

# OPUS2

Fishmongers' Hall Inquests

Day 20

May 11, 2021

Opus 2 - Official Court Reporters

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1 Tuesday, 11 May 2021  
 2 (10.06 am)  
 3 (In the absence of the jury)  
 4 JUDGE LUCRAFT: Come forward and take a seat, Mr Vince.  
 5 I think, Mr Rule, I understand you've got about  
 6 another 15 or 20 minutes with Mr Vince? Thank you.  
 7 (In the presence of the jury)  
 8 MR RICHARD VINCE (continued)  
 9 JUDGE LUCRAFT: Good morning, everyone, very nice to see  
 10 you.  
 11 Mr Rule.  
 12 Questions by MR RULE (continued)  
 13 MR RULE: Mr Vince, I'm asking questions still on behalf of  
 14 Saskia Jones' family, and we continue from yesterday,  
 15 and my apologies for having changed position to  
 16 a different set of jurors for the back of my head but  
 17 you at least can see me asking you questions.  
 18 Do you agree that there was a need for the  
 19 government to be proactive in the fight against the  
 20 present and continuing threat of terrorism?  
 21 A. Did you say the governor?  
 22 Q. The government --  
 23 A. The government?  
 24 Q. -- of which HMPPS forms a part?  
 25 A. Yes.

1

1 Q. And that threat had been ongoing since, of course, the  
 2 London bombings in 2005 and the further incidents later  
 3 with ongoing reviews and ongoing consideration, I would  
 4 imagine?  
 5 A. Yes.  
 6 Q. It was not enough to be reactive when attacks took  
 7 place, to make changes after the event?  
 8 A. No.  
 9 Q. And the role of HMPPS within the state organisation is  
 10 one that comes with a positive duty to take reasonable  
 11 steps to protect life, doesn't it?  
 12 A. It does, yes.  
 13 Q. Locations in the prison estate, I'm going to ask you  
 14 specifically about the dispersal estate, and if I use  
 15 those words, dispersal estate, I'm referring to the  
 16 category A high security estate, aren't I?  
 17 A. You are, yes.  
 18 Q. Different term but the same prisons.  
 19 A. You're talking about parts of it, so the five prisons  
 20 would be classed as dispersal, and then there would be  
 21 three what we call core locals, which are high security  
 22 prisons that serve the courts.  
 23 Q. Thank you.  
 24 A. As well as providing high security conditions?  
 25 Q. Thank you. So those where prisoners can go on remand

2

1 and they can go during their trial and that sort of  
 2 prison?  
 3 A. Yes.  
 4 Q. Now, there has been also a long-standing policy that  
 5 gives rise to the name the dispersal prison estate to  
 6 separate terrorists and extremists?  
 7 A. Yes. Separates, in a sense, but more to disperse. The  
 8 practical operation is underpinned by a theory of  
 9 dispersal and a practice of dispersal.  
 10 Q. Thank you. We needn't go to it, but you are aware of  
 11 the Ian Acheson review, Islamist Extremism in Prison  
 12 from August 2016 because you reference it in your  
 13 statement?  
 14 A. I am, yes.  
 15 Q. And that recognised that the policy of dispersal is  
 16 long-standing to prevent dangerous and charismatic  
 17 offenders from exercising influence in prison, and it  
 18 pre-dated but it was used for Irish republican  
 19 terrorism?  
 20 A. There was provision within high security prisons to  
 21 separate Irish nationalist prisoners, called special  
 22 security units, but there was still the application of  
 23 the dispersal estate, dependent on level of risk to the  
 24 public and risk of escape.  
 25 Q. Thank you. But they were -- and I'm reading from

3

1 the Acheson review, they were relatively few in number,  
 2 the Irish republican terrorists --  
 3 A. Yes.  
 4 Q. -- at the time the dispersal applied to them.  
 5 From the same period of time, August 2016, you know  
 6 from another report you have referenced in your detailed  
 7 statement, the Intelligence and Security Committee's  
 8 report into the 2017 attacks, "What Needs to Change?"  
 9 A. Yes.  
 10 Q. That's a report dated 22 November 2018, and it noted  
 11 that in August 2016, it had become government policy to  
 12 remove extremists to separation.  
 13 A. It had become government policy to provide a number of  
 14 units where people most at risk, or most likely to  
 15 spread extremist ideology and seek to convert others  
 16 could be separated, yes. The underpinning policy  
 17 remained that of dispersal.  
 18 Q. Thank you. And separation has been assisted by new  
 19 separation centres?  
 20 A. Yes.  
 21 Q. But yet that number is still very small, isn't it?  
 22 A. The number of units or the number of people?  
 23 Q. The number of people within those units?  
 24 A. Yes.  
 25 Q. And I'm aware of units in Frankland and Full Sutton, but

4

1 I don't believe there is one at Whitemoor?  
 2 A. No, there isn't. Frankland and Full Sutton and  
 3 Woodhill.  
 4 Q. Thank you. This policy is specific, isn't it, to  
 5 a recognition of the problems posed by individuals such  
 6 as TACT offenders?  
 7 A. Yes.  
 8 Q. And one of the problems that they create in the  
 9 mainstream of the prison is in relation to gangs, isn't  
 10 it?  
 11 A. It's one of many problems that TACT offenders can cause,  
 12 yes.  
 13 Q. Thank you. And I don't need to show you it unless you  
 14 wish to, but the custodial management review that  
 15 I mentioned with you yesterday that dated from March of  
 16 this year talks about prison gangs being a fundamental  
 17 issue and a key issue in the high security estate; you  
 18 would recognise that?  
 19 A. Yes.  
 20 Q. The fact is, that despite those policies or provisions,  
 21 Usman Khan, we know, was not separated from the  
 22 extremist gang culture inside the prison estate, was he?  
 23 A. For a period of time in segregation and in the Managing  
 24 Challenging Behaviour unit, yes, but not in the  
 25 separation centres, no.

5

1 Q. Right. In the particular units we've heard -- so the  
 2 MCBS unit I think we're talking about, the Woodhill one,  
 3 but we've heard certainly that Khan was able to speak to  
 4 radical clerics, the killer of Fusilier Rigby, so the  
 5 separation wasn't in place in that particular form,  
 6 I appreciate segregation is from the mainstream of the  
 7 prison, but you might well be put in a cell next to,  
 8 where you have three days of conversation with another  
 9 extremist?  
 10 A. No, that wouldn't happen, no. Sorry, no, I'm misleading  
 11 there. Within the units that you're referring to, under  
 12 the circumstances that Khan was being held -- and  
 13 I'm aware of the people that you're referring to -- he  
 14 wouldn't have had the opportunity to be next to them for  
 15 long conversations for three days, but he could have  
 16 achieved verbal contacts through exercise yards or  
 17 shouting between windows with the exception of Woodhill.  
 18 Q. Thank you. And the prison estate, as it now exists, is  
 19 unable to move TACT offenders so that they are separated  
 20 on different spurs and wings as a matter of population  
 21 number compared to what physical facilities you have?  
 22 A. We can't completely separate all TACT or  
 23 extremist-related offenders from mainstream or indeed  
 24 from each other, no, we don't have the capacity to do  
 25 that.

6

1 I should say, as well, the issue of separation  
 2 remains one that receives very considerable debate about  
 3 the merits or otherwise of doing so.  
 4 Q. Nonetheless it remains the consistent policy, doesn't  
 5 it, added now to dispersal, the separation centres  
 6 and --  
 7 A. Sorry, I missed the first part of your question.  
 8 Q. Although there's a debate about it, we can have a debate  
 9 is it the right way to deal with it, it remains the way  
 10 that's been chosen, doesn't it?  
 11 A. Yes, so we have a range of prisons where we managed the  
 12 mix and the risk that TACT and TACT-related offenders  
 13 can present. We also have a series of units, so close  
 14 supervision centres, special security units and the  
 15 CSCs, and they're supported by a series of specialist  
 16 provision that we call Pathfinder units, all of which we  
 17 use to tactically hold TACT offenders, but no, we  
 18 couldn't keep them completely separate.  
 19 Q. And one of the custodial management review's concerns is  
 20 raised in relation to the separation and control  
 21 strategy as it affects private prison provision. You  
 22 will be familiar with that, it's paragraphs 20 and 21,  
 23 for the lawyers.  
 24 A. Yes.  
 25 Q. But there is a concern that because of the way private

7

1 prisons are funded --  
 2 A. Yes.  
 3 Q. -- contracts with certain things, that they are less  
 4 willing to accept or they impose unofficial caps on the  
 5 number of TACT offenders that you can move into those  
 6 prisons?  
 7 A. I don't know the answer to that. I'm not aware of  
 8 unofficial caps. For the higher -- I mean, clearly if  
 9 any of them fall into cat A they would immediately move  
 10 over into the high security estate. If they're being  
 11 flagged by our partners in the contracted prisons and we  
 12 think they require high security, then we'll transfer  
 13 them across the high security estate as well.  
 14 Q. All right, but in relation to the findings of the review  
 15 where it finds that there are concerns, there's  
 16 a perception that there are unofficial caps at private  
 17 prisons, and you're talking about moving the TACT  
 18 offender group, category B offenders can be held in  
 19 category A but you can also move them to category B.  
 20 A. Yes.  
 21 Q. But that is hampered if you have private prisons like  
 22 Dovegate and others saying: we won't accept above  
 23 a certain number of TACT offenders and that limits the  
 24 provision -- what I'm getting at is the prison system  
 25 being able to do the best possible at dispersing and

8

1 separating.

2 A. Yes, I mean, I wouldn't dispute the findings of the

3 report but that's not my experience, and we will take

4 a sensible risk –based view of all our prisons and the

5 number of TACT and other men, we look at the entire

6 population to get that mix right, and the number that

7 a prison will hold at any one time will vary dependent

8 on the nature of those people.

9 Q. And can I take it from your answers that there are no

10 current plans to change the provision in the prison

11 estate in a way that would increase opportunities for

12 dispersal and separation?

13 A. Not that I'm privy to, no.

14 Q. In relation to intelligence –sharing, there are several

15 reports, as you know, which have looked at that in the

16 light of these events, reacting rather than proactive in

17 relation to matters, but so far as you're concerned,

18 would you accept the criticism that's made in the

19 Jonathan Hall independent review of MAPPA that for

20 a period of time it has been considered that prison

21 intelligence is not being shared effectively?

22 A. Yes, I think the sharing of intelligence has been

23 a fundamental issue in this area for as long as I've

24 been working in it, with the very considerable funding

25 that we've had, we've been able to really move that on,

1 I mean very considerably move that on from what I recall

2 in the early 2008/2009 when arguably we started to feel

3 the initial effects of Islamist extremism coming into

4 prisons and we now have the joint intelligence hub,

5 which is the first time we bring together in one place

6 all the interested intelligence, law enforcement

7 agencies. But I do accept the commentary that

8 Jonathan Hall provides at the point that he conducted

9 that review.

10 Q. Thank you. And he was referencing, in fact, for the

11 long-held concerns, the 2011 MAPPA inspection, so it had

12 been ongoing for some period of time, that concern?

13 A. Yes, and not to prolong my answer, I think it's an area

14 of concern that we've been aware of and been working

15 very hard on. The recommendations that Jonathan Hall

16 makes are also subject to legislation which is going

17 through at the moment which will clarify with absolute

18 detail the responsibility and the legislative basis on

19 which agencies can share intelligence.

20 Q. Thank you. Now, if I go back from the hub days, which

21 are now --

22 A. Yes.

23 Q. -- back to 2018, 2019, and the systems in place then,

24 you will be aware that one of the reviews, the serious

25 further offence review in this case, found that the

1 OASyses that were completed did not carry forward the

2 prison intelligence, so there was a criticism that if it

3 had been held in the OASys document itself, that

4 intelligence coming through Pathfinder to feed the

5 OASys, as you were telling Mr Hough yesterday, that

6 would have remained essentially available at the

7 forefront rather than falling behind or out of sight of

8 those managing him using the OASys?

9 A. Yes.

10 Q. And for the lawyers, the reference is paragraph 4.27 of

11 that report.

12 There was thirdly the MAPPA serious case review

13 which records the failures to use the ViSOR system,

14 which, again, is a system that the jury have had

15 explained to them. The conclusions there, you would

16 accept, wouldn't you, at 6.17, that it was well below

17 the expectations for use of that system and concerns at

18 6.20 that staff in prisons didn't have access to ViSOR

19 or didn't use ViSOR to pass it on, so that's familiar to

20 you.

21 The point of that is that if you have got this

22 intelligence picture building up and it builds up in the

23 monthly meetings in the prison and otherwise, if that

24 sort of falls by the wayside, if it doesn't carry

25 through in a system that can be accessed by the police

1 and probation like ViSOR rather than the Mercury

2 internal one, what you're not having is that level of

3 detail, the pattern that Khan has created of his

4 behaviour, still present and visible and being looked at

5 by the agencies like MAPPA that are coming to look at

6 him later?

7 A. I wouldn't agree with the assertion that intelligence

8 can fall behind. I think ViSOR was one of the methods

9 that we have for sharing intelligence and I recognise

10 the paragraphs that you're reading from. I think that

11 intelligence flows in many directions both into and out

12 of prisons and the service and in this case that

13 intelligence would have also been picked up through the

14 Pathfinder process by the embedded CT police who would

15 have shared that through Mercury with other agencies.

16 So whilst I accept the point that you make, I think it

17 would be too narrow to suggest that it falls behind

18 because of the use of ViSOR.

19 Q. The CMR findings on training, yesterday you were telling

20 us about the numbers of staff who had been trained as

21 new staff trained to deal with counter-terrorism, and

22 then rolling it out to step it up with the existing

23 staff after that.

24 A. Yes.

25 Q. You gave us the numbers, but I would just like to deal

1 with the specifics of the training --  
 2 A. Yes.  
 3 Q. -- in light of, I appreciate a recent report --  
 4 A. Yes.  
 5 Q. -- but I would just like to know what the current  
 6 intentions are with training on these points that were  
 7 raised in the custodial management review.  
 8 The first relates to the counter-terrorism training  
 9 for prison Prevent leads, those officers that you were  
 10 explaining to the jury yesterday are now embedded inside  
 11 the prisons?  
 12 A. Yes.  
 13 Q. Within the CMR, there are concerns that the prison  
 14 Prevent leads are engaging with challenging offenders  
 15 with little and at times no CT training, and a second  
 16 concern was raised that they don't have a clear job  
 17 description in their Pursue role as well as Prevent, but  
 18 also to identify and pursue where there is criminal  
 19 behaviour happening, and that impacts their ability to  
 20 engage with the correct elements of partner agencies,  
 21 paragraphs 27 and 57 from the review.  
 22 So within that, are there specific plans within the  
 23 training to deal with those problems that have been  
 24 raised?  
 25 A. Yes. So would you like me to expand?

1 Q. Briefly, if you can.  
 2 A. Okay.  
 3 Q. Using the CT step-up money, which was the 30 million  
 4 that we received, we've established a dedicated team  
 5 within JEXU to develop and deliver training. We've  
 6 trained 34,000 staff in aspects of training now, and  
 7 we're also setting up what's called a CT assessment and  
 8 rehabilitation centre, which will bring together  
 9 forensic psychologists, probation staff and CT police  
 10 specialists to support that training team in developing  
 11 and delivering training across the range of people that  
 12 will require it.  
 13 Q. And that's going to include the prison Prevent leads  
 14 within that training?  
 15 A. Yes, very much so.  
 16 Q. Thank you. Another group who raised concerns in the  
 17 review are the chaplaincy group, imams and others?  
 18 A. Yes.  
 19 Q. Who noted the need for an expansion in the support and  
 20 training to them in dealing with the offending group,  
 21 and tensions in their roles because --  
 22 A. Yes.  
 23 Q. -- they have the pastoral care and they also have the  
 24 security side where they should be reporting things and  
 25 the lack of certainty and guidance about when they

1 should report things, how they should report things,  
 2 what's in confidence or not, essentially .  
 3 Is there any current intention to deal with that  
 4 problem raised in the report at paragraph 28, for  
 5 example?  
 6 A. Yes, we've trained 21 specialist chaplaincy staff now to  
 7 deliver one-to-one sessions with Islamist extremists  
 8 that tackle ideological, theological and psychological  
 9 issues. A further 20 specialist chaplains are being  
 10 trained at the moment and we're drawing in expertise  
 11 from across the world and across different sectors to  
 12 provide that training. It's currently a three-week  
 13 training course but we're looking to expand that.  
 14 Q. And will that be given to all imams who are working in  
 15 prisons where there are TACT offenders?  
 16 A. I don't know, I'm not sure of the scale of the rollout  
 17 at this stage, but I know shortly we will have 41 who  
 18 can be deployed in various prison and probation roles to  
 19 support disengagement.  
 20 Q. Thank you. And my final question to you relates to what  
 21 you said within your report: that matters now are  
 22 unrecognisable -- sorry, in your statement -- in  
 23 comparison with a few years ago, and that is as a result  
 24 of identifying reactively the problems that were there,  
 25 and making these changes you've been telling us about

1 today and yesterday?  
 2 A. Yes, I mean recently is probably not -- when I'm talking  
 3 about recently, I'm probably talking from about 2008  
 4 when we first started to feel the impacts of Islamist  
 5 extremism coming into high security prisons.  
 6 Q. All right. The paragraph 107 of your statement said  
 7 that:  
 8 "... work in recent years, to the extent it's  
 9 unrecognisable in comparison with a few years ago."  
 10 And the statement is dated 2 March this year?  
 11 A. Yes, that's from 2017 I'm referring to, so it's the  
 12 point where we had the reports from the ISC and other  
 13 reports that highlighted the challenges that we had.  
 14 Q. Okay, but I have understood your evidence correctly that  
 15 all of these changes you've been telling us about  
 16 actually post-date dealing with Khan and dealing with  
 17 this attack?  
 18 A. No, not all of them, no. So some of these certainly go  
 19 back to 2017, which is where we received both  
 20 legislative and funding changes to open separation  
 21 centres, provide training and a network of CT specialist  
 22 staff. We received the CT step-up money, which was the  
 23 significant investment after the -- after Khan.  
 24 Q. Thank you. And would you accept that when we talk of  
 25 lessons learned, that can be a euphemism for failings at

1 the time?  
 2 A. Yes. Yes.  
 3 MR RULE: Thank you very much.  
 4 JUDGE LUCRAFT: Mr Griffin.  
 5 Questions by MR GRIFFIN QC  
 6 MR GRIFFIN: Mr Vince, my name is Nicholas Griffin and  
 7 I represent Cambridge University.  
 8 A. Hello.  
 9 Q. Hi. I want to ask you about the grant agreement between  
 10 HMPPS and Learning Together --  
 11 A. Yes.  
 12 Q. -- and one connected matter.  
 13 A. Okay.  
 14 Q. Can we put on the screens, please, {WS5067/41}. Do we  
 15 see there that that's the cover page of the grant  
 16 agreement. We can see it's dated 6 July 2018, and can  
 17 we see it's between the Secretary of State for Justice  
 18 and Learning Together?  
 19 A. Yes.  
 20 Q. Can we just drop down to the bottom half, please, and  
 21 can we see that there's a grant programme under which  
 22 this is being made, "Enabling the Voluntary Sector to  
 23 Contribute to Better Outcomes for Offenders in Public  
 24 Sector Prisons, the National Probation Service..."  
 25 et cetera?

17

1 A. Yes.  
 2 Q. And here the "Grant for Extending Education Provision  
 3 across levels and/or subject areas outside mainstream,  
 4 core provision."  
 5 A. Yes.  
 6 Q. You can see that, thank you. Just flip over the page,  
 7 please, just to see the table of contents. So can you  
 8 see here, and if we drop down to the bottom of the page  
 9 as well, can we see the grant agreement covers a fair  
 10 amount of territory, including, as we can see at the  
 11 bottom, various annexes, including a grant offer letter,  
 12 which we will go to in a moment {WS5067/42}.  
 13 A. Yes.  
 14 Q. Can we go to, please, {WS5067/62}. Thank you. Just the  
 15 top half, please. Can we see there, that's the letter  
 16 of the same date, a letter from the MoJ to Drs Ludlow  
 17 and Armstrong. We can see there in the heading what we  
 18 have just seen on the cover page of the grant and if we  
 19 drop down to the middle of the page, can we see there  
 20 that what is offered under the grant is a total of just  
 21 under £214,000, and can we see that it's over two  
 22 financial years?  
 23 A. Yes.  
 24 Q. And moving, then, please, to annex 2, which is at  
 25 {WS5067/64}. Can you please expand section 2 there,

18

1 "Aims and objectives". Thank you. Can we see set out  
 2 there the aims and objectives of the funded activity,  
 3 and under 2.2 can we see that it says:  
 4 "Under this grant programme, funding will be  
 5 available for seven individual grant schemes, each  
 6 covering a separate theme, which meets  
 7 agency/ministerial key priorities."  
 8 And, as we've already seen:  
 9 "The theme of this grant scheme is: 'Extending  
 10 Education Provision across levels and/or subject on  
 11 areas outside mainstream, core provision'.  
 12 So that's just confirming what we've already seen on  
 13 the cover of the grant agreement?  
 14 A. Yes.  
 15 Q. And just the rest of that paragraph, do we see that it  
 16 says:  
 17 "Enabling offenders to access an imaginative and  
 18 wide-ranging curriculum which encompasses a range of  
 19 subject areas and academic ability is vital in  
 20 sustaining interest in and commitment to the learning  
 21 process. HMPPS is committed to encouraging and  
 22 retaining prisoner commitment to education and learning  
 23 by extending their opportunities to access a range of  
 24 academic subjects; and to encourage aspiration to study  
 25 at higher levels."

19

1 So do we see there the sentiment behind the grant  
 2 that has been offered?  
 3 A. Yes.  
 4 Q. Can we move, please, finally in this grant agreement, to  
 5 {WS5067/81}, please. So this is annex 5. You have been  
 6 taken briefly to this already, I think, but do we see  
 7 here the agreed outputs, the long term outcomes and key  
 8 performance indicators, which we can see set out first  
 9 of all in the three agreed outputs at the top. What  
 10 I want to look at with you, please, do we see a table at  
 11 the bottom, which includes various columns, including  
 12 a project aim -- thank you very much -- then do we see  
 13 a milestone column, a more detailed column for actions,  
 14 and then on the right-hand side, the dates by which they  
 15 are to be achieved?  
 16 A. Yes.  
 17 Q. So can we see, for example, just on that page, that  
 18 there is a project aim to formalise the  
 19 Learning Together network?  
 20 A. Sorry, I ...  
 21 Q. Do you see the left-hand column, "Project aim"?  
 22 A. Oh, sorry, yes.  
 23 Q. So can we see there, just by way of example, the first  
 24 aim there --  
 25 A. Sorry.

20

1 Q. -- is to "Formalise the Learning Together Network"?

2 A. Yes.

3 Q. Can we go to the next page {WS5067/82} and the bottom

4 half. Can we see further actions listed in the column

5 there, including at the bottom under (E) "Develop and

6 implement common evaluation framework"?

7 A. Yes.

8 Q. And just to go over to the next page {WS5067/83}. Thank

9 you. Can we see "Continued actions" in the middle

10 column, and do we see in the top middle column, (2),

11 (3), (4) and (5) there:

12 "The LTN [the Learning Together network] leadership

13 team has substantial expertise in complex research

14 projects and has the expertise necessary to obtain

15 relevant NRC..."

16 Is that National Research Committee?

17 A. Sorry, I am afraid you've slightly lost me.

18 Q. Okay, do you see the top box?

19 JUDGE LUCRAFT: I think it's because (4) and (5) run in

20 together, whereas they are separated in others. So

21 I think it is the top box --

22 MR GRIFFIN: Can you see the top box, number (2) it says

23 pilot --

24 A. Oh, I see, sorry, yes, I've got you.

25 Q. If you drop down, do you see (4), "Local evaluation"?

21

1 A. Yes.

2 Q. And then across, do you see number (5)?

3 A. Yes, I do, sorry.

4 Q. I apologise. Just going to number (5), do we so that it

5 says:

6 "The [Learning Together network] leadership team has

7 substantial expertise in complex research projects and

8 has the expertise necessary to obtain relevant NRC/local

9 permissions and gather and evaluate data."

10 NRC, does that refer to National Research Committee?

11 A. It does, yes.

12 Q. And we may come back to that just in a moment.

13 Just continuing, and finally in relation to this

14 grant document, can we see that one of the actions under

15 (G) is to "Host alumni event"?

16 A. Yes.

17 Q. And, in fact, the alumni event in November 2019 was, as

18 we now know, one of the actions deliverable under the

19 grant?

20 A. Yes.

21 Q. Thank you.

22 I mentioned the NRC. I just want to come back to

23 that, please, the NRC, the National Research Committee.

24 Is the situation this: that all researchers wanting to

25 conduct research with staff or offenders in prison

22

1 establishments, is the situation that they are required

2 to formally apply for research approval to the HMPPS

3 National Research Committee?

4 A. That's my understanding. If we receive -- if I receive

5 any requests for research, then I will pass them to our

6 lead psychologist, and my understanding is that they go

7 through an ethics and approval panel.

8 Q. And that process, as you say, would include a prison

9 psychologist element?

10 A. I am afraid I'm not sufficiently familiar with the NRC,

11 but certainly the lead psychologist for long-term high

12 security, I think the same applies in the north and

13 south regions, would lead on applications for research

14 access.

15 Q. And is the reason -- are some of the reasons why it's

16 necessary from the point of view of HMPPS to go through

17 this approval process that the HMPPS, the Prison and

18 Probation Service, wants to ensure various objectives,

19 including the robustness and relevance of the research

20 that would take place to make sure that that is

21 adequately assessed?

22 A. I think that's part of it. We also receive a very high

23 volume of requests to conduct research at various

24 levels, from undergraduates right through to big

25 organisations, so that there is also an issue there

23

1 obviously around the efficacy and quality control of the

2 research, but also the amount that we can reasonably

3 accommodate and whether it's going to add value to us as

4 an organisation as well.

5 Q. So you are looking at resource implications and the

6 extent to which they might need access to frontline

7 staff and so on?

8 A. Yes, very much so.

9 Q. The final document I want to take you to, please,

10 {DC6674/1}. So can we see here a letter to "Dear Ruth",

11 I can tell you that's Dr Armstrong, dated 9 July 2018,

12 from the HMPPS National Research Committee. Can we just

13 drop down so we can see the bottom of the -- thank you.

14 So we can see that it's a letter to Ruth and it's from

15 someone called Anna Upson from the National Research

16 Committee; do you see that?

17 A. I do, yes.

18 Q. And towards the top, under "Final approval -- HMPPS

19 research", can we see there the title:

20 "Following Learning Together: Transitioning beyond

21 Prison and University Walls."

22 We will see how far you can actually assist with

23 this, but that is the title of some research that

24 Learning Together and Ruth Armstrong were proposing to

25 conduct, an application process had been made, and can

24

1 we see here the letter in response to that application  
 2 granting approval?  
 3 A. Yes.  
 4 Q. So just to summarise the position, if academics like  
 5 Drs Armstrong or Ludlow want to enter a prison to  
 6 conduct research, they won't be permitted to do that  
 7 until they go through this process and until they  
 8 receive this kind of approval to do it?  
 9 A. Yes.  
 10 MR GRIFFIN: Thank you. Thank you very much.  
 11 A. Thank you.  
 12 JUDGE LUCRAFT: Thank you, Mr Griffin. I don't think there  
 13 are any others.  
 14 Mr Vince, thank you very much indeed for coming to  
 15 assist us. Thank you very much indeed. I'm sorry we  
 16 kept you overnight but you are now free to leave us,  
 17 thank you.  
 18 A. Sir, if I may, Jack and Saskia's families weren't here  
 19 yesterday and I just wanted the opportunity to extend my  
 20 personal condolences but also across HMPPS for your  
 21 loss. I'm really very sorry.  
 22 JUDGE LUCRAFT: Thank you very much, Mr Vince.  
 23 MR HOUGH: Sir, the next witness is Calum Forsyth.  
 24 JUDGE LUCRAFT: Thank you.  
 25

25

1 PS CALUM FORSYTH (sworn)  
 2 JUDGE LUCRAFT: Good morning, if you wish to take a seat,  
 3 please do. There's a seat just by the side. If you are  
 4 happy to do so, please feel free to remove your mask  
 5 whilst giving evidence.  
 6 A. Thank you.  
 7 JUDGE LUCRAFT: I expect there will be some documents and  
 8 things shown to you. They will appear on the small  
 9 screen in front of you or on the larger screens in the  
 10 courtroom.  
 11 A. Thank you.  
 12 Questions by MR HOUGH QC  
 13 MR HOUGH: Would you please give your full name for the  
 14 court?  
 15 A. My name is Calum Davidson Forsyth.  
 16 Q. Mr Forsyth, you understand I am asking questions first  
 17 on behalf of the Coroner and then you will have  
 18 questions from other lawyers later?  
 19 A. Yes.  
 20 Q. Were you, over the time that we're concerned with, so  
 21 late 2018 to late 2019, a police sergeant in  
 22 Staffordshire Police?  
 23 A. That's correct, yes.  
 24 Q. And are you still in the force with that rank?  
 25 A. Yes, I am, yes.

26

1 Q. Over that period, were you involved in managing  
 2 Usman Khan in ways we'll address after his release from  
 3 prison?  
 4 A. That's correct, yes, I was.  
 5 Q. First a little about your personal background and  
 6 experience. Is it right that you began service as  
 7 a police officer in 1993 and came to  
 8 Staffordshire Police in 2003?  
 9 A. Yes.  
 10 Q. While in Staffordshire Police, have you worked primarily  
 11 as a frontline uniformed officer, including duties such  
 12 as public order and evidence-gathering?  
 13 A. Yes, I have.  
 14 Q. Since 2010, have you served as a Prevent officer in  
 15 addition to other duties?  
 16 A. Yes.  
 17 Q. In essence, are Prevent officers, officers who are  
 18 trained to work alongside other organisations in moving  
 19 people away from extremism?  
 20 A. That's correct, yes.  
 21 Q. In that capacity, have you undertaken a number of  
 22 training and awareness courses both regional and  
 23 national over the years?  
 24 A. Yes, related to Prevent, yes.  
 25 Q. What sort of training, in a sentence or two?

27

1 A. Well, the training has evolved now, so the recent  
 2 training I haven't done, for new recruits to Prevent,  
 3 but initially it was staged courses, awareness around  
 4 community engagement, some sensitivities in communities,  
 5 different religious or faith backgrounds, and  
 6 awareness-raising for — I've done contact officer  
 7 training, which is supporting the Pursue investigators  
 8 when they execute warrants, but again, that's in the  
 9 capacity of looking for vulnerabilities in the wider  
 10 family and support, they're not part of the  
 11 investigation, so I've done training in relation to  
 12 that, and basically just working round those areas.  
 13 Q. Is it right, in simple terms, that a Prevent officer  
 14 may, for example, go to a school —  
 15 A. Yes.  
 16 Q. — or a place of worship or some such place where  
 17 a concern has been raised about potential radicalisation  
 18 or extremism, and you can both gather information and  
 19 provide guidance?  
 20 A. That's correct, yes.  
 21 Q. Has your training covered the investigation of terrorist  
 22 offenders?  
 23 A. Not specifically, and in the initial awareness, a number  
 24 of years ago, the investigators would come in and  
 25 explain what their role is but that's no more than

28



1 an awareness as opposed to a training and what  
 2 investigation means.  
 3 Q. Have you had training in risk assessment, either of  
 4 offenders generally or of terrorist offenders  
 5 specifically ?  
 6 A. Not specifically , no.  
 7 Q. Had you, before the events we're concerned with, any  
 8 experience of using a tool called the Vulnerability  
 9 Awareness Framework?  
 10 A. The Vulnerability Assessment Framework, yes, I have,  
 11 yes.  
 12 Q. And what's the function of that framework?  
 13 A. That's a framework that is based or derived from the  
 14 ERG 22+. It's the number of same factors, the 22  
 15 factors, plus anything else that may be relevant. For  
 16 our purposes, assessing the vulnerability of  
 17 an individual or susceptibility of an individual that  
 18 they may be getting drawn into an extremist ideology.  
 19 It takes us through the different headings of, I think,  
 20 intent, capability and engagement, and asks us a series  
 21 of questions based on the information, the basic  
 22 information we know at the start, to assess that  
 23 individual as to what level of vulnerability we think  
 24 we've got and what we may need to work with if they are  
 25 accepted within Prevent and we're going to work with

29

1 them.  
 2 Q. Had you been trained on using that tool?  
 3 A. I had an input on that when it was called ACPO a number  
 4 of years ago.  
 5 Q. If you are able to say, what security clearance, if any,  
 6 have you had over the period we're concerned with?  
 7 A. My security clearance is SC Enhanced.  
 8 Q. So Enhanced Security Clearance?  
 9 A. Yes.  
 10 Q. And that's, I think, the middle level between CTC and  
 11 Developed Vetted.  
 12 A. Yes, that's correct .  
 13 Q. Next, please, can I ask you a little about where you  
 14 were based and who you worked with. In the period  
 15 between 2015 and 2019, which station were you based at?  
 16 A. I worked at headquarters within the Special Branch area.  
 17 Q. Until late 2018, is it right that your team were managed  
 18 by officers from Staffordshire Police Special Branch?  
 19 A. That's correct, yes.  
 20 Q. And just for anyone who doesn't know, is it right that  
 21 Special Branch is the unit in any force responsible for  
 22 matters of national security and intelligence?  
 23 A. Yes, so we're the Prevent, they're Pursue , so it 's  
 24 another strand, yes.  
 25 Q. Over most of the time we're concerned with, was the head

30

1 of Special Branch someone called DI Nick Powell?  
 2 A. That's correct, yes.  
 3 Q. Was his successor then DI Rob Hessel?  
 4 A. Yes.  
 5 Q. Where physically were they and their officers based?  
 6 A. Across the corridor .  
 7 Q. So a short stroll from where you worked?  
 8 A. Yes. Yes.  
 9 Q. Were you, as a result of the management structure, used  
 10 to dealing with those officers in the ordinary course of  
 11 your duties?  
 12 A. Yes, on a daily basis, yes.  
 13 Q. In late 2018 was there a change so that your team had  
 14 a different management — line of management?  
 15 A. There was a change. I think the force thematically for  
 16 Prevent had changed, and as part of that change I think  
 17 he had expressed if he was taking the portfolio, he  
 18 wanted to have management of the staff that came under  
 19 that portfolio, and so we were notified that I would  
 20 move out of, I think, investigative services, or  
 21 intelligence, whichever directorate we were in at the  
 22 time, into neighbourhood policing directorate.  
 23 Q. Did that make any difference in practical terms to your  
 24 relations with the Special Branch officers down the  
 25 corridor?

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1 A. Not in practical terms, no, we still liaised with them  
 2 on a daily basis. We didn't move our office, we didn't  
 3 move out of that environment, so my daily contact was  
 4 still with them.  
 5 Q. For what sort of purposes were you in daily contact with  
 6 them in your ordinary Prevent role?  
 7 A. We would attend — every morning there's an 8.30 office  
 8 meeting just to catch up on events from the previous  
 9 day, anything that may have come in overnight that needs  
 10 assessing. They would come in in the morning, and go  
 11 through the jobs that may be tagged for them on various  
 12 systems to look at, and then there would be  
 13 a conversation in the office. If anyone thought that  
 14 may be something that Prevent should be looking at, we  
 15 would have those conversations, anything that we wanted  
 16 to update on anything we'd been doing that might be of  
 17 interest and just seeing where we're at, what workloads  
 18 we've got on at the time, just so everybody's aware what  
 19 the overnight picture looked like and is there any  
 20 issues that we need to raise.  
 21 Q. Is it then right that they could provide you with  
 22 intelligence —  
 23 A. Yes.  
 24 Q. — about extremism that might be relevant to your  
 25 function, obviously subject to your security clearance

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1 level?  
 2 A. Yes, that's correct.  
 3 Q. In that capacity, did you know, as well as Mr Hessel,  
 4 an officer called DS Stephenson, Jon Stephenson, who was  
 5 your colleague?  
 6 A. Yes, I did, yes.  
 7 Q. Now, next, West Midlands Police Counter—Terrorism Unit.  
 8 West Midlands Police obviously a different force from  
 9 your force, Staffordshire, but did West Midlands have  
 10 a counter—terrorism unit which, for some purposes, had  
 11 responsibilities for a broader region, including  
 12 Staffordshire?  
 13 A. That's correct, yes.  
 14 Q. Now, we will hear about officers from a team called  
 15 Team 7, including a DS Jerromes. Did you know them?  
 16 A. Not initially, but I came to know DS Jerromes, yes.  
 17 Q. Were you aware that officers from that team had  
 18 a responsibility for managing terrorist offenders in the  
 19 community in the West Midlands region?  
 20 A. Yes, that's — yes, that's correct.  
 21 Q. So not initially in the Staffordshire region?  
 22 A. No.  
 23 Q. What degree of contact did you have with West Midlands  
 24 Police Counter—Terrorism Unit generally?  
 25 A. Well, Prevent, the regional headquarters, if you like,

1 is based at the Counter—Terrorism Unit, so the managers  
 2 there, we would be in fairly regular contact with. Any  
 3 regional training would involve us going down to the CTU  
 4 to attend that training. I have, on a number of  
 5 occasions, attended other meetings there, maybe as part  
 6 of the community Pathfinder process and whatever the  
 7 predecessor was for cases the probation are managing  
 8 that are coming out into the community, and again, it's  
 9 that almost multi—agency approach as to whether or not  
 10 they need to become Prevent referrals.  
 11 So I would have regular contact with the CTU down  
 12 there.  
 13 Q. But is this right: your primary source of  
 14 counter—terrorist intelligence was your colleagues at  
 15 Staffordshire Special Branch down the corridor?  
 16 A. That is correct, yes.  
 17 Q. May we now move on to managing terrorist offenders. Is  
 18 it right that before 2015, you played no part in  
 19 managing any terrorist offender in the community?  
 20 A. That's correct.  
 21 Q. In 2015, did you discover that a gentleman called  
 22 Mohibur Rahman, who had been a co—defendant with  
 23 Usman Khan, was being released from prison and would be  
 24 placed in Staffordshire?  
 25 A. Yes, I did.

1 Q. Was he the first such terrorist offender being placed in  
 2 Staffordshire in your experience?  
 3 A. Yes, he was, yes.  
 4 Q. The jury have heard that a terrorist offender released  
 5 into the community in recent years would typically be  
 6 subject to part 4 notification requirements for a period  
 7 of between 10 and 30 years under the Counter—Terrorism  
 8 Act 2008, requiring them to tell police of such matters  
 9 as change of address; you're aware of that?  
 10 A. Yes.  
 11 Q. And I think you're also aware that the legislation  
 12 changed during the course of 2019 to add some more  
 13 notification requirements?  
 14 A. That's correct, yes.  
 15 Q. Was the monitoring of Rahman's TACT notification  
 16 requirements placed with your team?  
 17 A. Yes, it was.  
 18 Q. How was that decided?  
 19 A. I became aware of it, I think, I can't recall the  
 20 meeting or where it happened, it was prior to Team 7  
 21 existed, there was risk managers or offender management  
 22 team at that time under the Prevent umbrella, but they  
 23 were specialist and solely managing offenders such as  
 24 Mr Rahman, and I got an invite to say: you need to come  
 25 to MAPPA because we're discussing this case, he will be

1 coming to Staffordshire, and it's a Staffordshire case,  
 2 it's for Staffordshire to manage, and that's kind of how  
 3 I got notified of that.  
 4 Q. So you were told that you would be managing the TACT  
 5 notification requirement; was there any other aspect to  
 6 the management role for Rahman?  
 7 A. Apart from making sure we do visits and report any  
 8 concerns back into Special Branch, no.  
 9 Q. Is this right: you understood from the start of your  
 10 dealings with Rahman that what you were there to do was  
 11 to be the force that would receive the TACT notification  
 12 requirements, and also that you and your officers would  
 13 have periodic visits to Rahman and report back any  
 14 matters of concern or interest to your Special Branch  
 15 colleagues?  
 16 A. That's correct. Initially he was being managed by  
 17 West Midlands because he had come out initially on  
 18 licence to approved premises within West Midlands. So  
 19 the notification informing him was initially carried out  
 20 by the West Midlands, but subsequently after recalls he  
 21 came out at licence—end onto Staffordshire, so it  
 22 transferred to us.  
 23 Q. Were you content with the decision that had been made to  
 24 give you this responsibility, and did you understand the  
 25 reasoning?

1 A. Content I think is the wrong word. Daunted, a little  
 2 bit, because he was the first one for Staffordshire and  
 3 looking at the structure West Midlands had in place at  
 4 the time and comparing that to myself and three police  
 5 officers, it was hard to replicate, but we had to put  
 6 something in place that would allow us to monitor and  
 7 ensure he complied with his notifications.  
 8 Q. You referred to three police officers; is that because  
 9 you had a team of you and three constables?  
 10 A. That's correct, yes. That is the Prevent Team for  
 11 Staffordshire Police.  
 12 Q. Now, we may hear from others that the duty to monitor  
 13 TACT notification requirements for an offender placed in  
 14 the Staffordshire area simply naturally fell to  
 15 Staffordshire Police, it wasn't allocated to  
 16 West Midlands Counter-Terrorism Unit under any standing  
 17 agreement; would you accept that?  
 18 A. Yes.  
 19 Q. After that meeting, were you tasked by the head of  
 20 Staffordshire Special Branch to formalise the process,  
 21 including by producing a policy?  
 22 A. Yes.  
 23 Q. May we look, please, on screen at {DC5514/1}. Is this  
 24 a policy you produced on 16 July 2015 for this purpose?  
 25 A. I put that together -- when I say I produced it, that's

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1 essentially the same policy that was being utilised by  
 2 West Midlands at the same time, that it made sense if  
 3 that's what they were working to, to try and replicate  
 4 that and just add the Staffordshire element to it.  
 5 Q. For this purpose, did you ask West Midlands for their  
 6 policy and adapt it as necessary?  
 7 A. Yes, I did.  
 8 Q. Then if we go to {DC5514/2}, please, and a guidance at  
 9 the bottom of the page, after you had dealt with the  
 10 legislative requirements, or after the policy had done  
 11 so, did the policy go on to indicate that monitoring  
 12 would be by a process of regular home visits?  
 13 A. Correct, yes.  
 14 Q. Did you submit this policy to anyone for approval?  
 15 A. I submitted it to the head of Special Branch at that  
 16 time.  
 17 Q. Did you get any response?  
 18 A. No, I didn't.  
 19 Q. We can take that off screen now.  
 20 A little about the history of Mohibur Rahman. May  
 21 we have on screen {DC5515/1}. Can we see here  
 22 a chronology of Mohibur Rahman, which you prepared  
 23 in September 2017?  
 24 A. That's correct, yes.  
 25 Q. And if we go to {DC5515/2}, please, can we see that he

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1 was released on licence to an approved premises in  
 2 Birmingham in 2013, so that's, as you were saying, he  
 3 was released into the West Midlands area initially?  
 4 A. Correct, yes.  
 5 Q. Subject to part 4 requirements, managed by Birmingham  
 6 MAPP and Counter-Terrorism Unit?  
 7 A. Yes.  
 8 Q. And without going into the detail too much, is it right  
 9 that he breached his licence and was recalled to prison  
 10 twice?  
 11 A. Yes.  
 12 Q. And then on his later release, we see in June 2015, he  
 13 came to Staffordshire and at that point, he was managed  
 14 by your team?  
 15 A. Yes.  
 16 Q. Then if we go down the page, please, can we see that  
 17 10 months into the process, in April 2016 he breached  
 18 his part 4 conditions by failing to notify a change of  
 19 address?  
 20 A. That's correct, yes.  
 21 Q. Was he then charged with that breach and convicted?  
 22 A. Yes, he was.  
 23 Q. If we can go to {DC5515/3}, please, in that chronology  
 24 document, you pointed out in the last paragraph:  
 25 "Within Staffordshire Police, it is the Prevent Team

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1 that will manage individuals who are subject to part  
 2 4... but there is no risk assessor training to support  
 3 this in the same way that VISOM's get risk assessor  
 4 training. In my view this is an area that should be  
 5 looked at."  
 6 What is VISOM?  
 7 A. That's the violent and sex offender managers.  
 8 Q. Is that a point you made following on from the  
 9 experience with Rahman?  
 10 A. That is correct, yes.  
 11 Q. Were any further policies or procedures introduced after  
 12 this episode in 2016?  
 13 A. No, not that I'm aware of, no.  
 14 Q. Was any risk assessment training brought in along the  
 15 lines of your suggestion?  
 16 A. Not that I'm aware of, no.  
 17 Q. Did you raise those omissions with anyone, so far as can  
 18 you recall?  
 19 A. Not subsequently, no. I raised over the period of time  
 20 different concerns about our team managing part 4s, but  
 21 it wasn't necessarily in relation to that.  
 22 Q. We'll come to those later so far as they relate to Khan.  
 23 Is it right that between the Rahman experience and Khan  
 24 in late 2018, you had no more part 4 cases allocated?  
 25 A. That's correct, yes.

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1 Q. Over that period, did you raise any concerns with any  
 2 management or anyone within the police about the role  
 3 you had had in relation to Rahman, or similar roles in  
 4 future?  
 5 A. No, I didn't, because I took this document as it went to  
 6 the investigation team or, I think, SO15, I believe,  
 7 I don't know for certain. I didn't pursue that because  
 8 we had no further cases at that time.  
 9 Q. We can take that off screen now.  
 10 Is it right that you knew about Khan before 2018  
 11 from his activities on the da'wah stalls in 2010?  
 12 A. I knew of him, yes.  
 13 Q. Did you play a part in gathering intelligence and  
 14 information about the activities of his group which was  
 15 used in the original court case against him?  
 16 A. Yes, I played a small part. When I joined Prevent as  
 17 a sergeant in 2010, I think it was March 2010, and they  
 18 were arrested in December that year, so there was  
 19 an element of the team were gathering community  
 20 information with a view to try and produce a community  
 21 anti-social behaviour order against their activities,  
 22 and that got subsequently used in their trial.  
 23 Q. Did you know anything from that work about Khan's  
 24 mindset, ideology and motivation?  
 25 A. Other than that he was inspired by Islam4UK at the time,

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1 his standing within the group, or how committed he was,  
 2 no, because I'd never actually met him.  
 3 Q. Did you become aware through that connection of his  
 4 offending and his conviction?  
 5 A. Yes.  
 6 Q. Were you aware of the basis of his ultimate plea and  
 7 conviction, in short that he had been conspiring to  
 8 establish a terrorist training camp in Kashmir?  
 9 A. Yes, I knew he had pleaded guilty, yes.  
 10 Q. Did you know that that was the basis, that that was  
 11 what --  
 12 A. Sorry, yes. That it was something overseas, yes.  
 13 Q. Were you also aware that there was evidence presented in  
 14 the course of the trial, or at least discussed in the  
 15 prosecution's opening note, about him discussing  
 16 a recipe for a pipe bomb and its potential use?  
 17 A. I wasn't aware of the pipe bomb, particularly. I was  
 18 aware that there had been early conversations between  
 19 the group about the potential for devices in pubs and  
 20 clubs within Stoke-on-Trent at some undisclosed date in  
 21 the future, but I wasn't aware specifically, I don't  
 22 believe, that it was a pipe bomb.  
 23 Q. Were you aware that Khan had any connection with those  
 24 discussions about potential attacks in Stoke?  
 25 A. As being part of the group, that was my understanding.

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1 Q. In fact, his conviction wasn't in relation to that.  
 2 A. No.  
 3 Q. But was that something you were aware of?  
 4 A. Yes.  
 5 Q. May we have on screen {DC7517/5}. Now, can we see here  
 6 an email of 4 July 2017 to DI Powell and you giving  
 7 a list of TACT offenders charged and convicted for  
 8 Staffordshire?  
 9 A. Yes.  
 10 Q. And telling you that Usman Khan is due for release  
 11 in December 2018 with planning to commence in the new  
 12 year?  
 13 A. Yes.  
 14 Q. Was this your first indication that Khan would be  
 15 another offender to be managed by your team?  
 16 A. Yes.  
 17 Q. Having received that email, did you raise any issues  
 18 with anyone either in Special Branch or elsewhere in the  
 19 police about the fact that you still hadn't been trained  
 20 to deal with these people, and that you hadn't any more  
 21 policies and procedures?  
 22 A. Not at that point I didn't, no. Not that I'm aware of,  
 23 anyway.  
 24 Q. Can we go to {DC7517/16} of the same document, please.  
 25 January 2018, can we see that you received an email

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1 concerning MAPPAs meetings, telling you of the expected  
 2 dates for a number of MAPPAs meetings which you would be  
 3 attending in relation to Usman Khan?  
 4 A. Yes.  
 5 Q. The first in June 2018.  
 6 By that stage, were you familiar with attending  
 7 MAPPAs meetings?  
 8 A. I had attended them for Mr Rahman in that context, so  
 9 yes.  
 10 Q. So by this stage you had in five months' time to start  
 11 on the role of managing Usman Khan?  
 12 A. Yes.  
 13 Q. Did you have any concern about having to take on that  
 14 role once again?  
 15 A. Nothing that I put in writing, but yes, it's that  
 16 starting to think ahead, how are we going to manage this  
 17 and the mechanics behind that. In that sense, yes, but  
 18 not anything I committed to writing, no.  
 19 Q. Setting aside what you committed to writing, did you  
 20 speak to anyone, either in Special Branch, in  
 21 Staffordshire Police, West Midlands Police, anyone in  
 22 the force, raising concerns about training procedures or  
 23 the fact that you were doing this job at all?  
 24 A. I did on a couple of occasions, I can't recall exactly  
 25 when, so I wouldn't like to say where in the timescale.

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1 I know I raised with Nick Powell, DI Powell, my  
 2 concerns. Not because I'd got an inability to do the  
 3 job, particularly, but these jobs are quite intensive  
 4 and time consuming and when you are carrying your day  
 5 job as well as Prevent staff and certainly my staff as  
 6 case managers, and a lot of partner meetings, some of  
 7 the issues around management of part 4 can be very  
 8 time-critical, which can impact on your day job, the  
 9 other functions you're carrying out. If this was all we  
 10 were doing, we would be able to build probably a really  
 11 robust structure around that, but whilst managing  
 12 vulnerable people at the same time, those were my  
 13 concerns as to were we equipped to do that and could we  
 14 mirror what West Midlands had in place.  
 15 Q. In simple terms, were you telling Nick Powell that this  
 16 was one job too many, or were you telling him that this  
 17 was a job for which you hadn't been properly trained and  
 18 prepared?  
 19 A. I was essentially saying this -- not so much the one,  
 20 I knew this was one of a number due to come out in the  
 21 preceding 12 months after that, that would then, in my  
 22 view, become or leave us vulnerable to being able to do  
 23 our job correctly at that time. It wasn't so much about  
 24 I'm not trained; it was more about our capacity to take  
 25 this on as a function.

1 Q. We can take that off screen now.  
 2 There was a first MAPPA meeting in June 2018. We'll  
 3 see that you attended that. What did you receive by way  
 4 of documents and preparation before that meeting?  
 5 A. I don't recall I received anything before, because the  
 6 MAPPA minutes, as I understand it, can't be emailed out:  
 7 they get put onto VISOR, and I don't recall if  
 8 I actually had sufficient VISOR access at that time --  
 9 I gained that subsequently -- but the minutes can't be  
 10 released from the room. So the first time I usually had  
 11 sight of the minutes was when I arrived at MAPPA.  
 12 Q. Okay, let's take this in stages. First of all, we know  
 13 that a MAPPA F form was prepared before the June  
 14 meeting, an information-sharing form. Did you receive  
 15 that?  
 16 A. I can't recall. If I did, I honestly can't recall.  
 17 Q. Did anybody brief you in advance of the MAPPA meeting  
 18 about Khan's background?  
 19 A. No.  
 20 Q. Did you ever receive OASys assessments or ERG reports  
 21 that have been prepared about Khan?  
 22 A. I have seen an ERG. Where that was in the timescale  
 23 from attending MAPPA, I don't know, but I do know I had  
 24 seen one that was prepared in 2018 in prison.  
 25 Q. Was that before the first MAPPA or...?

1 A. I can't recall, I honestly can't recall. I may have  
 2 asked for it as a result of that first meeting when it  
 3 was being discussed but I genuinely can't recall.  
 4 Q. Can you recall on coming to that first meeting whether  
 5 you were aware that Khan was somebody who had been quite  
 6 disruptive in prison and remained a figure of  
 7 considerable concern?  
 8 A. Not prior to the meeting, no.  
 9 Q. Let's look at the meeting minutes, {DC6406/1}. At  
 10 {DC6406/2} we can see that details of his offending  
 11 history were given towards the bottom of the page. Was  
 12 that information that came to you in the course of the  
 13 meeting to the extent you didn't know it already?  
 14 A. Yes, that was the first -- that was the first  
 15 information, yes.  
 16 Q. Then {DC6406/3}, the bottom of the page, we see there  
 17 the attendees of the meeting, the chair, Mr Byford from  
 18 the Probation Service, various officers from  
 19 West Midlands CTU, and down there towards the bottom,  
 20 you and Mr Powell from Staffordshire Police?  
 21 A. Correct, yes.  
 22 Q. And then {DC6406/4}, please. If we go down the page, we  
 23 can see that details are given of adjudications and some  
 24 prison information?  
 25 A. Yes.

1 Q. Is this the first time you were receiving that sort of  
 2 information?  
 3 A. Yes.  
 4 Q. And then {DC6406/5} towards the lower part, we can see  
 5 that there's a security update of prison intelligence,  
 6 which identifies Khan as being a radicalising influence  
 7 in prison?  
 8 A. Yes.  
 9 Q. So was that information that came to you in this MAPPA  
 10 meeting?  
 11 A. It did, yes. I don't think it registered completely,  
 12 because I was looking at the dates on it, but that  
 13 information was presented, yes.  
 14 Q. If we look at the bottom paragraph, can we see that  
 15 there's reference to Khan having crept below the  
 16 Counter-Terrorist Unit radar over recent times, and over  
 17 the page to {DC6406/6}, it being pointed out that his  
 18 ideologies may not have changed, and that he may be  
 19 behaving in a deceptively compliant manner to facilitate  
 20 release. Is that a point you recall making?  
 21 A. I do recall a conversation about the timing of his  
 22 apparent good behaviour, and I guess the timing of his  
 23 release, yes.  
 24 Q. So is it right, being entirely fair to you, that that  
 25 was a concern you were aware of from the outset: that

1 this is somebody who may have been compliant in his  
 2 recent time in prison --  
 3 A. Yes.  
 4 Q. -- but may not have been honest about it?  
 5 A. Yes, that's correct.  
 6 Q. Then we see {DC6406/6} reference to the ERG report, and  
 7 further up the page, please, with a series of risk  
 8 factors identified, including matters such as lack of  
 9 purpose, unemployment, difficulty of integration.  
 10 A. Yes.  
 11 Q. Then if we go down the page, we can see that there's  
 12 a report here given by probation. I believe this was  
 13 given by Mr Skelton, based on his evidence. Had you met  
 14 him before?  
 15 A. I'd met him prior to -- I don't recall. I was aware who  
 16 he was, but prior to this, this is when we started  
 17 making formal introductions and knowing that we would be  
 18 working together.  
 19 Q. Over the course of the following year, did you develop  
 20 a good and constructive working relationship with  
 21 Mr Skelton?  
 22 A. Yes, I did, yes.  
 23 Q. And we can see that Mr Skelton identified a mosque that  
 24 had been chosen for him, for Khan, and the approved  
 25 premises he was to reside at?

1 A. Yes.  
 2 Q. And then {DC6406/7}, please, the bottom of the page,  
 3 section 13, the MAPPA minutes record an assessment made  
 4 by the Prison and Probation Service's OASys system,  
 5 grading Usman Khan as presenting a very high risk of  
 6 serious harm to the general public. Were you aware what  
 7 that grading meant?  
 8 A. I'm not sure -- I know it was a risk assessment carried  
 9 out by probation, and I think I understood it links to  
 10 his index offence, probably his behaviours in prison,  
 11 and the fact of coming out. You understand that  
 12 obviously he is a convicted terrorist at that time, it's  
 13 not his sentence--end as such, it's a time at which he is  
 14 being released, so he will remain a risk until you can  
 15 assess him, but various people are going to be assessing  
 16 him once he is in the community.  
 17 Q. This risk assessment was produced by OASys, which is  
 18 a structured risk assessment tool. Did you know what  
 19 OASys was and how it worked?  
 20 A. No, I didn't. I still don't think I've ever seen OASys.  
 21 Q. Therefore, it's fair to say that you didn't know how  
 22 this risk rating had been arrived at?  
 23 A. No.  
 24 Q. What sort of detailed process had been gone through?  
 25 A. No, not at all.

1 Q. And did you know that the meaning of very high risk was  
 2 that an incident giving rise to serious harm was more  
 3 likely than not?  
 4 A. Well, whether I would note in that term, but the term  
 5 very high risk, I would have some understanding of what  
 6 that would mean.  
 7 Q. Then if you can go to {DC6406/9}, please, we can see the  
 8 actions arising from the meeting, and can we see that  
 9 for you, there was an action to obtain a full update  
 10 about Khan's co-defendants?  
 11 A. Yes.  
 12 Q. And that was presumably to understand the people with  
 13 whom he may have contact?  
 14 A. Yes, and I think it was a shared action with  
 15 Nick Powell, between us, and I actually think it was  
 16 probably the main SB office that produced that update.  
 17 Q. The jury will hear that in August 2018, MI5 re--opened  
 18 a priority investigation into Khan in preparation for  
 19 his release, an investigation which had been closed for  
 20 much of the time he spent in prison. Were you made  
 21 aware of that at the time?  
 22 A. No.  
 23 Q. Were you made aware of that subsequently?  
 24 A. No, and I've thought about this: I know he was part of  
 25 an investigation. Whether I thought -- and I don't

1 believe I ever thought that that meant he was in  
 2 a priority operation with MI5. My understanding was  
 3 that he would be looked at, obviously, given the nature  
 4 of his offending, and who he is. My understanding was  
 5 that that investigation would be to see whether he would  
 6 be going on a trajectory that would put him into  
 7 a priority operation, but that's my lack of  
 8 understanding of those processes, investigations, but he  
 9 knew it was an investigation.  
 10 Q. Just to be clear, were you aware while you were dealing  
 11 with him that he was under investigation or under  
 12 consideration by MI5 specifically?  
 13 A. Not that he was in a priority group operation.  
 14 I assumed MI5 retained an interest, but to what level  
 15 I wasn't entirely clear.  
 16 Q. Did you ever, however, have contact yourself with MI5?  
 17 A. Not that I recall directly, no.  
 18 Q. The jury may hear that there was contact between MI5 and  
 19 your Special Branch colleagues --  
 20 A. Mm--hm.  
 21 Q. -- and, indeed, with West Midlands counter--terrorism  
 22 officers. Was that something you were aware of?  
 23 A. Yes, I would have been aware of that, yes.  
 24 Q. Between that first meeting in June 2018 and the next  
 25 meeting in August 2018, can you recall having done

1 anything in relation to Khan's case?  
 2 A. Not that I can recall as I sit here now.  
 3 Q. Next, please, {DC6407/1}. Now, this is the second MAPPA  
 4 meeting on 15 August 2018, and you were, once again, in  
 5 attendance. I think you can confirm that?  
 6 A. Yes.  
 7 Q. {DC6407/6}, please, towards the top of the page, we can  
 8 see a further security update from the prison, referring  
 9 to concerning associations between Khan and other  
 10 offenders at the prison, and a reference to Khan  
 11 speaking with others about a snitch --  
 12 A. Mm--hm.  
 13 Q. -- suggesting that harm was intended; do you recall  
 14 those discussions?  
 15 A. I recall seeing that, yes.  
 16 Q. And then down the page, please, under "Police", can we  
 17 see that the police are described providing information  
 18 about a co-defendant; was that a report arising out of  
 19 the action we saw a few moments ago?  
 20 A. That will have been, yes.  
 21 Q. Was that from Mr Powell?  
 22 A. Whether he produced it or got the offer to produce it,  
 23 but that was that -- that's the result of that shared  
 24 action, yes.  
 25 Q. And I think it was -- the suggestion is minuted that

1 Usman Khan might have been in contact with his  
 2 co-defendant's wife?  
 3 A. Yes.  
 4 Q. Then if we go to {DC6407/8}, please, can we see that in  
 5 this meeting under "Restrictive factors", a series of  
 6 licence conditions were proposed?  
 7 A. Yes.  
 8 Q. We can take that off screen now.  
 9 Between that second meeting in August 2018 and the  
 10 third MAPPA meeting in October 2018, can you recall  
 11 whether there was anything for you to do?  
 12 A. Not that I can recall.  
 13 Q. We can put the minutes of the third meeting then on  
 14 screen, {DC6408/1}, once again I think you were in  
 15 attendance at this meeting?  
 16 A. Yes, I was.  
 17 Q. If we go to {DC6408/5}, please, in the middle of the  
 18 page, can we see that once again a security intelligence  
 19 update was given including about Khan's associations and  
 20 a reference this time to him "holding court" in the  
 21 prison. The fourth paragraph under "Summary of  
 22 Intelligence".  
 23 A. Oh, I see, thank you, yes.  
 24 Q. Yes. So by this stage were you getting the impression  
 25 that Khan was seen by the prison authorities as somebody

1 integrated into extremist gangs and groups in the  
 2 prison?  
 3 A. I was certainly getting the impression, yes, that he was  
 4 a problematic individual in prison, yes.  
 5 Q. And then {DC6408/6}, please, the middle of the page, if  
 6 we look at the third paragraph under "Probation", do we  
 7 see that Mr Skelton gave a report about Khan's  
 8 connection with the Learning Together programme, and  
 9 spoke about a dramatic improvement since he had become  
 10 involved in that about 12 months previously {DC6408/6}.  
 11 A. Yes.  
 12 Q. Do you remember that as a theme from Mr Skelton's  
 13 report?  
 14 A. Yes.  
 15 Q. We can take that off screen now.  
 16 In late November 2018 did you along with Mr Skelton  
 17 visit Usman Khan in Whitemoor?  
 18 A. Yes, we did.  
 19 Q. May we put on screen {DC7380/1}. We can see here  
 20 an intelligence log summary referring to a prison visit  
 21 on 28 November 2018; was that the prison visit?  
 22 A. Yes.  
 23 Q. Can we see from this report that you record Khan  
 24 speaking to you?  
 25 A. Yes.

1 Q. And saying a bit about his stage of life and his  
 2 approach to life?  
 3 A. Yes.  
 4 Q. You record that he said he'd been caught up in ideology  
 5 when he was an angry young man, and if we go down, we  
 6 can see about six or seven lines down he says that over  
 7 the past 18 months he has changed a lot, really focused  
 8 on being a writer?  
 9 A. Yes.  
 10 Q. Can we also see that he went on to speak about breaking  
 11 ties with old associates, the last one being from  
 12 somebody called Joseph Holland, a friend from his youth?  
 13 A. Correct.  
 14 Q. On that occasion, did you serve him with a part 4 notice  
 15 and a notification form for part 4 purposes?  
 16 A. Yes, I did, yes.  
 17 Q. Is there anything else significant you can remember from  
 18 that visit, your first meeting with him?  
 19 A. Not significantly. He was -- I don't know what I was  
 20 expecting, if I'm honest with you. I think from  
 21 attending MAPPA I was maybe expecting somebody to be  
 22 a little bit confrontational, given that I was informing  
 23 him that from a police perspective and part 4  
 24 notification perspective we were going to be involved in  
 25 his life for the next 30 years, so I was probably

1 expecting a little bit of reticence or pushback, but  
 2 I was quite surprised that I got quite the opposite: he  
 3 was very open, keen to talk, and accepting, or seemingly  
 4 accepting, of what I was informing him of.  
 5 Q. We can take that off screen now, and may we put on the  
 6 screen document {DC5526/1}. Now, is this a document you  
 7 prepared the next day, 30 November, or, sorry, two days  
 8 later, 30 November 2018, a risk assessment matrix?  
 9 A. That's correct, yes.  
 10 Q. Now, in preparing this, were you using the vulnerability  
 11 awareness or assessment framework?  
 12 A. Not as such. The factors are very similar, so that  
 13 would have shaped my thinking. I would have probably  
 14 looked at this more from vulnerability than anything if  
 15 I'm honest with you.  
 16 Q. Did anybody tell you to produce this document or was it  
 17 something you produced off your own bat?  
 18 A. No, this was one of the documents -- when I initially  
 19 sat down with West Midlands Police back in 2015, this  
 20 was one of the documents they said: this is what we fill  
 21 in and this is what -- to determine -- essentially used  
 22 to determine the frequency of visits to the individual,  
 23 so I didn't create this document, I inherited it and  
 24 made use of it.  
 25 Q. Can we see that for each indicator a score was to be

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1 given between 0, none, and 3, strong?  
 2 A. Yes.  
 3 Q. And if we go down the page, we can see that under  
 4 a series of engagement factors, you score Khan generally  
 5 very highly?  
 6 A. Yes.  
 7 Q. And over the page, please, to {DC5526/2}. You also  
 8 score him highly on intent indicators?  
 9 A. Yes.  
 10 Q. And then you score him on capability indicators, really  
 11 by reference to what you know of his background?  
 12 A. Yes. I think I explained that to the end of the  
 13 document, what I based that on.  
 14 Q. We're just coming to that.  
 15 A. Thank you.  
 16 Q. And then page 3, please {DC5526/3}, you give the totals:  
 17 Strong engagement indicator total; strong intent  
 18 indicator total and moderate capability indicator total?  
 19 A. Yes.  
 20 Q. And do you give this rationale:  
 21 "The above assessment is based on historic  
 22 information that led to the conviction of Khan along  
 23 with his attitudes whilst in custody. It is accepted  
 24 that he seems to have made a change in his outlook and  
 25 attitude but this is as yet untested outside of

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1 a custodial setting. This assessment will be revisited  
 2 after 3 months has elapsed and will be based on more up  
 3 to date information."  
 4 A. Yes.  
 5 Q. Was your reasoning behind the scores that you had given?  
 6 A. Yes, I had nothing else to base it on at that time.  
 7 Q. We obviously have seen what you derived from the MAPP  
 8 meetings?  
 9 A. Yes.  
 10 Q. And you've told us about what you knew of his  
 11 conviction. Was that the source of the information that  
 12 you refer to, both historic information and information  
 13 about --  
 14 A. Yes, the information I was aware of, the level of -- or  
 15 what he'd been convicted of and the information that I'd  
 16 got through MAPP as to his behaviour in prison. Yes,  
 17 that's what I based it on.  
 18 Q. Those summaries would suggest a person of real concern,  
 19 a person who needed watching carefully?  
 20 A. Yes. Yes.  
 21 MR HOUGH: Thank you very much.  
 22 Sir, would that be a convenient moment for our  
 23 mid-morning break?  
 24 JUDGE LUCRAFT: It certainly would.  
 25 Mr Forsyth, we're going to take a 15-minute break

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1 now, a comfort break for all of us, and we'll sit again  
 2 in 15 minutes' time.  
 3 A. Yes.  
 4 JUDGE LUCRAFT: Thank you.  
 5 (In the absence of the jury)  
 6 I'll rise.  
 7 (11.27 am)  
 8 (A short break)  
 9 (11.45 am)  
 10 (In the presence of the jury)  
 11 JUDGE LUCRAFT: Yes.  
 12 MR HOUGH: Mr Forsyth, we had got to the end  
 13 of November 2018, and we were just getting to the fourth  
 14 MAPP meeting.  
 15 A. Mm--hm.  
 16 Q. You told us that before the first MAPP meeting you  
 17 don't think you received much in the way of  
 18 documentation, if anything. Did you receive documents  
 19 before the subsequent MAPP meetings, such as MAPP F  
 20 forms or the minutes of previous meetings?  
 21 A. The minutes of the previous meeting, they don't get  
 22 emailed out. As I understand it, they get uploaded onto  
 23 ViSOR, and I don't recall actually locating those to  
 24 read them beforehand. Usually I would arrive at MAPP,  
 25 the first thing to begin with is the minutes of the

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1 previous meeting, and that would usually be when I had  
 2 first sight of them.  
 3 Q. Did you receive the MAPPA F forms before those second,  
 4 third and fourth MAPPA's?  
 5 A. I did get some MAPPA F forms. I don't recall them  
 6 actually having any information on them. A lot of them  
 7 were blank. As I recall, it was for agency updates to  
 8 provide in advance of MAPPA and I had none particularly  
 9 to provide, so I don't really recall the content of  
 10 them.  
 11 Q. We know that they included, amongst other things, the  
 12 security information which we've seen summarised in  
 13 those previous minutes. Is it your understanding that  
 14 there was such prison security information on MAPPA F  
 15 forms that you received?  
 16 A. I don't recall seeing it. That's probably my lack of  
 17 understanding of what those forms were being sent to me  
 18 for.  
 19 Q. But in any event, we've seen from the minutes that that  
 20 security information was discussed at the MAPPA's?  
 21 A. Yes.  
 22 Q. By the time of the fourth MAPPA meeting, so the one  
 23 in December 2018, very shortly before Khan's release,  
 24 had you by that stage seen the ERG document prepared  
 25 by --

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1 A. I believe I had.  
 2 Q. -- leva Cechavičiuote?  
 3 A. Yes, I believe I had at that point.  
 4 Q. We've seen that's a long, 54-page document?  
 5 A. Yes.  
 6 Q. Which goes into a lot of detail about Khan's prison  
 7 behaviour, and raises concerns, for example, about  
 8 contrasts between how he presented and how he narrated  
 9 matters such as his offending and the reality.  
 10 A. Yes.  
 11 Q. So by that stage, having seen that document, were you  
 12 aware from this further source that Khan was somebody  
 13 who could be unreliable, or at least a person to be  
 14 watched carefully for his honesty?  
 15 A. Yes, I mean, I didn't read the document in full detail  
 16 because a large part of it didn't relate to the  
 17 compliance part of the part 4 job that we were doing,  
 18 but yes, I was aware, and through conversations at  
 19 MAPPA, and just by the nature of he's a convicted  
 20 terrorist offender due to come out of prison that that  
 21 is a very real possibility and that was part of his  
 22 nature, yes.  
 23 Q. {DC6409/1}, please, on screen. These are the minutes of  
 24 the fourth and final MAPPA meeting of Khan's time in  
 25 prison. 5 December 2018. If we go to {DC6409/5},

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1 please, and can we see from the top of the page that  
 2 Khan had been of generally good behaviour in prison over  
 3 recent times with various references to his educational  
 4 activities?  
 5 A. Yes.  
 6 Q. {DC6409/6}, please, we can see a security update which  
 7 refers to intelligence that Khan was looking for a wife,  
 8 and also in the third paragraph, that there was  
 9 an inmate on his wing, C wing, who was trying to  
 10 radicalise other Muslim prisoners.  
 11 Then down -- a couple of lines down:  
 12 "Khan has said that he will return to his old ways,  
 13 believed to be related to terrorism, when he is released  
 14 next year."  
 15 A. Yes.  
 16 Q. Was that a comment you remember being made in that  
 17 meeting?  
 18 A. Yes, I do.  
 19 Q. Because from your perspective, doing the part 4  
 20 monitoring, that would be particularly significant,  
 21 wouldn't it?  
 22 A. Yes, that would.  
 23 Q. The minutes refer to this as "Low graded intelligence";  
 24 was that said in the meeting?  
 25 A. It was. I think what started the conversation around

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1 that was the fact that it said when he was released from  
 2 prison next year, and this was a matter of weeks away  
 3 from him being released from prison. So I think there  
 4 was an uncertainty as to the timing of where that  
 5 intelligence came from and I think somebody was probably  
 6 tasked with trying to test the veracity of that and see  
 7 where that impacted.  
 8 Q. Did you ever hear more about the veracity of that  
 9 intelligence?  
 10 A. No.  
 11 Q. What did you take from the reference to it as low graded  
 12 intelligence? How did that affect your thinking?  
 13 A. No one was specific. My understanding of that would be  
 14 it was probably a single source, as in just from one  
 15 person who had maybe not provided intelligence or  
 16 information before so was untested and maybe not the  
 17 most reliable individual. That's what I would take that  
 18 to be. Whether that's correct or not, I don't know, but  
 19 that was my understanding.  
 20 Q. Did anyone suggest that this was intelligence that was  
 21 likely to be wrong or from somebody disgruntled or  
 22 dishonest?  
 23 A. No, nobody made an assessment or an assertion one way or  
 24 another.  
 25 Q. And then if we go to the bottom of the page, can we see

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1 that under "Police" it was said in the meeting that  
 2 a police escort will be provided on release and that the  
 3 part 4 process was now in place. Because, of course,  
 4 you had had that meeting at the prison?  
 5 A. Yes.  
 6 Q. We can take that off screen now.  
 7 Next, please, {DC7438/33}, can we see that on  
 8 7 December, so two days later, you emailed DS Stephenson  
 9 and DI Hessell from Special Branch, explaining  
 10 limitations on Khan's ability to travel --  
 11 A. Mm--hm.  
 12 Q. -- including going to transport hubs, such as airports,  
 13 that being a restriction to prevent absconding?  
 14 A. Yes.  
 15 Q. And then next, please, {WS5063--JS49/1}, four days  
 16 further along on 11 December 2018, DI Hessell emails you  
 17 and Mr Stephenson with a list of actions for completion  
 18 following a discussion, and these include such matters  
 19 as liaison with Marc Jerromes, Team 7, over GPS tagging,  
 20 liaison with the communications department, and matters  
 21 to do with licence conditions.  
 22 A. Mm--hm.  
 23 Q. Does this suggest that you were, over this period, in  
 24 discussions with the Special Branch team over various  
 25 logistical matters concerning the release?

1 A. Yes, we had had a -- I think we had had a meeting prior  
 2 to this, that's why this had been marked as further to  
 3 our discussions, whatever. We had had a meeting in  
 4 readiness for the release, who is doing what, what do we  
 5 need to do yet, and where are we at with it, and this  
 6 was Rob -- sorry, Mr Hessell just clarifying the outcome  
 7 of that meeting, and whose actions -- who has got what  
 8 actions.  
 9 Q. Following that meeting, what was the understanding about  
 10 the information you would be passing to Special Branch  
 11 regularly about your dealings with Khan?  
 12 A. As our understanding, it was meeting with Mr Khan, every  
 13 time we met with him, just any behaviour changes, the  
 14 content of conversations, anything that would give us  
 15 rise for concern, because we're aware that obviously  
 16 there are people who are interested in what's being said  
 17 for whatever assessments they need to make or may wish  
 18 to make around the greater risk relating to him.  
 19 So it wasn't for us to assess necessarily what was  
 20 important for them to know or not; it was to give them  
 21 as full a picture of our contacts with him so that they  
 22 could assess whether that was important or not.  
 23 Q. You would, as you've told us, be having regular meetings  
 24 with Usman Khan?  
 25 A. Yes.

1 Q. Your officers on your team would be doing so as well,  
 2 you would be writing up reports on those meetings --  
 3 A. Yes.  
 4 Q. -- on the ViSOR system, and then your Special Branch  
 5 colleagues would have access to that information to pass  
 6 on to others?  
 7 A. Yes.  
 8 Q. Would you also, less formally, speak to your Special  
 9 Branch colleagues in these morning meetings you had with  
 10 them --  
 11 A. Yes.  
 12 Q. -- if you had any particular cause for concern about  
 13 Usman Khan?  
 14 A. Yes, the morning conversations would rather be: well, we  
 15 visited him yesterday, whatever, we'll write it up this  
 16 morning or we've written it up, you'll see that's in the  
 17 inbox, I thought that was an interesting comment, that's  
 18 why I put it on there, or whatever. It would be those  
 19 sort of just informal, general conversations, yes.  
 20 Q. Now, this email refers to liaison with Marc Jerromes',  
 21 Team 7. So that is the Team 7 of West Midlands  
 22 Counter--Terrorism?  
 23 A. Yes.  
 24 Q. What would you be liaising with them about as the weeks  
 25 and months progressed?

1 A. I didn't liaise that much with them. A lot of it --  
 2 I wasn't entirely sure, I knew there was an SIO in  
 3 charge at West Midlands, and I knew Team 7 were  
 4 dedicated to part 4s. As my understanding was, through  
 5 MAPPA, they had the investigative oversight, if you  
 6 like, because the CTU had the investigation remit for  
 7 the region as opposed to the day-to-day enforcement or  
 8 compliance part of part 4, and there was information --  
 9 so from an investigation point of view, anything that  
 10 may assist them, if there's anything that's potentially  
 11 going to go wrong that potentially may end up as part of  
 12 an investigation, they would have information, so it was  
 13 making sure: what information do you want us to email,  
 14 what do you need copying in on, and understanding,  
 15 I think that particular one around tagging was I think  
 16 DI Hessell was trying to understand the sharing of the  
 17 tagging data, who would maybe do the analytical piece of  
 18 work around that to make sure that's correct and where  
 19 that would sit, so that was part and parcel of that. So  
 20 it was just those bits as opposed to, necessarily, what  
 21 are we going to do, when and why.  
 22 Q. Did you know who the counter--terrorist SIO for  
 23 investigative purposes was at West Midlands Police?  
 24 A. I knew the name DI Chambers, yes.  
 25 Q. Ryan Chambers?

1 A. Yes.  
 2 Q. Did you have any contact with him over the weeks and  
 3 months that followed?  
 4 A. I don't recall actually meeting him before then, if  
 5 I have, I'll stand corrected, but I don't recall it, but  
 6 I do know in circulations when I — as in point 1 there,  
 7 for example, he was included on that circulation of the  
 8 document that I was producing. So things like that  
 9 would go to him in the initial term. Following that  
 10 I think it was limited, most things would go into SB for  
 11 them to circulate where necessary.  
 12 Q. SB, Special Branch?  
 13 A. Special Branch, my apologies, yes.  
 14 Q. We can take that off screen now.  
 15 Turning, then, to Khan's release, is it right that  
 16 on 24 December 2018, you, along with your colleague,  
 17 PC Oakley, went to HMP Woodhill to collect Usman Khan?  
 18 A. That is correct, yes.  
 19 Q. Is it right that one of his licence conditions was that  
 20 he should be escorted from prison to the approved  
 21 premises where he was to reside?  
 22 A. Yes.  
 23 Q. Did his part 4 requirements also oblige him to register  
 24 with the police within three days of release?  
 25 A. Yes.

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1 Q. And was it your intention for him to do that on the day  
 2 of release after collection from the prison and before  
 3 going on to the approved premises?  
 4 A. Yes, that was a practice we had picked up from Team 7  
 5 and been made aware, it was the easiest way to ensure  
 6 that that initial registration was completed by making  
 7 sure we could escort him.  
 8 Q. If we put on screen {DC5738/7}. Sorry, I gave the wrong  
 9 reference. {DC7538/77}. Can we see here that this is  
 10 an entry on the ViSOR system for a date of visit, we see  
 11 about eight entries down, of 24 December?  
 12 A. Yes.  
 13 Q. Does this record your interaction with Khan on the day  
 14 of his release?  
 15 A. Yes, it does.  
 16 Q. And can we see that you recorded that he was engaging  
 17 and talkative during the journey?  
 18 A. Yes, he was.  
 19 Q. That he spoke about his offending behaviour, that he  
 20 accepted responsibility for bad decisions made when he  
 21 was 19 that got him into prison, and blamed only  
 22 himself?  
 23 A. Yes.  
 24 Q. And a few lines down, you record that he seemed  
 25 genuinely grateful for the help he was getting from the

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1 police?  
 2 A. Yes.  
 3 Q. Did you, in the course of this journey and this day,  
 4 tell him how the management would go, explaining his  
 5 licence conditions and what would happen if he breached  
 6 them?  
 7 A. Yes, I did. My belief was that we should be upfront  
 8 right at the start and try and get things off on  
 9 an understanding. So I was making it clear to him that  
 10 obviously the licence conditions, whilst we would be  
 11 part and parcel of the ensuring compliance of that, the  
 12 enforcement of that, the setting of that sits with  
 13 probation for them to manage. Part 4 is for us, but  
 14 breach of either of them, we would ensure was dealt with  
 15 appropriately.  
 16 Q. Did you, as your ViSOR entry suggests, then take him to  
 17 Stafford Police Station and go through the part 4  
 18 process, the official notification —  
 19 A. Yes.  
 20 Q. — of where he was going to live?  
 21 A. Yes.  
 22 Q. Did you then, as we see, take him to the approved  
 23 premises?  
 24 A. Yes.  
 25 Q. Met by the OM, Mr Skelton?

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1 A. That's correct, yes.  
 2 Q. While there was his GPS tag fitted?  
 3 A. Yes.  
 4 Q. And I think you left a little after 3.00 pm.  
 5 A. Yes.  
 6 Q. We can take that off screen now.  
 7 Over the period after his release, we'll see that  
 8 you met with him, or officers in your team met with him,  
 9 first weekly, then every two weeks?  
 10 A. Yes.  
 11 Q. And you've told us that the regularity was determined by  
 12 that risk assessment?  
 13 A. Well, initially that's what I thought, in as much as  
 14 that risk assessment matrix, if I followed that and it  
 15 came out strong, that would have actually indicated  
 16 monthly visits.  
 17 As a result of attending MAPPA and input from either  
 18 Team 7 or the SIO — I can't be certain which — it was  
 19 made clear to us that in actual fact, the regional  
 20 policy of Team 7 doing these visits would be weekly,  
 21 initially. So the risk assessment matrix, actually, we  
 22 were doing something more frequent than that was  
 23 suggesting.  
 24 Q. Was your next visit to Usman Khan on 7 January 2019?  
 25 A. Yes, it would be, yes.

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1 Q. May we have on screen {DC7538/72}. This is the ViSOR  
 2 entry for this visit. You visiting with Mr Oakley,  
 3 I think there were normally two of you for these visits?  
 4 A. That was the norm with, I think, the exception of one  
 5 visit, but yes.  
 6 Q. Do we see again you record Usman Khan as "Happy and  
 7 engaging" ?  
 8 A. Mm—hm.  
 9 Q. And do you also record that there was an issue that the  
 10 mobile phone he'd been given had internet capability, he  
 11 didn't want to breach his licence condition, not  
 12 accessing the internet, and you, I think, turned off his  
 13 data services?  
 14 A. Yes.  
 15 Q. Was there a further discussion about automatic deletion  
 16 of messages, the fact that his phone automatically  
 17 deleted messages after a certain point?  
 18 A. Yes, it's an issue with some of these, I think they're  
 19 called analogue phones now or — I don't know, not  
 20 smartphones anyway, but there is a limitation on the  
 21 amount of messages it will store. Beyond that it will  
 22 either automatically put the newest one on and delete  
 23 the oldest one automatically, yes.  
 24 Q. Was the point of that discussion that he didn't want  
 25 anyone to think that he was deleting messages that he

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1 shouldn't be?  
 2 A. That was seemingly his concern, yes.  
 3 Q. Then if we go down the page that we have on screen, can  
 4 we see at the bottom of the page, the words during our  
 5 conversation he said that he was giving serious thought  
 6 to settling in Stafford as a place to make a fresh start  
 7 and he would like to start attending the local mosque?  
 8 A. Yes.  
 9 Q. Anything else you recall other than what you've recorded  
 10 about that first meeting?  
 11 A. Not particularly, no.  
 12 Q. Then next, please, {DC7538/71}, and I think we can see  
 13 from the bottom that this is an entry made up on  
 14 14 January 2019 for a visit that day. So your next  
 15 visit, a week later on 14 January?  
 16 A. Yes.  
 17 Q. And if we go back up the page, we can see that it took  
 18 place at a café.  
 19 A. Yes.  
 20 Q. And that the discussion was generally positive?  
 21 A. Yes.  
 22 Q. That Usman Khan was beginning to talk about finding  
 23 a place to live in Stafford after moving on from the  
 24 approved premises?  
 25 A. Yes.

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1 Q. You record in the notes the frequency of the meetings  
 2 was discussed, and you told Usman Khan that it would be  
 3 initially weekly, and then extending to fortnightly?  
 4 A. Yes.  
 5 Q. Did you then, as we see from the note, take him to visit  
 6 the proposed mosque for his use, and back to the  
 7 approved premises?  
 8 A. Yes.  
 9 Q. We can take that off screen.  
 10 Were you aware that the next visit on 21 January was  
 11 by your colleagues, PCs Barker and Hemmings?  
 12 A. Yes.  
 13 Q. We'll ask them about that. And then was there a MAPPA  
 14 meeting on 23 January 2019?  
 15 A. Yes.  
 16 Q. {DC6410/1}, please. Was the provision of documents to  
 17 you before these continued MAPPA meetings the same as  
 18 before?  
 19 A. Yes.  
 20 Q. Namely, that you wouldn't receive minutes in advance but  
 21 the minutes would be gone through at the start of the  
 22 meeting? Would you receive anything else by way of  
 23 preparatory documents before the MAPPA meetings while  
 24 Khan was in the community?  
 25 A. I can't recall, but from what you were saying earlier,

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1 I would probably have had the MAPPA F in advance.  
 2 I don't recall.  
 3 Q. In fairness to you, MAPPA F forms were only produced  
 4 while Khan was in prison.  
 5 A. Oh, right, in which case then I don't recall anything,  
 6 no.  
 7 Q. If we go to {DC6410/5} in the middle of the page we'll  
 8 see your report under "Calum Forsyth" telling the panel  
 9 that the move had gone better than expected, and can we  
 10 see that you update the panel on the contents of your  
 11 reports from the recent visits?  
 12 A. Yes.  
 13 Q. They're fairly comprehensive reports that you give.  
 14 Would you have had your ViSOR entries to hand in giving  
 15 those reports?  
 16 A. Not open at the time, no. A lot of what we put on ViSOR  
 17 was also emailed into Special Branch for their  
 18 awareness, so there would have been that there, but  
 19 a lot of that was because it was only a matter of weeks.  
 20 Those events were still fresh in my mind as well.  
 21 Q. You have told us that the reports on ViSOR would be  
 22 emailed to Special Branch colleagues.  
 23 A. Yes.  
 24 Q. So they would have access to it both in the email form  
 25 and by accessing ViSOR themselves.

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1 A. Well, they didn't have access to ViSOR.  
 2 Q. I see. I see. Were you aware what then happened with  
 3 those emailed reports of you and your colleagues'  
 4 visits, whether Special Branch turned them into any  
 5 other report and sent them to anybody else?  
 6 A. Well, that was my understanding as to what they would  
 7 do. Exactly what they did, though it wasn't for me to  
 8 check on them, but my understanding was to send it to  
 9 them as they were the conduit to the CTU, so they would  
 10 disseminate it where they felt they needed to  
 11 disseminate that to.  
 12 Q. The jury may hear that they produced an intelligence  
 13 report --  
 14 A. Right.  
 15 Q. -- arising from the material that you had --  
 16 A. Yes.  
 17 Q. -- your team had emailed to them --  
 18 A. Yes, that would make sense.  
 19 Q. -- and that then went on to West Midlands Police, and  
 20 then perhaps others.  
 21 A. Yes.  
 22 Q. And then returning to the minutes of the MAPPA meeting  
 23 on 23 January, if we go to {DC6410/9} at the bottom of  
 24 the page, we'll see "Actions", and the action for you is  
 25 to complete disclosure to the mosque?

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1 A. Yes.  
 2 Q. Is that effectively a requirement for you to tell the  
 3 mosque about Khan's previous offending history?  
 4 A. Yes, it's part and parcel of the MAPPA process. If he's  
 5 going to be attending there I think there's  
 6 an understanding that they should have an awareness of  
 7 who they've got attending, if it's somebody of this  
 8 nature.  
 9 Q. May we now have on screen {DC7538/66}, we're just  
 10 continuing chronologically through the visits and the  
 11 MAPPA meetings. Do we see here at the bottom of the  
 12 page a visit on 30 January --  
 13 A. Yes.  
 14 Q. -- entered on the ViSOR system. And {DC7538/67},  
 15 please, can we see that you first spoke to staff at the  
 16 approved premises who told you that Khan was doing well?  
 17 A. Yes.  
 18 Q. And then if we look down towards the middle of the page,  
 19 I think we'll see that:  
 20 "[Khan] seemed genuinely pleased to see us..."  
 21 This is the first two lines that are on screen at  
 22 the moment?  
 23 A. Oh yes. Yes.  
 24 Q. That he seemed relaxed, said he was fine, but that  
 25 a visit to his parents had not gone to plan?

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1 A. Yes.  
 2 Q. If we go down the page to the paragraph beginning  
 3 "Conversation then followed".  
 4 A. Mm--hm.  
 5 Q. Did you record Khan once again returning to the theme  
 6 that he'd undergone a change or transformation while in  
 7 prison?  
 8 A. Yes.  
 9 Q. Then also in this visit, did you record discussing with  
 10 him the subject of a gym he could join and use?  
 11 A. Yes.  
 12 Q. Were you, over this time, doing some checks for  
 13 appropriate gyms he might use?  
 14 A. Yes, I think he suggested a gym he wanted to use, and  
 15 there were some checks to make sure that that was going  
 16 to be an appropriate gym for him to use.  
 17 Q. And then {DC7538/62}, please. Two weeks on, I think we  
 18 see another visit noted up 13 February 2019?  
 19 A. Yes.  
 20 Q. And {DC7538/63}, your notes of that visit, you are  
 21 meeting him in a café this time --  
 22 A. Mm--hm.  
 23 Q. -- rather than the hostel. Once again, "He seemed  
 24 genuinely pleased to see us". Do you record that he  
 25 showed you his provisional driving licence, and you

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1 photographed that?  
 2 A. Yes, yes.  
 3 Q. Looking about ten lines down, did he describe feeling  
 4 settled in Stoke which, of course, was not a -- sorry,  
 5 in Stafford, which is, of course, not a place he had  
 6 grown up in?  
 7 A. Correct, yes.  
 8 Q. And then a little further down, did you return  
 9 to discussion of the gym, and mention that you were  
 10 having difficulty in contacting the owner?  
 11 A. Yes.  
 12 Q. Then if we go right to the bottom of what we can see on  
 13 screen at the moment, can we see that he allowed his  
 14 phone to be examined?  
 15 A. Yes.  
 16 Q. And you looked at the messages and found that they were  
 17 all appropriate?  
 18 A. Yes.  
 19 Q. And then did you record concerning his employment and  
 20 his restrictions that he said he wasn't in a rush to get  
 21 work and that he knew his restrictions would get reduced  
 22 over time?  
 23 A. Yes.  
 24 Q. Then may we have on screen {DC7441/500}. Now, this is  
 25 six days later, on 13 February 2019. I'm sorry, this is

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1 the same day, I'm sorry, 13 February 2019. We see you  
 2 emailing DI Hessel saying this:  
 3 "Rob,  
 4 "There had been an enquiry about Usman attending  
 5 an event run by Cambridge University which would be in  
 6 Cambridge and would require him being in Cambridge  
 7 overnight. This enquiry was generated by Cambridge  
 8 University to probation and Usman was completely unaware  
 9 of the suggestion. Probation looked into the logistics  
 10 of how something like this might work but ultimately  
 11 made the decision that now is not the right time to be  
 12 trying to arrange this as it could be a step too far too  
 13 soon."  
 14 A. Yes.  
 15 Q. "Usman has never been made aware of the offer so it has  
 16 not created an issue with him. I think it might be  
 17 something they would consider facilitating some time in  
 18 the future but would likely be once he has moved on from  
 19 the [approved premises]."  
 20 Now, from whom had you heard this information about  
 21 the proposed and vetoed Cambridge visit?  
 22 A. I can't recall, because I'm looking at that email and it  
 23 says "That would explain the enquiry", (inaudible)  
 24 enquiry come in, I would have been told about it  
 25 probably from Ken that that approach had been made,

1 because that would be part of Ken's updates. Sorry,  
 2 Ken Skelton, my apologies.  
 3 Q. Is it right that you were in contact with Ken Skelton by  
 4 telephone principally and as well by email?  
 5 A. Yes, mostly by telephone in actual fact, because  
 6 I prefer having a conversation, if I'm honest with you.  
 7 Q. By this stage, were you getting, effectively, progress  
 8 reports from Mr Skelton over the phone as well?  
 9 A. Yes.  
 10 Q. And how was he describing Khan's progress in these early  
 11 weeks following his release?  
 12 A. Pretty much in line with what we were seeing, it was  
 13 similar patterns of behaviour, similar positivity, and  
 14 willingness to engage.  
 15 Q. Is it likely that it was in those communications that he  
 16 told you about this proposed visit to Cambridge, which  
 17 you described in the email to Mr Hessel?  
 18 A. Yes, it would be.  
 19 Q. {DC7441/524}, please, of the same document. You can see  
 20 at the bottom of the page PC Hartill who is, I think,  
 21 a Special Branch officer, emails Mr Stephenson and  
 22 Mr Hessel saying that she has had a chat with you and  
 23 about halfway down the email she says that Cambridge  
 24 University has asked Usman Khan to give a talk to  
 25 students, that was ruled out, so the university have

1 asked him to provide a video recording of his talk:  
 2 "I said to Calum we would want ... a copy of this if  
 3 this goes ahead."  
 4 Then up the page, please, Mr Hessel emails you, and  
 5 in the third and final paragraph, confirms that they  
 6 would like a copy of the video.  
 7 So in the period leading up to that email, that  
 8 exchange of emails, had you become aware that Usman Khan  
 9 was going to be videoing a short presentation for this  
 10 event he couldn't attend?  
 11 A. Yes, I can't remember whether that conversation  
 12 -- I think that was discussed or may have come up in  
 13 MAPPA but I knew a suggestion had come up as an  
 14 alternative to going so that he could remain involved  
 15 and feel a part of the event, that maybe by way of  
 16 a video would be a suitable contribution for him.  
 17 Q. And {DC7441/528}, please. You send an email to  
 18 Mr Hessel later that day, 19 February, in the second  
 19 paragraph you confirm what you said to Ms Hartill and  
 20 you say that the video, in short, will be promotional in  
 21 nature and it would be for probation to obtain a copy?  
 22 A. Yes.  
 23 Q. Then {DC7441/532}, please. Later on in the day, you  
 24 confirm that the video would be arranged by Cambridge,  
 25 was not for students, and a copy would be obtained once

1 completed?  
 2 A. Yes.  
 3 Q. And that was following a discussion with Mr Skelton as  
 4 well, which we can see?  
 5 A. Yes, it was.  
 6 Q. We can take that off screen for the moment. Did you  
 7 obtain a copy of the video?  
 8 A. Subsequently, yes, we did get a copy.  
 9 Q. Did you watch it?  
 10 A. Yes, I did.  
 11 Q. We've seen it, it's about five minutes long.  
 12 A. Yes.  
 13 Q. Did you form any view of it at the time?  
 14 A. It didn't ring any alarm bells with me. If I'm honest  
 15 with you, I thought it was partly an uncomfortable  
 16 watch, but it was somebody who seemed to genuinely -- or  
 17 seemed to be saying: thank you, I appreciate the support  
 18 and this is what it's done for me, let me read a poem to  
 19 try and show off his writing.  
 20 Q. One of the things that Usman Khan said in the video was  
 21 that he had been in segregation for most of the time in  
 22 prison?  
 23 A. Yes.  
 24 Q. Did that spring out as something that, well, wasn't  
 25 true?

1 A. It didn't spring out as being untrue because I didn't  
2 know whether he had or he hadn't.

3 Q. Did you pass that video on to your Special Branch  
4 colleagues?

5 A. Yes.

6 Q. Early in March 2019, is it right that you and  
7 PC Hemmings attended a gym which Khan was in fact to  
8 use, and speak to the owner about him using it?

9 A. Yes.

10 Q. Did he, in response, confirm that Khan had become  
11 a member of the gym?

12 A. Yes.

13 Q. And what else did he tell you?

14 A. Well, Mr Khan had — it wasn't a gym we'd identified  
15 initially, we'd identified one near the mosque in actual  
16 fact, but I think he had had problems getting membership  
17 and ultimately lost his money on that, and so he went  
18 off his own back and found this gym, and entered and  
19 self-disclosed to the owner that he had this conviction,  
20 that he would like to use the gym, and he was saying:  
21 I want to be upfront with you and I would like to use  
22 your gym.

23 The owner, when we spoke to him, said he was quite  
24 taken aback by that, but he respected the fact that he'd  
25 done it and took him on face value and reassured us he

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1 hadn't disclosed that to anybody else.

2 Q. Did you take that as a positive in relation to Khan,  
3 a sign of good and compliant behaviour?

4 A. I ... mixed. I thought he was taking a risk going into  
5 a gym that we hadn't had — and disclosing that. He  
6 could have gone into the wrong gym and got himself into  
7 some problems with the attendees there who might have  
8 taken umbrage at what he was disclosing, and I think  
9 I say that to him, that he had taken a bit of a chance  
10 there, but the fact that he was saying: I don't want to  
11 lie to you, this is what I am, and you can choose not to  
12 accept me, I thought it was positive in that sense.

13 Q. On the same day as you visited the gym, I think there  
14 was another MAPPa meeting, 7 March, {DC6411/1}, please,  
15 we can see here the minutes of that meeting.

16 A. Mm—hm.

17 Q. At {DC6411/4}, please, at the bottom of the page, do you  
18 see there that Mr Skelton is recorded as reporting  
19 continued good behaviour on the part of Khan?

20 A. Yes.

21 Q. And describing the recent video filmed; yes?

22 A. Yes, sorry.

23 Q. And then an action at the bottom for you to send the  
24 video to CTU colleagues?

25 A. Yes.

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1 Q. Is that West Midlands Police CTU?

2 A. I think it probably was, yes. It would be, because  
3 otherwise it would have said Special Branch, so it would  
4 be to make sure it went down there, yes.

5 Q. As far as you recall, did you do that?

6 A. I believe I did, yes.

7 Q. And then {DC6411/5} at the top, please, and we see that  
8 Mr Skelton reported that he had decided that the visit  
9 to Cambridge was too soon, but that in the future,  
10 probation might look to enable Usman Khan to attend some  
11 of the events with measures in place. Had you had any  
12 discussion with Mr Skelton about either the vetoing of  
13 the visit in March or the possibility of future events  
14 being attended?

15 A. The March one, I know we'd had telephone conversations.  
16 Mr Skelton occasionally, or regularly, on a matter like  
17 this, he would phone up and say: this has come up,  
18 I'm thinking of doing this, what are your thoughts.  
19 I'm very conscious at that time I couldn't say one way  
20 or another, it wasn't for me to decide, but I could  
21 offer an opinion.

22 I think I agreed with him, I think mainly because  
23 (a) overnight, there is a logistical nightmare around  
24 that, around setting new zones for tagging, GPS tagging,  
25 et cetera, and you're not in control of who is around,

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1 and I think also I was very conscious that you're asking  
2 somebody who has been in prison for eight years to make  
3 their own way potentially to Cambridge to stay  
4 overnight, it might actually lead us to being accused of  
5 potentially setting him up to breach his licence,  
6 whether deliberately or inadvertently, and I didn't  
7 think that was necessarily fair of us. So I thought it  
8 would just be too much for him and I agreed with Ken,  
9 I said: your reasoning is sound, so I agree with that.

10 And then the conversations, they are talking about  
11 future events, and I think Cambridge were fully aware  
12 that they might not get permission for him to come to  
13 all events, they were floating them up, and it's for Ken  
14 or probation or MAPPa to say yes or no.

15 Q. Now, the answer you have just given suggests that you  
16 were considering it was too soon because Khan might  
17 inadvertently —

18 A. Yes.

19 Q. — breach his licence condition, or that he might find  
20 it difficult to attend an event so far from home?

21 A. Yes.

22 Q. Was it also in your mind that Khan was somebody who was  
23 a recently released terrorist offender with a high risk  
24 rating attached to him, both by you and by the prison  
25 and probation authorities, and that it might not be safe

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1 for him to go to an event in Cambridge, attended by,  
 2 I think, the vice chancellor?  
 3 A. Well, I didn't know who would be attending at that  
 4 point, in the first instance, so I don't think potential  
 5 attendees had any bearing on my thinking, and I'm not  
 6 sure that was at the forefront, the risk level was at  
 7 the forefront, because I think in my mind, the risk of  
 8 something like that, because that's not a decision for  
 9 me to take, the risk of that and what level of offender  
 10 he is would be either for an investigation team to  
 11 decide and veto or for MAPPa and probation to decide and  
 12 veto based on their assessment of his risk. So I'm not  
 13 sure that was at the forefront of my mind. For me it  
 14 was more about: is this actually something that he's  
 15 capable of doing and would it be right for him to do.  
 16 Q. Did you see it as any part of your job at the MAPPa  
 17 meetings to raise concerns about the risk to others from  
 18 letting Usman Khan do something, whether that might be  
 19 going to a station or going to a gathering, or going to  
 20 an airport?  
 21 A. I mean, I contributed to MAPPa and offered opinions. As  
 22 I saw at the time, largely around our part of it is --  
 23 I appreciate from the part 4 management, and in trying  
 24 to make sure that we're assisting probation with the  
 25 compliance of his licence. So the reality was, I was

1 probably thinking of it: would any of this breach his  
 2 licence, would it be logistically possible, and would it  
 3 be too difficult on that.  
 4 If I saw something -- if I thought something was  
 5 going to be startlingly -- what I would think -- risky,  
 6 whether it's my decision or not, yes, I would offer an  
 7 opinion. I wasn't afraid to offer opinions in those  
 8 meetings.  
 9 Q. But in terms of responsibilities, did you see it as your  
 10 responsibility or somebody else's responsibility to  
 11 mentally risk--assess something Khan might be proposed to  
 12 be doing?  
 13 A. I think my view was the risk assessment, that kind of  
 14 level of risk assessment for that kind of activity  
 15 I don't think sat with myself as part 4 oversight.  
 16 I think that sat with, primarily, MAPPa and probation,  
 17 and also the investigation team.  
 18 Q. In the context of the MAPPa meetings, did you expect  
 19 that that sort of input would come from probation,  
 20 Staffordshire Special Branch, the West Midlands officers  
 21 there, or any combination of those?  
 22 A. Any combination, that's where I would expect objections  
 23 or concerns of that level to be raised, yes.  
 24 Q. Can we see that further down the page that we've been  
 25 looking at, page 5, that there's reference to a next

1 event at Whitemoor Prison, and the discussion of the  
 2 proposed provision of a Chromebook to Usman Khan. At  
 3 that stage, Usman Khan apparently didn't want to go to  
 4 the Whitemoor visit; do you recall that?  
 5 A. Yes, I do.  
 6 Q. And then if we go down the page to the bottom, we see  
 7 that you gave an update to the panel about your recent  
 8 meetings, including about the gym?  
 9 A. Yes.  
 10 Q. We then move on to the next visit, which is just  
 11 six days later, the next visit to Khan {DC7538/58},  
 12 a visit on 13 March, as we can see.  
 13 A. Yes.  
 14 Q. And over to {DC7538/59}, we see that you visited Khan,  
 15 unusually, on your own on this occasion, but at his  
 16 approved premises?  
 17 A. That's correct, yes. There was no staff available and  
 18 I assessed at that point that that would be suitable to  
 19 do because that was a meeting at the approved premises  
 20 in the common room, there are cameras there and there  
 21 are probation staff on-site, so I felt that that was --  
 22 if it had been anywhere else, I probably wouldn't have  
 23 done it.  
 24 Q. Do you, after describing his appearance, refer to him as  
 25 in a good mood and relaxed in mannerisms?

1 A. Yes.  
 2 Q. Do you record that he told you that he was now going to  
 3 the gym most weekdays and was also happy about his  
 4 lunchtime signing on condition being removed?  
 5 A. Yes.  
 6 Q. He asked you about the video for the Cambridge event,  
 7 I think, and you confirmed that you had seen that.  
 8 Then we see that there was, if we go down the page,  
 9 some discussion about the Chromebook. If we go up the  
 10 page a little bit to see it, a discussion of the  
 11 Chromebook he was being offered.  
 12 Then if we go to the very bottom:  
 13 "He again repeated his assertion that he has no  
 14 intention of returning to his previous offending  
 15 behaviour, stating that he is very much a different  
 16 person now to when he was 19 years old."  
 17 And that following a comment about wanting to become  
 18 some sort of de-radicalisation mentor?  
 19 A. Yes.  
 20 Q. From your facial expression a moment ago, you look as  
 21 though you were a little sceptical about that hope?  
 22 A. Yes, I mean I didn't challenge him on it because  
 23 I didn't think it was right to do so, but I honestly  
 24 thought he's trying to run before he can walk, and  
 25 that's way too soon to even be thinking about that.



1 I wouldn't have even thought about that. He can have an  
 2 aspiration but I would never have thought that that  
 3 would have been suitable for him until his licence had  
 4 completed, another eight years later or 13 years later ,  
 5 whatever it was, at that point. For me, that would have  
 6 just been way too soon. But I didn't assess that or  
 7 judge that: I reported that was his thinking.  
 8 Q. Now, we see in lots of these reports you refer to him  
 9 talking about his change and that he was a very  
 10 different person from how he was in his late teens.  
 11 A. Yes.  
 12 Q. Was this something he was saying in response to  
 13 questions from you about reflections on his offending or  
 14 was he volunteering this each time?  
 15 A. A lot of it was volunteered. It seemed to be  
 16 an assertion he was keen to make on a regular basis.  
 17 Q. Did that provoke any sort of police professional  
 18 scepticism in you, that this is a mantra he is telling  
 19 you every time?  
 20 A. Yes, and I'm not saying that I took everything on face  
 21 value and just blindly accepted what he was saying.  
 22 I saw a lot of those conversations were not about us  
 23 having to necessarily assess the veracity of what he's  
 24 saying particularly on that, because I felt there was  
 25 other people in place to do that, it was for me to

1 report that back, to say: this is what he's saying. If  
 2 there was anything -- because my belief was, if he  
 3 hadn't changed, if this was an act, it's -- you're  
 4 either in it for the long game or you'll catch yourself  
 5 out, so if we report exactly what's being said, if other  
 6 partners or other agencies are reporting exactly the  
 7 same, or they're going to report a disparity, then  
 8 someone will pick that up from an analytical point of  
 9 view and I would expect something back to say: this  
 10 probably needs picking up and challenging when you next  
 11 speak to him because there is a discrepancy so that's  
 12 the reason why I'm doing it, not necessarily because I  
 13 was sat there thinking: Usman Khan is a changed person  
 14 and in a matter of four or five months whatever it was,  
 15 or three months, has changed.  
 16 Q. Well, we know that he was also seeing mentors over this  
 17 period --  
 18 A. Yes.  
 19 Q. -- and those mentors were producing reports every few  
 20 days.  
 21 A. Yes.  
 22 Q. Were you seeing those mentor reports?  
 23 A. Yes, I was.  
 24 Q. We know that around this time, March 2019, there was  
 25 a report where he showed a flash of anger to the mentor?

1 A. Yes.  
 2 Q. Was that something you noted at the time?  
 3 A. I did note that, yes.  
 4 Q. Did that accord with or differ from your experience of  
 5 him?  
 6 A. He'd never shown that to us, but I think -- and I know  
 7 it was discussed, I can't recall when, it might have  
 8 been with Ken or it might have been at the MAPPA, but  
 9 I think that was then put in the context of  
 10 a frustration with something he was doing, he seemed to  
 11 have this -- like to work something out for himself  
 12 rather than be shown, and I think he was getting  
 13 frustrated with something, but we'd never had that  
 14 expressed to us at that time.  
 15 Q. I think there were also over the weeks and months that  
 16 followed a few other incidents in the mentor reports of  
 17 him demonstrating frustration or annoyance with the  
 18 mentors?  
 19 A. Yes.  
 20 Q. Is it right that in general he didn't tend to show that  
 21 sort of annoyance towards you and your colleagues?  
 22 A. Not at all.  
 23 Q. Was that a point of concern, that he was behaving  
 24 differently with you from the way he was behaving with  
 25 the mentors?

1 A. Not particularly. Those incidents did get raised in  
 2 subsequent meetings, and they were always put into  
 3 a context of the circumstance in which it occurred and  
 4 that it very quickly disappeared and whatever problem  
 5 was in his way that had been resolved.  
 6 So I think it was being seen as you're seeing how  
 7 somebody responds to an issue in front of them as  
 8 opposed to anything particularly different, but they  
 9 were discussed.  
 10 Q. We're now moving into April 2019, and may we have on  
 11 screen {DC7442/76}. We see here an email from  
 12 Mr Stephenson to you, asking about Usman Khan's  
 13 involvement with any further videos for Cambridge  
 14 University, and referring to the possible visit to  
 15 Whitemoor in the near future. Do you see that?  
 16 A. Yes.  
 17 Q. And then {DC7442/81}, please. Now, can we see that you  
 18 respond about the Cambridge University work, and you say  
 19 you'll seek clarification about that at MAPPA?  
 20 A. Yes.  
 21 Q. Of course, as we saw at the previous MAPPA meeting, it  
 22 seemed that the Whitemoor visit wouldn't be going ahead  
 23 because he didn't want it?  
 24 A. At that point, yes, he was reticent about going back to  
 25 a high security prison estate, having just come out of

1 it .  
 2 Q. Then do we see in your email, the last paragraph in  
 3 response to a question about Usman Khan's  
 4 presentation --  
 5 A. Yes.  
 6 Q. -- that you record he has maintained a positive outlook,  
 7 consistent in his attitude and assertions?  
 8 A. Yes.  
 9 Q. That he is very much a different person. And then  
 10 towards the bottom, that he has continued to engage well  
 11 with you and the offender manager, Mr Skelton.  
 12 A. Yes.  
 13 Q. And his conversations are consistent with the mentor  
 14 reports?  
 15 A. Yes.  
 16 Q. Of course there was, as you've indicated, a difference  
 17 in his appearance in aspects of the mentor reports, in  
 18 his reactions?  
 19 A. Yes.  
 20 Q. But are you reflecting there that what he was saying to  
 21 the mentors about his lifestyle and plans and so on was  
 22 consistent with what he was saying to you?  
 23 A. Yes, overall the general tone of the mentor reports were  
 24 in line apart from those couple of flashes, but the  
 25 general tone was that -- in line with what we were

1 seeing.  
 2 Q. I think there was then a MAPPA meeting the following  
 3 week, as you anticipated, {DC6412/1}, and we can see  
 4 that this was dated 17 April 2019.  
 5 A. Mm--hm.  
 6 Q. If we go to the minutes at {DC6412/5}, please, we can  
 7 see that Mr Skelton gives an update on Usman Khan's  
 8 search for work, and an induction day at Screwfix?  
 9 A. Yes.  
 10 Q. Then in the third paragraph he mentions that Khan has  
 11 demonstrated some possibly aggressive behaviour towards  
 12 his new mentor. As you've said, that was something you  
 13 had picked up. It was inconsistent behaviour with that  
 14 which he was demonstrating to you?  
 15 A. Yes.  
 16 Q. Then if we go to the lower part of the page, we can see  
 17 at the top of the part on screen that he had been  
 18 invited to return to Whitemoor, the university had  
 19 encouraged him to do a presentation. He initially had  
 20 said that he didn't want to attend, but he had changed  
 21 his mind.  
 22 A. Yes.  
 23 Q. Was this the first time you discovered that he had  
 24 changed his mind?  
 25 A. Yes.

1 Q. And it goes on to say:  
 2 "CTU colleagues have offered to provide an escort on  
 3 the day."  
 4 What do you recall about who offered to provide  
 5 an escort and for what reason?  
 6 A. Yes, there was a conversation about: well, if he went,  
 7 how would he get there, because Whitemoor Prison is  
 8 actually in the middle of nowhere, really, with no  
 9 reasonable rail or transport links in that respect.  
 10 I mean, there was a bus but it's not straightforward.  
 11 There was a conversation around that. As I recall, the  
 12 Chief Inspector from West Midlands at the time, I think  
 13 it's Ainsley Cobbett, had indicated to, I think,  
 14 Nick Powell and myself saying -- to the panel: if we  
 15 were managing him, we would probably facilitate and just  
 16 take him to allow that, and that by then inference and  
 17 passed over: well, we're managing him, and Nick Powell  
 18 authorised well -- so I volunteered: well, we'll take  
 19 him, if that's what it needs, it's just a case of  
 20 transporting him A to B, then that's what we'll do.  
 21 Q. The way you discussed this suggests that the  
 22 conversation was about the logistics of getting him to  
 23 an out-of-the-way place?  
 24 A. Yes.  
 25 Q. Did anyone speak about any risk of him going back to

1 Whitemoor?  
 2 A. Not that I recall. Not that I recall. I think there  
 3 were maybe conversations as to why has he changed his  
 4 mind, what's changed his mind, because I think people  
 5 understood a reticence in the first instance, and maybe  
 6 what's made him change his mind, which I wasn't aware  
 7 of, I couldn't answer that, but nothing more than that,  
 8 not couched up in terms of risk around him, no.  
 9 Q. What the minutes say is that checks would take place to  
 10 ensure that he wasn't being pressurised into going to  
 11 this event?  
 12 A. Yes.  
 13 Q. And that that wasn't a concern arising from his change  
 14 of mind.  
 15 Did anyone raise concerns that he was being put back  
 16 into a context with people who would potentially be old  
 17 associates, other extremists, that sort of thing?  
 18 A. No, because I'm not sure I knew exactly what the make up  
 19 of that event would be and who would be there, but it  
 20 was one that was certainly -- again, I think I knew, and  
 21 I think I'm aware, it's the timing of when you're aware  
 22 of these things, isn't it, but it was again, part of  
 23 this ongoing funding process to ensure the success of  
 24 the programme and to demonstrate to those backers that  
 25 have stuck with this programme and backed it that there

1 are positives in having this Learning Together  
 2 programme. I think that's what it was as opposed to --  
 3 I think I'm aware there were some prisoners to attend,  
 4 that I believe checks were carried out on that, but  
 5 that's about it, really.  
 6 Q. We can take that off screen.  
 7 Later in April, as we've heard, Usman Khan's curfew  
 8 start time was moved back from 7.00 pm to 9.00 pm?  
 9 A. Yes.  
 10 Q. Giving him a longer period that he could be out and  
 11 about.  
 12 A. Yes.  
 13 Q. And that was because of good progress that he had made?  
 14 A. Yes.  
 15 Q. That was a decision of Mr Skelton; were you informed  
 16 about it?  
 17 A. I was, but not beforehand. I can't recall when but  
 18 I was informed of that, yes.  
 19 Q. May we put on screen {DC7538/53} and look at the record  
 20 of your next visit to meet Usman Khan. This was a visit  
 21 on 26 April 2019, and did you see him on that day in  
 22 what I think is a supermarket café?  
 23 A. Yes.  
 24 Q. Do we see that he spoke about the extension of his  
 25 curfew and him being happy about that, because it would

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1 allow him to be at the gym later?  
 2 A. Yes.  
 3 Q. And do we also see from your report that he spoke about  
 4 his new theological mentor, whom he was happy with and  
 5 who knew the same prison imam as him?  
 6 A. Yes.  
 7 Q. And then I think there's a discussion of a change of  
 8 phone SIM card and a discussion also of family visits.  
 9 A. Yes.  
 10 Q. Did you also record that his family were in the process  
 11 of arranging, right at the bottom of the page, or on the  
 12 bottom of what we can see at the moment:  
 13 "His family are in the process of arranging  
 14 a marriage for him in Pakistan."  
 15 That he told probation about that, and also him  
 16 telling you that he wanted to stay in Stafford for at  
 17 least a year?  
 18 A. Yes.  
 19 Q. So that was the content of this meeting. May we then go  
 20 to {DC7538/51}. Did the next meeting you were involved  
 21 with take place on 10 May, as we can see from this  
 22 entry?  
 23 A. Mm--hm.  
 24 Q. You record again, about a third of the way down the  
 25 entry, that in response to your question he said that

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1 all was going well, that he was happy with his mentors?  
 2 A. Yes.  
 3 Q. And then you handed him a letter, explaining the new  
 4 part 4 requirements --  
 5 A. Yes.  
 6 Q. -- those resulting from the change of legislation?  
 7 A. Yes.  
 8 Q. And then you also explained according to this entry that  
 9 you would pick him up to take him to the police station  
 10 on 15 May to go through those notifications?  
 11 A. Correct, yes.  
 12 Q. Do we see that he also said that he was happy about that  
 13 and happy that you would be taking him to Whitemoor?  
 14 A. Yes.  
 15 Q. Was there any other discussion about that visit and his  
 16 approach to it?  
 17 A. He was looking forward to it. He was looking forward to  
 18 the Learning Together team, and I think he enjoyed that  
 19 association with the university, and he seemed to enjoy,  
 20 or certainly talking about writing and that academic  
 21 thing, how much writing he did, I don't know, but that  
 22 engagement or that involvement with Learning Together,  
 23 I think I described it at some point that he kind of lit  
 24 up, he did come alive when he was talking about it. It  
 25 was clear, or it seemed clear, that that was important

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1 to him.  
 2 Q. And then {DC7538/49}, please, can you see that you  
 3 recorded the time that you took him for further part 4  
 4 notifications to the police station?  
 5 A. Correct.  
 6 Q. Can we see from your record that he said the marriage  
 7 arrangements hadn't progressed?  
 8 A. Mm--hm.  
 9 Q. Do we see also from this report that you recorded  
 10 a concern being expressed by him about him possibly  
 11 being deported from the country?  
 12 A. Yes.  
 13 Q. You say in your report that you assured him that that  
 14 was not going to happen, and he seemed relieved about  
 15 it?  
 16 A. Yes.  
 17 Q. And then this: you record that he raised the issue of  
 18 how long he would be required to wear the tag. He knew  
 19 of other offenders who had done worse crimes than him  
 20 and had not had to wear one as long as he had?  
 21 A. Yes.  
 22 Q. And indeed that he was considering legal action about  
 23 the matter?  
 24 A. Yes.  
 25 Q. So was he, by this stage, rather frustrated about having

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1 to wear that tag?  
 2 A. It didn't come across as frustration, I think he was  
 3 asking how long he was going to be wearing it. We did  
 4 point out to him because when he said: I've seen people  
 5 commit worse crimes and get it off sooner, I think  
 6 I pointed out: well, look, everything is on  
 7 an individual basis, but if you are citing people who  
 8 have been wearing a tag for committing murder, for  
 9 example, you may not have done that, but you are  
 10 considered a national security risk and therefore it's  
 11 assessed on a different level, but it's not for us to --  
 12 and I think I pointed out to him: you were told it would  
 13 be at least a year anyway, so it was the first time he  
 14 had asked for it, it wasn't out of frustration at that  
 15 time, he wasn't getting fed up, it seemed to be  
 16 an enquiry, as if he was trying to organise his mind.  
 17 Q. Then {DC7538/47}, please, you recorded a visit to his  
 18 home address --  
 19 A. Yes.  
 20 Q. -- on 29 May 2019. According to this report, you  
 21 discussed his search for work, and the fact that he had  
 22 made many applications but he hadn't yet received  
 23 a positive response?  
 24 A. Yes.  
 25 Q. That he was going to be training for his CSCS,

1 Construction Skills card?  
 2 A. Yes.  
 3 Q. That he wanted to get his A-Level in English?  
 4 A. Yes.  
 5 Q. And that, once again, he mentioned the Chromebook that  
 6 he would be getting?  
 7 A. Yes.  
 8 Q. According to your report, you spoke about arrangements  
 9 for the Whitemoor trip on this occasion?  
 10 A. Yes.  
 11 Q. Then on the next day was there a MAPPA meeting, on  
 12 30 May 2019 --  
 13 A. Correct, yes.  
 14 Q. -- which we see at {DC6413/1}. These are the minutes.  
 15 If we go to {DC6413/5}. Now, you are minuted as saying  
 16 this:  
 17 "[Usman Khan] presents similarly to a teenager of --  
 18 he wants everything done for him and believes the more  
 19 he says something the more likely it is to happen.  
 20 "There has been a lot of interest from Cambridge  
 21 University -- this may be what is influencing  
 22 [Usman Khan] with the types of job roles he is choosing  
 23 to apply for despite his lack of academic background.  
 24 He [wants] to be a mentor but does not possess the  
 25 skills ..."

1 Pausing there, this is a more negative report than  
 2 the ones you had given to date, wasn't it?  
 3 A. Sort of. I think it was contextualised. Again, what  
 4 I was trying to say there, what I was actually saying,  
 5 I mean, my son's not a teenager anymore, a bit older,  
 6 but it's that kind of thing of working with -- of seeing  
 7 teenagers of: the more I say something I will speak it  
 8 into existence, rather than -- it's a lot of  
 9 procrastination, if you like, of teenagers: yes,  
 10 I'm going to do my A-Level, yes, I'm starting my  
 11 A-Level, and never actually taking the first step to  
 12 start an A-Level or whatever: I'm getting a job and  
 13 never actually taking the first step. So I was kind of  
 14 likening it to that behaviour, saying he needs  
 15 something -- whether that was because I thought he was  
 16 applying for jobs that were way beyond his skills anyway  
 17 initially, but it was a rash of applying for jobs.  
 18 So as opposed to negative, I was trying to describe  
 19 the behaviour I was seeing and likening him to  
 20 a teenager as opposed to being stropky, it's not that,  
 21 it's more of a case of lacking that motivation to -- and  
 22 by that time, I think when I -- what date are we on  
 23 this? May or June. By that time we had already been  
 24 managing one of his co-defendants under part 4 who had  
 25 an almost opposite view to getting work and was really

1 quite motivated to getting out and doing something.  
 2 So I was probably comparing it in that way, saying  
 3 they were both saying the same thing, they want to work;  
 4 one was doing, one was saying. It is more about that.  
 5 It was an observation rather than a concern.  
 6 Q. And consistently with that, the minutes record that you  
 7 say he was not driven, needed to mature --  
 8 A. Yes.  
 9 Q. -- didn't have a social network?  
 10 A. Yes.  
 11 Q. Then down the page, please, the last two paragraphs  
 12 under your report -- sorry, back up again:  
 13 "[Usman Khan] will be vulnerable when he leaves the  
 14 [approved premises] -- he is a confident individual but  
 15 he 'believes his own hype', which ... gives him  
 16 unrealistic ideas and expectations. His mentor has ...  
 17 described [him] as presenting like a petulant teenager.  
 18 Although there is nothing to suggest [Usman Khan] is  
 19 doing anything wrong, his behaviour does raise some  
 20 concerns."  
 21 Did you tell the MAPPA meeting that his behaviour  
 22 raised concerns?  
 23 A. Yes, I probably did, yes.  
 24 Q. What were those concerns?  
 25 A. Just the fact that the vulnerability -- again, when you

1 say about moving on from the approved premise, that's  
 2 with the Vulnerability Assessment Framework in the back  
 3 of our heads, in the back of our minds. Transition  
 4 periods are a period of vulnerability , so knowing that  
 5 one is coming up, it's raising concerns about that,  
 6 raising concerns about, again, going back to the ERG and  
 7 looking at some of the trigger points on there, I was  
 8 making observation: these will be concerns if we can't  
 9 get him into employment, if we can't get him occupied,  
 10 whatever, these could become concerns, because the  
 11 longer -- I know it's difficult , the longer you go on  
 12 getting knock backed from employment, whether it's  
 13 suitable or not, it can take a detrimental effect on  
 14 anybody and so I was just trying to make them -- we need  
 15 to try to be putting something in place around him to  
 16 encourage that.

17 Q. Then the next paragraph:  
 18 "There is a potential risk that [Usman Khan's]  
 19 'bubble could burst' -- what will happen at the end of  
 20 the university project? There is thought to be no time  
 21 limit for the university project but the distance may be  
 22 an issue. Ruth at the university has been informed that  
 23 whatever they offer [Usman Khan] needs to come via CTU  
 24 first for consideration and approval. There is concern  
 25 as to [Usman Khan's] reaction if this opportunity were

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1 to suddenly be taken away and how he would behave going  
 2 forward as he tends to spend most of the day walking  
 3 around Stafford."

4 A. Yes.

5 Q. You were, according to these minutes, demonstrating some  
 6 concern about Khan's lack of focus and content to his  
 7 life , and what might happen if his connection to the  
 8 Cambridge University project severed. What sort of  
 9 risks did you have in mind when you spoke about how he  
 10 would behave going forward?

11 A. I don't think it had specific risks . When I said his  
 12 bubble could burst, again, I go back to what I said  
 13 when -- he kind of came alive, he lit up. When you talk  
 14 about certainly from a Prevent perspective of people  
 15 engaging in extremism, on that vulnerability assessment  
 16 there's one for a need for status which you could  
 17 clearly see got him involved to him getting convicted,  
 18 a status there, so in the absence of that, where's his  
 19 status coming from, and it seemed to be being part of  
 20 something that is being organised by Cambridge  
 21 University, and the longer that went on, if there was  
 22 an end date, if that wasn't managed as an exit plan, if  
 23 you like, if it was going to end, what are we going to  
 24 put in place or what could be put in place by -- and  
 25 I say we, I'm not sure I was thinking as ourselves, but

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1 collectively what -- I was just trying to get people to  
 2 think what can go in place to replace that status, if  
 3 you like, if that suddenly ends, it has to be managed.  
 4 so it wasn't I wasn't concerned necessarily for the here  
 5 and now, I was just flagging up potential future  
 6 concerns.

7 Q. Then at the bottom of the page in the panel discussion,  
 8 a query is raised about Khan's frequent attendance at  
 9 the gym, at the bottom of the paragraph, despite the  
 10 fact that he appears to have gained a noticeable amount  
 11 of weight --

12 A. Mm.

13 Q. -- and rarely leaving the approved premises with a gym  
 14 bag. Did you, following this MAPPA meeting, make  
 15 a check at the gym?

16 A. Yes.

17 Q. And was it confirmed to you that Khan was at that time  
 18 attending quite regularly?

19 A. Yes, it was.

20 Q. We can take that document down.  
 21 May we return to the ViSOR notes, {DC7538/46}.  
 22 12 June 2019, did you record taking Khan to Whitmoor?

23 A. Yes.

24 Q. You and PC Oakley, as you took him, did not in fact go  
 25 inside the prison, I think?

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1 A. No, we didn't, no.

2 Q. How did he seem before and after that visit?

3 A. He was okay. He spoke on the way there. I think  
 4 I described him as being a little bit quieter on the way  
 5 there and I put that down to still a little bit of  
 6 apprehension that we were aware of, but at the end of  
 7 the visit , coming out, he was a lot more excited.  
 8 I think he'd got more out of it than really he expected,  
 9 and felt good about that. So -- but there was nothing  
 10 that gave us rise for any concern around him, either  
 11 going to or coming from.

12 Q. And then {DC7538/45}, please, a couple of weeks after  
 13 that visit , if we look at the top of the page, PC Oakley  
 14 records having a telephone conversation with Khan,  
 15 hearing that he'd passed his CSCS course; yes?

16 A. Yes.

17 Q. And he was hoping to get a course on how to drive  
 18 a dumper truck --

19 A. Yes.

20 Q. -- which he thought would give him good prospects and  
 21 a good wage?

22 A. Yes.

23 Q. Then I think there was also reference to Richard James  
 24 of Intensive Engagement --

25 A. Yes.

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1 Q. -- which is, I think, a community organisation, and  
 2 a possible interest in Khan taking a role within that,  
 3 like a mentor role?  
 4 A. Yes.  
 5 Q. Then {DC7538/43}, please, 2 July 2019, was this your  
 6 next visit to Usman Khan?  
 7 A. Yes.  
 8 Q. You record that you visited him because he had contacted  
 9 saying that his text message inbox was full, he couldn't  
 10 delete messages?  
 11 A. Yes.  
 12 Q. You checked his phone and, once again, did you find that  
 13 there was nothing of concern?  
 14 A. Yes.  
 15 Q. Emails, rather, SMS messages to the Jobcentre,  
 16 Learning Together, and Mr Skelton and so on?  
 17 A. Yes.  
 18 Q. Then did you record a discussion of the recent CSCS  
 19 course and his hope to do a dumper truck course?  
 20 A. Yes.  
 21 Q. Did you discuss, as we see here, his lack of friends  
 22 locally. This is further down the page, please. His  
 23 lack of friends --  
 24 A. Yes.  
 25 Q. -- locally, but him saying that he was happy in his own

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1 company with support from family and Learning Together?  
 2 A. Yes.  
 3 Q. You were asking about his lack of friends. Were you  
 4 starting to develop any concern about his isolation?  
 5 A. Again, not at that point particularly. I think I was  
 6 thinking ahead, really: sustaining an individual life,  
 7 being able to build up a network of friends, because  
 8 that's important if we're going to try and manage him or  
 9 keep him out of prison, if he's going to try and keep  
 10 out of prison again, going back to my Prevent thinking,  
 11 if you like, is that support, you need support if you're  
 12 going to be vulnerable to or susceptible to anything,  
 13 and I was just trying to highlight to him, you need to  
 14 start thinking about where is your support coming from.  
 15 Q. Just before lunch, one final email exchange to look at,  
 16 which came the day after this visit {WS5063-JS298/1}.  
 17 We see from this document that Mr Stephenson emailed you  
 18 with a report of JTAC, that's the body for assessing  
 19 terrorist risk?  
 20 A. Yes.  
 21 Q. To assist with the decision concerning the dumper truck  
 22 course?  
 23 A. Yes.  
 24 Q. {WS5063-JS298/2}, please, the report was concerned with  
 25 the use of vehicles--as--weapons by terrorists?

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1 A. Yes.  
 2 Q. So Mr Stephenson was saying, effectively, that the  
 3 concern about the dumper truck course is about Khan's  
 4 access to a large, heavy vehicle which might be used as  
 5 a weapon?  
 6 A. Yes.  
 7 Q. Then your response, please {WS5063-JS299/1}, can we see  
 8 that you respond telling Mr Stephenson:  
 9 "I will reference this [but] having spoken to Ken  
 10 about this they do consider these things but whilst Khan  
 11 has a conviction for terrorism there was no suggestion  
 12 to the use of vehicles being involved and nothing to  
 13 currently suggest that this would be anything that would  
 14 give us cause for concern ... he has a driving licence  
 15 (albeit a provisional) ... as things stand probation  
 16 have no grounds to oppose or prevent ... attendance on  
 17 such a course ... it is in line with his current  
 18 progress ... "  
 19 And you add that probation also have to work with  
 20 the individual to move them on in a positive way into  
 21 employment?  
 22 A. Yes.  
 23 Q. We will see another example of this later, but is this  
 24 an example of Mr Stephenson taking perhaps a more  
 25 cautious attitude towards risk than you and Mr Skelton?

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1 A. Yes, I'm not sure I was being incautious, or not being  
 2 cautious. I think it's -- we can -- again, the decision  
 3 of whether he has a dumper truck course is not mine to  
 4 make, you know, whether I think it's right or  
 5 appropriate in line with his progression, as I say,  
 6 trying to get something to give him something to fill  
 7 his day, if you like. So if you can't get -- if he has  
 8 been told: you need work, and you need a dumper truck  
 9 course to get this work, I can understand where  
 10 probation are coming from when I had this conversation  
 11 with probation. So it fitted with what we had been  
 12 presented.  
 13 DS Stephenson and Special Branch and others will  
 14 have had access to maybe more and more complete or other  
 15 information that I wouldn't be party to to make  
 16 a different thinking. And I certainly didn't take that  
 17 as a criticism, and I don't think that's improper  
 18 either, and I represent the reviews backwards and  
 19 forwards. But ultimately in terms of compliance with  
 20 part 4, it wouldn't have been a breach either way, in  
 21 reality, of that, and I could see where Ken --  
 22 Mr Skelton was coming from about trying to give him  
 23 something to move forward, it fits in his progression,  
 24 and there was nothing to the contrary from any other  
 25 reporting that says he is maybe thinking this way or

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1 that would be in his psyche at the time.  
 2 Q. Now, you told us that it wasn't your role or  
 3 responsibility in the MAPPAs meetings to express views  
 4 about terrorist risk; that wasn't your role, that would  
 5 be for the counter-terrorism specialists.  
 6 A. Mm—hm.  
 7 Q. Were you concerned that by these emails, you were  
 8 effectively being asked to address with Mr Skelton  
 9 questions of terrorist risk?  
 10 A. Yes, because he was — I was very clear, probation and  
 11 MAPPAs have the decision-making on this, and I was being  
 12 asked to question their decision-making on that, and  
 13 I didn't think it was my place to question that  
 14 particular level inter-agency like that. I can offer  
 15 opinions and, as I say, my opinion didn't necessarily  
 16 differ, but whether that was on a risk, I don't think it  
 17 was my place to challenge it on that level.  
 18 Q. And just this final question before lunch: would you  
 19 accept that it would be quite a serious problem if  
 20 nobody in the MAPPAs meetings thought that it was their  
 21 responsibility to address matters of terrorist risk?  
 22 A. Yes.  
 23 MR HOUGH: Thank you very much.  
 24 Sir, will that be a convenient moment?  
 25 JUDGE LUCRAFT: It will, Mr Hough. It made sense to

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1 continue that line of thought, Mr Hough, so we've  
 2 trespassed onto the lunchtime break slightly, but we'll  
 3 sit again in an hour's time, thank you.  
 4 (In the absence of the jury)  
 5 MR HOUGH: Sir, may I just detain you for a moment with  
 6 matters of the future timetable towards the end of the  
 7 Inquest.  
 8 JUDGE LUCRAFT: Yes.  
 9 MR HOUGH: I understand that the jury have asked for  
 10 an update on when they will be sitting and not sitting.  
 11 JUDGE LUCRAFT: Yes.  
 12 MR HOUGH: And I also understand that Solicitors to the  
 13 Inquest either have, or will very shortly — have, in  
 14 fact, circulated a revised timetable. The situation is  
 15 that we will have evidence until the end of this week,  
 16 we will have evidence on Monday and on Wednesday to  
 17 Friday of next week, not sitting on Tuesday the 18th,  
 18 and that we anticipate finishing the evidence the end of  
 19 Friday, 21 May. The jury, we propose, will be told  
 20 that, on the basis of current expectations.  
 21 There would then be a day off, and for preparation  
 22 of submissions, on Monday the [24th], submissions of law  
 23 on the day after that, and your summing-up on Wednesday  
 24 immediately after that.  
 25 JUDGE LUCRAFT: The 26th.

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1 MR HOUGH: The 26th. With the jury beginning deliberations  
 2 on Tuesday, the 27th.  
 3 JUDGE LUCRAFT: Thursday, the 27th.  
 4 MR HOUGH: Sorry, Thursday, the 27th.  
 5 JUDGE LUCRAFT: Yes.  
 6 MR HOUGH: Sir, unless any interested person has any concern  
 7 about that, we would propose that that note be given to  
 8 the jury later today, because it is only fair to them to  
 9 allow them to plan their own lives, that they know that  
 10 next Tuesday and the following Monday and Tuesday we  
 11 won't have a need for them.  
 12 JUDGE LUCRAFT: Thank you. I always believe myself,  
 13 Mr Hough, and I tend to do this, that if I'm setting out  
 14 dates for a jury, I tend to give it to them in written  
 15 form, because it's very difficult sometimes, and if  
 16 I might say so as you yourself demonstrated just now,  
 17 one can easily lose track of which day of the week or  
 18 date in the week particular days fall, and so if  
 19 everyone is content, I will provide a hard copy of the  
 20 dates you have set out for them, so at least they've got  
 21 it in black and white, and if they — I know, for  
 22 example, a juror wanted to make arrangements to book  
 23 their second vaccination, so that will give them the  
 24 dates that we are not expecting them here and it may  
 25 well be that they can take advantage of that.

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1 MR HOUGH: Thank you, sir.  
 2 JUDGE LUCRAFT: But my plan would be, just so that  
 3 everyone's got a little bit of flexibility, the plan  
 4 would be to give them that hard copy document as they  
 5 leave us at the end of today, rather than before.  
 6 MR HOUGH: That's why I raised it in court. I appreciate  
 7 that a very clear email will have gone out —  
 8 JUDGE LUCRAFT: Yes.  
 9 MR HOUGH: — but those of us sitting in court don't monitor  
 10 our emails every minute and so I thought I would mention  
 11 it.  
 12 JUDGE LUCRAFT: Thank you very much. I'll rise.  
 13 (1.13 pm)  
 14 (A short break)  
 15 (2.07 pm)  
 16 (In the presence of the jury)  
 17 JUDGE LUCRAFT: Yes, Mr Hough.  
 18 MR HOUGH: Mr Forsyth, in the chronology of events we'd  
 19 reached mid-July 2019, and I would like to ask you now  
 20 about the MAPPAs meeting on 11 July by reference to the  
 21 minutes at {DC6414/1}. May we go to {DC6414/4}, down  
 22 the page, please. Bottom of the page.  
 23 We can see first of all there's a report from people  
 24 at approved premises, then over the page, {DC6414/5},  
 25 under "Probation", the second and third paragraphs

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1 record Mr Skelton talking about the prospect of  
 2 Usman Khan taking a role with Intensive Engagement.  
 3 A. Yes.  
 4 Q. And then do we see at the bottom of the paragraph it's  
 5 been confirmed with Mr James of Intensive Engagement  
 6 that he would need to contact probation should he ---  
 7 sorry, back up the page, please --- should he wish to  
 8 progress with this in the future?  
 9 A. Yes.  
 10 Q. And then you are recorded as referring back to those  
 11 expressions of long-term interest in becoming a mentor?  
 12 A. Yes.  
 13 Q. And then lower down the page, please, we can see as the  
 14 penultimate paragraph that there is discussion minuted  
 15 of the dumper truck course planned for the end of July,  
 16 and you are recorded as making the points that we saw  
 17 made in that email: he already has a driving licence,  
 18 there's no intelligence that using a vehicle as a weapon  
 19 is part of his mindset?  
 20 A. Correct, yes.  
 21 Q. And then do we see at the end that the panel concludes  
 22 by asking about clarification concerning the form of  
 23 dumper truck equipment?  
 24 A. Yes, correct.  
 25 Q. Then next page, please {DC6414/6}, we will see your

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1 report recorded at the top and you report on your recent  
 2 dealings with him, and do we see in the second paragraph  
 3 you tell the panel that he is very much on his own and  
 4 that he suggested that he is a solitary person, happy in  
 5 his own company?  
 6 A. Correct, yes.  
 7 Q. We can take that off screen next, and if we look now at  
 8 {DC7442/372}, on the following day, 12 July, you send  
 9 a mentor report to the general Special Branch email box  
 10 at Staffordshire Police; is that right?  
 11 A. Yes.  
 12 Q. And you note:  
 13 "There is a conversation listed [in this mentor  
 14 report] which talks about diesel vehicles and  
 15 Kalashnikovs but there is no context around [it]."  
 16 That you had raised it with probation who are going  
 17 to go back to the mentor. Now the jury have seen that  
 18 mentor report which referred to Usman Khan describing  
 19 diesel vehicles and Kalashnikovs as particularly robust?  
 20 A. Right.  
 21 Q. You could bury a Kalashnikov in the ground and come back  
 22 years later and it would still be usable.  
 23 A. Okay, yes.  
 24 Q. Did you obtain any clarification via probation  
 25 concerning that discussion?

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1 A. I honestly can't recall. I will have done what I said  
 2 there, but I can't recall exactly what I did with that.  
 3 Q. Did you have any anxiety about Khan talking about  
 4 firearms to his mentor?  
 5 A. I don't recall it because I think, as I've said on  
 6 there, it was probably poorly written so needed  
 7 clarification, but I don't recall that specifically.  
 8 Q. May we go to {DC7442/376} at the bottom, another email  
 9 of the same day, you will see that Mr Skelton emails you  
 10 with details of the dumper truck course which, of  
 11 course, had been requested at the MAPPA meeting?  
 12 A. Correct, yes.  
 13 Q. And then {DC7442/380}, please, you can see what he  
 14 provided, which was a set of training notes for the  
 15 course?  
 16 A. Yes.  
 17 Q. And those images on screen show the sort of vehicle that  
 18 was being considered?  
 19 A. Similar, yes.  
 20 Q. Now if we then go to {DC7538/41}, I'll ask you about  
 21 your next visit to Khan at the approved premises. Do we  
 22 see that that took place on 15 August 2019?  
 23 A. Yes.  
 24 Q. And it's recorded in this entry that concerns were  
 25 raised by the approved premises staff that there had

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1 been a lack of progress in Khan obtaining accommodation?  
 2 A. Yes.  
 3 Q. But that you spoke to Khan and he said he had had  
 4 a positive call from the council about ---  
 5 A. Correct.  
 6 Q. --- giving him housing. And then it's recorded that he  
 7 was very positive about the future, had been looking at  
 8 jobs in the construction industry, but it's recorded in  
 9 this note that he seems to be hoping that someone will  
 10 just give him a job?  
 11 A. Yes.  
 12 Q. Does that again echo your comment to the MAPPA meeting  
 13 that he seemed to just be expecting things to land on  
 14 his plate?  
 15 A. Yes. Yes.  
 16 Q. We see that he claims on this occasion to be using the  
 17 gym regularly, as well as seeing his family on Sundays?  
 18 A. Correct, yes.  
 19 Q. Now, a few days later, we know that Mr Skelton received  
 20 an email from Dr Ludlow, in fact, I think the email  
 21 might have been received on this date {DC6695/120}. So  
 22 this was an email received on the same date that you  
 23 visited Khan at his approved premises. This wasn't to  
 24 you, this was Dr Ludlow to Mr Skelton. Was this email,  
 25 in fact, forwarded to you?

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1 A. Yes, I believe it was.  
 2 Q. In your witness statement, you say that it was forwarded  
 3 to you on 20 August?  
 4 A. Okay then, yes.  
 5 Q. And do we see that Dr Ludlow informed Mr Skelton of  
 6 a number of courses that they were hoping Khan would  
 7 undertake?  
 8 A. Yes.  
 9 Q. Including one with an overnight stay in 2020?  
 10 A. Yes.  
 11 Q. Then we go down the page, there's reference to the  
 12 overnight stay, and then this:  
 13 "We have also now confirmed the date for our alumni  
 14 event — Friday 29 November 2019 in London. Usman will  
 15 shortly receive a save the date card so may discuss this  
 16 with you. It will likely be an afternoon and early  
 17 evening event at the Fishmongers' Hall (one of our  
 18 funders). We'd love it if Usman could attend. We will  
 19 also be inviting funders and supporters..."  
 20 Et cetera.  
 21 So is it right that from around 20 August 2019, you  
 22 knew that he was being invited to this event, or would  
 23 be?  
 24 A. Yes, that's correct, yes.  
 25 Q. In your witness statement, you say that you didn't

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1 respond to the email which forwarded this to you, but  
 2 you think you must have discussed it with Mr Skelton  
 3 over the telephone; is that right?  
 4 A. Yes.  
 5 Q. What was your view about the proposal that Usman Khan  
 6 attend this alumni event when you first saw reference to  
 7 it?  
 8 A. I didn't have any particular objections, if I'm — as  
 9 I say, it's in line with — it's a continued, sustained  
 10 involvement with Learning Together and Cambridge  
 11 University that fitted in with conversations we'd had  
 12 right back in March, when the March event was knocked  
 13 back, and they said there would be other events shortly  
 14 that they would invite him to.  
 15 So, on the face of it, I had nothing, really, to  
 16 base an objection on, but bearing in mind it wasn't my  
 17 decision whether he could or couldn't go, it was whether  
 18 I had a view on it, and I didn't have any adverse views  
 19 at that particular time.  
 20 Q. You say in your witness statement for the police, your  
 21 long witness statement for the police at page 24:  
 22 "I didn't have any objections to him attending the  
 23 event but I very much would have fallen to my default  
 24 stance that such a decision is ultimately for probation  
 25 to make and for MAPPA to approve or disapprove..."

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1 A. Correct.  
 2 Q. "... which Ken understood."  
 3 A. Yes.  
 4 Q. Now, also on this date, 20 August 2019, came the last  
 5 mentor session which Usman Khan had.  
 6 A. Mm—hm.  
 7 Q. At that point we've heard the mentoring sessions stopped  
 8 quite suddenly as a result of a contract problem between  
 9 the Home Office and The Unity Initiative?  
 10 A. Yes.  
 11 Q. Did you become aware of that?  
 12 A. I did. I can't recall at what point, but I did become  
 13 aware of that, yes.  
 14 Q. You knew that the mentor sessions had stopped?  
 15 A. Yes.  
 16 Q. Was that a cause for you to be troubled, that Khan no  
 17 longer had a contact with these mentors on a regular  
 18 basis who were providing reports into you which you were  
 19 then passing on to Special Branch?  
 20 A. Yes, I mean we became a conduit for that. I think —  
 21 I saw it more a concern for the National Probation  
 22 Service, because obviously it's part of their programme  
 23 and on the licence that he partakes in — undertakes  
 24 those sessions, an issue around that, so obviously there  
 25 would be an information gap from that point.

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1 In terms of did that impact on our dealings with him  
 2 for part 4 management, it didn't impact on that at all.  
 3 So whilst I was aware of it, it was a concern for other  
 4 parties as opposed to a real concern for us, I suppose.  
 5 Q. Did you become aware over the time that followed that  
 6 one consequence of this end of the mentor arrangement  
 7 was that Khan was no longer having regular supervised  
 8 access to the internet in the library?  
 9 A. That was the discussion that came up at MAPPA as one of  
 10 the impacts of the lack of mentor, was his ability to  
 11 access these systems, because his licence condition  
 12 wouldn't allow him to do that without a supervising  
 13 officer's permission.  
 14 Q. May we come, then, to the next MAPPA meeting, two days  
 15 later, on 22 August 2019, {DC6415/1}. Here are the  
 16 minutes. If we go to {DC6415/4} at the bottom, please,  
 17 the minutes record Khan's continued contact with  
 18 Cambridge University.  
 19 A. Mm—hm.  
 20 Q. And the report from Mr Skelton goes on:  
 21 "He has applied for a bursary to support his  
 22 attendance on a short course beginning next April. The  
 23 course will last 1—day and will..."  
 24 Over the page, please {DC6415/5}:  
 25 "... entail an overnight stay."

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1 That's the April course. Then he goes on to say:  
 2 "The University are also hosting another 1-day event  
 3 in November -- [Usman Khan] will be invited however will  
 4 have likely moved on from the [approved premises] by  
 5 this point and will need to source his own means of  
 6 travel."  
 7 And then the report goes on to explain about the  
 8 housing situation by that stage.  
 9 Was that the first time that anyone had raised, in  
 10 your hearing, the means by which Usman Khan would get to  
 11 the event?  
 12 A. As far as I'm aware, yes.  
 13 Q. You were at this meeting?  
 14 A. Yes.  
 15 Q. What can you recall of how the discussion went from  
 16 there, if at all?  
 17 A. The detailed discussion I will struggle to recall that,  
 18 if I'm truthful with you.  
 19 Q. As far as we can see, based on these minutes, there  
 20 isn't a further discussion of the benefits of the visit  
 21 or any risks of the visit or any consideration of  
 22 handling the visit from a risk perspective; do you think  
 23 that there was any such discussion at this meeting when  
 24 it was first raised?  
 25 A. Do you know, I honestly don't know, and I have thought

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1 about this, because obviously I've heard other inputs,  
 2 and I genuinely don't know. I think it almost became,  
 3 because we'd been talking about Learning Together so  
 4 often and future events that will be coming up at  
 5 certain times, my assumption is, we've had those  
 6 conversations and there has been approval, but I am  
 7 keenly aware from the documentation that you have that  
 8 that seems to be absent, but how that's happened,  
 9 I really don't know. I think it's because we've been  
 10 talking about it the whole time, but I can't recall any  
 11 formal yes/no decision or discussion that would prompt  
 12 that.  
 13 Q. Do you recall at any MAPPA meeting a situation involving  
 14 Mr Skelton raising the topic of this visit to London and  
 15 others positively saying: yes, it's okay, you can permit  
 16 that to happen?  
 17 A. No, I know it was discussed but I don't recall it in  
 18 that format that you're saying.  
 19 Q. You would have been aware that Usman Khan required  
 20 permission to --  
 21 A. Yes.  
 22 Q. -- go to London, both because this was a gathering for  
 23 which he required permission under his licence  
 24 conditions, and because if he was travelling by himself,  
 25 not having a car, he would have to go to a train

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1 station?  
 2 A. Yes, correct.  
 3 Q. For which he also required permission under his licence  
 4 conditions?  
 5 A. Yes, he did, yes.  
 6 Q. So you would have known throughout that he required  
 7 permission for this?  
 8 A. Yes.  
 9 Q. That Mr Skelton would formally be the person giving the  
 10 permission?  
 11 A. Yes.  
 12 Q. But that the MAPPA participants could, in a MAPPA  
 13 meeting, discuss the rightness or wrongness of giving  
 14 permission?  
 15 A. Yes. Yes.  
 16 Q. Is it, therefore, your evidence that you can't remember  
 17 a formal discussion or decision of whether permission  
 18 ought to be given?  
 19 A. I don't recall that, no.  
 20 Q. If we put on screen what you say in your witness  
 21 statement about it, just for completeness, {WS5005/28},  
 22 and this is a section from your witness statement to the  
 23 IOPC, the first full paragraph we see on screen:  
 24 "Mr Skelton brought this event in London to MAPPA,  
 25 having been asked about it by Learning Together, but

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1 I can't remember the conversation about it. My main  
 2 worry was that we were going to be asked by MAPPA to  
 3 take him to the event again. Bearing in mind that the  
 4 event was 11 months after his release from prison, he'd  
 5 had some restrictions removed and everything around him  
 6 was relaxing, albeit with some level of [concern] around  
 7 him remaining in place. I don't remember anyone  
 8 expressing any concerns about him attending the event.  
 9 I have been asked about a risk assessment being  
 10 conducted by MAPPA, but that isn't something they would  
 11 do."  
 12 Based on what you've said over the last few minutes,  
 13 you adhere to that, that nobody objected to the visit?  
 14 A. No, nobody objected.  
 15 Q. But nobody, so far as you can recall, discussed it from  
 16 a risk perspective at all?  
 17 A. That's correct, yes.  
 18 Q. Now, we can take that down.  
 19 Just to examine that, Usman Khan was, of course --  
 20 was always a terrorist offender who had a history of  
 21 violence and intimidation in prison?  
 22 A. Correct.  
 23 Q. And the OASys assessment recorded in the MAPPA minutes  
 24 time after time, reflected a very high risk of serious  
 25 harm to the public. We've seen that the MAPPA panel had

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1 been cautious about letting him train on a dumper truck  
 2 because of risks about vehicle—as—weapon attacks.  
 3 A. Mm—hm.  
 4 Q. However, nobody, based on your evidence, appears to even  
 5 discussed the risk of him going to this event at  
 6 Fishmongers' Hall, a livery company, in central London?  
 7 A. Yes.  
 8 Q. From the outsider's perspective, not just because of  
 9 what happened since, that seems a strange state of  
 10 affairs, that nobody even discussed the risks.  
 11 A. Yes.  
 12 Q. How would you respond to that?  
 13 A. Well, I can't argue with that. I was convinced it had  
 14 taken place, but clearly, according to the minutes, it  
 15 hasn't and, as I say, it's because we'd been talking  
 16 about potential for future courses and future events,  
 17 none of which had been objected to, apart from the March  
 18 one, my assumption is that the lack of objection would  
 19 have been taken as permission within that, but I take  
 20 your point entirely and I can't argue against that.  
 21 Q. And if it was suggested that the MAPPAs participants,  
 22 albeit with their very different levels of expertise and  
 23 experience, seemed to have had a collective blind spot  
 24 to the risk of the Learning Together event, would you  
 25 agree or disagree?

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1 A. Well, I think that's a conclusion you could draw.  
 2 Q. Could we return briefly to those MAPPAs minutes,  
 3 {DC6415/5} just to look at your report to that meeting,  
 4 the middle of the page, do we see that you once again  
 5 pointed out that Khan was respectful but presented as  
 6 a teenager, not very motivationally driven?  
 7 A. Yes.  
 8 Q. So essentially the same point you've been making before?  
 9 A. Yes.  
 10 Q. We can take that off screen now.  
 11 During the latter half of August 2019, were you  
 12 aware of Usman Khan continuing his search for  
 13 accommodation —  
 14 A. Yes.  
 15 Q. — for when he moved on from the approved premises.  
 16 Then did you and PC Hemmings pay a visit to him on  
 17 30 August?  
 18 A. Yes.  
 19 Q. We can see that recorded at {DC7538/39} in the ViSOR  
 20 system. And right at the bottom of the part we can see  
 21 on the page at the moment, did you record that he asked  
 22 about — Khan asked about the MAPPAs meeting and why he  
 23 had been refused the opportunity to do the dumper truck  
 24 training?  
 25 A. Yes.

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1 Q. And the notes record that it was explained to him that  
 2 this was a decision made by MAPPAs and they needed to see  
 3 progression in this type of employment before they would  
 4 allow the training?  
 5 A. Yes.  
 6 Q. So a slightly diplomatic answer?  
 7 A. Yes. Yes, it is one that was — an answer that was  
 8 discussed at MAPPAs, because they felt that: you've just  
 9 got your CSCS card, to do that and the dumper truck —  
 10 I think the view was: there are wheelbarrows still in  
 11 existence, if you want to work on a building site, you  
 12 can do that, let's see that as a consistent line of  
 13 employment and let's see some progression that way, but  
 14 yes, it was a bit more diplomatic, yes, correct.  
 15 Q. Now, you record that he was accepting of the decision,  
 16 and then further down the page there's discussion about  
 17 a flat he's considering.  
 18 A. Yes.  
 19 Q. Was this your last visit to see Usman Khan?  
 20 A. Yes, it would have been.  
 21 Q. Was it the last time you ever saw him in person?  
 22 A. Yes.  
 23 Q. Looking back on it, would you normally have allowed  
 24 somebody in his position to be visited by others in your  
 25 team for the final three months before the next

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1 three—month period without you being directly involved  
 2 in seeing him?  
 3 A. Yes, it was a collective effort of the team, and I've  
 4 got no doubts about any of the others in the team being  
 5 able to carry out those visits, so that wasn't unusual.  
 6 Q. You can take that off screen now.  
 7 Turning, then, to September 2019, we'll hear from  
 8 others that the West Midlands Police CTU Team 7, that's  
 9 Mr Jerromes and his colleagues, proposed that they  
 10 should take over responsibility for managing TACT  
 11 offenders subject to part 4 requirements in the broader  
 12 region covering Staffordshire. Were you aware of that  
 13 being proposed in September 2019?  
 14 A. Not at that point, no.  
 15 Q. Did you become aware that that had been proposed and, in  
 16 fact, that was going to happen?  
 17 A. Yes, subsequently.  
 18 Q. Is it the case that the offenders in other regions  
 19 outside the core West Midlands region were gradually  
 20 transferred on to the Team 7 books?  
 21 A. Yes. Yes.  
 22 Q. And that Khan was to be the last to transfer on  
 23 11 December 2019?  
 24 A. Correct, yes.  
 25 Q. So right up until his death, you and your team retained

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1 responsibility for --  
 2 A. Yes.  
 3 Q. -- the part 4 management, but the plan was for that to  
 4 transfer over to Mr Jerromes and his team at  
 5 West Midlands from 11 December?  
 6 A. Yes, correct.  
 7 Q. We know that Usman Khan moved into a flat away from the  
 8 approved premises on 24 September 2019?  
 9 A. Yes.  
 10 Q. Did you receive an email from Mr Skelton telling you  
 11 about a flat he had obtained about 11 days before that?  
 12 A. Yes, I did.  
 13 Q. Did you then pass that information on to Staffordshire  
 14 Special Branch?  
 15 A. Yes, I did.  
 16 Q. Did you obtain a copy of his tenancy agreement, which  
 17 you also forwarded to Special Branch?  
 18 A. Yes, I did.  
 19 Q. And were arrangements made for your colleagues, PCs  
 20 Hemmings and Barker, to assist in the move?  
 21 A. Yes.  
 22 Q. Because, is this right, it was necessary for him to be  
 23 accompanied by police officers both to transfer the GPS  
 24 tagging unit, the base unit, and also to deal with the  
 25 change of part 4 notifications?

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1 A. Yes, it seemed logistically the right thing to do. It  
 2 wasn't necessarily just because of the GPS, that was  
 3 a subsequent assistance to the tagging company, if you  
 4 like, but because we have to make sure he registers  
 5 within three days of an event taking place, and because  
 6 part of our visits, especially -- because there's no  
 7 power of entry and search with a visit of that nature,  
 8 but a way and means of us ensuring we know that is where  
 9 you're actually living, you're living where you're  
 10 telling us you're living, it seemed neatly to fit in:  
 11 well, if we assist with your move, we're actually taking  
 12 your physical belongings into that premises, so we know  
 13 you're living there, and then we'll take you and we'll  
 14 do the registration. It neatly tied it all in.  
 15 Q. The position was now that Usman Khan was away from the  
 16 approved premises, so he didn't have the contact with  
 17 keyworkers there?  
 18 A. Right.  
 19 Q. And he no longer had a mentor. Did this accentuate the  
 20 concerns you had previously expressed about him becoming  
 21 socially isolated?  
 22 A. Not necessarily, no, because I think part and parcel of  
 23 the location of the flat and part and parcel of being  
 24 offered opinion -- invited to put an opinion in on some  
 25 of the addresses he was looking for, my thinking was his

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1 access to services and support, this new address was  
 2 round the corner from the hostel and I think in the  
 3 absence of the mentor and being able to access systems,  
 4 an offer had been made to him that he could still go  
 5 back to the approved -- the hostel, to seek support from  
 6 probation staff if needed, so it was in a locality  
 7 within that. So I was fairly satisfied he had some kind  
 8 of support who had managed before him in any case, ie  
 9 probation.  
 10 Q. Did you later discover how many times he made use of  
 11 that support by going back to the approved premises?  
 12 A. I'm not aware if I did. It may have been discussed but  
 13 I can't recall that.  
 14 Q. We've heard evidence that it was only one occasion for  
 15 some sort of wellness event?  
 16 A. Okay, well I'm not -- if I've been told that, I can't  
 17 recall that, I apologise.  
 18 Q. May we move on to the next MAPPA meeting,  
 19 3 October 2019, {DC6416/1} is the reference for the  
 20 minutes. {DC6416/4} please, towards the bottom.  
 21 Mr Skelton makes a report about the accommodation that's  
 22 been found, and then various points are made about  
 23 Usman Khan's search for work.  
 24 There's reference to the course in Cambridge  
 25 in April 2020, but no reference in these minutes to the

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1 event in London in November 2019?  
 2 A. No.  
 3 Q. I appreciate it may be difficult for you to separate  
 4 meetings in your mind, but can you remember any  
 5 discussion of the Fishmongers' Hall event in  
 6 this October meeting?  
 7 A. I don't. I don't, I'm sorry.  
 8 Q. And then next page, please {DC6416/5}. The third  
 9 paragraph down, you say that you would like to see  
 10 Usman Khan's day more productively occupied: He needs  
 11 to broaden his horizons and not spend all of his time at  
 12 the gym and playing on the Xbox. He is not pushing for  
 13 employment as he wants to settle into his new home.  
 14 A. Yes.  
 15 Q. That summarised your view of him at the time, did it?  
 16 A. Yes, and it wasn't necessarily because of any alarm  
 17 bells ringing at that time. For me, he was sat in one  
 18 place with his progress, in that respect I wanted to  
 19 just see that moving on, so we could move him to the  
 20 next stage, if you like. It didn't affect the part 4,  
 21 but if we were going to be interacting and we want to  
 22 see some progress, that for me would be what would need  
 23 to happen.  
 24 Q. Appreciating you don't recall any discussion of the  
 25 London visit in this meeting --

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1 A. Mm—hm.  
 2 Q. — had there been any discussion between you and  
 3 Mr Skelton about the London visit by this time?  
 4 A. There would — I would imagine there would be, but  
 5 I really can't recall.  
 6 Q. Had you had any discussions with your Special Branch  
 7 colleagues about it that you can recall?  
 8 A. Well, we would have made them aware, either by email, by  
 9 forwarding things on, or by the conversation in the  
 10 morning meetings, but not specific risk concern based  
 11 conversations that I recall, no.  
 12 Q. Then next may we look at {WS5063—JS397/1}. We'll see  
 13 an email exchange between you and DS Stephenson later in  
 14 the month, 28 October, and DS Stephenson at the bottom  
 15 of the page asks about mentor arrangements —  
 16 A. Mm—hm.  
 17 Q. — with Khan, because the mentor arrangements are, of  
 18 course, on hold. Then at the top of the page we see  
 19 your reply saying that there's no change and it's  
 20 looking increasingly unlikely that a new mentor will be  
 21 allocated, but that's a matter for probation.  
 22 A. Yes.  
 23 Q. He's not a priority for mentors.  
 24 A. No.  
 25 Q. So you knew by that stage that Khan was unlikely to get

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1 a mentor in the near future?  
 2 A. I'm trying to think about this. Yes, I think he still  
 3 had the theological mentor. This was more of  
 4 a day—to—day life mentor, if you like.  
 5 Q. Do you know how many sessions he had with the  
 6 theological mentor?  
 7 A. I think it may only have been one.  
 8 Q. It was, in fact, two.  
 9 A. Two, right, okay.  
 10 Q. In the course of an entire year.  
 11 A. I think they were monthly. I don't think that mentor  
 12 was assigned right at the start and they needed to get  
 13 the (inaudible), so he came in late on, I think they  
 14 were set for monthly meetings, but again, that wasn't  
 15 something that we set and I don't think we got reports  
 16 from him or her, whoever it was.  
 17 Q. The jury have heard, I think, that he had his sessions  
 18 in April and August 2019.  
 19 A. Right, okay.  
 20 Q. There certainly wasn't a relationship involving regular  
 21 sessions?  
 22 A. No. No.  
 23 Q. Then {DC7538/34}, on 31 October 2019, did your  
 24 colleagues, PCs Oakley and Hemmings, visit Khan at his  
 25 new flat?

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1 A. Yes.  
 2 Q. Now, this wasn't a visit that you attended, but did you  
 3 consider the entry in ViSOR?  
 4 A. Sorry, I missed that last bit?  
 5 Q. Sorry. Did you consider this entry in ViSOR after it  
 6 had been entered by them?  
 7 A. Yes.  
 8 Q. And we see that he — your colleagues recorded that  
 9 Usman Khan had come downstairs in a T—shirt and shorts,  
 10 he was happy to see them, but his curtains were drawn.  
 11 A. Mm—hm.  
 12 Q. And he said he was spending a lot of time playing on his  
 13 Xbox games. He said he was going to the gym but only  
 14 a couple of times a week, and that he'd stopped going to  
 15 the mosque?  
 16 A. Yes.  
 17 Q. And then can we also see that they record he no longer  
 18 had a mentor which was causing issues for him because he  
 19 couldn't use the internet under supervision?  
 20 A. Yes.  
 21 Q. So he was struggling to look for work, he is struggling  
 22 to find employment.  
 23 A. Yes.  
 24 Q. And he would raise that with the probation officer?  
 25 A. Yes.

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1 Q. Did this start to ring alarm bells as a further note  
 2 underlining the lack of social contact and the lack of  
 3 any means of looking for work?  
 4 A. Alarm bells as in did it — did I think it was  
 5 increasing the risk, not massively, but sufficient for  
 6 me to make sure that — and for the team to make sure  
 7 that we are recording that, because we are aware that  
 8 those are potential vulnerabilities with an individual,  
 9 so that that can be reported in to complete the larger  
 10 picture of an assessment to see whether that does — the  
 11 overall risk picture wasn't ours to — we were  
 12 reporting — we know those are issues, so we feed that  
 13 in so that somebody else, or whoever is looking at it  
 14 can put that together with any bigger picture and see if  
 15 that's a problem for us.  
 16 Q. So you knew from what you'd discussed before, from the  
 17 earlier MAPPA meeting minutes that we saw, and from your  
 18 reading of the ERG report, that social isolation, not  
 19 finding work, not integrating, had been identified as  
 20 risk factors for this individual re—engaging with  
 21 extremism?  
 22 A. Yes, that's correct, but the isolation is something that  
 23 had been consistent with him, in actual fact,  
 24 throughout, and something that he had forecast to us,  
 25 that he was indicating he was a solitary person in any

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1 case. So it was consistent, but it was sufficient for  
 2 us to consistently report that at the same time.  
 3 Q. But wasn't it getting worse now with him not doing the  
 4 productive work in the approved premises, not having the  
 5 keyworkers, not having the mentor, and sitting at home  
 6 all day playing computer games?  
 7 A. I think the AP, he had moved out from there, I don't  
 8 know if there was an expectation for him to go back and  
 9 take part in productive work there, but as I say, I have  
 10 mentioned that for me I would have liked to see him  
 11 getting employment and having something to occupy his  
 12 days, yes.  
 13 Q. But you said a few moments ago, just to be clear, that  
 14 when you reported on this kind of social isolation, you  
 15 were doing so in the knowledge that it was a risk factor  
 16 for others to take into account as a risk factor.  
 17 A. It's part of vulnerability assessments which feeds into  
 18 that, yes, to feed the bigger picture, yes.  
 19 Q. May we move on to the next day, 1 November, and look at  
 20 {DC6695/129}. At the bottom of the page Mr Skelton  
 21 emails you about Usman Khan's attendance at the London  
 22 event, mentioning:  
 23 "... there is a strong possibility that  
 24 [Learning Together] can get someone to meet Usman at  
 25 Euston..."

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1 And forwarding train times.  
 2 A. Yes.  
 3 Q. It appears from this email that Usman Khan's attendance  
 4 at the London event is now settled and decided?  
 5 A. Yes.  
 6 Q. In the second paragraph, Mr Skelton says:  
 7 "You said that you may be in a position to arrange  
 8 for someone to accompany him on the train is this still  
 9 the case."  
 10 Now, had there been discussions between you and  
 11 Mr Skelton about you possibly arranging for someone to  
 12 accompany Mr Khan?  
 13 A. I don't know if I'd go so far as to say to arrange it;  
 14 it was a conversation of: is anybody going to be going  
 15 with him, what's your thoughts, and I was going to see  
 16 if it was — I don't actually recall the sequence of  
 17 that conversation, but I don't think it was as strong as  
 18 "I may be in a position to arrange". I knew it would be  
 19 a complex thing and I think in the statement you showed  
 20 me earlier, I'd alluded to that concern about  
 21 accompanying him.  
 22 Q. Now, from your discussions with Mr Skelton, what did you  
 23 think was the purpose or value of having someone  
 24 accompanying Usman Khan to the event?  
 25 A. Well, it was a difficult one. As I understood it, the

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1 request for someone to accompany him, and I think it  
 2 originated from Mr Khan himself, it was because he was  
 3 apprehensive about being in London and getting a — he'd  
 4 never been to London and it was a big trip, and it was  
 5 for his well-being and apprehension. It wasn't  
 6 a risk-based decision, it was about his apprehension and  
 7 so would we go to make him feel — would somebody go,  
 8 rather, to make him feel more comfortable, which  
 9 presented us with its own problems, really.  
 10 Q. So nobody was suggesting to you that you might accompany  
 11 him in order to keep an eye on him —  
 12 A. No.  
 13 Q. — and prevent him doing anything out of line?  
 14 A. No.  
 15 Q. Had anyone suggested that sort of measure being taken?  
 16 A. No.  
 17 Q. If we can go up the page, we can see that Dr Ludlow  
 18 confirms that she can arrange a member of her team to  
 19 accompany Usman Khan from Euston?  
 20 A. Yes.  
 21 Q. And then {DC6695/128}, please, and the bottom of 128,  
 22 you respond to Dr Ludlow and Mr Skelton:  
 23 "I have discussed this arrangement in the office and  
 24 unfortunately we wouldn't be in a position to send  
 25 anyone on the train with Usman as this would require two

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1 people to travel with him and that cannot be justified."  
 2 A. Yes.  
 3 Q. "If [Learning Together] are able to meet him and take  
 4 him from Euston to the event and then return him to  
 5 Euston, then I think that would be more appropriate."  
 6 A. Yes.  
 7 Q. "I have no issue with him attending the event and hope  
 8 it goes well."  
 9 A. Correct.  
 10 Q. Now, just to be clear, when you were saying that him  
 11 being accompanied could not be justified, was that in  
 12 the context of discussing having him accompanied because  
 13 of his own concerns, his apprehensions?  
 14 A. Absolutely. That wasn't: there's identified risks and  
 15 I can't justify it, that would be a whole different  
 16 game, and I would argue he probably wouldn't even be  
 17 going at that point, but this was: I can't justify  
 18 two-thirds of my team to go to, effectively, hold his  
 19 hand. We had no powers around him, so it wasn't escort,  
 20 that was just accompanying him, so that couldn't be  
 21 justified in those terms.  
 22 If somebody had come back and said: we've assessed  
 23 that decision and we want you to do something different,  
 24 that would be a matter for somebody else.  
 25 Q. So if Mr Stephenson or Mr Jerromes or the MAPPA chair

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1 had said to you: we think it would be good for him to be  
 2 accompanied just to ensure that nothing terrible  
 3 happens, this is the first time he's being allowed out  
 4 of Stafford other than to a prison --  
 5 A. Yes.  
 6 Q. -- it would be good to have a policeman with him just to  
 7 check that nothing really awful happens, and had  
 8 requested that you arrange that, would you have done so?  
 9 A. I would have put some wheels in motion but I don't think  
 10 it would have been for -- see for me, that becomes  
 11 almost an escort which implies some kind of control.  
 12 Under part 4, and just accompanying, we have no control,  
 13 because he's not breaking any laws so we are actually  
 14 just accompanying him and we have no control. Unless  
 15 somebody put some control measures around that, then we  
 16 would still be -- I would want to have the conversation  
 17 about what does that look like, but ultimately that  
 18 would be -- and I would assume then that somebody else  
 19 would put those -- suggest those measures to us, because  
 20 I don't think that's part of my role, or I didn't  
 21 understand that to be part of my role to put what  
 22 effectively is almost an operation around him to take  
 23 him from A to B as opposed to accompany. So in the  
 24 absence of that, we have no legal powers around him.  
 25 JUDGE LUCRAFT: Can I just be clear, you said you would have

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1 put the wheels in motion, and then you've gone on --  
 2 A. I think asking Special Branch or to have the  
 3 conversations. I don't think I had the access to the  
 4 resourcing or whatever to put that plan in place.  
 5 MR HOUGH: Turning to your legal powers --  
 6 A. Yes.  
 7 Q. -- obviously if Usman Khan, in your company, did  
 8 something or started to do something unlawful you could  
 9 stop him?  
 10 A. Absolutely, yes.  
 11 Q. Equally, if Usman Khan was behaving suspiciously or had  
 12 a bag and was unprepared to tell you what was in it,  
 13 then that might give you cause to require him to show  
 14 you, to search him?  
 15 A. Yes, but we'd still have -- yes, providing the  
 16 legislation fitted around that, yes.  
 17 Q. Yes, but it's what police officers do --  
 18 A. Yes, they do.  
 19 Q. -- with people carrying drugs all the time, isn't it?  
 20 A. Yes.  
 21 Q. Moving on, next, is it right that you in fact spoke to  
 22 Usman Khan to discuss the travel arrangements for the  
 23 day?  
 24 A. Yes.  
 25 Q. How did he respond when that was discussed?

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1 A. As I recall, he was accepting of it, understood it, and  
 2 was grateful that we had put something in place, or  
 3 something was in place to meet him at the other end, and  
 4 people from a company that he knew.  
 5 Q. Next, may we see an email exchange on 6 November, so  
 6 a few days on, {WS5063-JS413/4}. That's an awfully long  
 7 reference, I can repeat it if necessary. There we go.  
 8 Perfect.  
 9 Mr Stephenson emails you just before 9 o'clock in  
 10 the morning asking you to:  
 11 "... pop in when you're back ... to discuss Usman  
 12 and your thoughts having read this latest report from  
 13 Annie where it appears he is isolating himself from  
 14 others, is no longer seeking employment, and I wonder if  
 15 we can consider increasing the frequency of  
 16 engagements?"  
 17 Now, I think at one stage in this case it was a bit  
 18 of a mystery who Annie is; is that the nickname for  
 19 Mr Oakley?  
 20 A. Yes, it is.  
 21 Q. As in Annie Get Your Gun?  
 22 A. Yes, it is.  
 23 Q. This was, I think, a reference to the report which  
 24 Mr Oakley had produced from the visit on 31 October.  
 25 A. Correct, yes.

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1 Q. So Mr Stephenson has read that report and is asking to  
 2 discuss the -- what can be drawn from that that  
 3 Usman Khan is isolating himself, not seeking employment,  
 4 and so on.  
 5 If we then look down the page further. Sorry, back  
 6 up. We can just see the end of the email. He is also  
 7 asking what's being done to support Usman Khan in the  
 8 absence of a mentor.  
 9 A. Mm-hm.  
 10 Q. And then {WS5063-JS413/3} of the same document you  
 11 respond just after 12 noon, and you pass on the report  
 12 from Mr Skelton on a recent home visit?  
 13 A. Yes.  
 14 Q. And that's a positive report with Usman Khan talking  
 15 about his early life, the change he's made, and his  
 16 positive commitment to the future?  
 17 A. Yes.  
 18 Q. Then if we go down to below the black text, you add  
 19 an entry in blue text, so down the page, please. You  
 20 add this:  
 21 "I don't think there is a concern that he is  
 22 isolating himself and he certainly hasn't given up  
 23 looking for work but it is difficult as he can't access  
 24 the internet as easily without a mentor."  
 25 And you say the mentor issue is a Home Office

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1 problem but will be raised at MAPPA?  
 2 A. Yes.  
 3 Q. And you say:  
 4 "I don't think he is isolating himself any more than  
 5 he did at the AP. He likes watching movies and playing  
 6 on the Xbox which is consistent with how he was at  
 7 Staitheford but he still contacts the Jobcentre  
 8 regularly and also Amy from Learning Together... is  
 9 going to be attending one of their events in London at  
 10 the end of November. He is still attending the gym just  
 11 not as often as he was."  
 12 A. Mm—hm.  
 13 Q. When you said he is still attending the gym, is that  
 14 based on what he had told you?  
 15 A. I can't remember at which point that was. There was  
 16 an enquiry made of the tagging company, because I think  
 17 there had been a concern raised was he attending the  
 18 gym, and the data bore that out that he was going there.  
 19 Where that was in relation to this I don't know, but  
 20 yes, it would also have been what he said.  
 21 Q. We've heard from the senior investigating officer of the  
 22 team investigating the attack, that by this stage he  
 23 wasn't attending the gym?  
 24 A. Okay.  
 25 Q. That wasn't something you were aware of at the time?

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1 A. No.  
 2 Q. And the last sentence, the last full paragraph, you say:  
 3 "I don't propose increasing the visits as there is  
 4 nothing to suggest that this is needed or justified at  
 5 this time."  
 6 And that's a reference to your visits, is it?  
 7 A. Our visits in relation to the part 4, yes.  
 8 Q. Then if we go to {WS5063—JS413/2} at the bottom of the  
 9 page we see Mr Stephenson replies, asking for further  
 10 reports of Mr Skelton to be forwarded to him, and asking  
 11 for details of the proposed London visit?  
 12 A. Yes.  
 13 Q. And then up the page, we'll see your response that the  
 14 London visit is similar to the one at Whitemoor.  
 15 A. Yes.  
 16 Q. So we can take that off screen now.  
 17 So by this stage, do we take it from that exchange  
 18 of emails that you saw the visit to the London event as  
 19 essentially positive because it maintained the  
 20 connection with Cambridge University?  
 21 A. Yes.  
 22 Q. You yourself didn't attach any particular risk to it?  
 23 A. No.  
 24 Q. On 6 November 2019, so the same day, did you complete  
 25 another version of the risk assessment matrix?

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1 A. Yes.  
 2 Q. We can put that on screen, {WS0256D/70}. Now, would you  
 3 accept that the conclusions you expressed in this  
 4 document were very different from the ones —  
 5 A. Yes.  
 6 Q. — you expressed in the document you first produced when  
 7 you started the process of monitoring or managing Khan?  
 8 A. Yes.  
 9 Q. If we go down to "Engagement factors", you give  
 10 indicators suggesting no risks of engagement at all  
 11 against all factors except vulnerability to the  
 12 ideologies of others, effectively?  
 13 A. Correct, yes.  
 14 Q. And then over the page, please {WS0256D/71}, similarly  
 15 no indicators of intent to engage in harmful activity?  
 16 A. No.  
 17 Q. And for capability indicators, the conclusions are  
 18 similar to those before, based upon his history?  
 19 A. Yes, capabilities very rarely change. You can't know  
 20 something.  
 21 Q. And then {WS0256D/72}, the overall summaries consistent  
 22 with those conclusions show weak engagement and no  
 23 intent?  
 24 A. Yes.  
 25 Q. And then you record this:

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1 "The above assessment has been completed 11 months  
 2 after release from Prison as opposed the 3 months that  
 3 was initially stated."  
 4 A. Yes.  
 5 Q. So you planned to have a three month —  
 6 A. I had said in the first one it would be three months.  
 7 To be honest with you, I had overlooked that at three  
 8 months, and then we picked up the management of other  
 9 part 4 subjects, it had gone, and I think what prompted  
 10 this was obviously the email exchanges that prompted me  
 11 to think: I will revisit it.  
 12 Q. Then this:  
 13 "There has been little or no adverse reporting  
 14 around the subject and he has remained engaged and  
 15 cooperative with Prevent staff who have been managing  
 16 him. His lack of employment is a factor that I consider  
 17 to keep him vulnerable or susceptible to extreme  
 18 viewpoints, however to date he has maintained his  
 19 opposition to extreme rhetoric and rejects his previous  
 20 actions. He has kept himself away from harmful  
 21 influences and continues to work well with probation.  
 22 He has transitioned well from AP to independent living  
 23 and maintains contact with Cambridge University through  
 24 the Learning Together programme."  
 25 A. Correct, yes.

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1 Q. So you had -- if we compare this document against the  
 2 assessment prepared 11 months before, you had made  
 3 a dramatic change in your assessment of Usman Khan?  
 4 A. Well, because we'd been meeting with him, we'd been  
 5 sitting -- the first one was based on paper reports and  
 6 other people's evidence from within the prison, and over  
 7 the eight years in prison and his offending before that.  
 8 This one was based on regular contact with him, meeting  
 9 him face-to-face, and a consistency in what he was  
 10 saying, largely, across all partners.  
 11 Q. Would you accept, looking back on it, that you relied  
 12 too much in preparing this document on a combination of  
 13 how he presented to you and official bodies, and the  
 14 fact that he had kept his nose clean or, to use a phrase  
 15 from the prison intelligence, kept himself below the  
 16 radar?  
 17 A. Yes, to a degree, maybe not wholeheartedly, but this  
 18 document wasn't the overall risk assessment of Mr Khan  
 19 as an individual per se. This was about -- this  
 20 document, as I said before, was setting the level of our  
 21 visits, and there are quite tight headings within there.  
 22 So that's based on our interactions, and that alone,  
 23 which obviously if there's a bigger picture that  
 24 influences that, but this wasn't the overall risk  
 25 assessment of him.

1 Q. If we move then to the MAPPA meeting which came  
 2 eight days later on 14 November, {DC6417/1}. These are  
 3 the minutes of the final MAPPA meeting. If we go to  
 4 {DC6417/4} at the bottom, Mr Skelton reports about  
 5 recent visits to see Khan and his search for work. Then  
 6 over the page to {DC6417/5}, please, there's a report in  
 7 the second paragraph that Usman Khan isn't going to the  
 8 gym as often as before. Then under "Panel discussion"  
 9 do we see that Mr Stephenson is recorded referring to  
 10 tag data showing Usman Khan making trips into Stafford  
 11 and back home.  
 12 Ms Hartill, his colleague, notes that he isn't  
 13 leaving his home address very often on Saturdays, and  
 14 then you are recorded as saying this:  
 15 "Calum Forsyth highlighted how [Usman Khan] had  
 16 foretold agencies what his lifestyle would be like. He  
 17 is comfortable in his own company and what the tag data  
 18 is displaying is not a change from what was expected."  
 19 So you are, once again, stressing that his isolation  
 20 is effectively what he had predicted?  
 21 A. Yes.  
 22 Q. And then if we go down to the bottom of the page, the  
 23 penultimate paragraph on this page, we can see there's  
 24 discussion of the London event and the travel  
 25 arrangements which had been put in place and which

1 you've told us about?  
 2 A. Yes.  
 3 Q. The way the minutes of this meeting read, it appears  
 4 that the London event has been decided upon and has been  
 5 approved previously, and that the discussion was just  
 6 about the logistical arrangements?  
 7 A. I can see that, yes.  
 8 Q. Is that how you recall the discussion, or do you recall  
 9 more being said?  
 10 A. I don't recall, actually. It would have -- I think it's  
 11 as you describe.  
 12 JUDGE LUCRAFT: So just logistics?  
 13 A. Logistics, yes. Yes.  
 14 MR HOUGH: Before this meeting, had you had any other  
 15 communications with Mr Skelton or with Mr Stephenson or  
 16 anyone else about the London visit?  
 17 A. I can't recall if it would have been phone calls or the  
 18 morning meeting in Special Branch. I can't recall.  
 19 Q. On this day, did members of your team visit Khan at his  
 20 new flat, tasked to take photographs of his Xbox games?  
 21 A. Yes.  
 22 Q. Can you remember why that was? Why they were being  
 23 tasked with that?  
 24 A. If -- I thought I had one understanding, but the more  
 25 I think about it -- it got raised here at this MAPPA

1 meeting, towards the end, about, well -- and I think it  
 2 might have been Jon Stephenson as well who reminded  
 3 about it, obviously the device can be seized if we think  
 4 there's any concerns around it, and there was a point  
 5 raised: do we know what games he's playing and what he's  
 6 watching? To which the answer was: no, because on our  
 7 visits we've got no powers to search particularly, just  
 8 for those visits.  
 9 So it was a task, I think, or a suggestion, that  
 10 maybe we could do with knowing, and I think I remember  
 11 that they were making a visit that day and I probably  
 12 phoned them and said: while you're there, can you do  
 13 this, please, so there had been no explanation about it.  
 14 Just: while you're there, do me a favour, get this,  
 15 because it's coming out of MAPPA.  
 16 Q. We can take that document off screen. If we put on  
 17 screen {DC7376/1}, is this an email that Mr Oakley sent  
 18 you after that visit where he reports on it?  
 19 A. Yes.  
 20 Q. Do we see that he reports that Usman was happy to have  
 21 them in the flat, there was an initial conversation  
 22 about employment and the trip to Cambridge, and then  
 23 this:  
 24 "We then asked about his Xbox games and that we had  
 25 been asked to list what he had and that we would like to

1 photograph them to achieve this. He was not happy with  
 2 this and asked if this was to do with his licence  
 3 conditions or his part 4. He was told that it wasn't  
 4 and that we were just asking, he reluctantly allowed us  
 5 to take the photos that are attached. He stated that  
 6 this was a break down in the trust and said that he  
 7 wanted Sergeant Forsyth to contact him over it as he  
 8 would be speaking to his solicitor in due course about  
 9 it.

10 "After we had taken the photos he opened the door  
 11 and asked us to leave."

12 So you received that email?

13 A. Yes, I did.

14 Q. Was it a rather different display of behaviour on his  
 15 part, refusing effectively to continue the visit after  
 16 the games had been photographed?

17 A. That's the first time we'd had any kind of negative  
 18 response at any visit, yes.

19 Q. Did you tell anybody else about that negative response?

20 A. That report would have gone onto ViSOR and that would  
 21 have been emailed into Special Branch, so yes. Whether  
 22 I did it personally or whether Ian forwarded it on,  
 23 I can't recall that, but that would have been informed.

24 Q. Did you mention to Mr Stephenson, for example, at one of  
 25 the morning meetings that followed, something along the

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1 lines: Usman's shown a different side of himself --

2 A. I think it would have come up at the following day's  
 3 morning meeting, that it didn't go so well and he wasn't  
 4 happy about it, yes.

5 Q. We can take that off screen.

6 By this stage, despite the increasing isolation that  
 7 we've spoken about, and the experience of that visit,  
 8 did you think that Usman Khan represented any real risk  
 9 to the public, any risk of causing harm to the public?

10 A. In relation to his trip to London?

11 Q. In relation to him generally?

12 A. No, I -- I just -- listen, you can never say never, and  
 13 you can never completely rule out with anybody who is  
 14 convicted of any offence in that respect. Did I think  
 15 that his behaviour that time made him an increased risk  
 16 to what it was a week before, or two before, no,  
 17 I didn't at that time, no.

18 Q. Moving on, then, to the day of the attack. I think that  
 19 morning you received an email telling you that  
 20 Usman Khan had arrived safely at the venue?

21 A. Yes.

22 Q. Later that day, did you become aware of an incident  
 23 unfolding at London Bridge?

24 A. Yes.

25 Q. Initially did you make any connection between that and

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1 Usman Khan?

2 A. No. And I think, sorry, just to put that into context,  
 3 I knew he was going to Fishmongers' Hall, and I'd seen  
 4 the London Bridge. My knowledge of London geography  
 5 and -- I didn't know London -- Fishmongers' Hall would  
 6 be an iconic building, if I'm honest with you, I'd never  
 7 heard of it before, and so I know there had been  
 8 an email saying it was at London Bridge, I completely  
 9 overlooked that, when you see that's coming in, so  
 10 I didn't put two and two together to think there might  
 11 be a connection. That's why I didn't think that.

12 Q. Just in that connection, I was going to ask you, did it  
 13 ever occur to you to Google Fishmongers' Hall and find  
 14 out where it was and what sort of building it was?

15 A. No, it didn't, and that's because it didn't impact on  
 16 our management under part 4. That information was  
 17 shared elsewhere, so it actually -- no, it didn't, it  
 18 didn't occur to me to look at that.

19 Q. If you had been responsible for the risks of the visit  
 20 and ensuring that the public was protected in relation  
 21 to the visit, would you have taken such steps as  
 22 Googling the venue, finding out what sort of building it  
 23 was, what sort of people were attending, where the venue  
 24 was?

25 A. If we had been solely responsible for his overall risk,

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1 then yes, you would want to know that, yes, of course  
 2 you would.

3 Q. Later that afternoon, were you telephoned by Mr Skelton  
 4 with news of what had in fact happened?

5 A. Yes, I was.

6 Q. What was your reaction?

7 A. I was -- well, I was shocked. In disbelief, to be  
 8 honest with you.

9 MR HOUGH: Thank you very much. Those are all my questions.

10 JUDGE LUCRAFT: Mr Hough, I was going to suggest we might  
 11 take our afternoon break there. It's a natural time to  
 12 take a break after your questions, before we move on to  
 13 the next.

14 Also, I'm conscious it's quite warm in the hall  
 15 again this afternoon, so it may be a welcome break there  
 16 before we move on to Mr Pitchers. We'll take a break.  
 17 Thank you.

18 (In the absence of the jury)

19 I'll rise.

20 (3.15 pm)

21 (A short break)

22 (3.31 pm)

23 (In the absence of the jury)

24 JUDGE LUCRAFT: Mr Pitchers, just while the jury are coming  
 25 in, we've taken the break at the right time: the sun is

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1 now on you. As I've said before, if it is distracting,  
 2 please do feel free to move, even if I have to ask  
 3 Mr Baumber to do a swap with you, I'm sure he will.  
 4 MR PITCHERS: I think I'll be fine. I enjoy the spotlight  
 5 every now and again, sir.  
 6 (In the presence of the jury)  
 7 JUDGE LUCRAFT: Mr Pitchers, just for your benefit, my usher  
 8 is just going to do some running repairs for a set of  
 9 spectacles for a juror. I'm just mentioning it to you,  
 10 Mr Pitchers, because it may be we're not going to look  
 11 at any documents immediately, but I just thought I would  
 12 mention it to you.  
 13 Questions by MR PITCHERS QC  
 14 MR PITCHERS: Yes, I'll filibuster if necessary! I won't.  
 15 Sergeant Forsyth, my name is Henry Pitchers, I ask  
 16 questions on behalf of the family of Saskia Jones, who  
 17 sit there.  
 18 Sergeant Forsyth, if I may just start with a little  
 19 context just to assist the jury in really understanding  
 20 these matters. As we've heard, you essentially led the  
 21 Prevent Team in Staffordshire?  
 22 A. Yes.  
 23 Q. In 2019?  
 24 A. Yes.  
 25 Q. And you were one of a team of four?

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1 A. Correct.  
 2 Q. But you were the senior of those four?  
 3 A. Yes.  
 4 Q. The three others being Hemmings, Oakley and Barker, from  
 5 whom will be hearing tomorrow.  
 6 Again, so the jury understands it, the Prevent  
 7 programme is clearly something that's not concerned with  
 8 the management of offenders?  
 9 A. No, Prevent is about Preventing vulnerable people being  
 10 drawn into or supporting extremist — violent extremism  
 11 or terrorism. So you're talking — they always used to  
 12 call it in the pre-criminal space, I think they now call  
 13 it the non-criminal space.  
 14 Q. Right, so in a sense by definition you are dealing with  
 15 people before they have become offenders, before they  
 16 have become radicalised?  
 17 A. Correct.  
 18 Q. The idea being to divert them from that path?  
 19 A. Yes.  
 20 Q. So obviously your work for Prevent is not about managing  
 21 offenders who have already been radicalised, already  
 22 convicted of terrorist offences?  
 23 A. Not usually, no, that wouldn't be the case.  
 24 Q. And you've told us that previous to Khan, you had  
 25 managed one TACT offender in the community and that was

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1 Mr Rahman?  
 2 A. Yes.  
 3 Q. So this was very much not part of the day job of the  
 4 Prevent team?  
 5 A. It wasn't Prevent work, by definition, no.  
 6 Q. No.  
 7 A. This was something, because Prevent, as you say, we do  
 8 vulnerability assessments, we do engage with people and  
 9 we work with partners, it seemed to fit that it would be  
 10 given to us to do this, but it is actually separate to  
 11 Prevent, it wasn't recorded on any of our Prevent  
 12 systems as a Prevent subject.  
 13 Q. No. And did you have any knowledge as to whether  
 14 elsewhere in the country Prevent teams were being given  
 15 similar tasks to manage?  
 16 A. I wasn't aware. I know what became Team 7. Prior to  
 17 that their risk management team, or whatever it was  
 18 called, were under the umbrella of Prevent but they were  
 19 subsequently moved out and morphed into Team 7, which  
 20 wasn't under Prevent.  
 21 Q. Yes, and again, in a nutshell, you had had training for  
 22 Prevent work, but no training for managing part 4  
 23 conditions or TACT —  
 24 A. I'm not sure there is any training available, so we  
 25 hadn't had any.

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1 Q. No. Now, in the answers you've been giving so far to my  
 2 learned friend Mr Hough, you seem keen to emphasise that  
 3 your primary responsibility was to manage part 4  
 4 conditions?  
 5 A. Yes.  
 6 Q. But you would agree with me, wouldn't you, that you did  
 7 a lot more than that in practice —  
 8 A. Yes.  
 9 Q. — with Mr Khan in 2019?  
 10 A. Yes. Correct, yes.  
 11 Q. Because we know that you were having very regular  
 12 communications with Mr Skelton, for example?  
 13 A. Yes.  
 14 Q. My impression is at times that might be daily contact  
 15 between you?  
 16 A. Sometimes — some weeks it was daily, yes.  
 17 Q. And you or your officers were having, for the most part,  
 18 regular visits to Khan as well?  
 19 A. Yes.  
 20 Q. At the start weekly, bi-weekly?  
 21 A. Yes.  
 22 Q. We know you helped him acquiring an Xbox and mobile  
 23 phones and enrolling into a gym?  
 24 A. I mean, I didn't acquire the Xbox for him, he'd already  
 25 bought that, and he asked me to go with him just so he

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1 could prove that the internet capability had been  
 2 removed from it, but he had already bought that himself.  
 3 Q. Yes. And it's clear that you liaised with Mr Skelton in  
 4 relation to various decisions which were made around  
 5 Khan and his management?  
 6 A. Yes.  
 7 Q. So those are things outside of the MAPPA context as  
 8 well?  
 9 A. Yes.  
 10 Q. And would you agree that you provided an interface  
 11 between probation and police in relation to Khan?  
 12 A. Exactly, yes.  
 13 Q. And you were Mr Skelton's first port of call --  
 14 A. Yes.  
 15 Q. -- from the various police agencies?  
 16 A. Yes, correct.  
 17 Q. And were you also an interface between Khan and other  
 18 police agencies, so you were able to feed information  
 19 back to them?  
 20 A. Yes.  
 21 Q. And as we have seen examples already, you were at times  
 22 quite a vocal contributor to MAPPA meetings?  
 23 A. Yes.  
 24 Q. Not inappropriately so, but you were --  
 25 A. No, no. Yes.

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1 Q. So do you agree that in practice you were involved in  
 2 offender management, even if final decisions were made  
 3 by probation?  
 4 A. Oh, yes. I don't think I ever saw it as the offender  
 5 managers, but the whole package is involved in the  
 6 management of an offender, of which we were one part of  
 7 that, so yes, we were involved in it, yes.  
 8 Q. If we could have up, please, {WS5005/19}, glasses may be  
 9 required for this.  
 10 JUDGE LUCRAFT: I think they've been fixed.  
 11 MR PITCHERS: They are still being fixed?  
 12 JUDGE LUCRAFT: I think they have been fixed.  
 13 MR PITCHERS: Right.  
 14 It's the top paragraph and I'll assist actually by  
 15 just reading out the key words. You said this is in  
 16 a statement you provided to the IOPC. You said:  
 17 "... we were always in touch with him. We tried to  
 18 unblock barriers for him where we could by talking to  
 19 Mr Skelton or otherwise, if we could sort it then we  
 20 would do. We probably did a lot more than legislation  
 21 would have us do, but that just felt right to us. We  
 22 met with him regularly, we bought him a coffee and we  
 23 had a chat with him. That said, we also made it clear  
 24 to him, if he did offend, we would lock him up, but we  
 25 didn't want to have to."

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1 A. Yes.  
 2 Q. "It was also ... clear that between us and Mr Skelton, it  
 3 was a team effort."  
 4 A. Yes.  
 5 Q. And those are the words that you chose to provide in  
 6 the statement?  
 7 A. Yes.  
 8 Q. And you agree that's an accurate summary, an overview of  
 9 your involvement with Khan and with Mr Skelton as well?  
 10 A. Yes, and I think that was important to be consistent in  
 11 our approach, really, because he might come and ask me  
 12 for something that is not my decision but probation's so  
 13 we'd got to be consistent, let him know: you're not  
 14 going to get round one by going to the other,  
 15 effectively.  
 16 Q. Yes, but it's more than that, isn't it, it's teamwork?  
 17 A. Yes, it is teamwork.  
 18 Q. It would be very artificial to somehow solely deal with  
 19 questions that went direction to part 4 conditions.  
 20 A. No, it is a team effort, of course it is.  
 21 Q. And you have said in answers before, or perhaps  
 22 suggested that you didn't have a role in the assessment  
 23 of risks that might be associated with certain decisions  
 24 around --  
 25 A. The overall risk, yes.

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1 Q. Isn't that a little bit difficult to square with the  
 2 fact that you actually produced two risk assessments  
 3 about Khan?  
 4 A. Yes, no, I take your point on that. They were quite  
 5 tight risk matrix on quite tight subjects to dictate the  
 6 frequency of visits as part of the part 4 management, as  
 7 opposed to the overall -- because they're taken from the  
 8 vulnerability assessment or ERG kind of headings but  
 9 they were quite tight headings on that, it contributed  
 10 to that but it wasn't the overall risk assessment.  
 11 Q. Well, there were other risk assessments, but you did  
 12 complete these two risk assessments?  
 13 A. Yes, I did, yes.  
 14 Q. November 2018 and November 2019 that Mr Hough took you  
 15 to?  
 16 A. Yes.  
 17 Q. And you didn't say to anybody: I don't have the skill  
 18 set to do this, did you?  
 19 A. Not particularly, no.  
 20 Q. No, you didn't say that, did you?  
 21 A. No, I didn't that, sorry, sorry.  
 22 Q. You didn't say: I don't have enough information to do  
 23 this properly?  
 24 A. Not for that purpose, no.  
 25 Q. And you would agree, wouldn't you, that in fact in

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1 discussions around management of Khan, you did express  
 2 views about risk, or opinions that were affected by your  
 3 views of the risks associated with Khan?  
 4 A. Yes. Yes, to a degree, yes.  
 5 Q. Yes. I just want to ask you about an answer that you  
 6 gave to Mr Hough in the context of risk assessment, and  
 7 you said if it was an act, you're either in it for the  
 8 long game or catch yourself out.  
 9 A. To those effect, yes.  
 10 Q. I took a note --  
 11 A. Yes. Yes, yes.  
 12 Q. -- and that was what you said.  
 13 A. Yes.  
 14 Q. So does that reveal your assessment, which was either  
 15 Khan was going to get caught out at some point --  
 16 A. Yes.  
 17 Q. -- or he was in it for the long game?  
 18 A. Not -- yes, you're right would he get caught out.  
 19 I think my view, I was consistently expressing it, with  
 20 the number of agencies involved and the number of people  
 21 speaking to him, be that probation, ourselves, other  
 22 partners, et cetera, you're either going to be  
 23 inconsistent with what you say, and that will become  
 24 evident, or you are playing a long game. So it never  
 25 got rid of the fact that, I think what I'd anticipated,

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1 we're not taking him on face value and everything he  
 2 says is absolutely right (?).  
 3 Q. So did you bear in mind the chance that Khan was playing  
 4 a long game?  
 5 A. It was always a possibility.  
 6 Q. And obviously if that possibility eventuated, as it did,  
 7 the consequences were catastrophic?  
 8 A. The consequences have been catastrophic, absolutely,  
 9 yes, they have.  
 10 Q. So are you satisfied that when you were contributing to  
 11 decision-making around Khan, you kept in mind the  
 12 possibility that he was playing a long game?  
 13 A. Well, that was part and parcel of the thinking, yes,  
 14 that's why we reported --  
 15 Q. Was it part and parcel of your thinking?  
 16 A. Yes, that's why we reported back what we were saying,  
 17 whether I thought the isolation was a problem at that  
 18 time, that's what I was seeing, but I am conscious  
 19 somebody else might be seeing something different, so  
 20 that's why you report it, that's why you report  
 21 anything: that there may be a longer game being played  
 22 that I don't know about.  
 23 Q. But if you really considered that that was a possibility  
 24 you wouldn't have written that second risk assessment,  
 25 would you, scoring him a zero for intent?

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1 A. Actually, looking at the headings it was scored against,  
 2 I probably would, because I had no evidence to answer  
 3 those specific questions, I had no evidence to the  
 4 contrary.  
 5 Q. I don't want to get too much into the weeds on this, but  
 6 isn't the point about someone playing a long game that  
 7 there won't be evidence in recent months?  
 8 A. But then I've got to go on what's in front of me and  
 9 what information I'm given as opposed to -- that is  
 10 supposition from me at that point.  
 11 Q. Well, if you are doing a risk assessment you would need  
 12 to consider all of the available sources, wouldn't you?  
 13 A. Yes, yes.  
 14 Q. Previous ERG, his offending behaviour, whether he was  
 15 minimising that, his conduct in prison, intelligence.  
 16 A. I -- well, whether I did or -- I don't know, but at that  
 17 point --  
 18 Q. I suggest you clearly didn't.  
 19 A. Well, I made it on what I thought was right at the time.  
 20 Q. So at the point that he was released, we've established  
 21 in earlier evidence, by that stage you had had access to  
 22 the ERG --  
 23 A. Yes.  
 24 Q. -- that was produced in April 2018?  
 25 A. Yes.

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1 Q. And we know that you'd been to, I think, three MAPPA  
 2 meetings --  
 3 A. Mm-hm.  
 4 Q. -- where there had been detailed discussions about Khan,  
 5 including the intelligence that was being circulated at  
 6 that stage?  
 7 A. Right, yes.  
 8 Q. Yes?  
 9 A. Yes.  
 10 Q. So would you agree that at the point of him being  
 11 released from custody, you had been given material to  
 12 give you a good awareness of his offending history?  
 13 A. Yes.  
 14 Q. And his behaviour whilst he was in custody?  
 15 A. Yes.  
 16 Q. And, as I say, that intelligence that was circulated in  
 17 the MAPPA context?  
 18 A. Yes.  
 19 Q. I mean, my sense, from reading the documents which are  
 20 available, is that from your perspective, things were  
 21 relatively quiet or uneventful, at least, in the first  
 22 few months of 2019?  
 23 A. Yes.  
 24 Q. And it seems from following through the MAPPA minutes  
 25 that that changed by the meeting on 30 May 2019?

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1 A. Right, okay.  
 2 Q. Would you -- we can have it up if needs be, but this is  
 3 the one that Mr Hough took you to where you set out  
 4 a number of concerns you had?  
 5 A. Right, okay, yes.  
 6 Q. Do you remember? So this is the one where you talk  
 7 about him being like a teenager --  
 8 A. Yes.  
 9 Q. -- not driven, needs to mature, no social network.  
 10 A. Yes.  
 11 Q. You expressed the concern about him becoming vulnerable  
 12 when he left the approved premises.  
 13 A. Yes.  
 14 Q. You expressed the potential for his bubble to burst, and  
 15 one I don't think you've been asked about, is you also  
 16 noted that he had asked questions on two occasions about  
 17 giving up his British nationality?  
 18 A. I don't think he was asking about whether he should give  
 19 up his nationality.  
 20 Q. He asked you about whether he could and what that might  
 21 mean for his supervision?  
 22 A. No, that came up in the context of a conversation with  
 23 him, I think in the national news at the time there had  
 24 been one or two people who had their passports --  
 25 I think the Royal Prerogative, whatever, where their

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1 passports were withdrawn, British citizenship was  
 2 removed, and I think it was brought up in the context of  
 3 is that going to happen to me because I've got two  
 4 passports.  
 5 Q. Are you suggesting he thought it might be imposed upon  
 6 him?  
 7 A. Yes.  
 8 Q. It wasn't something he was asking if he could do it?  
 9 A. No, he wasn't asking -- I never took it that he was  
 10 asking could he give up his British passport or British  
 11 citizenship, it was more in the context of: is this  
 12 going to happen to me?  
 13 Q. Could we just have up, please, {DC6413/5}. This is the  
 14 way it's minuted.  
 15 A. Yes. I see that.  
 16 Q. So as we look at it, it's the penultimate complete  
 17 paragraph.  
 18 A. Yes.  
 19 Q. "... he did raise a question concerning what would  
 20 happen if he were to give up his British nationality --  
 21 he questioned whether he would still have to notify in  
 22 relation to ... part 4."  
 23 A. Yes.  
 24 Q. That doesn't fit with what you're telling us now, does  
 25 it?

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1 A. Well, no, because in the conversation, at the point of  
 2 registering, when I heard that, I took it as the other  
 3 way around: is that going to be imposed upon me?  
 4 Q. You accept that's not how it's recorded?  
 5 A. No, no, I accept that there, yes.  
 6 Q. And this is somebody who recorded what you said at the  
 7 meeting?  
 8 A. Well, that's been recorded, yes.  
 9 Q. Yes, but this is the section where you gave an update to  
 10 the meeting?  
 11 A. Yes.  
 12 Q. And then it continues towards the end of that paragraph:  
 13 "He has raised the question in relation to his  
 14 nationality on two occasions now which is concerning --  
 15 unsure why he would want to give his dual nationality  
 16 up."  
 17 A. Yes.  
 18 Q. Okay. On reflection, do you accept that's an accurate  
 19 note of what you did say: that it was him wanting to  
 20 give up his dual nationality?  
 21 A. To be honest with you, I took it as he was asking if  
 22 this could be imposed, is it something he should be  
 23 doing. I see what you're saying, I absolutely take your  
 24 point, but I'm not questioning the minutes there.  
 25 Q. No. Is it that that is how you took it and then you

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1 said something different to the meeting?  
 2 A. I may well have done, I may well have done. I can't say  
 3 for definite one way or another at the moment.  
 4 Q. I mean, there's quite a lot you've not been able to  
 5 recall today. Do you not think this is likely to be the  
 6 best record as to what you actually said?  
 7 A. More than likely then, yes.  
 8 Q. You are also noted as saying it was concerning. What  
 9 was concerning about that?  
 10 A. Well, because the subject had been revisited, had come  
 11 up twice.  
 12 Q. Well, but if you ask what the weather is like twice,  
 13 that's not concerning. What was concerning about this?  
 14 A. I think it's in the context of would he still have to  
 15 notify for his part 4. I think I was questioning is he  
 16 saying he wants to leave the country.  
 17 Q. Yes, your concern was about what that might have said  
 18 about his state of mind?  
 19 A. Possibly, yes.  
 20 Q. So, as I say, I suggest to you by late May, early summer  
 21 2019, things are -- you're appropriately here, according  
 22 to the minutes, at least, expressing genuine concerns  
 23 about Khan that are relevant to risk management; yes?  
 24 A. Yes.  
 25 Q. So that seems to be a bit of a shift from the earlier

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1 MAPPA minutes on your part?  
 2 A. Right, yes.  
 3 Q. Yes?  
 4 A. Yes.  
 5 Q. And just, if I may, looking ahead to what happened with  
 6 subsequent visits, we have heard that you visited on  
 7 2 July —  
 8 A. Mm—hm.  
 9 Q. — 2019 at the approved premises.  
 10 A. Yes.  
 11 Q. And am I right that you made a pocket book entry in  
 12 relation to that?  
 13 A. Yes. Yes.  
 14 Q. Can we just have a look at {DC7525/10}. This will be  
 15 a challenge to read. I don't think, thankfully —  
 16 A. I apologise for my handwriting.  
 17 Q. No, no, it's much better than mine. I don't think what  
 18 you wrote is particularly important. If we just scroll  
 19 through, please, to the end of this document where that  
 20 entry runs out. There may be no more pages. While  
 21 that's happening, it's just to get to this point, that  
 22 that seems to be the last entry that you made in  
 23 relation to Khan in your pocket book?  
 24 A. Yes.  
 25 Q. And that's 2 July 2019.

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1 A. Yes, yes.  
 2 Q. So nothing happened subsequently you felt to be of  
 3 sufficient significance to record in a pocket book?  
 4 A. No, because they were recorded, anything else I did  
 5 would record in other systems at the time and it then —  
 6 there's no necessity that's duplicated would then(?)  
 7 necessarily go in my pocket book.  
 8 Q. Now you visited Khan again, didn't you, on 15 and  
 9 30 August 2019?  
 10 A. Yes.  
 11 Q. So that's either side of the August MAPPA meeting?  
 12 A. Yes.  
 13 Q. And as we've heard, 30 August was the last time that you  
 14 saw Khan?  
 15 A. Yes.  
 16 Q. So that means that you never saw him again after he had  
 17 moved out of the approved premises?  
 18 A. No.  
 19 Q. But you accept, and I think it's acknowledged in the  
 20 papers, that his move out of approved premises was  
 21 an important transitional stage for him?  
 22 A. Mm—hm.  
 23 Q. Yes?  
 24 A. Yes.  
 25 Q. And in this context, a transitional stage is something

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1 that might lead to an increase in risk?  
 2 A. Yes.  
 3 Q. Did you not consider it was part of your responsibility  
 4 to go out and see him again?  
 5 A. Well, I think at that time — I mean, my team were as  
 6 capable of making those visits and as capable of coming  
 7 up to the same conclusions and reporting it back, and it  
 8 was also in the context of, by that time we had at least  
 9 one other part 4 that we were managing that, or that we  
 10 were involved with at the same time, so I was involved  
 11 in other things. The problem was, I couldn't be  
 12 everywhere at the same time and that's why you've got  
 13 a team for that, and I am not offering that as an  
 14 excuse, whatever, but I think I've got to have  
 15 confidence in my team that they can make the same  
 16 assessments.  
 17 Q. Sure, but you're not suggesting that you didn't have  
 18 time in 9 to 10 weeks to go out and see him again?  
 19 A. Well, no, clearly there wouldn't be, but I didn't feel  
 20 there was a necessity for me necessarily. As I say, my  
 21 team were involved in that.  
 22 Q. So after the day that Khan moved into his own flat —  
 23 A. Yes.  
 24 Q. — I'm right, aren't I, that there were just two visits  
 25 by Prevent officers?

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1 A. Yes.  
 2 Q. The first was on 31 October.  
 3 A. Mm—hm.  
 4 Q. So the first visit after he has moved in is five weeks  
 5 later?  
 6 A. Right, yes.  
 7 Q. Do you regard that as appropriate?  
 8 A. Looking back now, then I've got to say yes.  
 9 Q. You don't have to say yes. If you don't think it's —  
 10 A. I do, I think I do.  
 11 Q. You don't —  
 12 A. I thought our visits were more frequent at that point,  
 13 so I'm not sure why that gap is there, if I'm truthful  
 14 with you, I really don't know, but — so, looking back,  
 15 I think I do have to say yes.  
 16 Q. Well, so you thought that the visits were more frequent.  
 17 At the time you thought your team were visiting more  
 18 frequently than —  
 19 A. Nothing struck me out of ordinary at the time. It's  
 20 only when it's been highlighted to me subsequently that  
 21 that's come as a surprise to me, and it's no more than  
 22 that.  
 23 Q. Right. Let's look if we can at {DC7419/8}. Now, this  
 24 is taken from a summary. I think this may have been  
 25 presented by DCI Dan Brown already.

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1 A. Right.  
 2 Q. And it details evidence captured on the CCTV at  
 3 Khan's -- at the entrance to the building in which  
 4 Khan's flat was situated.  
 5 A. Yes.  
 6 Q. So after he has moved out.  
 7 A. Yes.  
 8 Q. And just at the bottom there, we see "Prevent Visit  
 9 31/10/2019".  
 10 A. Yes.  
 11 Q. Now this was another unannounced visit, wasn't it?  
 12 A. Yes.  
 13 Q. And if we just scroll down, yes, we see there, the  
 14 correct time is given for Craig Hemmings and Ian Oakley  
 15 as 9.13 entering?  
 16 A. Okay.  
 17 Q. And if we just turn over {DC7419/9}, and another one  
 18 {DC7419/10}, and then I think we see there a corrected  
 19 time for them leaving, again, around 9.23.  
 20 A. Mm-hm.  
 21 Q. So that's about 10 minutes.  
 22 A. Yes.  
 23 Q. Do you regard that as an appropriate duration for the  
 24 first visit in five weeks?  
 25 A. Well, I think that's difficult to say, in all honesty,

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1 because we don't go there with a set script of questions  
 2 to ask. It's going there to ask: is there any concerns  
 3 you have, is there anything you need from us, is there  
 4 any help, how are you doing? We don't have authority to  
 5 go round his flat, and if he's reporting: I'm doing good  
 6 and everything's okay, then it might be a short thing.  
 7 If he's got something more to discuss or something we  
 8 want to raise then it could be longer. I don't think  
 9 there is any set time that says it's appropriate or  
 10 inappropriate, if I'm truthful.  
 11 Q. But would you not expect that after a delay of five  
 12 weeks for it to be of use a longer discussion that might  
 13 gain more insights into Khan would be appropriate than  
 14 10 minutes?  
 15 A. I honestly think that's a difficult one to answer with  
 16 any certainty one way or another, if I'm honest.  
 17 Q. All right. Within the same document, can we just turn  
 18 to {DC7419/24}, please. This is the Prevent visit of  
 19 14 November --  
 20 A. Yes.  
 21 Q. -- where photographs were taken of the Xbox games.  
 22 A. Mm-hm.  
 23 Q. And, again, it would seem that Craig Hemmings and  
 24 Ian Oakley entered, they're approaching the door, at  
 25 least, at 11.47.28 is the corrected time, and if we

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1 could just turn to {DC7419/26} we should see the time  
 2 that they depart. Yes, 11.59, coming up to noon. So  
 3 that, again, that's about 10 minutes as well, slightly  
 4 longer?  
 5 A. Yes. He had asked them to leave at that point and they  
 6 have to do that, they have to comply at that point.  
 7 Q. Yes, well, we'll hear from them. So he had asked them  
 8 to leave?  
 9 A. Yes.  
 10 Q. So they left?  
 11 A. That's what was reported, yes, and I think -- and I saw  
 12 that earlier. Yes.  
 13 Q. So in terms of face-to-face contact between any Prevent  
 14 officers and Khan for the last 9 or 10 weeks, it would  
 15 seem we don't quite get to 25 minutes in total, do we?  
 16 A. No.  
 17 Q. Again, that's unacceptable, isn't it?  
 18 A. Well, I think we were there to satisfy that everything  
 19 was okay with him and there was no breaches of his  
 20 part 4. I'm not convinced there's a set time for that,  
 21 if I'm honest, and I'm really not being difficult with  
 22 you.  
 23 Q. I'm not suggesting there's a set time, I'm suggesting  
 24 that --  
 25 A. I see what you're saying, but if the officers'

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1 assessment at the time there is that there's nothing to  
 2 extend that meeting, and certainly if we've been asked  
 3 to leave, we can't, then I'm not entirely sure what --  
 4 I take where you're coming from, I do take where you're  
 5 coming from, but I'm not sure whether I can give  
 6 a definitive (inaudible) if I'm truthful with you.  
 7 Q. Okay. Now keeping with the theme of frequencies of  
 8 visits, it's right, isn't it, as we've already seen  
 9 earlier, that DS Jon Stephenson in an email asked you to  
 10 increase the frequency of what he described as  
 11 engagement, so I take it to mean increase the frequency  
 12 of these visits?  
 13 A. Yes.  
 14 Q. And that was around 6 November; is that right?  
 15 A. Yes, and I think -- and I think I've seen an email or  
 16 something that says that we'd said they were monthly at  
 17 that time, and I appreciate there has been that gap, but  
 18 I had never set it at monthly at that point. It may  
 19 well have been part of a conversation that we would be  
 20 looking to move it to monthly, I don't think -- but then  
 21 the evidence today would suggest it had become monthly  
 22 by whatever reason, but that hadn't been formalised, so  
 23 I understand where he was coming from, and I know that  
 24 email was there, but because I hadn't said monthly,  
 25 I don't think I -- I think I pushed back a little bit at

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1 that point.  
 2 Q. Were MAPPAs aware how infrequent the visits were?  
 3 A. Well, we informed MAPPAs every time we made a visit, at  
 4 the subsequent MAPPAs meetings.  
 5 Q. So you're saying you did tell the MAPPAs meetings how  
 6 frequently --  
 7 A. The frequency -- we told them when we had a meeting,  
 8 I didn't tell them the meeting schedule, no.  
 9 Q. So if we could just have up, please {WS5063--JS413/4}.  
 10 It trips off the tongue.  
 11 If we look at the bottom, I think, the very bottom  
 12 of this, we can see an email from Ian Oakley, from whom  
 13 we'll hear tomorrow, in the afternoon of 5 November, to  
 14 you, also copying in Jon Stephenson and Emma Hartill.  
 15 This, I think, was the intelligence report he was  
 16 sending from his visit of 31 October?  
 17 A. Yes.  
 18 Q. And then it was in reaction to that, wasn't it, that  
 19 DS Stephenson emailed you?  
 20 A. Yes.  
 21 Q. And just -- the jury may not have got this fact clear in  
 22 their minds, who was DS Stephenson?  
 23 A. DS Stephenson was and is a DS within Special Branch who  
 24 was -- he's part of the investigation team, if you like,  
 25 that links in with the West Midlands investigation team

1 sitting behind the work that we were doing.  
 2 Q. Yes. So he is a counter-terrorism specialist?  
 3 A. Yes.  
 4 Q. Yes. And you weren't, then?  
 5 A. Not in that sense, no.  
 6 Q. No. And your reply, I believe, is at internal page 3 on  
 7 this document {WS5063--JS413/3}, and it's towards the  
 8 bottom of that page. I know you've been taken to this  
 9 but I just want to pause on it. We see there, the last  
 10 paragraph, if you like, says:  
 11 "I don't propose increasing the visits as there is  
 12 nothing to suggest that this is needed or justified at  
 13 this time."  
 14 Now, isn't this remarkable: you're getting  
 15 a specific request from the counter-terrorism specialist  
 16 at Special Branch to increase the frequency of visits,  
 17 and your response, essentially, is "No".  
 18 A. It wasn't just a straight no, and I don't think it's as  
 19 simple as that. We hadn't had a conversation about it  
 20 at that point, it had been purely in the email, so  
 21 I didn't have anything, I don't think, that would  
 22 suggest -- bearing in mind I didn't think we'd gone to  
 23 monthly, so I thought --  
 24 Q. Hold on. You would have had a sense at that point --  
 25 presumably before you said "I'm not increasing the

1 frequency", you would have satisfied yourself how  
 2 frequent the visits were?  
 3 A. Well, I ... I would --  
 4 Q. One would hope?  
 5 A. Well, I'm not sure I did, if I'm honest with you because  
 6 I thought --  
 7 Q. So how can you give a view on whether to increase the  
 8 visits without knowing how frequently they are  
 9 happening?  
 10 A. Because they felt at the time they were appropriate  
 11 visits. That's the honest answer within that. But we  
 12 did have a further conversation about this and it did  
 13 change, so, you know.  
 14 Q. But why wasn't your instinct to agree with the  
 15 specialist on this?  
 16 A. Because our visits were largely to satisfy the  
 17 compliance with part 4, and compliance with probation  
 18 conditions, which the information I had, that was being  
 19 complied with. The context of increase the visits, or  
 20 the request of increase the visits didn't come with  
 21 a context to it, so we had a further conversation within  
 22 that. So at that time I didn't see -- in subsequent  
 23 conversation, we clearly put something different in  
 24 place.  
 25 Q. And of course at that time, let's remind ourselves, you

1 hadn't seen Khan since August?  
 2 A. No, I hadn't, but Prevent officers had.  
 3 Q. And it's at this time that you do the risk assessment  
 4 giving him such a low score when you had not seen him  
 5 since August?  
 6 A. No, but I had seen the reports that came back.  
 7 Q. Would you agree with this: at this crucial time you  
 8 completely took your eyes off the ball in relation to  
 9 Khan's management?  
 10 A. I wouldn't accept that, no, I don't think I took my eye  
 11 off the ball.  
 12 Q. There's another example, I suggest, of you pushing back  
 13 very hard against the specialist advice you were  
 14 getting, and that relates to the dumper truck course.  
 15 Is this the correct sequence: before this was taken to  
 16 MAPPAs, DS Stephenson from Special Branch had expressed  
 17 concerns to you about the proposal that Khan was to do  
 18 a dumper truck course?  
 19 A. I think it had come up at MAPPAs first, then if  
 20 I remember rightly, there was a MAPPAs conversation that  
 21 this was on the cards, then there was some confusion in  
 22 MAPPAs, in actual fact, what is a dumper truck, and  
 23 then -- so we've got the -- Mr Skelton was sent away to  
 24 clarify what this is so it could be discussed at the  
 25 next MAPPAs, and I think -- I think, and I may be wrong,

1 and I'll accept if I'm wrong --  
 2 Q. I think you're wrong.  
 3 A. -- okay, that's fine -- I thought between those two.  
 4 Q. Let's just get the chronology right.  
 5 A. Okay, that's fine.  
 6 Q. {WS5063-JS298/1}. You've been taken to this, so this is  
 7 3 July.  
 8 A. Okay, yes.  
 9 Q. DS Stephenson sends you the JTAC report. What does JTAC  
 10 stand for?  
 11 A. Joint Threat Assessment Centre.  
 12 Q. Sorry?  
 13 A. The Joint Threat Assessment Centre.  
 14 Q. What do you understand about what that is, what centre  
 15 is it?  
 16 A. Well, they assess the overall threat for the country, so  
 17 whatever threat level this country is at is derived by  
 18 JTAC.  
 19 Q. And we can see the context of him sending that document  
 20 is in relation to concerns about the dumper truck course  
 21 that was being proposed?  
 22 A. Yes.  
 23 Q. And if we scroll down to {WS5063-JS298/2} we can see the  
 24 heading "UK attack methodology: vehicle as a weapon",  
 25 and the first bullet point says this:

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1 "Use of a vehicle as a weapon... remains a highly  
 2 likely methodology in a UK-based attack."  
 3 A. Mm-hm.  
 4 Q. And the rest, if you like, is an exposition on that  
 5 theme.  
 6 A. Yes.  
 7 Q. And on {WS5063-JS298/4}, it's the table in the bottom  
 8 left corner, and the context is recent attacks are  
 9 considered, some of them in more detail, but there's  
 10 also a table that sets out a summary of dates of  
 11 attacks, countries, venues, weapons, and then the number  
 12 of victims. So this is all in the document that you  
 13 were sent?  
 14 A. Yes.  
 15 Q. And at that stage surely you would have had familiarity  
 16 even without reading this of the various terrorist  
 17 attacks that have been perpetrated --  
 18 A. Yes.  
 19 Q. -- particularly in Europe --  
 20 A. Yes.  
 21 Q. -- by Islamist extremists using vehicles?  
 22 A. Yes.  
 23 Q. And perhaps most horrifically, the attack in Nice --  
 24 A. Yes.  
 25 Q. -- in July 2016.

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1 A. Yes.  
 2 Q. And what was the weapon used there?  
 3 A. That was a large vehicle.  
 4 Q. Yes, it was a cargo truck, wasn't it?  
 5 A. Yes.  
 6 Q. And 86 people killed, 434 injured.  
 7 A. Yes.  
 8 Q. Now, why was this not the end of the discussion about  
 9 the dumper truck course?  
 10 A. Sorry, why was?  
 11 Q. Why was this not the end of the discussion about the  
 12 dumper truck course?  
 13 A. The dumper truck course wasn't for me to decide whether  
 14 he could or couldn't have it. That was a probation and  
 15 MAPPA decision. That was -- it wasn't -- we were being  
 16 consulted on it, but it wasn't for me to approve or not,  
 17 so I have to report their concerns back to it, but  
 18 ultimately it's a conversation for probation who will  
 19 see that as a progression of his training --  
 20 Q. But you expressed a view, didn't you, about --  
 21 A. Yes, I did, yes.  
 22 Q. And you disagreed with DS Stephenson, didn't you?  
 23 A. I disagreed in terms of -- and I take that, but  
 24 I disagreed in terms of I didn't believe that that was  
 25 something that ever featured in any thinking around

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1 Mr Khan. He already had a driving licence.  
 2 Q. Let's just pause there. So you were reassured by the  
 3 fact that he hadn't specifically been convicted of  
 4 plotting to use a vehicle for an attack?  
 5 A. I'm not sure "reassured" is the right word. But if  
 6 everything I'm looking at is historic and in the nature  
 7 of an individual, then I didn't think that that  
 8 particularly was a reason to say no at that time. Bear  
 9 in mind he was compliant with everything and he was  
 10 working with -- and he was actively trying to seek  
 11 employment, as far as we knew.  
 12 Q. But, again, did it not cause you to pause and think:  
 13 this is the guidance I'm being sent, the specialists are  
 14 advising against this, maybe I've got this wrong? Maybe  
 15 I should stop batting for this plan to put Khan on  
 16 a course to use a dumper truck?  
 17 A. No, because it's in the picture of: are we trying to see  
 18 -- get him into employment, and it was being framed at  
 19 the time, this was something that, I think there was  
 20 a job offer there that wanted him to have this, if we're  
 21 trying to fill his day with useful activity, ie  
 22 employment, it made sense to do that. But ultimately it  
 23 went to MAPPA for a decision, who are the ultimate  
 24 arbiters on it, they rejected it and I've got no gripe  
 25 with that at all.

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1 Q. So for you the balance was tipped in favour of giving  
2 him one specific qualification for construction work  
3 against the risk of him using a heavy vehicle in  
4 a terrorist attack?  
5 A. I don't think it's as black and white as that but okay.  
6 Q. Did you speak to DI Hessel about this before the MAPPA  
7 meeting on 11 July?  
8 A. We will have had a conversation, yes.  
9 Q. Because, I don't think we need to turn it up right now,  
10 not least because of time, but we'll hear from  
11 DI Hessel, but my reading of a note from the major  
12 incident disclosure book is perhaps that DI Hessel was  
13 rather incredulous that it was being suggested that Khan  
14 undertook a dumper truck course?  
15 A. Well, I didn't have sight of that book but --  
16 Q. Did DI Hessel express that to you?  
17 A. I would say scepticism; I'm not sure incredulous is the  
18 word I would use.  
19 Q. You say scepticism --  
20 A. Yes, a level of scepticism.  
21 Q. To the point that he made a specific note that he was to  
22 attend the next MAPPA meeting?  
23 A. Well, so I realise, yes.  
24 Q. And it's right, isn't it, that there was then a MAPPA  
25 meeting, and you continued to advocate for Khan doing

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1 this course, at the 11 July 2019 meeting?  
2 A. I put the point across I was making, yes.  
3 Q. So again, it seems to be you didn't defer, you didn't  
4 stand back and let probation and Special Branch argue it  
5 out, you continued to advocate for the dumper truck  
6 course for Khan?  
7 A. In the context of what I've said, yes.  
8 Q. Yes. And then as we've heard, the panel wants more  
9 information and it came back to MAPPA in August of 2019  
10 and, again, in the face of concerns being expressed from  
11 the counter-terrorism specialist, you continued to push  
12 for Khan to do this dumper truck course, didn't you?  
13 A. Yes, I still thought it was a useful thing for him to  
14 do.  
15 Q. It's clear that was what you thought.  
16 A. Yes.  
17 Q. And the panel disagreed with you?  
18 A. Yes.  
19 Q. And the reason for disagreement were concerns about  
20 risks associated with Khan having that skill.  
21 A. Yes.  
22 Q. And this is the same meeting where there is the first  
23 brief reference to the Fishmongers' Hall event, isn't  
24 it?  
25 A. I will take your word for that, yes.

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1 Q. In August. So the same meeting there's a detailed  
2 debate about the dumper truck course --  
3 A. Yes.  
4 Q. -- and the decision that he's not safe to be allowed to  
5 learn how to use a dumper truck [course] is the same one  
6 as --  
7 A. Right, yes, yes, the August, that's correct, yes.  
8 Q. I'm coming to the end.  
9 14 November, which is the unannounced visit --  
10 A. Yes.  
11 Q. -- responding to the requests to take photographs of the  
12 Xbox games.  
13 A. Mm--hm.  
14 Q. Now that request didn't come from you, did it?  
15 A. No.  
16 Q. But you understood it to be on the basis that they  
17 wanted to understand what games he was playing?  
18 A. Yes.  
19 Q. And did you understand what it was that they were  
20 interested in or concerned about?  
21 A. Not specifically, just a concern what are the --  
22 I understand that bit, but they said we want to know  
23 what he's playing, yes, as simple as that.  
24 Q. But use your common sense: it wasn't they had  
25 an interested in gaming?

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1 A. No, they didn't have an interest in gaming; they wanted  
2 to make sure he was watching or playing appropriate  
3 material, yes.  
4 Q. And what sort of things did you expect to be considered  
5 as inappropriate for someone in Khan's position?  
6 A. Well, I think it was more about has he got anything that  
7 isn't gaming or films. I don't know in actual fact --  
8 nobody had set a stipulation at the outset as to what  
9 games he could or couldn't have, or films he could or  
10 couldn't watch, if they were all lawfully obtained  
11 then -- I don't know what games specifically they were  
12 thinking, but there would be violence games which  
13 I'm sure he was playing.  
14 Q. But they wanted to know what games he was playing,  
15 didn't they?  
16 A. Yes.  
17 Q. Because they were concerned about the content of that,  
18 given how much time he was spending, presumably?  
19 A. Yes, that's the -- yes.  
20 Q. Did you review the photographs that came back?  
21 A. Yes.  
22 Q. And can we have these up, please, at {DC7428/15-20}.  
23 Now, we may be returning to these, and you will be  
24 relieved to hear I'm not going to read out every title,  
25 but if we scroll through to page 20 with a brief pause,

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1 like that, perfect. We get a sense of the number of  
 2 games he had?  
 3 A. Mm—hm.  
 4 Q. And did you have a look at these photographs, I think  
 5 they were sent to you, weren't they?  
 6 A. Yes.  
 7 Q. Were you concerned by what you saw?  
 8 A. To be honest with you I think they're what I expected to  
 9 see given the kind of gaming he had been into, but  
 10 I forwarded those in so that they could be assessed  
 11 properly.  
 12 Q. Would you agree that it doesn't require an expert  
 13 assessment to conclude that the overwhelming majority of  
 14 those games involved violence?  
 15 A. Yes.  
 16 Q. And also involved the use of weapons?  
 17 A. Yes.  
 18 Q. And we've got, for example, seven editions of Assassin's  
 19 Creed which is a game, as I understand it, which  
 20 involves a character assassinating people with knives?  
 21 A. Yes.  
 22 Q. I'm not for a second suggesting that the games caused  
 23 his actions, but was it a concern that he was filling  
 24 his time playing violent video games?  
 25 A. Well, prior to that I didn't know they were violent

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1 video games he was watching. I accept that there are  
 2 limits to — a lot of the games tend to centre on that  
 3 and I fully accept that, but it also fits with, I think,  
 4 the assertions that I made quite frequently that I would  
 5 like to see his days filled with employment or filled  
 6 with something more useful than being in his flat, yes.  
 7 Q. Finally, if you had agreed to accompany Khan on the day  
 8 of the Fishmongers' Hall event —  
 9 A. Mm—hm.  
 10 Q. — you would have given him advance notice, wouldn't  
 11 you?  
 12 A. Yes.  
 13 Q. And, presumably, perhaps weeks' notice that you were  
 14 going to be accompanying him?  
 15 A. Yes.  
 16 Q. And you would have had plans to meet him in Stafford,  
 17 get on the train with him and spend the day with him?  
 18 A. Yes.  
 19 MR PITCHERS: Thank you. With apologies for running over  
 20 slightly, those are all the questions I have.  
 21 JUDGE LUCRAFT: Thank you.  
 22 Mr Armstrong.  
 23 Questions by MR ARMSTRONG  
 24 MR ARMSTRONG: Yes, sir. I'll make a start and then I'll  
 25 review how much I have to do —

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1 JUDGE LUCRAFT: What I was going to say — it is quite warm,  
 2 what I'm going to say is if we do about 10 minutes this  
 3 afternoon and we'll pick up on where you've got to after  
 4 that.  
 5 MR ARMSTRONG: Yes, I think I've got a natural pause at  
 6 about that point so if I flag that.  
 7 JUDGE LUCRAFT: Thank you.  
 8 MR ARMSTRONG: Thank you.  
 9 Sergeant Forsyth, my name is Nick Armstrong and  
 10 I ask questions on behalf of Jack Merritt's family.  
 11 Can I just start, really, where Mr Pitchers left  
 12 off. You can see, can't you, the tone in which you're  
 13 being asked questions?  
 14 A. Yes, I can, of course I can.  
 15 Q. And I put it to you this way: you are pushing back on  
 16 the questions that you're being asked, aren't you?  
 17 A. If that's how it's coming across, then I apologise.  
 18 I'm not meaning to, I'm just trying to represent my  
 19 thinking at the time.  
 20 Q. I wonder if we're seeing a bit of the process that might  
 21 have taken place in some of the exchanges that we're  
 22 seeing.  
 23 A. Okay.  
 24 Q. Your position is, you proceeded correctly on the basis  
 25 of the information that there was before you?

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1 A. Yes, as best we could, yes.  
 2 Q. I mean, that's even despite the fact that we know in  
 3 this Inquest only too well that this went horribly  
 4 wrong?  
 5 A. Yes.  
 6 Q. Now, Khan may have appeared superficially compliant, but  
 7 he was an extraordinarily dangerous man who is assessed  
 8 as being very high risk of harm at the time of his  
 9 release, with intelligence that went to the possibility  
 10 that he was going to return to terrorism.  
 11 A. Mm—hm.  
 12 Q. There were ERG and other psychological material, all of  
 13 which saw that, and he then does the things that are in  
 14 line with somebody who is assessed that way?  
 15 A. Yes.  
 16 Q. But still you are confident that you did what you  
 17 thought was right in that — on the basis of the  
 18 material you had?  
 19 A. Well, at the time, looking back, we can probably —  
 20 well, it's easy to make another assessment, isn't it?  
 21 But at the time what I was advocating or what I was  
 22 assessing or what I was seeing felt right.  
 23 Q. It felt right?  
 24 A. Yes, it did, yes.  
 25 Q. All right. Well, the reason I'm going to ask you these

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1 questions, I want to ask you questions that just explore  
 2 a little bit more of that and see if we can understand  
 3 what exactly happened and why it went so wrong to see if  
 4 we can avoid it happening again, you understand that's  
 5 what I want to do?  
 6 A. Yes, of course.  
 7 Q. This man hits your team and Mr Skelton's team at the end  
 8 of 2018, he comes out?  
 9 A. Yes.  
 10 Q. He is the second TACT offender that you have managed?  
 11 A. Yes.  
 12 Q. And the first one has not gone well?  
 13 A. No.  
 14 Q. He has been recalled and given a life sentence for  
 15 further terrorist offences?  
 16 A. Yes.  
 17 Q. You've been asked some questions by both Mr Hough and by  
 18 Mr Pitchers about the nature of Prevent and you have  
 19 accepted that Prevent does not normally deal with the  
 20 management of offenders?  
 21 A. No.  
 22 Q. It deals with trying to avoid people offending in the  
 23 first place?  
 24 A. Yes.  
 25 Q. So managing high risk offenders or very high risk

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1 offenders is even further from your normal experience?  
 2 A. Yes, correct.  
 3 Q. Now, can I just get a picture of this for the benefit of  
 4 the jury in particular. This is essentially community  
 5 policing work. You engage with communities?  
 6 A. Yes.  
 7 Q. You want to be friendly?  
 8 A. Yes.  
 9 Q. You want to build relationships?  
 10 A. Yes.  
 11 Q. And we see that within your team as well, don't we?  
 12 A. Yes.  
 13 Q. I want to just show some examples of this, because it  
 14 might save some time tomorrow with other people. Can  
 15 I see Officer Hemmings' statement at {WS5033/1}, please,  
 16 and if we just expand on page 1, he says in that first  
 17 paragraph:  
 18 "I didn't have any previous experience of managing  
 19 offenders ... Calum just told me that part 4s was a task  
 20 that we did in addition ... I had been on a couple of  
 21 visits to sex offenders ..."  
 22 Et cetera, et cetera, et cetera.  
 23 Then can I just look at the bottom of that page  
 24 where he says, three lines down:  
 25 "... I probably had that general experience and the

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1 experience of not taking any prejudices into things.  
 2 I did just take Usman Khan at face value. You wouldn't  
 3 want to antagonise him because you'd need to have  
 4 contact with him for quite some time."  
 5 Is that fair? His take is that you don't challenge  
 6 him, you don't get in his face, you want to maintain  
 7 a relationship with him; right?  
 8 A. That's, yes.  
 9 Q. {WS5033/2} please, and the third paragraph down there:  
 10 "We didn't receive any training for dealing with  
 11 part 4s. I had an idea of what was needed but I did  
 12 feel I could have done with some training. Particularly  
 13 when I took on my own part 4 (not Usman) and realised  
 14 the level of risk that it carried, I did think that  
 15 something a bit more formal would have been helpful.  
 16 I did feel a bit concerned."  
 17 And then down to the bottom of there, please:  
 18 "That said, Calum and Ian are both very  
 19 knowledgeable, so I felt happy that for any issue that  
 20 arose, I could go to them."  
 21 Then {WS5033/4}, top of that page, he is talking  
 22 about meetings:  
 23 "... usually be meeting him for a coffee, generally  
 24 in the morning, every week or every two weeks. We'd ask  
 25 him how he was doing, whether he had any issues, any

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1 problems at the address, whether he needed anything from  
 2 us, whether he'd been looking for jobs, whether he was  
 3 going to the gym ... it would always just be a casual  
 4 conversation."  
 5 Yes?  
 6 A. Yes.  
 7 Q. Then can I look at Officer Barker as well, please,  
 8 that's witness statement {WS5016/1} and if we look at  
 9 page 1 on the second paragraph:  
 10 "The training I have had for my role in Prevent has  
 11 been a very mingled kind of training -- I haven't  
 12 completed the national Prevent course. I initially went  
 13 down to the CTU for an induction and had a couple of  
 14 days there. It tended to be ad hoc days that we would  
 15 go down ... I never had a specific, focused piece of  
 16 training for it ..."  
 17 Et cetera, et cetera.  
 18 Can I go to {WS5016/2}, second paragraph:  
 19 "None of the training courses I have been on have  
 20 had any relevance to the role of managing part 4  
 21 offenders, other than use of ViSOR, but that was  
 22 two days before I temporarily left Prevent, so although  
 23 I was trained on it, I never actually used ViSOR."  
 24 {WS5016/3}, please, second paragraph:  
 25 "In terms of any relevant previous experience I had

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1 before engaging with Mr Khan, we did manage another part  
2 4... but I didn't have any particular decision—making  
3 role ... I haven't had any kind of offender management  
4 role previously."

5 Can I then just go to the top of {WS5016/6}:  
6 "My role with respect to Khan was supporting him  
7 when it was needed. The Prevent Team works in a small  
8 office, there's only four of us. Whoever was available  
9 in the office would go on the visits, and we'd always be  
10 double crewed. I understood 'managing' Khan to mean  
11 going down to see him, having a chat, and then writing a  
12 report on what we chatted about, what he wore, his  
13 demeanour, and sending it in the report. I didn't go to  
14 MAPPA meetings, I wasn't in Special Branch..."

15 Then {WS5016/8} paragraph 4, please:  
16 "Our team consists of [the four of you, including  
17 you] ... quite an informal environment. I have worked  
18 with PC Oakley and Sergeant Forsyth for 12–13 years.  
19 PC Oakley has probably worked with Sergeant Forsyth for  
20 his whole career. We know each other very well, we  
21 basically finish each other's sentences."

22 And you will see from PC Oakley that he refers to  
23 the team as being a family.

24 I can see you smiling as you read that, and you're  
25 obviously fond of all these people?

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1 A. Yes, I'm not making light of it —  
2 Q. No, I know.  
3 A. — it's the contact we have. I think that describes it  
4 very well. I've known PC Oakley and PC Barker for  
5 a very long time, prior to going into Prevent as well,  
6 and we have worked together. And I've known of  
7 PC Hemmings until he came to work on our department, so  
8 yes.  
9 Q. I see all of that and obviously you're to be commended  
10 that this is a nice place to work and you've all worked  
11 together for long periods of time, and I know that's  
12 because you all like each other, but it's fair for us to  
13 say, isn't it, this is a team that is inexperienced,  
14 untrained, informal, like a family. It's not a crack  
15 anti-terrorist team, is it?  
16 A. No, but Prevent's not meant to be that. So that's  
17 a very fair assessment and fits the role that we were  
18 there to do as Prevent officers and case officers, but  
19 in terms of managing part 4 and, as I said, I don't  
20 think there is any specific training for part 4s, so  
21 that's not being raised, I don't believe, as  
22 an accusation: well, there's training that's been  
23 withheld from us. But offender management in this  
24 format isn't any of our backgrounds, you're quite  
25 correct.

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1 Q. And you don't pretend otherwise?  
2 A. No, no. Yes.  
3 Q. That's why you're saying: look, I wrote a policy on the  
4 fly and sent it to Special Branch and didn't hear  
5 anything more about it.  
6 A. Yes, I ...  
7 Q. Well, I'll come back to the policy, but you wrote  
8 a policy that you took from the West Midlands policy?  
9 A. Yes.  
10 Q. And you did the best you could with it?  
11 A. Yes.  
12 Q. And we'll come back to it if we need to, and you sent it  
13 to Special Branch?  
14 A. Yes.  
15 Q. And you never heard anything more?  
16 A. No.  
17 Q. You raised an issue about risk assessment training and  
18 thought perhaps you should have some.  
19 A. Yes.  
20 Q. But that never happened?  
21 A. No.  
22 Q. So this is within the context you must see all of this,  
23 isn't it, which is there are limits to what you can do  
24 with the role that you have been given?  
25 A. Of course there are, yes. That doesn't mean to say

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1 we weren't trying our best, but there were — you are  
2 right, there are limits, of course there are.  
3 MR ARMSTRONG: Yes. Thank you.  
4 Sir, that's the moment I thought I would get to.  
5 JUDGE LUCRAFT: Very well, we will pause there.  
6 Mr Armstrong, we'll pick up in the morning at  
7 10 o'clock.  
8 Mr Forsyth, the same for you: we'll pick up on where  
9 we've got to in the morning.  
10 A. Thank you, sir.  
11 JUDGE LUCRAFT: Thank you very much.  
12 Ladies and gentlemen, just before you disappear, you  
13 will be given a document as you go. I know that you  
14 have wanted to have a sort of timetable for the rest of  
15 the Inquest hearings, and rather than simply read the  
16 dates, I thought it was better if you have it all in  
17 black and white, so there's a short note setting out the  
18 dates which Jo will give you each a copy of as you  
19 leave. I look forward to seeing you all tomorrow  
20 morning for 10 o'clock. Thank you.  
21 (In the absence of the jury)  
22 MR HOUGH: Sir, Mr Forsyth is obviously an important  
23 witness.  
24 JUDGE LUCRAFT: Yes.  
25 MR HOUGH: And Mr Pitchers had no cause to apologise for

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1 running over by 15 minutes, as I did too. I would just  
 2 say this: we still think we can complete him and the  
 3 other Prevent officers tomorrow.  
 4 JUDGE LUCRAFT: Yes.  
 5 MR HOUGH: If for any reason we could not, we would not let  
 6 any of them run into Thursday, because Thursday really  
 7 must be for Witness A.  
 8 JUDGE LUCRAFT: Yes.  
 9 MR HOUGH: But, as I say, we're hopeful we can complete all  
 10 of them tomorrow and Mr Moss may take some estimates  
 11 tomorrow morning just to regulate that.  
 12 JUDGE LUCRAFT: Thank you.  
 13 MR HOUGH: In relation to Thursday for Witness A, I think  
 14 you have made enquiries and arrangements which would  
 15 allow us to sit a little earlier .  
 16 JUDGE LUCRAFT: Yes.  
 17 MR HOUGH: And with a slightly shortened lunch break to  
 18 extend Thursday and provide a little more time for  
 19 Witness A.  
 20 JUDGE LUCRAFT: So the plan is that we will start, Mr Hough,  
 21 at 9.40, and that we will take a 40-minute lunch break  
 22 which, putting those two together, gives us an extra  
 23 40 minutes during the course of the day, because I think  
 24 so far as we are all concerned, bearing in mind the  
 25 elaborate arrangements that need to be made for

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1 Thursday, if we can deal with Witness A in a day, giving  
 2 us all those extra 40 minutes I think may make  
 3 a difference .  
 4 MR HOUGH: Because, for example, if Witness A were to  
 5 overrun into Friday, one consequence would be that for  
 6 a period after Witness A had finished, I understand we  
 7 would not have a live link to anywhere else.  
 8 JUDGE LUCRAFT: Yes.  
 9 MR HOUGH: And so further witnesses would be heard without  
 10 a live link being in place.  
 11 JUDGE LUCRAFT: And looking at the timetable, we've  
 12 obviously got two fairly significant , certainly one very  
 13 significant witness for Friday, and I'm conscious that  
 14 the link may be important for those who are concerned  
 15 with those witnesses.  
 16 MR HOUGH: It certainly may be valuable.  
 17 JUDGE LUCRAFT: Yes. Well, I'm sure, Mr Hough, that  
 18 everyone will do their very best. I know that to some  
 19 extent Mr Armstrong was dealing with some issues with  
 20 Sergeant Forsyth that he may not need to go back to with  
 21 the other Prevent officers .  
 22 MR HOUGH: Yes.  
 23 JUDGE LUCRAFT: All of which makes sense, but I'm sure we'll  
 24 all do our very best to make sure we stay on track.  
 25 MR HOUGH: Yes, indeed. Thank you, sir.

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1 JUDGE LUCRAFT: Thank you. I'll rise.  
 2 (4.32 pm)  
 3 (The court adjourned until 10.00 am on  
 4 Wednesday, 12 May 2021)  
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