

NOT DISCLOSABLE

Page 1 of 10

REPORT TO CROWN PROSECUTOR FOR CHARGING DECISION,
DECISION LOG AND ACTION PLAN

URN

62

AA

1234

56

REPORT TO CROWN PROSECUTOR (FOR POLICE COMPLETION)

Suspect 1		Gender: Male		Proposed charge(s):	
Surname:	POWELL			1. Affray	
Forename(s):	GORDON				
Date of Birth	06/10/1965				
Custody Ref:	C170012345				
Ethnicity Code (self-defined):	W01				
PPO: ☐	DYO: ☐	YO: ☐			
Bad Character Evidence: Select:		Dangerous Offender: Select:		Return Bail Date:	
Suspect 2		Gender: Male		Proposed charge(s):	
Surname:	JOHN			1. Affray	
Forename(s):	DENNIS				
Date of Birth	28/10/1983				
Custody Ref:	C170023456				
Ethnicity Code (self-defined):	W01				
PPO: ☐	DYO: ☐	YO: ☐			
Bad Character Evidence: Select:		Dangerous Offender: Select:		Return Bail Date:	
Suspect 3		Gender:		Proposed charge(s):	
Surname:	GREEN			1. Common assault upon Gordon POWELL	
Forename(s):	ALEX				
Date of Birth	07/09/1985				
Custody Ref:	VA170003456				
Ethnicity Code (self-defined):	W01				
PPO: ☐	DYO: ☐	YO: ☐			
Bad Character Evidence: Select:		Dangerous Offender: Select:		Return Bail Date:	

Officer completing:	Constable SWP999 WILLIAMS				
Station:	Merthyr Tydfil Police Station				
Signature: 		Date:		Tel No:	01685 724216

NOT DISCLOSABLE

Page 2 of 10

URN

62

AA

1234

56

REPORT TO CROWN PROSECUTOR (FOR POLICE COMPLETION)

Material Provided to CPS (indicate if attached)

	Date of Item		Date of Item
MG2 Special Measures Assessment (VIW)		Statement of:	
Statement of: Beth GRENWICH	19/07/2017	Pocket note book/Incident report book:	
Statement of: Scott EMERY	19/07/2017	Police incident log:	
Statement of: PC HEMBRO	19/07/2017	Video/photographs:	
Statement of: PC CHARLIE	20/07/2017	Previous convictions/disposals:	
Statement of: Carla KITCHENER	20/07/2017	MG17 POCA Property or Financial Gain	
Statement of: Lianne LLOYD	20/07/2017	Interview record:	
Statement of: David VICKERY	29/07/2017	Interview record:	
Statement of: Gordon POWELL	24/09/2017	Interview record:	
Statement of: PC 999 WILLIAMS	06/10/2017	Interview record:	
Statement of:		Interview record:	
Statement of:		Forensic/expert evidence:	
Statement of:		Other	

Type of case

Domestic Violence

☐

Hate crime

☐

Racially Aggravated

☐

Decision / Advice sought

Charging Decision

☒

Investigative Advice

☐Outline of circumstances and decision/advice sought *[* If you have already completed a summary on form MG5, paste the contents into the relevant areas of the MG3]*

This file of evidence relates to an Affray that occurred on Wednesday 19th July 2017 in the rear lane of CHURCH STREET, PONTYPRIDD.

The suspects in this case are Gordon POWELL and Dennis JOHN who both live on CHURCH STREET.

INCIDENT DETAILS:

At 16:06 hours on Wednesday 19th July 2017, the following report was made to police by the wife of Gordon POWELL:

"ASSAULT

WE HAVE HAD ALOT OF PROBLEMS WITH THE YOUTHS COMING INTO OUR GARDEN FOR THEIR BALL. IT HAS ALL KICKED OFF AND MY HUSBAND HAS GONE OUT THERE, HE HAS HAD HIS TSHIRT RIPPED OFF HIS BACK AND HE HAS GONE OUT THERE WITH A BASEBALL BAT.
(MALES ARGUING)".

Officers attended and established that the suspects POWELL and JOHN became involved in a dispute with one another after JOHN'S children had kicked a ball into POWELL'S garden and there was an issue about the children getting the ball back.

An altercation has begun between JOHN and POWELL which has resulted in them both fighting and POWELL returning to his address to get a baseball bat.

POWELL goes back outside and then uses the bat to strike at JOHN before being disarmed by other neighbours.

Both POWELL and JOHN were subsequently arrested on suspicion of Affray.

WITNESSES:

NOT DISCLOSABLE

Page 3 of 10

There were a number of neighbours present who witnessed the incident.

Witness Beth GRENWICH - Has provided a witness statement.

Witness Scott EMERY - Has provided a witness statement.

Witness Lianne LLOYD - Has provided a witness statement.

Witness Carla KITCHENER - Has provided a negative statement.

Witness David VICKERY - Has provided a negative statement.

Witness Nicholas PORCHE - Has provided an EPNB entry stating that he does not wish to get involved.

Witness Rhys EDWARDS - Has provided an EPNB entry stating that he does not wish to provide a statement.

CCTV:

The suspect POWELL had CCTV at the rear of his address which captured the incident.

The CCTV has been downloaded and a transcript of the footage is included in the strengths of the case.

A statement has been provided by PC WILLIAMS documenting the content of the footage.

BASEBALL BAT:

The baseball bat used during the incident has been seized.

Injuries:

JOHN sustained injuries as a result of the incident consisting of bruising to his arm. Photograph obtained.

POWELL sustained scratches to his right shoulder area. Photograph obtained.

OTHER INFORMATION:

When first arrested POWELL provided a no comment interview as the CCTV from his property had not been downloaded. Once this was complete, POWELL reattended the station. He was interviewed and provided an account of the incident.

POWELL stated that he wished to make a complaint of assault against Dennis JOHN but also his partner Alex GREEN stating that she had assaulted him during the incident. He provided a statement of complaint.

GREEN attended the station and was interviewed voluntarily about the allegation.

Brief chronological summary of evidence * *(which covers the points to prove)*

WITNESS - Beth GRENWICH

- Has known JOHN for around 15-20 years.
- Has known POWELL for around 8 years.
- Around 16:30 hours on Wednesday 19th July 2017 was at her home address when she heard raised voices coming from the back of the house.
- Went to her back gate and heard JOHN say "THIS IS REALLY FUCKING HAPPENING IS IT?"
- Saw JOHN and POWELL locked in a tussle with both of them holding each other by their t-shirts.
- GRENWICH took JOHN'S son into her house as he was present and scared.
- She went back out to the lane and saw JOHN and POWELL were still grappling. There was lots of shouting and name calling but she cannot recall what was being said.
- Neighbours were trying to break POWELL and JOHN up and she took her other son who was outside back into the house.
- States that when she came back outside to the lane she saw POWELL in possession of a baseball bat in his right hand. POWELL held the bat in the air and brought it towards JOHN but is unsure if it connected.
- A neighbour named Nicky got hold of POWELL'S arm and another neighbour named Rhys took the bat off POWELL.
- JOHN and POWELL were then split up. POWELL was in possession of a phone and she believed he was on the phone to police.
- POWELL and JOHN continued to argue and JOHN left and went back to his house.

WITNESS - Scott EMERY

- Around 17:30 hours on Wednesday 19th July 2017 was moving tools from garden shed to the front of the house when he heard 2 male voices shouting something about a ball.
- Went out and saw JOHN and POWELL had hold of each other's t-shirts with both hands and were stood still.

NOT DISCLOSABLE

Page 4 of 10

- POWELL and JOHN separated.
- JOHN walked back to the rear of his address and POWELL went back to the rear of his. POWELL had a torn t-shirt at this time.
- Witnessed JOHN come out of his address wearing a different t-shirt. JOHN stood and talked with him, Nicky and Rhys for a short time.
- Saw POWELL come out of his gate holding a baseball bat. No one said anything and they all walked towards POWELL.
- POWELL swung the bat at JOHN hitting him to the left side.
- States that he told POWELL he should not have the bat in the street and POWELL said something about just defending himself.
- States that he and Nicky grabbed POWELL whilst Rhys took the bat off him. JOHN had backed off as soon as he was hit.
- After taking the bat off POWELL, he, Nicky and Rhys let go of him.
- POWELL went back into his address and came out a short time later on the phone to police.
- States that he was scared that POWELL would swing the bat and hurt someone.
- States that he does not know JOHN or POWELL very well and has only spoken to each of them a few times.
- States that he would not say that he is friends with either of them.

WITNESS - Lianne LLOYD

- States that around 4.10pm she was walking towards Tama Stores where she saw her friend Carla KITCHENER standing on the pavement a few doors up from the store.
- KITCHENER advised her that POWELL and JOHN had been fighting.
- States that she has known JOHN for 10 years and POWELL is a family friend.
- States that as she was talking she could see a group of people on the opposite side of the road.
- States that she could see Alex GREEN who is JOHN'S girlfriend and heard her say "I THINK I'VE BROKEN MY PHONE".
- States that she saw JOHN come out of his garden gate. She cannot remember if he stopped to speak to Nicky and Scott or if he just walked up the lane towards her.
- Whilst JOHN was still in the lane, POWELL came out of his garden gate, 2 doors up from JOHN holding a wooden baseball bat. He was holding it at shoulder height and went straight towards JOHN.
- POWELL swung the baseball bat around clearly aiming for JOHN. Thinks that he may have caught JOHN on the leg and shoulder whilst he was swinging the bat.
- States that she ran across the road to intervene. Scott and Nicky were trying to push them away from each other.
- JOHN and POWELL were both throwing punches and punched each other several times.
- States that JOHN reacted after POWELL went for him with the bat.
- States that she tried to pull JOHN and POWELL apart.
- Is unsure who took the bat off POWELL but he no longer had it when they separated them.
- POWELL was on the phone to police and threw a football from his garden into the lane.
- States that POWELL'S t-shirt was ripped but she does not know when this happened. JOHN'S t-shirt was off but she cannot say when this happened.
- States that POWELL came out with a bat when there were a lot of children out playing.

ARRESTING OFFICER - PC HEMBRO

- At 22:25 hours on Wednesday 19th July 2017 attended the home address of Dennis JOHN.
- JOHN had been involved in an altercation with a neighbour Gordon POWELL and on checking CCTV of the incident, JOHN had been seen acting in an aggressive manner by approaching POWELL and had thrown a number of punches towards him.
- Arrested JOHN on suspicion of affray.

ARRESTING OFFICER - PC CHARLIE

- At 17:30 hours on Wednesday 19th July 2017 attended the home address of Gordon POWELL.
- Arrested him on suspicion of affray. He was cautioned to which he made no reply.
- Seized a CCTV system from the bedroom of the address - Exhibit Ref BC/1.
- Seized a torn blue t-shirt from the living room of the address - Exhibit Ref BC/2.

NOT DISCLOSABLE

Lines of defence (*e.g self-defence, ID, etc.*)

Dennis JOHN - Summary of interview

DP claims that he and Gordon POWELL were both fighting and both throwing punches and it was 50/50. He doesn't know who started the fight.

The DP states that a few weeks ago he called the police because POWELL had kicked one of his boys backwards. More recently POWELL had seen the DP's other child and has said "WHO THE FUCK ARE YOU LOOKING AT". The DP states that POWELL has painted all the rear garden walls and lamp post with anti-climb paint in an attempt to stop children playing in the lane. This has angered him. Since these incidents the tensions between POWELL and the DP's family have been high.

The incident:

The DP states he was in his house when his son (aged 6) came running in crying and upset. Stating that POWELL wouldn't give him his football back. The DP is aware that the boys were playing in the back lane behind their garden. The ball has then gone into POWELL'S garden. The DP stated that he believes POWELL has a vendetta against his 6 year old son due to ongoing issues.

The DP has gone into the back lane and looked into POWELL'S garden and seen him there. The DP has asked POWELL if he could have his boy's ball back. The DP admits that he didn't ask POWELL nicely and was swearing at him. POWELL has then told the DP "FUCK OFF YOU PUSSY".

The DP states that POWELL has left his garden and come into the back lane where he took off his glasses and they began to fight. The DP doesn't know and can't remember the exact details of the fight and cannot remember who started it. The DP states he grabbed POWELL'S throat, whilst POWELL was kicking and hitting him. The DP admits that both he and POWELL were trying to punch each other. The DP is not sure if he landed any punches on POWELL. The DP states that POWELL did kick him.

The DP states he is disappointed in himself and regrets his actions because there were children around. The DP states he was very angry and cannot remember how much force was used. The DP cannot remember what he was thinking. He states he just got angry.

The DP states that he stubbed his toe in the initial 'scuffle'. And therefore went back into the house to put trainers on. He has then come back into the lane because his family were still outside. The DP admits that he should have stayed in the house. The DP states that he doesn't know where POWELL was when he went back into his house to put trainers on.

The DP states that whilst back in the lane (for the second time) POWELL has come back into the lane with a baseball bat. The DP states POWELL was swinging it towards him. He states it wasn't full swings, but more smaller movements. The DP states that POWELL hit him on the leg with his baseball bat. The DP states that he then walked towards POWELL who was holding the bat. The DP states he didn't feel intimidated by POWELL. The DP states neighbours then held POWELL back and took the bat off POWELL. The DP admits that during this 'de-arming', he was still trying to swing punches at him.

NOT DISCLOSABLE

Page 6 of 10

Gordon POWELL - Summary of interview.

POWELL initially provided a no comment interview.

He was re interviewed when the CCTV had been downloaded.

POWELL stated that the incident was a big error that could have been avoided. He stated that a ball came over into his garden which is a frequent occurrence. He stated that some young boys aged 9 and 10 came and knocked the door asking for their ball back. The DP stated that this was no problem, then one of the boys called him a "predator" because he has CCTV at his address. The DP stated that it was time for him to go and told him that he could wait for his ball.

The DP stated that he gets balls in his garden 2-3 times a day and has previous told the children to let him know if they are playing in the lane as he will leave the gate open for them so they can retrieve the ball. He stated that the children thought they had constant access to his garden and would climb his garden wall. He had a sentimental wall plant that used to belong to his grandparents but as a result of the children climbing in they killed it. The DP stated that he then put anti intruder paint on his garden wall and installed CCTV at his property.

The DP stated that a young boy, Dennis JOHN'S son, then knocked his door and asked for the ball to which the DP replied ok and shut the door. He stated that the boy went running home saying that the DP had made him cry. He stated that JOHN then came and assaulted him as shown on the CCTV.

The DP stated that he tried several times to look for the ball as shown on the footage. He stated that he could not see the ball as it was hidden by his garden wall. The DP stated that he shouted to JOHN that the ball was not there and JOHN became verbally abusive towards him. The DP again stated that the ball was not there and told JOHN to go and have a look himself. JOHN began saying that the DP wanted to start and the DP replied why would he want to start anything. He again said for JOHN to go and look for the ball but JOHN was swearing at him and stated that he was hiding the ball.

The DP stated that things totally escalated at this point. The DP'S wife went to look for the ball too then went inside. The DP stated that JOHN'S wife said that the DP had upset her son.

The DP stated that he went into the lane when JOHN said to him "IF YOU DIDN'T HAVE GLASSES ON I'D SLAP YOU". The DP stated that his glasses are expensive so he took them off and put them safe on the wall. He stated that he was nervous and peeved off and that he was not a fighter. The DP stated that JOHN then came at him and grabbed him to the throat. The DP stated that he had his arms out and was holding JOHN back. The DP stated that it was "handbags" then with them both pushing each other to and fro. The DP stated that JOHN ripped the DP'S t-shirt at this time. The DP stated that JOHN was the one who started the physical altercation.

The DP stated that he threw one punch at JOHN during the altercation but this missed. He stated that JOHN just kept on and would not back down. The DP stated that when they go off camera behind a tree there was more pushing to and fro between them. He stated that JOHN'S wife assaulted him then. She threw something at him which missed and hit him to the rear of the head.

The DP stated that JOHN then said "I'M GOING BACK TO MY HOUSE. I'LL BE BACK". He stated that at this time

NOT DISCLOSABLE

Page 7 of 10

he perceived that JOHN was going to get something maybe a knife. The DP stated that he thought this due to the way that JOHN was acting. He states that JOHN was evil. The DP stated that JOHN did not say if he was going to get a weapon.

The DP stated that he went inside his house and got his bat, at which time his wife rung the police. He stated that it was his intention to gesture the bat at JOHN to make him go away. He stated that he did not want confrontation he just wanted JOHN to go away. The DP stated that JOHN was calling him everything and was saying "I'M GONNA GET YOU". The DP stated that he prodded JOHN with the bat and gestured at him to get away when a neighbour jumped in and took the bat off him. The DP stated that he could not say if he made physical contact with JOHN.

The DP stated he doesn't think he caused injury to JOHN. He stated that he had a mark to his right chest area.

The DP stated he acted in self-defence and believed his actions were reasonable. The DP stated he did not know if JOHN was in possession of any weapon. He stated that JOHN did not threaten him with any object during the incident. The DP stated he went back outside rather than staying indoors as his back yard was not secure and he did not want JOHN to go into his yard. He stated that he was defending himself and his wife.

The DP stated that he was sorry for the inconvenience. He stated he wanted to make a complaint of assault against JOHN and his wife.

Alex GREEN - Summary of interview

The DP denies assaulting Gordon POWELL.

She stated that on the day of the incident her 6 year old son came in crying saying that POWELL had taken his ball and wouldn't give it back. Her son told her he had asked for it back and POWELL had told him to "FUCK OFF".

The DP stated that her partner Dennis JOHN went out and she could hear shouting as she was in the kitchen. She went outside and she asked POWELL for the ball. The DP stated she doesn't know what was said between POWELL and JOHN but they began fighting. The DP stated she was trying her hardest to get them apart. The neighbours assisted and she went to look for the ball but couldn't find it.

The DP states that the next thing she saw was POWELL in possession of a long light wood baseball bat which he swung connecting with JOHN'S legs. The DP stated she froze and there was a rush of people trying to get them both away. The DP stated she panicked as she was concerned that JOHN would get hit around the head with the bat.

The DP stated she did not assault POWELL and only made physical contact with him when she was trying to separate him and JOHN when they were fighting. The DP stated she did not punch POWELL and did not get involved in the fighting. She only tried to stop them.

The DP stated there have been ongoing problems with POWELL as when she moved to the house he came over asking if she drank and had parties as he had problems with the previous occupier which the DP found

NOT DISCLOSABLE

intimidating. He also asked if he could take photographs of her children and give her the photos which she found strange and declined. The DP stated there have been ongoing problems with him regarding the children's' ball going in the garden and that she previously reported him to police as he had kicked her son in the leg.

Strengths of the case (*e.g. good quality CCTV, etc.*)

The CCTV has been obtained from POWELL'S address and camera 4 covers his back garden and a portion of the rear lane behind his property.

The CCTV footage is dated 19/07/2017 and is from 16:00 hours.

The following is a transcript of what the CCTV footage shows ----

16:01:03 - 4 children are in the rear lane behind Gordon POWELLs address with one child waving at the CCTV camera.

16:01:29 – POWELL enters his garden from his property and is seen to look around the garden. He goes out of camera shot appearing to have gone back inside his property.

16:01:59 – POWELL comes back into shot in his garden and looks over his garden wall into the rear lane behind his property.

16:02:20 – POWELL is still in his garden when JOHN approaches POWELL'S garden wall in company with the group of 4 children.

POWELL and JOHN engage in conversation at which time JOHN is pointing backwards in the direction of the children. He appears to be agitated at this time.

16:02:48 – POWELL opens his rear garden gate and is gesturing to JOHN to enter his garden. JOHN approaches the garden gate but does not go in to the garden and POWELL steps out onto the threshold of his garden gate.

16:02:54 – Alex GREEN, partner of JOHN, joins them and engages in conversation with POWELL. POWELL gestures towards his garden with his hand. JOHN pulls one of the children away from POWELL and closer to him and POWELL steps out into the lane.

16:03:00 - POWELL and JOHN continue to engage with each other with JOHN pointing at POWELL. JOHN appears agitated when speaking with POWELL. POWELL raises both hands and looks into his garden from the threshold of his gate. POWELL steps back into the lane and John again points at him when speaking.

16:03:21 - POWELL removes his glasses and puts them on his garden wall.

16:03:24 - JOHN approaches POWELL and pushes him to the arms. JOHN pushes POWELL a second time which results in them holding one another by the arms. GREEN is attempting to intervene at this time by trying to grab hold of JOHN. They break apart then JOHN quickly approaches POWELL pushing him backwards past his garden gate and slightly out of shot as there is a tree in the garden obscuring the view.

16:03:52 - A female neighbour comes out of her garden gate looking into the lane and a dark haired male person walks past the garden in the direction of POWELL and JOHN. Another 2 male persons then enter the lane.

16:04:04 - POWELL and JOHN come back into shot. They are still holding each other by the arms and a male person is attempting to intervene.

16:04:10 – JOHN swings a punch towards POWELL. POWELL'S blue t-shirt that he is wearing is seen to be ripped. POWELL then throws a punch at JOHN. JOHN throws a punch at POWELL. POWELL throws a punch at JOHN. They then hold onto each other and are pushing back and forth against one another. A male wearing orange shorts is attempting to separate them. He then pushes JOHN away from POWELL and is holding onto JOHN.

16:04:49 – JOHN frees himself from the male in orange shorts and approaches POWELL. JOHN and POWELL hold onto one another's arms. The male in the orange shorts and GREEN are trying to intervene when JOHN throws a punch towards POWELL'S head. They separate and POWELL again gestures towards his back garden with his hand.

NOT DISCLOSABLE

Page 9 of 10

16:05:00 – AGREEN enters the garden and looks around. POWELL and JOHN remain in the lane and POWELL again gestures towards his back garden. POWELL and JOHN continue to speak to one another.

16:05:24 – JOHN walks away from POWELL and points at him as he does so.

16:05:31 – POWELL goes back into his garden and walks towards the direction of his property.

16:06:00 – GREEN leaves the garden and shuts the gate behind her.

16:06:18 – POWELL goes back into his garden and JOHN appears back by POWELL'S garden wall in company with the male in the orange shorts. JOHN pushes the garden gate and POWELL goes out into the lane. POWELL at this time is in possession of a baseball bat. POWELL grabs JOHN by the throat area, pushes JOHN backwards and strikes him once to the left side of his body. They lock onto one another with the bat underneath JOHN'S arm. POWELL continues to hold JOHN by the throat area and pushes him backwards towards the garden wall. POWELL throws a punch towards JOHN. The male in the orange shorts and the other 2 males who were in the lane are holding onto POWELL pulling him backwards away from JOHN. GREEN is also present and appears to be pushing at POWELL'S arm to get them to separate. JOHN then runs at POWELL who is being held by one of the males. JOHN is no longer wearing a t-shirt and is bare chested. The male in the blue t-shirt intervenes. JOHN holds onto POWELL'S t-shirt and throws a punch at him. The male in the blue t-shirt directs POWELL back towards his garden. JOHN comes behind and throws a punch at POWELL to his head.

16:06:51 - POWELL is directed back into his garden. POWELL slams the garden gate causing it to come off the hinges. POWELL throws the gate against his garden wall to prop it up. The male in the blue t-shirt and GREEN are holding on to JOHN. The male in the blue t-shirt stands in between POWELL who is in his garden and JOHN who is in the lane. POWELL proceeds to lift a pink ball that is located in between his garden wall and a neighbour's property. He then throws the ball towards JOHN.

16:07:00 - POWELL returns to his property. JOHN picks his t-shirt up off the floor and looks over POWELL'S wall. POWELL is in his garden and walks towards his gate seen to be on the phone. JOHN walks away in the direction of his property.

Has a victim personal statement been taken? (If no state reason why)

No

Weaknesses of the case (*e.g. victim/witness credibility, etc.*)

From the CCTV footage GREEN does not appear to act in an unjustifiable manner. She is attempting to intervene and separate JOHN and POWELL throughout the incident.

Charging rationale and any other information the prosecutor should be made aware of e.g. undermining material:

Full Code Test

The Charging Authority in this case is the CPS.

I have decided that the Full Code Test:

- is met*

My reasons for making this decision are:-

Altercation has taken place between the two defendants which has resulted in them both fighting and POWELL returning to his home address to obtain a baseball bat.

Upon returning outside POWELL has then struck JOHN with the baseball bat.

Both POWELL and JOHN were arrested on suspicion of affray.

A further DP was arrested namely GREEN however upon reviewing the footage it is clear that she is trying to break the fight up and to separate both parties. I don't believe that there is any malice in GREEN'S actions and there certainly no intent and she has used reasonable force.

In relation to GREEN I advise "No further Police Action".

NOT DISCLOSABLE

Page 10 of 10

There are a number of witness to this incident.
 Witness Beth GRENVICH - Has provided a witness statement.
 Witness Scott EMERY - Has provided a witness statement.
 Witness Lianne LLOYD - Has provided a witness statement.
 Witness Carla KITCHENER - Has provided a negative statement.
 Witness David VICKERY - Has provided a negative statement.
 Witness Nicholas PORCHE - Has provided an EPNB entry stating that he does not wish to get involved.
 Witness Rhys EDWARDS - Has provided an EPNB entry stating that he does not wish to provide a statement.
 The incident has been captured on CCTV and is of good quality. The OIC has completed a transcript detailing the incident.
 In view of this and the offence being investigated I therefore consider that there is sufficient evidence available to provide a realistic prospect of conviction in relation to an affray against both POWELL and JOHN.

I have also considered Public Interest in this case and believe that it should:

- proceed to prosecution*

My reasons for making this decision are
 THE OIC IS TO SEEK CPS CHARGING ADVICE.

Approval for referral to CPS:**(supervisor comments if applicable)**

Supervisor's name:	EVANS	Rank:	PS	No.:	9999
Signature: 	#SWP9999 EVANS, K.	Date:	06/10/2017 14:01		