

# OPUS2

Fishmongers' Hall Inquests

Day 24

May 17, 2021

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Monday, 17 May 2021

(10.05 am)

(In the presence of the jury)

JUDGE LUCRAFT: Good morning, everyone. Very nice to see you all.

Mr Hough.

MR HOUGH: So the next witness is Detective Sergeant Jon Stephenson. Could he please be sworn.

DS JON STEPHENSON (sworn)

JUDGE LUCRAFT: Good morning, Mr Stephenson. If you wish to take a seat, please do. There is a seat just by the side of you. If you wish to start standing and then take a seat midway through, that's fine with me.

A. I'll be seated, thank you.

JUDGE LUCRAFT: Please do, and we will just make sure the microphone is close enough to you to amplify your voice. Documents will appear on the small screen by your side and there will be on the larger screen too if that is easier to look at.

A. Okay, thank you.

Questions by MR HOUGH QC

MR HOUGH: Would you please give your full name and rank for the court record.

A. Jon Stephenson and I'm a detective sergeant.

Q. Mr Stephenson, you understand I am asking questions

1

first on behalf of the Coroner and then you may have questions from other lawyers?

A. Yes.

Q. Is it right that you are an officer of Staffordshire Police?

A. Yes, that's correct.

Q. A few questions about your police background first. Did you join Staffordshire Police in 2002, initially as a uniformed response officer?

A. Yes.

Q. Were you then posted to CID in 2007?

A. Yes.

Q. And then in January 2014 were you posted to Special Branch of Staffordshire Police?

A. Yes, that's correct.

Q. Were you initially a detective constable on the Operations Intelligence Management Unit or OIMU?

A. Yes, that's correct.

Q. Is it right, in simple terms, that the OIMU is a unit, one of a number of units of Special Branch which supports Special Branch investigations in Staffordshire by providing intelligence support?

A. Yes, that's correct.

Q. In practical terms, what sort of things does the OIMU and its officers do?

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A. We receive intelligence which goes through a process where it's assessed and decisions are made on any outcomes of that intelligence.

Q. I think the Staffordshire Special Branch is currently known as the West Midlands Counter-Terrorism Unit North Hub, but if we may, we will refer to it throughout as Special Branch?

A. Yes, that's right.

Q. The jury have heard that Special Branch in general terms is the unit in a police force which is responsible for national security and intelligence, including counter-terrorism investigations in the force area; is that a fair summary?

A. Yes, that's correct.

Q. A few questions about personalities, please. Is it right that in September 2018, the then head of Special Branch, Detective Inspector Nicholas Powell, was posted elsewhere?

A. Yes.

Q. As a result, between September 2018 and January 2019, was Detective Sergeant Hessel, who is your line manager in the OIMU, moved up to be head of Special Branch?

A. Yes.

Q. And did you move up to a role of temporary detective sergeant heading up the OIMU?

3

A. Yes.

Q. So that's September 2018 to January 2019, Mr Hessel is head of Special Branch and you heading up the OIMU?

A. Yes.

Q. Then is this right: that between January 2019 and the 7 October 2019, Mr Powell was back in post as head of Special Branch?

A. Yes.

Q. Mr Hessel was back as heading up the OIMU?

A. Yes.

Q. And you were back to being a detective constable in that unit?

A. That's correct.

Q. And then is it right that on 7 October 2019, Mr Powell permanently moved out of Special Branch at which point Mr Hessel became permanent head, and you were promoted to detective sergeant heading up the OIMU?

A. That's correct.

Q. Some general questions about experience, please. By early 2019, you'd had five years' experience in Special Branch?

A. Yes, that's correct.

Q. In general terms, what sort of investigations did your intelligence work support?

A. Priority operations.

4

1 Q. Primarily counter-terrorism investigations?  
 2 A. That's right, yes.  
 3 Q. Did you therefore have significant experience of  
 4 a number of counter-terrorism investigations?  
 5 A. Yes.  
 6 Q. Did those include both people who had not been convicted  
 7 and were being pursued for conviction?  
 8 A. Yes.  
 9 Q. And also people who had been released into the  
 10 community?  
 11 A. Yes, that's right.  
 12 Q. Were you familiar in all these respects with working  
 13 alongside officers of West Midlands Police  
 14 Counter-Terrorism Unit?  
 15 A. Yes.  
 16 Q. In simple terms, what was the relationship between West  
 17 Midlands Police Counter-Terrorism Unit and you in  
 18 Special Branch?  
 19 A. The role of Special Branch was to support senior  
 20 investigating officer for any priority operation,  
 21 provide the local intelligence support function and act  
 22 as a conduit for any intelligence into Staffordshire  
 23 that could be shared, and also involved in the  
 24 assessment of that intelligence.  
 25 Q. So was it normal for the senior investigating officer in

5

1 a counter-terrorism investigation to be from the West  
 2 Midlands Police Counter-Terrorism Unit?  
 3 A. Yes, that's correct.  
 4 Q. And would it then, as you have said, be normal for you  
 5 in Special Branch to provide support for the  
 6 investigation and the SOI by supplying intelligence that  
 7 came into your area?  
 8 A. That's correct, yes.  
 9 Q. Were you also familiar in your role with working  
 10 alongside officers of MI5, the Security Service?  
 11 A. Yes.  
 12 Q. Was there specific training for investigation or  
 13 intelligence management of counter-terrorism cases at  
 14 the times with which we are concerned?  
 15 A. Sorry, could you repeat?  
 16 Q. Was there specific training on counter-terrorism  
 17 investigation and intelligence management at the times  
 18 we're concerned with?  
 19 A. I'm not aware of having any specific training in  
 20 management of counter-terrorism priority operations.  
 21 Q. There was, however, training in general criminal  
 22 investigation?  
 23 A. Yes, throughout my career I've undertaken a number of  
 24 courses which was training in serious and acquisitive  
 25 crime, complex crime.

6

1 Q. And as for counter-terrorism, you built up knowledge of  
 2 counter-terrorist investigation by doing the job?  
 3 A. Doing my job and there was initial induction courses  
 4 when I joined the department.  
 5 Q. Usman Khan next. What, if anything, did you know about  
 6 Usman Khan before November 2018?  
 7 A. I was aware he was one of nine individuals who were  
 8 convicted and sentenced, I believe in 2012, for offences  
 9 under section 5 of the Terrorism Act for their  
 10 involvement in plans to establish a madrassa in Kashmir  
 11 and plans to attack locations throughout the UK.  
 12 Q. Did you know that because you'd had any formal part in  
 13 the Operation Guava investigation or from general  
 14 knowledge?  
 15 A. I would say -- no, I had no formal part in Guava,  
 16 I wasn't in the department at that point. This is  
 17 through legacy documents and self-briefing.  
 18 Q. Now, we know that Usman Khan was to be released at the  
 19 end of December 2018 and that in readiness for his  
 20 release, a priority investigation was established  
 21 in November 2018 jointly between MI5 and West Midlands  
 22 Police CTU. I think that was given the name  
 23 Operation Molal?  
 24 A. That's correct.  
 25 Q. Were you made aware of that investigation pretty much as

7

1 soon as it began?  
 2 A. Yes, I was.  
 3 Q. Who told you -- how did you become aware of it?  
 4 A. I believe it was partners in the MI5 who advised of the  
 5 operation name.  
 6 Q. Who told you that you were to be involved with this?  
 7 A. Me as an individual, that came from my -- well, that  
 8 would come from my line management, but ultimately  
 9 because he was going to be an individual back in  
 10 Staffordshire with responsibilities for Special Branch,  
 11 I was a detective sergeant or temporary at that point,  
 12 so leading the team had responsibilities for managing  
 13 Mr Khan from the Staffordshire perspective.  
 14 Q. Is it right that you would in practice have had some  
 15 responsibility for anyone in that position because of  
 16 your role heading up the OIMU?  
 17 A. Yes, if they were a priority operation and there was  
 18 responsibility for Staffordshire Special Branch, it  
 19 would sit with our team.  
 20 Q. Is this right: initially the counter-terrorist police  
 21 senior investigating officer was DI Ryan Chambers of  
 22 West Midlands?  
 23 A. That's correct.  
 24 Q. And his deputy, DS Paul Beattie?  
 25 A. Yes, that's correct.

8

1 Q. Were they also supported in their work by the Operations  
 2 Intelligence Management Unit sitting within West  
 3 Midlands Police?  
 4 A. Yes.  
 5 Q. And were two key individuals in that unit within West  
 6 Midlands Police DS Guy Morris and DS Laurence Mills?  
 7 A. Yes.  
 8 Q. So it is fair to say that Mr Mills was for some purposes  
 9 your equivalent on the West Midlands Police CTU side?  
 10 A. I would say that would be correct during my time as  
 11 a detective constable. Mr Mills was also  
 12 a detective constable. Guy Morris was  
 13 a detective sergeant, so at the commission of the  
 14 operation, he was my counterpart.  
 15 Q. Yes. Is it right that in early November 2019, the  
 16 responsibility for the investigation within West  
 17 Midlands Counter—Terrorism Unit passed from Mr Chambers  
 18 and Mr Beattie to officers within Team 7 of the  
 19 Counter—Terrorism Unit?  
 20 A. Yes, that's correct.  
 21 Q. And at that point, so early November 2019, did the SOI  
 22 role pass to DI Gareth Williams?  
 23 A. Yes.  
 24 Q. And did the deputy SOI role pass to DS Marc Jerromes?  
 25 A. Yes.

1 Q. And that changeover, is this right, was entirely  
 2 separate from the handover that we'll hear was to take  
 3 place in December 2019 of the overt management of Khan  
 4 from the Prevent team to West Midlands Police?  
 5 A. Yes.  
 6 Q. A little about that Prevent Team. We've heard that  
 7 within Staffordshire Police there was a Prevent team led  
 8 by Sergeant Forsyth whose general duties involved  
 9 seeking to deter people from extremism, so not  
 10 counter—terrorism investigation, but a different  
 11 function.  
 12 A. Yes.  
 13 Q. We've heard that in the past they had been line managed  
 14 by officers within Special Branch because of the  
 15 counter—terrorist aspect of their work.  
 16 A. Yes.  
 17 Q. But by 2019 they were line managed through a different  
 18 division?  
 19 A. Yes, I believe that their line manager moved around that  
 20 time.  
 21 Q. However, we've heard from Mr Forsyth that they remained  
 22 working physically close to the Special Branch office  
 23 within headquarters down the corridor?  
 24 A. That's correct.  
 25 Q. And that they were in regular contact with you and your

1 colleagues, including by attending regular morning  
 2 meetings?  
 3 A. Yes.  
 4 Q. We've also heard that as well as being separated from  
 5 your team by a physical corridor at headquarters, they  
 6 were also metaphorically separated by something called  
 7 a sterile corridor?  
 8 A. Yes, that's correct.  
 9 Q. And again, in simple terms does that mean that there is  
 10 an information barrier ensuring that secret information  
 11 stays within your team and doesn't permeate through to  
 12 those dealing with the overt management?  
 13 A. Yes, yes.  
 14 Q. Now, we've heard that this team, the Prevent officers,  
 15 were given responsibility for overseeing compliance of  
 16 terrorist offenders in the community with their part 4  
 17 notification requirements when offenders started to be  
 18 released into the community in Staffordshire with those  
 19 requirements; is that right?  
 20 A. Yes, yes.  
 21 Q. We've heard that that happened first in the case of  
 22 Mohibur Rahman from 2015—16, before it happened in the  
 23 case of Usman Khan?  
 24 A. Yes.  
 25 Q. Had you been aware of the role of the Prevent team in

1 relation to Rahman when he was in the Staffordshire  
 2 area?  
 3 A. Yes.  
 4 Q. Were you aware what in practice their role involved,  
 5 what the officers of the Prevent team did first of all  
 6 with Rahman and then with Khan?  
 7 A. Yes.  
 8 Q. What did they do in practice to manage the offender?  
 9 A. In reference to Rahman?  
 10 Q. First of all, in reference to Rahman, yes?  
 11 A. My understanding was that again, he was subject to part  
 12 4 Terrorism Act conditions with a duty to inform police  
 13 of changes of addresses, etc, and Prevent had  
 14 engagements with him throughout his time that he was  
 15 being managed by the Prevent team.  
 16 Q. Were those engagements regular meetings with the  
 17 offender talking with him, discussing his life and  
 18 producing reports?  
 19 A. I wouldn't be able to confirm that, I didn't have any  
 20 specific involvement with that case, so — and it was  
 21 some time ago so unfortunately I can't confirm the  
 22 detail or frequency of any engagements that were  
 23 provided.  
 24 Q. Were you aware, however, that the Prevent team in  
 25 Staffordshire would be responsible for similar overt

1 management of any future TACT offenders released into  
 2 the area after the Mohibur Rahman experience?  
 3 A. I don't -- I can't say that I was aware that that would  
 4 happen. I could assume that if there were to be further  
 5 after Mr Rahman, then they may have the responsibilities  
 6 for it.  
 7 Q. You have told us that you became aware of Khan's  
 8 imminent release into the community in the Staffordshire  
 9 area and that he was to be the subject of this covert  
 10 investigation and you've told us that Staffordshire  
 11 Special Branch would provide some support for that  
 12 investigation including you within your intelligence  
 13 unit.  
 14 What, in practice, did you expect to be doing to  
 15 support the investigation?  
 16 A. In the initial stages it was to understand what impact  
 17 and what would actually be expected of Special Branch  
 18 because this was an impending release so we created  
 19 a number of documents which included trigger plans,  
 20 frequently engaging with our CTU colleagues to  
 21 understand clear parameters of what would be expected of  
 22 Special Branch.  
 23 Q. Did you discover quite quickly that the Staffordshire  
 24 Prevent team would once again be dealing with the overt  
 25 management of Usman Khan, of the offender, Usman Khan,

1 seeing him regularly in the community?  
 2 A. Yes.  
 3 Q. Did you understand that for some purposes, it was going  
 4 to be your responsibility to act as an intermediary  
 5 between the Prevent team and the West Midlands CTU  
 6 investigation team?  
 7 A. Yes, that's correct.  
 8 Q. Did you also actively assist in various respects in the  
 9 joint investigation providing intelligence and  
 10 information that would go both to the CTU team and the  
 11 MI5 team?  
 12 A. Yes.  
 13 Q. And in that role, did you attend joint operational team  
 14 meetings with both the CTU team and MI5?  
 15 A. Yes.  
 16 Q. Members of your team, did they include DC Emma Hartill?  
 17 A. Yes.  
 18 Q. Did they also include a research analyst called  
 19 Dawn Banner?  
 20 A. Yes.  
 21 Q. And an intelligence researcher called Tiffany Birchall?  
 22 A. Yes.  
 23 Q. Before you became involved in the actual investigation,  
 24 DI Powell had been at MAPPA meetings concerning  
 25 Usman Khan in June and August 2018, and in October 2018.

1 Had you become aware of DI Powell dealing with  
 2 Usman Khan in that regard before the investigation began  
 3 in November?  
 4 A. Yes.  
 5 Q. Had DI Powell told you anything about those meetings and  
 6 about this offender?  
 7 A. I can't recall any specific conversations with  
 8 DI Powell, however, I would expect that he would have  
 9 done.  
 10 Q. As you understood it, what was DI Powell's function in  
 11 being at those MAPPA meetings before the actual  
 12 investigation began and Staffordshire Special Branch  
 13 started playing a part in it?  
 14 A. My understanding would be that a convicted terrorist had  
 15 been released into the community, so to have an  
 16 understanding of what the partners around that table  
 17 were discussing and to have a voice, I suppose, any  
 18 decision-making that may be required.  
 19 Q. May we then turn to the establishment of the  
 20 investigation using some of your records to trace the  
 21 events through.  
 22 First of all, may we have on the screen  
 23 {DC7487-T/2}, and the second page, please. This is  
 24 a transcript of your daybook and we'll be looking today  
 25 at transcripts of your daybook and in particular your

1 major incident disclosure book. I think you have  
 2 considered these transcripts to satisfy yourself that  
 3 they're accurate?  
 4 A. Yes.  
 5 Q. Because your handwriting, like mine, is not the easiest  
 6 for everyone to follow?  
 7 A. No.  
 8 Q. We can see that your daybook commences on  
 9 13 November 2018, and if we go down the page we see that  
 10 one of the very first entries in that is "Create op  
 11 Molal - NCIA."  
 12 Does that suggest in mid November 2018 you were  
 13 setting up this new investigation on your systems?  
 14 A. Yes, it will, yes. Sorry, can you just confirm the  
 15 date?  
 16 Q. The daybook begins on 13 November and this is one of the  
 17 first entries.  
 18 A. That's right, yes.  
 19 Q. And then if we can put on the screen {DC7489-T/2}, the  
 20 second page. This is your major incident disclosure  
 21 book beginning 8 November 2018, as we see. If we go  
 22 down the page, do we see that you've recorded  
 23 Usman Khan's name, date of birth, prison and the SOI and  
 24 deputy SOI, Mr Chambers and Mr Beattie?  
 25 A. Yes.

1 Q. And then right at the bottom a date given is  
 2 16 November 2018. If we bear that in mind and then go  
 3 over the page to page 3. {DC7489-T/3}.

4 Now, here on the 16 November 2018 you refer to  
 5 speaking to a PIO at HMP Whitemoor. Is that a police or  
 6 prison intelligence officer?

7 A. Prisons intelligence officer who I believe is also  
 8 a police officer.

9 Q. What was the purpose of your call to that officer?

10 A. From memory, I believe that officer made contact with  
 11 the department, with Special Branch, regarding some  
 12 intelligence previously.

13 Q. By this stage, so this was in the very early days of the  
 14 investigation, how much did you know about Usman Khan?

15 A. As I explained earlier, an understanding about his  
 16 conviction, his offending in prison, we were seeking out  
 17 some further information from the prisons to inform the  
 18 subject profiles.

19 Q. So you were obtaining the information for a subject  
 20 profile which I think is a long reference document  
 21 giving details of the offender including in Khan's case  
 22 his time in prison?

23 A. Yes.

24 Q. And your book states that Mr Williams advised you of  
 25 various things including a single strand of intelligence

17

1 that Usman Khan has not changed and has stated he will  
 2 go back to his old ways; is that right?

3 A. Yes.

4 Q. Did you also note that Mr Williams told you that he had  
 5 been "holding court" in prison?

6 A. Yes.

7 Q. Do you recall anything more about the intelligence you  
 8 were informed on that occasion?

9 A. No, not other than what I've documented at the time.

10 Q. Were you told anything about the reliability or grading  
 11 of that intelligence?

12 A. I can't confirm what I was told with regard to the  
 13 grading at that time.

14 Q. If we go, if we look down, 19 November 2018, back up,  
 15 please, do we see that there's an entry about setting  
 16 up funding forms for the new priority operation?

17 A. Yes.

18 Q. That suggests that the new operation was just being set  
 19 up at that time?

20 A. Yes.

21 Q. Then down the page a to-do list, including completing  
 22 the funding application and also reference to an  
 23 intelligence strategy to serve the senior investigating  
 24 officer's objectives?

25 A. Yes.

18

1 Q. So that's what you had in mind at the time, was it?

2 A. Yes, the intelligence strategy is ordinarily set by the  
 3 SOI.

4 Q. Then over to {DC7489-T/4}, please. We see the entry  
 5 continues, "WMCTU SOI?" Were you at that stage clear who  
 6 the SOI was to be or had that yet to be confirmed?

7 A. It had yet to be confirmed.

8 Q. And then "JOT TBD". Does that suggest that a joint  
 9 operational team meeting including the Security Service  
 10 was yet to be arranged on a day to be fixed?

11 A. Yes.

12 Q. And then a further entry for 19 November 2018, you refer  
 13 to speaking to DI Hessel who was then head of Special  
 14 Branch in relation to an update?

15 A. Yes.

16 Q. Then if we go down the page, sorry, over to page --  
 17 sorry, back to page 4, please. There is one other point  
 18 I wanted to identify in this. In the second paragraph  
 19 under 19 November 2018, there is reference to DC Hartill  
 20 being asked to create a risk assessment. Now, was that  
 21 a counter-terrorism surveillance risk assessment which  
 22 we will look at a little later?

23 A. Yes.

24 Q. And then {DC7489-T/5}, please, at the bottom of the  
 25 page, 22 November 2018, do you record an update from

19

1 DS Hartill who has spoken to an officer about prisons  
 2 intelligence?

3 A. Yes.

4 Q. And then over to {DC7489-T/6}, please. Do we see that  
 5 you record various discussions and then towards the end  
 6 these words appear: DC Stephenson, that is you, to  
 7 speak to the prison sergeant to make clear that some  
 8 intelligence about Khan planning to commit an attack had  
 9 not been shared with Special Branch and you were only  
 10 aware due to it being brought to your attention by  
 11 others; is that right?

12 A. Yes.

13 Q. So is it right that in these early days, what had  
 14 happened was that in your first conversation with  
 15 Mr Williams, you'd been told of a strand of intelligence  
 16 that Khan had said he wanted to go back to his old ways?

17 A. Yes.

18 Q. But Ms Hartill a few days later has spoken to a prison  
 19 sergeant and you are then recording some concern that  
 20 you haven't been told of some intelligence you received  
 21 from others?

22 A. Yes, that's correct, however, I had made earlier records  
 23 and other material and I had had conversations regarding  
 24 the existence of this material with the prisons prior to  
 25 this.

20

1 Q. In any event, by 22 November, to simplify the story, you  
 2 and your team were aware of two separate strands of  
 3 intelligence : one that Khan had said he intended to  
 4 return to his old ways and two, that Khan had said he  
 5 was planning to commit an attack?  
 6 A. We were aware of those two strands of reporting and we  
 7 had been made aware of some other similar reporting.  
 8 Q. Witness A from the Security Service told us last week  
 9 that there was a period in the early stages of the  
 10 investigation when it was thought that there were in  
 11 fact two strands of intelligence saying that Khan  
 12 intended to return to his old ways?  
 13 A. Yes.  
 14 Q. At this early stage, did you think that there were two  
 15 strands supporting that piece of intelligence ?  
 16 A. Yes.  
 17 Q. Now witness A told us that it later transpired that  
 18 there was only one strand supporting the "old ways"  
 19 intelligence . Did that later come to your attention?  
 20 A. I'm only aware of that recently.  
 21 Q. At that stage, so far as you are able to tell us, what  
 22 was your understanding of the reliability of each of  
 23 those pieces of intelligence ?  
 24 A. The "old ways" intelligence?  
 25 Q. Let's start with the "old ways" intelligence .

21

1 A. I believe it was given a grading of mostly reliable , and  
 2 I believe the other grading was an untested source.  
 3 Q. So far as you're able to tell us, did either of those  
 4 assessments of reliability change over the course of the  
 5 investigation ?  
 6 A. No, not that I'm aware of.  
 7 Q. Then following that entry on 22 November, can we see  
 8 that you set out a series of to-do lists including , at  
 9 point 8, that a JOT was still to be arranged and  
 10 a reference to the Prevent team doing part 4 work. Do  
 11 you see that?  
 12 A. Yes.  
 13 Q. So by this stage, was it becoming clear that the Prevent  
 14 team would engage in the same role that they performed  
 15 for Mohibur Rahman?  
 16 A. Yes.  
 17 Q. And if we go to the bottom of page 6, please, do we see  
 18 that later on the 22 November 2018, you called  
 19 Sergeant Birch who has been described as a prison police  
 20 officer ?  
 21 A. Yes.  
 22 Q. And you noted concern or you noted a subject matter was  
 23 information-sharing, because an information report  
 24 hadn't been shared with the police?  
 25 A. Yes.

22

1 Q. Was that a reference back to what we discussed earlier  
 2 about the attack—planning intelligence having not  
 3 initially been shared directly?  
 4 A. Yes.  
 5 Q. Is it right that on 28 November 2018, a joint operation  
 6 team meeting was held along with MI5 and West Midlands  
 7 Police Counter—Terrorism Unit?  
 8 A. Yes.  
 9 Q. Were you present for that JOT?  
 10 A. Yes, I was.  
 11 Q. Were arrangements made for PS Forsyth to attend that  
 12 meeting as well?  
 13 A. I don't believe on the 28th November 2018, no.  
 14 Q. May I show you an email, please. {WS5063—JS66/1}. You  
 15 sent an email, sorry, that is a wrong reference. We can  
 16 take that off the screen. Back to your major incident  
 17 book, {DC7489—T/8}. Top of the page, please.  
 18 Now, the previous page contains a blacked out  
 19 section and this entry continues and it is just before  
 20 the 30 November 2018. If we look at point 23, it says  
 21 "Further JOT on [17 December]." Can we deduce from that  
 22 that these are points arising from the JOT which had  
 23 taken place on 28 November?  
 24 A. That appears to be correct, yes.  
 25 Q. Now, we have heard from Witness A that MI5 at that JOT

23

1 provided an update and according to her, the key risks  
 2 identified in the course of the JOT were Khan first of  
 3 all becoming involved in attack—planning after his  
 4 release , or secondly, trying to engage in other  
 5 extremist behaviour such as radicalising others and that  
 6 a risk of absconding was mentioned but that risk was  
 7 recognised to be low. Is that correct?  
 8 A. Yes, that sounds correct.  
 9 Q. Witness A also told us that a proportionate level of  
 10 coverage was said to be needed; is that right?  
 11 A. That sounds correct, yes.  
 12 Q. Then, please, may we have {WS5063—JS30/1}. On  
 13 29 November 2018 did DI Hessel, Temporary DI Hessel,  
 14 then heading up Special Branch, email you and DC Hartill  
 15 with a series of points arising from the JOT meeting the  
 16 previous day?  
 17 A. Yes.  
 18 Q. And do we see a series of actions for different units of  
 19 Special Branch and some actions for the Prevent team  
 20 including that they would be carrying out the part 4  
 21 management and be dealing with the provision of a phone?  
 22 A. Yes.  
 23 Q. So is that in general terms Mr Hessel telling you and  
 24 Ms Hartill what the different parts of Special Branch  
 25 are going to be doing in the immediate future in this

24

1 investigation?  
 2 A. Yes.  
 3 Q. Then back to your major incident disclosure book,  
 4 {DC7489-T/8}, and if we go to the entry for the  
 5 30 November 2018, do we see you record an update that  
 6 PS Forsyth has served the part 4 notification form on  
 7 Usman Khan at Whitemoor Prison?  
 8 A. Yes.  
 9 Q. And you record that PS Forsyth is to complete a trigger  
 10 plan; is that a formal document dealing with what  
 11 response should be given to breaches by the offender of  
 12 conditions of various kinds?  
 13 A. That's correct.  
 14 Q. And you also record this, that Sergeant Forsyth is to  
 15 complete SPIN logs from engagement with Usman Khan and  
 16 put part 4 conditions on SPIN. Is that saying that it's  
 17 been agreed Sergeant Forsyth will produce entries in the  
 18 Staffordshire Police Intelligence Network logs showing  
 19 his engagements with Khan and the part 4 conditions that  
 20 are in place?  
 21 A. Yes.  
 22 Q. Then, please, {DC5213}. Can we see here an intelligence  
 23 report that was produced by Special Branch in relation  
 24 to that visit of PS Forsyth to serve the part 4  
 25 notification document?

25

1 A. Yes.  
 2 Q. If we go down the page, can we see that it records what  
 3 Usman Khan said to PS Forsyth, which we've heard from  
 4 him, about how Khan had changed from being an angry  
 5 young man and had changed a great deal in the past  
 6 18 months being focused on being a writer?  
 7 A. Yes.  
 8 Q. So is it right that on this occasion, PS Forsyth  
 9 produced a report of his visit, and then that was  
 10 converted into an intelligence report?  
 11 A. Yes, on to -- this would have been on to the other  
 12 Special Branch system.  
 13 Q. Over the following weeks and months, would your team  
 14 likewise produce an intelligence report after PS Forsyth  
 15 or his officers had gone to visit Khan and produced  
 16 their report on the system and by email?  
 17 A. Yes.  
 18 Q. To whom would reports of this kind go so far as you can  
 19 tell us?  
 20 A. That would go to the SOI, the Operations Intelligence  
 21 Management Unit of the West Midlands and to others.  
 22 Q. So West Midlands, it would go to Mr Chambers and it  
 23 would go to Mr Mills?  
 24 A. Yes, it would go to into a system and basically where  
 25 they would have full access.

26

1 Q. Back to your major incident disclosure book, please,  
 2 {DC7489-T/8}, towards the bottom of the page, moving on  
 3 to December 2018, do we see that on 7 December 2018 you  
 4 set out some of Usman Khan's part 4 conditions?  
 5 A. Yes.  
 6 Q. What had to be notified?  
 7 A. Yes.  
 8 Q. And then over to {DC7489-T/9}, we see you also record  
 9 the trigger plan which is being prepared based upon  
 10 a similar trigger plan used on another occasion?  
 11 A. Yes.  
 12 Q. Then {DC7489-T/10}, please, we see you made a series of  
 13 notes in your book setting out a contact list for  
 14 probation officers and the like?  
 15 A. Yes.  
 16 Q. And towards the bottom, the licence conditions that were  
 17 being proposed?  
 18 A. Yes.  
 19 Q. If we go down the page we will see the licence  
 20 conditions which begin at the bottom, and then over the  
 21 page on to {DC7489-T/11}. So you were, at that stage,  
 22 informing yourself of all the licence conditions that  
 23 would apply to Usman Khan?  
 24 A. That's correct.  
 25 Q. Was that for the purpose of the trigger plan or more

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1 generally?  
 2 A. I would say it was both, so I had a full understanding  
 3 of what those conditions would be.  
 4 Q. And then towards the bottom of the page, towards the  
 5 bottom of page 11, also on 7 December, do we see you  
 6 recording that you spoke to Sergeant Forsyth telling him  
 7 about the urgency of getting the trigger plan completed  
 8 so that it could be reviewed by others?  
 9 A. Yes.  
 10 Q. Then {DC7489-T/13} at the top, you see an entry on  
 11 11 December, do we see that you made this entry  
 12 recording a discussion with DC Hartill about the work  
 13 that she was doing on the surveillance risk assessment?  
 14 A. Yes.  
 15 Q. And the various checks she needed to do to complete  
 16 that?  
 17 A. Yes.  
 18 Q. Do we see then you recorded a series of to-do points  
 19 including the risk assessment which was to be done by  
 20 Ms Hartill, third bullet, the trigger plan to be done by  
 21 PS Forsyth, that is the second bullet point; yes?  
 22 A. Yes.  
 23 Q. And then a series of other pieces of research that you  
 24 were effectively doing and pieces of work you're doing  
 25 including about GPS tagging?

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1 A. Yes.  
 2 Q. So does this give us a fair sense of the sorts of work  
 3 you were doing in these early days of the investigation?  
 4 A. Yes, it does.  
 5 Q. Then towards the bottom of the page, can we see that on  
 6 11 December, you reviewed a trigger plan alongside  
 7 Mr Forsyth discussing the use of tagging data and the  
 8 sharing of weekly electronic monitoring service tagging  
 9 reports with the Prevent team?  
 10 A. Yes.  
 11 Q. So is it right that in simple terms, you are putting in  
 12 place the arrangements for Khan to be managed, monitored  
 13 and in the case of any breach, acted against?  
 14 A. Yes.  
 15 Q. Then right at the bottom of the page, do we see that you  
 16 note that mentor reports are to be produced and provided  
 17 to Prevent?  
 18 A. Sorry, where is that, please?  
 19 Q. Towards the bottom:  
 20 "Calum. Mentor updates. Continue to complete  
 21 reports to Prevent."  
 22 A. Yes.  
 23 Q. Does that tell us that mentor reports were going to go  
 24 to the Prevent team?  
 25 A. Mentor reports would come through the Prevent team, and

29

1 then shared by Prevent to Special Branch.  
 2 Q. Further down, that home visits would be updated on to  
 3 ViSOR. Is that a reference to the Prevent team's visits  
 4 being put on to the ViSOR system?  
 5 A. That's my understanding, yes.  
 6 Q. Then {DC7489-T/14}, please, towards the bottom of the  
 7 page, right at the bottom can we see that you make  
 8 reference to visits by the Prevent team being recorded  
 9 on SPIN:  
 10 "SPIN. Update visit on SPIN."  
 11 A. Yes.  
 12 Q. "Further update on ViSOR [and] emailed to [Special  
 13 Branch]."  
 14 A. Yes.  
 15 Q. So the Prevent team's visits were going to be uploaded  
 16 on to the SPIN system and the ViSOR system and also  
 17 emailed to the general Special Branch email box?  
 18 A. Yes.  
 19 Q. Again, you were putting in place the arrangements for  
 20 when Khan was in the community, those Prevent team  
 21 reports getting to you and going on to the systems?  
 22 A. Yes.  
 23 Q. Then {DC7489-T/16}, please, entry for 18 December 2018.  
 24 Is it right that on this day, 18 December you along with  
 25 DC Hartill went to see the probation officers ,

30

1 Mr Skelton and Mr Bromley?  
 2 A. That's correct.  
 3 Q. And do we see that according to this entry, you  
 4 discussed with them the process that would take place if  
 5 there were any breaches by Khan of his curfew?  
 6 A. Yes.  
 7 Q. Do we also see that the meeting went into discussion of  
 8 Usman Khan's state benefits, the word "benefits"  
 9 underlined?  
 10 A. Yes.  
 11 Q. And a discussion of the creative writing course which  
 12 Khan had been involved with for several years?  
 13 A. Yes.  
 14 Q. If we go down the page, can we see that it records that  
 15 Mr Skelton is keen for Khan to carry on his studies with  
 16 Cambridge University once released?  
 17 A. Yes.  
 18 Q. Then {DC7489-T/17}, please, towards the top of the page,  
 19 fourth paragraph down, can we see you recording that you  
 20 advised that Prevent should continue to manage and work  
 21 with probation, yes?  
 22 A. Yes.  
 23 Q. And that you told the probation team that Special  
 24 Branch's interest was because Khan was a convicted  
 25 terrorist offender, subject to part 4 notifications and

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1 you needed to be sighted on any information or  
 2 intelligence of concern that may indicate that he's  
 3 re-engaging. That is re-engaging with extremism, is it?  
 4 A. Yes.  
 5 Q. And did you also tell them, according to this note, that  
 6 you had responsibility to be on call for the purposes of  
 7 the trigger plan?  
 8 A. Yes, that's correct.  
 9 Q. Then {DC7489-T/18}, towards the top of the page, did you  
 10 give a summary of the probation visit, including that  
 11 Khan had distanced himself from others. You see the  
 12 second bullet, "distanced self from others"?  
 13 A. Yes, yes.  
 14 Q. Was that a reference to Khan having distanced himself  
 15 from other extremists or other former associates?  
 16 A. I believe this was the summary from that meeting with  
 17 Mr Skelton. My understanding was he did distance  
 18 himself from other extremists, that is how I interpreted  
 19 that.  
 20 Q. You also noted Mr Skelton's summary being that Khan  
 21 wanted to explore academic work around extremism, didn't  
 22 have other known hobbies or interests, was quite  
 23 intelligent and was highly motivated by creative  
 24 writing?  
 25 A. Yes.

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1 Q. That was the thumbnail sketch that Mr Skelton gave at  
 2 the outset, was it?  
 3 A. That's correct.  
 4 Q. If we take that off screen. Around this time did  
 5 Ms Banner in your team produce in updated form a subject  
 6 profile, that reference document we were talking about  
 7 earlier?  
 8 A. Yes.  
 9 Q. May we have that on the screen, {DC7481/1}. If we look  
 10 at the very bottom left—hand corner of the document, we  
 11 can see that this was produced at various points in  
 12 updated form during November and December 2018 and this  
 13 version appears to be the 18 December 2018. Am  
 14 I reading that right, the bottom date is the  
 15 18 December?  
 16 A. Yes, that was the last update of that profile, was on  
 17 18 December 2018.  
 18 Q. So does that tell us that this document is  
 19 a December 2018 document?  
 20 A. That would — yes, yes.  
 21 Q. We can look at the whole page again, please, if we may.  
 22 This is a very detailed reference document. Is this  
 23 something you would have read at the time?  
 24 A. Yes.  
 25 Q. If we go to {DC7481/2}, please, can we see it begins

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1 with some basic details of Usman Khan including his  
 2 name, date of birth and age and his current prison  
 3 address?  
 4 A. Yes.  
 5 Q. Then {DC7481/4}, please. We see a summary of his  
 6 convictions and his licence conditions.  
 7 A. Yes.  
 8 Q. Down the page, please. And his part 4 notification  
 9 requirements as well?  
 10 A. Yes.  
 11 Q. And then {DC7481/5}. His employment details, what he'd  
 12 done in the past and his recent educational application?  
 13 A. Yes.  
 14 Q. And then {DC7481/7}, please. We see that over a series  
 15 of pages the subject profile contains intelligence from  
 16 police records going back to 2008?  
 17 A. Yes.  
 18 Q. And right towards the top of this page, do we see an  
 19 analyst's comment:  
 20 "Khan's mindset has not changed whilst in prison, he  
 21 remains an extremist and will pose a threat of  
 22 re—engagement upon release."  
 23 A. Yes.  
 24 Q. Is that a comment written by Ms Banner based upon her  
 25 review of the material which she sets out here?

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1 A. That's correct.  
 2 Q. And then {DC7481/10}, please. Did the document contain  
 3 a detailed summary of the Operation Guava investigation  
 4 and prosecution?  
 5 A. Yes.  
 6 Q. And down the page, a description of the Guava network,  
 7 their involvement in radicalisation?  
 8 A. Yes.  
 9 Q. And over the page, {DC7481/11}, we see a detailed  
 10 timeline of the events leading up to arrest?  
 11 A. Yes.  
 12 Q. I am not going to go through those because we have heard  
 13 a fair amount about the Guava investigation already.  
 14 But {DC7481/15}, please, can we see that Ms Banner also  
 15 details prison intelligence including multiple entries  
 16 referring to Khan radicalising others and being involved  
 17 in violent incidents as the jury have heard about?  
 18 A. Yes.  
 19 Q. And then {DC7481/16}, you see the document contained  
 20 a long section on behaviour in his current prison,  
 21 Whitemoor?  
 22 A. Yes.  
 23 Q. With repeated reference to Khan's influence on others?  
 24 A. Yes.  
 25 Q. Then do we see "Of Note", an indented passage:

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1 "The intelligence suggests that some TACT prisoners  
 2 use 'taqiyya', which is a permissible form of telling  
 3 lies to advance the cause of Islam. This means they  
 4 will progress through their sentences by lying when  
 5 doing intervention courses to enable them to leave  
 6 prison to commit further terrorism offences. It is  
 7 reported that Usman Khan did this at HMP Woodhill. He  
 8 worked with a psychologist and stated to another  
 9 prisoner that he was just 'ticking boxes' showing that  
 10 he is progressing."  
 11 Did Ms Banner pick that out as something  
 12 particularly to note?  
 13 A. She was responsible for building the profile, so that  
 14 would be her note, I would suggest.  
 15 Q. And down the page, please, we see that the reports of  
 16 intelligence continue through 2017 and then over to  
 17 {DC7481/18}, please, around the middle of the page there  
 18 is updated intelligence including that Khan is behaving  
 19 overtly somewhat better. That is the first paragraph.  
 20 A. Yes.  
 21 Q. And then the third paragraph, the profile states this:  
 22 "In preparedness for his imminent release Khan has  
 23 spoken to the Chaplaincy regarding his future plans and  
 24 has responded positively saying all the 'right things'.  
 25 However intelligence suggests this is a ticking box

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1 exercise to assist with his release."

2 So that was a concern noted in your subject profile

3 at that time?

4 A. Yes.

5 Q. And then if we go down to the bottom of the page, does

6 Ms Banner's document confirm that:

7 "Khan is a part of a group of Muslim prisoners who

8 boast about what they intend to do upon their release.

9 Khan stated he intends to return to his old ways which

10 is taken to mean he intends to go back to TACT

11 offending."

12 So she has recorded the "old ways" intelligence

13 there?

14 A. Yes.

15 Q. And then over the page to the top of {DC7481/19}, can we

16 see that subject profile also refers to the separate

17 strand of intelligence :

18 "Khan ... intends to carry out an attack after his

19 release. He expresses hatred for the United Kingdom."

20 A. Yes.

21 Q. Then can we see that page 19 continues with references

22 to a prison visit from the Prevent officers and a mentor

23 meeting summarising what was said in those meetings?

24 A. Yes.

25 Q. And {DC7481/21}, please, various objectives are set out,

1 if we go further down the page, including under

2 "Enforcement":

3 "Robust management of Khan upon release from

4 prison."

5 A. Yes.

6 Q. In this context, what does "robust" mean?

7 A. I would take that to mean ensuring that he wouldn't be

8 breaching his licence conditions, his part 4 TACT

9 conditions which would have been managed by the Prevent

10 team.

11 Q. We can take that off screen. This document, therefore,

12 made clear that Khan was somebody who had a history of

13 extremist behaviour throughout his time in prison?

14 A. Yes.

15 Q. And some very worrying recent intelligence which of

16 course you had highlighted in your disclosure book?

17 A. Yes.

18 Q. Were you aware whether Mr Skelton, the probation

19 officer, had access to this range of information about

20 Khan's worrying recent statements and plans?

21 A. I'm not aware, but subsequently I have become aware of

22 some of this contained within MAPPA minutes.

23 Q. What have you subsequently become aware of?

24 A. The intelligence with regards to returning to old ways

25 I believe is in one of the sets of MAPPA minutes.

1 Q. Other than through MAPPA, did you and your colleagues

2 have any communications directly with Mr Skelton passing

3 on the sorts of concerns we see in that document?

4 A. No.

5 Q. Would it be normal for you to give a probation officer

6 such as Mr Skelton advice about that kind of worrying

7 intelligence, or even simply expressing the concern that

8 Khan was potentially a very manipulative person?

9 A. Anything shared with probation, there would be

10 protocols, information—sharing protocols set up and that

11 would be the proper arena to share anything if it was

12 deemed appropriate to share, not through an informal

13 conversation and sharing of intelligence.

14 Q. As far as you're aware, was any decision made about

15 setting up such information—sharing protocols with

16 probation on this occasion?

17 A. No.

18 Q. No, none was set up or, no, you're not aware?

19 A. Sorry?

20 Q. Are you saying you weren't aware of any such protocols

21 or that you know that none were set up?

22 A. I'm not aware of it. I'm not aware of any

23 information—sharing protocols in relation to the

24 management of Mr Khan with probation.

25 Q. At the outset, so when they started on their work of

1 overt management of Usman Khan, did you understand the

2 Prevent team to know that there was very concerning

3 intelligence about his post—release plans?

4 A. Yes.

5 Q. You think they were aware?

6 A. With regards to some of the — sorry, are we talking

7 about the attack intelligence?

8 Q. Well, you tell me.

9 A. Okay. I'm aware that there was a meeting held with

10 regional partners and some intelligence disclosures were

11 part of that meeting.

12 Q. Who was in that meeting?

13 A. I believe Sergeant Forsyth was in the meeting, from

14 records, the books of DC Hartill which I've covered in

15 my statement.

16 Q. May we move on in time to the next JOT meeting that was

17 held on 19 December 2018. Was that a JOT held by

18 video con?

19 A. Yes, I believe so.

20 Q. Was it attended by officers of MI5, the

21 Counter—Terrorism Unit, DI Hessel, yourself and

22 [DC] Hartill?

23 A. Yes.

24 Q. Did PS Forsyth attend that meeting?

25 A. Again, it is my understanding that he was present on

1 that meeting, due to the material that features in  
 2 DC Hartill's book and --  
 3 Q. We will look at that now. These are DC Hartill's notes.  
 4 {DC7484/14}. In the middle of the page.  
 5 19 December 2018. "JOT". "Rob" -- that is a reference  
 6 to Mr Hessel presumably?  
 7 A. Yes.  
 8 Q. He gave an update about actions completed by various  
 9 members of Special Branch; is that right?  
 10 A. Yes.  
 11 Q. Including the RA, the risk assessment had been  
 12 completed?  
 13 A. Yes.  
 14 Q. That is Ms Hartill's own surveillance risk assessment?  
 15 A. Yes.  
 16 Q. That work was done to -- was being done about the GPS  
 17 tagging?  
 18 A. Yes.  
 19 Q. And the trigger plan?  
 20 A. Yes.  
 21 Q. And then we see these words:  
 22 "Calum update given re 24/12/18."  
 23 Which of course is the date of release. Is that  
 24 what you were referring to when you said you believed  
 25 based on those notes that Mr Forsyth participated in

1 that meeting?  
 2 A. Yes, and also a note in the rear of one of my other  
 3 books.  
 4 Q. During that meeting, was any intelligence shared in  
 5 Mr Forsyth's hearing concerning either the "old ways"  
 6 information or the attack aspiration information?  
 7 A. I cannot recall explicitly what was discussed during  
 8 that meeting.  
 9 Q. Take that off the screen and put on the screen  
 10 {DC7496/1}. Is this the counter-terrorism surveillance  
 11 risk assessment which Ms Hartill had been working on  
 12 which you'd referred to in various of your notes?  
 13 A. Yes.  
 14 Q. And then {DC7496/2}, please. It is a December 2018  
 15 document, as we saw. Can we see that the operational  
 16 threat overview page begins with a summary of Khan's  
 17 offences?  
 18 A. Yes.  
 19 Q. And then beyond the blacked out section, do we see that  
 20 it refers to various pieces of prison intelligence,  
 21 again, referring to Khan radicalising others and using  
 22 violence?  
 23 A. Yes.  
 24 Q. And then do we see that Ms Hartill has written this,  
 25 third paragraph on the page we see:

1 "On the approach to his release Khan has told  
 2 persons in authority he is reformed and wishes to  
 3 rebuild his life. He has stated he no longer believes  
 4 in the rhetoric and is keen to share his experiences as  
 5 a writer, he has good connections with Cambridge  
 6 University and wishes to pursue an academic career in  
 7 combating terrorism. Recent reporting however is to the  
 8 contrary; Khan tries to radicalise others at Friday  
 9 prayers, he is planning on returning to his old ways on  
 10 his release from prison and is part of a group of Muslim  
 11 prisoners who boast about what they intend to do upon  
 12 their release. Further reporting has been received that  
 13 Khan may be intending to carry out an attack after his  
 14 release, albeit this has low credibility."  
 15 So was Ms Hartill setting out the contrasting  
 16 information, both positive overt behaviour and some very  
 17 worrying reporting recently?  
 18 A. Yes, that would have been informed by the subject  
 19 profile, this document.  
 20 Q. Are you aware why she referred to the attack aspiration  
 21 intelligence as having low credibility?  
 22 A. That may be due to the handling conditions that were  
 23 recorded on that product, intelligence product, sorry,  
 24 intelligence report.  
 25 Q. Did you regard it as having low credibility at the time?

1 A. I would say it was in line with his handling conditions.  
 2 The credibility could not be judged, cannot be judged  
 3 for.  
 4 Q. Witness A has told us that this was intelligence of  
 5 unknown validity which was uncorroborated. Is that how  
 6 you understood it to be?  
 7 A. I understood it to be untested and its credibility could  
 8 not be judged.  
 9 Q. And then we see at the bottom of this page, Ms Hartill  
 10 sets out details of Khan's approved premises?  
 11 A. Yes.  
 12 Q. And then {DC7496/3}, towards the bottom, do we see she  
 13 provides further analysis of him: lack of respect for  
 14 authority, incidents of abusing the communication  
 15 system, using Arabic to avoid detection?  
 16 A. Yes.  
 17 Q. We can take that off screen now.  
 18 Moving on then to work following release of Khan  
 19 into the community in the early stages from January  
 20 to March 2019. May we return to your major incident  
 21 disclosure book to follow the sequence of events,  
 22 {DC7489-T/22}. Towards the bottom of the page, Khan has  
 23 now been released from prison, and do we see that on  
 24 31 December 2018, you record a Prevent visit having  
 25 happened with Khan's mobile phone having changed over

1 because of a concern about internet connectivity?  
 2 A. Yes.  
 3 Q. We heard about that visit; had you read the report of  
 4 that visit and were you noting it up here?  
 5 A. Yes.  
 6 Q. And then right at the bottom of the page, can we see  
 7 into January on 16 January 2019 you had a meeting at  
 8 West Midlands CTU alongside DI Hessel and DI Powell.  
 9 What was the purpose of that meeting?  
 10 A. That meeting was to meet with the SOI to establish  
 11 responsibilities around the assessment of risk primarily  
 12 on the risk assessment document created by DC Hartill.  
 13 Q. Page 23 at the top, please. Can we see in keeping with  
 14 what you've said that there was discussion of that risk  
 15 assessment and the surveillance which we know from  
 16 Witness A was being put in place at this time?  
 17 A. Yes.  
 18 Q. Then if we go further down, can we see an entry on  
 19 24 January 2019 referring to research about gyms which  
 20 Khan might be wanting to join?  
 21 A. Yes.  
 22 Q. Were you and your team doing any work researching gyms?  
 23 A. We would support Prevent and doing some research on one  
 24 gym, I believe it came after this, but I can't recall  
 25 any support in relation to intelligence around this but

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1 there were discussions around the specific gym  
 2 suitability .  
 3 Q. You were helping decisions be made about what sort of  
 4 gym Khan should be permitted to join?  
 5 A. We were presenting intelligence around that gym and  
 6 whether that would inform their decision—making with  
 7 MAPPAs, whether he could attend or not.  
 8 Q. Then a different document, please, {DC7491/5}. Do we  
 9 see here a section of a minute of a Staffordshire  
 10 Special Branch operational meeting in January 2019?  
 11 A. This would be an intelligence summary prepared for that  
 12 meeting.  
 13 Q. Do we see that this summary refers to Operation Molal  
 14 investigation into Khan, a P3 investigation, with you  
 15 named at the head of the summary?  
 16 A. Yes.  
 17 Q. Do we see that under this heading Khan's release from  
 18 prison on 24 December is summarised?  
 19 A. Yes.  
 20 Q. And then this update: that since Khan had been released  
 21 he was complying with his conditions and engaging well  
 22 with probation, Prevent and his mentor, although he kept  
 23 himself to himself at the approved premises and was  
 24 asking to meet them in the town?  
 25 A. Yes.

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1 Q. Do we see reference to the purchase of the Xbox games  
 2 console which had been WIFI—disabled?  
 3 A. Yes.  
 4 Q. That he wanted to join a gym?  
 5 A. Yes.  
 6 Q. And that he intended in the longer term to remain in  
 7 Stafford?  
 8 A. Yes.  
 9 Q. Was that a summary of your understanding of how things  
 10 stood in January 2019?  
 11 A. Yes, that's a summary of the information and  
 12 intelligence that I had been privy to.  
 13 MR HOUGH: Sir, would that be a convenient moment for our  
 14 mid—morning break?  
 15 JUDGE LUCRAFT: We will take a break there.  
 16 We are going to take a comfort break of about  
 17 15 minutes there, so we will sit again in 15 minutes'  
 18 time, thank you.  
 19 (In the absence of the jury)  
 20 JUDGE LUCRAFT: I'll rise.  
 21 (11.20 am)  
 22 (A short break)  
 23 (11.45 am)  
 24 (In the presence of the jury)  
 25 JUDGE LUCRAFT: Thank you.

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1 MR HOUGH: Mr Stephenson, we had reached a point of the  
 2 start of February 2019 in the history of events and may  
 3 we have on the screen, {DC7489—T/26}, a further page  
 4 from your major incident disclosure book. Can we see  
 5 you make an entry for 7 February saying that you're  
 6 processing Prevent intelligence logs, reviewing a mentor  
 7 report and so on?  
 8 A. Yes.  
 9 Q. And an entry for 25 February 2019 setting out what you  
 10 have drawn from recent mentor reports?  
 11 A. Yes.  
 12 Q. So is it fair to say that over this period you were  
 13 keeping yourself regularly well updated on Mr Khan's  
 14 progress and behaviour from those mentor reports that  
 15 the jury have seen?  
 16 A. Yes, I was.  
 17 Q. Then in March 2019, on 7 March, did you attend a MAPPAs  
 18 meeting alongside DI Powell and PS Forsyth?  
 19 A. Yes.  
 20 Q. Was that your first attendance at a MAPPAs meeting  
 21 concerning Khan?  
 22 A. Yes, and that was also my first ever MAPPAs meeting  
 23 attendance.  
 24 Q. If we put on the screen {DC6411/1} we will see the  
 25 minutes. When you came along to that meeting did you

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1 know what pieces of prison intelligence had been fed  
2 into the MAPPa process before that?  
3 A. I don't believe so, no.  
4 Q. We have heard and seen that the prison intelligence  
5 about Khan saying that he would return to his old ways  
6 had been fed into the MAPPa process, but the prison  
7 intelligence about Khan saying that he aspired to carry  
8 out an attack had not been fed into the MAPPa process;  
9 did you know that at the time?  
10 A. No.  
11 Q. Did you discover that later?  
12 A. I'm not aware of that intelligence ever having been  
13 shared with MAPPa about the attack.  
14 Q. So did you know that — had you been asked at any point  
15 between March and November 2019 do the MAPPa  
16 participants know these two pieces of intelligence, what  
17 would your answer have been?  
18 A. Aware of the return to old ways, but I'm not aware of  
19 them being sighted on the attack.  
20 Q. Did you think that they ought to be informed of that  
21 piece of intelligence?  
22 A. It's not something that I considered. I mean, can  
23 I just say also with regards to the MAPPa minutes,  
24 I wasn't — I am only aware of the contents of the MAPPa  
25 minutes as a result of the Inquest, and the detail they

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1 now hold.  
2 Q. We'll see that you and your colleagues made some notes  
3 of the MAPPa records but you didn't yourself receive  
4 MAPPa minutes, did you not?  
5 A. That's correct, I didn't receive them.  
6 Q. However, we have heard from the MAPPa chair that at the  
7 start of any meeting, the minutes from the previous  
8 meeting would be looked at and confirmed; is that how  
9 you recall things?  
10 A. I believe so, yes.  
11 Q. {DC6411/3} of these minutes, please, we see the list of  
12 attendees at the bottom of the page, and your name there  
13 along with Mr Powell and Mr Forsyth from West Midlands  
14 Police, DCI Cobbett, Ms Myers and DS Jerromes.  
15 Were you aware at that meeting that the senior  
16 investigating officer, Mr Chambers, and the deputy,  
17 Mr Beattie, weren't present?  
18 A. I don't believe so, no.  
19 Q. Did it strike you as at all concerning that those two,  
20 the key figures in the counter—terrorist investigation,  
21 weren't at this MAPPa meeting?  
22 A. That was a thought that never crossed my mind, no.  
23 Q. From an outsider, layman's point of view, it might seem  
24 odd that a process like MAPPa is taking place without  
25 any figure from the counter—terrorism investigation lead

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1 team?  
2 A. Possibly, yes, however, there was obviously a senior  
3 West Midlands Counter—Terrorism Unit officer present, in  
4 my understanding, throughout the MAPPa process.  
5 Q. As far as you were aware, was she actively involved in  
6 this counter—terrorism investigation though?  
7 A. No.  
8 Q. {DC6411/4}, please, at the bottom of the page, the  
9 minutes record an update from Mr Skelton that Khan had  
10 been maintaining good behaviour. Do you remember  
11 Mr Skelton saying that at this meeting?  
12 A. I don't recall the contents of the meeting.  
13 Q. Do you remember in general terms that Khan was felt to  
14 be compliant and behaving well?  
15 A. I don't believe there were any concerns raised as  
16 regards his behaviour.  
17 Q. In the last paragraph on this page, reference is made to  
18 an event that was planned to take place at Cambridge  
19 University in March 2019 for which Mr Skelton had  
20 refused permission on the basis that it was too soon,  
21 and that a video was to be filmed which would be  
22 provided to counter—terrorist police. Do you remember  
23 a discussion on that subject?  
24 A. Again, due to the time, I can't recall specific  
25 conversations around that subject.

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1 Q. Page 3, please, the top of page 3. Sorry, top of  
2 {DC6411/5}. Right at the top three paragraphs, the  
3 minutes record Mr Skelton saying that in future,  
4 probation may look to enable Usman Khan to attend some  
5 of the events with measures in place. It is recorded  
6 that Staffordshire Special Branch colleagues asked to  
7 have a heads up if Usman would be attending these  
8 events.  
9 Again, we appreciate this was a meeting a long time  
10 ago; do you remember any discussion about possible plans  
11 for Usman Khan to attend any future events?  
12 A. I don't, however, I wouldn't disagree with the notes  
13 there about wanting to know.  
14 Q. Why would you want to know, you within Staffordshire  
15 Special Branch, if Usman Khan was going to be attending  
16 an event with Cambridge University in the future?  
17 A. It was just to ensure that we would be sighted on his  
18 ongoing progress, engagement with authorities, and if he  
19 continued to comply.  
20 Q. There's reference there to measures being put in place  
21 potentially for future events; would you have been  
22 looking at future events from a risk perspective?  
23 A. I don't believe that was a consideration for requesting  
24 those updates.  
25 Q. I'm sorry, I didn't hear.

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1 A. I said I don't believe that was a consideration for the  
 2 request of those updates, necessarily to risk .  
 3 Q. Why would Staffordshire Special Branch have wanted to  
 4 know about future events then? Why would they want to  
 5 be sighted on them?  
 6 A. To establish if there was any potential breaches,  
 7 intelligence , opportunities in support of the priority  
 8 operation.  
 9 Q. Moving on, please, shortly after that meeting did you  
 10 take steps to obtain a copy of the video that was filmed  
 11 with the Learning Together team?  
 12 A. Yes.  
 13 Q. If we look at {WS5063—JS173/1}. We see that on  
 14 11 March 2019 you emailed Mr Mills in West Midlands  
 15 Police saying you had downloaded the video filmed of  
 16 Usman Khan and that was going to be passed on?  
 17 A. Yes.  
 18 Q. Did you yourself view the video?  
 19 A. Yes.  
 20 Q. What did you think of it?  
 21 A. He seemed very positive about his involvement with the  
 22 Learning Together programme. There was nothing that  
 23 I viewed that caused me any concern from that video.  
 24 Q. Did you pick up the point that he told a lie or at least  
 25 seriously exaggerated, saying that he had spent most of

1 his prison service in segregation?  
 2 A. I recall that section of the video, yes, but at —  
 3 obviously subsequently, I'm recently aware from  
 4 Witness A, but I don't recall at the time thinking that  
 5 was a lie .  
 6 Q. Of course, you didn't at that stage know absolutely  
 7 chapter and verse every aspect of his prison time, did  
 8 you?  
 9 A. No.  
 10 Q. Back to your major incident disclosure book and the next  
 11 part of it , {DC7490—T/2}. Right at the bottom of the  
 12 page can we see that you make an entry on the same day  
 13 as that email saying that you had read a recent mentor  
 14 report?  
 15 A. Yes.  
 16 Q. And then over the page to the top, {DC7490—T/3}, you  
 17 noted that in that report Usman Khan had been unhappy  
 18 with his licence conditions and had reportedly become  
 19 angry with the mentor?  
 20 A. Yes.  
 21 Q. Then if we go down to the next entry can we see you made  
 22 an entry — back up, please — which should have read  
 23 12 March 2019 where you wrote that you had sent an NCIA  
 24 email about a video and about Khan's anger concerning  
 25 his licence conditions?

1 A. Yes.  
 2 Q. We can look at that email, {WS5063—JS539/1} We can see,  
 3 I think, that that email was sent to DI Hessell,  
 4 DI Powell, Ms Banner and also some addressees in the  
 5 Security Service?  
 6 A. Yes.  
 7 Q. I can't see on the addressees anyone from West Midlands  
 8 Police CTU; is there a reason for that?  
 9 A. I can't explain, no.  
 10 Q. Can we see in this email you refer to the video that  
 11 you've obtained about Learning Together and Usman Khan's  
 12 positive experiences on the programme?  
 13 A. Yes.  
 14 Q. And then the second paragraph, down the page, that you  
 15 describe, as you say, the mentor report, Khan  
 16 demonstrating a change in attitude, displaying anger and  
 17 frustration which hadn't been seen before?  
 18 A. Yes.  
 19 Q. And then you note that you tasked the analyst to pull  
 20 together a timeline of events; is that Ms Banner?  
 21 A. Yes.  
 22 Q. And then in the final large paragraph did you seek  
 23 thoughts about a BSU, Behavioural Science Unit?  
 24 A. Yes.  
 25 Q. Assessment by MI5?

1 A. Yes.  
 2 Q. In order to:  
 3 " ... understand the trajectory of where [Khan] was  
 4 on release compared to where he is at/heading now."  
 5 A. Yes.  
 6 Q. Why were you suggesting a BSU assessment?  
 7 A. It just seemed proportionate considering that he had  
 8 been out for, at that point, a couple, three months and  
 9 there was material there that was demonstrating how he  
 10 was engaging with authorities and from experience, it's  
 11 something that I thought that we could consider and  
 12 flagged that with MI5.  
 13 Q. To your knowledge, did such an assessment ever happen?  
 14 A. I'm unaware of the assessment happening.  
 15 Q. Were you ever told whether one had been produced or if  
 16 not, why not?  
 17 A. No, I was not.  
 18 Q. You asked for that assessment against the backdrop of  
 19 having received this mentor report which displayed an  
 20 unusual form of behaviour. Was that part of the reason  
 21 you were asking for an assessment?  
 22 A. I would say it just — it was part of the reason for  
 23 requesting the assessment. It was an indicator of how  
 24 he was engaging and it just stood out.  
 25 Q. Take that off the screen now. Back to your disclosure

1 book, {DC7490–T/5}. Top of the page, you note this on  
 2 29 March 2019:  
 3 "Printed off official sensitive [that is a security  
 4 grading] subject profile from NCIA of Usman Khan and  
 5 passed to Sergeant Forsyth for the case file of the  
 6 Prevent team."  
 7 Was that the profile that we have seen which  
 8 included the prison intelligence?  
 9 A. That was a different profile, that was a sort of  
 10 downgraded version of the profile we've seen earlier and  
 11 it did contain some of the prisons' intelligence but not  
 12 all.  
 13 Q. Did it, so far as you can tell us, contain the "old  
 14 ways" intelligence or the attack–planning intelligence?  
 15 A. It concerned the "old ways" intelligence, but I don't  
 16 believe it contained the attack–planning intelligence.  
 17 Q. Did Sergeant Forsyth raise any questions about that  
 18 profile or discuss it with you at all?  
 19 A. No, he had requested the profile, which was passed to  
 20 him but there were no discussions around it.  
 21 Q. Further down the page we see that you did some research  
 22 or record some research conclusions about means for Khan  
 23 to renounce his British citizenship. Do you see that?  
 24 A. Yes.  
 25 Q. Was that against the backdrop of concerns about Khan

1 wanting to relocate to Pakistan?  
 2 A. Yes.  
 3 Q. Do we see that on 4 April 2019, you made a further entry  
 4 saying that you had spoken to the head of Special  
 5 Branch, Mr Powell, about the frequency of Prevent visits  
 6 to Khan as you believed they needed to be more frequent  
 7 and an exclamation mark?  
 8 A. Yes.  
 9 Q. Why did you think that the visits of the Prevent team  
 10 needed to be more regular?  
 11 A. Because they were viable, they had face–to–face  
 12 engagements and they would be in a position to provide  
 13 their professional opinion for the details of how he'd  
 14 interacted with police and it just seemed to me that  
 15 that's an opportunity that we could explore to actually  
 16 increase the frequency, and I wasn't aware of anything  
 17 that would prevent that from happening.  
 18 Q. This request, coming shortly after your request for the  
 19 BSU assessment, might seem to suggest that you were  
 20 interested in getting more information about Khan's  
 21 mindset; is that a fair view?  
 22 A. I would say it wouldn't necessarily be triggered by the  
 23 point I raised in the mentor report, there's always  
 24 a thirst for information and being diligent and ensuring  
 25 that consideration is given, it made sense to me that if

1 we could get in front of Usman Khan more frequently,  
 2 that would be valuable.  
 3 Q. Moving on to the 11 April 2019. May we have on the  
 4 screen {DC7492/1}. This is a paper for the Special  
 5 Branch operation meeting of April 2019 which was on  
 6 11 April. {DC7492/3}, please. Can we see  
 7 Operation Molal and it's referred to as a P3  
 8 investigation with these words:  
 9 "Uncorroborated reporting of NS concern judged to  
 10 have some credibility."  
 11 Was that a reference to the attack–planning  
 12 intelligence?  
 13 A. I think that's in reference to the definition of a P3,  
 14 I believe, or part of.  
 15 Q. It seems to be quite a specific definition for it to be  
 16 part of the general definition of a P3: "uncorroborated  
 17 reporting of some credibility". It would appear to be  
 18 more specific?  
 19 A. I can't — I mean, I can't say explicitly. My  
 20 understanding is that would be in relation to P3, yes,  
 21 I accept it may be in relation to the intelligence as  
 22 well.  
 23 Q. If we go down the page we can see that there is  
 24 a summary of Khan's offending history and his behaviour  
 25 since release and then at the top of the page, can we

1 see an update on Khan's dealings with Learning Together  
 2 including reference to the video filmed at the approved  
 3 premises and the prospect of an upcoming visit to  
 4 HMP Whitemoor with Cambridge University? {DC7492/4}.  
 5 A. Yes.  
 6 Q. So that was certainly in your mind by that stage, is it?  
 7 A. Yes.  
 8 Q. And then do we see this:  
 9 "Sergeant Forsyth has been tasked to provide further  
 10 detail on this [which is the upcoming visit] and update  
 11 Special Branch OIMU with details and purpose of any  
 12 planned visits, videos, etc involving Khan and the  
 13 University."  
 14 Was that a tasking which you gave to  
 15 Sergeant Forsyth?  
 16 A. I don't recall explicitly giving him that tasking,  
 17 however, I'm confident we would have had discussions.  
 18 Q. Once again, what was the purpose of trying to obtain  
 19 further detail on any future visits?  
 20 A. Just to understand structure and then to assess and  
 21 provide information into the operations around Khan's  
 22 ongoing engagement with authority and if there was any  
 23 concerns from engagements or with partners.  
 24 Q. Do we see in the next paragraph the document records  
 25 there has been no breach of the curfew or the electronic



1 tag?  
 2 A. Yes.  
 3 Q. There is a reference to there having been no  
 4 surveillance deployments since the initial release due  
 5 to an absence of any counter—terrorist or national  
 6 security reporting?  
 7 A. I see that there, yes.  
 8 Q. And then no association of Khan with any persons of  
 9 concern also noted?  
 10 A. That's correct.  
 11 Q. And then down the page reference to the mentor having  
 12 been changed and then this analyst comment in blue that  
 13 Khan had made various demands including internet access  
 14 when he left the approved premises, the other daytime  
 15 curfew time to be removed, internet—disabled laptop and  
 16 a trip to Whitemoor prison.  
 17 Did you perceive those at the time to be demands of  
 18 Khan or simply things that were being considered?  
 19 A. I'd say they were things that were being considered.  
 20 Q. Then the next paragraph:  
 21 "[redacted]..."  
 22 That's a form of message, is it?  
 23 A. That's right, that's a messaging, yes.  
 24 Q. Advising that joint operation team meeting was to be set  
 25 in relation to Khan's aspirations to renounce his

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1 British citizenship with a view to moving to Pakistan.  
 2 Did that JOT in fact get set?  
 3 A. No.  
 4 Q. Are you able to tell us why not?  
 5 A. I'm not, I never received any confirmation of a further  
 6 JOT around that period.  
 7 Q. Then {DC6412/5} of this document. Can we see that the  
 8 tasking involves updating the subject profile for Khan  
 9 and continued review of mentor reports and pattern of  
 10 life analysis?  
 11 A. Yes.  
 12 Q. Then may we return to your major incident disclosure  
 13 book, entry for the same day, {DC7490—T/5}. The entry  
 14 for the 11 April down the page, please. You noted  
 15 discussion with DI Hessel and then you write:  
 16 "Issues not being notified by Prevent details of  
 17 [Usman Khan] planned engagements with Cambridge  
 18 University ref making short videos etc around creative  
 19 writing studies and other relevant information from  
 20 Prevent. Advised would raise with [Head of Special  
 21 Branch]."  
 22 Can you explain that entry, what you were raising  
 23 there?  
 24 A. Yes, I think that was — that entry was following the  
 25 video, not actually being aware of its existence from

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1 memory until after it had been recorded, and I believe  
 2 I found out about that during the MAPPA process on  
 3 7 March, so I would ideally have wanted to have known  
 4 about its existence prior to then.  
 5 Q. Did you feel that you had been slightly taken by  
 6 surprise by that detail in that meeting?  
 7 A. I think mention of a video had been discussed previously  
 8 but the fact that it had actually taken place, yes.  
 9 Q. Then on 17 April 2019, so six days later, did you attend  
 10 a further MAPPA meeting concerning Usman Khan?  
 11 A. On what date, sorry?  
 12 Q. 17 April.  
 13 A. Yes.  
 14 Q. We'll put on the screen the minutes, {DC6412/1}. Does  
 15 your previous answer apply that you weren't sent these  
 16 minutes immediately afterwards?  
 17 A. That's correct.  
 18 Q. If we go down to — if we go to {DC6412/3}, and at the  
 19 bottom of the page the attendees we see that you were  
 20 there with DI Powell and PS Forsyth from Staffordshire  
 21 Special Branch, once again, the SOI and deputy from West  
 22 Midlands counter—terrorism were not present?  
 23 A. That's correct.  
 24 Q. By that point did you have any understanding as to why  
 25 they weren't attending these meetings?

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1 A. No, I didn't, however, like I've said previously,  
 2 West Midlands CTU were represented by a number of police  
 3 officers, including a senior CT police officer.  
 4 Q. {DC6412/5}, please. Up towards the top of the page.  
 5 The minutes record the probation officer, Mr Skelton,  
 6 giving a report on Khan's employment situation and then  
 7 under "CTU", down the page, there is a reference to Khan  
 8 having been invited back to the Learning Together event  
 9 at Whitemoor. The entry says that Khan initially  
 10 suggested he didn't want to attend, but had now changed  
 11 his mind, and that CTU colleagues had offered to provide  
 12 an escort on the day. Do you recall that discussion?  
 13 A. No, I don't.  
 14 Q. Do you know now why an escort was being offered?  
 15 A. I know now, yes.  
 16 Q. Why is that?  
 17 A. To facilitate Khan getting to and from the event.  
 18 Q. Do you recall anything else about what was decided at  
 19 that meeting or what came out of it?  
 20 A. I don't recall from memory, no.  
 21 Q. We can take that off screen.  
 22 Over this period as well as keeping an eye on the  
 23 mentor reports and the Prevent reports, were you also  
 24 keeping reports from the tagging company under review  
 25 which indicated where Khan had been?

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1 A. Yes, that was — yes, that was right.  
 2 Q. Put on the screen, for example, {DC7422/180}. I may  
 3 have given a wrong reference. {DC7442/180}. It may be  
 4 that I have got a wrong reference, in which case we will  
 5 come back to if we need to.  
 6 So here, for example, we see an email from West  
 7 Midlands CTU to you referring to the tagging data and  
 8 saying that Khan had been staying in Stafford over  
 9 a recent period, 21 February to 10 April, apart from one  
 10 day when he travelled to Stoke?  
 11 A. Yes.  
 12 Q. And that was of course consistent with him going from  
 13 time to time to Stoke to see his family?  
 14 A. That's correct.  
 15 Q. Then later in May 2019 did Ms Banner update the subject  
 16 profile? It may be that you can't —  
 17 A. I can't recall the specific dates of the updates.  
 18 Q. {DC7498}, please. We see at the bottom of the page, the  
 19 latest update is referred to as 28 May 2019?  
 20 A. Yes.  
 21 Q. {DC7498/19}. We can see a section of intelligence which  
 22 has been added to the profile setting out intelligence  
 23 since Khan's release?  
 24 A. Yes.  
 25 Q. And then {DC7498/21}, the middle of the page, can we see

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1 Ms Banner sets out an assessment of Khan by the Prevent  
 2 team from 12 April 2019 recording that Khan has:  
 3 "... maintained a positive outlook and wants to move  
 4 on in life becoming a positive contributor to society  
 5 ... no concerns from Prevent perspective."  
 6 A. Yes.  
 7 Q. Was that consistent with the descriptions of their  
 8 dealings with Khan that you were getting from the  
 9 Prevent team?  
 10 A. Yes, I would say it was, yes.  
 11 Q. Because you, of course, were having these regular  
 12 meetings with Mr Forsyth and his colleagues; what were  
 13 they saying over this period about how Khan was?  
 14 A. I recall from the — there was nothing of any concern  
 15 that they had with regards to Khan and that he was  
 16 continuing to engage well and was always happy to see  
 17 them.  
 18 Q. If we look at the bottom of the page in red can we see  
 19 that the analyst refers to studies of Khan's tagging  
 20 data which again refers to him staying around Stafford  
 21 town centre and not apparently going anywhere of  
 22 concern?  
 23 A. That's correct.  
 24 Q. And then we can take that off screen. Is it right that  
 25 in early July 2019, after I think a short holiday, you

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1 contacted Mr Forsyth because you'd been catching up on  
 2 mentor reports?  
 3 A. I believe so.  
 4 Q. {DC7442/336}, bottom of the page. We see you emailed  
 5 Mr Forsyth on 3 July saying you had been catching up on  
 6 mentor reports and you referred to two reports speaking  
 7 of Khan seeking to secure dumper truck training?  
 8 A. That's correct.  
 9 Q. When you read those reports, what view did you take of  
 10 that proposal?  
 11 A. It didn't seem appropriate.  
 12 Q. Why not?  
 13 A. Considering he was a convicted terrorist and was being  
 14 offered, potentially, access to a heavy vehicle.  
 15 Q. At the risk of stating the obvious, why is that?  
 16 A. Because there had been a recent series at that time of  
 17 attacks across Europe, while it was a low sophistication  
 18 attack and potentially could be used to harm people,  
 19 harm the public.  
 20 Q. So immediately you formed this concern, despite the fact  
 21 that this was something being proposed for employment  
 22 purposes?  
 23 A. Yes.  
 24 Q. Then up towards the top of the page, can we see that  
 25 Mr Forsyth responds saying:

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1 "Probation are aware of this course and are  
 2 supportive [because of the employment purpose] ... [but]  
 3 it will no doubt guess discussed at [the] MAPPA  
 4 [meeting] on 11 July..."  
 5 A. Yes.  
 6 Q. {DC7442/338}, next. So later that morning do we see  
 7 that you forwarded that email chain to Mr Mills at West  
 8 Midlands Police drawing his attention to this point?  
 9 A. Yes.  
 10 Q. And saying that you had raised it with the Prevent team  
 11 and you'd shared the update with intelligence partners?  
 12 A. Yes.  
 13 Q. So this issue was of sufficient concern to you to share  
 14 it with all those people?  
 15 A. I think that — yes, that demonstrates the amount of  
 16 contact and information—sharing with other partners.  
 17 Q. Then {DC7442/344}, please. Did you then email  
 18 Mr Forsyth later that day attaching a JTAC report about  
 19 the recent use of vehicles—as—weapons in terrorist  
 20 attacks?  
 21 A. Yes.  
 22 Q. Again, at the risk of asking an obvious question, why  
 23 did you think that would, as you put it, assist  
 24 Mr Forsyth in order to inform and influence probation's  
 25 decision?

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1 A. It was to make them aware of that risk and in order they  
 2 could make informed decisions.  
 3 Q. So is it fair that you were seeking to provide  
 4 information and guidance to that decision so that a risk  
 5 was properly taken into account?  
 6 A. Yes.  
 7 Q. Then {DC7442/349}, please, can we see shortly after that  
 8 Mr Forsyth responded. We have looked at this email  
 9 before but did he say that he would reference the report  
 10 but he set out various reasons for the course to be  
 11 permitted?  
 12 A. From that email, yes.  
 13 Q. We can take that off screen now. There was a MAPP  
 14 meeting on 11 July 2019 which you didn't attend, but  
 15 DI Hessel did, and the dumper truck course was  
 16 discussed at that meeting. Did you receive any feedback  
 17 on that meeting and what had happened?  
 18 A. I would have done, however, I can't recall what that  
 19 feedback would have been.  
 20 Q. We know that the decision on that occasion was for  
 21 further information to be sought about the dumper truck  
 22 course. Is that something you can recall vaguely?  
 23 A. Yes.  
 24 Q. Then, please, {DC7442/376}. We can see that Mr Forsyth  
 25 emails you on 15 July. If we look down the page we can

1 see what he's emailed you. It is material in relation  
 2 to dumper trucks which we can see at page 380 of the  
 3 same document {DC7442/380}. Did you then receive those  
 4 training notes in line with the request made at the  
 5 MAPP meeting?  
 6 A. I recall having seen this document before, yes.  
 7 Q. Take that off screen. There was then a further MAPP  
 8 meeting on 22 August 2019, again, you didn't attend, but  
 9 DC Hartill did on this occasion. In the lead up to that  
 10 meeting, do you remember any discussions within your  
 11 team about the dumper truck course?  
 12 A. I can't recall any specific conversations.  
 13 Q. May we have on the screen {DC7490-T/13}, at the bottom  
 14 of the page. This is your major incident disclosure  
 15 book transcribed. And we see that you note up a verbal  
 16 update that Ms Hartill gave you from the MAPP meeting  
 17 on 22 August?  
 18 A. Yes, correct.  
 19 Q. From point 3, can we see that the dumper truck course  
 20 was discussed, and that no approval was given to  
 21 undertake the course which was therefore put on hold?  
 22 A. Yes.  
 23 Q. Did you, at that point, have any understanding of why  
 24 the dumper truck course had been effectively vetoed?  
 25 A. I believe it may have been as a consequence of the

1 report that we'd fed into MAPP via Sergeant Forsyth.  
 2 Q. So that made clear to you that you had done your job  
 3 properly, that you had provided some information which  
 4 had been properly taken into account?  
 5 A. Yes, I'd raised a concern I had that had clearly been  
 6 considered.  
 7 Q. Then over to {DC7490-T/14}, please. Point 7:  
 8 "One day event with [Cambridge University]. NFD..."  
 9 Is that "no further details"?  
 10 A. Yes, that's what that means, yes.  
 11 Q. "... previously escorted [Usman Khan] but will have to  
 12 make his own way there."  
 13 This suggests that Ms Hartill told you that there  
 14 was going to be an event for Usman Khan with Cambridge  
 15 University which he would have to travel to without an  
 16 escort?  
 17 A. Yes.  
 18 Q. Is that right?  
 19 A. Yes.  
 20 Q. At that stage, were you aware, made aware where the  
 21 event would be taking place?  
 22 A. I don't believe so, no.  
 23 Q. Do you recall asking Ms Hartill where it would be or for  
 24 any further details about it?  
 25 A. No, I don't recall that.

1 Q. Did you have a view at that stage about Khan going on  
 2 a visit away from Stafford without an escort?  
 3 A. No, I didn't.  
 4 Q. Did you yourself make further enquiries or ask  
 5 Ms Hartill to make further enquiries about that?  
 6 A. I believe I made further enquiries later, as in later in  
 7 2019.  
 8 Q. Did you not, at that stage, when first told about that,  
 9 have a concern that an unescorted visit was being  
 10 proposed, given the other sorts of concerns that you had  
 11 expressed over previous weeks and months?  
 12 A. Well, the details of the event weren't known.  
 13 Q. But wouldn't you need to know those details in order to  
 14 take a view about it?  
 15 A. Yes.  
 16 Q. Didn't you see it as part of your job to take a view  
 17 about it in order to give precisely the sort of guidance  
 18 you'd very usefully provided in relation to the dumper  
 19 truck course?  
 20 A. Yes, and that's what followed later on, seeking out that  
 21 information.  
 22 Q. We'll come to the events that followed as we go.  
 23 Can we see at point 8 that Ms Hartill updated you  
 24 that Usman Khan was continuing with a search for  
 25 housing?

1 A. Yes.  
 2 Q. And point 11, if we go down the page so we can see it  
 3 fully, do we see that she, according to these notes,  
 4 told you that Mr Forsyth had given an update saying that  
 5 there were no issues on face value but that he described  
 6 Khan as a teenager who expected others to do things for  
 7 him?  
 8 A. Yes.  
 9 Q. But that:  
 10 "Calum [had] no concerns that he was diverting to  
 11 a different mindset."  
 12 A. Yes.  
 13 Q. We can take that off screen now. In  
 14 early September 2019 did you discover that Khan's  
 15 mentoring arrangement was coming to an end?  
 16 A. In early, when, sorry?  
 17 Q. Sorry, early September 2019.  
 18 A. Yes.  
 19 Q. {DC7442/502}, bottom of the page, can we see that  
 20 Mr Forsyth emailed to point out that the mentor  
 21 arrangement had come to an end and then up the page,  
 22 forwarded that email to you?  
 23 A. Yes.  
 24 Q. And that, if we see the top of the page is  
 25 3 September 2019. I think we seem to have moved on to

1 page 503. If we go back to 502, the top of the page,  
 2 3 September 2019?  
 3 A. Yes.  
 4 Q. Next, please, to continue the narrative from September,  
 5 {DC7453/1}, was there a Staffordshire Special Branch  
 6 operations meeting at this time on 10 September 2019?  
 7 A. Yes.  
 8 Q. And then {DC7453/2}, we can see that there is an update  
 9 given, including an update from April saying that Khan  
 10 has completed his Construction Skills course and was  
 11 still expecting to undertake a dumper truck course and  
 12 had recently questioned why that hadn't happened. And  
 13 then this is recorded: that he's informed Prevent that  
 14 this prevented him from getting a job that had been  
 15 offered to him, but that wasn't true, because the job  
 16 offered to him was a scaffolding job?  
 17 A. Sorry, can you just point out which part?  
 18 Q. Yes, it is right at the bottom of the screen if you  
 19 read:  
 20 "He is still expecting to undertake a dumper truck  
 21 driving course and has recently questioned why this has  
 22 not happened, informing Prevent that this prevented him  
 23 getting a job that had been offered to him. (This is  
 24 not true as the job offered to him as was a scaffolding  
 25 job)."

1 A. Okay.  
 2 Q. Do you recall that lie being caught out?  
 3 A. No, I don't.  
 4 Q. Then down to the next paragraph:  
 5 "Khan attended a pre-planned visit to HMP Whitemoor  
 6 in June 2019 with his ongoing Cambridge University work  
 7 and received his Google Chromebook and printer on this  
 8 visit (internet disabled) to allow him to continue his  
 9 studies."  
 10 Were you aware whether that Chromebook was in fact  
 11 used in the months that followed?  
 12 A. I don't recall being aware of the Chromebook's usage.  
 13 Q. We have heard from others that in fact the Chromebook  
 14 wasn't used for substantive work; was that something  
 15 that ever came to your attention?  
 16 A. I don't believe so.  
 17 Q. And the record goes on to say that in September the  
 18 company providing Khan's mentoring had withdrawn the  
 19 service and also that Khan was looking for  
 20 accommodation?  
 21 A. Yes.  
 22 Q. That the tagging data showed regular visits to the gym  
 23 two or three times a week, sporadic visits to the mosque  
 24 and continued visits to the family?  
 25 A. Yes.

1 Q. So nothing of concern in that?  
 2 A. In that entry, no.  
 3 Q. Over the page, please, {DC7453/3}, just to complete the  
 4 record, we see the action points. There is no reference  
 5 in that update to the proposed unescorted visit. Are  
 6 you able to explain why not?  
 7 A. No, I can't.  
 8 Q. Given that that proposed visit had been raised, would  
 9 you not expect it to be at least entered in a document  
 10 of that kind for the operations meeting?  
 11 A. Yes, I would.  
 12 Q. Next, {DC7443/18}. We can see an email from Mr Forsyth  
 13 dated 13 September 2019 who tells you that Usman Khan  
 14 has secured a flat and he gives details saying that the  
 15 move is planned for the week commencing 23 September,  
 16 and that he would get some further details to you?  
 17 A. Yes.  
 18 Q. Is it right that you needed to know about that, amongst  
 19 other reasons, because changes would have to be made to  
 20 the trigger plan?  
 21 A. That's correct.  
 22 Q. You can take that off screen now. Now, we know a MAPPA  
 23 meeting took place on 3 October 2019. You, I think,  
 24 didn't attend that meeting?  
 25 A. I don't -- no, I don't believe I did.

1 Q. You are certainly not mentioned in the minutes. By this  
 2 stage, so by the stage of this further MAPPa meeting,  
 3 did you know anything more about the prospective visit  
 4 that Emma Hartill had told you about after the last  
 5 MAPPa meeting?  
 6 A. I don't believe so, no.  
 7 Q. {DC7443/70}, please. We see that Ms Hartill updated you  
 8 and others on the MAPPa meeting, sending that email the  
 9 day after the 4 October?  
 10 A. Sorry which? Sorry, which line are you talking about?  
 11 Q. If we look at the top, it is from Emma Hartill --  
 12 A. Yes.  
 13 Q. -- dated 4 October --  
 14 A. Yes.  
 15 Q. -- which is the day of the MAPPa meeting --  
 16 A. Yes.  
 17 Q. -- and you're one of the addressees?  
 18 A. That's correct.  
 19 Q. And then if we focus on the entry for Usman Khan, do we  
 20 see she notes that there were positive reports from  
 21 probation and from the approved premise?  
 22 A. Yes.  
 23 Q. That Khan was low down the priority list for a new  
 24 mentor, but that approved premises and probation staff  
 25 were to assist with supervising internet access for

1 job-hunting?  
 2 A. Yes.  
 3 Q. Did you become aware that in fact that didn't happen?  
 4 A. No.  
 5 Q. Then down the page, please, there is a reference to  
 6 a proposal -- if we go up slightly, we've missed it  
 7 out -- there is a reference to a proposal for Khan to  
 8 become involved with a community engagement company run  
 9 by Richard James, that is Intensive Engagement, and that  
 10 that had been refused by MAPPa as not appropriate. Do  
 11 you see that?  
 12 A. Yes.  
 13 Q. We see that she also makes an entry saying that there  
 14 have been no concerns reported by the Prevent team at  
 15 the MAPPa meeting?  
 16 A. Yes.  
 17 Q. Now, she makes no reference in that email to any  
 18 discussion of a further visit with Cambridge University?  
 19 A. That's correct.  
 20 Q. Did that occur to you at the time that she had told you  
 21 following the August MAPPa meeting that there was to be  
 22 this visit, but then at the October meeting, she doesn't  
 23 mention it?  
 24 A. Sorry, what was the question?  
 25 Q. Did it occur to you that after the August meeting she

1 says there's going to be this unescorted visit and then  
 2 after the October meeting, six weeks later, she doesn't  
 3 mention it. Did that strike you?  
 4 A. I can't recall at the time, but we also would  
 5 communicate regularly in person and have conversations,  
 6 so I wouldn't rely upon everything being on an email.  
 7 Q. We can take that off screen now. By the end of October,  
 8 and we are going to get some emails of late October and  
 9 early November, by that stage had you learned about the  
 10 prospective visit to London or the prospective visit  
 11 without an escort?  
 12 A. I can't recall the exact time I was aware of a trip to  
 13 London. It may have been in early November.  
 14 Q. {DC7443/102}, bottom of the page. On 28 October 2019  
 15 did you, as we see here, email Calum Forsyth asking for  
 16 an update of when his team would next be engaging with  
 17 Usman Khan and also asking about the position on the  
 18 mentor arrangements?  
 19 A. Yes.  
 20 Q. And then up the page, please. Can we see on the same  
 21 day, 28 October, Mr Forsyth tells you that the next  
 22 engagement would be later that week and that there was  
 23 no mentoring in prospect?  
 24 A. Yes.  
 25 Q. Then {DC7443/113} of the same document, do we see on

1 5 November 2019 PC Oakley emailed you with a report for  
 2 a visit to Usman Khan, as we see from the subject line,  
 3 on 31 October 2019?  
 4 A. Yes.  
 5 Q. If we go to the report, {DC7443/114}, next page, we see  
 6 this was a visit to Khan at his own flat and from the  
 7 middle paragraph the report said that Khan was happy to  
 8 have the Prevent officers in the flat, he had a large  
 9 number of Xbox games and DVDs and spent a lot of his  
 10 time playing and watching them, he said he was still  
 11 going to the gym but only a couple of times a week, he  
 12 had stopped going to the mosque, he didn't give any  
 13 reason. And then the report also refers to difficulties  
 14 with using the internet to search for jobs because he  
 15 didn't have a mentor?  
 16 A. Yes.  
 17 Q. When you read that, what did you think?  
 18 A. My thoughts were that he didn't seem to have the same  
 19 level of support that he had had earlier upon his  
 20 release, and also that he appears to be isolating or  
 21 isolated.  
 22 Q. {DC7443/133}, please. The next morning, 6 November 2019  
 23 at 8.57 in the morning, were you writing an email to  
 24 Mr Forsyth referring to that report and expressing  
 25 concern about Khan isolating himself and no longer

1 seeking employment?  
 2 A. Yes.  
 3 Q. Did you also, as you had done before, allude to the  
 4 possibility of increasing the frequency of Prevent  
 5 visits ?  
 6 A. Yes.  
 7 Q. Why were you concerned to increase the frequency of  
 8 those visits ?  
 9 A. I believe the frequency of the visits were far less than  
 10 when he initially was released from prison and with the  
 11 fact that he was moving into a new accommodation, they  
 12 still weren't being increased and I would be very  
 13 interested to know how Mr Khan was managing and engaging  
 14 with authority still during that time.  
 15 Q. You wanted more insight?  
 16 A. Basically, yes.  
 17 Q. And {DC7443/135}, please, at 10.49, before Mr Forsyth  
 18 had responded to you, did you email Mr Mills of West  
 19 Midlands CTU forwarding that report of the visit?  
 20 A. Yes.  
 21 Q. And did you say in the second paragraph that you would  
 22 speak to Prevent about increasing the frequency of  
 23 visits because of Khan appearing to isolate himself and  
 24 not proactively seeking employment?  
 25 A. Yes.

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1 Q. Did you also, in the same paragraph, suggest a JOT being  
 2 set up considering the recent changes in his personal  
 3 circumstances?  
 4 A. Yes.  
 5 Q. And in order to re-evaluate the situation going forward?  
 6 A. Yes.  
 7 Q. What did you mean suggesting re-evaluating the situation  
 8 going forward?  
 9 A. It had been several months since the last JOT so to  
 10 understand Khan's behaviours, how he was engaging with  
 11 authority, his plans, what support network he had from  
 12 probation, because it did appear that with the removal  
 13 of a mentor, no longer having access to the internet for  
 14 employment, they were things that I thought was it was  
 15 timely to have a JOT to discuss those with partners  
 16 collectively .  
 17 Q. When you say partners, you mean MI5?  
 18 A. MI5 but also the West Midlands CTU, the SOI.  
 19 Q. Did you say in the third paragraph that you and  
 20 DC Hartill would be attending the MAPPa meeting on  
 21 14 November when you should get better information, be  
 22 better sighted?  
 23 A. Yes.  
 24 Q. Next, please, can we just to keep the chronology, that  
 25 was 10.49, can we go to your major incident disclosure

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1 book, {DC7490-T/16}, the entry at 11 am. Does this  
 2 entry refer to a call you made?  
 3 A. Yes.  
 4 Q. I don't think there is any mystery about this: was it  
 5 a call to MI5?  
 6 A. Yes.  
 7 Q. And if we go down the page, please, so we can see the  
 8 full entry, do we see that you updated — no, further  
 9 up, please, so we can see the entry for 11.00,  
 10 thank you, do we see that you informed them about the  
 11 situation that whilst there was nothing specific of  
 12 concern, you expressed your concerns that Khan appeared  
 13 to be isolating himself, not attending the mosque, not  
 14 socialising, no job, not seeking employment, no mentor,  
 15 less frequent Prevent engagements and you're unsighted  
 16 on probation engagements despite previous requests being  
 17 made that material be shared through Sergeant Forsyth?  
 18 A. Yes.  
 19 Q. As I read this note, it suggests a certain degree of  
 20 frustration about limited information as well as concern  
 21 about Khan?  
 22 A. Limited information from aspects from probation reports  
 23 and my personal assessment of that information from  
 24 Prevent and the fact that he no longer had that level of  
 25 support that he once had, and some of those issues or

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1 factors being beyond his control was my thought process.  
 2 However, he didn't appear to be in an upward trajectory,  
 3 I suppose.  
 4 Q. And then you say that there should be consideration of  
 5 a JOT?  
 6 A. That's something I raised with MI5, yes.  
 7 Q. And then if we return to the emails, that's 11.00 am.  
 8 The next email {DC7443/125}. We see that at 12.13 Calum  
 9 Forsyth responded referring to a report from Mr Skelton  
 10 following a visit at the end of the previous week?  
 11 A. Yes.  
 12 Q. And can we see that it's a generally positive summary by  
 13 Mr Skelton of his recent interactions with Khan?  
 14 A. Yes.  
 15 Q. And then at the last sentence the report states this :  
 16 "Discussed attendance at the Illumi event [I think  
 17 that should be alumni event] in November he stated that  
 18 he is happy to do the journey alone as long as someone  
 19 can meet him at Euston station."  
 20 A. Yes.  
 21 Q. Had you, before reading that, known that that there was  
 22 to be an event in November with Khan going to London?  
 23 A. An event in November, yes, I believe that was covered in  
 24 the MAPPa from October. I don't believe — I think that  
 25 might be the first time that I've been made aware it was

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1 London.

2 Q. Now, as we saw, the update from the MAPPA meeting

3 in October didn't refer to a visit at all?

4 A. Yes, sorry, when I said MAPPA, I was referring to it

5 would have been in August.

6 Q. The August --

7 A. The August, yes.

8 Q. -- meeting. So just to get your understanding clear:

9 you hear about an unescorted visit following the August

10 MAPPA meeting, but no more detail?

11 A. Yes.

12 Q. And the next you discover any more detail about it is in

13 this email on 6 November at 12.13?

14 A. I believe that's correct.

15 Q. And this makes clear that it is going to be in London

16 because of the reference to Euston station?

17 A. Yes.

18 Q. Then if we go down the page, can we see that Mr Forsyth

19 gives his own summary of the position. He's not

20 concerned that Khan may be isolating himself, he

21 certainly hasn't given up looking for work and

22 Mr Forsyth does not propose increasing the frequency of

23 Prevent visits?

24 A. Yes.

25 Q. {DC7443/122}, please. We see you then forwarded that

1 email, that email chain, to Mr Mills, copying to the

2 SOI, Mr Chambers at 12.56?

3 A. Yes.

4 Q. So you were seeking to ensure that they were fully

5 informed of what was being said?

6 A. That's correct.

7 Q. And then {DC7443/116}, in the middle of the page, 12.54,

8 did you email Calum Forsyth, copying in DC Hartill, and

9 referring in the second paragraph to the trip?

10 A. Yes.

11 Q. Do we see you wrote this:

12 "If you can provide any further detail on what the

13 'illumi' trip and the planned logistics (day visit

14 only/overnight/travel arrangements etc) should there be

15 any EMS alerts ..."

16 That is the monitoring service?

17 A. That's right.

18 Q. "... ref train station/curfew, etc particularly for the

19 on call [Special Branch] (appreciating that probation

20 should vary this, but better safe than sorry). I will

21 ensure the wider team are aware."

22 A. Yes.

23 Q. At that stage you are just talking about the logistics?

24 A. Yes.

25 Q. Did you apprehend any concern about Khan going on a trip

1 to London potentially unescorted?

2 A. No.

3 Q. Why not?

4 A. He'd previously been escorted for purposes off taking

5 him to and from the venue. There had been no adverse

6 intelligence since his release that I was aware of.

7 There were positive engagements that we were seeing with

8 regards to Prevent and from probation. So there was

9 nothing that would cause me concern at that time or

10 considerations.

11 Q. Let me just press you on this a little. You knew that

12 Usman Khan was a very dangerous man convicted of a very

13 serious offence, who had behaved in a dangerous and

14 violent way while in prison?

15 A. That's correct.

16 Q. You had guidance from your own subject profile that this

17 was somebody capable of lying and manipulating in his

18 own interests?

19 A. Yes.

20 Q. You had been sufficiently concerned about the prospect

21 of him doing a potentially valuable dumper truck

22 course --

23 A. Yes.

24 Q. -- to raise concerns about him potentially using it as

25 a weapon?

1 A. Yes.

2 Q. Did it not occur to you as a seasoned counter-terrorism

3 officer that sending such a person unescorted into the

4 heart of London presented a serious risk?

5 A. Yes, it would be a risk, in hindsight, and obviously

6 looking at all the awful events that unfolded, the

7 dumper truck course objection was objective, based upon

8 intelligence, that that's why that was fed through to

9 the MAPPA process. We needed to understand more with

10 regards to this event and that was also my

11 responsibility to share that information with the West

12 Midlands Counter-Terrorism Unit and MI5 in order that

13 those other officers involved with the investigation, it

14 was brought to their attention where that further

15 considerations and decisions would be made.

16 Q. So when you were asking these questions about the

17 logistics, was it in your mind not only to make sure

18 that there wasn't an incorrect trigger of the tag, but

19 also to understand whether there was a risk which you

20 and your colleagues in the police teams needed to

21 address?

22 A. We were always aware of the risk that he posed, hence

23 the reason we were so diligent in everything we received

24 was shared accordingly.

25 Q. Did you have it in mind at that stage that you and your

1 colleagues needed to consider the arrangements carefully  
 2 in order to make a decision about risk?  
 3 A. I needed -- we needed to understand the arrangements in  
 4 order that, again, we could feed that through into the  
 5 priority operation.  
 6 Q. Page 115, please. Sorry, it is the same document,  
 7 {DC7443/115}. Can we see that Mr Forsyth responded,  
 8 13.23 on the same day, first of all, commenting about  
 9 the fact that he does forward updates from probation and  
 10 in relation to the London trip, do we see he says he  
 11 will -- that he will make the necessary checks?  
 12 A. Yes.  
 13 Q. Sorry, we should be looking at the bottom of the page,  
 14 I'm sorry. Yes. The first paragraph says that he  
 15 always sends on the probation updates, yes?  
 16 A. Yes.  
 17 Q. And then he says:  
 18 "With regards to the London trip I will get details  
 19 as and when they are fully known but in essence it is an  
 20 alumni event very much in the same vein he attended at  
 21 HMP Whitemoor that Ian and I took him to. It is not an  
 22 overnight trip but will involve being in train stations  
 23 which Probation will highlight to EMS [the monitoring  
 24 service] to prevent any breach notifications. It  
 25 shouldn't impact on any curfew times unless the return

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1 train gets ... delayed."  
 2 And that is 13.07?  
 3 A. Yes, and I think it is just worth me noting that  
 4 obviously it was seen -- deemed to be a very positive  
 5 factor in his rehabilitation, his involvement with  
 6 Cambridge University.  
 7 Q. May we move on to the 13 November 2019, so a week later.  
 8 By that time, so mid November, were you aware that the  
 9 responsibility for the covert investigation into Khan  
 10 was transferring within West Midlands CTU from the  
 11 DI Chambers' team to a team within Team 7 led by  
 12 DI Williams?  
 13 A. I was aware, but I wasn't aware of any specific date of  
 14 when that transfer occurred.  
 15 Q. If we look at {DC7490-T/17}, the bottom of the page,  
 16 please. Do we see that on 13 November, the first of two  
 17 entries on that date you relate a call to the deputy  
 18 senior investigating officer MJ; is that Marc Jerromes?  
 19 A. It is, yes.  
 20 Q. To discuss plans for the handover of Usman Khan to  
 21 Team 7?  
 22 A. Yes.  
 23 Q. So is that indicating you knew that Mr Jerromes and his  
 24 boss, Mr Williams were going to be taking over in the  
 25 near future?

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1 A. That would indicate to me from those notes that he was  
 2 a deputy SOI over the priority operation then at that  
 3 time, and the handover was in relation to the offender  
 4 management, I believe, of Khan from Prevent.  
 5 Q. Because is this right: just to confuse things further,  
 6 Mr Jerromes's and his team were also going to be take  
 7 over the overt management of Khan, the job of the  
 8 Prevent team, but in December?  
 9 A. Yes, that's correct.  
 10 Q. And then do we see the next entry is a voicemail asking  
 11 for a call back and asking if Sergeant Forsyth would  
 12 need to attend the JOT planned for 18 November 2019?  
 13 A. Yes.  
 14 Q. We understand that Sergeant Forsyth didn't end up  
 15 attending that JOT?  
 16 A. I believe that's correct.  
 17 Q. Were you aware why not?  
 18 A. No, I can't recall.  
 19 Q. We can take that off screen now. Was there then a MAPPA  
 20 meeting on 14 November 2019 which you attended?  
 21 A. Yes.  
 22 Q. May we look at {DC7484}, please. And this is  
 23 DC Hartill's major incident disclosure book. If we go  
 24 to {DC7484/37}, towards the bottom of the page, she sets  
 25 out under the heading "MAPPA" what appear to be a series

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1 of objectives for the MAPPA meeting:  
 2 "Concerns isolation.  
 3 "Mentor requirement.  
 4 "Xbox and further enforcement."  
 5 And then:  
 6 "Further understand London event."  
 7 Do you see that?  
 8 A. Yes.  
 9 Q. Was it one of the objectives of you and DC Hartill  
 10 further to understand the London event at that meeting?  
 11 A. From those notes and our attendance I would say that  
 12 that would be accurate.  
 13 Q. Then if we go to the minutes of the MAPPA meeting,  
 14 14 November 2019, {DC6417}. Can we take it from your  
 15 previous answers that you wouldn't have seen these  
 16 minutes at the time?  
 17 A. No, that's right, I wouldn't have seen these minutes,  
 18 no.  
 19 Q. Then {DC6417/3}, please, towards the bottom. The  
 20 minutes record that you were in attendance along with  
 21 DC Hartill and that Sergeant Jerromes was present. Is  
 22 it right, as you said, that he'd only very recently  
 23 taken over as deputy SOI of the covert investigation?  
 24 A. Yes.  
 25 Q. And then on {DC6417/5} under "Panel Discussion", top

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1 paragraph under there, the minute records you and  
 2 DC Hartill giving an update on tag data information, so  
 3 that he was going into Stafford on weekdays but not on  
 4 Saturdays?  
 5 A. From that, yes.  
 6 Q. Then the last full paragraph on the page, the minutes  
 7 record it being explained that Usman Khan was scheduled  
 8 to go to an event in London on 29 November 2019 through  
 9 Cambridge University and the travel plans are set out,  
 10 making clear that he would be collected from Euston by  
 11 people from Cambridge University?  
 12 A. Yes.  
 13 Q. Do you recall yourself what was said about that trip in  
 14 general terms at that meeting?  
 15 A. No.  
 16 Q. We can take the minutes off the page now. Can you  
 17 recall in general terms whether there was any discussion  
 18 by anybody of any risks involved in the meeting or any  
 19 benefits from the meeting?  
 20 A. I don't recall.  
 21 Q. Do you recall whether there was a decision taken to  
 22 approve the meeting, or indeed, any decision taken by  
 23 MAPPA in relation to that visit on that occasion?  
 24 A. I believe the decision had already been made due to the  
 25 email correspondence that I'd had on 6 November.

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1 Q. Because of the terms in which Mr Skelton had written?  
 2 A. Yes.  
 3 Q. And then Mr Forsyth had written, you thought that that  
 4 visit had already been approved?  
 5 A. Yes.  
 6 Q. Did that influence the way you approached the meeting,  
 7 your thought that it had already been approved?  
 8 A. No.  
 9 Q. Did it occur to you on that occasion that with this  
 10 further information about the visit, this was a visit  
 11 which raised the kind of risk I put to you earlier?  
 12 A. No.  
 13 Q. Why not?  
 14 A. For the reasons I've given, there had been no recent  
 15 adverse intelligence since his release, he had continued  
 16 to engage with authorities, all the reports appeared to  
 17 be positive from Prevent and those from probation that  
 18 we saw, the Learning Together programme was seen as or  
 19 deemed by us to be a positive factor in his  
 20 rehabilitation. I'm not aware of any objections raised  
 21 by anybody as to reasons why he shouldn't or couldn't  
 22 attend.  
 23 Q. Did it occur to you at the time, again, with your  
 24 experience, that one solution to the problem was for  
 25 Khan to be allowed to go to this potentially valuable

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1 and useful event, but with some sort of measures being  
 2 taken to ensure that nothing terrible happened?  
 3 A. No, it didn't occur to me. However, I also will say  
 4 that at that time, I wouldn't have — I wouldn't have  
 5 known what decision or considerations the MAPPA panel  
 6 had had in making that decision for him to attend.  
 7 Q. But if you had been worried about his proposed  
 8 attendance when you went on 14 November, would you have  
 9 spoken up irrespective of what people might have said at  
 10 previous meetings you didn't attend?  
 11 A. Absolutely. I would have — if I had had specific  
 12 concerns, or like I say, anything intelligence, then  
 13 I would have raised it, as can be seen throughout my  
 14 involvement with the investigation, but just to  
 15 reiterate, I was not aware of any intelligence or  
 16 information that had come to my attention since his  
 17 release that would have been used — any objective  
 18 argument I could make for that to suggest that he  
 19 shouldn't be attending.  
 20 Q. Quite apart from suggesting that he couldn't attend,  
 21 would you be aware, again with your experience, that it  
 22 would be possible to have somebody attend but put some  
 23 kind of measures in place to protect the public?  
 24 A. Yes.  
 25 Q. What might those measures be?

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1 A. It could be an escort, it could be searches of persons  
 2 attending specific locations, maybe include search of  
 3 the persons and also any bags, etc.  
 4 Q. Could it include, for example, Usman Khan being met  
 5 slightly by surprise at some point on his route by some  
 6 officers?  
 7 A. Yes.  
 8 Q. And in that context, either searched or checked?  
 9 A. That's correct.  
 10 Q. Could it have involved checking out the security of the  
 11 venue to make sure that the venue had a bag search or  
 12 a metal detector or some such thing?  
 13 A. Yes.  
 14 Q. But it didn't occur to you to suggest any of those  
 15 measures because you didn't think that Khan visiting  
 16 this event presented a risk to the public?  
 17 A. I was unaware of anything to suggest that that would be  
 18 a risk and again, to reiterate, I was — I'm unsighted  
 19 on what explicit conversations had taken place at MAPPA  
 20 and their planning for him to attend the event.  
 21 Q. In fairness, I should show you some notes that  
 22 DC Hartill made of that meeting. {DC7484/33}. Bottom  
 23 of the page. Can we see that she made a note in keeping  
 24 with her objective that she pointed out:  
 25 "Queried plans for London [Cambridge University]

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1 event purpose, involvement etc and travel. Ken PO  
 2 [probation officer] authorised. Meeting [Cambridge  
 3 University] rep."  
 4 So that note suggests that Ms Hartill was recording  
 5 that Mr Skelton had authorised the visit?  
 6 A. Okay.  
 7 Q. Was that in keeping with your understanding?  
 8 A. It was, but I don't recall that note.  
 9 Q. Thank you very much. Just this then before lunch.  
 10 I have to put this to you: as we have agreed, this was  
 11 a terrorist with a terrible record in prison and  
 12 consistently a very high risk attached to him, and he  
 13 was about to be sent on his first unaccompanied trip  
 14 away from Stafford, yes?  
 15 A. Yes.  
 16 Q. Away from the Stafford and Stoke area, and he was going  
 17 to be sent into Central London ---  
 18 A. Yes.  
 19 Q. --- including via a station. Looking back on it, do you  
 20 think that you and your colleagues ought to have raised  
 21 a concern and given some advice about this?  
 22 A. Yes.  
 23 MR HOUGH: Thank you very much.  
 24 Sir, would that be a convenient time for lunch?  
 25 JUDGE LUCRAFT: It is. We will break then. Mr Hough,

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1 I didn't want to break into your flow because it made  
 2 sense that was the natural pause for our questions.  
 3 What we will do is we will sit again at 2.05. Thank you  
 4 very much.  
 5 (In the absence of the jury)  
 6 JUDGE LUCRAFT: I'll rise.  
 7 (1.07 pm)  
 8 (Luncheon Adjournment)  
 9 (2.05 pm)  
 10 (In the presence of the jury)  
 11 JUDGE LUCRAFT: Yes, good afternoon.  
 12 MR HOUGH: Mr Stephenson, before lunch we'd just covered the  
 13 MAPPA meeting of 14 November 2019. We are now going to  
 14 move on to the joint operational team meeting, JOT, held  
 15 with MI5 and West Midlands Counter-Terrorism Unit  
 16 four days later on 18 November 2019.  
 17 Did you attend that along with DI Hessell?  
 18 A. Sorry, say the date again? The 18th?  
 19 Q. The 18 November 2019. So this was the meeting just  
 20 about four days after the MAPPA meeting and a week  
 21 before the attack.  
 22 A. I believe I attended with DC Plimley.  
 23 Q. We'll ask Mr Hessell about that and see if he was there  
 24 too.  
 25 Were the new SOI and deputy from West Midlands,

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1 DI Williams and DS Jerromes in attendance?  
 2 A. Yes.  
 3 Q. According to Witness A, the JOT recorded the following  
 4 points: first of all, that there was no intelligence of  
 5 concern that had been seen since Khan's release?  
 6 A. Yes.  
 7 Q. Secondly, that MI5 assessed Khan still wished to travel  
 8 to Pakistan once his licence conditions had ended.  
 9 Thirdly, that the police present informed the meeting  
 10 that Khan had been attending the gym less frequently and  
 11 had ceased attending the mosque?  
 12 A. Yes.  
 13 Q. Fourthly, the police commented that overall, Khan had  
 14 significantly withdrawn since moving into his new flat?  
 15 A. Yes.  
 16 Q. And fifthly, that Khan was planning to attend  
 17 a Cambridge University event in London, something of  
 18 which MI5 had become aware some time before that  
 19 meeting?  
 20 A. Yes.  
 21 Q. So can you confirm that all those points were noted in  
 22 the meeting?  
 23 A. They would appear to be, correct.  
 24 Q. And also according to Witness A, two particular risks  
 25 were identified in the meeting. First, that Khan might

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1 re-engage in Islamist extremist activity, including  
 2 being involved in radicalisation and incitement of  
 3 others?  
 4 A. I don't recall it, but I don't dispute that.  
 5 Q. And secondly, that Khan may attempt to travel to  
 6 Pakistan, although that was assessed as a low risk?  
 7 A. Again, I don't recall it, however, I wouldn't dispute  
 8 that.  
 9 Q. Now Witness A has also said that there was no discussion  
 10 at the JOT concerning risks of the visit to London or  
 11 any means of reducing those risks; is that right?  
 12 A. I believe that's correct.  
 13 Q. Given the answers you gave before lunch in relation to  
 14 the MAPPA meeting, would you accept, looking back, that  
 15 you ought to have raised some sort of concerns about  
 16 that visit, if only for consideration in the meeting?  
 17 A. Around risk management, yes.  
 18 Q. I am not suggesting for a moment that that was your sole  
 19 responsibility, that nobody else had that  
 20 responsibility, but you accept, looking back, that you  
 21 should have raised that point?  
 22 A. I could have raised that point, yes, as well as others  
 23 present on the meeting.  
 24 Q. And just to be clear, would you accept that given the  
 25 background and what you were facing here, that it would

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1 have been a good idea to raise that point?  
 2 A. I think -- when you've -- again, to reiterate the point  
 3 I've made, when you factor in the period of time that he  
 4 had been out of prison, there had been no adverse  
 5 intelligence during that time, he continued to engage  
 6 with authorities, it was seen as a positive factor in  
 7 his rehabilitation. However, as I made clear just  
 8 before the break, that, yes, that's a consideration that  
 9 could/should have been raised.  
 10 Q. Because just to be clear, even if there were positive  
 11 points in this visit, the people who had gathered in  
 12 this meeting were responsible for dealing with the  
 13 terrorist investigation, the terrorist risk?  
 14 A. Yes.  
 15 Q. And it is obviously very unfortunate that nobody in that  
 16 meeting gave any consideration to terrorist risk in  
 17 relation to that meeting?  
 18 A. In relation to that event, yes.  
 19 Q. Moving on to the 20 November 2019. May we have on the  
 20 screen {DC7443/163}. If we go down the page, we see  
 21 that Mr Oakley emailed Mr Forsyth on 14 November with  
 22 a report about a visit he had carried out to Khan's flat  
 23 in order to take photographs of Xbox games in order to  
 24 list them. Do you see that?  
 25 A. Yes.

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1 Q. And in that report he referred to Khan being rather put  
 2 out by the suggestion of his games being photographed  
 3 and asking the officers to leave?  
 4 A. Yes.  
 5 Q. If we go up the page, we can see that that was forwarded  
 6 on to the general Special Branch email address on  
 7 19 November and then specifically to you on 20 November?  
 8 A. Yes.  
 9 Q. Did you read that report at the time?  
 10 A. Yes.  
 11 Q. Did it occur to you that this showed a slightly  
 12 different side of Khan, him being less compliant than he  
 13 had been on previous occasions?  
 14 A. You've got, I suppose, to consider the factors. I don't  
 15 know what the Prevent's officer's approach was to that  
 16 engagement with regards to seeking his authority to  
 17 photograph the items and it appeared to be -- whether it  
 18 was a quite robust, potentially, approach, I don't know,  
 19 and I became aware later of Sergeant Forsyth having  
 20 contact with Mr Khan around this particular engagement.  
 21 Q. Was that after the attack or between the 20th and the  
 22 29th?  
 23 A. What, that I became aware?  
 24 Q. That you spoke to Sergeant Forsyth about his dealings  
 25 with Usman Khan following this visit?

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1 A. I can't say I specifically spoke to Sergeant Forsyth,  
 2 but I recall being aware that I think Mr Khan had  
 3 requested Sergeant Forsyth contact him, and I understand  
 4 that that contact was made with regards to this  
 5 engagement.  
 6 Q. Did you gain any reassurance from that contact before  
 7 the attack took place on the 29th?  
 8 A. I can say there is nothing -- I can say that this  
 9 engagement didn't cause me any specific concern.  
 10 Q. Was that because you didn't think his lack of compliance  
 11 was troubling or because you heard something afterwards  
 12 that made you think: ah, it's all been sorted out?  
 13 A. Possibly, but he did comply during the meeting and  
 14 allowed the officers to take images of the games.  
 15 Q. Next, please, may we have page 171. If we go down the  
 16 page, 20 November, an email from Kenneth Skelton to  
 17 Calum Forsyth and Lois Gell, notifying of the train  
 18 times that Usman Khan was going to take and also the  
 19 address for the event, Fishmongers' Hall, London Bridge.  
 20 Up the page, back, please. We can see that  
 21 Mr Forsyth then emails, forwards that email to the  
 22 general Special Branch email address copying you in?  
 23 A. Yes.  
 24 Q. Had you, before receiving that email, known the precise  
 25 address of the event?

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1 A. I don't believe so, I think that is the most explicit  
 2 email with the details of the event.  
 3 Q. When you got it, did you know what and where  
 4 Fishmongers' Hall was?  
 5 A. Initially, no.  
 6 Q. Did you make any enquiries to find out?  
 7 A. I believe I would have conducted some open source, so  
 8 research on the internet to --  
 9 Q. So you Googled Fishmongers' Hall?  
 10 A. I believe so, yes, to have an understanding of where it  
 11 was.  
 12 Q. So you knew that it was by London Bridge and that it was  
 13 a large grand livery company hall?  
 14 A. Yes.  
 15 Q. Knowing this, knowing that it was an iconic building  
 16 next to a bridge where a terrorist attack had taken  
 17 place two years previously, did that give you any cause  
 18 for concern?  
 19 A. It didn't give me any further cause of concern.  
 20 Q. You are quite careful in your answer there, you said it  
 21 didn't give you any further cause of concern?  
 22 A. Yes.  
 23 Q. Did you have cause for concern before that?  
 24 A. Only what I've obviously previously covered in my  
 25 evidence, as in, there was nothing within -- the fact of

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1 the location didn't give me any additional concern.  
 2 Q. Now, just to put this to you in similar form: you now  
 3 knew that Khan, with all the background we've gone  
 4 through, was going not to a nondescript place, but to an  
 5 imposing, even iconic building, right next to the site  
 6 of a recent terrorist attack. Looking back, do you  
 7 think that this should have sharpened your concerns  
 8 about this event?  
 9 A. Again, I would just reiterate the lack of any  
 10 intelligence prior, sorry, after his release, the close  
 11 working relationships with CTU and MI5, and sharing  
 12 information and intelligence from a probation — sorry,  
 13 from his offender managers and Prevent, and up until  
 14 that point, again, when this was revealed, the location,  
 15 there was nothing that would cause me, from an  
 16 intelligence perspective, any additional concern knowing  
 17 that this was the location he was going to.  
 18 Q. {DC7443/173}, please. We can see at the bottom of the  
 19 page later on the 20 November, DC Plimley emails  
 20 DC Mills of West Midlands Police Counter—Terrorism Unit,  
 21 so that is a communication between the Staffordshire  
 22 Special Branch OIMU and the West Midlands equivalent?  
 23 A. Yes.  
 24 Q. And information is provided about the visit in  
 25 accordance with what you knew already?

1 A. Yes.  
 2 Q. And then up the page, we can see that Mr Plimley then  
 3 forwards that on to Marc Jerromes at West Midlands,  
 4 copying to you?  
 5 A. Yes.  
 6 Q. And then {DC7443/175}, please. You can see at the top  
 7 of the page that Mr Jerromes responds saying he's copied  
 8 in Gareth, that is Gareth Williams, the new SOI?  
 9 A. Yes.  
 10 Q. "... as he may wish to speak to colleagues about  
 11 opportunities around this meeting."  
 12 And Witness A has already told us that in general  
 13 terms around this time there were discussions about  
 14 monitoring opportunities?  
 15 A. Yes.  
 16 Q. But as Witness A told us, none of those came to  
 17 anything?  
 18 A. That's what I believe, yes.  
 19 Q. We can take that. If we can now, finally, sorry, turn  
 20 to page 207 of the same document, {DC7443/207}. We have  
 21 now moved on eight days to 28 November 2019, the day  
 22 before the attack, and you email Lee Plimley saying:  
 23 "Have we had anything further around Usman's planned  
 24 trip tomorrow to London to advise whether it is still  
 25 on?"

1 A. Yes.  
 2 Q. Did you, at that stage, have any doubt that the visit  
 3 was still on?  
 4 A. No, again, that was just an example of being diligent,  
 5 I suppose, in trying to understand if the event was  
 6 still taking place and what potential impact that may  
 7 have for any on-call — any breaches, potentially.  
 8 Q. In the period between the JOT which we looked at on  
 9 18 November and the date of the attack on 29 November,  
 10 were there any further discussions between you and your  
 11 colleagues either in Special Branch or West Midlands CTU  
 12 or MI5 about this visit from a risk perspective?  
 13 A. No, I don't believe there were.  
 14 MR HOUGH: Thank you very much. Those are all my questions.  
 15 Questions by MR PITCHERS QC  
 16 JUDGE LUCRAFT: Mr Pitchers, you are normally met with  
 17 sunlight but it is rather grey.  
 18 MR PITCHERS: Yes, I hope that is not a precursor to  
 19 anything.  
 20 JUDGE LUCRAFT: No, I am afraid it is probably just the  
 21 weather outside.  
 22 MR PITCHERS: DS Stephenson, I am Henry Pitchers, I ask  
 23 questions on behalf of the family of Saskia Jones.  
 24 A. Hello.  
 25 Q. Can we have up, please, {DC7481}. Now, this is

1 a document to which you have already been taken. I just  
 2 want to pause on the first page, if I may.  
 3 Now, this would seem to be a document of real  
 4 significance for Special Branch?  
 5 A. Yes.  
 6 Q. And as I understand it, it represents — it is the  
 7 product of lots of detailed analytical work in relation  
 8 to Usman Khan?  
 9 A. I wouldn't say it was analytical work. I would say it  
 10 is a product that's informed by intelligence and  
 11 information which may include some form of analytical  
 12 work.  
 13 Q. Well, would you agree it collates a lot of the key  
 14 information about Usman Khan that was known at the time?  
 15 A. Yes.  
 16 Q. And it does involve analysis of matters such as  
 17 intelligence?  
 18 A. Yes.  
 19 Q. What's the intended purpose of this document for those  
 20 of you in Special Branch doing the work that you're  
 21 doing?  
 22 A. Subject profiles are created with full accurate  
 23 intelligence to inform the operation, those within the  
 24 operation to make any tactical decisions, so if, for  
 25 example, there were to be arrests, etc, it would be

1 understanding for those officers with that position  
 2 within the operation to be able to make informed  
 3 decisions.  
 4 Q. And as we have seen -- and if we just zoom in the bottom  
 5 half of the document, please -- as we have seen, there  
 6 are these sequence of dates and I think it is described  
 7 by some as being this is a living document?  
 8 A. Yes.  
 9 Q. In the sense that it's updated as time passes and as new  
 10 information comes to light?  
 11 A. Yes, I'd say that's correct.  
 12 Q. Would I be right to conclude that it is a document that  
 13 would be available to any Staffordshire Special Branch  
 14 officer whenever they needed it? I don't want you to  
 15 reveal precisely where it is held?  
 16 A. Yes.  
 17 Q. But if you needed to refer back to it, you'd always be  
 18 able to get access to the latest version presumably?  
 19 A. Yes.  
 20 Q. And did that only apply to the Special Branch officers  
 21 within Staffordshire or would it apply to other police  
 22 officers within Staffordshire?  
 23 A. It would only apply to, it would only apply to officers  
 24 within the Special Branch environment who have access to  
 25 the separate intelligence system that we use which is

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1 a national system, so all the main, the office, if you  
 2 want to call it that, where the Special Branch sort of  
 3 triage and operation side sit would have had the full  
 4 access to the system.  
 5 Q. And in this particular case, would Calum Forsyth have  
 6 had access to it at any time he wanted to?  
 7 A. My understanding is that Sergeant Forsyth and his team  
 8 had access to that intelligence platform, however,  
 9 I believe that it was at a lower level, so whilst they  
 10 may be able to view secret material, it would depend  
 11 upon the content of that secret material and also where  
 12 that material sat within the system. So we would  
 13 certainly have a higher level of access than they would,  
 14 and I would -- I stand to be corrected, but I believe  
 15 that with regard to this specific profile, they wouldn't  
 16 have seen it due to the layer, the operations that OIMU  
 17 is called, in which that document lived, if you want to  
 18 put it that way.  
 19 Q. This should be a good question after that, shouldn't it,  
 20 I don't think it is going to be. So this version that  
 21 we see here, so I understand your evidence, that's not  
 22 likely to have been readily accessible or accessible at  
 23 all to the Prevent team in that version?  
 24 A. I would say that's accurate, yes.  
 25 Q. So is it correct that when you gave evidence earlier

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1 about providing what seemed to be a redacted or refined  
 2 version of this --  
 3 A. Yes.  
 4 Q. -- at the end of March 2019, would that be the first  
 5 time that the Prevent team had access to any version of  
 6 the subject profile?  
 7 A. I believe that official, the redacted version of the  
 8 profile was on the system from January and would have  
 9 been available to the Prevent team, I believe, had they  
 10 have sought it out. However, my understanding is that  
 11 the first occasion that it was actually brought to their  
 12 attention from my perspective was on, I believe it was  
 13 the end of March, 29 March possibly, when it was passed  
 14 to the Prevent sergeant.  
 15 Q. So would it be reasonable to conclude that the reason  
 16 that you provided it to Calum Forsyth was because you  
 17 realised that he hadn't had access or hadn't been  
 18 accessing it previously?  
 19 A. I believe it was at his request for his Prevent case  
 20 file management, so it was a tangible copy that was  
 21 provided.  
 22 Q. We can see there, there is obviously a redacted section  
 23 in terms of classification, but it says:  
 24 "The approval of DI Nick Powell, Staffordshire  
 25 Police, is required if dissemination outside of the

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1 members of the Police is considered necessary."  
 2 A. Yes.  
 3 Q. So is that, if you like, the protocol you talked about  
 4 where potentially it could be provided to outside  
 5 agencies but only with the approval of the DI?  
 6 A. Yes, I mean, there would be a lot to consider there  
 7 because clearly it is informed by information,  
 8 intelligence that is sensitive and owned by others.  
 9 Q. Yes. I just want to pick up on some of the key aspects,  
 10 I'd suggest, of this report. If we look at {DC7481/7}  
 11 internally, please, and it is the top there. Again, you  
 12 have been taken to this but I just want to pause on it.  
 13 We have the analyst comment:  
 14 "Khan's mindset has not changed whilst in prison, he  
 15 remains an extremist and will pose a threat of  
 16 re-engagement upon release."  
 17 Are you able to help us with whether that comment  
 18 was in the version that was provided to Calum Forsyth at  
 19 the end of March?  
 20 A. I'm not, however, I can say that that version, from some  
 21 research I have done recently, that version that  
 22 I provided to Mr Forsyth was an official sensitive  
 23 version, it wasn't a secret version, and I believe the  
 24 version he had been provided with was last updated  
 25 in January 2019, because that profile was not updated

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1 again, I understand, until the May, so if it was  
 2 provided to him in March he would have had the January  
 3 update version, is my understanding.  
 4 Q. Right. It may be there is a bit of a flurry going on to  
 5 try and find this version, I am doing it without knowing  
 6 the results of those enquiries, but do you have any  
 7 reason to think that that comment would have been  
 8 removed from the version which was --  
 9 A. I think the only reason that wouldn't feature, if that  
 10 comment has been informed by intelligence that may be  
 11 not relevant for the official sensitive profile.  
 12 Q. So you think it's possible that that comment was  
 13 removed?  
 14 A. It is possible. I don't know, I don't know.  
 15 Q. As we have heard, if we look, please, at the bottom of  
 16 {DC7481/18}, very bottom there, we have now the first  
 17 strand which is we are beginning to refer to as the "old  
 18 ways" strand, so the intelligence to suggest that he  
 19 intended to go back to his old ways, and your evidence  
 20 is that was in the version that was provided to --  
 21 A. I believe that was in that version.  
 22 Q. If we turn over to the top of {DC7481/19}, the very top  
 23 there, we have the second strand which is the  
 24 intelligence to suggest that he intended to carry out an  
 25 attack after his release, and you believe that was

1 omitted from --  
 2 A. Yes.  
 3 Q. Are you able to give us an explanation as to why that  
 4 would be omitted from the version provided to  
 5 Mr Forsyth?  
 6 A. I believe the explanation for that will be due to the  
 7 strict handling conditions, with it featuring on this  
 8 profile that would allow for more stringent control of  
 9 that profile to an audience. If it were on an official  
 10 sensitive profile, then clearly it is available to  
 11 a wider audience and there is clear restrictions on that  
 12 product.  
 13 Q. Would you agree with me that the substance of that  
 14 intelligence would be very significant to those involved  
 15 in the management of Usman Khan?  
 16 A. Yes.  
 17 Q. Would you agree with me that if there were security  
 18 reasons why that strand couldn't be provided in some  
 19 form to Mr Forsyth, that the gist of it could easily  
 20 have been conveyed to him?  
 21 A. That wouldn't be a decision -- that would have to come  
 22 from the owner of the intelligence, an agreed form of  
 23 words.  
 24 Q. But can you think of any reason in principle why  
 25 Mr Forsyth couldn't have been told that there were

1 specific concerns that Usman Khan might carry out an  
 2 attack after his release?  
 3 A. No, and I think what I've said earlier on in my evidence  
 4 with regards to the meeting on 19 December and comments  
 5 in DC Hartill's book and later on one of my own, where  
 6 intelligence updates were provided.  
 7 MR HOUGH: Sorry to intervene, it may help Mr Pitchers to  
 8 know that the official sensitive subject profile which  
 9 I think the witness has indicated Mr Forsyth will have  
 10 seen is {DC5183/10} and the relevant part is page 10.  
 11 MR PITCHERS: Is that being called up?  
 12 MR HOUGH: {DC5183/10}.  
 13 EPE OPERATOR: I'm sorry, I don't see a {DC5183}.  
 14 JUDGE LUCRAFT: 5183/10, I think it was.  
 15 MR PITCHERS: I am afraid I don't have that reference  
 16 either. I might leave my learned friend Mr Armstrong to  
 17 pick up on it if he can be given the reference before  
 18 I sit down.  
 19 Now, it is clear that probation wasn't provided with  
 20 any version of this subject profile?  
 21 A. That's correct.  
 22 Q. And nor were they provided with any gisting directly  
 23 from Special Branch about the contents of the subject  
 24 profile?  
 25 A. That's correct.

1 Q. What we can see from the MAPPA minutes, as I understand  
 2 it, is there was reference to the first strand of the  
 3 intelligence in the MAPPA minutes?  
 4 A. Yes.  
 5 Q. So that would have come to their attention insofar as  
 6 they were present at MAPPA meetings?  
 7 A. Yes, and I believe that had come from a security update  
 8 on that meeting.  
 9 Q. And presumably the MAPPA chair wasn't provided with any  
 10 version of the subject profile either?  
 11 A. Not that I'm aware of.  
 12 Q. Nor given any other briefing or gisting information  
 13 about its contents?  
 14 A. Not that I'm aware of.  
 15 Q. We can turn the page if we need to, but I am right,  
 16 aren't I, that that second strand, the attack-planning  
 17 strand, that remained in every version that you were  
 18 working from of the subject profile?  
 19 A. I believe so, I would see no reason that it would be  
 20 removed.  
 21 Q. Can I just ask you about the Behavioural Science Unit.  
 22 A. Sorry?  
 23 Q. The Behavioural Science Unit.  
 24 A. Yes.  
 25 Q. What was your understanding about the unit, the work

1 that it did in 2019?  
 2 A. Well, I've never had any real input with regards to the  
 3 Behavioural Science Unit, or been involved with them  
 4 other than previously would have made referrals and  
 5 information would be provided to them in order that they  
 6 can make an assessment of an individual around threaten  
 7 and risk in relation to national security.  
 8 Q. You obviously had a sufficient understanding to make the  
 9 suggestion?  
 10 A. Yes, I was aware that it was listed and it was obviously  
 11 something that should be considered as conducted on  
 12 previous work within the department.  
 13 Q. Was it your expectation that it would have brought some  
 14 expert psychological input to the assessment of Khan?  
 15 A. It was my expectation that, yes, based on the  
 16 information provided, it would provide some professional  
 17 guidance to the operation — opinion, sorry.  
 18 Q. Did you anticipate there would be some expert  
 19 psychological input that would come out of a referral to  
 20 the Behavioural Science Unit?  
 21 A. I don't know.  
 22 Q. But you clearly felt it might bring some extra insights?  
 23 A. Yes, again, I was always thinking what can we share and  
 24 what can we try and develop, and from experience, that's  
 25 something that I've referred to before.

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1 Q. So had you found those referrals and that input useful  
 2 previously?  
 3 A. All I will say is I'm unaware of having anything other  
 4 than one, I believe, previous referral back, if you  
 5 like, but, yes, it was useful.  
 6 Q. Yes. But clearly you wouldn't have asked for it if you  
 7 didn't have some expectation that it might be useful?  
 8 A. Yes.  
 9 Q. And as I understand it, you didn't receive a response to  
 10 the request?  
 11 A. That's correct. I didn't, that's correct.  
 12 Q. So you can't give us reasons as to why it wasn't  
 13 followed?  
 14 A. No, I can't.  
 15 Q. Did you make any attempt to chase up the request that  
 16 you'd made?  
 17 A. No, I didn't.  
 18 Q. Now, we've heard today and on other days at great length  
 19 about the proposed dumper truck course?  
 20 A. Yes.  
 21 Q. And I don't want to take you to the documents, but it  
 22 would seem that your immediate reaction was to conclude  
 23 that it was a bad idea?  
 24 A. It didn't seem suitable given his conviction.  
 25 Q. Yes.

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1 A. And —  
 2 Q. But I am right that was your immediate reaction when you  
 3 became aware that it was proposed?  
 4 A. Yes.  
 5 Q. And would you agree that it was fairly obvious why it  
 6 was unsuitable?  
 7 A. Because of his conviction.  
 8 Q. Yes. We know, because we've seen it, that you, by  
 9 email, communicated with Mr Forsyth setting out your  
 10 concerns and following up with the JTAC document that  
 11 you sent through to him?  
 12 A. Yes.  
 13 Q. And this all happened, as I understand it, before the  
 14 first MAPPA meeting where it had been discussed?  
 15 A. Yes, I believe we raised it and it was then brought to  
 16 MAPPA.  
 17 Q. Were you at that point surprised that Mr Forsyth didn't  
 18 agree with you or accept your CT view on the proposed  
 19 course?  
 20 A. I don't know if surprise is the right word. He has his  
 21 professional opinion, he works in a different area of CT  
 22 policing and has the advantage of having frequent  
 23 engagement face-to-face with Mr Khan.  
 24 Q. You presumably have had a chance to review the minutes  
 25 of the MAPPA meetings by now?

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1 A. Yes.  
 2 Q. Am I right that on reading those it would seem that  
 3 Mr Forsyth is one of those who continued to argue for  
 4 Usman Khan going on the course in July but also  
 5 in August as well?  
 6 A. Okay.  
 7 Q. Does that accord with your understanding having read  
 8 the —  
 9 A. I don't know about going on into August, but I'm aware  
 10 that he had an alternate view.  
 11 Q. Again, did that not concern you at the time, that  
 12 Mr Forsyth continued to hold out an opinion that you  
 13 regarded as inappropriate in relation to the dumper  
 14 truck course?  
 15 A. It was Sergeant Forsyth's opinion, it had been raised,  
 16 an alternate opinion with myself, which was based on  
 17 facts, and he is entitled to stand by his opinion.  
 18 Q. So you weren't concerned by that?  
 19 A. Concerned at what he didn't —  
 20 Q. Did it concern you — did it not reveal something to his  
 21 attitude to the management of Khan that he maintained  
 22 that that was a good idea in the face of CT specialist  
 23 opposition?  
 24 A. It didn't concern me.  
 25 Q. It didn't concern you?

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1 A. No.  
 2 Q. Did it concern you in early November when you asked him  
 3 to increase the frequency of Prevent visits and he  
 4 pushed back and essentially said he disagreed and he  
 5 wasn't going to be increasing the frequency?  
 6 A. Again, I wouldn't say concern is the right word. He was  
 7 justifying his decision to me. We had opposing views.  
 8 Q. It seems like you squarely disagreed with him about the  
 9 required frequency?  
 10 A. Yes.  
 11 Q. And in early November 2019, were you actually aware of  
 12 how frequently or infrequently Prevent officers were  
 13 visiting?  
 14 A. It had clearly become less frequent, and I want to say  
 15 from memory, possibly four weeks had gone by, I think,  
 16 between engagements.  
 17 Q. I think it is more like five because he moved into his  
 18 own place about 24 September and the next visit was  
 19 31 October.  
 20 A. Okay, yes.  
 21 Q. If you had been aware of the infrequency of those visits  
 22 earlier, would you have raised it as a matter of concern  
 23 with Mr Forsyth?  
 24 A. All I can say is that I think it's documented in my  
 25 material disclosed that there's been a number of

1 occasions where I have made approaches for the Prevent  
 2 sergeant's consideration to increasing the frequency of  
 3 visits, so this isn't just one isolated request.  
 4 Q. I just want to ask you about the state of your knowledge  
 5 on 14 November 2019, so at the MAPPA meeting at which  
 6 the logistics of the Fishmongers' Hall event were  
 7 discussed.  
 8 A. Yes.  
 9 Q. Just so we are clear, at that point, you didn't know  
 10 anything about the venue itself?  
 11 A. I did or didn't?  
 12 Q. You didn't, on 14 November?  
 13 A. I don't believe I knew of the venue.  
 14 Q. And you say you didn't know its address?  
 15 A. Pardon?  
 16 Q. You didn't know the address of the venue?  
 17 A. Yes.  
 18 Q. And you didn't have any information, did you, about the  
 19 scale of the event, the numbers of people attending?  
 20 A. No, and that led to further requests for information.  
 21 Q. And you didn't have any information about the identity  
 22 of those proposed attendees at the Fishmongers' Hall  
 23 event?  
 24 A. No.  
 25 Q. You didn't know anything about the security arrangements

1 which might or might not be in place on the day?  
 2 A. That's correct.  
 3 Q. And you didn't know whether any of the local police  
 4 forces had been notified of Khan's planned attendance?  
 5 A. No.  
 6 Q. Can I just ask you about what you did know at that  
 7 stage. You obviously had a good grasp of his offending  
 8 history?  
 9 A. Yes.  
 10 Q. You had a good grasp of his conduct in prison?  
 11 A. Yes.  
 12 Q. You had a good grasp of the detailed intelligence that  
 13 was obtained throughout his time in custody?  
 14 A. Yes.  
 15 Q. The specific intelligence that was obtained shortly  
 16 before his release, the two strands that we've talked  
 17 about, yes?  
 18 A. Yes.  
 19 Q. You were aware that he had moved into his own property  
 20 in late September?  
 21 A. Yes.  
 22 Q. That he was apparently isolated with a lack of  
 23 pro-social contact?  
 24 A. Yes.  
 25 Q. He was unemployed, despite what would seem to be many

1 attempts to find work?  
 2 A. Yes.  
 3 Q. Mentoring had stopped, certainly by the start  
 4 of September?  
 5 A. Yes.  
 6 Q. Were you aware that he seemed to have a lack of purpose  
 7 in how he spent his days?  
 8 A. I had been aware, but it seemed quite apparent from the  
 9 removal of the mentor and other support that he was  
 10 spending a lot of time at home and, yes, no job, so he  
 11 didn't seem to have any real direction other than the  
 12 Learning Together programme was he was deeply involved  
 13 in and part of his rehabilitation.  
 14 Q. He was apparently spending most of his day gaming; were  
 15 you aware of it?  
 16 A. I think the quote is from the engagements, "a lot of  
 17 time on his Xbox".  
 18 Q. Is the reality that you assumed that there had been  
 19 a proper discussion and consideration about his  
 20 attendance at the MAPPA — sorry, at the Fishmongers'  
 21 Hall event at a previous MAPPA meeting?  
 22 A. All I can state is that it was clear that the  
 23 arrangements for that had been made with logistics  
 24 planned prior to our attendance on MAPPA.  
 25 Q. But you agree a decision of this sort would have



1 required proper consideration at MAPPA, wouldn't it?  
 2 A. In relation to?  
 3 Q. Attendance at the Fishmongers' Hall event?  
 4 A. Yes, I would expect in the MAPPA process that that would  
 5 be discussed.  
 6 Q. I suggest to you that this event on 14 November was  
 7 really in your blind spot, the proposed attendance at  
 8 Fishmongers' Hall. Would you agree with that?  
 9 A. My mind spot?  
 10 Q. In your blind spot?  
 11 A. No.  
 12 Q. I just want to ask you one thing about the JOT on  
 13 18 November 2019. Could we have up, please,  
 14 {DC7490-T/22} at the bottom. So this is the transcript  
 15 of your handwritten notes, you have already been taken  
 16 to many of these and we see there the date, JOT,  
 17 18 November 2019.  
 18 Can we just turn over, please {DC7490-T/23}. I am  
 19 hoping I can find it. Yes. We see it there. So you'll  
 20 see it is probably about 9 or 10 bullet points down in  
 21 capitals:  
 22 "CAMB UNI [Cambridge University Learning '2gether  
 23 programme', HMP Whitemoor 12/6/19. Digital tech  
 24 stakeholder (poster boy)."  
 25 That is a note that you made at the JOT on

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1 18 November 2019.  
 2 A. Clearly it is a note that I recorded in my book; whether  
 3 it's my personal note.  
 4 Q. Well, is that a note that sets out your view of how  
 5 Usman Khan was seen by Learning Together, that he was  
 6 seen as a poster boy for their programme?  
 7 A. I wouldn't say that's a term that I would use and my  
 8 books rarely refer to personal opinion, they're  
 9 fact-based and I would say that everything on there is  
 10 fact-based. So "poster boy", whether that's a comment  
 11 that's been raised by others, possibly at MAPPA. I will  
 12 say that it was clear from his involvement and the  
 13 Learning Together programme with his videos and other,  
 14 I think, promotional material, that he was clearly seen  
 15 as a success and was maybe being promoted with sponsors  
 16 in order to promote the good work of that programme.  
 17 Q. To be clear, I am not suggesting that that was an  
 18 inaccurate or inappropriate description to call him  
 19 poster boy.  
 20 A. Yes.  
 21 Q. So if it wasn't you, it is likely to be your note of  
 22 what someone else said about Usman Khan and Learning  
 23 Together?  
 24 A. Yes, it is not a term that I would use.  
 25 MR PITCHERS: Thank you. Those are all the questions,

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1 thank you.  
 2 Questions by MR ARMSTRONG  
 3 MR ARMSTRONG: Mr Stephenson, my name is Nick Armstrong,  
 4 I ask questions on behalf of Jack Merritt's family.  
 5 I just want to go back to this: I want to understand  
 6 the process that goes on and where the -- as you accept,  
 7 there isn't a risk-based discussion about the Learning  
 8 Together event and before the Learning Together event  
 9 happens. And I just want to try and understand a little  
 10 bit about why that was from a learning point of view,  
 11 because just, so you know where I'm going with this,  
 12 going through your notes we see a lot of notes, we see  
 13 a lot of consideration of a lot of things, we see a lot  
 14 of analysis going on, we see very long notes from you,  
 15 you clearly are a conscientious officer writing a lot  
 16 down so we can see where you've gone in your thinking,  
 17 and yet we end up where we end up and I am just trying  
 18 to understand that if you can help us a bit with that.  
 19 Can I start with this: you know the prison history  
 20 and you know that he's been category A and high risk  
 21 category A throughout his adult life. You understand,  
 22 I assume, enough about prisons and the way they work to  
 23 understand the significance of that?  
 24 A. Yes.  
 25 Q. Very unusual, coming out at that level into the

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1 community?  
 2 A. Yes.  
 3 Q. Management challenge?  
 4 A. Yes.  
 5 Q. Very high management challenge?  
 6 A. Yes.  
 7 Q. Do you see the ERG, do you see the Extremism Risk  
 8 Guidance report that...?  
 9 A. Yes, that was provided late 2018, I believe from  
 10 Sergeant Forsyth to the Special Branch departments.  
 11 Q. Do you read it, do you remember reading it?  
 12 A. I do recall reading it. I struggle to recall specific  
 13 contents, but, yes, I did give it some attention.  
 14 Q. But it contains things, let's see if this contains your  
 15 memory, it has 14 warning signs, including around  
 16 isolation, boredom, employment?  
 17 A. Yes.  
 18 Q. You remember that?  
 19 A. Yes.  
 20 Q. And the stages of change analysis which basically says,  
 21 consistent with what we've seen in the offender profile,  
 22 stages of change, he basically hasn't?  
 23 A. Yes.  
 24 Q. Good. Now, so we have got that background. Then you've  
 25 got the intelligence in November 2018 with the two

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1 strands, although as I understand it, you, throughout  
 2 the period, thought that the "old ways" had two strands  
 3 to the same --  
 4 A. Yes.  
 5 Q. We find out later it is duplicating, but at this stage  
 6 you thought it was two?  
 7 A. Yes.  
 8 Q. Can I just ask you about that. We have heard various  
 9 forms of words attached to these strands, we've heard  
 10 "no reason not to distrust it" in relation to the "old  
 11 ways" strand. You have used words like "mostly  
 12 reliable", "untested reliability", and we've heard from  
 13 Witness A that it was "unknown validity"?  
 14 A. Yes.  
 15 Q. So we've heard all of those things?  
 16 A. Yes.  
 17 Q. And the jury will have to do their best with those  
 18 phrases. But none of those phrases are "low  
 19 credibility" or "low validity"?  
 20 A. No, because the Security Service clearly work to  
 21 a different grading system and also within law  
 22 enforcement, there has been a change several years ago  
 23 in the handling codes, so the codes that are referred to  
 24 now have actually been superseded.  
 25 Q. Yes, I mean, what I am getting to is whatever codes we

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1 use, and I need to be careful around the codes because  
 2 there is a sensitivity around them, but nobody is saying  
 3 this can be put to one side, nobody is saying this is  
 4 low credibility, this is saying unknown validity at  
 5 best?  
 6 A. Which -- it depends which strand are you referring to?  
 7 Q. Witness A used the express "unknown and uncorroborated"  
 8 in relation to both. We have had "no reason to  
 9 distrust" in relation to the first strand only?  
 10 A. Okay, so not the attack.  
 11 Q. Not the attack. The only attack grade we have is  
 12 Witness A's?  
 13 A. Well, yes. Like I say earlier, we were aware of two  
 14 strands of similar reporting, and each of those had  
 15 different levels of gradings applied to them.  
 16 Q. Yes.  
 17 A. I can tell you what they were.  
 18 Q. Don't tell me again because I know there is  
 19 a sensitivity around them, but they are -- the point is  
 20 just this: neither of those grades says low credibility  
 21 or low validity?  
 22 A. I don't believe so, no.  
 23 Q. You see, the reason why I'm just pressing you on this is  
 24 it is significant, one may think for the purposes of all  
 25 of this, that there are available the "old ways" strand

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1 and the attack aspiration strand --  
 2 A. Yes.  
 3 Q. -- only one of those goes to MAPPA --  
 4 A. Yes.  
 5 Q. -- in December 2018 and that is said to be low grade  
 6 when it wasn't, the lowest it was, was a no?  
 7 A. Okay.  
 8 Q. You see. Now, I know you're not at that MAPPA  
 9 in December 2018?  
 10 A. Yes.  
 11 Q. And I also know you're not at the next MAPPA  
 12 in January 2019. So I know this isn't you, but can  
 13 I just show you what happens at this. Can I just look  
 14 at the December 18 MAPPA, which is {DC6409/3}, please.  
 15 If we just go to page 3, first of all. And you will see  
 16 there that the only person from Staffordshire is  
 17 Calum Forsyth, although there are some West Midlands CTU  
 18 people there.  
 19 A. Yes.  
 20 Q. If we then jump forward, I think it is two pages, no,  
 21 sorry, and again, and, sorry, I'm looking for the  
 22 section where it says "low grade". Yes. So you see  
 23 there -- this is the MAPPA discussion, thank you for  
 24 help on the balcony -- {DC6409/6} that you have the:  
 25 "Intelligence suggests that an inmate of C wing

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1 called Khan tries to radicalise ... has said that he  
 2 will return to his old ways, believed to be related to  
 3 terrorism when he's released next year ... please note  
 4 this is low grade intelligence."  
 5 Now, there is a PII redaction there, a public  
 6 interest immunity redaction, I'm going to be careful  
 7 about this, but as was cleared up on Friday, what we now  
 8 know is that there was further clarification sought  
 9 about what that meant and that clarification was sought  
 10 but there was no further information given. So MAPPA  
 11 sought further clarification of that point, but didn't  
 12 get any, is what Mr Byford's evidence was on Friday.  
 13 Did it ever come to you that MAPPA was seeking  
 14 clarification of this?  
 15 A. I can't recall that, no.  
 16 Q. Because what I am interested in is this was an  
 17 opportunity, one might think, to clear up whether there  
 18 was one strand or two strands of the "return to old  
 19 ways" intelligence, whether to clear up whether it is  
 20 low grade or unknown grade, and an opportunity to  
 21 go: there's something else you need to know about. Do  
 22 you see?  
 23 A. I see what you're saying, yes.  
 24 Q. It looks like a missed opportunity?  
 25 A. I wouldn't -- well, clearly, when we talk about two

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1 strands and there being ambiguity around it being one  
 2 strand, that's only something I've recently been made  
 3 aware of.  
 4 Q. I know.  
 5 A. My understanding was there were two strands with two  
 6 different types of grading applied to them which had  
 7 been provided, that intelligence update from the  
 8 security to the prisons had clearly made an informed  
 9 decision to reveal that, and I would expect that if  
 10 there were questions or taskings to come from that  
 11 intelligence, it would go back to the owner who would be  
 12 the prisons. I can't see where there would be a request  
 13 for Staffordshire Special Branch to seek to develop or  
 14 provide further information with regards that  
 15 intelligence if it's owned and had been shared by one of  
 16 the other partners within that MAPPAs process.  
 17 Q. Okay. I am just trying to understand where this goes.  
 18 We know that at this point there are at least two  
 19 strands of intelligence available. We know that it's  
 20 thought for a while that there are two in the first bit,  
 21 but that falls away, but it is the "old ways" and the  
 22 attack aspiration.  
 23 Can I just go back to {DC6410/3}. Can you look at  
 24 that list of attendees and think who is the person on  
 25 there who might know, or who is the organisation who

1 might know about that?  
 2 A. Know of the tasking?  
 3 Q. Yes.  
 4 A. I would expect it would be Mr Byford.  
 5 Q. He doesn't. He told us on Friday he didn't know.  
 6 A. Okay. DCI Cobbett would be the first two as the senior  
 7 representatives of MAPPAs and the police, but ultimately,  
 8 if were a task, I would expect most participants there  
 9 would be alive to that existence of that task.  
 10 Q. Yes, or alive to the existence of the intelligence that  
 11 says there is a second strand here. Who on that list  
 12 has access to the subject profile, Staffordshire  
 13 profile?  
 14 A. The secret profile?  
 15 Q. The secret profile.  
 16 A. My understanding, from that list, the only person  
 17 I believe who would have access to the secret profile  
 18 would likely be DCI Cobbett, due to her role.  
 19 Q. Okay. All right. Thank you. Can I just show you the  
 20 next meeting which is the January meeting. That is  
 21 {DC6410} and I am only asking you this, it is a light  
 22 point, is that at the next meeting, and you're not there  
 23 either, that the MAPPAs minutes get circulated at the  
 24 MAPPAs meeting and they get confirmed at the next one so  
 25 somebody in principle is reading these minutes and

1 reading that entry without the PII application on it,  
 2 can I look at {DC6410/3} on this, please. Again,  
 3 DCI Cobbett is there.  
 4 A. Yes.  
 5 Q. We have the coordinator from Staffordshire, we have  
 6 Mr Forsyth again. Anybody else there who would know  
 7 about that tasking or that intelligence or is it  
 8 still --  
 9 A. Again, the persons that have been on the previous MAPPAs,  
 10 I'd expect that they would have knowledge of the  
 11 tasking, so if those same individuals have attended this  
 12 MAPPAs meeting, if there have been conversations in the  
 13 background between the two MAPPAs with different  
 14 officers, I wouldn't be aware of that around this topic.  
 15 Q. Thank you. Now, that can be taken down now.  
 16 There are routes, aren't there, and you were asked  
 17 some questions from my learned friend Mr Pitchers about  
 18 this, is if there is material that the individuals who  
 19 are managing him through MAPPAs need to know, there are  
 20 various routes to getting it to them, even if it is  
 21 secret?  
 22 A. Yes.  
 23 Q. One is that you just reveal it to them and hope that  
 24 it -- tell them that it's secret and safeguard it.  
 25 A. Yes.

1 Q. It can be gisted, as Mr Pitchers put to you, and the  
 2 other way is that you get clearance for certain  
 3 individuals to see it?  
 4 A. Yes.  
 5 Q. Now, I just wanted to ask: you are not aware of any of  
 6 that being considered in relation to the second strand  
 7 attack aspiration intelligence?  
 8 A. That's correct.  
 9 Q. Can you see any reason in principle why that could not  
 10 be gisted, even in a gisted form, couldn't go to  
 11 Mr Byford as chair of the MAPPAs?  
 12 A. Again, I have to be careful with what we are straying  
 13 into, but there was obviously strict governance around  
 14 that intelligence which wasn't owned by Staffordshire,  
 15 however, accepting the fact that there would have to be  
 16 a decision of the owner, based on risk, of what they  
 17 will be prepared to reveal.  
 18 Q. Yes.  
 19 A. It is probably the best way I can say it.  
 20 Q. Yes. But can I just put this to you: Witness A told --  
 21 us, it is MI5 intelligence this -- witness A told us  
 22 that they had no particular objection to this being  
 23 shared, it was a matter for police. Mr Byford said he  
 24 would expect: if I needed this, I would be told it. The  
 25 police in play are either your team at Staffordshire

1 Special Branch, not Mr Forsyth at the moment because he  
 2 can't see it, or West Midlands?  
 3 MR HOUGH: Just before the witness answers, I think, no  
 4 criticism of Mr Armstrong, but there may be a false  
 5 premise there as to this being MI5 intelligence. The  
 6 jury have not heard and probably won't hear who  
 7 originally received this intelligence.  
 8 MR ARMSTRONG: Okay, but can you, if you have -- if you're  
 9 in a position where whoever the owner of this  
 10 intelligence is --  
 11 A. Yes.  
 12 Q. -- and wherever it's come through, if Mr Byford is  
 13 saying I'm expecting somebody to tell me this, if I need  
 14 to know this, and there is a pre-meet facility at MAPPA  
 15 available for doing that sort of thing, who is the  
 16 person who clears it for Mr Byford to see it? Who do  
 17 you expect to be clearing this piece of intelligence?  
 18 A. Right, the intelligence forms part of the priority  
 19 operation, so ultimately I would say that would be  
 20 a consideration for the SOI to make or have those  
 21 discussions at higher levels between organisations  
 22 considering the gravity of the handling codes in that  
 23 intelligence report.  
 24 Q. I see, but not Staffordshire Special Branch; this is  
 25 West Midlands CTU because they've got carriage of the --

1 A. I would say because it was in a priority operation that  
 2 is not something that we would approach the owner of the  
 3 intelligence and then reveal that without the  
 4 consultation and agreement with the SOI, considering  
 5 there was a priority operation. That is the best way  
 6 I can put it.  
 7 Q. All right. Thank you very much.  
 8 Now, you can see why I'm asking these questions, it  
 9 is why doesn't this get through, it is an extra bit of  
 10 intelligence that is obviously important, I mean, this  
 11 isn't just return to the old ways in general terms, this  
 12 is attack-planning --  
 13 A. Yes.  
 14 Q. -- without a shelf-life on it, so this is not  
 15 necessarily now but some time in the future, you see the  
 16 importance of it? Now, on top of that, can I just put  
 17 some other clues your way that you pick up. So, for  
 18 example, in February -- this is all in December 2018  
 19 and January 2019 that we're talking about.  
 20 In February 2019, your notebooks reveal some other  
 21 concerns. Can I see {DC7490-T/3}, please. If I find  
 22 myself on the page. And here -- I might need to do the  
 23 second half of this page. If you see there,  
 24 14 February 2019, a list of bullets in the middle of  
 25 that slide. The second bullet from the bottom:

1 "De-radicalisation still not discussed by mentor  
 2 with UK."  
 3 Do you remember that entry? Is that a concern that  
 4 you have, that there were mentors in place but they're  
 5 not getting to the heart of things?  
 6 A. It is just stating a fact. He had been engaged with his  
 7 mentor and still at that point there hadn't been any  
 8 discussions.  
 9 Q. In March 2019 -- thank you, that can come down again  
 10 now -- we have the question that both my learned friends  
 11 have asked you about already which is the request for  
 12 a BSU profile?  
 13 A. Yes.  
 14 Q. So you want to understand this man?  
 15 A. We do, yes.  
 16 Q. And alongside that we've got some movement towards him  
 17 going -- he has made this video for the Learning  
 18 Together event in March and he's moving towards this  
 19 other event coming up in June 2019. Can I just show you  
 20 a point Mr Hough asked you about on this, can I have  
 21 a MAPPA minute for March up, {DC6411/5} and we will just  
 22 go to the top of that page. So this is about where  
 23 Mr Hough asked you about this line, the last line of the  
 24 first paragraph:  
 25 "Ken felt that in the future they may look to enable

1 Usman to attend some of the events with measures in  
 2 place."  
 3 Now when answering questions from Mr Hough about  
 4 this you said that this was at least predominantly about  
 5 preventing breaches and about providing intelligence  
 6 which supported the priority investigation.  
 7 A. Yes.  
 8 Q. But if you look at the second paragraph you have  
 9 Staffordshire seeking to:  
 10 "... have the heads-up if Usman will be attending  
 11 these events. Ainsley advised that she would be happy  
 12 for her team to facilitate the attendance by them taking  
 13 him to reduce the pressure on Staffordshire Police  
 14 colleagues."  
 15 That must go a bit wider than simply preventing  
 16 breaches and providing intelligence. There is some risk  
 17 management involved in accompanying him?  
 18 A. Can you just confirm the date of the MAPPA, please?  
 19 Q. This is March 2019.  
 20 A. Okay. I can't answer that question, other than to say  
 21 that my understanding of the police officers conveying  
 22 Mr Khan to an event was purely to take him to and from.  
 23 I'm not aware that it's based on threat and risk.  
 24 Q. All right, but you don't see your position in as narrow  
 25 a way as we're just about breaches or providing

1 intelligence . I mean, when you talked to Mr Hough about  
 2 the dumper truck or the conversation with  
 3 Sergeant Forsyth, about isolating and you spoke in terms  
 4 of is he getting enough support? That's you as a police  
 5 officer properly being aware of risk in a broader sense?  
 6 A. Yes, yes.  
 7 Q. Because you have a policing obligation?  
 8 A. Yes.  
 9 Q. In a broad sense. Thank you. So that's March. So we  
 10 see these sorts of things happening in March.  
 11 In April, can I just show you {DC7490-T/5}. And if  
 12 we go to page 5, please for the 4 April, and that's that  
 13 middle section.  
 14 "Spoke to HSB Powell [reference] frequency of  
 15 Prevent visits to UK as I believed they need to be more  
 16 frequent!"  
 17 A. Yes.  
 18 Q. Do you remember what you thought the frequency was  
 19 in April?  
 20 A. From memory, I believe that they had started to reduce  
 21 in frequency, I may be wrong but I believe it was  
 22 around February and March and he'd only been out of  
 23 prison at that point for sort of three months.  
 24 Q. Yes. I mean, what we see is they started off weekly and  
 25 then dropped down to fortnightly.

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1 A. Yes.  
 2 Q. There is later reference to monthly and that's  
 3 around November, but in fact I mean, did you know, and  
 4 this is going slightly back in the time schedule, that  
 5 after he moved out of the approved premises on  
 6 24 September, there is no Prevent visit at all until  
 7 31 October, so only six weeks later?  
 8 A. Yes, I had said earlier I believed it was about  
 9 four weeks, but clearly it's five, due to the dates of  
 10 the engagements.  
 11 Q. So that was part of the concern at that stage?  
 12 A. When you say "concern"...  
 13 Q. Well, when you -- I don't want to jump too far ahead in  
 14 time, but when you're wanting frequency of Prevent  
 15 visits to increase in November that's because you think  
 16 it's slipped too far?  
 17 A. It was an opportunity for police officers to have more  
 18 frequent engagement, particularly considering he'd moved  
 19 out of the approved premises and into his flat.  
 20 Q. What did you think the purpose of that was for your  
 21 purposes?  
 22 A. For my purposes? Just to understand the ongoing  
 23 assessment because clearly from leaving the approved  
 24 premises into his own accommodation he no longer had  
 25 approved premises probation staff around him and the

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1 natural conclusion I made, that he had less support.  
 2 Q. When we look at it and we look at those visits, we have  
 3 one on 31 October, we have the other one on 14 November  
 4 tasked from the MAPPA that takes place that day as well  
 5 to go and photograph the Xboxs, but neither of those  
 6 visits -- so Sergeant Forsyth doesn't go on either of  
 7 those visits, so doesn't see him at all between  
 8 24 September and the attack. Do you know that?  
 9 A. I would have known who'd attended from the engagements  
 10 that were provided to me at the time. My understanding  
 11 is Sergeant Forsyth didn't attend every meeting with  
 12 Mr Khan.  
 13 Q. But the reason I slightly ask you about this is whether  
 14 there is any concern for you about this. Sergeant  
 15 Forsyth doesn't go -- the move out of approved premises  
 16 is clearly significant, as you recognise.  
 17 Sergeant Forsyth doesn't see him at all in person from  
 18 that point on. The visits that do take place are  
 19 8 minutes and 10 minutes long, thereabouts, according to  
 20 the CCTV. And yet you will remember Sergeant Forsyth  
 21 making comments around 6 November that he's not  
 22 isolating, he's fine, he's the same way as he was in the  
 23 approved premises, which is why he's been asked  
 24 about: how do you know? That must cause you some  
 25 concern given what you want from those visits?

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1 A. In hindsight, understanding that now, when you make  
 2 reference to 8 and 10 minutes, I can't say I was aware  
 3 that they were such short engagements at the time.  
 4 I may be wrong.  
 5 Q. Okay. Can I ask you about this -- I jumped ahead  
 6 slightly ahead in time, apologies -- I was in April at  
 7 this point, I just want to go to May. Probation officer  
 8 Mr Johal says he remembers a pushback which he  
 9 attributes to the West Midlands as opposed to Special  
 10 Branch about a decision to reduce him from very high  
 11 risk to high risk on OASys. Do you remember that?  
 12 A. I don't recall that.  
 13 Q. Okay. In June we have the trip to Whitemoor Prison.  
 14 A. Yes.  
 15 Q. And then in July we have some developments with  
 16 Dawn Banner. Can I just clarify this: Dawn Banner is an  
 17 intelligence analyst --  
 18 A. Yes.  
 19 Q. -- working for Staffordshire Special Branch?  
 20 A. Yes.  
 21 Q. Can I just put this up, this is how she puts it in  
 22 a witness statement that she's provided. Can I have  
 23 {WS5098/1}, please. So she describes her process, I am  
 24 just going to go to the third paragraph of this. The  
 25 sixth -- it is the paragraph beginning, "In completing

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1 these profiles". So we have seen her profiles. You  
 2 have talked about them. She says this:  
 3 "In completing these profiles I had read a lot of  
 4 intelligence around Usman Khan, and from doing this had  
 5 a good understanding of his behaviour and mindset.  
 6 I have never actually met Usman Khan and all the  
 7 information I knew had come from documents I had read.  
 8 Initially the majority of my understanding of Usman Khan  
 9 came from prison and previously held police intelligence  
 10 prior to his release, once Usman Khan was released  
 11 I used various other sources of intelligence including  
 12 mentor reports, tagging data, police intelligence which  
 13 continued to develop my understanding of his ongoing  
 14 behaviour and mindset post release.  
 15 "In the profiles I created, I would make a summary  
 16 of the intelligence on Usman Khan and this would be  
 17 disseminated to the appropriate people. I cannot recall  
 18 exactly who this would have been disseminated registered  
 19 on the national intelligence system and shared with  
 20 appropriate partners.  
 21 "From reading this information it did not appear  
 22 Usman Khan had changed his behaviour and mindset, this  
 23 is mainly formed from reading about his behaviour whilst  
 24 in prison which was summarised in the profiles. To me it  
 25 appeared to show that he showed no remorse or want to

1 change while this prison until a short period prior to  
 2 his release."  
 3 So you have all of that, that is not a process that  
 4 causes you any surprise, you know that that's her job?  
 5 A. Yes.  
 6 Q. And so that's an informed view, and that's what informs  
 7 her view that we've seen in the profiles that says he's  
 8 not changed, he's not moved his mindset?  
 9 A. Yes.  
 10 Q. And to be clear, in not moving his mindset, that's not  
 11 moving his mindset from being a pretty serious terrorist  
 12 offender at a very high risk of harm, etc?  
 13 A. Yes.  
 14 Q. We see a later report from her in July, I am not going  
 15 to go to it because I have taken the court to it many  
 16 times before, but for the lawyers it is {DC7450}, but  
 17 that's where she goes to an ALM stakeholders meeting  
 18 with which you'll be familiar. You know what they are?  
 19 A. Yes.  
 20 Q. And she has a phrase, and the jury will remember it is  
 21 in green ink, but she talks about the fact that --  
 22 that's where she says: I don't think he's changing his  
 23 mindset, and I think he's gaining in confidence and he  
 24 thinks he's more important than he in fact is. So that  
 25 is an entry there in July.

1 So this is, isn't it, growing awareness by July 2019  
 2 that he's not -- still not changing, not moving on and  
 3 maybe getting -- maybe gaining in confidence here.  
 4 That's pretty sinister concerning material now?  
 5 A. I can't comment upon the assessments or opinions that  
 6 Dawn Banner has made from her assessment of the  
 7 intelligence and her rationale for that. All I can say  
 8 is that it was consistently reported from probation  
 9 through MAPPA and Prevent that he continued to engage.  
 10 The Learning Together programme was a positive  
 11 rehabilitation factor in his life and there had been an  
 12 absence of any adverse reporting from the point he was  
 13 released. What Dawn is clearly doing that we were all  
 14 doing was being aware and reviewing information and  
 15 intelligence that came to us to identify any detail  
 16 whatsoever that stood out and present that to the heads,  
 17 if you like, of the priority operations from MI5 and  
 18 West Midlands CTU.  
 19 Q. I'll unpick that a little bit. I mean, he starts from  
 20 a position of being very high risk and with no change in  
 21 his offending behaviour patterns, and Dawn Banner  
 22 in July 2019, on her analysis, is reminding  
 23 Staffordshire Special Branch of that.  
 24 A. Yes.  
 25 Q. He has not generated any adverse intelligence throughout

1 his time, now about eight months?  
 2 A. Yes.  
 3 Q. We know that to be true, but there are also concerns  
 4 that he's gaming the system and it's all false  
 5 compliance. You know that too?  
 6 A. Yes.  
 7 Q. At the same time as you move into all of that, you are  
 8 yourself as an organisation raising issues about things  
 9 like the dumper truck. You are concerned about the  
 10 dumper truck?  
 11 A. Yes.  
 12 Q. And I don't think I need to pull this back up again, we  
 13 can go back to the daybooks, Sergeant Forsyth and  
 14 Mr Skelton want him to do the dumper truck course  
 15 because they want to solve the employment problem.  
 16 Staffordshire Special Branch and others say absolutely  
 17 not, that is a bad idea.  
 18 A. We object to it, yes.  
 19 Q. Just looking at your notes, for example, the first time  
 20 that comes up we see not just you but Lawrence Mills,  
 21 Ryan Chambers, Mr Powell, Mr Hessel, all of you get  
 22 involved in that discussion and close it down?  
 23 A. Yes.  
 24 Q. So you are properly concerned about this man?  
 25 A. Like I said previously, the reason for not having, or

1 rationale for us not supportive of that course was due  
 2 to his conviction.  
 3 Q. Yes. But you take that position, as Mr Hough puts to  
 4 you, you take the position in relation to the dumper  
 5 truck course even though that is a particularly -- that  
 6 course carries particular value, because it is  
 7 a potential route out of employment towards employment  
 8 which is a problem in this case?  
 9 A. Yes.  
 10 Q. And it is difficult getting employment for terrorism  
 11 offenders, but even given that the risk is sufficient  
 12 for you to say no?  
 13 A. Yes.  
 14 Q. But when we are looking at the visit, when we are  
 15 looking at the Learning Together which is beginning to  
 16 be thought about at the same time because it is  
 17 now August 2019, we don't see that conversation, and  
 18 I just want to ask some questions about this because you  
 19 say several times in your evidence today that one of the  
 20 good things was not just no adverse intelligence, but he  
 21 was engaging and he was getting a positive thing out of  
 22 Learning Together?  
 23 A. Yes.  
 24 Q. We know, we've seen it from several places, that you  
 25 refer to this being a programme but we know that all he

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1 does with Learning Together in 2019 is the March visit  
 2 and the June 2019 trip to Whitemoor. Other than that it  
 3 is casual conversations with the likes of Lisa Ghiggini,  
 4 he gets a Chromebook that he doesn't use, he's not even  
 5 writing anything. Do you know that?  
 6 A. No, I didn't -- I was unaware he was not writing  
 7 anything.  
 8 Q. Because not only are the risks might be said to be  
 9 exactly the same as they are in relation to the dumper  
 10 truck course, the benefits are that much less?  
 11 A. Yes, and I would expect if that were the case then we'd  
 12 have been made aware of that as well from MAPPA.  
 13 Q. From MAPPA?  
 14 A. Yes, if the professionals are saying that he's not using  
 15 his device at all or hasn't used it, then I'm not aware  
 16 he'd ever used it.  
 17 Q. Do you think, I mean, Mr Pitchers took you to the point  
 18 about "poster boy", and I've used -- we have seen that  
 19 phrase used and the success story -- is that part of  
 20 what happens here, that there is this sort of fairy dust  
 21 is sprinkled and everybody gets a bit carried away with  
 22 this programme and therefore doesn't look as closely at  
 23 things as they should have done?  
 24 A. Specifically in relation to who?  
 25 Q. Is that something that you think affects you, that you

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1 attach too much weight to the Learning Together  
 2 programme as you think it is?  
 3 A. No.  
 4 Q. Absolutely not, you see through that?  
 5 A. Yes.  
 6 Q. What do you believe Learning Together is at this point  
 7 in 2019 then?  
 8 A. It's a positive factor in his life.  
 9 Q. In what way? What do you think he's getting from it?  
 10 A. Well, he'd been involved in a programme, since, during  
 11 his time in prison, he had attended events, he was seen  
 12 to be by those in the Learning Together, it was  
 13 deemed -- it was a positive influence on his  
 14 rehabilitation, and there was nothing I am aware of to  
 15 the contrary to that.  
 16 Q. Can I have {DC7940} up again, please, at {DC7940/11}.  
 17 If you -- middle of the page there. So this is I think  
 18 from DC Hartill's entry. This is also around  
 19 I think August 2019. This is, do you see where it says:  
 20 "Prob -- [Cambridge] feeding into status. Sense of  
 21 entitlement and arrogance."  
 22 A. Yes.  
 23 Q. So one of the concerns that we see here is that in fact  
 24 the Learning Together is difficult because it is  
 25 producing status for a man who seeks status as an

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1 offence paralleling behaviour?  
 2 A. Okay.  
 3 Q. So you see in fact not only is the positivity less than  
 4 I say, because in fact it is just two attendances in  
 5 a year, but there are also risks associated with it  
 6 because it's feeding his status-seeking.  
 7 A. I don't know where that comment has -- whose mouth  
 8 that's come from.  
 9 Q. DC Hartill.  
 10 A. Well, whether that's her recording of MAPPA, or her own  
 11 opinion, I can't say. It -- what I'm trying to put  
 12 across is that it was clear from my perspective that  
 13 this was seen by others as, the Learning Together  
 14 programme, a positive in his life.  
 15 Q. But it seems to have -- yes, I see that it was seen as  
 16 positive but the foundation for that seems to be thin,  
 17 do you see?  
 18 A. Seems to be?  
 19 Q. Seems to be thin. It seems to have been a fantasy?  
 20 A. Well, clearly in hindsight that's the case,  
 21 unfortunately.  
 22 Q. Okay. Last point. Can I just ask you about this: you  
 23 sign over to -- there's personnel changes going on  
 24 around this point --  
 25 A. Yes.

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1 Q. -- and you sign over to Mr Plimley on the 11 November.  
 2 We see that being discussed. Can I just look at this as  
 3 well. The personnel changes, but also the procedure  
 4 changes, doesn't it?  
 5 A. Yes.  
 6 Q. And we can see an example of that around the 20 November  
 7 from Mr Plimley which can I just see {DC7248/27}, this  
 8 is an email, and this is an email from Lee Plimley to  
 9 Laurence Mills and Laurence Mills is West Midlands, the  
 10 desk officer at West Midlands?  
 11 A. Yes.  
 12 Q. And this is -- what has happened here, Mr Stephenson, is  
 13 that he has been tasked with finding out more and the  
 14 understanding point of understanding more about what's  
 15 going on on the 29th?  
 16 A. DC Plimley has, yes.  
 17 Q. Because he is now the new officer?  
 18 A. From Staffordshire's perspective, yes.  
 19 Q. Absolutely right and he says this:  
 20 "I have further clarified what the event is, as you  
 21 can see from the attached it is a 5-year anniversary  
 22 celebration of the Learning Together programme. UK has  
 23 been invited along with other students from the  
 24 programme and is there as a guest as opposed to having  
 25 a specific role. I have also clarified that UK will be

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1 travelling alone and has had his tickets purchased by  
 2 the organisers and they have been posted to him.  
 3 "The organisation does have a website..."  
 4 "It's my understanding that following some recent  
 5 issues identified from processes, all emails of this  
 6 nature are reviewed by yourselves on the desk and  
 7 assessed for intelligence and relevance. Should there  
 8 be anything pertinent and worthy of an IR [so an  
 9 intelligence report] this would then be generated and  
 10 registered by the OIMU. With this in mind I haven't  
 11 generated an IR from this and I am sending it for your  
 12 awareness and consideration. You may know that I am new  
 13 to the Ops desk and I'm just getting my head around  
 14 stuff so feel free to give me a call if you need to  
 15 discuss it."  
 16 I mean, the concern here is that not only the  
 17 personnel changing but the procedure is changing at  
 18 precisely the moment that some momentum is driven  
 19 towards the Learning Together event and it is DC Plimley  
 20 who is the person who has to try to stop it. Do you  
 21 think that's a contributing factor?  
 22 A. I don't think that's an accurate assessment of what was  
 23 happening at that time. What I will say is whilst there  
 24 are very few officers within Special Branch, we are  
 25 a very close team, working closely together. Even

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1 though I'd been promoted to sergeant at that point  
 2 I still had a lot of involvement and provided a lot of  
 3 support and advice and guidance to DC Plimley who was  
 4 also an experienced Special Branch officer, having  
 5 worked within the department previously -- up until that  
 6 point for a number of years in a different role.  
 7 Q. So you're still involved. This isn't DC Plimley being  
 8 left out with this --  
 9 A. No.  
 10 Q. -- momentum that he now can't stop --  
 11 A. Yes.  
 12 Q. -- because it is now 20 November?  
 13 A. I'm still involved.  
 14 Q. Okay. But another aspect of this, can I just look at  
 15 the -- there was an IOPC report, one of the  
 16 investigation reports, can I just put this up briefly.  
 17 {DC7444/13}, and then if we look at paragraph 48. This  
 18 is evidence that PS Forsyth gave to this investigation.  
 19 He explained that his was a role that could have been  
 20 taken on by Team 7 within West Midlands CTU, or sex  
 21 offender managers, but in his opinion there wasn't any  
 22 desire for it to change.  
 23 So he's complaining about why he's got the role  
 24 rather than Team 7. He said it was only when he spoke  
 25 to the regional Prevent lead that it was ultimately

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1 changed to Team 7:  
 2 "Mr Khan was due to be handed over to Team 7  
 3 in December 2019. PS Forsyth couldn't recall whether  
 4 Mr Khan was aware of this but thought it was likely that  
 5 he could have let Mr Khan know."  
 6 Because one of the other things that is developing  
 7 here is that if Mr Khan knows he's suddenly moving  
 8 towards a situation where he's got an opportunity to  
 9 plan an attack, he also knows that a different team and  
 10 perhaps a less friendly team is heading in his  
 11 direction. Is that part of the mix, do you think, in  
 12 his assessment?  
 13 A. I wouldn't know what Mr Khan was thinking and I would --  
 14 I'm not aware of him knowing that Team 7 were taking  
 15 over the management of his case, if you like.  
 16 MR ARMSTRONG: All right. Thank you very much,  
 17 Mr Stephenson.  
 18 JUDGE LUCRAFT: Thank you, Mr Armstrong. I suggest we might  
 19 take our afternoon break there and sit again after we've  
 20 had our break, thank you.  
 21 A. Thank you.  
 22 (In the absence of the jury)  
 23 MR HOUGH: Sir, just a couple of matters before you rise.  
 24 First of all, during Mr Pitcher's examination I referred  
 25 to a version of the Staffordshire Special Branch subject

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1 profile in relation to Usman Khan which I thought might  
 2 be the version printed for Sergeant Forsyth. I did give  
 3 the correct reference, {DC5183}. Unfortunately it  
 4 couldn't be brought up because it is a document going  
 5 through the review process. What I can confirm,  
 6 however, is that this will be disclosed without delay  
 7 and I hope and expect by the end of tomorrow. It is not  
 8 a vastly long document, it's, I think, 14 or 15 pages  
 9 and what I can say to everyone is that it confirms this  
 10 officer's evidence that the version of the profile which  
 11 would have been provided to Mr Forsyth did not include  
 12 the attack aspiration intelligence but did include the  
 13 "old ways" intelligence. It also confirms this  
 14 officer's evidence that it didn't include some of the  
 15 analyst comments that were put to him. I thought it was  
 16 fair to make that point for the benefit of this officer  
 17 and all interested persons.

18 The other matter I just wanted to raise is that I am  
 19 obviously hopeful that we can finish Mr Stephenson today  
 20 so that he doesn't go over until Wednesday.

21 JUDGE LUCRAFT: Yes.

22 MR HOUGH: Obviously it is a stressful experience for him  
 23 giving evidence so I'll ask Mr Moss to obtain some  
 24 estimates just to see if we can finish him today.

25 JUDGE LUCRAFT: Thank you very much. I'll rise.

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1 (3.30 pm)

(A short break)

2 (3.40 pm)

3 MR HOUGH: Sir, based on the estimates we've received, we  
 4 will finish Mr Stephenson today, just.

5 JUDGE LUCRAFT: Thank you.

6 Whoever is asking questions next might want to come  
 7 forward whilst the jury are coming in.

8 (In the presence of the jury)

9 Questions by MR BAUMBER

10 MR BAUMBER: Thank you, sir. Kevin Baumber, counsel for  
 11 Staffs Prevent officers. Just a couple of questions to  
 12 begin with, please, about the allocation of roles with  
 13 regards to Mr Khan's case.

14 Can we have {DC7488-T/5}, please. This is your  
 15 daybook, the transcribed version of it. You drew  
 16 a diagram in it, in the original, and this is a faithful  
 17 reproduction of it, I think. Can you see there we have  
 18 got MAPPAs in the middle with a line out to Prevent and  
 19 part 4 management and then around the outside --

20 A. Yes.

21 Q. -- Special Branch and there are arrows going in both  
 22 directions. What did that convey was the plan?

23 A. I think -- have you got a date, sorry, of this entry,  
 24 because I know I did make a couple of these?

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1 Q. It would be on the page before. I haven't noted it in  
 2 my note. Can we zoom on the bottom? I'm not sure, can  
 3 we go back to the other page. I'm not sure we have  
 4 immediately, but it is in the early stages of the --

5 A. Yes, that looks look -- I believe that is what I would  
 6 probably call a mind map, just trying to understand what  
 7 the process may be in the management of MAPPAs and  
 8 Special Branch, where we fitted.

9 Q. And did that include using the part 4 management to feed  
 10 information into Special Branch about the attendances?

11 A. Yes, that's my understanding, yes.

12 Q. And what was it to flow the other way, if anything?

13 A. I suppose support, intelligence support for the Prevent  
 14 team.

15 Q. Or the giving of taskings, for example, might that be  
 16 included?

17 A. Yes, I wouldn't say it would task, necessarily.

18 Q. And in relation to Team 7, you have got those drawn into  
 19 MAPPAs; what was the original plan regards that?

20 A. Again, that was just my understanding of, at the time or  
 21 trying to get a full accurate picture of how the MAPPAs  
 22 process may work because I'd never been involved in  
 23 MAPPAs until my involvement in this operation.

24 Q. Can we go to {DC7488-T/8}, please, at the top. You can  
 25 see the handwritten, is it the section there you have

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1 some entries on management:

2 "Part 4 Conditions -- managed by Prevent.

3 "Ainsley Cobbett -- oversight Team 7.

4 "Prevent -- collect Khan and document [him at the  
 5 police station]."

6 A. Yes.

7 Q. Do you remember what was behind those three entries?

8 A. Again, I'm just making reference there to my  
 9 understanding of roles and responsibilities, I believe.

10 Q. What was your understanding of the Team 7 part?

11 A. In relation to?

12 Q. In relation to the entry on the management of Khan?

13 A. I believe Team 7 were there to provide support, advice  
 14 and guidance to Prevent in their management of Mr Khan.

15 Q. Can we go to page {DC7489-T/22}, at the top. This is  
 16 the 27 December 2018:

17 "Team 7, Marc Jerromes [is that] as I, was recently  
 18 made aware from Prevent Sergeant Forsyth that Team 7  
 19 have the access to EMS live GPS data..."

20 And it carries on from there.

21 Do you know who was doing the analysis of the  
 22 tagging data in relation to Khan?

23 A. I think in the initial stages it may have been Team 7 or  
 24 one of the West Midlands Counter-Terrorism Unit analysts  
 25 because of the access they had.

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1 Q. And did they also have access to ViSOR, the Staffs  
 2 system?  
 3 A. I don't know.  
 4 Q. We can take it off the screen, thank you. Part of the  
 5 function you told us, as indicated by the diagram, was  
 6 for Prevent to feed their interactions back to Special  
 7 Branch?  
 8 A. Yes.  
 9 Q. And that was not an investigative role on behalf of  
 10 Prevent, was it, it was contained to part 4 visits?  
 11 A. It was a consequence of their role with Khan and the  
 12 part 4 management, that they would provide us with  
 13 engagements.  
 14 Q. Do you remember what instructions were given on that  
 15 extra facet, reporting their visits to you?  
 16 A. No.  
 17 Q. Can we look at {DC7441/159}. If we go to the bottom of  
 18 the message, you can see in the last --- top of the page  
 19 now. I know you --- you're cc'd on this:  
 20 "I know you will anyway but can you also ensure that  
 21 recent and future interactions with Khan are documented  
 22 on SPIN to keep the Ops Desk informed."  
 23 A. Yes.  
 24 Q. I think that's all I have seen. Is that it? Is that  
 25 a reminder of what they would be expected to do?

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1 A. Yes, from their engagements here, it is outlining  
 2 obviously from DI Hessel to create local intelligence  
 3 logs on the system but provide details of engagement to  
 4 Special Branch.  
 5 Q. No direct liaison expected between Prevent and the  
 6 West Midlands CTU; is that right?  
 7 A. With regards to this theme, no.  
 8 Q. To this theme. Prevent give you the information and you  
 9 disseminate it on?  
 10 A. That's correct, yes.  
 11 Q. And can we just have --- I won't read them --- time is  
 12 precious, especially for others to be able to ask you  
 13 some things, but can we just have a look at some of  
 14 those reports just to get a sense of them.  
 15 {DC7438/119}. We can zoom in on the bottom. We can see  
 16 it has gone to you. As I say, I won't read it, but  
 17 Victoria Barker reports a visit and gives various  
 18 details from what he's wearing to everything that's  
 19 happened in the visit; is that the sort of thing we're  
 20 talking about?  
 21 A. Yes.  
 22 Q. {DC7438/206}, again, to Special Branch. Would they be  
 23 feeding in --- in this case, it is the part 4, the new  
 24 part 4 registration with descriptions of clothes and  
 25 reactions, content, times and places, yes?

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1 A. That's what that covers, yes.  
 2 Q. Can we look at the top of that same page. It is already  
 3 at the top, sorry. And then you would disseminate what  
 4 comes in more widely when you receive it?  
 5 A. That document there has, from PC Oakley, been sent to  
 6 the Special Branch group inbox and me, you can see, and  
 7 then the Special Branch group inbox then disseminates it  
 8 amongst the staff within the department.  
 9 Q. {DC7438/216} of that document, at the bottom do we see  
 10 a detailed report from Ian Oakley?  
 11 A. Yes.  
 12 Q. And at the top, again, sharing it more widely amongst  
 13 your colleagues?  
 14 A. Yes.  
 15 Q. Last one, {DC7441/342}, bottom of the page,  
 16 Victoria Barker, again, in the format that we've seen  
 17 before sends a detailed entry of interactions referring  
 18 to Khan's demeanour, their observations and so on; is  
 19 that right?  
 20 A. Yes.  
 21 Q. And at the top of the page, you thank her for what you  
 22 describe as a comprehensive update?  
 23 A. That's right, yes.  
 24 Q. Is that --- are those entries and that response typical  
 25 of the sort of thing you were receiving and were you

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1 content with them?  
 2 A. Generally. There would be maybe occasions where there  
 3 would be less, but I suppose that would depend upon  
 4 length of meetings, etc.  
 5 Q. They didn't include, for example, tasking the Prevent  
 6 officers to spend a certain minimum amount of time or to  
 7 gather certain intel for you? It's piggy-backing the  
 8 part 4, isn't it?  
 9 A. That would be the responsibility of Sergeant Forsyth to  
 10 dictate the length, and I suppose doing engagement, any  
 11 sort of safeguarding or welfare with Mr Khan.  
 12 Q. Thank you, we can take that down, thank you. In terms  
 13 of the information and intelligence shared with Prevent,  
 14 to be confirmed in due course, I think, but do you  
 15 anticipate that things like the analyst comments and  
 16 attack aspirations are things that might well not be in  
 17 the Prevent version for intelligence --sharing reasons of  
 18 the subject profile?  
 19 A. Sorry, can you repeat that?  
 20 Q. In terms of the intelligence shared down to Prevent,  
 21 they don't get everything that the investigation has, do  
 22 they, because they're not directly part of the  
 23 priority operation?  
 24 A. They certainly wouldn't have the same access to  
 25 information intelligence that I, for example, in my role

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1 would have.  
 2 Q. You anticipated that things like the analyst comments or  
 3 the attack aspiration strand are things that might not  
 4 be in that report?  
 5 A. I'm not aware of that attack strand featuring within the  
 6 profile that was provided. Analyst comments, again,  
 7 I think I have answered that previously.  
 8 Q. In relation to concerns that Khan was isolating himself,  
 9 you have been shown the documents that began with  
 10 a report from Ian Oakley in relation to a visit that you  
 11 asked for more information about, yes? Do you remember?  
 12 A. Yes.  
 13 Q. And do you recall, I have shown these documents to  
 14 another witness, but do you recall that you escalated  
 15 that concern in your chain of command whilst awaiting  
 16 a reply from Calum Forsyth?  
 17 A. Can you just confirm the correspondence, please?  
 18 Q. It is 5 November. {WS5063—JS410}. The top of page --  
 19 the top of page 1?  
 20 A. Yes, that's right.  
 21 Q. Does that ring a bell, early November?  
 22 A. Yes, there was a lot of emails that day, so.  
 23 Q. And you got replies from Calum Forsyth after that that  
 24 attached some input from probation?  
 25 A. Yes.

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1 Q. And to cut a long story short, Prevent and the probation  
 2 were less concerned about it being isolating and being  
 3 a trigger than you were on fuller information?  
 4 A. Yes.  
 5 Q. But you nevertheless escalated it and told MI5 about the  
 6 details of it, didn't you?  
 7 A. Yes.  
 8 Q. Thank you. Finally, the trip to London and the travel  
 9 arrangements. We reach the position, don't we, that in  
 10 advance of the trip to London, both Khan's attendance  
 11 and his travelling alone were informed to you for  
 12 further dissemination up the chain before the event had  
 13 occurred?  
 14 A. Yes.  
 15 Q. And you have documented that in various places in your  
 16 notebooks, haven't you?  
 17 A. I believe so, yes.  
 18 Q. Can we just look at {DC7490—T/14}, at point 7. This,  
 19 for your information, was 23 August:  
 20 "One day event with Camb Uni (NFD)..."  
 21 Does that mean "no further details"?  
 22 A. Yes.  
 23 Q. "... previously escorted but will have make his own way  
 24 there."  
 25 So you knew that he was going alone on this

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1 occasion?  
 2 A. Yes.  
 3 Q. And if we go forward to {DC7490—T/18} to see what  
 4 happened regards the further details, the  
 5 20 November 2019:  
 6 "Email update from Sergeant F that UK will be..."  
 7 And do we there see bullet points with the details  
 8 of the travel arrangements?  
 9 A. Yes.  
 10 Q. And can we go back to the top of that page, and the  
 11 second entry on the same day, email update -- sorry, the  
 12 next paragraph:  
 13 "DC Plimley tasked to speak to Calum/Ken Skelton PO  
 14 to establish further detail of event purpose of UK  
 15 attending.  
 16 "Update from DC Plimley -- UK to travel alone,  
 17 purpose being 5 year anniversary of Learning Together  
 18 programme, open event on Camb Uni website to celebrate  
 19 and collaborate with interactive workshop, storytelling  
 20 and creative writing."  
 21 A. Yes.  
 22 Q. And at any time are you free to go back and ask for  
 23 further details as and when you might want or need them?  
 24 A. Through to the Prevent team?  
 25 Q. Or probation or anyone, yes.

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1 A. Yes, that contact would generally be through Calum, so,  
 2 yes, sorry, Sergeant Forsyth.  
 3 Q. The next entry dated the same day there is a reference  
 4 to the visit on 14 November and then can we just go to  
 5 the middle of this page so we see the next entry.  
 6 A. Yes.  
 7 Q. "CAMB -- purpose part of ongoing work he is doing with  
 8 the Uni which started in prison."  
 9 Then references to finding work. Are those some of  
 10 the further details that you'd sought, from where we've  
 11 seen before there weren't further details at the time?  
 12 A. Yes, I think those details are covered in an email,  
 13 I believe, response.  
 14 Q. And the detailed arrangements for the travel were then  
 15 escalated to MI5 by way of an email, weren't they?  
 16 A. I can't recall explicitly how they were shared. They  
 17 were certainly sent through to the West Midlands  
 18 Counter—Terrorism Unit colleagues.  
 19 Q. Did you ask or task Prevent to do anything more,  
 20 anything differently in relation to that visit after  
 21 seeking that information?  
 22 A. Not that I can recall.  
 23 MR BAUMBER: No further questions, thank you.  
 24 Questions by MR BEER QC  
 25 MR BEER: Good afternoon, sergeant, I ask questions on

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1 behalf of West Midlands Police, my name is Jason Beer.  
 2 I think you enjoyed a close working relationship with  
 3 the Prevent team, is that right?  
 4 A. Yes, we worked closely together.  
 5 Q. And that was an established relationship, it had existed  
 6 for many years, and wasn't thrown together for the  
 7 purposes of Usman Khan's case?  
 8 A. That's correct.  
 9 Q. They were located across the corridor from you, were  
 10 line managed initially by the Head of Special Branch,  
 11 attended daily meetings at 8.30; is that right?  
 12 A. That's correct, yes.  
 13 Q. And there are hundreds of emails in the papers that we  
 14 have got, or records of contact between you and your  
 15 team on the one hand and Sergeant Forsyth and his team  
 16 on the other?  
 17 A. That's correct.  
 18 Q. And so in the course of these years of daily contact  
 19 with Sergeant Forsyth and his team, had you yourself  
 20 heard the suggestion that he and his officers should not  
 21 be managing Mr Khan?  
 22 A. I don't recall those conversations.  
 23 Q. No. Had you ever heard it suggested that they didn't  
 24 have the capacity to undertake such work?  
 25 A. I'm not aware of anything -- concerns like that.

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1 Q. No, had you ever heard it suggested that they didn't  
 2 have the skills or capabilities to do the work that they  
 3 were doing?  
 4 A. Again, I don't recall any of those conversations.  
 5 Q. Knowing Sergeant Forsyth as you do, do you think that if  
 6 there had been such grumbles, you would have heard about  
 7 them?  
 8 A. I would expect if there were those sentiments amongst  
 9 the team, then through the supervisor they would have  
 10 been raised with the head of Special Branch.  
 11 Q. Yes. And was the first time you heard about any such  
 12 issues within the Prevent team over the allocation of  
 13 responsibility for managing Mr Khan, only after Khan had  
 14 carried out his attack in preparation for these  
 15 Inquests?  
 16 A. Yes, I believe so, yes.  
 17 Q. The second topic, please. You say in your witness  
 18 statement that the Prevent team had a key role. That is  
 19 because they were Khan's offender managers; is that  
 20 right?  
 21 A. Their key role was their responsibilities in the  
 22 management of him as a part 4 offender. Yes, that may  
 23 well be an offender manager role, I don't know how you'd  
 24 define that.  
 25 Q. Now, I just want to look at the way in which the Prevent

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1 team interacted with you and your Special Branch  
 2 colleagues and just look at three examples, if we may.  
 3 In the interests of time and so that you can  
 4 conclude giving evidence today I am going to try and do  
 5 it without the references, okay?  
 6 A. Okay.  
 7 Q. Firstly, is it right that there was a stage when you  
 8 suggested to Sergeant Forsyth that he should share  
 9 information directly into information reports rather  
 10 than from somebody within SB having to retype them on to  
 11 the system?  
 12 A. Yes, that's correct.  
 13 Q. And he said no?  
 14 A. Yes, he rationalised his response to that, yes, no.  
 15 Q. Yes, it wasn't just a no; he said: no, we're not going  
 16 to do that for these reasons?  
 17 A. Yes.  
 18 Q. The second point is, as we know, very well, you  
 19 suggested that there were dangers in allowing Mr Khan --  
 20 risks in allowing Mr Khan to attend a course which would  
 21 give him training about and access to dumper trucks?  
 22 A. Yes.  
 23 Q. And you sent him, as we know, a document prepared by  
 24 JTAC which set out some reasons why a person in his  
 25 position might not or should not be given access to

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1 a vehicle such as that?  
 2 A. Yes.  
 3 Q. And in summary, is it fair to say that he replied to  
 4 that giving a set of reasons why Mr Khan should be  
 5 allowed to go on the course?  
 6 A. I believe so, yes.  
 7 Q. And then thirdly, you suggested on a number of occasions  
 8 that the frequency of the visits might be increased and  
 9 I think you asked for a meeting with him about that; do  
 10 you remember?  
 11 A. Can you be more specific?  
 12 Q. Yes, if we look at {WS5063--JS413/4}. Thank you. Can  
 13 you see your email --  
 14 A. Yes, I can see that.  
 15 Q. -- where you say "Can you pop in when you are back", at  
 16 the beginning of the email of 6 November?  
 17 A. Yes, I see that, yes.  
 18 Q. And then in the third line you say:  
 19 "... I wonder if we can consider increasing the  
 20 frequency of engagements?"  
 21 A. Yes.  
 22 Q. So you are asking for a meeting or a discussion with  
 23 him?  
 24 A. Yes.  
 25 Q. Maybe meeting is too strong a word but...

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1 A. Yes, for consideration to increase, whether that was  
 2 through an email exchange or face-to-face.  
 3 Q. If we just look at his reply, please, if we just go to  
 4 the top of the page, please. It is the top of the page.  
 5 I think maybe the previous page then, {WS5063-JS413/3}.  
 6 Thank you. We see his reply later in the day. So he  
 7 doesn't take up the opportunity of the meeting but says:  
 8 "I have had the following report ..."  
 9 We have looked at this before, let's skip down,  
 10 please.  
 11 And he gives some reasons in blue there and then at  
 12 the end says:  
 13 "I don't propose increasing the visits ..."  
 14 A. Yes.  
 15 Q. A couple of points arising from those three examples.  
 16 Firstly, would it be fair to say that these examples  
 17 represent what might be a more general theme that  
 18 Sergeant Forsyth took the view that he was responsible  
 19 for managing Khan?  
 20 A. Clearly his role is around the part 4 management, and  
 21 I'm working in a different role, so whilst I can propose  
 22 these requests, they are ultimately his decision, as  
 23 that part 4 offender manager.  
 24 Q. Would they, secondly, fairly show that Sergeant Forsyth  
 25 felt happy to reject or not follow advice and guidance

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1 from you, the counter-terrorist officer?  
 2 A. Yes, he is obviously -- I've requested something and  
 3 he's providing his rationale for not increasing them.  
 4 I can't -- I can't go into his thought process, I don't  
 5 know that.  
 6 Q. No. Can I turn then to responsibility for passing  
 7 information into and out of the MAPPAs meetings. You say  
 8 in your statement that your team was an integral part of  
 9 Operation Molat?  
 10 A. That's correct.  
 11 Q. And they were an integral part of the priority operation  
 12 because they provided the link between the Prevent team  
 13 and the two parts of the P-Op, namely MI5 and the CTU?  
 14 A. Yes, that's correct.  
 15 Q. And that was a two-way link, providing information to  
 16 the P-Op that originated from the Prevent team and  
 17 elsewhere, and providing information from the P-Op to  
 18 the Prevent team and elsewhere?  
 19 A. I suppose in the form of the profile that was shared  
 20 that was contained intelligence that was within the  
 21 P-Op.  
 22 Q. And when you attended MAPPAs meetings, you weren't there  
 23 just in listening mode, I think we can see from the  
 24 minutes of 14 November, you made an active contribution  
 25 to them?

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1 A. Yes.  
 2 Q. I think you would be aware that at none of those MAPPAs  
 3 meetings was anyone from the CTU who was involved in the  
 4 P-Op itself?  
 5 A. I believe so, up until maybe the 14 November. I think  
 6 up until that point I would say that's accurate.  
 7 Q. Yes, and so nobody from the P-Op itself could make  
 8 direct disclosures into the meeting from being present?  
 9 A. Yes, yes.  
 10 Q. And so if disclosures were to be made into the meeting  
 11 about relevant intelligence and they were to be made by  
 12 the Special Branch officers attending, you would want to  
 13 clear that with MI5 and the CTU first?  
 14 A. Yes.  
 15 Q. You wouldn't just take it upon yourself to make your  
 16 disclosure?  
 17 A. No.  
 18 Q. In fact, as it transpired, no intelligence ever arose  
 19 from the P-Op that needed to be disclosed into the  
 20 meeting; is that right?  
 21 A. From the creation of the priority operation.  
 22 Q. Yes?  
 23 A. No.  
 24 Q. And so that issue of who to get clearance from or the  
 25 need to get clearance never in fact arose in practice?

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1 A. Not to any intelligence from the -- as a consequence of  
 2 the priority operation.  
 3 Q. As for what we've been describing as the second strand  
 4 of intelligence, the attack-planning intelligence --  
 5 A. Yes.  
 6 Q. -- the untested intelligence whose credibility could not  
 7 be judged; I think it is right that you yourself didn't  
 8 go to either MI5 or the CTU and say: can I disclose this  
 9 into MAPPAs?  
 10 A. That's correct.  
 11 Q. And so although the ultimate decision would rest with  
 12 the P-Op, that relies on someone raising it with them  
 13 and asking for permission; is that right?  
 14 A. Raising that suggestion, however, that intelligence was  
 15 obviously available to everybody within the P-Op and  
 16 known to the senior CT police officer at MAPPAs.  
 17 Q. Can we look, please, at {DC7489/26}, please. The entry  
 18 of 30 January 2019 at the top. We looked at this  
 19 briefly earlier. Does this record in your book  
 20 a discussion on the 30 January with DS Hessel and then  
 21 there is an information report number?  
 22 A. Yes.  
 23 Q. And is that IR number the one that refers to the second  
 24 strand?  
 25 A. Yes.

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1 Q. And it says that that IR around Usman Khan registered on  
2 15 November 2018:  
3 "... previously not broken out due to strict  
4 handling conditions currently remains on the NCIA  
5 System. Decision still not to break [I think that is  
6 break out] on SPIN..."  
7 Is that right?  
8 A. Yes.  
9 Q. "... at appropriate level as really only of note for SB  
10 which we are sighted on along with CTU [somebody else]  
11 with coverage."  
12 Yes?  
13 A. Yes.  
14 Q. Is the effect of this note in summary a discussion  
15 between you and the sergeant about whether the second  
16 strand should be broken out or not?  
17 A. Yes.  
18 Q. And the decision was that it shouldn't be broken out so  
19 this wasn't an accident, it was as a result of  
20 a discussion between you and Mr Hessel?  
21 A. I think ultimately the reason it couldn't be broken out  
22 was due to those conditions on reflection, they were  
23 very, very strict and that's in reference to a local  
24 system. Clearly that intelligence sat within the --  
25 OIMU is aware of all partners and it wasn't

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1 a Staffordshire own product, we would have had to seek  
2 permission to reveal that.  
3 Q. So that explains, does it, why it is not included on the  
4 subject profile that was distributed subsequently to  
5 Mr Forsyth?  
6 A. Yes, because of those conditions.  
7 Q. Now, I think you say that the conditions on the  
8 originating intelligence meant that it couldn't be  
9 broken out without permission. Did you in fact then  
10 discuss with MI5 or the CTU whether or not it should be  
11 broken out in that way?  
12 A. I don't believe I did.  
13 Q. No. Lastly, then, attendance at the event. You weren't  
14 present at the MAPPa meeting on 22 August 2019?  
15 A. No.  
16 Q. But DC Hartill, one of your officers attended, didn't  
17 she?  
18 A. That's correct.  
19 Q. Would it be fair to describe her as a careful but  
20 voracious notetaker?  
21 A. I would say that she's diligent --  
22 Q. Yes.  
23 A. -- and makes comprehensive and accurate records, is my  
24 understanding, having worked with her for a number of  
25 years.

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1 Q. Thank you. Can we look at {DC7490-T/9}, please. Then  
2 if we can look at the bottom of the page, please. Can  
3 we see there's -- and it is a slightly artificial way of  
4 doing this because people are trying to replicate what  
5 your handwritten notes look like, but we can see that at  
6 the foot of this page is a reference to "handwritten  
7 notes attached", "Handwritten MAPPa notes of DC ...  
8 Hartill", and so essentially in your book were the notes  
9 of DC Hartill?  
10 A. Yes, yes, she provided them to me and I retained them in  
11 my major incident disclosure book.  
12 Q. So stapled them in or...?  
13 A. Yes.  
14 Q. And so that is where they started. If we go over the  
15 page to the next page, please. {DC7490-T/10}. And  
16 I think we can see that her notes follow the same  
17 pattern that we've become familiar with of Mr Skelton  
18 speaking first, then others speaking. So her notes are  
19 tracking the way that we know the MAPPa meetings unfold?  
20 A. Yes, appear to be, yes.  
21 Q. And I think that you can confirm that in the notes that  
22 she made, the reference to a one-day event comes within  
23 the section where Mr Skelton is speaking?  
24 A. I can assume that, but I couldn't confirm.  
25 Q. And I don't think there is anything on the rest of this

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1 page, if we just scroll down. Thank you, or on the next  
2 page {DC7490-T/11}, take it from me in the interests of  
3 time, about the Cambridgeshire event, and then if we go  
4 to the next page, please {DC7490-T/13}, and then scroll  
5 down, please. And then the next page, please. And at  
6 the top of the page do we get what might be  
7 a representation of the panel discussion at the end  
8 ie the conclusions of the meeting?  
9 A. Yes, that looks to be the case.  
10 Q. And we don't see any reference there in relation to the  
11 attendance at the Cambridgeshire course -- at the  
12 Cambridgeshire alumni event?  
13 A. Not there, no.  
14 Q. We have heard that you took a number of actions off your  
15 own bat to object to the dumper truck course,  
16 essentially locating and then sending on to Sergeant  
17 Forsyth the JTAC assessment?  
18 A. Yes.  
19 Q. And then making sure there was an attendance by somebody  
20 at the next MAPPa meeting at which the issue was to be  
21 discussed from SB where objection could be made?  
22 A. Yes.  
23 Q. And so that's you taking, proactively, steps to pass to  
24 MAPPa information directly about a risk that Mr Khan  
25 might pose, and ensuring that MAPPa takes a decision

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1 based on all of the relevant information?  
 2 A. Yes.  
 3 Q. Would it be fair to say that you didn't do so in  
 4 relation to the attendance at the Fishmongers' Hall  
 5 event because you did not see the equivalent or even  
 6 similar levels of concern?  
 7 A. Yes, the dumper truck, like I explained before, the  
 8 dumper truck course was intelligence-informed.  
 9 Q. And so it wasn't the case that you saw a concern or  
 10 a risk but were relying on others, CTU or MI5, to raise  
 11 it?  
 12 A. No.  
 13 Q. It was you didn't see the risk either?  
 14 A. The risk?  
 15 Q. Of Mr Khan attending the event in London?  
 16 A. Well, I think I've covered that already in my evidence.  
 17 MR BEER: Yes, thank you very much, Sergeant.  
 18 Questions by Mr BOYLE QC  
 19 MR BOYLE: Sir, I have (inaudible) to the front. I may  
 20 trespass slightly beyond 4.30 -- good afternoon,  
 21 everybody -- I hope that that's okay but just to try and  
 22 get the witness finished.  
 23 JUDGE LUCRAFT: I think trespassing slightly beyond is fine.  
 24 I think if we are going much beyond about 10 minutes  
 25 beyond that we will break, because I know that people

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1 have other commitments.  
 2 MR BOYLE: Sorry, Mr Stephenson, you know I represent  
 3 Staffordshire police generally.  
 4 The second strand of the intelligence which has been  
 5 referred to about the attack, so far as you know, were  
 6 MI5 aware of it?  
 7 A. Yes.  
 8 Q. Were West Midlands Counter-Terrorism Unit aware of it?  
 9 A. Yes.  
 10 Q. In terms of setting the intelligence strategy for an  
 11 ongoing priority operation, would that intelligence  
 12 strategy ordinarily be set by the senior investigating  
 13 officer?  
 14 A. Yes.  
 15 Q. Would that strategy include things like what  
 16 intelligence it was appropriate to disclose to others?  
 17 A. I believe so, yes.  
 18 Q. When it might be appropriate to disclose that?  
 19 A. I believe so, yes.  
 20 Q. And in what form it might be appropriate to disclose  
 21 that?  
 22 A. Again, I believe so, yes.  
 23 Q. So far as you were aware, were MI5 aware that Mr Khan  
 24 was going to be the subject of ongoing supervision  
 25 through the MAPPa process?

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1 A. I believe so, yes.  
 2 Q. And what about West Midlands Counter-Terrorism Unit,  
 3 were they likewise aware that Mr Khan was going to be  
 4 subject to ongoing supervision by the MAPPa process?  
 5 A. Yes.  
 6 Q. At any stage, did the SOI or MI5 direct or instruct you  
 7 or your team to disclose, in any form, the second strand  
 8 of the intelligence?  
 9 A. No.  
 10 Q. Was it your understanding that the setting up of the  
 11 priority operation in the late part of 2018 was at least  
 12 in part to investigate whether in fact Mr Khan was going  
 13 to go on to commit some kind of attack?  
 14 A. Yes.  
 15 Q. During the course of the following 11 months, were you  
 16 or your team provided with any information, either from  
 17 MI5 or the West Midlands Counter-Terrorism Unit, which  
 18 indicated that he was planning to commit such an attack?  
 19 A. No.  
 20 Q. During the course of your involvement as a sergeant  
 21 within Special Branch and those 11 months or so, when  
 22 you had concerns about him or about aspects of the  
 23 dumper truck being the obvious example, did you raise  
 24 them?  
 25 A. Yes.

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1 Q. The subject profile that you've been taken to which  
 2 included a reference to that attack intelligence, was  
 3 that version of that profile available to the WMCTU and  
 4 MI5 so far as you were aware?  
 5 A. Yes.  
 6 Q. Can we have on the screen, please, {DC7450}, top half,  
 7 please. Thank you. This is headed "ALM stakeholders  
 8 meeting -- Staffordshire update for July 2019". Do you  
 9 see that?  
 10 A. Yes.  
 11 Q. This isn't a document which includes minutes of  
 12 a meeting, is it?  
 13 A. No.  
 14 Q. Can we please have a look at the second -- in fact,  
 15 I think it is the third page of this document. It might  
 16 be the second page, forgive me. {DC7450/2}. The green  
 17 text which we have looked at before, this entry from  
 18 Dawn Banner in relation to analyst comment; that is  
 19 obviously based upon the comments of the mentor reports;  
 20 is that right?  
 21 A. That's right, yes.  
 22 Q. Was this in fact a document which was put together in  
 23 advance of an ALM meeting taking place?  
 24 A. Yes.  
 25 Q. Can you remind us all, please, who or what were ALM?

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1 A. Al–Muhajiroun, which are a proscribed terrorist  
 2 organisation, I believe formed in 2006 under a different  
 3 name initially .  
 4 Q. Now, we can see right in the bottom right–hand corner of  
 5 this document, this is {DC7450}. Okay. Can we please  
 6 have on the screen {WS5098/2}. Top half, please. And  
 7 you will see this is the statement of Dawn Banner that  
 8 you were taken to a little while ago:  
 9 "I have been shown three documents by DC ... Boyce,  
 10 I can see these documents are titled ... "  
 11 And it includes {DC7450}; do you see that?  
 12 A. Yes.  
 13 Q. And she describes in the next paragraph:  
 14 "All three of these documents I would describe as an  
 15 ALM stakeholder Staffordshire perspective document, they  
 16 were created in relation to ALM activities in the  
 17 Staffordshire Police area, my tasking would have been to  
 18 create these documents for them to be sent to the  
 19 West Midlands CTU thematic ALM analyst who would create  
 20 a West Midlands CTU regional ALM document."  
 21 Is that something that you were familiar with? Is  
 22 that your understanding of what that document was for?  
 23 A. That's my understanding, yes.  
 24 Q. And then we can see below that in the next paragraph her  
 25 understanding was that there was a quarterly ALM

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1 stakeholders meeting and she would prepare a document  
 2 like the three mentioned above which would relate to the  
 3 info held by Staffordshire Police in relation to ALM  
 4 members; is that right?  
 5 A. Yes.  
 6 Q. All right, thank you. We can take that off the screen  
 7 now.  
 8 Can we please bring up on to the screen  
 9 {WS5063–JS539/1}. You will recall Mr Hough asked you  
 10 about this email. It related to a mentor appointment on  
 11 4 March of 2019, that much is self–evident from the  
 12 second paragraph of it, and who it was from and who it  
 13 was sent to and it included Mr Hessel and so on. But  
 14 also it says:  
 15 "Hi sys ... "  
 16 So "Hi", is that the Security Service?  
 17 A. Yes.  
 18 Q. So it is being sent to Special Branch and it is being  
 19 sent to the Security Service, and you are asked any  
 20 reason why that wasn't sent to the West Midlands  
 21 Counter–Terrorism Unit?  
 22 A. Yes.  
 23 Q. Can we please have on the screen {DC7441/583}, and here  
 24 we have an email from Special Branch dated 11 March to  
 25 Mr Chambers who was the IO, yes?

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1 A. Yes.  
 2 Q. To Mr Beattie who was the deputy IO, yes?  
 3 A. Yes.  
 4 Q. And to Laurence Mills who worked on the desk, yes?  
 5 A. That's correct.  
 6 Q. And it is from you, you refer to Mr Chambers as "Boss":  
 7 "Latest mentor report, makes for a very interesting  
 8 read! Will be brought across to NCIA.  
 9 "Jon."  
 10 A. Yes.  
 11 Q. So did you in fact specifically email them in relation  
 12 to that particular mentor report?  
 13 A. I hadn't recalled it, but from reading that, yes.  
 14 Q. We know it is that report because we can see in the  
 15 attachments it is 040319, do you see that?  
 16 A. Yes.  
 17 Q. Just by using this email by way of an example and we  
 18 know there are lots of these kinds of emails -- so was  
 19 your expectation -- first of all, does this reflect the  
 20 fact that you had read the report?  
 21 A. Yes.  
 22 Q. Does this reflect your expectation that they would read  
 23 the report?  
 24 A. Yes.  
 25 Q. And if there were any conclusions to be drawn from the

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1 report, they were capable of being drawn by you and by  
 2 others?  
 3 A. Yes.  
 4 Q. And does it also reflect the fact that there were times  
 5 when you might email even in advance of material being  
 6 put on to the system itself?  
 7 A. Yes.  
 8 Q. And so where it says here, "will be brought across to  
 9 NCIA", was that the platform that was being used to  
 10 share a lot of this information with WMCTU and others?  
 11 A. Yes.  
 12 Q. All right, thank you. Is it right that during the  
 13 course of your involvement in Mr Khan's case that the  
 14 inputs that you had from Prevent, their own engagements  
 15 and indeed the mentor reports which were sent through  
 16 Prevent, were all added up on to that system for the  
 17 benefit of others?  
 18 A. Yes.  
 19 Q. Can I ask you, please, to load up, if you wouldn't mind,  
 20 {DC7442/338}. This is an email from you to Mr Mills on  
 21 3 July of 2019:  
 22 "Morning Loz,  
 23 "Please see the below email trail [for your  
 24 information] and DI Chambers..."  
 25 And this, of course, is in relation to the dumper

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1 truck, yes?  
 2 A. Yes.  
 3 Q. And again, you make the observation:  
 4 " ... is referenced in mentor reports 47 and 50 (50  
 5 is yet to be transferred across) so you are probably  
 6 already aware of Usman[s] interest in getting  
 7 a course."  
 8 Was that because you anticipated that if a mentor  
 9 report had been added up onto the system, that they  
 10 would have read it?  
 11 A. Yes.  
 12 Q. Can we then have on the same topic in the same bundle at  
 13 {DC7442/392}, please, and can we have the bottom half of  
 14 the page, please, first of all. This is an email --  
 15 this is an email from Mr Skelton to Mr Forsyth, again,  
 16 it is in relation to the dumper truck about the kind of  
 17 driving licence and so on, yes?  
 18 A. Yes.  
 19 Q. And can we have the top half of the page then, please.  
 20 Thank you. And it is from yourself again to Mr Mills  
 21 and it provides as follows:  
 22 "Loz,  
 23 "[For your info], please see below from our Prevent  
 24 team this morning an update from probation ref dumper  
 25 truck training course..."

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1 Yes?  
 2 A. Yes.  
 3 Q. "Has been discussed at MAPPA last week, I am informed  
 4 DI Cobbett was present and aware so you may already  
 5 know."  
 6 DI Cobbett was an officer from the West Midlands  
 7 Counter-Terrorism Unit; is that right?  
 8 A. Yes, that's correct.  
 9 Q. You referred in one or two of your answers to there  
 10 being a senior officer from the WMCTU being present at  
 11 a significant number of these MAPPA meetings. Was that  
 12 the officer you were referring to?  
 13 A. Yes.  
 14 Q. And you referred just a moment ago to my learned friend  
 15 Mr Beer about an officer from the WMCTU being aware of  
 16 that intel. Was it DCI Cobbett that you were referring  
 17 to?  
 18 A. Yes.  
 19 Q. Thank you. Was it your understanding based upon this  
 20 email dated July of 2019, that if there was information  
 21 of relevance or significance, that that would be being  
 22 communicated back to the senior investigating officer  
 23 and his team by WMCTU officers at the meetings?  
 24 A. Yes.  
 25 Q. You were asked some questions about the attendance at

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1 the Fishmongers' Hall event on 29 November 2019, and  
 2 whether any concerns were raised by you about it.  
 3 A. Yes.  
 4 Q. And Mr Pitchers very eloquently summarised the kind of  
 5 information that would have been available to you and  
 6 others.  
 7 A. Yes.  
 8 Q. His isolation, no mentor, no job, new premises and those  
 9 sorts of features?  
 10 A. Yes.  
 11 Q. So far as you were aware, had you done what you could to  
 12 draw those factors to the attention of other agencies?  
 13 A. Yes.  
 14 Q. We've seen some emails, I needn't not take you back  
 15 through them. You were asked about looking back whether  
 16 you ought to have raised concerns. Hindsight of course  
 17 is the best vision of them all. But looking forwards at  
 18 the time did anyone raise concerns about his attendance  
 19 with you?  
 20 A. No.  
 21 Q. At the JOT, for example, there was the senior  
 22 investigating officer from WM CTU present, correct?  
 23 A. Yes.  
 24 Q. There was the deputy SOI from the WM CTU present,  
 25 correct?

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1 A. Yes.  
 2 Q. MI5 were present, correct?  
 3 A. Yes.  
 4 Q. Prior to that even with different personnel involved did  
 5 any of them raise any concerns with you about the  
 6 attendance on 29 November 2018?  
 7 A. No.  
 8 Q. Did the change in personnel or change -- Mr Armstrong  
 9 took you to potentially some changes in the process  
 10 happening in November of 2018. Did any change in  
 11 personnel or change in process hinder the communication  
 12 of information by Special Branch to the P-Op team?  
 13 A. Absolutely not.  
 14 MR BOYLE: Sir, those are all my questions. Thank you very  
 15 much.  
 16 JUDGE LUCRAFT: And without a reference to the middle half,  
 17 Mr Boyle, so ...  
 18 MR BOYLE: Indeed, a triumph and didn't keep anybody longer  
 19 than ten minutes later than they should.  
 20 JUDGE LUCRAFT: You have done very well indeed. Thank you.  
 21 Mr Hough, I think that's probably all the questions  
 22 that we have for Mr Stephenson.  
 23 MR HOUGH: They are indeed. Thank you very much,  
 24 Mr Stephenson.  
 25 A. Thank you.

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1 JUDGE LUCRAFT: Thank you very much.  
 2 A. Thank you.  
 3 (The witness withdrew)  
 4 JUDGE LUCRAFT: Ladies and gentlemen, as you know, we are  
 5 not sitting tomorrow. I know that one of your number  
 6 has a very important event to attend to and I am sure we  
 7 all wish that it goes well for them, and the rest of you  
 8 who are not doing that may well have a day off tomorrow.  
 9 Whatever you're doing please enjoy it. I think the  
 10 Biblical rain has now passed away. The sun is shining,  
 11 perhaps briefly, so we'll part company there and meet  
 12 again on Wednesday morning, please, for 10 o'clock.  
 13 Thank you.  
 14 (In the absence of the jury)  
 15 MR HOUGH: Sir, we should update interested persons by email  
 16 probably tomorrow concerning the precise order of  
 17 witnesses for the following days. I anticipate that as  
 18 in accordance with the order suggested it will be  
 19 Mr Hessel and then Mr Powell but we'll indicate who  
 20 will follow on from them.  
 21 JUDGE LUCRAFT: Thank you very much. I'll rise.  
 22 (4.35 pm)  
 23 (The hearing adjourned until Wednesday, 19 May at 10.00 am)  
 24  
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