

OPUS2

Fishmongers' Hall Inquests

Day 8

April 22, 2021

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1 Thursday, 22 April 2021
 2 (10.00 am)
 3 (In the presence of the jury)
 4 MR HOUGH: Sir, the first witness today is Reverend
 5 Paul Foster.
 6 JUDGE LUCRAFT: Good morning, thank you.
 7 REVEREND PAUL FOSTER (sworn)
 8 JUDGE LUCRAFT: Good morning, sir. Please do sit or stand,
 9 whichever you would prefer.
 10 A. I'll sit, if you don't mind, thank you.
 11 JUDGE LUCRAFT: No, that's absolutely fine. There is
 12 a microphone on that desk which will also help amplify
 13 your voice. It may be that you are asked to look at
 14 some documents. They will appear either on the screen
 15 in front of you, or on a larger screen, whichever you
 16 find easiest to look at.
 17 A. Thank you.
 18 Questions by MR HOUGH QC
 19 MR HOUGH: Would you please give your name for the court
 20 record.
 21 A. Paul Foster.
 22 Q. Mr Foster, you understand that I ask you questions first
 23 on behalf of the Coroner and you may have some questions
 24 then from other lawyers.
 25 You made witness statements in December 2020

1

1 and January 2021, to which you may refer as you wish.
 2 A. Thank you.
 3 Q. By background, are you, and have you for some years been
 4 an Anglican prison chaplain?
 5 A. I have, yes.
 6 Q. When did you first begin that work?
 7 A. I began in 1996 as a part-time chaplain with a prison
 8 and three parishes. In 2002 I moved to work at Feltham
 9 Young Offenders, and in 2010, I moved to Whitemoor, and
 10 I'm still there now.
 11 Q. In a sentence or two, what does the role of a prison
 12 chaplain involve?
 13 A. It's to provide faith services to both the prisoners and
 14 the staff, pastoral care, teaching. We also have
 15 statutory duties, which means that we have to see
 16 everyone in segregation, who are separated from the
 17 normal regime, and just general support around the
 18 place, provide corporate worship as well.
 19 Q. Is it part of your role, when moving around a prison and
 20 going onto a wing, to inform yourself of the events, the
 21 personalities, and the relations on a wing?
 22 A. Yes. We usually -- we would usually speak to the
 23 officers before we go on to mix with prisoners on the
 24 wing itself, see what's going on. There's a log each
 25 day that we all read, a daily briefing of important

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1 events that have happened in the last 24 hours as well.
 2 Q. Similarly, at the end of a day or at the end of a period
 3 on a wing, would you pass on information to staff about
 4 matters you thought they might need to be concerned
 5 with?
 6 A. Absolutely, yes. Yes.
 7 Q. Moving on to your dealings with Usman Khan, did you see
 8 him in your role as duty chaplain on a number of
 9 occasions after he arrived at HMP Whitemoor, which
 10 I think was July 2016?
 11 A. I did, yes.
 12 Q. He was, of course, of the Muslim faith. Were his
 13 spiritual needs, and the spiritual needs of other Muslim
 14 prisoners, taken care of by Muslim chaplains?
 15 A. Yes, we have a multi-faith team.
 16 Q. May we have on screen, please, {DC5336/160}. Now, this
 17 is part of the prison history document, or NOMIS
 18 document, of Usman Khan, and it records events during
 19 his time in various prisons. Do we see from the entries
 20 on 2 and 4 March 2017, that on both those dates
 21 Usman Khan was seen by you as duty chaplain?
 22 A. Yes, he was in segregation at that point, so we do
 23 a round each day.
 24 Q. So the reason you saw him on that occasion was the
 25 statutory duty you referred to earlier to see people

3

1 while they were in segregation?
 2 A. That's correct.
 3 Q. May we go to {DC5336/182} of the same document, please.
 4 If we go down the page, please, we can see that on
 5 26 July 2018, there's a reference in the NOMIS record to
 6 Usman Khan having attended a restorative forum on the
 7 use of spice, the drug, in HMP Whitemoor, and having
 8 made a significant contribution, and that's an entry
 9 created by you?
 10 A. That's correct.
 11 Q. Do you remember that forum and Usman Khan's contribution
 12 to it?
 13 A. Yes, very well.
 14 Q. Can you tell us about that?
 15 A. The forum was set up because we were having particular
 16 issues with spice at the time in the prison. It was
 17 decided through what we could offer in chaplaincy that
 18 we would get people together to speak about the problem
 19 in a restorative fashion, in other words, not to seek
 20 blame or to attach blame to anyone, but to find out what
 21 was actually happening. So we got people from the
 22 community, we got staff together who had been affected
 23 by what was going on, and me, with my contacts, I was
 24 able to speak to a lot of people, get a lot of people
 25 together, I think there were about 25 in the room at the

4

1 time.
 2 Each one told their story, about how spice had been
 3 impacting them, or their community, and Usman himself
 4 participated in that and made some significant
 5 contributions in terms of — he seemed very
 6 understanding, you know, he didn't — he came across as
 7 understanding the problems that people who were taking
 8 the drugs had with it, he was wanting to seek a solution
 9 rather than just punish people, which was good, and came
 10 across quite sympathetic.
 11 Q. By this time, taking account of the times you had seen
 12 him in segregation, and this event, how well did you
 13 know Usman Khan?
 14 A. In depth, not a lot, but I used to see him quite often
 15 on the wing, we would say hello, we would pass the time
 16 of day, check that he was okay, because although
 17 I'm a chaplain to Christians, I'm also a chaplain to
 18 everyone in the prison, and we would have the odd
 19 conversation.
 20 He would also be attending other things that
 21 happened in the chaplaincy, so I would come across him
 22 and others and we would pass the time of day for a few
 23 minutes.
 24 Q. How much did you know about his offending history?
 25 A. At this point, before he did the Sycamore Tree course,

1 which we will come on to, I suppose, not a lot.
 2 Q. Did you know that he was a terrorist offender, a TACT
 3 prisoner?
 4 A. I knew he was a TACT prisoner, yes.
 5 Q. Did you know anything about the intelligence that had
 6 come into the prison authorities about him, or about his
 7 conduct in prison?
 8 A. No.
 9 Q. May we move on to page 189 of the same document,
 10 {DC5336/189}, and look towards the top of the page, the
 11 entry for 28 October 2018, you create an entry that
 12 Usman had agreed to attend the next victim awareness,
 13 Sycamore Tree, course, starting at the end of October.
 14 What was the background to that entry?
 15 A. The background was that, I think it was his offender
 16 supervisor had contacted me to ask if he could do the
 17 course before he left prison, and he'd already put his
 18 name on the waiting list, but he wouldn't have got onto
 19 the next course because of the length of the waiting
 20 list, so they were asking me could I get him onto the
 21 course before he was due to leave in the December.
 22 Q. And his offender supervisor was Jo Boulton, I think?
 23 A. Yes.
 24 Q. To see what the course involved, may we please see on
 25 screen {DC5402/1}. If we look at the bottom half of the

1 page, this is a report that you prepared at the end of
 2 the course in relation to Usman Khan in December 2018;
 3 do you recognise that document?
 4 A. I do, yes.
 5 Q. In the lower half of the page, do we see the course
 6 content that it concerned in broad terms restorative
 7 justice and reconciliation with victims?
 8 A. That's right.
 9 Q. In a sentence or so, what did that mean? What was the
 10 course about?
 11 A. The course is about two things, broken down, it's about
 12 people looking at their crime and understanding the
 13 impact of that crime on the victims and who the victims
 14 are. We then go on to look at repairing any damage
 15 which may have happened as much as we can, or for them
 16 to consider what steps they might take in the future to
 17 move in that direction. That's the restorative part of
 18 it.
 19 Q. We can go to the second page of that document,
 20 {DC5402/2}, and look at the bottom of the page, please.
 21 Under "Overall progress", you record that:
 22 "Usman was motivated... to find a greater awareness
 23 of crime and how it affects people."
 24 That was at the beginning of the course, and that:
 25 "He eventually engaged extremely well with his index

1 offence of terrorist offences, though he also used
 2 a violent incident from his youth as well."
 3 Was that a violent incident where he had been the
 4 attacker, or where he or somebody he knew was the
 5 victim?
 6 A. No, he was the attacker.
 7 Q. And then you said:
 8 "I would have liked to see him cover his index
 9 offence more."
 10 What did you mean by that?
 11 A. He only started covering his index offence after about
 12 two or three sessions into the work, in the six
 13 sessions. He initially started to cover that violent
 14 incident from his youth and talk about that and unpack
 15 that. We thought, you know, what we try and do is get
 16 people to look at and work on their index offence. He'd
 17 agreed that he would do that in the interview
 18 previously, but he took a bit of coaxing to get there.
 19 Q. So far as you can recall, what did he say about the
 20 offence that had got him into prison?
 21 A. Sorry, could you say that again?
 22 Q. So far as you can recall, what did he say about the
 23 offence that had got him into prison?
 24 A. Well, we discussed what it was. He seemed to feel some
 25 shame about it, particularly towards his own community

1 as well, and the impact it had had on his own community,
 2 the Muslim community, and he appeared to show remorse
 3 for what he'd done.
 4 Q. Then if we go over the page to {DC5402/3}, do we see
 5 that you record, summarising that he had displayed
 6 a willingness to learn more about the Islamic faith, had
 7 acknowledged the negative impact of his offending, and
 8 had developed what you understood to be a deep
 9 understanding of the benefits of restorative justice?
 10 A. That's correct, yes.
 11 Q. We can take that off screen. Do you sometimes, when
 12 carrying out courses of this kind, have to consider
 13 whether a prisoner is being straight with you, whether
 14 they're being honest with you?
 15 A. Yes. Yes.
 16 We have a system whereby they have a workbook, and
 17 that workbook is confidential as far as the prison and
 18 so on seeing it is concerned, so that they can have the
 19 opportunity to be truthful about things, and open. They
 20 can show it to whoever they want, but I won't do that,
 21 that's part of the agreement.
 22 And usually when people are involved in the course,
 23 we get quite closely involved with them on the wing, we
 24 talk to staff about how they're doing on the wing,
 25 what's going on, how they're showing the same sort of

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1 things in normal everyday routines and transactions as
 2 they're showing us in the classroom, if you like.
 3 Q. Did you do that with Usman Khan?
 4 A. I did to a limited degree, but within a few days of him
 5 finishing the course, he was transferred to Woodhill.
 6 Q. For his release?
 7 A. For his release, yes.
 8 Q. You said that it was sometimes part of your role to
 9 consider whether the prisoner was being straight with
 10 you. Without going into the details or the names of any
 11 other individuals, would some of the reports that you
 12 write end with the conclusion that the prisoner had
 13 superficially engaged but you thought that they were
 14 being dishonest with you?
 15 A. Absolutely, yes, yes.
 16 Q. You told us that you didn't know Usman Khan very well
 17 prior to the events of mid to late 2018. Did you get to
 18 know him better as a result of, first of all, the spice
 19 forum and then the Sycamore Tree programme?
 20 A. Yes. The first thing was that he couldn't make the
 21 first session of the course because of a clash with
 22 Learning Together, so I arranged to go and do that
 23 one—to—one with him, so we had quite a good chat there,
 24 we had a good interview before the course about his
 25 intentions, what he was looking to get from the course,

10

1 and I think our conversations became deeper because he
 2 engaged with me a bit more during the six weeks of the
 3 course when I saw him outside on the wing, when he was
 4 attending Learning Together and things like that.
 5 Q. You therefore got to know that he was doing
 6 Learning Together courses?
 7 A. Yes, I knew that already, yes, because Learning Together
 8 was often based in the chaplaincy area.
 9 Q. Did you also know that he was doing other educational
 10 courses within the prison?
 11 A. Yes. Not in any detail. I knew that, I knew that he
 12 was also seeing the imam and doing some courses with
 13 him.
 14 Q. What was your perception about his attitude to those
 15 courses and how they were working for him?
 16 A. He seemed very engaged with them. I know he had good
 17 discussions with the imam about his own Islamic faith,
 18 they weren't always easy, I understand. He had good
 19 conversations with me about his offending going forward,
 20 and his wanting to change and make a fresh start and go
 21 forward and pay more attention to the ripple effect of
 22 his actions.
 23 Q. You told us that in 2017 you weren't informed of prison
 24 intelligence about Usman Khan; were you in 2018, when
 25 you were engaging with him in the ways you've described?

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1 A. No.
 2 Q. Did you receive any comments from prison staff or other
 3 prisoners about his conduct in prison or his status and
 4 place on the wing?
 5 A. Only in positive terms.
 6 Q. Would it have surprised you to hear that around the time
 7 when Usman Khan was about to engage in the victim
 8 awareness course, there was prison intelligence
 9 reporting that he had been trying to radicalise other
 10 prisoners?
 11 A. In a sense, nothing would surprise me, but I am
 12 surprised to hear that.
 13 Q. Would it have surprised you to hear that at the time of
 14 his release, there was intelligence about him indicating
 15 that he intended to return to extremism once released,
 16 and even that he may commit an attack?
 17 A. Based on how he presented himself, that would be
 18 a surprise.
 19 Q. In your statement you address very frankly the question
 20 of whether you were conned by Usman Khan, or whether he
 21 was genuinely on the right track in 2018, and only
 22 committed this terrible attack as a result of his
 23 experiences thereafter. What's your answer to that
 24 question now?
 25 A. If that intelligence is correct, then he was obviously

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1 presenting himself in a way in which was set to deceive
 2 the likes of me and others.
 3 MR HOUGH: Thank you very much. Those are my questions. It
 4 may be that others will have questions for you.
 5 A. Thank you.
 6 Questions by MR PITCHERS QC
 7 MR PITCHERS: Reverend Foster, I ask questions on behalf of
 8 the family of Saskia Jones.
 9 A. Thank you.
 10 Q. Can I just ask you to give a little bit of background as
 11 to the prison estate, because lots of people will be
 12 hearing about it for the first time in the course of
 13 this Inquest, and I presume from the work that you've
 14 done over recent years, you've got a good understanding
 15 as to the different categories of prisons?
 16 A. Yes.
 17 Q. It's not a test.
 18 A. It feels like one. However ---
 19 Q. Could you just --- can you give us an overview of the
 20 different categories of adult male prisons?
 21 A. Okay. Whitemoor, for instance, is a high security
 22 prison which holds category A and category B prisoners,
 23 some of those category A prisoners are high risk, some
 24 are, as we've discovered, are TACT prisoners. They are
 25 held under high security conditions, mostly doing

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1 long-term sentences.
 2 A category C prison ---
 3 Q. Just to pause there.
 4 A. Yes.
 5 Q. So category A is, if you like, the maximum security
 6 prison ---
 7 A. Yes.
 8 Q. --- that's available for adult males?
 9 A. Yes, you could --- there is a little bit on top of that,
 10 of high risk category A prisoners, who are higher risk.
 11 Q. Could you just explain that higher category?
 12 A. Well, I'd prefer to leave that to somebody who's more
 13 expert than me in how that's determined, if that's all
 14 right.
 15 Q. Of course. And then so below category A is category B?
 16 A. Yes.
 17 Q. And can you just explain the nature of category B
 18 prisoners?
 19 A. They're deemed to be a slightly lower risk than
 20 a category A prisoner in terms of their risk within the
 21 prison, or risk of escape and so on.
 22 Q. And within category B, does that include local prisons
 23 where people may be held on remand, taken to and from
 24 court?
 25 A. Yes.

14

1 Q. Then below category B is category C?
 2 A. Yes.
 3 Q. What do you understand about the nature of category C
 4 prisons and the prisoners?
 5 A. A lot of those are local prisons as well. The risk is,
 6 again, lower for that particular type of prisoner,
 7 sentences tend to be lower. You may have someone who's
 8 coming down from a category A working their way through
 9 the system, lowering their risk, with a view to ending
 10 up being a category D prisoner, which is often in open
 11 conditions.
 12 Q. So the fourth category is a category D prison?
 13 A. Yes.
 14 Q. Is that what's known colloquially as an open prison?
 15 A. Yes, mostly.
 16 Q. And my understanding is that, certainly relative to
 17 other prisons, there's minimal security in place at open
 18 prisons?
 19 A. Less security, certainly, yes.
 20 Q. Less. And it's quite common for prisoners to be allowed
 21 out during the day for employment or educational ---
 22 A. Yes, so for instance the first prison I worked in was
 23 a category C/category D prison. Category D prisoners
 24 were allowed out to work, sometimes home for the
 25 weekend, and so on.

15

1 Q. And is this --- is it quite common for prisoners, if you
 2 like, to work their way through the estate during their
 3 sentence towards release, generally working down the
 4 categories of security?
 5 A. Again, there are probably nuances to that that I don't
 6 understand, but that is the general belief or aim of
 7 someone who would be in a high security prison right
 8 now.
 9 Q. Yes. You said in your statement, and you have
 10 reiterated this point today, that you felt at the time
 11 that Khan hadn't engaged as fully as he could have done
 12 with his index offence. By index offence, we mean the
 13 one that led to him being in prison.
 14 A. Yes.
 15 Q. Not the more historic assault as a young man.
 16 A. That's correct.
 17 Q. Could you just explain why is it important for offenders
 18 to engage with their offending behaviour?
 19 A. I think there are various reasons. The Sycamore Tree is
 20 an educational course, it's not a psychological course,
 21 that's the first thing I'd like to say, so I'm not there
 22 to assess risk or do any of that, I'm there to give
 23 people tools which will enable them to consider their
 24 actions, the effect of past actions, and give them tools
 25 to deal with things in the future, should they meet

16

1 those situations again, and I think that's probably the
2 most important aspect of it, is to equip people to be
3 able to go forward, realise the consequences of actions,
4 the cost that has to be paid, but also to repair, if you
5 like, some of the things.

6 So sometimes I've been in situations where at the
7 end of a course, victims and perpetrators have got
8 together and done a restorative conference, and so on,
9 which has been very repairing and healing.

10 Q. Yes.

11 A. So those would be some of the major things going
12 forward.

13 Q. And of course I acknowledge you don't have psychology
14 training.

15 A. No.

16 Q. We will be hearing from people that do in due course.

17 A. Yes.

18 Q. But my understanding is that one of the reasons it's
19 important to engage with offending behaviour is that
20 that engagement might help to reduce the risk of
21 re-offending?

22 A. That's correct, yes. Or in a place like Whitemoor where
23 generally we don't release people, it would be to stop
24 re-offending within the prison even, not just outside,
25 but to change attitudes and behaviour and give people

17

1 some hope that there is a way to do things in
2 a different way.

3 Q. You said generally in Whitemoor you don't release
4 people --

5 A. Into the community.

6 Q. -- into the community; is that because people would
7 generally need to work the estate before they are
8 released?

9 A. That's generally what happens, yes.

10 Q. You've been asked questions, and you've dealt in your
11 statement with the question of whether you were conned,
12 really, by Khan.

13 A. Yes.

14 Q. And you have made clear that you didn't have access to
15 the intelligence that we were beginning to hear about
16 that was available in relation to Khan?

17 A. No.

18 Q. And that's not a criticism of you.

19 A. No.

20 Q. And you really had quite a limited insight into his --
21 the index offending that led to him being incarcerated.

22 A. Yes.

23 Q. Is that right?

24 A. Based on what I could read from his file, from what he
25 told me, that's where we moved from.

18

1 Q. And you weren't aware of his conduct as a prisoner, by
2 which I mean whether he has been in trouble on
3 disciplinary matters with the prison regime?

4 A. Only if it became obvious through -- so, for instance,
5 the time that he spent in the segregation unit in, was
6 it 2017, we would have been aware of that, the more
7 overt things we would have been aware of because you
8 could see the consequences of them, but things going on
9 underneath, we're not regularly updated on things like
10 that.

11 Q. So you wouldn't be provided with a summary as to,
12 I think they're called adjudications, aren't they?

13 A. Yes.

14 Q. That's where he's been found guilty of some disciplinary
15 matter in prison.

16 A. Yes.

17 Q. You wouldn't be provided with a summary sheet of that or
18 anything?

19 A. No.

20 Q. But obviously, if he is in segregation, you are able to
21 draw your own conclusions as to why he's in there?

22 A. Well, we draw our own conclusions and there would
23 probably be something written on his NOMIS record as
24 well about it, so we would read up on that.

25 Q. And you were asked questions about whether generally

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1 there are times where you're able to form a view that
2 someone's trying to mislead you?

3 A. Yes.

4 Q. I suppose what happened shows in this case -- and this
5 is not a criticism of you -- you weren't able to detect
6 that with Khan?

7 A. No, it was much -- it's certainly much harder. I mean,
8 one of the things I remember during the course, in
9 session three we ask a victim of crime to come and speak
10 to the group and tell their story, and he actually
11 showed a lot of empathy to the victim in that session,
12 and spoke very openly and emotionally about the impact
13 that he said that had had on him. So it was quite
14 difficult to wheedle out what was going on in that
15 sense.

16 Q. Would you accept that your experiences, particularly in
17 relation to Khan, indicate, if you like, the dangers of
18 relying upon how he presents, how he reports? I know
19 that you weren't doing a risk assessment --

20 A. Yes.

21 Q. -- but in a sense it illustrates the limits of what you
22 could conclude safely about him?

23 A. Sorry, what was that last...?

24 Q. So without knowing about his -- about the intelligence
25 about him, relying upon the way he presented himself and

20

1 reported, it makes it very difficult for you to form any
 2 reliable assessment as to future risks, for example?
 3 A. It does, and also we were being presented with a lot of
 4 positive things from various other places about his
 5 behaviour, how he was presenting himself on the wing,
 6 even prisoners were telling me — some of the prisoners
 7 were telling me that he was, you know, I had one
 8 instance where a chap lost his son to a murder, and
 9 Usman was the first person at his door offering
 10 condolences and asking if he could help. So we were
 11 getting a lot of positive feedback as well that feeds
 12 into that.
 13 Q. But you had a very limited picture overall, didn't you?
 14 A. Yes, yes.
 15 MR PITCHERS: Thank you. I've no further questions.
 16 Questions by MR ARMSTRONG
 17 MR ARMSTRONG: Good morning, Reverend Foster.
 18 A. Morning.
 19 Q. My name is Nick Armstrong and I ask questions on behalf
 20 of Jack Merritt. Can I ask you a couple more detailed
 21 questions arising out of what you've already been asked.
 22 You, when you describe Usman Khan, and in particular
 23 when you described him at the session about spice, you
 24 said that he could be inspiring to other prisoners?
 25 A. Mm.

21

1 Q. I mean, I'm taking from that that he's capable of being
 2 a persuasive or articulate man?
 3 A. Yes.
 4 Q. But you've been in prisons a long time, Reverend Foster,
 5 you know that that is also a potentially dangerous
 6 characteristic?
 7 A. Absolutely.
 8 Q. It is particularly dangerous in the context of high
 9 security prisoners?
 10 A. Yes.
 11 Q. It is particularly dangerous in the context of high
 12 security terrorist prisoners who may be gaming the
 13 system; yes?
 14 A. Yes, correct.
 15 Q. And you need to guard against a tendency to be persuaded
 16 for those reasons, don't you?
 17 A. That's correct.
 18 Q. Now, your contact with him was originally informal and
 19 on the wing, and you describe it as passing the time of
 20 day. So that's not a risk assessment, is it?
 21 A. No.
 22 Q. When he does the Sycamore course, he is slotted onto the
 23 course two months ahead of him leaving the prison.
 24 A. Correct.
 25 Q. You know also that prisoners who are close to release

22

1 may behave differently in order to get ready for
 2 release: they may behave better?
 3 A. Yes.
 4 Q. He left a week — he left your course a week before he
 5 left the prison, now, we know he left the prison on
 6 14 December, so he must have finished with you around
 7 7 December?
 8 A. Yes.
 9 Q. Now that means you saw him six times — you had six
 10 sessions with him, which looks like about once a week?
 11 A. He actually didn't attend the last session.
 12 Q. So you had five sessions with him, and they were two and
 13 a half hours each?
 14 A. Yes.
 15 Q. And in those sessions he was one of 20 people?
 16 A. He was.
 17 Q. That also doesn't sound like a proper basis to carry out
 18 a risk assessment?
 19 A. I haven't carried out a risk assessment.
 20 Q. No. Now, at no stage can you see the prison
 21 intelligence?
 22 A. No.
 23 Q. You don't have access to it, you can't get on the
 24 system.
 25 A. Only — all I see is NOMIS.

23

1 Q. All you see is NOMIS, which is available to all staff;
 2 you can't get on the intelligence system.
 3 Now, the reason I raise that with you is because the
 4 jury is going to hear as we get into the prison
 5 material, that it was the intelligence material that
 6 formed the basis or the bulk of most of the risk
 7 assessments.
 8 A. Right.
 9 Q. All right, so that formed the basis of, for example,
 10 extremism risk guidance assessments, which you know
 11 about, you have heard of those?
 12 A. Yes.
 13 Q. Which are used for TACT offenders?
 14 A. Yes.
 15 Q. And at the time that you saw him, the most recent one of
 16 those was April 2018 and it was 54 pages long. That was
 17 the structured risk assessment that took full account of
 18 that intelligence and it concluded that he had not
 19 reduced his risk?
 20 A. All right.
 21 Q. You don't know that?
 22 A. No.
 23 Q. It was also the basis which kept him at high risk
 24 category A throughout almost all of his time in custody.
 25 Now, you've answered some questions to my learned friend

24

1 Mr Pitchers about category A, but there are within
 2 category A categories of high risk , standard risk and
 3 exceptional risk , and he was high risk?
 4 A. That's right.
 5 Q. That makes him a very risky individual, doesn't it?
 6 A. Yes.
 7 Q. There are about 82,000 prisons in the UK, in England and
 8 Wales, you know that?
 9 A. I do.
 10 Q. 79,000 of which are men.
 11 A. Mm.
 12 Q. About 945 of them are category A., so about 1%, but
 13 there are about 70 of them -- only 70 of them are high
 14 risk category A., so we are talking about 0.1% of the
 15 prison population. Now, all of that was based on the
 16 intelligence which you had not seen; yes?
 17 A. That's correct.
 18 Q. But even leaving to one side the intelligence , by the
 19 time that you came to write your witness statement, he
 20 had committed this attack.
 21 A. That's correct.
 22 Q. Which is awful.
 23 A. Absolutely.
 24 Q. Absolutely catastrophic.
 25 A. Yes.

25

1 Q. Why, then, I feel bound to ask, do you feel able to
 2 write in your witness statement that you had never
 3 before been conned and you did not believe you had been
 4 on this occasion? Why not just say "I was wrong"?
 5 A. Because I'm not -- I wasn't at that point au fait to all
 6 the information. I'm quite open to say that I was
 7 wrong, I'm quite open to say that it is possible for me
 8 to have been conned. I've not in that time -- I mean,
 9 our learned friend over there asked me would I write
 10 a report where I had said that somebody hadn't engaged
 11 properly, or was trying to buck the system, if you like,
 12 and I've done that on numerous occasions.
 13 Q. You wrote your witness statement on 14 December 2020 --
 14 A. Yes.
 15 Q. -- and you said you didn't think you had been conned.
 16 A. Yes.
 17 Q. That's quite a long time for you to get au fait with the
 18 case, Reverend Foster.
 19 A. In terms of what?
 20 Q. In order to understand or do some reflection or think
 21 you may have been wrong?
 22 A. That's right.
 23 Q. One last thing: you had a meeting immediately after the
 24 attack, you say that it was a week after the attack,
 25 with the management of the prison and the governors of

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1 the prison , the chaplaincy and Amy Ludlow and
 2 Ruth Armstrong.
 3 A. It was an informal meeting.
 4 Q. It was an informal meeting. You say it was about
 5 15 minutes long?
 6 A. That's right.
 7 Q. You went to see if the governor was all right?
 8 A. If I give you some background --
 9 Q. Yes.
 10 A. -- we'd just had a meeting with some of the participants
 11 of Learning Together, with a couple of the governors, to
 12 do some pastoral work with them, and at the end of that
 13 meeting we went to see the governor, mainly myself and
 14 the imam, to see that she was okay. We didn't know at
 15 that point that Ruth and Amy were coming along, so it
 16 wasn't a formal meeting. We sat for 15 minutes and
 17 chatted.
 18 Q. But there you all are, the management of the prison and
 19 the directors of Learning Together.
 20 A. Mm--hm.
 21 Q. Give us a sense of the tone of that meeting. Was there
 22 a reflection there saying: we may have got this wrong,
 23 this was a high risk category A prisoner that we put
 24 onto this programme?
 25 A. I think at that stage we were more thinking about what

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1 had gone wrong, but in terms of, if you like , trying to
 2 work out what had gone wrong.
 3 Q. Okay. But that meeting is immediately afterwards. It's
 4 a year later that you write the witness statement and
 5 you're still saying you don't think you were conned?
 6 A. I'm very, very open to the idea that I may have been.
 7 MR ARMSTRONG: Thank you, Reverend.
 8 A. But at that point I didn't have all the information.
 9 MR ARMSTRONG: Thank you, Reverend Foster, no further
 10 questions.
 11 A. Thank you.
 12 JUDGE LUCRAFT: Ms Whitelaw, we've seen you come forward
 13 before but I don't think you've yet asked questions, if
 14 you wouldn't just mind introducing yourself to the jury.
 15 MS WHITELAW: Yes, of course. My name is Francesca Whitelaw
 16 and I appear on behalf of the Prison Service, the
 17 Secretary of State for Justice, the Secretary of the
 18 State for the Home Department, but for the moment I ask
 19 questions, and only limited questions, on behalf of the
 20 Prison Service, please.
 21 JUDGE LUCRAFT: Thank you.
 22 Questions by MS WHITELAW
 23 MS WHITELAW: Reverend Foster, first of all, could I just
 24 clarify with you: in terms of your role, your role is
 25 a pastoral one, is it?

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1 A. Generally. Pastoral, teaching and enabling people to
 2 follow their faith.
 3 Q. And so, as you said, you would provide faith-based
 4 services, christian services, but also support all
 5 prisoners in a pastoral way.
 6 A. Mm—hm.
 7 Q. And do some teaching.
 8 A. Yes.
 9 Q. And one example of that I think is the Sycamore course,
 10 which you've described as an educational programme?
 11 A. Yes, the Sycamore course isn't a faith-promoting course,
 12 it's a faith-based course, which makes it slightly
 13 different to most of the rest of my work, but generally
 14 that's true, yes.
 15 Q. But I think you have said in your evidence it's not
 16 a psychological course --
 17 A. No.
 18 Q. -- and nor is it a psychological assessment?
 19 A. No, and I'm not trained in any of those areas.
 20 Q. And nor is it a risk assessment?
 21 A. No.
 22 Q. And there are other areas of the prison responsible for
 23 risk assessments, we're going to hear some further
 24 evidence of that, but, broadly speaking, there's
 25 a security department; is that right?

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1 A. Yes.
 2 Q. Responsible for security-type issues, and also there are
 3 psychologists who provide reports on prisoners; is that
 4 right?
 5 A. That's right.
 6 Q. And there's a complex risk assessment process for
 7 prisoners, which we're going to hear about, we've heard
 8 mention of the ERG.
 9 A. Yes.
 10 Q. And is it right that different parts of the prison and
 11 different individuals all feed into that process?
 12 A. It is, and that report that you saw from me for Sycamore
 13 Tree was also sent to the Offender Management Unit in
 14 order for that to happen as well.
 15 Q. So would I be right in understanding that you yourself
 16 are not involved in that process other than at the end
 17 of courses or when you have had particular interactions,
 18 your notes might feed in?
 19 A. That's correct.
 20 Q. But you yourself are not responsible for the risk
 21 assessment process?
 22 A. No.
 23 Q. Thank you. Also, you mentioned in your evidence that
 24 I think Usman Khan's offender supervisor recommended the
 25 course, or you had contact recommending the Sycamore

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1 course for him; is that right?
 2 A. Yes, and also one of the psychologists, is it leva?
 3 Q. So I think the course was recommended by the ERG
 4 assessments as a victim awareness course run by the
 5 chaplaincy, that it was recommended that Mr Khan took
 6 prior to release?
 7 A. That's right.
 8 Q. So once someone is recommended to a course, you then
 9 mentioned an interview. So would you interview them to
 10 check that they would be engaged with the course?
 11 A. Yes, the interview is basically first of all to get to
 12 know them, get to know their background, will they be
 13 willing to engage with their index offence, what is
 14 their index offence, how do they see it, what do they
 15 want to get from the course, and so on.
 16 Q. So it's not a risk assessment process?
 17 A. No. No.
 18 Q. And if there were any concerns about the individual,
 19 then you would expect, presumably, other departments,
 20 for example, security, to deal with that?
 21 A. Yes.
 22 Q. You just wanted to see that it was someone who might
 23 engage with the course?
 24 A. Yes, and as it was coming from a security direction
 25 anyway, I thought that it had been checked out already.

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1 Q. And in terms of access to information about prisoners,
 2 you also mention in your evidence that I think you get
 3 a daily briefing; is that right?
 4 A. That's right.
 5 Q. About incidents that happen in the prison?
 6 A. That's correct.
 7 Q. And that's before you have any interactions with
 8 prisoners?
 9 A. Yes.
 10 Q. And do you also have access to the NOMIS notes?
 11 A. I do.
 12 Q. Which for each prisoner, people in the prison can make
 13 entries about them, can't they, and raise any particular
 14 issues?
 15 A. That's right.
 16 Q. And who would you expect to deal with intelligence
 17 reports within the prison?
 18 A. Security department.
 19 MS WHITELAW: Thank you very much, I don't have any further
 20 questions.
 21 A. Thank you.
 22 MR HOUGH: Thank you, Reverend Foster, that's all we have
 23 for you.
 24 JUDGE LUCRAFT: Thank you very much indeed for coming to
 25 assist us.

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1 MR HOUGH: Sir, the next witness is Dr Amy Ludlow.
 2 DR AMY LUDLOW (affirmed)
 3 JUDGE LUCRAFT: Dr Ludlow, you heard me say this to the
 4 previous witness, it applies to you too --
 5 A. Thank you.
 6 JUDGE LUCRAFT: -- if you would prefer to sit, please do.
 7 So the microphone on that desk will also amplify your
 8 voice and, again, as I suspect you saw, documents will
 9 appear either on the small screen in front of you, or if
 10 it's easier, look at one of the larger screens in court.
 11 A. Thank you.
 12 Questions by MR HOUGH QC
 13 MR HOUGH: Would you please give your full name for the
 14 court record?
 15 A. I'm Dr Amy Ludlow.
 16 Q. Dr Ludlow, you understand that I'm asking questions on
 17 behalf of the Coroner and then you may have questions
 18 later from some others?
 19 A. Thank you, Mr Hough.
 20 Q. You made a number of witness statements, including one
 21 substantial statement to the police, and one through the
 22 University of Cambridge legal team, you may refer to
 23 those as you wish.
 24 A. Thank you.
 25 Q. Are you, along with Dr Ruth Armstrong, one of the

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1 co-founders of Learning Together?
 2 A. I am.
 3 Q. What is your formal post within the University
 4 of Cambridge and the Institute of Criminology?
 5 A. So my substantive role is as a senior research associate
 6 at the Institute of Criminology which is part of the
 7 University of Cambridge.
 8 Q. For how long have you been an academic working in the
 9 field of criminology?
 10 A. I have worked at the university since 2012.
 11 Q. In that capacity, and in your academic work, have you
 12 had significant experience of working with prisoners and
 13 in prisons?
 14 A. I have. I'm a lawyer by training, but I have
 15 significant experience of working within the criminal
 16 justice system in a research and a teaching capacity.
 17 Q. Have you been cleared by the Prison Service to move
 18 around prisons without escort?
 19 A. Yes, so I've -- it's called counter-terrorism clearance,
 20 I've obtained that, which means that subject to the
 21 local permissions of the individual governor, I'm able
 22 to draw prison keys and move through that establishment
 23 unescorted, but complying at all times with the prison's
 24 rules, both nationally and locally.
 25 Q. Have you had, either in your legal training, or in your

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1 academic work, any experience or specific training in
 2 extremism and radicalisation?
 3 A. So I have significant general experience of criminal
 4 justice, I work at the Institute of Criminology, which
 5 is one of the leading centres in the UK for criminology,
 6 so I have a general awareness of some of the issues, but
 7 that is not my field of expertise. I have,
 8 nevertheless, engaged in a few relevant pieces of
 9 training: one is the Prevent training, which is offered
 10 as part of the University of Cambridge, I completed that
 11 in May 2018; a second aspect of my training would be
 12 linked to the CTC clearance that I already mentioned, so
 13 I've engaged on numerous occasions in HMPPS safety and
 14 security training, and also training provided by HMPPS
 15 concerning therapeutic community accreditation training.
 16 Q. You referred to Prevent training as part of that, and
 17 the jury heard a rather technical statement read to them
 18 about that yesterday.
 19 Is Prevent, in simple terms, part of the
 20 government's counter-terrorism strategy which involves
 21 efforts being made to avoid radicalisation and to
 22 safeguard people against being radicalised?
 23 A. I would agree with that helpful summary.
 24 Q. You've told us that you had training in relation to
 25 moving around prison from a safety point of view, and

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1 that was labelled as counter-terrorism training; did
 2 that involve consideration of Islamist extremism within
 3 prisons, and how Islamist extremism might affect
 4 prisoners within prisons?
 5 A. So I completed standard HMPPS security and safety
 6 training, that varies according to the type of prison
 7 that you're drawing keys at, but I have completed it at
 8 Whitemoor, so within the high security context. I'm not
 9 aware that it covers in detail counter-terrorism
 10 matters, but it certainly covers where to escalate any
 11 concerns to and the processes for doing that.
 12 Q. May we move then to the founding and purposes of
 13 Learning Together. When did you found
 14 Learning Together?
 15 A. I founded Learning Together in 2014 as an educational
 16 initiative very much rooted at the
 17 Institute of Criminology within the university.
 18 Q. Did you found that with Dr Ruth Armstrong, another
 19 senior research associate in the
 20 Institute of Criminology?
 21 A. I did.
 22 Q. A simple question with, no doubt, a complex answer, but
 23 what, in a sentence or two, is the basic idea of
 24 Learning Together?
 25 A. So we offer opportunities for people who live and work

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1 within our universities to study particularly at high
 2 education level alongside with people who live and work
 3 within our criminal justice organisations.
 4 Q. Simplifying hugely: university students studying
 5 alongside inmates, as peers and equals within a study
 6 setting?
 7 A. In the majority, yes.
 8 Q. The courses have developed, and we'll hear about how
 9 they have developed; is the objective concerned with
 10 academic study or more vocational study?
 11 A. Academic. I am an academic at the
 12 University of Cambridge and our partnerships are run by
 13 academics at Cambridge.
 14 Q. So not training people to unblock drains or write
 15 spreadsheets, but more academic courses?
 16 A. That's right.
 17 Q. Is there also an explicitly social objective to the
 18 programme as well as an academic one?
 19 A. So in terms of aims, our work takes inspiration,
 20 I think, from two key things: one is the very long
 21 history in the UK of people coming together to study
 22 within our criminal justice institutions, the second is
 23 widening participation objectives. So lots of people
 24 are — within our criminal justice system are
 25 underrepresented within our universities. So I wouldn't

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1 put it as a social objective, I would say that we are
 2 very interested in thinking about policy impact through
 3 our work.
 4 Q. How is the division of responsibility between you and
 5 Dr Armstrong managed within Learning Together?
 6 A. May I just return, Mr Hough, to that question. I just
 7 want to be clear, because I think it is really important
 8 that Learning Together is about education. It's not
 9 about prisoner rehabilitation, it's not an intervention:
 10 it's about offering people the chance to learn with each
 11 other in an inclusive learning environment that's been
 12 very carefully considered in light of research, both
 13 educational research and the raft of evidence that
 14 suggests that education can help people to move away
 15 from crime. I just want to be clear that that's
 16 understood.
 17 Q. You say it's not a rehabilitation programme, but your
 18 answer just there referred to the objective as being to
 19 move people away from crime?
 20 A. I wouldn't put it as an objective. One of our students
 21 in prison called it undercover rehabilitation, so in
 22 a sense we understand very well the wealth of research
 23 evidence that suggests education can be a positive
 24 catalyst in moving people away from crime, but we ground
 25 ourselves more broadly in the fact that education can

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1 help people to develop well as individuals, which can
 2 include not causing harm to other people. So I'd say we
 3 ground ourselves in the research evidence, but our
 4 principal objective is not to change anyone, it is to
 5 learn.
 6 Q. I was just about to ask you how you and Dr Armstrong
 7 divide responsibility for running Learning Together?
 8 A. So in the first instance, the starting point is that
 9 Ruth and I run things together, we have always run
 10 things together from the start. But when we were small,
 11 it was possible to do all things together, and by about
 12 2018 it had not become possible to do all things
 13 together, so I took the lead for more of our operational
 14 matters, including quite a lot of event organisation.
 15 Ruth took the lead for our research matters,
 16 Learning Together is an action research initiative, so
 17 it has those two components.
 18 And in the first instance, Ruth followed up with our
 19 students after they were released from prison, engaging
 20 them in whether they might want to continue educational
 21 activities. By about 2019 I took on those
 22 responsibilities as well.
 23 Q. I think under your supervision, Learning Together had,
 24 by 2019, developed a small team of staff?
 25 A. Yes.

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1 Q. Did that include Jack Merritt as course coordinator?
 2 A. It did.
 3 Q. As well as Izzy Rowbotham and Simon Larmour, from whom
 4 we've heard, and Lisa Ghiggini, from whom we will be
 5 hearing?
 6 A. Yes.
 7 Q. Where did the Learning Together initiative or programme
 8 begin, which prison?
 9 A. It began at Grendon.
 10 Q. What did you know about HMP Grendon?
 11 A. I know that the prison had long and deep connections
 12 with the Institute of Criminology. It's been a site of
 13 ongoing teaching, learning, research, collaboration for
 14 many years. I knew the governor. So the governor said
 15 yes, he had been — we had very close connections with
 16 policymakers and practitioners through our MST programme
 17 in particular, which I was directing recently, so he
 18 said yes, and on that basis we settled on Grendon.
 19 Q. The jury have been introduced to HMP Grendon through
 20 questions of a number of witnesses. It is, is this
 21 right, a somewhat unusual prison in that it's run as
 22 a therapeutic community with some democratic involvement
 23 of the prisoners in its running?
 24 A. So it's the only prison that is run wholly as
 25 a therapeutic community, but there are other examples of

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1 psychologically informed or therapeutic communities
 2 across prisons in the UK, but you're right to say that
 3 it's unusual in the sense that the whole prison is
 4 therapeutic in its orientation .
 5 Q. Was that aspect of Grendon part of the reason you chose
 6 it , or was it simply because of the links with the
 7 Institute of Criminology?
 8 A. No, it wasn't an explicit reason, is my memory, it was
 9 much more that the governor said yes, he had a team of
 10 staff who were willing and interested to engage, and men
 11 serving very long sentences who were interested to
 12 engage with us educationally.
 13 Q. Did you develop the programme by moving on, then, to
 14 running courses in HMP Warren Hill?
 15 A. We did. So part of our thinking that informs
 16 Learning Together is that more of a pipeline approach to
 17 education is likely to have greater positive impact for
 18 the people studying. So thinking about how we might
 19 develop our practice to work at prisons that are --- feed
 20 into Grendon and flow out from Grendon. So we were
 21 interested in thinking about how could we operate across
 22 different prisons that make that journey possible.
 23 Q. Did you know and do you know anything about the security
 24 classification of Warren Hill and the reputation of
 25 Warren Hill?

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1 A. So I know that Warren Hill is a category C prison. It's
 2 distinctive , it's a high-performing prison, through
 3 various measures, it's also a prison that lots of our
 4 students from Grendon would pass to, and lots of people
 5 from the long-term high security estate pass through.
 6 It works with people with long sentences.
 7 Q. Is this right, on the basis of recent years' reports,
 8 that Warren Hill has been graded one of the safest
 9 prisons in its category, and has been assessed very
 10 positively by prison inspectorates?
 11 A. So I could certainly affirm the latter . I haven't
 12 recently read the reports, but I know it's a high
 13 performing prison, though like all prisons it can ebb
 14 and flow. So what's true now might not have been true
 15 five years ago, for example.
 16 Q. Then did you move or develop the programme in late 2016
 17 and early 2017 into HMP Whitemoor?
 18 A. We did.
 19 Q. What did you and do you know about HMP Whitemoor as
 20 a prison?
 21 A. So we knew that lots of our students in Grendon came
 22 from the long-term high security estate, in fact, we
 23 knew some of those from our previous research projects.
 24 We knew that the prison is our local prison to
 25 Cambridge. It's a prison that has very long and deep

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1 connections with the Institute . There have been many
 2 examples over many years of running dialogue groups,
 3 reading groups, those sorts of things. Many staff at
 4 Whitemoor have taken part in learning activities within
 5 Cambridge. So it felt both practically and as a matter
 6 of our aspirations of the pipeline approach quite a good
 7 and sensible fit .
 8 Q. Did you know when you rolled out the programme to
 9 Whitemoor that it was a category A high security prison
 10 containing many prisoners with a high security
 11 classification ?
 12 A. Yes. And I was aware that other universities were
 13 already engaging in similar educational activities at
 14 other high security prisons.
 15 Q. Is it also fair to say that Whitemoor has an unusually
 16 high proportion of prisoners convicted of terrorism
 17 offences, including Muslim prisoners convicted of
 18 terrorism offences?
 19 A. I can't confirm the details of its breakdown, but
 20 I certainly was aware through the work of my colleague,
 21 Professor Alison Liebling that Whitemoor is a prison
 22 that has a high number of people of the Muslim faith,
 23 and within that, people convicted of TACT offences,
 24 though I am aware that the scope of TACT offences
 25 stretches much more broadly than people who are just of

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1 the Muslim faith.
 2 Q. When you rolled out the programme to HMP Whitemoor, did
 3 you know that --- and we'll hear about this from the
 4 prison witnesses --- did you know that some of those
 5 serving time at HMP Whitemoor were serving time for very
 6 serious and violent terrorism offences?
 7 A. I know that people in Whitemoor are serving time for
 8 very serious offences. That includes people convicted
 9 of TACT offences.
 10 Q. Now, just to give us an idea of the work of
 11 Learning Together, is it right that the courses have
 12 included a wide range of academic disciplines, including
 13 criminology, creative writing, literary criticism ,
 14 various aspects of philosophy?
 15 A. Yes.
 16 Q. Is it also right that in the course of its lifespan ,
 17 Learning Together has received research and teaching
 18 grants from various sources, including the British
 19 Academy and the Prison Service?
 20 A. Yes.
 21 Q. And is it also right that Learning Together was praised
 22 in the major report of Dame Sally Coates, Unlocking
 23 Potential, in May 2016, reviewing prison education.
 24 A. Yes.
 25 Q. Over more recent years, as well as running the courses

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1 in these three prisons, has Learning Together also
 2 expanded into a network?
 3 A. Yes. It was the catalyst in many ways of the Dame
 4 Sally Coates report that brought our work to national
 5 attention. Our HMPPS colleagues were very keen to
 6 support it and members of other universities would often
 7 come to us expressing interest, and as a result of that
 8 interest, an organic voluntary network of interested
 9 universities committed to some similar goals, came
 10 together.
 11 Q. I think that's about 20 universities by now; is that
 12 right?
 13 A. That's right.
 14 Q. What function have you served and your colleagues served
 15 in relation to that network?
 16 A. So we look to support the development of good practice,
 17 so we share information resources between us. Ruth and
 18 I, as a result of our professional work, have good
 19 networks within HMPPS, and would look to introduce
 20 colleagues to other colleagues in the Prison Service if
 21 that was thought to be helpful, but largely it's about
 22 best practice. We collaborate also from a research
 23 perspective, and come together at academic events in
 24 ways that are deeply recognisable to me as an academic.
 25 This is very common, networks are very common within

1 universities.
 2 Q. In 2018, did the university receive a Prison Service
 3 innovation grant to help develop that network?
 4 A. We did.
 5 Q. And did that lead to or help in the production of
 6 guidance documents?
 7 A. Yes, so one of the aims of that was to develop
 8 a toolkit, which was a collection of resources that were
 9 gathered across the Learning Together network, and we
 10 thought it would be helpful if we gathered those all in
 11 one place, that people could refer to that to enhance
 12 their practice, if they so wished.
 13 Q. As well as running courses in prisons and interacting
 14 with prisoners there, is it a part of
 15 Learning Together's mission to forge more long-standing
 16 relationships with prison-based students both during and
 17 after their time in prison?
 18 A. Yes, this flows from the educational focus of our work,
 19 so it is about normalisation and parity. It is entirely
 20 ordinary for me as an educator to have long-term
 21 relationships with my students, I write references for
 22 them, I might share job opportunities for them, and so
 23 our aspiration through Learning Together, was to emulate
 24 those normal educational relationships, and therefore be
 25 open to the possibility of long-term support for

1 educational progress. That comes also from research.
 2 So we know that it is vital, on the basis of educational
 3 research, to develop relationships, in fact, one of
 4 my — the person sitting to support me today was my
 5 lecturer at university. We know too from research about
 6 how people move away from crime that relationships over
 7 the long term are really, really important to movements
 8 away from crime.
 9 We also know in particular that through the gate
 10 practice, so work that continues across the prison gates
 11 into the community, is really important for the
 12 desistance, and therefore public safety.
 13 Q. If we can put on screen an article you wrote about the
 14 development of Learning Together, {DC6579/1}. This is
 15 an article you wrote along with Dr Armstrong and another
 16 colleague about the development of Learning Together,
 17 both in the UK and internationally. I'm not going to go
 18 through or even do justice to the detail of this
 19 article, but if we can go to {DC6579/13}, and the lower
 20 half of that page, please. Do we see there from that
 21 page that you write that your approach:
 22 "... favours community building, based on ongoing
 23 learning-focused relationships with all of our students,
 24 including as they undertake multiple courses, transition
 25 between institutions and/or into the community. Our

1 students are encouraged to stay in touch with each other
 2 and support each other in their learning. We aim to
 3 support all of our learners equally, responding to their
 4 needs as students, and supporting their progress as
 5 alumni. We hold alumni events and write references."
 6 And then you go on to say that these are standard
 7 academic practices, as you have told us, which reflect
 8 the value of parity, equality, among Learning Together
 9 students?
 10 A. That's right.
 11 Q. We can take that off screen now.
 12 So when we come to your links with Usman Khan, both
 13 during his time in prison and continuing afterwards,
 14 that wasn't unusual to him, that was part of your
 15 mission and approach.
 16 A. And the approach that I took with all of my
 17 university-based students equally.
 18 Q. May I move on to how Learning Together courses operate.
 19 Is it right that when a particular course is being run
 20 in a prison, there will be a course convener who has
 21 responsibility for the oversight of that course?
 22 A. That's right.
 23 Q. Is it right that students, both from within the
 24 university and from within the prison, will apply for
 25 the course using an application form?

1 A. That's right.
 2 Q. We've heard that classes will typically take the form of
 3 some large group sessions, typically with equal numbers
 4 of university students and prison-based students,
 5 perhaps a dozen of each type; is that a fair summary?
 6 A. Yes.
 7 Q. Is it also right that there will sometimes be smaller
 8 group sessions breaking off from those large sessions?
 9 A. So ordinarily within the same classroom, but they would
 10 often emulate the university approach, so a sort of
 11 lecture component and then small groups that would
 12 emulate the sort of supervision approach that's common
 13 within Cambridge.
 14 Q. Will students also receive an induction session at the
 15 outset explaining the approach of the course and some
 16 ground rules?
 17 A. Yes, and that session has been co-designed with our
 18 HMPPS colleagues. It's co-delivered, usually with
 19 input, physical input from security colleagues and
 20 education colleagues, and the purpose of that is to be
 21 explicit and clear about our aspirations and
 22 expectations and what the rules are of the prison and of
 23 the university that at all times inform those
 24 interactions. During that session, students would sign
 25 a compact and we have a policy.

1 Q. We'll come to the compact in a moment. May we put on
 2 screen first {DC5085/1}. This is an example of
 3 a student policy, as we can see, produced jointly by the
 4 Prison Service and Learning Together?
 5 A. Yes.
 6 Q. And this one is for courses in Whitemoor in the academic
 7 year 2018 to 2019?
 8 A. Yes.
 9 Q. If we go to page 2, please {DC5085/2}, can we see that
 10 this, if we look at the page as a whole, please. If we
 11 see that this gives practical guidance on such matters
 12 as identification and searching in prisons. Then down
 13 the page, I think we'll see items prohibited from being
 14 brought into prison. So practical guidance about
 15 undergraduates coming into prisons and prison-based
 16 students coming into the classroom.
 17 A. Yes, and this is obviously all in addition to Prison
 18 Service orders and instructions that regulate every
 19 aspect of the prison environment.
 20 Q. And then {DC5085/3} of the document, please. Do we see
 21 also a series of guidance or ground rules about proper
 22 behaviour in prisons, how students should dress, how
 23 students should behave around wing staff, and around
 24 prison-based students?
 25 A. Yes. Just to be clear, in case it's not understood,

1 this policy applies to all of our students, whether they
 2 are based in prison or not.
 3 Q. Yes. And, indeed, when you are talking about
 4 students -- and we'll see this in further documents --
 5 you are talking about both university-based students and
 6 the prison-based students in line with your principle of
 7 treating them as equals?
 8 A. Yes, and in the way in which I'm interacting with them
 9 which is as an educator.
 10 Q. Then if we can move to {DC5085/4}, please, we will see
 11 that the guidance on appropriate behaviour and ways of
 12 interacting between undergraduates and prisoners is
 13 continued.
 14 Then if we go towards the bottom of the page, can we
 15 see under the heading "Keeping in touch", consistent
 16 with what you have told us about that article, the
 17 policy refers to the positive benefits of keeping in
 18 touch between the members of the course?
 19 A. Yes.
 20 Q. And then over the page, please {DC5085/5}, if we go to
 21 the penultimate paragraph, can we see that the policy
 22 says that:
 23 "As prison-based students progress to live in open
 24 prisons or return to the community... new possibilities
 25 for staying in touch may arise, such as meetings in

1 person or communicating through social media. As ever,
 2 we encourage students to be mindful of, and to respect,
 3 any restrictions that might be in place as a result of
 4 a student's ongoing criminal justice supervision ..."
 5 Such as licence conditions and so on.
 6 A. Yes.
 7 Q. So you encourage students to stay in touch, but urge
 8 them to respect restrictions such as licence conditions?
 9 A. We encourage them so far as it's relevant and helpful to
 10 their learning, and as they wish as adults.
 11 Q. Now, you told us that students are asked to sign
 12 a compact, which effectively reinforces policies such as
 13 this. May we bring up on screen {DC5086/1} and then
 14 move to page 2 {DC5086/2}. Can we see there that the
 15 student signs to confirm that they've participated in
 16 an induction session, dealing with the aims, format and
 17 nature of the course.
 18 A. Yes.
 19 Q. And then can we also see that the penultimate paragraph
 20 emphasises the need to communicate, in the first
 21 instance to you, any concerns about safety or welfare?
 22 A. Yes.
 23 Q. Then in addition to having the induction session and
 24 signing this compact, are there also sometimes specific
 25 notes for university students visiting particular

1 prisons?
 2 A. Sorry, can you just explain what you mean?
 3 Q. Let me illustrate it with a document.
 4 A. Thank you.
 5 Q. {DC5088/1}. Can we see here that there is an example of
 6 a specific note directed to university-based students as
 7 visitors to particular prisons telling them about the
 8 rules governing those prisons and what to expect, in
 9 this case that Whitemoor is a high security prison with
 10 various security requirements consonant with that
 11 status?
 12 A. Yes, we developed this note in particular for short-term
 13 visitors. So on some occasions colleagues would come in
 14 for only one session, so this was some key information
 15 in addition to the information that the prison itself
 16 provides.
 17 MR HOUGH: We can take that off screen now.
 18 Sir, I'm about to move to a new topic --
 19 JUDGE LUCRAFT: Yes.
 20 MR HOUGH: -- would that be a convenient time for
 21 the mid-morning break?
 22 JUDGE LUCRAFT: It certainly would. We will break there,
 23 ladies and gentlemen, for our mid-morning break. Thank
 24 you very much.
 25 We'll all take a break and we will pick up on where

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1 we have got to once we have done that. Thank you.
 2 (In the absence of the jury)
 3 I'll rise.
 4 (11.16 am)
 5 (A short break)
 6 (11.36 am)
 7 JUDGE LUCRAFT: Mr Hough, we'll pick up in just a moment
 8 when the jury are back in.
 9 Dr Ludlow, I'm just going to ask, we're coming on to
 10 what I suspect is more important detail, and I'm just
 11 going to ask that we all just keep an eye on the speed
 12 of delivery so we can follow what it is you're saying.
 13 We all tend to have a natural tendency to talk very
 14 quickly, of which I am probably the worst culprit, but
 15 we'll just have an eye on...
 16 A. I'll try and speak slower.
 17 MR HOUGH: It may also help just to try and speak into the
 18 microphone just a little more.
 19 (In the presence of the jury)
 20 JUDGE LUCRAFT: Yes, Mr Hough.
 21 MR HOUGH: Dr Ludlow, just so you know where we're going
 22 next, I'm going to ask you some questions about risk
 23 management and risk assessment in prison-based courses.
 24 First of all, physical security of courses, is it
 25 right that in each of the lessons that you have

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1 described within prisons, there would be uniformed
 2 prison guards in attendance?
 3 A. At Whitemoor, yes.
 4 Q. And at Whitemoor, because that's where we're
 5 concentrating, is it right that there would also be
 6 emergency alarm buttons located in various places?
 7 A. That's right.
 8 Q. And is it right that staff would, as part of their usual
 9 responsibilities, hold radios so that they could summon
 10 support if needed?
 11 A. Yes.
 12 Q. So that's the context for risk assessment. Were inmates
 13 cleared to participate in courses both from the
 14 university side and from the prison side?
 15 A. Yes. So people in prison followed an application
 16 process and then there was a process of clearance with
 17 the university taking responsibilities for academic
 18 considerations and the prison taking responsibility for
 19 security and other considerations.
 20 JUDGE LUCRAFT: I'm just going to ask, the microphone might
 21 just be moved a little bit closer --
 22 A. I daren't touch it because it made a loud clatter last
 23 time. Let me try. Is that better?
 24 JUDGE LUCRAFT: It is. That's great.
 25 MR HOUGH: Is this right, in simple terms: an inmate would

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1 complete an application form in order to join a course?
 2 A. Yes.
 3 Q. And you have said that that form would be considered,
 4 from an academic perspective, by somebody from your
 5 side, from the academic side?
 6 A. Yes.
 7 Q. And that somebody from the prison side would look at it
 8 from a security perspective?
 9 A. That's right. The academic deliberations could also
 10 extend to include an interview and written work,
 11 depending on the course.
 12 Q. Now, what was your understanding about the criteria that
 13 were being applied and the procedures that were being
 14 followed in the security assessment?
 15 A. So first and foremost they are, of course, a matter for
 16 my HMPPS colleagues, that's not my role, but what
 17 I understood of the process is there would be input from
 18 security, which would include intelligence, as well as
 19 routine security, and from the Offender Management Unit,
 20 from a psychological interventions perspective, and then
 21 also from the education department, from an educational
 22 prison-based perspective.
 23 Q. Did you understand what the criteria were, or what the
 24 thresholds were, that were being applied to allow people
 25 to join the course?

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1 A. I'm not aware of specific thresholds, but the premise
 2 was that we needed to ensure a safe, secure, learning
 3 environment for every individual taking part in those
 4 activities, and I relied on my HMPPS colleagues to use
 5 their expertise to help us navigate that.
 6 Q. Did you know or believe that particular categories of
 7 offender based on security classification or offence
 8 were being excluded?
 9 A. No, not routinely.
 10 Q. You thought that they weren't being excluded?
 11 A. From our perspective, everybody resident in
 12 HMP Whitemoor was, in principle, able to participate so
 13 long as they were assessed as safe to do so.
 14 Q. So to your knowledge, those could be category A, high or
 15 exceptional risk offenders?
 16 A. Yes.
 17 Q. And they could be offenders who had committed any
 18 offence on the statute book?
 19 A. Yes, anyone resident in Whitemoor.
 20 Q. Did you know or understand that offenders were being
 21 excluded from your courses based on their conduct in
 22 prison?
 23 A. I would expect, though I'm not an expert, that their
 24 conduct would be a relevant factor in my HMPPS
 25 colleagues making informed decisions about risk.

1 Q. Were you ever told that?
 2 A. Not explicitly.
 3 Q. Were you ever told about the particular offending
 4 history of each person who joined a course?
 5 A. No.
 6 Q. Were you informed routinely about the conduct in prison
 7 of those who were joining courses?
 8 A. No.
 9 Q. Did it ever occur to you to ask about those matters?
 10 A. No, because I wouldn't know what to do with that
 11 information if I received it, because I don't have the
 12 expertise and the further information to evaluate its
 13 significance, and because what I wanted my HMPPS
 14 colleagues to do was use the very best information they
 15 had dynamically to assess for each specific activity on
 16 each specific occasion whether the people in that room
 17 were safe to learn with each other.
 18 Q. You were obviously bringing undergraduates into the
 19 prison; did it not concern you that you knew nothing
 20 about how those prisoners, including some very serious
 21 offenders, were behaving the rest of their time in
 22 prison?
 23 A. I relied on my colleagues, who would have that
 24 information, to make those decisions, so I absolutely
 25 care that my classrooms and those activities are safe,

1 that's of paramount importance to me, but I trust in my
 2 colleagues who have all relevant information to make
 3 those assessments, and we comply -- we follow their
 4 assessments, we implement their decisions about security
 5 and safety.
 6 Q. From a common sense perspective, if you had been told
 7 that a person joining your course had a history of
 8 engaging in and directing violent behaviour within the
 9 prison, would that have been a matter of concern to you?
 10 A. Unfortunately those histories are quite common for
 11 people in prison. Many people in prison have
 12 experienced and caused harm, also within the prison
 13 environment, so that of itself doesn't cause me concern.
 14 What I'm assured by is that my HMPPS colleagues have
 15 access to that information and they're feeding it into
 16 their judgments and assessments about whether or not
 17 that activity is safe.
 18 Q. Would it have concerned you if somebody studying on one
 19 of your courses at the time that they were studying was
 20 the subject of intelligence suggesting that they were
 21 radicalising other prisoners from the perspective of
 22 Islamic fundamentalism?
 23 A. It would be a concern to me to the extent it was
 24 a concern to my colleagues, so, again, my HMPPS
 25 colleagues would have sight of that information, I don't

1 have sight of intelligence, they would have fed it into
 2 their decision-making.
 3 I am, of course, alive, as an educator, to the
 4 importance under the Prevent duties for balance.
 5 I'm very alive to the need to escalate and share
 6 information whenever there was cause for concern. There
 7 was no cause for concern in any of the activities Usman
 8 participated in with us in HMP Whitemoor, and until the
 9 time of the tragedy.
 10 Q. But if somebody had told you, suppose a prison inmate
 11 had told you: Usman Khan, who is in this class, is one
 12 of the leading extremists on the wing, is radicalising
 13 others, we suspect maybe directing violent activities,
 14 would you have raised that with your prison colleagues,
 15 with the people from the prison, and said: who is this
 16 person that you have put in the class?
 17 A. I likely would have shared it with Steve Machin, for
 18 example, we have a close working relationship and I err
 19 on the side of caution when operating within the prison
 20 environment, so I would have shared it for his
 21 assessment about how credible that intelligence was, how
 22 it fitted in with the big picture that he had.
 23 Q. If we could put on screen a document, {DC6585/1}, this
 24 is a safeguarding policy drafted for Learning Together
 25 by Jack Merritt for the Learning Together network. What

1 was the status of this document by November 2019?
 2 A. It was very much a draft. Jack and I were working on it
 3 together. It was currently sitting with our HMPPS
 4 colleagues for their input, particularly in relation to
 5 the PSOs and PSIs that were referred to in passing in
 6 that document.
 7 Q. But did this document set out for guidance for the
 8 Learning Together network principles of safeguarding
 9 that they should follow?
 10 A. So it was intended to reflect, stimulate some reflection
 11 on our existing practices, it was, as I said, very much
 12 a draft, and our idea with it was that it might then be
 13 shared, as we share other documents across the network,
 14 to support the development of good practice in relation
 15 to other partnerships.
 16 Q. If we look at the bottom of this first page,
 17 paragraph 4(a), we can see that Jack, drafting this
 18 document, has reflected that those attending courses are
 19 vetted by the prison authorities, and that prison
 20 security teams are recognised as expert in safety risks?
 21 A. Yes.
 22 Q. And then over the page, to {DC6585/2}, if we look at the
 23 entire page, please, we can see that there is
 24 an explanation there of the application process and the
 25 induction process that you have described to us?

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1 A. Yes.
 2 Q. So you were building upon the policies you've described
 3 to us to provide guidance for the wider network?
 4 A. That's right.
 5 JUDGE LUCRAFT: But, just to be clear, this hadn't been
 6 shared with the wider network, this was a draft?
 7 A. It hadn't, and it hadn't even been confirmed as a full
 8 document within our own team.
 9 MR HOUGH: But, is this right, its relevance to us is that
 10 it tells us a little about the approach that you had
 11 which you were seeking to document ultimately for the
 12 wider network?
 13 A. I think it's an accurate summary of where we are,
 14 particularly around the prison work.
 15 Q. We can take that off screen now. Did Learning Together
 16 prepare formal risk assessments for prison-based
 17 courses?
 18 A. No, so what we complied with was the processes that were
 19 in place at the time at the Institute of Criminology.
 20 Those processes didn't extend to non-fieldwork
 21 activities. There was a research activity risk
 22 assessment, which we always completed. There was no
 23 formal written down piece of paper that we were required
 24 to complete for the university.
 25 Q. So formal risk assessments weren't prepared for

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1 prison-based courses. Is it also right from the answer
 2 that you have given that formal risk assessments weren't
 3 prepared by Learning Together for events in the
 4 community such as that held at Fishmongers' Hall?
 5 A. So, again, there was no requirement to do so, so we
 6 didn't.
 7 Q. If we can put on screen {DC6659/1}. The university did
 8 have guidance in place on risk assessment and risk
 9 management for travel, fieldwork, and work away from
 10 Cambridge. Had you seen or read that guidance before
 11 29 November 2019?
 12 A. I hadn't.
 13 Q. We can go to page 5 of that document {DC6659/5}. It
 14 defines "work away" as a member of staff or student
 15 travelling away from Cambridge for, broadly speaking,
 16 purposes connected with University of Cambridge matters?
 17 A. Yes.
 18 Q. Then if we look at {DC6659/7}, please. If we go to the
 19 lower part of the page, responsibilities are set out for
 20 people managing those working away, including for staff
 21 approving different forms of risk travel assessments.
 22 Looking at this document now, and I think you've seen it
 23 since the events of November 2019 --
 24 A. I have.
 25 Q. -- do you think on reflection that it did apply to any

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1 of the activities of Learning Together?
 2 A. I think it does apply and, having looked at it for
 3 the -- with a view to the 29 November event, I would
 4 have assessed the event to be low risk, and when I look
 5 at the sorts of protections that I would have expected,
 6 I think we in fact followed those, but I can see that
 7 now, had this policy been implemented at the Institute,
 8 it would have triggered a form that I would have
 9 completed.
 10 Q. So if this policy had been brought to your attention --
 11 I appreciate it wasn't --
 12 A. Yes.
 13 Q. -- you would have completed a risk assessment form for
 14 courses at prisons?
 15 A. Yes.
 16 Q. And also for an event like the Fishmongers' Hall event?
 17 A. Yes.
 18 Q. We can take that off screen now. Had you had,
 19 before November 2019, any training or any experience in
 20 completing risk assessments?
 21 A. So I have organised many conferences in my academic
 22 career and I've never completed or been required to
 23 complete a risk assessment for them. I had no expertise
 24 in criminal justice risk assessment. I am, of course,
 25 capable of following a policy and applying some criteria

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1 so I'm confident now that with the implementation of
 2 this policy I could complete a relevant form.
 3 Q. May we look just at an example of a formal risk
 4 assessment for a Learning Together course run by
 5 a different university at a prison. This is {DC6582/1}
 6 and this is a risk assessment prepared by Lancaster
 7 University for a Learning Together course run at a local
 8 prison in 2017 to 2018.
 9 As we can see, the risk assessment process involves
 10 looking at aspects of the activity, the hazards that may
 11 be involved, who might be harmed, existing measures to
 12 control risk, and the risk rating.
 13 A. Yes.
 14 Q. Then if we go to {DC6582/5}, please, we can see
 15 assessment of risks arising from interactions between
 16 students and prisoners, and a series of control
 17 measures, such as training from the security department
 18 for students and staff, prison officers present, alarm
 19 buttons, and so on?
 20 A. Yes.
 21 Q. Now, you've told us that many or all of these measures
 22 which applied to the Learning Together course run by
 23 Lancaster were adopted by your courses in Whitemoor
 24 already?
 25 A. Yes, I've re-read this document since, and I think we

1 substantively do everything. In fact, I think it likely
 2 that our colleagues at Lancaster probably asked for our
 3 input and used some of our documents to support their
 4 management of risk.
 5 Q. Though nevertheless standing back, do you accept that
 6 preparing a formal risk assessment, going through the
 7 process of preparing a document of this kind, can help
 8 you to process thinking on what risks there are and how
 9 to manage them?
 10 A. Yes, I think it can be a useful exercise from
 11 a defensibility perspective, I think it can also make it
 12 easier to invite peer feedback, but as I say,
 13 substantively, I'm confident that we were in fact doing
 14 all of the things that are documented in this example of
 15 a risk assessment from Lancaster.
 16 Q. I'm now going to ask you a hypothetical question, do
 17 tell me if it's an unfair question, but suppose that
 18 a formal risk assessment had been carried out for the
 19 event at Fishmongers' Hall in the community
 20 in November 2019. Would that have identified various
 21 risks arising from having multiple, current and former
 22 serious offenders in the community in the event
 23 interacting with the other participants?
 24 A. It would have undoubtedly identified risks, but I think
 25 the measures to manage them would have been identical to

1 the measures that we in fact followed.
 2 Q. Well, just thinking about that, if one had gone through
 3 the process of a risk assessment, might one have said,
 4 if organising an event with a large -- well, not a large
 5 number but with a material number of serious offenders
 6 attending, that one of the control measures would be
 7 discussion with the hosts, with the building owners, of
 8 security measures for the profile of those attending.
 9 Do you think that might have been a risk control
 10 measure?
 11 A. I have attended tens of conferences. In my field,
 12 people attend with criminal convictions all the time,
 13 it's considered to be an element of good practice. I've
 14 organised lots of events. I've never had those
 15 discussions with a venue about security measures, save
 16 that you have to be satisfied that the venue is
 17 reasonably sound and safe. In this case,
 18 Fishmongers' Hall colleagues told us that they'd hosted
 19 recently an event for the Prison Education Trust, so
 20 people with criminal convictions. The security measures
 21 that we had in place on the day of our event were
 22 identical to those that were used at that previous
 23 event. So unfortunately, I don't think it would have
 24 prompted any different reflections.
 25 Q. But just drawing a comparison between the document we're

1 looking at now, which you've said was based on your
 2 practice within prisons. In that document, you identify
 3 a risk of contact between prisoners and those coming in,
 4 and you set out a whole host of security measures. If
 5 you had been doing the same exercise for an event in the
 6 community, attended by serving prisoners, as well as
 7 released serious offenders, might there not have been
 8 something in the column about risk measures that spoke
 9 about the security at the venue?
 10 A. I think the difference here is that we're not dealing
 11 with a course, we're dealing with a one-off event, we're
 12 dealing with fewer people with criminal convictions
 13 coming, and we're dealing with people who have been
 14 given explicit permission by those who were supervising
 15 them in the community to attend that event, and so my
 16 starting point is that this is an event that's on my
 17 home turf, it's a university -- it's an education event,
 18 so the paradigm that I'm applying is the normal one that
 19 I would do with organising an event.
 20 So principally my main protection, my main approach
 21 for managing risk in that case, is relying on my
 22 colleagues in probation, MAPPA teams, to take a view
 23 about whether that person, who has already been
 24 considered safe to be in the community, whether that
 25 person can attend this event.

1 So the paradigm I think is different, because these
 2 people are free within the community. It may be that
 3 there is a consideration, so I'm happy to be pushed on
 4 the point, but substantively, I don't think it would
 5 have made a difference because Fishmongers' Hall
 6 colleagues knew who was coming, and we consulted fully
 7 with our colleagues in HMPPS.

8 Q. So suppose you had been preparing a risk assessment like
 9 this for the event at Fishmongers' Hall, and you had
 10 written down activity contact between serving offenders,
 11 serving prisoners and other serious offenders with
 12 guests including dignitaries, and the hazard had been
 13 general personal safety, what would have been the
 14 measures to control risk that you would have set down in
 15 bullet points in that penultimate column?

16 A. I think, with hindsight, one of the things that would
 17 have been helpful is that the individuals who had known
 18 criminal convictions would have explicitly indicated
 19 that they had, in all occasions, consulted with
 20 probation, and that there wasn't going to be any risk of
 21 breach of their licence conditions. So I think it would
 22 have said that we feel assured that they have received
 23 approval to attend by HMPPS colleagues.

24 The problem in the community context is that I have
 25 poorer information about who has a criminal conviction

1 and who doesn't, so it's perfectly possible that
 2 attending that conference I had academic colleagues,
 3 I had members of staff who had criminal convictions.
 4 I didn't routinely screen everybody who attended that
 5 event to see whether they had had a criminal conviction
 6 or not. So my starting point is a bit different for
 7 a one-off event compared to the prison environment.

8 Q. But isn't it slightly different when you have an event
 9 where you know that some, including serving prisoners
 10 and recently released category A prisoners, are
 11 attending, isn't that a bit different from comparing it
 12 to an academic symposium where somebody might have had
 13 a conviction in the distant past?

14 A. Academic events do include people who have served time
 15 in high security conditions who are now my colleagues as
 16 academics, so I wouldn't draw a distinction on that
 17 basis. I think the principal safeguard is that whatever
 18 that person has done, been convicted of, is under
 19 supervision by HMPPS, and in Usman's case there was full
 20 consultation with MAPPA which incorporates the insights
 21 from the intelligence services and from the police, and
 22 they took a decision that he was safe to come.

23 Q. Carrying on with the thought experiment, would any of
 24 the bullet points in the risk assessment for the
 25 Fishmongers' Hall event have been about physical

1 security at the venue? Any of them at all?

2 A. I think that's a matter for the venue, principally, but
 3 I -- my starting point is, if that person has been given
 4 permission to attend, just as that person can go into
 5 the supermarket, can go to a gym, can hop on a tube,
 6 he can attend an academic event, and I have never in my
 7 career, save for events that take place in prison or the
 8 Houses of Parliament, attended an event where there has
 9 been a bag search or a metal detector. That's just not
 10 normal educational practice.

11 Q. So, just to be clear, you wouldn't have put down as one
 12 of the bullet points discussion with venue about profile
 13 those attending and the physical security measures
 14 needed to deal with them, such as a bag search?

15 A. If they had asked me for any information, I would have
 16 provided it, and if they had wanted to have
 17 a conversation with me about physical security, I would
 18 have that conversation, but I was content that the venue
 19 was safe and that Usman had permission to attend without
 20 any restrictions and without any warning given to me.

21 JUDGE LUCRAFT: But I think the question Mr Hough is asking
 22 is a rather different question, it's about whether you
 23 would have included in the bullet points the issue of
 24 the venue's safety, not what you were told by colleagues
 25 about a particular person, but the safety at the venue.

1 A. Safety at the venue in general terms would have been
 2 relevant. I just don't think that I would have thought
 3 particularly about physical security, because these
 4 individuals are free, generally, to be in the community,
 5 so whereas I think about it very much in a prison
 6 environment, where somebody is living among us
 7 routinely, it doesn't make much sense to me to focus on
 8 physical security. I think the security comes from
 9 HMPPS colleagues who have the information.

10 Q. Can I move on to a new topic, and we can take the
 11 document off screen, and this is maintenance of contact
 12 with your prison-based alumni, including after release.
 13 Now, we've seen that you saw it as a potentially
 14 positive aspect of the academic experience to have
 15 relationships forged and maintained. When prison-based
 16 students emerged into the community, were you aware of
 17 them maintaining contact with undergraduate students?

18 A. They may do. There are certainly examples where
 19 students would come to us and ask questions about how
 20 best to do that, look for guidance. We would take them
 21 back to our compact and they would -- and the policy.
 22 Sometimes they would write through the
 23 Institute of Criminology and use that as their
 24 institutional address.

25 Q. And we've seen that the compact and the policy referred

1 to asking you about matters of concern.
 2 Did you have any experiences of undergraduates
 3 raising matters of concern about their contact with
 4 prison-based students? You don't need to name names?
 5 A. We did.
 6 Q. Did you ever take a more proactive approach of asking
 7 students to tell you about communications they had with
 8 prisoners and former prisoners?
 9 A. Yes, certainly while courses are ongoing, there's
 10 a high level of support. Course conveners would be
 11 having very active conversations. Jack, as our course
 12 coordinator, was there as another form of support.
 13 I was often in and out of the prison, so there were lots
 14 of different routes through which we were getting
 15 a picture, and of course, in a prison like Whitemoor,
 16 all post in and out of the prison is checked by the
 17 security staff, so the prison would have had a very
 18 accurate picture of what was going in and out.
 19 Q. I think you and your Learning Together staff also
 20 maintained a degree of contact with prison-based
 21 students after release?
 22 A. Yes.
 23 Q. May we now move on to Usman Khan, beginning with his
 24 application and the courses he took. Is it right that
 25 Usman Khan applied to join a Learning Together creative

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1 writing course, called Writing Together, which began
 2 in November 2017?
 3 A. Yes.
 4 Q. We can put on screen his application form. It's
 5 {DC6682/1}. If we go to the top of that page, we can
 6 see that it's described as a short course in creative
 7 writing, and then {DC6682/2}, we see that there are
 8 questions about why the person wants to join the course
 9 and what they can contribute, and Usman Khan says that
 10 he is very interested in creative writing, and has
 11 previously completed such a course.
 12 A. Yes.
 13 Q. And then from {DC6682/3}, please, can we see the form
 14 that — the form has a whole series of check box entries
 15 where a student talks about their own capabilities for
 16 learning and so on.
 17 Was Usman Khan accepted onto the course?
 18 A. Yes.
 19 Q. Was the security checking and clearance process in the
 20 prison along the lines you've described, as far as you
 21 knew?
 22 A. It was.
 23 Q. Did you interview him in advance of the course in order
 24 to decide whether he should join from the academic
 25 perspective?

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1 A. That's my memory, yes.
 2 Q. Do you have any recollection of that interview?
 3 A. Nothing that stands out, other than to say that our
 4 creative writing courses are often oversubscribed, so he
 5 probably did well, and I suspect he gave us a piece of
 6 writing to look at alongside the interview.
 7 Q. We can look at {DC6681/1}. If we go to the next page
 8 {DC6681/2} and look at the whole page, can we see that
 9 he undertook the necessary induction, and completed the
 10 student compact we've discussed on 1 November 2017?
 11 A. Yes.
 12 Q. At that stage were you told anything about his offending
 13 history?
 14 A. Not to my knowledge, no.
 15 Q. At that stage were you told anything about his behaviour
 16 in prison?
 17 A. No.
 18 Q. If you had been told that you had a student joining the
 19 course who had been convicted of plotting to set up
 20 a terrorist training camp in Pakistan, from which
 21 attacks against the UK may later have been launched,
 22 would that have concerned you?
 23 A. It would have concerned me to the extent, as I said
 24 before, that it was a relevant consideration that had
 25 been fed into the risk assessment that had been done by

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1 my security colleagues, and I would have been alive to
 2 the need for balance and interpersonal care within the
 3 classroom.
 4 Q. Would you have wanted, therefore, to know that aspect of
 5 offending history in order to know how to deal with
 6 Usman Khan?
 7 A. I'm not sure it would have made much a difference. It
 8 was probably evident to me that Usman, even by that
 9 stage, was convicted of a TACT offence because, in the
 10 general court of things within a prison, you come to
 11 know that, so I probably did know he was convicted of
 12 a TACT offence. I don't think it would have
 13 specifically altered any behaviours beyond the need for
 14 just care. Usman's not the only example of someone
 15 convicted of a TACT offence in Whitemoor who we've
 16 worked with.
 17 Q. Turning to conduct in prison, would you have been
 18 concerned to be told that Usman Khan had a history in
 19 the prison intelligence linking him to violent
 20 incidents, bullying, serious disruption, and radicalism,
 21 including forced conversions?
 22 A. So I didn't know that information. I trusted it was fed
 23 into the risk assessment processes. Those sorts of
 24 behaviours are not compatible with Learning Together as
 25 a community, they're not compatible with our policy,

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1 they're not compatible with my expectations of students,
 2 and so had any of those behaviours manifested themselves
 3 within the Learning Together environment, they would
 4 have been reported, and security would have taken the
 5 necessary steps, or even prior to that, deselected his
 6 application.
 7 Q. So if you had been told about such intelligence about
 8 Usman Khan, would you have said, for example: I want to
 9 be satisfied that he's not like that anymore? Or would
 10 you have said: I don't want him on this course? Or
 11 would you have said: that's fine, you're the experts?
 12 A. I would have probably done a combination of three and
 13 one, so I would have said: fundamentally you're the
 14 experts, are you really content, can I just check that
 15 you have definitely applied your full expertise and
 16 insights to make the right decision, and so long as they
 17 said yes, then I would have proceeded, subject to
 18 an ongoing check, to be sure that there was no
 19 problematic behaviour, or no worries, and I, in that,
 20 err on the side of caution, always.
 21 Q. Would you have been concerned to be told that as
 22 recently as July 2017, there was prison intelligence
 23 describing him as the main inmate in the area for
 24 extremist views and radicalisation of others?
 25 A. I didn't know that information.

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1 Q. Would it have concerned you?
 2 A. Yes. What it demonstrates is that this individual has
 3 some problematic attitudes, behaviours, that need to be
 4 managed, but I trusted that my colleagues in Whitemoor
 5 knew about those behaviours and were nevertheless making
 6 the decision that it was safe for him to work with us.
 7 Q. You were aware, I think, that Usman Khan was
 8 a category A high risk prisoner?
 9 A. Yes.
 10 Q. And just to be clear about those terms, does category A,
 11 to your knowledge, mean that somebody would present
 12 a serious risk to the public or national security if
 13 they were to escape?
 14 A. That would be my understanding. Obviously this is —
 15 that's not my policy, but yes.
 16 Q. And the subcategory high risk, does that denote a high
 17 risk of the person escaping, so escape capabilities and
 18 intent?
 19 A. Yes, I believe so.
 20 Q. And are you aware, or were you aware in 2017–2018, that
 21 there are at any time generally less than 100 such
 22 prisoners, category A, high risk, in the entire estate?
 23 A. I know that there are not many, and I know that they
 24 mostly live within the high security estate, for obvious
 25 reasons.

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1 Q. Did you become aware that Usman Khan's offending history
 2 had involved terrorism offences?
 3 A. Yes.
 4 Q. When did you become aware of that and how?
 5 A. I can't identify a specific date, but I became aware of
 6 it in the same way as I became aware that he was high
 7 risk. People used to call him "High risk Khan", and he
 8 would travel to our learning sessions with the little
 9 yellow book that designates high risk. So both the high
 10 risk and the TACT piece of information came about in the
 11 course of sort of conversation and being part of the
 12 prison community.
 13 Q. Did he tell you or did staff tell you or did other
 14 inmates tell you, as far as you can recall?
 15 A. A combination of all. Usman didn't hide the fact of his
 16 conviction or his high risk status.
 17 Q. Did he complete his writing together course
 18 in January 2018?
 19 A. He did.
 20 Q. We can see his certificate, {DC6685/1}. While that's
 21 being brought up, did he then proceed to do a series of
 22 further courses with Learning Together while at
 23 Whitemoor?
 24 A. He did.
 25 Q. I think those included courses on probability,

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1 education, and a criminal justice reading group?
 2 A. That's right.
 3 Q. Did he in fact become a mentor on the probability course
 4 in late 2018?
 5 A. Yes, he was a peer mentor.
 6 Q. What did the role of a mentor involve?
 7 A. It involves informal support and encouragement,
 8 motivation within the learning space, and then also on
 9 the wings. So it's designed, really, for peers to get
 10 alongside other peers and encourage them in their
 11 learning in a very informal way.
 12 Q. How much contact did you have with him over this period
 13 from late 2017 to late 2018?
 14 A. Not much. I was in prison a lot, but he was one of very
 15 many students, and there was nothing particularly
 16 remarkable about him, and I'm also leading a team of
 17 staff, so I'm engaged in quite a lot of leadership work
 18 as well as the day-to-day involvement in prisons, so not
 19 much.
 20 Q. If you had been asked by late 2018 to give a sentence or
 21 two, thumbnail sketch of his character, what would you
 22 have said?
 23 A. He was — seemed to be engaging positively, very
 24 actively. He was taking lots of our courses, which sort
 25 of put him in a category of, I think in my statement

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1 I say about 30% of our students who were sort of ardent
 2 participants, a man of potential, and he obviously
 3 enjoyed creative writing, I would have said at that
 4 time.
 5 Q. Now, at sometime before his release, were you aware that
 6 Usman Khan was working on an essay about radicalisation
 7 in modern Europe?
 8 A. It was posted to us shortly after his release, I think.
 9 Q. Did you read that essay at the time, or have you read it
 10 since?
 11 A. Yes.
 12 Q. At the time or since?
 13 A. So it was posted and it clearly was addressed to me.
 14 I don't remember particularly reading it in detail at
 15 the time, I probably did, but we receive lots of post
 16 from prisoners. There was nothing that alarmed me about
 17 it, and I have certainly read it since.
 18 Q. What did you make of it at the time?
 19 A. I made of it that it was a rather verbose piece, so it
 20 is quite long-winded, and it describes particularly
 21 personal grievances and experiences of victimisation and
 22 harassment as potential drivers towards extremist or
 23 radical behaviours, and conversely, it also describes
 24 some of the factors, in Usman's view, that might help
 25 people move away from those things, and I think my

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1 takeaway from it is that Usman is expressing in that
 2 piece the desire to be part of work that moves people
 3 away from radicalisation and extremist behaviour.
 4 Q. If we look at a couple of excerpts of that, there's
 5 a transcript at {DC5003/1} and if we go to the second
 6 page from just over halfway down {DC5003/2}. I'm just
 7 going to quote from the paragraph beginning "This report
 8 will try":
 9 "This report will try to highlight some of the
 10 problems and also the real fuel of radicalisation and
 11 extremism. This will be achieved by giving the point of
 12 view to understand the humanness of the problems and
 13 emotions involved in the process of radicalisation .
 14 "This report will also show that most research done
 15 in this field misses the root of
 16 radicalisation /extremism which is personal injustices
 17 and grievances found by individuals on a daily basis.
 18 How these could become one of the greatest tools of
 19 spreading radicalisation /extremism in the youth of
 20 today.
 21 "It is not to say that the research in this report
 22 is in any way perfect, but it can provide a fresh
 23 perspective in an area that can have an effect on us
 24 all ..."
 25 And so on.

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1 So, as you have said, is a major theme of this
 2 article that radicalisation is a response to personal
 3 grievances against social and ethnic injustices?
 4 A. Yes, that those can be some of the drivers of that
 5 behaviour, yes.
 6 Q. Did it concern you that on one reading, parts of this
 7 essay might appear to be an explanation or even
 8 a justification for radicalism?
 9 A. So in total context I don't have that concern, because
 10 I think there is some balance and some commitment to the
 11 prevention of those things, and as a whole, though it's
 12 not brilliantly written, a general reading of it is
 13 really consistent with research evidence that I'm aware
 14 of about some of the ways in which some people can get
 15 dragged into, become part of extremist or radicalising
 16 groups.
 17 Q. In the passage I just read, the report, or the essay,
 18 refers to "research in this report".
 19 A. Yes.
 20 Q. Having read it, is there any research in this report at
 21 all?
 22 A. There don't seem to be — my memory is, and I haven't
 23 got the document to look at in front of me, but my
 24 memory is there aren't any references or specific
 25 studies that are referred to.

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1 Q. Is it fair, and I don't mean to be unfair in my summary,
 2 is it fair that what Mr Khan refers to as "research" in
 3 this essay is basically his own personal perspective?
 4 A. I think that is fair. It is largely experiential.
 5 Q. We can take that off screen now.
 6 Turning now to dealings with Usman Khan after his
 7 release. You know he was released towards the end of
 8 December 2018?
 9 A. Yes.
 10 Q. And that he was on licence, and subject to terrorism
 11 statutory notification requirements?
 12 A. I didn't know about the detail of those, but I have now
 13 sadly become familiar with some of them.
 14 Q. In general terms, did you know that he was subject to
 15 a series of restrictions, including at first being
 16 required to live at a specific probation-approved
 17 premises in Stafford?
 18 A. Yes, his probation officer got in touch with us before
 19 he was released.
 20 Q. Were you also aware that he couldn't, under those
 21 restrictions, travel outside Stafford without
 22 permission?
 23 A. I don't think I was aware of the detail of that licence
 24 condition.
 25 Q. Were you aware that he was subject to MAPPA procedures,

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1 so the procedures of multi-agency public protection
2 arrangements?
3 A. Yes.
4 Q. And simplifying hugely, because we're going to hear from
5 those involved with those meetings, did that mean that
6 there were multi-agency meetings including police,
7 Probation Service, housing and others, about how to
8 manage him in the community?
9 A. Yes.
10 Q. And that those meetings involved matters such as whether
11 to relax any of his restrictions?
12 A. Yes.
13 Q. Before his release, had you been put in touch with his
14 probation officer, Kenneth Skelton?
15 A. Yes, Jo Boulton, his offender manager in Whitemoor, had
16 put me in touch with Ken Skelton.
17 Q. Were you able to speak to Mr Skelton at or around the
18 time of Usman's release?
19 A. I believe we exchanged a few emails. I can't recall if
20 we had a phone call.
21 Q. Can you remember what information you passed on to
22 Mr Skelton about Usman Khan and his connection to
23 Learning Together?
24 A. I think Kenneth was trying to understand the ways in
25 which we'd interacted with Usman to date, and the sorts

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1 of opportunities we might have for educational
2 engagement going forward.
3 Q. What did you tell him, in a sentence or two?
4 A. That Usman had taken part in those various courses, and
5 that we understood that he had a passion for creative
6 writing, and that we were very happy to be in touch, as
7 we are with all of our students, if that would be
8 helpful.
9 Q. On 12 March 2019, so not long after Usman's release, did
10 Learning Together hold an event at the Institute of
11 Continuing Education in Cambridge?
12 A. We did.
13 Q. Is it right that your colleague, Dr Armstrong, emailed
14 Mr Skelton to invite Usman Khan to the event?
15 A. That's my recollection.
16 Q. Now, there were further communications between the two
17 of them, which I'll cover with Dr Armstrong, but is it
18 right that in the event, the organisations participating
19 in MAPPA didn't approve him going to the Cambridge
20 event?
21 A. Yes.
22 Q. On 14 February 2019, did you and Dr Armstrong propose
23 that he should do a video recording which could be
24 played at the event?
25 A. Yes, Ruth and I had that discussion and my memory is

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1 that she liaised with Kenneth about that.
2 Q. There's no mystery about it, we can put a document on
3 screen {DC6695/28}, and we can see at the bottom of the
4 page, 14 February, Dr Armstrong saying that she'd been
5 chatting with you, sad that Usman can't attend the event
6 in Cambridge, and proposing a video recording of
7 Usman Khan for the event.
8 Around the same time, so February 2019, did you have
9 some communication with Mr Skelton about providing
10 Usman Khan with a Chromebook, a laptop computer?
11 A. Yes, so my memory again is that Ruth initiated some of
12 those discussions and I had been leading on Chromebooks
13 within the prison estate and so I then contributed some
14 information for Kenneth about their specification and
15 the various security assurances.
16 Q. In summary, was it agreed that Usman could receive
17 a computer for his writing, but that it wouldn't be
18 networked, so it couldn't be used to connect to the
19 internet?
20 A. That's right.
21 Q. And various software was loaded on that was appropriate
22 for his educational purposes?
23 A. Educational resources were loaded on, yes.
24 Q. Now, we've heard from Simon Larmour that arrangements
25 were made for him and Ruth Armstrong, along with

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1 Lisa Ghiggini, to travel to Stafford and film the short
2 video clip with Usman Khan?
3 A. For the Madingley Hall event, yes.
4 Q. Now, we'll look at that clip when your colleague
5 Dr Armstrong gives evidence, but in summary, was it
6 a personal and positive message about the benefits of
7 Learning Together to Usman Khan?
8 A. Yes.
9 Q. Now, while with Usman Khan, did Dr Armstrong also record
10 a long interview, which is 22 pages in transcript, for
11 research purposes?
12 A. That's my understanding, yes. I wasn't at that meeting
13 and I didn't take part in the interview.
14 Q. Did you know that that interview was going to take
15 place?
16 A. Yes.
17 Q. Did you ever listen to the interview or read
18 a transcript of it before the events of November 2019?
19 A. I didn't, and that's consistent with how we were running
20 things. So anything of concern, Ruth would have shared
21 with me, but beyond that, we were managing the
22 individual aspects of our work.
23 Q. Now I'll go through that interview with Dr Armstrong,
24 but have you read it yourself since the time of the
25 attack?

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1 A. I have.
 2 Q. Is it fair to say that it involved some very long
 3 monologues by Usman Khan?
 4 A. Yes, as is the way with interviews.
 5 Q. Including quite a number about his grievances over the
 6 way he was treated in prison?
 7 A. Yes.
 8 Q. Now, were you aware whether that interview was ever
 9 shared with police and probation before the events at
 10 Fishmongers' Hall?
 11 A. To my knowledge, no, and my assumption, therefore, is
 12 that we have some very clear rules and guidance about
 13 when we would breach confidentiality, which are agreed
 14 with HMPPS and the university as part of our ethics and
 15 permissions processes, so my assumption as to why that
 16 wasn't shared is because none of those criteria were met
 17 within the substance of the interview.
 18 Q. To your knowledge, was Mr Skelton aware, as the
 19 probation officer who had been contacted about all this,
 20 was he aware that an interview would be taking place as
 21 well as the video for the Madingley Hall event?
 22 A. Yes.
 23 Q. And to your knowledge, did he ever ask for a copy of the
 24 interview or a transcript?
 25 A. No.

1 Q. Now, shortly after that visit, did the MAPPA board
 2 approve the showing of the video and the provision of
 3 the Chromebook to Usman Khan?
 4 A. They did.
 5 Q. We can take the document off screen now.
 6 Meanwhile, was an event being planned by
 7 Learning Together to take place at HMP Whitemoor about
 8 digital innovation and transformative learning
 9 in June 2019?
 10 A. Yes.
 11 Q. Was Usman Khan again invited?
 12 A. He was.
 13 Q. Were the arrangements, once again, made through
 14 Mr Skelton?
 15 A. They were. In addition this time he looped in
 16 colleagues from the police.
 17 Q. On this occasion was Usman Khan's attendance approved?
 18 A. It was.
 19 Q. To your knowledge, was he being escorted on this
 20 occasion to the event by officers from
 21 Staffordshire Police?
 22 A. Yes, two police officers.
 23 Q. And we can see an image of that event, if we look at
 24 {DC6392/9}.
 25 Maybe I've given the wrong reference. I'll move on.

1 Was it at this event that arrangements were made for
 2 Usman Khan to be given the Chromebook?
 3 A. Yes, the arrangements had been made beforehand, but the
 4 Chromebook was given to him just before the event, to
 5 the police officers.
 6 Q. Did you see Usman Khan at that event yourself?
 7 A. I did.
 8 Q. Did you have any conversation with him?
 9 A. I'm sure I did. I can't recall any particular details.
 10 Q. Both before and after the Whitemoor event, did you
 11 maintain direct contact with Usman Khan yourself?
 12 A. Yes, from time to time.
 13 Q. If we can bring up on screen {DC6694/37}. I think we
 14 are now looking at some text exchanges between you and
 15 him. So, for example, 23 April:
 16 "Hello Usman! How are you? We're off to Whitemoor
 17 tomorrow to set up for the following days end of course
 18 celebration ... can't believe how quickly the year has
 19 flown by since the last one."
 20 Then you are asking general and polite chit chat
 21 type questions?
 22 A. Yes.
 23 Q. Then if we go down the page, we can see there are
 24 communications in May and in June, and Usman responds to
 25 the third saying that he's starting a construction

1 course that day, the start of June.
 2 A. Yes.
 3 Q. Then over the page to {DC6694/38}, please. You respond
 4 referring to the Whitemoor event, and then page 40,
 5 please {DC6694/40}, do we see some messages from
 6 Usman Khan, first of all saying that he's been very busy
 7 sorting out various things including a job, place to
 8 live, and so on, that is 24 July 2019?
 9 A. Yes.
 10 Q. And then page 44, please. {DC6694/44}. Can we look at
 11 the whole page, please. We see at the bottom of the
 12 page that you, on 16 October 2019, send him a text
 13 inviting him to your alumni event on 29 November 2019?
 14 A. Yes.
 15 Q. So is it fair that, from those texts, you have
 16 a friendly, upbeat but fairly limited set of
 17 communications with Usman Khan over that time?
 18 A. Yes.
 19 Q. There are gaps where he doesn't respond and there is
 20 reference made to him not finding employment?
 21 A. Yes.
 22 Q. How common is it with former prisoners to see them lapse
 23 in communications from time to time and go up and down
 24 in terms of mood?
 25 A. It's very ordinary. Often they can be in touch with us

1 when things are a bit difficult , so silence is often
 2 an indicator that they're perhaps doing quite well, and
 3 that's similar with probation officers . Probation
 4 officers often get in touch with us when they need help.
 5 Q. Moving forward -- we can take that off screen -- on
 6 18 November 2019, did you make contact with the Timpson
 7 Foundation about the possibility of finding work for
 8 Usman?
 9 A. I did.
 10 Q. And was that because the Timpson Foundation, connected
 11 with the company, helps certain types of offenders
 12 finding work in the community?
 13 A. Yes.
 14 Q. Is it at all unusual for Learning Together to help
 15 students who have come into the community in that way to
 16 make connections and help them find work?
 17 A. It 's very ordinary, again, a shared thing, a shared
 18 approach for our university -based students as much as
 19 our criminal justice supervised ones.
 20 Q. What was the initial response you received from the
 21 Timpson Foundation?
 22 A. Well, first I got an out-of-office, so I re-directed my
 23 email, and then it was a message to say that we don't
 24 work with, I think it was three categories of offence
 25 type, I remember sexual offending and terrorist

1 offending as two of those.
 2 Q. Did Mr Skelton, the probation officer, then follow up
 3 after that initial refusal to press Usman's case later
 4 in November?
 5 A. So I obviously didn't supply any details about Usman's
 6 particular offence, I looped in Kenneth to provide any
 7 of that information as he saw fit . He then replied
 8 providing, to my memory, some very positive comments
 9 about Usman's progress and saying that he had been
 10 risk -assessed to do work and urging Timpson's to
 11 consider Usman's case, and my memory is that that reply
 12 came on 28 November.
 13 Q. Now, I think also before the events of November 2019, it
 14 had been arranged for Usman Khan to participate in
 15 another Learning Together event in April 2020; is that
 16 right?
 17 A. Is that referring to the Institute of Continuing
 18 Education course? So there was a one-day course that
 19 MAPPA had approved.
 20 Q. Exactly, I was taking this from your second witness
 21 statement.
 22 A. Yes.
 23 Q. Can you just tell us in a sentence or two about that
 24 course?
 25 A. My memory is that it was international relations

1 focused, perhaps, and that we had shared with Kenneth
 2 a range of different possibilities , he had discussed
 3 them with Usman, and that MAPPA had said that Usman
 4 could engage in this one-day course in the first
 5 instance with a view to him then perhaps taking other
 6 courses. We had partnered with the Longford Trust and
 7 the Institute for Continuing Education to create a
 8 bursary that would cover the cost of some of that
 9 educational engagement.
 10 Q. By November 2019, had you formed any impression from
 11 your various dealings with Usman Khan about his
 12 intentions for the future?
 13 A. I had understood that he wanted to live an ordinary
 14 life . He wanted -- he was interested in creative
 15 writing, he was trying to find a job, but I didn't have
 16 detailed conversations with Usman about his future.
 17 Q. Did you have any impression of his mood, how he was
 18 approaching the world and what he thought about his
 19 hopes for the future?
 20 A. He was generally fairly upbeat. Kenneth had shared with
 21 me, had called me, I forget the date, but perhaps a few
 22 weeks before the event to say that Usman had had quite
 23 a few knock-backs from jobs, and as you saw from the
 24 text, Usman had -- I was aware that Usman was applying
 25 for lots of jobs and not getting them, and that he was

1 having his confidence knocked a little bit , so there was
 2 perhaps a little dip in mood, but nothing particularly
 3 out of the ordinary.
 4 Q. Now, just pausing here, the jury will hear that at one
 5 of the MAPPA meetings -- and you didn't attend MAPPA
 6 meetings --
 7 A. No.
 8 Q. -- that at one of the MAPPA meetings, concern was
 9 expressed that Learning Together had given Usman high
 10 expectations of his future opportunities, which may well
 11 be disappointed with the reality of quite basic
 12 employment if he got any job at all, and that the
 13 concern was summed up in the expression that his bubble
 14 might burst. Now, that was obviously not a document
 15 that you saw at the time?
 16 A. No.
 17 Q. But was it a concern that you ever shared, either in
 18 respect of Usman or generally, that your own very
 19 impressive programme might give rise to disappointed
 20 expectations?
 21 A. It mattered to me very much that we weren't setting
 22 Usman up to fail, we weren't setting any of our students
 23 up to fail , and I can remember that we agreed with
 24 Kenneth that we would work very closely to share
 25 Learning Together opportunities, details of those with

1 Kenneth, so that we could sort of weed them out a little
 2 bit and share them with Usman appropriately, so that he
 3 wasn't in a position of getting an offer from us that he
 4 absolutely couldn't take up.
 5 But my focus remained on providing hopeful
 6 opportunities for Usman towards his future. Having
 7 looked back at some of the documents, Kenneth describes
 8 Learning Together as, I think, a very protective factor,
 9 and the firm steer we always got from Kenneth is that he
 10 wanted us very much to be working with Usman.
 11 Q. May I now move on to organising the event at
 12 Fishmongers' Hall. Now, is it right that
 13 Learning Together had had a connection with The
 14 Fishmongers' Company since early 2019 or, indeed,
 15 earlier?
 16 A. Yes.
 17 Q. Did the company, The Fishmongers' Company, have
 18 a charitable trust which provided funding for various
 19 organisations by way of grant?
 20 A. Yes.
 21 Q. And did it in fact provide funding for Learning Together
 22 by a couple of grants?
 23 A. It did.
 24 Q. Did some officials of the company, the secretary and
 25 a former prime warden, attend your event at

1 Madingley Hall on 12 March 2019?
 2 A. They did.
 3 Q. Did Amy Spolton, the grants officer for the company,
 4 attend HMP Whitemoor on a couple of occasions to learn
 5 about Learning Together, including in April 2019?
 6 A. Yes, and on the later occasion she was joined by
 7 a liveryman from the company as well, who lived locally.
 8 Q. Is this right: that a Fishmongers' Company grant of
 9 £10,000 was paid to fund a study centre run by
 10 Learning Together at the prison for courses there?
 11 A. Yes, it was a University of Cambridge study centre at
 12 the prison.
 13 Q. Did that study centre open in July 2019 with Ms Spolton
 14 attending the opening?
 15 A. Yes, and that's the event at which the liveryman also
 16 joined her.
 17 Q. Thank you. On that occasion, did you speak to the
 18 liveryman about the sort of people attending who were
 19 prison-based students?
 20 A. Yes, so he was there and he met many of them himself.
 21 Q. In July 2019, you were preparing for your five-year
 22 alumni event.
 23 A. Yes.
 24 Q. In that context, did Learning Together ask The
 25 Fishmongers' Company whether they knew of any possible

1 London locations?
 2 A. Yes, we did.
 3 Q. If we put on screen {DC6720/11}, this is an email from
 4 Amy Spolton. Do we see the second paragraph that
 5 Ms Spolton proposed the Fishmongers' Hall for the event?
 6 A. Yes.
 7 Q. And if we go to the previous page, {DC6720/10}, in
 8 response to that email on 24 July, do we see that on
 9 2 August, you replied positively to that suggestion, and
 10 Dr Armstrong weighed in a few days later?
 11 A. Yes.
 12 Q. We can take that off screen now.
 13 Did you and Dr Armstrong attend Fishmongers' Hall at
 14 the start of September 2019, on 4 September?
 15 A. We did, we were invited to the Doggett's Race, and after
 16 that -- I think it might have been before, but at some
 17 time alongside that race we had the opportunity to visit
 18 the venue and suss it out.
 19 Q. In that sussing out, or due diligence visit, as you call
 20 it slightly more formally in your statement, what were
 21 you seeking to learn about the venue?
 22 A. That it was a well run, well managed venue that had the
 23 right sorts of rooms, flowing in the right sorts of
 24 ways, the sorts of facilities that we needed to make for
 25 a successful event.

1 Q. Were you told anything or did you ask anything about
 2 security arrangements at the venue?
 3 A. We didn't have specific questions about security, but we
 4 noted that you walked through a, you know, locked door,
 5 there's a reception area and doorman, and there was
 6 plenty of space for a registration desk, so that all
 7 seemed to flow very well onto the cloakroom with then
 8 the main rooms upstairs. So it felt like it was a well
 9 located, central London, well managed venue that had the
 10 right sort of private setting for the celebrations that
 11 we wanted to have.
 12 Q. Is it fair, and I don't want to be unfair to you, that
 13 you were looking at this as you would look at any venue
 14 for an academic symposium, with no special security
 15 considerations in view?
 16 A. That's right.
 17 Q. Over the course of October and into November 2019, were
 18 the logistics arranged for the event, including
 19 invitations being sent out to attendees?
 20 A. Yes.
 21 Q. In addition to some of the alumni, both prison-based and
 22 university students attending the event, was it also
 23 going to be attended by various prominent or senior
 24 people?
 25 A. Yes. Lots of different people from the

1 Learning Together community, as is normal for our event,
 2 so practitioners, academics, policymakers, supporters,
 3 from people who funded us.
 4 Q. We had heard one of the supporters was a retired judge,
 5 John Samuels?
 6 A. Yes.
 7 Q. Another, I think a former Law Commissioner, Mr Ormerod?
 8 A. Yes.
 9 Q. Another, to give a speech towards the end of the event,
 10 I think, Baroness Lola Young?
 11 A. Yes, in respect of the two former, they were people who
 12 taught on our programmes. We didn't know Lola Young as
 13 well.
 14 Q. Did anyone from The Fishmongers' Company, to your
 15 knowledge, ask Learning Together about whether those
 16 attending would include either ex-prisoners or current
 17 prisoners?
 18 A. No, they didn't ask that specifically.
 19 Q. Did it occur to you or your colleagues to volunteer that
 20 information that those attending would include such
 21 people?
 22 A. I took it as read that they knew. We had exchanged so
 23 many emails, they had visited Whitemoor, they had
 24 visited, or they had taken part in the Madingley Hall
 25 event, they had undertaken their own due diligence in

1 connection with the receipt of the grant, so I was
 2 confident that they understood exactly what our
 3 organisation was about and exactly the nature of the
 4 event that we were about to hold.
 5 Q. Because this was an alumni event --
 6 A. Yes.
 7 Q. -- and was described as such, and because your alumni
 8 included serving and ex-prisoners, you took it that The
 9 Fishmongers' Company would know that that sort of person
 10 was attending?
 11 A. Yes.
 12 Q. Now, the answer may be obvious in view of what you've
 13 told us so far, but did it ever occur to you or any of
 14 your colleagues to contact local police forces about the
 15 event and the profile of people attending?
 16 A. No, I've never done that for any event I've organised.
 17 Q. May I move on then to arrangements specifically for
 18 Usman Khan to attend the event. Were you aware that
 19 special arrangements had to be made for Usman to attend
 20 the event, including permitting him to travel?
 21 A. Yes, I was aware that Kenneth had to take the question
 22 to MAPPA and that MAPPA had to authorise his attendance.
 23 Q. If we look at {DC6695/131}, we can see that on
 24 22 October 2019, you emailed Mr Skelton about the event,
 25 saying that Usman Khan was keen to attend, that you

1 would be delighted to welcome Usman, could offer bursary
 2 support for his travel, that Usman Khan really wanted to
 3 come but had shared with you that he would feel more
 4 comfortable and reassured whilst on tag -- that's a GPS
 5 tag -- if someone travelled there and back with him?
 6 A. Yes.
 7 Q. You then share the details of the event and a possible
 8 train time with Mr Skelton?
 9 A. Yes.
 10 Q. And if we go to the previous page, {DC6695/130}, we can
 11 see that you chased for an answer on 29 October 2019, if
 12 we look at the whole page, and again on 1 November 2019.
 13 A. Yes, and it's evident from my 1 November chase that
 14 I'm wanting Kenneth to give a view, because of the point
 15 you made earlier about high expectations and unrealistic
 16 expectations, I wanted to be sure that Kenneth was happy
 17 in principle for us to keep talking to Usman about that
 18 event.
 19 Q. And then {DC6695/129}, if we look at the lower part of
 20 that page, do we see that Mr Skelton on 1 November
 21 emailed PS Forsyth, copying you in, Calum Forsyth the
 22 Staffordshire Police Prevent Team, saying that he had
 23 spoken to you who had confirmed there was a strong
 24 possibility that Learning Together could get somebody to
 25 meet Usman at Euston station and get someone to return

1 him to the station following the event.
 2 A. Yes.
 3 Q. So at that time, was there a discussion about how
 4 Usman Khan might be accompanied to the event?
 5 A. Yes, so Usman had shared with me some sorts of anxiety
 6 about travel, that he hadn't been to London for a very
 7 long time, and so that was the catalyst of the email
 8 that you had previously showed, and Kenneth, I can't
 9 remember the exact order of things, but essentially
 10 I think Calum was of the view that he would be happy if
 11 a member of the Learning Together team met Usman at
 12 Euston station. He wasn't in a position to send police
 13 officers because he would have to send two and he didn't
 14 think that that was necessary, and so it was decided
 15 that Simon, who volunteered, would meet Usman at Euston
 16 station.
 17 Q. And if, indeed, we look at {DC6695/128}, the previous
 18 page, at the bottom of the page, consistent with your
 19 memory, do we see Mr Forsyth, PS Forsyth, emails you and
 20 Mr Skelton saying that the Prevent Team of
 21 Staffordshire Police wouldn't be in a position to send
 22 anyone on the train with Usman as that would require two
 23 people to travel and that can't be justified.
 24 So by 4 November 2019, you knew that Usman Khan
 25 would be travelling without any form of police or

1 probation escort?
 2 A. Yes.
 3 Q. And that you were arranging for him to be met at Euston,
 4 and accompanied back to Euston?
 5 A. Yes.
 6 Q. Did it surprise or concern you that Usman Khan wasn't
 7 going to be accompanied to the event?
 8 A. I noted of course that on the last interaction that we
 9 had had with him, the Whitemoor event, he had been
 10 accompanied by the police officers to the venue, but not
 11 inside the venue, so that was a change, but also over
 12 time it's possible for people to demonstrate their
 13 trustworthiness in the community, and then for
 14 restrictions to be eased. So it felt to me like that
 15 was a decision that MAPPA had taken, and so I don't
 16 think I was surprised, as such, I think it was just
 17 their decision.
 18 Q. Can I just press you a little on that. In your witness
 19 statement, your second witness statement at page 7, you
 20 say that you understood Usman was under intensive
 21 control by the MAPPA arrangements.
 22 A. Yes.
 23 Q. You also knew that Usman Khan had not been permitted to
 24 attend the event in Cambridge in March 2019 at all?
 25 A. That's right.

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1 Q. That in June 2019, when he went to Whitemoor, he was
 2 accompanied by officers, even though he was attending
 3 a place as secure as a prison.
 4 A. They didn't come into the prison, they just transported
 5 him there, dropped him off and then collected him, but
 6 yes, they travelled with him.
 7 Q. Did it not, therefore, against that background, raise
 8 a little surprise in your mind that several months
 9 later, somebody who was subject to such intensive
 10 control because of being such a high risk offender on
 11 release, was being allowed to travel into the centre of
 12 London without any form of accompaniment at all?
 13 A. It was certainly a change in position, it was an easing
 14 of restrictions, but I didn't feel like I had any
 15 information to offer a contrary view. It's sort of not
 16 my role. I assumed that if they were making — if they
 17 were changing their position and easing the
 18 restrictions, it was because of the information that
 19 they had and because of the expertise that they had in
 20 making that risk assessment.
 21 Q. Did it occur to you at any point to say to Mr Skelton in
 22 the calls that you were having with him: this is a bit
 23 of a change, letting Usman come into the centre of
 24 London without any protection; have you formed a more
 25 positive view about his behaviour and the risk he poses?

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1 A. No, and the Timpson's email is helpful for that, because
 2 every indication that I'm getting from Kenneth, even as
 3 of 28 November, is very, very positive about Usman, so
 4 that very positive image seems to go hand in hand with
 5 the decision that they've made around easing
 6 restrictions, and generally I wouldn't question
 7 somebody's judgment unless I had a good reason and I had
 8 no good reason to think that there was a problem, not in
 9 terms of what Usman had manifested to me in terms of his
 10 behaviour, or what Kenneth was sharing with us on emails
 11 and on phone calls.
 12 Q. Based on that last answer, is it right to say that in
 13 all your dealings with Kenneth Skelton, right up
 14 to November 2019, you were getting a very rosy picture
 15 of Usman Khan and his progress?
 16 A. Very rosy.
 17 MR HOUGH: Sir, it's 1.58.
 18 JUDGE LUCRAFT: Yes.
 19 MR HOUGH: I'm now about to move on to the day of the event
 20 itself, which I hope will be a brief section of
 21 evidence, and that will be the end of my questions.
 22 JUDGE LUCRAFT: We will pause there, Mr Hough, and we will
 23 pick up on matters at 2 o'clock. Thank you.
 24 (In the absence of the jury)
 25 I'll rise.

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1 (12.57 pm)
 2 (The short adjournment)
 3 (2.00 pm)
 4 (In the absence of the jury)
 5 JUDGE LUCRAFT: Mr Hough, just whilst the jury are coming in
 6 to join us, I think you have almost got to the end of
 7 the sections of the questions that you are going to deal
 8 with.
 9 MR HOUGH: Yes, I'm getting close to the end.
 10 JUDGE LUCRAFT: And I know that we are running a fair tight
 11 timetable. My hope would be that we can complete this
 12 witness's evidence this afternoon. I'm looking towards
 13 Mr Pitchers and Mr Armstrong, I know they will have
 14 topics that they quite properly want to cover, but
 15 between them I hope that they will perhaps divide up the
 16 work rather than cover material twice over.
 17 MR HOUGH: Sir, I have spoken to them. I think the hope,
 18 and reasonably confident hope, is that we will be able
 19 to finish this witness today.
 20 JUDGE LUCRAFT: Thank you. And I'm sure that's a help to
 21 the witness as well.
 22 A. Thank you.
 23 (In the presence of the jury)
 24 JUDGE LUCRAFT: Thank you, Mr Hough.
 25 MR HOUGH: Dr Ludlow, we were moving to the day of the event

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1 at Fishmongers' Hall. I think you had stayed overnight
 2 in London the night before?
 3 A. I had.
 4 Q. Did you arrive at Fishmongers' Hall at about 9 o'clock
 5 that morning?
 6 A. I did.
 7 Q. Did you then work on the set-up of the event before it
 8 began?
 9 A. That's right.
 10 Q. Now, we know that the event began from 11 o'clock in the
 11 morning with a brunch, and then shortly after 12 noon,
 12 an opening session with speeches by yourself and
 13 Dr Armstrong, and a representative of the
 14 Fishmongers' Company?
 15 A. Yes.
 16 Q. We have heard that after the opening session, the event
 17 divided into two workshops, and that there was a short
 18 break after those workshop sessions, shortly after 1.30
 19 in the afternoon?
 20 A. Yes.
 21 Q. By that time, so before 1.30 in the afternoon, had you
 22 seen Usman Khan at any point in the day?
 23 A. I had.
 24 Q. How did he seem?
 25 A. There was nothing remarkable about his appearance or his

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1 demeanour.
 2 Q. Did you speak to him?
 3 A. I did, briefly, but I was, understandably, very busy
 4 organising the event.
 5 Q. Do you remember anything about the content of the
 6 conversation?
 7 A. No, it was a very brief hello, and I think I introduced
 8 him to some other people.
 9 Q. When the afternoon feedback session, beginning at 1.45,
 10 or due to begin at 1.45, was just starting, where were
 11 you?
 12 A. I believe I was in the main Banqueting Hall.
 13 Q. At that point, was your attention drawn by sounds from
 14 outside?
 15 A. It was.
 16 Q. What did you hear?
 17 A. Screams. And clanging noises. Objects being thrown,
 18 that sort of sound.
 19 Q. In your statement you described it as "sounds like heavy
 20 items falling"; is that right?
 21 A. That's right.
 22 Q. What did you do?
 23 A. I left the room, and I'm mindful that I'm recounting
 24 this such a long period after the event, but I left the
 25 room. I think I heard a voice that I remember as

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1 Ruth's, shortly after I ran back into the room to get my
 2 mobile phone, and dialled the emergency services.
 3 Q. When you went outside and heard the voice, which you
 4 think was Ruth's, what was being said and what caused
 5 you to go back to get your mobile phone?
 6 A. My memory is that she said "Call an ambulance". It may
 7 or may not be that at that moment I had also seen
 8 somebody lying at the bottom of the stairs injured who
 9 I know, of course, now, was Saskia.
 10 Q. In your statement, the way you describe it is going into
 11 the Banquet Hall to get your mobile phone and then
 12 coming out and going down the staircase and seeing
 13 Saskia on the stairs. Do you think that the order of
 14 events might have been slightly different, and that you
 15 might have seen Saskia earlier?
 16 A. I would go with my statement because that was written
 17 with greater proximity to the event.
 18 Q. In any event, after grabbing your mobile phone, did you
 19 go down the staircase?
 20 A. I did.
 21 Q. What did you see as you came down the staircase?
 22 A. So I saw Saskia. I saw -- it was quite a -- there was
 23 an odd atmosphere, there was clearly something
 24 unfolding, it was a charged situation, there were some
 25 other people, but my memory is blurry because it was

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1 just very ongoing, but I saw Saskia in a very unwell
 2 condition.
 3 Q. Did you immediately see that she was seriously injured?
 4 A. Yes.
 5 Q. Were you aware immediately of the type of injury?
 6 A. Yes, I saw blood coming from her neck.
 7 Q. At that point, did you know what had happened to her?
 8 A. I think -- I don't think so directly, it was obvious
 9 that she had been attacked, and it certainly became
 10 obvious that she had been attacked.
 11 Q. Did you make a call to the emergency services?
 12 A. I did.
 13 Q. At what stage in the sequence and where were you when
 14 you made that call?
 15 A. So I think, because I have now had sight of the
 16 transcript of that call, I think I was probably on the
 17 stairs. My memory is that it wasn't a safe place to be,
 18 at the bottom of the stairs, and so I moved up and down
 19 the stairs for the first initial encounters, and then
 20 eventually came alongside Saskia and the prison officer,
 21 Adam, who was giving her care, and was relaying her
 22 condition to the operator on the 999 call.
 23 Q. Now, we have timed the call you made to just before
 24 13.59.
 25 A. Yes.

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1 Q. And we have also looked at police CAD records showing
 2 that you communicated certain information while Saskia
 3 was receiving emergency care over the phone to the
 4 police.
 5 A. Yes.
 6 Q. As you were in that area looking at Saskia, how did her
 7 condition develop?
 8 A. She became less responsive. So my memory is that she
 9 was obviously very unwell when I first came to her.
 10 I remember calling her name, and then she took a turn
 11 for the worse, so she was becoming less responsive.
 12 Q. Were you focused on communicating to the police or were
 13 you doing anything else at that point?
 14 A. I was communicating to the police, I was trying to offer
 15 Adam some support, I was saying kind words to Saskia.
 16 But the — in the early part of the encounter, the
 17 incident was still unfolding in front of me, so there
 18 was a lot of violence. It's been shared that I was five
 19 months' pregnant. It was a very harrowing encounter.
 20 Q. You say that you were aware that the incident was
 21 unfolding and that there was violence; could you see any
 22 of the detail of that encounter, as far as you can
 23 remember?
 24 A. It was very sketchy, but I certainly saw men. I think
 25 I can recollect seeing a person who I now know is Usman.

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1 I recollect things being thrown, and noises of
 2 a confrontation.
 3 Q. Did you remain there while people continued providing
 4 first aid for Saskia?
 5 A. Yes, so I was trying to work closely with my colleague,
 6 Ruth. There were other people injured beyond Saskia,
 7 and I was vaguely aware of movements up and down the
 8 stairs. I remember shouting to try and get the main
 9 Banquet Hall evacuated, or to encourage people to leave.
 10 I also remember that Jamie Bennett, who is my colleague
 11 from the Prison Service, was at my shoulder, and I can
 12 recall at times shouting to him to say "Can we check
 13 that there are not other exits", and to try and flag
 14 down the emergency services.
 15 Q. Did a time come shortly afterwards when people began
 16 performing CPR on Saskia?
 17 A. Yes, so I think it was advised on the 999 call that she
 18 was not responding at all. Before that we'd sort of
 19 taken the view that we were trying to keep her where she
 20 was, to keep a lid on the bleeding. When she became
 21 less responsive, I think the collective view was let's
 22 get her down, and I think that was supported by guidance
 23 on the call, get her down onto the floor. Ruth started
 24 chest compressions. I can remember her trying to give
 25 some recovery breaths as well, and I think I shouted

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1 "Just stay on her chest, stay on her chest", because
 2 that's what I thought would save her. Sorry.
 3 Q. No, take a moment. Take a moment.
 4 A. Thank you.
 5 Q. Are you okay going on?
 6 A. Yes.
 7 Q. After a short time of Ruth and others performing CPR,
 8 did some police arrive and take over?
 9 A. They did.
 10 Q. Meanwhile, where did you go?
 11 A. I think I then ventured into the front foyer, and it was
 12 at that point that I saw Izzy, who was in a sort of
 13 foetal position, I recognised it was Izzy because of her
 14 shoes, and I saw a lot of — I stepped over a lot of
 15 debris, so some of the items that had been thrown.
 16 Q. Those are the questions I'm going to ask you about the
 17 day of the event.
 18 Can I move on briefly to discuss the aftermath?
 19 A. Yes.
 20 Q. In the aftermath, is it right that the
 21 University of Cambridge placed a pause on
 22 Learning Together courses and events to allow for those
 23 affected to recover and for a process of reflection?
 24 A. That's right.
 25 Q. Was a reflection report prepared under the auspices of

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1 the university?
 2 A. It was.
 3 Q. If we can bring that up on screen, it's {DC6703/2}. Do
 4 we see that the report was produced in March 2020?
 5 A. Yes.
 6 Q. And if we go to the bottom of that page, paragraph 4
 7 summarises the findings by noting the positive impact of
 8 Learning Together's work, and beginning to record its
 9 history.
 10 A. Yes.
 11 Q. And over the page, please. From paragraph 7, do we see
 12 that the reflection group recorded that they looked at
 13 safety and well-being processes more generally, and the
 14 audits of safety and well-being processes?
 15 A. Yes.
 16 Q. And then in page 8, does the university report — sorry,
 17 paragraph 8, back to page 3, please {DC6703/3}. Our
 18 operator was a little too responsive there.
 19 Paragraph 8, the reflection group notes that the
 20 last audit of the Institute of Criminology's risk
 21 management processes was in 2007.
 22 A. Yes.
 23 Q. I don't imagine that's something you knew?
 24 A. It's not something I know or have responsibility for.
 25 Q. And in paragraph 9, do we see that the reflection report

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1 records that the Institute has well-developed protocols
 2 for managing risks, but that Learning Together courses,
 3 principally taking the form of teaching in a prison
 4 setting, don't align straightforwardly with those
 5 research protocols. Translating for us, do you think
 6 that means that there weren't readily adopted procedures
 7 for managing risks in this setting rather than in
 8 a university teaching or research context?
 9 A. Yes, most straightforwardly it's the -- there was a form
 10 in place at the Institute for research activities.
 11 There was no such risk assessment for non-research
 12 activities.
 13 Q. Then do we see at paragraph 10, the report notes the
 14 draft toolkit of principles and practices and so on?
 15 A. Mm-hm.
 16 Q. Does that include the policy drafted by Jack Merritt
 17 which we considered earlier?
 18 A. I think at that stage the draft toolkit didn't include
 19 that policy, but it certainly includes the -- included
 20 the documents to which it refers, particularly the
 21 security compact and policy.
 22 Q. And if we go over to {DC6703/4}, please, and look lower
 23 down the page from paragraph 15, do we see that for the
 24 future organisation, the report discussed how
 25 Learning Together might be best hosted within the

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1 university, noting that its local activities and
 2 national network are a difficult fit for risk assessment
 3 procedures. We can see that in paragraph 16.
 4 A. Yes, and what that's drawing our attention to there is
 5 that our practices had stretched across lots of
 6 different departments within the university, not just
 7 criminology courses from the Institute of Criminology.
 8 Q. Was that suggesting, then, that further thought needed
 9 to be given to how risk assessment and management might
 10 work in future within the context of Learning Together?
 11 A. Yes. And overall governance.
 12 Q. Then may we look, please, at {DC6728/1}. Did you and
 13 Dr Armstrong prepare a reflection response paper
 14 welcoming the proposals for strengthening the policies?
 15 A. We did.
 16 Q. And discussing various governance arrangements for
 17 Learning Together, which we're less concerned with here?
 18 A. Yes.
 19 Q. We can take that off screen now.
 20 Some final questions, please. We have heard from
 21 a number of former prisoners, and in one case a serving
 22 prisoner, that Learning Together has been an extremely
 23 important force for good for them in their lives and in
 24 their rehabilitation. Is that a reflection you have
 25 heard from many of your students?

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1 A. It is.
 2 Q. Do you consider that Learning Together has work to do in
 3 improving its risk assessment and management procedures
 4 both for events in prison and events in the community?
 5 A. My answer is yes. We are deeply committed to learning
 6 from this tragedy, as well as learning and developing
 7 more broadly. You've noted already the strengthened
 8 processes that have been implemented at the Institute,
 9 having an explicit risk assessment process in place with
 10 which we will, of course, now comply.
 11 Q. Beyond that, do you think that there are any other ways
 12 in which you could improve in handling risk, any
 13 practical improvements?
 14 A. Yes, so Ruth and I since the tragedy have worked with
 15 our HMPPS colleagues to convene a working group, and we,
 16 as a working group, have been looking at the toolkit,
 17 looking at ways in which that might be strengthened,
 18 also cascaded across other voluntary organisations
 19 working within prisons, and we've considered as part of
 20 that a memorandum of understanding that would make it
 21 more explicit the division of responsibilities between
 22 us.
 23 I think I've also reflected on training for my own
 24 staff and ways in which that might be strengthened, and
 25 that's an active conversation with HMPPS colleagues, as

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1 well as provision and support for professional
 2 reflective practice.
 3 Q. Is there anything about any of these improvements which
 4 you think would have changed the way you dealt with
 5 Usman Khan?
 6 A. I know this is difficult, but no.
 7 Q. Given the terrible experience of Usman Khan, do you
 8 consider that terrorist offenders may give rise to very
 9 particular safeguarding issues that may need to be
 10 considered separately?
 11 A. I think they do give rise to particular issues. I think
 12 the best placed people to deal with and consider those
 13 risks are our HMPPS colleagues. I recognise that
 14 working with people who are convicted of really serious
 15 offences is difficult.
 16 Q. But do you think that those who have, or may have,
 17 a world view which is nihilist and destructive may need
 18 to be addressed separately and specially in the context
 19 of a programme like yours?
 20 A. So wherever those individuals, if those individuals were
 21 exhibiting those behaviours in any encounters that are
 22 Learning Together activities, they would not be welcomed
 23 as part of those activities.
 24 Q. But if somebody in the past, like Usman Khan, has
 25 demonstrated a mindset that causes them to want to set

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1 up a training camp for marauding terrorists or suicide
 2 bombers, doesn't that mean of itself that that sort of
 3 person needs to be handled specially and carefully
 4 within a programme like yours?
 5 A. I think it gives rise to some specific risks, but
 6 I think that that individual may benefit to exactly the
 7 same extent as somebody convicted of other serious
 8 offences, from an educational perspective, and so
 9 I think it's really important that education and its
 10 potential benefits are afforded to everybody that's
 11 considered safe to engage in those activities.
 12 So I can't find a principled basis on which I can
 13 differentiate the risks that were Usman's risks compared
 14 to the risks that might be present in other people who
 15 engage in our activities.
 16 Q. Finally, there is obviously a balance to be struck in
 17 your programmes between showing openness to former
 18 offenders and minimising risks to those who participate
 19 in the programmes. Do you think that your organisation
 20 has struck the right balance so far?
 21 A. What do you mean by "openness"?
 22 Q. Well, your programme needs to be open to a wide range of
 23 offenders in order to serve its goals.
 24 A. Mm—hm.
 25 Q. But, on the other hand, it needs to exclude certain

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1 kinds of people —
 2 A. Mm—hm.
 3 Q. — so that it isn't manipulated and so that it isn't the
 4 forum for negative relationships between prisoners and,
 5 for example, undergraduates. That's a balance to be
 6 struck; yes?
 7 A. It is.
 8 Q. Do you think your organisation has struck the right
 9 balance so far?
 10 A. I think the balance we've struck has been the balance
 11 that's informed by the evidence, which is that people
 12 convicted of all types of offence can benefit from
 13 education, and that the people who are best placed to
 14 make judgments about individuals' risks to engage in
 15 specific activities are not educators, they're my
 16 colleagues, who are probation officers, police officers,
 17 and from the security services.
 18 MR HOUGH: Thank you very much. Those are all my questions.
 19 There will be some more.
 20 Questions by MR PITCHERS QC
 21 MR PITCHERS: Dr Ludlow, I'm Henry Pitchers, I'm counsel on
 22 behalf of the family of Saskia Jones, so I will be
 23 asking you some questions.
 24 If I may just put a bit of context on matters, as
 25 we've heard, the Learning Together programme started,

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1 I think, in 2014?
 2 A. Yes.
 3 Q. And, of course, the event that causes us all to be here
 4 was a fifth anniversary celebration?
 5 A. Yes.
 6 Q. So would it be fair to say that it is now, but it
 7 certainly was then, a relatively young organisation?
 8 A. It had been operating for five years.
 9 Q. And when you started the Learning Together programme,
 10 was it envisaged that there would be work done in the
 11 community with ex—prisoners?
 12 A. We had at the outset wanted to welcome people to
 13 universities to study at those universities with
 14 criminal convictions, and we had understood that
 15 an effective orientation to supporting people in their
 16 educational journeys is to have continued contact.
 17 Q. So I think the answer, then, is yes to that question?
 18 A. Yes, but I wanted to contextualise it by reference to
 19 widening participation aspirations of universities.
 20 Q. So at the very beginning it was envisaged that the sort
 21 of work that was done after his release with Khan would
 22 happen; that was what you always expected would be the
 23 follow—on after release from custody?
 24 A. Yes, I expected that Usman could keep in touch with us
 25 if he wanted to and that we would support him

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1 educationally.
 2 Q. Sorry, I'm asking about when you started the
 3 Learning Together programme, whether it was envisaged
 4 that the work would continue in that way, in the way
 5 that it did with Khan?
 6 A. So I think it's fair to say we didn't expect it to grow.
 7 When we started at Grendon it was a pilot and we were
 8 keen to learn from that pilot, and I think it was in
 9 fact in doing that pilot and seeing its sort of positive
 10 impacts that then we were minded to develop it, and that
 11 intersected with the Sally Coates review and HMPPS's
 12 support for growing the initiative. So it was in our
 13 minds, but these things evolved.
 14 Q. Right, so when it started there wasn't necessarily
 15 a firm plan that work would continue in the community?
 16 A. It started as a narrow action research initiative, as
 17 a pilot, and we wanted it to — we hoped it would be
 18 successful and grow, but it has evolved over time. Also
 19 as our students are released from prison.
 20 Q. Yes, so just so I'm clear, forgive me my ignorance of
 21 these things. So the pilot was just a programme in
 22 custody?
 23 A. So the pilot had longitudinal aspirations, so it had
 24 aspirations that the research that we were doing could
 25 continue both within the prison estate and into the

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1 community, but the pilot itself was delivering
 2 a criminology programme in Grendon.
 3 Q. Right. Let's move on.
 4 So, as we've heard, the programme started in
 5 Grendon.
 6 A. Yes.
 7 Q. And we've heard a little bit about this being
 8 a relatively unusual regime, in a positive way.
 9 A. Mm.
 10 Q. Is that right?
 11 A. Yes, I think I said before that it's the only prison
 12 that's a wholly therapeutic community, but there are
 13 other examples of therapeutic facilities .
 14 Q. So could you just explain to us what that means in
 15 practice, a therapeutic setting?
 16 A. It means that alongside their other work, the residents
 17 there are engaged with intensive, sort of
 18 psychologically—informed small groups that probe their
 19 histories of trauma, their offending behaviours and
 20 their pathways for the future.
 21 Q. And as I understand it, there is almost a democratic
 22 ethos, which is that the conduct of the prisoners is
 23 largely governed by other prisoners?
 24 A. Staff and residents have a say in decision—making, yes.
 25 Q. So it seems with Grendon there is a very strong focus

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1 upon not just therapy, but rehabilitation, addressing
 2 offending behaviour, reducing the risk of offending?
 3 A. Yes, I mean it's a therapeutic community. Yes.
 4 Q. Yes. When did you start working in Warren Hill?
 5 A. Forgive me, I can't remember the date, but...
 6 Q. No, but can you give us the year?
 7 A. May I look to you? 2017? I'm sure it's in my witness
 8 statement.
 9 Q. But your recollection is about 2017?
 10 A. Yes, it is. I'm sorry, I can't remember the exact date.
 11 Q. I'm not asking you for the exact date. And that's
 12 a different sort of prison to Grendon, isn't it?
 13 A. Yes, it is a different prison. It's — it offers
 14 a progressive regime, so it works with very similar
 15 people to the people that go to Grendon, sometimes —
 16 many times — people move from Grendon to Warren Hill,
 17 so it's for people with long sentences.
 18 Q. It's a category C prison, isn't it?
 19 A. Yes, it is.
 20 Q. And then was it quite soon after that that you began to
 21 work in Whitemoor?
 22 A. Yes. Yes.
 23 Q. Was it a matter of months of starting at Warren Hill?
 24 A. So it takes about a year to set up a partnership. So
 25 we — so the start point is — it's difficult to

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1 articulate, but we have lots of anticipatory discussions
 2 about what we want to achieve through partnership
 3 working and whether it's going to be feasible or not, so
 4 there's a slow—burn to the building up.
 5 Q. But to be clear, the sequence is straightforward: you
 6 started in Grendon, then you moved to Warren Hill, and
 7 then it was to Whitemoor?
 8 A. I think that's right. I think that's right.
 9 Q. I think that's right as well.
 10 And Whitemoor is a very different sort of prison,
 11 isn't it, than both Warren Hill and Grendon?
 12 A. So in terms of the person there, it's fairly similar,
 13 they're serving long sentences; they're at different
 14 stages of their journey.
 15 Q. It houses the highest security risk prisoners, doesn't
 16 it?
 17 A. So it's a category A prison.
 18 Q. Yes.
 19 A. But in terms of the person and the offence for which
 20 they're convicted, they're actually very similar, so
 21 lots of people who go to Grendon come from high security
 22 prisons, and then they go on to Warren Hill.
 23 Q. But that, in a sense, is the difference, isn't it: these
 24 are people who may have started in category A but they
 25 have progressed through the prison estate to Grendon and

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1 then perhaps onto Warren Hill?
 2 A. Yes, they have progressed, but in terms of offence,
 3 that's the point that I was — they are serving long
 4 sentences.
 5 Q. So there may be people in Grendon who have been given
 6 long prison sentences?
 7 A. Yes.
 8 Q. As there are in Whitemoor category A prison?
 9 A. Yes.
 10 Q. But the difference is, in Grendon they have obviously
 11 moved down through the estate?
 12 A. That's right, and they've obviously applied to take part
 13 in therapy.
 14 Q. Yes. Would you accept that working with prisoners in
 15 a prison such as Whitemoor, category A prison, was
 16 really a very different proposition to the work you had
 17 been doing in Grendon and Warren Hill?
 18 A. So from a perspective of what we're offering, it's very
 19 similar, it's education. The environment is different,
 20 there's more physical security, obviously, the higher up
 21 you go. There are different operating processes that
 22 are all governed by prison rules.
 23 Q. But let's try and put it simply: you would be working
 24 with much higher risk offenders generally in Whitemoor
 25 than you would be in Grendon and Warren Hill?

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1 A. We are -- yes --
 2 Q. At the time you're working with them?
 3 A. We're working with people who are, yes, earlier in their
 4 journeys so may have more risk -- they've had fewer
 5 opportunities to reduce their risk in custody, yes.
 6 Q. And some of them may not have much of a journey, they
 7 may be staying in category A for the duration of their
 8 custody?
 9 A. Some do.
 10 Q. Not all are on a rehabilitative journey, are they?
 11 A. Not all progress through the estate, no.
 12 Q. And did you modify anything about your approach, whether
 13 that's in terms of enrolment on to the course, or the
 14 content of the course, when you moved into working in
 15 Whitemoor?
 16 A. Yes, so when we were setting up the partnerships, both
 17 at Warren Hill and at Whitemoor, we had extensive
 18 conversations with the senior leadership team. We
 19 reviewed afresh all of our documents, so our compacts
 20 and policies.
 21 My memory is there weren't many amendments that were
 22 needed. The process for sifting from a security
 23 perspective seemed much more rigorous at Whitemoor,
 24 there was much more input from a security perspective,
 25 and there was less -- so whereas at Grendon the men

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1 would need to get backing from their communities, that
 2 wasn't the case at Whitemoor. So the therapeutic
 3 context was different at Grendon compared to Whitemoor.
 4 Q. So there may have been a difference in terms of the
 5 vetting --
 6 A. Yes.
 7 Q. -- for those getting onto the course, and practical
 8 differences because of greater security in Whitemoor,
 9 but the content of the course that you delivered was the
 10 same?
 11 A. We delivered different content, actually, at Whitemoor,
 12 but the style --
 13 Q. Well, it wasn't different because it was Whitemoor
 14 rather than another category of prison?
 15 A. Yes, that's right.
 16 Q. When you began to work in Whitemoor with those
 17 offenders, did that cause you to reflect upon any plans
 18 for work in the community?
 19 A. So we didn't envisage many students coming out of
 20 Whitemoor, in the same way as we didn't envisage them
 21 coming out of Grendon and Warren Hill. If the system
 22 works generally those people progress to open conditions
 23 and then are released, so it wasn't a possibility that
 24 felt very pressing to consider, though my expectation is
 25 that if that happened, then we would do that carefully

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1 with the MAPPA team that would probably supervise that
 2 person who was released.
 3 Q. So is the answer that it didn't change your plans for
 4 community-based events?
 5 A. No, not necessarily.
 6 Q. So essentially if one looks at those community-based
 7 events, the former prisoners with whom you were working
 8 would be treated and managed in the same way whether or
 9 not you had worked with them previously in Warren Hill
 10 or in Whitemoor?
 11 A. Yes.
 12 Q. And just so we understand the scale, as I understand it
 13 from your third witness statement, at least at that
 14 point there were around 20 Learning Together students,
 15 ex-prisoner students who had been released from prison
 16 in 2019; is that --
 17 A. Yes, that was my estimation and I think that's about
 18 right.
 19 Q. And does that reflect the relative youth of the
 20 organisation, because people had more time to serve?
 21 A. It more reflects, yes, the nature of the people that we
 22 have worked with, so our partnerships being with longer
 23 term prisoners who normally take longer to progress
 24 through the estate.
 25 Q. So in 2019, it's actually a relatively small cohort --

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1 A. It is.
 2 Q. -- of ex-prisoners who are in the community, but your
 3 estimate is about 20?
 4 A. Yes.
 5 Q. Can you help with how many of those you had worked with
 6 in Whitemoor?
 7 A. Just Usman.
 8 Q. So the only ex-prisoner with whom you had worked in 2019
 9 in the community from Whitemoor was Khan?
 10 A. Yes, so we had other students who had taken our courses
 11 in other facilities who we had met in research
 12 capacities in Whitemoor, but Usman was the only student
 13 who had taken a Learning Together course in Whitemoor
 14 who was now in the community.
 15 Q. Of those 20, had any others been convicted of terrorist
 16 offences, TACT offences?
 17 A. Who are released?
 18 Q. Of those who had been released?
 19 A. No. Not to my knowledge, and it's important to say that
 20 I don't systematically know the details of everybody's
 21 conviction, but to my knowledge, no.
 22 Q. You would probably remember that, wouldn't you, given
 23 what's happened?
 24 A. I probably would.
 25 Q. Yes, so we can probably conclude, can't we, that Khan

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1 was the only, in 2019, the only TACT offender?
 2 A. In the community, though; in prison we were working with
 3 other people who were convicted of TACT convictions,
 4 yes.
 5 Q. How many were you working with in prison?
 6 A. Maybe three or four to my knowledge.
 7 Q. In addition to Khan?
 8 A. Including him, probably.
 9 Q. Right. So two or three more?
 10 A. Yes.
 11 Q. And that's in the whole lifetime of Learning Together?
 12 A. No, that's in, when I'm sort of -- my mental map is in
 13 2019 that I can think of. I would need to go and look
 14 at that more, but there are not that many people
 15 convicted of TACT offences as a whole, but there were
 16 certainly more than Usman that we were working with in
 17 Whitemoor.
 18 JUDGE LUCRAFT: Just so I've got the figures right,
 19 Mr Pitchers, I'm sorry to interrupt. You've told us
 20 that there are about 20 in the cohort of former
 21 prisoners, and I think Mr Pitchers' question really
 22 related to how many of those were TACT offenders, of
 23 which we think Khan was the only one.
 24 A. That's right.
 25 JUDGE LUCRAFT: But there were two or three other TACT

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1 offenders that were attending Learning Together courses
 2 whilst in custody?
 3 A. That's right.
 4 JUDGE LUCRAFT: Thank you.
 5 MR PITCHERS: Can I just move on just to ask you some
 6 questions about risk assessment and risk management.
 7 A. Yes.
 8 Q. And, to be clear, I understand your evidence to be clear
 9 to this extent: that in terms of offender management,
 10 risks arising from association with the ex-prisoners
 11 themselves, that was something that you felt was
 12 entirely the responsibility of others?
 13 A. Entirely -- the responsibility of others, yes, to know
 14 offence-related risks and to be the leaders in how those
 15 things are managed, yes.
 16 Q. Yes. So that would be principally prison and probation,
 17 and perhaps police?
 18 A. Yes, in the case of MAPPA.
 19 Q. So, in a sense, it was never an aspect of risk
 20 assessment that you would have ever considered, or did
 21 ever consider?
 22 A. I considered the fact that there might be risks through
 23 offences, but that the safeguard, the way to manage
 24 those risks was through those colleagues doing their
 25 work.

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1 Q. And as I understand it, your rationale is that you saw
 2 yourself as educators?
 3 A. Yes.
 4 Q. And that's the distinction you would draw between
 5 yourself and your colleagues in offender management?
 6 A. Yes, and the fact that I have no qualifications -- it's
 7 not my profession to assess and manage offence-related
 8 risks; I'm an academic.
 9 Q. But do you accept that you had responsibilities as
 10 an employer?
 11 A. I'm not an employer.
 12 Q. Well, you were in the management structure within
 13 Cambridge University that employed people who worked in
 14 Learning Together?
 15 A. So they were employed by the Institute of Criminology --
 16 Q. Yes, but you managed it.
 17 A. -- and I was a fellow employee, and I was a line
 18 manager, I was Jack's and others' line manager, that's
 19 right.
 20 Q. Did you not consider in that position, as an employer,
 21 a corporate employer, there was a responsibility to
 22 assess risk in relation to interactions with offenders?
 23 A. Yes, so it was absolutely important to me that staff,
 24 students were safe, yes.
 25 Q. And, of course, there's a specific duty, isn't there, on

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1 employers to carry out risk assessments?
 2 A. So I'm going to just reiterate, I'm not an employer.
 3 Q. No, but you were in the management structure.
 4 A. So I was -- I'm a line manager.
 5 Q. Yes.
 6 A. Above me are many other people, including the director
 7 of the Institute.
 8 Q. But you were at the senior level within
 9 Learning Together, weren't you?
 10 A. Yes.
 11 Q. And did you not acknowledge that there was any
 12 obligation as an employer for there to be risk
 13 assessments carried out, whether or not you did it
 14 yourself?
 15 A. So there are absolutely responsibilities, and I felt
 16 that I discharged all of those responsibilities by
 17 following all of the guidance and policies that I was
 18 aware of at the Institute, and that didn't include
 19 a risk assessment for running a conference.
 20 Q. So your response is there were no guidelines internally
 21 that told you needed to do a risk assessment in relation
 22 to, let's say, the event at Fishmongers' Hall, and
 23 that's why you didn't do it?
 24 A. Yes, and because substantively I was satisfied that we
 25 were managing risks. So irrespective of whether there

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1 was a form, I was satisfied that MAPPA, in Usman's case,
 2 had been consulted, and so I was discharging my
 3 responsibilities to make sure it was a safe event.
 4 Q. You said a form, and you've used language earlier, you
 5 talked about a piece of paper when you were asked about
 6 a risk assessment, and I think you gave us one of the
 7 reasons for doing a risk assessment, you said "from
 8 a defensibility perspective". Does that reveal
 9 something about your attitude to risk assessment?
 10 A. I think it suggests that I take it very seriously.
 11 I take the substance of managing risk and making sure
 12 that the right risks are identified, I take that really
 13 seriously, and I care very much that the substance of
 14 what's needed is done, that there is a piece of paper
 15 that supports -- that demonstrates that the right things
 16 were thought about and the right steps were taken.
 17 I can see that that is helpful, and in future I will be
 18 filling out a piece of paper, because the
 19 Institute of Criminology have now brought that form and
 20 procedure in place.
 21 Q. It's important though, isn't it, that it's not just
 22 filling out a piece of paper; it's following a process
 23 of identifying risks and considering the severity of the
 24 harm that might be suffered, and then considering
 25 control measures? It's not just a form-filling

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1 exercise, is it?
 2 A. It is following a process that didn't exist at the time
 3 of the event, but if I go back now and think about the
 4 process that would have been followed had that been in
 5 place, I feel confident that substantively what we would
 6 have done, we did.
 7 Q. Do you accept that as an organiser of a community event,
 8 such as that which was held at Fishmongers' Hall, you
 9 also had an obligation to ensure there was proper risk
 10 assessment done?
 11 A. I had an obligation to make sure that it was safe, as
 12 I do when I organise any academic conference, and
 13 I followed the same process as I have done on countless
 14 occasions for the tens of events that I've organised.
 15 I followed all of the norms, the processes that were in
 16 place, in my employing organisation.
 17 Q. But you accept in principle, I think, then, that you're
 18 not just an educator, you are a part of the management
 19 structure of an employer, and you are also organisers of
 20 this event. That's a proper way of characterising your
 21 involvement?
 22 A. I would characterise myself as an academic who is
 23 employed by the University of Cambridge who organised
 24 the event and who absolutely cares deeply about the
 25 safety of everybody attending that event, and to that

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1 end, followed all of the guidance and processes that
 2 were in place.
 3 Q. Is it correct that -- and again I'm talking about prior
 4 to the attack at Fishmongers' Hall -- that you didn't
 5 generally, with your staff, discuss the offending
 6 history of the prisoners with whom you were working?
 7 A. So it's true that our focus was on education, and we
 8 weren't routinely privy to that information, so it
 9 wasn't discussed because in that sense it wasn't
 10 routinely known to us. It wasn't off the table, it
 11 would be discussed to the extent that it was relevant to
 12 our work, and because our work was
 13 educationally-focused, and because we were working with
 14 our colleagues in HMPPS it wasn't often relevant.
 15 Q. So you wouldn't discuss it because you didn't consider
 16 it to be of any relevance to what you were doing?
 17 A. In some cases it might be relevant, and then it would be
 18 discussed. It wasn't that it is off the table; it's
 19 that we weren't the holders of that -- that wasn't our
 20 focus and we weren't the holders of that information.
 21 Q. But you could easily have found out, couldn't you?
 22 A. In what way?
 23 Q. Could you not have asked and found out about the
 24 offending history of...
 25 A. If it had been relevant to --

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1 Q. How do you judge whether it's relevant without
 2 knowing --
 3 A. Sorry.
 4 Q. -- how do you judge relevance without knowing what the
 5 offending was?
 6 A. So relevance in terms of risk assessment happens through
 7 our HMPPS colleagues. Offending is not the only factor
 8 that is relevant to risk. That's a static factor.
 9 There would be other relevant factors which would
 10 feature in somebody's considerations in making that
 11 assessment. So it's not clear to me why, in what
 12 context -- we just simply don't routinely discuss those
 13 things because --
 14 Q. Can you think of examples of when it would be relevant
 15 to know about an offending history?
 16 A. So HMPPS colleagues might bring it to our attention in
 17 specific examples. The team occasionally would become
 18 aware of it through press coverage or things like that.
 19 It's not that it was taken off the table; it's just that
 20 it was only relevant as mediated by what was disclosed
 21 to us by HMPPS.
 22 Q. Am I correct that you could, if you felt it to be
 23 relevant -- you may not have done -- you could have
 24 sought out that information and it would have been
 25 provided to you?

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1 A. I could have asked, but it's -- but the expectation
 2 I would have of my colleagues is that they would ask me
 3 why am I asking, because that's sensitive information
 4 that they could only disclose where it was really
 5 relevant and appropriate for me to have that
 6 information.
 7 Q. Were you aware that Simon Larmour had to use an internet
 8 search engine to find out about Khan's offending
 9 history?
 10 A. I don't think I was aware of that at that time. Some
 11 people do Google people they know and find out
 12 information about their offences.
 13 Q. So would you accept that there was, perhaps, a culture
 14 where he might have felt that he wasn't able to raise it
 15 and discuss it openly with other staff members?
 16 A. No. I would characterise the culture of our staff team
 17 as open, transparent. Ruth and I have open doors, we
 18 had staff meetings every Friday, we were in constant
 19 dialogue with our very small team.
 20 Q. Just, if I can, just to ask you about some of the
 21 differences of working with terrorist offenders.
 22 I think you acknowledge that they present different
 23 challenges and can pose different risks to other
 24 offenders?
 25 A. I think they can do, yes.

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1 Q. Could you just outline what differences there might be?
 2 A. So I think their risks of harm might manifest
 3 differently. I think I'm not an expert in understanding
 4 terrorist offending, but I can imagine that some of
 5 their risks are around influence, they are around, you
 6 know, radicalisation, promoting those beliefs.
 7 Q. And there's a difference, isn't there, in terms of their
 8 motivation for their offending. Of course these are
 9 generalisations, but it's likely to be driven by
 10 a rather warped ideology, isn't it?
 11 A. Yes.
 12 Q. That's the nature of terrorism?
 13 A. Yes.
 14 Q. So it's not -- other offenders might be motivated by
 15 material gain or affected by alcohol and substance
 16 issues; those are not the sort of features one generally
 17 sees in the motivation for terrorist offenders?
 18 A. I think it can be all of those things. I've known
 19 people convicted terrorist offences who might also be
 20 motivated by the things that you later mention.
 21 Q. And again, obviously, the sort of harm that a terrorist
 22 can cause if they are not stopped in their preparations
 23 really are the most severe number of casualties to the
 24 general public?
 25 A. So certainly within the wide spectrum of offences that

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1 are covered by the terrorism legislation, there is the
 2 possibility for, exactly as you say, that their actions
 3 might cause significant harm.
 4 Q. And the focus of that offending might well be of a mass
 5 gathering, a group event?
 6 A. That may or may not be true.
 7 Q. Would you accept with terrorist offenders again that
 8 those involved in working with them have to be very
 9 astute not to be conned, which is an expression that
 10 we've heard earlier.
 11 A. There are -- so HMPPS training covers conditioning,
 12 manipulation, and certainly that's a risk that we're
 13 alive to. In that training I don't remember any
 14 differentiation based on offence type, but it is a well
 15 known general factor that needs to be considered when
 16 you're working with people who are serving prison
 17 sentences.
 18 Q. In terms of enrolment onto the Learning Together course,
 19 you have been clear to explain, if you like, the
 20 responsibility on the prison staff to vet, to do the
 21 security checks before deciding whether or not someone
 22 was suitable to join the course.
 23 A. Yes.
 24 Q. Was that understanding about respective responsibilities
 25 documented?

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1 A. No, and that's an area that I've mentioned, I think in
 2 response to Mr Hough's question, around the memorandum
 3 of understanding, and you see it beginning to be
 4 elaborated in our safeguarding policy draft, where we're
 5 incorporating references to PSOs and PSIs so that we are
 6 getting there a more explicit statement of where those
 7 different responsibilities lie.
 8 Q. Are you aware whether or not your prison colleagues knew
 9 that when they put someone forward for the course that
 10 that might be an involvement that continued after
 11 release into the community?
 12 A. Yes, they were clear about that.
 13 Q. So from your perspective, those involved with managing
 14 Khan at the point when he was enrolled onto your course,
 15 would have known that he was, if he stuck with the
 16 course, would continue to work with you after he was
 17 released from prison?
 18 A. So my understanding is that they are assessing risk for
 19 those specific activities, because they would do the
 20 risk assessment for each and every activity within the
 21 prison. But the broader, agreed, understood backdrop to
 22 our work was a commitment to continuing with people
 23 through the prison estate and into the community, and
 24 I think that was in fact one of the factors of our work
 25 that saw it being highlighted as an example of good

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1 practice by HMPPS.
 2 Q. Something I just want to be clear about: I presume that
 3 since the attack and obviously in preparation for today,
 4 you've been able to learn a deal more about Khan's
 5 history?
 6 A. Yes.
 7 Q. Including his offending history?
 8 A. Yes.
 9 Q. Knowing what you now know, is it your view that he
 10 should never have been enrolled onto the course?
 11 A. No, that's not my view.
 12 Q. So your view is that it was right to enrol him onto the
 13 course?
 14 A. I think I feel confident in the assessments that were
 15 made by my colleagues at Whitemoor that it was possible
 16 for Usman to engage safely in those educational
 17 activities in Whitemoor as he, in fact, did. It's
 18 a separate matter about the risk assessment process in
 19 the community for him to attend the Fishmongers' Hall
 20 event.
 21 Q. Yes. And again — and this is openly with the benefit
 22 of hindsight I'm asking these questions.
 23 A. Yes.
 24 Q. Knowing what you now know about his offending history,
 25 some of the intelligence that was available, his conduct

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1 in prison, if you had known that then, would you have
 2 managed him differently after his release from prison?
 3 A. No. I think I would have probably wanted to work even
 4 more closely with MAPPA. I think I would have wanted to
 5 understand a bit more about the MAPPA process and the
 6 different stakeholders involved. I think I would like
 7 to strengthen probation's awareness of Learning Together
 8 and the work that we do in prisons and then moving into
 9 the community, because I can see that them having
 10 a greater understanding of what we do and how we do it
 11 would be helpful, and also so that there's a moment in
 12 time where they can make sure that they're sharing with
 13 us explicitly any information that we need to know.
 14 Q. Just pause there. So what is it you think they could
 15 better have understood about Learning Together and the
 16 way that you worked?
 17 A. So awareness. I think not all probation officers will
 18 know that we do this work with people in prison.
 19 I think not all probation officers would understand our
 20 motivations, for example.
 21 Q. But we're talking specifically about Khan now.
 22 A. Right.
 23 Q. So those who were involved in his management at the
 24 probation end, do you think they needed to have a better
 25 understanding?

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1 A. No, I think in Usman's case it was quite good because
 2 Jo Boulton made the introduction before Usman left
 3 custody, Kenneth had the opportunity to ask questions,
 4 so that line of communication felt fairly good.
 5 Q. So is it likely — again, this is knowing what you now
 6 know — that Khan would still have been invited to the
 7 event on 29 November?
 8 A. I think he still would have been invited, yes.
 9 Q. And there would have been no different arrangements made
 10 in terms of security on the day?
 11 A. No, unless MAPPA had suggested it. So if MAPPA had come
 12 to a different view, that he either wasn't safe to
 13 attend or they recommended or had questions for us about
 14 those things. I slightly regret that they didn't ask us
 15 more questions about the nature of the event, and
 16 perhaps the security arrangements that were in place,
 17 I think that could have been a helpful conversation.
 18 Q. What is the information you think that they could
 19 usefully have asked that might have —
 20 A. I think just a bit more detail.
 21 Q. What sort of detail?
 22 A. So, you know, exactly where it is, which rooms we might
 23 be using, what were the standard processes for getting
 24 into the building, if those things were considered
 25 relevant to them. So I think what I'm saying is that

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1 stronger and closer partnership working probably is the
 2 most helpful.
 3 Q. In terms of your, or Learning Together's involvement
 4 with Khan after he was released, we've — you've been
 5 taken to some text messages.
 6 A. Yes.
 7 Q. And we've heard that you yourself met with him in person
 8 at an event, in fact, back at Whitemoor, wasn't it, in
 9 June?
 10 A. Yes.
 11 Q. And that you didn't see him person again until the day
 12 of the attack?
 13 A. That's right.
 14 Q. But am I right that between those things also you had
 15 telephone conversations with him along the way?
 16 A. Yes, intermittently.
 17 Q. Would it be fair to say that Lisa Ghiggini was the
 18 person who had the most regular contact with him, in the
 19 11 months of him being —
 20 A. I think that's right, on the phone, yes.
 21 Q. And you also became involved in trying to help him
 22 secure employment?
 23 A. Yes. So if you're referring to the Timpson's example in
 24 particular —
 25 Q. Yes.

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1 A. — Kenneth shared with us some of the challenges he was
 2 having in not getting employment, and he found it
 3 helpful for me to reach out to Timpson's.
 4 Q. And, again, there's an enormous amount of documentation
 5 in this case, but it seems clear there's a lot of
 6 communication between Learning Together and the
 7 probation and the Staffordshire Prevent officers who
 8 were involved in managing Khan over the course of the
 9 11 months before the attack?
 10 A. Yes, I think principally it's with Kenneth.
 11 Q. But would you agree with me, there's a lot of this
 12 regular communication, two-way?
 13 A. Yes, two-way — and some of it on the phone and some of
 14 it on email.
 15 Q. And would you accept in that sense that
 16 Learning Together was really, in practice was quite
 17 central to the way that Khan was managed after he was
 18 released from prison?
 19 A. No, I don't think it was central to how he was managed,
 20 I think MAPPA was central to how he was managed.
 21 I think we were one of the fairly few opportunities in
 22 Usman's life for prosocial connection and personal
 23 development, and Kenneth had taken the view that we were
 24 a very protective factor for Usman, so was encouraging
 25 of that connection.

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1 Q. And as we've heard, he was provided with a Chromebook
 2 for him, and was that loaded up with some work that he
 3 could be getting on with?
 4 A. So it was some preapproved course materials, educational
 5 course materials, and particularly with the facility to
 6 be able to type, because Kenneth was keen to support his
 7 creative writing, which he had started in custody with
 8 us and other people.
 9 Q. Is it right that he didn't actually make, in the end,
 10 much use of that Chromebook?
 11 A. I don't know that myself.
 12 Q. Right. But you've got no knowledge that runs contrary
 13 to that suggestion, so you're not aware of him doing any
 14 significant work on that Chromebook after he was
 15 provided with it?
 16 A. I just can't comment, I am afraid. I don't know.
 17 Q. Okay. And would you accept that this level of
 18 involvement, becoming actively involved in trying to
 19 find work for Khan, did rather take you outside the
 20 realm of simply being an educator and into the role of
 21 rehabilitation?
 22 A. No. I think consistent with what I've said previously,
 23 many of my students look to me for support around
 24 employment. In Saskia's case, for example, we referred
 25 her to bounce back, which was an organisation that had

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1 a work opportunity, so this is very routinely what
 2 academics do when they have good employment
 3 opportunities or other opportunities that come their
 4 way, we pass them on and offer what support we can, and
 5 in Usman's particular case, because we were working
 6 closely with Kenneth, that was the appropriate
 7 connection that was made.
 8 Q. Were you aware directly or indirectly at any time prior
 9 to the attack of the report of Dr Cechaviciute?
 10 A. I'm — no. What is that report, sorry, just before —
 11 Q. So this is a report by — are you not aware of it now?
 12 A. Can you just — what's the name of the report?
 13 Q. It may be my mispronunciation, I think I did quite a
 14 good job, actually. Dr Cechaviciute, she is a forensic
 15 and chartered psychologist.
 16 A. Is that the ERG?
 17 Q. Employed by the prison, she assessed Khan in early 2018.
 18 A. Is that the ERG?
 19 MR HOUGH: It is the ERG for April 2018.
 20 A. Thank you, that is helpful.
 21 Yes, I am aware that that happened now, that's
 22 absolutely —
 23 MR PITCHERS: You had no direct or indirect awareness of
 24 that at any point prior to the attack?
 25 A. Absolutely not, no.

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1 Q. Would you have any direct or indirect awareness of the
 2 Oasis risk assessment (inaudible)?
 3 A. Absolutely not.
 4 Q. Were you aware that he was assessed at being at very
 5 high risk to the general public?
 6 A. No.
 7 Q. Would that have been your assumption, though, given his
 8 offending, given that he was being released from
 9 Whitemoor?
 10 A. No, I'm really reluctant to assume too much. I'm not
 11 a psychologist by background.
 12 Q. I'm not asking whether you agree with that assessment,
 13 I'm asking whether —
 14 JUDGE LUCRAFT: It's awareness of it, I think, is your
 15 point.
 16 MR PITCHERS: Sorry?
 17 JUDGE LUCRAFT: It is awareness.
 18 MR PITCHERS: It is awareness, yes.
 19 A. Would I have been aware that he might be a very high
 20 risk to the public?
 21 Q. Well, we all know that he had been assessed as very high
 22 risk to the general public.
 23 A. Yes.
 24 Q. I'm not saying that was your assessment —
 25 A. No.

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1 Q. -- but that was the assessment that was done prior to
2 his release?
3 A. Yes.
4 Q. Were you aware of that at any point prior to the attack?
5 A. No.
6 Q. Did you have -- did you believe it to be a different
7 level of risk assessment?
8 A. No, I wasn't aware of any risk assessments completed by
9 HMPPS about Usman.
10 Q. So you had literally no idea what level of risk he had
11 been assessed at?
12 A. No.
13 Q. And you didn't ask?
14 A. No. And the reason for not asking, to be clear, is that
15 we were trusting them to be holders of that information
16 and to apply it to the specific activity that we were
17 asking for Usman to attend.
18 Q. We've heard a little about an event in March of 2019, so
19 this is of course obviously after Khan had been released
20 from prison, this was an event in Cambridge, I believe?
21 A. Is this the Madingley Hall event?
22 Q. The Madingley Hall event, yes. Now, it would seem to me
23 that Khan was invited on 11 January 2019, I can call up
24 the document if needed.
25 A. I'm happy to take your steer.

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1 Q. Thank you. So the invite went to him a few weeks after
2 he had being released from Whitemoor?
3 A. Mm--hm.
4 Q. Did that not seem rather early to be inviting him to
5 an in-person event?
6 A. So I think I take the view that it's better to give that
7 invitation, let it be considered by MAPPA and declined
8 than not give it. There are a few reasons for that, but
9 one is about the cultivation of hope and possibility, so
10 that even if that person on the first occasion isn't
11 permitted to attend, they understand that there are
12 opportunities there once they're permitted to step into
13 them. When you're released from prison, you're not
14 generally awash with hope and possibility, and we know
15 from research that that's really important to supporting
16 processes of moving away from crime.
17 Q. This was an event, I believe, that two MPs were also
18 invited to?
19 A. I think one, perhaps.
20 Q. Two were mentioned, but there was only one invited, so
21 I think Daniel Zeichner MP, was invited?
22 A. Yes. Yes, our local MP who had previously been into
23 Whitemoor with us. He's very supportive.
24 Q. Did an invitation go to the Lord Chancellor, David
25 Gauke?

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1 A. I don't remember on that occasion. Certainly we have
2 invited the Lord Chancellor to things previously.
3 Q. He was certainly mooted as somebody who might be
4 invited?
5 A. Right.
6 Q. Does that accord with your recollections?
7 A. It sounds plausible to me because we have invited him to
8 lots of things.
9 Q. Again, does that seem appropriate to invite the
10 Lord Chancellor, at least one MP, to this event, and
11 also to invite Khan who is really days out of a maximum
12 security prison, a TACT offender? Do you consider that
13 to be an appropriate invitation list?
14 A. I do, very much so, so long as the person who is under
15 criminal justice supervision is there with appropriate
16 consents. I think there is a lot to be gained by people
17 with criminal convictions, lived experience of the
18 criminal justice system, coming together with people who
19 are making really important decisions about the policies
20 and practices that govern that person's future.
21 Q. And again, the risks associated: just not your concern,
22 entirely the matter for probation to decide?
23 A. So the risks about the event, again, are
24 responsibilities that I have, but the decision about
25 whether somebody with a criminal conviction can attend

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1 the event are a matter for the people with the
2 information and expertise to make that assessment.
3 Q. Was Mr Skelton, who was the probation officer who was
4 primarily managing Khan at the time, was he made aware
5 that MPs were being invited?
6 A. So I don't recall -- I don't think I was managing that,
7 but perhaps you could clarify that for me, Mr Pitchers.
8 My memory is that Ruth was liaising with Kenneth about
9 that because she was leading the community aspects of
10 our work at the time.
11 Q. Could we have up, please, {DC6384/145}.
12 I think the answer might be no.
13 JUDGE LUCRAFT: We probably can, it's whether it's the right
14 reference.
15 MR PITCHERS: Sir, my reference is {DC6384/145}.
16 I hope it's the right one after this wave.
17 MR HOUGH: If it's convenient to Mr Pitchers, we could take
18 our mid-afternoon break and the reference will be found
19 for him if the technology at all permits it.
20 JUDGE LUCRAFT: Shall we do that, Mr Pitchers?
21 MR PITCHERS: Yes.
22 JUDGE LUCRAFT: We'll take our break there, everyone. Thank
23 you.
24 (In the absence of the jury)
25 JUDGE LUCRAFT: The only thing I was going to say,

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1 Mr Pitchers, you've been very much in the limelight, or
 2 the sunlight, I should say, which is fantastic in
 3 a sense, the spotlight is on you, but on a serious note,
 4 if it's distracting to you, please do feel free in this
 5 gap to change places.
 6 MR PITCHERS: Thank you.
 7 JUDGE LUCRAFT: I'm sure that won't pose a problem, but I'm
 8 just conscious to some extent probably the timing is
 9 right, as you say, you are there. But equally, if it's
 10 distracting you, please don't ...
 11 MR PITCHERS: Thank you.
 12 JUDGE LUCRAFT: I'll rise.
 13 (3.12 pm)
 14 (A short break)
 15 (3.28 pm)
 16 (In the presence of the jury)
 17 JUDGE LUCRAFT: Thank you, Mr Pitchers. I hope we have
 18 found the reference or we have found the document you
 19 were looking for.
 20 MR PITCHERS: Yes, {DC6384/145}. That is it.
 21 Dr Ludlow, it's slightly complicated as we're
 22 dealing with an email thread where there have been
 23 comments interposed in response to various questions.
 24 I'm not sure if you have seen this email thread
 25 recently.

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1 A. It's not uppermost in my mind, but I've probably seen it
 2 sufficiently to be able to talk about it.
 3 Q. If we go up one page, please, to {DC6384/144} it might
 4 help to set the context. So it would seem to be
 5 an email from Dr Armstrong to you, and then we can see
 6 that she has written in a black font and she,
 7 as I interpret it, she responded to various questions
 8 that had been raised by a Clare Gordon. Do you know who
 9 Clare Gordon is?
 10 A. She works for the university's development office.
 11 Q. Right.
 12 A. And for context we were working with CUDAR, the
 13 development office, in setting up this event.
 14 Q. So this would be an email thread relating to the
 15 arrangements for the March 2019 event?
 16 A. Yes.
 17 Q. That we were talking about before we took the break?
 18 A. Yes.
 19 Q. And then if you please go back down the page to
 20 {DC6384/145} and look at the top. In blue, as
 21 I interpret it, are the queries that Clare Gordon had
 22 raised, and the first one related to an exact list of
 23 invites that had been sent out, and what Dr Armstrong
 24 replied to you is:
 25 "As per the document in the file under

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1 stewardship -- the one they have seen. Also send to
 2 Heidi Allen ..."
 3 And that's an MP?
 4 A. An MP.
 5 Q. "... and Daniel Zeichner..."
 6 Also an MP that (overspeaking) --
 7 A. That's right.
 8 JUDGE LUCRAFT: Both with seats, I think, in Cambridgeshire.
 9 A. Yes, that's right.
 10 MR PITCHERS: There's a typo here:
 11 "They may not be the n there because removed them to
 12 send to probation for Usman ... but they were on when
 13 cuidar saw list ..."
 14 JUDGE LUCRAFT: "They may not be in there", I think it's
 15 supposed to be.
 16 MR PITCHERS: Sorry?
 17 JUDGE LUCRAFT: "They may not be in there".
 18 MR PITCHERS: "They may not be in there".
 19 Can you help us with this, because you can see on
 20 one reading that suggests that probation was sent, if
 21 you like, a list which had had some of the names removed
 22 from it, which had had the MP's name removed from it
 23 when corresponding with the Probation Service?
 24 A. So I haven't written this but obviously I've received
 25 it, so I can speak to how I have understood it, which is

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1 that it would be unfeasible to me that we would remove
 2 them for any misleading purpose to send the list to
 3 Kenneth, so my reading of this is not anything untoward,
 4 but I didn't write it. I don't particularly remember
 5 this as being an issue. Our consistent practice is full
 6 transparency with probation.
 7 Q. Of course I'm even less well placed to understand it,
 8 but do you agree with me that it would appear that there
 9 was originally a list which had the two MPs on it, and
 10 their names were then removed, and the revised list was
 11 then sent to Mr Skelton?
 12 A. That could be one reading of it, but that would be
 13 contrary to my expectations of having worked with Ruth
 14 over the last five years on this closely. That's just
 15 simply not our practice.
 16 Q. Can you think of -- I'm giving the opportunity to
 17 explain an alternative to that?
 18 A. I can't come up with a hypothetical other explanation,
 19 but -- and I'm sure you'll ask Ruth questions about this
 20 tomorrow, but what I can say is that that suggestion
 21 would be completely inconsistent with how we work, and
 22 what I would expect to have happened.
 23 Q. There wasn't a concern that perhaps Mr Skelton would be
 24 reluctant to let Khan attend if he knew that there were
 25 MPs who were going to be present?

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1 A. No, I think as you highlighted earlier , it was very
 2 early days for Usman to have been released for custody,
 3 so the more likely reason for him not to be granted
 4 permission would be exactly that, that he has only just
 5 been released from custody and it was early days and he
 6 was settling in.
 7 Q. So as we know, he wasn't permitted to attend?
 8 A. Yes.
 9 Q. But it's clear that you were very keen to get some sort
 10 of public input from him for this event?
 11 A. I wouldn't describe it as public input because it was a
 12 very small, private event, but certainly we were keen to
 13 enable him to contribute to the event if he had the
 14 support to do so, yes.
 15 Q. But you were keen that he, if you like , addressed the
 16 event, albeit through a video being played?
 17 A. Yes, to share his experiences, yes.
 18 Q. And that obviously required a trip to go and take that
 19 video?
 20 A. Yes.
 21 Q. We can get the invite list up, but can you help me with
 22 this: on my reading of it, of the list of speakers,
 23 there were two ex-prisoners, and one of them actually
 24 was Khan having his video played; does that accord with
 25 your recollection ?

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1 A. I think there might have been a few others there.
 2 Q. But who actually addressed the gathering?
 3 A. Probably -- there were a small number, if that's the
 4 main thrust of what you're suggesting, there were
 5 certainly a small number of people with criminal
 6 convictions addressing the event.
 7 Q. Well, I'm suggesting to you that on the list that's
 8 available that's been provided for the purposes of this
 9 Inquest, that it was Khan's video and then Marc Conway,
 10 who we've obviously heard a great deal from in terms of
 11 his involvement --
 12 A. And I think we had another student there who was giving
 13 a musical performance who had a criminal conviction.
 14 Q. They did a musical performance?
 15 A. Yes.
 16 Q. But in terms of a verbal address to the gathering, just
 17 a video from Khan, and then Marc Conway in person?
 18 A. That sounds right.
 19 Q. Again, that, I would suggest to you, would indicate that
 20 you -- you know, he was very central to your
 21 presentation at this event, Khan's input was important
 22 to your presentation at this event?
 23 A. It was certainly an experience that we thought it
 24 worthwhile to -- meaningful to share. We were -- he had
 25 supported a nomination for the Robin Corbett award, and

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1 so we were aware that he had had a positive experience
 2 and would probably appreciate the opportunity to share
 3 that.
 4 Q. Were you particularly keen for him to be, if you like ,
 5 presented as a success story at this event?
 6 A. No, I don't think we were presenting him as a success
 7 story, I think we were presenting him as somebody we'd
 8 worked with and had benefited from it. He certainly
 9 wasn't sort of being positioned as a poster boy, if
 10 that's what you might be suggesting.
 11 Q. That actually was what I was about to suggest to you:
 12 that it's almost as if he was a -- you saw him as
 13 a poster boy for your programme, perhaps particularly
 14 because he had a TACT background?
 15 A. No.
 16 Q. It was demonstrating that your programme was now working
 17 with terrorist offenders?
 18 A. No, certainly not, and the focus of the interview, the
 19 video that he gave, was not on his offending; it was on
 20 his experiences with the programme, and we were very
 21 clear about that in the discussions with Kenneth also,
 22 in seeking MAPPA approval.
 23 It is right that there were other people at the
 24 event who knew Whitemoor, so the governor of Whitemoor
 25 was also at that event, and that was, you know,

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1 a positive opportunity to have words from Usman shared
 2 in the presence of somebody who had run the prison where
 3 he had been residing.
 4 Q. Presumably there would have been around 18 others who
 5 could have -- from the community who you could have
 6 asked to come and speak?
 7 A. Yes, that's right.
 8 Q. But it was Khan and Marc Conway that you chose?
 9 A. For that particular event, yes.
 10 Q. Moving forward, you were asked about the reports that
 11 you had from Mr Skelton about how Khan was presenting in
 12 the community?
 13 A. Yes.
 14 Q. Prior to the attack.
 15 A. Yes.
 16 Q. And you put it this way: that they were very rosy
 17 reports?
 18 A. Yes, so they were -- I mean, that's rather colloquial,
 19 but yes, they were positive, they were underscoring
 20 Usman's generally positive experiences and engagement
 21 with him.
 22 Q. But if we look at the weeks leading up to the event
 23 itself --
 24 A. Yes.
 25 Q. -- that's, you know, October, November 2019, isn't it

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1 right that there were concerns being discussed about how
 2 Khan was getting on?
 3 A. So Kenneth had shared some low-level concern that
 4 Usman's mood had slightly become lower, he wasn't going
 5 to the gym perhaps as much as he was, and that he was
 6 struggling to get work, but none of that concern was
 7 expressed in alarming terms; it was expressed in a way
 8 that people when they are released from prison go
 9 through lots of ups and downs and this was, you know,
 10 a little down, but nothing that was -- nothing untoward
 11 was communicated about that.
 12 Q. But it was worthy of comment, it was worthy of
 13 communicating to you, wasn't it, obviously?
 14 A. Yes. Yes. Though in my mind, and I think I mentioned
 15 earlier, the correspondence in response to the Timpson's
 16 email, so the email from Kenneth on the 28th, so the day
 17 before the event, is very upbeat in tone. It doesn't
 18 dwell on those struggles. It emphasises a lot of very
 19 positive engagement and potential.
 20 Q. That's the day before?
 21 A. The day before the event.
 22 Q. But in the weeks prior to that, is it right that
 23 Mr Skelton had referenced that Khan was becoming
 24 a little isolated?
 25 A. Yes, he'd said that he wasn't going to the gym as much

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1 and was sort of staying at home more.
 2 Q. Well, no, but that he was a little isolated?
 3 A. I don't remember if those were the words that he used.
 4 I think he phoned me and had that conversation.
 5 Q. And was concerned about -- Mr Skelton was concerned that
 6 he had been unsuccessful in securing any employment?
 7 A. Yes, that Usman had had lots of knock-backs from jobs.
 8 Q. And as I understand Lisa Ghiggini's evidence, from her
 9 witness statements, we will be hearing from her,
 10 I think, tomorrow, is that you asked her a few days
 11 before the event to call Khan to ask him to write
 12 something for the event?
 13 A. So that's not my memory, my memory is that on the back
 14 of Kenneth and my discussions, Kenneth and I had had
 15 a conversation, a prior conversation, about how we might
 16 offer some positive way of him being present at the
 17 event, so to have a piece of poetry displayed could be
 18 a good talking point, and to write a blog afterwards
 19 might be a positive focus during the event, and I think
 20 then I communicated that to Lisa and then Lisa engaged
 21 with Usman, so I want to be clear that that sort of was
 22 discussed and agreed on with Kenneth before Lisa
 23 implemented that decision.
 24 Q. Wasn't it expressed to Lisa that the reason for it was
 25 that Mr Skelton was worried about Khan being depressed?

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1 A. No.
 2 Q. That's not your recollection?
 3 A. No. My recollection from my conversation with Kenneth
 4 is that he had -- Usman had shared with me some anxiety
 5 about coming to London for the first time in a while,
 6 the travel arrangements, and that it could be good for
 7 him to have something positive to focus on before the
 8 event to show at the event so that it was a talking
 9 point, and then to sustain the positives of that event
 10 afterwards through the blog.
 11 Q. We've heard from Simon Larmour about a conversation he
 12 had in the week or so before the Fishmongers' Hall
 13 event, where he found Khan to be very different -- not
 14 to be very talkative, to want to get off the phone.
 15 Were you aware about that at the time?
 16 A. No, I don't remember him sharing those reflections with
 17 me.
 18 Q. And did Lisa Ghiggini report those -- that in to you at
 19 all?
 20 A. No.
 21 Q. But, just so we're clear, in October/November 2019, you
 22 were aware that he had been unsuccessful in finding any
 23 employment?
 24 A. Yes.
 25 Q. Despite lots of attempts to do so?

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1 A. Yes.
 2 Q. Were you aware that the mentoring had stopped as well,
 3 there was no active mentoring going on?
 4 A. No, I wasn't aware --
 5 Q. You didn't know.
 6 A. -- of the detail of the mentoring arrangements, no.
 7 Q. Were you aware that he had been upset, apparently, by
 8 an unannounced visit by the police to go and --
 9 A. No, I was not aware of that.
 10 Q. You weren't aware of that?
 11 A. No.
 12 Q. Were you aware that he seemed to be spending most of his
 13 time in his flat, presumed to be playing on an Xbox?
 14 A. No.
 15 Q. Would you have considered any of those matters to have
 16 been concerning, that might have caused you to reflect
 17 upon whether he should come to the event on the 29th or
 18 whether any other steps should be taken in relation to
 19 that?
 20 A. So it would definitely be relevant to me had I been his
 21 probation officer, and I can see, looking at the file,
 22 there are lots of reasons now to think that they are
 23 particularly relevant. I didn't know them at the time
 24 and so it doesn't alter my assessment. It's a matter
 25 for probation colleagues whether with hindsight it could

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1 or should have altered their assessment, but from my
 2 perspective, probation colleagues were giving every
 3 positive indication that Usman was safe to attend and
 4 that it would be a good thing for him.
 5 Q. I don't want to re-cover the ground in relation to
 6 security arrangements at Fishmongers' Hall, but just to
 7 pick up on this: you said that your Fishmongers'
 8 colleagues knew who was coming?
 9 A. Yes.
 10 Q. That's the evidence you gave. Well, they had a list of
 11 names, didn't they?
 12 A. They had a guest list.
 13 Q. There was nothing on that document to provide any
 14 further information about who those individuals were?
 15 A. It might have had -- I can't remember now whether it had
 16 affiliation, a job role or anything, but if you are
 17 meaning in terms of criminal convictions, I think my
 18 point is there that they understood fully the nature of
 19 our organisation, its purpose, and the people that we
 20 serve, and that it was an alumni event open to people
 21 who had --
 22 Q. So what you're saying is they should have deduced that
 23 there would be ex-prisoners attending?
 24 A. Not deduced, but known.
 25 Q. Right. But would they have any reason to know that

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1 there were convicted terrorist offenders?
 2 A. No, they had no reason to know the nature of their
 3 offences, though as part of their due diligence, their
 4 time spending time in our study centre in Whitemoor,
 5 they knew that we worked at prisons including high
 6 security prisons.
 7 Q. But you're not suggesting they would have had any reason
 8 to know that a convicted terrorist was attending?
 9 A. No, they had no explicit knowledge of everybody's
 10 criminal convictions.
 11 Q. They had no explicit knowledge, but nor did they have
 12 any particular basis to have inferred it themselves from
 13 other facts?
 14 A. I think they did know that we worked with people,
 15 irrespective of offence type.
 16 Q. Yes, but that's not what I'm asking you, is it? They
 17 had no other facts from which they could have inferred
 18 that there would be a terrorist offender attending?
 19 A. The fact that we work with everybody in the criminal
 20 justice system and that people with terrorist offences
 21 reside at Whitemoor, they could have made that
 22 inference.
 23 Q. Do you think they should have made that inference?
 24 A. No, I think the main inference that they need to make is
 25 that we work with people convicted of criminal offences.

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1 Q. Can you recall what information either probation or
 2 police asked for about the event itself, so this is
 3 about the 29 November event?
 4 A. They certainly asked, or we provided -- and I forget
 5 which -- the information about the venue, I think
 6 a draft programme.
 7 Q. By "information about the venue", do you mean the
 8 address?
 9 A. Yes, the address, the draft programme, we might also
 10 have been asked for a guest list, sometimes we were,
 11 I can't remember on this particular occasion, certainly
 12 the purpose of the event and what Usman would be doing
 13 at it was of interest.
 14 Q. But no details about security arrangements?
 15 A. No. No details.
 16 Q. And did they ask you for any additional information
 17 other than that which you had already provided?
 18 A. I don't recall, so I remember that Kenneth had mislaid
 19 the address and so asked for some reconfirmations, but
 20 I don't think beyond what I've said, they asked for
 21 anything.
 22 Q. Again, there's a number of emails and communications
 23 about this, but am I right, the only discussions that
 24 there were about Khan being accompanied for any part of
 25 the day were in relation to someone meeting him at

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1 Euston and then travelling with him to
 2 Fishmongers' Hall?
 3 A. Yes.
 4 Q. And the only reason for doing that that was expressed
 5 and in the minds of those involved at the time, was to
 6 reassure him?
 7 A. Yes.
 8 Q. So it was done in a way to try and address the
 9 perception that he was nervous about coming --
 10 A. Yes.
 11 Q. -- and using public transport?
 12 A. Yes.
 13 Q. So it wasn't in any way a protective measure to try --
 14 to detect or deter him from...
 15 A. No, and it would have been inappropriate to position my
 16 team in that role.
 17 Q. Absolutely. So there was -- were you involved in any
 18 request for there to be a police or a probation escort
 19 to Fishmongers' Hall?
 20 A. No, my memory is that Kenneth copied me or copied
 21 Calum Forsyth into an email, and there had -- it was
 22 obvious from that email that there had been a background
 23 discussion, either within MAPPA or between Kenneth and
 24 the police, about the question of whether or not he
 25 should be accompanied, and Calum's response said that

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1 they didn't -- he didn't need to be accompanied and that
 2 they didn't have the -- two police officers weren't
 3 available .
 4 Q. Did you share the surprise which we gleaned from the
 5 statements of Dr Armstrong and Lisa Ghiggini that Khan
 6 wasn't escorted on the day of the Fishmongers' Hall
 7 event?
 8 A. So, as I said earlier , it was definitely a change from
 9 our previous interaction with him at Whitemoor where he
 10 was dropped off by police officers . I took from that
 11 decision that Usman had been doing well in the community
 12 and that they were satisfied that he had proven himself
 13 sufficiently trustworthy to make that next step, so it
 14 was an easing of conditions, but I have no barometer by
 15 which to compare whether or not I'm surprised or not.
 16 Q. Well, it's a quite simple question: were you surprised
 17 or not?
 18 A. I don't think I was surprised, I think I understood it
 19 as: Usman must be doing well in the community, MAPPA
 20 have made that decision.
 21 Q. Because Lisa Ghiggini says this in her statement:
 22 "To be honest, we were all a bit surprised that he
 23 was being allowed to come down on his own."
 24 A. Yes, that's not my memory.
 25 Q. So she says "we"; you are saying that didn't include

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1 you?
 2 A. That's definitely not my memory.
 3 MR PITCHERS: Sir, those are all the questions I have.
 4 JUDGE LUCRAFT: Thank you very much, Mr Pitchers.
 5 Mr Armstrong, I think you do have some questions.
 6 I'm just going to ask my usher just to clean the
 7 lectern, because I know that Mr Griffin is sitting ,
 8 quite rightly , where he is, but just bear with us one
 9 second.
 10 (Pause).
 11 MR ARMSTRONG: I'm very conscious of time so I shall do my
 12 absolute best.
 13 JUDGE LUCRAFT: Yes. Mr Armstrong, obviously please don't
 14 feel you need to cover the same territory as
 15 Mr Pitchers, I know that to some extent it's difficult
 16 because you need to put some of the questions you quite
 17 rightly need to ask into context.
 18 What I'm just going to say to the jury just behind
 19 you is that we are all hoping that we will finish by
 20 4.30 but if we don't, we may just trickle over by a few
 21 minutes, and I hope that doesn't trespass on anyone's
 22 time, but we certainly won't trespass long beyond 4.30.
 23 MR ARMSTRONG: I'm grateful.
 24 JUDGE LUCRAFT: Thank you.
 25 Questions by MR ARMSTRONG

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1 MR ARMSTRONG: Dr Ludlow, my name is Nick Armstrong and
 2 I ask questions on behalf of Jack's family.
 3 Now, I want to begin my questions by recognising on
 4 Jack's behalf and on his family's behalf, the work that
 5 Learning Together has done and you have done, and in
 6 particular , we have heard from Mr Crilly and Mr Gallant,
 7 two men of whom I suspect almost everyone in this room,
 8 if not everyone, is in awe as a result of the actions
 9 they took on the 29th, and I want to acknowledge that
 10 before I start .
 11 I also want to acknowledge that I see the force of
 12 the point that risk assessment of somebody like Khan is
 13 predominantly for the statutory agencies, however, I do
 14 need to press you on some of the answers you have given
 15 about how Khan came to be on the programme, and in
 16 particular , what you've said this afternoon, both in
 17 response to questions from my learned friend Mr Hough
 18 but also to Mr Pitchers.
 19 As I understand your evidence, even given this
 20 reflection , you would still enrol him on the course, and
 21 subject to wanting to make MAPPA more aware and more
 22 involved, he would still have been at the event, that's
 23 as I understand your evidence, and I do want to press
 24 you a bit on that.
 25 Now, what that means is, you're not moving in

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1 relation to having these programmes open to all.
 2 I think you've said to Mr Hough that if somebody was
 3 nihilistic or destructive, that would be contrary to the
 4 values of Learning Together and you would want to
 5 exclude them; yes?
 6 A. Mm.
 7 Q. The difficulty with that is, isn't it, is knowing what
 8 somebody's values are, are or peculiar to them and it
 9 may be very hard to tell what their values are?
 10 A. Yes, I think my focus is more on actions that express
 11 those values, so I think what I was trying to explain is
 12 that if there were behaviours that were inconsistent
 13 with our expectation, so being discriminatory, for
 14 example, in the learning environment, then that would be
 15 an action that suggests that that person is not living
 16 up to our community values.
 17 Q. The difficulty with that is, isn't it, that they may not
 18 have acted yet. I mean, in the terrorist context, they
 19 may be a sleeper?
 20 A. That's true.
 21 Q. And that sometimes because of the risks that we're
 22 running, and this case shows the level and scale of the
 23 risks that we may be running, is that you might just
 24 want to draw a bright line and say: you're not coming on
 25 if you are this, this or this. But you are not, as

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1 I understand it at the moment, you are not willing to
 2 entertain any of those category exclusions: it's about
 3 how they, individually, have behaved; is that right?
 4 A. Yes, and there are, if it's helpful for me to elaborate,
 5 the reasons for that are, first, that rather than
 6 relying on a category of offence, an individual's
 7 particular risk factors as assessed within a specific
 8 context might be more helpful from a risk assessment
 9 perspective. The other point as a matter of evidence is
 10 that it's impossible to draw those bright lines based on
 11 type of offence related to safety within the -- safety
 12 and order within the prison environment and positive
 13 engagement from education, so there isn't any research
 14 evidence that supports excluding one category of offence
 15 or multiple categories of offence.
 16 Q. Dr Ludlow, I just want to press you a little on this.
 17 We could have a conversation about whether we draw the
 18 category if we were to accept a category, around the
 19 high security estate or around terrorist offending, but
 20 what about -- we could have a conversation about --
 21 around whether you have high risk category A excluded,
 22 which is 0.1% of the population as you've heard this
 23 afternoon. Do you want to entertain that conversation
 24 at all, to have any category exclusions of that kind?
 25 A. Rather than a category of exclusion, I think the better

1 exclusion is on a case by case basis.
 2 Q. That depends upon the quality of the risk assessment,
 3 and risk assessment in this area, as I think you know,
 4 is inherently difficult.
 5 A. That's true.
 6 Q. So don't you want, then, to do it in a way that you draw
 7 the line, because that is the only cautious thing to do?
 8 A. That -- it's difficult, there are risks either way. So
 9 I see the risks of engaging with those people, of
 10 course, and I feel them acutely and profoundly in light
 11 of the tragedy. I also see the risks of non-engagement,
 12 by which I mean that these people, however we draw these
 13 lines, most of those people will at some point return to
 14 the community from prisons. There is good evidence to
 15 support education across all offence types as a factor
 16 to help people move away from crime. So a commitment to
 17 public safety might suggest, in light of the evidence,
 18 that we ought to extend that opportunity to all people,
 19 irrespective of offence type.
 20 Q. I just want to finish on this point before we get into
 21 too much of an ethereal conversation about where the
 22 lines might be drawn: he was high risk category A?
 23 A. Yes.
 24 Q. He was high risk category A up until the date of his
 25 release, so on 23 December 2018, this is a man who was

1 assessed by the Prison Service as someone whose escape
 2 or freedom would be highly dangerous to the community or
 3 to the state, and whose escape must therefore be
 4 rendered impossible, all right, 0.1% of the population,
 5 23 December 2018. 24 December 2018, he was free.
 6 Now the reason why I want to flag that is so the
 7 jury understand the seriousness of this, could I just
 8 for a moment -- I know this isn't your document, it's
 9 a prison document, but could I have {DC5578/1} up,
 10 please. Assuming now I have got the right document.
 11 Now, this is a risk assessment for court and
 12 inter-prison transfer, because Whitemoor is not a prison
 13 that is used to releasing prisoners at all and so
 14 therefore doesn't. So he went to Woodhill before he was
 15 released, and he did that on 14 December. This was the
 16 risk assessment document that accompanied that transfer.
 17 Now, if we could just scroll to the end of the
 18 document, which I think is about six pages in
 19 {DC5578/7}, if you look there, if people can see it,
 20 under "Escort arrangements", it says, so under the
 21 table:
 22 "The prisoner must be conveyed in a category A
 23 vehicle."
 24 Is that paragraph. Then you can see:
 25 "The date of the move and destination must not be

1 disclosed to the prisoner or to visitors or to family
 2 and friends."
 3 You can also just see, just above that text, he is
 4 being transported in high visibility clothing, such is
 5 the level of his risk. If we then go above that to
 6 {DC5578/4} of that document, please, it's at the bottom
 7 half of that document, please, he is being escorted by
 8 a senior officer and two other officers, and the bit
 9 that we just skipped over, so just above it, is he would
 10 be -- can you see under the comments:
 11 "To be double cuffed from reception to the escort
 12 vehicle ..."
 13 Now, this is a man who not only was that level of
 14 seriousness just before his release, but is somebody who
 15 had been at that level of seriousness for almost all of
 16 the eight years that he had been in custody; do you see?
 17 Now, quite apart from what that says about his risk,
 18 that also says about his response to this. He has not
 19 experienced the community recently. He was 19 when he
 20 went to prison and he has lived like that almost all of
 21 his adult life. Don't we at least want to draw the
 22 category of exclusion from Learning Together and these
 23 kind of events around him?
 24 A. My response is that he has been released from custody --
 25 so I think what's deeply regrettable is that Usman has

1 served a sentence in high security conditions, he is
 2 released to the street without the opportunity to
 3 demonstrate a reduction in his risk throughout the
 4 prison estate. That is a concern to me. I think that
 5 is a question for the Prison Service, and I can see that
 6 that is not doing the best job at reducing his risk.
 7 We're sending out somebody to the streets who doesn't
 8 seem very well prepared to live life well, I see that.
 9 But from my perspective, I am still working with
 10 a man who, nevertheless, has served his sentence and is
 11 lawfully within the community under community
 12 supervision.
 13 Q. He is lawfully within the community, and there may be
 14 any number of things that get said about how he came to
 15 be in the position where he was released without Parole
 16 Board considerations and all those sorts of matters, but
 17 he was, and that means he has to be approached as
 18 somebody who was, doesn't he, and doesn't that mean that
 19 you might want to take very special care and potentially
 20 exclude him from these activities?
 21 A. But then that information, that knowledge about his
 22 risk, I've never seen this document before, is not -- it
 23 doesn't sit with me, it sits with MAPPA who, of course,
 24 knew all of those things. They knew those things and
 25 they nevertheless took the decision that he could come.

1 JUDGE LUCRAFT: Just before we leave that document,
 2 Mr Armstrong, can we just see the bottom part of it, or
 3 it may be the top part, because I think the only thing
 4 I was going to say is that we see there in blue on the
 5 right "Standard staffing for a Category A inter-prison
 6 [transport]", so much of this may be consistent with any
 7 category A prisoner being moved between Whitemoor and
 8 Woodhill rather than being specific to Khan.
 9 MR ARMSTRONG: No, I completely accept that.
 10 JUDGE LUCRAFT: I thought you probably did, I was really
 11 just saying that for the benefit of the jury who may not
 12 know quite what these documents otherwise mean.
 13 MR ARMSTRONG: Absolutely, but that is how the state
 14 assessed his risk at that stage.
 15 Now, I just want to ask you a number of other
 16 questions about this, because if you are allowing, if
 17 you are opening up to people like him, or to people
 18 within his category, however we draw that category,
 19 there are a number of consequences to that about the
 20 nature of the work that you're doing and I just want to
 21 ask you about this.
 22 The first issue is one of language. Could I have up
 23 {DC7466/11}, please. This is one -- this is your
 24 original -- this is an article from 2016 that sets out
 25 the objectives of the Learning Together programme. Now,

1 this is "How Learning Together can be individually,
 2 socially and institutionally transformative". That's
 3 one of those articles. Now, that's a big word: you are
 4 looking to transform lives.
 5 A. Mm--hm.
 6 Q. Okay. Can I now ask you -- can I have brought up
 7 another article, which is {DC7468/39}:
 8 "The learning happens in the interaction: exploring
 9 the 'magic' of the interpersonal in Learning Together."
 10 And that's published in 2020.
 11 Now, can I have {DC7467}, I'm not in the time
 12 available going to be able to do justice to the depth of
 13 this and go into the detail of these articles, I just
 14 want to deal with some headline points, another article
 15 again from 2020:
 16 "What's so good about participation? Politics,
 17 ethics and love in Learning Together."
 18 And can we just look also at the bottom of
 19 {DC7467/6}. I don't know if we can expand that at all.
 20 You talk about it in this way:
 21 "We reimagined ourselves and each other as
 22 researchers and our participants, dislocating
 23 presumptions of privilege and vulnerabilities,
 24 appreciating and learning to accept and celebrate
 25 differences and growing an increasing awareness of our

1 responsibilities for ourselves and to each other. The
 2 politics of love that grew through our collaboration
 3 shaped us all as individuals and professionals. We
 4 began by wanting to become change-makers but found we
 5 became changed."
 6 Now, there's much more of this in these articles,
 7 and it's pretty heady stuff, Dr Ludlow, that's what
 8 I'm putting to you.
 9 Now, I do understand, because I've heard from
 10 Mr Crilly and Mr Gallant, the transformative effect that
 11 it had on them or contributed to with them, but this
 12 kind of language, this kind of headiness, does it sit
 13 entirely comfortably with the hard-edged, careful,
 14 difficult, sober risk assessments that need to take
 15 place with somebody like Khan?
 16 A. So I think you've highlighted the titles of those
 17 articles, which I understand --
 18 Q. And also (inaudible)?
 19 A. -- shortness of time, yes, but those papers are all
 20 academic articles, they're published in peer-reviewed
 21 journals, so there's quite an intensive collaborative
 22 peer-reviewed process. They are methodologically and
 23 theoretically very careful, so while some of the
 24 language might be grand or, I forget how you put it --
 25 Q. "Heady" was the word I used.

1 A. Heady. They are carefully written reviewed papers in
 2 very good criminological journals, and what they
 3 described is also a lot of care. So in the first
 4 article you cited, the Prison Service Journal article,
 5 my memory is that we talked very carefully about how we
 6 curate the learning space. We talk about very close
 7 collaboration with our colleagues in security. We talk
 8 about the stakes and challenges. I think our writing is
 9 very honest about some of those complexities.

10 Q. Well, you are talking about security and the point that
 11 I'm putting to you is if you get as enthusiastic about
 12 this as appears to have done, and we'll look at it with
 13 other witnesses as well, but if you get as enthusiastic
 14 about this, it might be harder to carry out the kind of
 15 exercise that involves saying no to somebody like Khan,
 16 you see, and I want to look back at what you say about
 17 security. Can we have {DC7466/13} up, please, and this
 18 is back to the 2016 article. I'm now heavily reliant on
 19 this because I've lost the wi-fi on my laptop for some
 20 reason.

21 If you look at this on the right-hand side:
 22 "A further example of our values in practice is that
 23 we approach security as everyone's concern: we meet
 24 together with all of our students and facilitators at
 25 the start of the course to agree upon the rules and

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1 practices that will create the kind of learning
 2 environment we all want to inhabit. Safety forms part
 3 of that discussion, explored dialogically and
 4 collaboratively with prison security staff. We all
 5 agree to abide by the rules of the prison that houses
 6 us. This approach to security is grounded in theories
 7 of legitimacy which suggests that when power is
 8 negotiated in dialogue, people experience it as good and
 9 fair and are more likely to respect the rules."

10 I'm pressing you on that because we are back to
 11 security as something that can be negotiated or
 12 discussed or part of a dialogue.

13 A. I think what it's saying is that power, when used well,
 14 which we know maximises the chance of compliance, is
 15 used carefully in dialogue with the power -- between the
 16 power-holder and the person over whom you have power.

17 So I think what we're talking about there is that it
 18 can be easy to assume that there are black and white
 19 rules for everything, and actually quite a lot of the
 20 important things, some of the challenges around
 21 security, happen in some of the grey, and it can be easy
 22 sometimes to force some of those difficulties in how we
 23 in fact apply rules underground by not being transparent
 24 and not having explicit conversations.

25 Q. Would you agree, would you accept, I mean particularly

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1 if you are going to be certainly excluding some people
 2 from the course if they don't share values, that
 3 security is just not something that can be negotiated or
 4 reduced for somebody like Khan, you may just have to
 5 impose it?

6 A. I would wholly agree that there are times --
 7 Q. Right.
 8 A. -- when security need to make a decision and impose
 9 a decision and we comply wholly with that.

10 Q. Because you say on the next section there:
 11 "This approach also avoids reinforcing 'scary other'
 12 narratives that generate anxiety and compound
 13 prejudice."

14 A. So we're talking there about particularly our induction
 15 session, so not having separate briefings, for example,
 16 about these issues, but rather confronting them with all
 17 of our students in the same room which is how we do
 18 things. So not saying that there are one set of
 19 considerations that apply only in one particular set of
 20 circumstances or to one group within the room.

21 Q. But the danger here is, isn't it, if you start saying
 22 that these are scary other narratives that are
 23 generating anxiety or compounding prejudice, is that it
 24 is reducing the seriousness with which we take something
 25 like a terrorism risk?

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1 A. No, I think it's making us think more critically about
 2 it.
 3 Q. All right.
 4 A. For example, people in prison might have all sorts of
 5 assumptions about people who go to the
 6 University of Cambridge that may or may not be true, so
 7 what we're seeking to do is be accurate about where
 8 risks perceptions lie and have an open conversation
 9 which includes security about those things.

10 Q. Okay. Thank you.
 11 Can I now just look at another aspect of all of this
 12 work, which is the way you evaluate it?

13 A. Yes.
 14 Q. And I don't want to get into a long debate about
 15 research evaluation techniques, but if we could just
 16 pull up {DC7468/44}, the way Learning Together operates,
 17 as I understand it, is you are -- it's not achieving
 18 a specific qualification, generally, it can do in
 19 certain universities, but it's not aimed at a specific
 20 objective.

21 A. Yes, from Cambridge it's not accredited.
 22 Q. No. There may be a certificate, you may get references,
 23 but basically it's this transformative experience that
 24 instills confidence and sense of self-identity and those
 25 sorts of matters?

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1 A. We have clear learning goals and specific learning goals
2 for each of our courses.

3 Q. Well, I want to look at it on this page which is talking
4 about how it's mapped against this. It talks about:
5 "As we moved towards broader measures and frames of
6 reference, we found that the things students highlighted
7 as important in their learning were well recognised in
8 existing literatures. The four themes listed above
9 mapped onto four well-established constructs --
10 interpersonal--efficacy, perspective--taking, self--esteem
11 and self--efficacy."

12 A. Yes.

13 Q. And that's what -- are large parts of what you're
14 seeking to measure the success of this programme?

15 A. Yes, so our evaluation has indicated that those are the
16 things that students tell us change as a result of
17 Learning Together for them.

18 Q. Just one thing about this. This article is from 2020.

19 A. Yes.

20 Q. And this was evaluating the course from Grendon?

21 A. I believe the data for this is broader than that.
22 I believe it's from Warren Hill and Whitemoor. It is
23 set out in the methods section.

24 Q. I think it's Grendon, but we can come back to that if we
25 need to.

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1 This is referred to in -- I mean, we can come back
2 to this, but there's a witness statement that talks
3 about this being assessed and it was the first
4 assessment that was done of the success or otherwise of
5 the Learning Together programme?

6 A. So I believe this article is talking about evaluation
7 data over a much broader period than just the Grendon
8 pilot study. The first article in the Prison Service
9 Journal in 2016 is the pilot evaluation data.

10 Q. Can we at least agree on this: this evaluation is 2020?

11 A. Yes.

12 Q. So is at least three years after it was rolled out to
13 Whitemoor?

14 A. Yes.

15 Q. All right. Now, what this is measuring is matters such
16 as self--efficacy, which is defined as an individual's
17 belief in their own agency and their ability to achieve
18 specific goals. This is how somebody feels in response
19 to the course, what their experience on the course has
20 been.

21 A. Yes, and what they feel able to do as a result.

22 Q. Can I just press you slightly on this. When you have
23 a course or a programme which measures its success in
24 terms of the feelings that it generates, it is at least
25 in part focusing on those feelings and potentially

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1 validating those feelings. It's drawing out, in this
2 case the prisoners' feelings about the programme and
3 exploring them and encouraging them to express them?

4 A. So we're using self--reported self--perception data. So
5 the students, all of the students, not just prison
6 students, are answering a set of questions that are
7 about how they perceive their self and their own skills
8 and abilities.

9 Q. I want to just flag this as a potential concern about
10 this. Mr Larmour told us that when you conducted the --
11 when the research exercise, the interview, was conducted
12 with Khan by him, with Dr Armstrong, there was a lot of
13 talk about how Khan had been traumatised by spending
14 years in solitary, that's what he talked about, and that
15 was Khan's feeling as he expressed it in that interview,
16 and Mr Larmour also told us that he was focused on that,
17 he was reliving it, he was talking about it as something
18 done to him, he was still in the prison mindset; do you
19 see? And that's part of the thing "How do you feel
20 about this, how do you feel about it by reference to
21 your previous lived experiences?"

22 The difficulty with this is there's no objective
23 check on it, do you see, because as the jury will hear
24 in due course, Mr Khan had not spent years in solitary
25 confinement, he had spent a handful of months in

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1 solitary confinement -- in segregation, sorry, and the
2 only reason that he had spent time in segregation was
3 because of his behaviour; he had chosen to be there
4 because he had refused to be relocated.

5 A. Mm.

6 Q. Now that programme, you wouldn't expect an interview,
7 one of your research interviews, to challenge him on
8 that?

9 A. No, that's not the role of an interview.

10 Q. But isn't that reinforcing the narrative that he has of
11 being a victim and being a victim of trauma?

12 A. Potentially there are those ethical risks that we
13 consider when we undertake an interview that it invites
14 people to relive those experiences.

15 Q. Because the problem with certain kinds of offenders, and
16 I'm going to suggest to you that ideological offenders
17 or offenders like Mr Khan in particular, is that they
18 have distorted thinking?

19 A. That may be true. I suspect it applies more broadly.

20 Q. But a programme that invites them to express feelings
21 and says "How do you feel about this" and encourages him
22 to talk about his trauma and his victimhood may not be
23 a terribly good idea?

24 A. So this is, I think, a better issue addressed to my
25 colleague, Ruth, who led on these things, but I'm very

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1 happy to take the point that our research -- to do
 2 research you have to apply for ethical permissions and
 3 access, and all of those sorts of considerations are
 4 outlined in detail and HMPPS sign off on whether or not
 5 you can do that research. We operate within those
 6 frameworks and within the guidance of the British
 7 Society of Criminology. So it is common in this field
 8 for people to interview people with criminal
 9 convictions, including TACT offences, including,
 10 perhaps, distorted thinking. This is a well recognised,
 11 approved research method, and in our application of it,
 12 it's received explicit permission from HMPPS and from
 13 the Institute of Criminology Ethics Committee.

14 Q. Well, I'll come back to that, but can I just show you
 15 some of this interview. Can I have {DC6690/2}, please,
 16 because firstly there is the risk that I'm talking
 17 about, which is that you buy into and potentially
 18 amplify his narrative, which is that he is a victim
 19 when, in fact, he's not, but also you get this, you see,
 20 and just so you know where I'm going with this, the risk
 21 that if you focus on somebody's subjective answers,
 22 you're encouraging them to give you the subjective
 23 answers that you want.

24 If you look at {DC6690/2}, if we can just go below
 25 that second half of the page, this is the research

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1 interview that was conducted with Mr Khan:
 2 "Did you engage with staff at all before you did
 3 Learning Together?
 4 "Sorry?"
 5 So he doesn't understand.
 6 "Did you engage with staff like Steve [I think
 7 meaning Machin, who was the head of security at the
 8 prison] and things before you did Learning Together?
 9 "No. Before that, I never engaged with Steve.
 10 I would see him, I would be uncomfortable to chat to him
 11 because it gives that impression."
 12 Then the question below:
 13 "Why did it become possible to speak to... "
 14 "Through Learning Together."
 15 Now, Dr Ludlow, I just want to press you slightly on
 16 this, because what this is, is he sees somebody, he sees
 17 Learning Together as being someone who is able to help
 18 him. You are carrying out a research exercise that
 19 wants to show Learning Together as being a successful
 20 programme.

21 A. I'm not sure that's why we're carrying out the research
 22 exercise. We're carrying out the research to understand
 23 people's experiences, which then informs the theoretical
 24 knowledge on which our practices are based.

25 Q. This is a research exercise that goes into saying

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1 whether Learning Together is or isn't working, or what
 2 kind of results is Learning Together producing.

3 This line of questions encourages Mr Khan to say to
 4 you: yes, it's been great, I'm now engaging with staff.

5 A. So there's absolutely a problem of subjectivity and
 6 bias, so we think about these things all the time,
 7 methodologically, and that's particularly apparent in
 8 qualitative approaches, so you get that also with focus
 9 groups, and that's exactly why we triangulate methods
 10 and data, by which I mean that Usman's account on this
 11 one occasion is not the only account, and that we use
 12 more quantitative methods of things like surveys and do
 13 those things on multiple occasions across many people to
 14 try and get an accurate picture.

15 So you are right, of course, that research methods,
 16 each have their own limitations, and what we try to do
 17 is leverage multiple types of approach and be honest
 18 about the limitations of those in all of our
 19 publications.

20 Q. I see all of that, I'm concerned about it, but
 21 I'm particularly concerned about it in this context,
 22 because in this particular context with this particular
 23 kind of offending, there is a particular risk of being
 24 gamed, being told what you want to hear, and this goes:
 25 "Did you engage with staff [at all] before you did

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1 Learning Together?
 2 "Sorry?"
 3 "Did you [do staff engagement before]?"
 4 "No."
 5 "Why did it become possible to ...?"
 6 "Through Learning Together."
 7 It's very open to being manipulated by this kind of
 8 offender, isn't it?

9 A. So I can see that it's absolutely a limitation of this
 10 research method.

11 Q. And the way I am going with that is, because of the
 12 particular risk that this offender has, in this kind of
 13 programme and this kind of research exercise, aren't we
 14 back to wanting to draw the categories with him outside
 15 it?

16 A. No. I think we are mindful of those potential
 17 distinctions and interested from a research perspective
 18 about what we might understand of those, otherwise we
 19 would never do any research with people who had
 20 distorted thinking or people convicted of TACT offences,
 21 and that seems to be a really important area of enquiry,
 22 so, of course, be careful and cautious and explicit
 23 about the limitations.

24 Q. All right. Now, you've been asked a number -- moving
 25 onto another topic, you have been asked some questions

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1 and we've heard some evidence about this, about the
 2 development of Learning Together into the community, and
 3 we've asked some questions, including of Mr Larmour,
 4 about training for dealing with people in the community.
 5 Now, your work, I think you've said to Mr Pitchers
 6 in particular, the work on the community was nascent, is
 7 the word that you say?
 8 A. Yes.
 9 Q. Can we just have {DC6384/143}. Now, this is -- is that
 10 6384? It is at 143, not 183, I'm sorry. I think we
 11 might need the bottom half of the page. Yes. So at the
 12 bottom of that page, this is a question and this went to
 13 Ruth Armstrong, this is just an illustration of the kind
 14 of problems that occur if you maintain relationships
 15 after release, and this is somebody writing in
 16 saying: I have had contact with an ex-offender:
 17 "I hope you, Amy and all involved in
 18 Learning Together are well! I'm getting in touch
 19 because [Learning Together student] has sent me a friend
 20 request on Facebook and I wasn't sure if there was a
 21 protocol I should follow ... I've recently received ... "
 22 Now if you just see above that, if you leave that
 23 where it is, please, above that, the response is:
 24 "Have responded but does make me wonder if we put
 25 something in the policy re continued contact post

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1 release and how to do it well. Not prescriptive but
 2 guiding.
 3 "Could this be added to a TBD for team meeting?"
 4 Which I assume is "to be discussed"?
 5 A. Yes.
 6 Q. So this is you responding a new issues that's arisen in
 7 this nascent area of work and saying "we might need to
 8 talk about this"?
 9 A. Mm.
 10 Q. There's another example, if we can go to {DC6384/142},
 11 this is potentially a more serious issue, bottom half of
 12 the page, please:
 13 "Are you in Monday? Tomorrow?"
 14 Another email:
 15 "... one of the prisoners from [non-LT project] came
 16 to visit me at work. It must have drooped in
 17 conversation during one of the classes that I worked
 18 there. And on the celebration day he said he would come
 19 and visit me, to which I didn't really think much of.
 20 But then he turned up at my work. I was luckily not
 21 alone and with my colleague... we don't want him to
 22 return, nor do I want any form of contact with him."
 23 Et cetera, et cetera. Now this again leads into the
 24 conversation about what one does about these things?
 25 A. This has nothing to do with Learning Together.

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1 Q. It doesn't? So this is a different problem?
 2 A. This is -- I know the colleague who has raised that and
 3 that's not a Learning Together matter.
 4 Q. All right. But the first one does?
 5 A. Yes.
 6 Q. And the issue to which this gives rise is, how do you
 7 police these relationships once they are in the
 8 community?
 9 A. Yes.
 10 Q. January 2019 this conversation is going on; yes?
 11 A. Yes.
 12 Q. So this is four years after Learning Together has
 13 started, and when you are still very nascent in this
 14 area. Isn't this something you want to have the
 15 conversation about earlier than that before you roll it
 16 out, and in particular, before you roll it out to things
 17 like a high security environment?
 18 A. So on reflection, I think our -- I think it's absolutely
 19 right that our practices in the community were -- are
 20 an area for strengthening, particularly in consultation,
 21 discussion with probation about how they address some of
 22 these issues.
 23 I think the issue about people returning to the
 24 community isn't one that I would have linked readily to
 25 expansion to the high security estate, because we know

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1 that in fact not many people are released from the high
 2 security estate, though Usman is, of course, an anomaly.
 3 So the biggest issue arises with more people being
 4 released from lower category prisons, but the point is
 5 well made that, absolutely, this was a nascent part of
 6 our work that needed to be strengthened.
 7 Q. Your response to Mr Hough when he was asking you about
 8 this was that -- and Mr Hough took you to the policy
 9 documents -- the encouragement of post-release
 10 relationships. Now, your answer to that was: this is
 11 what we do, I'm here with the person who was my
 12 lecturer, we encourage these kind of relationships, it's
 13 an important part of education, and we can all accept
 14 that that's true. But it is different when you're
 15 dealing with ex-offenders, isn't it?
 16 A. In what way?
 17 Q. Ex-offenders have different kinds of emotional
 18 responses, potentially, they carry much different
 19 standards of risk, and particularly when you are dealing
 20 with somebody like Khan, who I accept is different, but
 21 he was involved in text messaging and emails and
 22 exchanges with you and Lisa Ghiggini and others?
 23 A. There are definitely important questions about
 24 professional boundaries and those things to be
 25 navigated. Though it's true that when we talk about

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1 people with criminal convictions, we're talking about,
 2 you know, 1 in 3 men, 1 in 10 women who have a criminal
 3 record. So there are lots of people with a criminal
 4 record with whom we interact, although of course they
 5 don't have the offences we're talking about in Usman's
 6 case.
 7 Q. But my point is this: in circumstances where you're
 8 rolling out to the high security estate and there are at
 9 least potentially people who are going to be released
 10 with these kinds of risk, if you are moving into an area
 11 where you know, because of the way Learning Together is
 12 set up, that there are going to be these boundary
 13 problems, aren't we back to additional reasons why you
 14 might want to shut out the high security estate or
 15 terrorism offenders from this particular programme?
 16 A. Or an alternative response, which is my preferred
 17 response, is to work even more closely with HMPPS
 18 colleagues, because I think the same risks potentially
 19 apply later down the estate. So unfortunately people
 20 are released from the open estate and commit further
 21 serious offences.
 22 Q. You cite in one of your early articles another
 23 organisation called Inside—Out?
 24 A. Yes.
 25 Q. Which has been doing this kind of work for a long time

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1 in America.
 2 A. Yes.
 3 Q. 1997 they start, they have had 60,000 prisoners through
 4 without incident thus far. They have a specific rule
 5 about no contact in the community. Don't you want to do
 6 something like that, because it's just too hard to
 7 police?
 8 A. My understanding, sadly, from what I know of the
 9 programme, is that that's often simply not true in
 10 practice. So while they might have the rule, I'm not
 11 sure that everybody follows the rule, is my experience
 12 of people who engage in that practice, and they
 13 therefore don't have the benefits of any support to
 14 structure how they run those relationships. So our
 15 preference has been to more honestly represent the
 16 reality, which is that we're working with adults who may
 17 choose to be in touch, and to say how do we offer some
 18 measure of support to those adults in navigating those
 19 relationships.
 20 Q. That's just too hard to achieve on the ground, isn't it?
 21 Your policy actively encourages that kind of
 22 relationship?
 23 A. Particularly during the course and then most
 24 definitely —
 25 Q. It goes further.

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1 A. — with an educational focus.
 2 Q. What was the thinking that led you to put to one side
 3 something like a bright line rule on that and do it in
 4 this way instead?
 5 A. The research evidence. The research evidence that
 6 suggests that through—the—gate working is utterly vital
 7 to desistance, the research evidence that suggests
 8 educationally that continued progression opportunities
 9 in your learning and the opportunity to relate to other
 10 prosocial people in your life can support desistance.
 11 Q. I understand the biggest organisation that does this is
 12 Inside—Out, and the other big organisation that does
 13 this is Learning Together. What is the research base
 14 for that view if it doesn't take into account Inside—Out
 15 and Learning Together?
 16 A. The countless academic articles about desistance.
 17 Q. But what's the evidential basis for those articles?
 18 A. Years and years of research by scholars across — within
 19 all jurisdictions —
 20 Q. On education generally, or on prisoners?
 21 A. On — it's wide ranging. Literature — so it includes
 22 education, but extends far beyond that across lots of
 23 jurisdictions in lots of different contexts by scholars
 24 at lots of different institutions.
 25 Q. Can I just put another point to you. One of the

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1 problems with having no specific qualification or
 2 an objective to Learning Together is what you're
 3 promising to somebody isn't a specific qualification but
 4 is another life, a view, some kind of general benefit,
 5 self—efficacy, okay? Now that's something that Mr Khan
 6 may interpret differently to the way perhaps you or
 7 I interpret it, and you've been asked a number of
 8 questions about that, doesn't that set him up with
 9 an unrealisable hope. Now you have answered some
 10 questions about that.
 11 I want to just put another element to that —
 12 A. May I just — I don't follow your view about the framing
 13 of that question. So just because learning isn't
 14 accredited doesn't mean that it doesn't have very clear
 15 educational objectives. Our courses have very clear
 16 learning outcomes that are set out in the documents of
 17 those courses, so we are clear that we are not offering
 18 somebody, you know, a different life. What we're
 19 offering them is learning, and learning through which
 20 they build skills and connections with others, and
 21 we understand that those connections and skills can
 22 sometimes support them leading a better life, but we're
 23 very clear that what we're offering is learning. You're
 24 right that it's unaccredited learning, but that's
 25 valuable learning nonetheless.

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1 Q. But those skills and opportunities are not defined.
 2 It's not saying: do this, you'll get a GCSE. It's
 3 saying: do this and you will get some skills that are
 4 undefined.
 5 A. It's saying: do this course and you will learn these
 6 things.
 7 Q. Which are --
 8 A. So you'll learn about philosophy and ethics, you'll
 9 learn about medieval languages.
 10 Q. But you also say: do this course and you will form
 11 a connection, you will have the magic of the
 12 interpersonal, you will have interactivity with people,
 13 you will be taught alongside your peers, and you will
 14 have a wonderful experience. That's what you say?
 15 A. We're saying there's the opportunity for interactivity,
 16 absolutely, and potential connection with peers, in the
 17 same way as any university classroom offers that.
 18 Q. What I want to put to you as well as this: is that
 19 the -- with somebody like Mr Khan, you may be showing
 20 him something that he can't realise, but you may also be
 21 showing him something that he hates. Mr Khan has been
 22 convicted of offences that show him wanting to bring
 23 down the western world. Showing him the opportunity and
 24 giving him the opportunity to mix with Cambridge
 25 students, the apotheosis of educational achievement and

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1 success in England and Wales, and then saying: here it
 2 is, doesn't that just run spectacular risks for somebody
 3 like him?
 4 A. I think it runs the opportunity of him learning some
 5 things, him feeling part of civic society, him feeling
 6 like perhaps there are hopes and possibilities. All of
 7 those things we know from research support movements
 8 away from crime. What doesn't support movements away
 9 from crime is people feeling stigmatised, isolated,
 10 having no hope and no opportunities.
 11 Q. But sometimes people's risk is so high that that stigma
 12 is well placed, because --
 13 A. And that's exactly why we work so closely with HMPPS,
 14 because they would be able to make that decision based
 15 on all of the relevant information about that person's
 16 risk.
 17 Q. But you're operating in an area with terrorist offenders
 18 in particular who might be manipulative, may be
 19 deceptive, all of those matters, where those risks
 20 assessments are particularly difficult.
 21 Now, what I'm suggesting to you is, isn't that why
 22 you want to draw the line around those kind of
 23 offenders? That's why Timpson's do it. Why don't you?
 24 A. Because I am not persuaded there's a principle basis for
 25 doing that on the basis of offence type. I am persuaded

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1 that we need to work closely with colleagues who have
 2 that information and have the skills to make the risk
 3 assessment decisions on an individual basis.
 4 Q. You are not persuaded even now after this?
 5 A. I am profoundly affected by the tragedy of this
 6 situation.
 7 Q. But not enough to introduce categories?
 8 A. Not enough to draw unprincipled distinctions based on no
 9 research evidence.
 10 Q. Well, I'm giving you principles that risk assessment in
 11 this area is just too difficult.
 12 A. Unfortunately there's no research evidence that supports
 13 that view.
 14 Q. Okay.
 15 Sir, can I just indicate, I'm getting there.
 16 I have -- I probably do have about 15 or 20 minutes
 17 more.
 18 JUDGE LUCRAFT: Yes. I'm just conscious -- Mr Griffin,
 19 I don't know if you have got any questions?
 20 MR GRIFFIN: (Off microphone: answer inaudible).
 21 JUDGE LUCRAFT: I'm sure they are, but I'm also conscious
 22 we've taken on board quite a lot of information.
 23 I'm inclined, Mr Hough, to say that we should probably
 24 pause there and pick up tomorrow morning. As I say,
 25 I'm conscious we've got quite a lot to go through

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1 tomorrow, but I'm also quite conscious we have taken on
 2 board quite a lot of information thus far, and I think
 3 in fairness to Mr Armstrong, who has covered quite a lot
 4 of fairly detailed material, in fairness to him I think
 5 I should give him the chance to complete at a time when
 6 we're all truly focused on the questions that he is
 7 raising.
 8 MR HOUGH: Respectfully, we would agree. Mr Armstrong and
 9 Mr Pitchers have been efficient with their questioning
 10 and have divided it up appropriately. Sir, the answer
 11 may be to finish Dr Ludlow tomorrow morning.
 12 JUDGE LUCRAFT: Yes.
 13 MR HOUGH: And go straight into Dr Armstrong. We would
 14 hope, given the questioning of Dr Ludlow, that
 15 Dr Armstrong can be very much shorter.
 16 JUDGE LUCRAFT: Yes.
 17 MR HOUGH: And we can also perhaps give consideration to
 18 which of the other witnesses for tomorrow we seek to
 19 hear after Dr Armstrong, and indeed whether any of the
 20 other witnesses slated for tomorrow could perhaps be
 21 either read or rescheduled off to a later stage.
 22 JUDGE LUCRAFT: And, Dr Ludlow, I'm sorry, I said earlier on
 23 we'd try to finish you today, but I think in fairness to
 24 all we will pause there. Tomorrow morning we are
 25 sitting at 11.00, Mr Hough, so we will resume at

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1 11 o'clock.
 2 Ladies and gentlemen, what I'm suggesting, we will
 3 start at 11.00, we would normally have a mid-morning
 4 break, but it may well be that we don't take a break
 5 tomorrow morning and we sit through for the two hours
 6 and have a lunch break at 2 o'clock. I hope that's
 7 suitable to all of you. I see lots of nods.
 8 Again, my apologies, the lady in the back row had
 9 the sun in your eyes with some of the documents, but
 10 I hope you have been able to see enough of them. That's
 11 great, thank you.
 12 Right, well we will pause there, Mr Armstrong. The
 13 only thing I will say is, I know from bitter experience
 14 that lawyers' 20 minutes overnight can sometimes become
 15 rather longer, but I know that you will not do that.
 16 I won't have my watch out and saying after 19 and a half
 17 minutes, "That's it".
 18 Well, we will pause there and we will see everyone
 19 at 11 o'clock tomorrow morning. Thank you.
 20 (In the absence of the jury)
 21 MR HOUGH: Sir, I know Dr Ludlow is already aware of the
 22 need not to discuss her evidence during the breaks that
 23 we've had during the day.
 24 JUDGE LUCRAFT: Yes.
 25 MR HOUGH: This is just to note for her information that the

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1 same rule, I am afraid, applies overnight.
 2 A. Of course. Thank you Mr Hough.
 3 JUDGE LUCRAFT: Thank you for that reminder.
 4 Mr Armstrong, I am conscious -- as I say, I'm not
 5 going to hold you strictly to 20 minutes, but equally
 6 I'm conscious that you have covered an awful lot of
 7 material in quite a short period of time. If on mature
 8 reflection it is a bit longer than that, please don't
 9 feel that I'm going to pass any guillotine.
 10 MR ARMSTRONG: Thank you, sir. I'll try not to though.
 11 JUDGE LUCRAFT: I'll rise.
 12 (4.38 pm)
 13 (The court adjourned until 11.00 am on
 14 Friday, 23 April 2021)
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