

STATEMENT OF WITNESS

(Criminal Procedure Rules 2010, r 27.1(1); Criminal Justice Act 1967, s.9, Magistrates' Court Act 1980, s.5A & s.5B)

STATEMENT OF:	Evan Battershall
AGE OF WITNESS:	Over 18
OCCUPATION:	Trading Standards Officer

This statement, consisting of __ **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 in it anything which I know to be false or do not believe to be true.

Dated: __ 14.02.2023 __ **Signature:** _____ *E Battershall* _____

My name is Evan Battershall and I am a Trading Standards Officer working for Thurrock Council. On 19th October 2022, I undertook an underage test purchase operation as lead officer along with Trading Standards Officers, Shona Abbott and Keith Bush. We were accompanied by a 16-year-old female volunteer.

At approx. 10am that morning I briefed the volunteer on the operation and talked her through the camera equipment, the volunteer then signed our debrief document, so she understood what was expected and understood what was said.

I took several photos of the volunteer including a close up, full height view and one standing next to my colleague Shona. I then transferred these photos to my computer and printed them without editing and I now produce these photos as exhibit **EB/EN/02** and **EB/EN03**.

At approximately 12:05am, we approached Eagle News, 6 Grover Walk, Stanford-le-hope, Corringham, SS17 7LY. I stopped the volunteer to prepare the camera equipment and explained that I couldn't walk past a nearby shop to avoid disrupting the operation and stated where I would stand and where Keith would follow to watch.

The volunteer was carrying a small camera to record the sale and as the volunteer entered the shop, I watched the live footage on my work phone for the duration of her time in the shop. I present the recording of this sale RECO0024 as evidence **EB/EN/09**. I saw that she had approached the till and spoke to a female worker.

The volunteer returned to us shortly afterwards with a vape product in her hand. This product was a “Zu’ Strawberry” vape. The nicotine quantity of the vape was noted as 20mg/ml with Nicotine Dose per puff 73µg.

The volunteer told me that the seller had not asked for her age or ID. I saw the volunteer hand the vape to my colleague Keith Bush.

Keith and I then proceeded to enter the premise and speak to the workers behind the counter and informed them that a criminal offence had been committed by selling a vape to a 16-year-old volunteer. The male identified himself as the owner and provided his details as Hiren PATEL of [REDACTED] The woman identified herself as his wife, Jigna PATEL of the same address.

Mrs PATEL admitted to the sale of the vape and it was noted that she apologised saying it was her first day and didn’t know. We informed them that we will write to them and may require them to attend an interview at our offices.

Having confirmed the seller and owners details we left the premise. Once we returned to our vehicle, I sealed the vape purchased in evidence bag LC00108500. I present this evidence as **EB/EN/01**.

I completed a transcript of the recording RECO0024 on the 19th October 2022 and present this as **EB/EN/10**.

On Thursday 8th December 2022, I had conducted an interview under Caution with one of the partners of Eagle News, Mrs Jigna Patel. I produce a sealed recording of this interview as **EB/EN/04**. I also produce a transcript of the interview as **EB/EN/05**.

On Thursday 8th December 2022, I had conducted an interview under Caution with one of the partners of Eagle News, Mr Hiran Patel. I produce a sealed recording of this interview as **EB/EN/06**. I also produce a transcript of the interview as **EB/EN/07**.

Dated: 14.02.2023

Signature: E Battershall