturing at the Scottish Police College, Kincardine, when I was informed that an explosion had occurred within the factory premises called ICL Tech Ltd (referred to as Stockline Plastics), Grovepark Mills, Hopehill Road, Maryhill, Glasgow. Fatalities were anticipated as a number of people were trapped beneath the debris. I attended the scene about 1500 hours assuming the role of Senior Investigating Officer.

2. I liaised with Superintendent John CATTELL, the Police Incident Officer responsible for co-ordinating the multi-agency rescue operation. I learned that a Casualty Bureau had been established at Force HQ, Pitt Street, as had a local reception centre. I was aware that Police Crime Scene Managers and Support Unit personnel were undertaking the task of body recovery and that the city mortuary was being prepared to receive the dead (Officer-in-charge DCI David LEITCH). I took no active part in the rescue operation.

3. Being responsible for the police investigatory response I established a HOLMES based major incident room at Maryhill Police office. I also established and briefed a large enquiry team comprising detective officers from throughout the force area. Their immediate task was to interview employees/survivors, and any other witnesses, who may have been able to indicate the locations of those trapped in the rubble and provide any early indications of the cause of the explosion.

Investigation strategy

4. At an early stage the Lord Advocate directed that a joint investigation would be undertaken by the Crown Office and Procurator Fiscal Service, Strathclyde Police and the Health and Safety Executive. Consequently I convened daily meetings of representatives of these organisations to decide policy, strategy and discuss the progress of the enquiry.

5. The following are the key elements of the agreed joint-agency investigation strategy implemented at the outset;
 - I. That the police document all productions taken;
 - II. That the three agencies co-operate fully, sharing all information and documentation;
 - III. That lines of enquiry, particularly those requiring prioritisation and/or joint Police/HSE interviews, be mutually agreed during daily strategy meetings;
 - IV. That until criminality had been eliminated as the cause of the disaster, crime scene and other major enquiry procedures would be adopted. Consequently the disaster scene would be contained and protected and trained police Crime Scene managers deployed to co-ordinate the recovery, preservation and video recording of evidence. Only police, HSE, COPFS and contractor's personnel would be permitted access to the site. No third party access was to be allowed without the permission of the Procurator Fiscal nor were third parties to be made privy to confidential information emerging during the course of the investigation;
 - V. That until criminality had been eliminated as the cause of the disaster HSE personnel involved in the investigation would not utilise the powers conferred on them under section 20 of the Health and Safety at Work Act 1974;
 - VI. That HSE Inspectors/personnel, who were potential witnesses by virtue of their prior involvement with the factory, would be interviewed by police officers (albeit HSE investigators could

- be present to provide technical and specialist advice to the interviewing officers);
- VII. That the debris from the disaster site would be thoroughly and professionally searched to ensure all potential evidence and items of personal and commercial property were recovered;
 - VIII. That recovered personal and commercial property would be returned to the owners, or next of kin, at the earliest opportunity provided such property is not considered to be of evidential value.

Investigative structure

- 6. The Police and HSE operated under the direction of COPFS, which has the responsibility to investigate sudden and suspicious deaths. As SIO I implemented the following investigative structure;
 - I. The Enquiry Team – this large team of detective officers interviewed hundreds of witnesses including survivors, employees, local residents, emergency and rescue workers etc. A team comprising detective officers and HSE Inspectors also conducted a series of joint interviews of witnesses who have technical or specialist knowledge of various kinds. All information gleaned was fed into the HOLMES database.
 - II. The Disaster Site – I put a Detective Chief Inspector in charge of site. A decision was made to painstakingly sift all debris for evidence and personal property. The area was sectored, each sector being allocated a letter of the alphabet. The site was subsequently systematically searched, sector by sector, every stage being supervised by a Crime Scene manager and photographed/video recorded by both the Police and the HSE. Productions which required examination by HSL personnel were removed directly to the English laboratories in question. All other items, including 5,500 tonnes of debris and 1000 x 1 tonne bags of documents, were taken to the disused Police vehicle pound at Brand St, Glasgow, where a fine mesh

conveyer belt was used to recover even the smallest of items. This was a massive operation undertaken by both CID and uniformed personnel. I arranged for both the site and Brand St operations to be the subject of a documentary style video produced by the force Audio-Visual unit. This will be available for court purposes.

- III. Communication – regular meetings were held to ensure that information emerging from the investigation and the search of the site was properly disseminated and that all personnel remained fully informed at all times.
- IV. Liaison was maintained with the management of ICL Tech and every effort made to assist with the recovery of the company. Many recovered items of plant and machinery were returned at an early stage. Police family liaison officers were deployed to support next of kin, a function which was later assumed by the COPFS VIA service.

- 7. I subsequently submitted a police report to the Procurator Fiscal which compliments that submitted by the HSE.

I confirm the contents of this statement are true.

Witness signature _____

Date _____