

OPUS2

Fishmongers' Hall Inquests

Day 11

April 27, 2021

Opus 2 - Official Court Reporters

Phone: +44 (0)20 3008 5900

Email: transcripts@opus2.com

Website: <https://www.opus2.com>

1 Tuesday, 27 April 2021
 2 (10.00 am)
 3 (In the presence of the jury)
 4 JUDGE LUCRAFT: Good morning, ladies and gentlemen. Good
 5 morning, Mr Hough.
 6 MR HOUGH: Good morning, sir. Today's witness is DCI Dan
 7 Brown.
 8 JUDGE LUCRAFT: Thank you.
 9 DCI DAN BROWN (recalled)
 10 A. Good morning, sir.
 11 JUDGE LUCRAFT: Good morning. Officer, you have already
 12 been sworn. I don't require you to be re-sworn.
 13 A. Thank you, sir.
 14 Questions by MR HOUGH QC
 15 MR HOUGH: DCI Brown, when you first gave evidence you
 16 explained to the jury your role as the senior
 17 investigating officer of Operation Bemadam, the SO15
 18 investigation into the Fishmongers' Hall attack.
 19 A. Yes.
 20 Q. You understand that today you are giving evidence on the
 21 life and background of Usman Khan and on his planning
 22 and preparation for the attack on 29 November?
 23 A. Yes.
 24 Q. You made a report on those matters which, for the
 25 lawyers, is {DC6502} but we don't need it on screen at

1

1 the moment.
 2 You appreciate that the purpose of your evidence is
 3 to lay out a structure of Usman Khan's life so that the
 4 witnesses who follow can be asked in more detail about
 5 their particular roles?
 6 A. I do, yes. May I refer to my report during the course
 7 of my evidence?
 8 Q. You may, of course, and I will identify particular parts
 9 of it.
 10 A. Thank you.
 11 JUDGE LUCRAFT: And I suspect, Mr Hough, part of the
 12 introduction, in terms of saying that the officer is
 13 here to give us the structure is, in a way, also to help
 14 those representing interested persons to understand that
 15 they may have specific questions of witnesses to follow,
 16 but in many ways the officer is simply laying out the
 17 foundations for those questions that will follow in due
 18 course?
 19 MR HOUGH: Yes, sir. From my discussions with counsel
 20 I think that is well understood.
 21 JUDGE LUCRAFT: And officer, it goes without saying, you are
 22 likely to be there most of today, I suspect. If you, at
 23 any stage, just want to sit rather than stand whilst
 24 giving your evidence, that's absolutely fine with me.
 25 A. Thank you, I might take you up on that offer later on.

2

1 MR HOUGH: So, DCI Brown, beginning with Usman Khan's early
 2 life, page 2 of your report, what were his date and
 3 place of birth?
 4 A. He was born in Stoke-on-Trent on 10 March 1991.
 5 Q. Is it right that his parents had come to the United
 6 Kingdom from Pakistan, both separately, and had settled
 7 in Stoke?
 8 A. That's right, yes.
 9 Q. Was he the second youngest of seven children of the
 10 family?
 11 A. Yes.
 12 Q. Where did he go to school?
 13 A. He went to school in Stoke-on-Trent, Haywood High
 14 School.
 15 Q. That, I think, was from the age of 12?
 16 A. From the age of 12, that's right, yes.
 17 Q. At paragraph 1.6 of your report, did you take an account
 18 from a teacher and head of year for year 12, a Mr Dawes?
 19 A. Yes, we did. There was limited records from his time in
 20 school as a result of GDPR requirements, however, he was
 21 able to give us an overview of Khan at school, and he
 22 described him as being "no worse than any other
 23 student", described him as having a bit of a chip on his
 24 shoulder, had a bit of a teenage swagger, but otherwise
 25 couldn't remember any significant incidents around Khan.

3

1 He also couldn't recall if Khan had been excluded from
 2 school at that time.
 3 Q. May we bring up a document, {DC5509/1}. Do we see here
 4 a police crime report about Khan's first contact with
 5 the police in 2004, May 2004?
 6 A. Yes, that's right, when he was 13 years old, in year 8
 7 at school. I believe he had been having ongoing
 8 problems with another individual and they exchanged
 9 racial slurs and Khan had assaulted him, attacking him
 10 from behind. I believe he had used the term "White
 11 motherfucker", as it says there, towards this other
 12 individual.
 13 Q. This was another boy at the school and I think he kicked
 14 him in the head?
 15 A. That's right, yes. He received a youth reprimand for
 16 that offence.
 17 Q. As we see, the other boy was noted to be a troublemaker
 18 and to have his own racist tendencies?
 19 A. Absolutely, yes.
 20 Q. We can take that off screen. Did you obtain further
 21 information about Khan's early life from a document
 22 called an OASys assessment, which is an assessment of
 23 offenders tool used in prison?
 24 A. That's right, yes. This is actually information Khan
 25 provided himself to his probation officer.

4

1 Q. If we put on screen {DC5653/11}. If we go to the box at
 2 the bottom of the page, we can see that he stated that
 3 he attended the school, Haywood High School, until
 4 year 9 when he was expelled at what must have been the
 5 age of 12/13. He then said that he had then gone to
 6 Pakistan for two months as his mother was ill, and on
 7 return could not go back to Haywood and the only
 8 realistic option was to go to a school called James
 9 Brindley High School, but he didn't want to do that so
 10 he had no further education. Khan said that he had
 11 completed English level 1 and 2 while in custody, and
 12 spoke further about his educational opportunities in
 13 prison.
 14 A. That's right.
 15 Q. We can take that down.
 16 Did you obtain any more independent or objective
 17 evidence about Khan's exclusion from school or what
 18 happened in those early teenage years?
 19 A. No, so we assume that he was excluded as a result of the
 20 assault, however, that's not confirmed in any records
 21 that are available to us. However, he also told
 22 Mr Skelton that at the age of 18, having been expelled
 23 from school and having been to Pakistan, he then began
 24 to associate with those involved in criminality. He
 25 said himself that he was involved in gang culture.

1 He also told us that — Mr Skelton was told by Khan
 2 that — he said he was not involved in religion at the
 3 time but eventually built up grievances with regards to
 4 what was taking place in Kashmir, and then he began to
 5 educate himself via the internet around the Islamic
 6 faith.
 7 Q. Now, just to be clear, that information, that Usman Khan
 8 had become involved in the gang culture, then developed
 9 a grievance about Kashmir, and then educated himself in
 10 religion, is all information he gave —
 11 A. That's right.
 12 Q. — to Mr Skelton, the probation officer, and, is this
 13 right, as we'll hear, some of the information he gave to
 14 Mr Skelton, the probation officer, can't be relied upon?
 15 A. Absolutely.
 16 Q. Looking at paragraph 1.10 of your report, page 4, did
 17 you, however, obtain more reliable evidence that Khan
 18 had begun to be attracted to extremist Islam while in
 19 his teens?
 20 A. That's right, yes. So we believe that he started to
 21 take an interest in the teachings or the online
 22 preachings of two prominent Muslim figures, the deceased
 23 Yemeni—American cleric Anwar al—Awlaki, and Islamic
 24 preacher Anjem Choudary, who was leader of the
 25 Al—Muhajiroun, ALM, organisation, which is a prohibited

1 terrorist organisation.
 2 Q. Is it right that both of those two are common
 3 radicalising influences in the lives of those who go on
 4 to commit terrorist acts in this country?
 5 A. Yes, that's true.
 6 Q. Did Khan then have further contact with police in 2009
 7 based on a crime report we see at {DC5510/9}.
 8 A. Yes, as it says there, really: CCTV picked up two males
 9 attacking an individual. A brick was thrown by Khan at
 10 the victim, and Khan and the other individual ran away.
 11 However, he was later arrested.
 12 It appears that the victim himself was unwilling to
 13 make a complaint, however, Khan accepted a police
 14 caution, effectively accepting responsibility for the
 15 attack.
 16 Q. So that was 2009. We can take that off screen now.
 17 Now looking at paragraphs 1.12 and 1.13 of your
 18 report, in the aftermath of the Fishmongers' Hall
 19 attack, did you obtain information from press reports
 20 about Usman Khan's preaching activities in the years
 21 2008 to 2010?
 22 A. That's right, yes. So we know that he was preaching
 23 Islamic extremism on behalf of Anjem Choudary's
 24 organisation, ALM, involved in what are calling da'wah
 25 stalls, manning those stalls in Stoke—on—Trent, a place

1 called Cobridge.
 2 Q. Al—Muhajiroun, for the jury is, is this right,
 3 a proscribed organisation, a banned organisation, which
 4 has been associated with many of those who have
 5 committed serious terrorist outrages in the UK?
 6 A. That's right, that's correct, yes.
 7 Q. And when you say that Khan was involved in giving da'wah
 8 or preaching da'wah, that is simply a word for preaching
 9 or proselytising, and this was typically, is this right,
 10 on stalls in town centres and the like?
 11 A. Absolutely. Yes. Yes.
 12 Q. If we put on screen {DC6502/4}, look at the images in
 13 the middle of the screen. Do we see there a section
 14 from your report with images shown of Usman Khan
 15 preaching and waving a black flag?
 16 A. Yes.
 17 Q. We can take that off screen now.
 18 Did that activity attract the attention of the
 19 Staffordshire Police?
 20 A. Yes, that's right, as a result of some of that activity
 21 where there was suspicion that there were a group of
 22 individuals promoting violent extremism and radicalising
 23 members of the community, search warrants took place
 24 under what was known as Operation Aragorn in July of
 25 2008.

1 Q. Was one of the Terrorism Act search warrants executed at
2 an address of Khan's sister on the basis that he was
3 living there at the time?
4 A. That's right, yes.
5 Q. If we could put on screen {DC6052/5}. Sorry,
6 {DC6502/5}, I gave a wrong reference. If we look at the
7 two images on screen together, what does the first of
8 those images show?
9 A. So this is a press conference held the following day,
10 and within that press conference you can see Khan on the
11 right-hand side, and then he later gave an interview to
12 the BBC at the same event where he said those words
13 that:
14 "I've been born and bred in England, in
15 Stoke-on-Trent, in Cobridge, and all the community knows
16 me and they will know... I ain't no terrorist."
17 Q. Perhaps your microphone could just be brought a little
18 closer to you so your voice is up. Thank you.
19 The next image on the page, what does that show?
20 A. So that shows Anjem Choudary and Khan on the right-hand
21 side at a conference promoting Shari'a law in the UK.
22 Q. So we can take that page down.
23 In addition to being connected with Anjem Choudary
24 of ALM on that occasion, was Khan also linked to
25 Choudary's Islam4UK group?

9

1 A. Yes, that's right, and again, that's another proscribed
2 organisation under the Terrorism Act.
3 Q. If we look, please, at a Staffordshire Special Branch
4 profile of Usman Khan, {WS5059-2A/1}, and if we go to
5 {WS5059-2A/10} can we see an entry, 11 January went:
6 "Members of the Stoke Islam4UK group (including
7 Usman Khan, Abdul Rashid, Joseph Holland and Mohibur
8 Rahman) appeared in the sentinel pictured with 2 signs
9 saying 'Islam will dominate the world' and 'ALM the
10 voice, the eyes, the ears of the Muslims'."
11 A. Yes, that's right.
12 Q. We can take that off screen now.
13 Moving to page 6 of your report, is it right that
14 during this time, 2010, Usman Khan began a relationship
15 with a young woman?
16 A. That's correct, yes. And he met her through a community
17 contact.
18 Q. Did they proceed to take part in an unofficial Muslim
19 wedding ceremony?
20 A. Yes, that's true, yes. However, they never lived
21 together as man and wife.
22 Q. In short, did they maintain contact during his early
23 years in prison?
24 A. Yes.
25 Q. But in around 2014, did they separate?

10

1 A. They separated and there was no further contact from
2 that point onwards.
3 Q. May we move on, then, to Operation Guava, which you
4 address from page 7 of your report. What was the first
5 counter-terrorist operation which involved Khan?
6 A. So the first one was Operation Aragorn, as I've just
7 mentioned, there were concerns around radicalisation and
8 promoting extremism, which included Khan, and obviously
9 the search warrant was conducted at his sister's
10 address.
11 Q. Now, did Khan later express a view on the effect of that
12 search on him, his reputation and his attitudes?
13 A. Yes. He said it played a big factor in who he became,
14 and he said:
15 "My reputation was ruined, the raids turned my life
16 upside down."
17 Q. Of course, his statement that it had ruined his
18 reputation has to be set against the fact that he was,
19 himself, appearing on these stalls, and associating
20 publicly with figures like Anjem Choudary?
21 A. Yes, that's right.
22 Q. Looking at paragraph 2.4 of your report, what sort of
23 materials were seized from Usman Khan's premises in that
24 search in July 2008?
25 A. So there was some — what would be termed as extremist

11

1 material, notebooks, et cetera, however — and
2 fundamentalist material, however none which actually
3 breached terrorism legislation or justified or met the
4 threshold for a prosecution.
5 Q. I think that was assessed by an expert before that
6 decision was made?
7 A. That's right, yes, we have independent experts who will
8 look at this type of material and give an opinion.
9 Q. Paragraph 2.6 on page 8 now. In January 2010, was a new
10 operation, Operation Norbury, commenced as an offshoot
11 of Operation Aragorn?
12 A. Yes, and this was focusing on a number of
13 Stoke-on-Trent-based Islamic extremists who harboured
14 aspirations and intention to travel abroad and engage in
15 violent jihadist activity.
16 Q. Was any such travelling identified in the case of
17 Usman Khan?
18 A. Yes, in the summer of 2010, Khan travelled to Pakistan
19 with another individual, apparently to study.
20 Q. Was that individual Mohammed Shahjahan who later became
21 a co-defendant with Khan in —
22 A. That's right, yes, it was.
23 Q. And this operation, I think, was later known
24 as Operation Guava?
25 A. Yes.

12

1 Q. Did it lead to arrests and prosecutions?
 2 A. Yes, so nine individuals were ultimately arrested and
 3 subsequently convicted of terrorism offences.
 4 Q. Just to understand the nature of the offending, were
 5 these individuals divided into three groups?
 6 A. Yes, three groups based in London, Cardiff, and
 7 Stoke—on—Trent, which is the group that Khan was
 8 involved in with three other individuals .
 9 Q. There were three groups, London, Cardiff and Stoke, with
 10 Khan, along with three others, a member of the Stoke
 11 group?
 12 A. Yes.
 13 Q. We're going to look at some details of this case from
 14 the sentencing remarks of Mr Justice Wilkie, and it's
 15 {DC5000/3}. If we focus on paragraph 9, do we see that
 16 the judge refers to the members of these three groups
 17 having been involved in preaching radical Islamic, or
 18 da'wah, having come to know each other through a network
 19 of meetings and having decided to engage in conduct
 20 preparatory to violence?
 21 A. Yes.
 22 Q. And do we see that the judge accepted that they had been
 23 motivated by a magazine called Inspire produced by
 24 Al—Qaeda in the Arabian Peninsula.
 25 Moving to {DC5000/5} and focus on paragraph 15, do

13

1 we see there that the judge records that
 2 between November and December 2010, the security
 3 services had become aware of the nine men in the three
 4 groups, and had mounted what was a highly sophisticated
 5 and effective monitoring operation?
 6 A. That's correct .
 7 Q. Leading to arrests on 21 December?
 8 A. Yes.
 9 Q. If we then move to {DC5097—1/11}, and if we look at the
 10 upper part of the page, we're seeing here, I think, part
 11 of the opening note from Andrew Edis QC, the prosecutor
 12 in the trial that followed, and if we look at the top,
 13 do we see that the monitoring revealed discussions on
 14 15 December 2010 at Usman Khan's address between Khan
 15 and another male about how to construct a pipe bomb from
 16 a recipe referred to in the AQ magazine, Inspire?
 17 A. That's correct, yes.
 18 Q. We can take that off screen now.
 19 Looking back at your report, page 9, for what
 20 offences was Usman Khan arrested?
 21 A. So he was arrested for offences contrary to section 5 of
 22 the Terrorism Act, that's engaging in conduct in
 23 preparation for terrorist acts, and also offences under
 24 the Explosive Substances Act, section 3, that is
 25 conspiring to cause an explosion likely to endanger

14

1 property or life .
 2 Q. Was he remanded into custody?
 3 A. That's true, he was, yes.
 4 Q. From, I think, 27 December 2010?
 5 A. Yes.
 6 Q. Did he then remain in custody from that point until the
 7 end of 2018, in fact?
 8 A. That's correct .
 9 Q. Did he plead guilty to any of those offences?
 10 A. He pleaded guilty to the section 5 offence, the engaging
 11 in conduct, preparation, and specifically with regards
 12 to the funding and the planning to build a terrorist
 13 training facility in Pakistan.
 14 Q. Did the prosecution accept that plea to the various
 15 charges?
 16 A. They did, yes, that's right .
 17 Q. If we return to Mr Justice Wilkie's sentencing remarks
 18 to see the basis of the plea, {DC5000/5}. If we go to
 19 paragraph 19 at the bottom of the page, and we start
 20 five lines down:
 21 "The first defendants to plead guilty were 3 of the
 22 Stoke defendants, Usman Khan, Shahjahan, and Hussain,
 23 who pleaded guilty to count 9. The basis of that plea
 24 was as follows: first , they were trying to raise funds
 25 to build a madrassa beside an already existing mosque in

15

1 Kashmir..."
 2 A madrassa can mean an Islamic school?
 3 A. Yes.
 4 Q. But is this right: is often, in the context of these
 5 sorts of cases, a euphemism for a terrorism training
 6 facility ?
 7 A. Yes, that's true.
 8 Q. Going on:
 9 "Second, the long—term plan included making the
 10 madrassa available for men who would be fighting to
 11 bring Shari'a [Islamic law] to Kashmir in Pakistan:
 12 third, the plan included some, including at least one of
 13 the Stoke defendants, being able to have firearms
 14 training in or around the madrassa; fourth, they did not
 15 intend to participate in an act of terrorism in the UK
 16 in the immediate future. Fifth, they contemplated that,
 17 once trained, they might return to the UK and engage in
 18 some sort of terrorist activity but there was no
 19 timetable, no targets identified , nor any method agreed.
 20 The Crown on its part agreed that it would not allege
 21 that those defendants [including Khan] were criminally
 22 liable ... in [a] planned attack on the
 23 London Stock Exchange..."
 24 Which I think was a plan by other members of the
 25 groups?

16

1 A. That's right, yes.
 2 Q. So taking that down, the basis of Khan's guilty plea,
 3 what he accepted before the court, was that he had
 4 conspired with others to set up a terrorist training
 5 camp in Pakistan which might in due course send back
 6 fighters to commit outrages in the UK, but which didn't
 7 have specific plans or timetables for that at the time?
 8 A. That's right, yes.
 9 Q. So that's the basis of the offence, which he accepted,
 10 which we need to bear in mind when we later read what he
 11 said about the nature of his offending.
 12 A. Yes.
 13 Q. What sentence was Usman Khan given?
 14 A. So in 2012, in February 2012, he was initially given
 15 an indeterminate sentence of imprisonment for public
 16 protection. The custodial determinate sentence was
 17 16 years.
 18 Q. What did that mean in practice?
 19 A. So that meant that he would serve a minimum of eight
 20 years as a minimum fixed term before he could be
 21 considered for release on a temporary licence by
 22 a stringent Parole Board review, ie a Parole Board would
 23 have to be satisfied that it was safe for him to be
 24 released at that point.
 25 Q. So in 2012, the sentence that was passed meant that Khan

17

1 would serve at least eight years, but thereafter could
 2 only be released with Parole Board approval?
 3 A. That's correct, yes. He was also given a terrorism
 4 notification period of 30 years.
 5 Q. Was there then an appeal to the Court of Appeal, which
 6 resulted in that sentence being varied?
 7 A. Yes, that's right, that appeal took place in March of
 8 2013, and the appeal was varied.
 9 Q. What was the variation?
 10 A. So he was given a determinate sentence, namely an
 11 extended sentence of 21 years, of which the custodial
 12 period was 16 years' imprisonment, with an extension of
 13 five years. However, this meant he would serve eight
 14 years in prison and the remainder of the sentence on
 15 licence, so therefore there was no longer a requirement
 16 to satisfy the Parole Board prior to release.
 17 Q. So the simple effect of the appeal, boiling it down for
 18 our purposes to its essentials, was that following the
 19 appeal, he would still serve a term of eight years --
 20 A. Yes.
 21 Q. -- but whereas before he would have had to satisfy
 22 a Parole Board that he was safe to be released, the
 23 effect of the appeal was that he would be released after
 24 eight years without Parole Board approval?
 25 A. That's correct.

18

1 JUDGE LUCRAFT: But I think the other part of it is that the
 2 extension of the sentence would mean he would be on the
 3 extended period of that sentence for a longer period, so
 4 the 21-year sentence?
 5 A. Yes, so essentially a longer licence period, yes.
 6 JUDGE LUCRAFT: Yes, A longer licence period.
 7 MR HOUGH: So he would be on licence for longer and for that
 8 period could be recalled to prison --
 9 A. Yes.
 10 Q. -- if his conduct justified it?
 11 A. That's right.
 12 Q. In simple terms, was the appeal allowed because the
 13 Court of Appeal rejected the judge's view that the Stoke
 14 defendants were, in fact, more dangerous than the London
 15 defendants?
 16 A. Yes, that's essentially correct.
 17 Q. Turning, then, to Khan's period in prison, if we could
 18 put on screen {DC6502/10} and expand the bottom half.
 19 Can you run through the prisons in which Khan served the
 20 next eight years?
 21 A. Yes, so the first prison he went into was HMP Belmarsh
 22 in London, before moving to Wakefield, and then
 23 returning to Belmarsh in July of 2012. He then moved
 24 onto HMP Long Lartin in 2013, and then onto
 25 HMP Frankland, before moving to Manchester in 2014,

19

1 HMP Manchester, and then on to Woodhill. Then in July
 2 of 2016 he then moved to HMP Whitemoor where he spent
 3 the vast majority of the rest of his sentence before
 4 moving to HMP Woodhill, only a few days before he was
 5 released on 13 December 2018. Whitemoor isn't a release
 6 prison, so they have to be released from HMP Woodhill.
 7 Q. We can take that off screen now.
 8 Was Khan categorised as category A and high risk
 9 throughout his time in prison?
 10 A. Yes, that's right, all the way through.
 11 Q. As we've heard, is a category A prisoner one whose
 12 escape would be highly dangerous to the public?
 13 A. That's correct.
 14 Q. Are category A prisoners divided into three
 15 subcategories based on risk of escape: standard, high or
 16 exceptional?
 17 A. Yes.
 18 Q. So the high risk refers to the risk or prospect of him
 19 escaping?
 20 A. Yes.
 21 Q. As we've heard already, and as we'll hear in more detail
 22 from Prison Service witnesses, is it right that there
 23 are typically less than 100 category A high risk
 24 prisoners in the entire prison estate?
 25 A. That's true, yes.

20

1 Q. Looking now from page 11 of your report, is it right
 2 that Khan's prison history was eventful and complex,
 3 extensively documented in the prison intelligence
 4 records?
 5 A. Yes, I think the records that we received were in excess
 6 of sort of 2,000 pages worth of material.
 7 Q. And were there numerous reports referring to him at
 8 various stages as a radical Islamist and as a senior
 9 figure among extremists in the prisons?
 10 A. Yes, that was fairly consistent throughout his period in
 11 custody.
 12 Q. Were there also various incidents of disruptive
 13 behaviour and violence in which he was either directly
 14 or indirectly involved?
 15 A. Yes.
 16 Q. And various pieces of intelligence suggesting that he
 17 was responsible for radicalising others?
 18 A. Yes.
 19 Q. Now, I'm going to go through now some key entries in the
 20 prison records, principally the Mercury Intelligence
 21 record kept by the Prison Service, which I think is
 22 a digital record on which Prison Service employees can
 23 make records of intelligence they can give or have
 24 received?
 25 A. That's right, and we received all of those from the

21

1 Prison Service early on in the investigation .
 2 Q. Beginning first with Khan's time in
 3 Belmarsh, December 2010 to February 2011, may we have on
 4 screen {DC6503/822}. If we look at the entire pages for
 5 these documents, please, rather than zeroing—in on part,
 6 we can see this is an entry for 8 January 2011. Over
 7 the page, please {DC6503/823}. We can now just go to
 8 the top. Khan, according to this intelligence, had
 9 suggested he had access to a weapon, was going to "do
 10 someone in the eye" or in the neck, and that he wanted
 11 to die and go to paradise?
 12 A. Yes.
 13 Q. Then did Khan in February 2011 move to HMP Wakefield?
 14 A. Yes, that's right .
 15 Q. Page 742 of the same document, please {DC6503/742}.
 16 A report for 6 March 2011, and over the page
 17 {DC6503/743}, do we see here that on 6 March 2011, Khan
 18 and others were reported to have been involved in
 19 an attack on another prisoner during which shouts of
 20 "Allah Akbar", or "God is great" were made?
 21 A. Yes, that's right .
 22 Q. {DC6503/297}, please. November 2011, do we see an entry
 23 referring to Khan and others shouting during the
 24 two—minute silence on Armistice Day?
 25 A. Yes, and this was the first on several occasions that

22

1 happened during his course of imprisonment.
 2 Q. Thank you. Page {DC6503/866}, please, an entry for
 3 14 January 2012, and over the page {DC6503/867}, do we
 4 see that after the arrival of Khan on F wing in
 5 Wakefield, a large number of Muslim prisoners were
 6 choosing to wear religious clothing most of the time?
 7 A. That's right, yes, the insinuation that Khan was
 8 influencing those prisoners.
 9 Q. Page {DC6503/171}, please. Do we see here an entry for
 10 a significant incident in June 2012.
 11 A. That's right, yes, where he entered the netting area on
 12 the wing, and recited a poem, which included the phrase
 13 "Cut off the kuffar 's head", kuffar meaning disbeliever,
 14 or non—believer.
 15 Q. Entering the netting, is that jumping on protective
 16 netting between different levels?
 17 A. That's right, yes, so there's balconies around, and most
 18 people have seen in the media how prisoners are set out
 19 and the netting to stop people falling all the way
 20 through, and again, that's a behaviour that he conducted
 21 on several occasions.
 22 Q. Reciting a poem with the words "Cut off the kuffar's
 23 head".
 24 A. Yes.
 25 Q. And then {DC6503/129}, please, shortly after this,

23

1 27 June 2012, an entry which we see on the following
 2 page {DC6503/130}. Do we see that on this occasion,
 3 shortly after that episode, Khan had almost broken
 4 through to the next cell, damaging his own cell?
 5 A. Yes.
 6 Q. And that an address was found that was written down.
 7 What was that address?
 8 A. It was the address of — believed to be that — the
 9 address of the governor, the prison governor.
 10 Q. So the home address of somebody of governor grade?
 11 A. Yes.
 12 Q. Was there also evidence at this time of other prisoners
 13 damaging their cells at the same time?
 14 A. Yes. Again, demonstrating that Khan potentially had
 15 an influence over others.
 16 Q. Was it as a result of these incidents that Khan was
 17 initially categorised as high risk?
 18 A. Yes.
 19 Q. {DC6503/675}, please. Do we see at the bottom of the
 20 page that on 18 July 2012, going over the page, Khan
 21 refused to return to his cell saying that he would smash
 22 it up unless put in segregation?
 23 A. Yes, that's right, so deliberately behaving so that he
 24 would be put into segregation, which again is a theme we
 25 saw throughout the course of his imprisonment.

24

1 Q. So various episodes in which Khan actively sought to go
2 into segregation, as we saw last week, Khan later
3 claimed that segregation had been an unfair punishment?
4 A. Yes.
5 Q. In July 2012, was Khan transferred into the high secure
6 unit in Belmarsh?
7 A. Yes.
8 Q. Was an attempt made to engage him in a process called
9 extremism risk guidance, which I think is an assessment
10 method used for extremist prisoners, often involving
11 prison psychologists?
12 A. Yes, that's right, and he declined to take part in that,
13 or refused to take part in that, on the basis, I think,
14 that his appeal was still ongoing at that stage.
15 Q. We can take — moving on, as we've seen, Khan was
16 requesting to be moved to segregation. Did you identify
17 any reasons why he was making that request?
18 A. Yes. So he — we believe he sought to be in the same
19 segregation wing as Abu Hamza who, again, is a well
20 known extremist who the jury will be familiar with.
21 Q. At the same time was there evidence of communication by
22 Khan with his then partner, the young woman he hadn't
23 broken up from at that stage?
24 A. Yes, so he was still able to use the telephone and was
25 speaking to her.

25

1 Q. And did he tell her in writing that he intended to do
2 a de-radicalisation course and to change?
3 A. Yes. However, he was still assessed as a radical
4 figure.
5 Q. Is this again a theme that one sometimes sees
6 indications from Khan that he's going to change, at the
7 same time as evidence or activity suggesting
8 radicalisation?
9 A. Underlying activity, absolutely.
10 Q. As you've told us, Khan moved to Long Lartin
11 in January 2013. May we go to page {DC6503/1081} of the
12 Mercury record, and do we see here an entry for
13 30 May 2013, in which Khan was radicalising or rallying
14 and influencing other Muslims?
15 A. Yes, that's right, yes.
16 Q. What, in summary, was this entry saying?
17 A. That he was encouraging them to wear Muslim dress and to
18 take on Muslim names and threatening prisoners who
19 questioned prayer, Muslim prayer.
20 Q. And page {DC6503/1056}, please. Do we see here an entry
21 which I think is for July 2013, in which Khan is
22 described as being responsible for intimidating
23 behaviour towards staff, and known to try to convert
24 others? That's under "Supporting intelligence"?
25 A. Yes, that's right.

26

1 Q. Then page {DC6503/1066}, please.
2 JUDGE LUCRAFT: Sorry, just before, was that while he was
3 still at Long Lartin, because I think the date changes
4 in July of that year to Frankland.
5 MR HOUGH: If we go to the previous page, so {DC6503/1055},
6 and, sorry, the page before that {DC6503/1054}, just to
7 get the date. So this is an event — it's an event
8 while he was at Frankland, but referring to supporting
9 intelligence which may have been developed partly at
10 Long Lartin.
11 JUDGE LUCRAFT: Long Lartin, thank you.
12 MR HOUGH: Then page {DC6503/1066} please, do we see here
13 an event dated 11 July 2013, and under "Report text",
14 the last line referring to Khan as the Muslim leader for
15 foxtro, or F wing.
16 A. F wing Muslim leader, yes.
17 Q. Then looking at paragraph 3.13 of your report, which is
18 on page 12, was further intelligence or information
19 received about Khan while he was at Long Lartin?
20 A. Yes, so he had been provided some medication by the
21 healthcare team including a chemical known as anhydrol
22 forte which contains aluminium chloride hexahydrate
23 which potentially could be used in the creation of
24 incendiary devices. So Khan's cell was subsequently
25 searched and similar chemicals were found stockpiled.

27

1 So there were several bottles including several unknown
2 liquids. So the intimidation he had been given these
3 chemicals for health reasons and actually hadn't taken
4 them, he had stockpiled them. He was unable to create
5 an IED at that stage because he wouldn't have had all
6 the other necessary component parts, however, still very
7 concerning that he was stockpiling this kind of
8 material.
9 Q. As you've told us, he was transferred to Frankland, HMP
10 Frankland in July 2013. What was the reason for that
11 transfer?
12 A. It was a part of a strategy to break up terrorist
13 nominals within the prison system.
14 Q. Is it specifically to break up such prisoners who have
15 gained a power base in a particular prison?
16 A. Yes, as we've seen Khan seemed to have developed some
17 sort of leadership and therefore they wanted to break
18 that up.
19 Q. At this stage was he placed in a unit, referred to as
20 a Managing Challenging Behaviour Strategy, or MCBS unit?
21 A. That's right, yes. That's a small unit for prisoners
22 who present a high risk from their behaviour.
23 Q. So prisoners chosen for that unit because they pose
24 serious risks to other inmates and staff?
25 A. Yes.

28

1 Q. Can we have on screen {DC5587/1}. This is a Managing
 2 Challenging Behaviour Strategy quarterly case review
 3 from August 2013 during this time at Frankland.
 4 If we go to the bottom of the page, can we see that
 5 right at the last line, Khan is asked about his views
 6 about his index offence, so that's the offence that's
 7 put him in prison, and he said that he used to hold --
 8 over the page -- he used to hold extremist views in the
 9 past but that he doesn't hold them now.
 10 A. That's right, yes.
 11 Q. He said he spoke to the imam at Belmarsh and has changed
 12 how he views things.
 13 A. Yes.
 14 Q. And he referred to himself as an angry teenager who got
 15 a sense of identity from Islam?
 16 A. Yes.
 17 Q. May we then return to the Mercury Intelligence record
 18 for September 2013, {DC6503/1029}. This is an entry
 19 for September 2019, and do we see that Khan is referred
 20 to four or five lines down, as having been a disruptive
 21 and challenging prisoner, one who had gained a power
 22 base at Long Lartin, and had been reported as operating
 23 Shari'a law within the establishment?
 24 A. That's right, yes.
 25 Q. Then moving on to {DC6503/950} of the same document, are

29

1 we now looking at a Mercury Intelligence record for some
 2 incidents which took place in November 2013?
 3 A. Yes.
 4 Q. In summary, what happened in these incidents?
 5 A. I believe that some sugar was found in his cell, again,
 6 a stockpile of sugar.
 7 Q. No, I think this is a different incident.
 8 A. Ah, sorry.
 9 So this is in relation to an assault, I think.
 10 Q. Yes, it's dealt with from paragraphs 3.21 to 3.23 of
 11 your report.
 12 A. That's right, yes. An incident in an exercise yard
 13 where a number of Muslim prisoners attempted to assault
 14 two [non-]Muslim prisoners.
 15 Q. That I think was on 17 November, Khan being involved in
 16 an incident with an assault by several Muslim prisoners
 17 in somewhere called the top compound?
 18 A. Yes.
 19 Q. And is it right that later, on 21 November 2013, Khan
 20 attacked the same prisoner in his cell?
 21 A. That's right, and I believe that a chaplain was also
 22 injured within that incident.
 23 Q. So a Church of England chaplain was caught up in
 24 an attack in which Khan assaulted a prisoner in his
 25 cell?

30

1 A. That's right, yes.
 2 Q. Is it right that Khan later admitted the attack on the
 3 prisoner but claimed that he had hit the chaplain by
 4 mistake?
 5 A. Yes.
 6 Q. Then {DC6503/964}, please, do we see another entry for
 7 21 November 2013, so the same day, involving a search of
 8 Khan's cell?
 9 A. That's right, yes, and a loose razor blade taped to the
 10 underside of his cell locker draw was found.
 11 Q. So a hidden weapon in the form of a loose razor blade?
 12 A. That's right, yes.
 13 Q. Moving on and looking at paragraph 3.24 of your report,
 14 did Khan then transfer to HMP Manchester in a specialist
 15 intervention unit in January 2014?
 16 A. That's right, yes.
 17 Q. What was the nature of that unit?
 18 A. So this was to be involved in the MCBS programme, which
 19 is basically managing challenging behaviours, so this is
 20 for people with specific needs to be more suitably
 21 addressed within a small, highly supervised environment.
 22 So I think there were six cells within that wing, so not
 23 segregation, but a very small unit.
 24 Q. Is it right, summarising Khan's time in prison, that he
 25 spent significant periods in these small units with

31

1 a small number of cells?
 2 A. That's right, yes, but not necessarily segregated or
 3 isolated.
 4 Q. But a much smaller proportion of time actually in
 5 segregation?
 6 A. Yes.
 7 Q. And when he later told Learning Together in the video
 8 that he had spent most of his time in segregation, that
 9 wasn't true?
 10 A. That's absolutely right.
 11 Q. If we put on screen {DC5320/1} was a report produced
 12 around this time, so April 2014, within the ERG process,
 13 Extremism Risk Guidance process, providing an assessment
 14 of Khan by a prison psychologist?
 15 A. That's right, yes.
 16 Q. If we go to {DC5320/13}, do we see at paragraph 9.1 at
 17 the bottom of the page, throughout most of the
 18 interviews, Khan maintained that he had been doing
 19 nothing wrong, he had been preaching about Islam, and
 20 then as a result of police and EDL -- English Defence
 21 League --
 22 A. Yes.
 23 Q. -- harassment, he decided to move to Pakistan and to
 24 open a madrassa to offer free education to all?
 25 A. That's right, yes. Obviously he had earlier pleaded

32

1 guilty to an offence which is contrary to what he had
 2 said there.
 3 Q. And that while there would be firearms training at the
 4 school in Kashmir, he never intended to harm anyone?
 5 A. That's right.
 6 Q. But over the page {DC5320/14}, paragraph 9.2, did the
 7 psychologist identify risk factors within all aspects of
 8 the assessment process?
 9 A. Yes.
 10 Q. "Indeed there is evidence that risk factors within all
 11 three dimensions of the ERG ... are manifesting within
 12 [his] custodial behaviour."
 13 A. That's right, yes.
 14 Q. We can take that off screen. These sorts of reports
 15 will be looked at in more detail with some of those
 16 responsible for them.
 17 Later in 2014, in June of 2014, did Khan enter
 18 HMP Woodhill in another small unit?
 19 A. Yes, another MCBS unit, similar to the one in
 20 Manchester, but the maximum custody of 10 prisoners on
 21 this occasion.
 22 Q. I am looking at paragraph 3.27 of your report on
 23 page 14, did Khan engage in something called the Healthy
 24 Identity Intervention programme in 2014 to 2015?
 25 A. Yes, that's right.

1 Q. What, in a sentence or two, was that programme?
 2 A. It's a programme to really sort of challenge the views
 3 and mindset of those prisoners who have an extremist
 4 mindset, or extremist views, and are in prison for these
 5 kind of offences.
 6 Q. So he completed that programme, but did intelligence
 7 continue to demonstrate signs of more negative
 8 behaviour?
 9 A. Yes.
 10 Q. If we could put on screen {DC6503/1697}, we see here,
 11 I think, an intelligence report from October 2014.
 12 A. Yes.
 13 Q. And do we see that the intelligence was suggesting that
 14 an inmate had a definite plan to kill a member of
 15 civilian staff, and that it was believed that Mr Khan
 16 had potentially influenced that inmate?
 17 A. Yes, again, influencing others.
 18 Q. In June 2015, was Khan moved from the small MCBS unit to
 19 a more normal location in the prison?
 20 A. I believe so, yes.
 21 Q. That's paragraph 3.28 of your report.
 22 A. Thank you, yes. But he was then shortly returned to the
 23 MCBS unit after concerns were raised about the influence
 24 he had on other prisoners.
 25 Q. May we now go to page 1564 of the document we have on

1 screen, {DC6503/1564}. Can we see here an entry in the
 2 Mercury Intelligence record for 18 June 2015,
 3 intelligence suggesting that Khan is known to be
 4 a Muslim enforcer in the prison?
 5 A. That's right, yes.
 6 Q. Then {DC6503/1566} we see further detail. Do we see
 7 there reference to Khan seeking to impress a higher
 8 ranking terrorist prisoner while impressing his status
 9 on the "lower ranks"?
 10 A. Exactly, yes, again, this concept of him requiring
 11 status, which is something we have seen before.
 12 Q. And {DC6503/1441}, please. Do we see here an entry
 13 for July 2015?
 14 A. Yes.
 15 Q. And does this refer to a specific incident of incitement
 16 to violence?
 17 A. Yes, so it was -- again, inciting an individual to
 18 assault somebody within the prison system.
 19 Q. And, again, a reference to Khan being the sort of person
 20 that wants to impress others?
 21 A. That's right.
 22 Q. And page {DC6503/1457}, please. Can we see here further
 23 intelligence from the same time suggesting that Khan was
 24 leading a gang who were planning to assault staff, and
 25 that a prisoner was assaulted because of disagreeing

1 with that plan?
 2 A. Yes.
 3 Q. Following this incident, so July 2015, was Khan sent
 4 back to the MCBS unit?
 5 A. Yes, as I said, yes.
 6 Q. Then {DC6503/1488}, please, was there further
 7 intelligence from the same time suggesting that Khan was
 8 heading a bullying gang within the prison?
 9 A. That's right.
 10 Q. And he was placed on something called basic regime. Is
 11 that a basic regime of privileges?
 12 A. Essentially, yes. Yes.
 13 Q. So you wouldn't get certain things, like televisions and
 14 videos and things of that sort?
 15 A. So hence you would lose your television, yes.
 16 Q. Then {DC6503/1367}, please, of the Mercury record.
 17 Looking at the very bottom of the page, can we see
 18 an entry, 2 September 2015, intelligence suggesting that
 19 Khan had extremist beliefs and that he had stated that
 20 all staff with keys are "fair game".
 21 A. That's right.
 22 Q. In the sense of being a potential target for attack.
 23 A. Correct.
 24 Q. In November 2015, was there a report produced at the end
 25 of the Healthy Identity Intervention programme which

1 you've described Khan going on?
 2 A. Yes, could you just refer me to my report, please, sir?
 3 Q. Well, I'll show you the report produced after that
 4 intervention, it's {DC5321/1}. Can you confirm that
 5 this ERG report was produced after the HII intervention?
 6 A. That is correct, yes, February 2016.
 7 Q. Then {DC5321/7}, please.
 8 Sorry, if we go back, I need paragraph 5.1, I think
 9 I may have given the wrong page reference. Yes. Khan
 10 again showing evidence of various factors of risk. If
 11 we go down the page to 5.3, these were factors
 12 concerning: grievance, identity, status, excitement, and
 13 over the page {DC5321/5}, susceptibility to
 14 indoctrination --
 15 A. Yes.
 16 Q. -- political motivation, association with others who
 17 supported extremism and so on. We'll go into those in
 18 more detail.
 19 {DC5321/9}, please, paragraph 7.1, can we see that
 20 the assessor says that it's difficult to identify any
 21 reduction in the risk of re-offending with confidence,
 22 but there is some evidence of positive insight and
 23 goals?
 24 A. Yes.
 25 Q. And did the assessor then go on, at the bottom of the

37

1 page, to recommend a further prison intervention called
 2 the Thinking Skills Programme, TSP?
 3 A. That's correct, yes.
 4 Q. What was TSP, in a sentence or two?
 5 A. So it's essentially a programme for him to reflect on
 6 his index offending and his mindset, to hopefully
 7 rehabilitate him away from the sort of extremist views.
 8 Q. In June 2016, so a little time after this report, was
 9 a review carried out of Khan's escape risk
 10 classification, so whether he should stay category A
 11 high risk?
 12 A. Yes.
 13 Q. If we look at {DC5336/1}. Sorry, I've given a wrong
 14 reference. We'll come back to the reference if needed.
 15 But, looking at paragraph 3.34 of your report, did
 16 the escape risk classification review note that there
 17 was some improvement in Khan's conduct, but he continued
 18 to be in relationships with radicals in the prison?
 19 A. That's right. There was too little evidence that
 20 suggested his attitude or beliefs had changed at that
 21 stage.
 22 Q. So he remained category A high risk in June 2016,
 23 following that review?
 24 A. Yes.
 25 Q. Then returning to the Mercury Intelligence record, the

38

1 long record with all the individual entries,
 2 {DC6503/1251}, do we see an entry for 3 July 2016, the
 3 middle of the page, yes?
 4 A. Yes.
 5 Q. And then over the page, please {DC6503/1252}, do we see
 6 that from the top of the page, reference to Khan
 7 speaking to his family about a plan to relocate to
 8 Pakistan on his release?
 9 A. Yes, and that's a theme that we saw again and again,
 10 this desire to return to Pakistan.
 11 Q. So throughout the prison intelligence and the prison
 12 records, we see a series of references to Khan wanting
 13 to move to Pakistan after his release?
 14 A. That's right, yes.
 15 Q. You've told us that in July 2016, Khan transferred to
 16 the last prison where he spent any significant time,
 17 HMP Whitemoor?
 18 A. Yes.
 19 Q. And we're particularly concerned with this prison
 20 because it was his prison for the final years of his
 21 time in custody.
 22 A. That's right.
 23 Q. You deal with it from paragraph 3.35 of your report. On
 24 his transfer, did his status within the Managing
 25 Challenging Behaviour Strategy programme change?

39

1 A. It did, yes. So there was an indication of improved
 2 behaviour and that in fact his outlook was more positive
 3 and his actions again were more positive.
 4 Q. Did that lead to him being managed in a different way
 5 under that programme?
 6 A. Yes, so his status moved from being centrally managed to
 7 locally managed under the MCBS.
 8 Q. And what does that mean, translating for us?
 9 A. Well, prison officers are probably better placed to
 10 answer that question, but in reality it's a more
 11 localised approach, so he would have been more in the
 12 mainstream prison.
 13 Q. May we now go to page 1228 of the document on screen, so
 14 {DC6503/1228}. Do we see here a record, an intelligence
 15 record, for August 2016, so shortly after his arrival at
 16 Whitemoor?
 17 A. Yes.
 18 Q. And did this report that there was intelligence of some
 19 terrorist prisoners, including Usman Khan, engaging in
 20 something called taqiyya?
 21 A. Yes.
 22 Q. What was that said to be?
 23 A. Which was a permissible form of telling lies to advance
 24 the cause of Islam.
 25 Q. And specifically was the intelligence that some

40

1 prisoners, including Khan, were lying within
 2 intervention programmes, in his case, just ticking boxes
 3 to show that he was progressing?
 4 A. That's right, he was just playing the system.
 5 Q. And then page {DC6503/1122}, please. Do we see here
 6 an entry for 24 December 2016 about the leadership of
 7 terrorist inmates at Whitemoor?
 8 A. That's right, yes. Yet again, Khan being a leadership
 9 figure.
 10 Q. Do we see a specific reference to some of the long
 11 serving prisoners befriending and grooming other inmates
 12 such as drug dealers who can be used once they have been
 13 released?
 14 A. That's right, yes.
 15 Q. We are now moving on to the start of 2017, which is
 16 two years before release, and we've prepared a note for
 17 the jury with some key intelligence entries over this
 18 period. I'll ask for that to be handed out a little
 19 later, but this is a period which is the last two years
 20 of his time in prison, and, therefore, more of our
 21 focus.
 22 Paragraph 3.38 of your report, was Khan's category A
 23 security classification reviewed at the start of this
 24 period and maintained?
 25 A. That's right, yes. Yes. It was considered acceptable

1 by the category A team, he engaged well with the MCBS
 2 meeting and a sentence planning meeting. However, there
 3 was information about him becoming argumentative at
 4 times and intelligence suggesting continued extremist
 5 attitudes and radicalisation of others as potential for
 6 disruption.
 7 Q. If we put on screen {DC5350/1}, do we see there that his
 8 category was maintained on 15 March 2017?
 9 A. Yes. Still the category A, high risk.
 10 Q. Then over the page, please. {DC5350/2}, do we see there
 11 a report justifying that decision?
 12 A. Yes.
 13 Q. And at the bottom of that page, please, under "Present
 14 circumstances", do we see the report stating that Khan's
 15 behaviour was acceptable and hadn't any recent
 16 adjudications. Is that a formal process where breach of
 17 prison rules is established?
 18 A. Within the Prison Service, that's right, yes. So no
 19 formal adjudications, no formal overt disruptive
 20 behaviour, however, I think he goes on to suggest that
 21 there's still intelligence suggesting continued
 22 extremist attitudes.
 23 Q. And also that he has deliberately told lies or ticked
 24 boxes to achieve progression?
 25 A. Yes.

1 Q. So that's referring back to and apparently crediting
 2 that intelligence that we looked at a moment ago?
 3 A. Exactly.
 4 Q. Then in February 2017, was Khan involved in a couple of
 5 violent incidents within Whitemoor?
 6 A. That's right, yes, two inmates attacked a third man in
 7 a cell with a plastic knife and Khan moved to an area
 8 which suggested he knew that the assault was going to
 9 take place.
 10 Q. So there was an assault by two other inmates on a third
 11 man, and Khan's movements suggested that he knew the
 12 assault was going to take place?
 13 A. That's correct, yes.
 14 Q. Was Khan then directly involved in an assault on the man
 15 who had been assaulted by the two others?
 16 A. Yes.
 17 Q. If we put on screen {DC6503/2165} can we see here
 18 an entry for 28 February 2017, referring to the assault
 19 on Mr Rogers on 28 February?
 20 A. Yes.
 21 Q. And then {DC6503/2167}, please, for the details of that.
 22 Can we see from the middle of the page, based on the
 23 CCTV viewing, that the victim had gone into his cell
 24 with another prisoner before being followed in by two
 25 more?

1 A. Yes.
 2 Q. That Khan had pushed somebody away from the door?
 3 A. Yes.
 4 Q. And then another prisoner went in swinging what appeared
 5 to be a weighted sock?
 6 A. That's right.
 7 Q. And page {DC6503/2180}, please. If we look towards the
 8 bottom of the report entry, after going through the
 9 facts of the assault again, does the entry state:
 10 "Information received suggested that the victim had
 11 been told to get out of HMP Whitemoor by persons who
 12 follow the Islamic faith and that he had declined to
 13 convert, that he was a Christian."
 14 And that various of those involved, including those
 15 directly engaged in the assault, had been placed on
 16 report?
 17 A. That's correct, yes. It appears that they tried to
 18 convert him and he declined.
 19 Q. So we can take that off screen now.
 20 There two incidents of violence against the same
 21 person, and some intelligence suggesting that this was
 22 because of a refusal to convert?
 23 A. Yes.
 24 Q. Then {DC6503/2162}, we can see here, I think,
 25 a reference in the intelligence record for 2 March 2017,

1 referring to Khan talking about his Muslim faith with
 2 an inmates, Adebolajo. How is Adebolajo known to the
 3 rest of the world?
 4 A. Adebolajo is a very well known terrorist who murdered
 5 Fusilier Lee Rigby in a terrorist attack.
 6 Q. That was a beheading attack, wasn't it?
 7 A. That's right.
 8 Q. Then {DC6503/2125}, please, this is dealt with at
 9 page 3.44 of your report, so page 2125, we see that
 10 there was a search of Khan's cell in April 2017 which
 11 turned up some significant material?
 12 A. Sorry, can you take me back to the reference in my
 13 report?
 14 Q. Yes, it's paragraph 3.44.
 15 A. That's right, yes, so he was in possession of newspaper
 16 cuttings relating to Isis, terrorism and jihadists and,
 17 Khan was challenged and initially said he knew nothing
 18 about them, then he said it's only newspapers and
 19 current affairs. He also had large amounts of
 20 handwritten religious materials.
 21 Q. Then moving on to a little later, June 2017,
 22 {DC6503/2050} in the Mercury report, can we see that
 23 Khan, amongst others, were involved in a hostile and
 24 angry stand—off with staff?
 25 A. Yes.

45

1 Q. And two pages along, to {DC6503/2052}, please, around
 2 the middle of the page do we see Khan referred to as
 3 "an influential TACT prisoner involved in extremist
 4 bullying"?
 5 A. Yes.
 6 Q. Then {DC6503/2046} please, this, I think, is an entry
 7 for 30 July 2017.
 8 A. Yes, that's right.
 9 Q. Referring to the emirs, that's senior Muslim figures in
 10 the prison?
 11 A. Yes.
 12 Q. Saying that they wanted somebody killed, and one of the
 13 emirs is identified as Usman on A wing, I think that's
 14 Khan.
 15 A. That's almost certainly Khan, yes.
 16 MR HOUGH: We can take that off screen now.
 17 Sir, it's 11.15. Would that be a convenient moment
 18 for our break?
 19 JUDGE LUCRAFT: We will pause there. Thank you very much.
 20 Ladies and gentlemen, we will take our mid-morning
 21 break there.
 22 (In the absence of the jury)
 23 I'll rise.
 24 (11.16 am)
 25 (A short break)

46

1 (11.38 am)
 2 (In the presence of the jury)
 3 JUDGE LUCRAFT: Welcome back, everyone. Members of the
 4 jury, we have removed the perspex which was between the
 5 front and the back rows which I think was causing some
 6 vision difficulties with seeing the screen, particularly
 7 when the sun was shining. So if you have found that
 8 your table has been moved that is why we have done it.
 9 If in fact we need to put them back at any stage, if any
 10 of you want them back, they are just to the side, but
 11 I hope that helps. I am acutely aware that actually if
 12 you are looking at the screen it doesn't help if you've
 13 got to peer round the sunlight and also through perspex
 14 which may be making things difficult but I hope that
 15 makes it better for you. Thank you.
 16 MR HOUGH: DCI Brown, we had been going through the history
 17 of Usman Khan's time in prison and looking in particular
 18 at records from the Mercury Intelligence record with
 19 reports on his conduct, and we had reached a point
 20 in July 2017, continuing that exercise, may we please
 21 have on screen {DC6503/2002}. This is an entry for
 22 20 July 2017, and do we see in the middle of the page
 23 Usman Khan being described as one of the main prisoners
 24 for promoting extremist views?
 25 A. Yes.

47

1 Q. Referring to how he goes into the prison yard and
 2 preaches to other inmates?
 3 A. Yes.
 4 Q. Do we see that there is also reference later in the
 5 report to incidents of organised retribution beatings?
 6 A. That's right, yes.
 7 Q. Then moving on a few days, {DC6503/2043}, can we see
 8 here under "Supporting intelligence" for an entry of
 9 23 July 2017, a reference to Mr Khan having challenged
 10 staff over hourly observations? This is about just over
 11 half of the way down.
 12 A. Yes, that's right, yes.
 13 Q. About searching and referring to him behaving in
 14 an intimidating manner?
 15 A. That's right, yes, and again a reference to him being
 16 an emir, the "A wing blue", I don't know what "sour"
 17 means, but emir.
 18 Q. I think that should be spur.
 19 A. Spur, yes.
 20 Q. So that is the blue spur of A wing, and he is reported
 21 as the senior figure?
 22 A. Yes, a common theme.
 23 Q. Then {DC6503/2021}, please, and do we see here an entry
 24 for 15 August 2017, a large group of prisoners refusing
 25 to lock up, apparently under the instruction of Mr Khan,

48

1 described as the main instigator.
 2 A. Yes, again.
 3 Q. Then page 2000, please, {DC6503/2000}, do we see here
 4 an entry for 24 August 2017, saying that Khan is
 5 responsible for the attempted radicalisation of other
 6 prisoners, talking with them and leaving paperwork with
 7 them.
 8 A. That's right, yes.
 9 Q. And around this time, September 2017, was another report
 10 prepared about Khan's category A status and whether he
 11 should retain that status?
 12 A. Yes.
 13 Q. We can put that on the screen, {DC6531/3}. That must be
 14 a -- I'm sorry, I gave the wrong reference, {DC5351/1},
 15 let's start with page 1, and identify the document, it
 16 is a category A report and {DC5351/3}, please,
 17 paragraph 4.1, we can see that Mr Khan has had guilty
 18 adjudications following the incidents in February 2017?
 19 A. Jumping on the netting, yes.
 20 Q. And then it goes on to describe, just above 4.2,
 21 Usman Khan as being generally polite and respectful to
 22 staff but challenging at times.
 23 A. Yes.
 24 Q. Then under "positive behaviours", does it refer, just
 25 going down the page, please, to hard work in education

1 to gain GCSEs in maths and English and so on?
 2 A. Yes.
 3 Q. So some signs of positive application to education?
 4 A. Yes, he appears to thrive whilst in education and will
 5 study hard in his own time.
 6 Q. Take that off screen now. I have now reached
 7 paragraph 3.47 of your report, which is page 16. Is it
 8 right that in November 2017, Khan began his first course
 9 with Learning Together?
 10 A. Yes, that's right. I believe at first he wasn't that
 11 interested, however, he decided he would give it a go
 12 and become involved.
 13 Q. The jury has seen his application form and the period --
 14 and has seen the documents which show that Writing
 15 Together course lasting to early 2018?
 16 A. That's right.
 17 Q. Meanwhile, around the same time, {DC6503/1963}, on
 18 12 November 2017 was an entry made that Khan, the
 19 previous day, had been talking through the Remembrance
 20 Day silence?
 21 A. That's right, yes. Very similar to the way he had done
 22 back in, I think it was 2012.
 23 Q. Talking on this occasion, rather than shouting?
 24 A. Yes.
 25 Q. And then page 1959, please, {DC6503/1959}, I think we

1 see here an entry for 20 November 2017, referring to
 2 information that Khan and other Muslim prisoners on
 3 C wing had been trying to dictate the conduct of
 4 non-Muslims, how they can shower, eat and behave?
 5 A. Yes, that's right.
 6 Q. Did the category A process of review on this -- for this
 7 year, complete in December 2017?
 8 A. Yes.
 9 Q. We can put on screen {DC5352/4}. So this is a letter to
 10 Usman Khan, 21 December 2017, telling him that he is to
 11 remain category A high risk.
 12 A. Yes.
 13 Q. And then at the bottom of the page, the Category A Team
 14 concludes in the penultimate paragraph here that Khan
 15 has achieved no substantial progress addressing risk --
 16 A. That's correct.
 17 Q. -- in the reporting period, that there has been
 18 engagement in education but regular examples of
 19 misconduct?
 20 A. Yes.
 21 Q. And that there haven't been any further interventions,
 22 so further programmes to address his offending, mindset
 23 and behaviour?
 24 A. That's right, yes, so considered -- suggested little or
 25 no personal development, despite other positive

1 information.
 2 Q. Now, in line with the suggestion that he hadn't carried
 3 out such programmes, did he then go on to undergo the
 4 Thinking Skills programme?
 5 A. Yes.
 6 Q. And if we go to {DC5341/1} we can see there a programme
 7 report, referring to completion of the programme on
 8 13 December 2017.
 9 A. Yes.
 10 Q. And if we go to {DC5341/9}, this is comments on the
 11 self-control module of the Thinking Skills programme.
 12 We can see that overall the report writer says that Khan
 13 explored the risky emotions, situations, and thoughts
 14 around his index offence. He considered some high risk
 15 situations in custody, and identified certain skills as
 16 useful to move him away from offending.
 17 Do we see that in his manuscript comments he said:
 18 "I agree with the comments; where highlighted
 19 I would like to clarify that though I felt angry, I also
 20 made clear that I would never harm anyone who did not
 21 physically harm me, this is a principle I live by and
 22 I would not harm staff nor anyone else except in extreme
 23 cases of self-defence and even then I would not to
 24 excess, this can be seen in my prison history, though I
 25 have been in stressful situations I have never harmed a

1 staff member."
 2 A. That's right, yes. Although that's fairly contradictory
 3 with some of the comments that we've already seen today.
 4 Q. And also in response to the requirement for an Extremism
 5 Risk Guidance assessment, which is referred to in that
 6 category A report, was an ERG process carried out in
 7 early 2018?
 8 A. Yes, that's right, by leva Cechaviciute, prison
 9 psychologist.
 10 Q. So this I think produced an important report
 11 of April 2018 by the prison psychologist,
 12 Ms Cechaviciute. That's at {DC5322/1}. We shall all
 13 have to get used to pronouncing her name by the time she
 14 gives evidence.
 15 A. Yes.
 16 Q. I'm going to deal with the report just briefly now,
 17 because we will hear about it in much more detail with
 18 that and other witnesses, but {DC5322/32} can we see
 19 that the report concluded, towards the bottom of the
 20 page, at 8.1.2., if we can focus on the bottom of the
 21 page, assessing that Khan's current engagement with
 22 extremism was medium and could increase on release
 23 because of factors such as the need for status,
 24 comradeship, having friends that support extremism, the
 25 need for identity, meaning and belonging, the need to

1 dominate others?
 2 A. That's right, yes, things we've seen before.
 3 Q. Then paragraph 8.1.3, his risk of engaging in extremism
 4 could increase if faced with prejudice, or, over the
 5 page {DC5322/33} negative influences or struggling to
 6 establish his identity and status within a group.
 7 Then does it go on to say:
 8 "Other potential circumstances that could increase
 9 risk of engagement with extremism could be being
 10 influenced by untrustworthy authority ... [or]
 11 struggling financially (for example, not having a job
 12 and being offered an opportunity to make money through
 13 risky behaviour), and struggling to adjust and establish
 14 himself in the community (for example, lack of
 15 employment, lack of structure in daily life and
 16 difficult relationships with family members)."
 17 A. That's right.
 18 Q. Just to be clear, this process, which produces
 19 conclusions of these kind, is designed to inform those
 20 who manage Khan going forward?
 21 A. Exactly, yes.
 22 Q. Then paragraph 8.1.4, does the assessor conclude that
 23 Khan has a current -- that Khan's current intent to
 24 commit an offence is assessed as medium, but that could
 25 also increase upon release?

1 A. Yes.
 2 Q. Then page 49, please {DC5322/49}, I think Khan was given
 3 the opportunity to make comments on this report in
 4 an interview, and those comments were typed up and added
 5 to the report as an appendix?
 6 A. That is correct, yes. I think he described them as
 7 unsubstantiated speculation by the security department.
 8 Q. So is it right, summarising material we'll go into in
 9 more detail later, that Khan took issue with a whole
 10 series of the security intelligence reports as
 11 unreliable, the sort of reports we've been looking at?
 12 A. Yes.
 13 Q. We can take that off screen.
 14 I'm now at your paragraph 3.66. In early 2018, was
 15 Khan referred for a process called Multi-Agency Public
 16 Protection Arrangements?
 17 A. That's right, yes.
 18 Q. MAPPA?
 19 A. In advance of his release from custody.
 20 Q. In a sentence or two, we've heard a little about it,
 21 what is MAPPA?
 22 A. It's bringing all the different parties or agencies
 23 involved in his management together to discuss
 24 a strategy to employ following his release.
 25 Q. And those agencies are then required under statutory

1 procedures to cooperate within certain structures and
 2 have regular meetings to discuss his management?
 3 A. That's right, yes. I believe there were 12 meetings in
 4 total.
 5 Q. When was Khan first referred to MAPPA? This is your
 6 paragraph 3.66.
 7 A. Yes, so referral was made in February of 2018 by
 8 Staffordshire Probation and the first meeting was
 9 in June of 2018.
 10 Q. In preparation for the first MAPPA meeting, was
 11 a security intelligence report prepared for the MAPPA
 12 agencies?
 13 A. Yes.
 14 Q. May we have that on screen, please. It's {DC6423/1}.
 15 Now, do we see here that this report includes some of
 16 the intelligence we've seen --
 17 A. That's right.
 18 Q. -- about Khan being an influential senior terrorist
 19 offender, radicalising others and seeking to dictate the
 20 behaviour of non-Muslims?
 21 A. Correct.
 22 Q. Then {DC6423/2}, please. Under "Potential for
 23 Radicalisation and extremism", does the report say this:
 24 "Since Mr Khan was moved to C wing red spur, he
 25 seems to have crept below the CTU radar."

1 Is that the counter—terrorism unit at the prison, is
2 that right?
3 A. Yes.
4 Q. "Maybe this is because he knows that with release
5 imminent, he will be watched carefully, or whether it is
6 because of something else, we don't know. The intel
7 reporting on Mr Khan for that last 6 months appears to
8 fall under other threat priorities rather than extremism
9 and radicalisation. However, this does not mean that
10 his ideologies have changed, just that he may be
11 behaving in a deceptively compliant manner in order to
12 facilitate his release."
13 A. Yes.
14 Q. We can take that off screen now.
15 Now, you have told us that regular meetings
16 followed. Were those meetings about once a month?
17 A. That's right, yes.
18 Q. I think, sorry, to correct myself, once every two months
19 while in prison, and once every month on release?
20 A. That's right, yes.
21 Q. Did those involve staff from the National Probation
22 Service, West Midlands Police Counter—Terrorism Unit,
23 Staffordshire Police, the prison for a period, those
24 operating approved premises, and so on?
25 A. That's correct.

57

1 Q. And we'll hear about the roles that each of those played
2 in the meeting, whether they had a specific
3 responsibility for Khan at different times.
4 Did the first meeting take place in June 2018?
5 A. Yes.
6 Q. And we don't need to go to the minutes for that now, but
7 did that involve discussion of where he would live and
8 plans for his future?
9 A. Yes.
10 Q. Where was it intended that he would live?
11 A. It was an approved premises in the Staffordshire area.
12 Q. So on release he would live in what might colloquially
13 be called a probation hostel?
14 A. That's correct, yes.
15 Q. Looking at your paragraphs 3.67 to 3.68, what was the
16 view taken of Mr Khan's behaviour around that time by
17 the MAPPAs agencies?
18 A. So the conduct had been mixed, but over the last — the
19 prior eight months, there had been a substantial
20 improvement, albeit there was still intelligence around
21 his extreme views.
22 Q. So is this right: improved behaviour in the sense that
23 he wasn't directly becoming involved in assaults or
24 disruptive behaviour, but still some very concerning
25 intelligence?

58

1 A. That's right, yes.
2 Q. And of course, the MAPPAs agencies had that security
3 report suggesting that the improvement in overt
4 behaviour might be deceptive?
5 A. That's correct.
6 Q. Were further MAPPAs meetings held in October and December
7 of 2018?
8 A. Yes.
9 Q. Now, going back to some of the intelligence records over
10 this period, {DC6503/1893}, please. Now, I think we can
11 see here an entry in the Mercury Intelligence record
12 for June 2018, which records Khan's association with
13 various other disruptive prisoners, and refers to Khan
14 as having "Links to religious bullying and/or the gang
15 culture".
16 A. That's right, yes. Again, he appears to have been
17 an influential figure amongst Muslim prisoners on B wing
18 before moving to C wing.
19 Q. So that's June 2018, I think?
20 A. Yes.
21 Q. Then moving to page {DC6503/1876} this is an entry for
22 24 July 2018, if we look at the whole page. Sorry,
23 I must have the... {DC6503/1876}, I'm sorry, an entry
24 for 24 July 2018:
25 "Information received suggests that a conversation

59

1 was overheard between Mr Usman Khan and [another
2 prisoner] that [a third prisoner] is a snitch ... he
3 works for the system and he needs to be stopped, it's
4 believed they wish to seriously harm [this other
5 prisoner]."
6 A. Yes.
7 Q. "It's also stated that Mr Khan and [the person he was
8 speaking to] are the Muslim leaders and said they have
9 all the tools/connections they need to contact people."
10 A. That's right.
11 Q. Then turning to paragraph 3.70 of your report, at this
12 point in time, so August 2018, with four months to go
13 before release, was Khan subject to a further category A
14 review procedure?
15 A. That's right, yes.
16 Q. {DC5353/1} please, on screen. Do we see that the
17 decision was made in August 2018 that Khan should remain
18 category A high escape risk; that the panel making the
19 decision were encouraged that there had been
20 a willingness to engage in education and offending
21 behaviour work, but Khan was still to demonstrate
22 a reduction in risk?
23 A. That's correct.
24 Q. Moving on to a little later in August 2018, may we look
25 at the Mercury Intelligence record for 24 August,

60

1 {DC6503/1855}. Now, is this an entry suggesting that
 2 Khan and others, including Brusthom Ziamani, were
 3 regularly huddled together, that preaching was going on
 4 and that some prisoners were not comfortable?
 5 A. That's correct.
 6 Q. I think this was communicated to the MAPPA agencies in
 7 a subsequent intelligence report; is that right?
 8 A. That's correct.
 9 Q. And just to help us, how did Brusthom Ziamani come to
 10 light after the Fishmongers' Hall terrorist attack?
 11 A. So he was already a convicted terrorist for a plot
 12 similar to the Lee Rigby—style attack, a failed plot,
 13 where he was convicted. However, whilst in custody, him
 14 and another individual attacked a prisoner officer
 15 whilst wearing fake suicide belts and they'd made knives
 16 with razor blades and toothbrushes and they effectively
 17 attempted to kill the prison officer and were convicted
 18 of attempted murder.
 19 Q. It was a very serious incident in early 2020, is that
 20 right?
 21 A. That's correct, yes.
 22 Q. Then in September 2018, was a further category A report
 23 prepared on Usman Khan by his offender supervisor in the
 24 prison, Ms Jo Boulton?
 25 A. That's right, yes.

61

1 Q. If we can go to that, please, {DC5567/1}, and identify
 2 the report. Then on {DC5567/8}, we can see that
 3 Ms Boulton considered that during the review period of
 4 recent months, Mr Khan's behaviour had vastly improved,
 5 that he was engaging well with herself and the outside
 6 probation officer — is that Mr Skelton?
 7 A. Yes.
 8 Q. And that plans are being made for his release. It is
 9 positive that he has completed the Healthy Identity
 10 Intervention and working well with the imams at the
 11 chaplaincy. Good that he had completed the
 12 Thinking Skills programme and engaged in the further
 13 Extremism Risk Guidance process.
 14 A. That's correct, yes. I think there's a recommendation
 15 that he could be managed as a category B prisoner,
 16 albeit he was never made a category B prisoner.
 17 Q. So around this time Ms Boulton, who was dealing with
 18 Khan quite regularly, detected a significant improvement
 19 in behaviour?
 20 A. That's right, true, yes.
 21 Q. If we go back to the Mercury Intelligence record,
 22 {DC6503/1840}, do we see here an entry for
 23 15 October 2018, so a couple of months before release,
 24 noting that Khan had written to Mr Skelton, the outside
 25 probation officer, expressing a positive approach to the

62

1 future?
 2 A. Yes, that's right. He says:
 3 "I believe I'm ready as ever to build my life and
 4 put this behind me. I am more settled and want to move
 5 on."
 6 Q. And he ended off with a poem?
 7 A. A poem, yes.
 8 Q. And then page {DC6503/2242}, please, was there on
 9 29 October 2018, a significant entry in the Mercury
 10 Intelligence record?
 11 A. There was, yes.
 12 Q. I'm going to quote this:
 13 "An inmate of C wing called Khan tries to radicalise
 14 other Muslim prisoners. Khan attends Friday prayers at
 15 the prison mosque which gives him the opportunity to
 16 target other Muslims.
 17 "Khan has said that he will return to his old ways,
 18 believed to be related to terrorism when he is released
 19 next year".
 20 Then over the page {DC6503/2243}.
 21 "Khan tells those who he tries to radicalise that
 22 Muslims have to stick together."
 23 And then Khan is given a physical description.
 24 A. Yes.
 25 Q. Over the same period, so late 2018, was Khan also

63

1 engaging positively with Learning Together?
 2 A. That's correct, yes.
 3 Q. I think you say, you refer at paragraph 3.73 of your
 4 report to a fundraising run he took part in?
 5 A. That's right, yes, he took part in a fundraising run
 6 where he showed really good dedication.
 7 Q. And paragraph 3.77, did he act, as we've heard, as
 8 a mentor on a Learning Together probability course?
 9 A. Yes.
 10 Q. That was taking a position of some responsibility and
 11 discharging it, apparently, well?
 12 A. Yes, I think that is something he had expressed
 13 an interest in doing later on, becoming a mentor.
 14 Q. At paragraph 3.75 of your report, there had been the
 15 recommendation by Ms Boulton, the offender supervisor,
 16 that Khan be reduced from category A to category B.
 17 A. Yes.
 18 Q. Was that considered by a local advisory panel which
 19 would make recommendations on such matters?
 20 A. Yes.
 21 Q. What was the result of that consideration?
 22 A. So the panel went on to conclude it was satisfied that
 23 no concerning behaviours had been seen over 12 months
 24 and that a downgrade that facilitated a period of time
 25 in category B would benefit his transition to the

64

1 community. So essentially I think what they're saying
 2 is, in time he could be downgraded.
 3 Q. If we could put on screen {DC5565/1}, and can we see
 4 here that the Category A Team -- that's looking at
 5 the previous review -- that the Category A Team noted
 6 the previous review that we looked at where there was no
 7 significant progress. Then at the 9.2, minutes of the
 8 Local Advisory Panel discussion, the panel was advised
 9 that the risk of serious harm as assessed on the
 10 offender assessment system tool is very high to the
 11 public and medium to staff and the community.
 12 A. Yes.
 13 Q. "In the custodial setting, his risk is medium to staff
 14 and other prisoners and low in all other areas."
 15 And then this:
 16 "Mr Khan engages well in the sentence planning
 17 process and with his Offender Supervisor. The LAP noted
 18 that he used to be quite 'anti-authority' however seems
 19 to have shifted and now engages in a more healthy and
 20 purposeful activities. They ... noted he was removed
 21 from MCBS..."
 22 That's is the Managing Challenging Behaviour
 23 Strategy --
 24 A. Yes.
 25 Q. -- following the assessment, and then he had

1 resettlement services in place planned for his release
 2 date?
 3 A. That's correct.
 4 Q. So summarising a little, is the advisory panel noting
 5 that there is an assessment of risk which remains
 6 serious and high, but apparently improved behaviour
 7 engaging with the offender supervisor?
 8 A. That's correct, yes.
 9 Q. Then page 2, please {DC5565/2}, I think we can see under
 10 "Protective factors" the connection with
 11 Learning Together and the University of Cambridge is
 12 treated as a protective factor, as a positive factor in
 13 his life tending away from offending?
 14 A. Yes.
 15 Q. Then may we move to the final MAPPa meeting of Khan's
 16 time in prison. Did that take place on 5 December 2018?
 17 A. Yes.
 18 Q. If we look at the minutes, {DC6409/1}, and these are the
 19 MAPPa meeting minutes of December 2018. If we go to
 20 {DC6409/6} and start halfway down the page, we can see
 21 that there is a quotation of the intelligence that we
 22 looked at earlier, Khan being an inmate who tried to
 23 radicalise other prisoners, and had said he would return
 24 to his old ways, believed related to terrorism?
 25 A. That's right, that's the same intelligence we heard

1 before.
 2 Q. And that intelligence of 29 October 2018 is discussed in
 3 the MAPPa meeting?
 4 A. Yes.
 5 Q. Go down the page, please. Sorry, so that we can just
 6 see a little higher, please? It's described as "low
 7 graded intelligence."
 8 A. Sorry, I'm trying to pick the text up.
 9 Q. Pardon, sorry?
 10 A. I can't see that.
 11 Q. Right at the top:
 12 "Please note this is low graded intelligence."
 13 A. Sorry, apologies, in bold capital letters.
 14 Q. Before redaction is made on national security grounds.
 15 A. Yes.
 16 Q. And then there is a discussion of Khan's release through
 17 HMP Woodhill.
 18 A. Yes.
 19 Q. We can take that off screen now. We'll look at all
 20 these MAPPa meeting minutes in detail with other
 21 witnesses.
 22 A. Sure.
 23 Q. But it's right to say that that intelligence suggesting
 24 that Khan had said he would return to his old ways was
 25 discussed in the MAPPa meeting --

1 A. Yes.
 2 Q. -- communicated to the MAPPa participants, but as low
 3 graded intelligence?
 4 A. That's right. That's right, yes.
 5 Q. I'm now on page 3.83 of your report, and page 20.
 6 Whilst still in prison at the start of 2018, did Khan
 7 make contact with a mentor who had been provided from
 8 a company called TUI?
 9 A. The Unity Initiative, yes.
 10 Q. Is that a company which provides under contract with the
 11 government mentors to work with offenders and help them
 12 away from offending behaviour?
 13 A. That's correct, yes.
 14 Q. In his meeting with the mentor on 4 December 2018, how
 15 did Khan present?
 16 A. So he spoke about how he wanted to -- what he wanted to
 17 achieve and what he was looking to pursue. He was
 18 looking to pursue an academic career in combating
 19 extremism, and he spoke about having a transformation
 20 since he had started writing. He said he did not
 21 believe the rhetoric that he used to believe when he was
 22 younger, and he was now challenging them in open forums
 23 and he wanted to break away from the ideology. Again,
 24 he described himself as an angry young man back in those
 25 days when he came into the system, but over the last

1 year and a half he had learned to "mellow", is his
 2 quote.
 3 Q. As you have told us, Khan had to be released at the end
 4 of 2018 --
 5 A. That's right.
 6 Q. -- no discretion about that. Was he released on time at
 7 the end of December 2018 from HMP Woodhill?
 8 A. Yes.
 9 Q. That was, I think, 24 December?
 10 A. That's right. Christmas Eve.
 11 Q. Now, looking at your paragraph 3.89 onwards, in brief
 12 how much contact did Khan maintain with his family
 13 whilst he was in prison?
 14 A. He kept quite good communications via telephone with
 15 them, and the occasional visit.
 16 Q. Is it right to say that the conversations which were
 17 monitored, as we'll hear, were generally about domestic
 18 matters?
 19 A. That's right, yes.
 20 Q. And certainly did not raise concerns that his family
 21 were engaged in anything unlawful or inappropriate?
 22 A. No, that's correct.
 23 Q. But those conversations did sometimes stray, as we've
 24 seen, into Khan's desire to move to Pakistan?
 25 A. Yes.

1 Q. Did Khan also maintain during his time in prison contact
 2 with his co-defendants to an extent?
 3 A. During prison, yes.
 4 Q. And also during prison, did Khan maintain contact with
 5 a long-standing friend, Joseph, or Yusuf, Holland?
 6 A. Yes.
 7 Q. We have seen that he was one of those who had been
 8 handing out literature with Usman Khan in the period
 9 before he was released --
 10 A. That's correct.
 11 Q. -- at the da'wah stalls?
 12 A. Yes, and again, via the telephone, predominantly, that
 13 was monitored.
 14 Q. Is it right that their conversations were generally
 15 about mutual friends and, in the main, weren't a
 16 security concern?
 17 A. That's correct.
 18 Q. Now, before we move onto the period after release,
 19 I'm going to ask for a document to be handed to you, if
 20 it hasn't already been, and to the jury, which is
 21 a summary of key intelligence from 2017 and 2018.
 22 A. Yes, I have that document and I have read it.
 23 Q. It is just being handed to the jury now. (Handed).
 24 Sir, for the jury's benefit, this is a document
 25 which the Inquest team have prepared and all interested

1 persons have had the opportunity to have some input into
 2 it. Its reference is {DC7534}. It contains key prison
 3 intelligence from Usman Khan's Mercury Intelligence
 4 record and his NOMIS record.
 5 A. Yes.
 6 Q. Now, the Mercury record, at which we've been looking, is
 7 the record of a digital prison intelligence system used
 8 across the estate, introduced in 2013?
 9 A. Yes.
 10 Q. And is it right that in prison, intelligence can be
 11 submitted by anyone with a link on the prison services
 12 intranet system?
 13 A. Correct.
 14 Q. That some such intelligence will be submitted by the
 15 counter-terrorism unit, but often by others, such as
 16 wing staff?
 17 A. Yes.
 18 Q. That Usman Khan's record, as you've told us, runs to
 19 thousands of pages of entries?
 20 A. Yes, over 2,000 pages.
 21 Q. That the NOMIS record, by contrast, is a record for all
 22 prisoners operating as a single national database of
 23 offender information?
 24 A. That's right, yes.
 25 Q. Khan's running to, I think, a little under 200 pages?

1 A. Yes.
 2 Q. For the benefit of the jury, the lines of intelligence
 3 included in this summary are described as "key", but
 4 that's simply an assessment we have made as lawyers.
 5 There will, of course, be more information than is
 6 received in this document, but it's been presented as
 7 a gist to set out some of the most significant
 8 intelligence of the last two years of Khan's time in
 9 prison.
 10 A. Yes.
 11 Q. Now, the reason I'm putting this to you now, DCI Brown,
 12 is that I'm asking you to confirm that you have read
 13 this document?
 14 A. I have read it, yes.
 15 Q. That you have compared it against your knowledge of the
 16 records that we have gone through, and you can confirm
 17 it is accurate?
 18 A. It is accurate, yes.
 19 Q. I don't ask the jury to read into that now, but to set
 20 it aside and to use it as we go along referring to
 21 prison matters in future.
 22 JUDGE LUCRAFT: And just, the jury, you have mentioned this
 23 a number of times, Mr Hough, but a number of the people
 24 who feature in those meetings the jury are going to be
 25 hearing from in the coming days, and so the context very

1 much of what DCI Brown at the moment is doing is to put
 2 these things into context in the light of what it is the
 3 police investigation after the incident has revealed,
 4 and we will add a bit more flesh to the bones of these
 5 meetings through the evidence to be given by those
 6 others?
 7 MR HOUGH: Yes.
 8 May we then move on to the period after Khan's
 9 release. You've told us he was to be released on
 10 licence. Was he subject to a series of mandatory
 11 conditions?
 12 A. Yes, when he was first released, he had 22 conditions.
 13 Q. Can we put on screen {DC5194/1}. Can we see here
 14 a formal document setting out those licence conditions?
 15 A. Yes.
 16 Q. If we go to the bottom of that page, we can see the
 17 conditions begin to be set out, including to be of good
 18 behaviour and not commit any offence.
 19 Over the page {DC5194/2}, they include, for example,
 20 number (vi), not to undertake work other than work that
 21 has been approved?
 22 A. Yes.
 23 Q. Number (vii), not to travel outside the United Kingdom
 24 without prior permission?
 25 A. Yes.

1 Q. Going down, number (x), to comply with the requirements
 2 of the supervising probation officer?
 3 A. Yes.
 4 Q. Number (xii) not to access internet-enabled devices?
 5 A. That's correct, yes.
 6 Q. And then, over the page, number (xx) there's a curfew,
 7 there's a requirement to confine himself within the
 8 address approved between 7.00 pm and 7.00 am?
 9 A. Yes.
 10 Q. And a requirement for signing on at approved premises?
 11 A. That's right.
 12 Q. (xxi), a requirement to reside permanently at the
 13 probation hostel, Staithford House approved premises?
 14 A. Yes.
 15 Q. And then (xxii), a requirement to wear a GPS monitoring
 16 tag.
 17 A. That's right, yes.
 18 Q. Had those conditions been prepared and approved at the
 19 MAPPA meetings during the time that Khan was in prison?
 20 A. This was all part of the strategy that was discussed at
 21 the MAPPA, yes.
 22 Q. Were they explained to Khan in fact repeatedly,
 23 including on the day of his release?
 24 A. That's right, he met his probation officer and the
 25 police officers that were managing the conditions on the

1 day of release, and I think he signed this document as
 2 well.
 3 Q. Was he also subject to notification requirements under
 4 statute as a terrorist offender?
 5 A. That's right, yes.
 6 Q. If we go to {DC5258/2}. Now, summarising very briefly,
 7 were these a lower level of requirements about, for
 8 example, notifying changes of address, not as onerous as
 9 the licence conditions?
 10 A. That's right, yes.
 11 Q. But in place for 30 years?
 12 A. That's right, yes.
 13 Q. We can take that off screen now.
 14 Based on those conditions, we know that Khan was
 15 required to live at the approved premises in Stafford.
 16 Looking at your paragraph 4.3, can you tell us a little
 17 about those premises?
 18 A. Yes. So that's an approved premises, ie a hostel
 19 operated by the National Probation Service, and it was
 20 a premises that would primarily house high risk
 21 offenders in a sort of semi-secure environment, to
 22 provide them some intensive supervision but in the
 23 community whilst they were on licence following release
 24 from prison.
 25 Q. I think that was managed by a lady called Kim West, from

1 whom we'll hear?
 2 A. That's right.
 3 Q. And is it right that while there, Khan had keyworkers
 4 and a regular weekly one-hour session with a key worker
 5 to discuss matters such as employment and education?
 6 A. That's right, yes.
 7 Q. Looking at your paragraph 4.4, we'll hear in detail from
 8 the staff of the hostel, but how was Khan's compliance
 9 with the rules of those premises?
 10 A. He abided by the rules at all times.
 11 Q. Turning, then, to the level of involvement of statutory
 12 agencies with Usman Khan on a regular basis. Was
 13 Usman Khan managed first of all by a probation officer,
 14 primarily by Mr Skelton?
 15 A. Yes.
 16 Q. Was he also subject to management by police officers?
 17 A. Yes. So they were there to supervise the conditions
 18 that he was under.
 19 Q. Where did those police officers who were doing that
 20 management and supervision, where did they come from?
 21 A. So they were actually officers that worked within the
 22 Prevent unit for Staffordshire Police, albeit that
 23 wasn't their primary role: they weren't acting
 24 in Prevent capacity, they were acting to supervise those
 25 conditions, almost double-hatting, if you like.

1 Q. So these police officers were a team, I think, led by
 2 Police Sergeant Forsyth?
 3 A. Yes.
 4 Q. They were members of a Prevent Team whose normal work
 5 involved promoting and pursuing the government's Prevent
 6 or de-radicalisation strategy?
 7 A. Yes, as part of the Contest strategy, yes.
 8 Q. But they had been tasked also to perform this role in
 9 the area of managing and supervising the compliance of
 10 a small number of terrorist offenders with their licence
 11 conditions?
 12 A. That's correct, yes.
 13 Q. Was Khan seen regularly by both Mr Skelton and the
 14 Prevent Team?
 15 A. He was, yes.
 16 Q. I think in Mr Skelton's case, a few times in the first
 17 week of release, and then initially about every week
 18 thereafter?
 19 A. That's right, yes.
 20 Q. Was Khan seen also regularly by the officers from the
 21 Prevent Team?
 22 A. Yes, again, I think they were weekly initially and then
 23 from late February, every two weeks. I think as time
 24 went on, there were slightly longer gaps.
 25 Q. Now, you've told us about mentors, now looking at

1 paragraphs 4.13 and onwards in your report, but did Khan
 2 see a mentor regularly from his time of release?
 3 A. He did, yes. Those mentors were there to provide him
 4 practical support to re-engage back into the community.
 5 Q. Did he in fact have two mentors, two practical mentors
 6 in succession, one we're calling M1?
 7 A. Yes.
 8 Q. From December 2018 to March 2019?
 9 A. Yes.
 10 Q. Then was there a change to a second mentor, M2,
 11 from March to August 2019?
 12 A. That's correct, yes. After August he didn't have
 13 a mentor.
 14 Q. Just so there's no mystery, these witnesses have been
 15 granted anonymity, which is why they're called M1 and
 16 M2?
 17 A. Yes.
 18 Q. What, in practical terms, did the mentor do with
 19 Usman Khan on each visit?
 20 A. So one role was they would accompany him to the library
 21 where he was allowed to access the internet to search
 22 for jobs and look into the future for housing. They
 23 helped facilitate him accessing a bank account. Just
 24 practical activities that he could be supervised in
 25 undertaking, bearing in mind he had been in prison for

1 eight years and things had changed and the processes had
 2 changed.
 3 Q. You told us in August 2019 he stopped having a mentor.
 4 He didn't have a mentor after that?
 5 A. Yes.
 6 Q. Why was that?
 7 A. I think the company, TUI, the contract ceased, and
 8 I think the mentor moved away from that company. So it
 9 wasn't to do with Mr Khan, it was to do with the
 10 organisation of that company.
 11 Q. Did the effect of losing a mentor mean that at that
 12 point he couldn't use the internet at the library?
 13 A. That was the biggest impact upon him, yes.
 14 Q. With the result that, for example, he couldn't use the
 15 internet for job searching?
 16 A. Absolutely, yes.
 17 Q. Now moving onto the period January to March 2019, which
 18 you deal with from paragraph 4.15 of your report, did
 19 Khan, in those early weeks following release, engage in
 20 various activities to set up his life, obtaining a bank
 21 account, proof of identity and so on?
 22 A. Yes, that's right, yes.
 23 Q. He was required to live in the probation hostel from the
 24 time of his release, but did he express interest from
 25 an early stage in moving into his own premises?

1 A. Yes, again he wanted to be on his own in a flat in
 2 Stafford.
 3 Q. I think for that purpose he registered with a local
 4 authority housing agency in late January?
 5 A. That's right.
 6 Q. What was Mr Skelton's view of the period for which he
 7 would be required to stay in the approved premises?
 8 A. I think he advised him it was likely to be at least six
 9 months before he could move from the hostel into
 10 a private home.
 11 Q. Did Mr Khan receive a mobile phone?
 12 A. He did. He was provided one by the police, yes.
 13 Q. Did that mobile phone have internet capability?
 14 A. So it shouldn't have had internet capability, however,
 15 it was a very simple, basic phone that police believed
 16 didn't contain an internet capability, however Khan
 17 identified that it did and was forthcoming in passing
 18 that phone back, so he was then provided with another
 19 phone.
 20 Q. Was there a MAPPA meeting in January 2019, which
 21 discussed Usman Khan?
 22 A. Yes.
 23 Q. If we can put on screen {DC6410/1} we can see the
 24 minutes for that meeting, 23 January 2019. Then if we
 25 go to page 4, at the bottom of the page {DC6410/4}, do

1 we see that Mr Skelton updated the MAPPA panel that
 2 Usman Khan was currently at Staitford House approved
 3 premises?
 4 A. Yes.
 5 Q. And had settled well with no concerns?
 6 A. That's correct.
 7 Q. Then there's reference to a bank account, driving
 8 licence, and so on?
 9 A. Yes.
 10 Q. And then page 6, please {DC6410/6}, the top of the page,
 11 we see this:
 12 "Dr Ruth Armstrong from Cambridge University is
 13 pushing for Usman to attend an event in March and has
 14 stated that they are willing to arrange accommodation
 15 and for someone to go with him. Ken [that's Mr Skelton]
 16 was of the view that this is too soon and that the
 17 events they are suggesting in September and October
 18 would be more appropriate."
 19 And Ms West of the approved premises then talks
 20 about managing Usman's expectations?
 21 A. That's right, yes.
 22 Q. We can take that off screen now.
 23 So the invitation to the Cambridge event we've heard
 24 about in March 2019, was delivered in January and
 25 considered by MAPPA in January but thought to be too

1 soon a step for Khan to take?
 2 A. Yes, that's right.
 3 Q. Now at your paragraph 4.21, did Khan join a gym?
 4 A. He did, yes, a local gym, I think it was called
 5 Elite 2000.
 6 Q. Is it right that he initially joined another gym
 7 in January 2019, then moved to the Elite gym in March
 8 when the first gym closed down?
 9 A. Sorry, that's correct, yes. He initially joined the
 10 Lionz gym in February and then moved onto the Elite gym.
 11 Q. Did he also, by way of leisure activities, acquire
 12 an Xbox computer games console?
 13 A. That's right, yes. It was one that was unable to access
 14 the internet and I think it was a secondhand purchase
 15 from Cash Converters.
 16 Q. So significant work done to ensure that he couldn't
 17 access the internet using that device?
 18 A. That's right.
 19 Q. By way of statutory benefits, what benefits did Khan
 20 receive?
 21 A. So he received Universal Credit monthly, which was
 22 £291.33 per calendar month, although that did vary on
 23 occasion. So his first payment was in January of 2019,
 24 into his bank account.
 25 Q. After it had been decided by the MAPPA panel that

1 Usman Khan should not attend the March 2019 Cambridge
 2 event, is it right, as we've heard, that arrangements
 3 were made for him to be visited by Dr Armstrong and
 4 Mr Larmour for the video and the interview?
 5 A. A promotional video, that's right, yes.
 6 Q. Meanwhile, in these early months, did Khan begin
 7 searching for employment?
 8 A. That's right, yes.
 9 Q. What were the principal steps he took in that regard?
 10 A. So he was referred to an organisation called
 11 Ixion Holdings, part of the Shaw Trust, which is
 12 a charity which delivers courses and qualifications to
 13 support jobseekers from disadvantaged groups to move
 14 forward and, obviously, eventually seek employment.
 15 Q. So he was being helped by Ixion Holdings with
 16 a caseworker from that organisation --
 17 A. That's right, yes.
 18 Q. -- contacting him from time to time. Did he also have
 19 a work coach at the Jobcentre?
 20 A. He did, yes.
 21 Q. Meanwhile, when in March 2019, Khan moved to the elite
 22 fitness centre, did officers from the Prevent Team take
 23 any steps about communicating with the owner of that
 24 gym?
 25 A. Yes, that's right. They attended the gym to disclose to

1 the manager the fact that he had the convictions that he
 2 did, however, they discovered that Khan had already done
 3 that himself.
 4 Q. So they discovered that Khan had already disclosed his
 5 terrorism offences voluntarily to the owner of the gym?
 6 A. That's right.
 7 Q. Did Khan initially have some attendance at a local
 8 mosque?
 9 A. That's right, yes. He attended Friday prayers for the
 10 first time on 8 March 2019 and, again, I think
 11 a disclosure had been made by the Prevent officers to
 12 the mosque.
 13 Q. So put on screen {DC7368/1}, just to give an idea of the
 14 scale of the mosque, is this an image of the mosque Khan
 15 was attending?
 16 A. That's right.
 17 Q. So not a vast...?
 18 A. Very small, yes.
 19 Q. We can take that off screen now.
 20 I'm now moving to the period between April
 21 and August 2019, so after the first few months
 22 post-release.
 23 A. Yes.
 24 Q. And this is dealt with from your paragraph 4.44.
 25 Did Khan have a job interview in mid-April 2019?

1 A. Yes, he did, with Screwfix, the hardware store, however,
 2 once it was disclosed the offences he had been convicted
 3 of, he was unsuccessful.
 4 Q. So the employer lost interest when he gave the necessary
 5 disclosure of his offences?
 6 A. Yes.
 7 Q. Now, looking at your paragraph 4.46, is it right that
 8 there is a reference in the probation notes to
 9 Usman Khan testing positive for cannabis in April 2019?
 10 A. There is, however that is believed to be an error on the
 11 part of the approved premises.
 12 Q. Is it right that in your investigation, you obtained the
 13 original drug monitoring sheet which showed negative
 14 tests consistently?
 15 A. That's right, yes, at that stage.
 16 Q. As we'll hear, Khan moves out of the approved premises
 17 in September 2019.
 18 A. Yes.
 19 Q. Is it right that the drugs -- no drug tests continue at
 20 that point?
 21 A. That's correct.
 22 Q. I'm now at your paragraph 4.47. Were Usman Khan's
 23 licence conditions amended around this time, so the
 24 spring of 2019?
 25 A. Yes, they originally, as we saw, were between 7.00 and

1 7.00, and they were moved so that he was allowed out
 2 until 9.00 pm. So they were 9.00 pm until 7.00 am.
 3 Q. So his curfew hour extended from being inside from
 4 7.00 pm to being inside from 9.00 pm?
 5 A. Yes.
 6 Q. Was there a further modification of his licence
 7 conditions in June 2019, concerning his sign-on
 8 requirements?
 9 A. Yes.
 10 Q. Was that a removal of the daily sign-on requirements?
 11 A. That's correct, yes. So he would be allowed out for the
 12 duration of the day, whereas previously he had to return
 13 home.
 14 Q. Thank you very much.
 15 Following the unsuccessful interview with Screwfix,
 16 did Khan continue job searches, including by going to
 17 the library, logging onto the internet with his mentor
 18 present and doing searches for jobs by that means?
 19 A. Yes, that's right.
 20 Q. As well as dealing with the Jobcentre and with Ixion?
 21 A. That's correct, yes, and he applied for a CSCS card,
 22 which is a construction industry card.
 23 Q. And if we bring up {DC5224/1}. Sorry, I must have the
 24 wrong reference. We can take that down. Is it right
 25 that he successfully completed the construction skills

1 course and obtained a CSCS card for construction work
 2 in June 2019?
 3 A. That's correct, yes.
 4 Q. The jury have already heard that Khan was invited to and
 5 attended a digital innovation event, hosted by
 6 Learning Together at Whitemoor Prison --
 7 A. Yes.
 8 Q. -- on 12 June 2019.
 9 A. That's right.
 10 Q. You deal with this at paragraph 4.59. Is it right that
 11 that visit was considered in MAPPA meetings and Khan's
 12 attendance was approved?
 13 A. That's correct.
 14 Q. How was he accompanied to that event?
 15 A. So he was collected by officers from the Prevent Team
 16 and taken by car to the prison where he was dropped off
 17 at the prison.
 18 Q. Is it right, as we've heard, that he received
 19 a Chromebook computer from Learning Together at that
 20 event, which was not able to connect to the internet,
 21 but which had various educational software loaded on?
 22 A. Yes, that's right, to assist with his creative writing.
 23 Q. Following that visit, looking at your paragraph 4.63,
 24 what was Khan's mood?
 25 A. So Khan was upbeat, and he was talking about how well

1 the event had gone. He also mentioned how he'd seen
 2 a number of prison officers that he knew from his time
 3 in prison and that they were very glad to see him and
 4 that he was doing so well post-release.
 5 Q. Did he also make a contact at that event in the form of
 6 a lady called Julia Nix?
 7 A. That's right, yes.
 8 Q. Who was she, and who is she?
 9 A. She works for the Jobcentre, I believe.
 10 Q. I think, is this right, she was an official at the
 11 Department of Work and Pensions?
 12 A. That's right, yes.
 13 Q. Did she go on then to assist Usman Khan in looking for
 14 work in various ways.
 15 A. Yes, she did. She maintained quite close contacts with
 16 him in a professional capacity from that point onwards.
 17 Q. Looking now at your paragraph 4.65, in the course of
 18 those job search efforts which were assisted by the
 19 various people we have discussed, was a particular
 20 construction job considered?
 21 A. Yes, so he wanted to actually get a driving licence and
 22 wanted to apply for a dump truck course to help him get
 23 a job in construction, as I believe high-speed railway
 24 were looking for workers, and that would have assisted
 25 him getting a job there.

1 Q. Was the possibility of Usman Khan obtaining a dumper
2 truck licence or qualification raised by Ixion with the
3 probation officer, Mr Skelton?
4 A. That's correct, yes, and then I believe it was discussed
5 at the next MAPPA meeting.
6 Q. Is it right that, in fact, the possibility of Khan doing
7 a dumper truck qualification was considered quite
8 extensively by the police managing him, as well as in
9 the MAPPA meeting?
10 A. It was, yes, but it was deemed not appropriate at that
11 stage due to the risks that that presented.
12 Q. Quite simply, because large vehicles have been used in
13 devastating terrorist attacks, for example, that in
14 Nice?
15 A. That's correct.
16 Q. Were there a number of further job search opportunities
17 which were pursued, about which we'll hear in more
18 detail in due course?
19 A. Yes, he continued to seek work.
20 Q. Did any of them lead either to a job or to a clear
21 prospect of one in the future?
22 A. No.
23 Q. Now, in August 2019, as we've seen with the witnesses
24 from Learning Together, was Khan invited to the
25 Fishmongers' Hall event to take place at the end of

89

1 November 2019?
2 A. That's correct, I believe it was a text message from
3 Dr Ludlow.
4 Q. I think we saw that on screen last week.
5 A. Yes.
6 Q. Now, if we put on screen {DC6415/1}, we can see here the
7 MAPPA minutes of 22 August 2019, and if we go, please,
8 to {DC6415/4}, I think we will see that the
9 Learning Together event is discussed right at the bottom
10 of the page, and it begins:
11 "UK [Usman Khan] continues to have contact with
12 Cambridge University on an almost weekly basis. He has
13 applied for a bursary to support his attendance on
14 a short course beginning next April."
15 So that's a course in April 2020?
16 A. Yes.
17 Q. "The course will last 1-day and will..."
18 Over the page, please {DC6415/5}:
19 "... entail an overnight stay. The university are
20 also hosting another 1-day event in November --
21 [Usman Khan] will be invited, however will have likely
22 moved on from the [approved premises] by this point and
23 will need to source his own means of travel."
24 A. Yes.
25 Q. Then it goes on to discuss accommodation which I'll ask

90

1 you about in a moment.
2 A. Sure.
3 Q. So taking that off screen, the visit to London is raised
4 at the MAPPA meeting of August 2019 but, is this right,
5 at that stage in the minutes, no discussion of specific
6 risks to do with that -- to do with that visit?
7 A. That's right, it wasn't discussed.
8 Q. I think, is this right, although we'll hear reference to
9 MAPPA minutes for meetings in the months that follow, up
10 to November 2019, those similarly don't contain
11 discussion of specific risks related to the London visit
12 or how to mitigate them?
13 A. That's right, it doesn't appear in the minutes.
14 Q. We're now at paragraph 4.82 of your report, and
15 I'm moving on to the period September/October 2019.
16 In September 2019, did Usman Khan obtain a flat in
17 Stafford?
18 A. Yes, a premises in Wolverhampton Road.
19 Q. If we go, please, to {DC5314/3}, can we see here that
20 your investigation turned up the tenancy agreement for
21 that property, beginning on 17 September?
22 A. That's correct.
23 Q. And did he, in fact, move in a week later, on
24 24 September?
25 A. Yes.

91

1 Q. Was that a one-bedroom flat near the centre of Stafford?
2 A. That's right, yes.
3 Q. If we put on screen {PH0035/1} we can, I think, see the
4 front of the property where the flat is on one of the
5 upper floors.
6 A. That's correct.
7 Q. As you've told us, he had first put his name down for
8 a flat in January 2019; did he experience some
9 difficulties in obtaining a flat through the local
10 authority?
11 A. Yes, that's right. In the end he had to rent the flat
12 privately.
13 Q. As we saw briefly in that last set of MAPPA meetings, is
14 it right that the move to this property was known to the
15 MAPPA agencies and discussed extensively, including the
16 details of the property?
17 A. It was, yes, and I believe the Prevent officer had
18 actually assisted him in moving in.
19 Q. During September and October 2019, did Usman Khan's job
20 search efforts continue?
21 A. Yes, they did, without success.
22 Q. Was he working, at this stage, with a lady called
23 Lisa Powell, who was a job coach at Ixion?
24 A. That's right, yes.
25 Q. Was he also continuing communications with Julia Nix,

92

1 the official from the Department of Work and Pensions,
 2 who he had met at the June visit to Whitemoor?
 3 A. That's right.
 4 Q. And we'll hear from her, but is it right that in
 5 exchanges with her in late October 2019, he expressed
 6 some pessimism about the prospects of finding work?
 7 A. Yes.
 8 Q. You can take that off screen now.
 9 On 31 October 2019, did some officers from the
 10 Prevent Team, those responsible for supervising Khan's
 11 compliance, carry out an unannounced visit to his flat?
 12 A. They did, yes. This was part of the strategy to manage
 13 him.
 14 Q. If we can put on screen {DC5256/1}, please. Is this
 15 an intelligence report recording that visit?
 16 A. That's right, yes.
 17 Q. And do we see that it says this:
 18 "On ... 31st of October 2019 at 0930 hours officers
 19 from Staffordshire [police] attended the home address of
 20 Usman Khan [the address is then given] to carry out
 21 an unannounced visit.
 22 "After a short time Usman answered the buzzer and
 23 let officers into the property. On climbing the stairs
 24 he was waiting at the door of his flat as he explained
 25 that he had just got out of bed. He was wearing a black

1 T-shirt and shorts. Of note his hair has been cut short
 2 into a crew cut and his beard is now fuller."
 3 Over the page, please {DC5256/2}:
 4 "He was happy to have officers in the flat which was
 5 dark as the curtains were drawn. He had a large number
 6 of Xbox 360 games and DVDs that he had purchased from
 7 CEX and spends a lot of his time playing and watching
 8 them.
 9 "He stated that he is still going to the gym but
 10 only a couple of times a week and he has stopped going
 11 to the mosque. He did not give any reason why this was.
 12 "He no longer has a mentor which is causing issues
 13 for him as he would use the mentor to access the
 14 internet. He is struggling to find employment because
 15 he says he cannot go on the internet to search for jobs
 16 as most are advertised on the internet and also
 17 applications are online for a lot of positions. He
 18 stated that he was going to bring this up with his
 19 probation officer and that he was also interested in
 20 getting a monitored device so that he could access the
 21 internet at home.
 22 "He stated that he still visits his family on
 23 a regular basis but doesn't engage with others living in
 24 the flats around him."
 25 A. That's correct.

1 Q. Now, in fact, how did Khan's attendance at the gym
 2 proceed in the weeks that followed that?
 3 A. He stopped attending the gym.
 4 Q. Did he give any reason for doing so?
 5 A. So I think he — the gym owner actually texted him
 6 because he said he hadn't seen him, and he claimed that
 7 he had hurt his hand, then he said he had a cold, so
 8 I think he was making excuses.
 9 Q. Did he stop going to the gym entirely by
 10 early November 2019?
 11 A. Yes.
 12 Q. Was there a final MAPPA meeting that took place before
 13 the attack on 14 November 2019?
 14 A. Yes.
 15 Q. Could we put on screen {DC6417/1}, and go, please, to
 16 page 5 {DC6417/5}. Do we see just above "Panel
 17 discussion" that Khan at that stage had told those
 18 managing him that he was not going to the gym because it
 19 was too cold?
 20 A. Yes.
 21 Q. And that he was, according to monitoring tag data, out
 22 for much of the day?
 23 A. That's right.
 24 Q. And then under "Panel discussion", if we move down, can
 25 we see — if we can get the paragraph just below, thank

1 you. Mr Stephenson — he is from Staffordshire Police
 2 Special Branch; is that right?
 3 A. That's right.
 4 Q. — confirmed that reviews of the tag data shows that
 5 Usman Khan often makes trips into Stafford and then back
 6 home, and a colleague of his states that on Saturdays he
 7 is often not leaving his home address.
 8 A. Yes.
 9 Q. And then PS Forsyth, who leads the Staffordshire Prevent
 10 Team, highlights how Usman Khan had foretold agencies
 11 what his lifestyle would be like: he would be
 12 comfortable in his own company and what the tag data is
 13 displaying is not be a change from what was to be
 14 expected?
 15 A. Yes.
 16 Q. And then Mr Skelton noted that Usman Khan is:
 17 "...always cheerful in his presentation during
 18 supervision. He displays no behaviours to indicate we
 19 should be concerned for his mental health; he is always
 20 pleasant and he visits his parents each Sunday. Had he
 21 come to reside in Stoke, he would have had family close
 22 by, however he chose to stay away from the area — this
 23 choice could be viewed in either a positive or negative
 24 light. It's positive in that he chose to stay away from
 25 trouble and avoid old associates in Stoke, but it's

1 negative in that in doing so, he has to an extent also
 2 isolated himself.”
 3 A. That’s right.
 4 Q. So the MAPPA minutes are recording that Usman Khan is
 5 leading a relatively solitary lifestyle , but expressing
 6 himself happy in his own company.
 7 A. That’s right, yes.
 8 Q. Then if we go to the penultimate paragraph on this page,
 9 the minutes state that:
 10 “[Usman Khan] is scheduled to attend an event in
 11 London on 29 November 2019 through Cambridge University.
 12 He will be travelling via train from Staffordshire to
 13 Euston, at which point he will be met by colleagues from
 14 Cambridge whom will then take him in a taxi to the event
 15 location. He will then be transported back to Euston
 16 Station via taxi, and from here he will catch the train
 17 back to Staffordshire. Calum Forsyth noted that the
 18 logistics for the trip need to be discussed and
 19 confirmed. Ken Skelton [the probation officer] noted
 20 that [Usman Khan] has not had much contact with
 21 Cambridge recently — he was given his Chromebook but
 22 does not appear to be doing much with it.”
 23 Then there’s reference to the course in April 2020.
 24 A. Yes.
 25 Q. So, once again, we’ll hear from witnesses about this

1 discussion , but the consideration of the trip to London
 2 as minuted refers to logistics rather than risks?
 3 A. It looks like it’s decided already by this stage, yes.
 4 Q. We can take that off the screen now.
 5 Now moving to further events in 2019, I’m now at
 6 your paragraph 4.110. Is it right that on 14 November,
 7 so after the MAPPA meeting but on the same day, the
 8 Prevent officers , the officers from the
 9 Staffordshire Prevent Team, carried out an unannounced
 10 visit to Usman Khan’s home?
 11 A. Yes, I think that was a consequence of the MAPPA meeting
 12 where they had asked them to do that visit.
 13 Q. How long did they stay in the flat?
 14 A. So they arrived at 11.47, we know this from CCTV, and
 15 they left at exactly 12.00 hours.
 16 Q. And I think inside the flat for 11 minutes?
 17 A. Yes.
 18 Q. And if we look at {DC7356/1} we will see an email which
 19 records that visit from PC Oakley, one of the Prevent
 20 officers , to PS Forsyth, the leader of the team?
 21 A. Yes.
 22 Q. “Visit was carried out at the home address of Usman Khan
 23 on 14 November 2019 at 12 noon. Usman was dressed in
 24 a black T–shirt and grey shorts. He was happy to have
 25 us in the flat and the initial conversation was around

1 his employment and a trip to Cambridge.
 2 “The trip to Cambridge is one that he has been
 3 discussing with his probation officer and
 4 Sergeant Forsyth, it is part of the ongoing work he is
 5 doing with the university which started whilst in
 6 prison. He mentioned that he is still looking for work
 7 but is finding it difficult to find anything. He has
 8 been discussing this with his probation officer who is
 9 trying to find a solution to him getting online to find
 10 work.”
 11 So that’s once again referring to the inability to
 12 use the internet because he doesn’t have a mentor?
 13 A. That’s right.
 14 Q. “We then asked about his Xbox games and that we had been
 15 asked to list what he had and that we would like to
 16 photograph them to achieve this. He was not happy with
 17 this and asked if this was to do with his licence
 18 conditions or his part 4.”
 19 Part 4 is the terrorism notification ?
 20 A. That’s right.
 21 Q. “He was told that it wasn’t and that we were just
 22 asking, he reluctantly allowed us to take the photos
 23 that are attached. He stated that this was a break down
 24 in the trust and said that he wanted Sergeant Forsyth to
 25 contact him over it as he would be speaking to his

1 solicitor in due course about it.
 2 “After we had taken the photos he opened the door
 3 and asked us to leave.”
 4 A. That’s right.
 5 Q. So photos were taken of a large number of Xbox games and
 6 you obtained those photos and may be asked about them by
 7 others.
 8 A. Yes.
 9 Q. Over the following days, is it right that Khan had some
 10 contact with Learning Together about arrangements for
 11 the London visit?
 12 A. Yes.
 13 Q. On 18 November, did Khan meet Lisa Powell from Ixion
 14 about plans for employment in construction?
 15 A. That’s right, yes, to finish his disclosure letter .
 16 Q. Then your paragraph 4.117. On 19 November, so now
 17 five days on from that unannounced visit, 10 days before
 18 the attack, did Mr Skelton make an unannounced visit to
 19 Khan at home?
 20 A. That’s right, yes.
 21 Q. How did Khan come across on this occasion?
 22 A. So Khan was still upset about police taking photographs
 23 of his video games and DVDs on the 14th. Ken reassured
 24 Khan that he had done nothing wrong and continued to
 25 discuss employment options with him and Khan presented

1 as feeling positive about attending the
 2 Learning Together event in London and confirmed he had
 3 received his ticket and there were no concerns or issues
 4 raised.
 5 Q. Your paragraph 4.118, please. On 21 November, was Khan
 6 supposed to attend an appointment with Dawn Spilsbury,
 7 one of those assisting him in finding work?
 8 A. That's right, yes.
 9 Q. What happened?
 10 A. So he communicated with her via text message and stated
 11 that he was ill. Then Ken called Khan, noticed he was
 12 getting despondent but convinced him to go or else
 13 provide a sick certificate. So Khan went later but Ken
 14 didn't want to keep — he told Ken he didn't want to
 15 keep applying for jobs, he wasn't going to get anywhere.
 16 His tag data showed little movement during that day as
 17 well.
 18 Q. So on this day, 21 November 2019, Khan had these
 19 communications with Mr Skelton, which suggested that he
 20 was getting despondent about finding work?
 21 A. Yes.
 22 Q. But in the aftermath of that, did Ms Spilsbury continue
 23 to discuss potential employment opportunities with
 24 Usman Khan?
 25 A. Yes, she talked about a painting and decorating course,

101

1 and a plastering course which was due to start in March
 2 of 2020.
 3 Q. So we're now getting into the week leading up to the
 4 attack.
 5 JUDGE LUCRAFT: Shall we break there?
 6 MR HOUGH: Would that be a convenient time for the lunch
 7 break?
 8 JUDGE LUCRAFT: Thank you. We'll pick up on that, members
 9 of the jury, after we've had our lunch break. Thank you
 10 very much.
 11 (In the absence of the jury)
 12 I'll rise.
 13 (1.00 pm)
 14 (The short adjournment)
 15 (2.02 pm)
 16 (In the presence of the jury)
 17 JUDGE LUCRAFT: Mr Hough.
 18 MR HOUGH: DCI Brown, we had been continuing with our
 19 exploration of Usman Khan's life after release from
 20 prison, and we had reached a point one week before the
 21 attack. So on Friday, 22 November 2019, as you note in
 22 your report, paragraph 4.122, did Simon Larmour from
 23 Learning Together call Usman Khan to make arrangements
 24 for meeting him at Euston and taking him to
 25 Fishmongers' Hall?

102

1 A. He did, yes, that's right.
 2 Q. As we've heard from Mr Larmour, is it right that during
 3 that call, he recalls Usman Khan being
 4 uncharacteristically brief, even brusque?
 5 A. Yes, yes, he thought that was quite weird because he's
 6 normally very talkative.
 7 Q. On Sunday, 24 November 2019, did Usman Khan make a visit
 8 to his family home?
 9 A. He did, yes, for the last time.
 10 Q. Is it right that he had been paying reasonably regular
 11 Sunday visits to his parents' home, seeing them and
 12 other members of his family?
 13 A. That's true, yes.
 14 Q. If we put on the screen, please, {DC7419/48}, I think
 15 it's right that your team compiled CCTV footage from the
 16 address where Khan lived in the period leading up to the
 17 attack, and you were able to identify the timings of
 18 various visits, including visits by the Prevent and
 19 probation officers, as you described, and also the
 20 timings of Usman Khan coming and going for these Sunday
 21 visits to his parents?
 22 A. That's correct, yes, and on this day he left the address
 23 at 10.31. As you can see, the correct time is 10.31.
 24 Q. If we can focus on the image, please, is that a CCTV
 25 capture of Usman Khan coming down the stairs from his

103

1 flat into the front hallway?
 2 A. Yes.
 3 Q. And that's 10.31 in correct time?
 4 A. Yes.
 5 Q. Then {DC7419/51} of the same document, please, if we
 6 look at both the first image, do we see at a little
 7 after 8 o'clock, 8.20 that evening, Usman Khan returns
 8 home, as seen on exterior CCTV, with his brother?
 9 A. That's correct, yes.
 10 Q. If we go to the lower image on that page, we can see the
 11 two of them going in the front hallway?
 12 A. That's right.
 13 Q. Was it standard or commonplace for Usman Khan to be away
 14 for practically the whole day on Sunday, seeing his
 15 family?
 16 A. Yes.
 17 Q. Is it right, however, that in the course of your
 18 investigation, you identified no improper, certainly no
 19 criminal conduct in relation to any of these visits?
 20 A. That's correct, yes.
 21 Q. Moving on to the following day, Monday,
 22 25 November 2019, paragraph 4.123 of your report, was
 23 there a further meeting between Lisa Powell of Ixion and
 24 Khan on this day?
 25 A. That's right, yes. They talked about Khan spending more

104

1 time on his own.
 2 Q. How did Khan refer to or describe his feelings about
 3 spending a lot of time on his own?
 4 A. He told her that he wasn't concerned that he was
 5 isolating himself, as the most important thing for him
 6 was that he wasn't breaching his licence conditions and
 7 that he was used to being on his own from his time in
 8 prison.
 9 Q. Moving, then, to Tuesday, 26 November 2019,
 10 paragraph 4.125, was there a call on this day between
 11 Khan and Julia Nix, the lady from the Department for
 12 Work and Pensions who was trying to help him find
 13 employment?
 14 A. That's correct, yes.
 15 Q. What did Khan, in a nutshell, tell Julia Nix on that
 16 day?
 17 A. So — and they were discussing employment opportunities
 18 and Julia Nix asked him about — well, said: are you
 19 having any dark thoughts? And he said he no longer was
 20 having any terrorist or black thoughts, and he confirmed
 21 that's why he'd moved away from the people that he had
 22 previously associated with in Stoke-on-Trent, and had
 23 moved to Stafford, and I quote:
 24 "I am 100% positive, I do not have any terrorist
 25 thoughts at all".

105

1 From Khan.
 2 Q. Did he also tell her, as well as the fact, or the
 3 suggestion that he had no negative, black or terrorist
 4 thoughts, that he was delighted to have been invited to
 5 the event in London later that week?
 6 A. That's right, yes.
 7 Q. Looking, then, at your paragraph 4.127 on page 40, was
 8 Usman Khan also visited by the probation officer, Ken
 9 Skelton, that day?
 10 A. That's right, yes, and Ken identified that he'd moved on
 11 from his frustrations over the visit on 14 November and
 12 they were talking again about work, particularly doing
 13 a plastering course, and also getting a property that he
 14 wanted to renovate. Again, he also spoke about the
 15 alumni event, which he was a little bit apprehensive
 16 about going on, but remained positive about attending.
 17 Q. Could we put on screen {DC7419/55}. Looking at the
 18 image in the centre of this page, do we see that your
 19 CCTV trawl picked up Mr Skelton arriving at Khan's flat
 20 on 26 November at 9.52 in the morning?
 21 A. Yes, that's right.
 22 Q. And then {DC7419/56} of the same document, please. Did
 23 the trawl pick up him leaving, if we go to the lower
 24 image, at a time correctly timed at 10.39?
 25 A. Yes, that's right.

106

1 Q. So he was in the property on that occasion for a little
 2 over three-quarters of an hour?
 3 A. Yes.
 4 Q. And you told us that he discussed the event that was
 5 coming up three days afterwards in Fishmongers' Hall,
 6 and Khan said he was apprehensive about going but
 7 positive?
 8 A. Yes.
 9 Q. Did Khan also on that date meet Liz Young, the work
 10 coach at the Jobcentre, for a fortnightly meeting?
 11 A. That's correct, yes.
 12 Q. We can take that image off screen.
 13 Moving then to the day before that attack, and
 14 I will ask you about actions of planning and
 15 preparations later, but in terms of communications on
 16 the day before the attack, Thursday, 28 November, did
 17 Khan receive communications from Ms Spilsbury about
 18 employment matters?
 19 A. That's right, by a text message. She contacted him to
 20 tell him that she had put together funding for the
 21 plastering course and was awaiting for Ken to authorise
 22 Khan's attendance.
 23 She also called to see how he was. I think he was
 24 in the barber's shop at the time when she called him.
 25 Q. So he told her that he was in a barber's shop getting a

107

1 haircut?
 2 A. Yes.
 3 Q. But that he seemed fine?
 4 A. Yes.
 5 Q. Looking now at your paragraph 4.132, is it right that
 6 Khan spoke to the phone to members of his family several
 7 times that day?
 8 A. That's right, yes. I think the first was at
 9 10.25 hours.
 10 Q. 10.25 in the morning, and when was the last call?
 11 A. The last call was at 21.22 hours.
 12 Q. With which family members did he speak?
 13 A. So he spoke to his sister, where he told her about
 14 buying a pair of boots and having a haircut, and he
 15 spoke to his mother, where he talked about — moaning
 16 that he had his electricity bill to pay.
 17 Q. Did he also speak for a time to his father?
 18 A. I believe so. Yes. Sorry, yes. So his father, he
 19 spoke to his father and told him that life was harder.
 20 His father told him his life was harder the first time
 21 they came to the UK, and he told his father about going
 22 to the event in London.
 23 Q. In general terms, how did his family members describe
 24 Khan's presentation in those conversations?
 25 A. They didn't say there was anything unusual about the way

108

1 he presented himself; that he was quite normal, this was
 2 quite normal for him to maintain communications with his
 3 family. There was no indication that he was troubled in
 4 any way or that anything was wrong.
 5 Q. Finally that evening, did Khan exchange some text
 6 messages with Ms Nix, the lady from the Department for
 7 Work and Pensions?
 8 A. That's right, yes.
 9 Q. What was the substance of those messages?
 10 A. So Julia Nix texted Khan to ask him if he had been able
 11 to access an email that had been sent to him and
 12 obviously he replied that no, he couldn't because he
 13 couldn't access the internet. So Lisa Powell tried to
 14 assist and suggested that probation could review these
 15 restrictions so that he could access this material.
 16 Q. Just a few points by way of overview before we turn to
 17 the planning and preparation of the attack. Is it right
 18 that during the period following his release from
 19 prison, Khan had complied rigorously with his licence
 20 conditions?
 21 A. Yes, that's right.
 22 Q. No evidence of non-compliance?
 23 A. None.
 24 Q. Based on all your investigations, has there been any
 25 positive evidence of Khan having been in contact with

109

1 any of his old associates, friends from before his time
 2 in prison or his co-defendants?
 3 A. No, there's no evidence of that.
 4 Q. Did you consider the data from his GPS tag showing his
 5 movements?
 6 A. Yes.
 7 Q. Was that consistent with his compliance with his
 8 restrictions?
 9 A. Absolutely. It just showed him going to the shops, to
 10 the gym, just the normal movements that he was allowed
 11 to take.
 12 Q. But, of course, not going to the gym in the last month?
 13 A. But not going to the gym in the last month, yes.
 14 Q. Is it right that your team considered Khan's internet
 15 use at the library and the emails which he wrote and
 16 sent in the presence of his mentors?
 17 A. That's right, yes. We reviewed all those emails and we
 18 were satisfied that there was nothing untoward.
 19 Q. So nothing untoward in any of those.
 20 As you have indicated a number of times, it's right
 21 that from his move to his own flat in September 2019,
 22 there were indications of Khan becoming more isolated?
 23 A. Yes.
 24 Q. Over that period, those last two or three months, Khan
 25 was not going to the gym or the mosque?

110

1 A. That's right.
 2 Q. He was, as far as he described matters, largely staying
 3 at home, playing computer games and watching videos or
 4 walking around Stafford?
 5 A. Yes.
 6 Q. As you've told us, his mentor arrangement had ceased
 7 in August 2019, which restricted his ability to search
 8 for work?
 9 A. Yes.
 10 Q. Although, of course, various people were helping him
 11 with that?
 12 A. That's right, yes.
 13 Q. May we now move to the planning and preparation for the
 14 attack, which you address from page 42 of your report.
 15 Do you know, based on your investigations, for certain
 16 when Khan began planning and preparing for the attack?
 17 A. It's not entirely clear, no, but we know that on
 18 15 November he received the train tickets to go to the
 19 event, and from then on we saw certain purchases and
 20 actions that indicated he'd started the planning and
 21 preparation.
 22 Q. The train tickets were posted on 15 November and then
 23 there are some actions.
 24 A. Yes.
 25 Q. But as we'll see, it is the later actions that were

111

1 particularly consistent with attack-planning?
 2 A. That's right, mainly the day before.
 3 Q. Mainly the day before the attack?
 4 A. On the 28th.
 5 Q. So looking at the various actions that you did consider,
 6 first of all your paragraph 5.5, what did Khan do on
 7 20 November 2019, so nine days before the attack?
 8 A. So on that date he purchased a roll of T-Rex gaffer tape
 9 at Tesco in Stafford at 17.18 in the evening. That
 10 tape, we believe, was used in the creation of the IED.
 11 We know that he left the flat at around about 5.10
 12 and returned at 5.25, so it would suggest he went out
 13 specifically to purchase that roll of tape.
 14 Q. If we put on screen {DC8000/5}. Now, can we see here
 15 a graphic that's been produced showing the distance
 16 between his home address and the Tesco where the roll of
 17 gaffer tape was bought?
 18 A. That's right, yes.
 19 Q. And do we see over on the right-hand side of the page,
 20 CCTV stills showing the purchase of that gaffer tape?
 21 A. Yes.
 22 Q. Usman Khan there wearing a baseball cap and a puffer
 23 jacket?
 24 A. Yes.
 25 Q. Just to be clear, the gaffer tape which Usman Khan

112

1 purchased could have been used for perfectly innocent
 2 purposes?
 3 A. Absolutely, albeit we didn't really find any other use
 4 for it inside the flat .
 5 Q. So you can't be confident, is this right, that he had
 6 an attack planned in his mind on that date?
 7 A. Not for sure.
 8 Q. Just so the jury knows, sir, this will be part of
 9 a bundle that they will receive at the end of the
 10 case --
 11 JUDGE LUCRAFT: Yes.
 12 MR HOUGH: -- which you will take them through, we will take
 13 them through, at the time of your summing-up.
 14 JUDGE LUCRAFT: Thank you.
 15 MR HOUGH: Your paragraph 5.6 now, DCI Brown. On Friday,
 16 22 November 2019, so one week before and on the day that
 17 Khan spoke to Simon Larmour to make the arrangements for
 18 attending the London event, what steps did Khan take
 19 which may be significant?
 20 A. So he purchased the Dernier red cross crossover man bag
 21 in TK Maxx at a retail park in Stafford, and we believe
 22 that's the bag that he used to go to the event and
 23 obviously was left in the left-hand cubicle.
 24 Q. So that's the bag which we saw in a photograph earlier
 25 in the case sitting on the cubicle after he had left to

113

1 commence his attack?
 2 A. That's correct.
 3 Q. Was anything said by the employee who served him to your
 4 officers about his demeanour on that occasion?
 5 A. So the employee remembered thinking that Khan looked
 6 suspicious because he wore sunglasses inside the store,
 7 and when she asked if he was having a nice day he just
 8 grunted at her, so there was very little engagement.
 9 Q. If we go, please, to {DC8000/7} of the jury bundle, can
 10 we see there the location of the TK Maxx store marked on
 11 the map on the left, and then on the right, a CCTV still
 12 showing Khan's purchase, and at the bottom right,
 13 an exhibit photograph of the bag found at the scene?
 14 A. That's correct, yes.
 15 Q. Now looking at paragraph 5.8, and we'll take this
 16 slowly, if we may, on the day before the attack is it
 17 right that Khan purchased most of the items that were
 18 used in the attack?
 19 A. Yes.
 20 Q. What did he do at the start of the day, according to
 21 your records of him?
 22 A. So at 10.36 hours he withdrew £20 in cash from the HSBC
 23 ATM at Stafford Market.
 24 Q. I'll return to the possible use of that cash in
 25 a moment. You told us earlier that Mr Khan had

114

1 a telephone call with Ms Spilsbury that day --
 2 A. Yes.
 3 Q. -- in which he said he was having a haircut. What was
 4 the time of that call?
 5 A. That was 11.09 hours.
 6 Q. So the withdrawal of cash at 10.36, the call with
 7 Ms Spilsbury when he said he was at the barbers at
 8 11.09?
 9 A. Yes.
 10 Q. What is the potential significance of Khan visiting the
 11 barbers in the context of this case?
 12 A. So cutting hair, trimming beards, is a common act of
 13 preparation for cleanliness, which is part of the act of
 14 martyrdom within extremist Islamic traditions.
 15 Q. As an experienced counter-terrorism officer, you have
 16 come across that as an act of preparation before?
 17 A. Yes, I have.
 18 Q. Your paragraph 5.10, please. What's the next
 19 significant act or step you have Khan taking that day?
 20 A. So Khan then visited the Trespass Camping and Survival
 21 Store, again, in -- I think it was Gaolgate Street in
 22 Stafford, at 13.12 hours, and that's where he purchased
 23 a men's Trespass Boyce padded navy jacket.
 24 Q. If we put on screen {DC8000/9}, we see on the left a map
 25 showing the location of the Trespass store, and

115

1 Usman Khan's address.
 2 A. Yes.
 3 Q. Then a still showing him in the store when he was
 4 purchasing the blue padded jacket?
 5 A. Yes.
 6 Q. What was the size of that jacket?
 7 A. So it was a size extra large.
 8 Q. What was the cost?
 9 A. 49.99.
 10 Q. Did he already own a padded jacket?
 11 A. He did. He had recently purchased one at size large.
 12 Q. So does this purchase raise any particular possibility
 13 in your mind?
 14 A. Yes, so I believe that he's purchased this jacket a size
 15 larger so that he would be able to hide what we know is
 16 the fake suicide belt that was worn underneath later on
 17 during the attack.
 18 Q. Your paragraph 5.11 next, what's the next act of
 19 preparation which you have identified?
 20 A. So at 13.36 hours he visited Sports Direct in Stafford
 21 where he purchased a pair of Nike Manoa boots at £79 and
 22 a black Sondico Base Core top, size extra large, at £14.
 23 Q. Was that the tight base layer top he was wearing at the
 24 event and were those the boots he was wearing at the
 25 event on the 29th?

116

1 A. Yes, that's correct.

2 Q. Could we put on the screen page 11 of the jury bundle,
3 {DC8000/11}, we once again see identified his home
4 address, the Sports Direct store, and then over on the
5 right, a still showing him purchasing those items.

6 A. Yes.

7 Q. Next, paragraph 5.12, what was the next act of
8 preparation you identified?

9 A. So at 13.54 he purchased a pair of scissors and
10 a motorbike mask from Poundstretcher in Stafford which
11 he paid for in cash, and we recovered the receipt for
12 these items. Then he also purchased razors and eyebrow
13 wax strips.

14 Q. If we could put on screen page 13 of the jury bundle,
15 {DC8000/13}, we see the location of the Poundstretcher
16 store and his home address, and on the right, stills of
17 him purchasing those items?

18 A. Yes.

19 Q. Where were the scissors found following the attack?

20 A. So the scissors were found in the bag in the left-hand
21 cubicle at Fishmongers' Hall.

22 Q. Based on your knowledge of the attack, why would he have
23 needed scissors?

24 A. So scissors would have been to cut the tape that he used
25 to wrap around his hands to tie the knives to his

117

1 gloves.

2 Q. What's the significance of the motorbike face mask?

3 A. Well, again, he was wearing the face mask when he came
4 out of the toilets, so obviously to hide his face.

5 Q. And that was a fabric mask covering the lower part of
6 the face, of the kind we've all got very used to since
7 then?

8 A. Yes, that's right.

9 Q. You said that he also purchased razors and eyebrow wax
10 strips on that occasion. Based on your experience, does
11 that have any significance?

12 A. Yes, so again, a common act prior to seeking martyrdom
13 is preparation with cleanliness, shave or remove bodily
14 hair, particularly chest, pubic hair, underarm hair as
15 well, which is very common and was consistent in this
16 case.

17 Q. You say it was consistent in this case; was anything
18 found post mortem identifying the use of those items --

19 A. Yes.

20 Q. -- on Usman Khan's body?

21 A. Yes, it was clear that he had carried out that act of
22 shaving his pubic hair and underarms.

23 Q. And then finally, your paragraph 5.13, did Khan make one
24 final shopping visit relevant to preparation for the
25 attack?

118

1 A. Yes, that's right, so he again visited the same Tesco
2 store at 17.15 hours where he purchased another pack of
3 T-Rex gaffer tape which, again, we believe matched the
4 tape used to wrap the fake explosives on the belt.

5 Q. If we put on screen {DC8000/15}, and can we see there
6 the Tesco identified and a CCTV still of the purchase of
7 the gaffer tape that evening, 5.15 in the evening?

8 A. That's correct, yes.

9 Q. Now, during all of the steps of preparation you've
10 described, you haven't mentioned purchase of the knives?

11 A. Yes.

12 Q. Did your team investigate to try to discover when and
13 from where the knives used in the attack were purchased?

14 A. Yes, so we visited every shop in the Stafford area that
15 would have been within the vicinity of where his data
16 showed that he was, and we also visited the market.

17 The knives -- the packaging for the knives, we'll
18 hear probably later that we recovered that packaging, so
19 we believe that the knives were purchased fairly
20 recently, in fact, I believe they were purchased on the
21 28th.

22 The knives themselves, that make was not sold in any
23 shop within Stafford, however, they are consistent with
24 the type of products that are sold on the market, albeit
25 that we didn't find those knives at the time we visited

119

1 the market. I suspect that that's where they were sold.

2 Q. You said that packaging for the knives was discovered at
3 Usman Khan's flat, and we will turn to that later.

4 A. Yes.

5 Q. And you went on to say that you believe that the knives
6 were, in fact, purchased not just recently, but on the
7 day before the attack?

8 A. Yes.

9 Q. What led you to that conclusion?

10 A. Well, as I say, because we found the packaging and also
11 because the withdrawal of the cash, the amount of cash
12 he had on him is consistent with the amount of money
13 spent. We believe those knives would have been --
14 online they retail at around about £15, so that would
15 have been consistent with the cash withdrawal and in
16 fact there was a previous cash withdrawal that he would
17 have used to purchase the knives -- well, go to the
18 barbers and also purchase the items in Poundstretcher,
19 that was about consistent.

20 Q. Is it right that those items that you have referred to
21 as potentially being cash purchases, including the
22 knives, are not items which are accounted for by any
23 card transactions that you have found in your
24 investigations?

25 A. That's correct, yes. Yes. All the other items were

120

1 paid for by card, however, the razors and eyebrow wax
 2 strips were paid for in cash and the mask, and obviously
 3 we assume that the knives were paid for in cash as well.
 4 Q. So, summarising, you consider that the knives were
 5 likely bought on the day before the attack?
 6 A. Yes.
 7 Q. Very possibly in a market stall you haven't been able to
 8 identify, because none has accepted that such items were
 9 sold?
 10 A. That's right, yes.
 11 Q. But purchase on that day would be consistent with the
 12 cash withdrawals?
 13 A. Yes.
 14 Q. May we now turn to Usman Khan's journey into London,
 15 which you address from page 44 of your report. Is it
 16 right that you've been able to plot every stage of
 17 Usman Khan's journey to London on 29 November 2019?
 18 A. Yes, that's right, mainly through CCTV.
 19 Q. Your paragraph 5.16, what was the time of his booked
 20 train from Stafford to Euston?
 21 A. So he was due to catch the 7.39 train.
 22 Q. If we put on screen, please, {DC8000/18}, so this is
 23 page 18 of what will be the jury bundle, were you able,
 24 using the data from Usman Khan's GPS monitoring tag, to
 25 plot his movements from home to the station?

121

1 A. Yes.
 2 Q. So he took a direct route along main roads?
 3 A. Yes.
 4 Q. On arrival at the station, what did Khan do?
 5 A. So at 7.18 he withdrew £30 in cash from the ATM, which
 6 was just outside Stafford railway station, before
 7 entering.
 8 Q. Did he also while at the station briefly go into the
 9 gents' toilets?
 10 A. He did, yes.
 11 Q. For what period of time?
 12 A. So 7.23, he visited the toilet, and exited at 7.25, so
 13 around about two minutes.
 14 Q. Your paragraph 5.18 next. We have heard that while at
 15 the station, Khan called Simon Larmour in something of
 16 a panic about the fact that his train had been
 17 cancelled.
 18 A. That's what he believed, yes.
 19 Q. What was the timing of his call?
 20 A. So at 7.33 he made that call.
 21 Q. Was the problem, or the apparent problem, resolved?
 22 A. So it was in so much that he got onto another train,
 23 a more direct train, in fact, which left at 7.44.
 24 Q. Did you identify CCTV from the station showing him
 25 boarding that train at 7.44 am?

122

1 A. That's correct, yes.
 2 Q. We can put on screen now {DC8000/20}. Did Usman Khan
 3 travel by that train from Stafford all the way to
 4 Euston?
 5 A. That's right, yes.
 6 Q. Your paragraph 5.19, please. During the course of that
 7 journey, was his ticket checked?
 8 A. Yes, at 8.11 hours it was checked by the ticket
 9 inspector, who in fact identified he had the wrong
 10 ticket because it was a more expensive train route.
 11 Q. Without going into unnecessary detail, is it right that
 12 Khan then bought a discounted ticket, partly with cash
 13 and partly with a card payment?
 14 A. That's correct, yes.
 15 Q. Was the bank card payment though later declined?
 16 A. That's right, yes, when it finally connected.
 17 Q. You've referred to this in your earlier evidence, but
 18 may I ask you about the timings, please. Did Khan go to
 19 the toilets on the train during that journey?
 20 A. Yes, so he entered the cubicle at 8.47 hours and he came
 21 out at 8.54 hours.
 22 Q. So that's a seven-minute period in the toilets?
 23 A. Seven minutes.
 24 Q. Significantly longer than the time in the toilets at
 25 Stafford station.

123

1 A. Yes.
 2 Q. And you have told the jury in your earlier evidence that
 3 it's at this point you've deduced Khan probably put on
 4 the hoax IED vest?
 5 A. Yes.
 6 Q. And you have given your reasons for that?
 7 A. Yes.
 8 Q. I'm now at your paragraph 5.22. When did Khan arrive at
 9 Euston?
 10 A. At 9.08 hours.
 11 Q. What did he do when there?
 12 A. So he was slightly earlier than he had planned to be
 13 because he had got this faster train. He was expected
 14 to be there at 9.36 so when he arrived at Euston he went
 15 to the ATM and again withdrew another £30 in cash before
 16 he then went to the gents' toilets at 9.15, leaving at
 17 9.18.
 18 Q. So his visit to the toilets on this occasion was three
 19 minutes or so, again, materially shorter than the time
 20 in the toilets on the train?
 21 A. Yes.
 22 Q. I'm now at your paragraph 5.23. Is it right that Khan
 23 then had a call with Simon Larmour and they arranged to
 24 meet?
 25 A. That's right.

124

1 Q. We've heard from Mr Larmour about the meeting and their
2 travel to Fishmongers' Hall together.
3 A. Yes.
4 Q. I won't ask you about that in detail, but may we have on
5 screen {DC8000/22}. Does this graphic show the route by
6 tube from Euston to Bank, which is the route taken by
7 Usman Khan, Simon Larmour and John Crilly?
8 A. Yes, that's correct.
9 Q. And some stills on the right—hand side showing
10 Usman Khan at Euston, the lower one with Mr Larmour?
11 A. Yes.
12 Q. We can take that image off screen now.
13 Turning, then, to two further audio—visual
14 compilations, is it right that your team prepared
15 a compilation of video clips showing the movements of
16 Khan and those visiting him on a number of occasions in
17 the period before the attack?
18 A. That's right, yes.
19 Q. If we can bring up, please, {AV0021}, please, and pause
20 it before it starts. We're going to show just a few
21 clips from this footage at this stage, just to show some
22 of the visits. First of all, can we go to, on the tape
23 counter, 11 minutes and 20 seconds.
24 I think if we leave that paused for the moment,
25 we're about to see an incident on 14 November 2019, when

125

1 the Prevent Team officers visited Usman Khan and carried
2 out the unannounced visit when the games were
3 photographed.
4 A. That's correct, yes.
5 Q. It says 14 October, I think it's 14 November?
6 A. It's 14 November, yes.
7 Q. If we play on, please.
8 (Video played)
9 We're first of all seeing at the correct time of
10 11.47, PCs Hemmings and Oakley coming into view at the
11 front of the house?
12 A. Yes.
13 Q. Then we see them going down the hallway and up the
14 stairs?
15 A. Yes, up to Khan's flat.
16 Q. This is actually 11.48, you told earlier that they
17 remained in the flat for 11 minutes, and consistent with
18 that, do we see them coming back down at 11.59?
19 A. Yes.
20 Q. So that's the visit of the Prevent Team officers on
21 14 November. If we can pause there and move forward,
22 please, tape counter 27 minutes and 36 seconds. I think
23 we're now going to see part of some footage showing the
24 purchase of the man bag on 22 November 2019, this
25 occasion being when the staff member in the shop thought

126

1 that Khan looked suspicious?
2 A. Yes.
3 Q. If we play on, please.
4 (Video played)
5 Khan is circled in yellow, of course.
6 We can see Khan appears to be holding the bag at
7 this point?
8 A. Yes.
9 Q. We now have him at the counter on the occasion where he
10 was apparently monosyllabic with the shop assistant?
11 A. That's correct.
12 Q. He was in the store, I think, between 16.06, 4.06 pm,
13 and 16.13?
14 A. That's right, I think the time is correct on this, more
15 or less.
16 Q. We can pause there. If we then move forward in the tape
17 counter to tape counter 37 minutes and 26 seconds.
18 I think we're now going to see some footage of when Khan
19 went out to the shops on the morning of
20 28 November 2019, the day before the attack?
21 A. Yes.
22 Q. Play on, please.
23 (Video played)
24 He's leaving the property at 10.23 am?
25 A. Yes.

127

1 Q. In the next clip he's pictured crossing the road into
2 Stafford at 10.30 am?
3 A. Yes, that's right.
4 Q. In the next clip he is pictured crossing the road in the
5 market square at 10.32 am?
6 A. Correct.
7 Q. He was just picked out at the far end of view by the
8 yellow circle?
9 A. Yes.
10 Q. I think he will be picked up again when he comes back
11 into view more clearly.
12 There he is.
13 We see him crossing the roundabout on his way,
14 I think, to withdrawing some money from the ATM?
15 A. That's right, yes, HSBC.
16 Q. And is this the footage of him withdrawing the £20 from
17 the ATM at just after 10.35 that morning, which you
18 think was the money used — which may have been used for
19 purchasing knives?
20 A. Yes, that's correct.
21 Q. So at 10.38 to 10.39 he is again pictured walking along
22 Gaolgate Street in Stafford?
23 A. That's right.
24 Q. Is he, after this section, absent from CCTV captures for
25 a period?

128

1 A. He is, until 12.45, which is when I believe that he's
 2 most likely to have purchased the knives.
 3 Q. We can take that off screen now.
 4 Did your team also prepare a compilation of video
 5 clips showing movements of Khan on his journey into
 6 London on the day of the attack?
 7 A. That's right, yes.
 8 Q. We have seen a number of stills from the compilation.
 9 At this stage I just intend to show the clips from the
 10 train journey when Khan visits the toilet, both so that
 11 we can see his clothing and so that we can see the
 12 period when you've suggested he may have put on the hoax
 13 IED vest?
 14 A. Yes.
 15 Q. So if we can bring up, please, compilation {AV0022}, and
 16 may we start this at tape counter 11 minutes and 12
 17 seconds.
 18 (Video played)
 19 We're now going to see Usman Khan going towards the
 20 toilet carrying a bag and a bottle of water.
 21 A. Yes.
 22 Q. We see him coming towards us.
 23 Then seven minutes later, from a different
 24 perspective, the opposite perspective, we see Usman Khan
 25 leaving the toilet and returning to his seat?

129

1 A. Yes.
 2 Q. You can take that down now.
 3 Is it fair to say that we can't really see from that
 4 footage whether he has put on anything underneath the
 5 jacket, but it is done up and quite bulky throughout?
 6 A. That's right, it's really difficult to say because the
 7 jacket is so big and it's a size too big, as we know.
 8 Q. Final topic, please. In the course of your
 9 investigations, I understand that you and your officers
 10 examined Khan's flat, and items taken from it in the
 11 aftermath?
 12 A. That's right, yes.
 13 Q. If we bring up a file {PH0035/14}, and if we rotate that
 14 so it's the right way up, is that the entry door into
 15 his flat, a photograph taken in the aftermath of the
 16 attack?
 17 A. Yes, that's the front door.
 18 Q. That, of course, reached the top of those stairs that we
 19 looked at earlier?
 20 A. Yes.
 21 Q. And then {PH0035/20}, please. Is this a photograph of
 22 part of his bedroom?
 23 A. Yes.
 24 Q. {PH0035/21}, please. Another view of the same room.
 25 A. Yes.

130

1 Q. {PH0035/22}, please, a view which completes the picture
 2 of this relatively small room?
 3 A. That's right, yes, you can note the Nike box where the
 4 boots would have been and the Sports Direct bag.
 5 Q. So the Nike box contained those Manoa boots that he
 6 bought on the day before the attack?
 7 A. That's correct.
 8 Q. If we go to {PH0035/23} we will see a focus shot on the
 9 bedside table, and can we see here some PVC tape?
 10 A. Yes, that's right.
 11 Q. Is that roll clingfilm that we see in the bottom left
 12 corner?
 13 A. Yes, clingfilm was used to wrap around the bandage --
 14 crepe bandage that was used to create the image of the
 15 explosive.
 16 Q. And also over on the right-hand side of the chest of
 17 drawers, some of the eyebrow shaper wax strips?
 18 A. Yes, that's right, we believe that's for the purposes of
 19 removing hair, for reasons we've already discussed.
 20 Q. Yes, and then {PH0035/27}, please. Can we see a chest
 21 of drawers, was this also in the bedroom?
 22 A. Yes.
 23 Q. With a number of plastic bottles?
 24 A. Yes.
 25 Q. What's the use of those plastic bottles that's

131

1 significant?
 2 A. Well, I don't think the plastic bottles were actually
 3 used in the device, but I suspect that he was trying
 4 different things out and they may well have been part of
 5 that sort of experimentation, but note the crepe bandage
 6 as well which was used within the device.
 7 Q. Then {PH0035/33}, please. Do we see here a photograph
 8 of the sitting room with the television and sofa table
 9 just in view at the bottom?
 10 A. Yes.
 11 Q. And then {PH0035/34}, please, do we see there the sofa
 12 with various computer game paraphernalia?
 13 A. Yes.
 14 Q. Then at {PH0035/37} a focus on the games and videos
 15 stacked up?
 16 A. Yes, numerous video games.
 17 Q. Then {PH0035/48}, please. Do we see here the kitchen of
 18 the flat?
 19 A. That's right, yes.
 20 Q. Did you also examine external bins in an area near his
 21 flat?
 22 A. Yes, that's right.
 23 Q. May we have on screen {PH0039/1}. Is this the area
 24 where the bins were located around the back of his
 25 property?

132

1 A. That's right.
 2 Q. Then {PH0039/12}, please. We can see on screen torn up
 3 packaging for knives. Is this the packaging you were
 4 referring to earlier when you said that knife packaging
 5 was discovered at his property?
 6 A. That's right, yes, Beauty Line is the make of the
 7 kitchen knives.
 8 Q. A four—piece knife set, as we see?
 9 A. Yes.
 10 Q. And you told us earlier about the four knives, two used
 11 in the attack, one found in the bag in the cubicle --
 12 A. That's right.
 13 Q. -- and one found at his property?
 14 A. That's correct.
 15 Q. And {PH0039/24}, please. In the external bins did you
 16 also find this coloured wiring?
 17 A. Yes, that's right.
 18 Q. What's the significance of this wiring?
 19 A. So obviously wiring was used in the creation of the hoax
 20 IED. He'd taken apart various electrical items,
 21 including the Xbox, to obtain that wiring, to have the
 22 appearance of a realistic device.
 23 Q. Then {PH0039/29}, please. Was this further wiring found
 24 in the external bins?
 25 A. Yes, that's right, that's the discarded parts,

133

1 I believe, of the Xbox that was used to create the
 2 device.
 3 Q. And {PH0039/23}, please. Sorry, that's not a necessary
 4 reference, thank you. You can take that off screen.
 5 So you found in the external bins a number of items
 6 showing the efforts undertaken to construct the IED
 7 vest?
 8 A. Yes.
 9 Q. Were you able to tell anything from the way that the
 10 material had been deposited in the bins about when
 11 different items had been put there?
 12 A. Yes, so from my memory, the bins had only recently been
 13 emptied, within, I think the last 48 hours, I think, and
 14 they were at the top of the bin, so it had been very
 15 recent.
 16 Q. Does that, therefore, suggest, consistent with your
 17 other evidence that there had been these preparations of
 18 putting together the IED vest quite soon before the
 19 attack?
 20 A. Yes.
 21 MR HOUGH: Thank you very much, DCI Brown. Those are all my
 22 questions. You will be, I think, returning to deal with
 23 any final matters of detail from your investigation at
 24 the end of the Inquest hearing.
 25 A. Yes.

134

1 MR HOUGH: If you will wait there, there may be some more
 2 questions.
 3 A. Thank you.
 4 Questions by MR ARMSTRONG
 5 MR ARMSTRONG: Thank you, DCI Brown, thank you, sir.
 6 I'm still Nick Armstrong, still representing Jack's
 7 family.
 8 DCI Brown, I'm not going to keep you long, I've got
 9 three subjects, but before I do, can I just sum up some
 10 of the evidence that we have heard from you today, which
 11 is we see very serious offending?
 12 A. Yes.
 13 Q. We see very long—held extremist attitudes?
 14 A. Yes.
 15 Q. We see a very serious custodial history?
 16 A. Correct, yes.
 17 Q. Including deception about the custodial history,
 18 Mr Hough has explored things like what he said about
 19 segregation?
 20 A. That's correct, yes.
 21 Q. And we have seen suggestions or evidence and concerns of
 22 deception and lying in order to progress in his
 23 sentence?
 24 A. I would agree.
 25 Q. Can I just fill in a couple of points. Can I have --

135

1 Mr Hough took you to Mr Justice Wilkie's sentencing
 2 remarks, there is a reason for this, but can I just show
 3 you the Court of Appeal as well, which is {DC5001/1}.
 4 Now, we know that Mr Justice Wilkie sentenced him to
 5 an indeterminate sentence, the effect of which would
 6 have been that he didn't get out without the Parole
 7 Board passing him?
 8 A. Yes.
 9 Q. And that means that the Parole Board -- you will know
 10 this -- the Patrol Board needs to pass him as having a
 11 risk that can be managed in the community?
 12 A. Yes.
 13 Q. You may know this, I suspect it won't be in dispute,
 14 it's extremely rare for the Parole Board to pass
 15 somebody who has come from high risk category A?
 16 A. Highly unlikely.
 17 Q. Almost non—existent, very unlikely.
 18 A. Yes.
 19 Q. Now, the Court of Appeal took him off that, and as you
 20 explained to Mr Hough, the key reason for that was that
 21 other defendants sentenced with him had received
 22 determinate sentences and the Court of Appeal thought if
 23 they got determinate sentences, he should have had a
 24 determinate sentence?
 25 A. Yes, that's my understanding.

136

1 Q. However, the Court of Appeal recorded some of the
 2 following things. Can I see paragraph 3, please
 3 {DC5001/2}. So you see five lines up from the bottom:
 4 "At some time, the accused each became a committed
 5 Islamic fundamentalist, believing in jihad, that is to
 6 say, they wished to support and commit acts of terrorism
 7 in furtherance of their religious beliefs."

8 A. Yes.

9 Q. Can I see paragraph 13 {DC5001/4}, fourth line down:
 10 "The Stoke group [and that's a group of which
 11 Mr Khan was a part] were to fund the camp and recruit
 12 men for it: Khan expected only victory, martyrdom or
 13 imprisonment."

14 A. Yes.

15 Q. That's what he had in mind?

16 A. That's correct.

17 Q. Paragraph 17, one of the issues in this was that
 18 Mr Khan, unlike the London or the Cardiff defendants,
 19 his intention was not to attack at the moment but to
 20 train more in Pakistan and to get better at terrorism?

21 A. Yes.

22 Q. And that's recorded in paragraph 17 {DC5001/5}, can you
 23 see one of the other co-defendants says:
 24 "Shahjahan says to Khan and Hussain that 'you guys
 25 probably will be the next level flipping learners',

137

1 'expert of experts' ... "

2 And I flag that because that goes to Mr Khan's
 3 interest in status, doesn't it?

4 A. Yes, absolutely.

5 Q. Then finally, paragraph 19 at the bottom there, one of
 6 the things here that Mr Khan was engaged with was how to
 7 construct a pipe bomb, and if you go over the top of
 8 there to paragraph -- the next bit, he was interested in
 9 the possibility of using the device against the English
 10 Defence League.

11 Now, I want to flag that, because I want to come
 12 back to it in a moment, but before I do, one of the
 13 factors of this, DCI Brown, is Mr Khan at this stage is
 14 only 19 years old?

15 A. That's right.

16 Q. He has done very little with his life. He has got very
 17 little in the way of education; he did his GCSEs in
 18 prison; yes?

19 A. Yes.

20 Q. And he has done very little in the way of employment.
 21 We'll hear a little bit about that, but there's almost
 22 nothing?

23 A. Yes.

24 Q. So essentially, offending is all he has to fulfil his
 25 status-seeking?

138

1 A. I would agree, yes.

2 Q. Thank you. Now, the reason why I -- you can take that
 3 down again, the Court of Appeal decision down again.
 4 The reason why I asked you about the EDL, the English
 5 Defence League, is that Mr Khan, I think you know, had
 6 over many years in prison talked to other people in the
 7 Prison Service, and we'll look at that, at little bit of
 8 that in a moment, about having had a friend killed by
 9 the EDL in a racist attack?

10 A. Yes, that's right.

11 Q. So he says several times, we'll go to it in a moment,
 12 that one of the reasons why he did what he did, or
 13 talked about his offending and his background, was that
 14 he had had a friend killed by the English Defence
 15 League?

16 A. Yes.

17 Q. I think you have investigated that, or your team has
 18 investigated that?

19 A. As far as we can do, yes. So we believe that there is
 20 a murder that took place, from the evidence we were able
 21 to recover, and it's mainly through searching the media.
 22 We weren't able to identify that that was actually
 23 an associate of Mr Khan, or whether that was actually
 24 racially motivated.

25 Q. So there is, so far as the police are concerned, having

139

1 looked at this -- there may have been a murder; can you
 2 give us any circumstances about the murder?

3 A. I can't do at the minute but I can find out for you if
 4 you need to.

5 Q. But there is no evidence that that's a friend of
 6 Mr Khan's?

7 A. No evidence that we've found, no.

8 Q. And no evidence that it was a racist attack in the way
 9 that he described?

10 A. Not that I'm aware of, no, but as I say, I can find out
 11 more details for you if you wish.

12 Q. Thank you. Your team also took statements from his
 13 family, didn't you, in the preparation of this case?

14 A. That's right, yes.

15 Q. And I think at least four of his brothers plus his
 16 mother gave witness statements.

17 A. That's correct, yes.

18 Q. We'll hear from one of them tomorrow. It's fair to say,
 19 isn't it, that none of them mention that attack or
 20 anything like that attack as being a key event that they
 21 remember?

22 A. No, none.

23 Q. So it may be, I just put it to you, it may be that that
 24 event that he describes didn't happen?

25 A. It's quite possible.

140

1 Q. It is quite possible that it didn't happen.
 2 Now, I just want to flag that, because if we can
 3 just look at the extent to which that formed part of his
 4 narrative, can we just go to, for example, {DC6377/3},
 5 yes, so in the first paragraph of that, the third line,
 6 he is talking here, and this is one of his prison
 7 documents:
 8 "He explained that his friend being killed by
 9 a member of the EDL, and the raid on his house by the
 10 police ... led to a change in his thought process...
 11 [this had] had a significant knock on to his life ... as
 12 a result he lost his job, could not find other work..."
 13 So he is attributing this as a very significant
 14 event?
 15 A. That is right.
 16 Q. Can I just see also a witness statement from his
 17 internal probation officer, Jo Boulton who we will hear
 18 from later in the week, {WS5055/3} and then paragraph 14
 19 in that, please, where we have here:
 20 "This reading gave me a good idea of Usman's
 21 offences but I knew little about his life before that.
 22 I remember having a conversation with him about one of
 23 his friends, who he said had been beaten to death by the
 24 English Defence League... he felt that the police had
 25 done nothing about it. He spoke about racism he had

141

1 experienced in the community."
 2 Again, a significant part of his narrative about how
 3 he came to be who he was?
 4 A. That's right, yes.
 5 Q. Now we know, don't we, that Mr Khan has a tendency to
 6 say things that are not true and then put them as part
 7 of his narrative?
 8 A. Absolutely.
 9 Q. That that narrative includes: I am a victim, things have
 10 happened to me?
 11 A. Yes.
 12 Q. And we also know that one of Mr Khan's features and one
 13 of the things that tends to happen in extremism cases is
 14 distorted thinking?
 15 A. Absolutely.
 16 Q. And this may, therefore, be an example of pretty
 17 significant distorted thinking?
 18 A. I think likely, yes.
 19 Q. Thank you very much. Now, one other matter, I just want
 20 to establish this: we've talked about the Parole Board
 21 not looking at this case at release stage?
 22 A. Yes.
 23 Q. He went straight out?
 24 A. Yes.
 25 Q. Now, I just want to establish that. There is, however,

142

1 a facility for the Parole Board to look at somebody like
 2 Mr Khan, even on a determinate sentence, because he
 3 could get recalled?
 4 A. He could be recalled, yes.
 5 Q. Now, I just want to establish that, because he goes out
 6 on licence, he is then subject to conditions.
 7 A. Yes.
 8 Q. If he breaches those conditions, the Probation Service
 9 can activate a recall process, and we'll deal with this
 10 with Mr Skelton, but just in general terms; yes?
 11 A. Yes, I'm familiar with recalls.
 12 Q. And if they recall him, it can go to the Parole Board,
 13 if the recall is opposed?
 14 A. Yes.
 15 Q. Now I just want to ask you about that, because if that
 16 happens, and we'll establish this elsewhere, but just
 17 assume this for the moment, I don't think there will be
 18 any dispute about it --
 19 A. Mm.
 20 Q. -- if that happens and the Parole Board get to look at
 21 his case in the round, they'll look at the circumstances
 22 of the recall, but they will also look at his risk in
 23 the round?
 24 A. Yes.
 25 Q. If I'm right about that, and just for the moment assume

143

1 that I am, that would mean that Mr Khan would have
 2 absolutely every reason in the world from the moment of
 3 his release to avoid a recall because that will bring
 4 Parole Board scrutiny that would not otherwise have
 5 happened and had not yet happened?
 6 A. Yes, that's right, and I think he mentioned that in
 7 a piece of the evidence we discussed today.
 8 Q. He did, absolutely right. Which means that anything
 9 like not turning up to appointments or, indeed, things
 10 like watching his associations because associations are
 11 the kind of thing that in counter-terrorism cases are
 12 watched?
 13 A. Yes.
 14 Q. He would want to be very careful about that and he would
 15 want to be cleaner than clean, wouldn't he?
 16 A. I would say so, yes.
 17 Q. Particularly given, can we just finally pull up
 18 {DC5415/1}, this is the release date notification for
 19 Mr Khan, which he would have been handed when he was
 20 being released, or around the time that he was released.
 21 This is dated 14 December 2018, and if we can just see
 22 the second half of this document, these are the dates.
 23 Now, what we see here is a sentence expiry date, we
 24 see a conditional release date. Now, in fact his
 25 conditional release date is 26 December 2018; he is

144

1 released on the 24th, I assume because otherwise it is
 2 Boxing Day and so they've dropped him out on Christmas
 3 Eve rather than on Boxing Day. We can ignore home
 4 detention curfew, but his sentence and licence expiry
 5 date are 27 December 2031.
 6 A. Yes.
 7 Q. So if he had been recalled and the Parole Board had
 8 looked at him and said: you're still a risk, mate, he's
 9 potentially in for another 12 years?
 10 A. Potentially. I'm not an expert in this area.
 11 Q. I know.
 12 A. I'm probably not the best person to --
 13 Q. It would need to be re--looked at, probably around
 14 annually or bi--annually?
 15 A. Yes. It's probably unlikely he would have had it
 16 extended for the full duration, but I'm not really the
 17 person to answer that question. But yes, I agree with
 18 you.
 19 JUDGE LUCRAFT: It might also, of course, depend on why
 20 he has been recalled, Mr Armstrong, because if, for
 21 example, there had been the commission of an offence
 22 that led to the recall, that would affect the dates?
 23 MR ARMSTRONG: Indeed. There are all those possibilities.
 24 JUDGE LUCRAFT: Yes.
 25 MR ARMSTRONG: But you can see why he would be fearful of

145

1 recall?
 2 A. Yes.
 3 MR ARMSTRONG: Thank you. Thank you, DCI Brown.
 4 A. Thank you, sir.
 5 JUDGE LUCRAFT: I don't know if there are any other
 6 questions for DCI Brown. If there aren't, that might be
 7 a good stage for us to take our break, Mr Hough.
 8 MR HOUGH: Sir, I think that's -- if there aren't any more
 9 questions for him, that is the end of our evidence for
 10 today.
 11 JUDGE LUCRAFT: Right. It looks as if we're going to finish
 12 a little bit early for today.
 13 MR HOUGH: Yes.
 14 JUDGE LUCRAFT: That's absolutely fine.
 15 MR HOUGH: I fear we may not achieve the same feat for the
 16 coming core witness.
 17 JUDGE LUCRAFT: We did a bit of extra overtime last week,
 18 members of the jury, so there will be the odd ebb and
 19 flow with timing. So what we will do is we will call
 20 a pause there and we will sit again tomorrow morning,
 21 please, at 10 o'clock. Thank you very much.
 22 (In the absence of the jury)
 23 JUDGE LUCRAFT: DCI Brown, you are able to stand down if you
 24 wish to.
 25 Mr Hough, looking at the timetable, in fact for

146

1 tomorrow and Thursday, and indeed Friday morning, we've
 2 got quite a busy time, so it's probably no bad thing
 3 that we've given the jury a slightly shorter day today.
 4 They've taken on quite a lot of detail. I'm conscious
 5 that through the witnesses we're going to hear from the
 6 next few days, we're going to go back over this material
 7 and look at the detail with them, but I think setting it
 8 out in the way that you have, if I might say so, has
 9 been very helpful.
 10 One of the matters I just raise with you, is that it
 11 may be that we perhaps also give the jury a list of, for
 12 example, the MAPPA meeting dates just so they've got
 13 that framework to consider things, but we'll look at
 14 that perhaps once we get into the detail and see what
 15 may assist the jury best.
 16 MR HOUGH: Yes, we'll give continuing thought, along with
 17 interested persons, to what sorts of documents might
 18 assist the jury. I'm keen not to swamp them with
 19 chronologies or gists, both because they may be
 20 difficult to arrive at on an agreed basis quickly, and
 21 also because the jury may find themselves distracted
 22 from the evidence they are in fact hearing, and which of
 23 course you will be summing--up to them, but we'll give
 24 thought to any short documents which can be used to
 25 assist them.

147

1 JUDGE LUCRAFT: Thank you. I'll rise.
 2 (3.18 pm)
 3 (The court adjourned until 10.00 am on
 4 Wednesday, 28 April 2021)
 5
 6
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

148

1
2 INDEX
3 PAGE
4 DCI DAN BROWN (recalled)1
5 Questions by MR HOUGH QC1
6 Questions by MR ARMSTRONG135
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

149

150

Table with 16 columns of legal terms and their corresponding counts and references. The first column lists terms and counts (e.g., 27:8,14 43:1,18 45:1 46:9). The second column lists terms and counts (e.g., reports (6) 7:19 21:7 33:14). The third column contains a separator 'S'. The remaining columns contain terms and counts (e.g., safe (2) 17:23 18:22, 130:3 131:8,9,11,20, etc.).

writer (1) 52:12
 writing (4) 26:1 50:14 68:20
 87:22
 written (2) 24:6 62:24
 wrong (9) 9:6 32:19 37:9
 38:13 49:14 86:24 100:24
 109:4 123:9
 wrote (1) 110:15
 ws50553 (1) 141:18
 ws50592a1 (1) 10:4
 ws50592a10 (1) 10:5

X

x (1) 74:1
 xbox (6) 82:12 94:6 99:14
 100:5 133:21 134:1
 xii (1) 74:4
 xx (1) 74:6
 xxi (1) 74:12
 xxii (1) 74:15

Y

yard (2) 30:12 48:1
 year (8) 3:18,18 4:6 5:4 27:4
 51:7 63:19 69:1
 years (24) 4:6 5:18 7:20
 10:23 17:17,20
 18:1,4,11,12,13,14,19,24
 19:20 39:20 41:16,19 72:8
 75:11 79:1 138:14 139:6
 145:9
 yellow (2) 127:5 128:8
 yemeniamerican (1) 6:23
 yet (2) 41:8 144:5
 young (4) 10:15 25:22 68:24
 107:9
 younger (1) 68:22
 youngest (1) 3:9
 youre (1) 145:8
 youth (1) 4:15
 youve (15) 26:10 28:9 37:1
 39:15 47:12 71:18 73:9
 77:25 92:7 111:6 119:9
 121:16 123:17 124:3
 129:12
 yusuf (1) 70:5

Z

zeroingin (1) 22:5
 ziamani (2) 61:2,9

0

0930 (1) 93:18

1

1 (4) 5:11 49:15 149:4,5
 10 (4) 3:4 33:20 100:17
 146:21
 100 (3) 20:23 102:13 105:24
 1000 (2) 1:2 148:3
 1023 (1) 127:24
 1025 (2) 108:9,10
 1030 (1) 128:2
 1031 (3) 103:23,23 104:3
 1032 (1) 128:5
 1035 (1) 128:17
 1036 (2) 114:22 115:6
 1038 (1) 128:21
 1039 (2) 106:24 128:21
 11 (8) 10:5 21:1 27:13 98:16
 117:2 125:23 126:17
 129:16
 110 (1) 6:16
 1109 (2) 115:5,8
 1115 (1) 46:17
 1116 (1) 46:24
 112 (1) 7:17
 113 (1) 7:17
 1138 (1) 47:1
 1147 (2) 98:14 126:10
 1148 (1) 126:16
 1159 (1) 126:18

12 (11) 3:15,16,18 27:18
 50:18 56:3 64:23 87:8
 98:23 129:16 145:9
 1200 (1) 98:15
 1213 (1) 5:5
 1228 (1) 40:13
 1245 (1) 129:1
 13 (5) 4:6 20:5 52:8 117:14
 137:9
 1312 (1) 115:22
 1336 (1) 116:20
 135 (1) 149:6
 1354 (1) 117:9
 14 (14) 23:3 33:23 95:13
 98:6,23 106:11 116:22
 125:25 126:5,5,6,21
 141:18 144:21
 14th (1) 100:23
 15 (8) 13:25 14:14 42:8
 48:24 62:23 111:18,22
 120:14
 1564 (1) 34:25
 16 (4) 3:17 17:17 18:12 50:7
 1606 (1) 127:12
 1613 (1) 127:13
 17 (4) 30:15 91:21 137:17,22
 1715 (1) 119:2
 1718 (1) 112:9
 18 (5) 5:22 24:20 35:2
 100:13 121:23
 19 (4) 15:19 100:16 138:5,14
 1959 (1) 50:25
 1991 (1) 3:4
 1day (2) 90:17,20

2

2 (6) 3:2 5:11 10:8 36:18
 44:25 66:9
 20 (7) 47:22 51:1 68:5 112:7
 114:22 125:23 128:16
 200 (1) 71:25
 2000 (4) 21:6 49:3 71:20
 82:5
 2004 (2) 4:5,5
 2008 (3) 7:21 8:25 11:24
 2009 (2) 7:6,16
 2010 (8) 7:21 10:14 12:9,18
 14:2,14 15:4 22:3
 2011 (6) 22:3,6,13,16,17,22
 2012 (10) 17:14,14,25 19:23
 23:3,10 24:1,20 25:5 50:22
 2013 (13) 18:8 19:24
 26:11,13,21 27:13 28:10
 29:3,18 30:2,19 31:7 71:8
 2014 (8) 10:25 19:25 31:15
 32:12 33:17,17,24 34:11
 2015 (7) 33:24 34:18 35:2,13
 36:3,18,24
 2016 (8) 20:2 37:6 38:8,22
 39:2,15 40:15 41:6
 2017 (22) 41:15 42:8 43:4,18
 44:25 45:10,21 46:7
 47:20,22 48:9,24 49:4,9,18
 50:8,18 51:1,7,10 52:8
 70:21
 2018 (32) 15:7 20:5 50:15
 53:7,11 55:14 56:7,9 58:4
 59:7,12,19,22,24
 60:12,17,24 61:22 62:23
 63:9,25 66:16,19 67:2
 68:6,14 69:4,7 70:21 78:8
 144:21,25
 2019 (51) 29:19 78:8,11
 79:3,17 80:20,24 81:24
 82:7,23 83:1,21
 84:10,21,25 85:9,17,24
 86:7 87:2,8 89:23 90:1,7
 91:4,10,15,16 92:8,19
 93:5,9,18 95:10,13 97:11
 98:5,23 101:18 102:21
 103:7 104:22 105:9 110:21
 111:7 112:7 113:16 121:17
 125:25 126:24 127:20
 202 (1) 102:15
 2020 (4) 61:19 90:15 97:23
 102:2

3

3 (4) 14:24 15:21 39:2 137:2
 100:13 121:23
 30 (6) 18:4 26:13 46:7 75:11
 122:5 124:15
 31 (1) 93:9
 313 (1) 27:17
 318 (1) 148:2
 31st (1) 93:18
 321 (1) 30:10
 323 (1) 30:10
 324 (1) 31:13
 327 (1) 33:22
 328 (1) 34:21
 334 (1) 38:15
 335 (1) 39:23
 338 (1) 41:22
 344 (2) 45:9,14
 347 (1) 50:7
 36 (1) 126:22
 360 (1) 94:6
 366 (2) 55:14 56:6
 367 (1) 58:15
 368 (1) 58:15
 37 (1) 127:17
 370 (1) 60:11
 373 (1) 64:3
 375 (1) 64:14
 377 (1) 64:7
 383 (1) 68:5
 389 (1) 69:11

4

4 (5) 6:16 68:14 80:25
 99:18,19
 40 (1) 106:7
 406 (1) 127:12
 41 (1) 49:17
 4110 (1) 98:6
 4117 (1) 100:16
 4118 (1) 101:5
 4122 (1) 102:22
 4123 (1) 104:22
 4125 (1) 105:10
 4127 (1) 106:7
 413 (1) 78:1
 4132 (1) 108:5
 415 (1) 79:18
 42 (2) 49:20 111:14
 421 (1) 82:3
 43 (1) 75:16
 44 (2) 76:7 121:15
 444 (1) 84:24
 446 (1) 85:7
 447 (1) 85:22
 459 (1) 87:10
 463 (1) 87:23
 465 (1) 88:17
 48 (1) 134:13

482 (1) 91:14
 49 (1) 55:2
 4999 (1) 116:9

5

5 (4) 14:21 15:10 66:16
 95:16
 51 (1) 37:8
 510 (2) 112:11 115:18
 511 (1) 116:18
 512 (1) 117:7
 513 (1) 118:23
 515 (1) 119:7
 516 (1) 121:19
 518 (1) 122:14
 519 (1) 123:6
 522 (1) 124:8
 523 (1) 124:22
 525 (1) 112:12
 53 (1) 37:11
 55 (1) 112:6
 56 (1) 113:15
 58 (1) 114:15

6

6 (5) 10:13 22:16,17 57:7
 81:10

7

7 (1) 11:4
 700 (6) 74:8,8 85:25 86:1,2,4
 71 (1) 37:19
 718 (1) 122:5
 723 (1) 122:12
 725 (1) 122:12
 733 (1) 122:20
 739 (1) 121:21
 742 (1) 22:15
 744 (2) 122:23,25
 79 (1) 116:21

8

8 (5) 4:6 12:9 22:6 84:10
 104:7
 811 (1) 123:8
 812 (1) 53:20
 813 (1) 54:3
 814 (1) 54:22
 820 (1) 104:7
 847 (1) 123:20
 854 (1) 123:21

9

9 (4) 5:4 13:15 14:19 15:23
 900 (3) 86:2,2,4
 908 (1) 124:10
 91 (1) 32:16
 915 (1) 124:16
 918 (1) 124:17
 92 (2) 33:6 65:7
 936 (1) 124:14
 952 (1) 106:20