

OPUS2

Fishmongers' Hall Inquests

Day 21

May 12, 2021

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1 Wednesday, 12 May 2021
 2 (10.08 am)
 3 (In the absence of the jury)
 4 JUDGE LUCRAFT: Mr Hough, we had a juror who was running
 5 late but it's the first time, that's pretty
 6 impressive --
 7 MR HOUGH: It really is.
 8 JUDGE LUCRAFT: -- only losing five minutes too. I know we
 9 have got a tight timetable today. Mr Moss has collected
 10 time estimates.
 11 MR HOUGH: If timings are stuck to, then we will just get
 12 through the witnesses today.
 13 JUDGE LUCRAFT: Yes. I have had some trap doors put in
 14 overnight so that will bring a rapid end to the
 15 questions should people overrun.
 16 (In the presence of the jury)
 17 Good morning, everyone. Very nice to see you.
 18 I know that one of your number had a slight delay. Can
 19 I simply say thank you to that juror for letting us
 20 know. It's very frustrating when we don't know, but we
 21 all have train problems at times, so thank you for that.
 22 Mr Armstrong.
 23 PS CALUM FORSYTH (continued)
 24 Questions by MR ARMSTRONG (continued)
 25 MR ARMSTRONG: Thank you, sir.

1

1 Thank you, Sergeant Forsyth.
 2 At the end of yesterday, Sergeant Forsyth, we were
 3 discussing the limits to the Prevent role in this
 4 context.
 5 A. Yes.
 6 Q. Can I just against that background go back to the ERG.
 7 Now, you told Mr Hough yesterday that you had seen it,
 8 at least by the time of release --
 9 A. Yes.
 10 Q. -- but you had not read it in detail?
 11 A. No.
 12 Q. You did say, however, that you were aware that isolation
 13 was a red flag?
 14 A. A vulnerability, yes.
 15 Q. And you saw that as a vulnerability issue, did you?
 16 A. Isolation is a vulnerability. When you're thinking as
 17 a Prevent officer and you do a vulnerability assessment,
 18 isolation is one of the things you -- if it's out of the
 19 ordinary and it's a change in behaviour then yes, that
 20 would be something for us to flag up as a vulnerability.
 21 Q. Yes. I mean, it was more than that in this case and
 22 I just want to check that. At the end of
 23 Dr Cechaviciute's ERG she had set out a number of
 24 warning signs that were relevant to a return to
 25 offending, or an increase in the risk of offending,

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1 meaning terrorist offending. She had 14 of those
 2 warning signs set out of things to watch out for, and
 3 they included things like lack of purpose, unemployment,
 4 boredom, status-seeking, transitional times, so hence
 5 things like moving from the AP, or distancing himself
 6 from his actions.
 7 A. Yes.
 8 Q. Do you remember seeing that list and knowing that was a
 9 red flag not for vulnerability so much, but as
 10 a potential indicator of offending risk?
 11 A. I saw the list at the end of the ERG, yes.
 12 Q. One of the things that you said to Mr Hough when he was
 13 asking you about that, is you said, and we see this in
 14 some of the notes, is that you said: look, it's okay, he
 15 flagged to us that he was quite a solitary individual
 16 and that he would be like this?
 17 A. Yes.
 18 Q. The difficulty with that is that we know from the prison
 19 intelligence that throughout his time he wasn't
 20 a solitary individual, he was a peer group-seeking,
 21 holding court, obtaining his status from the people from
 22 who he surrounded himself with.
 23 A. Okay.
 24 Q. So solitary was not his thing, people were trying to
 25 make him move away from those groups, but one of the

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1 ways that he coped was by seeking them out; you didn't
 2 know that?
 3 A. I didn't know, no.
 4 Q. Thank you.
 5 Mr Hough also asked you about MI5 and their interest
 6 in the case, and you said that you knew that Special
 7 Branch were in touch, but you didn't have any direct
 8 contact and weren't aware beyond that?
 9 A. Well, I knew MI5 would be at the top of the tree --
 10 Q. Yes.
 11 A. -- and would have on interest. But as in direct contact
 12 with MI5, no, I didn't have that.
 13 Q. Did you know anything about the detail of their interest
 14 and where he was in...?
 15 A. No.
 16 Q. Now, I ask you about that because you told Mr Hough also
 17 that you had enhanced security clearance?
 18 A. Yes.
 19 Q. When did you get that?
 20 A. Well, I first got it in 2010, and it has been
 21 subsequently renewed, so I'm --
 22 Q. And you had it at the material time?
 23 A. Yes. Yes.
 24 Q. I mean, I'm asking you about that because I just want to
 25 show you a couple of points about it. Firstly, can

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1 I just see your witness statement from, I think it's
 2 Detective Chief Superintendent Oomer, this is {DC7526/1}
 3 please. So he is a senior officer at Staffordshire, you
 4 will know him?
 5 A. Yes. Yes.
 6 Q. And if we go to paragraph 24, please {DC7526/6}:
 7 "Prevent officers were not vetted to the same level,
 8 therefore their access to secret material was limited,
 9 they did not perform any of the four core functions of
 10 [Special Branch] those being Source Handling,
 11 Intelligence Management, Field Intelligence, or Overseas
 12 Visitor Records and their role was very community based
 13 in training, identification, awareness and identifying
 14 signs of radicalisation."
 15 A. Yes.
 16 Q. So that is, on the face of it, deliberately keeping you
 17 out of a chunk of material?
 18 A. Well, SC enhanced would give us, on a need to know
 19 basis, access to anything up to secret, but we are not
 20 DV vetted, developed vetted, which would give us access
 21 to the full intelligence system that they work from, so
 22 it's on a need to know. If we don't need to know, we
 23 won't be told, irrespective of what the security level
 24 of that document or information is.
 25 Q. I understand. I'm wondering, and will explore with

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1 others, why you are being kept out of this kind of
 2 material if you are cleared to that level. Can I show
 3 you something else that's said about this. This is
 4 Ryan Chambers, who is the investigating officer with
 5 responsibility for the case. Can I have {WS5085/11},
 6 please, and at paragraph 37 expanded, please. This is,
 7 again, deliberate, it looks:
 8 "Mr Khan was the only part 4 nominal in
 9 Staffordshire at the time of his release. My
 10 expectation was that he would be given a high level of
 11 support and engagement..."
 12 I think this might be the wrong paragraph, in fact.
 13 Just give me a moment. (Pause).
 14 Can I just go back to paragraph 27, I'm sorry
 15 {WS5085/8}. Yes, level of intelligence access:
 16 "My understanding is that Staffordshire [Special
 17 Branch] had access to the same intelligence as [West
 18 Midlands Counter-Terrorism Unit] via NCIA, JOTs,
 19 intelligence reports and MAPPA ... I made sure that the
 20 WMCTU Operation Intelligence Management Unit were the
 21 conduit to sharing all intelligence to the agreed
 22 readership."
 23 And then you see this:
 24 "It would be normal procedure that those officers
 25 who are engaging face-to-face with the subject, in this

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1 case Mr Khan, would likely not have access to all
 2 intelligence to maintain that sterile corridor and make
 3 sure no leakage was made to Mr Khan."
 4 Do you see?
 5 A. Yes.
 6 Q. Now, equally, as part of that, and I'll explore this
 7 with others, you never attended a joint operation team
 8 meeting, the JOT that's there referred to, in relation
 9 to Mr Khan?
 10 A. Not as far as I'm aware, I didn't, no.
 11 Q. No. Now if I say to you, and I'm not going to take you
 12 to the references at the moment, but there are
 13 suggestions in material where it is raised that you
 14 might be invited to a couple of these JOTs, but that
 15 never happened?
 16 A. Right.
 17 Q. Is that right?
 18 A. I don't believe I went to a JOT in relation to Mr Khan.
 19 Q. There was a suggestion you might go to one on
 20 18 November 2018 but you didn't?
 21 A. No.
 22 Q. Can I ask you about something else that you might have
 23 had access to, we may need to explore this with others,
 24 Staffordshire had something called an ALM stakeholder
 25 meeting which was a terrorism-related overarching

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1 meeting, and it looked at intelligence at those
 2 meetings. Can I just show you one of the intelligence
 3 items, {DC7450/2}, please. And this is from, if you go
 4 to the previous page, sorry {DC7450/1} you'll see what
 5 this is. This is the ALM stakeholders meeting update
 6 for July 2019.
 7 Then back to {DC7450/2} and the green text. This is
 8 an intelligence from somebody called Dawn Banner, the
 9 jury have seen this before, about mentor reports, and
 10 Dawn Banner is somebody who looked at a variety of
 11 sources for the purposes of Special Branch and said:
 12 "Mentor reports suggest Khan is quite calculating in
 13 his behaviour, displaying frustration and anger
 14 previously at licence conditions ... until they are
 15 changed, he ... dislikes being given direction and
 16 advice. Khan is gaining in confidence and regularly
 17 makes himself out to be more important than he is."
 18 Now, this is somebody who is coming at this from
 19 an intelligence point of view, potentially with more
 20 access to material than you have --
 21 A. Yes, yes.
 22 Q. -- and her take on it is rather more sinister than yours
 23 is?
 24 A. Absolutely, yes.
 25 Q. Do you go to ALM stakeholder meetings?

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1 A. I didn't know of their existence until a couple of weeks
 2 ago when I saw this document.
 3 Q. Indeed. Do you know who Dawn Banner is?
 4 A. I know who Dawn Banner is, yes.
 5 Q. Have you ever heard this intelligence before?
 6 A. No.
 7 Q. Not until two weeks ago?
 8 A. Not until a couple of weeks ago.
 9 Q. So you have completely been left out of that particular
 10 loop?
 11 A. Yes.
 12 Q. Despite having ESC security clearance?
 13 A. Yes.
 14 Q. All right. Now, another issue, I just want to touch on
 15 this briefly. Your policy, and I completely see you are
 16 tasked with this role when Mohibur Rahman is released,
 17 you are asked to draw up documents based on
 18 West Midlands and you go away and do it and you get no
 19 input into that, you get no help?
 20 A. Correct, yes.
 21 Q. The document that you produce is this one {DC5514/1},
 22 please. This is -- we can scroll through it but if we
 23 just go to {DC5514/2} for the moment, this is the
 24 document that you produce. It's three pages long. If
 25 we go to the second half of page 2, this is the guidance

1 in relation to visits. You write this:
 2 "the tactic of visiting Registered Terrorist
 3 Offenders is not unlawful per se. There is nothing
 4 unlawful about knocking on someone's door and inquiring
 5 with the occupant as to their welfare and the offender
 6 can, in any event, refuse entry."
 7 And then there's an issue about frequency of visits.
 8 That's all it says about what visits are about and its
 9 focus is on welfare?
 10 A. Yes.
 11 Q. I can see how that comes at it from a Prevent
 12 perspective, but what it doesn't do, and I don't think
 13 you'll disagree with this, is it doesn't say to people
 14 carrying out these visits: we're doing an assessment
 15 exercise, look for the following things, you might want
 16 to read documents in the following category, you might
 17 want to ask questions along the following lines. It
 18 doesn't attempt any of that?
 19 A. No, it doesn't, and with the part 4, it's about ensuring
 20 they're living where they say they live and whatever,
 21 and obviously it's about reporting back in our
 22 conversations because my expectation or hope would be
 23 that, as you say, people with access to further
 24 information, there's that process they can task us and
 25 say: you might want to challenge the next time you're

1 speaking to him, it might be worth going down this line
 2 we didn't get any of that back so our picture is there
 3 is nothing adverse there.
 4 Q. And nobody tells you, for example --
 5 A. No.
 6 Q. -- that you might want to do more with this document or
 7 have any other documents that say to the Victoria
 8 Barkers or Hemmings of the world that you need more
 9 help.
 10 A. No.
 11 Q. In this new role that you've never done before?
 12 A. Correct.
 13 Q. Can I show you this too. All of this seems to have, to
 14 some extent, been thought about, but perhaps not very
 15 deeply. If I go back to Detective Chief Superintendent
 16 Oomer's statement, {DC7526/6} and can I go to
 17 paragraph 25, please. So this is, again:
 18 "The Prevent role was a much more overt and
 19 community based role than those functions undertaken in
 20 [Special Branch]. The Prevent officers had and needed
 21 to have close links to the community. Whilst still
 22 police officers Prevent needed to have some distance
 23 from what the community perceive as Special Branch and
 24 the best method in which to get wider community and
 25 internal engagement was to align the Prevent officers to

1 the Neighbourhood and Partnerships Directorate."
 2 Paragraph 27 is to similar effect:
 3 "The fact that Prevent officers were community based
 4 would also allow for better engagement than the
 5 narrative that they were part of Special Branch. This
 6 would enhance trust and a more transparent approach with
 7 our communities."
 8 You are being deliberately used because you are
 9 friendlier and more community-engaged than Special
 10 Branch are perceived to be?
 11 A. We are very overt, public-facing, yes.
 12 Q. Yes, but can I also just while I'm on this show you
 13 this, because I'm going to suggest to you that this is
 14 quite odd, this is again from DCSI Oomer. Can I just
 15 look at paragraph 36. Prevent is about stopping people
 16 going into extremism and it is about pulling them out
 17 before that happens which is why you talk in terms of
 18 vulnerability to being radicalised?
 19 A. Yes. Yes.
 20 Q. DCSI Oomer says this, paragraph 36:
 21 "By virtue of the fact I was aware that the previous
 22 part 4 nominal was breached by Prevent officers and then
 23 subsequently prosecuted by WMCTU for this and other CT
 24 reacted matters [I assume that's related], I saw no
 25 concerns about the approach in relation to Usman Khan.

1 Given that Usman Khan was being released so early in his
 2 sentence as a part 4 nominal..."

3 So this is the point that he is being released by
 4 the criminal justice system because he never went via
 5 the Parole Board, that was the effect of his
 6 sentencing ---

7 A. No, no, no.

8 Q. "... that the wider criminal justice system deemed him
 9 de [and that must mean radicalised rather than
 10 racialised, I don't think that's possible]..."

11 A. Yes.

12 Q. "... deemed him de-radicalised and the best people to
 13 manage a CT nominal would be those very people that are
 14 trained to identify the signs of radicalisation."

15 Now, what that seems to be saying is that because
 16 the criminal justice system has sentenced him in that
 17 way, you should treat him as being free and not
 18 an offender and the kind of person that you regularly
 19 deal with under Prevent?

20 A. Yes. I --- obviously I hadn't had that conversation,
 21 I hadn't, prior to reading that statement, I wasn't
 22 aware of that. I'm not sure I entirely agree with that
 23 sentiment.

24 Q. Of course, it's bonkers, isn't it?

25 A. I don't agree that he was released because he was

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1 de-radicalised.

2 Q. No, he was a very high risk of harm?

3 A. That was the work under the probation programme with the
 4 mentors he was meant to be undertaking within that, and
 5 he wasn't a Prevent subject, as in referred him to
 6 Prevent as being vulnerable to radicalisation. Quite
 7 the opposite, in fact.

8 Q. Absolutely right. He's a very high risk of harm, he's
 9 completely unlikely to be within the normal category of
 10 Prevent?

11 A. Yes.

12 Q. But can I just check, to the extent that that was in
 13 Mr Oomer's head, that wasn't communicated with you and
 14 if it had been communicated with you, you would have
 15 said: that's not who he is?

16 A. For me it sat at odds not because we weren't capable of
 17 doing a job and focusing on a job, but it makes it
 18 difficult when we're also managing vulnerable people and
 19 caseloads for that. It just kind of --- that's where
 20 I thought I would have made representations.

21 Q. Yes, thank you. Now, can I just then flip this over,
 22 though. I see all of these limitations, but I'm going
 23 to suggest to you that there is a conflict with the
 24 other side of the role that you are performing.
 25 Mr Pitchers has put some questions to you about the fact

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1 that despite the limitations you are actually playing
 2 a role and you are pushing back in meetings and --- we
 3 have seen the exchange on the dumper truck, for example?

4 A. Okay.

5 Q. I just want to understand that dynamic a little bit
 6 more. Can I go to the MAPPA minutes for that meeting
 7 in July, that's {DC6414/5}, and you will remember that
 8 what was being put to you is that you are pushing back
 9 despite being in a situation where your knowledge base
 10 and your exposure to him is limited?

11 A. Yes.

12 Q. Now, if we look there at the bottom of this page, this
 13 is about the dumper truck course:

14 "UK has also recently been offered an opportunity to
 15 undertake a week-long dumper truck course. This raised
 16 some concern among panel members."

17 Plural. So you remember that meeting, that was the
 18 pushback?

19 A. Yes. Yes.

20 Q. Just so I understand the dynamic here, can I just go
 21 back to {DC6414/3} and look at who the panel members are
 22 on this occasion. You will see there that there's a lot
 23 of people in this meeting?

24 A. Yes.

25 Q. You have six Counter-Terrorism Unit officers there, all

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1 of whom are presumably hard-bitten Special Branch
 2 officers. There is what called a PII redaction on that
 3 list which suggests that this might be one of the
 4 meetings I think we will hear that security services are
 5 present, I don't want you to talk about that, or try and
 6 describe them or get into any trouble about that, but
 7 there are serious people in this room on the face of it?

8 A. Yes.

9 Q. And they are --- you are still making a case in the face
 10 of opposition from some people in the room that he
 11 should be allowed on the dumper truck course?

12 A. Yes. And I mean, when put in those terms, that
 13 obviously doesn't sound great, but at the time the
 14 thinking is, and along with probation, our role was
 15 trying, I saw --- monitor the part 4, make sure
 16 compliance with that, but also have a system where you
 17 can try and hope that you can move somebody on. It made
 18 sense on the trajectory at that time that he was on that
 19 that would fit to allow him to get employment so he then
 20 wasn't isolated and bored and keep him doing something
 21 and fill his days, and so it made sense to me at that
 22 time.

23 It also didn't make sense to me, necessarily, when
 24 somebody has a --- and we were managing other part 4s at
 25 the time who had vehicles and driving licences and drove

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1 cars. He had a provisional driving licence and could
 2 easily access faster and big vehicles just the same, and
 3 so it kind of sat at odds with me. So I just wanted to,
 4 as opposed to pushback, question are we being consistent
 5 within that, I suppose is where I was looking at that
 6 with that.
 7 Q. I'll get to where the tension is in a moment, but we
 8 also see that, for example, in the 14 November MAPPA, we
 9 also have similar people present in the 14 November
 10 MAPPA.
 11 A. Yes.
 12 Q. It is being said to you: we're worried that he's
 13 isolating, we need to do this additional visit that then
 14 takes place.
 15 A. Mm—hm.
 16 Q. You know that isolation is a red flag on the ERG?
 17 A. Yes.
 18 Q. And this is where you're saying: but that's what he said
 19 he would be like. So you are pushing back again there
 20 in circumstances where you haven't seen him since
 21 30 August?
 22 A. No, but my team had.
 23 Q. They had seen him once. They had seen him on 31 October
 24 for eight minutes.
 25 A. Okay. Yes.

1 Q. And you're still pushing back on mindset and how he is
 2 in the face of serious people showing concern?
 3 A. But that was because, as I explained, when we put our
 4 reports in and they get assessed by, as you point out,
 5 they get sent to Special Branch who then disseminate
 6 them to wherever they need to go, we were getting
 7 nothing back to us to say: we are concerned about this
 8 and we want you to do something different. So there was
 9 nothing to say that I necessarily shouldn't be thinking
 10 that —
 11 Q. No.
 12 A. — within that. It's not that I'm overlooking what is
 13 there. I'm trying to rely on a two-way flow of
 14 information as well.
 15 Q. Can I just suggest this to you, and this is a point
 16 I hope helps you to see how this goes wrong —
 17 A. Mm—hm.
 18 Q. — we can regularly see — I mean, these are exchanges
 19 where people are seeking your opinion and writing down
 20 what you say?
 21 A. Yes.
 22 Q. All right. Can I just look at another reference. Can
 23 I look at {DC7442/76}, this is an earlier example, this
 24 is back to April 2019. This is an email to you —
 25 A. Yes.

1 Q. — from Jon Stephenson, DS Stephenson, and he's asking
 2 you a number of questions, and he asks you in the final
 3 paragraph of this email:
 4 " ... [can] you let me know your personal assessment
 5 of Usman in his attitude/confidence/physical appearance
 6 etc from when he was released to this point then that
 7 would be appreciated."
 8 A. Yes.
 9 Q. Now, we've seen your response to that, and we can have
 10 a conversation about how deep or shallow that assessment
 11 is, but the point is they were seeking your views and
 12 they were casting it as assessments?
 13 A. They were seeking my views, and yes, I responded to
 14 them, yes.
 15 Q. And if we go back to Ryan Chambers' witness statement,
 16 can I go to {WS5085/1} and this is the original
 17 paragraph I was going to go to, if I could go back to
 18 {WS5085/11} at paragraph 37:
 19 "Mr Khan was the only part 4 nominal in
 20 Staffordshire at the time of his release. My
 21 expectation [says the senior investigating officer] was
 22 that he would be given a high level of support and
 23 engagement by his police offender managers as there were
 24 no other competing part 4 demands locally at that time
 25 and the Prevent lead had the previous experience of

1 managing an RTO which gave me confidence. Mr Khan would
 2 also have regular engagement with probation and the
 3 approved premises, any gleaned information from them
 4 would be fed into the police and MAPPA. These contacts
 5 would give an understanding of how engaging Mr Khan was
 6 towards authority and the conditions imposed on him
 7 following his release. This opportunity to try and gain
 8 a greater understanding of his mind—set and compliance
 9 would support that ongoing assessment of risk..."
 10 So this is Mr Chambers saying: they want your input
 11 on this, they want it on assessment, they actually seem
 12 to have been expecting more, the expectation was he
 13 would have been given a high level of support and
 14 engagement by his offender managers, and you are the
 15 person who is supposed to be doing that.
 16 A. Mm—hm.
 17 Q. At the same time, I've taken you to paragraph 27 of the
 18 same witness statement that says you're being shut out
 19 by a sterile corridor, and I'm just asking you to help
 20 with this. Which are you: are you the person who is
 21 shut out of the JOT, shut out of some of the
 22 intelligence, kept on the other side of a sterile
 23 corridor, or are you in a room with the grown—ups giving
 24 proper information that goes to a proper assessment of
 25 an extremely dangerous man?

1 A. I'm not sure I can honestly answer that. My view, I get
 2 the sterile corridor bit, and I would say that's
 3 probably where we sit, because there is benefit
 4 sometimes in being able to have conversation with people
 5 unencumbered by a background of intelligence that can be
 6 parallel --reported or parallel--assessed, if you like, to
 7 see if there are inconsistencies within that. I'm not
 8 aware of consciously being shut out --
 9 Q. Yes.
 10 A. -- but there obviously has been a policy about what
 11 meetings we would or wouldn't attend.
 12 Q. You don't know what you don't know?
 13 A. No, no, exactly that, exactly that, and I mean, on that
 14 paragraph 37, yes, he was the only part 4 nominal we
 15 were managing, but we were also managing a caseload of
 16 Prevent referrals and local authority meetings and
 17 partner referrals, so that wasn't the only job we had to
 18 deal with. If that was the only job, we could have gone
 19 and visited him every single day if need be.
 20 Q. I mean, what I think I'm putting to you is this: there
 21 is a tension between those two positions, you appear
 22 even in this witness statement to be described as two
 23 different things --
 24 A. Yes.
 25 Q. -- somebody who is involved and somebody who is not

1 involved. If I was to suggest that there was -- this is
 2 a new role, it has not been done in Staffordshire
 3 before, or only potentially once before. Do you think
 4 you were given sufficient clarity on how to draw that
 5 line and how to discharge this rather difficult dual
 6 role?
 7 A. My honest answer is no, and that's not in an accusatory
 8 way, when you look back I don't think there was.
 9 I don't think there was any clarity of what the level of
 10 involvement would be on our behalf.
 11 Q. Yes, I thought so. Thank you.
 12 One last point, can I just ask you this: the point
 13 about accompaniment on the 29th --
 14 A. Yes.
 15 Q. -- and the question about if you had gone --
 16 A. Yes.
 17 Q. -- or somebody like you had gone. This wasn't like the
 18 trip to Whitemoor because he wasn't going to a high
 19 security prison --
 20 A. No.
 21 Q. -- he was going to an unsecured London landmark. We
 22 have seen email correspondence that said if officers
 23 accompany him, they're welcome to join us?
 24 A. Yes.
 25 Q. You would have been delighted to do that if that was

1 what was expected?
 2 A. If we had gone, that wouldn't have been a problem, it
 3 was about if we were going.
 4 Q. Yes. You'd go in and eat the sandwiches and do
 5 whatever's required of you, particularly if there has
 6 been a risk assessment that says: we're concerned, keep
 7 him close?
 8 A. Yes. Yes.
 9 Q. Can I just ask you about this: Mr Hough asked you some
 10 questions about what would happen and the broader police
 11 role. If you are with him on the train and he's wearing
 12 a big coat or carrying a big bag and it's not obvious
 13 what's in it, you do have things like search powers?
 14 A. Yes, we do, yes, of course we have.
 15 Q. And if I say to you things like section 1 of the Police
 16 and Criminal Evidence Act is a reasonable grounds power
 17 if you think that somebody is carrying prohibited -- or
 18 may be carrying prohibited items --
 19 A. Yes.
 20 Q. -- of which offensive weapons are one?
 21 A. Yes.
 22 Q. And 8-inch blades are going to fall within that?
 23 A. Yes.
 24 Q. There's also section 43 of the Terrorism Act, isn't
 25 there?

1 A. Yes.
 2 Q. Which says that a constable may stop and search a person
 3 whom he reasonably suspects to be a terrorist, to
 4 discover whether he has in his possession anything which
 5 may constitute evidence that he's a terrorist?
 6 A. Yes.
 7 Q. This is about the circumstances in which police antennae
 8 twitch.
 9 A. Yes.
 10 Q. In circumstances where you are taking a convicted
 11 terrorist on a train to a reasonably high profile
 12 significant gathering in London, it wouldn't take much
 13 to get to the reasonable grounds threshold?
 14 A. No, no, it wouldn't.
 15 Q. If he's doing --
 16 A. Absolutely.
 17 Q. -- he's got a big coat or a bag, or...?
 18 A. Absolutely, but the decision for us to be there in the
 19 first place, apart from on a welfare ground, which was
 20 what it was coming to me as, I was in a position to say:
 21 well, I can't justify that, our staffing levels were
 22 such that we couldn't afford that at the time where
 23 we're at and I couldn't justify that. If somebody else
 24 had come back, I would expect that could easily have
 25 been put in as a condition of his attendance and

1 whatever, yes, I accept that entirely what you are
 2 saying.
 3 Q. And so far as you're concerned, you were looking at it
 4 from a welfare point of view?
 5 A. Yes.
 6 Q. And there wasn't a risk? There wasn't a risk --
 7 A. I put in place what I thought would address his welfare,
 8 that someone would meet him at Euston and accompany him
 9 across town so that he didn't feel unsafe.
 10 Q. And you weren't party to any conversation about a risk
 11 assessment?
 12 A. No.
 13 MR ARMSTRONG: Thank you very much, Sergeant Forsyth.
 14 No further questions.
 15 JUDGE LUCRAFT: Thank you, Mr Armstrong.
 16 Questions by MS LEEK QC
 17 MS LEEK: Sir, I looked round to see who was going next and
 18 everybody seemed to be looking at me.
 19 JUDGE LUCRAFT: Yes. We'll assume it's you.
 20 MS LEEK: I assume it's me.
 21 Mr Forsyth, I'm Samantha Leek and I ask questions on
 22 behalf of the MoJ and on behalf of the Home Office.
 23 A. Okay.
 24 Q. Just a few matters. It's clear from your evidence that
 25 you had a good working relationship with the other MAPPA

25

1 authorities in managing Usman Khan?
 2 A. Yes.
 3 Q. We've heard about the probation serious further offence
 4 review. I wonder if we could just bring out {DC6198/26}
 5 and if we could go to paragraph 7.3, it says:
 6 "Multiple agencies were closely involved before and
 7 after release and the level of inter-agency
 8 collaboration was high. A strength was the way MAPPA
 9 was conducted and the joint working between the local
 10 Prevent police officer ... "
 11 That's you?
 12 A. Mm-hm.
 13 Q. "... and OM2."
 14 That's Ken Skelton?
 15 A. Yes.
 16 Q. Over the page, {DC6198/27} if we go to paragraph 7.9:
 17 "[Usman Khan] was discussed at MAPPA level 3 on 12
 18 occasions over the course of his sentence, 4 times
 19 leading up to release and 8 times after release. During
 20 each MAPPA meeting there was clearly a shared
 21 understanding of the risk of serious harm levels that
 22 [Usman Khan] presented..."
 23 And then it goes on to say:
 24 "In addition to the formal sharing of risk
 25 information at MAPPA meetings, there is clear evidence

26

1 throughout... of OM1 and OM2..."
 2 That's Mr Skelton and Mr Bromley?
 3 A. Mm-hm.
 4 Q. "... sharing information with police, prisons, approved
 5 premises and children's services."
 6 Now, you obviously can't speak for prisons, approved
 7 premises and children's services, but do you agree that
 8 this accurately reflects the fact that the Multi-Agency
 9 Public Protection Arrangements involved extensive
 10 information-sharing between you and probation?
 11 A. There was. Well, I updated at every meeting I went to,
 12 yes, because that's what I saw my role to be. Yes.
 13 Q. And it reflects the way in which you worked together
 14 effectively?
 15 A. We worked -- well, I think we did. I had a good
 16 relationship with Mr Skelton and I knew Mr Bromley from
 17 previously.
 18 Q. And I think it's fair to say that not all of the MAPPA
 19 work goes on at the panel meetings?
 20 A. No.
 21 Q. In fact, much of the work goes on behind the scenes?
 22 A. Yes. Yes.
 23 Q. There are numerous conversations and discussions behind
 24 the scenes?
 25 A. Yes.

27

1 Q. We've seen correspondence between you and Ken Skelton
 2 and also you and Special Branch?
 3 A. Yes.
 4 Q. But so far as the meetings are concerned, was it the
 5 case that anything raised or mentioned could be
 6 challenged or discussed?
 7 A. Yes, that's what I would expect, things to be challenged
 8 and discussed because I might be doing something in
 9 between meetings that other partners may not be aware of
 10 until I updated the meeting.
 11 Q. And so far as the MAPPA panel was concerned, was it
 12 recognised by all agencies that Learning Together was
 13 seen as one of the most important protective factors in
 14 his life?
 15 A. I can't say whether they thought it was the most
 16 important, but there was a recognition from parties
 17 round the table that this was something that was
 18 important to Mr Khan in giving him something to focus
 19 on.
 20 Q. And we've already been to the MAPPA minutes of 7 March,
 21 so we don't need to bring those up, but if I can remind
 22 those listening that it said:
 23 "Ken felt that in future they may look to enable
 24 Usman to attend some of the events with measures in
 25 place. Staffordshire Special Branch police asked to

28

1 have the heads up if Usman will be attending these
 2 events.”
 3 And then it said:
 4 “Ken to table all dates for future attendance at
 5 Cambridge events and each will be reviewed at the time.”
 6 A. Mm—hm.
 7 Q. That was in March. So was it anticipated that the
 8 decision would either be made at the MAPPA meetings or
 9 at least reviewed at the meetings by the MAPPA agencies?
 10 A. I mean, what other people’s expectations are, I don’t
 11 know, but I think — and I think as I said yesterday,
 12 because from that point future events had been
 13 highlighted, or the possibility of future events had
 14 been highlighted, it seemed to become part of regular
 15 conversation, so it probably evolved to an acceptance
 16 that that was going to happen. Whether that was
 17 a formal decision or otherwise, I can’t say.
 18 Q. And each agency had the opportunity at each of the
 19 meetings to feed their view —
 20 A. Yes.
 21 Q. — or their assessment into the decision—making process?
 22 A. Absolutely, yes.
 23 Q. And even if a decision has been made at a particular
 24 point, presumably that is not irreversible or
 25 irrevocable?

29

1 A. No, no. No.
 2 Q. And if you had gone to a meeting and said: look, hang on
 3 a minute, guys, or somebody from Special Branch or
 4 West Midlands CTU had said: look we’re really concerned
 5 about this, there would have been further discussion?
 6 A. Yes.
 7 Q. In November, and we’ve already seen you sent your email
 8 to Ken Skelton and Amy Ludlow saying:
 9 “I have no issue with him attending the event
 10 and hope it goes well.”
 11 That was on 4 November?
 12 A. Yes.
 13 Q. And did this reflect your view that over a period of
 14 nearly 12 months, he had complied with his licence
 15 conditions?
 16 A. Yes.
 17 Q. He had been out and about in the community?
 18 A. Yes.
 19 Q. There would have been a number of occasions on which his
 20 resolve, effectively, would have been tested?
 21 A. Yes.
 22 Q. His interaction with Learning Together members itself
 23 had posed no problem?
 24 A. No, not at all.
 25 Q. And as you said in your November priority threat

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1 assessment that we saw yesterday, there was little or no
 2 adverse reporting around the subject?
 3 A. Not that I was aware of at all, no.
 4 Q. And any consideration of his attendance would have taken
 5 all of this into account from your perspective?
 6 A. Yes.
 7 Q. And, as you have said, if you had an issue with him
 8 attending, you would have raised it?
 9 A. Yes.
 10 MS LEEK: Thank you, sir. I have no further questions.
 11 JUDGE LUCRAFT: Thank you, Ms Leek.
 12 Mr Boyle, I suspect my usher is going to be quite
 13 busy with that lectern this morning but better that we
 14 are safe.
 15 Questions by MR BOYLE QC
 16 MR BOYLE: She will be. She does a tremendous job.
 17 Good morning. Sergeant Forsyth, I ask questions on
 18 behalf of Staffordshire Police generally.
 19 A. Okay.
 20 Q. Just a little bit about your experience as a police
 21 officer first of all.
 22 A. Okay.
 23 Q. You became a police officer in May of 1993?
 24 A. Yes, that’s correct.
 25 Q. And you worked in a variety of police roles before

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1 becoming a Prevent officer —
 2 A. Yes.
 3 Q. — in 2010.
 4 A. Yes.
 5 Q. So for 17 years you had experience as a frontline police
 6 officer in all kinds of police work?
 7 A. Frontline response, uniform response officer, yes.
 8 Q. Indeed. So your roles will have included engaging and
 9 communicating with members of the public?
 10 A. Yes.
 11 Q. Witnesses?
 12 A. Yes.
 13 Q. Suspects?
 14 A. Yes.
 15 Q. Criminals?
 16 A. Yes.
 17 Q. Sometimes hardened criminals?
 18 A. Yes.
 19 Q. Did you from time to time have to interview hardened
 20 criminals?
 21 A. Yes, I’ve interviewed, yes.
 22 Q. And so you spent 17 years or so — I know you will have
 23 had two years as a probational, and I’ll come back to
 24 that in a moment or two — but you will have spent
 25 17 years doing that kind of work, probably on a daily

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1 basis?
 2 A. Yes.
 3 Q. And you then became a Prevent officer in 2010?
 4 A. I did, yes.
 5 Q. So by the time Usman Khan was ready for release
 6 in December 2018, but your involvement started in around
 7 the middle of 2018, the first MAPPA —
 8 A. Mm—hm.
 9 Q. — you had been a Prevent officer for eight years?
 10 A. Yes.
 11 Q. And your role as a Prevent officer was to focus on
 12 working with people to try to prevent them becoming
 13 radicalised?
 14 A. Mm—hm.
 15 Q. Involved in terrorism?
 16 A. Mm—hm.
 17 Q. And so that nobody gets the wrong idea, although this
 18 might have been part of neighbourhood policing, or
 19 community policing, you weren't a bobby patrolling the
 20 streets, giving individuals directions?
 21 A. No.
 22 Q. You were involved in a pretty specialist team involved
 23 in trying to stop people becoming terrorists?
 24 A. In dealing with vulnerable people, yes.
 25 Q. Yes. And you had some training at local level and at

1 national level during your time as a Prevent officer?
 2 A. Specific to Prevent policing, correct.
 3 Q. Yes. And I just want to try to perhaps get a better
 4 flavour of this, and not in the abstract, and if we can
 5 do that by looking at a document, the jury might be
 6 surprised to hear that there are still documents in this
 7 case that we haven't yet looked at, but can we have
 8 {DC7433/116}. And I want us to look at the bottom half
 9 of this page, please, and if we look at the bottom half
 10 of this page, we can see your name?
 11 A. Yes.
 12 Q. "Supervisor approving", it is a document that is
 13 completed by Mr Oakley, who we're also going to hear
 14 from —
 15 A. Mm—hm.
 16 Q. — and it's dated January 2019, isn't it, so at around
 17 the time that Mr Khan was in the community.
 18 A. Yes.
 19 Q. And if we can just expand a little bit, but keeping it
 20 at the bottom half of the document, please. No, no, is
 21 it possible so that we can see the whole of the bottom
 22 half of the document, there's some text in red, I think,
 23 at the bottom. There you go. And at the bottom we can
 24 see it's something which is called a "police gateway
 25 assessment"; do you see that?

1 A. Yes. Yes.
 2 Q. And this is the kind of documentation that you will have
 3 been familiar with for quite some time?
 4 A. Actually, not quite some time, that was fairly new.
 5 When I first started in Prevent in 2010 this document
 6 didn't exist.
 7 Q. Yes.
 8 A. This has come in in more recent times, in fact, you see
 9 that version, 1.5, is dated 2018, in April. It was new
 10 process of professionalising and formalising the
 11 decision—making when referrals come into Prevent and
 12 decision—making, so this was a relatively new document.
 13 Q. But in terms of the document reflecting the kind of
 14 issues that you would be considering with individuals,
 15 presumably that's what it was doing.
 16 A. Those are the thought processes we would have; this was
 17 a document that allows you to formalise and document
 18 those thought processes.
 19 Q. Exactly, and can we just expand a little bit please,
 20 again, keeping it in the bottom half of the document for
 21 the moment. When I say expand — we are obviously at
 22 cross—purposes — I don't mean focus in on, I mean if we
 23 can expand so we can look at more of the bottom half of
 24 the document.
 25 JUDGE LUCRAFT: Zoom out.

1 MR BOYLE: Zoom out. I'll come back to zoom in a minute.
 2 So here we can see, if we look at the blue rows,
 3 ignore the grey text, if we look at the blue rows, the
 4 kind of factors that will be in your mindset and your
 5 team's mindset?
 6 A. They're the broad themes that feature on the
 7 Vulnerability Assessment Framework.
 8 Q. Correct, things like engagement, intent, and we can see
 9 on the right—hand side, things like fixation, extremist
 10 ideology, intention, terrorism—connected offences. This
 11 was the world that you were working in, isn't that
 12 right?
 13 A. Yes.
 14 Q. And if we can just go on to {DC7433/117}, which is the
 15 next page, please. {DC7433/118}, top half of the page,
 16 the heading "Overview". The very end of the second
 17 line:
 18 "The PGA is an initial triage that will help
 19 reviewers generate a snapshot of the broad sweeps of
 20 vulnerability and potential risk factors associated with
 21 a subject in his or her personal context."
 22 Yes. So an element of the work that you were
 23 undertaking in your Prevent role was all about risk;
 24 isn't that right?
 25 A. That language came in later on. When I first started

1 Prevent, it was all about vulnerability, and it was
 2 clear it wasn't all about risk, it was about
 3 vulnerability to susceptibility to being drawn into
 4 radicalisation or extremism. When they start talking
 5 about risk factors, this was the first time with this
 6 document where that was introduced into the process, but
 7 it's the risk factors associated with being drawn into
 8 extremism.
 9 Q. Indeed. And can we turn through, please, to page
 10 {DC7433/123}, and again, we have some terminology
 11 guidance provided "baseline beliefs & behaviours",
 12 "engagement factors", and then if we can just look at
 13 the middle part of the document under the heading
 14 "Capability", please. It talks about what capability
 15 means:
 16 "... refers to the extent of the power or ability of
 17 a subject to commit terrorism or terrorism connected
 18 offences."
 19 A. Mm—hm.
 20 Q. Again, speaks in terms of things like intent,
 21 opportunity to be a terrorist; yes?
 22 A. Yes.
 23 Q. And then there are some bullet points underneath the
 24 sentence which reads as follows:
 25 "So what subjects are capable of psychologically is

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1 at least as relevant as what their physical capabilities
 2 are when considering potential risk. Examples include,
 3 but are not ... limited to".
 4 And then:
 5 "Current or historical access to extremist ...
 6 networks...
 7 "History of criminality involving relevant
 8 offences ..."
 9 And those included terrorist offences, didn't they?
 10 A. Mm—hm.
 11 Q. So, again, this was the kind of information that you
 12 were working with in more or less probably a daily
 13 fashion in your Prevent role?
 14 A. That's part and parcel of the Prevent role, yes.
 15 Q. And looking just above that to the last part of the
 16 paragraph:
 17 "Many of the most 'successful' terrorist actions in
 18 recent years have involved low—tech, low skill,
 19 low—resource, opportunistic attacks using weaponised
 20 cars, kitchen knives and noxious materials."
 21 A. Yes.
 22 Q. So that was something that you were familiar with,
 23 obviously, by the time you approved this document in
 24 January of 2019?
 25 A. Yes.

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1 Q. So when Mr Rahman, who was the first RTO, came out —
 2 A. Mm—hm.
 3 Q. — and you commenced your involvement with him, you had
 4 been working in Prevent for —
 5 A. Five years.
 6 Q. — five years.
 7 A. Yes.
 8 Q. And can we have a look, please, at {DC5515/1}, and can
 9 we have a look at the third page {DC5515/3}. This was
 10 the report that you produced at the end of that
 11 particular case, isn't that right?
 12 A. Yes.
 13 Q. And you had been asked to produce that report, was that
 14 by the SIO at West Midlands Counter—Terrorism?
 15 A. No, I don't think it was at West Midlands, I think this
 16 was the SIO in London, SO15.
 17 Q. And were you making reference here to the Prevent Team
 18 managing individuals who are subject to part 4 and there
 19 being no risk assessor training to support that —
 20 A. Yes.
 21 Q. — that's an area that should be looked at, that's
 22 something that in this report you were communicating to
 23 SO15 in London; yes?
 24 A. Yes.
 25 Q. And was it your understanding at the time that, in fact,

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1 nationally at that time there was no such training for
 2 police officers?
 3 A. There was no part 4 specific training. I think what
 4 I was referring to, and it does say there, in line with
 5 sex offender managers, who are risk assessors and
 6 trained risk assessors, I was trying to liken it to
 7 that, because the conditions are the same, and I was
 8 more or less suggesting would it be of value that that
 9 similar training was afforded, or that would have been
 10 my suggestion.
 11 Q. And you will know when a very significant and horrific
 12 incident such as this happens where the police are
 13 involved, the IOPC, the Independent Office of Police
 14 Conduct, they will carry out an investigation
 15 themselves?
 16 A. Yes, they will.
 17 Q. And they have done so in this case, and I would just
 18 like us to look, please, at {DC7444/1}, this is the
 19 beginning of their report, of their investigation into
 20 the police's management, do you see that?
 21 A. Yes.
 22 Q. And can we turn through, please, to {DC7444/77}, and at
 23 the end, towards the end of the report, there were some
 24 recommendations, we can see that word used right at the
 25 top of the page?

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1 A. Yes.
 2 Q. And if we can keep it, please, at the top of the page.
 3 Thank you. This was one of the IOPC recommendations:
 4 "... recommends that the national policing lead for
 5 counter-terrorism should ensure that police officers
 6 involved in managing offenders released from prison
 7 following terrorism offences should be given appropriate
 8 and specific training in relation to the types of
 9 offenders that they are managing and the different risks
 10 that they pose."
 11 Yes? And this report, we know, was dated March of
 12 2021, so this year.
 13 Can we look at the bottom of the page, please. And
 14 there is an update provided to the IOPC, we can see,
 15 from an Assistant Commissioner, Neil Basu, who is the
 16 national lead for counter-terrorism policing, who wrote
 17 in January of this year -- and if we can turn the page
 18 to {DC7444/78} providing an update that in November 2020
 19 a pilot course was run, do you see that?
 20 A. Yes.
 21 Q. And we can see in the second paragraph that:
 22 "A Counter-Terrorism Nominal Management core course
 23 is being developed... subject to recruitment, this will
 24 be delivered from April 2021..."
 25 le just before, in fact, when this Inquest itself

1 started?
 2 A. Yes.
 3 Q. And then if we look at the bottom half of this page, and
 4 over on to {DC7444/79}, I believe. Don't worry, that's
 5 a wrong reference. I don't know whether you're aware
 6 that that's been pushed back to take place --
 7 A. In June.
 8 Q. -- in June of 2021.
 9 A. Yes, I did read the report, I had noted that, yes.
 10 Q. So in fact that training is still yet to commence for
 11 police officers, but hopefully come June, ie next month?
 12 A. Yes.
 13 Q. In terms of the concern that you may have had with
 14 regard to handling a part 4, you were asked some
 15 questions about that, and your concerns reflected the
 16 fact that you were aware, having been involved and knew
 17 the history, that there were going to be a number of
 18 co-defendants who were going to be potentially coming
 19 out onto Staffordshire's books, as it were?
 20 A. Yes.
 21 Q. So the concern that you had, bearing in mind you had
 22 a small team, was effectively your ability to cope with
 23 what might be the demand?
 24 A. Yes, the reason being, a lot of the Prevent work we do
 25 it is partner work related, setting up meetings with

1 partner agencies and suchlike, which are difficult to
 2 change at the last minute and move when we're essential
 3 partners there.
 4 With part 4s, you can get a phone call to say: I've
 5 got a new bank account, I've got a new phone, and you've
 6 only got three days to get that fitted in and
 7 reregistered. It becomes very time consuming and
 8 time-critical. So my concern was, I was in danger of
 9 our day job, if you like, our main role of Prevent was
 10 getting put on the back-burner, which also wasn't fair
 11 to individuals we're managing there and partners
 12 involved. So that's where I saw our vulnerability.
 13 Q. And you know that in fact during the course of 2019 that
 14 the co-defendants who were released over the course of
 15 that year, they were brought back into, or in fact
 16 released into West Midlands Counter-Terrorism --
 17 A. Yes. Yes.
 18 Q. So, in fact, that concern that you had was addressed?
 19 A. Yes, it was, yes.
 20 Q. And, therefore, the point that you made about the
 21 training back in 2015, you didn't in fact feel hampered
 22 by the lack of that in terms of the way in which you
 23 conducted your role?
 24 A. No. When I mentioned not trained, it's not because
 25 I felt that -- it's not because I'm saying we couldn't

1 do our job. I didn't know what training was or wasn't
 2 available, it was an observation within that and, as you
 3 point out -- and everybody in the team were experienced
 4 police officers, so whilst it may be new, it may be
 5 a challenge, that's what we're paid to do and that's
 6 what we will do.
 7 So we did all of that to the best of our ability
 8 with the tools and everything that we have to our hands
 9 at the time.
 10 Q. Can we please have back on the screen {DC5515/1}, this
 11 is the report. And the second page, please {DC5515/2}.
 12 Now, it was suggested to you yesterday in questioning
 13 from Mr Armstrong, this is the first -- I keep referring
 14 to them as RTO?
 15 A. Yes.
 16 Q. This is the report in relation to Mr Rahman -- that had
 17 not gone well. That's the expression that was used when
 18 you were being asked questions. I want to ask you about
 19 how it went from a policing perspective --
 20 A. Yes, I --
 21 Q. -- and a law enforcement perspective, okay?
 22 A. Yes, I responded yesterday saying no, it didn't go well.
 23 What I meant was it didn't go well for him in that
 24 respect. I thought it went well for us given that
 25 because he did breach his licence or his part 4, rather,

1 by, as I say, moving without notifying us of that.
 2 We -- having never done that before -- but we processed,
 3 reported him and interviewed him, and prosecuted him for
 4 that offence for which he went, I think, to Westminster
 5 Magistrates' Court and was awaiting sentence or awaiting
 6 trial for that when he got brought into another
 7 investigation for which he was subsequently convicted as
 8 well.
 9 So I thought it went well for us, but not well for
 10 him.
 11 Q. I had a whole host of questions to ask you about that
 12 which now I don't need to.
 13 A. Oh, sorry. Thank you.
 14 Q. Because that was the point: from a policing perspective,
 15 that went well?
 16 A. Yes, it did, yes.
 17 Q. And your team were involved in it?
 18 A. Well, we led on it, yes.
 19 Q. Yes. So when the next RTO came out, Mr Khan, you can
 20 perhaps understand why you and your team were trusted to
 21 be involved?
 22 A. Well, I think I said in one of my statements, we'd set
 23 the precedent, I suppose, for Staffordshire Police that
 24 it would come to us, yes.
 25 Q. On page 3 of this document, if we can quickly look at it

1 {DC5515/3}, it says in the third -- second to third
 2 line:
 3 "Part 4... is a limited piece of legislation which
 4 only seems to superficially manage individuals and is in
 5 part reliant on the individual to comply with the
 6 management visits..."
 7 A. Yes.
 8 Q. Okay. I just want to ask you some questions, then,
 9 about cooperation. So part 4 is reliant on the
 10 individual in large measure complying with you and your
 11 colleagues?
 12 A. Absolutely.
 13 Q. We needn't look at it, but part 4 and the notification
 14 which Mr Khan was provided with had things like: you
 15 need to tell us if you... change address, stay away from
 16 home for a period of time... et cetera?
 17 A. Part 4, the notification requirements, are not about
 18 stopping anybody doing anything, they're about ensuring
 19 if they want to do something they have to tell us within
 20 a set amount of time. If they don't, they're in breach.
 21 Q. So what you and your team want to strive for is their
 22 compliance; yes?
 23 A. Sorry, yes, absolutely.
 24 Q. I caught you just at the wrong moment --
 25 A. Yes.

1 Q. -- and their cooperation?
 2 A. Yes, absolutely.
 3 Q. You want the individual to be open with you, don't you?
 4 A. We want to build a relationship with them to ensure that
 5 compliance, yes.
 6 Q. You want them to feel like they can communicate with
 7 you?
 8 A. Yes.
 9 Q. You want them to feel like they can trust you?
 10 A. Yes.
 11 Q. One way to get someone to be open with you is to be --
 12 or at least to appear to be open with them?
 13 A. That's one of the first things we say: that at the point
 14 of meeting in prison or on the day of release, or both,
 15 I think, in this case, is to say that: we will be honest
 16 with you, we expect honesty off of you, and we will be
 17 honest in return, and if you are going to be dishonest,
 18 then we will deal with what we find.
 19 Q. We will lock you up?
 20 A. Yes.
 21 Q. Yes. And so you brought to this particular job all the
 22 skills that you had been using for, by now, 25 years as
 23 a police officer --
 24 A. Yes.
 25 Q. -- to try to get Mr Khan to communicate with you and

1 cooperate with you?
 2 A. Yes.
 3 Q. Hence chatting to him, having a coffee with him --
 4 A. Yes.
 5 Q. -- meeting him outside the approved premises, and so on?
 6 A. Yes.
 7 Q. The suggestion that you should have been some crack
 8 anti-terrorism team or squad, that's the language of TV
 9 drama, isn't it?
 10 A. Yes.
 11 Q. That's not the language of what was required by your
 12 team, to try to get someone to comply and cooperate?
 13 A. Not as we saw it, no.
 14 Q. No. And in fact, Mr Khan did at times contact you when
 15 he had issues or concerns about part 4 or his licence
 16 conditions?
 17 A. Yes.
 18 Q. Very early on?
 19 A. Yes.
 20 Q. "My phone can access the internet"?
 21 A. Yes.
 22 Q. Later, I think, in 2019, "My phone is full of text
 23 messages"?
 24 A. Yes.
 25 Q. "If I delete them, I know I'm going to be in trouble",

1 and that was what you wanted to foster?
 2 A. Yes, absolutely.
 3 Q. I want to ask you some questions about your team.
 4 A. Mm—hm.
 5 Q. It was a small team?
 6 A. Yes.
 7 Q. But that had very significant advantages, didn't it?
 8 A. Yes, it did.
 9 Q. It meant that you could communicate with one another
 10 very easily?
 11 A. Yes.
 12 Q. Did you share the same office?
 13 A. Yes.
 14 Q. Was it open plan?
 15 A. Yes.
 16 Q. I said I would come back to zoom. So you weren't having
 17 to conduct these meetings via Zoom or Teams with cats,
 18 dogs and kids —
 19 A. Not at that time, no.
 20 Q. Being together in a small team enabled the free flow of
 21 information between you and your team members, didn't
 22 it?
 23 A. Yes.
 24 Q. You were able, therefore, to work with each other's
 25 strengths and weaknesses?

1 A. That, for me, is what being a team is about.
 2 Q. Some people might be slightly better at doing the
 3 paperwork; others might be better at chatting to the
 4 subjects?
 5 A. Yes.
 6 Q. The fact that you didn't always go on the visits with
 7 Khan was likewise probably a good thing because it
 8 brought a fresh or different pair of eyes?
 9 A. Well, that ultimately is my thinking, and utilising ,
 10 obviously, we've only got one female officer on the team
 11 as well, but it's, again, mixing and matching who goes
 12 to see — (a) you're trying to bring out either
 13 consistencies in behaviours or conversations, or
 14 inconsistencies that can again be reported.
 15 So there are, for me, and I accept somebody might
 16 think differently, but there are for me strengths in
 17 mixing and matching that.
 18 Q. And if you work in a team where you get along with the
 19 other members of the team, that's likely to improve the
 20 communication amongst the members of the team, isn't
 21 that right?
 22 A. I think it's a strength in our team, yes.
 23 Q. If the team had any issues, they could come and speak to
 24 you?
 25 A. Yes.

1 Q. If you had any concerns about them, you could speak to
 2 them?
 3 A. Yes.
 4 Q. So, again, the suggestion that this was some sort of
 5 informal, like a family, not a crack anti—terrorist
 6 team, it had enormous benefits, as far as you were
 7 concerned?
 8 A. Absolutely enormous benefits.
 9 Q. And in terms of briefings that you might have had
 10 amongst members of your team — I'll come on to Special
 11 Branch in a second, but in terms of amongst the members
 12 of your team, those briefings could be formal, the kind
 13 of stuff that we do see on TV, they could be informal —
 14 A. Yes.
 15 Q. — chats over a cup of coffee, perhaps?
 16 A. Yes, that's where a lot of the conversations did take
 17 place.
 18 Q. Yes. Emails between each other?
 19 A. Mm—hm.
 20 Q. And with others; yes?
 21 A. Yes.
 22 Q. And police officers also had access to various systems
 23 or platforms, things like the PNC, the Police National
 24 Computer?
 25 A. Yes.

1 Q. To a degree it's been described as clunky, ViSOR, which
 2 is a system that is shared with the probation system
 3 predominantly, yes?
 4 A. I don't know what level of access probation actually
 5 have, if I'm honest, I don't think it's the same level.
 6 I think it's primarily a police system that they feed
 7 into.
 8 Q. Very well. And also SPIN, we've heard reference or we
 9 might have seen it in a document?
 10 A. Yes.
 11 Q. Which was then the Staffordshire Police Intelligence
 12 Network?
 13 A. Yes, that's been superseded by NICHE now.
 14 Q. Indeed. So feeding all of those abilities to either get
 15 a briefing directly from you or, in fact, a self brief
 16 from looking at something on the system, if any of your
 17 team had any doubt about who Usman Khan was or what he
 18 had done, all they needed to do was ask you?
 19 A. Yes.
 20 Q. And in addition, then, you also had a very good working
 21 relationship with your colleagues in Special Branch; is
 22 that fair?
 23 A. Yes, it was a good relationship, yes.
 24 Q. Were they in the same building?
 25 A. Yes, we were in the same building, on the same corridor,

1 in what we call a STRAP environment, which is a security
 2 environment, yes, we were just over the corridor.
 3 Q. And they held daily morning meetings, is that right?
 4 A. Yes.
 5 Q. At which Usman Khan was discussed?
 6 A. Yes.
 7 Q. And, indeed, at times the logs that you and your
 8 colleagues produced were read out?
 9 A. Yes.
 10 Q. So, again, everybody being included in the information
 11 that is being gathered in relation to Mr Khan?
 12 A. Yes. Yes.
 13 Q. And in relation to those logs, you were asked some
 14 questions yesterday by Mr Hough in terms of those being
 15 loaded on to ViSOR. Was the position that they were
 16 emailed and/or added on to the SPIN platform?
 17 A. Yes. There was a lot of duplication. So the accepted
 18 way would probably be to type the email, then copy and
 19 paste that into ViSOR, because we had to feed it —
 20 because SB or Special Branch didn't have access to
 21 ViSOR, West Midlands, I think one person on Team 7 did
 22 but not necessarily all the logs, so the easiest way was
 23 to do the copy and paste instead of double keying
 24 everything, and then send the same information to
 25 multiple places.

1 Q. And you may recall, but I can deal with it with him if
 2 you can't — but you may recall in around about April of
 3 2019, Mr Stephenson asking you if in addition you would
 4 add it on to NCIA, is that right, and you very
 5 gracefully said: thank you, but we're already doing it
 6 twice, can we leave that to you?
 7 A. Specifically no, but that sounds about right.
 8 Q. Okay. And in addition to the levels of communication
 9 that you had between your team and your team and Special
 10 Branch —
 11 A. Mm.
 12 Q. — you were in addition being provided with copies of
 13 all of the mentor reports?
 14 A. Yes. Yes.
 15 Q. And so you were asked some questions a moment ago about
 16 the analyst, Dawn Banner's comments in relation to the
 17 mentor reports?
 18 A. Yes. Yes.
 19 Q. And the contents of those reports were something which
 20 you had the opportunity to read and take into account
 21 yourself?
 22 A. Yes.
 23 Q. Yes, thank you.
 24 I want to ask you now some questions about the
 25 policy or the procedure that you work to, which you put

1 together.
 2 A. Yes. Yes.
 3 Q. You said that you had based it on a document or
 4 documents that you had seen from West Midlands CTU; is
 5 that right?
 6 A. It's an exact lift, except where it says "Staffordshire"
 7 it used to say "West Midlands Police".
 8 Q. I want to ask you, please, to have a look at a document,
 9 {DC7531/1}, please, and we can see that this is
 10 something which is called "Part 4 Notifications.
 11 Standard Operating Procedure. West Midlands
 12 Counter—Terrorism Unit", and it says "Date created:
 13 16th August 2017", so this might be after the one you
 14 were talking about?
 15 A. Yes, yes.
 16 Q. But we can see on the front it says "Reviewed by:
 17 DI Cobbett". Can you see that?
 18 A. Yes.
 19 Q. Now, DI Cobbett, was that someone you knew at the time?
 20 A. I knew who — I was aware of who she was and I'd spoke
 21 to her at MAPPa. I had never had any working
 22 relationship with DI Cobbett.
 23 Q. I think I took a witness earlier in the week to one of
 24 the minutes of the one of the MAPPa meetings where then
 25 DCI Cobbett's name appeared and I think she attended all

1 of the MAPPa meetings bar the last two?
 2 A. Yes, I think she had retired by that point.
 3 Q. So October and November she wasn't there, but had been
 4 throughout.
 5 Can we look, please, at {DC7531/10}. And if we look
 6 at the bottom half of the page, please. And you can see
 7 next to (vi):
 8 "Offender Management Tiering:
 9 "Subjects of Part 4 Notification will subject of
 10 risk assessment and risk management plan. WMCTU will
 11 identify the subject as Tier Level 1–3 with management
 12 guidance as appropriate. (Appendix F)."
 13 No shock here, let's have a look at appendix F,
 14 {DC7531/35}.
 15 Next page, please. {DC7531/36}. Thank you. So
 16 tier levels we can see in the left—hand side, tier 1,
 17 tier 2, yes. Tier 1 criteria, "Actively engaging in TRA
 18 and under investigation". Where they currently sit in
 19 a P1–P4 operation and so on, and the frequency of
 20 visits, the last bullet point, in a tier 1 level case
 21 where they are actively engaging in — and TRA I think
 22 is terrorist related activity —
 23 A. Yes.
 24 Q. — is, at minimum, two—weekly; yes?
 25 A. Yes.

1 Q. And if we look at tier 2, thank you very much: "Assessed
2 to be engaging/likely to engage in training". Sitting
3 in a P1-P4 operation, the CT MAPPA levels are given, and
4 we can see the last bullet point there "Frequency of
5 visits minimum 4 weekly."
6 A. Yes.
7 Q. Now during -- we can take that off the screen now.
8 During the time that you were dealing with Mr Rahman,
9 I think the frequency was monthly or thereabouts?
10 A. Yes, monthly and then moved to maybe three--monthly, or
11 something like that. Initially it was monthly.
12 Q. And did anyone from WMCTU criticise the frequency of
13 your visits?
14 A. With Mr Rahman? No.
15 Q. Or criticise the communication that you were providing,
16 the information that you were providing and so on?
17 A. No.
18 Q. I want to ask you some quick questions, please, about
19 ranks and roles. So there's a rank structure within the
20 police service?
21 A. Yes.
22 Q. Police constable --
23 A. Yes.
24 Q. -- police sergeant --
25 A. Yes.

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1 Q. -- inspector, chief inspector, chief superintendent --
2 A. Yes.
3 Q. -- assistant chief constable --
4 A. Yes.
5 Q. -- deputy chief constable, chief constable?
6 A. Yes.
7 Q. Slightly different at the top end of the Met where they
8 have a commissioner and the City of London --
9 A. Yes.
10 Q. And those are the ranks?
11 A. Yes, they are.
12 Q. Senior investigating officer is a role?
13 A. Yes, it is.
14 Q. It's not a rank?
15 A. No, there are some things that are role-specific, yes.
16 Q. And so when there are references to an SIO, a senior
17 investigating officer, that is a role that someone has
18 been appointed to?
19 A. Yes.
20 Q. And usually a role that they've been appointed to if
21 there is an ongoing investigation?
22 A. Yes.
23 Q. Or an ongoing operation?
24 A. Yes.
25 Q. Okay. And you were aware, weren't you, that during the

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1 course of your involvement with Mr Khan, there was
2 an SIO who had been appointed?
3 A. Yes, there was, yes.
4 Q. I wonder if we can quickly look, please, at {DC7348/1}.
5 This is an operational order. The bottom half, if you
6 wouldn't mind. Thank you. The operation name has been
7 redacted. "Type of operation", here "Prison release of
8 Usman Khan"; date and time; officer in charge of
9 operation: DI Ryan Chambers; completing officer:
10 yourself?
11 A. Yes.
12 Q. And if we look at the next page, please {DC7348/2},
13 "Summary of information & intelligence", have you seen
14 this document recently, are you familiar with this
15 document?
16 A. I haven't reviewed it recently, but I do recall it, when
17 I put it together.
18 Q. Yes, so you put it together and what you included in
19 this operational order was information and intelligence
20 about Mr Khan, everything that you knew about him in
21 some detail; yes?
22 A. Yes.
23 Q. And during the course of your involvement in the case,
24 you sent some emails to the SIO. I'll just get you to
25 look at one for the moment, if I may?

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1 A. Yes.
2 Q. So can we look at {DC7441/309}. And if we can look at
3 the bottom half of the page, please. So it's from you,
4 it's 21 December 2018, so Usman Khan's about to be
5 released, and it's sent to the SIO; yes?
6 A. Mm--hm.
7 Q. And Guy Morris. Who was Guy Morris?
8 A. He's -- I can't remember if he's -- I think he's a DS at
9 the CTU in the investigation side, if I recall
10 correctly.
11 Q. In West Midlands?
12 A. At West Midlands CTU, yes.
13 Q. Thank you. So here's an email we needn't go into the
14 details of, but it's attaching a number of trigger
15 plans --
16 A. Yes.
17 Q. -- and the trigger plans are: what are we going to do if
18 he breaches, and so on?
19 A. Yes.
20 Q. You were asked some questions about the extent to which
21 I think you will have known about there being an ongoing
22 operation.
23 A. Mm--hm.
24 Q. That is something which you were aware of. The details
25 of it, perhaps not.

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1 A. I was aware because there's an SIO, there's an operation
 2 name, I thought that was a police operation. I wasn't
 3 specifically aware that it was a priority operation for
 4 MI5. My assumption was this was looking at whether
 5 that -- he would be escalated into that, but I didn't
 6 need to know is the point of that.
 7 Q. Let's have a look at {DC6406/3}, MAPPA minutes, top of
 8 the page, thank you:
 9 "Reason for referral".
 10 Third line:
 11 "His management..."
 12 Got that?
 13 A. Yes.
 14 Q. "His management will be resource intensive and liaison
 15 between agencies including security services will be
 16 required."
 17 So that reflects the fact that you had, from
 18 a policing perspective, an obvious indication that there
 19 was likely to be security services involvement here?
 20 A. I would have been aware, yes, obviously because the role
 21 I'd done, as you pointed out, I'd done it for a long
 22 time, I'm aware that they would be there in the
 23 background, but to what level I wouldn't know
 24 necessarily.
 25 Q. Can we have a look at {DC7442/88}, you were asked

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1 a couple of questions about this a moment or two ago,
 2 and it's DS Stephenson asking you for your assessment of
 3 his attitude and so on.
 4 {DC7442/87}, please. You respond:
 5 "Jon,
 6 "I will seek clarification ... "
 7 And you then, in the bottom half of the page, which
 8 we don't need to look at it, I want to keep the top half
 9 on, you give DS Stephenson your response and your views,
 10 and then he replies to you:
 11 "Thanks Calum for the comprehensive update, I'll
 12 pass it on to the SIO."
 13 A. Yes.
 14 Q. And that's in April 2019?
 15 A. Yes.
 16 Q. In relation to the issue of the dumper truck, can I ask
 17 for {DC7442/340}. Again, the issue of the dumper truck,
 18 you'll recall being shown a document yesterday that was
 19 provided to you about this?
 20 A. Yes. Yes. Yes.
 21 Q. And then DS Stephenson:
 22 "Thanks Calum, I'll share the below update with the
 23 SIO."
 24 So still in July 2019?
 25 A. Yes.

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1 Q. In terms of guidance and assistance, do you recall there
 2 being a meeting taking place in the March of 2019 with
 3 Team 7 --
 4 A. Yes.
 5 Q. -- coming to Staffs --
 6 A. Yes.
 7 Q. -- to share best practice, for want of a better
 8 expression?
 9 A. Well, I recall them -- I don't think the meeting was set
 10 up specifically for that, that's not my recollection,
 11 but I do recall them coming for a meeting.
 12 Q. Right. And were there discussions about practices
 13 and...
 14 A. Yes, there were. Some things came to light then but it
 15 wasn't a formal meeting about discussing best practice.
 16 Q. Was one of the things that came to light the fact that
 17 they tended to video interview --
 18 A. Yes.
 19 Q. -- or record, updating the part 4 notification?
 20 A. Yes.
 21 Q. And was that something which you took on board and then
 22 actioned --
 23 A. Absolutely, absolutely.
 24 Q. And do you recall there being a further meeting taking
 25 place in the November of 2019?

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1 A. Yes. Yes.
 2 Q. On or about 6 November 2019?
 3 A. Thereabouts, yes.
 4 Q. Finally this: just in terms of taskings and frequency of
 5 visits and so on, were there times when you or members
 6 of your team were tasked with some specific issues, for
 7 example, checking the phone, checking the Xbox and
 8 whether it had wi-fi?
 9 A. Yes, or seeking clarity on something, whatever, yes, and
 10 that's what I would expect.
 11 MR BOYLE: Sergeant Forsyth, those are all my questions,
 12 thank you very much indeed.
 13 Sir, I can't remember what my time estimate was and
 14 therefore I don't know whether I went beyond it or not
 15 and I'm sorry if I have.
 16 JUDGE LUCRAFT: Don't worry. You certainly said you had cut
 17 out some questions, Mr Boyle, so it may well be that
 18 that has kept you within your time.
 19 MR HOUGH: I can confirm that it did.
 20 MR BOYLE: That's a relief, thank you.
 21 JUDGE LUCRAFT: I know that Mr Beer will have some
 22 questions, Mr Hough. I'm just wondering whether we take
 23 our mid-morning break there and Mr Beer, we will then
 24 come back for your questions. Again, I suspect you have
 25 given a time estimate, Mr Beer?

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1 MR BEER: Sir, yes, happy to come back for questions.
 2 I have given a time estimate and I will stick to it.
 3 JUDGE LUCRAFT: Thank you. We will take our break there.
 4 Thank you.
 5 (In the absence of the jury)
 6 I'll rise.
 7 (11.25 am)
 8 (A short break)
 9 (11.43 am)
 10 (In the presence of the jury)
 11 JUDGE LUCRAFT: Mr Beer.
 12 Questions by MR BEER QC
 13 MR BEER: Sir, I'm not rubbing my hands with glee: I've got
 14 aloe vera.
 15 JUDGE LUCRAFT: Right, we'll all say "aloe vera".
 16 MR BEER: Sergeant Forsyth, my name is Jason Beer. I ask
 17 questions on behalf of West Midlands Police. Do you
 18 regard it as your first duty as a police officer to keep
 19 the public safe?
 20 A. Yes.
 21 Q. If you had the slightest concern that Khan intended to
 22 cause harm to the public, would you or your team have
 23 swiftly and decisively acted to prevent it?
 24 A. Yes.
 25 Q. Would that either have been by making an arrest

1 yourselves, or by referring the matter to Staffordshire
 2 Special Branch or to the CTU for consideration of making
 3 an arrest?
 4 A. Whichever would be the most appropriate at the time,
 5 yes, depending on the circumstances.
 6 Q. Or seeking a recall to prison for breach of licence?
 7 A. Yes, yes.
 8 Q. The impression may have been created by some of the
 9 questions of rather liberal state officials naïvely and
 10 gullibly being taken in by Khan, overburdened by
 11 a desire to rehabilitate him into the community. Would
 12 you have, in fact, relished an opportunity, as a serving
 13 police officer, to see a convicted terrorist back behind
 14 bars if the evidence justified it?
 15 A. If the evidence justifies it, absolutely.
 16 Q. With that background, can I ask you about four things,
 17 four topics. The first of them is roles and
 18 responsibilities. You know, and you have told us
 19 already, that senior officers within
 20 Staffordshire Police had decided that your Prevent Team
 21 should manage part 4 offenders in the
 22 Staffordshire Police area, and although it was senior
 23 Staffordshire officers that had made that decision, your
 24 colleagues from Team 7 in West Midlands Police I think
 25 gave some advice and assistance in relation to the task

1 that had been set for you?
 2 A. Partly. I don't think there was any formal meeting
 3 beforehand setting out, and I think that's evident by
 4 the fact our role evolved as we introduced new
 5 procedures that we learnt as we went along.
 6 Q. Yes, I'm not suggesting before 2015 in relation to
 7 Rahman.
 8 A. No, no.
 9 Q. I'm suggesting in the course of your management of Khan?
 10 A. Yes, but in the lead up to that, that's what I'm saying,
 11 that still evolved. I think -- we didn't video record
 12 the initial registration, because I wasn't aware of
 13 that. Once we were aware of that, we introduced that.
 14 Q. So what they did is they came over to your force?
 15 A. In March.
 16 Q. In March. I think that was 5 March --
 17 A. Yes.
 18 Q. -- 2019; is that right?
 19 A. Yes.
 20 Q. And that was Sergeant Jerromes and PC Gail Colley?
 21 A. Yes.
 22 Q. And they provided practical advice and assistance to you
 23 and your Prevent Team colleagues as to how Team 7
 24 colleagues managed their part 4 offenders?
 25 A. Partly, yes, it wasn't the sole purpose of that meeting.

1 Some bits were informed to us, yes.
 2 Q. It was at a practical level?
 3 A. Yes.
 4 Q. And included, for example, how they conducted their
 5 visits, with what frequency, and the video recording
 6 that you have mentioned?
 7 A. Not so much the frequency, because I think that had been
 8 set right at the start, but how they conducted their
 9 visit and what personal protective equipment they would
 10 use that we weren't aware of.
 11 Q. Did you attend a training day on 2 August 2019 run by
 12 West Midlands Police for officers across the country who
 13 had responsibility for managing part 4 offenders?
 14 A. Is this the input about the new regulations? I can't
 15 recall.
 16 Q. It was called the National Registered Terrorism
 17 Offenders conference in Birmingham?
 18 A. I can't recall if I did or not.
 19 Q. It's not something that sticks out?
 20 A. No.
 21 Q. You explained how you knew that a covert investigation
 22 was likely being conducted here?
 23 A. From an intelligence purpose, yes.
 24 Q. And save for the one or two emails that Mr Boyle has
 25 shown you concerning direct contact or reference to the

1 SIO before release --
 2 A. Mm--hm.
 3 Q. -- the main means of communication, the conduit of
 4 intelligence, was from you to your own Special Branch;
 5 is that right?
 6 A. Correct. Yes, correct.
 7 Q. And I think, therefore, the papers that we've all got,
 8 show that you and your colleagues in Prevent sent
 9 hundreds of emails to Special Branch about your contact
 10 with Khan and other contacts that your team had outside
 11 of formal visits?
 12 A. Yes.
 13 Q. Now, you didn't know the details of the covert
 14 investigation that was being conducted, but I think you
 15 have said already you wouldn't criticise your Special
 16 Branch colleagues for not providing you with details of
 17 the covert investigation?
 18 A. No.
 19 Q. And that's because you wouldn't expect to know, and
 20 you've mentioned the idea of a sterile corridor already?
 21 A. Yes, if there was something pertinent to our engagement,
 22 or pertinent we needed to know, we would -- my
 23 expectation is we would be told, but beyond that, that's
 24 their daily job, not my daily job.
 25 Q. Just to help, is it right that a sterile corridor is

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1 a common and well used feature of policing where there
 2 is overt activity alongside covert activity?
 3 A. Yes, it is.
 4 Q. And would you agree with this, so that the jury
 5 understand it: the risk is that if a person who has
 6 contact with an offender or a suspect is aware of the
 7 details of the covert operation, they may inadvertently
 8 disclose those details to the offender?
 9 A. Absolutely.
 10 Q. And so sterile corridors are created to ensure that
 11 covertly obtained information and intelligence cannot be
 12 passed directly to others without sanitisation and
 13 authorisation?
 14 A. Correct.
 15 Q. And that, amongst other things, seeks to ensure that the
 16 source of information is protected?
 17 A. Yes.
 18 Q. It was put to you that you were performing this
 19 difficult dual role by Mr Armstrong, but just because
 20 you were being used to obtain information from Khan
 21 didn't require you to know all of the other intelligence
 22 that anyone else had about him, assuming that there was
 23 lots --
 24 A. Well, for that --
 25 Q. -- for present purposes?

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1 A. We knew what we knew from him and that's why we fed it
 2 into the system. Our expectation, if there was other
 3 information, others would know that and put it together
 4 with it.
 5 Q. You attended every one of the 12 MAPPA meetings just
 6 like Ken Skelton, you were one of the fixtures at the
 7 meeting?
 8 A. Yes.
 9 Q. And there was a representative, I think, of
 10 Staffordshire Special Branch at all of the meetings bar
 11 two, when they sent their apologies?
 12 A. Yes.
 13 Q. And those Special Branch officers that are present at 10
 14 of the 12 MAPPA meetings, they are -- essentially they
 15 are counter-terrorism officers, they're called Special
 16 Branch, it's just another set of words?
 17 A. Yes. Yes, yes.
 18 Q. And was it your understanding that if there was
 19 intelligence to feed into the MAPPA meeting, that's
 20 a big if for the moment, if there was, and they were in
 21 possession of it, the Special Branch officers, that was
 22 the conduit by which the intelligence was to be fed into
 23 the MAPPA meetings?
 24 A. Yes.
 25 Q. You say in your witness statement that as far as you

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1 were aware, there was no adverse reporting --
 2 A. Yes.
 3 Q. -- about Khan. Just break that down a little bit. In
 4 the 11 months after Khan was released, whilst you were
 5 managing his part 4 conditions, Special Branch did not
 6 report to you any intelligence that was adverse to Khan,
 7 ie intelligence that suggested a matter of concern?
 8 A. No. No.
 9 Q. And I think the position is now, even, presumably,
 10 having read all of the witness statements of the Special
 11 Branch and, indeed, Witness A, that remains the
 12 position?
 13 A. Correct.
 14 Q. There was no adverse intelligence?
 15 A. No.
 16 Q. Now, you knew, I think, that if there was a breach of
 17 the licence, a breach of the notification requirements,
 18 or a criminal offence was committed, then what would
 19 happen, it would be referred to Team 7 and they would
 20 take over?
 21 A. Yes. Depending on the circumstances, if there were
 22 a criminal offence and it was in front of us at the time
 23 and we became aware of it, then obviously it would be --
 24 we would have to arrest him --
 25 Q. It's a crime in action?

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1 A. -- yes, there and then. A breach of part 4, arrests, if
 2 you know who the person is and where they live, you've
 3 got to get past the necessity test, because you saw, as
 4 with Mr Rahman, we didn't arrest him, we reported him
 5 for summons and did it all by post in actual fact, but
 6 we were made clear beforehand, if there was a breach of
 7 part 4 we should gather the evidence of that breach,
 8 failure of notification, and put the evidence package to
 9 Team 7 and they would take on the investigative side for
 10 that because they've got the investigative
 11 responsibility for the region.
 12 Q. You anticipated my next question: they had the
 13 investigative capabilities to pursue such a breach?
 14 A. Yes.
 15 Q. In the event, you and your team didn't identify any
 16 breach in licence, any breach in part 4 conditions or
 17 any other offences committed by Khan?
 18 A. Not at all.
 19 Q. Can I turn to the second topic then, please. The way in
 20 which MAPPA was involved or not involved when
 21 an activity undertaken by Khan required Probation
 22 Service approval or permission under the licence.
 23 A. Okay.
 24 Q. And I would like, if I may, to look at this from
 25 a couple of different perspectives not involving the

1 event in London.
 2 A. Okay.
 3 Q. And then moving to the event in London.
 4 A. Okay.
 5 Q. Firstly, the amendment of curfew times.
 6 A. Yes.
 7 Q. Now, curfew times are written into Khan's licence?
 8 A. That's correct, yes.
 9 Q. If we can quickly look at that, please, {DC5194/3}.
 10 Thank you, and can we look at (xx), please:
 11 "Confine yourself to an address approved by [Kenneth
 12 Skelton] between the hours of 7.00 pm--7.00 am."
 13 So he had to stay in his address overnight from 7.00
 14 to 7.00?
 15 A. Yes.
 16 Q. And we know from other evidence that that condition was
 17 amended before May 2019 --
 18 A. Correct.
 19 Q. -- to relax the time to 9.00 pm to 7.00 am?
 20 A. Yes.
 21 Q. Ie he had an additional two hours of comparative
 22 freedom?
 23 A. Yes.
 24 Q. I want to look at the change from 9.00 pm to 11.00 pm,
 25 ie another two hours of freedom. Can we look, please,

1 at {DC7367/1}. Thank you. It's quite difficult to
 2 spot. It's the entry for 29 May. If we go down,
 3 please. I think that's an errant reference.
 4 JUDGE LUCRAFT: That only takes us to the end of February,
 5 I think.
 6 MR BEER: Yes, I'll do it another way. Can we go to
 7 {DC7474}, please, at {DC7474/72} and if we can look at
 8 the bottom, please, of that page, can we see an email
 9 from Kenneth Skelton to Lois Gell, Phil Bromley and
 10 others, and you, and this is on 29 May --
 11 A. Mm-hm.
 12 Q. -- at 12.40. We can all read what it says. It's about
 13 the curfew and the signing on times?
 14 A. Yes.
 15 Q. And three lines from the bottom, it says:
 16 "The remaining curfew times will be 11.00 pm until
 17 7.00 am..."
 18 A. Yes.
 19 Q. So this is 29 May, it seems like a change from 9.00 pm
 20 to 11.00 pm; do you see that?
 21 A. Yes.
 22 JUDGE LUCRAFT: And I think the signing on time is also
 23 going.
 24 MR BEER: Yes, I'm not going to deal with the signing on
 25 time of the 4.00 pm, that's a separate issue, I'm only

1 interested in the 9.00 to 11.00 pm and then it says:
 2 "Could this be arranged for week beginning
 3 3rd June 2019."
 4 Do you remember this?
 5 A. Yes, I remember that email, yes.
 6 Q. I wonder whether we could look at the minutes of the
 7 MAPPA meeting, at {DC6413/1}, please. You can see these
 8 are 30 May, so the next day?
 9 A. Yes.
 10 Q. And if we go on to {DC6413/4}, please, right at the
 11 bottom, that's the last line:
 12 "[Usman Khan] has been looking at accommodation in
 13 Lichfield Road... he can also get funds to assist with
 14 his rent. [Usman Khan] is currently curfewed between
 15 9.00 pm to 7.00 am and is required to sign on at
 16 4.00 pm."
 17 Yes?
 18 A. Yes, correct.
 19 Q. And then over the page, please {DC6413/5}, we can see
 20 that you speak next, and then if we scroll down, please,
 21 we get to the panel discussion?
 22 A. Yes.
 23 Q. And under the panel discussion three lines in it says:
 24 "Considering removing 4.00 pm sign-on and extending
 25 curfew from 9.00 pm to 11.00 pm -- not felt that the

1 extra 2 hours in the evening will make any difference."
 2 Then West Midlands Police say:
 3 " ... it is unusual to remove both the 4.00 pm sign
 4 on and ... the curfew at the same time -- not agreed to
 5 be appropriate. Once [Khan] leaves the [approved
 6 premises] it would be better if he is on maximum curfew
 7 otherwise this takes away an element of control and will
 8 potentially increase the police response time if [Khan]
 9 were not [to] return.
 10 "CTU (Staffordshire)..."
 11 Is that you, in fact?
 12 A. Do you know, I actually don't know who they're referring
 13 to there. It seemed to vary from meeting to meeting
 14 whether they refer to me as Prevent or Calum Forsyth or
 15 CTU Staffordshire. I wasn't opposed to it, but I didn't
 16 offer an opinion either way if I'm honest with you
 17 because I saw that very much as a matter for probation
 18 to determine whether they wanted to extend the curfew.
 19 So I don't know exactly who they are implying there.
 20 Q. No, you're right, sometimes they call you CTU, sometimes
 21 they call Special Branch, Special Branch in the minutes,
 22 and sometimes they call Special Branch CTU?
 23 A. Yes, so I don't know for certain who they're referring
 24 to there.
 25 Q. But anyway, someone from Staffordshire:

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1 " ... implied they are not against extending the UK's
 2 curfew, as it could be reimposed or moved back to
 3 9.00 pm once [Khan] has moved out of the approved
 4 premises."
 5 Then essentially the panel:
 6 "Concerns were raised by the Panel in regard to
 7 extending the curfew and then reducing it back to
 8 9.00 pm -- it would be difficult to argue and support
 9 a decision ... Panel reminded of the nature of [Khan's]
 10 offence and concluded it more appropriate to remove the
 11 sign on and then review evening curfew in a few weeks'
 12 time."
 13 A. Yes.
 14 Q. So the panel are saying no --
 15 A. Correct.
 16 Q. -- don't put the curfew back from 9.00 until 11.00?
 17 A. Yes.
 18 Q. We go to the next meeting which is in July, there's no
 19 discussion of this in the July meeting?
 20 A. No.
 21 Q. And then we go to the next meeting which is in August,
 22 there's no discussion of it in the August meeting, take
 23 it from me, I've looked at the minutes.
 24 A. Yes.
 25 Q. And then we go to the meeting on 3 October, {DC7443/1},

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1 please, at page 37 {DC7443/37}. If we look at the foot
 2 of the page, please, this is an email of 23 September
 3 from Lois Gell to, amongst others, you. And it says in
 4 relation to, essentially, the monitoring company:
 5 "Please find attached amended protocol for...
 6 Khan...
 7 "The changes are to his address, phone number, and
 8 also the time of the curfew, which is now 23.00 to
 9 7.00."
 10 So she's telling you that the curfew time is being
 11 changed to 11.00 pm, ie relaxed from 9.00 pm?
 12 A. Yes.
 13 Q. Can you recall, was that change made without MAPPA's
 14 agreement?
 15 A. Well, I can't say specifically. Going by what you've
 16 just highlighted with the MAPPA minutes, it's probably
 17 not documented there, so I don't know what process led
 18 to that decision--making.
 19 Q. And I wonder whether we could just look at
 20 {WS5059--2A/25}. Thank you. Can we look at the entry at
 21 the top, just for you to understand what this document
 22 is or is part of, this is called the subject profile on
 23 Khan maintained by Staffordshire Special Branch.
 24 A. Okay. Right.
 25 Q. Can you see the entry for 3 June?

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1 A. Yes.
 2 Q. It says:
 3 "Curfew times amended to [11.00 pm] to 7.00 [am].
 4 "No sign on requirement."
 5 That entry of 3 June suggests that from that date
 6 there was a change in curfew time from 9.00 to 11.00.
 7 That was just days after the MAPPA meeting said it
 8 shouldn't be amended.
 9 A. Right. Yes, yes.
 10 Q. Can you help us, do you know whether the curfew times
 11 were amended without MAPPA agreement?
 12 A. I don't recall it -- to be honest with you I don't
 13 recall it coming back for discussion. I remember the
 14 conversation that you just highlighted of the suggestion
 15 of it would be unusual to remove a signing on and amend
 16 the curfew, I remember that conversation and I remember
 17 it remaining at 9 o'clock. I don't remember another
 18 conversation that put it back to 11.00.
 19 Q. Can I look at this from a second angle, the dumper
 20 truck, which we've been around a number of times, I'll
 21 deal with it quickly. There came a time when Khan
 22 disclosed he wanted to attend a course that might
 23 involve driving large machinery?
 24 A. Yes.
 25 Q. You informed Special Branch of this?

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1 A. Yes.
 2 Q. And as we've heard, on 3 July 2019, DS Stephenson of
 3 Staffordshire Special Branch emailed you a copy of the
 4 JTAC --
 5 A. Yes.
 6 Q. -- the Joint Terrorism Analysis Centre report about
 7 vehicles being used by terrorists as weapons. I'm not
 8 going to look at that now, but do you remember the email
 9 said it was OFFSEN, the report?
 10 A. Yes.
 11 Q. Is it was official sensitive --
 12 A. Yes.
 13 Q. Which means that it is not secret, not top secret?
 14 A. No, no.
 15 Q. And therefore it meant that its conclusions, its
 16 contents, could be disclosed to individuals outside of
 17 policing --
 18 A. Yes.
 19 Q. -- if they had a legitimate interest in knowing?
 20 A. Correct, yes.
 21 Q. So stepping back, your Special Branch colleague,
 22 somebody that Mr Armstrong might call a hard-nosed,
 23 cool-headed detective, is drawing to your attention
 24 something and saying: look, can you use this to persuade
 25 probation not to let Khan go on a dumper truck course?

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1 Is that a fair summary?
 2 A. Yes.
 3 Q. Can I look in slightly more detail at your response,
 4 please {DC7442/349}. Thank you. This is your reply to
 5 the vehicles used as weapons report.
 6 A. Mm--hm.
 7 Q. I just want to read this carefully, if we could. You
 8 say:
 9 "Jon [that's DS Stephenson]
 10 "I will reference this ..."
 11 Is, I will draw attention to the report from JTAC.
 12 A. Yes.
 13 Q. "... however having spoken to Ken about this they do
 14 consider these things but whilst Khan has a conviction
 15 for terrorism there was no suggestion [of] the use of
 16 vehicles being involved and nothing to currently suggest
 17 that this would be anything that would give us cause for
 18 concern."
 19 So you're making two points there: Khan didn't have
 20 a conviction for using a vehicle as a weapon.
 21 A. Mm--hm.
 22 Q. And there's nothing to suggest at the moment that doing
 23 this activity would give us cause for concern?
 24 A. Correct.
 25 Q. You continue:

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1 "It is worth noting he has a driving licence, albeit
 2 a provisional one yet the same thinking could be
 3 applied ..."
 4 Is because he's got a licence and therefore access
 5 to cars, the same thinking could be applied. Is that
 6 what you were saying?
 7 A. Yes, yes.
 8 Q. "As things stand..."
 9 And this is the sentence I wanted your help with,
 10 please:
 11 "As things stand Probation have no grounds to oppose
 12 or prevent Khan's attendance on ... a course and as they
 13 say it is in line with his current progress into gaining
 14 work in the building trade which is being seen as
 15 a positive thing for him to do."
 16 Then the next sentence:
 17 "Probation do take these matters seriously but they
 18 also have to work with the individual to allow them to
 19 move on in a positive way..."
 20 And then this:
 21 "... if they are going to put obstacles in the way
 22 they have to have strong reasons to do so which they
 23 don't feel that they do in this case."
 24 Can I ask you, is that the basis on which you
 25 understood the Probation Service to have operated in

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1 relation to Khan generally: that they should generally
 2 allow him to move in a positive way --
 3 JUDGE LUCRAFT: I think it's move on.
 4 MR BEER: Move on in a positive way unless there were strong
 5 reasons not to do so?
 6 A. I think it's very much -- and I think I've heard it
 7 said, they have, obviously, a balancing act, because
 8 I'm summarising a telephone conversation I've had with
 9 Mr Skelton there.
 10 Q. Yes.
 11 A. And they've got this balancing act of yes, for
 12 enforcement, licence restrictions about what they can
 13 and can't do and if you're not complying with them, that
 14 they will either get tightened or they will remain for
 15 longer, or for as long as they need to be there, but at
 16 the same time, acknowledging they're trying to progress
 17 somebody, integrate great them back into normal life, if
 18 you like, and give them purposeful work and purposeful
 19 activity, and if there's no intelligence or something to
 20 suggest that they shouldn't be doing it, then they don't
 21 want to seem to be punitive for the sake of being
 22 punitive. That was my summary of the conversation.
 23 Q. Do you think that's, with all of your dealings with
 24 Ken Skelton, the way in which the Probation Service
 25 approached the decision to allow Khan to go to

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1 Fishmongers' Hall, ie the presumption would be that he
 2 should be allowed, unless there were strong reasons to
 3 prevent him?
 4 A. I can't say for certain, but that would seem to be -- it
 5 fitted with his involvement, his continued involvement
 6 with Learning Together, yes.
 7 Q. Now, we've looked at the minutes of the subsequent MAPP
 8 meeting to see how this played out, and is this a fair
 9 summary: two West Midlands counter-terrorism officers
 10 spoke out strongly against it?
 11 A. The dumper truck course?
 12 Q. Yes.
 13 A. Yes, yes.
 14 Q. And the panel said no.
 15 A. Correct.
 16 Q. Can I turn, then, to the arrangements for attendance at
 17 the Learning Together event in November 2019?
 18 A. Mm--hm.
 19 Q. So we know from the evidence we've heard that on
 20 15 August 2019, Dr Ludlow sent an email to Ken Skelton,
 21 introducing the idea of the November event.
 22 A. Mm--hm.
 23 Q. Mr Hough showed it to you yesterday, do you remember?
 24 A. Yes, correct.
 25 Q. I'm not going to turn it up now.

1 Mr Skelton told the jury last week that he sent
 2 a copy of the email to you, and you said yesterday
 3 that's right, you remember it being sent to you, but you
 4 don't remember replying?
 5 A. Yes.
 6 Q. Instead you spoke over the phone with Mr Skelton?
 7 A. Yes, that's how I work largely, I'm quite poor with
 8 emails and prefer to have a conversation.
 9 Q. And your conversation included you saying that you
 10 didn't have a problem with Mr Khan attending the event?
 11 A. Correct.
 12 Q. Did the conversation include you saying that he, Khan,
 13 would have to get to and fro the event himself?
 14 A. I can't recall exact words. I would have expressed
 15 concern, and I think I said in one of my statements
 16 about are we going to have to provide transport or take
 17 him again, yes.
 18 Q. Can we turn up, please, {DC5635/1} then if we scroll
 19 down, please, to the next page, {DC5635/2}. This is
 20 Ken Skelton's reply and this is, I think, the only
 21 format that we've got it in, copied into the Delius
 22 system, we actually haven't got the email itself. Can
 23 you see Ken Skelton's reply at the foot of the page to
 24 Dr Ludlow, and it's the second paragraph:
 25 "In relation to the event in November, I can't see

1 that being a problem. It will be up to Usman to attend
 2 under his own steam."
 3 A. Mm--hm.
 4 Q. "He would obviously have to let us know as the tag would
 5 still be on but other than that I do not feel it would
 6 be a problem."
 7 A. Correct.
 8 Q. Did you know that he, Mr Skelton, was going to write
 9 back to Cambridge and say from his perspective it was
 10 all acceptable for Mr Khan to attend the event?
 11 A. Well, I would assume he would be in contact with them,
 12 but I wouldn't have known what the contents he was going
 13 to put in any email.
 14 Q. Did he say to you on the phone: I'm going to get back
 15 to -- I'll tell Amy or Dr Ludlow it's all okay?
 16 A. I honestly couldn't answer that, whether he said that or
 17 not.
 18 Q. You will see that he says to Dr Ludlow that Khan's going
 19 to have to get there himself?
 20 A. Yes.
 21 Q. Do you think it's likely, given this email, that
 22 Mr Skelton did speak to you about Khan having to make
 23 his own way to and from the event, ie if he hadn't have
 24 asked you, he might not have been able to give this view
 25 to Dr Ludlow?

1 A. Quite possibly. You could draw that, yes.
 2 Q. Now, you subsequently made a witness statement --
 3 I'm turning now to the MAPP meeting the next day.
 4 A. Okay.
 5 Q. 22 August.
 6 A. Mm--hm.
 7 Q. So this all occurs before the meeting. You subsequently
 8 made a witness statement about the events that we're
 9 here considering, it's a long witness statement, isn't
 10 it, the first one?
 11 A. The first one, yes, yes. I made in December, I think.
 12 Q. In December, that's right, I think 5 December --
 13 A. Yes.
 14 Q. -- much closer to the events than we are now?
 15 A. Yes.
 16 Q. It's long and detailed: I think it's 31 pages long?
 17 A. Something like that, yes.
 18 Q. And of course you knew what had happened by then, the
 19 tragedy that we are all here considering?
 20 A. Yes.
 21 Q. And so you would be trying to recall what had
 22 happened --
 23 A. Yes.
 24 Q. -- in the months leading up to the event in November, in
 25 particular, whether there was any discussion over

1 whether or not Khan could or couldn't attend the course?
 2 A. Okay.
 3 Q. The event.
 4 A. Yes.
 5 Q. So by the time you're writing this witness statement,
 6 you know the sad conclusion to events, don't you?
 7 A. Yes.
 8 Q. If there was some discussion of the issue of Khan's
 9 attendance at the August MAPPa meeting that you
 10 recalled, you would have included it in that witness
 11 statement, wouldn't you?
 12 A. I would assume so, yes. I think it's fair to say at the
 13 point of making that statement I didn't have access
 14 to — I didn't have at my side the MAPPa minutes,
 15 I don't believe, so that would be from memory.
 16 Q. Yes. And you don't make any mention of discussion at
 17 the 22 August meeting in that?
 18 A. No.
 19 Q. Then you make another witness statement, which I think
 20 is another 31 pages, and again, don't suggest that there
 21 was any decision or agreement at that MAPPa meeting?
 22 A. No.
 23 Q. And so by this time, the time of the August MAPPa
 24 meeting, 22 August, you've discussed the matter with Ken
 25 Skelton, Ken has said to you that he thinks that Khan

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1 should attend, you have said to Ken: I can't see any
 2 reason why he should not attend, and you've probably
 3 discussed that he's going to have to make his own way
 4 there and back?
 5 A. Yes, effectively.
 6 Q. And we've seen that by the time of the MAPPa meeting,
 7 Ken had conveyed in summary terms those views to
 8 Dr Ludlow?
 9 A. Yes.
 10 Q. Can we turn, then, to the minutes of the MAPPa meeting,
 11 please, {DC6415/4}. Thank you, the bottom of the page,
 12 please.
 13 So this is Ken Skelton speaking.
 14 A. Mm—hm.
 15 Q. Last sentence:
 16 "[Khan] continues to have contact with Cambridge
 17 University on an almost weekly basis. He has applied
 18 for a bursary to support his attendance on a short
 19 course beginning next April. The course will last 1—day
 20 and will entail an overnight stay."
 21 So that's about something else?
 22 A. Yes.
 23 Q. And then this {DC6415/5}:
 24 "The University are also hosting another 1—day event
 25 in November — [Khan] will be invited however will have

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1 likely moved on from the approved premises by this point
 2 and will need to source his own means of travel."
 3 A. Mm—hm.
 4 Q. So this is all Ken Skelton speaking, because you take it
 5 in turns, don't you?
 6 A. Yes.
 7 Q. And you see that Kim West speaks next, and there's no
 8 discussion of that issue, attendance at Fishmongers', is
 9 there?
 10 A. No.
 11 Q. Then you speak next, if we just scroll down, you don't
 12 say anything about it?
 13 A. No.
 14 Q. Nor does Lois Gell?
 15 A. No.
 16 Q. Nor does Hayley Smith from housing?
 17 A. No.
 18 Q. And then over the page, please, the rest of
 19 Hayley Smith's contribution, and then the panel
 20 discussion, and we know it's not included in the panel
 21 discussion.
 22 Can you help the jury with this, please. Do you
 23 think the fact that you and Ken Skelton had already
 24 agreed matters and the outcome of that agreement had
 25 been conveyed in writing to Dr Ludlow before the meeting

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1 affected the way in which the issue was raised at the
 2 meeting?
 3 A. No, I don't, and I didn't agree matters. I expressed
 4 I had no objection to it. It's not my place to agree
 5 whether he can go or he can't go within that. I didn't
 6 object to what Ken was proposing, as I said it fit in
 7 with his contact with Learning Together, but I think
 8 I've already said as well, this event actually — or
 9 future events with Learning Together had been raised,
 10 I think, since March, potentially when the initial
 11 event — he wasn't allowed to attend. I think it's more
 12 because it became almost an organic, regular part of
 13 MAPPa that his involvement with Learning Together came
 14 to there, but I didn't formally say it's my approval,
 15 because my approval or disapproval mattered not, in
 16 actual fact I didn't have the power to say yes or no.
 17 Q. I'm not suggesting you had the power to say yes or no.
 18 The issue I'm raising for you to help the jury with is
 19 do you think the fact that the two men who had most
 20 contact with Usman Khan, you and Mr Skelton since his
 21 release had agreed between yourselves the same view that
 22 he can go but he's going to get himself there and back
 23 explains why there's a single sentence given over to
 24 this issue in these minutes?
 25 A. I honestly don't think I can answer that one way or

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1 another if I'm truthful. I don't know why -- how that
 2 has got one line within that, but it would have been --
 3 I mean, we both were of the same opinion about the
 4 dumper truck course, but that was opposed, so I don't
 5 think the fact that we may have been of the same opinion
 6 would necessarily mean that MAPPA would just say: well,
 7 that must be okay within that, because people would
 8 challenge that if they weren't approving of it.
 9 Q. Let's look at it another way. If you go through
 10 pages 4, 5 and 6 of these minutes, of the six of you
 11 speaking in succession --
 12 A. Yes.
 13 Q. -- we can see that you, Ken Skelton, Kim West,
 14 Lois Gell, Hayley Smith, made contributions or told the
 15 meeting about between 25 and 28 different things.
 16 A. Mm-hm. Right, okay, yes.
 17 Q. If you go through and put a number next to them --
 18 A. Right, okay, yes.
 19 Q. -- there's 28 bits of information before the panel comes
 20 to bring its discussion.
 21 A. Okay.
 22 Q. So before we get to the panel discussion that's on the
 23 screen at the moment, there's 28 bits of information
 24 been fed in by you.
 25 A. Mm-hm.

1 Q. And then if we look, please, at page 7 of these minutes,
 2 thank you. Just the top half, thank you very much. We
 3 can see on page {DC6415/7} in those two paragraphs, at
 4 numbers 2 and 3, that two decisions are made, firstly,
 5 no dumper truck course, in the second paragraph?
 6 A. Yes.
 7 Q. Then the third paragraph:
 8 "If the viewing of the property goes well, then
 9 a move can be agreed outside of MAPPA."
 10 Yes?
 11 A. Yes.
 12 Q. So it's clearly recorded in the minutes when an issue is
 13 decided by MAPPA?
 14 A. Yes.
 15 Q. Would you agree that these minutes show that if the
 16 right information is put before the panel it was
 17 perfectly capable of making a risk-based decision as
 18 those two decisions show?
 19 A. Yes.
 20 Q. Would you agree that the quality of the discussion, the
 21 extent of the discussion and the quality of the decision
 22 are a product of the way in which the issue is raised
 23 before the panel?
 24 A. Probably, yes.
 25 Q. And would you agree that whether, in fact, a decision is

1 required to be made by the panel is also a product,
 2 a function, of whether the issue is presented as one
 3 which requires a decision, or is mere information that
 4 is being provided to the panel?
 5 A. Yes.
 6 Q. One last question then, please. Can we look at
 7 {DC7484/1}, please, and {DC7484/33}. This is a Special
 8 Branch officer's notebook, DC Emma Hartill, who you will
 9 know. And can we look at her notes of the
 10 14 November 2019 meeting. Can we see under the last
 11 dash, and I'm just trying to mine some more information
 12 here than is disclosed in MAPPA minutes. She's talking
 13 about the MAPPA meeting on 14 November 2019, and I think
 14 that reads, the last entry:
 15 "Queried plans for London [Cambridge] Uni event
 16 purpose, involvement etc travel. Ken PO authorised
 17 meeting..."
 18 Yes, thank you very much:
 19 "[Full stop] [Cambridge University]."
 20 MR HOUGH: Just to be clear, I think it may be:
 21 "Ken PO authorised. Meeting [Cambridge University]
 22 rep."
 23 MR BEER: Yes, absolutely.
 24 Does this reflect, this note, of what was said at
 25 the November MAPPA meeting your understanding of the

1 situation that it was for Kenneth Skelton representing
 2 the Probation Service to approve Khan's attendance at
 3 Fishmongers' Hall?
 4 A. Well, he had to be the first line of approval. The
 5 licence conditions wouldn't allow him to go without his
 6 supervising officer's approval.
 7 Q. And that he had in fact already approved Khan's
 8 attendance at the Fishmongers' Hall event by the time of
 9 this MAPPA meeting?
 10 A. Well, he wasn't opposed to it. Whether it had been --
 11 I don't know who Ken had discussed it with, whether he'd
 12 discussed it with line management, obviously as you'll
 13 appreciate I'm not party to those meetings, but Ken was
 14 proposing it, so I would assume he would have thought it
 15 was approved -- there was approval there for it, yes.
 16 Q. Certainly it's not your recollection that at
 17 the November MAPPA meeting the issue was raised in terms
 18 of we, MAPPA, have already decided, made a decision back
 19 in August that this is acceptable? That didn't happen?
 20 A. Not that I'm aware of, no, or not that the minutes
 21 reflect, no.
 22 MR BEER: Thank you very much, Sergeant Forsyth.
 23 A. Thank you.
 24 JUDGE LUCRAFT: Thank you.
 25 Yes, Mr Baumber.

1 Questions by MR BAUMBER
 2 MR BAUMBER: Thank you, sir.
 3 Kevin Baumber, counsel for Staffs Prevent officers,
 4 of which you were the lead officer, we've heard?
 5 A. Yes, that's correct.
 6 Q. First off is Prevent itself. We've heard that Khan was
 7 not a Prevent subject; is that right?
 8 A. No, he wasn't.
 9 Q. In any sense?
 10 A. Not at all.
 11 Q. Does Prevent have anything to do with detecting imminent
 12 crimes or atrocities?
 13 A. No.
 14 Q. You talked about vulnerability assessments --
 15 A. Yes.
 16 Q. -- where otherwise we've heard the language of risk
 17 assessment. Why do you use that word?
 18 A. Because Prevent is, as I said before, it sits in,
 19 I think they now call it the non-criminal space, and
 20 you're looking at effectively dealing with people who
 21 are vulnerable or susceptible to being drawn into
 22 supporting violent extremism or terrorism. So it's not
 23 about weakness of individuals; there are instances in
 24 everybody's lives where it might leave you vulnerable
 25 because of a major incident or a grievance or suchlike,

1 that you can be vulnerable and exposed for somebody else
 2 to exploit.
 3 Q. So vulnerable to radicalisation?
 4 A. Yes.
 5 Q. Not risk of causing harm?
 6 A. No. Vulnerable to radicalisation.
 7 Q. And in that job you work with all the sectors and the
 8 institutions --
 9 A. Yes.
 10 Q. -- where there's a risk of radicalisation; is that
 11 right?
 12 A. Correct, yes.
 13 Q. And so where we refer to you, for convenience, as the
 14 Staffs Prevent officers, that's a reference to
 15 a different job you did alongside in relation to other
 16 people other than Khan?
 17 A. Yes. Yes.
 18 Q. So if Prevent means preventing people becoming
 19 radicalised rather than preventing a terror attack, what
 20 is the mechanism for the detection and prevention of
 21 attacks by people already radicalised where there might
 22 be grounds to suspect or believe they might or could
 23 commit an attack?
 24 A. Well, that starts with the intelligence picture that
 25 Pursue would pick up, so Pursue being Special Branch or

1 the CTU part of the counter-terrorism strategy. So
 2 intelligence either from us, people that come to us as
 3 referrals to start with, they get assessed -- all our
 4 referrals when they come in to us, once we've done our
 5 initial system checks, go into Special Branch, the Fixed
 6 Intelligence Management Unit, for them to assess and
 7 record on a system and assess that detail, if whether
 8 that individual should remain a Prevent, if there's any
 9 reason for them not to transfer it back to Prevent, so
 10 that could be from -- it's called deconfliction, so that
 11 could be checking systems that we don't have access to
 12 to see if the individual or any entity contained in that
 13 referral is known already in an operation, or there's
 14 other information on that that would say: this needs
 15 escalating to a CT operation from that. So that's what
 16 we're talking about, and so that would then be -- where
 17 they would then start to be investigated from the Pursue
 18 side of Contest.
 19 Q. Investigation and operation at some level?
 20 A. Yes.
 21 Q. Okay, new topic. Just to distill what the Prevent Team
 22 role was with Khan. Correct me if I am wrong, but
 23 perhaps four strands: there's the part 4 notification?
 24 A. Yes.
 25 Q. There's a role to play in compliance with the licence?

1 A. Correct, yes.
 2 Q. Specific tasks might be allocated to you --
 3 A. Yes.
 4 Q. -- by the counter-terror estate or part of it?
 5 A. Yes.
 6 Q. And reporting interactions under the part 4 visit?
 7 A. Yes.
 8 Q. Any investigative function?
 9 A. No.
 10 Q. Any intelligence function beyond reporting the
 11 interactions on the part 4 visits --
 12 A. No.
 13 Q. -- or taskings?
 14 A. Unless anything came to our information that we would
 15 feed back into that, no.
 16 Q. Are any of you detectives?
 17 A. No.
 18 Q. Okay, I would like to ask you about those elements then
 19 briefly, the first was part 4 notification. We've got
 20 an idea about what it is now?
 21 A. Yes.
 22 Q. We've seen the document. Notification changes when the
 23 law changes; is that right?
 24 A. Yes.
 25 Q. Were there any breaches of it?

1 A. No.
 2 Q. Does part 4, whilst it imposes obligations to notify on
 3 the offender, does it tell police how to manage
 4 offenders or that process?
 5 A. No.
 6 Q. Is there any provision in part 4 for the visits that you
 7 were making to Khan?
 8 A. Not specifically in the legislation, no.
 9 Q. So does it follow there's no provision as to the
 10 frequency of the visits in part 4?
 11 A. Not in the actual legislation, no.
 12 Q. So what would be the minimum to be compliant with that
 13 bit of law, part 4, what would be the minimum?
 14 A. Annual notification.
 15 Q. For him to come to you once a year?
 16 A. Yes. Or at any point that any of the details initially
 17 registered change, so if they move house or change their
 18 bank account, the onus is on them to notify us within
 19 three days.
 20 Q. Technically, if a part 4 team never visits a part 4
 21 person, would they be breaching part 4? Would the
 22 police be breaching part 4?
 23 A. No, the requirement is on the individual, and the
 24 expectation, certainly over a 30-year period -- I think
 25 there is -- I might be confusing with the SOP that I've

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1 seen, or I think -- in the document that I first put
 2 together, it would say, maybe get to six months, but
 3 that's still a suggestion of how -- that's not the
 4 legislation. The legislation at the minimum would be
 5 annual notification if nothing else changes.
 6 Q. By him to you, not you going to him?
 7 A. Yes. Yes.
 8 Q. So it must be somewhere else. Can we look at that. Can
 9 we have {DC5514/2}. We saw that first page flash up
 10 there. This is the policy that you created --
 11 A. Yes.
 12 Q. -- by drawing upon the West Mids policy that they had;
 13 yes?
 14 A. Yes.
 15 Q. And in terms of the --
 16 A. I've read that many documents that I can't remember
 17 which one I saw it in, I am afraid. But I did see
 18 something that said you can go down to maybe not more
 19 than six months but that's, again, part of guidance as
 20 opposed to legislation.
 21 Q. Can we see the bottom of the page?
 22 A. Frequency of visits.
 23 Q. Yes, that's the one. So you've been taken to some of
 24 this already. At the end of the first paragraph, you
 25 say:

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1 "Home visits are therefore an essential part of
 2 managing the risk posed by Registered Terrorist
 3 Offenders."
 4 A. Yes.
 5 Q. "The tactic of visiting Registered Terrorist Offenders
 6 is not unlawful per se. There is nothing unlawful about
 7 knocking on someone's door and inquiring with the
 8 occupant as to their welfare, and the offender can, in
 9 any event, refuse entry."
 10 A. Yes.
 11 Q. Then you set out some case law on sex offenders to
 12 justify the lawfulness of doing it, not trespassing on
 13 the person's rights?
 14 A. Correct, yes.
 15 Q. Then the bottom paragraph:
 16 "There is no such statutory provision to make
 17 arrangements for assessing and managing the risks posed
 18 by terrorist offenders, notwithstanding the provisions
 19 of Part 4 of the CTA, police officers have a common law
 20 duty to protect life and property, preserve the peace
 21 and prevent crime."
 22 A. Yes.
 23 Q. "Accordingly, where there is an offender who has been
 24 convicted of a terrorist offence is subject to
 25 a Notification Order, and who poses an ongoing risk to

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1 the public, the Prevent Team considers that in support
 2 of its aims, conducting home visits to that individual
 3 would be lawful providing that the visits (and the
 4 number of visits) are necessary, justified and are not
 5 disproportionate to the risk that is posed by the
 6 individual."
 7 A. Correct, yes.
 8 Q. Then it goes on below to set out frequency of visits,
 9 can you see under the bullet points further down the
 10 page, if they are very high risk, monthly; high risk,
 11 every three months; medium risk, every six months, and
 12 low risk, every twelve months?
 13 A. Correct, yes.
 14 Q. Where did that policy come from?
 15 A. That's one -- again that's part and parcel of the
 16 West Midlands paperwork I picked up during 2015, prior
 17 to our first part 4.
 18 Q. Can we have a look at the bottom part of that page where
 19 there are some more bullet points. You go on, there was
 20 a "However" there that I neglected to read, but there
 21 you talk about the priority threat assessment
 22 indications of extremism: weak, moderate and strong, and
 23 that's where we get the reference to 6 months, 3 months,
 24 or monthly.
 25 A. Yes. Yes.

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1 Q. Can we go back up the page to that part that told us how
 2 often the visits were under the policy. Was that still
 3 the official Staffs policy at the time that you were
 4 dealing with Khan?
 5 A. That was the only policy I was aware of that was in
 6 place. I wasn't aware there had been any change of
 7 policy.
 8 Q. Was there any challenge to the policy?
 9 A. No.
 10 Q. The frequency that was set out within it?
 11 A. No.
 12 Q. So at the top level, at very high risk, the policy that
 13 you had drawn from West Mids, communicated up the chain
 14 of command, was to visit monthly?
 15 A. That's what the document would have suggested, yes, but
 16 I was aware we were doing it more regularly, because
 17 that came from the SIO at the time.
 18 Q. Generally you exceeded that, didn't you?
 19 A. Yes.
 20 MR BAUMBER: Can we take that off the screen, thank you.
 21 JUDGE LUCRAFT: Just before we do, I wonder whether
 22 we should read the first sentence after the four bullet
 23 points.
 24 MR BAUMBER: Yes, that was the "however" that I had missed
 25 before it went out of reach:

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1 "However, in relation to terrorist offenders, even
 2 where the risk is low, Staffordshire ... Prevent Team
 3 considers that it would not be appropriate to allow
 4 offenders to go unvisited for a year. Therefore,
 5 Staffordshire Police Prevent Team will adopt the
 6 following criteria, based on existing MAPPA guidance and
 7 using the score indicator as identified by the Priority
 8 Threat Assessment Indicators of Extremism form."
 9 And then the other points that I've mentioned.
 10 A. Yes. Yes.
 11 Q. 6, 3 and so on. If there was a breach of notification
 12 requirements, where was that to go?
 13 A. Team 7.
 14 Q. And was there?
 15 A. No.
 16 Q. In relation to Rahman, the case that was described as
 17 going wrong, you've dealt with this, but did it go wrong
 18 from a policing perspective?
 19 A. Not at all, no.
 20 Q. And had you through the Rahman case had the experience
 21 of actioning breaches where the rules weren't followed?
 22 A. Yes, correct.
 23 Q. Did part 4 give you any further powers in relation to
 24 Khan, other than the --
 25 A. Notification. The only one that was added was in

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1 certain circumstances you could apply for a warrant to
 2 enter a premise to assess that person's risk, but it had
 3 to be three -- three failed visits. It brought it more
 4 in line with sex offender notification that had the same
 5 thing, but it never applied with Mr Khan for us, but in
 6 terms of powers, no, the onus was on him to notify us.
 7 Q. Part 4 training. No training received?
 8 A. No, and I don't think there is any.
 9 Q. Not known to be any. By the time you were dealing with
 10 Khan, you had experience of managing a part 4?
 11 A. Yes.
 12 Q. In Rahman, and --
 13 A. Yes, we did, but I think Mr Rahman was slightly
 14 different because MAPPA was less involved because he
 15 came out at sentence--end. In the part 4 part, yes,
 16 we're experienced, the level of intensity with the
 17 partners and probation and MAPPA, that was new to us.
 18 Q. And still some learning or adaptation as you went along,
 19 an example was videoing the process of notification?
 20 A. Yes. Yes.
 21 Q. As best practice?
 22 A. Yes.
 23 Q. The way in which paperwork was ordered, things like
 24 that?
 25 A. Yes.

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1 Q. But was there anything in the practice that was being
 2 done wrongly in terms of breaches or missing things?
 3 A. No, not at all. Or not that's ever been highlighted to
 4 me, anyway.
 5 Q. Highlighted at the time? Mentioned at the time? In
 6 retrospect?
 7 A. No. No.
 8 Q. The decision to allocate part 4 to your Prevent Team,
 9 were you privy to that decision?
 10 A. Back in 2015, yes. I can't recall the exact process,
 11 but yes, that -- I was party to that, yes.
 12 Q. Do you know the content of any discussions or questions
 13 raised between Staffs Police and West Midlands Police as
 14 to how it would work?
 15 A. No.
 16 Q. Part of your background was from neighbourhood policing
 17 with experience in response policing as well; is that
 18 right?
 19 A. Yes.
 20 Q. Any counter--terror officers or specialists on your team?
 21 A. No.
 22 Q. Now, the neighbourhoods and response policing, do those
 23 roles bring any skill sets with them?
 24 A. Apart from dealing with people, managing and dealing
 25 with people, you've got to be able to speak to people,

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1 it's a fundamental part of policing, really, but in
 2 terms of transferable skills straight into
 3 counter-terrorism policing, no, it is quite a learning
 4 curve, it's quite a different way of working.
 5 Q. So not in terms of terrorist risk assessing and that
 6 kind of thing?
 7 A. No, no.
 8 Q. But in terms of frontline policing, do those roles
 9 involve engagement with people on the ground?
 10 A. Absolutely, engagement with people, engagement with
 11 partners, working collaboratively with partners and
 12 partnership working, very much as part of neighbourhood
 13 policing, becoming an increasing part of response
 14 policing, and so those skills come across, yes.
 15 Q. Observing people?
 16 A. Yes.
 17 Q. Things?
 18 A. Yes.
 19 Q. Items?
 20 A. Yes.
 21 Q. Circumstances?
 22 A. Absolutely.
 23 Q. Recording the things that you see and notice?
 24 A. Yes.
 25 Q. You were asked at one point whether you were -- had one

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1 role or were in the room with the grown-ups. What's
 2 your response to that characterisation of frontline
 3 police officers as something other than grown-ups?
 4 A. Well, I -- it's not a phrase I like, if I'm honest with
 5 you. I think for a long time Prevent have been almost
 6 seen as a poor relation, and soft work. I don't think
 7 it is, for the vulnerable people we're dealing with,
 8 we're dealing with some very complex individuals that
 9 involves a lot of work with partners. I think a lot of
 10 the work we do both locally and nationally within
 11 Prevent is grown-up work. I think we have a different
 12 skill set. I think counter-terrorism police officers
 13 have a different skill set. It doesn't mean to say
 14 either one is better than the other.
 15 Q. New topic. The information you were given regarding
 16 Khan. It's pretty clear, it's been established by
 17 others, that you weren't given all of the intel or the
 18 information?
 19 A. No.
 20 Q. So would you have any way of knowing of how much of the
 21 picture you were getting?
 22 A. No.
 23 Q. Did you know or suspect that others had more
 24 intelligence and information?
 25 A. My expectation is that others would have more

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1 information, yes.
 2 Q. And basing assessments on that fuller picture --
 3 A. Yes.
 4 Q. -- rather than the one that you had?
 5 A. Yes.
 6 Q. You talked about need to know?
 7 A. Yes.
 8 Q. Need to know for what purpose?
 9 A. Well, anything that's pertinent to our case. It's the
 10 principle of the vetting, of the access to the
 11 information. It works on a need to know basis. So
 12 whilst I have got SC Enhanced vetting, that would give
 13 me rights to information up to secret, if I didn't need
 14 to know that, if it wasn't pertinent to anything I'm
 15 dealing with then there's no reason for me to have that
 16 information. That's not being excluded, that's just
 17 protecting information and it's right and proper.
 18 Q. But how does one calibrate the need: need in what sense?
 19 Need to?
 20 A. If that's going to inform our engagement, involvement or
 21 how we work with an individual, then I would suggest if
 22 there's information that impacts on that, then I would
 23 need to know it, but if I don't know it's there, I don't
 24 know to ask for it in the first place, so I would rely
 25 on others to make that assessment and give it to me.

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1 Q. So a need for your -- the task that you've been
 2 entrusted with --
 3 A. Yes.
 4 Q. -- those things I've mentioned, part 4 --
 5 A. Yes, absolutely.
 6 Q. -- licence, tasks?
 7 A. Absolutely.
 8 Q. Or, presumably, your own safety?
 9 A. Absolutely our own safety.
 10 Q. The Prevent role, that involves work in the community,
 11 doesn't it?
 12 A. Yes, it does. We get less so now because of the way the
 13 role has gone into case management, but yes, it does
 14 involve community work.
 15 Q. And those people that are identified under the Prevent
 16 programme as possibly vulnerable to radicalisation, are
 17 they people that might have links with some part 4
 18 offenders?
 19 A. It could be, yes.
 20 Q. There's a crossover between them?
 21 A. If they've got offenders in their family, and that does
 22 happen, part of our role is as a contact officer at the
 23 point when warrants are executed, and we're there to be
 24 that conduit between the family and the investigation
 25 but also to assess the wider family if there's any

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1 vulnerabilities there that may need some support from
 2 Prevent so it could be because they are linked to TACT
 3 offenders, it could be for a whole host of reasons.
 4 Q. And so if you are, wearing another hat, dealing with
 5 people that might have links or connections or
 6 associations with the part 4 offenders, does that
 7 possibly give rise to a greater risk of you
 8 inadvertently compromising --
 9 A. It could do, yes.
 10 Q. -- operations because you're in two different fields?
 11 A. It could do, yes.
 12 Q. Not knowing things you don't "need" to know reduces the
 13 chances of you compromising that covert activity,
 14 doesn't it?
 15 A. Yes. Yes, absolutely, yes.
 16 Q. Especially when you are working in the community in
 17 Prevent?
 18 A. Yes.
 19 Q. There's a disadvantage, isn't there, about not knowing
 20 everything about someone in that you can't fully assess
 21 them from a risk point of view, risk of hurting people?
 22 A. Correct. Correct.
 23 Q. Did you think anyone else was doing that?
 24 A. That's what I thought the other functions were, yes --
 25 getting information I thought, and I would still think

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1 that between either Special Branch or Team 7,
 2 West Midlands CTU investigations would be accessing or
 3 would maybe have other information that ours would be
 4 contributing to to get a fuller picture.
 5 Q. New topic. Officer safety. Did you take any officer
 6 safety precautions when visiting or having your team
 7 visit Khan?
 8 A. Not normally. And initially that's because we were
 9 usually either visiting him at the approved premises,
 10 which is all covered by cameras, and we felt fairly safe
 11 at that location, or visiting him in public places, like
 12 cafés or coffee bars.
 13 Q. You found out at some point that West Midlands officers
 14 engaging with registered terrorist offenders are
 15 generally trained in covert taser carrying, didn't you?
 16 A. Yes.
 17 Q. Are any of your team doing that or trained in that?
 18 A. No.
 19 Q. Or having a driver, someone with driving skills?
 20 A. No, no.
 21 Q. Were you doing that?
 22 A. No.
 23 Q. Were you ever told yourself of a risk of coming to harm
 24 in your visits --
 25 A. No.

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1 Q. -- with Khan?
 2 A. No.
 3 Q. No one did come to harm --
 4 A. Not at all.
 5 Q. -- during your visits?
 6 A. Not from our staff, no.
 7 Q. Were there any near misses in your team's experience?
 8 A. Not that I'm aware of at all, no.
 9 Q. New topic, the risk assessment topic. We've seen the
 10 two documents that you had produced --
 11 A. Mm--hm.
 12 Q. -- and you have pointed out that they are answering
 13 specific limited questions according to a certain
 14 matrix?
 15 A. Yes.
 16 Q. A closed format.
 17 A. Yes.
 18 Q. And you said it was to feed in to the frequency of the
 19 part 4 visits?
 20 A. Yes, as per the document we just looked at.
 21 Q. That's the document we just looked at --
 22 A. Yes.
 23 Q. -- including the passage --
 24 A. Yes.
 25 Q. -- that the Coroner invited me to read out for the

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1 adjunct?
 2 A. Yes, yes.
 3 Q. Yes. You said that's not the overall risk assessment?
 4 A. No.
 5 Q. And can we look at {DC7438/11} at the bottom. There's
 6 an email here from Robert Hessel --
 7 A. Mm--hm.
 8 Q. Special Branch, effectively, Staffs Special Branch; yes?
 9 A. Yes. Yes.
 10 Q. November 2018 to Stephenson, Hartill and others, and you
 11 can see at the bottom of the page certain tasks or roles
 12 are allocated to West Midlands Counter--Terrorism Unit,
 13 right?
 14 A. Mm--hm.
 15 Q. That's the first half of the email. Can we go to the
 16 next page {DC7438/12}, focus at the top, some more tasks
 17 Special Branch, and then at the bottom, in that black
 18 type, I will ask you just to remember:
 19 "Part 4 Management -- Staffordshire Prevent.
 20 "Phone Provision & Details -- Staffordshire
 21 Prevent."
 22 A. Yes.
 23 Q. That appears to be the allocation of roles in relation
 24 to Khan, doesn't it?
 25 A. Yes.

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1 Q. Can we go back to {DC7438/11} at the top, this time,
 2 moving on in time, as emails do. Second message,
 3 Emma Hartill; who is she?
 4 A. She's a DC within Special Branch.
 5 Q. 29 November 2018 to Robert Hessel:
 6 "Hiya,
 7 "I will do the Risk Assessment."
 8 A. Yes.
 9 Q. And then a question about the GPS tagging?
 10 A. Yes.
 11 Q. Can we look at {DC7491/6}, if we can focus on that box
 12 that we can see, the bottom of the box, DC Hartill, as
 13 you just saw:
 14 "Complete risk assessment for Khan.
 15 "Result: Completed."
 16 A. Yes.
 17 Q. Is that what you had in mind as regards the risk
 18 assessment for Khan --
 19 A. That's what I would --
 20 Q. The overall -- what you've called the overall risk
 21 assessment being done elsewhere?
 22 A. Yes.
 23 Q. This is going on above the Prevent Team's head, as it
 24 were?
 25 A. Yes, yes. We're not part of the operations meetings, so

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1 yes.
 2 Q. Can we look at {DC7489-T/1}, the transcription of
 3 Stephenson's book, his handwriting is too difficult ,
 4 page 22. Can we focus on the bottom of that page
 5 {DC7489-T/22} you've got a date there of 16/1/19.
 6 A. Mm-hm.
 7 Q. And we're just going to look at attendance at a meeting,
 8 and at the bottom, the very last part:
 9 "Issues raised re ... "
 10 And then over to {DC7489-T/23}, please, at the top:
 11 "Requests from ... DC) ... Mills) to DC ...
 12 Harthill) to complete the assessment of Risk, where DC H
 13 has ... compiled) risk assessment. Advised ... we are
 14 not trained risk assessors, and will compile them, but
 15 subject to OIMU for assessment."
 16 Just pausing there, what's that a reference to?
 17 A. OIMU: it's the Operational Intelligence Management Unit.
 18 So you've got the Fixed Intelligence Management and the
 19 Operational Intelligence Management Unit.
 20 Q. It's the West Mids Counter-Terror Unit?
 21 A. Or within Special Branch, it's a process of managing the
 22 intelligence in the investigations .
 23 Q. Moving on:
 24 "DI Chambers stated ... would raise issue) with OIMU
 25 as unclear why we had been tasked to do this. Also

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1 discussed ... NSR) access as currently are 'closed
 2 resolved)' ... status) + not ... sent) by ...
 3 message..."
 4 And it goes on. So were you privy to that part? It
 5 goes on from there with other witnesses we'll need to
 6 pick it up with.
 7 A. No, I wasn't privy to that part.
 8 Q. We can take that off the screen, thank you. So
 9 Stephenson, the specialist you were asked questions that
 10 suggested you should immediately defer to, is telling
 11 West Mids there: we've done it but we're not trained in
 12 it .
 13 A. Yes.
 14 Q. And so did you have any direct involvement in what
 15 you've called the overall risk assessment?
 16 A. No.
 17 Q. Beyond setting the frequencies?
 18 A. No.
 19 Q. The structure is that Prevent sits under Special Branch
 20 and it filters on from there?
 21 A. Yes. Yes. In terms of this, yes.
 22 Q. Thank you. New topic: the compliance with the licence.
 23 Any licence breaches during the earlier part --
 24 A. Not that we evidenced at all.
 25 Q. -- before the atrocity. And permissions under the

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1 licence , doing the dumper truck, going to the gym,
 2 having an Xbox, going to Learning Together; again, was
 3 that your decision?
 4 A. Not my decision, no.
 5 Q. On the topic of that decision-making, you were asked
 6 questions today and yesterday criticising either your
 7 decision to express views or the content of the input
 8 that you had offered?
 9 A. Mm-hm.
 10 Q. Regards the dumper truck, in fact there's a construction
 11 course that has that as an element, isn't there?
 12 A. Yes.
 13 Q. A construction course certificate ?
 14 A. Yes.
 15 Q. You were not against an opportunity to obtain that
 16 construction qualification ?
 17 A. No.
 18 Q. Who was making the decision as to whether he could or
 19 couldn't take such a course?
 20 A. Probation and MAPPA.
 21 Q. You had received the document highlighting the risk of
 22 use of a heavy vehicle to hurt people.
 23 A. Mm-hm.
 24 Q. But were you ever instructed to persuade probation to
 25 disallow this?

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1 A. No. No.
 2 Q. Was that your role, either to decide or to persuade
 3 probation what decision they should make under the
 4 licence?
 5 A. No, no. If I had an opinion, I would express my
 6 opinion, but ultimately — my default stance is
 7 ultimately probation and MAPPA collectively to make
 8 those decisions.
 9 Q. What were you getting at in those meetings Mr Hough took
 10 you to where you were raising the need for Khan to be
 11 occupied, motivated, and fill his days?
 12 A. Again, part of it is thinking as you think as a Prevent
 13 officer, and knowing if you had something that is
 14 unhealthy and you want to change it, you want to fill
 15 somebody's days with meaningful purpose and an ability
 16 to move on and become a functioning citizen again, if
 17 you like. So I think if I'm raising issues or there's
 18 concerns that he may be isolating or he may not be
 19 finding work, I think if there's opportunities for that
 20 in the absence of any strong objections, let's fill his
 21 day with something that he's not isolating, he's not
 22 playing Xbox games and he's getting back into
 23 a meaningful purpose which might move somebody on.
 24 That's kind of where I was coming from.
 25 Q. In terms of qualifications that would help him get

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1 a job, what's the long-term concern you're raising in
 2 regards if he's not able to find employment and occupy
 3 himself?
 4 A. Well, then he builds up a grievance that he hasn't got
 5 a part in society.
 6 Q. Was there an occasion where, if you gave input that
 7 contradicted the views of others, that you ever refused
 8 to abide by a decision made by them?
 9 A. No, not at all.
 10 Q. Or effected a change in a decision by someone with those
 11 qualifications?
 12 A. No.
 13 Q. One of the examples given that you were criticised for
 14 was the frequency of the part 4 visits. That was
 15 something that was your decision to make in the end,
 16 wasn't it?
 17 A. Yes. Yes.
 18 Q. Once you had had a conversation about it, did you
 19 decline to change frequency?
 20 A. No, not at all.
 21 Q. We have seen the official policy; were you in line with
 22 and in excess of that?
 23 A. Of that one that I was working to, yes.
 24 Q. On the construction course, was that your decision to
 25 make?

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1 A. No.
 2 Q. Did you change the outcome from a no to a yes?
 3 A. No.
 4 Q. Participation in the Learning Together event, was that
 5 your decision to make?
 6 A. No.
 7 Q. Did you talk anyone round from a no to a yes?
 8 A. No.
 9 Q. These examples, you've been criticised for what's been
 10 described as pushing back, in terms of learning, do you
 11 think it would be helpful going forward if when you had
 12 and were representing a reasoned but different point of
 13 view that you should always keep your mouth shut and not
 14 raise it?
 15 A. No, I don't think I should.
 16 Q. Do you see any advantage in an exchange of ideas,
 17 informed debate and then an informed decision, even if a
 18 viewpoint might differ with someone else's?
 19 A. I'm party to a number of partnership meetings, whatever,
 20 and people have different opinions, that's the whole
 21 point, so you come to a collective, defensible
 22 decision-making process, and you expect people to have
 23 differing views on that and we can discuss that.
 24 Q. One more topic, I won't quite finish before lunch, but
 25 part of the role was feeding back intel of your

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1 experiences of Khan?
 2 A. Yes.
 3 Q. And we saw on the email in that type the role allocation
 4 where there were two tasks set to you; yes?
 5 A. Mm—hm.
 6 Q. Can we look at the instruction as you received it.
 7 {DC7441/159}. Can we zoom in on the top half. So this
 8 is from Hessel to you, CC'd to the rest of Special
 9 Branch:
 10 "Calum,
 11 "For your info.
 12 "Further to meeting re release of Usman Khan
 13 a number of actions were allocated with the below for
 14 you which we have already discussed."
 15 A. Yes.
 16 Q. And then we can see what looks like a straight
 17 cut—and—paste of that black type that we saw before,
 18 doesn't it?
 19 "... (will clarify the fund as discussed).
 20 "Can you let me and Jon know regarding the
 21 process/trigger plan ..."
 22 And the bottom line:
 23 "I know you will anyway but can you also ensure that
 24 the recent and future interactions with Khan are
 25 documented on SPIN to keep the Ops Desk informed."

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1 A. Yes.
 2 Q. Is that the instruction you were given regards this
 3 extra element of reporting your interactions with Khan?
 4 A. Yes, basically .
 5 Q. The intelligence—gathering function?
 6 A. Making sure — just — add to the conversations where —
 7 I would have said — because he said we've already
 8 discussed it — I would have obviously we'll feed stuff
 9 in and he just saying: I know you will anyway, but just
 10 make sure that's how we get our information.
 11 Q. You were asked questions yesterday, for example, about
 12 the lengths of two of the visits to Khan —
 13 A. Yes.
 14 Q. — and not being long enough. In terms of the extent
 15 and nature and depth of the intel you were required to
 16 gather, did you have any instruction beyond that?
 17 A. No.
 18 Q. Did you take from this you had some enhanced
 19 intelligence —gathering role that had to be met by
 20 certain criteria ?
 21 A. No. No.
 22 Q. Why do you think he said:
 23 "I know you will anyway..."
 24 A. Because, probably history of interactions we have, we
 25 put information on SPIN and that's something — we are

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1 quite — I'm quite process—driven, I make sure my team
 2 and myself, we will update systems, we will make people
 3 know, because we think others are there — we're there
 4 to inform, so that's historically my character and he
 5 knows that is the way I would work anyway.
 6 Q. No guidance given on a list of things to report or not
 7 to report?
 8 A. No.
 9 Q. But did you need one?
 10 A. No.
 11 Q. Why not?
 12 A. Because we're experienced police officers and we
 13 understand vulnerability and we are — I don't think —
 14 any limitations on what we report back might miss
 15 something, so we would just report everything even down
 16 to what he was wearing because that might be important
 17 to someone else looking at the bigger intelligence
 18 picture.
 19 MR BAUMBER: Yes, sir, is that an appropriate time?
 20 JUDGE LUCRAFT: We will break there.
 21 Mr Hough, I'm going to suggest we might just start
 22 a little bit before 2.00 if we can achieve it, because
 23 I'm conscious that we do have three other witnesses
 24 waiting to give evidence.
 25 MR HOUGH: Yes, they will be brief witnesses but, as you

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1 know, sir, we can't run them into tomorrow.
 2 JUDGE LUCRAFT: No, and in saying that, I'm not being
 3 critical of anyone, because I think actually everyone
 4 has stuck to their time estimates.
 5 MR HOUGH: They have.
 6 JUDGE LUCRAFT: I'm just building in a bit of flexibility.
 7 I know you've almost finished Mr Baumber.
 8 MR BAUMBER: Sir, yes, I think there may be two more topics,
 9 I will continue to redact.
 10 JUDGE LUCRAFT: Could I ask everyone, if we sat at 1.45,
 11 would that be fine? Don't worry, we will take
 12 an afternoon break, I'm not going to suggest we don't do
 13 that, because I think actually certainly in our
 14 experience yesterday it got quite warm here in the
 15 afternoon so a refreshing break in the afternoon is
 16 welcome, but we'll sit again at 1.45. Thank you.
 17 (In the absence of the jury)
 18 The other thing about having a slightly shorter
 19 lunch break today is it warms us up for tomorrow when
 20 we're doing the same thing, so at least if we get into
 21 that pattern, it will help.
 22 MR HOUGH: Yes, sir.
 23 JUDGE LUCRAFT: I'll rise.
 24 (1.00 pm)
 25 (The short adjournment)

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1 (1.45 pm)
 2 (In the presence of the jury)
 3 JUDGE LUCRAFT: Mr Baumber.
 4 MR BAUMBER: Thank you, sir.
 5 Sergeant Forsyth, actually three things left : the
 6 Xbox visit on 14 November, the isolating concern, and
 7 the Fishmongers' attendance and travel. I'll try and
 8 take it as efficiently as we can.
 9 A. Yes.
 10 Q. The Xbox visit on 14 November, that was a task that came
 11 from MAPPA?
 12 A. Yes.
 13 Q. And you tasked it down in the meeting?
 14 A. Towards the end of the meeting, yes.
 15 Q. Towards the end of the meeting?
 16 A. Because I knew there was a visit that day, so I made
 17 a phone call.
 18 Q. Do you remember if MAPPA were aware that it was
 19 happening contemporaneously?
 20 A. Excuse me. Whether the chair was aware or not, I don't
 21 know, because I was sat at the end of the table,
 22 I think, but I remember saying: I'll make that phone
 23 call now.
 24 Q. You did it in the meeting?
 25 A. Yes.

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1 Q. All right. Now can we have {DC7356/1} and focus on the
 2 top. This is the report that came back.
 3 A. Mm—hm.
 4 Q. And the second paragraph, we pick out the parts of the
 5 adverse reaction, the second line it was described here:
 6 "He was not happy..."
 7 A. No.
 8 Q. But he allows it, and at the end:
 9 "... asked us to leave."
 10 A. Yes.
 11 Q. Was his reaction ever put any higher than that?
 12 A. No.
 13 Q. It says in the line before that that he wanted
 14 Sergeant Forsyth to contact him over it; did you do
 15 that?
 16 A. Yes, I did, yes.
 17 Q. What happened?
 18 A. I phoned him — I think by the time I managed to get to
 19 the phone him it was maybe two days later, and I just
 20 asked him: you wanted to speak to me, and he raised his
 21 concern about that, and he just said: look, I just
 22 thought it was unfair at the time. And I addressed it
 23 with him, saying: look, it seemed to be, this is more
 24 a question of are we doing our job, Usman, not are you
 25 doing what you should do. It's a task for us at MAPPA

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1 to make sure we are complying and that we are making
 2 sure that you have the right games and whatever, and he
 3 was accepting of that, he said: if you put it like that,
 4 that's fine, I was just upset at the time.
 5 Q. All right. How likely is it that that was mentioned at
 6 the daily management meeting the next morning?
 7 A. That would have been likely. The fact — that would
 8 have been mentioned.
 9 Q. Can we look at {WS5063—JS423/1}. If we look to the
 10 bottom to see what — we see there Ian Oakley sends
 11 something on the 19 November. So there's the message
 12 that we've just read.
 13 A. Yes.
 14 Q. And so at the top of the page, that's the thing that's
 15 attached, from Ian Oakley, you can see at the bottom
 16 half of that screenshot?
 17 A. Yes.
 18 Q. 19 November, it gets sent to Hartill, Plimley, Special
 19 Branch?
 20 A. Mm—hm.
 21 Q. Is that right, so it is sent to them by 19 November?
 22 A. Yes.
 23 Q. And then Special Branch, further dissemination on
 24 20th November, so that's nine days before the event?
 25 A. That's correct, yes.

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1 Q. We can take that off the screen, thank you.
 2 That visit referred to a number of games.
 3 A. Mm—hm.
 4 Q. You were asked questions about the volume of games. Was
 5 internet gaming an alternative available to Khan at the
 6 time?
 7 A. No, not at all.
 8 Q. Do you know if it was an unusually large number of games
 9 to have for a gamer without internet access in
 10 particular?
 11 A. Not that I'm aware of. My son has quite a lot of games,
 12 so I would have said that's about average.
 13 Q. You were asked about Assassin's Creed. Did you know
 14 whether — is that a popular bestseller or an
 15 underground fringe interest?
 16 A. It's a popular bestseller.
 17 Q. Who had asked for these pictures of the games?
 18 A. It came out of MAPPA and I think it was Team 7 officers,
 19 exactly who I can't be precise with you.
 20 Q. When you sent them on, did you have any reason to think
 21 they wouldn't be reviewed and considered?
 22 A. No.
 23 Q. Did you get any more actions out of it?
 24 A. No.
 25 Q. The isolating concern, can we have {DC6415/5}, the

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1 Calum Forsyth entry begins at the bottom there. I'm not
 2 going to dwell on it because we have had it read, but
 3 that is an entry where you point out —
 4 A. Yes.
 5 Q. — the nature of him being solitary; yes?
 6 A. Yes.
 7 Q. That's August. {DC6416/5}. The third full paragraph
 8 down:
 9 "Calum would like to see UK's day being more
 10 proactively occupied. He needs to broaden his
 11 horizons ..."
 12 Et cetera.
 13 A. Yes.
 14 Q. Effectively a reference to what we're calling isolating.
 15 A. Yes.
 16 Q. Is that right?
 17 Can we look at, just to trace how this actually
 18 progresses in full in the chronology, which is
 19 important, we haven't seen it. That was your report to
 20 MAPPA. Can we have {WS5063—JS410/1}, and I'm going to
 21 test our assistant quite heavily in these next few
 22 minutes with these references. At the bottom of this
 23 page, can you see there that we've got a date of
 24 5 November.
 25 A. Mm—hm.

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1 Q. And a message sent by Ian Oakley at 3.21 in the
 2 afternoon?
 3 A. Yes.
 4 Q. To you and Special Branch?
 5 A. Yes.
 6 Q. All right, and the content of that, we'll keep in mind
 7 the date, 5 November, that time is on the next page --
 8 sorry, {WS5063--JS410/3}, my mistake. A description of
 9 the visit to the home address: curtains drawn, talking
 10 about going to the gym.
 11 A. Yes.
 12 Q. That effectively is his message on the topic of
 13 isolating or so on?
 14 A. Yes.
 15 Q. So that's 5 November at 3.21.
 16 {WS5063--JS405A/3}, please. Thank you. We just
 17 looked at the afternoon of 5 November, Oakley's report.
 18 A. Yes.
 19 Q. And here we have Jon Stephenson, Special Branch expert,
 20 yes?
 21 A. Yes.
 22 Q. 6 November, probably first thing in the morning to
 23 yourself and to Hessel; is that right?
 24 A. Yes.
 25 Q. And this is the one where he asks about Annie's report.

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1 A. Mm--hm.
 2 Q. This is a question about the thing we've just had on
 3 screen a moment ago, isn't it?
 4 A. That's correct, yes. Yes.
 5 Q. Can we go back to page -- that's at 8.57. Can we go
 6 back to {WS5063--JS405A/1} of this same document and look
 7 at the bottom of that page. Right at the bottom of the
 8 page, if you take it from me rather than -- we're going
 9 down a page, this is you replying at 12.13 on the same
 10 day?
 11 A. Yes.
 12 Q. We've seen this message, but I just want to note the
 13 time for that.
 14 A. Okay.
 15 Q. 12.13; is that right?
 16 A. Yes.
 17 Q. {WS5063--JS410/1}, if we look at the top of this page.
 18 Try and bear in mind what's happened: Oakley email on
 19 the 5th, Stephenson reply, you reply by 12.13. On that
 20 same day, on 6 November, do we see at 10.49, something
 21 coming from Stephenson to others before you have
 22 replied?
 23 A. Yes.
 24 Q. It's disseminated amongst Special Branch, is that a fair
 25 way to summarise what is being --

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1 A. Yes, Special Branch and CTU, yes.
 2 Q. 10.49 in the morning. So does it appear that this
 3 matter, the report from Oakley, or Annie, was being
 4 escalated before you had replied at 12.13?
 5 A. Yes, yes.
 6 Q. In a way that did not include you in the loop?
 7 A. No, correct, yes.
 8 Q. You wouldn't be surprised or concerned by that, would
 9 you?
 10 A. Not particularly, no. That's -- I might've (inaudible)
 11 they're just putting the information that we've provided
 12 straight up, so yes, that's fine.
 13 Q. 10.49 that same day.
 14 A. Mm--hm.
 15 Q. Back to {WS5063--JS405A/2}, so this is the next page
 16 after your 12.13 reply?
 17 A. Yes.
 18 Q. And we've seen this. What you did is to paste the
 19 probation reply?
 20 A. Yes.
 21 Q. And at the bottom, if you go to the bottom, add your own
 22 comments?
 23 A. Yes.
 24 Q. Where you say at the start of both paragraphs you don't
 25 think he is isolating himself, and give the reasons?

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1 A. Yes.
 2 Q. People have already taken you to that. So that's your
 3 reply?
 4 A. Yes.
 5 Q. The thing already having been escalated in Special
 6 Branch; is that right?
 7 A. Yes, that's correct.
 8 Q. The same document, the bottom of page 1, please
 9 {WS5063--JS405A/1}. So moving on in time, but looking at
 10 the above the 12.13, within seven minutes, Stephenson,
 11 CCing you, is including Hessel in it?
 12 A. Yes.
 13 Q. And up the page, 12.56 the same day, it goes to
 14 Laurence Mills and Ryan Chambers?
 15 A. Yes.
 16 Q. So that's the senior investigating officer, that is West
 17 Midlands Counter--Terror Unit?
 18 A. Yes, that's correct.
 19 Q. And now you are being dropped out of the picture?
 20 A. Yes.
 21 Q. Is that a surprise or a concern to you?
 22 A. No. No.
 23 Q. Including the chain that we've just looked at?
 24 A. Yes.
 25 Q. And at the top of that, the reply, and the content of

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1 the reply is:
 2 "Thanks Jon,
 3 "I will speak to the desk here and Ryan to discuss
 4 the JOT..."
 5 The joint operational scrutiny(?), I think that is?
 6 A. Yes.
 7 Q. "... and the intel from Prevent."
 8 A. Yes.
 9 Q. So is that it being escalated still further?
 10 A. Yes, into the area I would expect it to be discussed,
 11 yes.
 12 Q. With you having been dropped out of the chain earlier
 13 on?
 14 A. Yes. Correct.
 15 Q. Can we look at {WS5063/14} at the bottom. This, I hope,
 16 is Stephenson's statement. Look for paragraph 7.1.6:
 17 "I have since reviewed my 'Major Incident Disclosure
 18 Book...' [and gives the dates] where I can confirm the
 19 first documented reference I have to the Prevent
 20 engagement with UK on the 31st of October 2019 is on 6th
 21 of November 2019 on pages 14, 15 and 16. I documented
 22 a telephone conversation I held with MI5 at 11.00 hours
 23 on the 6th of November 2019 on page 15, discussing with
 24 MI5 that whilst there was nothing specific of concern
 25 from the engagement on the 31st October 2019, I had

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1 concerns that UK appeared to be isolating himself as he
 2 was no longer attending mosque, wasn't socialising, had
 3 no employment, no mentor support, and there were less
 4 frequent Prevent engagements."
 5 So, again, does that appear to be an escalation
 6 further, a discussion up to the level of MI5 --
 7 A. Yes.
 8 Q. -- of the concern that you had raised, albeit you said
 9 you weren't yourself concerned by?
 10 A. Yes, correct.
 11 Q. Any surprise or concerns that you're not kept in that
 12 picture?
 13 A. No.
 14 Q. So despite your -- you make the report, but despite your
 15 lack of concern, others with different information view
 16 it differently?
 17 A. Absolutely, and for me that's right and proper or fine
 18 if they've got other information that it raises that
 19 concern, that's what they're there to do.
 20 Q. And we know -- I won't call it up -- but at the November
 21 MAPPA meeting there is reference again to you raising
 22 the fact of isolation but not sharing the concern.
 23 A. Yes.
 24 Q. All right, thank you.
 25 The final topic, the Fishmongers' attendance and

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1 travel arrangements. The question of accompanying Khan
 2 to the event, who first raised that? Who was asking for
 3 that?
 4 A. It was either Learning Together or it was Ken who
 5 mentioned it to me. I know it was in an email it was
 6 raised, but it didn't come from us, it came from either
 7 Learning Together to Ken or Ken to me, I can't remember
 8 which --
 9 Q. Where did you understand they had got it from?
 10 A. From Usman himself.
 11 Q. Right, so the source of the accompanying question is
 12 who?
 13 A. Yes, yes. Yes.
 14 Q. Is Khan?
 15 A. Yes.
 16 Q. Can we look at {DC7490-T/1}, that transcribed Stephenson
 17 day book at {DC7490-T/14} just so we can see what the
 18 date is. If we look at the bottom of this page,
 19 27 August 2019 is the beginning of an entry, and can we
 20 go over the page to {DC7490-T/14} to point (7) -- sorry,
 21 page 14. If we zoom in at the top, point 7, the
 22 Stephenson day book of that date:
 23 "One day event with Camb Uni (NFD)... previously]...
 24 escorted]... UK)... but will have to make) his own way
 25 there."

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1 A. Yes.
 2 Q. Were you satisfied that that detail was disseminated to
 3 Special Branch?
 4 A. Yes.
 5 Q. Page 18 of this same document, please?
 6 A. Yes.
 7 JUDGE LUCRAFT: And we assume that "NFD": no further detail.
 8 MR BAUMBER: Yes, I think that was picked up on this entry,
 9 sir, yes.
 10 The entry for 14 November:
 11 "UK... discussed] at MAPPA... weekly] probation
 12 visits, Prevent visits fortnightly. No... requirement)
 13 for ... mentor] at moment but will be ... reviewed."
 14 So a brief discussion of Khan generally.
 15 A. Mm--hm.
 16 Q. And then on 20 November, on that page:
 17 "Email update from Sgt (F) that UK will be..."
 18 That must be you, mustn't it?
 19 A. Sorry, where am I?
 20 Q. 20 November 2019.
 21 A. Oh, sorry, I've looked at the wrong 20 November, yes,
 22 yes.
 23 Q. The details included attending alumni event on
 24 29 November 2019.
 25 "Train from..."

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1 "Met..."
 2 Et cetera, et cetera, the detailed arrangements of
 3 the travel?
 4 A. Yes.
 5 Q. Were you satisfied those were relayed to Special Branch
 6 also?
 7 A. Yes, yes.
 8 Q. Can we have {DC6417/5}, in the penultimate paragraph, it
 9 might be at the bottom. An entry again, I think we've
 10 read this, but it talks about Khan being scheduled to
 11 attend the event in London.
 12 A. Yes.
 13 Q. And sets out the details of the travel arrangements;
 14 yes?
 15 A. Yes.
 16 Q. And the — who is to meet him, and so on?
 17 A. Yes, correct.
 18 Q. Were you satisfied that that was an issue that was
 19 before MAPPA?
 20 A. Yes.
 21 Q. Was any objection raised when those details were
 22 discussed as contained within the minutes?
 23 A. No, not at all.
 24 Q. You were asked by Mr Beer that if the minutes showed
 25 that if the right information was put before the panel,

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1 were they capable of making a risk-based decision?
 2 A. Yes.
 3 Q. And you agreed they would be, wouldn't they?
 4 A. Yes, they would.
 5 Q. Were you satisfied that this trip and the travel
 6 arrangements for it were put before the panel?
 7 A. Yes, I was.
 8 Q. Enough to make a risk-based decision?
 9 A. Yes.
 10 Q. Any chance of that being lost amongst 25 or 28 other
 11 points?
 12 A. Could easily be.
 13 Q. Do you think MAPPA might have missed this discussion of
 14 the travel arrangements?
 15 A. That's all I can assume from that, yes.
 16 Q. And at {DC7505/1}, we can't see the details, but we can
 17 see the topic is the operation, and Staffordshire
 18 Special Branch escalating those details —
 19 A. Yes.
 20 Q. — to another level, let's say?
 21 A. Yes.
 22 Q. Are those the same details —
 23 A. Yes, they are.
 24 Q. — as to travel that you had fed into the process?
 25 A. Yes.

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1 Q. You were also asked by Mr Beer on behalf of West
 2 Midlands Police how the dumper truck decision had played
 3 out and two West Mids officers spoke out strongly
 4 against it and MAPPA said no; that's right, isn't it?
 5 A. That's correct, yes.
 6 Q. Were there any such strong objections to the
 7 Fishmongers' attendance or these travel arrangements?
 8 A. No, there wasn't.
 9 Q. Was any tasking given to Prevent in respect of that
 10 travel?
 11 A. No, there wasn't.
 12 MR BAUMBER: I have no further questions, thank you.
 13 JUDGE LUCRAFT: Thank you, Mr Baumber.
 14 Further questions by MR HOUGH QC
 15 MR HOUGH: Just before you leave, Mr Forsyth, two very short
 16 matters. You were asked about references in certain
 17 documents to a risk assessment prepared by DC Hartill
 18 from the Special Branch.
 19 A. Yes.
 20 Q. We'll deal with this with other witnesses, but are you
 21 able to say what that risk assessment was for or what it
 22 was associated with?
 23 A. No, I wasn't. No, I never had sight of it.
 24 Q. So you're not able to say, for example, that it was
 25 a truly general risk assessment rather than a risk

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1 assessment for a specific purpose?
 2 A. No, I don't know.
 3 Q. Secondly, the curfew, you were asked by Mr Beer some
 4 questions about the curfew time —
 5 A. Mm—hm.
 6 Q. — being raised from 9.00 pm to 11.00 pm in May.
 7 A. Yes.
 8 Q. We'll, again, raise this with other witnesses because
 9 the documents tell a range of stories on this subject,
 10 but are you able to say for yourself whether and when
 11 the curfew time was moved from 9.00 pm to 11.00 pm?
 12 A. No, I genuinely couldn't tell you that.
 13 MR HOUGH: Thank you very much. Those are all my questions.
 14 A. Thank you.
 15 MR HOUGH: Thank you, Mr Forsyth.
 16 JUDGE LUCRAFT: Thank you, Mr Forsyth. You've been giving
 17 evidence for quite some time, but thank you very much
 18 indeed for coming to assist.
 19 A. Thank you very much.
 20 MR HOUGH: Sir, the next witness is PC Craig Hemmings.
 21 JUDGE LUCRAFT: Thank you.
 22 PC CRAIG HEMMINGS (sworn)
 23 JUDGE LUCRAFT: Mr Hemmings, sit or stand, whichever you
 24 would prefer to do. If you could make sure you speak
 25 into the microphone, that will help us all to hear what

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1 it is you have to say. Thank you.
 2 Questions by MR HOUGH QC
 3 MR HOUGH: Would you please give your name and rank for the
 4 court?
 5 A. My name's Craig Hemmings and I'm a police constable,
 6 4899.
 7 Q. Mr Hemmings, you understand I ask questions first on
 8 behalf of the Coroner and then you may have some
 9 questions from other lawyers.
 10 Are you a constable in Staffordshire Police and
 11 a member of the Prevent Team working with
 12 Sergeant Forsyth?
 13 A. Yes, I am.
 14 Q. Like him, are you based at Staffordshire Police
 15 headquarters?
 16 A. Yes, we were, yes.
 17 Q. And can you confirm that also in the team at material
 18 times were PCs Oakley and Barker, from whom we'll hear?
 19 A. Yes.
 20 Q. When did you first join Staffordshire Police as
 21 an officer?
 22 A. 2002.
 23 Q. Did you then work in response policing for about
 24 15 years, and neighbourhood policing for, I think, about
 25 two years?

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1 A. Yes, that's right.
 2 Q. Did you then join the Prevent Team on 21 January 2019,
 3 I think the last member of the team to join?
 4 A. Yes, that's correct.
 5 Q. What training did you undertake specifically for that
 6 role, apart from the training that you received as
 7 a police officer and for your other roles?
 8 A. For the Prevent role?
 9 Q. Yes?
 10 A. The Prevent foundation course lasted a week, the initial
 11 CTU induction course. I've recently been on a different
 12 course regards speaking --- conversation and interviews
 13 with people.
 14 Q. So you received a course specifically in relation to the
 15 Prevent strategy. As we've heard, does that involve
 16 seeking to move people away from radicalisation, in
 17 a range of contexts, and also gathering evidence when
 18 there are concerns of people being radicalised?
 19 A. Yes. Yes.
 20 Q. You said you also received an induction to the work of
 21 the Counter-Terrorism Unit; is that, as Mr Forsyth
 22 explained, a course or input explaining broadly what the
 23 unit does?
 24 A. Yes, that's right.
 25 Q. When you joined the team, one of the responsibilities of

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1 the team members was managing TACT offenders in the
 2 community, terrorist offenders in the community, who
 3 were subject to part 4 notification requirements; were
 4 you told about that when you joined?
 5 A. Yes, I was.
 6 Q. Did you receive any training specific to that role?
 7 A. No.
 8 Q. What were you told that managing such offenders
 9 required?
 10 A. It was explained to me that obviously when the TACT
 11 offenders leave prison there's --- they are subject to
 12 part 4 notifications where we have to go see them once
 13 every week or two. Also they have to inform us as
 14 regards bank details, housing, things like that.
 15 Q. So ensuring notification requirements were satisfied,
 16 having regular meetings with the people, and discussing
 17 a little about what they're doing?
 18 A. Yes.
 19 Q. To whom would you then feed back the products of those
 20 meetings?
 21 A. We'd fill a log on the intelligence network about what
 22 happened, we'd fill in the ViSOR about the meeting, also
 23 we'd email Special Branch with the same details of that
 24 meeting.
 25 Q. So you would prepare a single report which you would

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1 fill in on the Staffordshire Police Intelligence
 2 Network, SPIN?
 3 A. Yes.
 4 Q. Paste the same thing onto the ViSOR system, and paste
 5 the same thing into an email to Special Branch?
 6 A. Yes, that's right.
 7 Q. Would you, in addition, have discussions about these
 8 offenders with the Staffordshire Special Branch officers
 9 who were at the other end of the corridor?
 10 A. Yes, we normally --- in the morning briefing if we'd seen
 11 them the day before they'd ask how it went, and we'd
 12 give a sort of brief update, as it were.
 13 Q. Did those officers include people like DI Hessel and
 14 DS Stephenson?
 15 A. Yes.
 16 Q. On joining the team, were you told that one of the
 17 offenders being managed at the time was Usman Khan,
 18 a 28-year-old man living in Stafford?
 19 A. Yes, that's correct.
 20 Q. What information was given to you about him?
 21 A. I was told that he was released Christmas Eve, after
 22 serving eight years. He'd been --- initially gone to
 23 prison for TACT offences, obviously, and we were
 24 managing him as part 4.
 25 Q. Were you told how he was progressing?

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1 A. Yes, I recall that he'd been doing well so far.
 2 I remember being told that there had been no issues in
 3 the previous month or so since he'd been released.
 4 Q. Did you do your own research to find out what he'd been
 5 convicted for?
 6 A. Yes, yes, I did. I looked on the internet and found
 7 that he'd been convicted for organising terrorist
 8 training in Pakistan, I think it was.
 9 Q. Was the first visit you had with him very shortly after
 10 you joined the team at the end of January 2019?
 11 A. Yes.
 12 Q. If we put on screen {DC7538/69}, do we see here a ViSOR
 13 entry reporting on that visit on 23 January 2019?
 14 A. Yes.
 15 Q. Can we see from that that you, along with PC Barker, met
 16 Usman Khan at a café in Stafford. Was this your first
 17 meeting with him?
 18 A. Yes.
 19 Q. You record in the report that he'd resolved issues with
 20 obtaining identification and setting up a bank account,
 21 and that he had applied for a provisional driver's
 22 licence.
 23 A. Yes.
 24 Q. You record that he said he wanted to stay in Stafford
 25 rather than relocating to Stoke?

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1 A. Yes, that's right.
 2 Q. That he was keeping himself to himself at the probation
 3 hostel because some people there had drug and mental
 4 health issues?
 5 A. That's right.
 6 Q. Was there then discussion of the gym he wanted to start
 7 going to, and a visit proposed to his family on the
 8 Sunday?
 9 A. Yes.
 10 Q. More generally, did he speak about his plans for the
 11 next six months to get a place to live and a job?
 12 A. Yes.
 13 Q. Based on that meeting, what impression did he make on
 14 you?
 15 A. He was open, he seemed like he wanted to move forward,
 16 and put his previous life behind him.
 17 Q. Now, you filled out the entry which gave details of what
 18 he was wearing, what you had said to him and what he had
 19 said to you. Were these entries quite full accounts of
 20 the visits?
 21 A. Yes. Yes.
 22 Q. And were you under instructions from Mr Forsyth to cover
 23 any particular topics, or was it a general conversation?
 24 A. Just a general conversation, as I recall on that time.
 25 Q. Were you looking, in the course of these meetings, to

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1 ascertain anything about him, to discover anything for
 2 the purposes of Special Branch colleagues or others
 3 beyond?
 4 A. If we were tasked to find something out, ask a question,
 5 then we would — we would ask that question, yes, but
 6 I can't remember on this particular meeting if we were
 7 tasked with anything in particular.
 8 Q. If you weren't tasked with anything in particular, there
 9 wasn't a sort of standing instruction to seek to obtain
 10 information about any aspect of his life?
 11 A. No, we would go through the normal things of what he had
 12 been doing, where he has been going, things like that,
 13 his sort of general well-being.
 14 Q. Then I think it's right that you had a second visit on
 15 13 February 2019, along with PS Forsyth, when you met
 16 Khan at a café in Stafford; is that right?
 17 A. That's correct.
 18 Q. We've addressed that with him, so I don't propose to
 19 take you to the entry, but do you recall on that
 20 occasion Khan's phone being checked and all the entries
 21 in it being found to be acceptable?
 22 A. Yes.
 23 Q. And then, please, can we go to {DC7538/61} of the ViSOR
 24 document we have on screen. Can we see your third visit
 25 was on 27 February 2019, this time with PC Barker,

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1 again, in a café. Do we see that you spoke to
 2 Usman Khan and he discussed a new gym he had joined,
 3 Elite 2000, and commented about another gym he had
 4 joined having closed after taking his deposit.
 5 A. Yes.
 6 Q. Do you see that he told you, according to your record,
 7 that he had disclosed his terrorist convictions to the
 8 owner of the new gym?
 9 A. Yes.
 10 Q. That he had seen his family in Stoke, the second main
 11 paragraph?
 12 A. Yes.
 13 Q. And then right at the bottom of the part we can see on
 14 the page, he spoke about having no pull towards Stoke
 15 because he didn't want to put himself in a position
 16 where people would encourage him to fail?
 17 A. Yes. He said he wanted to stop in Stafford.
 18 Q. And did you, if we look at the bottom, walk back with
 19 him to the approved premises from this café?
 20 A. Yes, if it says there, I can't recall that particularly,
 21 at the moment but...
 22 Q. That was a visit for about 30 minutes, as we see
 23 recorded?
 24 A. Yes.
 25 Q. Then {DC7538/57}, please. Next visit. If we go to the

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1 previous page, we can see that this was a visit you
 2 attended on, PC Hemmings along with PC Oakley
 3 {DC7538/56}, back to {DC7538/57}. Once again, did you
 4 meet him and did he present in a good mood and talkative
 5 as usual?
 6 A. Yes.
 7 Q. You recorded that he had been to Friday prayers, but
 8 that he had never been very religious and didn't plan to
 9 go on a regular basis?
 10 A. Yes, that's correct.
 11 Q. You record he spoke about having a new mentor, getting
 12 on okay with the new mentor, but not sure what he was
 13 getting out of it?
 14 A. Excuse me?
 15 Q. This is the -- about the fourth paragraph down:
 16 "He has met his new mentor on two occasions and is
 17 ok with him, but he has said that he is not too sure
 18 what he is getting out of it now..."
 19 A. Yes.
 20 Q. And you also recorded further down that he was very
 21 positive about the future, looking forward to getting
 22 a Chromebook and starting his studies with the people
 23 from Cambridge?
 24 A. Yes, that's correct.
 25 Q. Then right at the bottom of the page we see, did you

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1 check his phone and find the messages to be all
 2 acceptable?
 3 A. Yes, that's correct.
 4 Q. Quite a number with Amy, that's Amy Ludlow from
 5 Cambridge. Then {DC7538/55}, please. Was this a report
 6 of a meeting you attended on 10 April 2019, again with
 7 PC Oakley at a café in Stafford?
 8 A. Yes.
 9 Q. Again, continuing the theme, you record Khan's mood as
 10 "Good spirits, polite and chatty". So that was
 11 a consistent theme of all these early visits?
 12 A. Yes.
 13 Q. He commented about his mentor not arranging visits to
 14 a routine, according to your report, and Khan liked
 15 a routine?
 16 A. Yes, that's correct.
 17 Q. Said that he'd been looking for jobs and for housing?
 18 A. Yes.
 19 Q. And then towards the bottom of your report, you record
 20 him discussing why people became involved with extremist
 21 groups and ideologies, and said he was interested in
 22 using his experience to help move others away from such
 23 groups?
 24 A. Yes.
 25 Q. Mr Forsyth told us that that was another theme of

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1 particularly these early visits, that Khan was talking
 2 about wanting to become some sort of a mentor for young
 3 people?
 4 A. Yes.
 5 Q. And I think you had a further meeting towards the end
 6 of May 2019, which we addressed with Mr Forsyth, where
 7 Khan spoke about his construction skills training?
 8 A. Yes.
 9 Q. And also about an event which was going to be happening
 10 at Whitemoor in June of 2019; do you remember that?
 11 A. Yes.
 12 Q. Then I think your next meeting was three months on, on
 13 30 August 2019. May we put that on screen, {DC7538/39}
 14 and can we see that on this occasion you recorded
 15 Usman Khan initially not being happy that MAPPA hadn't
 16 permitted him to do the dumper truck course?
 17 A. Yes. Yes.
 18 Q. And that Mr Forsyth gave an explanation, as he told us
 19 he did, that MAPPA would expect to see more progress in
 20 this type of work.
 21 How was Khan's response to that explanation, as you
 22 recall it?
 23 A. His response was positive. He understood when
 24 Sergeant Forsyth explained the reasoning behind it, and
 25 he was accepting of it.

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1 Q. Then {DC7538/38}, please. Your next meeting with him,
 2 I think, was just before he was to move into the flat of
 3 his own --
 4 A. Yes.
 5 Q. -- on 17 September; do you remember that?
 6 A. Yes.
 7 Q. And do you remember speaking about, as you've recorded,
 8 an imminent move to the new address, which I think
 9 happened a week later?
 10 A. Yes.
 11 Q. And you are recorded as reminding him of the part 4
 12 requirement to notify you of the move within three days;
 13 yes?
 14 A. Yes.
 15 Q. And then there's a discussion of the fact that he wasn't
 16 seeing a mentor at that time, and the discussion about
 17 how he was going to sort out things like utilities.
 18 A. Yes.
 19 Q. Was that something he seemed concerned about or was it
 20 just a general topic of discussion?
 21 A. I think slightly concerned, but not overly so. As
 22 I recall, reminding him he could get help from his
 23 family and maybe probation.
 24 Q. {DC7538/36}, please, on the day that Khan moved out of
 25 his own flat, did you and PC Barker help him with his

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1 part 4 notifications and the change of his GPS tagging
 2 arrangements?
 3 A. Yes, we did.
 4 Q. What did you do in practice?
 5 A. With regards moving?
 6 Q. I'm sorry?
 7 A. We helped him to move to his address, we helped him with
 8 some of his bags, et cetera, and drove him to the new
 9 premises, which was only a street away, five minutes
 10 away, helped him unload, obviously we could have a look
 11 at his new flat, waited there until the EMS people
 12 turned up and they fitted their machine, and obviously
 13 fitted it to the tag he was wearing. He seemed happy
 14 with his new flat at the time.
 15 Q. Did anything strike you about the new flat? We've
 16 obviously seen photographs of it.
 17 A. No, not at all. Sparsely decorated and furnished.
 18 A good size. Close to the town centre. I thought it
 19 would suit him quite well at the time.
 20 Q. And according to your report, go to the bottom of the
 21 page, you record that he was relaxed and seemed happy
 22 about the new address and the freedom that gave him?
 23 A. Yes, that's right.
 24 Q. And that he was still seeing his family on a Sunday?
 25 A. Yes.

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1 Q. Then {DC7538/34}, please, was your next visit to see
 2 Usman Khan after the move on 31 October 2019?
 3 A. Yes.
 4 Q. And we've seen that a report you made of this visit was
 5 sent to Special Branch, as you've told us would happen,
 6 and that it went further. We'll hear from others how it
 7 went further.
 8 This may have been a slightly more memorable visit
 9 than some of the others, the first visit to him in the
 10 new flat.
 11 A. Mm.
 12 Q. How did he appear when you arrived?
 13 A. He wasn't as talkative as before, but I assumed that was
 14 because — I think we woke him up because we were there
 15 quite early. He seemed — he was okay in his flat,
 16 still sparsely sort of furnished, as it was before.
 17 I don't think he had any issues at the time as I recall.
 18 Everything seemed okay.
 19 Q. You describe him coming down in T-shirt and shorts,
 20 consistent with you having woken him up at 9.30 in the
 21 morning.
 22 A. Mm—hm.
 23 Q. You also record that although he seemed happy to have
 24 you there, that the flat was all dark, and you noted
 25 that he had a large number of Xbox games and DVDs and

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1 spent a lot of his time playing and watching them?
 2 A. It seemed that way, yes, they were all bagged up on the
 3 right—hand side of the living room so they were easy to
 4 spot.
 5 Q. Did he volunteer that he spent a lot of time playing on
 6 them?
 7 A. I can't recall.
 8 Q. You record he claimed to be going to the gym, but only
 9 a couple of times a week. He said that he had stopped
 10 going to the mosque, but gave no reason for that.
 11 A. Yes.
 12 Q. And he also referred to difficulties in the search for
 13 jobs without a mentor to supervise his internet use and
 14 said he would bring that up with his probation officer?
 15 A. Yes, he obviously couldn't get onto the internet to look
 16 for jobs.
 17 Q. So more negative features of this report, at least from
 18 a layman's point of view, that he was spending all his
 19 time closed up watching videos or playing games; that he
 20 was going to the gym less regularly, and that he was in
 21 difficulty about some of the aspects of searching for
 22 work.
 23 You obviously put all those down in your report.
 24 Did you discuss any of those features with Mr Forsyth or
 25 any of your colleagues in Special Branch?

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1 A. We definitely would have mentioned it to
 2 Sergeant Forsyth, yes, because there was a general
 3 conversation we had after every visit, what happened,
 4 and obviously the report goes to Special Branch and they
 5 would have been aware.
 6 Q. How did Mr Forsyth react when you told him about all of
 7 this?
 8 A. I can't recall, to be fair. I'm sorry.
 9 Q. Was the feeling in the team one of worry about
 10 Usman Khan, or a feeling that this was a natural
 11 response to a change of circumstances?
 12 A. More change of circumstances, he's got his own place.
 13 He didn't mix at the old approved premises with the
 14 other people there, so that wasn't a concern. Just
 15 a slight concern about his general well-being, I would
 16 say.
 17 Q. Then the final visit, {DC7538/32}, please. Now, is this
 18 a record of you visiting Khan in his flat on 14 November
 19 with PC Oakley?
 20 A. Yes.
 21 Q. Had you received any specific taskings for this visit?
 22 A. Yes, we had a task to take a photograph of the games.
 23 Q. Were you told why you had been given that task?
 24 A. No.
 25 Q. Now, did you record in your notes that Khan was

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1 initially happy to have you in the flat, talking about
 2 employment prospects, a forthcoming trip which you
 3 describe as a trip to Cambridge, and that he had been
 4 discussing with his probation officer the problem of not
 5 having internet access?
 6 A. Yes.
 7 Q. And during that first part of the conversation, how did
 8 he seem?
 9 A. He seemed fine, as I remember, there was no issues.
 10 Q. Did you then raise the issue of photographing the Xbox
 11 games?
 12 A. Yes.
 13 Q. How did he react to that?
 14 A. He wasn't happy.
 15 Q. How did he express that lack of happiness?
 16 A. He was saying that he feels like there's no trust, he's
 17 abiding by all the conditions, and we still don't trust
 18 him.
 19 Q. What was his tone of voice, his method of expression?
 20 A. He wasn't shouting, he wasn't raising his voice in any
 21 way, he just seemed slightly upset, disgruntled.
 22 Q. Did he allow you to take photographs?
 23 A. Yes.
 24 Q. And as we've seen, you took them, you took a number of
 25 photographs of the different sets of games.

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1 A. Yes.
 2 Q. After you had taken the photos, what happened?
 3 A. Obviously we spoke to him for a short while. He wanted
 4 Calum — Sergeant Forsyth to give him a call, which we
 5 said he would, and then he asked us to leave.
 6 Q. Did he raise the subject of you leaving first, or did
 7 you?
 8 A. I can't remember. Because he was upset, obviously we
 9 didn't want — I'm not sure if we said: would you like
 10 us to leave, and he said yes, or he — I can't honestly
 11 remember.
 12 Q. I think you left after about 11 minutes in the flat?
 13 A. Yes, about that.
 14 Q. Do you think that this was a different or new side to
 15 him that you were seeing?
 16 A. No, I've seen him upset with regards — when he couldn't
 17 be allowed to have the digger course, so I understood
 18 why he was upset. So it wasn't the first time I'd seen
 19 him upset.
 20 Q. Did you notice anything unusual in the flat on this
 21 occasion?
 22 A. No, not at all.
 23 Q. Did you discuss this visit with anyone, either
 24 PS Forsyth or Special Branch colleagues or anyone else?
 25 A. Yes, I would have spoken to Sergeant Forsyth, and again,

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1 I think Ian Oakley took the photographs and he sent them
 2 over to Special Branch, and I think he discussed it with
 3 them.
 4 Q. Do you remember any reaction from anyone, either
 5 Mr Forsyth or the Special Branch officers?
 6 A. Regards the...?
 7 Q. Regards what you had explained?
 8 A. No.
 9 Q. Did you have any further contact with Usman Khan after
 10 that visit on 14 November?
 11 A. No.
 12 MR HOUGH: Thank you very much. Those are all my questions.
 13 A. Thank you.
 14 JUDGE LUCRAFT: Mr Pitchers.
 15 Questions by MR PITCHERS QC
 16 MR PITCHERS: Yes, Officer Hemmings, I'm Henry Pitchers,
 17 asking questions on behalf of the family of
 18 Saskia Jones. Just a few matters.
 19 You've just been telling us about your visit on
 20 14 November, which is the visit where you took the
 21 photographs of the Xbox?
 22 A. Yes.
 23 Q. Could we just have up {WS0259/7} at the bottom of that
 24 page, please. And this is part of a witness statement
 25 that you prepared following the attack on 29 November;

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1 that's right, isn't it?
 2 A. Yes.
 3 Q. Yes. And it would seem from the transcribed version
 4 that it was dated 4 December 2019?
 5 A. Yes.
 6 Q. So presumably when matters were much fresher in your
 7 memory than they are today?
 8 A. Yes.
 9 Q. And I just wanted to check with you that the way you
 10 described the interaction on 14 November in this
 11 statement is an accurate one. You'll see that what you
 12 said there was:
 13 "We had been tasked by Staffordshire Special Branch
 14 to take photographs of his Xbox games in his flat we
 15 explained this to Khan. Khan got upset about this
 16 stating he couldn't understand it. He said he had
 17 abided by all his conditions but there was still no
 18 trust. Khan asked if it was part of his licence
 19 conditions. Khan stated that he would speak to his
 20 solicitor about this. Khan allowed us to take several
 21 photographs of his numerous Xbox games. Khan wanted
 22 a call from police officer [Calum Forsyth] because he
 23 did not like us taking the photographs and he wanted it
 24 explaining to him further. After this Khan asked us to
 25 leave his flat which we did."

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1 Is that your best recollection as to what happened?
 2 A. Yes.
 3 Q. Are there any details in that paragraph which you would
 4 now regard as incorrect?
 5 A. I'm not sure, no. I don't think so.
 6 Q. I am not suggesting to you that they are incorrect.
 7 A. I don't think there's anything that can be seen as
 8 incorrect.
 9 Q. You can see, can't you, that when you gave this first
 10 account, you were clear that it was Khan that asked you
 11 to leave the flat?
 12 A. Yes.
 13 Q. And we've seen from other evidence that your visits on
 14 31 October, then 14 November were for around 10 minutes,
 15 so you might have spent around 10 minutes inside the
 16 flat with Khan?
 17 A. Yes.
 18 Q. Does that accord with your recollections as to how long
 19 you were there?
 20 A. Yes.
 21 Q. If we could turn up, please, {WS5033/1}. Now, we have
 22 here the first page of a witness statement that you
 23 provided to the IOPC, and we can see that's more recent,
 24 8 January of this year. And if we could look, please,
 25 at the middle paragraph that begins:

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1 "I started working..."
 2 And we can see that you said in this statement:
 3 "I started working in Prevent just after Usman Khan
 4 had been released from prison. Calum just told me that
 5 managing Part 4s was a task that we did in addition to
 6 Prevent."
 7 And then this:
 8 "I didn't have any previous experience of managing
 9 offenders. I had been on a couple of visits to sex
 10 offenders with the team that manages them whilst working
 11 in neighbourhoods, but that was it."
 12 And that's accurate, isn't it?
 13 A. Yes.
 14 Q. So you had no prior experience of managing offenders?
 15 A. No.
 16 Q. Let alone, obviously, terrorist offenders?
 17 A. No, I didn't.
 18 Q. That isn't a criticism of you.
 19 A. Okay.
 20 Q. And then in the bottom paragraph you said this:
 21 "I have 18 years of being in the police, and in that
 22 role you interview and speak to people all the time.
 23 I'm trained in interviewing people. So I probably had
 24 that general experience and the experience of not taking
 25 any prejudices into things."

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1 And then you said this:
 2 "I did just take Usman Khan at face value."
 3 A. Yes.
 4 Q. And again, that's an accurate summary as to your
 5 dealings with Khan in 2019?
 6 A. Yes.
 7 Q. And your reasons seem to have been given in the next
 8 sentence:
 9 "You wouldn't want to antagonise him because you'd
 10 need to have contact with him for quite some time."
 11 So that's your reason for accepting what he said at
 12 face value?
 13 A. Take him — yes, take him as appears, that's correct,
 14 yes.
 15 MR PITCHERS: Thank you. I have no further questions.
 16 JUDGE LUCRAFT: Thank you, Mr Pitchers.
 17 Questions by MR ARMSTRONG
 18 MR ARMSTRONG: Thank you. Officer Hemmings, my name is
 19 Nick Armstrong, I ask questions on behalf of the family
 20 of Jack Merritt. Can I just check a couple of things.
 21 Firstly, on 14 November, you've been tasked to go and
 22 look at him, and you're there for about 10 minutes.
 23 A. Yes.
 24 Q. This follows a discussion at MAPPA, and we've heard
 25 Sergeant Forsyth's evidence about how this comes about.

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1 Can we just have a look quickly at that, so you may not
 2 have seen this document but I want to have a look at
 3 what happens here. The MAPPA minutes are at {DC6417/6},
 4 please. And if we look at this, there is — it's that
 5 second paragraph, so this is the 14 November MAPPA
 6 minutes, you can see in the second paragraph there
 7 there's a Jo Floyd and she is a Chief Inspector at
 8 West Midlands, we can see from the attendance, we don't
 9 need to look that up:
 10 "Jo Floyd noted that this type of behaviour was
 11 concerning".
 12 So this is:
 13 "Lois highlighted how having a mentor previously did
 14 little in deterring UK from socially excluding himself
 15 ... this type of behaviour was concerning — UK is not
 16 protecting his own psychology; he is only 28 and is at
 17 risk of being vulnerable to the influence of others.
 18 It's important that we are more intrusive into what he
 19 is doing whilst at home, eg what he is watching."
 20 Do you see? So there's a concern about isolation,
 21 there's a concern about what he's doing, and as we have
 22 heard from others, this is in the context of warning
 23 signs from psychology in prison that is what he might do
 24 and that would be an indicator of potentially a rising
 25 risk.

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1 That, however, becomes an action. Can we now look
 2 at {DC6417/9} of this document, that simply says at the
 3 bottom here:
 4 "Calum Forsyth".
 5 Action 2:
 6 "To conduct a Home Visit to UK and review his Media
 7 Collection."
 8 The point here is, that was a general concern about
 9 being more intrusive, eg what is he watching, but I just
 10 want to check that this is your understanding: the only
 11 task you are asked to do is to go and look at his media
 12 collection?
 13 A. We were asked to photograph it.
 14 Q. I see.
 15 A. So, that's the first time I've seen it, so ...
 16 Q. But you are not given any wider instruction to have
 17 a closer look at him, to ask any wider questions, to
 18 think about what else he might be doing other than this:
 19 it's a simply go and photograph his games collection?
 20 A. That's correct.
 21 Q. Okay.
 22 Now you are, I think, surprised by this. Can I just
 23 look at your witness statement, {WS5033/5}.
 24 JUDGE LUCRAFT: This is the statement from the beginning of
 25 this year.

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1 MR ARMSTRONG: That's the statement from the beginning of
 2 this year. And if I just look at the penultimate
 3 paragraph on this page, please, you describe this
 4 process -- I'm looking for the second half of this page:
 5 "During the visit on the 14 November, we went in the
 6 morning, and we'd been asked, either by MAPPA or Special
 7 Branch, to record the games that he had. To be honest,
 8 we thought it was a bit daft. On the previous visit,
 9 we'd reported back that he had hundreds of games, and
 10 had been asked what kind of games they were, and could
 11 we photograph them. My first thought was, why would we
 12 need to do that, but as an officer you are told to do
 13 things and you just do them."
 14 A. Yes.
 15 Q. That's right? So it really is just you going blind,
 16 photographing it, you didn't do anything else?
 17 A. Yes, I didn't -- obviously reading that before it makes
 18 it a bit more clearer, the reason behind it.
 19 Q. What I'm asking you about is that you really are being
 20 asked to do a very narrow task, nothing beyond it. As
 21 you understand it, you don't know the reason for it,
 22 you're not asked to go wider, it is: go and take
 23 a photograph and come out again.
 24 A. Yes, that's right.
 25 Q. Can I just ask you about this while we're still in this

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1 witness statement. Again, it's about the limits of your
 2 tasking. Can I look at {WS5033/2}, please. You tell us
 3 in this witness statement that you had not done this
 4 before, you have not done offender management before,
 5 and if I can look at the third--last paragraph on this
 6 page, so the bottom half, I think:
 7 "We didn't receive any training for dealing with
 8 Part 4s. I had an idea of what was needed, but I did
 9 feel I could have done with some training."
 10 Then at the bottom you talk about being able to talk
 11 to Calum and Ian:
 12 "That said, Calum and Ian are both very
 13 knowledgeable, so I felt happy that for any issue that
 14 arose, I could go to them. We did all speak about the
 15 lack of training, but because with policing there are
 16 ranks, sometimes you just do as you're told."
 17 Is that the atmosphere within the team is: why are
 18 we doing this? Is that what this means? There is
 19 a conversation or sense in the team: we're not quite
 20 sure why we're doing this? Is that how it felt to you?
 21 A. Which part, part 4 in general?
 22 Q. Yes, about the management of part 4s?
 23 A. Yes, we often spoke about that we shouldn't be doing
 24 this role.
 25 Q. "We" being Prevent?

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1 A. Sorry, yes, Prevent.
 2 Q. And from your point of view, tell us why that was, what
 3 that conversation was?
 4 A. Because we had, or the job was obviously Prevent, as
 5 Calum has already said, and we couldn't give it our,
 6 sometimes, all, like I think in the West Mids have
 7 obviously their Team 7 trained and go forward with all
 8 their work and that's their specific role and they
 9 focused on that. Not to say we don't get -- we've not
 10 focused -- we realise part 4 was very important, but
 11 sometimes we felt that, how can I put it, we should have
 12 had a bit more training, a bit more, maybe support,
 13 I'm not sure.
 14 Q. And that's how it felt?
 15 A. Yes.
 16 Q. Thank you. One last thing. There's been some
 17 discussion about this, and we can see it in various
 18 places, about the frequency of visits, and we've seen
 19 some documents about sometimes it's described as being
 20 fortnightly and we can see about it being requested to
 21 be made weekly, it was originally weekly and then
 22 fortnightly and then it seems to be a request that it
 23 comes back to weekly, and we can see when they actually
 24 took place, so we can see you moving in on 24 September
 25 but there's not then a visit until 31 October.

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1 A. Yes.
 2 Q. What was your understanding, and where does it come
 3 from, of what the frequency of visits for Prevent to
 4 Usman Khan should have been at this stage?
 5 A. The frequency comes from MAPPA ---
 6 Q. Yes.
 7 A. --- my belief was, and at that stage it should have been
 8 roughly every two weeks.
 9 Q. And when you say roughly?
 10 A. Give or take a few days.
 11 Q. Okay. And your understanding was that came from MAPPA?
 12 A. Yes.
 13 MR ARMSTRONG: Okay, thank you very much. I have no further
 14 questions.
 15 Questions by MR BOYLE QC
 16 MR BOYLE: Good afternoon, officer, I ask questions on
 17 behalf of Staffordshire Police generally.
 18 Did you hear the questions that I asked of
 19 Sergeant Forsyth earlier today?
 20 A. Yes.
 21 Q. As at the time of your IOPC statement, you said "I've
 22 been 18 years of being in the police", so that was
 23 18 years as at January of this year; is that right?
 24 A. Yes. I think, was it 19? I'm losing track, 18, 19,
 25 I'm sorry, 19 years this year.

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1 Q. How about we agree on this: you had had more than
 2 15 years ---
 3 A. Yes, yes, apologies.
 4 Q. --- at the time that you were involved with Mr Khan?
 5 A. Yes.
 6 Q. Right. And you had been trained in interviewing people?
 7 A. Yes.
 8 Q. And throughout your career you would have needed to
 9 undertake risk assessments, probably on a daily basis in
 10 terms of your engagements with people.
 11 A. Yes.
 12 Q. Would that be fair?
 13 A. Yes.
 14 Q. So going out and about and engaging with witnesses,
 15 suspects, criminals and so on; yes?
 16 A. Yes, that's right.
 17 Q. And, indeed, one of the observations that you made in
 18 your witness statement was that as a uniformed officer,
 19 you're always scanning your surroundings, as you put it,
 20 and you can pick up on things that are out of place;
 21 yes?
 22 A. Yes, definitely.
 23 Q. And presumably that doesn't just apply to scanning your
 24 surroundings, you would obviously be scanning the
 25 individual themselves to see if you can pick up on

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1 anything that seems out of place; would that be fair?
 2 A. Yes.
 3 Q. And once you joined the Prevent Team in January of 2019,
 4 you had working alongside you Sergeant Forsyth and
 5 PC Oakley; is that right?
 6 A. Yes.
 7 Q. And in your statement, again, you described them both as
 8 being very knowledgeable; yes?
 9 A. Yes.
 10 Q. And that you felt happy that for any issue that arose,
 11 you could go to them?
 12 A. Yes.
 13 Q. And whilst you were engaging with Usman Khan, did you in
 14 fact go to either of them with any particular concerns
 15 that you had about your engagements with him?
 16 A. No. I don't think so.
 17 Q. And what you did after your engagements was you
 18 completed, as Mr Hough was taking you through, the
 19 detailed entries that were then uploaded onto the
 20 various systems; yes?
 21 A. Yes.
 22 Q. Your recollection, I think, was that Special Branch had
 23 tasked you and your colleague to take photographs of the
 24 games?
 25 A. Yes.

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1 Q. You have just been referred to the MAPPA minutes. Were
 2 you told it was Special Branch or was it just
 3 Sergeant Forsyth paraphrasing, or...
 4 A. I just have a memory that it came from Special Branch
 5 through Sergeant Forsyth.
 6 Q. So was your inclination that this had come --- that this
 7 tasking had come from Special Branch based upon
 8 a conversation you had had with Sergeant Forsyth?
 9 A. Yes. I presume so, because I just --- obviously that's
 10 in my statement so that's what I must have thought.
 11 Q. Right. And in terms of that interaction and the taking
 12 of the photographs, you used to have these daily morning
 13 meetings with colleagues from Special Branch?
 14 A. Yes.
 15 Q. And in your statement you said you can't recall any
 16 discussion about that particular issue the following day
 17 in the morning briefing. That's what you said in your
 18 statement?
 19 A. Yes.
 20 Q. And you said, in fairness, if they had asked, they would
 21 have asked Ian Oakley, but I can't remember it being
 22 mentioned; yes?
 23 A. Yes.
 24 Q. And you also said in your statement, in the last
 25 paragraph of your statement, that having looked back on

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1 this, no doubt with the benefit of hindsight and so on,
 2 you said:
 3 "I can't think of anything we could or would have
 4 done differently."
 5 A. Yes.
 6 MR BOYLE: Those are all my questions. Thank you very much.
 7 A. Thank you.
 8 JUDGE LUCRAFT: We'll move the aloe vera this time, Mr Beer,
 9 for you.
 10 Questions by MR BEER QC
 11 MR BEER: Good afternoon, my name is Jason Beer, I ask
 12 questions on behalf of West Midlands Police.
 13 Just two topics, if I may. Firstly, the training
 14 that you had. You say in your statement that you had
 15 Prevent training, which was the Prevent foundation
 16 course. Was that delivered by West Midlands Police?
 17 A. Yes, it was.
 18 Q. And you say in your statement it was the most in-depth
 19 training you had ever received in the course of your
 20 police career?
 21 A. Yes.
 22 Q. Is that right?
 23 You secondly mentioned something called the
 24 counter-terrorism or the CTU foundation course?
 25 A. Yes.

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1 Q. What's the CTU foundation course?
 2 A. It was over three days at West Midlands where we get --
 3 where people come in and explain their role in the
 4 different aspects of the CTU and what they do. For
 5 instance, ports officers come in and explain what they
 6 do at the airports, and their legislation.
 7 Q. So would it be fair to describe it as giving you a very
 8 detailed understanding of all of the different parts of
 9 the counter-terrorism network and how they work?
 10 A. Yes, I wouldn't say it was detailed, because we saw
 11 a lot of people over those three days.
 12 Q. Yes.
 13 A. But it was a good understanding about CTU.
 14 Q. Thank you. And the second thing I want to ask you
 15 about. Mr Boyle just asked you about the last paragraph
 16 of your statement. I wonder if we could just have it up
 17 on the screen, please, {WS5033/9}. Thank you very much.
 18 And it's the last paragraph, "It was a complete
 19 shock...". You say in your statement:
 20 "It was a complete shock when we found out this had
 21 happened."
 22 And that's Fishmongers' Hall, obviously.
 23 "I can't think of any warning we had that he was
 24 going to do this."
 25 And you say:

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1 "Even if we had been given all the [intelligence] in
 2 the world, saying he'd done this and that previously,
 3 I think we'd be in the same position as we are now."
 4 Then there's the sentence that Mr Boyle read out to
 5 you, and then this:
 6 "... I think we engaged with him more than Team 7
 7 would have done if they had been engaging with him."
 8 Do you see that?
 9 A. Yes.
 10 Q. So although you said today that although you had some
 11 grumbles within your team: we don't think we should be
 12 doing this, we think Team 7 should be doing that, your
 13 mature reflection was that you actually engaged with
 14 Usman Khan more than Team 7 would have done if they had
 15 been doing it?
 16 A. Yes, I think we were more -- understanding what Team 7
 17 do, we probably were more engaging with him, yes.
 18 MR BEER: Thank you very much, officer.
 19 MR HOUGH: Thank you very much, officer. That's all we have
 20 for you.
 21 JUDGE LUCRAFT: Thank you.
 22 Mr Hough, shall we take our break there --
 23 MR HOUGH: Indeed, yes.
 24 JUDGE LUCRAFT: -- because we started at 1.45, so we have
 25 probably earned our break. I know we've got two

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1 witnesses to deal with but I suspect they will be
 2 comparatively short.
 3 MR HOUGH: From the advocates' point of view, there may be
 4 a law of diminishing returns.
 5 JUDGE LUCRAFT: Thank you. We will take our break.
 6 (In the absence of the jury)
 7 Mr Hough, I've written a note to myself to remind
 8 the jury that we are starting at 9.40 tomorrow morning.
 9 If for any reason I forget, don't hesitate to remind me,
 10 but it's really just a reminder for everyone in the room
 11 that that is our plan, to start at 9.40 in the morning.
 12 I'm looking at Mr Armstrong, because I know that
 13 Jack's family are also going to be present in the
 14 morning. I hope, Mr Armstrong, by setting that time
 15 that's not causing any inconvenience to them?
 16 MR ARMSTRONG: No, sir, I think that's perfectly fine.
 17 JUDGE LUCRAFT: Thank you. I'll rise.
 18 (2.59 pm)
 19 (A short break)
 20 (3.13 pm)
 21 (In the presence of the jury)
 22 JUDGE LUCRAFT: Yes, Mr Hough.
 23 MR HOUGH: The next witness is PC Ian Oakley.
 24 PC IAN OAKLEY (sworn)
 25 JUDGE LUCRAFT: Good afternoon, Mr Oakley. If you wish to

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1 take a seat, please do so. The microphone on the desk
 2 will help to amplify your voice.
 3 In your absence, we've heard you referred to as
 4 "Annie", but we'll assume that you are Ian Oakley,
 5 rather than Annie.
 6 A. I am Ian Oakley, yes, sir.
 7 Questions by MR HOUGH QC
 8 MR HOUGH: Despite that introduction, could you still give
 9 your full name and rank for the court record?
 10 A. My name is Ian James Oakley, I am a police constable
 11 with Staffordshire Police, currently in the role of
 12 Prevent officer.
 13 JUDGE LUCRAFT: I'm just going to ask that the microphone is
 14 moved a little bit more directionally in front, that
 15 will probably help. Thank you.
 16 MR HOUGH: You have said you are a Staffordshire Police
 17 Prevent officer, part of the team working under
 18 Sergeant Forsyth in the period we're concerned with.
 19 A. That's correct.
 20 Q. And alongside PCs Hemmings and Barker in that team?
 21 A. That's correct.
 22 Q. When did you first join Staffordshire Police?
 23 A. I joined Staffordshire Police in March 2003.
 24 Q. Did you then proceed to work as a neighbourhood officer
 25 and a response officer for 12 years?

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1 A. I did, yes.
 2 Q. Did you then join the Prevent Team in 2015 when
 3 PS Forsyth was already heading it?
 4 A. That's correct.
 5 Q. Like the other officers in the team, did you receive
 6 training in the Prevent strategy?
 7 A. I did, yes.
 8 Q. Did you also receive the training in the work of the
 9 Counter-Terrorism Unit at West Midlands Police?
 10 A. I did, yes.
 11 Q. Now, we know that in 2015 the Prevent Team was given the
 12 role of managing terrorist offenders in the community
 13 who were subject to part 4 notification requirements.
 14 Did you receive any training specific to that role?
 15 A. No.
 16 Q. What, in practice, did the management of such offenders
 17 require?
 18 A. It was around about the notification of part 4
 19 offenders, going to visit them, and, like I say, making
 20 sure that they complied with those notification
 21 requirements.
 22 Q. Was any part of your role to report back from those
 23 meetings?
 24 A. Yes, yes, we would report back via Staffordshire Police
 25 Intelligence Network. We didn't have access to ViSOR at

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1 that point, we had that later, so we would use that, or
 2 we would obviously give an update to Special Branch on
 3 what had gone on.
 4 Q. And the updates to Special Branch, would those be in the
 5 form of emails?
 6 A. Generally, but there were some verbal conversations that
 7 would take place as well.
 8 Q. The first offender managed by your team was
 9 Mohibur Rahman from 2015; did you have any involvement
 10 in managing him?
 11 A. I was on the team at that time. Most of the management
 12 was done by Sergeant Forsyth, however, when he did
 13 breach, I took on the role of putting the file together
 14 for that, as I was the officer that had been doing
 15 general duties and knew all the systems that we were
 16 using at the time.
 17 Q. So you helped gather evidence for the prosecution?
 18 A. That's correct.
 19 Q. Did you or your colleagues feel that you were equipped
 20 to do that role of managing terrorist offenders,
 21 ensuring they complied with their part 4 requirements
 22 and preparing these reports?
 23 A. Yes, along the general policing line. As I say, we had
 24 no specific training, so we did look for some guidance
 25 on how we were filling out those reports, you know, we

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1 never received anything back to say that we were doing
 2 it wrong or that it was not good enough, so I think
 3 I was fairly comfortable as it went on that we were
 4 doing the right thing.
 5 Q. In late 2018 were you told that your team was going to
 6 be managing another terrorist offender subject to part 4
 7 requirements, Usman Khan?
 8 A. Yes.
 9 Q. What were you told about him?
 10 A. We were told that he had been released from prison,
 11 obviously at the end of his sentence, or mid-way during
 12 his sentence, and he was going to be released on
 13 licence, and that obviously he was going to be on part 4
 14 for the next 30 years.
 15 Q. In the statement you made to the police about a week or
 16 so after the attack, you said that you had an idea of
 17 his offences but no detail; is that right?
 18 A. Yes, that's correct. I was working in the area of his
 19 arrest at the time on general duties as a police
 20 officer, so I was aware of something that had gone on
 21 then, but I wasn't fully aware of what the actual
 22 offences were.
 23 Q. In your witness statement to the IOPC, much more
 24 recently, earlier this year, you said that you had been
 25 made aware that Khan held extreme views in prison until

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1 about 18 months prior to release, and that in general
 2 terms he hadn't been compliant in prison; is that right?
 3 A. Yes, that's correct, yes.
 4 Q. Who told you that?
 5 A. As I recall, I think it was probably Sergeant Forsyth,
 6 and that was a discussion we would have had prior to him
 7 coming out.
 8 Q. Did you then proceed to do the job of managing
 9 Usman Khan, having meetings with him from time to time,
 10 usually with a colleague alongside you?
 11 A. That's correct.
 12 Q. After those meetings, did you have access to the ViSOR
 13 system which you could use to post your reports?
 14 A. Personally I didn't get my access to ViSOR until
 15 the March of 2019. Prior to that, I think it was only
 16 Sergeant Forsyth who had the access.
 17 Q. So did you, prior to the March, put your reports on to
 18 the SPIN network?
 19 A. I put them onto SPIN and then probably an email to
 20 Sergeant Forsyth, who would then put those reports on.
 21 Q. He put them onto ViSOR after the email had been sent to
 22 him?
 23 A. Yes.
 24 Q. When you were attending these meetings, what were you
 25 looking to get from them? What information were you

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1 looking to obtain?
 2 A. Obviously whatever -- we were looking that he was
 3 complying with his notifications, general things around
 4 his licence, was there anything around his licence that
 5 he was doing or shouldn't be doing, and generally
 6 building up a rapport. Certainly early on, as I say, we
 7 were going to have him for 30 years, this was going to
 8 be an ongoing thing, so it was to build up that rapport,
 9 and get to know him so we can make those assessments
 10 later on.
 11 Q. Now, we know, we've heard from Sergeant Forsyth, that he
 12 was collected from HMP Woodhill on 24 December 2018; did
 13 you go along to collect him?
 14 A. I did, yes.
 15 Q. Was that your first meeting with him?
 16 A. It was, yes.
 17 Q. How did he seem on that meeting?
 18 A. He was fairly upbeat, obviously he had just been
 19 released from prison, as you can imagine, and he was
 20 fairly talkative in the back of the car. He was
 21 positive, looking forward to continuing with his changes
 22 in his life.
 23 Q. And then I think your next visit to see him was
 24 three days later on 27 December 2018; is that right?
 25 A. I believe so, yes.

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1 Q. We can put on screen the ViSOR notes, {DC7538/76}. Do
 2 we see here an entry describing that visit at the
 3 approved premises, recording that Khan was happy to sit
 4 down and chat to the officers. He had been getting on
 5 well since arriving there and had been visited by one of
 6 his brothers.
 7 A. That's correct.
 8 Q. Then {DC7538/74}, please. Did you visit him again with
 9 PC Barker on 31 December 2018, so again, just a few days
 10 later?
 11 A. Correct.
 12 Q. Can we see from your report that you were sorting out
 13 issues with his mobile phone, that there was a problem
 14 that it had internet connectivity whereas he wasn't
 15 allowed to use the internet?
 16 A. That was correct, yes.
 17 Q. What did you do about that?
 18 A. We tried to source him a phone without that internet
 19 connectivity.
 20 Q. What was his attitude when you did that for him?
 21 A. He was grateful for that. He required his -- he wanted
 22 his phone so he could obviously talk to his family, but
 23 he was very wary obviously that that had got that
 24 internet browser on there and he didn't want to breach
 25 either his licence or his part 4 at that point in time.

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1 Q. And then I think you visited again early in January on
 2 7 January and 14 January 2019 with Sergeant Forsyth?
 3 A. Yes.
 4 Q. We've addressed those visits with him, but is it right
 5 that in the course of the first of those visits, there
 6 was another concern raised about the web browser on the
 7 phone? We can look at that if we need to, it's
 8 {DC7538/72}, a visit on 7 January 2019. The report
 9 records that, once again, the phone was handed over,
 10 Sergeant Forsyth went through the settings and turned
 11 off the data connections, but the browser couldn't be
 12 permanently disabled?
 13 A. That's correct, yes.
 14 Q. Then do you remember a week after that, going to see him
 15 and taking him to see the mosque he was going to be
 16 using?
 17 A. No, I don't believe I did that visit.
 18 Q. Go to {DC7538/71}, please. And the previous page,
 19 {DC7538/70}, a visit of 14 January 2019, refers to you
 20 and PS Forsyth going to show him where the local mosque
 21 was located. Over the page to {DC7538/71}.
 22 A. We may have driven past where the mosque was located.
 23 I don't believe we visited the mosque.
 24 Q. I see, I see, so it was just pointing it out to him?
 25 A. I believe so.

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1 Q. And then later that month on 30 January 2019, if we go
 2 to page 67, we will see the report of you visiting the
 3 approved premises, discussing, amongst other things,
 4 a driving licence application; do you remember that?
 5 A. Yes.
 6 Q. Then towards the bottom of the page, there's a record of
 7 Usman Khan talking about his transformation in prison,
 8 the great change he had undergone in prison. Do you
 9 remember that being a regular theme that he returned to?
 10 A. Yes, I do, yes.
 11 Q. Then {DC7538/65}, please. This is a record of a visit
 12 on 6 February 2019, and you record a discussion of some
 13 new headphones he had, contact with his family, him
 14 wanting to attend a gym, plans to stay in Stafford and
 15 so on?
 16 A. Yes.
 17 Q. If we go down the page we see that he said towards the
 18 end of your report, or he is recorded towards the end of
 19 your report as saying that he is never going back to
 20 prison.
 21 A. That's correct.
 22 Q. There were then, I think, a series of further visits you
 23 had between March and May 2019, which we've addressed
 24 with others: 27 March, 10 April, 26 April, and 10 May.
 25 In that period through the spring and into the

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1 summer 2019, do you remember any cause for concern about
 2 Usman Khan?
 3 A. No, I don't.
 4 Q. Then on 12 June 2019, did you accompany Usman Khan on a
 5 visit to Whitemoor Prison for a Learning Together event?
 6 A. I did, yes.
 7 Q. What did you understand was the purpose of you being
 8 there?
 9 A. Could you repeat that question, please?
 10 Q. What did you understand the purpose of you being there?
 11 A. It was to escort him and it was really about his
 12 welfare, to actually take him down there, to deliver him
 13 to the prison so he could go and do the meeting or the
 14 event, and then we were going to bring him back to
 15 Stafford.
 16 Q. When you were taking him back from that event, how did
 17 he come across, how did he seem to feel?
 18 A. He was happy, he was upbeat. He always felt quite
 19 positive about Learning Together, engaging with them.
 20 Q. I think later in June you had a telephone call with him
 21 which you recorded on the system, page 45, please. The
 22 record records that due to being unable to visit
 23 a telephone conversation was had with Usman Khan at
 24 1.00 pm on 28 June, that he was positive, having
 25 attended a construction skills course, he had seen

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1 promising job leads, and was hoping to do a course on
 2 driving dumper trucks.
 3 A. That's correct.
 4 Q. Also that he was interested in work within Intensive
 5 Engagement?
 6 A. That's correct, yes.
 7 Q. So signs of optimism about his future career prospects?
 8 A. That's correct.
 9 Q. Then I think you visited the approved premises with PS
 10 Forsyth in August 2019, on 15 August, and you were also
 11 involved in a visit to see Usman Khan shortly before he
 12 moved house?
 13 A. I believe so.
 14 Q. I would then like to ask you in a little more detail
 15 about two visits you had after he moved house, first of
 16 all {DC7538/34}, please, on 31 October 2019. Do you
 17 recall having a first visit to see Usman Khan in his new
 18 flat towards the end of October?
 19 A. I do, yes.
 20 Q. When you arrived at his flat on that occasion, how was
 21 he?
 22 A. I believe this is one where we'd actually woke him up in
 23 the morning; is that correct, yes?
 24 Q. That's the one.
 25 A. Yes, so he came down dressed as described, he was happy

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1 to have us there, as I say, he was a bit sleepy, but he
 2 was happy to have us there, showed us around the flat
 3 and we had a conversation.
 4 Q. The report recorded that there were a lot of Xbox games
 5 and DVDs there. Was that something striking, something
 6 unusual?
 7 A. I noticed it because when we walked into the living room
 8 his TV was in one corner, then there was a large line of
 9 DVDs and Xboxes, so I made a comment about: you've got
 10 quite a few Xboxes and DVDs at the time, yes. That did
 11 stand out, it was just the way they were stored at the
 12 time it really stood out to me.
 13 Q. Did he say anything about that, about his use of them?
 14 A. He said that's what he likes to spend his time doing,
 15 playing games and watching DVDs.
 16 Q. Is that why the report records that he spent a lot of
 17 his time playing and watching them?
 18 A. That's correct.
 19 Q. In this report, it's recorded that he was having
 20 difficulties with his search for work because of not
 21 having a mentor who could give him access to the
 22 internet. How did he seem to feel about that? How did
 23 he express that concern?
 24 A. It was just -- it was a question that was asked, whether
 25 he was -- about his employment, and he just obviously

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1 offered up that he was struggling at the moment, the
 2 mentor was not there to help him get online. Most of
 3 the jobs he was trying to get were going online, that's
 4 where he was looking for his work, so he was struggling
 5 actually getting to look for jobs.
 6 Q. Was there anything about this visit that troubled you,
 7 that made you think Usman Khan needed watching more
 8 closely or gave rise to concern?
 9 A. Not really, no.
 10 Q. Then finally a visit on 14 November 2019. Do you recall
 11 going along on that day with PC Hemmings, having been
 12 tasked to take photographs of Khan's Xbox games on that
 13 occasion?
 14 A. I do, yes.
 15 Q. Did you know what the reason was for you having been
 16 tasked with that job?
 17 A. I didn't know the reason, no.
 18 Q. Now, once again, you were in the flat for a little over
 19 10 minutes on that occasion, is that right?
 20 A. That's correct.
 21 Q. If you go to page 32, we can see your report
 22 {DC7538/32}. How did Khan seem when you arrived on this
 23 occasion, rather later in the morning?
 24 A. Yes, happy to see us again. There was no real issues
 25 with having us in the flat. I would say normal, normal

1 Usman.
 2 Q. And as Mr Hemmings has confirmed, the conversation
 3 covered the search for work, the problem with not having
 4 internet access, the forthcoming trip?
 5 A. That's correct.
 6 Q. Did you then raise with him the photographing of the
 7 Xbox games?
 8 A. Yes, I did. I believe that we'd been tasked with making
 9 a list of DVDs and Xbox games. I decided that the
 10 quickest, most efficient way of doing that would be to
 11 actually photograph those titles, so yes, I had that
 12 conversation with him that this is what I'd been tasked
 13 to do and this is the way that I'd like to do it, and
 14 would he allow me to do it.
 15 Q. How did he respond?
 16 A. He was not happy about it, he did raise concerns. He
 17 did ask whether it was to do with his licence or his
 18 part 4 notifications, I explained that it wasn't, it was
 19 a task that I'd been given and I would like to achieve
 20 it.
 21 Q. After you had taken those photos, what did he say?
 22 A. He asked us to leave.
 23 Q. Did he raise that, or did you raise it?
 24 A. I believe he raised that.
 25 Q. Was that immediately after you had taken the photos?

1 A. Pretty much, yes.
 2 Q. Did this reaction surprise you or make you think you
 3 were seeing a different aspect of Usman?
 4 A. It didn't surprise me. He wasn't angry, he was just
 5 a bit disappointed that, you know, that this had
 6 happened. He wasn't aggressive, he showed no malice
 7 towards us. He asked for Sergeant Forsyth to give him
 8 a call but, no, it didn't spark an immediate concern
 9 with me, it was just that he was upset.
 10 Q. Do you recall him saying that he was going to speak to
 11 his lawyers about it?
 12 A. I do, yes.
 13 Q. Do you recall him saying anything else about the
 14 request?
 15 A. Not off the top of my head, no.
 16 Q. Other than that, did you notice anything striking about
 17 the flat when you went round, anything unusual?
 18 A. It was in darkness again. I believe the Xbox games had
 19 now been put into a large storage box rather than being
 20 along the wall, but no, nothing unusual that would cause
 21 me concern, no.
 22 Q. And wasn't it unusual that the flat was in darkness at
 23 11.48 in the morning?
 24 A. As a police officer I visit many people's homes and
 25 people live in different ways.

1 Q. But that would suggest that he really was closing
 2 himself in, wouldn't it?
 3 A. That's one way of looking at it.
 4 MR HOUGH: Thank you very much. Those are all my questions.
 5 Questions by MR ARMSTRONG
 6 MR ARMSTRONG: Thank you. PC Oakley, my name is
 7 Nick Armstrong and I ask questions on behalf of the
 8 family of Jack Merritt.
 9 Can I just ask you one thing: PC Hemmings just told
 10 us that there was a feeling within the team that you
 11 should not be doing this role, that it was
 12 an inappropriate role. You just told my learned friend
 13 Mr Hough that you did feel equipped to do it, you said
 14 you felt equipped, you felt on a general policing line,
 15 you did look for some guidance but you didn't receive
 16 anything back to suggest you were doing it wrong?
 17 A. That's correct.
 18 Q. Can I just say -- put some phrases to you that you used
 19 in your witness statement about this subject. Can
 20 I show you your first witness statement which was taken
 21 immediately after the attack, so this was on
 22 5 December 2019, and this is {WS0258/2}, please, and
 23 I want the second half of that page if that's okay:
 24 "I have not been given any specific training in how
 25 to manage offenders or Part 4 nominals or how to carry

1 out risk assessments in this field of working. I am
 2 aware that questions have been regularly asked in our
 3 office --"

4 That must be the office that the four of you occupy?

5 A. That's correct.

6 Q. "... as to why Team 7 did not take on these nominals.
 7 I was also present at an awareness event for Team 7 and
 8 the question was asked there why they did not have
 9 control of Staffordshire's Part 4 nominals. There was
 10 no answer given to this question at the time due to the
 11 officer giving the talk being at the rank of DC."

12 So that looks like you are raising a "why us"
 13 question?

14 A. Yes, and again, that really goes back to the fact that
 15 we have another role.

16 Q. Yes.

17 A. And as you're aware, we had more part 4 offenders coming
 18 to us.

19 Q. Yes.

20 A. And therefore, that was impacting on --

21 Q. Indeed.

22 A. -- our Prevent role. So that would be where the concern
 23 comes from. We were aware that Team 7 existed, we were
 24 aware what Team 7's role was, and the question was: they
 25 are a regional asset, why are they not carrying out this

1 regional role.

2 Q. You gave another witness statement closed to today, this
 3 is on 2 February 2021, can I have that up, please,
 4 that's {WS5039/1}. Then can I have a look at
 5 {WS5039/7}, please. So top half of this, thank you.
 6 This is talking about Mr Rahman:
 7 "We [believed] that this previous offender had
 8 breached his notification requirements ... there was
 9 another investigation going on around him. As a result
 10 of that, we became aware that Team 7 had management of
 11 Part 4s in the region, but I have never been privy to
 12 any conversations as to why Team 7 didn't have control
 13 over the people in Staffs. The impression I got
 14 (I'm not sure if it's correct) is that they felt we live
 15 near the offenders so it's easier for us, they seemed
 16 unwilling to do the visits. When it was brought up at
 17 a presentation as to why Team 7 didn't do it, the
 18 response was 'we just don't'."

19 Can I just go to the bottom of {WS5039/8}, please,
 20 Second half, thank you:
 21 "In terms of the lack of training, it was really
 22 that we felt unaware of what the role was supposed to
 23 be, and whether we were carrying it out correctly. We
 24 never got any confirmation that we were doing the right
 25 thing. We were just doing our visits, writing them up,

1 and sending them off. Sometimes we may have had some
 2 tasking or been asked to check something, but that
 3 didn't happen often, the role for us wasn't really any
 4 more than having a chat. There just wasn't any
 5 framework to say what was expected of us. It wasn't the
 6 case that we didn't know what we were doing, we are very
 7 used to engaging with people through the policing [side]
 8 and the Prevent role, so we just did that. There was
 9 just a lack of framework to say what we should be doing.
 10 There are no policies that I'm aware of in relation to
 11 managing part 4 offenders."

12 So, again, in your first witness statement when your
 13 memory is fresh, or indeed in the mature reflection of
 14 your second witness statement, you are saying the same
 15 thing: these conversations are happening, why are we
 16 doing this, it is different to our usual role, what's
 17 the framework, what's the training?

18 A. Yes.

19 MR ARMSTRONG: Yes, thank you very much. I've got no
 20 further questions.

21 JUDGE LUCRAFT: Thank you, Mr Armstrong.

22 Questions by MR BOYLE QC

23 MR BOYLE: Good afternoon, officer. You probably know by
 24 now I ask questions on behalf of Staffordshire Police
 25 generally.

1 A. Yes, sir.

2 Q. Can we have up on screen {WS5039/12}, and after that
 3 period of mature reflection that Mr Armstrong referred
 4 to, if we look at the last paragraph of the last and
 5 most recent statement you have made about your
 6 involvement, you said this:
 7 "I can't think of anything that I could have done
 8 differently with respect to Usman Khan."
 9 And do you stand by that?

10 A. I do, yes.

11 Q. And so, notwithstanding the observations that you made
 12 in statements which Mr Armstrong has just taken you to,
 13 was the position this: that you undertook engagements
 14 with Usman Khan on a relatively regular basis over the
 15 course of the 10 or 11 months or so that you were
 16 involved?

17 A. That's correct.

18 Q. And you reported back in as much detail as you thought
 19 was appropriate in relation to those engagements?

20 A. I did, yes.

21 Q. Things some people might think of as mundane as what
 22 sort of clothing he was wearing and other similar kinds
 23 of issues?

24 A. Yes, correct.

25 Q. And in terms of your background and experience, can we

1 just have up on the screen, please, {WS0258/1}. And if
 2 we can have the bottom half of the page, please. We can
 3 see about eight lines up from the bottom of the page, in
 4 terms of your role with Prevent — and I appreciate the
 5 difference between the two, as most of us will now be
 6 familiar with, the kind of thing that you were doing as
 7 a police officer, I just want to get a feel for that.
 8 So here you described part of your role was:
 9 "To provide strategic and tactical briefings to
 10 police officers, police staff, agency partners and
 11 stakeholders to increase awareness and understanding of
 12 counter—terrorism and extremism issues."
 13 Yes?
 14 A. That's correct.
 15 Q. It would be naïve and probably inaccurate to describe
 16 you as a neighbourhood police officer or as a community
 17 police officer, wouldn't it?
 18 A. Well, I believe as a police officer we are those things
 19 anyway —
 20 Q. Of course.
 21 A. — but in my current role, I do have a different role,
 22 yes.
 23 Q. Yes, and it's a different role and it is quite a
 24 specialised and specific role in its focus towards
 25 extremism and counter—terrorism issues, isn't that

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1 right?
 2 A. That's correct. That line there is about educating our
 3 partners and our police colleagues about Prevent and how
 4 they can engage with Prevent and how to make referrals,
 5 and what they can expect from us.
 6 Q. And do you agree with the description that's been given
 7 hitherto about the nature of the team that you worked in
 8 in Prevent as being a friendly, open team, good
 9 communication?
 10 A. That's correct, yes.
 11 Q. And in terms of your ability to communicate with Special
 12 Branch, you knew DI Powell; is that right?
 13 A. I did, yes.
 14 Q. And I understand you had a good working relationship
 15 with DI Powell in terms of communication backwards and
 16 forwards with him?
 17 A. I've always found DI Powell one of those "My door is
 18 always open", and you can go and have a conversation
 19 with him.
 20 Q. And presumably you had an equally good working
 21 relationship with your sergeant, Sergeant Forsyth?
 22 A. That's correct.
 23 Q. If you wanted to raise any concerns about what you were
 24 doing or your ability to do it, you would have raised it
 25 with either one or both of them?

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1 A. Yes.
 2 Q. Can you remember raising it with either one or both of
 3 them in relation to how you were carrying out your role
 4 in relation to Mr Khan?
 5 A. I don't remember anything necessarily in relation to
 6 DI Powell, but with Sergeant Forsyth, yes, we would have
 7 done, we would have had conversations in that office
 8 about why we were doing it, for the reason I've already
 9 explained.
 10 Q. For the reason you've already explained, and you knew
 11 that in fact coming down the track there might be more
 12 offenders coming out?
 13 A. That's correct.
 14 Q. Why aren't Team 7 handling this?
 15 A. Yes.
 16 Q. And you know that in fact that was something which was
 17 then picked up; is that right?
 18 A. Yes.
 19 Q. And then finally this: in terms of you being aware of
 20 there being an underlying or an ongoing operation or
 21 investigation in relation to Mr Khan, was it your
 22 understanding that if there was such an investigation,
 23 that would be being managed by others, ie not Prevent,
 24 so some other entity, as it were?
 25 A. Yes. I would — I was aware that any operation would be

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1 managed by Special Branch, CTU upwards.
 2 Q. Yes, so your understanding as a police officer working
 3 in this field, you would know that if there was any
 4 ongoing operation it wouldn't just be being managed by
 5 Special Branch, that there was a real possibility that
 6 there would be others, such as the regional leads of
 7 West Midlands Counter—Terrorism?
 8 A. Yes, I would imagine that West Midlands
 9 Counter—Terrorism policing would be involved in anything
 10 that Staffordshire Police Special Branch were doing.
 11 Q. And potentially one step further up the food chain, MI5?
 12 Potentially?
 13 A. Possibly.
 14 MR BOYLE: Yes. Thank you very much, those are all my
 15 questions, thank you.
 16 Questions by MR BAUMBER
 17 MR BAUMBER: Do you recall whether an issue with Khan's
 18 passport was about him giving it up or authorities
 19 taking it away from him?
 20 A. I do remember at one of the notification periods, they
 21 filled out the notification forms, there was
 22 a conversation following recent news reports where
 23 people had been convicted or involved in terrorism
 24 offences abroad had been subject to having their
 25 passports removed, their British citizenship removed,

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1 and he raised that, you know, would he have his British
 2 citizenship removed, and he seemed to worry about that.
 3 MR BAUMBER: I have no further questions, thank you.
 4 MR HOUGH: PC Oakley, that's all we have for you. Thank you
 5 very much for coming to give evidence.
 6 A. Thank you.
 7 JUDGE LUCRAFT: Thank you very much.
 8 PC VICTORIA BARKER (sworn)
 9 JUDGE LUCRAFT: Good afternoon, officer. If you wish to
 10 take a seat, please do so. The microphone on that desk
 11 will also help to amplify your voice.
 12 A. Thank you.
 13 Questions by MR HOUGH QC
 14 MR HOUGH: Would you please give your full name and rank for
 15 the court?
 16 A. Yes, PC Victoria Louise Barker, Staffordshire Police.
 17 Q. PC Barker, you understand I'm asking questions first on
 18 behalf of the Coroner and then you may have questions
 19 from some other lawyers. You told us that you're a PC
 20 in Staffordshire Police. Were you, over the period
 21 we're concerned with, a member of the Prevent Team under
 22 PS Forsyth, working with PCs Hemmings and Oakley?
 23 A. I was, yes.
 24 Q. When did you first join Staffordshire Police?
 25 A. It was in 2001.

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1 Q. In the first 10 or 11 years of your time in the force,
 2 did you work mainly in frontline and response policing?
 3 A. Yes, I did.
 4 Q. When did you first join the Prevent Team?
 5 A. In 2013.
 6 Q. What training did you undertake specifically for that
 7 role?
 8 A. At the time there was no national course, we used to go
 9 down to the CTU, ad hoc days to complete awareness
 10 training of different departments, what our role was,
 11 and sort of different ad hoc days like that.
 12 Q. Did you, like other members of the team, have a training
 13 course about the work of the Counter-Terrorism Unit?
 14 A. Yes.
 15 Q. Do you recall in 2015 Prevent being given the role of
 16 managing terrorist offenders in the community who were
 17 being released and were subject to the part 4
 18 requirements?
 19 A. Yes, I do.
 20 Q. Did you receive any training for that role?
 21 A. No, I didn't.
 22 Q. What was the feeling among the team generally about that
 23 role having been given to you and your colleagues?
 24 A. At the time, the office was very different. We
 25 worked -- Sergeant Forsyth worked centrally from

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1 headquarters and the officers worked at different
 2 departments. I was based in the north of the county
 3 with another officer who doesn't work for
 4 Staffordshire Police anymore, he's retired, so we
 5 weren't involved in any of the major conversations and
 6 because the subject who was released at that time was
 7 north of the county, I believe I went on a couple of
 8 visits with Sergeant Forsyth to see that subject and
 9 that was sort of what my involvement was, just to attend
 10 the meetings. I didn't report back, I just attended
 11 those visits.
 12 Q. Could you either move yourself closer to the microphone
 13 or move the microphone closer to you. It's a big room
 14 to fill.
 15 A. Sorry.
 16 Q. That's better.
 17 In your first witness statement on the second page,
 18 you say that you're aware that it had been raised by the
 19 department team that the new role was at odds with your
 20 general role, although it was the same stream of work,
 21 that's to say CTDE, counter-terrorism and domestic
 22 extremism; do you remember that being a subject of
 23 discussion?
 24 A. Yes, I do.
 25 Q. What was the explanation of what you would have to do in

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1 practice when managing these offenders?
 2 A. I think to be fair it was a general conversation
 3 of: although it's not a Prevent role, because Prevent's
 4 pre-criminal and a lot lower risk, the general role for
 5 us is to go along and have a chat with somebody, engage,
 6 build rapport and report back.
 7 Q. So you understood the job to be to go, have a chat with
 8 somebody, establish a bit of a rapport, and report back?
 9 A. Yes.
 10 Q. And, indeed, that's what you say in your second witness
 11 statement: that you didn't find this a new or difficult
 12 role because it was still just going to have a chat with
 13 someone?
 14 A. Yes, correct.
 15 Q. Did you understand that your reports from meetings with
 16 Usman Khan needed to address anything in particular?
 17 A. If something had been asked of us to report on,
 18 otherwise it was just a general report of what we found,
 19 what we observed, how we felt, I always tried to put
 20 some emotion into those reports to show his demeanour.
 21 Q. Before Usman Khan, the team was responsible for managing
 22 Mohibur Rahman for a period from 2015. Did you have any
 23 dealings with him?
 24 A. Yes, I did.
 25 Q. Did you perform a similar role with him, going and

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1 seeing him periodically, reporting back?
 2 A. I went on two visits that I can remember. I didn't make
 3 a report back. I went on those visits with
 4 Sergeant Forsyth.
 5 Q. Moving on a few years from Mohibur Rahman to late 2018,
 6 were you told about the next terrorist offender to be
 7 managed in this way by your team, Usman Khan?
 8 A. Yes, I was.
 9 Q. What were you told about him and his background?
 10 A. That he was a convicted TACT offender, he was coming out
 11 into the Staffordshire area to be housed in Stafford and
 12 that we would be involved in the management of his
 13 part 4 and licence conditions.
 14 Q. No further information than that?
 15 A. Not really, no.
 16 Q. Did you think you had enough information?
 17 A. It comes back to what you have to know and what you need
 18 to know. I felt, upon reflection, it would have been
 19 nice to have known the details of his offending. I felt
 20 that I learnt more from Usman himself than from any
 21 briefing.
 22 Q. And again, that's something you say in your witness
 23 statement, you describe it as a bug bear of yours --
 24 A. Yes.
 25 Q. -- that you weren't told anything about him and

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1 discovered his background from Usman himself?
 2 A. Yes, that's correct.
 3 Q. After you had had a meeting with him, what would you do
 4 by way of recording it and passing it on to others?
 5 A. Myself, we would write an email, or I would write
 6 an email report, send it into Special Branch, ask them
 7 what they wanted out of that report so there was no
 8 duplication, and then transfer that on to SPIN, the
 9 Staffordshire Police Intelligence Network.
 10 Q. Would you also have discussions with either PS Forsyth
 11 or other members of your team about the visits to share
 12 views on how Usman was progressing?
 13 A. Yes.
 14 Q. Did you have any discussions with members of
 15 Staffordshire Special Branch, people down the corridor,
 16 about Khan's progress and how he was coming across at
 17 the various meetings?
 18 A. Yes, I did, yes.
 19 Q. What did you see as the function of passing these
 20 reports to Special Branch?
 21 A. That they would then disseminate those reports further
 22 up the food chain into people who were building the
 23 bigger picture, that we were just a small part of the
 24 intelligence picture.
 25 Q. You describe it in your witness statement as "Feeding

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1 the CT machine", the counter-terrorism machine?
 2 A. Yes.
 3 Q. May we move on, then, to your visits to see Usman Khan.
 4 I think you had a number of meetings with him between
 5 the end of December 2018 and February 2019?
 6 A. Yes, correct.
 7 Q. Did you participate in a meeting three days after his
 8 release, going to see him at the approved premises?
 9 A. Yes, I did.
 10 Q. Was that the first time you met him?
 11 A. Yes, it was.
 12 Q. What did you think of him?
 13 A. I was shocked. I was not expecting what spoke to us.
 14 I don't know, I think being a police officer, you're
 15 sort of used to people being quite aggressive towards
 16 us, and quite anti-police. He wasn't like that at all.
 17 He was very welcoming, he was very open, he shook my
 18 hand. Yes, he was -- he was quite friendly.
 19 Q. Did you also have expectations about the sort of person
 20 an Islamist extremist might be?
 21 A. Yes, and he didn't fit that bill in my head.
 22 Q. In what way?
 23 A. I just thought he was going to be very anti-police, very
 24 anti-authority, very aggressive, not wanting any support
 25 from us, and he was the complete opposite of everything

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1 I thought.
 2 Q. As we've seen from others at that first meeting he spoke
 3 in positive terms and also discussed his offences and
 4 convictions; is that right?
 5 A. Yes, he did, yes.
 6 Q. Did he also say anything about those he had been
 7 convicted with on that occasion?
 8 A. I know I've had a conversation with him where he spoke,
 9 but I don't remember if it was on that date, about when
 10 he spoke of how he felt that he'd been hung out to dry
 11 by the group he was convicted with, and he was the
 12 younger member of the team and he sort of -- he felt
 13 a little bit of entrapment had gone on.
 14 Q. In your witness statement you describe him saying that
 15 others had betrayed him by making deals?
 16 A. Yes, that's correct, yes.
 17 Q. Did you then visit again a few days later, New Year's
 18 Eve, 31 December 2018, along with PC Oakley?
 19 A. Yes, I did.
 20 Q. Do you recall on that occasion sorting out some problems
 21 with his mobile phone, which had internet connectivity,
 22 and of course he wasn't allowed to use the internet?
 23 A. Correct.
 24 Q. Was your third meeting a visit to a café, alongside
 25 PC Hemmings, on 23 January 2019 --

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1 A. Yes, correct.
 2 Q. -- towards the end of January? And we've seen from the
 3 record of that visit that he expressed his contentment
 4 with staying in Stafford, and mentioned something about
 5 how he'd kept himself to himself at the probation
 6 hostel?
 7 A. Yes.
 8 Q. What did you take from him about his plans for the
 9 future, both medium term and long term?
 10 A. I think, to be fair, he'd only just come out of prison.
 11 When he went in prison he was very young, he hadn't
 12 really lived a lot of his life. I felt he was a bit
 13 lost, a little bit -- how would he know how to plan?
 14 How would he know what he wanted to do? How was he
 15 going to move forward?
 16 Q. And I think there was a fourth meeting you had with him
 17 on 6 February, which involved him discussing some new
 18 headphones --
 19 A. Mm.
 20 Q. -- and that he was looking at vocational courses. As we
 21 saw with Mr Oakley, he said in fairly dramatic terms
 22 that he wasn't going back into prison.
 23 A. Yes, correct.
 24 Q. You recall that. And then your final meeting with him
 25 in the early part of the year, I think, was towards the

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1 end of February, 27 February 2019, where there was some
 2 discussion of a new gym that he had joined?
 3 A. Yes.
 4 Q. Do you recall him saying anything about his disclosure
 5 of convictions to the owner of the gym?
 6 A. Yes, I did.
 7 Q. What did you and your colleagues take from that
 8 disclosure?
 9 A. Again, shocked that he would just find it okay to tell
 10 somebody, but at the same time, he put rationale behind
 11 it, the reason he did it was so he was upfront and
 12 honest.
 13 Q. And did he once again, according to your report, stress
 14 that he wouldn't make any further mistakes because he
 15 had paid an expensive price for his previous mistakes?
 16 A. Yes, he did, yes.
 17 Q. Is it right that it was he who kept raising the fact
 18 that he had changed, would not be going back to his
 19 former life?
 20 A. Yes.
 21 Q. Did all of this seem, as far as you could tell, entirely
 22 genuine?
 23 A. Yes.
 24 Q. Did you then have a period for which you had no dealings
 25 with Usman Khan, between the end of February and

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1 late September 2019?
 2 A. Yes, that's correct.
 3 Q. Why was that?
 4 A. I moved to a new role within the -- within
 5 Staffordshire Police on temporary promotion.
 6 Q. When you were returning, so towards the end
 7 of September 2019, did your colleagues give you any
 8 update about Usman Khan's progress?
 9 A. When I returned in September I hadn't actually returned
 10 to role, I was still completing my promotional role at
 11 the time. I didn't actually return back to the office
 12 until the middle of October.
 13 Q. Okay, in mid-October did you receive any update about
 14 Usman Khan's progress?
 15 A. From just general chat from the office, saying that he
 16 was still -- you know, because I was there, I helped
 17 [him move] house with Craig, with PC Hemmings. No
 18 formal conversation, because as the guys had it, they
 19 were sort of concentrating on that, and then I got on
 20 with the new caseload and carried the Prevent day-to-day
 21 work.
 22 Q. You told us that you moved back formally in October.
 23 You were, though, I think involved in helping Khan move
 24 house on 24 September?
 25 A. Yes, correct, yes.

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1 Q. We've heard from Mr Hemmings how that went: the two of
 2 you physically helping him to move house, helping him
 3 with his part 4 notifications, and helping with the move
 4 of the GPS tag base unit that day?
 5 A. Yes.
 6 Q. This was your first time of seeing him in seven months
 7 or so --
 8 A. Yes.
 9 Q. -- did you notice any change in his demeanour,
 10 presentation, appearance?
 11 A. I found him to be not as chatty. Obviously he was
 12 moving to a new premises. I just felt that he hadn't
 13 moved on, he had nothing else to talk about. But
 14 nothing -- nothing out the ordinary, no.
 15 Q. Would you have expected him to have something new to
 16 discuss after all these months?
 17 A. I knew from the guys in the office that he hadn't got
 18 a job or things like that, so I wasn't expecting him to
 19 talk about anything else, no.
 20 Q. When you went to the new flat, what was your impression
 21 of that and how he seemed to regard it?
 22 A. I think I was a little bit shocked because I thought it
 23 was quite a nice premises, and I wondered how he could
 24 afford it, because I know -- I've written in my
 25 statement that when I was a student, money didn't come

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1 that easily, I was a bit -- it was a nice big flat
 2 really. I thought it was beyond his means and beyond
 3 his needs.
 4 Q. After that encounter, did you ever see him again?
 5 A. Well, we went on to do the part 4 registration that day,
 6 but after that date, I don't believe so.
 7 Q. Pardon me, sorry?
 8 A. No, I don't believe I did.
 9 Q. Did you have a telephone call with him in
 10 early November 2019?
 11 A. I can't recall at the moment, no. Possibly. I think he
 12 rang -- yes, I think he rang the office, but I can't
 13 remember the reason why.
 14 Q. We can bring up your witness statement, {WS0260/8}, and
 15 this is part of a witness statement you made on
 16 4 December 2019, so presumably when these events were
 17 fresher in your mind.
 18 If you go down the page, after discussing the -- up
 19 a bit, please, so that we can see "The next time I spoke
 20 to Khan". Up a little bit.
 21 A. Yes.
 22 Q. You say this, after the house move:
 23 "The next time I spoke to Khan was on the telephone.
 24 It was a date I recall to be early November, the exact
 25 date I cannot be sure. I answered the office phone and

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1 Khan said words to the effect of: Hi, it's Usman. He
 2 asked how I was keeping and he said he was doing ok but
 3 needed to speak to [Calum Forsyth] about going to London
 4 and the possibility of someone travelling with him.
 5 I transferred the call to [Calum Forsyth]."
 6 Do you recall that being said?
 7 A. Yes, I do, yes.
 8 Q. Do you recall anything else about that conversation?
 9 A. No.
 10 Q. And then you say:
 11 "I was later made aware from [Calum Forsyth] that
 12 Khan was hoping to attend a conference of some sort with
 13 Cambridge University and the people who had been helping
 14 him during his time in prison. He was panicking about
 15 getting to London, he said he was concerned about
 16 getting the train by himself and being in London. I was
 17 aware that [Calum Forsyth] was going to speak to
 18 Probation and MAPPA about the conversation..."
 19 Is that how you recall the sequel to that
 20 conversation?
 21 A. Yes.
 22 Q. Between that call and the attack on 29 November 2019,
 23 did you have any further contact with Usman Khan?
 24 A. No, I didn't.
 25 Q. Did you learn anything more about him over that time?

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1 A. No, I didn't.
 2 MR HOUGH: Thank you very much. Those are all my questions.
 3 Questions by MR PITCHERS QC
 4 MR PITCHERS: Officer Barker, I'm Henry Pitchers, asking
 5 questions on behalf of the family of Saskia Jones.
 6 Just a few questions for you, please, and starting
 7 with the allocation of Khan to the Prevent Team. Could
 8 I have up, please, {WS5016/4}, the top half of that
 9 page, please. Now, this is a page -- it's page 4 of 15,
 10 from the witness statement that you provided to the
 11 IOPC.
 12 A. Okay.
 13 Q. Presumably it's a document with which you have some
 14 familiarity?
 15 A. Yes.
 16 Q. And if we look at the bottom paragraph as we look at it
 17 here, I just want to look at it in two parts, if I may.
 18 You say this -- and I should say at the start, I'm not
 19 in any way critical of -- this is obviously expressed in
 20 relatively conversational terms, but it perhaps reveals
 21 your thinking quite clearly.
 22 A. Yes.
 23 Q. So you said:
 24 "It felt a bit bizarre, that for someone who was so
 25 high up in the 'food chain' (Khan), we were trusted to

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1 'manage' him. This was someone who'd actually done
 2 something. I felt a bit privileged in a way."
 3 Does that accurately reflect your feelings when Khan
 4 was allocated to Prevent?
 5 A. Yes, it does, yes.
 6 Q. And so we understand it, when you talk about him being
 7 high up the food chain, you obviously don't mean that as
 8 complimentary?
 9 A. No.
 10 Q. What you mean is that he was such a serious offender?
 11 A. Yes, it's at odds with Prevent. Prevent don't deal with
 12 convicted TACT offenders.
 13 Q. You don't generally deal with convicted offenders at
 14 all?
 15 A. People can have convictions, criminal convictions, but
 16 not convictions for TACT.
 17 Q. Right. And was it the seriousness of his criminality
 18 that made you surprised that Prevent had been trusted to
 19 manage him, as you describe it?
 20 A. It was, yes.
 21 Q. And to continue this paragraph, you then say:
 22 "We didn't really get a response to any concerns we
 23 raised, we were just told to get on with it. We weren't
 24 given any specific tasking or set objectives for dealing
 25 with him, mostly just told, this is who he is, this is

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1 what he's done, as in he's been convicted of a terrorism
 2 matter."
 3 So what were the concerns that you had raised?
 4 A. How to go about it, because there was no guidance. It
 5 was a case of: it's not a Prevent role, however, go and
 6 be a Prevent officer with him, go and have a chat.
 7 There was no deviation from what I believe my role was,
 8 and yet I'm massively aware he's not a Prevent nominal,
 9 so it's just where is the guidelines written down, what
 10 do we do for this?
 11 Q. So the way you've expressed it, those are fundamental
 12 concerns about the job that you were being asked to do?
 13 A. Yes.
 14 Q. And when you say "We were just told to get on with it",
 15 who are we talking about? Who was it that told the
 16 Prevent Team just to get on with it?
 17 A. I think, to be fair, it was probably just us having
 18 a moan in the office, probably, in conversation, and
 19 then Sergeant Forsyth saying: we've been assigned it, we
 20 do it.
 21 Q. So your understanding was that he essentially had been
 22 told --
 23 A. Yes.
 24 Q. -- Prevent, you need to get on with this?
 25 A. Yes.

1 Q. And if we could turn on please, to {WS5016/13}, please,
 2 so we're getting towards the end of the statement, this
 3 is page 13 of 15, and the top half there, and the first
 4 sentence, and we're now moving right on to the day of
 5 the attack itself, you said:
 6 "On the day in question, I didn't have any knowledge
 7 that he was going to London. It was raised in the
 8 morning meeting, and none of PC Oakley, PC Hemmings or
 9 I knew he was going there."
 10 So did you have some awareness that there was
 11 an event in London coming up before 29 November?
 12 A. Yes, I did.
 13 Q. But you certainly weren't aware of the specific date?
 14 A. No.
 15 Q. And it didn't become clear to you in the days leading up
 16 to the event?
 17 A. Not to myself, no.
 18 Q. Prior to the morning?
 19 A. No.
 20 Q. And your understanding was that PC Oakley and
 21 PC Hemmings were in the same boat: that they had the
 22 same lack of knowledge about the date as you?
 23 A. To my understanding, yes.
 24 Q. The next paragraph you say this:
 25 "I wasn't involved in the planning of Khan getting

1 to London in any way. I know that we had been asked to
 2 accompany him. There had been phone calls to Calum
 3 which I had overheard in the office, I am not sure who
 4 from making the request. Calum had explained to us what
 5 had been requested for us to do, but there was no lawful
 6 right to do so."
 7 Could you just give us more detail as to what Calum
 8 said to you about what had been asked of the team, and
 9 why there might not be a lawful right to do what was
 10 being asked?
 11 A. That there had been a request that a couple of us go,
 12 take him down to the event, that Usman had rang and
 13 explained that he was a bit nervous about going to
 14 London, it was the first time to a big city. That was
 15 the kind of concerns that were being raised, and that
 16 there was no lawful right, as our role as part 4
 17 offender managers, it wasn't a task to escort him there,
 18 it was a request from Usman, and that isn't what we're
 19 there for.
 20 Q. Right. And did you understand what Calum meant by the
 21 suggestion there was no lawful right to do that?
 22 A. Yes, I did. There's nothing written in part 4 and there
 23 was no tasking come out of any meetings to say that we
 24 could take him. It was a request from Usman to make him
 25 feel more comfortable. At the end of the day, we are

1 public sector workers, how can we justify, in the
 2 cruelest possible sense, two police officers' time going
 3 all day, and the cost that implicates with that, and
 4 then the backlog onto our work. Who was going to
 5 justify us going and who was going to authorise us going
 6 for that, because there was no authority for us to do
 7 so.
 8 Q. All right. You then go on:
 9 "I would have expected to know the day that he was
 10 going to London."
 11 A. Yes.
 12 Q. So, in a sense, you were surprised that it came as
 13 a surprise that day?
 14 A. Yes. Exactly.
 15 Q. Why were you surprised by that? Was it because it was
 16 a significant event?
 17 A. Yes.
 18 Q. And you say:
 19 "It felt like a bit of a blow that we didn't when
 20 everyone else seemed to know."
 21 This might just be off the page, actually, in the
 22 middle. Yes, it's the top one as we're looking at it
 23 there. So you actually express it in those terms: it
 24 felt like a bit of a blow that everyone else knew and
 25 you didn't?

1 A. Yes, because out of everybody who was involved with him,
 2 we were the guys who had the face-to-face contact with
 3 him.
 4 Q. Yes. And at no point prior to the event were you aware
 5 how Khan was going get from the station in London to
 6 Fishmongers' Hall itself?
 7 A. I believe I was. Not on the actual specific date, but
 8 I know there had been discussion of somebody meeting
 9 him.
 10 Q. You say in the last sentence:
 11 "I had no knowledge of how he was getting from the
 12 train station to the event."
 13 A. Oh, sorry, I mean, as in I didn't know whether he was
 14 getting a taxi, who specifically was picking him up.
 15 I knew there had been a general conversation about
 16 someone meeting him, but I didn't know specifics.
 17 Q. But you weren't privy to the details of those?
 18 A. No, not at all.
 19 MR PITCHERS: Thank you. No further questions.
 20 Questions by MR ARMSTRONG
 21 MR ARMSTRONG: PC Barker, my name is Nick Armstrong, I ask
 22 questions on behalf of Jack Merritt's family. I have
 23 just one very short matter. It is about how the team
 24 saw itself. It was suggested to the last witness that
 25 it might be naïve and inaccurate to describe you as

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1 neighbourhood or community officers.
 2 A. Mm-hm.
 3 Q. Can I just put something on the screen, please. This is
 4 from the Temporary Chief Inspector in
 5 Staffordshire Police, Mr Hessel, can I have {WS5064/8}.
 6 I am not suggesting there is anything wrong with his
 7 characterisation at all, I just want your take on it.
 8 Can I have the second half of this, please. So that's
 9 talking about Special Branch, and then it talks about
 10 Prevent, and this is Chief Inspector Hessel says this:
 11 "As previously described, although the Prevent Team
 12 and Special Branch's work is related to matters of
 13 extremism and Counter-Terrorism, both roles are very
 14 different. As previously explained, Special Branch were
 15 essentially an intelligence function often dealing with
 16 sensitive information relating to national security
 17 concern.
 18 "The Prevent Team work to the objectives laid out in
 19 the national Prevent strategy which formed part of the
 20 wider Contest strategy whereas Special Branch's work
 21 falls under Pursue as an intelligence function. the
 22 Prevent Team were derived from neighbourhood officers
 23 and are very much 'front facing' with community
 24 engagement also forming a proportion of their work."
 25 You wouldn't disagree with any of that description

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1 and the difference between the two of you or the
 2 neighbourhood or community tags?
 3 A. No, I wouldn't.
 4 MR ARMSTRONG: No. Thank you very much. No further
 5 questions.
 6 JUDGE LUCRAFT: Mr Boyle.
 7 Questions by MR BOYLE QC
 8 MR BOYLE: Good afternoon, officer. As you know, I ask
 9 questions on behalf of Staffordshire Police generally.
 10 A. Okay.
 11 Q. Can we have on the screen, please, {WS5016/3}, and the
 12 bottom half of the page, please. Thank you. And if you
 13 look at the second last paragraph, officer, this is your
 14 witness statement, the one you made to the IOPC, and it
 15 says:
 16 "When we took on the role of managing part 4s, it
 17 didn't feel like a completely new role to me, there
 18 wasn't a massive swing of behaviour for us."
 19 Do you stand by that?
 20 A. Yes, I do.
 21 Q. And can we have {WS5016/2} of the same document, please,
 22 top half, the second paragraph begins "None of..." Do
 23 you see that?
 24 A. Yes, I do.
 25 Q. And if we scroll down to about four lines from the

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1 bottom of the paragraph, it says "in my opinion...", do
 2 you see that just indented?
 3 A. I do, yes.
 4 Q. "In my opinion, the experience of being a police officer
 5 and talking to people is more applicable to the Part 4
 6 role than any training."
 7 Do you stand by that?
 8 A. I do, yes.
 9 Q. Thank you. Can I ask you, please, to look at {WS5016/4}
 10 of the same statement, and bottom half:
 11 "I was fine with the fact that we didn't have [any]
 12 specific training, because, for me, it felt like,
 13 there's no set objectives, no sheet ... we were just
 14 going to have a chat."
 15 Do you stand by that?
 16 A. Yes, I do.
 17 Q. And then underneath that, the paragraph begins with:
 18 "I couldn't say whether any training would have been
 19 beneficial ..."
 20 Do you stand by that?
 21 A. Yes.
 22 Q. In fairness, it goes on to say:
 23 "... but a bugbear of mine is that we weren't told
 24 anything about him."
 25 Yes?

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1 A. Yes.
 2 Q. By the beginning of 2019, how long had you been a police
 3 officer?
 4 A. Sorry, what was the date?
 5 Q. The beginning of 2019; how long had you been a police
 6 officer by then?
 7 A. 18 and a half years.
 8 Q. 18 and a half years.
 9 A. Yes.
 10 Q. Did you have a sergeant you were working with, Police
 11 Sergeant Forsyth?
 12 A. I've mainly worked with Calum Forsyth most of my career.
 13 Q. Yes. And you work closely with him?
 14 A. Yes, I do.
 15 Q. And if you wanted to know anything about any of the
 16 individuals that you were having to consider, you could
 17 always, of course, turn to your sergeant and ask him for
 18 some information, couldn't you?
 19 A. Yes, always.
 20 Q. Yes, and you always had access to things like the Police
 21 National Computer; yes?
 22 A. Yes.
 23 Q. And the Staffordshire Police intelligence network, SPIN;
 24 yes?
 25 A. Yes.

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1 Q. Did you have access to the NCIA?
 2 A. Limited access.
 3 Q. So were there platforms that you could have interrogated
 4 to find out more information if you had wanted to do so?
 5 A. If I had a lawful right to do so, I would have done so.
 6 Q. And if you had felt that you didn't have a lawful right
 7 to do so, you could have asked Sergeant Forsyth; do you
 8 agree?
 9 A. Yes.
 10 Q. And one of the issues which you have mentioned in your
 11 evidence is you said you would have liked to have known
 12 more about him, and in fact you found out information
 13 about his offending from him?
 14 A. Yes.
 15 Q. In your witness statement to the IOPC at {WS5016/6},
 16 please, so page 6 of the current document, thank you
 17 very much, top of the page. This is what you said in
 18 your statement to the IOPC, second last line of that top
 19 paragraph:
 20 "I didn't go to MAPPA meetings, I wasn't in Special
 21 Branch, I had no idea what they did with the information
 22 that was sent to them."
 23 Had you ever been seconded to work in Special Branch
 24 in years prior to this?
 25 A. Yes, I had, yes.

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1 Q. So did you have at least some knowledge of the kind of
 2 thing that Special Branch might do with information
 3 that's provided to them, disseminate it to others, for
 4 example?
 5 A. For a general role within Special Branch, yes. Not to
 6 do with part 4 offenders.
 7 Q. Right. And you've observed here you didn't go to MAPPA
 8 meetings?
 9 A. No, I didn't.
 10 Q. I wonder if we can have on the screen, please,
 11 {DC6408/3}. These are the notes of a MAPPA meeting,
 12 bottom half of the page, please. List of attendees,
 13 Victoria Barker, Staffordshire Police CTU; do you see
 14 that?
 15 A. Yes, I do, yes.
 16 Q. Does that help to refresh your memory, officer, as to
 17 whether in fact you had attended a MAPPA meeting in
 18 relation to Usman Khan?
 19 A. I can't — I can't genuinely remember going to a MAPPA
 20 meeting in relation to Usman Khan. I can remember going
 21 to one MAPPA meeting; I didn't think it was to do with
 22 Usman Khan though.
 23 Q. All right, well let's have a look then, please, at
 24 {DC6407/3}. Bottom half, please. List of attendees,
 25 Victoria Barker, Staffordshire Police CTU, the second

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1 MAPPA meeting, and these are the minutes in relation to
 2 Usman Khan.
 3 A. Okay. I don't —
 4 Q. Does that help to refresh your memory as to whether in
 5 fact you might have been present when Usman Khan was
 6 discussed at MAPPA meetings?
 7 A. I genuinely can't remember that.
 8 Q. All right. And if you had been present at meetings at
 9 MAPPA where Usman Khan had been discussed, things like
 10 his background and the nature of his offending may well
 11 have been part of the information that was available to
 12 you from those meetings?
 13 A. Possibly.
 14 Q. Okay.
 15 A. I can't remember going to the meetings, though.
 16 Q. In addition to what you might have been able to
 17 establish from Sergeant Forsyth?
 18 A. Yes.
 19 Q. And can we just have back on the screen your IOPC
 20 witness statement, {WS5016/11}. And in fact it starts
 21 on page 10, but I needn't trouble you with 10:
 22 "I have reflected to consider if we could have done
 23 things differently and I don't believe we could have."
 24 Do you stand by that?
 25 A. I do, yes.

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1 MR BOYLE: Thank you officer, those are all my questions.
 2 JUDGE LUCRAFT: Mr Hough, I don't think there are any more
 3 questions for Ms Barker.
 4 MR HOUGH: And I have none. Thank you very much, Ms Barker.
 5 JUDGE LUCRAFT: Thank you very much indeed for coming.
 6 Thank you.
 7 Well, Mr Hough, it's almost 4.30, we'll part company
 8 there.
 9 Ladies and gentlemen, as you know, tomorrow morning
 10 we're going to endeavour to start at 9.40. I'm just
 11 going to say this because it happened this morning:
 12 please do not worry yourselves unduly if you have
 13 a transport difficulty, that is perfectly well
 14 understood, we will understand that too, but we will all
 15 endeavour to be ready for a 9.40 start tomorrow. Thank
 16 you very much, see you tomorrow.
 17 (In the absence of the jury)
 18 MR HOUGH: Sir, as I imagine everyone in the room knows,
 19 tomorrow's witness will be Witness A,
 20 the Security Service witness.
 21 JUDGE LUCRAFT: Yes.
 22 MR HOUGH: Who will give evidence in a large booth similar
 23 to a giant white tardis on the other side of this stage.
 24 I'll explain at the start of her evidence the various
 25 orders you have made in respect of that evidence, but

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1 the press will be aware of those because they are in the
 2 directions order you made on 1 April and the
 3 supplementary order you made at the start of this week.
 4 JUDGE LUCRAFT: Thank you. So we're going to endeavour,
 5 Mr Hough, to have a shorter lunch break tomorrow. One
 6 of the things that obviously we will have to make sure
 7 is that when we break, we do all leave the area so that,
 8 in fact, Witness A can have something of a break, and
 9 that can be dealt with appropriately by those making the
 10 arrangements.
 11 I'm just saying that now, because obviously there
 12 are quite a lot of us in this room, and when we break
 13 for a shorter lunch break, we will all need to make our
 14 way out swiftly so that, in fact, that can happen.
 15 MR HOUGH: Yes, sir.
 16 JUDGE LUCRAFT: I'll rise.
 17 (4.31 pm)
 18 (The court adjourned until 9.40 am on
 19 Thursday, 13 May 2021)

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