

# OPUS2

Fishmongers' Hall Inquests

Day 17

May 6, 2021

Opus 2 - Official Court Reporters

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1 Thursday, 6 May 2021  
 2 (10.02 am)  
 3 (In the absence of the jury)  
 4 JUDGE LUCRAFT: Do you want to come forward, Mr Armstrong,  
 5 just whilst we wait for the jury to come and join us.  
 6 I think in that great tradition of advocates  
 7 overnight, your time estimate has grown a little bit,  
 8 but only to 45 minutes as I understand it.  
 9 MR ARMSTRONG: That's right, sir, but I've also solemnly  
 10 undertaken to cut it off elsewhere with the other  
 11 witnesses. That was the quid pro quo.  
 12 JUDGE LUCRAFT: Good morning, Mr Skelton.  
 13 MR ARMSTRONG: Sir, can I just also indicate, just while we  
 14 are waiting for the jury, with your permission I will  
 15 start with one very small point that Mr Pitchers  
 16 identified and asked me to raise.  
 17 JUDGE LUCRAFT: Of course.  
 18 MR ARMSTRONG: It will take me a second.  
 19 (In the presence of the jury)  
 20 JUDGE LUCRAFT: Good morning, everyone.  
 21 Mr Armstrong.  
 22 MR KENNETH SKELTON (continued)  
 23 Questions by MR ARMSTRONG (continued)  
 24 MR ARMSTRONG: Thank you. Good morning, Mr Skelton,  
 25 I'm still Nick Armstrong asking questions on behalf of

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1 Jack Merritt's family.  
 2 Just before I start with my questions, can I just  
 3 raise a small point on behalf of Mr Pitchers who was  
 4 asking you questions yesterday. Could I just have up  
 5 {DC5635/19}, this is from the Delius. Now, Mr Skelton,  
 6 you will remember Mr Pitchers asked you some questions  
 7 about your awareness of Fishmongers' Hall as a high  
 8 profile place and you said you weren't sure of the  
 9 detail of it.  
 10 At the top of this, you can see, this is an email,  
 11 we can take this from the page before as well, but this  
 12 is a 20 November 2019 email written by you to Lois Gell  
 13 and Calum Forsyth, telling them about the arrangements  
 14 in Cambridge, and can you just see on the last line, you  
 15 have the address, including at London Bridge, including  
 16 the postcode?  
 17 A. Yes.  
 18 Q. Thank you very much.  
 19 Now, where we got to at the end of yesterday is,  
 20 I'm exploring with you the timeline from how we get from  
 21 the very high risk OASys on 27 December, essentially to  
 22 the Timpson's email which puts a rather different and  
 23 much more optimistic spin on things, do you see?  
 24 A. Mm—hm.  
 25 Q. And I'm exploring that with you as to how it might have

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1 been different. Now, we'd got just about up to April  
 2 and May 2019, and we know that in May 2019 you dropped  
 3 the rating from very high to high. Now, you did that  
 4 without doing another OASys?  
 5 A. Correct, yes.  
 6 Q. And you hadn't done an ERG at this stage?  
 7 A. Correct, but as I explained yesterday, in relation to  
 8 this reduction, generally that's done through discussion  
 9 with your line manager and then that's registered within  
 10 the OASys once you complete one.  
 11 Q. Yes, I mean I'm just putting a point to you that I do,  
 12 as I said yesterday, I see that this was a management  
 13 nightmare coming to you in this case, very complex case,  
 14 but also this is a case where the nature of the risks  
 15 and the concerns with Mr Khan were not necessarily  
 16 overt, were they? They were attitudinal, for example.  
 17 A. Okay.  
 18 Q. And I think you will agree that requires, when you're  
 19 dealing with that kind of case, you need depth and  
 20 focus, penetrating insight, don't you?  
 21 A. Yes.  
 22 Q. And the tools help with that?  
 23 A. Yes.  
 24 Q. Because they take you back through the structure.  
 25 Now, in that context, you told Mr Hough yesterday,

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1 when he was asking you questions about the reduction,  
 2 that you were asked some questions about West Midlands  
 3 Police?  
 4 A. Yes.  
 5 Q. And you said that you weren't aware of why they were  
 6 there on MAPPA; you thought they might just be standing  
 7 members of the MAPPA board?  
 8 A. Yes.  
 9 Q. I just want to ask you about that, because Mr Johal told  
 10 us on Tuesday that he remembers a West Midlands pushback  
 11 on the reduction of risk from very high to high; do you  
 12 remember that?  
 13 A. No, I don't recall that.  
 14 Q. So you don't remember a conversation at all at MAPPA or  
 15 otherwise where they pushed back on that?  
 16 A. Not in relation to reducing from —  
 17 Q. So if Mr Johal tells us that he's mistaken, is he?  
 18 A. He's what, I'm sorry?  
 19 Q. So Mr Johal must be mistaken, so far as you're  
 20 concerned?  
 21 A. I'm not saying that Mr Johal is mistaken. What  
 22 I'm saying is at that point I cannot recall that  
 23 pushback.  
 24 Q. Okay. You're accepting, fairly, you were new to  
 25 terrorism and terrorism offending?

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1 A. Yes.  
 2 Q. If you had had counter—terrorism police in the room  
 3 pushing back on a risk matter, that's something you  
 4 would take seriously?  
 5 A. It is, yes.  
 6 Q. Because they're bringing an expertise to bear that you  
 7 don't necessarily have yourself?  
 8 A. Yes, but what I would like to add in relation to that,  
 9 there was a number of other individuals that were able  
 10 to comment on risks also.  
 11 Q. In MAPPA?  
 12 A. Within the MAPPA panel, yes.  
 13 Q. Well, I want to ask you about that, because you also  
 14 told Mr Hough that you didn't know about MI5's interest  
 15 in this case?  
 16 A. That's correct.  
 17 Q. And I want to just ask you — I mean, I'm assuming the  
 18 answer to this is, had you known that MI5 at this stage  
 19 had an open priority investigation in relation to  
 20 Mr Khan, that is something that would have twitched your  
 21 antennae quite severely?  
 22 A. Certainly.  
 23 Q. And that would have fed into all of your risk  
 24 assessments?  
 25 A. Certainly.

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1 Q. And all the views that you take of Mr Khan?  
 2 A. Certainly, and it would have resulted in some in—depth  
 3 conversations with individuals to identify what those —  
 4 the reasoning behind that investigation and to make sure  
 5 that I'm aware of that and the reasons why so that I can  
 6 then amend anything that I need to in terms of  
 7 management of Mr Khan.  
 8 Q. Because you can't have many cases with security services  
 9 interest in them?  
 10 A. As I said to you yesterday, I'd got three individuals,  
 11 Usman Khan and his two co—defendants, and there could  
 12 have been involvement with them but —  
 13 Q. You don't know?  
 14 A. — it's something that I wasn't party to.  
 15 Q. And I'm assuming I know the answer to these then,  
 16 because it flows from what you have just told me, we are  
 17 going to be told, I understand, that in December 2018,  
 18 Mr Khan was upgraded by MI5 from a level P4 to a level  
 19 P3, and what that means is that it was assessed at the  
 20 point of release that Khan continued to pose a risk to  
 21 national security and would need to be monitored  
 22 post—release.  
 23 Now, if anything of that kind had been communicated  
 24 to you, that would have twitched your antennae again,  
 25 wouldn't it?

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1 A. Definitely. And just to add to that, in terms of  
 2 decision—making, it would have had a huge impact upon my  
 3 decision—making also.  
 4 Q. We will also hear, although this was information that  
 5 was uncorroborated and unknown validity, and we've not  
 6 been able to probe this yet and how it relates to  
 7 the December 2018 concern about him returning to his old  
 8 ways, that MI5 were concerned that he was continuing to  
 9 attempt to radicalise other Muslim prisoners and,  
 10 importantly, that he intended to re—engage in  
 11 terrorism—related activities when released, including  
 12 carrying out an attack, and for the lawyers in the room,  
 13 that's paragraph 109 of the Witness A statement.  
 14 Now, again, if you had heard anything like that, you  
 15 would be now applying, if I put maximum caution to you?  
 16 A. Definitely.  
 17 Q. And if you had heard — now, we know that a number of  
 18 people, and we've seen it in different contexts, in  
 19 prison material and in your material, that there were  
 20 concerns that Khan was engaged in false compliance to  
 21 try and avoid attention and to try and avoid or seek  
 22 a more relaxed licence regime.  
 23 A. Yes.  
 24 Q. Now, if you had heard that MI5 shared those concerns,  
 25 that too would have raised your alerts and security

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1 antennae?  
 2 A. Yes, the whole management process would have altered,  
 3 potentially.  
 4 Q. Yes. And all decisions that are taken, including travel  
 5 arrangements or anything else, if you had known any of  
 6 that, that would have —  
 7 A. Sorry, can you repeat?  
 8 Q. Anything — all of the decisions that you take in  
 9 relation to Khan would have been affected by that, would  
 10 they?  
 11 A. Definitely, yes.  
 12 Q. But you can't take into account that which you don't  
 13 know?  
 14 A. No.  
 15 Q. Can I just ask about this: we are told, or I think we're  
 16 going to be told, you are going to these MAPPA  
 17 meetings — so I understand how this worked — you go to  
 18 these MAPPA meetings and you go in person, do you?  
 19 A. Yes.  
 20 Q. I think we're going to be told that MI5 were present at  
 21 a number of [MAPPA] meetings. Do you see anybody there  
 22 that looks like security services?  
 23 A. I think I attended 29 out of the 30 panels and at no  
 24 point was I aware that MI5 were present.  
 25 Q. Are there people there who don't introduce themselves or

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1 don't identify themselves or don't contribute?  
 2 A. Not that I can recall, because generally, as you arrive  
 3 at the MAPPa meeting, you are reading reports ready for  
 4 the discussion. People do around the table introduce  
 5 themselves, but, you know, I can't recall whether anyone  
 6 was omitted from that at all, to be honest.  
 7 Q. All right. Okay. Thank you very much.  
 8 Now, moving on --  
 9 JUDGE LUCRAFT: Just before you do move on, a lot of these  
 10 meetings, Mr Skelton, we know the same people are  
 11 present, so I'm just really picking up on what  
 12 Mr Armstrong says about whether people would introduce  
 13 themselves. People would know Ken Skelton, wouldn't  
 14 they? You wouldn't need to say "I'm Ken Skelton"?  
 15 A. Yes, and I suppose 90% of the people around the table  
 16 would be known to others.  
 17 JUDGE LUCRAFT: Yes.  
 18 A. So when the introductions went around, you would know  
 19 who was there, but, as I say, I can't remember whether  
 20 anyone was ever omitted from these introductions.  
 21 MR HOUGH: Sir, may I just say, so far, Mr Armstrong has  
 22 been careful in his questioning --  
 23 JUDGE LUCRAFT: Yes.  
 24 MR HOUGH: -- and the answers have been appropriate. There  
 25 may be difficulty if we get into any questions about

1 identifying individuals.  
 2 JUDGE LUCRAFT: Yes.  
 3 MR ARMSTRONG: Yes, I'm just trying to understand in general  
 4 terms. I'm conscious I'm walking a careful line, but  
 5 I will move into easier territory.  
 6 I now want to move on, this is around the May time,  
 7 I want to just now skip ahead into July, and there  
 8 were -- you know that through this period, you answered  
 9 some questions from me and others yesterday about the  
 10 mentors?  
 11 A. Yes.  
 12 Q. And the concerns that were coming from that. Now,  
 13 I just wanted to ask you about this, because the police  
 14 also seemed to have had some concerns about mentors and  
 15 what this was showing. Can I just put up  
 16 a Staffordshire document, which is {DC7450/1}, and if  
 17 I can go to {DC7450/2} the second page of that. Now,  
 18 this is something called an ALM stakeholder meeting  
 19 which is a Staffordshire meeting and we haven't heard  
 20 any evidence about what that is yet, but there is  
 21 something in Staffordshire and I think this is about  
 22 Special Branch rather than about Prevent, but you see  
 23 that there is a discussion about Khan here, and in the  
 24 black you've got:  
 25 "Khan has been fully complying with licence

1 conditions ... he attended Whitemoor... as part of the  
 2 university course he has received a Google Chrome  
 3 notebook..."  
 4 He is talking there, do you see, Khan getting --  
 5 "very important people in high places" he is talking  
 6 about "who have had some influence", so he is enjoying  
 7 the Learning Together prestige. Then you see this, now  
 8 as I understand it, this is an intelligence analyst  
 9 comment from somebody, I think, called Dawn Banner, who  
 10 has had access to material, and what she says is this:  
 11 "Mentor reports suggest Khan is quite calculating in  
 12 his behaviour, displaying frustration and anger  
 13 previously at licence conditions (from approx 3 months  
 14 after release) until they are changed, he also dislikes  
 15 being given direction and advice. Khan is gaining in  
 16 confidence and regularly makes himself out to be more  
 17 important than he is."  
 18 Now, was anything like that said to you by  
 19 Staffordshire Police?  
 20 A. No.  
 21 Q. Did you ever hear of an intelligence analyst saying:  
 22 we're worried about him, he's gaining in confidence?  
 23 A. No. And what I would add, just in relation to that  
 24 statement, is that at no point did Mr Khan actually  
 25 mention to me about any reduction in the licence

1 conditions --  
 2 Q. Okay.  
 3 A. -- throughout the period that I supervised him.  
 4 Q. But I mean, this is about what the mentors are saying,  
 5 and this is the police's take, and this is  
 6 an intelligence analyst sitting back with potentially  
 7 access to other material, and we'll hear about this in  
 8 due course, and that's the view that they come up with.  
 9 Now, in a complex case, if somebody brings  
 10 a different perspective to bear, you would want to know  
 11 about it?  
 12 A. Definitely, and I think that's part of -- my view is you  
 13 attend MAPPa meetings, it's about getting different  
 14 individual's perspectives. Ordinarily MAPPa meetings  
 15 would be held in Stafford, but in relation to this  
 16 individual, they were held in Birmingham, and generally  
 17 that is the benefit, because you do get the perspective  
 18 of other people, and, you know, in relation to the  
 19 dumper truck training, that again was about being able  
 20 to identify other perspectives on things.  
 21 Q. I completely understand all that, and I understand, and  
 22 I think I'm detecting from you -- tell me if I've got  
 23 this wrong -- a degree of disappointment that there  
 24 seems to have been information or opinions out there  
 25 that were not shared with you?

1 A. Definitely .  
 2 Q. Now, but that takes me to something where I do have to  
 3 press you quite hard, Mr Skelton, which is the ERG.  
 4 Now, you are asked to do the ERG this month as  
 5 well, July, 2019, and you've taken my point about the  
 6 importance of structured decision-making.  
 7 A. Yes.  
 8 Q. Now I just want to ask you about this: you answered some  
 9 questions -- I want to understand process first of all .  
 10 You told Mr Hough yesterday that there were two  
 11 interviews .  
 12 A. Two?  
 13 Q. Interviews with Mr Khan --  
 14 A. Yes.  
 15 Q. -- for the purposes of the ERG, and that Mr Johal was at  
 16 both of them?  
 17 A. Yes.  
 18 Q. And Mr Johal told us that he thought those were about  
 19 an hour?  
 20 A. Yes, they may have been slightly longer, but  
 21 thereabouts, yes.  
 22 Q. Now I'm not going to pull this up at the moment, but  
 23 I can do. In your witness statement, your second  
 24 witness statement, for the lawyers it's paragraph 65,  
 25 you said that it was two or three interviews and

1 Mr Johal might have been at one of them.  
 2 A. Yes. My understanding was, and obviously at that  
 3 particular time my witness statement, but having  
 4 reflected on it, he was present for both of them.  
 5 I wouldn't have interviewed Mr Khan for an ERG on my  
 6 own.  
 7 Q. Okay.  
 8 A. So in relation to that, at that particular time, a lot  
 9 of things were going on, there was a lot of things going  
 10 around, so yes, my understanding, having considered it  
 11 since, was that he was present for two of them.  
 12 Q. Okay. Well, the reason why I'm sort of asking about  
 13 this is there are no ERG interview references anywhere  
 14 in the Delius, you don't record these interviews in the  
 15 Delius.  
 16 A. I think I recorded the majority -- well, all my contact  
 17 with Usman Khan, whether it was put down in relation  
 18 to -- and, you know, I stand to be corrected, but  
 19 whether it was actually put down as a general entry  
 20 rather than an ERG interview, then that may be the case.  
 21 But every time I spoke to Usman Khan, I did make  
 22 an entry.  
 23 Q. Right. Well, I want to be clear about this because you  
 24 say -- and I think this is right -- these interviews  
 25 took place over July and August.

1 A. Mm--hm.  
 2 Q. And we've seen a MAPPA reference, we can go back to it,  
 3 where MAPPA is told in August the report will be  
 4 available at the next panel; yes? And it's not. We  
 5 know that it still wasn't available in November, and we  
 6 can come back to that if we need to. But take it from  
 7 me, I've been through the Delius -- I will be corrected  
 8 if I am wrong -- for July and August, and there are  
 9 a number of entries from you in the Delius in July  
 10 and August, okay. But they're all about things like  
 11 employment and whether he's moving on, and those sorts  
 12 of matters, those practical arrangements. There's  
 13 nothing that refers to the ERG, there's nothing that  
 14 refers to Mr Johal, and there's nothing that refers to  
 15 offending behaviour type, focused ERG type questioning?  
 16 A. Okay.  
 17 Q. Now, I ask you about this, because Mr Johal met a number  
 18 of the criticisms that Mr Hough and others put to him  
 19 about the ERG process by saying he was satisfied about  
 20 Mr Khan's risk because he was asking -- this was his  
 21 phrase -- a range of explorative questions.  
 22 We can't see in the Delius any record of any of  
 23 that, still less the explorative questions that were  
 24 asked.  
 25 A. Ah, okay. I did receive notes from Mr Johal in relation

1 to the interviews .  
 2 Q. You did?  
 3 A. In relation to putting them onto Delius, clearly they  
 4 are not there, but I had got the notes in relation to  
 5 what had been discussed, which was then able to inform  
 6 the report that I was going to be writing. If there was  
 7 no reference to it on Delius then it was because I've  
 8 got the notes there.  
 9 Q. Well, can I just ask about that. I mean, I'm asking  
 10 these questions because I'm interested in discipline and  
 11 rigour in a complex case and you see why note-taking and  
 12 proper focused dedicated time is important to achieve  
 13 rigour and discipline .  
 14 A. Yes.  
 15 Q. Now, did you have, first of all, bespoke ERG interviews  
 16 with Mr Khan or did you just tack it on to the end of  
 17 practical arrangements?  
 18 A. No, there were two specific appointments that were  
 19 undertaken in the approved premises at the time, and as  
 20 I say, there were notes taken, there were formal notes  
 21 taken that were provided to me, and before we actually  
 22 met for the meeting, we got the -- we went through all  
 23 the pre-forms that you need to, and then Usman Khan came  
 24 in and we did a designated interview on two occasions,  
 25 and then, like I say, there were the notes written which

1 were provided to me to inform the report.  
 2 Q. You would need notes, wouldn't you? You would need  
 3 preparation notes?  
 4 A. Yes.  
 5 Q. And you would need notes of what had asked and what had  
 6 been said in response?  
 7 A. Yes.  
 8 Q. Not least because you are writing up in November when  
 9 the interviews took place in July and August.  
 10 A. In fairness the report had been started prior --  
 11 Q. Sure.  
 12 A. -- to November, and I accept the fact that it took  
 13 a considerable amount of time to actually get it  
 14 constructed, but from when the interviews were done and  
 15 this is by no way an explanation or an excuse as to why  
 16 it didn't happen, but at that particular time, as I've  
 17 already alluded to, I'd got three individuals of the  
 18 same nature as Mr Khan, I'd got a caseload of over 30,  
 19 I'd also taken a week's leave or a fortnight's leave,  
 20 I forget which, in September, and also Mr Johal was off  
 21 for a week as well.  
 22 So I think -- and just for the jury, I would like to  
 23 make an explanation is that when individuals are on  
 24 leave what happens, the work that comes in on those 35  
 25 or 36 or however many cases that you've got actually

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1 backs up, so when you come back after two weeks, you  
 2 have got to do the two weeks' work that has come in  
 3 since you've been off, plus also you've then got to  
 4 catch up with the work that's coming in having come back  
 5 to work.  
 6 So, again, I'm not making any excuse whatsoever in  
 7 relation to that, but that is just as an example of the  
 8 difficulties that individuals in this line of work  
 9 actually face.  
 10 Q. I'm not going to disagree with that. I totally see the  
 11 point that probation officers do a difficult job and  
 12 have limited time and I am wanting to probe this for  
 13 learning purposes, and it may be that you just weren't  
 14 equipped to do something of this depth. Firstly, you're  
 15 referring to a lot of notes. We don't have any of  
 16 those. Where are they now?  
 17 A. Well, they would have been on my computer.  
 18 Q. Right. Well, others will inquire, but you will  
 19 appreciate there has been an extensive disclosure  
 20 operation in this case and we have not seen anything.  
 21 A. Okay.  
 22 Q. Have you referred to them for the purposes of your  
 23 statement or anything like that?  
 24 A. No, not that I can recall. I'm not sure.  
 25 Q. And can I just put this to you, and I know that you are

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1 maybe getting tired of the comparisons between your ERG  
 2 and leva Cechaviciute's, but let me show you this. Can  
 3 I go to {DC6506/1} please. This is her scoring sheet,  
 4 so at the end of her ERG that she does, as do you, you  
 5 have a scoring sheet that we will look at in a moment,  
 6 she has a scoring sheet, but behind this, if we then  
 7 just go to the next page, she has an evidence sheet,  
 8 okay? {DC6506/2} And she talks about this in this  
 9 witness statement and we'll hear from her tomorrow and  
 10 we can talk about this, but she has 31 pages, this  
 11 document is a 31-page document, of the evidence that she  
 12 went through, and you can see this, for example, SIR is  
 13 security intelligence report, so she goes through each  
 14 of the 22 factors, she analyses each of those 22 factors  
 15 and she tells us in this process why she got to those  
 16 scores by reference to the documents that she looked at.  
 17 So you see the discipline and rigour.  
 18 A. Mm--hm.  
 19 Q. We can't see anything like that from you.  
 20 A. In relation to my report, and at the beginning where you  
 21 evidence your qualifications, that would have been  
 22 added. Any appendices would have been added.  
 23 Q. Right.  
 24 A. And I think in my report I have referenced previous  
 25 ERGs, but in relation to some of the information that's

19

1 in the 2018 one, it's -- I understand that mine is much  
 2 more lean than this one that's been identified here, but  
 3 we also need to understand that in actual fact, I've --  
 4 the one that was done in 2018, there were far more  
 5 departments within the custodial environment that were  
 6 actually feeding into that document than what was  
 7 feeding into my document. We were -- what was being fed  
 8 into, I suppose, my document, was the fact that what  
 9 we'd got -- what we were actually working with at that  
 10 time. We had looked at previous reports and, as I say,  
 11 I'm sure that within mine some of it is documented and  
 12 referenced, but, yes, it isn't as comprehensive in terms  
 13 of this -- a document as this 2018, but again, I would  
 14 just like to reiterate that there's not the same feed in  
 15 to mine as there was to this.  
 16 Q. Well, we could argue about whether or not there's more  
 17 material available to Ms Cechaviciute than to you, but  
 18 what I'm interested here is the rigour of has he changed  
 19 on this issue, where is the evidence of change?  
 20 Now, you say that you would add this as an appendix.  
 21 I've also made a criticism, and I'll put it again to you  
 22 now, I've put it to Mr Johal, that one of the things  
 23 that your document misses is the introductory section  
 24 that says "This is what I've read". Now, can we just go  
 25 to the end of this document, please? I mean, just stay

20

1 there, for example. {DC6506/31}. This is just part of  
 2 the list of documents to which he refers. This is  
 3 a very long list. Now, this is not just about adding  
 4 an appendix, this is about the discipline of making sure  
 5 you've read it. So you need to do this before you come  
 6 to a view, not add it at the end; do you see?  
 7 A. Okay.  
 8 Q. I mean, do you accept that criticism from me of your  
 9 ERG; that it does not, certainly on its face, have the  
 10 same discipline or attention that this one does?  
 11 A. I accept that this is a far more comprehensive document  
 12 than I completed, yes.  
 13 Q. Did Mr Johal alert you to any of this?  
 14 A. Sorry?  
 15 Q. Did Mr Johal alert you to any of this, or anybody say:  
 16 you need more than this?  
 17 A. Not that I can recall.  
 18 Q. You see, Mr --  
 19 A. Sorry. We had had some conversation, myself and  
 20 Mr Johal, in relation to what had been written, and --  
 21 but other than that, there was no other input.  
 22 Q. Can I just ask you this in general terms: were you  
 23 struggling to reconcile a TACT caseload with a general  
 24 probation caseload?  
 25 A. In as much as I suppose the -- in terms of a general

21

1 caseload of high risk offenders you get pushback, you  
 2 get this, that and the other, and in relation to TACT  
 3 offences, there's obviously different legislation that's  
 4 around, and things like that that you have to  
 5 familiarise yourself with, so it was a different aspect  
 6 to the work that I was undertaking, but from when  
 7 I offered to undertake this type of work and these  
 8 individuals, I did, as much as possible, try to  
 9 familiarise myself with what the differences were and  
 10 try and incorporate that into my practice to the best of  
 11 my ability.  
 12 Q. All right. Now back to this ERG, one of the things --  
 13 Mr Johal accepted from me a number of the criticisms  
 14 that I put about the ERG, but his answer, and I just  
 15 want to check yours is the same answer, is that this was  
 16 just a draft?  
 17 A. It was, yes.  
 18 Q. I mean, I just want to ask you about that, because you  
 19 had produced this draft and sent it to him for comment?  
 20 A. I had.  
 21 Q. You presumably don't want to do that until the draft is  
 22 nearly ready to go?  
 23 A. That's correct.  
 24 Q. So it must have been quite close to being a final draft?  
 25 A. Yes, I don't think ... yes.

22

1 Q. Okay. And just to go back to some of those criticisms,  
 2 just to see whether you accept it, I've put to you the  
 3 point about documents, but we've also had a lot of  
 4 conversations in this case about Mr Khan's  
 5 status--seeking and the importance of that to him, and  
 6 we'll come back to it with other witnesses.  
 7 Can I just look at your ERG again. Can I bring up  
 8 {DC5323/14}. Now, this is your score sheet, and what  
 9 this does is it lists the scoring, we'll come back to it  
 10 in a moment, so that's the first 13 of the 22 factors,  
 11 then if we look at the bottom half of that, it goes down  
 12 to 22. Do you see?  
 13 A. Yes.  
 14 Q. So that is how they are doing it. So if we go back to  
 15 the top of the page.  
 16 JUDGE LUCRAFT: There's an absence of i's and l's on some of  
 17 the spelling.  
 18 MR ARMSTRONG: I'm sorry?  
 19 JUDGE LUCRAFT: I's and l's seem to be missing from...  
 20 MR ARMSTRONG: Yes, yes, that's true. I could make  
 21 a redaction joke about this.  
 22 We see: need to redress injustice, need to defend  
 23 against threats, identity, meaning and belonging and the  
 24 need for status. Now we will see that in common across  
 25 all ERGs if we need to look at them and it approaches

23

1 that in this order, so that's what you do, you work  
 2 through in order, don't you, those factors, and you look  
 3 for the evidence in support or against there being  
 4 a change there.  
 5 Now, if we then just look at {DC5323/4} of this  
 6 document, we see 3.3, so it does those things, it goes  
 7 through "need to defend against threats", then it goes  
 8 "Identity, meaning and belonging" then it skips status  
 9 altogether and goes straight to "Excitement/comradeship  
 10 and adventure".  
 11 So Mr Johal suggested that status might have been  
 12 written in afterwards and I just put two points about  
 13 that: first status is key and should have been there all  
 14 the way through, but secondly, it appears simply to be  
 15 missing. Can you help us with why that is?  
 16 A. This document is something that -- and I think it's been  
 17 alluded to previously, is about there's some flexibility  
 18 in areas that are present or not present, so in relation  
 19 to this one, the need for status is something that had  
 20 been documented throughout.  
 21 Q. Yes.  
 22 A. And was, I suppose, if you like, at the top of the list,  
 23 but in relation to that and this document, at this  
 24 moment in time there wasn't any evidence I saw at that  
 25 particular time in evidence coming from other people

24

1 that that was obvious, or that was there.  
 2 So the reason it was omitted is the fact that it was  
 3 recognised, and it was recognised that it had been in  
 4 previous documents and something that was evident, but  
 5 it was something that was going to be monitored over the  
 6 period of time to identify exactly where that fitted and  
 7 how that related to Usman Khan, and then when the  
 8 document was reviewed, it would have been input then,  
 9 whether there had been any change.  
 10 Q. I mean, there's two points about that, firstly, status  
 11 is obviously important and therefore requires  
 12 a discussion and an analysis from you but, Mr Skelton,  
 13 even you think that, because if we go back to your score  
 14 sheet at page 14, this is one of the areas where you  
 15 maintain the same score as Ms Cechaviciute,  
 16 Dr Cechaviciute. So you've got paragraph 4 there, "need  
 17 for status", and the way this works is you have the  
 18 presence of factors as being not present, partly  
 19 present, strongly present, or protection, and those  
 20 numbers refer to each of the ERGs done, yours is number  
 21 5, and all of the ERGs, including yours, record status  
 22 as being a strongly present factor. So you agree with  
 23 her that it's a strongly present factor but we don't see  
 24 your analysis in the text?  
 25 A. And all I can say to that is the fact that it was there

1 and it's been there clearly as it shows in the document,  
 2 and it was going to be monitored and managed and it was  
 3 going to be updated whether there was any change when it  
 4 was -- when the document was next reviewed.  
 5 Q. Just staying on this subject and to underline the  
 6 importance of analysis of status, can I just show you  
 7 what Dr Cechaviciute said about status on her way to a  
 8 conclusion in her witness statement. Can I have  
 9 {WS5070/3}, please. Now here she says -- so she is  
 10 a forensic psychologist, and she says:  
 11 "Usman Khan's [counter-terrorism] Case Management  
 12 System Log records some of my observations at these  
 13 meetings. In May 2017 [so a year and a half before  
 14 release] I noted that a report had been prepared by  
 15 Dr Zainab Al-Attar on Usman Khan. Dr Al-Attar is a  
 16 psychologist who holds the role of the Long Term and  
 17 High Security Estate Extremism Advisor."  
 18 So this is another psychologist and appears to be  
 19 quite a senior one, saying:  
 20 "I do not remember Dr Al-Attar providing a written  
 21 report but I do remember a telephone conversation with  
 22 her about Usman Khan, although I do not remember when  
 23 this was. Normally, when a TACT offender transfers to  
 24 HMP Whitemoor, Dr Al-Attar or the sending establishment  
 25 will provide me with some advance information about the

1 offender and give recommendations as to their  
 2 management."  
 3 So this is somebody, it looks like central long term  
 4 high security estate, looking at serious problematic  
 5 prisoners of whom Mr Khan is one, and providing  
 6 an introduction to them to the psychology department:  
 7 "I reported that Dr Al-Attar considered Usman Khan  
 8 to be [and this is the key bit] 'superficial and full of  
 9 hot air, she thought that he would benefit from possibly  
 10 having more contact with his family as they are  
 11 non-extremist'. I do not know Dr Al-Attar's sources,  
 12 however I believe that she has access to offender's  
 13 files and intelligence information."  
 14 So point one, this is another apparently senior  
 15 psychologist raising issues about false compliance from  
 16 a centralised position. Now, do you ever hear anything  
 17 about Dr Al-Attar or any views that she had?  
 18 A. I'm sorry, could you repeat that?  
 19 Q. Did you ever hear anything about a Dr Al-Attar  
 20 expressing a view about Mr Khan?  
 21 A. Not that I can recall.  
 22 Q. Because there's then this. Can I now just show you  
 23 {DC7441/272}. This is an email from Dr Zainab Al-Attar  
 24 on 26 May 2018, so a year later, copied to people who we  
 25 can't see, but we can see Lois Gell, who is part of your

1 Probation Service, and this says this, and I'm going to  
 2 have to read the whole of the first paragraph. This is  
 3 a summary about desistance and disengagement and it says  
 4 this:  
 5 "Mr Khan's offending seemed to be heavily driven by  
 6 social identity drivers. He put himself forward to  
 7 coordinate his terrorist cell out of a strong drive to  
 8 be the 'man for the job'. Whilst his goals were coached  
 9 in Islamist political motives, his strong social need for  
 10 admiration and acceptance [and I'm emphasising that for  
 11 the status point] seems to be at the heart of what  
 12 drives him, more than the political and moral aspects of  
 13 his causes. In custody, Mr Khan has made limited  
 14 progress in spite of a lot of assessment and  
 15 intervention work, largely due to the presence of peers  
 16 whom he may look to impress and maintain a sense of  
 17 identity through.  
 18 "Mr Khan presents as a fairly immature and  
 19 cognitively rigid individual who is always willing to  
 20 engage in assessment and intervention but whom makes  
 21 little deep progress and develops little deep insight as  
 22 a result. Thus, his progress has been somewhat limited  
 23 by his superficial effort to understand his offence and  
 24 future risk. Furthermore, he is very peer-driven and he  
 25 has at times struggled to resist the temptation to



1 impress his peers in the custodial environment. This  
 2 has amounted to various negative behaviours in the  
 3 earlier years of his sentence, all carried out in a peer  
 4 context. However he has no insight into his  
 5 susceptibility to peer dynamics and hence it has been  
 6 difficult to challenge his behaviour in any meaningful  
 7 way that leads to greater insight and self-management.  
 8 Mr Khan was placed on the MCBS for a while and housed on  
 9 a MCBS unit. His behaviour improved but this may have  
 10 been largely due to the limited number of extremist  
 11 peers on the unit. In recent times he has been somewhat  
 12 more settled and partaking in education and  
 13 self-development."

14 Now --  
 15 MR HOUGH: Just before you go on, it may help you and the  
 16 jury to know that the reference to DDP, the blacked out  
 17 sections in the addressees, are to staff from the DDP  
 18 organisation. Their names aren't relevant, which is why  
 19 they've been blacked out.  
 20 MR ARMSTRONG: Yes.  
 21 JUDGE LUCRAFT: Thank you.  
 22 MR ARMSTRONG: I think -- I might just check this with  
 23 Mr Hough -- there's no suggestion that(?) this is going  
 24 in to Lois Gell and to probation. All right.  
 25 Does that ever come to you?

1 A. I can't recall that coming to me.  
 2 Q. Because the point is that I'm going to suggest to you  
 3 that that's pretty much on the money from the material  
 4 that we've seen, and it's particularly important because  
 5 it chimes directly to which he refers, Dr Al-Attar says  
 6 at the bottom:  
 7 "Please see the 2018 ERG..."  
 8 That chimes with the psychologist on the ground, who  
 9 is Dr Cechaviciute, and that is saying: no progress, no  
 10 insight, not really moved on, same immature rigid  
 11 decision-making and motivation that he's always had;  
 12 yes?  
 13 A. Yes, but in relation to -- and I take on board what  
 14 you're saying, but there had been some improvement  
 15 from -- and I understand what you're saying, but from  
 16 when --  
 17 Q. Not much.  
 18 A. Yes, but there had been some improvement, and like I've  
 19 already alluded to, when -- we can't -- it's difficult  
 20 to constantly put people back, and we're constantly  
 21 conscious of the seriousness of individuals' offence,  
 22 capabilities of people, but it's very, very difficult,  
 23 and with this individual, from the six months to the --  
 24 well, basically the 18 months, there's been some change  
 25 within the 18 months, not a great deal, very little, in

1 fact, but this last 6 months or 8 months there had been  
 2 some improvement, some marked improvement, which had  
 3 been confirmed by other people, and following his  
 4 release there was never, ever any evidence whatsoever of  
 5 these types of behaviours.

6 And in terms of, and he alludes to the family there,  
 7 at that time when he was released, there was emphasis  
 8 placed on that to try to get him back and build those  
 9 relationships with his family.

10 I think the point I'm trying to make is that during  
 11 those times from mid-2018, yes, there were behaviours,  
 12 and there was a lot of information around that I wasn't  
 13 party to as well, which is there, but then from that  
 14 period of time, from nowhere did I get any information  
 15 that would suggest him returning to any of these  
 16 behaviours.

17 Q. Well, I need to get this back to the question. Can  
 18 I put this to you: I do see that you're bowled a very  
 19 fast curved ball, but there is a lot of detailed  
 20 material out there and detailed analysis that says Khan  
 21 is a very serious individual, and that should have been  
 22 obvious anyway because he was coming from a high risk  
 23 security environment. Now, I realise that is  
 24 a management nightmare for you but the way you manage it  
 25 -- and I realised you don't have all the information

1 MI5, other people, information that comes in from this  
 2 source, perhaps, but the way you meet that is by very,  
 3 very cautious analysis and using the structured tools  
 4 that you are given and we don't have them for a year, do  
 5 we? There's no OASys or ERG at all?  
 6 A. The thing is, the OASys and the ERG, it was about  
 7 sequencing, because as I've already said about workload,  
 8 again, not an excuse, but when you talk about workloads,  
 9 it was -- the idea was, and it was discussed with my  
 10 line manager, was about sequencing those two documents.  
 11 The ERG is a document, it's not a risk assessment  
 12 document as such, but what it does do, it feeds in to  
 13 the OASys document, and I take on board the point that  
 14 you make about status, but again, all I can say is that  
 15 that was something that was paramount in my mind at that  
 16 particular time and that it would have been considered  
 17 and it would have been updated at a point when that  
 18 was -- when I could confidently say anything about it.  
 19 Q. But it's not even about updating, it's what -- I mean,  
 20 there are gaps in this, I've dealt with status, there  
 21 are others. There's nothing in here about presentation  
 22 management. There's nothing here that tells us where he  
 23 is on the stages of change model. Those are omissions.  
 24 But if you even look at what you do have, can we just go  
 25 back to the ERG, {DC5323/14}, and then go to the bottom

1 of that page, and these are just examples because  
 2 I don't have time to do it all in detail.  
 3 A. Okay.  
 4 Q. But if you look, for example, at "Capability", which is  
 5 your capability for committing an attack: personal  
 6 "knowledge, skills and competences", this is measuring  
 7 does he have the personal knowledge, skills and  
 8 competence to launch an attack, so does he know how to  
 9 do it is what that's about. Now, he was scored as a 4,  
 10 as having some capability by level, see that middle  
 11 column, but you downgrade it to 5. The 5 moves over to  
 12 low.  
 13 Now, how did he have less skills or capability in  
 14 2019 than he had in 2018? What had he forgotten?  
 15 A. Well, it was what information that I was dealing with.  
 16 His -- he'd got no -- he was having no contact and there  
 17 was no evidence to suggest that -- he'd never said  
 18 anything that caused any concern in that area.  
 19 Q. Criminal history, you downgrade from some criminal  
 20 history capability, so something in his criminal history  
 21 that leads to capability, you downgrade that too. His  
 22 criminal history is, presumably, static. I mean, he's  
 23 not going to change his criminal history.  
 24 A. Point taken.  
 25 Q. Can I now just look at your conclusion on {DC5323/12},

1 "Conclusion and recommendations". Now, of those few  
 2 paragraphs that we have there, we have at the bottom the  
 3 first paragraph is:  
 4 "Provide professional opinion and judgment to inform  
 5 the purpose of the report."  
 6 That appears to be you cutting and pasting in the  
 7 instruction to you as to how to complete the document;  
 8 yes?  
 9 A. Mm--hm.  
 10 Q. Then we have:  
 11 "This ERG ... should not be used in isolation or as  
 12 the sole basis for decision-making."  
 13 That's just lifted from the guidance.  
 14 A. And that, again, is about making sure that you review  
 15 previous documents, when you update reports, you do  
 16 addendums, so that was saying about making sure that you  
 17 review previous documents.  
 18 Q. Then it's:  
 19 "Based on the evidence available since release and  
 20 at this point in time I would assess Mr Khan's  
 21 likelihood of re-offending and risk of extremist  
 22 offending is low."  
 23 When the only structured risk assessment at the  
 24 moment still has him as actually very high because it  
 25 hasn't been changed, but even on your assessment is

1 high?  
 2 A. The reason behind that was the fact that he was having  
 3 no contact, as I was aware, with any individuals, there  
 4 was no offence paralleling behaviour, there was no  
 5 identified offence--planning. As far as I was concerned,  
 6 at that particular time, as he did with other agencies  
 7 and other people involved with him, there was nothing  
 8 identified. There was nothing present.  
 9 Q. Mr Skelton, I do have to put to you, and I'm trying not  
 10 to be mean, but there was a massive history behind him  
 11 and we have to look at how he gets to a low assessment  
 12 and how he gets to the Timpson's email. This document  
 13 is just hopeless, isn't it? It's late and it's  
 14 inadequate.  
 15 A. Well, I would say that that's your opinion. At the end  
 16 of it, I did that document, I did what I was asked to  
 17 do, and I put every effort into doing that document.  
 18 Q. Now, just coming towards the end, I know it's not just  
 19 you and I know that you are in MAPPA and I know that  
 20 there are other people, all right?  
 21 A. Mm--hm.  
 22 Q. And you have said to Mr Hough in particular several  
 23 times that other agencies didn't raise concerns with  
 24 you?  
 25 A. No.

1 Q. And you said that Mr Hough was asking you about how you  
 2 could say he had moved away and you said that as he had  
 3 demonstrated with other individuals working with him the  
 4 police and other agencies there was nothing coming out?  
 5 A. No.  
 6 Q. Now, just -- an important part of that, isn't it, is  
 7 Sergeant Forsyth, he's probably the person you were  
 8 working most closely with?  
 9 A. Yes.  
 10 Q. He was police, Staffordshire Police, working for  
 11 Prevent, and he was the offender manager from the police  
 12 point of view?  
 13 A. Yes, him and members of his team, yes.  
 14 Q. Now, can I just put this to you: he is a community  
 15 police officer, that's his training, and then goes into  
 16 Prevent and then for reasons we'll hear discussed, gets  
 17 used for this role?  
 18 A. Yes.  
 19 Q. He is not somebody who is going to do this kind of  
 20 analysis of offending behaviour, motivation, what's  
 21 informing it, ideology, that's not what a community  
 22 police officer has any experience or training in.  
 23 A. Okay.  
 24 Q. That must be right, yes? And I'm just asking you that,  
 25 because you relied on other agencies in the context of a

1 line of questions from my learned friend Mr Hough about  
 2 the ERG, so Mr Hough was putting to you criticisms of  
 3 the ERG, and you said: yes, but you were getting the  
 4 same feedback from other agencies as you were seeing.  
 5 A. Okay.  
 6 Q. But you can't rely on Mr Forsyth in an ERG context? He  
 7 just isn't going to help you with that depth.  
 8 A. Well, I can't really comment on what knowledge or  
 9 training Mr Forsyth's had in that area, but ultimately,  
 10 as you can sit round the table at a MAPPA meeting and  
 11 there may be 20 people there, but you need to --  
 12 obviously you've got to take on board what other  
 13 individuals are saying. I can't be held responsible for  
 14 everything, that's the whole point of the MAPPA panel.  
 15 Q. Did Sergeant Forsyth seem to you to be well informed,  
 16 confident, experienced in this area?  
 17 A. Yes. He was -- he's the -- he was the sergeant within  
 18 the Prevent Team, so my understanding was that he'd  
 19 got -- he'd got a good grounding and knowledge in this  
 20 area.  
 21 Q. If I said to you -- there may need to be some checks on  
 22 this, but if I said to you, for example,  
 23 Sergeant Forsyth never went to the address to which  
 24 Mr Khan moved on 24 September, he never went to the new  
 25 address after that, never saw him there, does that come

1 as a surprise to you?  
 2 A. Other members of his team had --  
 3 Q. That's true.  
 4 A. -- and they work within the Prevent Team as well.  
 5 Q. That's true, PC Oakley and PC Hemmings went twice, they  
 6 went on 31 October and 14 November, hopefully they fed  
 7 back to Sergeant Forsyth. They spent 8 minutes and  
 8 10 minutes at the address. That is getting no -- that  
 9 is not helping you with any kind of intensive analysis,  
 10 is it?  
 11 A. No.  
 12 Q. Thank you. And just one final point. The Timpson's  
 13 email, and I know this must cause you enormous  
 14 discomfort, looking back at that email now?  
 15 A. It does, and during the -- over the period of time since  
 16 yesterday afternoon, I have tried to identify where  
 17 those dates come from, and I just can't. It was  
 18 obviously -- those dates were, even at a point of some  
 19 significance those are the dates that I have put in  
 20 there, but in actual fact I've tried to consider where  
 21 they've come from and how they've been placed in there  
 22 and I can't.  
 23 Q. I know, and that must cause you great regret?  
 24 A. Definitely.  
 25 Q. Can I just -- I don't want to increase --

1 A. Although, I'm sorry, I would just like to add though,  
 2 having thought about it -- and I appreciate the fact  
 3 that he -- there had been poor behaviour all the way  
 4 through and there had been intelligence prior to him  
 5 coming out and various other things, but ultimately, one  
 6 thing I will say, from the six months, as I've already  
 7 alluded to, from the six months until the incident,  
 8 I hadn't had a great deal of information about what was  
 9 going on in terms of his attack--planning or anything  
 10 like that. But going -- putting that into the email,  
 11 whatever response I would have had from that email,  
 12 there would have been significant and intense  
 13 discussion, conversation, provision of risks prior to  
 14 him being allowed to undertake any type of work with the  
 15 organisation. So...  
 16 Q. Can I just put this to you. Firstly, Mr Hough has  
 17 already put to you that that was an email written by the  
 18 offender manager that Timpson's were entitled to rely  
 19 on.  
 20 A. Yes.  
 21 Q. You've accepted from Mr Hough that it contains a number  
 22 of serious errors?  
 23 A. Yes.  
 24 Q. Just to put this to you, without wishing to increase  
 25 your discomfort yet further: the email requesting that

1 was written on 18 November. Your email is written on  
 2 28 November. You did have 10 days to check all this  
 3 information and get yourself up to speed.  
 4 A. Yes, but at that particular -- yes.  
 5 MR ARMSTRONG: Thank you, Mr Skelton. I've no further  
 6 questions.  
 7 JUDGE LUCRAFT: Thank you very much, Mr Armstrong.  
 8 Questions by MR GRIFFIN QC  
 9 MR GRIFFIN: Mr Skelton, my name is Nicholas Griffin and  
 10 I represent Cambridge University.  
 11 I want to ask you about just two areas. I want to  
 12 look at a couple of communications with you during the  
 13 period towards the end of Mr Khan's time in prison where  
 14 there were discussions about ongoing contact with  
 15 Learning Together after he left prison.  
 16 A. Okay.  
 17 Q. So that's the first area I'm going to look at with you,  
 18 and then the second and last area is to do with the  
 19 event at Fishmongers' Hall in November 2019, and just to  
 20 look at a couple of communications about that in terms  
 21 of the arrangements for it.  
 22 A. Okay.  
 23 Q. So those are the two areas.  
 24 Just dealing with the first of those areas, and the  
 25 period before Mr Khan's release, can we please have

1 a look at {DC6489/35}, and would you expand the bottom  
 2 half.  
 3 So what we can see here is an email dated  
 4 28 June 2018. So this is a period roughly half a year  
 5 before his release?  
 6 A. Mm—hm.  
 7 Q. And it's an email from Jo Boulton, who the jury know was  
 8 the offender supervisor at Whitemoor, and we can see  
 9 that it's to Gina Butler, who we know was the head of  
 10 learning and skills at Whitemoor.  
 11 Do we see here the email asks:  
 12 "Following our conversation this morning about Usman  
 13 maintaining contact with the Learning Together team from  
 14 [Cambridge University] as requested I have provided  
 15 Ken's contact details below. He is Usman's outside  
 16 probation officer and will be responsible for managing  
 17 Usman in the community."  
 18 And do we see your details at the bottom there?  
 19 A. That's correct, yes.  
 20 Q. And just, if we go over the page to the top of the next  
 21 page {DC6489/36} to see:  
 22 "Thanks, Jo."  
 23 So there's the email from Jo Boulton.  
 24 And underneath that can we see a response from  
 25 Gina Butler on 28 June, into which you are copied, and

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1 can we see there:  
 2 "I copy in my colleague Amy from Cambridge  
 3 University."  
 4 She has just said, in the line above, "Ken, nice to  
 5 meet you", and do you see below that:  
 6 "We're very aware that Usman is due for release  
 7 shortly, and he has spoken with us about wanting to  
 8 upkeep his connections with Cambridge. Therefore,  
 9 I just wanted to put all key parties in contact so that  
 10 we can talk about ways of enabling, and therefore  
 11 supporting Usman with this."  
 12 So this is back in June. Do you remember this  
 13 correspondence?  
 14 A. Vaguely.  
 15 Q. Can we just go, just to finish it off, we can see at the  
 16 bottom of the page an email on 28 June again. Would you  
 17 go, please, to the top of {DC6489/37}. Thank you. Can  
 18 we see Amy Ludlow's email:  
 19 "Kenneth — we are regularly in touch with our  
 20 students' probation officers as they transition back  
 21 into the community, and we'd be really keen to be in  
 22 touch with you about what might be helpful in supporting  
 23 Usman with rebuilding his life safely and positively in  
 24 the community."  
 25 So that is the correspondence or the email exchange

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1 before he has left prison in June.  
 2 Can we now move on, please, to October, and go to  
 3 {DC6695/8}. The bottom half of the page, please. Just  
 4 a little bit higher up so we can see who the email is  
 5 from and to. Thank you. Do we see here an email from  
 6 you dated 11 October 2018 to Amy Ludlow of  
 7 Learning Together, and copying in Jo Boulton?  
 8 A. Yes.  
 9 Q. Yes. And we can see here, part of this was shown to you  
 10 actually yesterday by Mr Hough, but you had cut it and  
 11 pasted it into the Delius system, so now we see the  
 12 email in this format?  
 13 A. Yes.  
 14 Q. Can we see here:  
 15 "My name is Kenneth Skelton and am the supervising  
 16 officer for the above."  
 17 That's Khan.  
 18 "When I visited him last week he confirmed your  
 19 involvement and was very enthusiastic [we can see there,  
 20 about it]. This I feel is an extremely strong protective  
 21 factor and wish to ensure that we have everything in  
 22 place for him to continue with his studies and not  
 23 having to waste time making enquiries further down the  
 24 line."  
 25 And can we go to the preceding page, page 7, bottom

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1 half, please {DC6695/7}, can we see here on 12 October,  
 2 Amy Ludlow to you:  
 3 "Dear Ken,  
 4 "Excellent to be connected with you and very keen to  
 5 work collaboratively to support Usman as we look to his  
 6 transition back into the community."  
 7 So just from that selection of emails in the period  
 8 before he leaves prison, can we see here that the  
 9 positive effects of Learning Together are being noted by  
 10 prison and probation staff?  
 11 A. Yes. And from when I took him — when I was allocated  
 12 Usman Khan, there had been regular updates in terms of  
 13 positivity in relation to his connection with Learning  
 14 Together and that, as far as I was aware, was continued,  
 15 and that was one of the reasons why, you know, that was  
 16 coming from Jo Boulton from the prison, so that was why  
 17 we wanted to make contact and try to continue with that.  
 18 Q. And what we've seen there is the liaison that takes  
 19 place to enable that to happen?  
 20 A. Yes.  
 21 Q. Thank you. Those are the questions I have in relation  
 22 to the period before he was released.  
 23 And, as I said, can we now move on to the time in  
 24 advance of the November Fishmongers' Hall event. Can we  
 25 please go to {DC5635/1}. Thank you.

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1 Would you mind expanding — that's perfect. We can  
 2 see here a Delius entry on 21 August. In fact, your  
 3 evidence from your statement is that this is an email on  
 4 15 August. Can we see here, "Dear Ken", and we will see  
 5 in a moment that this is an email from Amy Ludlow?  
 6 A. Yes.  
 7 Q. If we go over the page now, please {DC5635/2} can we see  
 8 there a paragraph:  
 9 "We have also now confirmed the date for our alumni  
 10 event — Friday 29 November 2019 in London. Usman will  
 11 shortly receive a save the date card [and] so may  
 12 discuss this with you. It will likely be an afternoon  
 13 and early evening event at the Fishmongers' Hall (one of  
 14 our funders). We'd love it if Usman could attend."  
 15 And we can see:  
 16 "Do let us know if there is anything we can do to  
 17 facilitate Usman's attendance."  
 18 And do we see below that an email, we know on  
 19 21 August, Amy, and do we see the second paragraph  
 20 there:  
 21 "In relation to the event in November I cannot see  
 22 that being a problem but it would be up to Usman to  
 23 attend under his own steam. He would obviously have to  
 24 let us know as the tag would still be on but other than  
 25 that I do not feel it would be a problem."

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1 So do you recall that exchange in August in advance  
 2 of the event?  
 3 A. Yes.  
 4 Q. Can we move on, please, to October {DC6695/131}. Just  
 5 to expand the top so we can see. So this is an email  
 6 from Amy Ludlow to you. Mr Armstrong took you to a part  
 7 of this yesterday. Could we just look at — thank  
 8 you — the top bit there. Can we see:  
 9 "I've just spoken to Usman who is keen to attend our  
 10 Learning Together alumni event and 5-year anniversary  
 11 celebration. The event is being held on ... 29 November  
 12 at the Fishmongers' Hall, London Bridge... invitation  
 13 attached for your reference.  
 14 "We'd be delighted to welcome Usman..."  
 15 And can we see there:  
 16 "Usman really wants to come but has shared with me  
 17 today that he would feel more comfortable and reassured  
 18 whilst still on tag if someone travelled there and back  
 19 with him. I promised to share this, and details of the  
 20 event with you, to explore options. I understand you  
 21 are meeting Usman tomorrow too, and encouraged him to  
 22 discuss this with you then as well."  
 23 And can we see that she has also provided possible  
 24 train details for the event?  
 25 A. Yes.

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1 Q. Can we drop to the bottom part of that page, please.  
 2 This was the part that Mr Armstrong took you to  
 3 yesterday. Can we see the bottom paragraph:  
 4 "If a police officer or member of your team were to  
 5 travel with Usman we'd be delighted to welcome them too,  
 6 as part of the event. I'd just ask for the names and  
 7 any dietary/access requirements..."  
 8 And so on. Can we —  
 9 JUDGE LUCRAFT: Is there going to be a question about that?  
 10 MR GRIFFIN: Do you recall this exchange about the travel  
 11 and other potential details, the arrangements for  
 12 Mr Khan to attend the event in November at  
 13 Fishmongers' Hall?  
 14 A. I can remember the discussion about him attending and  
 15 the travel arrangements, yes.  
 16 Q. Can we go to the preceding page, 130 {DC6695/130}  
 17 starting at the bottom, and do we see here a couple of  
 18 emails from Amy Ludlow, just asking for your response on  
 19 29 November? There's one right at the bottom, please.  
 20 A. Yes.  
 21 Q. And further up the page. Top of the page. Can we see:  
 22 "Sorry to chase ... [on 1 November this is] I just  
 23 wanted to check in on any discussion/thoughts re below  
 24 and Usman joining us on [29 November]."  
 25 What I would like to do is just to now follow

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1 through this. Can we go to the preceding page, please,  
 2 {DC6695/129}, bottom of the page, bottom half. Do we  
 3 see here, Mr Skelton, on 1 November, you are emailing  
 4 Calum Forsyth.  
 5 A. Yes.  
 6 Q. And we can see there:  
 7 "... following our previous conversation regarding  
 8 Usman attending the event... I have today spoken to Amy  
 9 who has confirmed that there is a strong possibility  
 10 that they can get someone to meet Usman at Euston  
 11 station ..."  
 12 A. That's correct, yes.  
 13 Q. And the paragraph below:  
 14 "The train timings are set out below. You said that  
 15 you may be in a position to arrange for someone to  
 16 accompany him on the train is [that] still the case?"  
 17 So do we see here you taking things on a little bit  
 18 with Police Sergeant Forsyth about potential travel  
 19 arrangements and accompaniment to the event?  
 20 A. Yes, because it had been raised at a MAPPA meeting.  
 21 I don't exactly know what the date was and which panel  
 22 it was, but the question had been asked about whether  
 23 someone could accompany him.  
 24 Q. And just to finish this off, can we go to the top of the  
 25 page, Amy Ludlow to you on the same date:

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1 "Thanks Ken.  
 2 "I can confirm I could arrange for a member of the  
 3 [Learning Together team] to meet Usman at Euston and  
 4 tube with him back to Euston at the end of the day."  
 5 And do we see here Amy Ludlow asking:  
 6 "Calum -- I'd be really grateful for your  
 7 thoughts..."  
 8 A. Yes.  
 9 Q. And as we've just been hearing, Calum Forsyth was  
 10 a police sergeant member of the Staffordshire Prevent  
 11 police team?  
 12 A. He was, yes.  
 13 Q. {DC6695/128}, please, bottom half. Thank you. So  
 14 Calum Forsyth's email on 4 November to you and to Amy  
 15 Ludlow. Can we see that he has there:  
 16 "... discussed this arrangement in the office and  
 17 unfortunately we wouldn't be in a position to send  
 18 anyone on the train with Usman as this would require two  
 19 people to travel with him and that cannot be justified."  
 20 Do you recall that?  
 21 A. Yes.  
 22 Q. Top of the page, please. Amy Ludlow's email again on  
 23 4 November, do we see:  
 24 "Dear Calum,  
 25 "That's great and not a problem from our

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1 perspective.  
 2 "Kenneth -- will you talk this through with Usman  
 3 and check he is happy?"  
 4 And so on?  
 5 A. Yes.  
 6 Q. So, again, arrangements for the event and, in  
 7 particular, travel arrangements about how he might  
 8 attend?  
 9 A. Yes.  
 10 Q. Can we then, please, move on to a little later  
 11 in November, {DC6695/148}, Amy Ludlow, bottom of the  
 12 page, Amy Ludlow on 15 November to you:  
 13 "Dear Kenneth,  
 14 "Just to say that Simon from our team will meet  
 15 Usman at Euston and tube with him to London Bridge. He  
 16 will do the same in the reverse at the end of the day."  
 17 So do we see there more of the same, more details  
 18 about travel arrangements for the day?  
 19 A. Yes.  
 20 Q. And can we now go on, please on five days to  
 21 20 November, to {DC6695/138}, bottom half of the page.  
 22 Thank you. Your email, 20 November, to Amy Ludlow:  
 23 "Amy do you have the name and address of the venue  
 24 please where Usman is attending next week. You may have  
 25 already provided it SORRY."

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1 And in fact, we have seen, she had provided it  
 2 a couple of times, hadn't she?  
 3 A. Yes, yes.  
 4 Q. Moving up to the top of the page please, from Amy to you  
 5 on 20 November:  
 6 "No worries, thanks Ken."  
 7 And there do we see the Fishmongers' Hall address  
 8 provided again?  
 9 A. Yes.  
 10 Q. Can we go to {DC6695/134}, please, bottom half. Can we  
 11 see here, Mr Skelton, your email to Amy Ludlow, copying  
 12 in Lee Plimley, we'll come to him in a second:  
 13 "Amy could you possibly provide the agenda of the  
 14 day for Lee above."  
 15 And just the top half of the page, please:  
 16 "Of course."  
 17 This is Amy to you and Lee Plimley:  
 18 "Please see attached."  
 19 Is it right, Mr Skelton, that Lee Plimley is  
 20 a Staffordshire police officer and a member of Special  
 21 Branch of Staffordshire?  
 22 A. I wasn't aware that he was a member of Special Branch.  
 23 My understanding was that he was a member of  
 24 Sergeant Forsyth's Prevent Team.  
 25 Q. So your impression was that he was part of Prevent. The

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1 jury may hear evidence about Mr Plimley and the fact  
 2 that he was a Special Branch officer.  
 3 A. I don't recall understanding that he was part of Special  
 4 Branch, no.  
 5 Q. And can we just -- well, we may not need to go to the  
 6 emails, but there are further emails actually on the day  
 7 of the event in the morning of 29 November, you may  
 8 recall, just between Learning Together and you, keeping  
 9 you up-to-date with what was actually happening in the  
 10 morning getting Usman Khan to Fishmongers' Hall?  
 11 A. Yes, I'd actually text Usman Khan in the morning just to  
 12 make sure that everything was okay, that he'd arrived,  
 13 and then I'd had an email from -- he'd replied to say:  
 14 yes, fine, thank you, and then I had a -- I think it was  
 15 an email or something from Simon to say that he had met  
 16 Usman Khan and they were en route to the venue.  
 17 Q. So that's Simon Larmour of the Learning Together team?  
 18 A. Yes, the individual that collected him from the station.  
 19 Q. And in fact there was confirmation of arrival at the  
 20 hall as well, wasn't there?  
 21 A. Yes, and I think -- I'm not sure whether a member of the  
 22 Prevent Team had actually had a conversation with him  
 23 also.  
 24 Q. So just to round off what these emails show us,  
 25 Mr Skelton, the alumni event, the November event, was

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1 flagged in advance with you?  
 2 A. Yes.  
 3 Q. Details were provided by Learning Together, not just to  
 4 you, but we can see to police officers and others as  
 5 necessary?  
 6 A. Yes.  
 7 Q. If there had been additional requirements, for example,  
 8 if the police had wanted to accompany him to  
 9 Fishmongers' Hall, that would have been facilitated, we  
 10 can see?  
 11 A. Yes.  
 12 Q. And generally would you agree that there was good  
 13 liaison with you from Learning Together, in advance and  
 14 in relation to the November event?  
 15 A. I would, yes, and there was good communication between  
 16 myself and Learning Together throughout the period.  
 17 MR GRIFFIN: Thank you very much. Those are my questions.  
 18 A. Thank you.  
 19 Questions by MR BAUMBER  
 20 MR BAUMBER: Good morning, Mr Skelton, my name is  
 21 Kevin Baumber, I am counsel for Staffordshire Prevent  
 22 officers, with whom you had a very good relationship,  
 23 did you not?  
 24 A. Definitely, yes.  
 25 Q. With Calum Forsyth in particular?

1 A. Yes.  
 2 Q. Did you both, as far as you saw it, consider the other  
 3 attentive, conscientious and helpful in your work  
 4 together?  
 5 A. Yes.  
 6 Q. And did that build a trust and confidence between you in  
 7 your respective roles?  
 8 A. It did, yes.  
 9 Q. There were no adverse incidents in the mechanics or the  
 10 dynamics of your dealing with Prevent, were there?  
 11 A. No, not at all.  
 12 Q. That didn't mean that you agreed on everything, though,  
 13 as you've already told us in answer to questions from  
 14 Mr Pitchers; is that right?  
 15 A. No, that's right, yes.  
 16 Q. But there are differences in your roles and in your  
 17 training and in your expertise, aren't there?  
 18 A. Yes.  
 19 Q. The Prevent Team's experiences of Khan as reported to  
 20 you came to you direct or through MAPPA meetings or  
 21 a combination of the both; is that correct?  
 22 A. Correct, yes.  
 23 Q. And did the content of those reports seem both  
 24 comprehensive and balanced in what they were describing?  
 25 A. Yes.

1 Q. Calum Forsyth was critical, or careful to capture  
 2 adverse or possibly adverse attitudes or behaviours  
 3 displayed by Khan where possible, wasn't he?  
 4 A. He was, yes.  
 5 Q. We had the examples of being petulant or immature, and  
 6 as we'll see shortly, or you may have noticed, talk  
 7 about him being status-seeking or isolating himself to  
 8 a degree, that sort of thing?  
 9 A. Yes.  
 10 Q. And so the descriptions and the approaches apparent to  
 11 you from Calum Forsyth weren't a rose-tinted spectacles  
 12 one?  
 13 A. No.  
 14 Q. But the overall report, the overall experience as  
 15 communicated to you from him and the team, was  
 16 a positive, or very positive one of their interactions  
 17 with Khan; is that a fair summary?  
 18 A. It was, yes.  
 19 Q. You gave the example of Khan alerting police to the  
 20 existence of a basic web browser on a phone that wasn't  
 21 supposed to have one?  
 22 A. That's correct, yes.  
 23 Q. He had a condition not to delete things from his phone,  
 24 didn't he?  
 25 A. He did, yes.

1 Q. And there was an occasion, do you recall, that his phone  
 2 got full up, such that he couldn't use it, and he stood  
 3 by that condition until it was sorted?  
 4 A. Yes, he did, and either Calum Forsyth or myself would  
 5 have, or we could just clarify.  
 6 Q. And he allowed — Khan allowed scrutiny of the adherence  
 7 to the conditions that he was subject to?  
 8 A. He did, yes.  
 9 Q. In summary, the compliance with the rules seemed to be  
 10 excellent, from Khan?  
 11 A. Yes.  
 12 Q. In terms of this apparent compliance or apparent good  
 13 behaviour, did you see a similarity in the experiences  
 14 that you were receiving directly from Khan and those  
 15 that you came to know of the Prevent team having?  
 16 A. I do apologise, can you just repeat that again?  
 17 Q. In terms of the good behaviour, or the overall good  
 18 impressions he appeared to be giving the Prevent Team,  
 19 did you experience that same sort of thing in your  
 20 interactions with him?  
 21 A. I did, yes.  
 22 Q. But the case with the Prevent officers was, you would  
 23 have realised, that they were visits that were usually  
 24 scheduled or arranged; yes?  
 25 A. Mm.

1 Q. And not a surprise; was that the same for your visits  
 2 with Khan?  
 3 A. Mine were generally arranged on the same day, and we had  
 4 communication between myself and the Prevent Team so  
 5 that we weren't arriving at the same time. But my  
 6 appointments were generally on the same day, and  
 7 occasionally, as has been alluded to earlier in the  
 8 evidence, that I did do some, or one or two unannounced  
 9 visits .  
 10 Q. The visits from the Prevent Team were always by people  
 11 that Khan knew were police officers looking at his  
 12 compliance --  
 13 A. Yes.  
 14 Q. -- with the rules, and he knew that with all of them,  
 15 didn't he?  
 16 A. He did.  
 17 Q. And did the same apply to you: that when you're dealing  
 18 with him, he knows what your job is, that you're  
 19 an agent of the state looking at compliance?  
 20 A. Yes.  
 21 Q. The consequences for breach of the licence or the part 4  
 22 notification that the Prevent Team were dealing with  
 23 were or could likely have been prison, and maybe for  
 24 a very long time?  
 25 A. Yes.

1 Q. In that overt scrutiny capacity that you had that was  
 2 similar to the Prevent one, were you ever informed of  
 3 a scepticism from any authority as to whether his good  
 4 behaviour as displayed to you was put on to try and  
 5 lessen the restrictions ?  
 6 A. No. Not -- not that I can recall.  
 7 Q. And so would it follow that you didn't tell the Prevent  
 8 team: be suspicious, this is deceptive compliance?  
 9 A. No.  
 10 Q. You're agreeing with me: you didn't tell them because  
 11 you weren't told, yes?  
 12 A. I didn't tell them, no, because I wasn't aware.  
 13 At meetings it may have been discussed, but I can't  
 14 recall that conversation.  
 15 Q. If that apparent good behaviour was always or at some  
 16 point became just an act, did you ever suspect that?  
 17 A. No.  
 18 Q. How surprised were you, if at all , when you learned --  
 19 first learned that Khan was responsible for this attack?  
 20 A. How did I feel?  
 21 Q. How surprised, if at all , were you?  
 22 A. Very surprised. Astounded.  
 23 Q. I would like to ask you about the licence that you were  
 24 administering compared to the part 4 role that the jury  
 25 has heard very little about. The law basically provided

1 for two sets of conditions that Khan had to live by upon  
 2 his release, didn't it?  
 3 A. Yes.  
 4 Q. One are the licence conditions that you have been taken  
 5 to at least one of, and the other was a part 4  
 6 notification process?  
 7 A. Yes.  
 8 Q. Referring to an Act of Parliament, the Counter-Terrorism  
 9 Act; yes?  
 10 A. Yes.  
 11 Q. Now, can you help us by way of introduction with the  
 12 relative roles of licence, part 4, police and probation.  
 13 Part 4, briefly . Actually, can we have {DC5511/1}  
 14 on screen. So this is the letter to Khan telling him  
 15 about -- you can see it's called "Notification  
 16 requirements" under the Act I mentioned, and if we can  
 17 look down the page, it tells him he's got to notify by  
 18 law the details , so personal details , date of birth ,  
 19 insurance, name, if he stays somewhere else for more  
 20 than seven days, if he changes those things, he's got to  
 21 do it every 12 months and he's got to do it in person at  
 22 a police station; yes?  
 23 A. Yes.  
 24 Q. Next page {DC5511/2}. Thank you. And he must notify  
 25 police if he intends to travel for three days or more in

1 time. So that was as it was when he was first released?  
 2 A. Yes.  
 3 Q. So as the name implies, unlike the licence that you were  
 4 empowered by, the part 4 was about notification of  
 5 things, not prohibiting him from doing things?  
 6 A. Yes.  
 7 Q. So it doesn't say he can't live at a certain place but  
 8 tell us where you live?  
 9 A. That's correct.  
 10 Q. It doesn't say you can't go for a more than 7-day trip  
 11 or abroad, but tell us if you do; yes?  
 12 A. Yes.  
 13 Q. And those are fixed by law and only change when the law  
 14 changes under part 4.  
 15 A. Yes.  
 16 Q. Can we have a look at that, {DC5513/6}, or page 6 at the  
 17 bottom. So this is a little further on in the  
 18 chronology, we can just see a date at the top of that  
 19 screenshot, May 2019. Reminder of obligations, these  
 20 ones we have seen, if you change, staying at address,  
 21 national insurance number, every year. And go to the  
 22 next page {DC5513/7}, at the top, we can see now  
 23 appearing vehicles and financial accounts, we didn't see  
 24 those before, and the bottom of the page, passports and  
 25 basically things to do with his identity .



1 So there was an expansion in the notification  
 2 requirements to vehicles, finance and ID after Khan's  
 3 release?  
 4 A. Yes.  
 5 Q. Because the Act of Parliament changed, not because it  
 6 was decided: we need to know more in this particular  
 7 case?  
 8 A. Correct, yes.  
 9 Q. If we can take that off the screen. Thank you.  
 10 You as a probation officer were not responsible for  
 11 that part 4 process, were you?  
 12 A. No.  
 13 Q. And would you defer completely to the police on that  
 14 whose responsibility it was?  
 15 A. It was, yes.  
 16 Q. In contrast, the licence conditions were very much your  
 17 business, weren't they?  
 18 A. They were, yes.  
 19 Q. Albeit in the licence regime the police remain a key  
 20 partner of yours in some aspects?  
 21 A. They do.  
 22 Q. I just want to try to understand that. So if we look  
 23 at -- can we have the licence as it was on release,  
 24 {DC5401/2}. That's fine, thank you. So (v) and (vii).  
 25 (v) says you've got to:

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1 "Reside permanently at an approved address ... prior  
 2 permission ... for any stay of one or more nights at a  
 3 different address."  
 4 And (vii), don't go outside the United Kingdom  
 5 without permission, yes? So by way of example, where  
 6 the part 4 said: tell us if you do these things, the  
 7 licence is saying: you can't do these things without  
 8 permission?  
 9 A. That's correct, yes.  
 10 Q. Indeed, on tighter timescales?  
 11 A. And in terms of the police being an integral part,  
 12 ultimately, we manage the licence conditions, but in  
 13 terms of information that we receive, that may result in  
 14 recall.  
 15 Q. Yes. The licence controls his freedoms after release  
 16 and the part 4 is keeping a track of his details?  
 17 A. That's correct, yes.  
 18 Q. Unlike the fixed part 4 conditions, the licence  
 19 conditions can be bespoke to the individual?  
 20 A. They can, yes.  
 21 Q. And you can give approval to allow, to give permission  
 22 for Khan to do things where the licence provides?  
 23 A. We can.  
 24 Q. No such thing under part 4, it's just fixed and he has  
 25 to notify?

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1 A. That's correct, yes.  
 2 Q. And so -- but you would expect the police to be alive to  
 3 potential breaches of a licence; yes?  
 4 A. Yes, the police were aware of the licence conditions so  
 5 if they'd have identified any breaches, then I would --  
 6 my assumption would be that they would provide me with  
 7 those details so I could take what action was necessary.  
 8 Q. And you had police assistance in scrutinising whether  
 9 there were breaches, they might be the people who looked  
 10 through his phone or checked the items to see if they've  
 11 got internet on them?  
 12 A. That's correct, yes.  
 13 Q. So compliance. So can we draw out two important  
 14 elements of administering a licence: one is compliance  
 15 with the licence, making sure he complies, checking up,  
 16 spotting breaches and acting on them; yes?  
 17 A. Yes.  
 18 Q. Another is permissions to do things under the licence:  
 19 you have authority to --  
 20 A. To amend any conditions.  
 21 Q. -- drive a dumper truck, go to Fishmongers', go on  
 22 holiday, or stay overnight somewhere?  
 23 A. Yes.  
 24 Q. And so the Prevent Team, the police role in the licence  
 25 is help on the compliance side, but not the giving of

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1 permissions under the licence?  
 2 A. Correct, yes, in as much as, like I say, if it is that  
 3 they identify any potential breaches within that  
 4 licence, then they would notify us and we would take  
 5 whatever action was necessary to -- if it is that  
 6 there's been any breaches within that licence.  
 7 Q. Yes, that's compliance, comply with the licence, not  
 8 whether he can do something that he is prohibited from  
 9 doing?  
 10 A. Yes.  
 11 Q. We can take that down, thank you. I'm going to ask you  
 12 quite a carefully worded question, I might have to  
 13 unpick a bit, so please listen to the whole of it.  
 14 Probation take responsibility for decisions on  
 15 permissions under the licence using their expertise and  
 16 information, and on occasions, deferring or referring to  
 17 MAPPA. I appreciate that's quite a long question. Do  
 18 you want me to break it down or did you get it?  
 19 A. I think I understand. They -- the licence conditions in  
 20 terms of being referred to MAPPA or deferred, do you  
 21 mean defer the decision to recall?  
 22 Q. No, decisions on permissions under the licence, things  
 23 he can do?  
 24 A. Oh, sorry, yes, that's correct, yes.  
 25 Q. As we saw, nothing in part 4 about permissions at all,

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1 that's all the licence and the permission part of the  
 2 licence is all probation or in conjunction with MAPPA,  
 3 basically?  
 4 A. It is, yes.  
 5 Q. There was a condition on the licence that Mr Hough took  
 6 you to that prohibited attendance at the  
 7 Fishmongers' event on its face without permission and  
 8 also prohibiting going through train stations; yes?  
 9 A. Yes.  
 10 Q. That is where the control and the power over whether  
 11 Khan could go to the event and how was framed, wasn't  
 12 it?  
 13 A. It was, yes.  
 14 Q. And as the supervising officer, the execution of that  
 15 decision was yours alone on the terms of the licence?  
 16 I stress, the execution of the decision, the giving of  
 17 the permission to him?  
 18 A. It was, yes.  
 19 Q. So it's for you to approve in that sense, but where is  
 20 the decision made? Is it you or is it MAPPA on the  
 21 Fishmongers' attendance event?  
 22 A. MAPPA.  
 23 Q. Is it up to you whether to refer a permission decision  
 24 to MAPPA?  
 25 A. Yes.

1 Q. What's an example of a permission that you would not  
 2 refer to MAPPA?  
 3 A. There isn't one particularly.  
 4 Q. Just to give us an idea. Even if he wanted to stay at  
 5 his mum's overnight, he would need permission, would you  
 6 take that to MAPPA?  
 7 A. I think I would, yes. It wouldn't have been --  
 8 I wouldn't have made a decision like that without  
 9 referring it to MAPPA. Whether that would be through  
 10 discussion with the chairperson or the MAPPA coordinator  
 11 by phone, or whether I would just decide and say: well,  
 12 actually, no, this can't happen, we need to ask and put  
 13 it in front of the MAPPA panel to see whether it's  
 14 appropriate or not.  
 15 Q. If he wanted to go to a pub quiz or enter a snooker  
 16 tournament, MAPPA, you, or does it depend?  
 17 A. Potentially. If -- I suppose it depends upon what it  
 18 would be, really. If it was something that wasn't  
 19 increasing any huge risks, then I would have  
 20 a conversation with my line manager and see what his  
 21 decision, and potentially I would have had  
 22 a conversation with the police as well to see what their  
 23 thoughts were.  
 24 Q. But at one end of the scale, although I've put you on  
 25 the spot a bit, there might be things that are so easy

1 to decide, so devoid of risk that you might give the  
 2 permission without deferring to anyone?  
 3 A. Yes. And I suppose an example of that would be where  
 4 I allowed, the DWP, the works and pensions individual,  
 5 to allow him to use the computer under their supervision  
 6 sort of thing, so that didn't go to MAPPA.  
 7 Q. All right.  
 8 A. But ordinarily, any other decisions would have gone  
 9 through MAPPA.  
 10 Q. How do you decide which ones to refer?  
 11 A. Whether there's -- whether there's potential risks  
 12 there.  
 13 Q. And so that calibration of this needs to go to MAPPA or  
 14 not, it can't be set out anywhere in fixed terms in  
 15 writing, it's your discretion, expertise, experience?  
 16 A. It is, and following the discussion and perspective of  
 17 others, yes.  
 18 Q. The job of a probation officer to ask: does this need  
 19 more scrutiny?  
 20 A. Yes.  
 21 Q. Where was the decision on the permission to attend  
 22 Fishmongers' Hall on that scale of need for referral?  
 23 A. On a scale of 1 to 10, I would suggest 10.  
 24 Q. Was there ever an occasion you went against MAPPA  
 25 conclusions on how Khan should be managed?

1 A. I'm sorry, can you repeat that?  
 2 Q. Was there ever an occasion you went against MAPPA's  
 3 conclusions or views on how Khan should be managed?  
 4 A. Was there any?  
 5 Q. Did you ever go against MAPPA's decision on Khan?  
 6 A. No.  
 7 Q. If MAPPA had said no to Fishmongers' but someone in your  
 8 position disagreed and gave approval, would Khan be in  
 9 breach of his licence for going?  
 10 A. If MAPPA had gone against?  
 11 Q. MAPPA says no, probation officer says: I disagree, and  
 12 I give you permission, and he goes; is he in breach of  
 13 his licence?  
 14 A. No. Although I must say that nobody would go against  
 15 a decision made at a MAPPA panel.  
 16 Q. It wouldn't arise? I just want to understand where the  
 17 power lies, how the thing works.  
 18 A. Yes, okay.  
 19 Q. If MAPPA said: yes, it's all right to go, but you  
 20 thought no, and didn't give the permission, would he be  
 21 in breach then if he attended?  
 22 A. Yes.  
 23 Q. So we can see that his risk of return to prison for  
 24 breach of the licence depends just on getting the  
 25 probation officer approval? The MAPPA decision only

1 affects somebody in Khan's position to the extent that  
 2 the probation officer follows it, but you would expect  
 3 the probation officer always and without fail to follow  
 4 the MAPPA decision, wouldn't you?  
 5 A. Yes.  
 6 Q. And you did?  
 7 A. Yes.  
 8 Q. While your job title is in practice on the licence and  
 9 the legal power, as it were, is vested there, in  
 10 practice, is it fair to describe MAPPA as a higher  
 11 authority?  
 12 A. Yes.  
 13 Q. We can see it's not in law, in the legal powers it's  
 14 not, but in practice --  
 15 A. Yes.  
 16 Q. -- would you always defer to MAPPA?  
 17 A. Yes.  
 18 JUDGE LUCRAFT: We're going to take a break at some stage,  
 19 Mr Baumber. I wasn't quite sure whether you had many  
 20 more questions.  
 21 MR BAUMBER: I do have a few, I am afraid. I do have a few,  
 22 yes.  
 23 JUDGE LUCRAFT: Right, as it's 11.35, I think we will take  
 24 our mid-morning break there.  
 25 MR BAUMBER: Yes.

1 JUDGE LUCRAFT: We will have a 15-minute break.  
 2 (In the absence of the jury)  
 3 MR HOUGH: Sir, this witness is obviously a very important  
 4 witness.  
 5 JUDGE LUCRAFT: Yes.  
 6 MR HOUGH: And it's right that people are asking the  
 7 questions they need to ask.  
 8 JUDGE LUCRAFT: Yes.  
 9 MR HOUGH: The remaining two witnesses for today are, with  
 10 great respect to them, much less significant in the  
 11 scheme of this case.  
 12 JUDGE LUCRAFT: Yes.  
 13 MR HOUGH: I'll ask Mr Moss to collect realistic time  
 14 estimates for those because we really feel that we  
 15 should be able to complete those witnesses today and  
 16 need to, because tomorrow is also a full day of  
 17 evidence.  
 18 JUDGE LUCRAFT: Absolutely. I quite understand that  
 19 sometimes laying the ground for a question involves  
 20 looking at a number of documents, but we have actually  
 21 gone over quite a lot of this territory already, so it  
 22 just seemed to me people need to bear in mind that focus  
 23 on their questions.  
 24 MR HOUGH: The concern is primarily that our next two  
 25 witnesses, TM and Ms Gell, are not used as sounding

1 boards for points already made.  
 2 JUDGE LUCRAFT: Yes. I'll rise.  
 3 (11.37 am)  
 4 (A short break)  
 5 (11.56 am)  
 6 (In the presence of the jury)  
 7 JUDGE LUCRAFT: Mr Baumber.  
 8 MR BAUMBER: Mr Skelton, you agreed that as regards  
 9 permission decisions it would be up to you when  
 10 something goes to MAPPA for scrutiny or decision, and  
 11 you helpfully introduced the concept of a scale of 1 to  
 12 10 in answer to the question of how much is this  
 13 a matter for MAPPA; do you remember? You said that the  
 14 Fishmongers' permission decision was a 10; is that in  
 15 retrospect or is that the way you feel you raised it at  
 16 the time?  
 17 A. I think it was potentially a figure that I would have  
 18 given at the time, because it involved him going out of  
 19 his own area, so, yes, it would probably have been a big  
 20 decision.  
 21 Q. Do you think you raised and treated it, to adopt the  
 22 language, as a 10 at the time?  
 23 A. It was raised at MAPPA and there was a discussion about  
 24 it and there were other individuals around the table  
 25 that also recognised the -- what the decision was and

1 what was going to be said.  
 2 Q. On that scale, a 1 would be a decision that doesn't get  
 3 referred to at all, maybe, and a 10 would be  
 4 an undecided issue where you sought a binary yes or no,  
 5 "Tell me what to do"; is that what you think it would  
 6 look like?  
 7 A. Yes, and, you know, to facilitate discussion around it,  
 8 really, and to see whether, from other people's  
 9 perspectives, what their views were and what they  
 10 thought about it.  
 11 Q. I accept the minutes might be imperfect, but would you  
 12 agree that, for example, in relation to the dumper  
 13 truck, that is a decision that looks like a 9 or a 10  
 14 where it's a binary decision that's engaged with  
 15 directly.  
 16 A. Whether to allow him to do the dumper truck was a 9 or  
 17 10?  
 18 Q. Yes?  
 19 A. I wouldn't have said it was that high, no, I would have  
 20 said somewhere around the region of 6, 7.  
 21 Q. The way it seems to work, and correct me if I am wrong,  
 22 is if it's a less binary "tell me yes or no on the  
 23 permission", that you would have an instinct or a view  
 24 on any given question, wouldn't you, on permissions?  
 25 A. Prior to engaging MAPPA?

1 Q. Yes?  
 2 A. Yes.  
 3 Q. And you would have to raise that provisional view or the  
 4 current plan before MAPPED?  
 5 A. Yes.  
 6 Q. And divine what they think about it?  
 7 A. Yes.  
 8 Q. And you used the phrase in your evidence yesterday "to  
 9 get their perspective"?  
 10 A. Yes.  
 11 Q. And then act accordingly according to what that  
 12 perspective is?  
 13 A. Yes.  
 14 Q. Now in divining that perspective or getting the answer  
 15 given by MAPPED, there's no motion voted on, is there?  
 16 You don't have a drafted proposal?  
 17 A. In terms of permission, they ask who around the table  
 18 disagrees or who agrees, if that's what you're asking.  
 19 Q. Yes. So there's no motion voted on? There's no show of  
 20 hands?  
 21 A. Well, yes.  
 22 Q. There is a show of hands?  
 23 A. Well, they don't physically hold their hands up, but in  
 24 terms of the individuals that are sat around that table,  
 25 the chair will say, you know, what do we think, and

1 individuals will say: well, I agree or I disagree, and  
 2 then it goes from there.  
 3 Q. There's a discussion, is that right?  
 4 A. Yes.  
 5 Q. If there are objections or concerns, would you always  
 6 expect an objection or concern to be raised?  
 7 A. Always. It perhaps depends upon what the question is,  
 8 what the decision is or what the action is.  
 9 Q. If a proposal was clearly made and attracts no objection  
 10 or adverse observations, what do you take that to mean  
 11 from MAPPED?  
 12 A. As permission, because generally what happens is, like  
 13 I've just explained, if it is the chair will say: right,  
 14 is there any objections, what do people think, and then  
 15 it would either be agreed or disagreed, people would  
 16 say: yes, that is no problem or there is a problem there  
 17 and I don't agree with that and then there would be  
 18 further discussion about what that disagreement is.  
 19 Q. Can we look at {DC6411/4} for an example of the process  
 20 in action. We're in March at the MAPPED meeting. At the  
 21 bottom of page 4, sorry. There's an entry attributed to  
 22 you. You note that: Usman continues to work with  
 23 Cambridge, lots of contact, requested a meeting with  
 24 Learning Together, and there it says:  
 25 "However, Ken declined this invitation stating that

1 it was too soon."  
 2 So that appears to be a decision you had said no to  
 3 before it got to MAPPED?  
 4 A. No. Because what the process would be is, once there  
 5 was something raised, an idea raised, I would then  
 6 discuss that, and I've alluded to this within my  
 7 evidence, that would be discussed with my line manager.  
 8 Then if it was a possibility or he said, well, you know,  
 9 maybe, then I would potentially have discussed it with  
 10 the police and then it would have been put to MAPPED.  
 11 If it was my line manager who had said no  
 12 straightaway, or the police had turned around and said:  
 13 well, actually, no, I disagree with that, I'm not going  
 14 to agree to it, then it wouldn't have been done, it  
 15 wouldn't have been taken to the MAPPED panel.  
 16 Q. This one, the campus event starts out as a provisional  
 17 no from you, the way you report it?  
 18 A. Yes.  
 19 Q. Is that right?  
 20 A. Yes.  
 21 Q. Nobody dissents or objects to that and it remains as it  
 22 is.  
 23 If, on that event, people said: hang on a minute,  
 24 this is just what he needs, you're being overcautious  
 25 here, he should be permitted to go, do you know what you

1 would have done?  
 2 A. I don't really, because I don't think -- because that  
 3 wouldn't have happened.  
 4 Q. All right. We can take that off the screen, thank you.  
 5 A. I would have actually argued the point at that --  
 6 Q. Regards the decision to allow Khan to go to  
 7 Fishmongers' Hall, did you give licence condition  
 8 approval to Khan for the London trip?  
 9 A. The MAPPED panel did.  
 10 Q. Well, that's -- I mean, in practice, did you carry that  
 11 decision from MAPPED through to Khan?  
 12 A. Yes.  
 13 Q. Did you tell him?  
 14 A. Yes.  
 15 Q. And is that bit of the process recorded anywhere in  
 16 terms of your giving of the approval under the licence?  
 17 A. No, because it would have been discussed at the panel  
 18 and then I verbally would have relayed that information  
 19 and just say that you're able to go.  
 20 Q. There's a verbal relay from you to him giving him  
 21 permission under the licence?  
 22 A. Yes, that would have been discussed at the MAPPED panel,  
 23 it would have been agreed, and then I would have  
 24 discussed with it Usman Khan.  
 25 Q. You raised that question for consideration in the August

1 meeting, didn't you?  
 2 A. In what, I'm sorry?  
 3 Q. You raised the question of permission to go to  
 4 Fishmongers' Hall in the August MAPPA meeting?  
 5 A. Yes.  
 6 Q. And if we look at, just remind ourselves of the terms,  
 7 just look at what other people said at {DC6415/4}, start  
 8 at the bottom of page 4. Attributed to you, you see:  
 9 "... continues to have contact with Cambridge  
 10 University on ... weekly basis. He has applied for  
 11 a bursary to support his attendance [that's the April  
 12 one], the course will last 1-day..."  
 13 Then over to {DC6415/5}, you move on to say:  
 14 "... another ... event in November ... Khan will be  
 15 invited however will likely to moved on ... will need  
 16 ... his own means of travel."  
 17 You're talking about means of travel there. That's  
 18 a secondary question to whether he should be allowed to  
 19 go, isn't it?  
 20 A. It is, yes. Although I wouldn't have been talking about  
 21 travel had permission not been granted.  
 22 Q. Yes, so you're raising the trip and some of the  
 23 circumstances in which it might happen.  
 24 A. Yes.  
 25 Q. Is that right?

1 If we go down, we can just see an entry attributed  
 2 to Calum Forsyth at the bottom, and we will just read  
 3 the bit we can see:  
 4 "... no issues at present ... turns up to  
 5 appointments ... respectful ... presents like a teenager  
 6 at times ... he repeats himself ... he will get [what]  
 7 he wants."  
 8 He observes:  
 9 "... not very motivationally driven ... lack of  
 10 drive ..."  
 11 But he thinks that's:  
 12 "... character rather than a criticism ... no  
 13 concerns about reverting to previous mindset."  
 14 And it concludes by observing:  
 15 "UK's link with Cambridge University gives him  
 16 an element of status and continues to be something for  
 17 him to focus on."  
 18 So at that meeting, when you raise the question of  
 19 interaction with Learning Together, having mentioned the  
 20 Fishmongers' event, did Calum Forsyth contribute the  
 21 link between that and the status element for Khan; do  
 22 you remember that?  
 23 A. I remember -- well, yes, obviously that discussion  
 24 happened.  
 25 Q. And can you go to page 6 for the panel discussion

1 {DC6415/6}, the top half of the page I think we will  
 2 catch it:  
 3 "Jamie [I stress that name for a reason, it will  
 4 become clear in a moment] --Ann Edwards noted how [he]  
 5 presents as self--entitled. It was raised whether [he]  
 6 was ready for the reality of having to stand on his own  
 7 two feet; in the absence of others being there ..."  
 8 Noting the links with Cambridge, the university,  
 9 questioning a risk associating with this, it is feeding  
 10 into his self--entitlement:  
 11 "... Forsyth note[s] that [he] does appear to  
 12 possess a desire for status. Panel ... need[s] to be  
 13 mindful ..."  
 14 Does that demonstrate a degree of critical thinking  
 15 from the MAPPA panel regards Khan's involvement with  
 16 Cambridge University?  
 17 A. It does, yes.  
 18 Q. And was that on the occasion of you saying he's been  
 19 invited to events in April and in London?  
 20 A. Is that the 22nd?  
 21 Q. Yes.  
 22 A. Yes.  
 23 Q. And that he will be travelling on his own.  
 24 We don't see in that passage reference to the word  
 25 "arrogance". I mention that for this reason. Can we

1 look at -- it's exhibit ELH/1. The full reference is  
 2 {WS5087--ELH1}. These are the handwritten notes of  
 3 a Special Branch officer of that same meeting.  
 4 EPE OPERATOR: Hello, can you repeat that reference, please.  
 5 MR BAUMBER: It is {WS5087--ELH1/1}. If we look at the  
 6 bottom of page 1 in order to get our bearings, Cambridge  
 7 University:  
 8 "Weekly.  
 9 "Bursary applied for -- short course overnight stay  
 10 next April."  
 11 We see echoes of that in the minute we've just seen.  
 12 Can we go to {WS5087--ELH1/3} of this document, please, a  
 13 reference to not listening to points of view, and if you  
 14 look in the middle of that screenshot, "teenager", a C  
 15 circled, so the Calum entry that we have already seen,  
 16 we can see that echoes the same thing and the mindset  
 17 and the bottom of that page -- can we see any more of  
 18 that page, we see "Prob Julie" at the bottom. Thank  
 19 you. "Prob Julie", probably a reference to "Probation  
 20 Julie", as I asked you to note, it is Jamie, actually,  
 21 that was saying this?  
 22 A. Okay.  
 23 Q. If we take it that that is probably an error from the  
 24 notewriter:  
 25 "[Cambridge] feeding into status, sense of

1 entitlement and arrogance.”  
 2 So a little more detail than we have in the minutes.  
 3 Is it possible that the discussions at the MAPPA  
 4 meetings go further in some respects or detail than is  
 5 recorded in the minutes?  
 6 A. Yes.  
 7 Q. Do we get from this a -- is it fair to get an impression  
 8 that the Khan and Learning Together interaction were  
 9 critically discussed from a risk perspective upon your  
 10 mention of the possible trips?  
 11 A. It was, yes.  
 12 Q. Is that what you were prompting in raising the proposed  
 13 events?  
 14 A. In terms of was it discussed more in depth at the  
 15 meeting, is that what you --  
 16 Q. Is what that you were trying to achieve when you were  
 17 raising the question of his engagement?  
 18 A. I'm sorry, I don't understand your question.  
 19 Q. Were you seeking to prompt a critical discussion about  
 20 Khan's engagement with Learning Together --  
 21 A. Yes.  
 22 Q. -- when you mentioned it? Can we go back to the  
 23 official minute, {DC6415/6}. In the third paragraph  
 24 under the panel discussion, another reference:  
 25 "Panel discussed Khan's level of engagement with

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1 Cambridge...”  
 2 And you note that he mentions it less but continues  
 3 to engage and then you refer to checks on his progress  
 4 and usage of his computer being reviewed; yes?  
 5 A. Yes.  
 6 Q. Is that the same topic of analysing his engagement with  
 7 Cambridge upon your mention of proposed trips?  
 8 A. It was raised for -- to have discussion, yes.  
 9 Q. We can take that off the screen, thank you. You mention  
 10 that think it was mentioned also in October, although  
 11 it's not minuted?  
 12 A. In terms of the --  
 13 Q. The trip to Learning Together?  
 14 A. -- Fishmongers'? Yes.  
 15 Q. And 14 November, {DC6417/5} at the bottom, please, we're  
 16 in MAPPA on 14 November. Penultimate paragraph is  
 17 phrased:  
 18 "[Khan] is scheduled to attend [the] event in  
 19 London."  
 20 Did he have permission yet or is this a provisional  
 21 view being discussed?  
 22 A. Sorry, 14 November meeting?  
 23 Q. Yes.  
 24 A. I'm not actually 100% sure whether he actually had  
 25 permission at that point, but reading that, how that's

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1 written down there, he had agreed to attend. Because  
 2 originally, as has already been alluded to, he didn't  
 3 particularly want to go and it was only following  
 4 discussion with Learning Together and the fact that  
 5 they'd agreed to get somebody to chaperone him from the  
 6 train station that he agreed.  
 7 Q. He had said back in August, making his own way there,  
 8 here if we read on, it says:  
 9 "He will be travelling via train from Staffordshire  
 10 to Euston, at which point he will be met by colleagues  
 11 from Cambridge whom will then take him in a taxi to the  
 12 event location ..."  
 13 And then deal with the arrangements for travelling  
 14 back. Were you satisfied that the arrangements for the  
 15 travel were set out in detail before MAPPA?  
 16 A. Yes, we'd got confirmation of his train times, we knew  
 17 which train he was going on, he was being picked up from  
 18 the railway station. Obviously there was the EMS as  
 19 well in terms of the tag, so yes.  
 20 Q. So you were satisfied MAPPA were seized of both the  
 21 attendance and the travel arrangements for the  
 22 attendance?  
 23 A. Yes.  
 24 Q. There was no direction or suggestion of any changes  
 25 being made to those plans as set out, were there?

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1 A. No.  
 2 Q. There was no tasking given to the Prevent Team or anyone  
 3 else to accompany or take other steps and so on?  
 4 A. No.  
 5 Q. You had the power effectively to put controls in if they  
 6 were needed simply by saying: well, I'll only give you  
 7 permission if you allow us to do X, Y and Z?  
 8 A. Yes.  
 9 Q. Was any security need identified by MAPPA in the travel  
 10 arrangements --  
 11 A. No.  
 12 Q. -- for Learning Together?  
 13 Absent a security concern being flagged about the  
 14 accompanying Khan issue, the dialogue between you,  
 15 Prevent, the Prevent Team, and Learning Together was  
 16 about whether he should be accompanied to appease his  
 17 anxiety, wasn't it?  
 18 A. Yes.  
 19 Q. Khan had wanted the service, wanted the help to make him  
 20 feel better, or to use the language of Learning Together  
 21 you were just taken to, for his comfort and reassurance?  
 22 A. Yes.  
 23 Q. To -- again, to pick up the words we just saw -- to  
 24 check that Khan was happy? That was an email you were  
 25 shown just before the break.

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1 Learning Together were advocating for Khan to be  
 2 accompanied, not for security measures issues, but for  
 3 his pastoral care, is that right?  
 4 A. Yes.  
 5 Q. And the request for this transport coming from Khan was  
 6 from someone who had been identified as having a status  
 7 issue, being self –entitled, and having his arrogance fed  
 8 into, judging by the notes?  
 9 A. Yes.  
 10 Q. Yes? He's asking for a service for his benefit,  
 11 pastoral care, and it was in that context that  
 12 Calum Forsyth was saying: I can't justify abstracting  
 13 two officers for that reason?  
 14 A. I think that had he continued to say that and had he  
 15 have said: well, I'm not going to go then, then I don't  
 16 think the decision would have been any different, so  
 17 I think in terms of his being — you know, in terms of  
 18 the travel, it was put there potentially for his  
 19 benefit, but the — it was the police's decision whether  
 20 or not ...  
 21 Q. I'm focusing on the context of Calum Forsyth's message  
 22 that he wouldn't provide officers to travel with or to  
 23 transport — to go on the transport with Khan, and  
 24 I'm suggesting that was never expressed on the basis of  
 25 a security need that he was unwilling to meet?

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1 A. No, it wasn't.  
 2 Q. Do you agree with that?  
 3 A. Yes. No, it wasn't.  
 4 Q. It is not: he is dangerous but we are too busy,  
 5 rather: I can't spare two officers just to make him feel  
 6 better about the journey. They're my words, but they  
 7 capture what went on?  
 8 A. Yes.  
 9 Q. Help was actually provided to Khan, wasn't it, in that  
 10 pastoral care role, arrangements made, he is met at  
 11 Euston; is that right?  
 12 A. Yes.  
 13 Q. And the meeting at Euston wasn't by a security person,  
 14 it was from a member of the public working at  
 15 Learning Together?  
 16 A. It was, yes.  
 17 Q. Does that tell us it wasn't about security; it was about  
 18 Khan's benefit?  
 19 A. Yes.  
 20 MR BAUMBER: I have no further questions, thank you.  
 21 JUDGE LUCRAFT: Thank you.  
 22 Questions by MR BOYLE QC  
 23 MR BOYLE: Good afternoon, sir.  
 24 JUDGE LUCRAFT: Good afternoon.  
 25 MR BOYLE: Good afternoon, ladies and gentlemen. I ask

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1 questions on behalf of Staffordshire Police more  
 2 generally, my name is Gerry Boyle.  
 3 JUDGE LUCRAFT: Mr Boyle, again, you've been behind the jury  
 4 for most of the days, so it's probably just as well that  
 5 you introduce who you are.  
 6 I suspect the microphone will help pick up your  
 7 voice too, just so that everyone can hear you.  
 8 MR BOYLE: Thank you very much, sir.  
 9 Good afternoon, Mr Skelton.  
 10 Mr Skelton, as Mr Khan's probation officer, you knew  
 11 that he was seen on a regular basis by mentors; is that  
 12 right?  
 13 A. I did, yes.  
 14 Q. And after those sessions with the mentors, were you  
 15 provided with copies of the mentor intervention reports?  
 16 A. We were, yes.  
 17 Q. You were on an email distribution list; is that right?  
 18 A. Yes.  
 19 Q. I wonder if we can have on the screen, please,  
 20 {DC7441/584}. We can see this is an email from  
 21 Harvinder Khella dated 11 March 2019, and it's addressed  
 22 to Lois Gell and yourself together with others; yes?  
 23 A. Mm—hm.  
 24 Q. And we can see that its subject is "UK Report", and we  
 25 can also see that it begins:

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1 "Hi Ken,  
 2 "Please see attached.  
 3 "Best wishes."  
 4 A. Yes.  
 5 Q. So whilst it's being sent to a group, it's obviously  
 6 addressed to you in particular as it happens.  
 7 A. Okay.  
 8 Q. And we can see that Harvinder Khella is an administrator  
 9 from The Unity Initiative who we know were responsible  
 10 for providing the mentoring regime, correct?  
 11 A. Yes.  
 12 Q. And if we go to the next page, {DC7441/585}, given that  
 13 it says "please see attached", we can see "Attachment is  
 14 DC6446". So can we have please {DC6446/1}.  
 15 And this, we can see, is an example, isn't it, of  
 16 one of these intervention session reports; yes?  
 17 A. Yes.  
 18 Q. And can we look, please, and it's dated, we can see the  
 19 session date is 4 March 2019, which fits in with the  
 20 date of the email that we just looked at, doesn't it?  
 21 A. Right, yes.  
 22 Q. And can we look, please, at {DC6446/2} of this document,  
 23 and under the heading "MAPPA", can you see it says that:  
 24 "UK informed me there was a MAPPA meeting that was  
 25 due to take place this month. He was not sure of the

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1 date, however, he wanted to make some representations  
 2 regarding his licence conditions."  
 3 Do you see that?  
 4 A. I do, yes.  
 5 Q. And he appears to have been advised that all issues or  
 6 queries regarding his licence conditions should be  
 7 addressed to his probation officer .  
 8 A. Yes.  
 9 Q. That would be yourself; yes?  
 10 A. Yes.  
 11 Q. Did he ever raise issues with you regarding his licence  
 12 conditions?  
 13 A. Not that I can recall .  
 14 Q. Okay, it goes on to record that he explained what  
 15 conditions he wanted to have changed; do you see that?  
 16 In the next line or two?  
 17 A. Just bear with me. I'm sorry, could you just --  
 18 Q. Yes, sure. If you look under the heading "MAPPA  
 19 meeting"?  
 20 A. Yes.  
 21 Q. And if you look at the third line :  
 22 "He was advised that all issues ... "  
 23 Do you see that?  
 24 A. Yes, I've got that, yes.  
 25 Q. And then it says in the next sentence, after the two

1 words "Probation officer":  
 2 "He acknowledged this, he then explained what  
 3 conditions he wanted to have changed."  
 4 Yes?  
 5 A. Yes.  
 6 Q. Can we then look, please, at {DC6446/4} of the document,  
 7 and that textbook underneath the blacked out section.  
 8 No, no, sorry, if you can go back up. Thank you:  
 9 "UK was in a good mood, however he started to use  
 10 the term 'Akhi' (Brother) when he was talking about his  
 11 extended family, he was quite angry about the licence  
 12 conditions, but he suddenly realised that he got angry  
 13 and calmed down and stated that today was a good  
 14 session ... "  
 15 Do you see that?  
 16 A. Yes.  
 17 Q. So this mentoring report which you will have been  
 18 emailed does refer to the fact that he was getting quite  
 19 angry about the licence conditions, doesn't it?  
 20 A. It does, yes.  
 21 Q. And can we look at the bottom half of the page, please.  
 22 Thank you very much. And it goes into more detail,  
 23 doesn't it, under this "S.1 Rule of Law/S2. Rule of  
 24 Democracy" heading; do you see that?  
 25 A. Yes.

1 Q. It talks about the up and coming MAPPA meeting, what  
 2 conditions he wanted to have changed and so on, and then  
 3 it says this :  
 4 "He stated he could have spent some money and got  
 5 a lawyer to make representations on his behalf, but he  
 6 chooses not to do so."  
 7 Yes?  
 8 A. Yes.  
 9 Q. Then if we can turn over finally on this document to the  
 10 next page, {DC6446/5}, and if we can look at point 3,  
 11 please, if we can bring up the middle half of the  
 12 document, although I'm conscious that documents usually  
 13 don't have a top half, a bottom half and a middle half,  
 14 but next to point 3, further notes about the  
 15 conversation in relation to licence conditions; yes?  
 16 A. Yes.  
 17 Q. He was looking to having some of them varied, if not  
 18 removed; yes?  
 19 A. Yes.  
 20 Q. And it goes on to say, doesn't it :  
 21 "He was confident that he would win, as he himself  
 22 stated that he spent years studying the process and that  
 23 he was successful in his IPP appeal whilst in prison."  
 24 Yes?  
 25 A. Yes.

1 Q. So these features about his engagement with the mentor  
 2 being set out in this report are being brought to your  
 3 attention and the attention of others; correct?  
 4 A. Yes. Yes.  
 5 Q. Can I ask us to have, please {DC7442/210}. Very similar  
 6 format, email, 6 May, from Harvinder Khella:  
 7 "Hi Ken,  
 8 "... see attached."  
 9 If we go down to the next page, the attachment is  
 10 6463 so can we please bring up {DC6462/1}. Again  
 11 session date 1 May, so corresponds more or less with the  
 12 date of the email. Can we please have {DC6462/5} of  
 13 this document and the bottom half of the page, please.  
 14 The paragraph reads:  
 15 "While UK was trying to change his numbers on his  
 16 Indeed and Reed account. UK was struggling to change  
 17 the number. As I was trying to direct UK to help him  
 18 change his number, UK was getting frustrated as he does  
 19 not like taking instructions."  
 20 Do you see that?  
 21 A. Yes.  
 22 Q. So this is in a mentor intervention report that was sent  
 23 to you and others; yes?  
 24 A. Yes.  
 25 Q. And then over the page on to the top of {DC6462/6}, if



1 you wouldn't mind:  
 2 "UK was getting frustrated with my advice and  
 3 directions."  
 4 Do you see that?  
 5 A. Yes.  
 6 Q. So that kind of information was being communicated to  
 7 you and to others from the mentors; agreed?  
 8 A. Yes.  
 9 Q. Did you read all of these intervention reports?  
 10 A. Yes.  
 11 Q. Did you carry out any analysis of the contents in terms  
 12 of Mr Khan's mindset?  
 13 A. It was taken on board what had been said, it was  
 14 discussed with him, as it would have been -- obviously,  
 15 as you have alluded to, it was sent to other individuals  
 16 so it would have been discussed, yes, but from my  
 17 perspective, in terms of -- and I said this earlier in  
 18 my evidence that he didn't actually ask me to have any  
 19 of his licence conditions removed.  
 20 Q. So if someone else, when looking at these mentor  
 21 reports, drew out some of these expressions about anger  
 22 and frustration and wanting to question his licence  
 23 conditions, they appear to be an accurate reflection of  
 24 what was contained in these reports?  
 25 A. If they would have drawn it out from what was in there,

1 but, as I say, in terms of that sort of behaviour, it  
 2 was in there but it wasn't -- didn't appear to be  
 3 evidenced anywhere else, from my perspective, at that  
 4 particular time.  
 5 MR BOYLE: Those are all my questions. Thank you very much.  
 6 JUDGE LUCRAFT: Thank you very much.  
 7 Questions by MR BEER QC  
 8 MR BEER: Good afternoon, sir.  
 9 A. Good afternoon.  
 10 Q. My name is Jason Beer, I represent the Chief Constable  
 11 of West Midlands Police who is responsible for the West  
 12 Midlands CTU, the Counter-Terrorism Unit. So not the  
 13 Staffordshire Police, that's Mr Boyle who has just  
 14 spoken, not the Prevent officers represented by  
 15 Mr Baumber, the man before; okay?  
 16 A. Okay.  
 17 JUDGE LUCRAFT: And again, Mr Beer, you've been behind the  
 18 jury again for most of the days that we've been sitting,  
 19 but you're now in the limelight, as they say.  
 20 MR BEER: Yes. Three questions, three sets of questions,  
 21 please.  
 22 Firstly, can you help the jury, please, about this,  
 23 some more details about the MAPPA arrangements. We've  
 24 heard a lot about it already, but I would like, if we  
 25 may, to come at it from a slightly different angle.

1 Would you agree that the Probation Service was the  
 2 lead agency within MAPPA?  
 3 A. Yes.  
 4 Q. And lead agency, we should write with a capital L,  
 5 capital A; is that right? It's a term of art?  
 6 A. Apologies, I don't understand what you're saying?  
 7 Q. It's a phrase or some words that are used in the MAPPA  
 8 world with a special definition, or a special effect,  
 9 when an agency is a "Lead Agency"?  
 10 A. Okay.  
 11 Q. Well, do you not know the answer to that question?  
 12 A. In terms of it being the lead --  
 13 Q. Yes?  
 14 A. Probation is the lead agency, they have ultimate  
 15 responsibility for the individual, if that's what you're  
 16 referring to.  
 17 Q. Okay. More specifically, would you agree that being the  
 18 lead agency meant that it was the agency with statutory  
 19 authority and responsibility to manage the MAPPA  
 20 offender?  
 21 A. Yes.  
 22 Q. And maybe if we can just check that I'm not making any  
 23 of this stuff up, we can look at some documents just to  
 24 check.  
 25 Could we see the MAPPA guidance that Mr Hough kindly

1 showed us earlier in the week. It's {DC6511/1}. Thank  
 2 you very much. I'm not going to take you to many parts  
 3 of this 159-page guidance that the Prison & Probation  
 4 Service has assisted you with, just two pages in  
 5 particular, please. Can we look at {DC6511/11}, please.  
 6 Thank you. It's under the first bullet point, next to  
 7 paragraph 1.38. I wonder whether that could just be  
 8 highlighted, or enlarged. I know from when I'm sitting  
 9 just behind the jury, one can't see the screens that  
 10 well.  
 11 JUDGE LUCRAFT: Yes.  
 12 MR BEER: I'll read it out. Thank you, that's even better:  
 13 "'Lead agency' is the agency with the statutory  
 14 authority and responsibility to manage a MAPPA  
 15 offender."  
 16 Can you see that?  
 17 A. I can, yes.  
 18 Q. And that's what we've just agreed on there; yes?  
 19 A. Yes.  
 20 Q. The second page, please {DC6511/13} of this document,  
 21 and can we highlight, or enlarge, paragraph 2.4, please,  
 22 and it's the first bullet point again:  
 23 "The NPS..."  
 24 That's the National Probation Service; yes?  
 25 A. Yes.

1 Q. "... will be the lead agency for any MAPPA offender aged  
 2 over 18 under their supervision (including licences ...)  
 3 [which is our case here] ... until the supervision  
 4 period expires."  
 5 So this explains why the Probation Service was the  
 6 lead agency: Khan was on a licence?  
 7 A. Yes.  
 8 Q. Does that help us to understand why the Probation  
 9 Service supervisor is identified on Khan's licence as  
 10 being the person who needs to give permission if Khan is  
 11 to do certain things or, more accurately, prohibits Khan  
 12 from doing things unless the supervisor agrees?  
 13 A. Yes.  
 14 Q. And does that lead agency status explain why the senior  
 15 member of MAPPA was a Probation Service employee and  
 16 they chaired all 12 of the MAPPA meetings?  
 17 A. Yes.  
 18 Q. Thank you.  
 19 The second topic, please. Attendance at MAPPA  
 20 meetings. Again, can we look at the same guidance,  
 21 please, at {DC6511/80}. Thank you. Now, can we look at  
 22 paragraph 13a.25 which is just under the heading  
 23 "Planning MAPPA meetings". Excellent, and it reads as  
 24 follows, for those who can't see it:  
 25 "Invitations must be sent to the right people at the

1 right agencies. The lead agency referrer should decide  
 2 who is required at the MAPPA meeting, in conjunction  
 3 with their line manager. The invitation letter should  
 4 make clear that it is expected that all those invited  
 5 will come to the meeting, having reviewed the  
 6 information available to their agency on the offender,  
 7 and should make clear the potential consequences of  
 8 failing to share vital information."  
 9 So this stresses firstly the importance of getting  
 10 the right people from the right agencies at the meeting;  
 11 yes?  
 12 A. Yes.  
 13 Q. Sending out invitations accordingly?  
 14 A. Yes.  
 15 Q. And the decision on who should attend falls to the lead  
 16 agency, here the probation service?  
 17 A. That's correct.  
 18 Q. And would you agree that the third sentence in that  
 19 paragraph is important because it means if you receive  
 20 the invitation to attend the MAPPA meeting in respect of  
 21 a named offender, there's an expectation that you will  
 22 turn up having reviewed all of the information available  
 23 to your agency?  
 24 A. Yes. On occasions the information didn't necessarily --  
 25 you didn't get the information necessarily until you

1 actually got there, on occasions.  
 2 Q. But the purpose behind that is good sense, isn't it?  
 3 It's so that you can disclose it, if necessary, to the  
 4 meeting?  
 5 A. That's correct, yes.  
 6 Q. It is saying if you receive the specific invite, you're  
 7 there representing your organisation, you'd better be  
 8 clued up on the information?  
 9 A. That's correct, yes.  
 10 Q. Because you might have to disclose some of it.  
 11 So would you agree with this: that knowing that  
 12 you're a specific invitee to a meeting by the Probation  
 13 Service is important because it has that consequence?  
 14 A. It is, yes.  
 15 Q. Now, you, I think, attended all 12 of the MAPPA  
 16 meetings?  
 17 A. I could be wrong, I thought there was 29 altogether, 30.  
 18 Q. Even better, you will be even more familiar with the  
 19 process. The process is that an agenda was sent out in  
 20 advance of the meeting; do you remember that?  
 21 A. Yes.  
 22 Q. And that agenda was sent to a limited and defined circle  
 23 of people; do you remember that?  
 24 A. It is, yes.  
 25 Q. And that was an agenda for the whole day; is that right?

1 Not just for Usman Khan?  
 2 A. Yes.  
 3 Q. And that's because on the whole day the MAPPA meeting  
 4 could consider a number of offenders?  
 5 A. That's correct, yes.  
 6 Q. Can we just spend a little while looking at an example  
 7 of that, please. Can we look at {DC7172/1}, please.  
 8 I wonder whether the top half can be -- so this is an  
 9 agenda for the meeting on 11 October 2018. I've picked  
 10 this one at random, they all look roughly the same.  
 11 A. Okay.  
 12 Q. And you can see that if we scroll down, it starts at  
 13 9.30. It's a bit difficult to see. Yes, thank you.  
 14 That's much better. And that would be offender 1. And  
 15 then at 10.15 would be offender 2. Would that be right?  
 16 A. That's correct, yes.  
 17 Q. And then they're blacked out because they're other  
 18 people that aren't concerned in this Inquest. And then  
 19 offender 3 is Usman Khan; yes?  
 20 A. That's correct, yes.  
 21 Q. His discussion starts at 11.05, or was due to start at  
 22 11.05?  
 23 A. Yes.  
 24 Q. And then 11.45, somebody else, 12.45 somebody else; yes?  
 25 A. Yes.

1 Q. And then if we just scroll to the bottom, we see -- keep  
 2 going a bit more, please. Thank you. The last  
 3 offender, their discussion was due to start at 2.30?  
 4 A. Yes.  
 5 Q. So a discussion of offenders, I think there were eight  
 6 in total on that day when you total them up, discussions  
 7 lasting over five hours, albeit there was a 30-minute  
 8 lunch break?  
 9 A. Yes.  
 10 Q. And would that be fairly typical of a MAPPA meeting?  
 11 A. Yes.  
 12 Q. And then if we just go back up to 11.15, please. And  
 13 I wonder whether we could have the columns or the row  
 14 headings at the top, please, as well. Thank you, yes.  
 15 You can see the name of the offender, where they  
 16 are, their level and category, their risk level and the  
 17 tool, and then the people that were intended to attend  
 18 from various agencies.  
 19 A. Yes.  
 20 Q. And can you see that you're down there as offender  
 21 manager --  
 22 A. Yes, I can.  
 23 Q. -- yes, along with some other people?  
 24 A. Yes.  
 25 Q. And then the senior probation officer, Phil Bromley and

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1 Jamie--Ann Edwards are down and Lois Gell?  
 2 A. Correct, yes.  
 3 Q. And then "Other agencies" those that are to attend from  
 4 other agencies include Calum Forsyth and  
 5 Nicholas Powell?  
 6 A. Yes.  
 7 Q. And you have explained who Calum Forsyth was,  
 8 Sergeant Forsyth from the Prevent Team from  
 9 Staffordshire, and Nicholas Powell, did you know him to  
 10 be a Special Branch officer?  
 11 A. No.  
 12 Q. You didn't. Did you know he was from  
 13 Staffordshire Police as well?  
 14 A. At this moment in time I can't recall.  
 15 Q. You can't.  
 16 A. No.  
 17 Q. Okay. Now, I think it's fair to say that minutes were  
 18 produced in respect of all of the meetings, and we've  
 19 seen them, and I wonder whether we could look at the  
 20 minutes for this meeting, please, which is {DC6408/1}.  
 21 Thank you, and if we can go forward, you can see the  
 22 date there, 11 October 2018, exactly the same date. Can  
 23 we go forwards, please, to {DC6408/3} the list of  
 24 attendees, and we can enlarge, that's great, thank you.  
 25 We can see there are a lot more attendees there than

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1 were on the list; yes?  
 2 A. Yes.  
 3 Q. And we can see, for example, that there are some people  
 4 from West Midlands CTU there that weren't on the list of  
 5 the required attendees?  
 6 A. That's correct, yes.  
 7 Q. Is it right that sometimes there were people who had no  
 8 direct involvement with the individual who was being  
 9 discussed in the meeting; it wasn't their case, they  
 10 didn't manage the offender, but they would, nonetheless,  
 11 make impromptu contributions to the meeting?  
 12 A. Yes.  
 13 Q. Would this be a fair description of it: that that would  
 14 be professionals acting as critical friends?  
 15 A. Repeat that again, please.  
 16 Q. Yes. The way in which those people whose case it was  
 17 not -- it wasn't their offender?  
 18 A. Yes.  
 19 Q. They weren't on the invitation list to attend, but they  
 20 nonetheless sometimes chipped in --  
 21 A. Yes.  
 22 Q. -- made contributions, they were acting as critical  
 23 friends?  
 24 A. Yes.  
 25 Q. Is that a fair way of describing it?

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1 A. It is, yes.  
 2 Q. And I think we can see an example of that in these  
 3 minutes. Well, let's look at a different set of  
 4 minutes, maybe 6413, please {DC6413/1}. Thank you very  
 5 much. These are the minutes for the 30 May meeting at  
 6 which you were present. If we just skip forwards to  
 7 {DC6413/3} of these minutes. I think we can look at the  
 8 big box underneath there, please, we can see that you're  
 9 there; yes?  
 10 A. Yes.  
 11 Q. And we can, I think, also see that there's somebody from  
 12 West Mids CTU there, DI Williams; yes?  
 13 A. Yes.  
 14 Q. Now he wasn't in fact on the distribution list, on the  
 15 agenda? I'm not going to go back and spend time  
 16 looking. Take it from me he wasn't there.  
 17 If we go forwards to {DC6413/5} of these minutes,  
 18 please, and under "Panel discussion" if we go down,  
 19 please. Yes, under "Panel discussion" there's  
 20 a discussion over the curfew. Can you see that?  
 21 A. Yes.  
 22 Q. I'll just read it out for those that can't see:  
 23 "Panel discussion regarding suggested change of  
 24 curfew... nothing to suggest that he is likely to  
 25 re-offend -- the change would give Staffordshire CTU the

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1 opportunity to see how [Usman Khan] reacts to the change  
 2 and having additional space and time to himself.  
 3 Considering removing 4.00 pm sign on and extending the  
 4 curfew from 9.00 pm to 11.00 pm..."  
 5 So extending, I think, means relaxing, ie putting  
 6 back the curfew ---  
 7 A. It does, yes.  
 8 Q. --- taking two hours off it:  
 9 "... not felt that the extra 2 hours in the evening  
 10 will make any difference. This would also enable Khan  
 11 to break his fast with his family during Ramadan. Khan  
 12 will still be subject to electronic tagging and come  
 13 back for frequent sessions and appointments."  
 14 Then CTU West Midlands Police:  
 15 "... noted ... it is unusual to remove both the  
 16 4.00 pm sign on and extend the curfew at the same  
 17 time --- not agreed to be appropriate."  
 18 And then:  
 19 "CTU (Staffordshire) implied they are not against  
 20 extending [Khan's] curfew as it could be reimposed or  
 21 moved back."  
 22 So there's a difference of views there; yes?  
 23 West Midlands saying don't do it, Staffordshire is  
 24 implying that they're not against it. Then the panel:  
 25 "Concerns were raised by the panel in regard to

1 extending the curfew and then reducing it back."  
 2 And then they decided not to do that, so do the two  
 3 things at the same time?  
 4 A. Okay.  
 5 Q. Is that an example of where somebody is acting as  
 6 a critical friend? It's not directly their case to  
 7 manage, but they nonetheless contribute to a discussion?  
 8 A. Yes.  
 9 Q. And was that a feature of these meetings?  
 10 A. It was, yes.  
 11 Q. And would that reflect the type of intervention that you  
 12 might typically see or hear from somebody whose case was  
 13 not before the panel, but they were just offering advice  
 14 or a critical voice?  
 15 A. It would, yes.  
 16 Q. Thank you. Lastly and thirdly then, please, one point  
 17 of detail in relation to the Learning Together event on  
 18 29 November 2019. Can we turn up, please, and I offer  
 19 some apologies before I go there, we've looked at this  
 20 email before, I acknowledge. I'm hopefully coming at it  
 21 from a different angle {DC5635/1}. This is your Delius  
 22 record?  
 23 A. Yes.  
 24 Q. And I should say that it's a record that you made on  
 25 Delius.

1 A. Yes.  
 2 Q. Can we see an entry on 21 August at 7.02 am. We see  
 3 that you were obviously up early making this entry  
 4 at 7 o'clock in the morning?  
 5 A. Yes.  
 6 Q. And what you do is you cut into the Delius record  
 7 an email that Dr Ludlow has sent to you?  
 8 A. Yes.  
 9 Q. So you cut and paste it, and we see that this is  
 10 a technique that you use; yes?  
 11 A. Yes. It allowed me to have a paper trail of what  
 12 contact I was having with other agencies.  
 13 Q. Yes, so rather than something being in your inbox or  
 14 sent items, it's on the system for other people to see.  
 15 It's a good thing.  
 16 A. To reflect back on, yes.  
 17 Q. And I think we can see that the email begins:  
 18 "Dear Ken..."  
 19 Then if we can just scroll down, please. We know,  
 20 in fact, this email was sent to you on 15 August but you  
 21 are cutting it in on 21 August, yes?  
 22 So the first four paragraphs don't concern us, if we  
 23 could go over to the next page, please {DC5635/2}, and  
 24 the third paragraph down, Dr Ludlow is saying:  
 25 "We have also now confirmed the date for our alumni

1 event --- Friday 29th November 2019 in London. Usman  
 2 will shortly receive a save the date card so may discuss  
 3 this with you. It will likely be an afternoon and early  
 4 evening event at the Fishmongers' Hall (one of our  
 5 funders). We'd love it if Usman could attend. We will  
 6 also be inviting funders and supporters to join us for  
 7 the evening reception and very much hope you might like  
 8 to attend too."  
 9 And then the passage that we haven't looked at is  
 10 your reply below. Can we see underneath the dotted line  
 11 we've also got your reply that you included.  
 12 A. Yes.  
 13 Q. Which begins:  
 14 "Amy..."  
 15 A. Yes.  
 16 Q. And the second paragraph, does it read this:  
 17 "In relation to the event in November I cannot see  
 18 that being a problem but it will be up to Usman to  
 19 attend under his own steam. He would obviously have to  
 20 let us know as the tag would still be on but other than  
 21 that I do not feel it [was] a problem."  
 22 And we know that you sent that back, although it's  
 23 not dated here, on 21 August 2019; yes?  
 24 A. Yes.  
 25 Q. Now, you say in this email firstly "I cannot see that

1 being a problem", ie Usman attending on  
 2 29 November 2019. You were saying that before you had  
 3 raised the issue with MAPPa.

4 A. Yes, but I would have had some discussion around that  
 5 with my line manager, and although I'm saying it's not  
 6 likely to be a problem, it would have been raised at  
 7 MAPPa and discussed. That, to be fair, is just a figure  
 8 of speech. I'm not saying within there that yes, he can  
 9 definitely go, because I wasn't able to give that  
 10 consent.

11 Q. Well, we know the MAPPa meeting was on 22 August, so  
 12 it's the following day, but you were replying to  
 13 Dr Ludlow, saying that it would be up to Usman, but  
 14 I can't see it being a problem. In fact, you use those  
 15 words twice.

16 You were replying saying you can't see an issue here  
 17 before having discussed it with MAPPa at all, weren't  
 18 you?

19 A. I was, but it wasn't giving permission, was it?  
 20 Ultimately it would have been discussed at MAPPa and  
 21 I would have had no problem going back to Amy Ludlow  
 22 saying: in actual fact, it's now been discussed at the  
 23 MAPPa panel, there's been a lot of concerns raised so  
 24 therefore he will be unable to attend, and that would  
 25 have been the process.

1 Q. Do you think the way that you replied to Dr Ludlow here  
 2 saying "I don't see this being a problem at all"  
 3 reflected the way that you then raised it in the MAPPa  
 4 meeting the following day?

5 A. No, not at all.

6 Q. Ie, the way that you raised it was that you had already  
 7 formed a view that it was all okay and all acceptable?

8 A. I thought it was a possibility, and as I've already  
 9 alluded to, I don't think -- it wasn't an ultimate  
 10 decision, and it wasn't a decision that I would have  
 11 made in isolation.

12 Fair enough, I maybe have said, you know, and Amy  
 13 Ludlow may have had an impression that it's a foregone  
 14 conclusion, well, in no way was it a foregone  
 15 conclusion.

16 Q. In the next part of the sentence you say:  
 17 "It would be up to Usman to attend under his own  
 18 steam."  
 19 So that's you saying to Dr Ludlow that Usman Khan  
 20 will have to get there on his own?

21 A. Yes.

22 Q. Again, that's before you had raised this with MAPPa,  
 23 isn't it?

24 A. But, again, that is about just making a statement. That  
 25 is not something that would have been -- was written in

1 stone, if you like. It would have been discussed at the  
 2 MAPPa after, and as I've already alluded to, I would  
 3 have replied to Amy Ludlow to say, well, actually, this  
 4 isn't going to happen.

5 Just to be clear, one last thing I would say is that  
 6 this was a considerable amount of time ago and I don't  
 7 feel that I would have ultimately said that without  
 8 discussing it with somebody prior to me replying in that  
 9 email. Yes, it wouldn't have been discussed at the  
 10 MAPPa meeting at that point and, as I've already said,  
 11 the process is that myself, I speak to somebody else,  
 12 someone else, and then it may be taken to the MAPPa  
 13 panel. My view is that I would have at least floated it  
 14 past someone else prior to that date.

15 Q. I understand, and to be clear, I'm not suggesting that  
 16 this email exchange here is you writing anything in  
 17 stone.

18 A. Okay.

19 Q. I'm asking you, do you think that the fact that you had  
 20 already decided in your own mind that Usman Khan could  
 21 go, and that he would have to make his own way there,  
 22 then reflected the manner in which you raised it at the  
 23 meeting the following day?

24 A. No.

25 Q. Can we look, please, at the minutes of the meeting at

1 {DC6415/4} and can we look at the bottom of page 4,  
 2 please. The last sentence:  
 3 "[Usman Khan] continues to have contact with  
 4 Cambridge ... on an almost weekly basis. He has applied  
 5 for a bursary to support his attendance on a short  
 6 course beginning next April. The court will last 1-day  
 7 and will ..."

8 This is the record of you speaking, yes?

9 A. Yes, yes.

10 Q. {DC6415/5}:  
 11 "... entail an overnight stay. The University are  
 12 also hosting another 1-day event in November -- [Usman  
 13 Khan] will be invited however will have likely moved on  
 14 from the [approved premises] by this point and will need  
 15 to source his own means of travel."  
 16 So that's you speaking; yes?

17 A. Yes.

18 Q. And that reflects the language that you used in the  
 19 email of the previous day, doesn't it?

20 A. Yes.

21 Q. Do you think these minutes accurately reflect the way  
 22 that the meeting went; namely you had already made  
 23 a decision in your mind, you were telling MAPPa about it  
 24 in exactly the same terms as your email of Dr Ludlow the  
 25 previous day?

1 A. No, not particularly .  
 2 MR BEER: Yes, thank you very much for your help.  
 3 A. Thank you.  
 4 JUDGE LUCRAFT: Thank you, Mr Beer.  
 5 Questions by MS LEEK QC  
 6 MS LEEK: Sir, I see it's 12.55.  
 7 JUDGE LUCRAFT: Yes, I was just looking. Would it be  
 8 sensible if we came back at 1.55 and took it in one go.  
 9 It just depends how long you're going to be because  
 10 I know we've got two other witnesses yet to get through  
 11 as well.  
 12 MS LEEK: Sir, I'm going to be 15 minutes, so perhaps  
 13 I might be 15 minutes now and we can take a slightly  
 14 late lunch so that Mr Skelton --  
 15 JUDGE LUCRAFT: Shall we do that? Let's do that. Very  
 16 good. When the stomach starts to rumble we know you  
 17 have gone too far on 15 minutes.  
 18 MS LEEK: Especially with the microphone here. I'm sure  
 19 Mr Skelton will be happy to be finished before lunch.  
 20 Mr Skelton, as you know, I'm Samantha Leek and I ask  
 21 questions on behalf of the MoJ and the Home Office.  
 22 I have a few areas that I just want to come back to you  
 23 on that you've been asked about over the last couple of  
 24 days.  
 25 First of all, experience and training. Mr Armstrong

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1 asked you yesterday about your training and your  
 2 experience, and he rightly pointed out that a lot of  
 3 staff at Staffordshire probation were new to TACT  
 4 offenders, to terrorism offenders. A couple of points  
 5 arise out of this. First, as you've said, you had all  
 6 of the relevant training for dealing with TACT  
 7 offenders?  
 8 A. In terms of the accredited programme?  
 9 Q. Yes?  
 10 A. Yes.  
 11 Q. You had had 15 years of experience as an offender  
 12 manager?  
 13 A. Yes.  
 14 Q. Much of that with high risk and dangerous offenders?  
 15 A. Yes.  
 16 Q. Some manipulative, some dishonest?  
 17 A. Yes.  
 18 Q. So far as experience was concerned, is it right that  
 19 when Khan and his co-defendants were released, they were  
 20 the first TACT offenders to be released into the  
 21 community in Staffordshire?  
 22 A. They were, yes.  
 23 Q. So you can have all the training in the world, but if  
 24 there are no TACT offenders, then you can't get the  
 25 experience?

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1 A. No.  
 2 Q. So it was inevitable that it was going to be a steep  
 3 learning curve?  
 4 A. Definitely, yes.  
 5 Q. For everybody?  
 6 A. Yes.  
 7 Q. But you had the benefit of working closely with others  
 8 in managing him?  
 9 A. Yes.  
 10 Q. And you were not making decisions alone, as you've said?  
 11 A. No, not at all.  
 12 Q. You worked closely with Phil Bromley?  
 13 A. I did, yes.  
 14 Q. With the counter-terrorism probation lead Lois Gell?  
 15 A. Yes.  
 16 Q. You had an excellent relationship with  
 17 Staffordshire Prevent police?  
 18 A. Yes.  
 19 Q. The chair of the MAPPa panel was the head of public  
 20 protection for the West Midlands division?  
 21 A. It was, yes.  
 22 Q. With extensive experience in the field of TACT  
 23 offenders?  
 24 A. It was, yes.  
 25 Q. At the MAPPa meetings, there was input from

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1 Staffordshire Police Special Branch, although we've  
 2 established this morning you didn't know they were  
 3 Special Branch?  
 4 A. Yes.  
 5 Q. West Midlands Counter-Terrorism Unit?  
 6 A. Yes.  
 7 Q. And as was pointed out, if you had had any concerns  
 8 about the specific difficulty of managing Khan, did you  
 9 feel that you had people you could ask?  
 10 A. I did, yes.  
 11 Q. And --  
 12 A. I'm sorry, and being able to attend the MAPPa meetings  
 13 provided me with that, I felt.  
 14 Q. And did you feel that if anything was said or raised in  
 15 any of the MAPPa panel meetings, that people felt they  
 16 could challenge, chip in and disagree?  
 17 A. They were able to, yes.  
 18 Q. And, indeed, did they?  
 19 A. They did.  
 20 Q. You've been asked about input from MI5, in particular,  
 21 some of the intelligence, but is it right that you were,  
 22 in fact, aware of the intelligence from the prison  
 23 relating to the suggestion that he would return to his  
 24 old ways?  
 25 A. Yes.

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1 Q. And you were aware of the intelligence about  
 2 radicalisation on the wings?  
 3 A. I was, yes.  
 4 Q. As far as licence conditions are concerned, is it right  
 5 that they were discussed and approved at MAPPA meetings  
 6 before his release?  
 7 A. They were, yes.  
 8 Q. And we heard that the responsible authority for the  
 9 purposes of MAPPA is made up of police, prison and  
 10 probation?  
 11 A. That's correct, yes.  
 12 Q. And that the local criminal justice agencies are to work  
 13 together in partnership in dealing with offenders?  
 14 A. Yes, they are.  
 15 Q. I just want to look briefly at the timing of the ERG and  
 16 OASys that you've been asked about. First of all, is it  
 17 right that by 2019, the OASys guidance had changed and  
 18 it was no longer a requirement to complete annual OASys  
 19 assessments?  
 20 A. It had done, yes.  
 21 Q. Now, the last OASys report was dated December 2018, and  
 22 so in fact it had been conducted less than a year  
 23 previously in any event?  
 24 A. That's correct, yes.  
 25 Q. After Usman Khan moved out of the approved premises on

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1 24 September 2019, you were, in fact, working on  
 2 an updated ERG report which had reached a draft stage?  
 3 A. Yes.  
 4 Q. And your intention was to use this to inform Khan's  
 5 OASys assessment?  
 6 A. Very much so, yes.  
 7 Q. Now, you were asked a number of questions about the 2018  
 8 and 2019 ERG reports, and first of all I want to go to  
 9 your report. It's at {DC5323/12}, and I want to go to  
 10 the second paragraph, and you assessed his level of  
 11 engagement as medium, and you explained, you'll see, in  
 12 the middle, it's four lines down:  
 13 "At this time I would assess Mr Khan's level of  
 14 engagement (an estimate of the overall strength of the  
 15 individual's engagement with an extremist ideology,  
 16 group or cause) at the current time as medium. This is  
 17 on the basis of there being no current evidence to  
 18 suggest engagement with an extremist cause, and no  
 19 evidence to suggest other than the need for status any  
 20 of the specific engagement factors of the ERG are  
 21 currently strongly present."  
 22 Now, two points here. First of all, it was  
 23 suggested that you hadn't dealt with the issue of status  
 24 in your report but, in fact, here you are dealing with  
 25 the issue of status: that actually this is something

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1 that is still present.  
 2 A. Okay.  
 3 Q. Just so that the jury have the full picture, because  
 4 you've been directed to certain pieces of the report.  
 5 Secondly, I think it's right that Dr Ieva had also  
 6 assessed his engagement as medium, and had said that it  
 7 could increase on release; is that right?  
 8 A. Yes.  
 9 Q. But from your perspective, there was no evidence or  
 10 intelligence whatsoever to suggest that his engagement  
 11 had increased on release?  
 12 A. No, none at all.  
 13 Q. Now, in relation to intent, you assessed him as low?  
 14 A. Yes.  
 15 Q. And was that because, as you said, there was -- it's the  
 16 next paragraph, three lines down:  
 17 "This is on the basis that there is no current  
 18 evidence to suggest that he presents as having any  
 19 intent to cause harm, and there is no evidence to  
 20 suggest that any of the specific intent factors of the  
 21 ERG are currently present."  
 22 Is that right?  
 23 A. That's correct, yes.  
 24 Q. And, in fact, when Dr Ieva had assessed his intent as  
 25 medium, what she was referring to was much of what had

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1 been fed into her from the prison?  
 2 A. Yes.  
 3 Q. But so far as you were concerned in relation to intent,  
 4 nothing had been fed into you by any other agency to  
 5 suggest that his intent was to plan an attack?  
 6 A. No: no evidence at all.  
 7 Q. And at the bottom of the paragraph, you went on to say:  
 8 "... there are two areas that require exploring over  
 9 time due to being partly present and include Attitudes  
 10 that justify offending and also Harmful means to  
 11 an end..."  
 12 A. Yes.  
 13 Q. So this wasn't a static position, was it?  
 14 A. It wasn't.  
 15 Q. This ERG was as you saw it at the time, but what you're  
 16 flagging up here is that things might change?  
 17 A. Yes, and it would have been updated to reflect that.  
 18 Q. Yes. You then assess Usman Khan's capability as  
 19 minimal, and you consider this assessment to be dynamic.  
 20 You say:  
 21 "... I would consider this assessment to be dynamic  
 22 and will require ongoing monitoring particularly in that  
 23 he has recently moved into independent accommodation and  
 24 therefore has fewer restrictions, this assessment is  
 25 relevant at this current time with any change of

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1 circumstances reflected within further assessments.”  
 2 A. That’s correct, yes.  
 3 Q. Now, when Dr Ieva assessed him as medium in prison, was  
 4 that at a point when he had access to networks and was  
 5 showing a disinhibition towards illegal behaviour?  
 6 A. It was, yes.  
 7 Q. And did you see any of this in the community?  
 8 A. No.  
 9 Q. And were you provided with any evidence or intelligence  
 10 of this?  
 11 A. No, none whatsoever.  
 12 Q. So was that an accurate reflection of things how you saw  
 13 them and as they were being fed in to you at the time?  
 14 A. It was, yes.  
 15 Q. Now, under “Conclusions & Recommendations”, if we can  
 16 just go a little bit further down the page, Mr Armstrong  
 17 dismissed this as cut and pasted, but is it right that  
 18 you specifically note in the second paragraph here:  
 19 “This ERG assessment should not be used in isolation  
 20 or as the sole basis for decision-making”?  
 21 A. That’s correct, yes.  
 22 Q. And did you say:  
 23 “It should be one source amongst others to inform  
 24 decision-making by a multi-disciplinary team in order to  
 25 manage the risks posed by Mr Khan.”

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1 A. That’s correct, yes.  
 2 Q. And do you then go on to point out the difficulties and  
 3 make recommendations for risk management?  
 4 A. I did, yes.  
 5 Q. Now, Mr Armstrong pointed out that your draft ERG was  
 6 shorter than Dr Ieva’s?  
 7 A. He did, yes.  
 8 Q. A couple of points arise out of this. First of all, is  
 9 it right that the ERG guidance specifically says that  
 10 each case should be looked at individually?  
 11 A. It does, yes.  
 12 Q. Does it also say that there are a number of factors to  
 13 be looked at, but this is to guide questioning and to  
 14 support the assessment process?  
 15 A. It does, yes.  
 16 Q. And we have seen at page 14 — we don’t need to go to it  
 17 — that you did in fact look at the 22 factors in the  
 18 check list at the end?  
 19 A. I did, yes.  
 20 Q. And you looked at the risk factors that had been thought  
 21 could increase following release?  
 22 A. That’s correct, yes.  
 23 Q. So far as comparison is concerned, did Dr Ieva have all  
 24 of the documentation from the prison, including all of  
 25 the intelligence reports, the managing challenging

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1 behaviour strategy material, wing records, et cetera?  
 2 A. She would have, yes.  
 3 Q. And concerning your ERG, dealing with the time since his  
 4 release, you were in possession of no such material?  
 5 A. No.  
 6 Q. You were in possession of no intelligence concerning  
 7 terrorist-related behaviour?  
 8 A. No, none at all.  
 9 Q. And he had complied with all of his licence conditions?  
 10 A. He had.  
 11 Q. So you were basing your report very much on his  
 12 engagement with you and other agencies?  
 13 A. That’s correct, yes.  
 14 Q. Notwithstanding all of this, is it right that in any  
 15 event your draft risk ratings were not passed on to  
 16 MAPPA?  
 17 A. I’m sorry, can you repeat that?  
 18 Q. The risk ratings that you put in here and the draft  
 19 report weren’t actually passed on to MAPPA?  
 20 A. No. No.  
 21 Q. Now, just coming back to the MAPPA panel, you’ve said  
 22 that anything raised or mentioned during the MAPPA  
 23 minutes could be challenged or discussed?  
 24 A. Yes.  
 25 Q. And I think we’ve seen that the dumper truck course is

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1 a good example of this?  
 2 A. Yes.  
 3 Q. And similarly, you thought that the Intensive Engagement  
 4 programme where Usman Khan might have a mentoring role  
 5 could be of interest?  
 6 A. Yes.  
 7 Q. But you were asked to seek further information?  
 8 A. I was, yes.  
 9 Q. And you did that?  
 10 A. I did.  
 11 Q. And in respect of any occasions on which you were asked  
 12 to seek further information, did you do that?  
 13 A. I did, yes.  
 14 Q. Now, I want to look very briefly at the chronology of  
 15 the decision-making around Usman Khan’s attendance at  
 16 Fishmongers’ Hall. We’ve already heard quite a lot  
 17 about this.  
 18 First of all, let’s look at the situations that  
 19 Usman Khan had been in over the previous 11 months  
 20 within his licence conditions. He had undertaken  
 21 a health and safety assessment at Screwfix?  
 22 A. Yes.  
 23 Q. He had been on a health and safety course, I think?  
 24 A. He had, yes.  
 25 Q. He’d been seeing his mentors?

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1 A. He had.  
 2 Q. He had been going to the gym?  
 3 A. Yes.  
 4 Q. Going into supermarkets and other shops?  
 5 A. He had.  
 6 Q. Meeting in cafés?  
 7 A. Yes.  
 8 Q. And meeting police officers?  
 9 A. Yes.  
 10 Q. And we just saw a mentor session report -- I wonder if  
 11 we could bring that up briefly , {DC6446/2}, when we look  
 12 at the Cambridge University, report into Cambridge  
 13 University by the mentor:  
 14 "I asked [Usman Khan] how he was, he replied he was  
 15 excited, as his friends and associates were coming from  
 16 Cambridge to visit him. He told me that he last saw  
 17 them a few months ago. He explained to me the purpose  
 18 of the video that his friends from the university were  
 19 going to film ."  
 20 So he had also met with Learning Together -- members  
 21 of the Learning Together team outside of Cambridge,  
 22 outside of Whitemoor, outside of London Bridge?  
 23 A. He had, yes.  
 24 Q. And at all times he had been polite and respectful?  
 25 A. Yes, definitely .

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1 Q. And from your perspective, and, indeed, the perspective  
 2 of the Prison Service and Prevent, Learning Together was  
 3 seen as probably the most important protective factor  
 4 for him?  
 5 A. It was, yes, at that time.  
 6 Q. He respected the organisers?  
 7 A. He did.  
 8 Q. He spoke of them with what seemed to be genuine respect  
 9 and admiration?  
 10 A. Yes.  
 11 Q. He enjoyed his time with them?  
 12 A. He did, yes.  
 13 Q. And the feedback was overwhelmingly positive?  
 14 A. It was.  
 15 Q. Now, the MAPPa minutes of 7 March, just going through  
 16 the chronology in stages -- I don't think we need to  
 17 bring it up on the screen -- it says this:  
 18 "Ken felt that in future they [that is Cambridge]  
 19 may look to enable Usman to attend some of the events  
 20 with measures in place. Staffordshire Special Branch  
 21 police asked to have the heads up if Usman will be  
 22 attending these events."  
 23 So as far as you were concerned, there was going to  
 24 be input from a number of agencies?  
 25 A. Yes.

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1 Q. And then it also said:  
 2 "Ken to table all dates for future attendance at  
 3 Cambridge events and each will be reviewed at the time."  
 4 A. Yes.  
 5 Q. What was in March?  
 6 A. Yes.  
 7 Q. So was it anticipated that his attendance, or his  
 8 suggested attendance at each event, would be reviewed at  
 9 the time of the suggestion for each event?  
 10 A. Yes.  
 11 Q. And did you anticipate that even if it was not put as  
 12 a specific agenda item at MAPPa, it would be flagged up,  
 13 and if anybody had anything to say about it, they would  
 14 do so?  
 15 A. It was, yes.  
 16 Q. Now let's have a look at the next event:  
 17 "Ken declined the invitation to Cambridge [we've  
 18 already seen that today] on the basis that it was too  
 19 soon, and it was noted that the next event was in June  
 20 at HMP Whitemoor."  
 21 And it was said:  
 22 "Usman in relation to the event in June did not want  
 23 to go as he does not wish to go back to Whitemoor."  
 24 A. That's correct, yes.  
 25 Q. And in the April MAPPa minutes, {DC6412/5}, CTU report,

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1 if we can go down a bit further, we've got probation.  
 2 Sorry, can we go up again. In fact, it's  
 3 Counter-Terrorism Unit reporting here:  
 4 "[Usman Khan] has been invited to return back to ...  
 5 Whitemoor as part of his work with Cambridge University.  
 6 The University have asked him to do a presentation on  
 7 his experiences since he has commenced this course and  
 8 to encourage other prisoners to partake on the course.  
 9 Initially , [Usman Khan] suggested that as the seminar  
 10 was at ... Whitemoor he didn't want to attend. He has  
 11 since changed his mind, it is not known the reason for  
 12 this but checks will take place to ensure he is not  
 13 pressured into going. CTU colleagues have also offered  
 14 to provide an escort on the day."  
 15 So this is something that is raised at MAPPa but  
 16 we don't see minutes here of extensive discussion around  
 17 this?  
 18 A. That's correct, and that was what happened in the  
 19 majority of the cases.  
 20 Q. But even if the minutes don't record everything, is  
 21 there inevitably more discussion than actually appears  
 22 in the minutes?  
 23 A. Yes.  
 24 Q. There is, then, positive feedback after the 12 July  
 25 event at Whitemoor. And there was a gradual progression

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1 of his licence conditions in terms of sign—on times,  
 2 curfew being eased, and move to private premises?  
 3 A. There was, yes.  
 4 Q. We've then seen the August email from Amy Ludlow to you?  
 5 A. Yes.  
 6 Q. Sent on 15 August, introducing the alumni event.  
 7 A. Yes.  
 8 Q. You then, I think, forwarded this on to Calum Forsyth;  
 9 is that right?  
 10 A. Yes.  
 11 Q. Now I don't think we have a copy of it, but both you and  
 12 Mr Forsyth refer to this in your witness statements.  
 13 A. Yes.  
 14 Q. You say in your witness statement, and tell me if this  
 15 remains your recollection:  
 16 " ... I ... know we talked about the matter because  
 17 we talked about an escort for Usman."  
 18 A. Yes.  
 19 Q. And then you say in your statement:  
 20 "The next day, I responded to Dr Ludlow stating that  
 21 I did not see the event as a problem but that it would  
 22 be up to Usman to attend under his own steam."  
 23 A. Yes.  
 24 Q. And Mr Forsyth says in his statement that:  
 25 "[He] did not reply by email so I can only assume

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1 that I would have phoned Ken to discuss this."  
 2 A. Yes.  
 3 Q. Now, on 4 November, Calum Forsyth emailed you and Amy  
 4 Ludlow. That's at {DC6695/128}, at the bottom of the  
 5 page:  
 6 "Morning both,  
 7 "I have discussed this arrangement in the office ...  
 8 unfortunately we wouldn't be in a position to send  
 9 anyone on the train with Usman as this would require two  
 10 people to travel with him and that cannot be justified.  
 11 If [Learning Together] are able to meet him and take him  
 12 from Euston to the event and then return him to Euston  
 13 then I think that would be more appropriate."  
 14 Then he says to you:  
 15 "I have no issue with him attending the event and  
 16 hope it goes well."  
 17 A. That's correct.  
 18 Q. So, so far as you were concerned, he didn't have  
 19 a problem with him attending the event?  
 20 A. No.  
 21 Q. But I think there was then more discussion at  
 22 the November MAPPa meeting. We've seen the MAPPa minute  
 23 of that and we've seen another reference to that.  
 24 Now, at that meeting, is it right that there was --  
 25 Nigel Byford was chairing it?

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1 A. Yes.  
 2 Q. There were four West Midlands counter—terrorism unit  
 3 officers .  
 4 A. Right.  
 5 Q. We get this from the minutes; I don't expect you to  
 6 remember.  
 7 A. Okay.  
 8 Q. Two Staffordshire Special Branch officers .  
 9 A. Okay.  
 10 Q. One Staffs Prevent coordinator, and Lois Gell and Sumeet  
 11 Johal?  
 12 A. Yes.  
 13 Q. And you said that you recall more discussion than was  
 14 written in the MAPPa minutes?  
 15 A. Yes.  
 16 Q. Can we just have a look at {DC7484/33}, and this is  
 17 DC Hartill's major incident book. Can we just go down  
 18 the page a little . MAPPa -- this is a note, I imagine,  
 19 of a meeting on 14 November, and she says this:  
 20 "Queried plans for London [Cambridge] uni event  
 21 purpose, involvement, etc, travel . Ken PO authorised  
 22 meeting [Cambridge] uni[versity] rep."  
 23 So does that reflect the discussion in the meeting  
 24 that the plans for the event, its purpose and his  
 25 involvement were discussed at the meeting?

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1 A. It does, yes.  
 2 Q. And does that reflect your recollection of the meeting?  
 3 A. Yes.  
 4 Q. Now, at {DC7484/37}, DC Hartill has noted...  
 5 JUDGE LUCRAFT: I think it's in the second box down.  
 6 MS LEEK: It is the second box. I wonder if it could just  
 7 be ...  
 8 JUDGE LUCRAFT: It's the sentence that starts:  
 9 "Khan has been approved by probation to attend the  
 10 event in London on 29 November when he will be  
 11 travelling by train alone. Further detail requested on  
 12 the event and Khan's involvement."  
 13 MS LEEK: That's it, we have here:  
 14 "Further detail requested on the event and Khan's  
 15 involvement."  
 16 Then I think we will hear that Special Branch were  
 17 asked to speak to you to establish further detail of the  
 18 event and the purpose of Usman Khan attending outside  
 19 the MAPPa meeting?  
 20 A. Okay.  
 21 Q. On 20 November, this should be, I hope, at  
 22 {DC7428/23-24}, Calum Forsyth then forwards the details  
 23 of the event to DS Jon Stephenson and DC Emma Hartill  
 24 and Staffordshire Special Branch?  
 25 A. Yes.

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1 Q. So that is the full chronology of the discussion leading  
 2 up to, during and after the November MAPPA meetings?  
 3 A. It is, yes.  
 4 Q. I just want to ask you very briefly, I've just gone  
 5 a couple of minutes over, I am afraid, sir, mentors.  
 6 Mr Armstrong asked you yesterday about what M1 and  
 7 M2 had said, and he suggested that Usman Khan was  
 8 playing them off against each other?  
 9 A. Yes.  
 10 Q. What he put to you was what was said in M1's statement;  
 11 do you recall that, about hate in his eyes and evil  
 12 intent?  
 13 A. Yes.  
 14 Q. You have seen all of the mentor reports and read all of  
 15 the mentor reports; did M1 ever say anything like this  
 16 in any of his mentor reports?  
 17 A. Not that I can recall.  
 18 Q. Did he ever pass this on to you separately?  
 19 A. Not that I can recall.  
 20 Q. Was it ever fed through to you that there was  
 21 a suggestion that Usman Khan was being manipulative or  
 22 playing the mentors off against each other?  
 23 A. Not that I can recall.  
 24 Q. Did either of the mentors give you any cause to have  
 25 concern about Usman Khan's behaviour other than what was

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1 flagged up about aggressive behaviour --  
 2 A. No.  
 3 Q. -- and then calming down in their reports?  
 4 A. No.  
 5 MS LEEK: Thank you, sir, I've no further questions.  
 6 JUDGE LUCRAFT: Thank you.  
 7 MR HOUGH: Sir, nothing more from me.  
 8 Thank you very much, Mr Skelton, for your evidence.  
 9 A. Thank you.  
 10 JUDGE LUCRAFT: Mr Skelton, you've been there quite some  
 11 time but thank you very much indeed for bearing with us,  
 12 and you are free now to go. Thank you.  
 13 A. Thank you.  
 14 JUDGE LUCRAFT: Mr Hough, at the risk of incurring  
 15 everyone's displeasure, we will take a slightly shorter  
 16 lunch break than we would do normally because I'm just  
 17 conscious that we've got two others that we would like  
 18 to get through and not cause us difficulties tomorrow,  
 19 so members of the jury, it's now by my clock about 1.24.  
 20 What I'm going to suggest is if we sit again at 2.10, so  
 21 we have a slightly shorter break, but it's important we  
 22 all take a break and we'll do that, and I hope that will  
 23 give us all time to have a proper lunch break. Thank  
 24 you.  
 25 (In the absence of the jury)

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1 MR HOUGH: Sir, I think Mr Moss has taken estimates for the  
 2 next two witnesses.  
 3 JUDGE LUCRAFT: Yes.  
 4 MR HOUGH: If anybody has questions of the next two  
 5 witnesses and has not provided Mr Moss with an estimate,  
 6 may I ask them, please, to do so, and may I also put in  
 7 a desperate plea for people to stick to their estimates  
 8 and resist the temptation to try out their Islamic  
 9 theology with TM.  
 10 JUDGE LUCRAFT: Yes. I am sure everyone will resist that  
 11 temptation, or I hope everyone will.  
 12 I contemplated saying 2 o'clock, Mr Hough, but  
 13 I'm conscious we need to make some adjustments also for  
 14 the next witness and it's right that everyone does have  
 15 a proper break.  
 16 MR HOUGH: The solution may be to have a slightly earlier  
 17 than usual mid-afternoon break after TM.  
 18 JUDGE LUCRAFT: Yes.  
 19 MR HOUGH: So that we can make the adjustments required for  
 20 him during that break.  
 21 JUDGE LUCRAFT: I'll rise.  
 22 (1.25 pm)  
 23 (The short adjournment)  
 24 (2.10 pm)  
 25 (In the presence of the jury)

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1 JUDGE LUCRAFT: Welcome back, everyone.  
 2 Mr Hough?  
 3 MR HOUGH: Sir, just before the next witness makes an oath,  
 4 the next witness is being known as TM, short for  
 5 "theological mentor".  
 6 JUDGE LUCRAFT: Yes.  
 7 MR HOUGH: This witness has been granted anonymity and is  
 8 subject to special measures, so that he will only be  
 9 seen by yourself, jury, court staff, interested persons,  
 10 and accredited press.  
 11 JUDGE LUCRAFT: Yes.  
 12 MR HOUGH: You have made orders that he should only be  
 13 referred to as "TM", and that no reports should be made  
 14 identifying him by name in relation to the subject  
 15 matter of these proceedings. Therefore, if, for  
 16 example, he were accidentally to mention his name, that  
 17 could not be published. Perhaps he could be sworn.  
 18 JUDGE LUCRAFT: Thank you.  
 19 TM (sworn)  
 20 JUDGE LUCRAFT: Good afternoon.  
 21 A. Good afternoon.  
 22 JUDGE LUCRAFT: As with any other witness, if you wish to  
 23 take a seat to give evidence, that's fine.  
 24 A. Thank you.  
 25 JUDGE LUCRAFT: I'm happy for you to either sit or stand,

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1 whichever you would prefer to do.  
 2 A. I would prefer to sit, thank you.  
 3 JUDGE LUCRAFT: Please do take a seat.  
 4 There is a microphone on that desk, TM, which will  
 5 help to amplify your voice rather like the one on the  
 6 lectern, and if documents are shown to you, they'll  
 7 appear either on the small screen in front of you or on  
 8 the larger screens in court.  
 9 A. Thank you.  
 10 Questions by MR HOUGH QC  
 11 MR HOUGH: First of all, could you confirm that you are  
 12 being known as TM for the purposes of these proceedings?  
 13 A. Yes, that's correct.  
 14 Q. You know I'm asking you questions first on behalf of the  
 15 Coroner and then you may have questions from other  
 16 lawyers.  
 17 Is it right that you were assigned to Usman Khan as  
 18 a theological mentor for two sessions you'll tell us  
 19 about?  
 20 A. That's correct.  
 21 Q. By way of background is it right that you have  
 22 qualifications both in theology and in Islamic studies?  
 23 A. That's correct.  
 24 Q. Have you worked as a Muslim chaplain in the Prison  
 25 Service from 2007?

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1 A. I have.  
 2 Q. Are you self-employed but have you worked for the Prison  
 3 Service and Home Office on the development of a number  
 4 of programmes targeted at tackling extremism and  
 5 radicalisation?  
 6 A. I have.  
 7 Q. Were you, in fact, one of the first mentors recruited to  
 8 the Home Office's Desistance and Disengagement  
 9 Programme?  
 10 A. I was.  
 11 Q. A few questions, please, about how theological mentoring  
 12 under the DDP scheme works. Is it right that you would  
 13 normally be involved first towards the end of a  
 14 prisoner's custodial sentence?  
 15 A. That's correct.  
 16 Q. In order to prepare yourself to speak to the individual,  
 17 what preparations would you make? Who would you speak  
 18 to? What would you read?  
 19 A. So ordinarily I would have in the first instance  
 20 a conversation with the counter-terror probation lead,  
 21 who would be part of the tasking agreement laying out  
 22 the particulars of the case, background, sentencing and  
 23 the scope of or specific areas of concern, if  
 24 identified, and the length or frequency of intervention  
 25 sessions.

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1 Q. Would you also speak to anyone at the prison to gauge  
 2 their impressions of the individual?  
 3 A. Yes, so due to my chaplaincy background, I retain good  
 4 links with a number of prison establishments up and down  
 5 the country, and imams within the Prison Service, and so  
 6 if I were to know, for instance, that a particular  
 7 prisoner were at a prison where I knew the imam already,  
 8 then I'd make contact, often, or the managing chaplain,  
 9 and actually even when I don't have a very direct  
 10 first-hand knowledge of the chaplaincy team, I would  
 11 still often, as a courtesy, get in touch, introduce  
 12 myself and ask for any background, whether this  
 13 individual had presented during theology classes or  
 14 Friday worship in any notable way.  
 15 Q. After being assigned to an individual, how many sessions  
 16 would you typically have with them?  
 17 A. This can vary. It can be six to begin with. It can be  
 18 more open-ended and left really to be decided by  
 19 intervention reports and feedback.  
 20 Q. How long would a session typically take?  
 21 A. Two hours.  
 22 Q. And you've told us that after each session you would  
 23 complete an intervention session report?  
 24 A. That's correct.  
 25 Q. In a sentence or two, what would be the purpose of your

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1 intervention as a theological mentor speaking to  
 2 a prisoner?  
 3 A. So the focus of -- my focus would be to engage on areas  
 4 of Islamic theology and ideology to try to determine in  
 5 the first instance the extent to which these feature in  
 6 the offending behaviour or pattern of TACT offenders,  
 7 but also to seek to initiate a process for re-evaluation  
 8 and reviewing theological conclusions and convictions on  
 9 the basis of which criminal or extremist behaviour may  
 10 be -- may have been justified.  
 11 Q. So is it part of your role to assess the person's  
 12 Islamic mindset and understanding and thereby to inform  
 13 prison and probation staff?  
 14 A. Yes, that's correct.  
 15 Q. And another part of your role to move somebody away from  
 16 extremism by discussing the root beliefs?  
 17 A. That's correct.  
 18 Q. Is it any part of your role to test the honesty or  
 19 credibility of the person you're speaking to?  
 20 A. Not directly, no.  
 21 Q. However, in your experience, do you need to be on guard  
 22 against individuals who are not honest to you or are  
 23 manipulative?  
 24 A. Absolutely, yes.  
 25 Q. And as briefly as you can, how would you test for those

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1 sorts of traits?  
 2 A. So sometimes it might be down to something such as body  
 3 language, or other cues which give rise to concerns, and  
 4 these are subjective, and I would have to state that as  
 5 such, that I might not have found a certain account or  
 6 presentation as particularly convincing for reasons of  
 7 presentation. Sometimes it may be due to  
 8 inconsistencies as sessions progress, and references  
 9 made to things that may have been discussed in the past,  
 10 and sometimes it's actually quite transparent, where  
 11 somebody claims a viewpoint which they're genuinely or  
 12 just not capable of justifying or demonstrating any  
 13 further knowledge around.  
 14 Q. Can we move to your work with Usman Khan. Is it right  
 15 that you were first contacted by the Home Office at the  
 16 end of October 2018, telling you about a new case in the  
 17 Midlands you would be asked to take?  
 18 A. Yes.  
 19 Q. Were you then contacted by Lois Gell, the  
 20 counter-terrorism probation lead in the area, to arrange  
 21 a time for a discussion?  
 22 A. That's correct.  
 23 Q. And if we put on screen, please {DC5639/1}, do we see  
 24 here a tasking agreement for Usman Khan with Ms Gell's  
 25 name at the top, along with those of Mr Johal and

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1 Mr Skelton. Was this a document you received?  
 2 A. It is, yes.  
 3 Q. And do we see under the first and second paragraphs that  
 4 there is a summary of the offences, including that  
 5 Mr Khan had been convicted of seeking to raise funds to  
 6 establish and recruit for a terrorist military training  
 7 facility under the cover of a madrassa on land owned by  
 8 Mr Khan's family in Kashmir?  
 9 A. Yes, that's correct.  
 10 Q. So this document, and if we go down the page, we'll see  
 11 that it also goes into his current behaviour, this  
 12 document would have told you about his offending?  
 13 A. Mm.  
 14 Q. And about instances of poor behaviour in prison?  
 15 A. Yes.  
 16 Q. Including disruptive behaviour, and concerns linked to  
 17 reports that he has attempted to radicalise others?  
 18 A. Yes.  
 19 Q. This would have been the core of your reading for  
 20 preparation?  
 21 A. That's correct.  
 22 Q. Did you then receive contact from Ms Gell, I think  
 23 in February of 2019, suggesting that theological  
 24 mentoring should begin?  
 25 A. Yes.

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1 Q. We can take that document off screen now.  
 2 So in this case, theological mentoring began after  
 3 the person had been released from prison?  
 4 A. Yes.  
 5 Q. Was the first session arranged for 18 April 2019?  
 6 A. I believe that's correct, yes.  
 7 Q. On that occasion I think you visited Usman Khan in his  
 8 approved premises in Stafford?  
 9 A. I did.  
 10 Q. How long did you spend with him, approximately?  
 11 A. Three hours on the first instance.  
 12 Q. How did he come across in demeanour, conversation, and  
 13 attitude?  
 14 A. He came across as quite positive and upbeat; pleased to  
 15 be engaging. I'd already been told by staff at the  
 16 approved premises that he'd been quite looking forward  
 17 to his meeting with me. So there was a lot of energy,  
 18 a lot of positive energy, he was very chatty and, yes,  
 19 quite easy in his communications.  
 20 Q. Do you make notes of this session?  
 21 A. I do.  
 22 Q. We're going to put a transcript of those notes on screen  
 23 because your handwriting, while not as bad as mine, is  
 24 not very easily readable {DC6488/1}.  
 25 JUDGE LUCRAFT: I think everyone's handwriting, Mr Hough, is

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1 best read by themselves and not by others.  
 2 MR HOUGH: Now, looking at the start, do we see that you  
 3 have made notes indicating that Usman Khan spoke about  
 4 his time at Whitemoor and an Islamic guidance course he  
 5 had done with an imam there?  
 6 A. That's correct.  
 7 Q. And then you note this:  
 8 "Challenged extremism in Prison -- at times became  
 9 heated."  
 10 And then:  
 11 "... 'in (my) opinion' extremism is rooted in racism  
 12 more than religion."  
 13 Did Usman Khan claim that he had challenged  
 14 extremism in prison?  
 15 A. Yes, yes. Usman claimed that he had had, on a number of  
 16 occasions, quite heated discussions with fellow  
 17 prisoners on themes of faith and interpretation with  
 18 an extremist slant.  
 19 Q. And do we see that, according to your notes, he also  
 20 claimed that he wasn't religious and is not very  
 21 religious now?  
 22 A. Yes, he sought to make a distinction between being  
 23 a believer in the faith and spiritually inspired or  
 24 focused as opposed to dogmatic religious observance.  
 25 Q. Now, when you heard these comments being made that

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1 Usman Khan hadn't been very religious and had challenged  
 2 extremism in prison, did you think that there was  
 3 an inconsistency between that and what you had read in  
 4 the report about him having sought to establish  
 5 an extremist facility and having sought to radicalise  
 6 others in prison?  
 7 A. So he actually provided context for these remarks by  
 8 explaining that he had, indeed, been very active and  
 9 involved in various extremist lines of pursuit, but that  
 10 he doesn't identify that as being particularly motivated  
 11 by religion as opposed to by grievance and identity,  
 12 which he expressed had been the more dominant factors,  
 13 as opposed to a scriptural reading and reflection on  
 14 theology and faith, which had bored him. So he wasn't  
 15 seeking to downplay the fact that his offending was to  
 16 do with jihadist training or attempts for preparations  
 17 for terrorist activity, but that it wasn't rooted in  
 18 truly religious motives.  
 19 Q. But didn't you consider that there was an inconsistency  
 20 between him saying "I challenged extremism" and what you  
 21 had read about him actually having been a radicalising  
 22 influence in prison?  
 23 A. Yes, so with regards to that, Usman explained that this  
 24 was towards the end of his sentence and he did mention  
 25 that actually he'd started off himself being involved in

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1 a lot of the same rhetoric and extremist activities that  
 2 he then later came to seek to disassociate from.  
 3 Q. Did you ever discover that there was actually  
 4 substantial prison intelligence indicating that he  
 5 continued radicalising other prisoners until really  
 6 quite close to the end of his time in prison?  
 7 A. I did not, no.  
 8 Q. Would you have been surprised to be told that as being  
 9 inconsistent with what he was telling you?  
 10 A. I would have been, yes.  
 11 Q. If we go down the page, please, the page on screen, at  
 12 "Page 2" you record Usman Khan describing  
 13 Learning Together in very positive terms; is that  
 14 something that he expressed to you?  
 15 A. Yes, he did.  
 16 Q. And then do we see once again you note him denying that  
 17 his behaviour was anything to do with religion?  
 18 A. Yes. Yes. Once again he speaks about the need for  
 19 identity, for belonging, and so makes correlations with  
 20 gang-related violence more so than a religious rooting  
 21 for his behaviour.  
 22 Q. Then if we go to the next page, please {DC6488/2}, can  
 23 we see that at the top of the page he claimed to believe  
 24 in spiritualism and not religion, and that he:  
 25 "Disliked guys trying to impose their relation views

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1 like music — 'it's' haram!."  
 2 That means spiritually forbidden.  
 3 A. Yes, that's right, although I should point out,  
 4 spiritualism in the Muslim context relates perhaps more  
 5 to the Sufi traditions, so still Islamic, still Muslim,  
 6 but less interested or hung up on dogma.  
 7 Q. But a theme coming out, is this right, that he — that  
 8 his offending was not based on religious views, that he  
 9 had challenged extremism, and that he didn't like people  
 10 who tried to impose their religion?  
 11 A. Yes, again, I think it's important that the context of  
 12 these last statements in particular, disliking —  
 13 finding himself becoming irritated by people seeking to  
 14 impose orthodoxy and Islamic viewpoints on him, he  
 15 expressed that as being a very late development and that  
 16 until quite late in his prison sentence, he had been  
 17 very much part of exactly this type of behaviour  
 18 himself.  
 19 Q. So he was emphasising change to you and you weren't  
 20 able, is this right, to reject that, because the tasking  
 21 form just told you that at some point in prison he had  
 22 radicalised others?  
 23 A. That's correct.  
 24 Q. If we go down to under "Page 5", if we can see the whole  
 25 of the page 5 section please. Thank you. Do we see

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1 that you refer to him speaking about a younger and  
 2 angrier "ghetto gang" taking over the prison?  
 3 A. Yes.  
 4 Q. Then you write this about what he said:  
 5 " Abu Hamza rebuked me for 'dirty kuffar' language.  
 6 I was young, angry, brash, he had changed — I lost some  
 7 respect for him then but now see he had reviewed &  
 8 realised & had regrets [about previous behaviour]."  
 9 So is it right that he told you that Abu Hamza, the  
 10 noted preacher, had told him off about his language and  
 11 that Abu Hamza had changed?  
 12 A. Yes, and this caused me to raise eyebrows and, you know,  
 13 I asked him about the context, and he meant — he said  
 14 he'd perhaps been seeking to gain sort of points in  
 15 Abu Hamza's book when he first met him and prove his  
 16 extremist credentials and used "dirty kuffar" and  
 17 similar language when speaking about non-Muslims, and  
 18 Abu Hamza allegedly told him that that was out of order,  
 19 and he said at that time he was disappointed in  
 20 Abu Hamza and thought he had mellowed down or lost his  
 21 edge after incarceration. However, in hindsight, he now  
 22 claimed he'd realised that someone as entrenched as  
 23 Abu Hamza had also had the opportunity to rethink some  
 24 of his previous decisions.  
 25 Q. You say that this caused your eyebrows to go up. Simply

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1 on the basis of following current affairs , it may  
 2 surprise many people to hear it suggested that Abu Hamza  
 3 had mellowed. Did you regard that as being a rather  
 4 dubious or implausible story he had told you?  
 5 A. In and of itself I didn't -- I wasn't in a position to  
 6 make a decision on it, because I was aware that  
 7 Abu Hamza had been extradited to the US and actually in  
 8 the US had provided -- or part of his defence had been  
 9 that he had sought to work with the authorities at  
 10 a certain point, and things like that. I've never had  
 11 any engagement in any of the cases to do with Abu Hamza  
 12 and the Finsbury Park Mosque group, so I really wasn't  
 13 in a position to be able to challenge that.

14 But I have had experience of working, for instance,  
 15 at HMP Belmarsh and come to learn about cases of quite  
 16 extreme and angry individuals who, over the course of  
 17 a number of years, change quite significantly in their  
 18 outlook and their presentation.

19 Q. But certainly from an outside world point of view,  
 20 Abu Hamza would be a notorious figure for firebrand  
 21 hate--preaching?

22 A. Yes, that's true.

23 Q. And then under "Page 6" you note Usman Khan having told  
 24 you that:

25 "The Prison Service never changed its view of me..."

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1 And he referred to his categorisation , but that he  
 2 had challenged extremism and ISIS and so because it was  
 3 the true and right thing to do?

4 A. This is what he claimed.

5 Q. We can take that document off screen now.

6 What was your assessment of Khan overall at the end  
 7 of that meeting?

8 A. So typically an intervention session will last for two  
 9 hours. The fact that this went on for a whole extra  
 10 hour is an indication of how profuse Mr Khan was in  
 11 sharing his stories , but also that he did so with a lot  
 12 of passion. He was a very compelling storyteller , he --  
 13 but also quite interestingly for me as a theologian and  
 14 with my specific background was not only what he was  
 15 claiming, but the ways in which he could substantiate  
 16 that using theological arguments, making theological  
 17 references.

18 So we ended up having a discussion and I came away  
 19 feeling that his presentation actually was very  
 20 consistent with the conversation I had previous to first  
 21 meeting him with his probation officer -- sorry, with  
 22 Lois Gell , who told me that actually theologically it  
 23 was felt that there wasn't a great deal of work to be  
 24 done but I should make the assessment on that, and  
 25 I remember feeding back that actually, I could easily

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1 spend a lot of time with Usman because of how  
 2 interesting he is , but actually he's saying all of the  
 3 right things and he's doing it quite persuasively .

4 Q. Did any voice at the back of your head say: he may be  
 5 saying the right things, but some of these assertions,  
 6 "I challenged extremism, I found out that Abu Hamza had  
 7 mellowed", that these were dubious or implausible?

8 A. Not implausible as such, but interesting , so challenging  
 9 extremism -- I've worked on other cases, but also as  
 10 a prison chaplain I've experienced first-hand the  
 11 capacity for individuals turning their lives around, and  
 12 also over time adopting radically different positions to  
 13 those that they first came in with, or that I first met  
 14 them with.

15 So in the context of these experiences, it was  
 16 interesting , something that I wanted to explore further,  
 17 but on the face of it not immediately, you know -- it  
 18 didn't make me sceptical.

19 Q. Did you, after this session , contact Ms Gell to try to  
 20 find out whether Usman Khan had in fact changed from  
 21 being a radicalising influence in prison to being  
 22 somebody who stood up to extremists in his later time?

23 A. No, not directly . Not with Ms Gell, no.

24 Q. With anybody?

25 A. I made some enquiries with a Muslim chaplain who had

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1 previously worked in Whitemoor, and asked of his  
 2 recollections or assessment of Usman Khan, and he said  
 3 that he remembered him as being someone who often  
 4 attended the theological classes and took part with  
 5 interest and enthusiasm.

6 Q. But, of course, the imam might not know what's going on  
 7 on the wing?

8 A. Absolutely.

9 Q. And is it right that you didn't take a step to find out  
 10 from the prison security or via probation from the  
 11 prison authorities whether Usman Khan really had  
 12 changed, as he had told you?

13 A. No, I didn't.

14 Q. Can we move on to the second session. Did that take  
 15 place in August 2019?

16 A. That's correct.

17 Q. Did you meet at a supermarket café on that occasion?

18 A. Yes.

19 Q. How long was that session?

20 A. That session was for two and a half hours, I believe .

21 Q. We can look at the report you prepared on that, that's  
 22 {DC6486/1} and we can see the date of the session,  
 23 21 August 2019, down the page, please, and the time,  
 24 2.5 hours.

25 A. Yes.

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1 Q. If we go to {DC6486/2}, please, can we see you record  
2 that Usman Khan again spoke about standing up to  
3 extremist pro—al Qaeda prisoners and on this occasion  
4 told you that there had been a standoff and he had been  
5 interrogated by a senior Muslim prisoner?  
6 A. Yes.  
7 Q. If we go down the page, please, to the lower half of  
8 that page, can we see that you also recorded that he had  
9 told you that he no longer believed that armed jihad was  
10 the way forward, pointing out how this had been  
11 an abject failure in resolving any of the evils it  
12 sought to challenge?  
13 A. Yes.  
14 Q. Then {DC6486/3}, please, and if we go to the middle of  
15 the page, do you see that you wrote:  
16 "On the broader issue of extremism and jihadism,  
17 [Khan] spoke insightfully about the trajectory from  
18 HT..."  
19 Is that Hizb—ut—Tahrir?  
20 A. That is.  
21 Q. "... to ALM..."  
22 Al—Muhajiroun?  
23 A. Correct.  
24 Q. ... to Isis, remarking on key features of HT activism in  
25 the [United Kingdom] and so on."

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1 So he was speaking there about increasing the  
2 extremist ideology?  
3 A. Yes, or the evolution of one to the other?  
4 Q. Yes. And do we see that he ascribed that to Wahhabist  
5 Salafism?  
6 A. He didn't himself, I made that — I pointed that out and  
7 he actually had some reservations about conceding that  
8 Wahhabist Salafism could be accredited with  
9 responsibility.  
10 Q. Yes, if we go down to the bottom, you suggested that the  
11 trajectory might be considered a natural consequence of  
12 Wahhabist Salafism, that's a school of Islam promoted by  
13 Saudi Arabia, I think?  
14 A. Yes.  
15 Q. And that Khan in his turn, while critical of that  
16 school, attributed terrorism to a cultural milieu  
17 introduced by Al Qaeda?  
18 A. Yes, yes.  
19 Q. So that was another theme of the discussion you had on  
20 this occasion?  
21 A. Yes.  
22 Q. Then over the page, to {DC6486/5}, please. Do we see  
23 that on this part of the report, part B, you gave your  
24 assessment of Usman Khan based on your meeting?  
25 A. Yes.

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1 Q. And in the middle of the page, please, we see that you  
2 said:  
3 "Presented a very positive attitude and excellent  
4 engagement. Optimistic about future prospects and  
5 continuing improvements with palpable sense of moving  
6 forward with life having been house hunting just before  
7 session."  
8 A. Yes.  
9 Q. And that he:  
10 "... spoke with enthusiasm and passion about his  
11 interaction with fellow prisoners in custody on issues  
12 of faith and ideology."  
13 A. Mm—hm.  
14 Q. So your assessment of him appears to have assumed that  
15 his account of his interaction with his fellow prisoners  
16 was an honest one?  
17 A. I think I wrote somewhere "If true, this would be  
18 an example of, you know, a shift in his thinking", but  
19 I report here that he was enthusiastic and passionate in  
20 relaying to me these interactions, and yes, I think if  
21 I'm — I did find that convincing at the time.  
22 Q. If we could go to the bottom of the page:  
23 "[Usman Khan] maintains a staunchly independent  
24 attitude in his ideas and viewpoints. This is  
25 consistent with comments made in the first session that

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1 racism and bullying pushed him to stand up for himself  
2 and fight back, eventually leading to becoming active in  
3 [Al—Muhajiroun]. Feeling the need to challenge  
4 viewpoints he disagrees with and not being afraid to  
5 speak out is consistent with his sense of independence  
6 and aversion to feeling bullied into conformity.  
7 "[Usman Khan] continues to show insight into his  
8 offending in being able to speak about views he  
9 previously held while also trying to help those with  
10 dissenting views."  
11 So that does suggest that you found him a plausible  
12 and compelling character?  
13 A. I did.  
14 Q. However, if you had ever been told by prison and  
15 probation staff that there was in fact substantial  
16 intelligence linking him to radicalisation and bullying,  
17 including in the last months of his time in prison,  
18 would that have undermined your faith in him and changed  
19 your view?  
20 A. It would have, yes.  
21 Q. If you had been told that, what would you have thought  
22 of him?  
23 A. That he was being patently dishonest and trying to game  
24 the system. He spoke about how listening to an account  
25 of the Taliban attacking Malala Yousafzai and shooting

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1 her when she was just a schoolgirl attempting to access  
 2 education, disgusted him and horrified him and made him,  
 3 at that point, want to have nothing to do with the  
 4 Islamic emirate of Afghanistan, otherwise known as the  
 5 Taliban, for all of their alleged Islamic credentials.  
 6 I found that very plausible and compelling. At the  
 7 time, and just considering the timeline of  
 8 Malala Yousafzai and the Taliban attack, I now -- if I'd  
 9 known that actually at pretty much the same time as this  
 10 he himself was involved in seeking to attack other  
 11 people for their religious views and carry out extremist  
 12 activities, then that would have clearly marked  
 13 a serious inconsistency in his narrative.  
 14 Q. But that was information that wasn't given to you and  
 15 wasn't discussed with you?  
 16 A. That I didn't have at the time, no.  
 17 MR HOUGH: Thank you very much, those are the questions  
 18 I have.  
 19 A. Thank you.  
 20 JUDGE LUCRAFT: I don't know whether anybody else has any  
 21 other questions?  
 22 No.  
 23 MR HOUGH: It looks as though nobody does.  
 24 JUDGE LUCRAFT: No. Thank you very much indeed for coming,  
 25 TM, you're now free to leave us, thank you very much.

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1 A. Thank you.  
 2 JUDGE LUCRAFT: Mr Hough, I know we have made various  
 3 arrangements for that witness, and it may be we can undo  
 4 those arrangements for the next witness?  
 5 MR HOUGH: I don't know how swiftly that can be done, but  
 6 I'm happy to start with her straightaway if that's  
 7 feasible.  
 8 JUDGE LUCRAFT: Yes. It looks as if it is, so we will --  
 9 MR HOUGH: We may have a couple of minutes' waiting.  
 10 JUDGE LUCRAFT: Yes. But I think what we will do is we'll  
 11 make a start on the next witness, Mr Hough, and then  
 12 we'll take our mid-afternoon break at the usual time  
 13 rather than breaking just there, because we started  
 14 a bit just after 2 o'clock.  
 15 (Pause).  
 16 MS LOIS GELL (affirmed)  
 17 JUDGE LUCRAFT: Good afternoon, Ms Gell. If you are happy  
 18 to, please do feel free to remove your mask whilst  
 19 giving evidence, and if you wish to take a seat, that's  
 20 fine. The microphone on the table there will also help  
 21 to amplify your voice and any documents you are asked to  
 22 look at should appear either on the small screen in  
 23 front of you or on the larger screens.  
 24 A. Thank you.  
 25 Questions by MR HOUGH QC

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1 MR HOUGH: Would you please give your full name for the  
 2 court?  
 3 A. Lois Gell.  
 4 Q. Ms Gell, you will appreciate I'm asking questions first  
 5 on behalf of the Coroner.  
 6 A. Yes.  
 7 Q. You may then have questions from other lawyers.  
 8 A. Okay.  
 9 Q. What is your current occupation?  
 10 A. I'm a probation counter--terrorism lead.  
 11 Q. Is that in the Midlands area?  
 12 A. It is in the Midlands, yes.  
 13 Q. Did you first begin working in probation in 1998?  
 14 A. Yes.  
 15 Q. Initially as a trainee, and then as a probation officer?  
 16 A. Yes.  
 17 Q. And then from 2007 as a senior probation officer?  
 18 A. Yes, that's correct.  
 19 Q. Did you serve as a Prevent lead manager at Derbyshire  
 20 Probation working with TACT offenders in that area?  
 21 A. That's right, yes.  
 22 Q. Did you attain your current post in March 2018?  
 23 A. Yes, that's right.  
 24 Q. Looking at your team, is the counter--terrorism probation  
 25 team part of a unit called the Joint Extremism Unit, or

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1 JEXU for short, within the Prison & Probation Service?  
 2 A. Yes, that's correct.  
 3 Q. In brief what is the function of your team?  
 4 A. So the function of our team is to provide sort of  
 5 operational and strategic support and guidance on  
 6 extremism across the division, so obviously in terms of  
 7 the line management of the counter--terrorism probation  
 8 officers, but also providing guidance to offender  
 9 management staff as well across the division and being  
 10 a link for counter--terrorism policing.  
 11 Q. Did you therefore line--manage counter--terrorism  
 12 probation officers, including Mr Johal and his  
 13 predecessor?  
 14 A. Yes, that's correct.  
 15 Q. Did you yourself in fact have a closer personal  
 16 involvement with Usman Khan's case than you normally  
 17 would?  
 18 A. Yes.  
 19 Q. Why was that?  
 20 A. Mr Johal was fairly new into post at the time and also  
 21 because it was one of the first offenders to be released  
 22 into that area, I took more of an interest in this case  
 23 than perhaps I would ordinarily.  
 24 Q. Did you ever meet Usman Khan personally?  
 25 A. No.

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1 Q. But you learned about him from the extensive records of  
 2 others?  
 3 A. Yes, that's correct.  
 4 Q. Could we turn to your initial involvement with him. Is  
 5 it right that your team assisted at the pre-release  
 6 stage in the management of Usman Khan in various ways?  
 7 A. Yes.  
 8 Q. Did you confirm that the case was referred to MAPPA, as  
 9 it should have been?  
 10 A. Yes.  
 11 Q. Did you contribute to the suggested licence conditions?  
 12 A. Yes, that's right.  
 13 Q. Did you contribute to what's called a trigger plan,  
 14 which we'll look at a little later?  
 15 A. Yes.  
 16 Q. Did you commission the provision of mentors under the  
 17 Desistance and Disengagement Programme?  
 18 A. Yes, that's right.  
 19 Q. And did you also set up electronic monitoring of  
 20 Usman Khan's GPS tag?  
 21 A. Yes.  
 22 Q. And we'll look at each of those shortly.  
 23 In your capacity, did you attend a number of the  
 24 MAPPA meetings about Usman Khan, although not those  
 25 of December 2018 and March 2019?

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1 A. Yes, that's correct.  
 2 Q. Is it right that those you didn't attend were attended  
 3 by the counter-terrorism probation officer working  
 4 underneath you?  
 5 A. Yes.  
 6 Q. And did they update you afterwards?  
 7 A. Yes, they did.  
 8 Q. Is one of the functions of your team to provide a link  
 9 between prison intelligence and the offender manager and  
 10 MAPPA panel who may not access it directly?  
 11 A. Yes, that's right.  
 12 Q. Now, we know that in the case of Usman Khan, prison  
 13 intelligence was fed into the MAPPA process by means of  
 14 MAPPA F forms, which were completed by Jo Boulton, the  
 15 prison offender supervisor, with involvement from the --  
 16 or with information taken from the counter-terrorism and  
 17 security departments at the prison?  
 18 A. Yes, that's right.  
 19 Q. Did you receive the MAPPA F forms?  
 20 A. Yes, I did, yes.  
 21 Q. Now, we know that a MAPPA F form for June 2018 described  
 22 Usman Khan as one of the main prisoners for extremist  
 23 views at the prison, and highlighted a risk that he  
 24 might only be complying in recent times with prison  
 25 rules in order to deceive others; were you aware of that

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1 intelligence ?  
 2 A. Yes, I was.  
 3 Q. We know that there was some similar negative  
 4 intelligence in the MAPPA F forms for August  
 5 and October 2018?  
 6 A. Yes.  
 7 Q. You would have been aware of those?  
 8 A. Yes.  
 9 Q. And we also know that in the MAPPA F form  
 10 for December 2018, there was intelligence indicating  
 11 that an inmate called Khan, on the area -- in the area  
 12 of the prison where Usman Khan was, was radicalising  
 13 others and had said that he would return to his old  
 14 ways, believed to be related to terrorism. Again, is  
 15 that intelligence of which you were aware?  
 16 A. Yes, so I wasn't in that actual meeting so I wasn't  
 17 aware of it at that time, but it was fed back to me and  
 18 I subsequently read the MAPPA F.  
 19 Q. May we look at a couple of the MAPPA meetings. First of  
 20 all, {DC6406/1}, this is the set of minutes for the  
 21 MAPPA meeting in June 2018, and go to {DC6406/5}. In  
 22 the bottom half of the page we see the intelligence  
 23 summarised in accordance with the MAPPA F form that you  
 24 have just confirmed, and then {DC6406/6} at the top, the  
 25 minutes say that you were to confirm that all the above

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1 intelligence had been shared with a case management  
 2 system. Is that a reference to Pathfinder?  
 3 A. Yes, it is. There was a query about whether all parties  
 4 had that information, so I was asked to check whether  
 5 they did.  
 6 Q. So you were checking that everyone had the information  
 7 which had been provided by the security department?  
 8 A. Yes.  
 9 Q. And if we go on down the page, please, can we see that  
 10 the discussions on that occasion included the provision  
 11 of mentors as well as the approved premises?  
 12 A. Yes, that's right.  
 13 Q. And then the next MAPPA meeting was August 2018,  
 14 {DC6407/5}. If we look at the whole of the page,  
 15 please, and then focus on the bottom, we can see that  
 16 there is a security update which continues over the page  
 17 to {DC6407/6}, and we see some elements of negative  
 18 intelligence, as you've confirmed?  
 19 A. Yes.  
 20 Q. And then under "Probation", we can see that there is  
 21 a reference to the "DD project", general and  
 22 psychological mentor have been identified, Lois to chase  
 23 the mentor start dates. So the MAPPA panel was  
 24 recording that you were going to get the mentor  
 25 programme going?

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1 A. Yes, that's right.

2 Q. Then {DC6408/1} please, these were the October 2018

3 minutes. {DC6408/6}, please. If we go back to the

4 whole of the page, please, can we see that right at the

5 bottom, the bottom third, that you reported into the

6 panel that there had been capacity for issues with

7 finding a mentor but that a practical mentor had now

8 been allocated and was to go out in the next week,

9 a theological mentor was still to be allocated, and that

10 the mentor needed to be informed of Usman Khan's

11 education to help assist with their work?

12 A. Yes, that's right.

13 Q. Then {DC6408/7}, please, under "Panel", can we see that

14 you confirmed that the mentors would provide feedback

15 after each session?

16 A. Yes, that's correct.

17 Q. So that was with a view to the MAPPA panel gaining the

18 information from those sessions?

19 A. Yes, that's right.

20 Q. We can take that off screen now.

21 So is it right that by that stage a package of

22 practical and theological mentors was being set up?

23 A. Yes, that's right, yes.

24 Q. Moving on, then, to electronic monitoring, another of

25 your functions --

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1 A. Mm--hm.

2 Q. -- you're aware that one of Khan's licence conditions

3 required him to wear a GPS tag?

4 A. Yes.

5 Q. And also that there were certain places he couldn't

6 enter without prior approval --

7 A. Yes.

8 Q. -- like an airport, port, or railway station?

9 A. Yes, that's right.

10 Q. You have told us that you organised that monitoring.

11 May we look at the trigger plan we referred to earlier,

12 {DC5204/1}, and while this is coming up can you tell us

13 what the function of a satellite monitoring trigger plan

14 of this kind was?

15 A. Yes, so it's essentially to give guidance for how to

16 respond to any breach of the satellite monitoring. So

17 it gives them basically all the different scenarios that

18 could unfold and how people should respond to that.

19 Primarily to be used out of hours but also sort of for

20 within office hours as well for the staff working with

21 the case.

22 Q. If we go to {DC5204/3}, please, after the details of the

23 offence have been given, did you record the purpose of

24 satellite monitoring as being, in simple terms, to

25 ensure that Usman Khan's movements were restricted in

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1 accordance with his licence conditions?

2 A. Yes, that's correct.

3 Q. And then if we go to {DC5204/4} at the top, you

4 identified the individuals responsible for recall

5 decisions, if anything should happen recorded by the

6 monitoring service which suggested that there was

7 a breach of licence conditions?

8 A. Yes, that's right.

9 Q. And then at the bottom of that page, do we see that the

10 plans set out a series of events that might happen with

11 the tag which would trigger specific responses?

12 A. Yes, that's right.

13 Q. So signs of tampering or the tag being removed, and so

14 on, action would be taken in accordance with this plan?

15 A. Yes.

16 Q. But as matters turned out, there was never a breach of

17 Usman Khan's electronic monitoring, was there?

18 A. No, that's correct, there was no breach.

19 Q. But there was a plan in place to ensure that he would

20 be -- he could be swiftly recalled to prison if there

21 ever was a breach?

22 A. Yes, that's right, and with the idea that that would, as

23 you say, be a very swift response, and everyone would be

24 clear about exactly what their actions were.

25 Q. We can take that off screen now.

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1 Were arrangements made with an organisation called

2 the EMS, the electronic monitoring service, for

3 Usman Khan's tag data to be recorded and processed into

4 reports?

5 A. Yes, that's right.

6 Q. If we go to {DC5184/1} we'll see another document of

7 relevance here. Did you prepare an electronic

8 monitoring protocol giving details of the managing

9 authorities and relevant licence conditions?

10 A. Yes, I did.

11 Q. In brief, what was the purpose of this document?

12 A. So this is essentially the instruction to the electronic

13 monitoring services to set up the case and to supply the

14 tag and all the associated functions.

15 Q. And is it right that after Usman Khan was released, he

16 was fitted with the tag?

17 A. Yes.

18 Q. And from that point on, the tag monitoring service

19 generated reports?

20 A. Yes, that's right.

21 Q. Let's look at one example, {DC5203/1}, we can see

22 a progress report that showed dates and times that he

23 left the bail hostel, the approved premises, and

24 returned?

25 A. Yes, that's right.

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1 Q. Then {DC5190/1}, please. If we expand just the top  
 2 small part of this, can we see that the tag could  
 3 produce positional data showing Usman Khan's precise  
 4 locations at points in time on, here we see  
 5 29 November 2019, as well as preceding days?  
 6 A. Yes, that's right.  
 7 Q. We can take that off screen now.  
 8 And any of that data could be accessed by you and  
 9 through you by counter—terrorism police?  
 10 A. Yes, that's right.  
 11 Q. Did you and Mr Johal receive weekly reports from the  
 12 monitoring service, which he passed on to the Prevent  
 13 Team under Mr Forsyth?  
 14 A. Yes, I believe they actually had them directly in the  
 15 end, but yes.  
 16 Q. So Usman Khan's movements were closely supervised in  
 17 that way?  
 18 A. Yes, they were.  
 19 Q. Was there one occasion when there was a concern raised  
 20 about Khan having claimed to go to the gym but not  
 21 appearing to have actually done any exercise?  
 22 A. Yes, that's right.  
 23 Q. Something, no doubt, many people in the room will have  
 24 sympathy with.  
 25 Were you then asked to make any checks about that?

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1 A. Yes, I was.  
 2 Q. What did you do?  
 3 A. So we requested from EMS some data from some days when  
 4 he had said he had been at the gym which enabled us to  
 5 track whether he had in fact been there, and obviously  
 6 it doesn't give us the ability to say what he was doing  
 7 in the gym but it did evidence that he had been at the  
 8 gym during the times that he'd told us.  
 9 Q. And is it right that we then, I don't think need to go  
 10 to the reference, but at a further MAPPA meeting, it was  
 11 reported that enquiries had also been made of the gym  
 12 manager --  
 13 A. Yes.  
 14 Q. -- who confirmed his attendance?  
 15 A. That's right, yes.  
 16 Q. And was it also part of your role to ensure that there  
 17 wasn't an accidental or incorrect trigger --  
 18 A. Yes.  
 19 Q. -- of the tag system, so that you would, for example, be  
 20 told about the visit to London?  
 21 A. Yes.  
 22 Q. Because that would involve going to a train station?  
 23 A. Yes, so any variations to that that had been authorised  
 24 would come through me to report back to EMS.  
 25 Q. Next a little detail about the DDP mentors. We've heard

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1 a little about that scheme already. Is it right that in  
 2 short it's a programme to provide various forms of  
 3 support services for offenders, including the practical  
 4 mentors and the theological mentors?  
 5 A. Yes, that's correct.  
 6 Q. And were the practical mentors provided by The Unity  
 7 Initiative under contract?  
 8 A. Yes, they were.  
 9 Q. If we put on screen {DC6514/1}, please. Did you prepare  
 10 a DDP report in relation to Khan as we see here?  
 11 A. Yes, I did, yes.  
 12 Q. We can see, if we go down the page, that you have set  
 13 out his offence details, and his extremist ideology as  
 14 it was identified by others?  
 15 A. Yes.  
 16 Q. And then {DC6514/2}, please, you set out the details of  
 17 his offence?  
 18 A. Yes.  
 19 Q. {DC6514/3}, his background, family relationships and  
 20 employment and education?  
 21 A. Yes. Yes.  
 22 Q. And then {DC6514/4}, please, the middle of page 4, you  
 23 noted under "Attitudes" that:  
 24 "At times during his custodial sentence [he had]  
 25 demonstrated poor behaviour, including the use of

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1 violence and aggression to obtain the things he wants."  
 2 A. Yes.  
 3 Q. But at the bottom of that paragraph:  
 4 "His behaviour has improved in the past six months."  
 5 A. Yes, that's right.  
 6 Q. And at the bottom of that page, do we see that you  
 7 noted, right at the bottom, that:  
 8 "Mr Khan is assessed as posing a high risk of  
 9 serious harm to the general public ..."  
 10 A. Yes, that actually should read "very high", that's  
 11 an error on my part, but yes.  
 12 Q. Then {DC6514/8}, please, can we see that you have set  
 13 out the forms of interventions, a theological mentor to  
 14 provide Mr Khan with the opportunity to build on the  
 15 work he had done in Islamic studies within the custodial  
 16 environment?  
 17 A. Yes.  
 18 Q. And to assess how his views may have altered?  
 19 A. Yes.  
 20 Q. So the two purposes that we heard from TM earlier this  
 21 afternoon?  
 22 A. Okay, yes.  
 23 Q. And then under the second intervention, "Mentoring", if  
 24 we go down the page, please, do we see you identify it  
 25 as the purpose of mentoring to provide stability,

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1 support, assistance with education, employment  
 2 opportunities, as well as guidance on disclosure and  
 3 appropriate employment in the community?  
 4 A. Yes, that's correct.  
 5 Q. So a positive peer relationship?  
 6 A. Yes, that's right.  
 7 Q. We see that report was produced in June 2018. I don't  
 8 think we need to look at the email, but can you confirm  
 9 that the Home Office then commissioned mentoring for  
 10 Khan with The Unity Initiative in October 2018?  
 11 A. Yes, that's correct. Yes.  
 12 Q. Did you then prepare a tasking agreement for the  
 13 practical mentors?  
 14 A. Yes.  
 15 Q. So that's {DC5639/1}. That contained many of the same  
 16 entries, but then on page {DC5639/4}, do we see that you  
 17 set out three areas for intervention: employment and  
 18 training, accommodation, and prosocial activities?  
 19 A. Yes, that's right.  
 20 Q. We can take that off screen now.  
 21 Now, the practical mentors would prepare reports,  
 22 intervention session reports at the end of each session.  
 23 To whom would they be supplied?  
 24 A. They were supplied to Kenneth Skelton and copied in to  
 25 myself and Mr Johal.

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1 Q. Were you reviewing those reports as they came in?  
 2 A. Yes, I was.  
 3 Q. Do you recall that in some of the reports, reports were  
 4 made about Usman Khan expressing frustration about his  
 5 licence conditions and a couple of flashes of actual  
 6 anger?  
 7 A. Yes, that's right.  
 8 Q. Did those reports cause you any concern yourself?  
 9 A. I would say they caused a level of concern. In some  
 10 respects, some of the situations which were described in  
 11 the reports might be seen to be kind of normal  
 12 situations, such as frustration about a computer not  
 13 working, and other things, so they were definitely taken  
 14 into account and discussed as part of the discussions  
 15 around his behaviour, but nothing in the reports caused  
 16 me any due concern.  
 17 Q. The practical mentor changed in March 2019 --  
 18 A. Yes.  
 19 Q. -- from M1 to M2. What was the reason for that?  
 20 A. We were informed that M1 had -- there were some personal  
 21 issues and he would no longer be taking the case and  
 22 therefore it was reallocated.  
 23 Q. May we look, please, at {DC6063/7} at the bottom of the  
 24 page. Now, these are entries from the Delius records  
 25 and Mr Skelton pasted in an email to you dated

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1 14 May 2019 where he summarises Usman Khan's progress,  
 2 including with mentors. If we go over the page, please.  
 3 {DC6063/8}. Do we see here that after the discussion of  
 4 what's being done by the mentor, Mr Skelton says:  
 5 "He continues to do well, however he does now I feel  
 6 need to be making more constructive use of his time."  
 7 So was that a concern which was being fed through to  
 8 you?  
 9 A. Yes, so the concerns that were raised with me were that  
 10 although the mentor was in place, some of what was being  
 11 undertaken was about sessions in the gym or coffees  
 12 which, although I'm not saying they're not at all  
 13 constructive, but I think there was the feeling that  
 14 there was more constructive things that could be  
 15 achieved through that relationship.  
 16 Q. Then if we go to {DC6413/6}, if we go to the last  
 17 paragraph of section 9, we can see that Mr Bromley  
 18 advised the MAPP meeting in May 2019, that's the  
 19 meeting for 30 May 2019, various matters, and he said in  
 20 particular:  
 21 "Not a lot can be taken from Mentor's reports, he  
 22 appears to be just accompanying [Usman Khan] to the Gym  
 23 and supermarket. It is felt that the Mentor could offer  
 24 a lot more in relation to assisting [Usman Khan] in  
 25 developing his level of social interaction. There is no

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1 mention of [Usman Khan's] unrealistic job  
 2 applications ..."  
 3 Which Mr Bromley had heard about from other sources,  
 4 including Mr Skelton.  
 5 A. Yes.  
 6 Q. Do you recall there being a general anxiety that the  
 7 mentor was not really doing very much more than  
 8 shepherding Usman Khan between a café and a supermarket?  
 9 A. Yes, that's right, so that's a concern that we had.  
 10 Although we felt there was some benefit to that in terms  
 11 of it was some level of social contact I didn't feel  
 12 that that was necessarily enhancing his sort of social  
 13 situation within his local community, and also  
 14 sometimes, you know, Usman Khan could have gone to the  
 15 gym on his own, for example, he didn't need the mentor  
 16 with him, and there was probably more work on employment  
 17 and reintegration that could have been achieved through  
 18 that.  
 19 Q. In September 2019 -- sorry, in August 2019 did the  
 20 mentor arrangements end?  
 21 A. Yes, they did.  
 22 Q. What was the reason?  
 23 A. I believe the contract with The Unity Initiative was  
 24 ended.  
 25 Q. We can take the document off screen, please.

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1 Did that happen with notice or was it quite sudden?  
 2 A. Yes, that was -- it was sudden in terms of I believe it  
 3 was the morning of a session that was planned with  
 4 Usman Khan that the -- we were informed that the  
 5 mentoring sessions would not be continuing.  
 6 Q. Were offenders who had mentors then prioritised for  
 7 replacement mentors who would be provided by a source  
 8 other than The Unity Initiative?  
 9 A. Yes, that's right.  
 10 Q. Was Khan prioritised?  
 11 A. No.  
 12 Q. What was the reason for that?  
 13 A. The reason for that was that, as discussed, we'd already  
 14 had some concerns about the achievements of that  
 15 specific mentor. I think the feeling was that he also  
 16 had quite a significant amount of employment support in  
 17 the local area and that we wanted to attempt to try to  
 18 tap into that resource which might be more beneficial  
 19 for him in terms of him actually gaining employment. So  
 20 he wasn't prioritised for a further mentor at that time.  
 21 Q. And is it right that you passed on that information to  
 22 Mr Skelton, Mr Bromley and Mr Forsyth in an email of  
 23 3 September?  
 24 A. Yes, that's right.  
 25 Q. Were you aware that one of the problems of Usman Khan

1 being without a mentor is that he wouldn't have  
 2 supervised access to the internet for the purpose of  
 3 continuing to look for work?  
 4 A. Yes, that's right. I believe that -- we believe there  
 5 were other alternatives in terms of solving that  
 6 problem, and in fact, the mentor support should always  
 7 have been about a lot more than supervising his internet  
 8 access. So we wanted to look for a different  
 9 alternative to achieve that goal.  
 10 Q. Were you and, to your knowledge, the other MAPPA  
 11 participants also aware, that with the end of the mentor  
 12 arrangements, you were losing a source of information,  
 13 even if an imperfect one, about his mood, attitude and  
 14 behaviour?  
 15 A. Yes, we were aware of that, yes.  
 16 Q. Now, we've heard from TM, the theological mentor, about  
 17 his sessions. Did you receive both verbal and written  
 18 reports of those sessions?  
 19 A. At the time I received only verbal reports. I had --  
 20 subsequently I did receive the written reports, yes.  
 21 Q. What was your assessment about how those reports had  
 22 gone?  
 23 A. I think I very much relied upon TM as an expert in the  
 24 field in that respect, and we received some fairly  
 25 positive feedback about the sessions, so I was reassured

1 by that. One of the purposes of that session was to  
 2 kind of check out some of what we thought about how  
 3 Usman Khan was behaving, and I was reassured by the  
 4 feedback that I received.  
 5 Q. Did you receive either a written report of the first  
 6 session or a written report of the second session  
 7 before November 2019?  
 8 A. No.  
 9 Q. If you had received a report from either session,  
 10 including the written report we saw of the second  
 11 session, would you have been concerned that it was  
 12 reflecting a change in Usman Khan's mindset and  
 13 behaviour away from radicalising, in fact, challenging  
 14 extremism in the prison, whereas that wasn't borne out  
 15 by the MAPPA F forms that we were talking about earlier?  
 16 A. Yes, that's right.  
 17 Q. You would have been concerned about that?  
 18 A. Oh sorry, I wouldn't have been concerned by that,  
 19 apologies. I would have been reassured by the  
 20 information that I had received in that report. I think  
 21 it would have given me far more detail though in terms  
 22 of looking at perhaps further sessions and where we  
 23 might want to take a further conversation.  
 24 Q. Might you have thought: in this report Usman Khan has  
 25 told the mentor that he has challenged extremism --

1 A. Right.  
 2 Q. -- but I read MAPPA Fs from the same period suggesting  
 3 that he was actually doing the radicalising --  
 4 A. Oh, apologies, I misunderstood your question.  
 5 Q. Just let me finish -- it may be the mentor is working on  
 6 a false basis, might you have thought that?  
 7 A. Yes, apologies, I misunderstood your question initially.  
 8 Yes, that would have posed some concern for me, yes.  
 9 Q. Would that have caused you to speak to the theological  
 10 mentor?  
 11 A. Yes, and I think it would have also caused me to ask for  
 12 further sessions to be prioritised.  
 13 Q. You told us you didn't receive any reports  
 14 before November 2019; why was that?  
 15 A. My understanding was the theological mentor was very  
 16 much in demand, very busy, and although I had had verbal  
 17 feedback, I was still awaiting the written report.  
 18 Q. Learning Together next. Were you aware that from the  
 19 outset that Usman Khan had had substantial involvement  
 20 in the Learning Together programme?  
 21 A. Yes, I was.  
 22 Q. And had you been aware that Learning Together was  
 23 providing glowing reports about him?  
 24 A. Yes.  
 25 Q. In January 2019, we know that Usman Khan was invited to

1 a Learning Together event in Cambridge, and permission  
 2 to attend that was refused. Were you aware of that?  
 3 A. Yes, I was, yes.  
 4 Q. Did you speak to Mr Skelton about that at the time?  
 5 A. Yes, I did.  
 6 Q. What was the reason for the refusal?  
 7 A. From my understanding we felt that he'd been in the  
 8 community for a limited period of time, therefore we  
 9 hadn't been able to test out how genuine his compliance  
 10 might be, and also it involved an overnight stay and it  
 11 was felt that wasn't appropriate as he was staying at  
 12 the approved premises at the time.  
 13 Q. So as you understood it, one of Mr Skelton's concerns  
 14 was that Usman Khan might not be genuine in his reported  
 15 change?  
 16 A. Yes, and just the fact that we were open to that  
 17 possibility, I believe.  
 18 Q. Later he was invited to a Learning Together event at  
 19 Whitemoor Prison, and it was ultimately decided that he  
 20 could go with a police escort. Were you aware of that  
 21 at the time?  
 22 A. Yes, I was.  
 23 Q. Were you aware of what the thinking was behind that  
 24 visit being permitted?  
 25 A. Yes. I believe that that — obviously further time had

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1 passed, there was no — I wouldn't say no concerns about  
 2 him, but no intelligence to suggest any sort of  
 3 attack—planning or increased risk of harm, and also  
 4 because the police had offered to take him, essentially,  
 5 we felt that that was a safeguard and a reassurance  
 6 around that visit.  
 7 We also did want to encourage his involvement with  
 8 Learning Together because it did feel like one of the  
 9 really positive things that he had in his life.  
 10 Q. Next matter, please, the move from the approved  
 11 premises. We know that Usman Khan moved out of the  
 12 approved premises into his own private let flat on  
 13 24 September 2019, and that that was discussed in the  
 14 MAPPA meetings.  
 15 A. Yes.  
 16 Q. What was your view of that at the time?  
 17 A. It was felt like an appropriate time for him to move.  
 18 Police and other partners were content with the address.  
 19 He'd had a fairly considerable amount of time in  
 20 an approved premises and it was felt that that was  
 21 an appropriate move.  
 22 Q. Now, the effect of him moving out of the approved  
 23 premises was that he was now moving into a flat on his  
 24 own in a town where his family weren't and where he knew  
 25 nobody.

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1 A. Yes.  
 2 Q. Was there anxiety in the MAPPA discussions and among you  
 3 and your probation colleagues about him becoming  
 4 socially isolated?  
 5 A. Yes, absolutely, but I suppose much in the same way as  
 6 that would be for any other offender moving into their  
 7 own accommodation. I think we did take comfort in the  
 8 fact that the approved premises was near to his new flat  
 9 and he was offered the invitation to return for social  
 10 support if needed, but certainly, yes, there is  
 11 a concern with the moving, yes.  
 12 Q. Were you aware how many times he went back?  
 13 A. No, I believe that might have been once, but I'm only  
 14 saying that from memory.  
 15 Q. You're right as far as I'm aware from the other  
 16 evidence.  
 17 So by the autumn of 2019, you were aware that the  
 18 situation was that Usman Khan had been without a job and  
 19 unsuccessful in his job searches for the better part of  
 20 a year?  
 21 A. Yes.  
 22 Q. That he had moved into a flat on his own with nobody  
 23 around him, and no family in town.  
 24 A. Mm.  
 25 Q. And that he was no longer seeing a mentor, and

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1 therefore, to an extent, inhibited in looking for work?  
 2 A. Yes.  
 3 Q. That would appear to be a set of circumstances which  
 4 would cause concern about somebody being isolated and  
 5 without anything to do. Was that how it was seen at the  
 6 time?  
 7 A. No, I mean at the time it was seen that although he  
 8 might well have been socially isolated, he did have  
 9 a large amount of contacts with the professionals, so  
 10 the mentoring arrangement stopping was actually replaced  
 11 by other mentors locally, he was still seeing his family  
 12 at the weekend, we believe, and he was actually having  
 13 a lot of visits from professionals.  
 14 Also I had feedback from Mr Skelton that had been  
 15 raised with Usman Khan a number of times about whether  
 16 he was isolated, and he'd always said that that was how  
 17 he preferred to be, and whilst obviously we don't always  
 18 take people at their word, there was some reassurance in  
 19 that feedback from him.  
 20 Q. Just briefly, the ERG report of late 2019, we've heard  
 21 that that was prepared by Mr Skelton with assistance  
 22 from Mr Johal; were you involved in the production of  
 23 that report?  
 24 A. No.  
 25 Q. Had you seen a draft of it before the attack?

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1 A. No, I'd had discussions with Mr Johal about a small  
 2 element of the content, but essentially no.  
 3 Q. What was that element that you spoke about?  
 4 A. He'd asked just for some advice on whether to base it on  
 5 current events or previous events. Actually, I think --  
 6 I don't think I particularly aided him in that  
 7 discussion and he went back to discuss it with  
 8 Mr Skelton as the two practitioners preparing the  
 9 report.  
 10 Q. Turning, then, to the Learning Together event at  
 11 Fishmongers' Hall, we know, and we've been through the  
 12 chronology yesterday and today, that Usman Khan was  
 13 invited in August 2019 to attend the Learning Together  
 14 event in London at the end of November, and that that  
 15 was brought to Mr Skelton's attention later in August?  
 16 A. Yes.  
 17 Q. When did you first become aware of that invitation?  
 18 A. From recollection, I believe that that was in a MAPPA  
 19 meeting when it was initially discussed. It was mooted  
 20 as a potential event, I think in the August meeting.  
 21 Q. There was a meeting of MAPPA on 22 August 2019.  
 22 A. Yes. Yes.  
 23 Q. Do you recall what was said at that meeting about the  
 24 visit?  
 25 A. I don't recall the specifics of what was said. I recall

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1 that it had been an ongoing conversation for many  
 2 meetings about the involvement with Learning Together,  
 3 but I can't remember the exact conversation in that  
 4 meeting, no.  
 5 Q. We know that there were MAPPA meetings on 22 August,  
 6 3 October, and 14 November --  
 7 A. Yes.  
 8 Q. -- 2019. I think you were in attendance at all of  
 9 those?  
 10 A. Yes.  
 11 Q. As far as you can recall, was the proposed visit to  
 12 London discussed in the meetings  
 13 after August 2019, October or November?  
 14 A. From my recollection, it was discussed in terms of the  
 15 fact that it had almost been agreed in principle, I know  
 16 that's not probably very helpful because that's not very  
 17 clear, but that's my recollection: that because it had  
 18 been raised at an earlier meeting, by the time we got to  
 19 the subsequent meetings, I don't believe we discussed  
 20 the actual decision in any detail, no.  
 21 Q. Let's just get this clear, as far as you can remember,  
 22 we're looking back at meetings 18 months ago, so it may  
 23 be hard to recollect, but so far as you can recall, the  
 24 meeting -- the visit to London was raised at the August  
 25 meeting that there may have been some further discussion

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1 of it, but that there wasn't a positive decision about  
 2 it at any of the meetings; is that right?  
 3 A. I think what I'd say is that there was a positive  
 4 decision that he would be allowed to attend the next  
 5 suitable event. What I can't recollect is at what point  
 6 the decision was made that that was the suitable event.  
 7 Does that... if that's clearer.  
 8 Q. Was there any discussion, as far as you can recall, at  
 9 any of the MAPPA meetings, where the risks of him  
 10 attending the event were mooted or discussed?  
 11 A. At that time my recollection is that although there were  
 12 some concerns around his behaviour in terms of -- when  
 13 I say that, I mean in terms of his longer term, perhaps,  
 14 isolation and input that we wanted to put in, there was  
 15 no intelligence or information to suggest an increased  
 16 risk of harm or any attack--planning or any threat, and  
 17 so no, to answer your question, I don't think the risks  
 18 of him specifically attending that event were discussed  
 19 in detail.  
 20 Q. Nobody said, as far as you can recall, something like  
 21 "He has been so compliant over this period that we can  
 22 now say that he's safe to go"?  
 23 A. I don't want -- I don't recall that conversation.  
 24 I think that was implied by the ongoing conversations  
 25 that had been had, but no, I don't recall that specific

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1 conversation, no.  
 2 Q. And on the other hand, nobody raised concerns about the  
 3 risks of sending somebody with his background to  
 4 an event in London attended by dignitaries?  
 5 A. That's correct, and we were in a situation where  
 6 concerns would readily be raised in those meetings were  
 7 they held, so yes, I believe people would have raised  
 8 those concerns had they had them.  
 9 Q. May we see what you say about this in your witness  
 10 statement on screen {WS5050/15} towards the bottom of  
 11 the page. The last paragraph, please, magnified. Thank  
 12 you. You say this:  
 13 "The MAPPA panel discussed allowing Usman Khan to go  
 14 to the event. I cannot recall which of the MAPPA  
 15 meetings discussed the event, although I am aware  
 16 discussions are set out in the minutes, but I would  
 17 imagine that the event was raised during any general  
 18 conversation about engagement with [Learning Together].  
 19 I do remember that the event was primarily discussed at  
 20 the MAPPA meeting on 14th November..."  
 21 A. Yes.  
 22 Q. "The majority of the discussion concerned the  
 23 practicalities of Usman Khan attending."  
 24 And then you talk about an action point to liaise  
 25 with the monitoring service?

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1 A. That's right, yes.  
 2 Q. Now, this was a statement you made three months ago; is  
 3 that correct?  
 4 A. Yes. I think -- what I can't recall is the specific  
 5 discussions which actually would have said: yes, he can  
 6 attend that event, but I know it was part of an ongoing  
 7 discussion about Learning Together and his management,  
 8 and so it was discussed regularly throughout those  
 9 meetings, but it is correct that I cannot recall exactly  
 10 the discussion. I've also subsequently, after seeing  
 11 the disclosures, said I don't believe it is set out  
 12 necessarily in some of the minutes.  
 13 Q. If there had been a discussion about the particular  
 14 risks of the London visit, either to say that he's safe  
 15 now to go, or that it's risky --  
 16 A. Yes.  
 17 Q. -- do you think that would have stuck in your mind,  
 18 given that two weeks after that meeting, the terrible  
 19 attack took place?  
 20 A. Yes.  
 21 Q. So can we take from that that you don't think that there  
 22 was a positive discussion of risk followed by  
 23 a decision?  
 24 A. Yes. I think that would be fair to say. But I do think  
 25 there was an implied consent due to the ongoing nature

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1 of the discussions.  
 2 Q. What was your own view about whether Usman Khan ought to  
 3 be permitted to attend that event?  
 4 A. Yes, at the time I didn't express any concerns about  
 5 that decision. He had been in the community for coming  
 6 up for a year. He had a long history of engagement with  
 7 Learning Together and there wasn't any sort of  
 8 information or intelligence about, you know,  
 9 specifically to suggest an increased risk, and so on  
 10 that basis, I was in agreement with that decision.  
 11 Q. Now, it's right, isn't it, that Usman Khan was  
 12 a terrorist offender who had generated considerable  
 13 intelligence in prison suggesting he was an extremist?  
 14 A. Yes.  
 15 Q. And there had been specific intelligence that he  
 16 intended to return to terrorism on his release?  
 17 A. Yes.  
 18 Q. Care had been taken to control his trips up until this  
 19 point --  
 20 A. Yes.  
 21 Q. -- to organised events, and against that background, do  
 22 you think, in retrospect, that the prospect of him going  
 23 to London to this major event is something that merited  
 24 a careful discussion with the risks being gone through  
 25 specifically in those MAPPA meetings?

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1 A. Yes, I mean, obviously in retrospect it's clear.  
 2 I think -- just my perception: the meeting we were  
 3 looking at him attending an event with  
 4 Learning Together, I'm not sure the London location was  
 5 considered as much as the fact it was  
 6 a Learning Together event, but yes, I would agree it  
 7 would warrant being in the minutes, yes.  
 8 Q. And was the fact that it was a Learning Together event,  
 9 an event associated with this positive force in his  
 10 life, seen as a distinct point in its favour?  
 11 A. Yes, absolutely.  
 12 MR HOUGH: Thank you very much, those are all my questions.  
 13 Sir, that might be a convenient time for our  
 14 mid-afternoon break.  
 15 JUDGE LUCRAFT: It certainly is. We'll take a break there,  
 16 thank you very much.  
 17 (In the absence of the jury)  
 18 I'll rise.  
 19 (3.40 pm)  
 20 (A short break)  
 21 (3.54 pm)  
 22 JUDGE LUCRAFT: Mr Armstrong, I've been given a time  
 23 estimate and I think really for the benefit of Ms Gell  
 24 that we will finish her this afternoon, all being well.  
 25 MR ARMSTRONG: Yes, I think I'm 10 minutes. I'm certainly

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1 no more than 15. I think I gave a time estimate of 20  
 2 but I'll be shorter than that.  
 3 JUDGE LUCRAFT: Yes.  
 4 MR ARMSTRONG: There's significant pressure along the row.  
 5 JUDGE LUCRAFT: I'm glad that the gold stars had their  
 6 desired effect last week even though I had to take them  
 7 back from you. It was worth handing them out in the  
 8 first place.  
 9 MR ARMSTRONG: Well, I am susceptible to that, sir.  
 10 (In the presence of the jury)  
 11 JUDGE LUCRAFT: Mr Armstrong.  
 12 Questions by MR ARMSTRONG  
 13 MR ARMSTRONG: Thank you, sir.  
 14 Thank you, Ms Gell. My name is Nick Armstrong,  
 15 Ms Gell, I represent Jack Merritt's family.  
 16 Just a few, I hope, short points. Can I just check  
 17 one thing about your role?  
 18 A. Yes.  
 19 Q. You are the person who, as you established with  
 20 Mr Hough, you have access to sensitive prison  
 21 intelligence and you are the conduit to probation?  
 22 A. Yes, that's correct.  
 23 Q. You talk in your witness statement, you used the same  
 24 expression with Mr Hough, that that is sensitive  
 25 intelligence that you see and others may not see?

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1 A. Yes.  
 2 Q. Can I just check how far that goes, because I think you  
 3 probably know I put some questions to Mr Skelton this  
 4 morning about what he knew about MI5's interest in this  
 5 case and got the answer "none at all"; do you see that?  
 6 A. So at the time of this involvement, I didn't. Now I do.  
 7 I received the appropriate level of vetting towards the  
 8 end of 2019.  
 9 Q. Towards the end of 2019?  
 10 A. Yes. So at the time of pre-release planning and most of  
 11 the time Mr Khan was in the community I wouldn't have  
 12 direct involvement with MI5 but that would be through  
 13 police colleagues instead.  
 14 Q. But you do now?  
 15 A. Yes.  
 16 Q. I see. And that was -- so at the time, so throughout  
 17 the period we're concerned with in 2019 --  
 18 A. Yes.  
 19 Q. -- you definitely don't know about the matters I put to  
 20 Mr Skelton, so open priority investigation, any MI5  
 21 intelligence, et cetera?  
 22 A. Because I was the link to CT policing for the area, they  
 23 would give me information at times, so I would probably  
 24 know more than Mr Skelton, but I wasn't aware of that  
 25 information directly or kind of directly from MI5 or

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1 officially .  
 2 Q. Let me deal with the specifics .  
 3 A. Yes.  
 4 Q. Were you aware that there was an open priority MI5  
 5 investigation on Mr Khan in mid to late 2019?  
 6 A. No.  
 7 Q. Were you aware that there had been an upgrade -- that  
 8 probably answers the second question, which is whether  
 9 there had been an upgrade in the risk assessment from P4  
 10 to P3 in 2018?  
 11 A. No.  
 12 Q. Or you know nothing about any material, unknown  
 13 validity, uncorroborated, but that he had continued to  
 14 attempt to radicalise other Muslim prisoners and  
 15 intended to re-engage in terrorism-related activities  
 16 when released. I know there's prison intelligence, but  
 17 there's an MI5 --  
 18 A. No, I was only aware of the prison intelligence .  
 19 Q. I see. And you tell us in your witness statement that  
 20 there was -- the sensitive intelligence that you had  
 21 access to was the prison intelligence ?  
 22 A. Yes, that's correct.  
 23 Q. And some of that came into this process --  
 24 A. Yes.  
 25 Q. -- and the MAPPA process, but there was no further

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1 material, so there's no further sensitive material came  
 2 in?  
 3 A. It may have been fed in through police colleagues, but  
 4 certainly not through myself, no.  
 5 Q. All right. And did you need any additional -- you did  
 6 need additional clearance --  
 7 A. Yes.  
 8 Q. -- in order to get this that you have now?  
 9 A. Yes, that's right, yes.  
 10 Q. I need to put this to you about the Dr Al-Attar matter,  
 11 can I just have that back on the screen please, this is  
 12 {DC7441/272} and, Ms Gell, I'm putting this to you  
 13 because you are on the email.  
 14 A. Yes.  
 15 Q. So this is Dr Zainab Al-Attar, who is a senior  
 16 psychologist attached to the long term high security  
 17 estate and I read this out, I won't read it out again,  
 18 but Mr Skelton doesn't remember seeing this or being  
 19 sent this. It is copied to you. Do you send it to him?  
 20 And if not, why not?  
 21 A. I don't recollect sending that to him, so it may well be  
 22 that I haven't. It was information to go to the  
 23 Desistance and Disengagement Board to support my report  
 24 to them requesting the mentors.  
 25 Q. I see.

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1 A. So, yes, it is perfectly possible that that didn't go to  
 2 Mr Skelton, yes.  
 3 Q. You see the importance of it?  
 4 A. Yes.  
 5 Q. It's a senior psychologist raising very serious concerns  
 6 about an unchanged man?  
 7 A. Yes. My understanding was that Mr Skelton had had  
 8 copies -- so it was basically summarising some of the  
 9 ERGs that had been completed, so he had had those, but  
 10 I would accept he hasn't had that specific document,  
 11 yes.  
 12 Q. I might come back to it on another point in a moment.  
 13 A. Okay.  
 14 Q. But before I do, let me just deal with this. That can  
 15 come off the screen now, thank you very much, for the  
 16 moment.  
 17 The end of the mentors, and the bringing to an end  
 18 the mentoring, which was done on 3 September, as  
 19 a result of which he didn't have anybody from August --  
 20 A. Yes.  
 21 Q. -- you told Mr Hough when he said what this causes is  
 22 a loss of information, even if imperfect information --  
 23 A. Yes.  
 24 Q. -- but also, in practical terms it meant that he loses  
 25 access to the internet for jobseeking --

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1 A. Yes.  
 2 Q. -- you said to Mr Hough that your understanding is that  
 3 there were alternatives?  
 4 A. Yes.  
 5 Q. I just want to ask you about that. Can I just have  
 6 {DC7438/1} up please, and then {DC7438/322}. I think  
 7 I might need the bottom of this. Yes. So this is  
 8 13 September 2019 from you to others, including  
 9 Ken Skelton, Sumeet Johal and Calum Forsyth.  
 10 A. Yes.  
 11 Q. "Just a quick update on the mentor for Usman Khan.  
 12 I have put the request in but it may be a month or so  
 13 before someone is identified."  
 14 In the event nobody was:  
 15 "In the meantime would we be able to ask the key  
 16 workers to assist with any practical tasks?"  
 17 So that is keyworkers. Is that the alternative you  
 18 had in mind for helping?  
 19 A. Yes, and my initial reaction reading that back now is  
 20 that that seems to apply to approved premises keyworkers  
 21 which he didn't have at the time --  
 22 Q. Well, he did then but was about to move.  
 23 A. But was about to move on so, yes, I think keyworkers in  
 24 the AP could have still assisted with that task.  
 25 I would have -- yes, I do appreciate he was also due to

1 move on from the AP then, so...  
 2 Q. That's the point.  
 3 A. Yes.  
 4 Q. Because what I'm putting to you here is, this is quite  
 5 a significant thing for him, and we've seen references  
 6 to this and the difficulties that it caused with  
 7 employment. Keyworkers is a phrase that means approved  
 8 premises individuals?  
 9 A. Yes.  
 10 Q. He was, on this day, he was 11 days off coming out of  
 11 approved premises?  
 12 A. Yes.  
 13 Q. Which did mean that it was going to have an impact?  
 14 A. I think one of the other options that we had identified  
 15 was for one of the workers from Ixion, also, so some of  
 16 the other job search organisations to support with that.  
 17 We were aware it was an issue, but we would have,  
 18 I believe, through MAPPA given permission for any sort  
 19 of worker working with him to support with that,  
 20 including potentially Mr Skelton.  
 21 Q. Yes, you would, and you would want to, but does it  
 22 happen?  
 23 A. I think we would have wanted a specific request, so had  
 24 he said: I want to check my emails to check whether I've  
 25 got a job offer, we would have looked to put that into

1 place, but it would have been reliant on him to request  
 2 that essentially, I would agree.  
 3 Q. Because I just put this to you: this is in the context  
 4 of terrorism --  
 5 A. Yes.  
 6 Q. -- it's a big case, it hits Staffordshire Probation,  
 7 you've had another terrorism case that's gone horribly  
 8 wrong, he's been recalled and sentenced and given a life  
 9 sentence, and you've got a relatively new and  
 10 inexperienced team, as we've heard. You do want to take  
 11 really great care with this stuff and removing layers of  
 12 support?  
 13 A. Yes.  
 14 Q. You accept that?  
 15 A. We would want to certainly take care. I think at the  
 16 time one of the reasons for him not being prioritised  
 17 were other offenders in the area who were perceived at  
 18 the time to be of greater risk. I appreciate he is  
 19 still a risk, but it was really about prioritisation at  
 20 that time.  
 21 Q. And if I can just put the Dr Al-Attar back on the  
 22 screen, so {DC7441/272}, and can I go to the end of  
 23 this, please, the second half of it. So this is, I read  
 24 out the first two paragraphs, but then you've got this  
 25 in the third paragraph:

1 "Community Support may need to focus on helping  
 2 Mr Khan to manage his social needs and gain a sense of  
 3 identity ... he will most likely feel empty and daunted  
 4 by the loss of this and by immersion into the adult  
 5 responsibilities that life in the community brings.  
 6 Mr Khan will benefit from social support, employment  
 7 guidance and positive affirmation of his healthy  
 8 (non-extremist) identity, lifestyle and skills, in order  
 9 to develop resilience."  
 10 I mean, this is a point that is actually squarely  
 11 putting: he needs this kind of support and he's losing  
 12 a layer of it?  
 13 A. Yes, I would agree with that to a point. I think,  
 14 however, he had had a significant amount of that  
 15 support, and hadn't been successful in achieving  
 16 employment and I think some of the other employment  
 17 support that he was to receive -- I appreciate the point  
 18 about the internet is slightly different, but some of  
 19 the other employment support he was to receive which was  
 20 more local we had hoped would have a better outcome.  
 21 Q. One last thing just on this, can I see {DC7434/1},  
 22 please, and this is The Unity Initiative strategy and  
 23 the way it sees these matters and its mentoring. If we  
 24 can now just go to {DC7434/5}. I'm not suggesting this  
 25 is your document, but it's a document of your

1 contractor.  
 2 A. Yes.  
 3 Q. On "Exit strategy", paragraph 19, please, their position  
 4 is:  
 5 "In order to disengage effectively, TUI works to a 8  
 6 weeks exit strategy. This allows the mentor sufficient  
 7 time to prepare the mentee for the ending of the  
 8 intervention. Exiting suddenly or in a short time  
 9 period could potentially lead to mentees becoming  
 10 confused or potentially developing new grievances. The  
 11 8 weeks exit strategy works effectively and should be  
 12 adhered to across all strands of our work."  
 13 This was a much faster guillotine than that?  
 14 A. Yes, it was. I mean, I wasn't personally involved in  
 15 that decision about the end of the contract, so I didn't  
 16 have any control over that on a personal perspective,  
 17 but yes, I would agree, it's very difficult for someone  
 18 to manage that quick exit.  
 19 Q. And in a very anxious case?  
 20 A. Yes.  
 21 MR ARMSTRONG: Thank you, Ms Gell --  
 22 JUDGE LUCRAFT: Just so we're clear, the contract, the TUI  
 23 contract, was for all of the people that they may be  
 24 acting as a mentor for?  
 25 A. Yes, that's correct.

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1 JUDGE LUCRAFT: So it wasn't just Mr Khan --  
 2 A. No.  
 3 JUDGE LUCRAFT: -- but the point Mr Armstrong has referred  
 4 to about the exit strategy would apply equally to anyone  
 5 who was having that service?  
 6 A. That's right, and I believe there were numerous other  
 7 offenders. Obviously I wasn't responsible for those,  
 8 but yes.  
 9 JUDGE LUCRAFT: No. Thank you.  
 10 MR ARMSTRONG: But perhaps even more so in Mr Khan's case,  
 11 that you take even fewer risks in that case?  
 12 A. Potentially, yes.  
 13 MR ARMSTRONG: I'm grateful. Thank you, sir. Thank you,  
 14 Ms Gell.  
 15 JUDGE LUCRAFT: Ms Leek, I think it's just you left,  
 16 I think.  
 17 Questions by MS LEEK QC  
 18 MS LEEK: I will be brief.  
 19 Ms Gell, just in relation to the employment issue,  
 20 could you turn to {DC7431/23}, and if we could bring up  
 21 the bottom half of the page. Is this -- do we see here,  
 22 an email from Ken Skelton on 7 November to Calum Forsyth  
 23 and Phil Bromley:  
 24 "Calum in response to our conversation, I have had  
 25 a conversation with Dawn Spilsbury from Ixion who has

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1 previously been involved with Usman, she is to forward  
 2 this email over to Lisa who also works for Ixion.  
 3 I requested that Lisa support Usman in his application  
 4 for jobs and will manage his access to his Indeed  
 5 account, she is also looking at drawing up a disclosure  
 6 document to assist in his employment. They are also to  
 7 look at a scheme that they have running in Stafford that  
 8 potentially Usman could attend. They are to check it  
 9 out on [the 22nd] when they go to have a look around.  
 10 Lisa will contact me this week and I will have  
 11 a conversation about options available. As I pointed  
 12 out yesterday, due to the nature of his offences  
 13 potential employers will close down he has little chance  
 14 of securing long term employment. When this is the case  
 15 there is little we can do about what and how he uses his  
 16 time.  
 17 "I have also been in contact with Julia Nix from DWP  
 18 and also Liz from Stafford job centre. They too remain  
 19 committed to assisting him in his job search."  
 20 So do we see here an email setting out other options  
 21 for assisting him to access the internet in his job  
 22 search?  
 23 A. Yes, that's correct, so, as I say, some of the other  
 24 employment agencies could do that, and I think one of my  
 25 concerns was that the previous mentor wasn't local and

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1 we actually felt in order for him to achieve employment,  
 2 it may be that we needed that local connection, somebody  
 3 that would know somebody who would be prepared to give  
 4 him a chance, rather than a sort of a national scheme,  
 5 so that's why I was content to access both DWP,  
 6 Stafford Jobcentre and Ixion to support him with his  
 7 employment at that time.  
 8 Q. So you weren't here just seeing a cut-off of all  
 9 information coming to you?  
 10 A. No.  
 11 Q. Or of all assistance being given to him with regard to  
 12 his job search?  
 13 A. No, in fact I actually felt that that local connection  
 14 might prove a more beneficial approach.  
 15 Q. And so far as potential isolation is concerned, was he  
 16 in contact with all of these people who were helping him  
 17 with the job search?  
 18 A. Yes.  
 19 Q. In contact with his offender manager, in contact with  
 20 Prevent officers?  
 21 A. Yes.  
 22 Q. And in contact with his family?  
 23 A. Yes, that's right.  
 24 Q. And were there any signs that were being fed back to you  
 25 by any of them that he seemed depressed or there were

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1 any concerns about anything of that nature?  
 2 A. No. The conversation about isolation was more about our  
 3 perception that he might be isolated. It certainly  
 4 never came from him or certainly never was fed back in  
 5 terms of a change in his attitude, engagement,  
 6 presentation, or anything like that.  
 7 Q. And in general did he seem accepting and resigned in  
 8 relation to the job situation?  
 9 A. Yes, he did, yes.  
 10 Q. In relation to Dr Al-Attar I think it's right that in  
 11 fact she fed into the 2018 ERG.  
 12 A. That's right.  
 13 Q. And at the bottom of her email, I don't think we need to  
 14 bring that up again, but it said "See ERG 2018 for  
 15 details".  
 16 A. Yes, I believe that was a summary of the various  
 17 interventions that had happened.  
 18 MS LEEK: Thank you.  
 19 Thank you, sir, I have no further questions.  
 20 JUDGE LUCRAFT: Thank you.  
 21 MR HOUGH: Thank you very much, Ms Gell, we have no further  
 22 questions for you. Thank you for coming to give  
 23 evidence.  
 24 JUDGE LUCRAFT: Thank you very much indeed. Thank you.  
 25 A. Thank you.

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1 JUDGE LUCRAFT: Mr Hough, I'm sorry to report it's only  
 2 4.10, but I think it's probably better that we break  
 3 there for the day, I know that there are some other  
 4 matters that we need to discuss which don't, in fact,  
 5 involve the jury, they are issues of law that I need to  
 6 deal with which we are going to do this afternoon  
 7 anyway.  
 8 MR HOUGH: What I can tell the jury is that we will be  
 9 enlightened as to the pronunciation of Dr Ieva's surname  
 10 tomorrow because we will be hearing from her.  
 11 JUDGE LUCRAFT: I suspect, Mr Hough, we will all be calling  
 12 her Dr Ieva.  
 13 MR HOUGH: That may be so.  
 14 JUDGE LUCRAFT: Ladies and gentlemen, yesterday I sent you  
 15 home in the pouring rain; at least it looks as if it is  
 16 brighter and drier outside, but I look forward to seeing  
 17 you all tomorrow morning for 10 o'clock.  
 18 And the juror who asked the question about those  
 19 dates, don't worry, I haven't forgotten, it's just  
 20 easier to make an assessment about that at the end of  
 21 the week, so we'll deal with that during the course of  
 22 tomorrow. Thank you.  
 23 (In the absence of the jury)  
 24 JUDGE LUCRAFT: Mr Hough, I'm going to suggest, I'm going to  
 25 rise in a couple of minutes and we will reconvene in

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1 five minutes' time, so anyone who doesn't wish to stay  
 2 for what we're going to deal with has got an opportunity  
 3 of escape, and we'll then deal with the various issues  
 4 that we need to deal with at that stage.  
 5 MR HOUGH: Yes, sir.  
 6 JUDGE LUCRAFT: I'll rise.  
 7 (4.13 pm)  
 8 (The court adjourned until 10.00 am on  
 9 Friday, 7 May 2021)  
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