

RESTRICTED (when complete)
CLEVELAND POLICE

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN	17			
-----	----	--	--	--

Statement Paul Higgins

Age if under 18: **Over 18** (if over 18 insert "Over18") Occupation: Police Sergeant 944

This statement (consisting of 7 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: 04/09/2019

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

I am a Police Sergeant in Cleveland Police presently stationed at Middlesbrough Police station in the Licensing Support Unit. I have performed this role for over 16 years and during that time I have successfully completed the BIIAB level 2 National Certificate for Licensing Practitioners and the BIIAB level 2 course in the Assessment of Licensed Premises.

The George public House is situated 102 High street, Stockton and has a licence to sell alcohol and conducted Regulated Entertainment from 11am until 1am daily with opening times from 11am to 01:30am.

The Premises Licence Holder is Craig Harker and the Designated Premises Supervisor is also Craig Harker.

There are a number of conditions attached to the premises licence including the requirement to keep CCTV for not less than 30 days and to be a participating member of the local pub watch scheme.

The pub specialises in its service of food to customers and as such does not stay open as late as it is permitted.

Signature  Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**

Page No 2

Continuation of Statement of Paul Higgins

The premises itself does not have incidents of crime and disorder upon the premises, however the way the premises markets itself does give the Police concern that it is deliberately undermining the Crime and Disorder and Public Safety objectives.

The premises markets itself through a Facebook site called @GeorgePubAndGrill

There are a number of posts on this site which are of cause for concern.

In June 2016 the premises conducted a chilli chicken wing eating competition. This was reported upon in the national press after 2 males had to attend North Tees General Hospital for stomach pain. I produce an article as reported on by the Mail on Line PH/1 Within the article it produces a disclaimer that contestants must sign which absolves them of all responsibility for any ill effects. The disclaimer also includes a section where the contestant states they have not taken alcohol or drugs prior to signing. The ultimate responsibility for the content of the chilli sauce remains with the operator of the premises and on this occasion NHS resources were diverted to the treatment of 2 people as a result of this competition organised by the operator.

The operator of the premises told the reporters that he was going to continue running it and as recently as 28th July 2019 the @GeorgePubAndGrill reposted a link to the story under the heading "Ah good times". I produce this as PH/2

On the 15th May 2017 the @GeorgePubAndGrill posted a picture of a parmo with the strapline "WOULD YOU PUNCH YOUR EX IN THE FACE FOR A PARMO?"

A copy of the advert is reproduced in an article in the Daily Mirrors website which I produce as exhibit PH/3

The Advertising Standards Authority were made aware of this advert following a complaint to them from a member of the public. They investigated and made a ruling that this advert "trivialised and condoned domestic violence" and was "not prepared in a socially responsible manner"

Signature



Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **3**

Continuation of Statement of Paul Higgins

The ruling went on to say that it breached Committees of Advertising Practice (CAP) Code (Edition 12) rules 1.3 (social responsibility) 4.1 and 4.4 (Harm and Offence)

Although the operator did not respond the ASA ruled that the "Ad must not appear again in its current form"

I produce a copy of the ASA ruling as PH/4

I became aware of this ruling following an article in the Evening Gazette on the 2nd August 2017.

At 11am on Monday 7th August 2017 I visited the George Pub to speak with the Premises Licence Holder Craig Harker. I went in company with PC Johnson and Simon Mills who was the Principle Licensing Officer for Stockton Council.

We had prearranged the visit to speak to him about the post. Mr Harker was unapologetic about the advert and stated that all publicity was good publicity for his business. He further stated that the advert was a play on a "meme" which was in circulation on the internet which had a strapline of "WOULD YOU PUNCH YOUR EX FOR \$1MILLION"

I explained to him that as a Premises Licence Holder with the benefit of a Premises Licence to sell alcohol and conduct Regulated Entertainment he had a responsibility to uphold the four Licensing Objectives. I explained to him that in my view the advert trivialised domestic violence and undermined the Licensing Objective of the prevention of crime and disorder. I further explained that undermining the Crime Prevention Objective could lead to a review of his licence I suggested that if he intend to post controversial adverts in future that he could send them to me first to ensure he did not fall foul of this.

Whilst at the premises we checked for compliance with the premise licence and identified that the CCTV was not in operation, Mr Harker told us that a new system was about to be installed.

We also spoke to Mr Harker about the condition on his premises licence which requires him to be a participating member of the Pub Watch scheme. Mr Harker had removed himself from the

Signature



Signature Witnessed by

RESTRICTED (when complete)**CLEVELAND POLICE**

Page No 4

Continuation of Statement of Paul Higgins
 scheme some years before and does not attend meetings. We pointed out that if he did not intend to be part of the scheme he should apply to have the condition removed.

The meeting was followed up with a letter identifying the two licence issues and to this date he does still not attend Pub Watch nor has he applied to remove the Pub Watch condition off his licence.

PC Johnson sent Mr Harker a letter outlining these two breaches of conditions PH/5

On Saturday 27th July 2019 at 09:42 the @GeorgePubAndGrill posted an advert using a picture of food with the strapline "WOULD YOU PUNCH YOUR EX IN THE FACE FOR A STEAK"

I produce a copy of this as exhibit PH/6

This advert lead to 24 complaints to the ASA stating that it trivialised/condoned Domestic Violence and 2 people felt sufficiently strongly to complain to the Metropolitan Police Hate Crime Unit. I produce an email sent to Cleveland Police by the ASA PH/7

The ASA referred the matter to their compliance team who contacted Facebook to have the post removed. I produce an email from the ASA detailing their actions PH/8

This latest post was reported upon in the Evening Gazette on 29th July 2019. In that story Mr Harker is reported as saying that it was light hearted and quoted as saying "We know what our target audience is" I produce a copy of that article as PH/9

The @GeorgePubAndGrill site posted various media links to stories about criticism about the "Would you punch your ex for a steak". These attracted comments from people who follow the site. On the 16th August 2019 I took screen shots of some of these comments such as

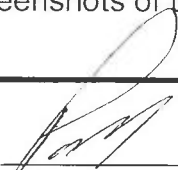
"Id punch her for nothing Lol"

"Punch her? I would make sure she was never found"

"Id punch mine for a chicken nugget"

I produce screenshots of these posts as PH10A PH10B PH10C

Signature



Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**

Page No 5

Continuation of Statement of Paul Higgins

Upon looking at the @GeorgePubAndGrill facebook site there is a post dated 20th July 2019 which is a further example of how the George is promoted. In that post titled "Girls Just Wanna Have Fun" a competition was run in which one of the prizes is advertised as a "Cheeky Rampant Rabbit Dildo" The facebook site @GeorgePubAndGrill is public and accessible to all ages of user with a Facebook site which is anyone aged 13 or over. There has clearly been no regard to the Licensing Objective of the Protection of Children from Harm in the making of that competition. I produce a screenshot of this post as PH/11

Not only is the facebook site used for controversial promotions but it is used to pour scorn and abuse on public employees.

In June 2019 Stockton Councils Planning Department sent 2 letters to Mr Harker the Premises Licence Holder regarding a sign he had erected without planning consent and regarding a Flue and Cladding which had also been erected without planning consent. The letters were dated 21st June 2019 and the email was sent on the 21st June 2019.

I produce the two letters as PH/12A and PH12B

I also produce a photo of the rear of the premises showing the sign and Flu PH13

On 22nd June 2019 the @GeorgePubAndGrill posted those letters onto the Facebook site asking its followers "Anyone got any advice on how to deal with a lovely pack of council men and women or No genders or any of them that identify as a fucking table then feel free to get in touch with suggestions and advice"

The comments back included one which said "Just Pull an Albert Dryden on them when they turn up to pull it down". This referenced the well known incident where a male called Albert Dryden murdered planning Officer Harry Collinson with a handgun in 1991. This comment has been "liked" by the @GeorgePubAndGrill with a thumbs up sign

Signature



Signature Witnessed by

RESTRICTED (when complete)**CLEVELAND POLICE**

Page No 6

Continuation of Statement of Paul Higgins

I produce screenshots of these posts as PH14A, PH14B, PH14C and PH14D

On Thursday 8th August 2018 a Council Enforcement Officer working for Stockton Council attended the George Pub in regard to an enquiry relating to outstanding council tax arrears.

Following that encounter the @GeorgePubAndGrill posted a photograph of the Officer alongside a message which declared

“All Stockton Borough Council employees are barred from any premises I own, Landlord of or rent, You absolute scum.”

The post went on to describe the officer as a “tosser” and a “dick head”

I produce screenshots of this post as PH15A and PH15B

There were a number of comments made to these posts, I produce screenshots of some of these posts as PH16A, PH16B, PH16C, PH16D PH16E.

At 14:00 on Tuesday 13th August 2018 I attended The George pub for a prearranged visit with Mr Harker. I attended with a member of Stockton Council Licensing team and PC Johnson from Cleveland Police. I attended to speak with Mr Harker regarding the recent posts on his @GeorgePubAndGrill site. At the time of our visit the pub was closed to the public. The pub had been closed for some months following a fire however the pub had reopened to customers the previous week. Prior to discussing the posts I asked Mr Harker if we could check that the premises was compliant with its Premises Licence conditions which he agreed could be done.

One of the conditions states that there should be a notice on all exits “requiring customers to leave the premises and area quietly” There was no such notice near the door and Mr Harker stated that it had been painted over during redecoration following the fire.

A further condition requires a CCTV system and when asked to show us the system Mr Harker stated that a system was going to be fitted shortly and there was therefore no current CCTV installed in the premises.

Signature



Signature Witnessed by

RESTRICTED (when complete)

CLEVELAND POLICE

Page No 7

Continuation of Statement of Paul Higgins

Mr Harker was asked about the condition requiring attendance at Pubwatch and why he had not sought to have the condition removed since our visit in 2017. Mr Harker stated he now intended to be a part of Pubwatch.

I produce a screenshot of a post dated 9th August 2019 which shows a group of 3 males with table meals. There are bottles of beer on the table PH17

Following that meeting the @GeorgePubAndGrill posted that the Licence was going to be reviewed. This again incited more posts this time aimed at me personally, including one stating "Fuck Sgt Higgins" which was "liked" by the @GeorgePubAndGrill

I produce screenshots of these posts PH18A, PH18B, PH18C, PH18D

Signature



Signature Witnessed by _____