

OPUS2

Fishmongers' Hall Inquests

Day 26

May 20, 2021

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Thursday, 20 May 2021

(9.50 am)

(In the presence of the jury)

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

Mr Hough.

MR HOUGH: Sir, the first witness today is Ryan Chambers. Could he please be sworn.

DCI RYAN CHAMBERS (sworn)

JUDGE LUCRAFT: Good morning, Mr Chambers. If you are happy to do so, please do feel free to remove your mask. If you wish to leave it on, that's fine. If you wish to take a seat rather than stand to give your evidence, that's also fine with me, there is a seat just to the side of you. If you are going to take a seat, there is a microphone there, make sure it's close to you so we can all hear what you have to say.

Questions by MR HOUGH QC

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

A. Ryan Chambers, detective chief inspector, West Midlands Police.

Q. Mr Chambers, you appreciate, like others, that I'm asking you questions first on behalf of the Coroner, you may then have questions from other lawyers?

1

A. Yes.

Q. Did you in the period up to October 2020 work within the West Midlands Counter-Terrorism Unit which later became known as Counter-Terrorism Policing West Midlands?

A. Yes, I did.

Q. Were you the senior investigating officer in the covert investigation into Operation Molal, the investigation into Usman Khan, from November 2018 until October/November 2019?

A. Yes, I was.

Q. May I just deal with one matter at the outset: we heard evidence last week from an officer of the Security Service, which was the other part of the covert investigation, and I put to her that there were some things she couldn't answer, or for which she could only give a limited answer, or for which she would need to consult before answering, for reasons of national security. Does the same apply to you?

A. Yes, it does.

Q. However, as with her, will you endeavour to be as open and helpful as you can?

A. I absolutely will, yes.

Q. A few questions about your personal background, please. When did you first join police service?

A. March 1998.

2

Q. After your probationary period, did you work as a detective in various roles up to 2011?

A. Yes.

Q. At that point, so 2011, did you enter the investigations department of West Midlands Counter-Terrorism Unit?

A. I did, yes, as a detective sergeant.

Q. Did you have an investigation accreditation at that time?

A. Yes, I did.

Q. What was that?

A. I was a PIP 2 accredited detective.

Q. In simple terms, what level of qualification was that?

A. It basically means that I'd sat the detective training programme and I had experience investigating serious and organised crime.

Q. When you entered, did you run within the CTU a team of detectives working alongside a senior investigating officer in investigations both covert and overt?

A. Yes, I did.

Q. In that capacity, were you familiar with working alongside the Security Service?

A. Yes, I was.

Q. Are you able to summarise what your role was in investigations, first of all, as a detective sergeant in the CTU?

3

A. Yes, so as a detective sergeant I would have a team of investigators, I would look to turn intelligence into evidence to prosecute terrorism offences or offenders involved in criminal activity that were under investigation for terrorist activity.

Q. Were you then promoted to detective inspector in July 2017?

A. Yes, I was.

Q. With that promotion, did you rise to be the senior investigating officer in investigations?

A. Yes.

Q. Again, in simple terms, what did and does that role involve?

A. So the SIO role means that I'm answerable to chief officers around the conduct of an investigation, in particular around counter-terrorism, so that comes under the serious organised crime environment, so I would look to work with the Security Service to, again, set investigative strategies, to turn intelligence into evidence with the overarching responsibility for managing threat, harm and risk.

Q. While working as an SIO, did you raise your PIP accreditation level?

A. Yes, I did, to PIP 3.

Q. Did that involve a three-week course in acting as

4

1 a senior investigating officer ?
 2 A. Yes.
 3 Q. Did you later leave the CTU in October 2020 on your
 4 promotion to chief inspector?
 5 A. Yes, I did.
 6 Q. Now, we've heard that at the time with which we're
 7 concerned, there was a team in the CTU which included
 8 DI Williams and DS Jerromes, called Team 7.
 9 A. Yes, there was.
 10 Q. And we've heard that that team managed part 4 offenders
 11 in the community in the West Midlands Police area.
 12 A. Yes, they were quite a new team within CT policing, so
 13 they were in their formation and infancy at the point,
 14 but yes, they did manage part 4.
 15 Q. They were a team entirely separate from yours, were
 16 they?
 17 A. Yes, there were.
 18 Q. Just so there is no mystery about Team 7, is it right
 19 that there were six investigative teams and then they
 20 were added as a seventh team?
 21 A. Yes, exactly that, yes.
 22 Q. Moving on, then, to Usman Khan and the opening of the
 23 investigation into him. Before late 2018, did you have
 24 any knowledge of Usman Khan and his offending history?
 25 A. Not -- not directly. So I was aware of the

5

1 Operation Guava investigation that was approaching trial
 2 when I joined West Midlands Counter-Terrorism Unit, but
 3 I was not actively involved in that investigation .
 4 Q. When, approximately, were you made aware that Usman Khan
 5 was going to be released into the broader West Midlands
 6 area, and that the police would have a responsibility
 7 for him?
 8 A. That would have been late November 2018, any time after
 9 22 November, before the 28th, so within those few days.
 10 Q. Now, just to be clear about what those two dates were,
 11 we heard from Witness A that on 22 November, a decision
 12 was made to initiate a priority investigation ?
 13 A. Yes.
 14 Q. We've heard that on 28 November there was the first
 15 joint operational team meeting of that investigation?
 16 A. That's correct, yes.
 17 Q. So those are the dates that you have just mentioned.
 18 A. Yes.
 19 Q. You've told us that you were to be the senior
 20 investigating officer in that investigation . When were
 21 you first told that you would be asked to fill that
 22 role?
 23 A. Again, some time immediately after the 22nd, so the
 24 deputy head of investigations would have appointed me
 25 the SIO and I would have received the opening

6

1 information around that investigation .
 2 Q. This was to be a priority operation in conjunction with
 3 MI5?
 4 A. Yes, it was.
 5 Q. And DS Paul Beattie was to be your deputy SIO?
 6 A. That's correct, yes.
 7 Q. If we put on screen, please, {DC7500/1}. If we move
 8 down the page a little, just so we can see under
 9 "Convicted under TACT"; do you see that?
 10 A. Yes.
 11 Q. Now, do we see here part of the running log of Operation
 12 Molal?
 13 A. Yes.
 14 Q. Was an initial message sent by MI5 in the terms we see
 15 in the italicised passage?
 16 A. Yes.
 17 Q. Did this come to your attention shortly after you were
 18 told that you were to be the SIO?
 19 A. Yes.
 20 Q. We can see that it refers to Usman Khan having been
 21 convicted of terrorist offences in February 2012 and
 22 sentenced to a minimum term of eight years?
 23 A. Yes.
 24 Q. We see that the message told you that Khan was held in
 25 Whitemoor with a conditional release date of

7

1 24 December?
 2 A. Yes.
 3 Q. And that whilst in prison, he was investigated under
 4 Operation Molal due to reporting indicating that he may
 5 pose a radicalisation threat in prison?
 6 A. Yes.
 7 Q. But no intelligence was identified indicating that Khan
 8 was involved in activities of national security concern
 9 and the investigation was closed on 18 February 2015?
 10 A. That's correct, yes.
 11 Q. And then the message went on:
 12 "Since that time, Khan had shown no signs of
 13 undertaking activities of national security concern
 14 within the prison estate and his residual risk was
 15 assessed to be low."
 16 A. Yes.
 17 Q. And that the investigation had been re--opened to
 18 investigate his activity upon release?
 19 A. That's correct, yes.
 20 Q. And then finally this:
 21 "Recent intelligence indicates that Khan may be
 22 intending to carry out an attack upon his release. We
 23 note that this reporting is uncorroborated and deemed of
 24 low credibility ."
 25 A. Yes.

8

1 Q. Was that message the first that you were told of that
 2 recent intelligence ?
 3 A. Yes, it was.
 4 Q. We can take that off screen now.
 5 At the time that you were allocated this role,
 6 approximately how many other counter—terrorist
 7 investigations were you managing?
 8 A. Between 12 and 15 in totality. Those would have been
 9 graded between P2 and P4.
 10 Q. Were you satisfied that you had the capacity to take on
 11 this investigation ?
 12 A. Yes, I was.
 13 Q. In the days following your appointment, what information
 14 and documents were provided to you, or did you obtain?
 15 A. So following receiving the initial information that
 16 I got, I then received a subject profile for Mr Khan.
 17 Q. If we put on screen, please, {WS5059—2A/1}. This is
 18 a Staffordshire Police subject profile produced by, we
 19 can see in the bottom left, an analyst, Ms Birchall. Is
 20 this the subject profile which you saw?
 21 A. It is the subject profile that I saw, yes.
 22 Q. Did you receive at this time — if we can keep this
 23 document on screen — did you receive at this time any
 24 other important documents in relation to Khan's
 25 background?

9

1 A. Not document—wise. I obviously made some enquiries
 2 around what state we were at. I understood that this
 3 matter had been mentioned at MAPPa and Staffordshire
 4 Special Branch were involved in that process.
 5 Q. Now, we have looked at examples of the subject profile
 6 before. Did the subject profile contain details of
 7 Khan's offending and his basis of plea?
 8 A. Yes, it did.
 9 Q. His licence conditions?
 10 A. Yes.
 11 Q. And various items of previous intelligence going back to
 12 2008, as well as through his time in prison?
 13 A. Yes.
 14 Q. May we go to — sorry, just before we go to any other
 15 page — the cover page says that this document is
 16 classified as " official sensitive ". What does that
 17 classification mean to you with your expertise?
 18 A. Yes, so that's quite important classification for me as
 19 a detective inspector because we work in an arena where
 20 you have secret or official sensitive . Secret will have
 21 a very small readership and is not for outward
 22 dissemination. Official sensitive tells me that this
 23 means that it is appropriate for sharing lawfully with
 24 other authorities .
 25 Q. Do we see on this cover page:

10

1 "The approval of DI Nick Powell,
 2 Staffordshire Police, is required if dissemination
 3 outside the members of the police is considered
 4 necessary."
 5 A. Yes, and again that's important for me because I knew
 6 that Mr Powell was involved in the MAPPa process.
 7 Q. Mr Powell was the Head of Special Branch?
 8 A. That's correct.
 9 Q. Although on secondment at the time of Mr Khan's release.
 10 A. Yes.
 11 Q. It was Staffordshire Police, as we know, which had
 12 prepared the subject profile based on researches by its
 13 analysts?
 14 A. That's correct, yes.
 15 Q. Then if we go, please, inside, to page 13. We can see
 16 a variety of pieces of intelligence, including during
 17 Khan's time in prison, and if we go — if we look
 18 towards the bottom of the page, and look at the part
 19 that is on screen at the moment:
 20 " Intel .
 21 "Khan is part of a group of Muslim prisoners who
 22 boast about what they intend to do upon their release.
 23 Khan stated he intends to return to his old ways which
 24 is taken to mean he intends to go back to TACT
 25 offending."

11

1 A. Yes.
 2 Q. You saw that when you read this subject profile at the
 3 start of your appointment?
 4 A. Yes, I did.
 5 Q. And then secondly "Intel":
 6 "Khan is due to be released from prison before
 7 Christmas 2018 and intends to carry out an attack after
 8 his release. He expresses hatred for the United
 9 Kingdom."
 10 A. Yes.
 11 Q. Now, his footnotes for those two different pieces of
 12 intelligence reference different IR numbers, if we look
 13 at the bottom of the page, footnote 61 and 62?
 14 A. Yes.
 15 Q. Indicating that those are separate strands of
 16 intelligence ?
 17 A. That's correct.
 18 Q. And each of those are referred to as "Off sen" reports,
 19 so official sensitive ?
 20 A. Yes.
 21 Q. Would you therefore have understood that they had the
 22 same security classification as this entire document?
 23 A. Yes, and the reason that's also really significant to me
 24 as an SIO is because those pre—date my appointment as
 25 an SIO and I think part of the evidence that's been

12

1 heard in these proceedings talks around form of words,
 2 so a form of words is an agreed passage, an agreed
 3 shared information which would go onto an intelligence
 4 report, so the fact that those strands of intelligence
 5 there are dated 14 November and it's gone onto
 6 an intelligence report at official sensitive allows me
 7 to draw the conclusion that that's been agreed as a form
 8 of words at that point.
 9 Q. Based on reading that report and the characteristics of
 10 the report you have identified, what did you consider
 11 was the potential for those two pieces of intelligence
 12 to be passed on to anyone else, so people without
 13 high levels of security classification?
 14 A. So the fact that they existed in a subject profile that
 15 was official sensitive and they had IRs associated with
 16 them, intelligence reports associated with them,
 17 I formed the conclusion that that was for lawful sharing
 18 with relevant parties outside of policing.
 19 Q. And when you say lawful sharing, do you mean provision
 20 to people who might need to know or the police might
 21 consider there is a justification for them knowing?
 22 A. Absolutely, yes.
 23 Q. When you read this subject profile, did those two pieces
 24 of intelligence stand out as both recent and
 25 significant?

1 A. Yes, absolutely. They very much linked back to the
 2 original intelligence information that was supplied by
 3 MI5, and clearly, as an SIO, they are fundamental and
 4 critical to my role to understand what is the current
 5 intelligence and how I'm going to manage that within the
 6 covert investigation.
 7 Q. So as you approached the first JOT, having just been
 8 appointed, you have the MI5 message, which gives you the
 9 information that we've seen?
 10 A. Yes.
 11 Q. You have the subject profile identifying Khan's
 12 background and intelligence including these two pieces
 13 of intelligence?
 14 A. Yes.
 15 Q. And your understanding is that these two pieces of
 16 intelligence can be shared outside the police, and
 17 presumably inside the police, as necessary?
 18 A. Yes, and I also had some confidence because Mr Powell,
 19 the Head of Special Branch, was part of MAPPa, so he is
 20 referenced on the front cover as the person that would
 21 be responsible for sharing that information, and I know
 22 that he has been involved with MAPPa since June.
 23 Q. And I think you're aware that Mr Powell's evidence,
 24 given yesterday, was that with regard to the handling
 25 conditions for the second piece of intelligence, the

1 attack—planning intelligence, he considered that the
 2 permission of the intelligence owner would be required
 3 in order to break it out, so in order to enable it to be
 4 shared with others. What was your view of that?
 5 A. So my view of that is because it again exists within
 6 this subject profile at official sensitive and it has
 7 gone onto an intelligence report, it allowed me to draw
 8 the conclusion that must have been an agreed process
 9 already put in place, because you had a form of words
 10 existing on an intelligence report.
 11 Q. However, are you able to say that Mr Powell is wrong
 12 when he says that there were handling conditions
 13 preventing this being shared without the owner's
 14 permission?
 15 A. No, I'm not saying that he's wrong, I'm saying what my
 16 understanding was, but what has become clear to me is
 17 there is no positive action taken to address that issue.
 18 Q. So to the best of your knowledge, and having heard the
 19 evidence here, nobody sought the permission of the
 20 intelligence owner if that was required, as Mr Powell
 21 says?
 22 A. Yes, no, that's correct.
 23 Q. And are you able to say yourself, without revealing
 24 anything inappropriate, whether it is likely that the
 25 intelligence owner would have given permission for this

1 intelligence to be shared, for example, with the
 2 participants in MAPPa meetings?
 3 A. I have no reservation that that wouldn't have been the
 4 case. I'm very confident they would have done so.
 5 Q. You are very confident that what?
 6 A. They would have shared that intelligence and allowed it
 7 to go to MAPPa and other lawful parties.
 8 Q. Thank you very much. We can take that document off
 9 screen now.
 10 You have told us that the JOT meeting was held on
 11 28 November 2018. Was it attended by you, by MI5
 12 officers, and by some Special Branch officers from
 13 Staffordshire, including Mr Hessell and Mr Stephenson?
 14 A. Yes.
 15 Q. If we go, please, to your day book entry for this JOT,
 16 we will find it at {DC7478/5}. This, I think, is
 17 an entry in your day book for that meeting?
 18 A. Yes, sir.
 19 Q. And can we see that you recorded in that the basic
 20 details of Usman Khan's offence and his convictions, and
 21 recent prison intelligence. These entries appear to
 22 track quite closely that initial message from MI5. Are
 23 you here recording the background to the meeting or what
 24 was said in the meeting?
 25 A. Yes, both, because in the opening JOT the initial

1 information that was supplied was repeated in that open
 2 forum.
 3 Q. Now, we know, and it would have been clear from the
 4 subject profile , that Khan was not, in fact, convicted
 5 of conspiring to cause explosions?
 6 A. No, that's correct, and there is a difference between
 7 a basis of plea, so what somebody pleads guilty to, to
 8 the underlying investigation that sat behind it and,
 9 again, as an SIO it's my responsibility to understand
 10 the totality rather than just a basis of plea.
 11 Q. Yes, and so the jury have heard, for example, that from
 12 the prosecution's opening note, Khan had discussed pipe
 13 bomb recipes in a pub, or a pipe bomb recipe in a pub,
 14 and he had been aware of the plans of the London and
 15 Cardiff groups within Guava to perpetrate attacks. Are
 16 you saying that it was important to your role to know
 17 those facts from the investigation as well as what he
 18 actually pleaded guilty to?
 19 A. Critical , yes.
 20 Q. Then you note his approved premises, his probation
 21 officer . You make reference to part 4 conditions, and
 22 then if we go down the page a little, you write this :
 23 "Risks.
 24 "Ret attack planning -- previous offending.
 25 "On-going radicalisation -- self others."

17

1 It may be obvious to us, but what did you mean by
 2 those entries?
 3 A. The first one around attack--planning and previous
 4 offending. So my consideration at that point and agreed
 5 risk with the security services was there was the risk
 6 that he could return to his previous offending ways and
 7 that could be the risk of an attack plan. The ongoing
 8 radicalisation of self and others was based on
 9 intelligence from within prison and then post--release he
 10 could have a radical influence on others within the
 11 community.
 12 Q. Were you told anything by MI5, so far as you can say, as
 13 to the level of those risks as they were considered at
 14 the time?
 15 A. So just above that I make the comment around "Low".
 16 I've been involved in this counter--terrorism environment
 17 for a number of years, I've learnt to record things
 18 accurately and my accurate record of what was said in
 19 that meeting was the word "Low", however I don't put any
 20 mark against that, I don't view it less serious because
 21 it had that low grading. Based on the information
 22 intelligence that I'd reviewed at that point from the
 23 subject profile and what was being said within the JOT,
 24 there was a risk, it was very clear.
 25 Q. So if we go up the page, back up the page to see the

18

1 word you were referring to. You referred to the recent
 2 prison intelligence -- sorry, back up the page -- as
 3 being of low credibility , and we saw that in the MI5
 4 initial message.
 5 A. Yes.
 6 Q. You're telling us that those were words specifically
 7 used in the course of the meeting?
 8 A. Yes, and I surmised, again, it's just the MI5 officer
 9 reading out the opening document.
 10 Q. The initial message.
 11 A. Yes, the initial message.
 12 Q. The evidence we heard from Witness A was that these two
 13 strands of intelligence , you knew from the subject
 14 profile that they were two strands, were each of unknown
 15 or untested reliability . They were not corroborated
 16 except to the extent that they corroborated each other,
 17 and they were not such as to be positively unreliable .
 18 Now, there does seem to be a slight tension between
 19 that description , carefully phrased, no doubt, and low
 20 credibility ; would you accept that?
 21 A. Yes, I would. My understanding at the point of the
 22 inception of this investigation was slightly different ,
 23 so one was addressed as having not been corroborated,
 24 the other element had been corroborated, was the
 25 information that was initially supplied to me.

19

1 Q. Was it the "old ways" intelligence that you understood
 2 initially had been corroborated?
 3 A. Yes.
 4 Q. Did you later discover that that was, due to a simple
 5 error, two duplicate pieces of intelligence ?
 6 A. Yes.
 7 Q. How long after you took up your role did you become
 8 aware of that?
 9 A. Very shortly before these proceedings.
 10 Q. Very shortly before these proceedings?
 11 A. Yes.
 12 Q. So you carried on the investigation without being told
 13 that that "old ways" intelligence was, in fact, not
 14 corroborated?
 15 A. Yes, but again, as I've said, intelligence is
 16 fundamental to the role. I never viewed them any
 17 differently , corroborated, uncorroborated: the fact that
 18 that intelligence existed could not be ignored.
 19 Q. So is it right that you started this investigation
 20 having two pieces of intelligence which you were taking
 21 seriously ?
 22 A. Absolutely, yes.
 23 Q. In relation to a terrorist whom you took seriously not
 24 only as somebody who had planned to set up a terrorist
 25 training camp, but also as somebody who had potentially

20

1 been involved with plans to cause explosions?
 2 A. Yes.
 3 Q. If we go back down the page in your day book entry, we
 4 see that there are references to safeguarding and
 5 absconding risks. Were those also mentioned in the JOT?
 6 A. Yes.
 7 Q. And then coverage; we've heard from Witness A that it
 8 was agreed that there should be a proportionate level of
 9 coverage; is that right?
 10 A. Yes.
 11 Q. And you refer to:
 12 "Calum — Prevent SB [Special Branch] manage part
 13 4."
 14 A. Yes.
 15 Q. Does that indicate that you knew by that stage that
 16 Prevent teams under Mr Forsyth would be managing Khan's
 17 compliance with part 4 notifications?
 18 A. Yes, so at that time, Staffordshire had ownership of
 19 people released into their force area for part 4 and the
 20 information that was imparted onto me was that
 21 Sergeant Forsyth would be leading that engagement.
 22 Q. You were aware of that and expected that?
 23 A. Yes.
 24 Q. Now, you go on to refer to the arrangements for Khan to
 25 be moved to another prison for release, as we've heard.

21

1 A. Yes.
 2 Q. And then over the page {DC7478/6}, there is reference
 3 to:
 4 "Potential for surveillance on release."
 5 We've heard from Witness A that Khan was initially
 6 subject to a raised level of surveillance in the period
 7 after release which, for example, identified his
 8 purchase of an Xbox in Stafford. Is that correct,
 9 without further detail?
 10 A. Yes.
 11 Q. And did you also refer to a further JOT being scheduled
 12 for the week commencing 17 December?
 13 A. Yes.
 14 Q. May we now move to {DC7479/1}. Now, this is, I think,
 15 something described as a major incident policy document,
 16 prepared by you on 29 December 2018, the day after the
 17 JOT?
 18 A. Yes.
 19 Q. What purpose does this document serve?
 20 A. So this is a living document for me as an SIO. I would
 21 record the information intelligence as I knew it, and
 22 I would make decisions based on that as to how the
 23 investigation would go forward. That's slightly
 24 different to how you would normally operate within
 25 a normal criminal significant investigation in the sense

22

1 of I have to work alongside the Security Service and
 2 I have to agree activity with them rather than take
 3 responsibility and deal with it on my own.
 4 Q. And do we see that in your entry for 13.30 hours, you
 5 summarise Usman Khan's background and his case?
 6 A. Yes.
 7 Q. And his impending release to the bail hostel in
 8 Stafford?
 9 A. Yes.
 10 Q. And then you write:
 11 "Uncorroborated intelligence suggests that he's
 12 planning to return to his old ways and will plan to
 13 conduct an attack on release (no further context at
 14 present). He will be subject of a MI5/WMCTU joint P3
 15 investigation on release."
 16 A. Yes.
 17 Q. So you knew by that stage that the investigation was
 18 going to be at P3 level rather than P4?
 19 A. Correct, yes.
 20 Q. You describe the two pieces of intelligence as
 21 uncorroborated?
 22 A. Mm.
 23 Q. However, did you still at this point consider that the
 24 first piece, the "old ways" piece, was corroborated?
 25 A. Yes.

23

1 Q. And although you say that there's no further context,
 2 you identify those as key pieces of intelligence right
 3 here at the start of your policy document?
 4 A. Yes.
 5 Q. Then 13.45 hours, down the page, we see that you confirm
 6 that you're going to be the SIO, Mr Beattie your deputy,
 7 and you set out your other responsibilities and the team
 8 of DCs, detective constables, who are going to be
 9 supporting you?
 10 A. Yes.
 11 Q. And as you told us, you recorded that you were confident
 12 you could give the necessary attention to the
 13 investigation?
 14 A. Yes.
 15 Q. And then if we look down the page to your entry at
 16 14.00 hours, you set out an overall aim to protect the
 17 public from harm. Is that a standard, albeit important
 18 aim of counter-terrorism investigations?
 19 A. Yes, it's probably the number one priority of the SIO
 20 role.
 21 Q. And then under "Objective" you again refer to
 22 Usman Khan's background and you say you reviewed his
 23 subject profile, if we go to the next page {DC7479/2}
 24 dated 20 November 2018 by Sarah Urwin, and that's the
 25 document we looked at, or some version of it?

24

1 A. A version of it, yes.
 2 Q. You refer to Khan's marker, I think that should be, for
 3 violence —
 4 A. Yes, that is.
 5 Q. — with previous incidents of assaults, so that's
 6 another piece of information significant to you as a CT
 7 officer?
 8 A. Yes.
 9 Q. Is that because somebody who has an established history
 10 of violence has the capacity to commit violent offences
 11 in the future?
 12 A. I think it's that and also again having dealt with
 13 similar incidents in the past, so one of the things we
 14 have to consider is those officers that are going to
 15 conduct visits, and is there a risk to them in doing so,
 16 which is why they make the comment around that firearms
 17 intelligence and does that affect how we approach
 18 Mr Khan.
 19 Q. And as you record, there's no current firearms
 20 intelligence linked to him?
 21 A. That's correct.
 22 Q. And then you say this:
 23 "There's no current intel that identifies any
 24 current potential risk to [the] community and having
 25 reviewed the intel as it stands following a formal

25

1 JOT... it is agreed that reporting is not corroborated
 2 but should be considered as [an] aspirational aim of
 3 Khan and that he may still hold extremist views towards
 4 UK."
 5 A. Yes.
 6 Q. So you are there once again stressing that you take this
 7 intelligence seriously?
 8 A. Absolutely, yes.
 9 Q. And then:
 10 "However, he has been a 'model' prisoner following
 11 conviction. He remains a practising Muslim..."
 12 Now in versions of the subject profile we have seen,
 13 there's intelligence covering Khan's time in prison
 14 which indicates that he was very far from a model
 15 prisoner: disruptive, occasionally violent, radicalising
 16 others. Did that intelligence appear in the subject
 17 profile you saw?
 18 A. Yes, it did. My quote of the words "model" prisoner are
 19 not my words. Those are words that I recorded that were
 20 given within the JOT.
 21 Q. Given that you had read a document that suggested that
 22 that wasn't right —
 23 A. Yes.
 24 Q. — did it occur to you, you shouldn't be writing that in
 25 your major incident book?

26

1 A. I think it's twofold, so that's me recording somebody
 2 else's comment, so I have accurately made a record of
 3 what has been said, however, my overall policy document
 4 really does reflect the totality of the intelligence and
 5 information that exists within the subject profile.
 6 Q. And then you go on to say that you and MI5 will keep the
 7 risk that Khan poses to the public and police under
 8 review, and that while MI5 are the lead agency in the
 9 covert investigation, any threat to life will take
 10 primacy and you will be informed as the SIO?
 11 A. Correct.
 12 Q. Does that reflect the fact that even during a covert
 13 investigation, if a threat to the public emerges, the
 14 police have to take executive action?
 15 A. Absolutely, and you know, this is one of those cases
 16 where, had any intelligence at all suggested there was
 17 a risk to the community, I would have been more than
 18 comfortable of making an intelligence-based arrest, just
 19 to try and mitigate that threat.
 20 Q. Then down the page to "Objective", if we go down towards
 21 the bottom of the page, you record that you will be
 22 privy to intelligence that you don't own and can't
 23 action without prior agreement of the owning agency,
 24 that you won't record in the policy log any information
 25 which you deem is so sensitive that it should be

27

1 recorded elsewhere, and:
 2 "This document is classified 'secret'..."
 3 So you're dealing with, carefully, what material
 4 should appear in different documents with different
 5 security classifications?
 6 A. Yes.
 7 Q. And then {DC7479/3} please, you set the aim of the
 8 investigation to:
 9 "Investigate [whether] Usman Khan poses a risk to
 10 the public and prove or disprove his aspirations to
 11 conduct a UK terrorist attack."
 12 A. Yes.
 13 Q. So, again, the aim is clearly linked to that recent
 14 intelligence?
 15 A. It is, and my role is to remain subjective, so it's to
 16 prove or disprove that intelligence that existed, yes.
 17 Q. Then after setting out once again the overt and covert
 18 elements of the investigation, do you set out its two
 19 elements, namely the part 4 notifications and management
 20 of those?
 21 A. Yes.
 22 Q. Recording in that context that you will be informed
 23 promptly of any breaches or concerns raised by the
 24 Prevent officers who are going to interact with Khan?
 25 A. Yes, that's correct. There's two strands to this:

28

1 I'm the SIO for a covert investigation run jointly with
 2 MI5; I am not the SIO for the part 4 and licence
 3 conditions, that is owned by Staffordshire Police.
 4 Q. But if there are any breaches of the part 4
 5 requirements, or if those officers interacting with Khan
 6 have any information which is relevant to your role,
 7 then you may step in and take action?
 8 A. Absolutely, yes.
 9 Q. And then going down the page slightly:
 10 "Covert investigation".
 11 Do you set out here that you and your team and the
 12 MI5 team will work together to seek intelligence or
 13 evidence to prove or disprove that Khan is a risk to
 14 national security?
 15 A. Yes.
 16 Q. Do you then refer to his licence conditions and steps
 17 you may take if he acts in breach of those?
 18 A. Yes.
 19 Q. Now, if we take that off screen, was there then, as you
 20 anticipated, a JOT in the week of 17 December,
 21 specifically on 19 December?
 22 A. Yes, there was.
 23 Q. May we put on screen your day book, {DC7478/6}. Do we
 24 see in the bottom two-thirds of the page you recorded
 25 this JOT. Was that attended by officers of

29

1 Staffordshire Special Branch and MI5 officers as well as
 2 you?
 3 A. Yes.
 4 Q. Did PS Forsyth join this JOT meeting?
 5 A. I believe he did, yes.
 6 Q. For all of it or only part?
 7 A. I can't in totality recall that, but I would have
 8 thought all of it.
 9 Q. You refer to the release date for Khan, and you refer to
 10 a risk assessment having been completed?
 11 A. Yes.
 12 Q. Was that the counter-terrorism surveillance risk
 13 assessment prepared by DC Hartill of Staffordshire?
 14 A. Yes, it was, but it's not just for surveillance, it's
 15 for police officers in general that would be engaging
 16 with Mr Khan.
 17 Q. We'll look at it in a moment, it actually covers quite
 18 a broad range of risks, doesn't it?
 19 A. Yes.
 20 Q. You refer to a trigger plan having been drafted, and we
 21 know what those were.
 22 A. Yes.
 23 Q. And that PS Forsyth of Prevent was involved. Did he
 24 provide any input to this meeting?
 25 A. I don't recall.

30

1 Q. You refer to an operational order being prepared. Was
 2 that for the covert investigation?
 3 A. No, I think that would have been for the transition from
 4 prison into the approved premises.
 5 Q. I see. So for the day of the transfer, what would
 6 happen on that day?
 7 A. Yes.
 8 Q. Then you refer, going down the page, to risks,
 9 attack—planning, and over the page {DC7478/7}:
 10 "Re—engagement/radicalisation."
 11 "Absconding."
 12 "Safeguarding."
 13 So the same risks identified in the first JOT?
 14 A. Yes.
 15 Q. You also refer to tagging, licence conditions, and the
 16 requirement for residence at the approved premises.
 17 Were all those matters set out and discussed in that
 18 JOT?
 19 A. Yes, they were.
 20 Q. It looks from a comparison between your notes of the two
 21 JOTs that this was dealing more with logistics and
 22 practicalities rather than strategy, which was discussed
 23 at the first JOT; is that right?
 24 A. Yes, I would agree to a point, but the JOT process has
 25 a formal process whereby an intelligence update is the

31

1 first thing that is given. I would have expected and
 2 I honestly don't recall, but I would have expected that
 3 the same initial intelligence would have been repeated
 4 at the start of this meeting.
 5 Q. If we look briefly at the risk assessment of DC Hartill,
 6 {DC7496/1}, please, was this the document that was
 7 referred to in the JOT that we just saw?
 8 A. Yes.
 9 Q. Did you see it at the time?
 10 A. I don't recall.
 11 Q. It's a December 2018 document. Since you say that you
 12 don't recall seeing it at the time, I'll just put to you
 13 some basic points arising from its content. It
 14 identifies in its — in the text both Khan's
 15 presentation to those he was dealing with as wanting to
 16 rebuild his life, and juxtaposes that with some worrying
 17 intelligence of the kind that you had seen. Were you
 18 aware in broad terms that that was a theme: Khan
 19 presenting himself as being a changed man while giving
 20 rise to some very worrying intelligence?
 21 A. Yes, and you know, that scepticism is absolutely alive
 22 to me, but that was certainly the position that he was
 23 presenting at that time, is my understanding.
 24 Q. We can take that document off screen now.
 25 So this is the position as the investigation is

32

1 getting underway. Were you aware at this stage that
 2 there had been some MAPPA meetings to manage Usman Khan
 3 and that there would be more in coming months?
 4 A. Yes.
 5 Q. What role, if any, did you think you would be playing in
 6 relation to those MAPPA meetings and the decisions taken
 7 in them?
 8 A. So the MAPPA meetings, from my perspective, were for
 9 Staffordshire Special Branch and Staffordshire Prevent
 10 to attend. They had overt ownership of licence
 11 conditions and part 4 conditions. It's absolutely not
 12 standard process for senior investigating officers to
 13 attend MAPPA. The only time I have ever attended MAPPA
 14 is to give what would be referred to as a presentation
 15 to MAPPA, very similar to what Mr Powell said, you
 16 present the history behind the subject initially on the
 17 opening meeting of MAPPA to outline the case, that's the
 18 only guise that I've ever attended to keep that sterile
 19 corridor between covert and overt.
 20 Q. Would it be normal, however, if you are investigating an
 21 offender who is subject to MAPPA arrangements, for you
 22 to receive some sort of feedback from the MAPPA
 23 meetings, being told what's being reported at those
 24 meetings?
 25 A. Yes, I absolutely would have expected that to happen.

33

1 So we have a detective chief inspector from
 2 West Midlands CTU that attends MAPPA, that is
 3 a pre-requirement of the process. I would have expected
 4 if there was any information or intelligence to be
 5 brought to my attention, then that would happen.
 6 Q. In turn, if you considered, with all the information
 7 that you're getting running the covert investigation,
 8 that the MAPPA participants need to know something?
 9 A. Yes.
 10 Q. Would you ensure that that's fed back into the MAPPA
 11 process through that DCI?
 12 A. Yes, so I had a conversation with DCI Cobbett, who was
 13 attending at that point. I asked if my attendance was
 14 required to give that presentation initially, as I've
 15 just described, and I was told no, there was no
 16 requirement to do so, and I didn't need to attend.
 17 I accept I wouldn't have attended further meetings after
 18 that initial one, but clearly that was an ongoing
 19 process through Staffordshire and, like I've said, and
 20 I'm sure we'll come to it, around the dumper truck
 21 aspect, I fed into that process, as we've just
 22 described.
 23 Q. Now, at the outset, there were two pieces of
 24 intelligence as we saw from your documents that stood
 25 out to you --

34

1 A. Yes.
 2 Q. -- the "old ways" intelligence and the attack aspiration
 3 intelligence. Did you think at that stage that the
 4 MAPPA participants knew of those pieces of intelligence?
 5 A. I had no reason not to think that they didn't know.
 6 Q. Let me unpack the double negatives a little.
 7 A. Yes.
 8 Q. If somebody had asked you at the end of December: do you
 9 think the MAPPA participants know those two pieces of
 10 intelligence, would you have said yes or no?
 11 A. I would have said yes.
 12 Q. But is that something you thought you needed
 13 specifically to check?
 14 A. In all honesty, no, I didn't, and I would refer back to
 15 what I've already said. The fact that that subject
 16 profile existed at the security level that it did of
 17 official sensitive, the fact that the IRs recorded all
 18 the streams of intelligence accurately to my
 19 understanding of it, and that Mr Powell was present at
 20 those meetings, for all those reasons I had no reason to
 21 not believe that they knew.
 22 Q. So while you were running this investigation and while
 23 these MAPPA meetings were happening every six weeks, you
 24 thought that the MAPPA participants were aware of these
 25 two pieces of intelligence?

35

1 A. Absolutely, and very, very sadly it is only now, leading
 2 up to this process, that it's come to my attention that
 3 they did not know.
 4 Q. Moving on to events after the release of Usman Khan, we
 5 know that he was released on 24 December; did you become
 6 aware of that and that the release had gone to plan in
 7 logistical terms?
 8 A. Yes, and I made some directions. I do want to be really
 9 clear: I didn't own the part 4 or the licence
 10 conditions, but I was an active participant in wanting
 11 to gain the best for the covert investigation and that's
 12 why I made the request that a visit was conducted around
 13 the 26th, 27th by the Prevent Team, just to have that
 14 insight and management on initial release.
 15 Q. If we put on screen {DC7479/4}, and we look towards the
 16 middle part of the page, we can see an entry for
 17 27 December 2018. Does that relate to that visit which
 18 you say you thought was required and you indicated was
 19 required?
 20 A. Yes.
 21 Q. And you recorded here that Khan had been visited, had
 22 been engaging and polite, and that had been passed to
 23 you by DC Hartill of Staffordshire?
 24 A. Yes.
 25 Q. If we go down the page, four days later you record that

36

1 there was a command and control meeting involving
 2 yourself, Mr Beattie, a DC Taylor — presumably a DC on
 3 your team?
 4 A. Yes, on Paul Beattie's team, yes.
 5 Q. As well as DI Powell, DS Hessel and DC Stephenson?
 6 A. Yes.
 7 Q. What was the purpose of that meeting?
 8 A. It was so that we had a really clear strategy about
 9 firstly ownership around the two separate elements and
 10 then making sure that we maintained good levels of
 11 communication and there was a clear stream of how that
 12 information and intelligence would be recorded and
 13 stored using the NCIA intelligence system.
 14 Q. You record that part 4 ownership remains with
 15 Staffordshire Special Branch and that there would be
 16 local engagement with the SOI?
 17 A. Yes.
 18 Q. Subject of interest?
 19 A. Yes.
 20 Q. Are you there recording that the Staffordshire Prevent
 21 officers will be the officers engaging with Khan in his
 22 local area?
 23 A. Which was the decision of Staffordshire Police, yes.
 24 Q. And then over the page at {DC7479/5} you note that if
 25 surveillance product is obtained, DC Taylor in your team

1 will review, for what are called overt lines of enquiry.
 2 What did you mean by overt lines of enquiry?
 3 A. So if anything of significance was observed, then the
 4 process that we would go through was identifying lines
 5 of enquiry and taking that intelligence and trying to
 6 transform intelligence into evidence. That would be
 7 through CCTV recovery, other mechanisms to convert that
 8 into a product, an output that we've recorded as
 9 evidence should it become relevant further down the
 10 line.
 11 Q. So if there was surveillance providing some information
 12 about Khan, then there may be efforts to obtain CCTV
 13 from the local area?
 14 A. Yes.
 15 Q. And that, of course, would be material that could be
 16 used in evidence in court.
 17 A. Exactly that, yes, and we did that as an ongoing process
 18 if that was relevant.
 19 Q. And then do we see that you note that your team, WMCTU,
 20 will support Staffordshire Special Branch with "tag
 21 dates"; is that tag data?
 22 A. It is, yes. My notes are handwritten and my handwriting
 23 is not the best so the typing gets lost in translation.
 24 So at that point in time it was Staffordshire SB.
 25 Staffordshire Police didn't have access to the tagging

1 data so it was agreed that we would support them in
 2 doing that and I tasked Sergeant Jerromes to support it.
 3 Q. So in practice, officers of the CTU would review tag
 4 data information to see if Khan was doing anything in
 5 breach of his conditions?
 6 A. So I think the actual process that was put in place was
 7 they would give a download of that data, pass it onto
 8 Staffordshire, and then they would conduct the review of
 9 it.
 10 Q. Thank you.
 11 Then you record a little below that you had
 12 requested the part 4 visit, as you described?
 13 A. Yes.
 14 Q. We can take that off screen now.
 15 Looking, then, to 2019 and the early months. In
 16 practice how were your team and the Staffordshire
 17 Special Branch team working over those weeks and months?
 18 A. So because of the process that had been put in place
 19 where all information and intelligence that was gained
 20 through that part 4 licence condition engagement,
 21 a document would be prepared. That would be sent to the
 22 OIMU, the O-I-M-U, I think you've heard about, so that
 23 would go into there and it would go onto the system and
 24 there was an agreed readership for the operation that
 25 would then get that shared intelligence. That would go

1 to me, but there are some other meetings that sit within
 2 our structure which are quite important for you to just
 3 be aware of so, each morning at 9 o'clock there is
 4 a regional meeting, so that is a dial-in facility where
 5 you would have representatives from intelligence, from
 6 investigations, from senior leadership team and
 7 Staffordshire SB. The North Hub would dial into that,
 8 the Head of HSB, the Head of Staffordshire Special
 9 Branch would join that meeting, so that was again a
 10 mechanism for them to refer any information in that was
 11 relevant at that time.
 12 And then on a Friday we have a Friday tasking
 13 meeting where we talk about priority operations. Again,
 14 I would be present as the SIO, investigations,
 15 intelligence and many other facets would be present, so
 16 part of that investigative update was, again, Special
 17 Branch would dial into that meeting, our Security
 18 Service partners would also have a seat at the table, so
 19 it was under that guise that we would set up
 20 an operation but actually the mechanisms for raising any
 21 issues or feeding any information was there on a daily
 22 basis outside of phone, email, any other mechanism.
 23 Q. So let's just take this in stages. First of all,
 24 Staffordshire Prevent officers produce reports from
 25 their visit —

1 A. Yes.
 2 Q. -- which we saw were distributed within the
 3 Staffordshire Special Branch environment.
 4 A. Yes.
 5 Q. Those, as you've said, were turned into intelligence
 6 reports which went into your OIMU?
 7 A. Yes.
 8 Q. And were distributed around your team?
 9 A. Yes.
 10 Q. Including to you?
 11 A. Yes.
 12 Q. As well as getting that information on a regular basis,
 13 you were participating in daily calls in the morning
 14 which involved Staffordshire Special Branch officers?
 15 A. Yes, so if they needed to raise anything around
 16 Operation Molal, that mechanism was there to do so and
 17 they would have the facets from the different areas, so
 18 you would have intelligence, investigations, and
 19 Security Service partners present at the meeting.
 20 Q. So would, first of all, in those regular morning
 21 meetings, every day, would there be discussion of
 22 a range of investigations?
 23 A. It was a reporting -- so the question would be asked of
 24 Staffordshire Head of Special Branch: is there any
 25 information that you need to bring to the table, and the

1 opportunity was there, but I think as we've seen, there
 2 was no significant information to impart.
 3 Q. Would the MI5 investigators be on those calls every day?
 4 A. Yes.
 5 Q. And in addition you have, as you say, the Friday tasking
 6 meeting --
 7 A. Yes.
 8 Q. -- also participated in by Staffordshire Special Branch?
 9 A. Yes.
 10 Q. And by MI5?
 11 A. Yes.
 12 Q. But again, covering a range of investigations?
 13 A. Yes.
 14 Q. So that tasking on any of those investigations can be
 15 discussed as any of the participants wants?
 16 A. Yes, and the question is always asked from the separate
 17 hubs, Staffordshire SB, the alliance, is there anything
 18 that you need to bring to this forum?
 19 Q. Meanwhile your team and MI5, is this right, were
 20 pursuing a priority investigation with MI5 as the lead
 21 agency?
 22 A. Yes.
 23 Q. And without going into details, they and you were
 24 together coordinating a range of monitoring and coverage
 25 tactics?

1 A. Yes.
 2 Q. That would gather intelligence and evidence, certainly
 3 intelligence and then potentially evidence, in relation
 4 to Khan?
 5 A. Yes.
 6 Q. Would you feed in, to the extent you could, the products
 7 of that work into these morning meetings?
 8 A. No. No, I wouldn't. It was more just highlighting that
 9 there was a mechanism that should Staffordshire Special
 10 Branch or Prevent need to raise anything that they
 11 wanted to bring to investigations, SIOs, you know,
 12 West Midlands CTU senior leadership attention, that
 13 mechanism was to do so, but unless there is anything
 14 overtly required around Operation Molal it would not get
 15 discussed as a topic point, no.
 16 Q. Now, meanwhile, we have the MAPPAs meetings continuing
 17 every six weeks?
 18 A. Yes.
 19 Q. And we have had heard that by way of format they
 20 involved meetings spanning a couple of days, covering
 21 a range of offenders, with each offender discussed for
 22 between 45 minutes and an hour?
 23 A. Yes.
 24 Q. You knew those meetings were taking place but it wasn't
 25 the norm for you to attend as the CT SIO?

1 A. No, that's never been a process in all the time that
 2 I've been involved in CT policing.
 3 Q. You've told us about the discussion with DCI Cobbett.
 4 After those meetings took place, did you have a standing
 5 meeting with DCI Cobbett where you would ask her what
 6 had happened in the meetings for which you had
 7 investigative responsibility?
 8 A. No, I didn't, and the reason I didn't feel that that was
 9 necessary is for a couple of reasons. Firstly, the
 10 ownership of the part 4 and licence conditions sat with
 11 Staffordshire Special Branch, Staffordshire Prevent. If
 12 there had been anything to report back I would have
 13 expected that to have been brought to my attention and,
 14 secondly, I was confident and comfortable that
 15 DCI Cobbett would have come to me and brought anything
 16 to my attention, but it's not a criticism: I did not
 17 have ownership, I did not have a responsibility to
 18 MAPPAs. I was interested in the information and the
 19 processes and the engagements, but the responsibility
 20 sat with Staffordshire, in my view.
 21 Q. But as you have accepted, it may be that the MAPPAs
 22 meetings would produce reports --
 23 A. Yes.
 24 Q. -- that would provide useful intelligence to you, or
 25 information?

1 A. Absolutely, and the mechanism for that to come to me
2 would have been through Staffordshire.
3 Q. Would it also have been through DCI Cobbett speaking to
4 you after those meetings?
5 A. Yes, absolutely, if there was something really important
6 and absolutely fundamental to bring to me, yes, and
7 exactly the same the other way. Like I say, the dumper
8 truck is a prime example of that.
9 Q. And as with the dumper truck, you weren't feeding into
10 the meeting and nobody was feeding into the meeting from
11 West Midlands Police additional information about Khan;
12 they were feeding in advice and expertise?
13 A. Yes, absolutely, you know, we are a collaborative
14 partnership and I think the term "critical friend" has
15 been used, but it's really important that we're all
16 pulling in the same direction and we're all supporting
17 each other. The fact that, you know, the likes of
18 DS Jerromes and DCI Cobbett felt confident to impart
19 information shows how we tried to work together.
20 Q. So if you had become aware of information from the MAPP
21 meetings about something that was going to happen, and
22 you with your expertise thought you should advise
23 against it, not provide additional information, but just
24 provide advice against it --
25 A. Yes.

45

1 Q. -- you would do that through speaking to Mr Jerromes or
2 Ms Cobbett?
3 A. I would have done it directly through Special Branch and
4 through CTU colleagues. I would have covered both
5 streams.
6 Q. Moving, then, to the first period of time, January
7 to March 2019, we've heard from Witness A that over this
8 time the monitoring conducted by the priority
9 investigation gave rise to no concerning intelligence;
10 is that right?
11 A. That's correct, yes.
12 Q. And we know that the reports from the Prevent officers
13 about Khan's presentation over this period indicate that
14 his presentation was generally good: that he was polite
15 and engaging and positive?
16 A. Yes, absolutely, and as I've said my role is to remain
17 objective and sceptical, but the intelligence that was
18 being gleaned was that he was presenting very
19 positively.
20 Q. You would have received those reports and got that
21 information?
22 A. Yes.
23 Q. We've heard that in a MAPP meeting on 7 March 2019,
24 there was a report that Khan had been invited to
25 a Learning Together event in Cambridge, but the

46

1 probation officer had refused that as too soon, and that
2 Staffordshire Special Branch officers at the meeting
3 asked to be informed of any similar invitations in
4 future. Were you made aware of that exchange?
5 A. No, I wasn't, and I'm not surprised, it wasn't necessary
6 for me to be directed upon.
7 Q. If there had been a proposal at that stage that Khan
8 should go to an event somewhere in the country, would
9 you have thought that you ought to know so that you
10 could provide any advice on it?
11 A. I would be confident that the fact that DCI Cobbett and
12 other West Midlands CTU colleagues were present in MAPP
13 would be able to do that. I wouldn't necessarily say
14 that I personally needed to be aware.
15 Q. Now, we've heard from DS Stephenson that in
16 early March 2019, he viewed a video which had been
17 filmed of Khan for the event which Khan couldn't in fact
18 attend. Did that video come through to you?
19 A. No.
20 Q. We know that it came through to the OIMU --
21 A. Yes.
22 Q. -- in West Midlands Police. Would somebody within that
23 unit have seen it?
24 A. Yes. I would have thought that somebody within the
25 intelligence function would have reviewed it and I know

47

1 it is mentioned very briefly on one of the intelligence
2 reports, but a copy of it provided to me? No, it
3 wasn't.
4 Q. If the person reviewing it had thought it was a matter
5 of concern, would they have forwarded it to you?
6 A. I would have expected them to, yes.
7 Q. We've also heard from DS Stephenson that he, on watching
8 that video and reading a mentor report at that time
9 which referred to Khan showing a flash of anger, that he
10 requested a BSU assessment from MI5, so an assessment of
11 the Behavioural Science Unit; did you become aware of
12 that request?
13 A. No.
14 Q. Moving on to April to July 2019, once again we've heard
15 from Witness A that the monitoring by the P-Op gave rise
16 to no concerning intelligence; is that right from your
17 perspective?
18 A. Yes, it is.
19 Q. There was a MAPP meeting on 17 April 2019 where
20 information was given that Khan had been invited to the
21 Learning Together event at HMP Whitemoor in June 2019,
22 and that he would be attending with an escort. Was that
23 a piece of information that was fed back to you?
24 A. So I knew he was involved with Learning Together and
25 that had been quite a long-standing relationship from

48

1 his time in prison, but actual attendance at that event
 2 was not brought to my attention via DCI Cobbett or any
 3 other mechanism.
 4 Q. There was a MAPPa meeting at the end of May 2019 where
 5 consideration was given to removing Usman Khan's
 6 4 o'clock sign-on requirement at the approved premises,
 7 and deferring his curfew from 9.00 pm to 11.00 pm, and
 8 we've heard that the West Midlands Police officers
 9 present spoke against deferral of the curfew. Were you
 10 aware of that exchange at the time?
 11 A. I wasn't. I'm not surprised that I wasn't because,
 12 again, that had ownership of Staffordshire Special
 13 Branch, Staffordshire Prevent, but again, the fact that
 14 I have confidence that West Midlands CTU officers spoke
 15 out against that option, that again shows the joined up
 16 collaborative working.
 17 Q. Again, the theme appears to be that you are focused on
 18 the covert investigation into Khan and that others are
 19 responsible for managing his risk within the MAPPa
 20 process?
 21 A. That's right, yes.
 22 Q. Then early July 2019, we've heard from DS Stephenson
 23 that he picked up from mentor reports that there was
 24 an idea in prospect of Khan undertaking a course in
 25 driving dumper trucks, and we've heard that he emailed

1 PS Forsyth of the Prevent Team, expressing concern and
 2 drawing attention to a JTAC report on incidents of
 3 vehicles being used as weapons. Was that an exchange
 4 that came to your attention at that time?
 5 A. Yes, it was. I think this was probably the first
 6 instance where Staffordshire Special Branch had directly
 7 brought something to my attention. I immediately acted
 8 upon that, we discussed it, and the fact is, you know,
 9 at that point in time it was not acceptable for him to
 10 go on that course and I would go as far as to say
 11 probably not acceptable at all. It was a fairly common
 12 practice that terrorists were using vehicles as weapons
 13 and it just shouldn't happen, so I fed that in through
 14 my channel, we had an agreed position that it would be
 15 something that would be raised at MAPPa, that we jointly
 16 said we shouldn't do anything to support that.
 17 Q. You say that this was brought to your attention and that
 18 "we" had a meeting; who was "we" that had the meeting?
 19 A. So we discussed it -- the email came to me, I think
 20 myself and Sergeant Stephenson had a phone conversation
 21 about it, we were on the same page: it was going to be
 22 objected to for the reasons we're all aware of and
 23 that's what we did collectively.
 24 Q. To be clear, the risk was that this was somebody who had
 25 the terrorist background that you have described --

1 A. Yes.
 2 Q. -- gave rise to the concerning intelligence that we've
 3 described, and there was no way that he should get
 4 access to such a devastating potential weapon?
 5 A. That's absolutely correct. The bit that was never
 6 brought to my attention was that there was support from
 7 other mechanisms around him going on that course. I was
 8 only ever informed of the fact that we collectively were
 9 objecting to it.
 10 Q. If you had been aware that those managing him
 11 day-to-day, so Mr Skelton and Mr Forsyth, were actually
 12 in favour of that course, would that have affected any
 13 of your decisions from that point on?
 14 A. I mean, they were managing him, they were entitled to
 15 have a viewpoint, but from a CT SIO perspective I would
 16 have been concerned that they thought that that was
 17 a positive thing to do.
 18 Q. At that point might you have said that: those managing
 19 him are not taking the right approach to risk, I need to
 20 know more about what they're deciding?
 21 A. I certainly probably -- I would have had a conversation
 22 with the likes of Team 7 and Sergeant Jerromes and
 23 Inspector Williams to look at that, yes.
 24 Q. We know that a MAPPa meeting took place on 11 July 2019
 25 where the dumper truck course was discussed, and

1 a decision was taken at that stage not to say no, but to
 2 seek more information about the course and the types of
 3 vehicles. Was that discussion and its outcome fed back to
 4 you?
 5 A. No, it wasn't. My position on it was really clear: that
 6 we would be opposing it, and no other information was
 7 provided, other than I was told it wasn't happening at
 8 that relevant point.
 9 Q. Moving on, then, to the period from August to
 10 early November 2019. We have heard from Witness A that
 11 the monitoring conducted by the priority investigation
 12 over this period again gave rise to no intel of concern;
 13 was that right?
 14 A. That's correct, yes.
 15 Q. On 22 August 2019, a further MAPPa meeting was held,
 16 attended by DCI Cobbett and DS Jerromes, which addressed
 17 the dumper truck course and decided it shouldn't be
 18 permitted at that stage. Were you told afterwards that
 19 your objections had been effectively successful?
 20 A. Yes, I can't recall who told me, but I was aware that it
 21 had been successful, yes.
 22 Q. Now, at the same MAPPa meeting, the probation officer,
 23 Mr Skelton, informed the panel that Khan had been
 24 invited to a Learning Together event in November, and
 25 that on this occasion he would have to source his own

1 means of travel. Did that come to your attention at the
 2 time?
 3 A. No, I don't believe it did.
 4 Q. Did it come to your attention later?
 5 A. No, the first time I knew of the Learning Together
 6 event, that he would be attending, was late October, at
 7 the point of — early November where the investigation
 8 was transferring to DI Williams.
 9 Q. Now, once again, as an experienced counter—terrorist
 10 officer, would you accept that there are risks in
 11 a person with Khan's background going to a high profile
 12 event in a major city centre?
 13 A. There are risks, yes, but I think there's a context to
 14 this that's a little relevant.
 15 Mr Khan could have gone to London without having to
 16 go back to MAPPA to lift any licence conditions as long
 17 as he didn't go on a train, so he could have made his
 18 way to London at any point he chose to do so, so the
 19 actual consideration here is should he be going to
 20 an event with a long—standing positive relationship with
 21 Learning Together at that point, and that is, yes,
 22 a consideration for MAPPA, and yes, a consideration
 23 around risk, but the attendance of London piece is
 24 slightly irrelevant because he could have gone to
 25 London.

1 Q. Let's take that point, then. You were aware from his
 2 licence conditions that if he wanted to travel any
 3 distance, he would need permission to use a train to do
 4 so?
 5 A. A train, yes.
 6 Q. And you would have known, as the counter—terrorist
 7 senior investigating officer, if Khan was using other
 8 means of transport to travel significant distances?
 9 A. Would we have known? Potentially not. It wasn't like
 10 his tagging data was being monitored live time: it
 11 wasn't.
 12 Q. But from time to time, tagging data was coming through?
 13 A. Yes, it was, it would be periodically reviewed, yes.
 14 Q. And your team therefore knew that, broadly speaking, he
 15 was pottering around Stafford with weekend trips to
 16 Stoke?
 17 A. Absolutely, that's what the tagging data showed, yes,
 18 there is no question, but he could go to London if he
 19 wanted to.
 20 Q. If you are getting information through, say, the tagging
 21 data that he is starting to travel long distances to
 22 major city centres, that would be a matter which you
 23 would be concerned to know about?
 24 A. Yes, I would want to know, yes, absolutely.
 25 Q. And you would want to know about that from a risk

1 perspective, wouldn't you?
 2 A. Yes.
 3 Q. So the trip to London has two dimensions, doesn't it: it
 4 has this dimension of him travelling a distance to
 5 a city centre?
 6 A. Yes.
 7 Q. And it has the dimension that he's travelling to
 8 a gathering?
 9 A. Yes.
 10 Q. Which has some senior figures from the criminal justice
 11 system?
 12 A. Yes.
 13 Q. And is in an iconic building next to London Bridge?
 14 A. I don't think we knew that until quite late on, but
 15 I accept, yes, those are the facts, yes.
 16 Q. Indeed. But in an ideal world, is it right that you
 17 would want to know those features of a prospective visit
 18 in advance?
 19 A. Yes.
 20 Q. And you would want to express your views on that?
 21 A. Yes, I would certainly want to consider the pros and
 22 cons of that going ahead, but for me, had there — if
 23 I had been aware, had there been any intelligence
 24 whatsoever, we would have opposed it.
 25 Q. But if you had been told in August 2019 what Mr Skelton

1 was told of the prospective visit, and the venue, and
 2 some details about the attendees, what would have been
 3 your view of that prospective visit?
 4 A. I would have wanted to explore and understand that more
 5 to make an informed decision.
 6 Q. Because of the risk?
 7 A. Certainly weighing up the original intention that —
 8 yes, the scepticism remained and I was absolutely
 9 acutely alive to the fact of its existence, I would want
 10 to review it with that lens, yes.
 11 Q. And might you have decided on the basis of the
 12 information we know simply about the venue, its location
 13 and the attendees, that some sort of security measures
 14 were required if he was going to go?
 15 A. I've thought about this a lot, sadly, for the obvious
 16 reasons. I think if we were taking those measures, then
 17 we should have been objecting and he wouldn't have been
 18 allowed to go. If we were making the decision that we
 19 need to put security measures in place, that means that
 20 organisationally, collectively, we are saying there is
 21 a risk and therefore if there is a risk we should be
 22 mitigating against it and the only way to do that is
 23 stop him going.
 24 Q. Do you think, then, if you had known those
 25 characteristics of the visit and the venue and the

1 attendees, you would have been saying: we can't let
 2 somebody with this background have their first
 3 unescorted trip out of the local area to this event, in
 4 this city, in this place?
 5 A. Again, something that I've thought about a lot, and on
 6 the information that was known, it was a positive
 7 engagement, or my understanding was a positive
 8 relationship that's based on all the information that is
 9 known and existed in the intelligence arena, and there
 10 was no adverse information that said there was any risk.
 11 So on balance, I would have found it quite challenging
 12 to object.
 13 Q. But based on the way you've just given that answer, it
 14 would have been a decision requiring careful thought and
 15 careful balancing?
 16 A. Without question.
 17 MR HOUGH: Thank you very much.
 18 Sir, would that be a convenient time for our
 19 mid-morning break?
 20 JUDGE LUCRAFT: Yes. We'll take a 15-minute break there.
 21 We'll sit again in 15 minutes' time to resume where
 22 we've got to.
 23 A. Yes, sir.
 24 JUDGE LUCRAFT: Thank you.
 25 (In the absence of the jury)

1 I'll rise.
 2 (11.08 am)
 3 (A short break)
 4 (11.30 am)
 5 (In the presence of the jury)
 6 JUDGE LUCRAFT: Yes.
 7 MR HOUGH: Mr Chambers, we'd just dealt with the MAPPA
 8 meeting of August 2019, and your reflections on what
 9 emerged from that meeting. We know that, moving on to
 10 the start of September 2019, Usman Khan had ceased to
 11 have a mentor, and so mentor reports were not coming in
 12 on a very regular basis with information of that kind;
 13 did you become aware of that?
 14 A. No.
 15 Q. Therefore, does it follow that you didn't become aware
 16 of the potential difficulties that were created for
 17 Usman Khan in looking for work because he didn't have
 18 supervised access to the internet?
 19 A. No, I didn't know that, and again, I'm not surprised
 20 that it wasn't brought to my attention because that was
 21 in relation to the part 4 aspect.
 22 Q. On 24 September 2019, Usman Khan moved out of the
 23 approved premises into his own flat. I presume because
 24 of its relevance to coverage and so on that you did
 25 become aware of that?

1 A. Yes, I did.
 2 Q. The effect, of course, was that he was no longer under
 3 the supervision of approved premises staff and he no
 4 longer had to do productive work in the approved
 5 premises. That would have been obvious to you from that
 6 point?
 7 A. Yes.
 8 Q. So that's late September 2019. From a point
 9 in October 2019, did you become aware that you would be
 10 passing on this priority investigation to another team
 11 within the CTU?
 12 A. Yes. So I probably first became aware that that was
 13 a consideration early to mid-September, where that was
 14 being explored as potentially moving forward. That
 15 grew some impetus in October and that's when I started
 16 the process of having a handover with DI Williams.
 17 Q. What was the rationale for handing over from your team
 18 to, as it turned out, Team 7?
 19 A. So I think there was a couple of considerations, really.
 20 Firstly, as I said, when this sort of started 9 or
 21 10 months prior, Team 7 was evolving. The offender
 22 management aspect of counter-terrorism policing was
 23 under review and evolving within our organisation. It
 24 got to the point where it was prudent, I think, to have
 25 the covert operation running alongside the Team 7 for

1 that overall offender management with the DS, the
 2 sterile corridor would remain in place between the
 3 offender managers and DCs, but the DS would be sighted
 4 on all aspects of the investigation which had its
 5 benefits.
 6 Q. So the idea was that in autumn or winter of 2019, Team 7
 7 would be taking over the management of part 4 offenders
 8 in the Staffordshire area from the point of view of
 9 their overt management, the part 4 registration process?
 10 A. Yes, so I think because of that evolving picture, it had
 11 been recognised regionally and nationally that the work
 12 that Team 7 were doing was very worthwhile and had its
 13 merits.
 14 Q. And is this right: that the decision was taken that at
 15 the same time, or around the same time, the
 16 responsibility for the covert investigation into
 17 Usman Khan should pass to Team 7 so that there would be
 18 a joined up approach?
 19 A. Absolutely, yes.
 20 Q. You refer to the sterile corridor arrangements. Is it
 21 right that the DS within Team 7, so that's Mr Jerromes,
 22 would be overseeing the overt management --
 23 A. Yes.
 24 Q. -- of Khan. So he would be the offender manager within
 25 the structure of Team 7, would he?

1 A. Yes, he would be the supervisor of the offender manager
 2 shift (?).
 3 Q. He would be sighted on the intelligence?
 4 A. Yes.
 5 Q. But the officers in his team going out to do the visits
 6 to Usman Khan wouldn't be?
 7 A. Correct.
 8 Q. Meanwhile DI Williams, along with DS Jerromes, would be
 9 the SIO and deputy SIO of the covert investigation?
 10 A. Yes.
 11 Q. And you say you became aware that this change was
 12 happening from some time during late September, but you
 13 began the handover process some time in October?
 14 A. Yes, so mid to late October I supplied my policy book
 15 and day books to DI Williams for him to prepare himself
 16 for the intelligence and the overarching investigation
 17 and put that information into his knowledge.
 18 Q. In late October and very early November, who was
 19 handling the covert investigation on a day-to-day basis,
 20 dealing with MI5 and so on? Was that you or
 21 DI Williams?
 22 A. So it was me, I would say, but probably with DI Williams
 23 alongside me to have that handover exchange, and really
 24 in earnest that position changed when we received the
 25 information around 6 November where it became then

1 apparent DI Williams would take it forward following
 2 an email from Special Branch.
 3 Q. Well, let's address that then. On 31 October 2019, we
 4 know that officers of the Prevent Team conducted a short
 5 visit to Usman Khan's flat, and they reported back that
 6 he seemed to be spending a lot of his time playing video
 7 games and not doing very much productive?
 8 A. Yes.
 9 Q. And we've heard that on 6 November 2019, DS Stephenson
 10 emailed DC Mills about this visit?
 11 A. Yes.
 12 Q. If we look at that email, it's {DC7475/47}. We can see
 13 that that email was sent to Mr Mills but copied to
 14 others in Special Branch and to you?
 15 A. Yes.
 16 Q. Is this an example of what you described, Special Branch
 17 officers coming to you directly if there was a matter
 18 that required your attention?
 19 A. Yes, to my knowledge that happened twice: the dumper
 20 truck was the first time, and this was the second.
 21 Q. We can see that Mr Stephenson forwarded the report from
 22 the Prevent Team and said that he was intending to speak
 23 to the Prevent officers to request consideration of
 24 increasing the frequency of the visits because Khan had
 25 no mentor, seemed to be isolating himself, spending

1 a lot of time alone at home on his Xbox and visiting the
 2 gym less frequently?
 3 A. Yes.
 4 Q. Also Mr Stephenson says that Khan no longer seems to be
 5 seeking employment proactively because he doesn't have
 6 supervised internet access?
 7 A. Yes.
 8 Q. He also raises the possibility of having a JOT, a joint
 9 operational team meeting, with MI5, to re-evaluate the
 10 situation going forward?
 11 A. Yes, so my recollection is that DI Williams had already
 12 identified that it was prudent to have a JOT at that
 13 point where there was a change of leadership and to take
 14 stock of where we were, really.
 15 Q. So there were two reasons for having a JOT by this
 16 stage: Mr Stephenson's proposal and, separately, the
 17 need for a handover?
 18 A. Yes.
 19 Q. And Mr Stephenson points out that he and DC Hartill
 20 would be going along to the MAPPA meeting eight days
 21 afterwards on 14 November?
 22 A. Yes.
 23 Q. And then there's reference to the tagging product
 24 confirming what's understood of Khan's lifestyle?
 25 A. Yes.

1 Q. When you read this email, what were your thoughts?
 2 A. It's clear that there is an isolation element to it on
 3 the basis that Mr Khan had moved into his own premises.
 4 Again, the scepticism -- he sort of mentions this to the
 5 Prevent officers when they're engaging with him, and
 6 almost identifies, you know, "I don't socialise a lot,
 7 I will spend a lot of time at home". So he kind of
 8 pre-empted that scepticism, but it's absolutely not lost
 9 on me, and I know it wasn't lost on DI Williams, that
 10 there are some concerning aspects of that around the
 11 fact that he does seem quite isolated and it's well
 12 documented.
 13 Q. You're obviously a counter-terrorism officer, you're not
 14 a counsellor or a well-being expert; what's your concern
 15 about isolation?
 16 A. So isolation suggests that somebody -- if they're not
 17 actively engaging with people, they're not having
 18 regular contact, they're not putting themselves forward
 19 to actively engage with life, it's quite concerning that
 20 if they're not doing that, then what is their thought
 21 process, what are they thinking and what are they doing
 22 is the concerns that I would have.
 23 Q. In counter-terrorism terms: the devil making work for
 24 idle hands?
 25 A. Yes, and my exposure and some of the investigations that

1 I've led around individuals who become that lone actor,
 2 so they go on to do an attack without any preemptive
 3 intelligence was something that was very much at the
 4 forefront of CT policing at this point.
 5 Q. So you see that Mr Stephenson and Ms Hartill are going
 6 along to the MAPPa meeting to get a fuller picture?
 7 A. Yes.
 8 Q. You didn't plan to attend that meeting?
 9 A. No, so again, at this point of exchange I knew that
 10 DS Jerromes would likely be attending that meeting and
 11 clearly he would be actively engaged with the
 12 intelligence around Operation Molal, would be sighted on
 13 it, and so I had confidence that that would be taken
 14 forward.
 15 Q. Did you decide, however, that you needed to hear back
 16 from Mr Jerromes about what had been said at that
 17 meeting?
 18 A. To that point, no, not really, I was content that
 19 DI Williams had took the rein. We had had the handover,
 20 I had supplied all the relevant information and he had
 21 had the opportunity to get abreast of all the
 22 intelligence reports that existed, and really it can be
 23 very complicated if you have two SIOs. It's only right
 24 and proper that there's only one clear leadership and it
 25 was right at that point that he took the reins.

1 Q. So by the time of the MAPPa meeting on 14 November 2019,
 2 from your point of view was it clear that DI Williams
 3 was the SIO and DS Jerromes the deputy?
 4 A. Yes.
 5 Q. We can take that document off screen now.
 6 Did you hear back from anybody about what had
 7 happened at the MAPPa meeting on 14 November?
 8 A. No, I don't believe I did.
 9 Q. We know that information was provided at that meeting
 10 about the prospective trip to London, and that further
 11 details, including the precise venue, were given later
 12 in November, some days later. Did that come to your
 13 attention, any of that information, before the time of
 14 the attack?
 15 A. No, I don't believe so.
 16 Q. The final JOT, as it turned out, happened on
 17 18 November 2019, attended by DI Williams and
 18 DS Jerromes; were you at that JOT?
 19 A. No, I wasn't.
 20 Q. That's because by that stage you had handed over?
 21 A. Yes.
 22 Q. In the period between the exchange of emails on
 23 6 November and the time of the attack, did you come into
 24 any important intelligence or information that you can
 25 tell us about which bore on the risk presented by

1 Usman Khan?
 2 A. No, I didn't.
 3 MR HOUGH: Thank you very much. Those are all my questions.
 4 A. Thank you, sir.
 5 Questions by MR PITCHERS QC
 6 MR PITCHERS: DCI Chambers, I'm Henry Pitchers asking
 7 questions on behalf of the family of Saskia Jones.
 8 Just three topics I would like to ask you about.
 9 Firstly, please, if we could have up the subject profile
 10 that you have already been taken to, which is
 11 {WS5059-2A/1}. If we could just, please, zoom into the
 12 bottom half of the page. We can see here that it's
 13 a document that's been updated on 4 November 2019.
 14 A. Yes.
 15 Q. Which obviously substantially postdates your initial
 16 involvement in this matter, which was about a year
 17 earlier?
 18 A. Yes.
 19 Q. And as we've heard before, this was a living document,
 20 so it was updated periodically?
 21 A. Yes.
 22 Q. But am I right that the matters that we're particularly
 23 concerned with, at least for these questions, the two
 24 strands of intelligence, those remain throughout the
 25 subject profiles that you have access to and your team

1 had access to?
 2 A. Yes, it's basically in date order, so as the dates move
 3 on, so does the document.
 4 Q. So although we're looking at a document that's been
 5 updated in November 2019, in that respect, it's the same
 6 as the ones, the previous iterations going back
 7 to November 2018?
 8 A. I believe it is, yes.
 9 Q. Yes. And could we just, please, because it's so
 10 important, turn to {WS5059-2A/13} and just have a look
 11 at those two strands. It's going to be -- it's the very
 12 bottom of that slide, so if we could go to the lower
 13 half. There we are. So we see there, as we look at the
 14 second paragraph down, and the reason I want to just
 15 pause with it again is that your evidence is that the
 16 form of words that we see set out there was an agreed
 17 form of words?
 18 A. So my take on this, my understanding would be that
 19 because it's associated to an intelligence report, that
 20 has been agreed for sharing, yes.
 21 Q. So that's how we should interpret this document as well?
 22 A. Certainly, yes, that's -- I believe so.
 23 Q. So when we consider how this information might have been
 24 shared onwards, it is really as it's set out there, that
 25 you would expect could have been shared with others?

1 A. Yes.
 2 Q. So the first round is:
 3 "Khan is part of a group of Muslim prisoners who
 4 boast about what they intend to do upon their release.
 5 Khan stated he intends to return to his old ways which
 6 is taken to mean he intends to get back to TACT
 7 offending."
 8 And then the second strand:
 9 "Khan is due to be released from prison before
 10 Christmas 2018 and intends to carry out an attack after
 11 his release. He expresses hatred for the United
 12 Kingdom."
 13 So if we could just take that off the screen now,
 14 please.
 15 So in terms of the importance of this intelligence,
 16 the evidence that you gave to Mr Hough was that you
 17 regarded it as -- these are your words -- fundamental
 18 and critical to your role?
 19 A. Yes.
 20 Q. And I guess that's for obvious reasons, isn't it?
 21 A. Yes, I mean my approach as the senior investigating
 22 officer is that I have to always keep that in the back
 23 of my mind when I'm making decisions, yes.
 24 Q. And it would be fair, wouldn't it, to summarise it this
 25 way: that if you have a TACT offender who is coming out

69

1 of prison into the community, that's about as concerning
 2 intelligence as you could have in terms of its
 3 substance?
 4 A. Yes, it is, but I would also say that it's not uncommon.
 5 So that strand of reporting is reminiscent in many
 6 investigations and I think part of that comes down to
 7 the socialisation within the prison establishment.
 8 Q. So many TACT offenders don't leave as reformed
 9 characters, is what you're telling us, unfortunately?
 10 A. Yes.
 11 Q. Just so we are clear, in terms of sharing, your
 12 understanding is that those two threads, as we've seen
 13 them set out there, could have been shared with MAPPAs?
 14 A. My understanding is, yes.
 15 Q. And therefore anybody who was present at the MAPPAs
 16 meeting could have been provided with that information?
 17 A. Yes.
 18 Q. So it could also have been provided to the Prevent
 19 officers of Staffordshire Police service?
 20 A. Yes, and again my understanding would have been that
 21 certainly Sergeant Forsyth would have had that
 22 information because he's responsible for the risk
 23 assessment of his own staff.
 24 Q. And presumably, therefore, also no reason in principle
 25 why it couldn't be provided to the probation team that

70

1 were managing Khan in the community?
 2 A. No, and again, my understanding would have been that
 3 they would have had that and I certainly know from my
 4 experience within our Team 7 establishment that there is
 5 a probation manager that sits within that team.
 6 Q. Would you agree that that in both strands of the
 7 intelligence would have been potentially highly relevant
 8 to those making decisions about offender management?
 9 A. Yes.
 10 Q. And not just generally, but specifically Khan attending
 11 an event such as the one at Fishmongers' Hall?
 12 A. Yes.
 13 Q. And I take it from your other evidence that your view is
 14 that this should have been shared with MAPPAs, Prevent
 15 and probation?
 16 A. Yes.
 17 Q. And why did you not ensure that it had been shared?
 18 A. I mean, for the reasons that I've said, so because of
 19 the classification of document that it sits on and the
 20 fact that there are intelligence reports associated to
 21 that, that, I believe, allows me to formulate the
 22 position that, you know, prior to June and the start of
 23 that process, that had happened because it all pre-dates
 24 me getting involved as the SIO, and I think from
 25 evidence that was put before the jury yesterday, this is

71

1 revisited by Staffordshire in January and they make no
 2 active approach to me, you know. Their evidence is that
 3 would be a decision for the SIO, but they never make any
 4 proactive approach to me to say: we need to deal with
 5 this.
 6 And, again, because of the structure that I've
 7 described, you know, they recognised that in January,
 8 they didn't do anything to inform me, and yet the
 9 structure exists where they could have done that at any
 10 point.
 11 Q. So you assume that it would have been shared in the way
 12 that we have discussed, in a sense because it was so
 13 obvious that it should have been?
 14 A. Yes.
 15 Q. Thank you. Just turning to the second topic now, could
 16 we have up, please, {DC7453/1}. If we just zoom in at
 17 the top of this page. This is an operations meeting.
 18 As I understand it, it's a Special Branch operations
 19 meeting. There's no one from your team in that list of
 20 those who were present, is there?
 21 A. No, so I think that's an internal document of
 22 Staffordshire.
 23 Q. Yes. And if we could turn, please, to {DC7453/2} and
 24 just zoom in under where we see the text in black
 25 "Update from April", please. We see here, and

72

1 I'm picking up on this issue about the dumper truck
 2 course, and as we look at it now, the second paragraph,
 3 this was minuted:
 4 "He is still expecting to undertake a dumper truck
 5 driving course and has recently questioned why this has
 6 not happened, informing Prevent that this prevented him
 7 getting a job that had been offered to him (this is not
 8 true as the job offered to him was a scaffolding job),
 9 truck course refused by MAPPAs, to be monitored for any
 10 developments."
 11 So it would seem from that that Khan was telling
 12 lies to the Prevent officers in relation to facts
 13 surrounding the need for him to do the dumper truck
 14 course?
 15 A. On the basis of that document, yes, it would appear so.
 16 Q. Yes.
 17 A. I know DS Jerromes raised some scepticism at MAPPAs about
 18 construction as an overall job.
 19 Q. Yes. And presumably it would have been a concern to you
 20 if you had been made aware that, firstly, he's telling
 21 lies in that respect to the Prevent officers?
 22 A. I mean, there's a difference between is it a blatant
 23 lie, is it a misunderstanding, is it lost in
 24 translation, and I can't answer if it's any of those
 25 three things.

73

1 Q. Well, as I say, it's put there as it not being true what
 2 he'd told them, but would it have been concerning to you
 3 that he also -- that this untruth related to him having
 4 access to a heavy vehicle that you had identified as
 5 being associated with terrorist atrocities?
 6 A. Yes, it's not lost on me.
 7 Q. Because it raises the possibility that he's telling lies
 8 that might assist him in getting access to a --
 9 A. Dumper truck.
 10 Q. -- a dumper truck that he could use to carry out
 11 an attack?
 12 A. Yes, and he was certainly quite vocal about the fact
 13 that he wanted to do that element of the course.
 14 Q. Was this -- we know that you had awareness of the dumper
 15 truck course being raised, and I think you were aware
 16 that MAPPAs had decided it wasn't appropriate. Were you
 17 aware, though, that Khan had been telling these untruths
 18 around it?
 19 A. No.
 20 Q. If that had been fed back to you, would it have caused
 21 you to have offered any advice back to Special Branch or
 22 to the Prevent Team that were managing him?
 23 A. I think I'd have just wanted to understand a little bit
 24 more about exactly what I've just said: can somebody
 25 relay the context of how we formulated this position.

74

1 Q. Third topic, please, and it's in relation to the
 2 Fishmongers' Hall event itself. Now, in evidence you
 3 just gave in answers to questions from Mr Hough, you
 4 said if you had any intelligence whatsoever you would
 5 have opposed it, as in, you would have opposed him going
 6 to the Fishmongers' Hall event?
 7 A. So, yes, so I think if there was any intelligence which
 8 suggested there was a concern, I would have opposed it
 9 and I would have expected others to do so.
 10 Q. But you -- but there was intelligence, wasn't there,
 11 that he intended to carry out an attack after he was
 12 released?
 13 A. Yes, but there is a context to that so, as I've just
 14 said, you know, it's not lost on me, but that's not
 15 uncommon or similar intelligence that exists in a number
 16 of cases. You know, 11 months he'd been under active
 17 investigation, I was confident that there was a good
 18 level of understanding around him as an individual, and
 19 I am limited on what I can say, but in that whole period
 20 of 11 months, there was no concerning intelligence that
 21 suggested there was any extended risk that fell out of
 22 that original intelligence string.
 23 Q. I mean, you had no specific intelligence that he
 24 intended to use a dumper truck to carry out an attack,
 25 did you?

75

1 A. No, but that's -- I think it's been discussed quite
 2 a lot in this hearing and that's quite obvious.
 3 Somebody travelling to London or any other location for
 4 a rehabilitative event is not necessarily hugely of
 5 concern.
 6 Q. Well, you would accept, wouldn't you, that if one looks
 7 at the history of Islamist extremist terrorist
 8 offending, particularly on this soil, it is concentrated
 9 a lot in London, isn't it?
 10 A. Yes, it is, yes.
 11 Q. And you would accept that there was, if you like, the
 12 general intelligence would be that terrorists might be
 13 attracted to iconic locations, such as proximity to
 14 London Bridge?
 15 A. Yes.
 16 Q. And also having first access to a large gathering of
 17 people, some of whom had quite high profiles, again,
 18 that could be an allure to a terrorist offender?
 19 A. Yes, absolutely, and I understand the point you're
 20 trying to make, but, you know, I think it's really clear
 21 here that had there been intelligence, he should not
 22 have attended. That's really clear.
 23 Q. But clearly those managing can't just wait for specific
 24 intelligence about a particular proposed event such as
 25 this; you've got to look broadly at what was known?

76

1 A. Yes, I accept that, but there had been a 11-month --
 2 minimum of 11-month gap between that intelligence coming
 3 to the fore and there had been no adverse behaviours
 4 that raised any concern.
 5 Q. But leaving aside intelligence : his offending history
 6 was well known, wasn't it?
 7 A. Certainly building up to his prosecution and conviction,
 8 yes.
 9 Q. His concerning behaviour whilst in custody was well
 10 known?
 11 A. Yes.
 12 Q. By the autumn, his isolation was well known.
 13 A. Yes.
 14 Q. His unemployment was well known?
 15 A. Yes.
 16 Q. The lack of mentoring was well known?
 17 A. Yes.
 18 Q. The lack of purpose in his days whereby he seemed to be
 19 spending most of it gaming was well known, wasn't it?
 20 A. Yes.
 21 Q. And if enquiries were made, you could have found out
 22 information about the event itself which would have fed
 23 into decision-making and risk assessment?
 24 A. Yes.
 25 Q. So the lack of specific intelligence is only one part of

1 the picture, isn't it?
 2 A. Yes, I agree.
 3 Q. Your evidence earlier suggested that your view is that
 4 if there was a need for there to be precautionary
 5 measures around him attending --
 6 A. Yes.
 7 Q. -- the actual answer is he shouldn't have been going at
 8 all?
 9 A. Yes.
 10 Q. Now, I'll suggest to you that the right decision would
 11 have been for Khan not to go at all; would you agree
 12 with me on that?
 13 A. I mean, hindsight would say yes, but based on the
 14 information that was known at the time.
 15 Q. Well, I suggest based on the information which was
 16 known, the right decision was for him not to attend, but
 17 I just want to deal with this: it isn't right though, is
 18 it, that it's that binary choice, he either goes with no
 19 precautionary measures or he doesn't go at all; there
 20 were a number of straightforward, proportionate steps
 21 that could have been taken to increase the protection to
 22 the public?
 23 A. Yes, there could have been, but I would still go back to
 24 if we think that we have to make those kind of
 25 decisions, one, you cannot guarantee that you will

1 protect the public and therefore he shouldn't go.
 2 Q. But, as I say, proportionate steps, checking security at
 3 the venue, escorting him along the way, but those could
 4 easily have been implemented, couldn't they?
 5 A. They could have been, but I don't think that would be
 6 acceptable to allow him to go.
 7 Q. And those steps could have been taken without
 8 jeopardising the perceived benefit of him being present
 9 at this event, so he could get what was thought to be
 10 a benefit of him attending with those precautionary
 11 measures being in place.
 12 A. Again, you know, you're trying to push me to accept that
 13 the precautionary measures should have been put in place
 14 and therefore he should have gone. I disagree.
 15 Q. Can I suggest this to you: that if you or your team had
 16 been properly involved in any adequate consideration of
 17 this event, you would have objected, just as you
 18 objected to him doing the dumper truck course?
 19 A. I -- it's really difficult, isn't it, with hindsight in
 20 play? Would I like to have been more involved and
 21 engaged with it? Yes, of course I would. Can I sit
 22 here hand on my heart and say the outcome would have
 23 been different about him attending that? No, I can't.
 24 MR PITCHERS: Those are all the questions I have.
 25 JUDGE LUCRAFT: Thank you, Mr Pitchers.

1 You've decided to make a change, Mr Armstrong.
 2 MR ARMSTRONG: Just to save Jo the effort, really.
 3 JUDGE LUCRAFT: I'm sure someone else will need that in a
 4 moment.
 5 Questions by MR ARMSTRONG
 6 MR ARMSTRONG: DCI Chambers, my name is Nick Armstrong,
 7 I ask questions on behalf of Jack Merritt's family.
 8 I just want to ask you about three topics, the first
 9 being, I'm afraid, a return to this issue of the second
 10 strand. You've now accepted several times that the
 11 second strand attack aspiration intelligence was
 12 important and you've accepted particularly clearly to
 13 Mr Pitchers just now that it should have been shared,
 14 and in fact you thought it had been shared?
 15 A. Yes.
 16 Q. Can I just confirm that another way. Can I have the
 17 subject profile up again, please: it's {WS5059-2A/1}, so
 18 this is the subject intelligence profile that contains
 19 it, and if we just expand the second half of this, you
 20 see that the op name, so the owner is Staffs Special
 21 Branch and the op name is Subloreal --
 22 A. Yes.
 23 Q. -- and that's the name of the overt operation not the
 24 covert, it's not Molal?
 25 A. That's correct.

1 Q. And that's further confirmation that you think this is
 2 open and overt?
 3 A. Yes.
 4 Q. But I want to go back to this because I just want to
 5 explore why this doesn't turn up in MAPPA, and that can
 6 be taken down again now, thank you.
 7 Can I now have {DC6409/3} up, and this is the MAPPA
 8 minutes and page 3 has the attendees and we will just
 9 look at the second half, please. It is absolutely clear
 10 that there were West Midlands officers in the MAPPA
 11 meeting and you'll see there's quite a lot of
 12 West Midlands officers?
 13 A. Yes.
 14 Q. We have included at the top of that list DCI Ainsley
 15 Cobbett?
 16 A. Yes.
 17 Q. And if we see at {DC6409/6} of this, we've been to this
 18 before, where the blacked out bit is in the middle,
 19 that's now been slightly adjusted. Where it talks about
 20 there being "low graded intelligence", what that "PII"
 21 slightly obscures but it has now been slightly adjusted,
 22 is that there were enquiries made to try to clarify the
 23 nature of this intelligence, or the nature of the first
 24 strand of the intelligence in any event.
 25 Now, we know that DCI Cobbett plays an active part

1 in many of these meetings, we can see recordings of
 2 things that she's said and Mr Boyle on behalf of
 3 Staffordshire is putting that repeatedly.
 4 We also know, can we now just look at {DC6410/1},
 5 which is the next set of MAPPA minutes, and {DC6410/3}
 6 of this, do you see, she is also there, DCI Ainsley
 7 Cobbett at the top of the list, West Midlands CTU, at
 8 the next MAPPA meeting?
 9 A. Yes.
 10 Q. And the significance of that is at the start of each
 11 MAPPA meeting you get the minutes of the last meeting?
 12 A. Yes.
 13 Q. So that presumably allows you to look at, and that's the
 14 capitalised intelligence.
 15 This is a point that requires exploration. This is
 16 a point that MAPPA wants explored and records in its
 17 document that it has a concern about. It is, in any
 18 event, obvious that it needs to be looked at. Where
 19 does DCI Cobbett sit in the command structure for you?
 20 A. So my understanding is that a DCI from West Midlands
 21 Police, West Midlands CTU has to sit in the structure.
 22 They're not linked to any specific investigation; they
 23 are just part of the MAPPA process.
 24 Q. But she's -- you can't -- you're not going to these?
 25 A. No.

1 Q. You don't go to any of them?
 2 A. No.
 3 Q. West Midlands presumably wants somebody there who can
 4 contribute, who is informed?
 5 A. Yes.
 6 Q. DCI Cobbett is presumably informed about your
 7 investigation?
 8 A. Yes.
 9 Q. Is she formally line-managing you?
 10 A. Yes, so she sits as the deputy head of investigations
 11 but there's two DCIs that sit with investigations;
 12 I think my line manager is the other one.
 13 Q. You think or know?
 14 A. I -- I can't 100% say, but I certainly reference within
 15 my policy log that DCI Joyce will be told if there are
 16 any issues around the management of this investigation,
 17 and he was my line manager, so...
 18 Q. You sound slightly unsure?
 19 A. No, no, I mean, he is my investigative line manager but
 20 there are two DCIs within the (overspeaking) --
 21 Q. We can assume, can we, that DCI Cobbett is sufficiently
 22 well informed of your investigation to be able to carry
 23 out a proper function at MAPPA?
 24 A. Yes.
 25 Q. Can you help us with why she is not picking this up and

1 saying: we need to look at this?
 2 A. No, I can't, and certainly from the evidence yesterday
 3 from Mr Powell and from Mr Hessell, you know, this is
 4 something they actively discussed between them
 5 in January of 2019 and they made no positive attempt to
 6 contact me. That was their evidence yesterday, that's
 7 the evidence they gave.
 8 Q. Well, I want to come back to that in this context,
 9 because I just want to ask you and take your view as the
 10 then SIO who is leading this investigation, as to
 11 whether there's a structural problem here. I mean,
 12 there is, with a process like MAPPA, that is designed to
 13 pull organisations together --
 14 A. Yes.
 15 Q. -- to ensure that things don't fall between the gaps;
 16 right?
 17 A. Yes.
 18 Q. That may be an imperfect process because it depends upon
 19 things like the quality of the chair, for example --
 20 A. Yes.
 21 Q. -- and we've heard from Mr Byford in relation to that,
 22 and you have got a range of organisations here, prison,
 23 probation, MI5, Staffordshire split between Prevent and
 24 Special Branch, and now you, right, from West Midlands?
 25 A. Yes.

1 Q. So you see the possibility and the risk of
2 fragmentation?
3 A. I do, but I think it's slightly clearer than that. So
4 I am an SIO for a covert investigation that is actually
5 not relevant to MAPPA in the strictest sense. The
6 offender management and the part 4 elements and the
7 licence condition elements owned by Staffordshire Police
8 are. It's quite a simple decision for them to make to
9 share this information. I don't think it has to be
10 watered all the way down to an SIO, because ultimately
11 I'm appointed after those intelligence reports are
12 written and distributed, and in January, they're still
13 having conversations recognising the fact that they
14 haven't shared that information but take no positive
15 step to correct that issue and that carried on for
16 10 months.
17 Q. You sound, and you said this to Mr Pitchers just now --
18 you know the evidence that was given yesterday --
19 A. Yes.
20 Q. -- and they said it is a matter for you or West
21 Midlands, as the lead?
22 A. Well, no, I think they said more than that, they
23 said: it was a matter for the SIO, but we took no
24 positive steps to tell them.
25 Q. Indeed. And you sound -- are you slightly frustrated by

85

1 that?
2 A. I'm a little disappointed. I thought that that would
3 have been something that they would have raised, and
4 I think I would have absolutely acted upon it, but I am
5 disappointed for the fact that that didn't happen.
6 Q. So they shouldn't come along here and complain about
7 something that you didn't do when they didn't ask you to
8 do it?
9 A. It's not about that, it's not about me as a person, it's
10 about the process and about doing things right.
11 Q. But you see how this sounds to the families, this just
12 sounds like two police forces, either of whom could have
13 done it, and each one saying the other should have?
14 A. I understand that you could put it in that context but
15 I don't think I presented it that way.
16 Q. You will see the frustrations that the families will
17 have: they don't care whether it's West Midlands or
18 Staffordshire who shares it, they just want it to be
19 shared?
20 A. I absolutely understand that but I want to be clear with
21 the facts.
22 Q. Do you think that there is fundamentally room for
23 combining or changing the structures of this so rather
24 than having MAPPA pulling everybody together there is
25 a specialist agency for TACT offenders that makes sure

86

1 all of it is done in one place?
2 A. I don't think that is an issue for me to comment on, if
3 I'm honest. I think that that is something that would
4 need to be reflected on by senior leaders within those
5 organisations.
6 Q. Given that West Midlands did have officers present in
7 the MAPPA, and given that they could have done something
8 about it, do you think West Midlands should take some
9 responsibility for the fact that this critical
10 information wasn't shared?
11 A. I think everybody that's involved in the MAPPA process,
12 there is some absolute need for reflection as to how
13 this has not happened.
14 Q. Thank you. Second topic, the trip to London. You've
15 obviously been asked a number of questions about this
16 and you have said to my learned friend Mr Hough that you
17 accept that this required very careful decision-making?
18 A. Yes.
19 Q. But you would have found it challenging to resist it.
20 A. It's the context for me. I'm not saying I wouldn't have
21 put a position forward. What I'm saying is that the
22 context is Mr Khan could travel, he couldn't go on
23 a train but he could travel, be it London, Liverpool or
24 anywhere else. His licence conditions, and he was aware
25 of them, which is why he took it to his probation

87

1 officer in the first place, was the gathering aspect and
2 the going on the train aspect.
3 So the context, the lens that I -- part of my
4 thinking and review of it is that he's going to
5 a rehabilitative event, he's going to something that's
6 been positive, from my understanding of it was positive
7 in his rehabilitation, and there was no adverse
8 reporting against that.
9 Q. Well, can I just break that down a little bit.
10 I understand that he had complied with his part 4
11 conditions and his licence conditions --
12 A. Yes.
13 Q. -- throughout the 11-month period.
14 A. Yes.
15 Q. He had stayed quiet.
16 A. It's not stayed quiet: he had actively participated with
17 elements, he had participated with probation --
18 Q. Yes.
19 A. -- he had participated with Staffordshire Prevent
20 officers that were managing him, he had participated
21 with his mentoring scheme, there are elements and
22 efforts towards employment, so it's not staying quiet,
23 per se, it's we saw positive aspects to it.
24 Q. He's gone to the things that he has been asked to go to;
25 that's what that amounts to?

88

1 A. It amounts to somebody that's come out of prison, that
 2 has recognised to a level — and please take all this
 3 with, you know, the level of scepticism that I've
 4 outlined — but has accepted their wrongdoing, has given
 5 information that suggests they realised what they'd done
 6 was wrong and they were in with a bad crowd, and yes,
 7 that's with the lens of the prison reporting, but
 8 building up to release and post-release, has abided by
 9 conditions and actively participated.

10 Q. Well, quite a lot of that is being in when probation
 11 call and being in when Prevent call for the 8 or 10
 12 minutes that they spend with him. That's not
 13 a high level of testing, is it?

14 A. I mean, the time that people spent with him collectively
 15 though between an approved premises, probation and
 16 offender management is quite a lot of interaction with
 17 people.

18 Q. But, DCI Chambers, it's about the quality of that and
 19 it's about the depth of it, and I want to put this to
 20 you: I mean, you said a moment ago that he had accepted
 21 his wrongdoing. We have seen lengthy analyses about how
 22 that was very limited?

23 A. Yes.

24 Q. All right. And the position is this, isn't it, let me
 25 just take you through these things, because he has

1 committed a very serious offence —

2 A. Yes.

3 Q. — 2010 was the offence, 2012 was the conviction, it was
 4 originally an IPP —

5 A. Yes.

6 Q. — which means it's essentially a life sentence?

7 A. Yes.

8 Q. Court of Appeal take him off that, but they leave him
 9 with 16 years plus a five-year licence, so 21 years.

10 A. Yes.

11 Q. He has done no effective work in prison, you know that?

12 A. Yes.

13 Q. He has done things like the HII and he has done things
 14 like the TSP, but neither of those has substantially
 15 altered him which is why he remains at high risk
 16 category A, top 0.1% of the prison population; yes?

17 A. Yes.

18 Q. His behaviour in prison is appalling. I mean, it's not
 19 just badly behaving or refusing lawful orders or that
 20 sort of thing, it is radicalising, there is evidence of
 21 protection rackets, there is evidence of grooming of
 22 other prisoners. It's very serious, which is why he
 23 remains in the 0.1%; do you see that?

24 A. Yes.

25 Q. And you know that?

1 A. Yes.

2 Q. He has hung out and sidled up to other serious
 3 radicalising influences all his life, Anjem Choudary,
 4 Abu Hamza, Charles Bronson, and then he boasts about
 5 those things to other people; you know that?

6 A. Yes.

7 Q. The ERG risk assessment in April 2018 says his behaviour
 8 patterns have in fact got worse in prison. You know
 9 that, you have seen the ERG?

10 A. Yes.

11 Q. Which is why he remains — on the only other completed
 12 structured risk assessment, he remains a very high risk
 13 of harm under the OASys and that means that there is
 14 a probability of imminent serious harm. That's on
 15 27 December 2018, three days after he is released; yes?

16 A. Yes.

17 Q. That is — the ERG which identifies 14 warning signs,
 18 many of which he is now exhibiting in November 2019,
 19 says he's basically nowhere or not very far on the
 20 stages of change towards dealing with his offending
 21 behaviour; you see all of that?

22 A. Yes.

23 Q. The point is that the only completed structured risk
 24 assessments, the only tools we have in this area, all
 25 say he is at probability of imminent harm throughout

1 this period. There is no other structured risk
 2 assessment that changes that assessment, changes that
 3 judgment; do you see?

4 A. Yes.

5 Q. Throughout the time you are dealing with him?

6 A. Yes.

7 Q. He then comes out, he doesn't get a job, he doesn't do
 8 any more offending behaviour work, there's no evidence
 9 of any reflection or insight or change in attitude; you
 10 see all of that?

11 A. I would say that there are some elements of him,
 12 certainly indicating outwardly to the Prevent officers
 13 that he is trying to change and adapt.

14 Q. In those 8 or 10 minutes where they go around for
 15 a chat. You see where I'm going with this?

16 A. I can see where you're going with it, but, you know —

17 Q. You talk about the positive rehabilitation work. You
 18 said that the rehabilitation — you said to Mr Hough:
 19 the rehabilitation process was having — present
 20 tense — a positive effect. He went to two
 21 Learning Together events, there are descriptions in the
 22 Staffordshire material about him being treated as
 23 a poster boy, he might actually be "brochure boy", but
 24 he is put in brochures, yes, that's all that those are?

25 A. Yes.

1 Q. And otherwise the evidence appears to be that he does no
 2 writing, he doesn't use the Chromebook, he phones poor
 3 old Lisa Ghiggini occasionally, or actually quite
 4 regularly, and remains fixated throughout that time,
 5 entrenched, locked down on his time in prison. That
 6 doesn't suggest somebody who has moved on?
 7 A. But I don't think that information was known within the
 8 policing establishment so it's difficult for me to
 9 comment or say anything about because we didn't know.
 10 Q. But it is known, for example, that he is sitting in his
 11 room playing Assassin's Creed, that is essentially what
 12 he is doing?
 13 A. He is playing his Xbox, yes.
 14 Q. All of which are violent games?
 15 A. I believe so from the list that I've seen.
 16 Q. And he is seen only twice by police officers after he
 17 goes out of the approved premises on 24 September.
 18 A. Yes.
 19 Q. All I'm putting to you is just this: any orthodox risk
 20 assessment or orthodox approach to risk assessment for
 21 this man says that he remains exactly how he was
 22 assessed 11 months earlier, as being a probability of
 23 imminent risk of serious harm. You don't need to look
 24 for specific intelligence that he's a risk: you know he
 25 is a risk, you are looking for something deep that says

1 he is no longer a risk; do you see?
 2 And on top of that we've got two strands of
 3 intelligence where he says this is what he's going to
 4 do: he's going to return to his old ways and he is
 5 planning an attack. He, in all of those circumstances,
 6 DCI Chambers, absolutely there had to be a conversation
 7 about whether it was sensible to put him on the train to
 8 London on his own.
 9 A. I totally agree there should have been a conversation
 10 and that should have taken place within MAPPA.
 11 Q. But as soon as somebody looked at all of that doesn't it
 12 just become completely crazy that he was allowed to go
 13 at all and certainly to go unaccompanied? It's not
 14 something that you would struggle to resist, you would
 15 say: no, all the tools point us in that direction.
 16 A. I'll go back to what I said earlier: there are learned
 17 lessons in this, no doubt, but based on the information
 18 that existed at the time, it was a decision that should
 19 the risk be identified, he shouldn't go, otherwise it
 20 was a MAPPA decision that he did.
 21 Q. All right. One last thing. I just want to see if I can
 22 clarify this with you. We've looked at your notes as
 23 the senior investigating officer. Can I just go back to
 24 them. Can we look at {DC7478/1} please. Can we just
 25 flick there this, please, we can leave it at full size

1 at the moment this is your day book there are some blank
 2 pages and I think it starts a couple of pages in. Yes
 3 and then the following page, so you see that this starts
 4 when you come on stream, I think, in November; do you
 5 see that's 28 November {DC7478/5}?
 6 A. Yes.
 7 Q. And just move through to the end, this book ends
 8 31 December 2018, so that's the end of that {DC7478/8}.
 9 That's your day book. We then have the major incident
 10 policy book that you refer to and can I see that as well
 11 {DC7479/1}, and if we do the same process again, again
 12 it starts on 29 December 2018, it's five pages long, and
 13 it ends on -- this one ends on 31 December 2018 as well.
 14 A. Yes.
 15 Q. I just want to check this with you: these are the only
 16 books we have from you?
 17 A. Yes.
 18 Q. These are the only ones that have been disclosed into
 19 this Inquest?
 20 A. Yes.
 21 Q. There are no notes from you after 31 December 2018?
 22 A. So I think my day book has some reference to March in
 23 it, but yes, after March there isn't because there was
 24 certainly a policy book, so I would only make a policy
 25 decision if there is a policy decision to be made. The

1 only one that I would have included would have been the
 2 dumper truck issue, but that didn't amount to anything
 3 so there was no rational reason to make an entry about
 4 something that was negated and, therefore, there was no
 5 policy decisions. This was a Staffordshire-led,
 6 Staffordshire-driven offender management aspect where
 7 they were dealing with him and there was no intelligence
 8 for me to assess or record.
 9 Q. But in this case, this most anxious case, with this
 10 hugely dangerous individual who requires absolute
 11 penetrating analysis and risk assessment, you appear to
 12 have nothing worthy of writing down throughout 2019?
 13 A. It's all recorded within other formats, within
 14 intelligence reports in other arenas.
 15 Q. But not in your day book or your policy book or no
 16 recorded decision-making analysis?
 17 A. Well, no, because --
 18 Q. Nothing coming back from MAPPA; that would have been
 19 written down if you had had that presumably?
 20 A. Yes, but I didn't have it so...
 21 MR ARMSTRONG: Thank you very much, no further questions.
 22 A. Thank you.
 23 Questions by MR BOYLE QC
 24 MR BOYLE: Good afternoon, officer.
 25 A. Good afternoon.

1 Q. Officer, as you know, I ask questions on behalf of
 2 Staffordshire Police generally.
 3 Can I just explore with you first of all the
 4 resources that were available to the West Midlands
 5 Counter—Terrorism Unit at the time of your appointment.
 6 So you were the SIO, there was DS Beattie as a deputy
 7 SIO?
 8 A. Yes.
 9 Q. And six detectives on your team; is that right?
 10 A. I had six detectives when I was a DS, yes, but not as
 11 a DI, I believe. Mr Beattie had six or seven on his
 12 team.
 13 Q. So we've got SIO, deputy SIO, and then six or seven
 14 detectives?
 15 A. Yes.
 16 Q. And in addition to that, intelligence analysts?
 17 A. An intelligence department, yes.
 18 Q. An intelligence department. So how many people worked
 19 within the West Midlands Counter—Terrorism Unit
 20 intelligence department?
 21 A. So the process was that you would have an intelligence
 22 officer, which was DC Mills in this case, so he would be
 23 the standalone intel to support the operation.
 24 Q. So Laurence Mills, he has been referred to in some
 25 emails as "Loz", that's the same individual, yes?

97

1 A. It is, yes.
 2 Q. So SIO, deputy SIO, half a dozen or so detective
 3 constables —
 4 A. Yes.
 5 Q. — and the intelligence analyst, Laurence Mills; yes?
 6 A. Yes.
 7 Q. In passing when you made a reference to issues perhaps
 8 not coming across your desk, it may well be that they
 9 came in to someone like Laurence Mills to look at on the
 10 OIMU?
 11 A. Yes.
 12 Q. He may then assess or analyse it and may not feel that
 13 it needs to be fed up the food chain; is that fair?
 14 A. Yes.
 15 Q. And we know, and the jury have seen examples of these
 16 already, we know that during the course of the 11 months
 17 or so after Usman Khan's release, that a number of
 18 intelligence reports were submitted by Staffordshire
 19 Special Branch into the OIMU, isn't that right?
 20 A. Yes. Yes, it is.
 21 Q. And we also know that the mentor reports from the mentor
 22 visits were also loaded up on to either NCIA or OIMU,
 23 but certainly accessible to WMCTU; yes?
 24 A. Yes.
 25 Q. I don't know whether you're able to confirm this or not,

98

1 it may be that another individual can, but in terms of
 2 numbers, are you aware that there were some 44
 3 intelligence reports forwarded through to West Midlands
 4 by Staffordshire Special Branch in relation to Mr Khan?
 5 A. I don't know the number, but there certainly are
 6 a number that start from the prison, elements all the
 7 way through until November, yes.
 8 Q. And somewhere in the region of 60 — somewhere in the
 9 region of 60 mentor reports that also would have been
 10 loaded up onto your system.
 11 A. Yes.
 12 Q. Did you read them?
 13 A. I can't say I read all of them, I would have read most.
 14 Q. Most of the intelligence reports?
 15 A. I think I would have read most if not all of the
 16 intelligence reports.
 17 Q. And what about the mentor reports?
 18 A. I can't recall how many of those I would have seen.
 19 Q. And who would have been responsible within your
 20 department for analysing the contents, firstly, of the
 21 intelligence reports?
 22 A. So the process that existed at the time was that
 23 Staffordshire would take the SPIN report that was
 24 generated internally, they would then sanitise that and
 25 add it to an intelligence report that would then be sent

99

1 to DC Mills, and that would be assessed and uploaded
 2 onto the NCIA system.
 3 Q. So who at your end would be responsible for analysing
 4 the contents of the intelligence reports that your
 5 department were being sent?
 6 A. So DC Mills was the starting point and then they would
 7 get uploaded onto the system and shared with people on
 8 the readership.
 9 Q. Shared with which people?
 10 A. So, myself, DS Beattie, and service colleagues would
 11 have got a copy of them.
 12 Q. And did either Mr Mills or Mr Beattie or yourself make
 13 any notes or records of your analysis of the
 14 intelligence?
 15 A. So I would have reviewed it. Make notes on it, no,
 16 I didn't, because I'd reviewed it, and there is — as
 17 was identified in the sort of November period, the
 18 version that came from Staffordshire into West Mids CTU
 19 was sanitised, so the officer comments had been removed
 20 from them. So —
 21 Q. Well, shall we have a look then?
 22 A. Yes.
 23 Q. Let's have a look then, shall we?
 24 A. Yes.
 25 Q. Can we have a look at {DC5256/1} by way of example.

100

1 This is an intelligence report, it says it, we can see
 2 in bold type in the middle, and if we can look -- we see
 3 this is a report titled "Prevent engagement 31 October
 4 2019", do you see that?
 5 A. Yes.
 6 Q. Can we look at the bottom half of the page, please. It
 7 begins with the report content, and it sets out the
 8 nature of the engagement that the Prevent officers
 9 had --
 10 A. Yes.
 11 Q. -- with Mr Khan, doesn't it?
 12 A. Yes.
 13 Q. And then if we could turn over the page, it goes on
 14 about how he was happy to have officers in the flat, he
 15 had a large number of games that he had purchased, he
 16 was still going to the gym, he didn't give any reason as
 17 why he had stopped going to the mosque, he no longer has
 18 a mentor which is causing issues for him about accessing
 19 the internet and so on, and so it continues.
 20 And then if we go to the bottom half of the page,
 21 please, and then on, further on, please {DC5256/3}.
 22 Next page, please, and the bottom half of this page. We
 23 can see here:
 24 "Disseminated to WMCTU OIMU."
 25 And the person sending was DS -- and that's

101

1 DS Stephenson on 6 November?
 2 A. Yes.
 3 Q. And we know what transpired following this and I'm not
 4 going to rehearse all that again. So is that an
 5 example, and as I say, there were 44, is that an example
 6 of the kind of intelligence report that was uploaded
 7 onto your system?
 8 A. Yes.
 9 Q. Mr Armstrong just took you to your notes. It doesn't
 10 appear that you made any notes of any analysis that you
 11 carried out of any of these, save for one or two at the
 12 very beginning?
 13 A. Yes, so I reviewed them and the analysis was largely
 14 positive.
 15 Q. And DS Beattie, the deputy senior investigating officer,
 16 did he make any notes of his analysis of the
 17 intelligence reports that West Midlands were conducting?
 18 A. I'm not sure.
 19 Q. And what about Laurence Mills, who was the intelligence
 20 analyst; did he make any records of the analysis that he
 21 conducted?
 22 A. I'm not sure, but certainly on my previous experience
 23 they would quite often keep a running log of
 24 intelligence.
 25 Q. And what about the mentor reports? Did you make any

102

1 records of any analysis in relation to mentor reports?
 2 A. No.
 3 Q. Did DS Beattie so far as you're aware?
 4 A. I don't know.
 5 Q. Did Mr Mills?
 6 A. I don't know.
 7 Q. So you have a team within the WMCTU and you also have
 8 the support of Team 7 should you need to call upon them;
 9 is that right?
 10 A. Yes.
 11 Q. And how many officers were there within Team 7 that you
 12 could call upon if the need arose?
 13 A. I think, but I don't know the exact answer, probably
 14 a one and eight.
 15 Q. Probably a?
 16 A. One sergeant and eight.
 17 Q. One sergeant and eight constables?
 18 A. Yes, offender managers and detectives, yes.
 19 Q. And we've heard that in terms of investigations,
 20 DCI Cobbett, obviously a chief inspector, so at the time
 21 the rank above you?
 22 A. So she's a temporary chief inspector, yes.
 23 Q. But still, at this time, the rank above you?
 24 A. Yes.
 25 Q. And was she one of the heads of investigation in the

103

1 West Midlands Counter--Terrorism Unit?
 2 A. Deputy head, yes.
 3 Q. Was she the only deputy head, was there more than one?
 4 A. No, there was two.
 5 Q. And so when Mr Hessel, as we heard yesterday and we've
 6 seen from his major incident disclosure book, when he
 7 was made aware of Mr Khan and some intelligence and
 8 contacted WMCTU and spoke with DCI Cobbett, he was
 9 clearly going to the right person, wasn't he?
 10 A. I'll be corrected, and please do so, but my recollection
 11 of what Mr Hessel said yesterday was he positively
 12 couldn't recall which one of three people he may have
 13 spoken to.
 14 Q. All right, well, let me remind you then, {DC7482/5},
 15 please. And we can see we have three bullet points,
 16 three names, and then underneath in the large paragraph:
 17 "Spoke to DCI Cobbett, [21 November 2018]."
 18 Do you see that?
 19 A. I do, yes.
 20 Q. So three individuals named above who are all West
 21 Midlands Counter--Terrorism Unit notified on 20 November
 22 and then spoke to DCI Cobbett on 21 November. So if his
 23 note's accurate, it appears that he did speak to the
 24 Deputy Head of Investigations in the West Midlands
 25 Counter--Terrorism Unit?

104

1 A. He — if the records are accurate, he did speak to her.
 2 About what I can't say.
 3 Q. And then we can see under that:
 4 "JOT requested...
 5 "AC to liaise [blacked out] Re JOT".
 6 And at the bottom of that paragraph:
 7 "SIO to be appointed from CTU."
 8 And that was yourself?
 9 A. Yes.
 10 Q. So in terms of intelligence having been reported or
 11 brought to the attention of the WMCTU, if Mr Hessell's
 12 evidence is accurate and his note is accurate, it would
 13 appear that it was brought to the attention of the
 14 Deputy Head of Investigations for West Midlands on or
 15 about 20 or 21 November of 2018?
 16 A. Something was. I can't say what was brought to her
 17 attention, but something was, yes.
 18 Q. Let's then consider what was brought to your attention,
 19 when you became involved. Can we have a look, please,
 20 at {DC7478/1} and can we turn through, please — forgive
 21 me, if we can turn through to {DC7478/3}.
 22 JUDGE LUCRAFT: Page 3 won't tell us very much, I don't
 23 think.
 24 MR BOYLE: Forgive me, I don't have the page reference.
 25 It's the first page of the day book with

1 28 November 2018 at the top. {DC7478/5}, I'm grateful.
 2 This is a day book entry in your day book in
 3 relation to Usman Khan, and we can see that it refers
 4 there to the:
 5 "Recent prison intel — intending return to old ways
 6 and will conduct attack on release."
 7 Do you see that?
 8 A. Yes.
 9 Q. So at the very latest, by 28 November of 2018, you were
 10 aware of that?
 11 A. Yes.
 12 Q. And if we look back, please, at {DC7479/1}, and the top
 13 half of the page, we can see in the paragraph dated
 14 29 November 2018, it refers to his release date on
 15 24 December, and in the second paragraph it talks again
 16 about this intelligence. Your understanding was that
 17 both pieces were uncorroborated?
 18 A. My understanding is one is corroborated, one is
 19 corroborated. I've written "uncorroborated" there but
 20 I think I'm referring to the first piece. I haven't
 21 stipulated the two.
 22 Q. Again, was it slightly inaccurate in terms of the note
 23 here that you made about the intelligence you were being
 24 provided with?
 25 A. I mean, you could say slightly inaccurate. I think

1 I'm saying uncorroborated intelligence suggests that he
 2 intends to return to his old ways, yes — yes.
 3 Q. And we've seen a subject profile. You were taken to
 4 a subject profile which was dated 2019. If you look at
 5 the bottom half of this page, we can see it talks about
 6 the aim of the investigation is to protect the public
 7 from harm, and then a sentence which begins:
 8 "I have reviewed his subject ..."
 9 And then if we turn over the page, please {DC7479/2}
 10 top half:
 11 "... profile dated 20/11/18 by Sarah Urwin."
 12 Do you see that?
 13 A. I do, yes.
 14 Q. And the one we looked at earlier was a much later
 15 version of that. Can we please have up {DC7481/1},
 16 please, and if we can look at the bottom left-hand
 17 corner we can see "Produced by Sarah Urwin", do you see?
 18 A. Yes.
 19 Q. And these are dated late part of 2018, so closer in time
 20 and in fact reflected in your own book, in fairness?
 21 A. Yes.
 22 Q. And if we turn through, please, to {DC7481/19} and this
 23 is the reference to the second strand at the top of the
 24 page, and you have confirmed that that was something
 25 which was consistent throughout?

1 A. Yes.
 2 Q. Now, in relation to the way in which intelligence is
 3 classified or graded, we've already heard things can be
 4 secret, things can be official sensitive, but can it be
 5 the case that handling conditions are attached to
 6 certain kinds of intelligence?
 7 A. Yes.
 8 Q. And in the intelligence report that one might receive in
 9 relation to it, is that something which you are able to
 10 tell — I'm trying to be really careful here — is that
 11 something which you are able to tell by looking at the
 12 intelligence report and the grading?
 13 A. So yes if it's the actual intelligence report.
 14 Q. Okay. So one is able to tell that there may be handling
 15 conditions, and that's regardless of whether it's
 16 classified as secret or official sensitive, or whatever;
 17 is that right?
 18 A. Yes.
 19 Q. So the fact that this appears in an official sensitive
 20 document is really not determinative of whether it can
 21 be further disseminated; that's fair, isn't it, because
 22 it will depend upon are there handling conditions
 23 attached?
 24 A. Only if you are really clear with what those handling
 25 restrictions are within the body of it, so the fact for

1 me that it sits within an official sensitive version and
 2 is commented upon, I would draw the conclusion that you
 3 would have an option of sharing, yes.
 4 Q. So you would draw that conclusion even if it still had
 5 the grading attached to it?
 6 A. So I'm going to try and be careful in what I ---
 7 Q. Sure, as am I.
 8 A. So the handling restrictions can restrict it to the
 9 owning organisation. The fact that it's been transposed
 10 onto another document in a separate organisation would
 11 draw the conclusion that those handling restrictions
 12 have changed.
 13 Q. Okay. Have you seen any information to indicate that
 14 the handling restrictions in relation to this document
 15 changed?
 16 A. No.
 17 Q. Can I ask us to look at the bottom half of that page,
 18 please, and we can see that the top reference, which has
 19 a redacted passage at the beginning and a short redacted
 20 passage at the end, has the IR report, and we've all
 21 seen that, we know that's the one about the
 22 attack-planning, and it has the date of
 23 14 November 2018; do you see that?
 24 A. Yes.
 25 Q. We can take that off the screen now.

109

1 When we look at your day book, {DC7478/5}, if we can
 2 bring that back up, and the top half, we can see "Recent
 3 prison intel"; yes?
 4 A. That's me quoting information that's given to me, yes.
 5 Q. Yes. So you had the profile, which we've just looked
 6 at?
 7 A. Yes.
 8 Q. Which gave you the footnote with the date; yes?
 9 A. Yes.
 10 Q. And you have made a record yourself here that it's
 11 recent prison intel?
 12 A. So that's me quoting what was said in the opening JOT.
 13 Q. Sure. Let's just explore, then, about "recent".
 14 You will have known that it was recent; correct?
 15 A. I think we're jumping a step ahead. So these notes are
 16 made on the 28th of the 11th. I reviewed the subject
 17 profile on the 29th of the 11th. So what I've written
 18 here is what was said in the opening JOT.
 19 Q. And by virtue of those two, you're told it's recent;
 20 yes?
 21 A. Yes.
 22 Q. You then see the subject profile which tells you that
 23 it's 14 November 2018?
 24 A. Yes.
 25 Q. In that note which we can see on the screen, it says:

110

1 "Probation --- Ken Skelton. Discussed MAPPA.
 2 "Wednesday 5/12/18."
 3 It would appear that you were being informed that
 4 there a MAPPA meeting which was due to take place on
 5 5 December 2018, about a week later?
 6 A. Yes.
 7 Q. And by virtue of the fact that you now knew that this
 8 intelligence was dated 14 November of 2018, and that
 9 there was a MAPPA which was happening next week, did you
 10 instruct anyone to ensure that MAPPA were told about it?
 11 A. It wasn't my job to instruct MAPPA about that
 12 intelligence. Staffordshire Police, Staffordshire
 13 Special Branch were actively engaged with MAPPA, they
 14 were present at every MAPPA meeting from June and it's
 15 Staffordshire Police's document.
 16 Q. Can I read to you from your witness statement at
 17 paragraph 4 --- we needn't bring it up on the screen, but
 18 you're describing part of your role as the senior
 19 investigating officer, and you say this:
 20 "The management of threat, harm and risk is the
 21 overarching responsibility of the police and a primary
 22 function of the SIO, in particular, within covert
 23 investigations."
 24 Yes?
 25 A. Yes.

111

1 Q. So the management of threat, harm and risk is a primary
 2 function of the SIO?
 3 A. Yes.
 4 Q. You mentioned in your evidence earlier about the fact
 5 that Mr Powell had been involved in MAPPA meetings
 6 from June?
 7 A. Yes.
 8 Q. When, of course, he couldn't have fed this intelligence
 9 into the MAPPA meetings from June because it's dated
 10 14 November of 2018?
 11 A. Yes. I don't disagree with that.
 12 Q. So it's brought to your attention on or about 28 and
 13 29 November.
 14 A. Yes.
 15 Q. Did you ask, bearing in mind that it is --- that the
 16 management of threat, harm and risk is the overarching
 17 responsibility of the police and a primary function of
 18 yourself, did you ask when was the last MAPPA? We know
 19 that it was in early October. Did you ask when was the
 20 last MAPPA?
 21 A. Did I ask when was the last MAPPA? I don't recall.
 22 Q. So you didn't know, therefore, whether this information
 23 had been shared with MAPPA when you were told about it
 24 on 28 or 29 November; agreed?
 25 A. I mean, I'll go back to the answer that I've given

112

1 a couple of times now: this sits on
 2 a Staffordshire Police document at official sensitive
 3 for a process that you're actively engaged with, and
 4 have some level of responsibility to share that
 5 information. The fact that you have taken it,
 6 transposed it and put it onto an official sensitive
 7 document draws me to every conclusion that you had
 8 authority to share and would have shared.
 9 Q. In paragraph 9 of your witness statement you say:
 10 "My role would be to work alongside MI5 and assess
 11 all intelligence obtained to review how this affected
 12 any perceived threat posed to the public. I would then
 13 devise strategies, options and contingencies to reduce
 14 any risk, disrupt the behaviour or prosecute the
 15 offender."
 16 Do you stand by that?
 17 A. Absolutely, and if there had been intelligence or
 18 information or positive lines of enquiry that I could
 19 have followed in relation to a covert investigation
 20 being run alongside the Security Service, I would have
 21 done so.
 22 Q. Did you not consider that this piece of -- the second
 23 strand, as we've referred to it, as something which was
 24 significant in terms of protection of the public?
 25 A. Again, I'll go back to what I've just said, my

113

1 understanding, and I think it's a very rational
 2 understanding would be, because of the mechanisms I've
 3 just described, you would have shared that information
 4 within Staffordshire Police to MAPPA.
 5 Q. Did you check whether they had?
 6 A. No.
 7 Q. Do you agree that MAPPA, given that it's the
 8 Multi-Agency Public Protection Arrangements, and the aim
 9 of your investigation was public protection --
 10 A. But I'm not actively engaged with MAPPA,
 11 Staffordshire Police are. Staffordshire Police are
 12 representing the policing organisation responsible for
 13 the management of Mr Khan. I, as the SIO, am not doing
 14 that actively within MAPPA.
 15 Q. Why, then, did you offer to attend MAPPA?
 16 A. As I explained, I offered to attend what I would have
 17 called the opening introductory meeting around it, but
 18 I was told it was already sitting within the MAPPA
 19 arena, it had already been done and covered, therefore
 20 that's it -- that would be the only time that I would
 21 attend as an SIO to introduce the previous
 22 investigation, and that had already been done.
 23 Q. So that would have been just to introduce the previous
 24 investigation, not to perhaps draw to MAPPA's attention
 25 in case no one else had that there was a reported --

114

1 a recent report of some intelligence that he may be
 2 planning an attack?
 3 A. No, sir, because that was Staffordshire Police's
 4 position within MAPPA.
 5 Q. And you say in your witness statement at paragraph 26:
 6 "I believe I offered to attend but Temporary
 7 Detective Chief Inspector Cobbett stated that my
 8 attendance was not required."
 9 And then you have added this:
 10 "I think this was on the basis that we worked within
 11 the same unit and if there was information to exchange,
 12 this would be done."
 13 So not: you don't need to attend because it's
 14 already within MAPPA, sir; you don't need to attend
 15 because you work within the same unit and if there was
 16 information to exchange, that would be done.
 17 A. That's overarching within MAPPA but, like I say, SIOs
 18 don't attend MAPPA, that's an organisational CT process
 19 that doesn't happen.
 20 Q. Was it your expectation that DCI Cobbett would report
 21 information back to you from MAPPA?
 22 A. If there was something to report, yes, my expectation
 23 would be that.
 24 Q. Did you brief DCI Cobbett as to what kind of information
 25 might be of relevance or significance to your

115

1 investigation?
 2 A. So DCI Cobbett would attend the Friday tasking meeting
 3 as I've described, so it would be actively discussed in
 4 that environment.
 5 Q. So DCI Cobbett would have been as well seized as you in
 6 terms of what kind of risk factors there may be in
 7 relation to Mr Khan?
 8 A. Certainly would have been sighted to a reasonable level,
 9 yes.
 10 Q. And it would appear from Mr Hessel's evidence and his
 11 note was aware of this particular piece of intelligence?
 12 A. Potentially.
 13 Q. Did you check with her if she had fed that into MAPPA?
 14 A. Did I check if she had done? No, because as I've
 15 explained, the conclusion that I had drawn was that
 16 would actively have been done, and the evidence that's
 17 played out here is that again is internally discussed at
 18 some length in January and never corrected within
 19 Staffordshire, so there was a recognition in January
 20 that that had not been corrected, and had not been
 21 actioned, and that position maintained throughout.
 22 Q. The reference that you made in your note to the model
 23 prisoner, was that information that you were provided
 24 with by MI5?
 25 A. It was provided with somebody that sat within that JOT.

116

1 Exactly who said it I cannot say.
 2 Q. I'm just looking at paragraph 9 of your witness
 3 statement. You are describing something being agreed:
 4 "It was also noted within this JOT that Mr Khan was
 5 described as a model prisoner, this information came
 6 from MI5. I have not who said it but it came out in the
 7 JOT and I have recorded this within my policy book."
 8 A. Okay, yes. So that's what I said.
 9 Q. So it was MI5 who said it?
 10 A. You didn't take me to the paragraph. I didn't recall,
 11 sitting here. I know it was said within the JOT, if
 12 I've recorded MI5, then it's MI5.
 13 Q. When was the last time you read this witness statement,
 14 Mr Chambers? It's dated 12 April of 2021.
 15 A. Yesterday.
 16 Q. Were you being, perhaps, a bit diffident about who it
 17 was?
 18 A. Not in the slightest.
 19 Q. It's clearly in your witness statement, isn't it, that
 20 it was MI5?
 21 A. Yes, it is, and you didn't take me to the paragraph to
 22 point that out and I was recalling it from sitting here
 23 in this chair.
 24 Q. In terms of communication of information to you from
 25 Special Branch, can we have on screen, please,

117

1 {DC7441/583}. Now, you mentioned two things that were
 2 brought to your attention that you could recall: one was
 3 dumper truck and the other one was 6 November.
 4 A. Yes.
 5 Q. Here we have an email from Special Branch to you and the
 6 deputy and Mr Mills:
 7 "Latest Mentor report, makes for a very interesting
 8 read! Will be brought across to NCIA."
 9 And that's from DS Stephenson.
 10 A. Yes.
 11 Q. Does this help, perhaps, to refresh your memory about
 12 the fact that a particular mentor report was directly
 13 brought to your attention by DS Stephenson?
 14 A. I said, I think my evidence was there was two
 15 significant matters that were brought to my attention.
 16 I'm not saying that there were no other emails, however,
 17 what is really clear to me is there were several hundred
 18 emails internally within Staffordshire Police talking
 19 about the management of Mr Khan. Very few of those came
 20 across to me.
 21 Q. You received all of the intelligence reports, your
 22 significant team of staff and officers; yes?
 23 A. Yes.
 24 Q. But you don't have a record, you don't know if Deputy
 25 SIO Beattie has a record, you don't know if Mr Mills has

118

1 a record of any analysis that your team did of any of
 2 it?
 3 A. I don't have a record of what they did, no.
 4 Q. This was a mentor report in which it was reported that
 5 Mr Khan was expressing some anger about his licence
 6 conditions. Does that ring any bells with you?
 7 A. I mean, Mr Khan expressing some reticence around his
 8 licence conditions is not uncommon in offender
 9 management.
 10 Q. It was felt, obviously, to DS Stephenson significant
 11 enough to email you directly and personally about it.
 12 A. I don't disagree, but I receive between 80 and 90 emails
 13 a day.
 14 Q. Did you, when you received this email, think: I'd better
 15 make sure I read that mentor report if, in fact, I'm not
 16 reading all of the other ones?
 17 A. I don't recall, in honesty.
 18 Q. Can we have on the screen, please, {DC7442/338}. We can
 19 see here an email from DS Stephenson to Laurence Mills:
 20 "Morning Loz.
 21 "Please see the below email trail [for your
 22 information] and DI Chambers..."
 23 So DS Stephenson appears to be under the impression
 24 that this will be brought to your attention by Mr Mills;
 25 do you see that?

119

1 A. I do, but I find it difficult to understand why he
 2 couldn't send the email to me directly.
 3 Q. You get a lot of emails every day, I think you've just
 4 told us?
 5 A. I'm not saying that, I'm saying you can't have with one
 6 and take with the other. The previous example was
 7 an email is sent to me directly, an example here where
 8 it's not sent to me directly.
 9 Q. During the course of the exchanges in relation to the
 10 dumper truck, do you recall the suggestion that that
 11 would be something that DCI Cobbett would be aware of
 12 from her attendance at MAPPA?
 13 A. I would have thought she would have been aware because
 14 it had been discussed on a couple of occasions.
 15 Q. And would that discussion be in relation to risk?
 16 A. From a MAPPA perspective?
 17 Q. Yes.
 18 A. I would have thought so.
 19 Q. And managing risk?
 20 A. Or a consideration around mitigating risk.
 21 Q. And it was something that you yourself I think indicated
 22 that you became involved in. You wanted to make sure
 23 that this was properly addressed; yes?
 24 A. Yes.
 25 Q. So that was you feeding directly into the risk

120

1 management of Mr Khan, wasn't it?
 2 A. Yes.
 3 Q. And so it follows, presumably, therefore, that when your
 4 officers attended MAPPA meetings, if there were factors
 5 which touched upon risk management of Mr Khan, if they'd
 6 been brought to your attention, you might have fed into
 7 those as well?
 8 A. Yes.
 9 Q. DCI Jo Floyd. Did she take over from DCI Cobbett?
 10 A. Yes.
 11 Q. Also a chief inspector?
 12 A. Yes.
 13 Q. Was she a deputy head of the investigations team?
 14 A. Yes.
 15 Q. Would she have known quite a lot about Op Molal and the
 16 investigation into Usman Khan?
 17 A. Again, I couldn't positively say exactly what was or
 18 wasn't known, but she would have been engaged within the
 19 MAPPA conversations around the issue.
 20 Q. And, likewise, if there was information being discussed
 21 at MAPPA which might have an impact upon risk and
 22 managing that risk, you would expect that to be fed back
 23 to you?
 24 A. Yes.
 25 Q. Can we have a look, please, at {DC6415/5}. These are

121

1 the notes of the MAPPA meeting from 22 August of 2015,
 2 and can we have, please, {DC6415/5}.
 3 JUDGE LUCRAFT: I think it's August 2019 rather than 2015.
 4 MR BOYLE: Oh, forgive me.
 5 Can we have page 5, please. And if we have the
 6 bottom half, and we can see under the entry for
 7 Calum Forsyth:
 8 "It does appear as though [he is] continued with his
 9 prison lifestyle ... he spends a lot of time at the gym
 10 ... he is quite isolated ... does not appear to be
 11 reaching out. It is likely that this solitary behaviour
 12 and lifestyle will continue following his move on from
 13 the [approved premises]".
 14 That reference there in MAPPA to being quite
 15 isolated, doesn't appear to be reaching out, solitary
 16 behaviour and lifestyle is in a MAPPA meeting attended
 17 by DCI Cobbett and Sergeant Jerromes. Did either of
 18 them report those features back to you following that
 19 MAPPA meeting?
 20 A. No.
 21 Q. And if we turn through, please, to {DC6415/7}, and at
 22 the top of page 7 the large paragraph that begins with
 23 the word "Calum", if we look about three or four lines
 24 down the page:
 25 "Ainsley Cobbett raised concerns in relation to

122

1 [his] recent child-like behaviour."
 2 Did she draw that kind of behaviour that he was
 3 exhibiting back to your attention?
 4 A. No, those are clearly comments that she passed within
 5 the MAPPA process but, no, didn't report back to me, as
 6 did not Staffordshire Police either.
 7 Q. No. In terms of where you worked physically, did you
 8 work in the same building as DCI Ainsley Cobbett?
 9 A. On the same floor, in the same office.
 10 Q. On the same floor, in the same office. Was it
 11 an open-plan office?
 12 A. The DCI's office is a closed office, the rest -- and the
 13 DI's office is a closed office, the rest is open plan.
 14 Q. And were you in the habit of having face-to-face
 15 conversations with members of your team including the
 16 Deputy Head of Investigations?
 17 A. So we had a 8.30 meeting every day where you would have
 18 departmental leads and supervisors present.
 19 Q. And I needn't take you, because I think by
 20 14 November 2019, you were no longer responsible as the
 21 SIO for Op Molal; is that correct?
 22 A. That's correct.
 23 JUDGE LUCRAFT: Mr Boyle, would that be a convenient point
 24 for us to break for our lunch?
 25 MR BOYLE: Yes, it would, sir. I can take stock. I think

123

1 I may be finished --
 2 JUDGE LUCRAFT: Right.
 3 MR BOYLE: -- but can I have lunchtime to mull it over.
 4 JUDGE LUCRAFT: Of course you may.
 5 Mr Boyle, you will recall we are having a slightly
 6 shorter lunch break today which we will do, so you have
 7 slightly less time to mull on it than you might
 8 otherwise do, but I suspect that will be sufficient
 9 time.
 10 MR BOYLE: It's not a problem.
 11 JUDGE LUCRAFT: Thank you. We'll take our break there and
 12 we'll endeavour to start again at 1.45.
 13 (In the absence of the jury)
 14 Mr Hough, just in relation to the timetable, I think
 15 we have another witness here today.
 16 MR HOUGH: Yes.
 17 JUDGE LUCRAFT: And I think you are reasonably hopeful we
 18 will get through that as well, but if you don't, if the
 19 witness can be back tomorrow, I think --
 20 MR HOUGH: Yes, I think we are hopeful to finish Mr Jerromes
 21 today, but if he were to be substantially finished but
 22 with a little time tomorrow, that would still be in
 23 keeping with our timetable.
 24 JUDGE LUCRAFT: Thank you. I'll rise.
 25 (1.01 pm)

124

1 (The short adjournment)
 2 (1.48 pm)
 3 (In the presence of the jury)
 4 JUDGE LUCRAFT: Mr Boyle.
 5 MR BOYLE: Thank you very much, sir. Thank you for the
 6 additional time over lunch. I've just got one more
 7 question to ask, if you don't mind, officer.
 8 When you handed over the role of SIO in late 2019,
 9 do you think it's likely that you handed over or made
 10 Mr Williams aware of the two strands of the
 11 intelligence?
 12 A. I handed him my policy book and my day book and allowed
 13 him to review those and also directed him towards where
 14 the folder was with all the intelligence reports in.
 15 MR BOYLE: Thank you very much.
 16 JUDGE LUCRAFT: Thank you.
 17 Mr Beer.
 18 Questions by MR BEER QC
 19 MR BEER: Thank you, sir.
 20 DCI Chambers, you know who I am. For the record,
 21 Jason Beer asking questions on behalf of West Midlands
 22 Police.
 23 Mr Boyle referred you to the resources available to
 24 West Midlands Police. It was, of course, a much larger
 25 organisation than Staffordshire Police?

125

1 A. Yes.
 2 Q. Would it be right at this time West Mids CTU were
 3 carrying out many P-Ops?
 4 A. Yes.
 5 Q. I'm not going to ask you how many, but dozens and
 6 dozens?
 7 A. Yes.
 8 Q. You have said how many you had; I think you said between
 9 12 and 15?
 10 A. Between 12 and 15, they would fluctuate with what was
 11 happening with those investigations at the time.
 12 Q. Can you help us, at this time, how many P-Ops were
 13 Staffordshire Police Special Branch involved in?
 14 A. To my knowledge, just this one.
 15 Q. Just the one?
 16 A. Yes.
 17 Q. We've seen that Staffordshire Special Branch have made
 18 very extensive notes in their officer notebooks, in
 19 policy books and other documents, including analysis of
 20 the mentor reports, analysis of the engagements that
 21 Khan had with the Probation service, engagement with the
 22 Prevent officers, engagement with those in the approved
 23 premises. Does that reflect what you would expect, that
 24 Staffordshire Police Special Branch would be all over
 25 the interactions that Khan had with those people?

126

1 A. Yes, absolutely, we are a partnership. Where we talk
 2 about our Ops IMU, Staffordshire have their own and the
 3 fact that they did make those comprehensive notes, that
 4 comprehensive analysis gave me comfort, the fact that
 5 they were fulfilling that intelligence role.
 6 Q. So is the presence of hundreds of pages of notes of
 7 analysis and less by comparison in yours a reflection of
 8 relative responsibilities, or your ability to take
 9 a note?
 10 A. I think it's both, I think it's point one, it's
 11 reflective of responsibility, and point two, I was
 12 running investigations that were far more active than
 13 Operation Molai in relation to my relationship with MI5.
 14 Q. And you've said that Staffordshire Police Special Branch
 15 came to you twice, I think, on the dumper truck issue.
 16 A. Yes.
 17 Q. And you took action?
 18 A. Absolutely.
 19 Q. And then the isolation at the end of October/beginning
 20 of November issue.
 21 A. Yes.
 22 Q. And you took action?
 23 A. Yes.
 24 Q. Would you trust that if there was an issue of concern in
 25 Staffordshire Special Branch they would raise it with

127

1 you?
 2 A. Not only would I trust it, it was one of the directions
 3 that I gave on the set-up of the investigation when we
 4 had that organisational meeting to discuss who had
 5 priority and primacy over various elements. It was very
 6 much: I am available, if you bring things to my
 7 attention I will support you.
 8 Q. Is it part of your role to check up on the actions that
 9 Staffordshire Special Branch are taking?
 10 A. No.
 11 Q. And say, for example, to them: you've raised two issues
 12 of concern with me, are there any other issues of
 13 concern that you know about that you're not telling me
 14 about?
 15 A. No.
 16 Q. And just like they trust you that you're doing your job,
 17 you trust that they're doing theirs?
 18 A. Yes, and their job at that point was far more active
 19 than mine.
 20 Q. Sorry, I missed that last bit?
 21 A. Their offender manager ongoing relationship with Mr Khan
 22 was far more active than mine was as the covert
 23 investigation element.
 24 Q. Can I come, then, to the second issue, the attendance of
 25 Khan at the Learning Together event in London and come

128

1 at it from a different perspective, ie without knowing
 2 what, in the event, tragically happened?
 3 A. Yes.
 4 Q. So by the time you left your role in early November 2019
 5 as SIO, would this be right: Mr Khan hadn't done
 6 anything overtly of concern for a period of 11 months?
 7 A. Correct.
 8 Q. There was no concerning intelligence obtained in that
 9 11-month period?
 10 A. Correct.
 11 Q. And that was against the background of what has been
 12 described as a proportionate level of intelligence
 13 coverage by MI5?
 14 A. Yes, I was reassured by the coverage that was in place.
 15 Q. Mr Khan had engaged well with the Probation Service --
 16 A. He had.
 17 Q. -- as reported back?
 18 A. Yes.
 19 Q. He had engaged well with the Prevent Team, as reported
 20 back?
 21 A. Yes.
 22 Q. And had engaged well with the staff at the approved
 23 premises?
 24 A. Yes.
 25 Q. You understood his connection to Learning Together to be

129

1 a positive thing?
 2 A. From the information that was made available through my
 3 SIO responsibilities, yes.
 4 Q. Mr Khan had complied with his licence conditions?
 5 A. He had.
 6 Q. And did you know that he had been proactive in
 7 a positive way by raising a concern about his phone
 8 having internet connectivity, ie potentially putting
 9 himself in breach of a licence condition, he raised it?
 10 A. Yes, absolutely, and it's one of those things that I was
 11 aware from the outset which is documented within my
 12 books, and again, gave me an element of reassurance that
 13 he was actively engaging and following his conditions.
 14 Q. You were not, as you've made clear, yourself responsible
 15 for assessing the risk of whether Khan should be allowed
 16 to travel to the event in London?
 17 A. No.
 18 Q. But is it the things that I've listed just now that led
 19 you to give the answer earlier to Mr Hough that had you
 20 been responsible you couldn't say hand on heart that you
 21 would have prevented attendance?
 22 A. Yes.
 23 MR BEER: Thank you very much.
 24 Further questions by MR HOUGH QC
 25 MR HOUGH: Mr Chambers, just finally a couple of short

130

1 topics. First of all in relation to some questions you
 2 were asked by Mr Boyle. You recall that yesterday
 3 Mr Hessel and Mr Powell effectively told the jury that
 4 the decision whether or not to share with the MAPPA
 5 participants the two strands of intelligence was
 6 a matter for you as SIO?
 7 A. Yes.
 8 Q. You're aware they gave that evidence?
 9 A. I am.
 10 Q. Is it right that you disagree?
 11 A. I do.
 12 Q. Strongly?
 13 A. Fairly strongly, yes.
 14 Q. You said that you were disappointed with them taking
 15 that view. May I just ask you, does your feeling go
 16 slightly further than disappointment to frustration or
 17 professional concern?
 18 A. Professional concern that they readdressed the position
 19 in January and took no positive action to correct it, of
 20 2019, yes.
 21 Q. That's what I want to get at. You think they shouldn't
 22 have held that view; yes?
 23 A. That it was my responsibility?
 24 Q. That it was your responsibility?
 25 A. I'm comfortable with them holding that view if they had

131

1 positively informed me that that was the view that they
 2 had and allowed me to take action.
 3 Q. But if they're not taking action and not informing you,
 4 would you accept that creates a problem that something
 5 might be missed and important intelligence may not be
 6 fed into the MAPPA process?
 7 A. Absolutely.
 8 Q. And is that what you think, in short, what happened
 9 here?
 10 A. It certainly appears that way, yes.
 11 Q. And then just in relation to some questions you were
 12 receiving a few moments ago from Mr Beer, and he put to
 13 you a number of factors which might have been considered
 14 reasons to allow Khan to go to the London visit.
 15 First of all, he referred to an absence of any
 16 concerning intelligence, and I took you through the fact
 17 of the absence of such intelligence. But would you
 18 accept, as Witness A did, that when a person is subject
 19 to the kind of strict licence conditions affecting
 20 Mr Khan, that it can be difficult, as counter-terrorism
 21 investigators, to get a clear insight into what they're
 22 doing and what they're thinking because their movements
 23 and behaviour are so restricted?
 24 A. Yes.
 25 Q. Secondly, he put to you that Mr Khan had engaged well

132

1 with figures in authority and had been polite and
 2 positive and engaging. Were you aware that there were
 3 a number of reports from the time that he was in prison
 4 referring to him engaging positively with prison staff
 5 in a range of contexts, even while very disturbing
 6 intelligence was coming in about his behaviour on the
 7 wing?
 8 A. To a point, yes.
 9 Q. And thirdly, it was put to you that Learning Together
 10 was seen as a positive force or a positive aspect in his
 11 life, and you very carefully responded that you saw that
 12 based on the information you had?
 13 A. Yes.
 14 Q. Is it right that in saying that, you were pointing to
 15 the fact that you didn't know that Khan wasn't doing
 16 regular creative writing work or regularly engaging in
 17 an educative way, but was in effect going to a few
 18 social occasions during the course of a year?
 19 A. Yes, exactly that: it really does appear that there's
 20 quite a big intelligence gap there in understanding
 21 fully what Learning Together was about and how
 22 participative Mr Khan was.
 23 MR HOUGH: Thank you very much. Those are all my questions.
 24 JUDGE LUCRAFT: Thank you very much indeed.
 25 A. Thank you.

133

1 MR HOUGH: Sir, the next witness is DS Marc Jerromes.
 2 DS MARC JERROMES (sworn)
 3 JUDGE LUCRAFT: Mr Jerromes, if you are happy to, please do
 4 feel free to remove your mask. If you want to keep it
 5 on, that's equally fine. Then sit or stand, whichever
 6 you prefer.
 7 A. Thank you.
 8 JUDGE LUCRAFT: And if you are going to sit, if you could
 9 just make sure the microphone is close to you so we can
 10 hear what it is you have to say.
 11 A. Thank you.
 12 Questions by MR HOUGH QC
 13 MR HOUGH: Would you please give your full name and rank for
 14 the court?
 15 A. Yes, I am Detective Sergeant 20857 Marc Jerromes of the
 16 West Midlands Police.
 17 Q. Mr Jerromes, you appreciate, as other witnesses, that
 18 I'm asking questions first on behalf of the Coroner and
 19 then there will be questions from others?
 20 A. Yes.
 21 Q. You have identified yourself as a detective sergeant in
 22 West Midlands Police. Have you been in Team 7 of the
 23 Counter—Terrorism Unit since 2017?
 24 A. That's correct.
 25 Q. In that role, do you work from time to time as deputy

134

1 senior investigating officer in counter—terrorist
 2 investigations?
 3 A. That is also correct.
 4 Q. How many years have you had in police service overall?
 5 A. Just over 13 years.
 6 Q. And of that 13 years, how long was spent in the CTU?
 7 A. So I joined the CTU in March 2017, and I've only
 8 recently left that department a couple of weeks ago.
 9 Q. Now, some questions about Team 7. We've heard a little
 10 about this from others, but you were, of course,
 11 somebody who was a member of that team. Was it formerly
 12 known as the Risk Management Team?
 13 A. That's correct.
 14 Q. In 2019, the period we're concerned with, what was the
 15 composition of the team?
 16 A. So the team was headed up by a senior investigating
 17 officer, DI Gareth Williams, I was his deputy and
 18 detective sergeant. I then had at my disposal four
 19 offender managers and four detective constables.
 20 Q. Were the offender managers PCs?
 21 A. That's correct.
 22 Q. Were you based at West Midlands Counter—Terrorism Unit
 23 headquarters?
 24 A. Yes, that's correct.
 25 Q. As we've heard, over the time we're concerned, was one

135

1 of the functions of the team the overt management of
 2 registered terrorist offenders who were subject to
 3 part 4 notification requirements?
 4 A. Yes, within the West Midlands, that's correct.
 5 Q. That was the job done by Sergeant Forsyth and his team
 6 in relation to Usman Khan?
 7 A. That's correct.
 8 Q. Now, as we'll address in a little more detail, is it
 9 right that your team performed that role until autumn of
 10 2019 only for offenders in the area covered by West
 11 Midlands Police, the force area?
 12 A. Yes, that's correct.
 13 Q. Is it right that from that time, so autumn 2019, it
 14 began to take over further offenders in the broader
 15 West Midlands area, including Staffordshire?
 16 A. Yes, that's correct.
 17 Q. But is it right, as we've heard, that your team hadn't
 18 yet taken over overt management of Usman Khan at the
 19 time of the attack?
 20 A. That's correct.
 21 Q. And that that was to take place in December 2019?
 22 A. Yes, on 11 December.
 23 Q. To be clear, in the period with which we're concerned,
 24 2019, were you experienced both in the supervision of
 25 part 4 conditions, so overt management, and also in

136

1 counter—terrorism priority investigations?
 2 A. I would say yes to that question.
 3 Q. Turning to MAPPAs meetings, we have heard that at the
 4 time we're concerned with, 2019, a TACT terrorist
 5 offender panel would hold MAPPAs meetings about every six
 6 or seven weeks over a period of one or two days; would
 7 you attend those meetings?
 8 A. I would, yes.
 9 Q. In what capacity and why would you be attending?
 10 A. I would be attending in my capacity as an offender
 11 manager supervisor.
 12 Q. So as the person responsible for supervising the group
 13 of PCs who managed offenders in the West Midlands Police
 14 force area?
 15 A. That's correct.
 16 Q. Now, is it right that during that couple of days of
 17 MAPPAs meetings every six weeks, there would be first of
 18 all a period where the offenders discussed were
 19 offenders within your force area, and then a period of
 20 further MAPPAs meetings discussing offenders in
 21 Staffordshire and the broader West Midlands area?
 22 A. That's correct. So the number of registered TACT
 23 offenders was growing and continues to grow, so the
 24 meetings then spilled over from one day into two days.
 25 So when Staffordshire started to have their own cases,

1 the Staffordshire cases were placed, normally on the
 2 second day, within West Midlands cases.
 3 Q. But did you stay around for the meetings after the first
 4 day, continuing into the Staffordshire cases?
 5 A. I did, yes.
 6 Q. Why was that?
 7 A. Probably a number of reasons. One was the fact that the
 8 constant within all meetings was the detective chief
 9 inspector, who for the majority of the meetings was
 10 DCI Ainsley Cobbett. I used to travel to those meetings
 11 with her and we would both be present.
 12 Secondly, logistically, the meetings took place in
 13 one room where we were all seated. It was a level of
 14 disruption I didn't want to cause, more often than not,
 15 with regards to packing up all my things to go for 45
 16 minutes to come back again, but mainly with my
 17 personality and obviously the passion I had for part 4s
 18 that I wanted to be there if needed to call upon with
 19 regards to advice, but nothing more than that.
 20 Q. Did you appreciate that you had a higher level of
 21 experience as a counter—terrorism investigator than the
 22 Prevent officers who were going to be contributing to
 23 the meeting in relation to Staffordshire offenders?
 24 A. I think in the term "investigator", yes, that would be
 25 fair.

1 Q. You stress that point. Are you suggesting, therefore,
 2 that they had other counter—terrorism experience that
 3 was valuable?
 4 A. Yes, and I believe that the jury have heard that we had
 5 officers that have spent a lot of time within
 6 counter—terrorism and even Prevent is within the
 7 counter—terrorism structure, it's one of the four
 8 pillars of the Contest strategy, so they would have
 9 experience within counter—terrorism policing.
 10 Q. Is it fair, though, that the daily diet of a Prevent
 11 officer's work is often concerned with trying to divert
 12 people away from terrorism, or extremism, rather than
 13 dealing with hardened offenders who have committed
 14 offences, sometimes of the most serious character?
 15 A. Yes, that's correct.
 16 Q. Turning then to the MAPPAs meetings which took place
 17 before Khan's release. We have heard that Usman Khan
 18 was referred for MAPPAs management in February of 2018.
 19 Did you discover that at the time or somewhat later?
 20 A. My first awareness of Usman Khan coming into MAPPAs would
 21 have been when the agenda was set, and I've seen his
 22 name listed amongst the West Midlands nominals that are
 23 going to be discussed on those days.
 24 Q. We know the first meeting was in June so, based on that
 25 answer, you would have been aware of him as an offender

1 for MAPPAs management when you got the agenda for
 2 that June meeting?
 3 A. That's correct.
 4 Q. When you got that agenda, did the name "Usman Khan" mean
 5 anything to you from general counter—terrorism police
 6 experience?
 7 A. It wouldn't have done at the time, but I took some
 8 personal responsibility to find out more about the
 9 individual. Again, I can't recollect at what stage that
 10 would have been, but at the first MAPPAs there would have
 11 been a MAPPAs A form, so which is a submission form into
 12 MAPPAs which outlines the offence, and then moving
 13 forward, the MAPPAs B form, as you've seen on numerous
 14 occasions, actually outlines the index offence, the
 15 conviction, at every meeting, so that would have been
 16 stressed at every point.
 17 Q. The MAPPAs A was the referral document --
 18 A. Yes.
 19 Q. -- which the jury have seen; MAPPAs B is the form on
 20 which the minutes are produced, which the jury have also
 21 seen many, many, many times?
 22 A. That's correct.
 23 Q. May we look, then, at the MAPPAs B for the first meeting,
 24 {DC6406/1}, this is the meeting of 26 June 2018 with
 25 Mr Byford in the chair, and as the form makes clear,

1 Usman Khan was subject to level 3 MAPPA management, the
 2 highest level?
 3 A. Yes.
 4 Q. Then if we go to {DC6406/3}, the lower part of the page,
 5 we can see that you're attending, along with DCI Cobbett
 6 and two other West Midlands colleagues, Gail Colley and
 7 Nolan Rose. Who were they?
 8 A. They were two of my offender managers.
 9 Q. Were they also attending on the basis that they had
 10 needed to attend other meetings in relation to offenders
 11 they were managing?
 12 A. Yes, that's correct.
 13 Q. If we go to {DC6406/5}, please, the lower part of that
 14 page, these minutes indicate a summary of intelligence
 15 that was given from the prison, identifying a number of
 16 recent pieces of intelligence suggesting that Khan was
 17 involved in promoting extremist views, radicalising
 18 others and being modestly disruptive?
 19 A. Yes.
 20 Q. Do you recall those pieces of intelligence being run
 21 through at the meeting?
 22 A. I don't recall the first time I processed the
 23 information, but I accept that I would have read this
 24 document at the time.
 25 Q. Would these minutes have been sent to you after the

141

1 meeting or would you have accessed them on any IT
 2 system?
 3 A. No, so I wouldn't have been sent the minutes because
 4 I didn't have any offender management responsibility.
 5 The first time I see the minutes for the case is when
 6 I attend the following meeting and the minutes are
 7 discussed.
 8 Q. In those discussions, would you have had the opportunity
 9 to look at the minutes reasonably carefully?
 10 A. Yes.
 11 Q. And if we look at the bottom of the page that we're
 12 looking at at the moment, {DC6406/5}, we can see
 13 a passage the jury have seen before which referred to
 14 a summary from the prison security department,
 15 suggesting that Khan has crept below the CTU radar in
 16 recent times, but it's not clear whether that's because
 17 he knows he will be watched or for some other reason.
 18 Then it goes on, if we go over the page {DC6406/6}
 19 to refer to the risk of him behaving in a deceptively
 20 compliant manner. That's something also that would have
 21 been apparent from the minutes you looked at?
 22 A. Yes, that's correct.
 23 Q. And then {DC6406/7}, please, at the bottom. The minutes
 24 consistently contained a summary of the conclusion of
 25 the Probation Service's OASys risk assessment,

142

1 describing here a risk level of the general public being
 2 at very high risk of serious harm. Do you recall seeing
 3 that, given that it appeared on every set of minutes?
 4 A. Yes, I don't recall the first time but I would have
 5 acknowledged it at the time.
 6 Q. Did you appreciate what that meant?
 7 A. Yes.
 8 Q. What the definition of that was?
 9 A. This grading certainly isn't uncommon with this level of
 10 offender, certainly a terrorist offender coming out on
 11 release. It's certainly a risk assessment and scoring
 12 grade that I would expect to see.
 13 Q. Do you know what the definition of that risk rating was?
 14 A. No, not to any specialist knowledge.
 15 Q. We've heard that the risk rating under the OASys system
 16 means that it is more probable than not that there will
 17 be an incident of serious harm as a result of this
 18 offender. Would that strike you as a natural meaning
 19 for that expression?
 20 A. Yes. I wouldn't disagree with that comment.
 21 Q. So that's the information that was set out in the
 22 minutes about Khan.
 23 Do you remember anything else striking you at that
 24 first meeting when you first came to discuss him?
 25 A. No, I don't, no.

143

1 Q. Then if we can move to the next meeting, August 2018,
 2 {DC6407/3}, please, at the bottom of the page. Once
 3 again, you're in attendance, along with DCI Cobbett,
 4 Gail Colley and Nolan Rose, as before?
 5 A. That's correct.
 6 Q. Then {DC6407/6} towards the top. We see a summary of
 7 prison intelligence of a similar kind to that from the
 8 previous minutes, including at the third paragraph
 9 reference to a discussion involving Khan which suggests
 10 that harm was intended to a snitch?
 11 A. Yes, I can see that.
 12 Q. Anything else you recall as particularly significant
 13 from that meeting?
 14 A. No.
 15 Q. Then {DC6408/1}, please, a meeting on 11 October 2018.
 16 If we could look at {DC6408/3}, we can see that the same
 17 cast of characters is present from West Midlands Police,
 18 but also now with Jodie Myers?
 19 A. Yes, that's correct.
 20 Q. Who is she?
 21 A. Jodie was, again, CTU offender management. Jodie had
 22 a separate responsibility though, she supported the
 23 MAPPA process with admin processes.
 24 JUDGE LUCRAFT: And I think, in fact, she was at the last
 25 one as well.

144

1 MR HOUGH: I'm sorry, I omitted her name last time.
 2 Then {DC6408/5}, please, in the middle of the page
 3 under "Summary of intelligence", further intelligence in
 4 a similar vein noted, including that Mr Khan and others
 5 were holding court as if they were putting somebody on
 6 some sort of trial?
 7 A. Yes, I can see that.
 8 Q. We can take that off screen now.
 9 There was a meeting, then, on 5 December 2018. You
 10 weren't in attendance on that occasion, I think?
 11 A. I don't believe so.
 12 Q. May we put up {DC6422/1}. Now, this was a MAPPA F
 13 offender information sharing report produced in advance
 14 of that meeting. Did you, as one of the regular
 15 participants of the MAPPA meetings, receive that report
 16 in advance of the December meeting?
 17 A. No.
 18 Q. If we go to {DC6422/5}, please, now this part of the
 19 report refers to intelligence that Khan had said he
 20 would return to his old ways, believed to be a reference
 21 to terrorist activity. Did that information come to
 22 your attention at the time?
 23 A. If I wasn't present at the meeting, that intelligence
 24 wouldn't have been shared with me. The only way I would
 25 have been made aware of that intelligence is if it had

1 been retained on any subsequent MAPPA F forms from when
 2 I was in attendance.
 3 Q. As far as you can remember in your own recollection, did
 4 you later discover that information?
 5 A. I can't recall.
 6 Q. Of course you know it now because of participation in
 7 this process --
 8 A. Yes, that's correct.
 9 Q. -- but as far as you can recall, did you know that
 10 before the Fishmongers' Hall attack?
 11 A. I don't recall that specific intelligence being
 12 disclosed to me, but I'm sure we'll get to the
 13 chronological side when DI Williams took over and he had
 14 a handover with Mr Chambers where I was made aware that
 15 there was intelligence of concern at that point. But
 16 with regards to MAPPA and the specific intelligence,
 17 I'm not in a position to say I recall this being
 18 discussed.
 19 Q. Because you see this intelligence appears in a MAPPA F
 20 form for a meeting you didn't attend in December.
 21 A. Yes.
 22 Q. And then I think it is -- it's right that you were not
 23 directly involved with this offender.
 24 A. Yes. If I could just add to that to say I wasn't in --
 25 at the meeting in a capacity for -- as an intelligence

1 conduit or to share intelligence, I was there because
 2 I took personal responsibility to be there to offer any
 3 advice or support that Staffordshire might need with
 4 regards to part 4 offences management or any identified
 5 licence breaches, which I would have looked to have
 6 taken ownership of enforcement.
 7 But with regards to any intelligence that was noted
 8 on a MAPPA F, that would have been for my information
 9 only and awareness, but I wouldn't have felt that I'd
 10 got an expectation to do anything with that information.
 11 Q. You did attend the MAPPA meeting in January 2019, didn't
 12 you?
 13 A. Yes, I believe so.
 14 Q. I can show you the minutes, they're {DC6410/3} and if we
 15 go to page 3 at the bottom we can see you're identified
 16 as being there, and we will look at some notes you made
 17 of that meeting a little later. So you were at that
 18 meeting?
 19 A. Yes.
 20 Q. Then if we go to {DC6409/1}, these are the minutes
 21 from December 2018. Do you think that these minutes
 22 would have been discussed at the start of the January
 23 meeting?
 24 A. Yes, they're always discussed at the following meeting.
 25 Q. {DC6409/6}, please, middle of the page. We see in these

1 minutes the reference to the intelligence about Khan
 2 saying he would return to his old ways. Do you think
 3 these -- that that intelligence would have at least been
 4 seen by you as a result of looking through the minutes
 5 of the December meeting at the January meeting?
 6 A. Yes, I would expect that I would have seen that.
 7 Q. But that's the context in which you would have seen it,
 8 is it, going through those minutes in the January
 9 meeting?
 10 A. Yes, that's correct.
 11 Q. At that time did you read -- so this is late 2018 -- did
 12 you read any version of the Staffordshire Special Branch
 13 subject profile prepared on Usman Khan?
 14 A. I did not.
 15 Q. Did you at that point, so late 2018, become aware of
 16 a further strand of intelligence that Khan had said he
 17 intended to carry out an attack on release?
 18 A. I was not aware of that intelligence.
 19 Q. Did you later become aware of that intelligence at any
 20 time before the October/November 2019 handover?
 21 A. No.
 22 Q. I'll ask you about that handover a little later.
 23 Now, we can take that document off screen. As
 24 you've confirmed, you attended the MAPPA meeting on
 25 23 January 2019, and if we look at {DC7527/1} can we see

1 there that you made some notes of that meeting?
 2 A. Yes, that's correct.
 3 Q. Right at the top of the page we see the date, and then
 4 you make up some notes. Just so there's no mystery, the
 5 blacked out entries are in relation to other offenders
 6 we're not concerned with?
 7 A. Yes, that's correct, and you will see that a common
 8 theme with the redaction, they relate to the other
 9 offenders that were being discussed on the agenda. Also
 10 I would note the title there "MAPPA 23/01" relates to it
 11 says "Staffs", Staffordshire, and Walsall, Walsall being
 12 a borough within the West Midlands.
 13 Q. And then you record in your notes in relation to Usman
 14 Khan in that meeting contributions of probation,
 15 Staffordshire Police and approved premises staff, all of
 16 which were broadly positive?
 17 A. Yes, that's correct.
 18 Q. And you refer to the next discussion being on
 19 7 March 2019, right at the bottom of those paragraphs;
 20 yes?
 21 A. Yes, that's correct.
 22 Q. Did you attend the next MAPPA meeting on 7 March?
 23 A. I'd have to refer to the minutes, I'm sorry.
 24 Q. No, I can help you with that {DC6411/1}, and at
 25 {DC6411/3} towards the bottom, we can see that you were

1 in attendance, at least according to the minutes?
 2 A. Yes.
 3 Q. Then {DC6411/4} at the bottom. Now, the probation
 4 officer, Mr Skelton, is recorded as having reported to
 5 the meeting that Usman Khan had been invited to
 6 a Learning Together event at Cambridge University but
 7 he, Mr Skelton, had ruled it out as being too soon, as
 8 it's put.
 9 Then over the page to {DC6411/5} towards the top,
 10 the end of the first paragraph, Mr Skelton is recorded
 11 as saying that they, probation, may in future look to
 12 enable Usman to attend some of -- some future events
 13 with Learning Together with measures in place. Do you
 14 recall any of that discussion?
 15 A. Yes, I do remember that fairly early on in the
 16 conversation around Usman Khan, this Cambridge
 17 University project was constantly being discussed from
 18 his time in prison, and it was something that
 19 Ken Skelton appeared to be taking the lead on with
 20 regards to a positive factor from his time in prison,
 21 and it was always my understanding that probation were
 22 going to support that process post-release, and I do
 23 recall this conversation.
 24 Q. Now, you were there to provide any advice that was
 25 appropriate. Did you form any view at that point about

1 the prospect of Usman Khan attending future events?
 2 A. No. I didn't. It seemed something that the lead
 3 agency, probation, and Prison Service, seemed to have
 4 thought it through, that was certainly how it was
 5 presented to me, and I had no concerns at this point.
 6 Q. The minutes refer to attendance with measures in place.
 7 Do you recall any discussion of what measures those
 8 might be?
 9 A. I don't, no. I do remember when it came to
 10 HMP Whitemoor there was a discussion around taking
 11 Usman Khan, but that was around -- certainly presented
 12 around his welfare and the fact of him getting there, as
 13 opposed to anything around officer or public safety,
 14 that was certainly how it was presented.
 15 Q. We can take that off screen now.
 16 There was a MAPPA meeting held on 17 April 2019.
 17 Based on the minutes, I don't think you were in
 18 attendance; is that right?
 19 A. Yes, I'm happy the minutes are accurate.
 20 Q. Now, at that meeting, reference was made to a plan for
 21 Khan to attend Whitemoor Prison for a Learning Together
 22 event. Did you become aware of that at the time, you
 23 not being at the meeting?
 24 A. No, I wouldn't have been made aware. Like I say, the
 25 updates I predominantly got from MAPPA were on the

1 following meeting, so because I didn't have any
 2 responsibility, the offender management or the
 3 investigation at that point, it was only through my
 4 attendance at the meetings I learnt information about
 5 the case. From a MAPPA perspective, I should add, yes.
 6 Q. Again, there was a meeting on 30 May 2019 when you were
 7 apparently not in attendance, based on the minutes; is
 8 that right?
 9 A. Yes.
 10 Q. Any reason why you didn't attend these meetings or why
 11 you wouldn't attend a meeting from time to time?
 12 A. No, it could be a host of reasons, from annual leave to
 13 other operational commitments.
 14 Q. Then there was a MAPPA meeting on 11 July 2019, when
 15 I think you were in attendance.
 16 A. Yes.
 17 Q. {DC6414/3}, bottom of the page, again, you are there
 18 with DCI Cobbett, this time DI Gareth Williams was
 19 there, your immediate line manager as well?
 20 A. Yes, that's correct.
 21 Q. Is there any reason why he would be there?
 22 A. If available he would attend in his capacity as my
 23 supervisor, as part of the offender management aspect of
 24 Team 7.
 25 Q. And then if we go to page 5, please, towards the top of

1 that page {DC6414/5}, we can see that under
 2 "Probation -- Ken Skelton", there's reference to the
 3 Whitemoor trip which has recently taken place, and the
 4 appropriate checks were completed on the visit in
 5 advance and all deemed appropriate, and we've heard
 6 about what those checks were.
 7 A. Yes.
 8 Q. Was this the first time you discovered that this visit
 9 was to take place or had taken place?
 10 A. I believe so. I do recall it being discussed about him
 11 attending, but I think the way this reads is that
 12 obviously it's an update on how the trip has gone, so
 13 I do believe that this is the first time that I'd have
 14 got -- I've got this update about how the trip actually
 15 went.
 16 Q. You told us that you were aware that Prevent officers
 17 escorted him, and you said that that was a matter of
 18 welfare. We've heard it was because it would have been
 19 difficult for him to get to Whitemoor Prison without
 20 some assistance?
 21 A. Yes, from my recollection that's how it was presented.
 22 Q. Then towards the bottom of this page, at this meeting we
 23 can see from the penultimate paragraph that Mr Skelton
 24 also raised the prospect of Usman Khan undertaking
 25 a course on driving of dumper trucks and that raised

153

1 a concern, according to these minutes, among panel
 2 members because of recent events where vehicles had been
 3 used as weapons. Do you recall that discussion?
 4 A. I do, yes.
 5 Q. What was your view when that was raised?
 6 A. It didn't sit comfortable with me. With regards to
 7 the -- I was pleased the conversation was taking place
 8 because that's what MAPPA is there for, but I was
 9 opposed to it.
 10 I have referenced in my statement, although not
 11 named, I believe, on one of the panel members being
 12 referenced in the minutes.
 13 Q. Now we see from the minutes that the panel concluded by
 14 seeking more information about the sorts of vehicles
 15 that might be involved and what might be achieved from
 16 the course. Do you recall that being decided?
 17 A. I do, yes. I think there was some discussion, which the
 18 jury will be aware that probation and Prevent put
 19 forward the application was a difference of opinion, so
 20 I believe from my recollection that this panel meeting
 21 actually concluded with more information being requested
 22 with regards to what type of vehicle a dumper truck was,
 23 and I believe that's how the meeting concluded.
 24 Q. Following this meeting, can you recall any discussions
 25 with CTU colleagues about this proposal?

154

1 A. No, I don't recall having any conversations outside of
 2 this meeting about the dumper truck.
 3 Q. We can take that off screen now.
 4 Was there then a further MAPPA meeting held on
 5 22 August 2019, which you attended?
 6 A. Yes.
 7 Q. May we put up your notes of that meeting, {DC7527/6}.
 8 If we zero in on the passage that is not blacked out.
 9 You record a report of probation that Usman Khan is
 10 seeking employment and would be allowed to drive
 11 a forward tipper on the building site only. Is that
 12 a reference to what the dumper truck proposal would have
 13 involved?
 14 A. I believe so, yes.
 15 Q. You also refer to Khan's house search.
 16 A. Yes.
 17 Q. To an ERG assessment being carried out by probation, and
 18 to a -- to the Prevent officer, Mr Forsyth, saying that
 19 there are, on face value, no issues, no concerns, but
 20 Usman Khan behaves as a teenager in his presentation?
 21 A. Yes, that's correct.
 22 Q. Then finally you refer to Usman Khan being -- having
 23 been seeing the mentor, but there's concern that there's
 24 no structure to those mentor meetings.
 25 A. Yes.

155

1 Q. Now, in these notes you don't make reference to any
 2 other significant aspects of the discussion. Would it
 3 be your intention in notes of this kind to note up
 4 anything of particular concern to you?
 5 A. No, that wasn't the purpose of my notes. My notes were
 6 assisting me with processing any opportunities around
 7 breaches of licence or part 4., so I wouldn't have been
 8 making these notes to refer back to a risk management
 9 perspective. It would have been to assist me if there
 10 was any opportunities that I heard or to refer back to
 11 with regards to any support I could offer staff with
 12 identifying part 4 or licence breaches only.
 13 Q. That would be in your capacity assisting the
 14 Staffordshire Prevent Team, would it?
 15 A. Yes, to stress, it wasn't a formal capacity, it was one
 16 that I took upon myself to try and help. Nobody ever
 17 directed me to attend a MAPPA meeting to support
 18 Staffordshire Prevent with their decision-making.
 19 Q. Then the minutes, please, {DC6415/3}. We see that you
 20 are present, along with DCI Ainsley Cobbett, and also
 21 Chief Inspector Floyd, who we've heard was going to be
 22 DCI Cobbett's successor.
 23 A. That's correct. Could I just confirm, sorry, what date
 24 was this?
 25 Q. Sorry, we can go back to {DC6415/1}, this is

156

1 22 August 2019. Don't take it from me --
 2 A. Thank you.
 3 Q. -- there it is in black and white.
 4 A. No, thank you, sorry, I just missed the date.
 5 Q. Then {DC6415/4}, at the bottom, please, the minutes
 6 refer to the dumper truck course, so that echoes your
 7 own notes that there was going to be discussion of
 8 Usman Khan having access to a forward tipping dumper if
 9 he did the course?
 10 A. Yes.
 11 Q. And then {DC6415/5} right at the top, the minutes say
 12 this:
 13 "The University [Cambridge University] are also
 14 hosting another 1-day event in November -- UK will be
 15 invited however will have likely moved on from the AP by
 16 this point and will need to source his own means of
 17 travel."
 18 Do you remember that being raised?
 19 A. Yes, I do remember an event in November being proposed.
 20 Q. Who proposed it?
 21 A. It was always presented jointly between probation and
 22 Prevent as part of an ongoing work that they were doing
 23 with Usman Khan.
 24 Q. Did they say anything more about this proposed event
 25 than we see here in the minutes?

157

1 A. No, I would be referring to the minutes with regards to
 2 anything further, certainly not from my recollection,
 3 other than to just repeat the fact that this was part of
 4 an ongoing piece of work that they both appeared to be
 5 working on with Mr Khan.
 6 Q. Do you recall anyone else in the meeting expressing
 7 a view on this event?
 8 A. No, not from memory.
 9 Q. Do you recall any positive decision being taken in the
 10 meeting about this event, for example, to approve
 11 Usman Khan going to a gathering in London?
 12 A. I don't, no.
 13 Q. If there had been a positive decision to approve
 14 Usman Khan going to an event and to approve a licence
 15 condition permission to attend a gathering, do you think
 16 you would have recalled that?
 17 A. I would like to think that it would be recorded in the
 18 minutes, but I wouldn't be able to say I can recall
 19 every licence condition amendment made in a MAPPA
 20 meeting, I'm sorry.
 21 Q. I can quite understand that but when, three months
 22 later, the attack happened, did it occur to you that you
 23 had been in a meeting where that event had been
 24 approved?
 25 A. My position on that was, and continues to be, that I was

158

1 present in the MAPPA when the matter was discussed, the
 2 panel were given opportunity to raise any concerns with
 3 attendance, and I don't recall any resistance to
 4 attendance being discussed during the MAPPA panel.
 5 Q. Now, you say your position is that attendees were given
 6 the opportunity; that's quite a formal way of putting
 7 it.
 8 A. Apologies.
 9 Q. No, no. Did somebody say, did Mr Skelton or Mr Forsyth
 10 say in this meeting: here is the proposal, does anyone
 11 have any objections? Or did they simply say: here is
 12 the proposal, and then carry on talking?
 13 A. It was my recollection from the time that it was always
 14 presented to MAPPA that this was an ongoing piece of
 15 work that was being picked up outside of MAPPA and being
 16 progressed by probation and Prevent, and whenever it was
 17 discussed it was always seen as a positive factor rather
 18 than being raised as something that should be -- with
 19 regards to objections, but no, I certainly don't
 20 remember the specific question of: does anybody object?
 21 Q. Nobody was seeking a discussion or inviting a balanced
 22 consideration?
 23 A. I recall the matter being discussed; how it was raised
 24 I cannot recall, I'm sorry.
 25 Q. You say you recall it being discussed; what sort of

159

1 discussion and involving who?
 2 A. Well, I can only refer to the minutes in the way it is
 3 presented by probation and the fact that it was
 4 discussed and would have allowed panel members to offer
 5 an objection should they have felt that they needed to
 6 make one.
 7 Q. Once again, are you saying that people were given the
 8 opportunity to object simply because it was raised?
 9 A. Yes.
 10 Q. Now if we go to the top of {DC6415/7} we can see that
 11 there is, in the main paragraph, a recording of the
 12 discussion about the dumper truck course in the panel
 13 discussion part of the meeting, and DCI Cobbett is
 14 quoted or summarised as saying that Khan should not be
 15 given access to such a vehicle, bearing in mind his
 16 recent child-like behaviour and that he's a convicted
 17 terrorist?
 18 A. Yes, I can see that.
 19 Q. So is it right that she was making the point that it was
 20 simply too dangerous to allow Khan access to such piece
 21 of equipment?
 22 A. Yes, that's correct.
 23 Q. Then halfway down the paragraph, your intervention is
 24 summarised as you noting how working on a construction
 25 site may not be the most appropriate setting for

160

1 Usman Khan, if the workers were to find out about his
 2 conviction they would likely oust him?
 3 A. Yes, that was a consideration of mine, but also to
 4 stress that I did also raise concerns about the use of
 5 the vehicle as well in addition to DCI Cobbett.
 6 Q. And do we see that the minutes record that the panel
 7 confirmed they didn't approve of Khan's attendance on
 8 a dumper truck course at present although it might be
 9 revisited as an option in the future?
 10 A. Yes, I remember that MAPPA came to the conclusion that
 11 it shouldn't be allowed, the dumper truck course.
 12 Q. Now this, as we see, is a positive decision not to
 13 approve, and we see in the following paragraph
 14 a positive decision minuted to note a viewing of
 15 a private property?
 16 A. Yes.
 17 Q. Is it because the minutes record such decisions of the
 18 panel or points noted by the panel that you would expect
 19 any positive approval of the Learning Together visit to
 20 have been minuted?
 21 A. I would expect that.
 22 Q. We can take that off screen for the moment.
 23 Now, we know that shortly after this meeting, Khan's
 24 mentoring arrangement came to an end because of an issue
 25 with The Unity Initiative contract. Were you made aware

161

1 of that at the time?
 2 A. Yes, it was a problem that we were facing nationally and
 3 it was affecting other nominals that I was managing at
 4 the time.
 5 Q. We also know that in September, on 24 September 2019,
 6 Khan moved out of the probation hostel into his own
 7 flat. Were you made aware of that at the time?
 8 A. Yes.
 9 Q. And how were you made aware of that?
 10 A. From recollection, I would have been made aware during
 11 MAPPA, but also other meetings that were taking place
 12 within CTU.
 13 Q. What were those other meetings?
 14 A. So, as part of ongoing offender management updates there
 15 would be weekly tasking meetings whereby part 4 cases,
 16 I believe it's every four to six weeks, would be
 17 discussed internally as part of a weekly tasking, so
 18 I would provide updates for my cases at those meetings,
 19 and I would invite Staffordshire to provide an oversight
 20 of their cases to be fed into the meeting.
 21 Q. Around this time, can you recall anything being said in
 22 any of those meetings about the prospective visit of
 23 Usman Khan to a Learning Together event?
 24 A. I don't recall that, no.
 25 Q. A separate topic now, please. In September 2019 is it

162

1 right that you and DI Williams produced a formal
 2 memorandum to senior officers proposing a change in
 3 relation to the management of part 4 nominals in the
 4 broader West Midlands area?
 5 A. That's correct.
 6 Q. What was the background to your production of this
 7 memorandum? Had there been discussions preceding it?
 8 A. Yes, so upon taking over the role I was given, it was
 9 quite clear that I only had responsibility for
 10 registered terrorist offenders within the West Midlands
 11 area only. Separate -- as time progressed and I was
 12 given the freedom to develop the team to where I wanted
 13 it to be with regard to having offender managers and
 14 detectives to proactively investigate the subjects,
 15 I was keen to explore outside of the West Midlands
 16 region, especially with the fact that other regions
 17 nationally had come to us to see how we were doing
 18 things and liked the way we worked, so it seemed to make
 19 sense that we took that consistency with our
 20 neighbouring forces.
 21 It also was at the same time that a separate project
 22 called Project Amplify was being undertaken, which was
 23 the regionalisation of CTU resources, so we've seen this
 24 as the perfect opportunity to make the asks of our
 25 senior leaders to take control of Staffordshire cases.

163

1 Q. May we look at your memo, {WS5014-1/1}. Now, this is
 2 a memo you produced, as we see at the top,
 3 6 September 2019. Do we see that the first paragraph,
 4 you summarise the fact that Team 7 are currently
 5 managing 24 part 4 nominals, of them, 15 subjects
 6 managed by MAPPA?
 7 A. That's correct.
 8 Q. And you refer to the increasing numbers in immediate
 9 prospect?
 10 A. Yes.
 11 Q. Then the second paragraph, if we go down the page, do we
 12 see that you explain that the detectives on your team
 13 also use their investigative abilities to disrupt the
 14 activities of convicted terrorists who seek to cause
 15 harm?
 16 A. Yes, that's correct, so I proposed a model and I was
 17 supported internally within West Midlands CTU that
 18 I would allocate an offender manager and a detective to
 19 the management of registered terrorist offenders. So
 20 the offender management responsibility would be to carry
 21 out the part 4 visits, but if there was anything of
 22 concern that was identified or potential breaches or
 23 criminal activity, then I could triage that and allocate
 24 it to a detective.
 25 Q. You plainly saw that structure as a better model?

164

1 A. It was a model that I thought was a good model to
 2 proactively manage terrorist offenders within our
 3 communities.
 4 Q. And then {WS5014-1/2}, you describe how the part 4
 5 notifications themselves are managed, with officers
 6 attending and their personal protective equipment, audio
 7 and video recordings of the registrations and so on.
 8 A. Yes, that's correct.
 9 Q. And then in the middle of {WS5014-1/2} you point out:
 10 "The risk and credibility of the part 4 nominals
 11 cannot be underestimated. [They] have shown capability
 12 and intent to cause ... communities serious harm..."
 13 A. Absolutely, and it's something regrettably I find myself
 14 sat here having proven that fact, and I'm extremely
 15 sorry for that, but yes, it's something I still stand by
 16 with regards to the risk those individuals posed and the
 17 risk that I foresaw.
 18 Q. Now, if we go down the page, you identify some actions
 19 which Team 7 carry out in the run-up to release and in
 20 the day-to-day management of the offender.
 21 The first bullet point is the appointment of
 22 a police offender manager who identifies their
 23 counterpart within probation to ensure that all
 24 available intelligence is collated from the prison and
 25 an integrated management approach is agreed.

165

1 In your structure, would that be you as the DS or
 2 someone else in the team?
 3 A. Apologies, let me just --
 4 Q. It's the very first bullet point, the police offender
 5 manager.
 6 A. Yes, so the police offender manager would be an offender
 7 manager within my team who I would supervise.
 8 Q. It refers to all the intelligence being collated from
 9 the prison. The offender manager on your team wouldn't
 10 necessarily have access to sensitive intelligence, would
 11 they?
 12 A. No, not if it was graded as secret, no.
 13 Q. In your structure, would that be fed into the offender
 14 management team at all?
 15 A. Secret information?
 16 Q. Yes.
 17 A. No, so I would firewall that, I think the term "sterile
 18 corridor" has been used quite a lot. Within my team
 19 I would be that sterile corridor, along with DI Gareth
 20 Williams, so we're DV vetted to be able to handle that
 21 information, detective constables and police constables
 22 within Team 7 were SC only, which meant they had a lower
 23 grading of authority.
 24 That said, if I was in possession of secret
 25 information that was put into the offender management

166

1 I would go to the source of the information and ask for
 2 a form of words, which I think is a term that's been
 3 explained, to be broken out so I could share it.
 4 Q. So under your structure, unlike the Prevent structure,
 5 there would be somebody responsible for the offender
 6 managers who did have access to the secret intelligence
 7 for all the offenders being managed?
 8 A. Absolutely.
 9 Q. Then the third bullet point after you refer to some
 10 originating documents, you say that:
 11 "Team 7 complete risk assessments with the
 12 intelligence in [their] possession [dictating] the
 13 frequency and intrusion that we adopt to each bespoke
 14 case."
 15 So does that mean for each offender a risk
 16 assessment would be produced based on all the
 17 intelligence dictating the management approach?
 18 A. Yes, so what I'm actually referring to there is more
 19 around the risk management plan, that is more bespoke
 20 risk assessment, so I would be expecting the offender
 21 manager to have good oversight of the ERG assessment,
 22 have a one-to-one meeting with the probation officer to
 23 then articulate any risks or concerns in the communities
 24 or any opportunities around rehabilitation or
 25 vulnerabilities. That would be presented to me. That

167

1 would allow me then the opportunity to review that
 2 document and set strategy around visits and areas to be
 3 explored?
 4 Q. And when reviewing that document, would you bring to
 5 bear any wider knowledge you had from secret material to
 6 ensure that there wasn't a misleading assessment of
 7 risk?
 8 A. Yes, so if I had secret information that I thought was
 9 pertinent to the offender management risk, I would go to
 10 the source of that intelligence and ask for it to be
 11 broken out at a lower category. Sometimes it can't be
 12 due to the source of the information but that is where
 13 I would manage and control that risk.
 14 Q. And then the last bullet point on the page you refer to
 15 Team 7 documenting contact with part 4 nominals and how
 16 that is to be done?
 17 A. Yes, that's correct.
 18 Q. Then {WS5014-1/3} top of the page, reference is made to
 19 police trigger plans, on-call arrangements, and annual
 20 notifications, but then the final bullet point says
 21 this, that:
 22 "On release a detective within Team 7 is aligned to
 23 the individual cases to robustly investigate and develop
 24 any intelligence gathered or raised by our offender
 25 managers."

168

1 You're referring there to one of the detectives in
 2 the team working alongside the offender manager?
 3 A. Yes, that's correct. So as I alluded to earlier, on the
 4 appointment of an offender manager, I would look to
 5 appoint a detective constable at the same time to
 6 progress any, either part 4 investigation breaches,
 7 criminal breaches — well, committing criminal offences,
 8 or any licence condition breaches that needed to be
 9 investigated.
 10 Q. And then in the next paragraph you point out that these
 11 Team 7 detectives may also be involved in any priority
 12 operations for subjects of interest who have been
 13 released on licence?
 14 A. That's correct.
 15 Q. Then do you refer to the numbers of part 4 nominals
 16 under Staffordshire management in the following
 17 paragraph?
 18 A. That's correct.
 19 Q. And then down the page, you state this:
 20 "There are concerns around the consistency of the
 21 above approach across the region. It is essential that
 22 this bespoke level of engagement, evidence gathering,
 23 risk assessment and resourcing is mirrored throughout
 24 the different forces."
 25 You are there making a pretty strongly worded pitch

169

1 for your model to be adopted across the broader region?
 2 A. Yes, that's correct, so the model that I put forward and
 3 built alongside DI Williams was seeking — was gathering
 4 attention from other neighbouring forces who were coming
 5 to speak to us, and that was nationality, so at this
 6 point I thought it was only right that our closest
 7 forces come in line with that, and as I've alluded to
 8 earlier, the regionalisation process that was taking
 9 place seemed the perfect opportunity for me to raise
 10 this.
 11 Q. Now, let me suggest this to you: one clear benefit that
 12 you are identifying in this document is joined up
 13 thinking and direct face-to-face information-sharing
 14 between the CT investigators and those responsible for
 15 the overt management?
 16 A. Yes, that's correct.
 17 Q. And is another benefit that this single well informed
 18 team would be present in and will advise MAPPA meetings?
 19 A. Yes, that's correct.
 20 Q. And is a third clear benefit that the offender
 21 management process will be directly informed by
 22 intelligence including secret intelligence?
 23 A. Yes, if I was in a position to get that broken out to
 24 lower classification.
 25 Q. And even if you couldn't, you would still bear it in

170

1 mind when supervising the offender management?
 2 A. Absolutely.
 3 Q. What would you say if it was suggested that those three
 4 benefits, joined up thinking, single informed team in
 5 the MAPPA meetings, and proper access to secret
 6 intelligence, those three benefits weren't present in
 7 Khan's case?
 8 A. I believe they didn't have the benefit of the model
 9 which we had, I think that's fair to say.
 10 MR HOUGH: Sir, would that be a convenient moment for our...
 11 JUDGE LUCRAFT: We might just carry on, Mr Hough, for
 12 another 10 minutes, I think that might work out slightly
 13 better.
 14 MR HOUGH: Very well, I understand what's in the background.
 15 JUDGE LUCRAFT: Thank you.
 16 MR HOUGH: Moving on, then, is this right, as a result of
 17 the proposals, that the decision was made to make that
 18 transfer over the course of the next few months?
 19 A. That's correct.
 20 Q. What dictated the order in which offenders would be
 21 transferred to your team?
 22 A. The intelligence case sitting behind them.
 23 Q. So it was a risk-based decision?
 24 A. Yes, that's correct.
 25 Q. In the event, did it happen that Khan was to be

171

1 transferred last, as you have told us, in December 2019?
 2 A. No, I just need to clarify that. There was actually
 3 another Staffordshire RTO that was still to be
 4 transferred over.
 5 Q. And he was going to be after Khan, was he?
 6 A. He was going to be after Khan.
 7 Q. Is this also right, that, as we've heard, a decision was
 8 made for your team to be responsible for the covert
 9 priority operation in relation to Khan with DI Williams
 10 as the SIO and you as his deputy?
 11 A. That's correct.
 12 Q. Roughly when was that decision made?
 13 A. I believe, as you've heard earlier, the discussion was
 14 late October into November, there was certainly
 15 a handover process informally taking place between
 16 Mr Chambers and Gareth Williams. Formally that was
 17 ratified on 18 November during a JOT.
 18 Q. And was the thinking, as we've heard from others, that
 19 there would be a benefit in the same team being
 20 responsible for both the covert operation and the overt
 21 operation?
 22 A. I certainly felt there were clear benefits.
 23 Q. So in simple terms, before the attack had taken place,
 24 you had not yet taken over overt management of Khan from
 25 the Prevent Team?

172

1 A. I had not.
 2 Q. But you had recently taken over the covert investigation
 3 from the DCI Chambers/DS Beattie team?
 4 A. Yes, as a deputy to Mr Williams.
 5 Q. Moving on, then, to the MAPPA meeting, the next MAPPA
 6 meeting, there was a MAPPA meeting held on
 7 3 October 2019, and according to the minutes, you were
 8 not in attendance, but Chief Inspector Floyd was?
 9 A. Yes, that's correct.
 10 Q. Did you receive any feedback from that meeting?
 11 A. Not that I recall.
 12 Q. With the handover of the priority operation to you and
 13 DI Williams, did you in October or early November 2019
 14 start to receive some investigation documents?
 15 A. I can't recall the dates that I would have started to
 16 receive the documents, and no documents stand out in my
 17 mind that I received prior to 18 November.
 18 Q. Can you recall being provided with the day book or
 19 policy document of DCI Chambers?
 20 A. No, and that wouldn't be common practice. That would be
 21 a handover SIO to SIO, not deputy.
 22 Q. In advance of the JOT on 18 November 2019, did you
 23 become aware of the intelligence we've been speaking
 24 about as the attack aspiration intelligence
 25 from late 2018?

173

1 A. Sir, I've been giving this a lot of thought, and I don't
 2 remember the specific intelligence being shared, but
 3 what I do remember clearly is Mr Williams having
 4 a conversation with me around intelligence of concern
 5 within the prison establishment, and which would
 6 obviously reflect the priority investigation taking
 7 place.
 8 The same conversation was then around any
 9 intelligence of an adverse nature which had been
 10 generated post-release, but which I was informed there
 11 was none.
 12 Q. Did you at that point think that that was intelligence
 13 that the MAPPA panel might not already have?
 14 A. No, I had no reason to think that the MAPPA panel
 15 wouldn't have that, or certainly probation or
 16 Staffordshire wouldn't have shared that information.
 17 Q. Did you at that point know whether there were any
 18 restrictions on the use of that information?
 19 A. I did not.
 20 Q. Just you didn't know one way or the other?
 21 A. No, and I can't recall the specific intelligence in
 22 terms of asking about its grading or anything of that
 23 nature, I'm sorry.
 24 Q. There was a MAPPA meeting held on 14 November 2019,
 25 I think you were in attendance on that occasion?

174

1 A. That's correct.
 2 Q. Had you already started to receive the handover of the
 3 priority operation by that stage?
 4 A. So in terms of a handover, I was more planning towards
 5 the JOT so we could have a formal discussion around the
 6 current intelligence picture. There was no information
 7 or intelligence for me to receive from the covert
 8 investigation, so the first discussion in earnest would
 9 have been on 18 November.
 10 Q. When you went to the MAPPA meeting on the 14th, did you
 11 know it was a P3 operation?
 12 A. Yes, I was aware.
 13 Q. Did you know at that point that the objective of the
 14 operation, as we've seen with Mr Chambers, was to prove
 15 or disprove whether Khan was going to carry out
 16 an attack as foreshadowed by some intelligence?
 17 A. I was aware that it was to ultimately assess his risk,
 18 I was also aware prior to the JOT on the 18th that due
 19 to the lack of reporting and intelligence that they were
 20 working towards closure of the operation, so I very much
 21 saw this as going hand in hand with the overt offender
 22 management handover to see if we could once and for all
 23 mitigate any risk with regards to Mr Khan.
 24 Q. If we go to your notes of the MAPPA meeting, {DC7527/10}
 25 right at the bottom. Do we see that you noted that

175

1 a report was given by probation that Khan's employment
 2 opportunities had dried up, and that Khan had had
 3 numerous unsuccessful interviews and so on?
 4 A. Yes, that's correct.
 5 Q. Then over the page, please {DC7527/11}, you refer to
 6 a comment being made about a coincidence that a number
 7 of Khan's co-defendants were expressing interest in
 8 renovating houses, as Khan was, and that gave rise to
 9 a concern about potential connections between them?
 10 A. Yes, that's correct.
 11 Q. Are you aware that in the event no such contacts or
 12 connections were ever found?
 13 A. I'm aware there was no evidence of any contact between
 14 Khan and his co-defendant.
 15 Q. And then the entry goes on to say that Khan is no longer
 16 attending the gym with great frequency and the cold
 17 weather is blamed, and then there's reference to
 18 checking that his Xbox doesn't give him internet access?
 19 A. Yes, I recall that.
 20 Q. Then finally this:
 21 "He is going to London on 29 November as part of
 22 an educational visit with the company that helped him
 23 previously. This is the same company that provided him
 24 with a Chromebook."
 25 So you evidently noted that from the meeting?

176

1 A. Yes, that's correct.
 2 Q. And if we go to the minutes, please, {DC6417/1} and we
 3 go to {DC6417/3} at the bottom, we can see you were in
 4 attendance along with Chief Inspector Floyd, Ms Myers,
 5 PC Colley?
 6 A. Yes.
 7 Q. {DC6417/5} at the bottom, a passage the jury can
 8 probably recite in their heads by now, refers to Khan
 9 being scheduled to attend the event in London and with
 10 some details of his travel plans, including that he is
 11 being met at Euston by Cambridge University personnel.
 12 Do you recall the discussion of the London visit at this
 13 meeting?
 14 A. I believe so, and I believe that's why I have made
 15 reference to it in my notes.
 16 Q. How was it presented to the panel?
 17 A. Again, I gave this some thought and I believe that it
 18 would have been presented as conversational and in
 19 an update, either by probation or — probation or
 20 Prevent. That's my recollection. But being honest,
 21 I can't remember.
 22 Q. Can you recall whether it was presented as something
 23 already agreed or something up for discussion and
 24 agreement?
 25 A. I would say that it would have been up for discussion at

177

1 the point it was raised, but going back to my previous
 2 answer to the question you asked about does anybody
 3 object to this, I can't recall if that question was ever
 4 asked.
 5 Q. Can you recall any discussion of risks or benefits of
 6 this visit?
 7 A. I don't recall any specific conversation around any
 8 risks, no. In terms of benefits, it was always
 9 presented within the MAPPAs arena as a benefit and
 10 a protective factor. That was certainly the way that
 11 probation and Prevent thought that this was assisting
 12 him, as some form of protective factor.
 13 JUDGE LUCRAFT: The question was actually about what was
 14 discussed: do you remember it being discussed in terms
 15 of the benefits at this meeting?
 16 A. I don't remember the specifics more generally, sorry.
 17 MR HOUGH: In general terms, you recall people saying during
 18 these meetings that Learning Together is a jolly good
 19 thing for Usman Khan?
 20 A. It was seen as a positive thing for Usman Khan, yes.
 21 Q. Can you recall why it was presented or seen as
 22 a positive thing?
 23 A. I believe it was because he was engaging with it, and it
 24 was always reported, the fact that he'd — he's seen it
 25 himself as a positive and it was always presented that

178

1 it was something that he'd engaged with in prison and
 2 was seeking to engage with it on release as well, and
 3 that theme continued throughout the MAPPAs meetings.
 4 Q. Did you know, were you told what the nature and
 5 regularity of his ongoing engagement was?
 6 A. No, I wasn't.
 7 Q. So you didn't know, for example, whether he was doing
 8 regular written work for them and sending it over, or
 9 whether he was, in fact, only having the odd telephone
 10 call with an administrator?
 11 A. So I recall that he was given a Chromebook to do some
 12 work and I also recall that there was a question about
 13 the amount of work that he was doing with the
 14 Chromebook, but I wasn't aware that there was a total
 15 lack of activity with regards to the project.
 16 Q. Would that have made you question its significance as
 17 a protective factor?
 18 A. I think it's fair to say that if the person isn't
 19 engaging with the project in any shape or form, then the
 20 question would be asked what benefit is there with the
 21 project.
 22 Q. Did you have any concern at that stage, at this meeting,
 23 that Usman Khan, with the background we've looked at and
 24 the characteristics you knew he had, was being permitted
 25 to go to an event in London arranged by the — this

179

1 reasonably prestigious organisation?
 2 A. No, I still — I still had the view from the information
 3 that I was being given that this was a positive factor
 4 with regards to his rehabilitation.
 5 Q. Did it occur to you that here is Khan, a serious
 6 terrorist offender, being managed at MAPPAs level 3, he
 7 has only left the Stafford and Stoke area on one
 8 occasion, and he is suddenly being permitted to go to
 9 a major London station and a big event in central London
 10 without an escort, as a CT policeman, I'm worried about
 11 that; did that go through your head?
 12 A. No, a key part of my role with regard to making
 13 representations around part 4 and licence conditions is
 14 having a tangible argument and yes, with the benefit of
 15 hindsight, I totally understand the question — the
 16 questions that are being asked, but at that moment in
 17 time I didn't believe I could put forward a tangible
 18 argument towards probation.
 19 Q. But is it fair, based on what you've told us, that you
 20 weren't focusing on being a primary decision—making in
 21 this regard?
 22 A. I certainly wasn't a primary decision—maker within this.
 23 Q. You were looking on as an advisor, but you had, as you
 24 have outlined to us already, limited information in
 25 various respects?

180

1 A. Certainly within the offender management, yes.
 2 JUDGE LUCRAFT: We might break there, I think.
 3 MR HOUGH: I think I have hit your time.
 4 JUDGE LUCRAFT: You've done very well, Mr Hough. That's
 5 very good. We'll take a mid-afternoon break there,
 6 thank you.
 7 (In the absence of the jury)
 8 Looking at the time estimates I've got, Mr Hough, it
 9 may be that we conclude this witness, it may be we
 10 don't, we'll have to see.
 11 MR HOUGH: I don't have much longer. I only have about
 12 another five or ten minutes.
 13 JUDGE LUCRAFT: Thank you. I'll rise.
 14 (3.11 pm)
 15 (A short break)
 16 (3.28 pm)
 17 JUDGE LUCRAFT: Mr Hough.
 18 MR HOUGH: Mr Jerromes, we had reached a point in
 19 mid-November 2019 just before the meeting of the joint
 20 operational team involving MI5 and DI Williams and
 21 yourself on the part of the Counter-Terrorism Unit?
 22 A. Yes.
 23 Q. Were you aware what had caused that JOT to be arranged?
 24 A. Yes, I think there were a couple of factors, the first
 25 that due to the handover of SIOs it seemed only right

181

1 and proper to call a JOT to formalise that process to
 2 make sure that myself and DI Williams were fully abreast
 3 of any intelligence that MI5 had in their possession,
 4 but also the concerns that were raised by DS
 5 Jon Stephenson with regards to a visit that took place
 6 on 31 October, which I was aware he wished to talk
 7 about.
 8 Q. We have heard that what happened on 30 October was
 9 a visit by Staffordshire Prevent officers to Usman Khan
 10 where they expressed some concerns in their report that
 11 he was becoming self-isolated, doing very little and
 12 going almost nowhere apart from his own flat.
 13 We've also heard that DS Stephenson of Staffordshire
 14 Special Branch called for the JOT in the context of that
 15 meeting and his own concerns that Khan was becoming
 16 isolated. That came to your attention then?
 17 A. It did, and I think that we -- there were numerous
 18 reasons why the JOT was called which I've just outlined
 19 and I don't disagree that Jon Stephenson felt he had
 20 called the meeting because of his concerns and likewise
 21 we felt we'd called the meeting because of the concerns
 22 we'd outlined.
 23 Q. In the immediate run-up to the JOT, did you do any
 24 further pre-reading to prepare for your new role?
 25 A. No, I didn't.

182

1 Q. Before the JOT, did you have any discussions with
 2 DI Chambers or DS Beattie or with anyone else to prepare
 3 yourself for that meeting?
 4 A. No, I didn't. Just to qualify, I had spoken to the
 5 intelligence officer within the OIMU, Loz Mills, to ask
 6 him if there was any relevant intelligence with regards
 7 to anything of an adverse nature, a nefarious nature, so
 8 I did undertake that action, and obviously then prior to
 9 the JOT, I spoke to the MI5 desk officer as well.
 10 Q. What did DC Mills tell you in response to that question
 11 you raised with him?
 12 A. From my recollection it was that there was no adverse
 13 reporting following release and nothing in addition to
 14 intelligence of concern which had been generated within
 15 the prison.
 16 Q. To the extent that you can speak about your conversation
 17 with the MI5 desk officer, did that person tell you
 18 anything of interest?
 19 A. No, and certainly nothing that I could parallel or talk
 20 about, anything that I could look to take over -- action
 21 against Usman Khan over.
 22 Q. Moving then to the joint operational team meeting on
 23 18 November, was that attended by you alongside
 24 DI Williams?
 25 A. Yes.

183

1 Q. Was it also attended by MI5 officers?
 2 A. Yes, that's correct.
 3 Q. And finally, was it attended by DS Stephenson of
 4 Staffordshire Special Branch?
 5 A. Yes, that's correct.
 6 Q. Were there any other principal attendees?
 7 A. I don't recall.
 8 Q. May I bring up your day book at {DC7476/1} and go to
 9 page 3 {DC7476/3}. Are these your notes of the meeting
 10 on that day?
 11 A. Yes, they are.
 12 Q. Do we see that you record no significant update about
 13 intelligence following release?
 14 A. Certainly, so that point there relates to the fact that
 15 as the overt arm of the investigation, we will be asking
 16 MI5 is there any intelligence we can act upon in
 17 an overt manner, and that indicates that no such
 18 intelligence was provided.
 19 Q. And then you note DI Williams introducing himself as the
 20 senior investigating officer?
 21 A. That's correct.
 22 Q. And you record an outline given of the current
 23 arrangements, so the monthly visits of the Prevent Team,
 24 the curfew, and the absence of a mentor?
 25 A. Yes, I believe that that would have been provided by

184

1 Jon Stephenson.
 2 Q. And then we see a few entries down:
 3 "Possible trip to London re Cambridge University
 4 work."
 5 Why did you describe it as "Possible"?
 6 A. I don't know. I can only think it was because
 7 Jon Stephenson was looking to confirm some details with
 8 regards to the exact location, so I'm not sure why the
 9 word "possible" was used. Obviously I'm aware from
 10 previous meetings I've attended where I've fixed a date.
 11 Q. Then a little further down "Risks" you note:
 12 "Risk of re-engagement."
 13 Was that noting that somebody at the meeting
 14 referred to a risk that Usman Khan might re-engage with
 15 extremism?
 16 A. So MI5 who chair the meeting will identify risks and it
 17 appears that one of those risks that was discussed was
 18 a risk of re-engagement.
 19 Q. And then if we go down to next steps you refer to
 20 a review of tagging data and handover to your Team 7?
 21 A. Yes.
 22 Q. You then refer to clarification of the Cambridge visit,
 23 and "29 November 2019?" Was that referring again to
 24 needing to check the precise arrangements for that
 25 visit?

185

1 A. I believe so.
 2 Q. And then you refer to another JOT being planned to take
 3 place before the new year?
 4 A. That's correct.
 5 Q. Now, according to Witness A of MI5, the JOT recorded the
 6 following points: first of all, as you've said, that no
 7 intelligence of concern had been seen since Khan's
 8 release.
 9 A. Yes.
 10 Q. Secondly, that MI5 assessed that Khan still wanted to
 11 travel to Pakistan once his licence conditions had
 12 ended; do you remember that being mentioned?
 13 A. I don't recall that specific point, but I don't disagree
 14 that that was raised.
 15 Q. Thirdly, that somebody in the police informed the JOT
 16 that Khan had been attending the gym less frequently and
 17 had ceased attending the mosque. Was that something
 18 mentioned by either you and your colleagues or by
 19 Mr Stephenson?
 20 A. I believe that would have been DS Stephenson.
 21 Q. Also the police commented that overall, Khan had
 22 significantly withdrawn since moving into his new flat;
 23 was that also information relayed by Mr Stephenson?
 24 A. I believe so, yes.
 25 Q. Again, based on the recent Prevent visit?

186

1 A. Yes, and any update of that nature, anything that's
 2 offender manager-led would have been generated by
 3 Staffordshire, so that update would have been provided
 4 and fed in by Mr Stephenson.
 5 Q. And Witness A also referred to the JOT recording that
 6 Khan was planning to attend a Cambridge University event
 7 in London, and we've seen from your notes that you
 8 recall that being raised at the JOT as well?
 9 A. Yes, and they were cited.
 10 Q. Now, according to Witness A, there was a risk identified
 11 in the meeting that Khan might re-engage in Islamist
 12 extremist activity, including specifically being
 13 involved in radicalisation and incitement of others.
 14 That goes a little further than your notes; do you
 15 recall that more expanded version being mentioned?
 16 A. I don't, but I can only assume that would have been the
 17 legacy of the intelligence that was generated in prison,
 18 and again, given that some due diligence to the fact
 19 that that was in existence.
 20 Q. Witness A also told us that a further risk was
 21 identified that Khan may attempt to travel to Pakistan,
 22 although that was assessed as a low risk?
 23 A. I don't disagree with that.
 24 Q. Now, according to Witness A, nobody at this meeting
 25 raised the point that the visit to London might involve

187

1 any risk; is that right?
 2 A. I don't recall any risk being discussed.
 3 Q. Also according to Witness A, nobody at this meeting
 4 raised the point that any safeguarding measures might be
 5 considered in relation to the visit to London; is that
 6 also right?
 7 A. That's correct.
 8 Q. Looking back, knowing what you know of Usman Khan, and
 9 knowing that you were sitting in a joint operational
 10 team meeting with all the key figures from the covert
 11 investigation, 11 days before the event, do you think
 12 you ought to have had that kind of discussion at this
 13 meeting?
 14 A. So, again, being careful with my answer, at this point
 15 I raised the point that we needed further details on the
 16 trip, we may get to that point later, but with regards
 17 to the safeguarding and risk assessment, I assessed that
 18 that sat firmly with Staffordshire Prevent and
 19 Staffordshire SB as part of their overt offender
 20 management, and of which Staffordshire SB were obviously
 21 straddling both sides of the covert investigation and
 22 the offender management.
 23 In terms of personal responsibility, again, I'll
 24 come back to the fact of I didn't feel at this point
 25 I had anything tangible to put forward as our position

188

1 for him to go to this --- to the Learning Together event.
 2 The reason and thought processing behind that was that
 3 it was still seen as a positive move and the way it was
 4 being presented, I had no information to the contrary
 5 with regards to that.
 6 He didn't have any prohibition on going to London,
 7 I had no intelligence to suggest that that was something
 8 that could prevent him going to the meeting and, again,
 9 this was something that he'd been working towards for
 10 a number of months, nearly 12 months. So in terms of
 11 from a personal perspective, that's why I didn't raise
 12 those concerns at that time.
 13 Q. Let me just press you on this, and you'll appreciate
 14 that I've done so with DS Stephenson ---
 15 A. Yes.
 16 Q. --- and with others. You are sitting there in the first
 17 joint operational team meeting with MI5 in nearly
 18 a year; yes?
 19 A. It appears so, yes.
 20 Q. All the key figures in the covert operation are there?
 21 A. Yes.
 22 Q. You have Usman Khan, a terrorist offender who is still
 23 identified as presenting a risk of engaging in extremist
 24 activity, that risk is being mentioned at this meeting.
 25 A. Yes.

189

1 Q. In the next several days, or in the next couple of
 2 weeks, he is going to an event in central London,
 3 passing through major railway stations. Don't you
 4 accept that it's extraordinary in that context that
 5 nobody in this meeting mentions the risk of the visit at
 6 all?
 7 A. Again, I can only come back to the point that when we
 8 call the JOT and we ask for any information or
 9 intelligence of an adverse nature, we're not being
 10 provided with any. We've got an individual who appears
 11 to not have many factors in his life which are causing
 12 him to leave the premises at the moment, this is one.
 13 So with it being a rehabilitation event, the thinking
 14 would have been at this moment in time that this is
 15 a positive event, and with regards to the travel to
 16 London, he'd actually raised the facts around his
 17 licence conditions and that was being managed by
 18 probation with regards to that risk assessment of his
 19 licence conditions, and that was my thinking at that
 20 time.
 21 Q. Seeing the positive benefits of the potential visit, did
 22 it occur to you at the time that you could secure those
 23 benefits while also taking steps to protect the public
 24 by one of a range of security measures?
 25 A. With regards to that, and I know it is an answer that

190

1 has been given previously, but with regards to providing
 2 a convoy or an escort, if I'd have had that information
 3 or intelligence --- that would require the convoy and
 4 escort --- I wouldn't have put --- I wouldn't ---
 5 I certainly wouldn't have supported the trip, or I would
 6 have made a comment to the effect of saying I don't
 7 support it.
 8 Escorting an individual with no legislative powers
 9 comes with its own practical issues, and unfortunately
 10 that was the position, and it's certainly not one around
 11 proportionality or anything like that, I'm certainly not
 12 sitting here saying that, what I'm saying is if the risk
 13 was present that it needed officers to escort him,
 14 I wouldn't have supported it.
 15 Q. But might you not sometimes have a situation with
 16 a terrorist offender where you say: I want them to be
 17 able to do something because it's beneficial for them,
 18 I want them to be able to go to an event because the
 19 organisation is a protective factor, but just because of
 20 the risk inherent in them, not some specific
 21 intelligence, but just because of the risk inherent in
 22 them, I want to take some precautions. Wouldn't that
 23 ever go through your mind in relation to an offender?
 24 A. No, and it's still obviously a consideration, and I can
 25 see why the point is being raised, but from a practical

191

1 level, to physically put officers alongside someone
 2 without a legislative power, I don't see how that would
 3 become managing in practical terms, and again, I must
 4 stress, it was certainly not because I didn't see the
 5 risk as proportionate or --- it was simply because if
 6 there was that risk, I wouldn't have supported it.
 7 And I do have to come back to the fact of the
 8 practical level as well, of how that would have worked.
 9 So if the individual was on a train with officers, what
 10 would the officers have done if the individual went to
 11 the toilet on the train, would we have followed him in
 12 the toilet? No, we wouldn't. If he's wearing a coat
 13 in November, would we search him? No, we wouldn't,
 14 because we wouldn't have the power to do so. And I've
 15 heard section 1 being mentioned and the Terrorism Act.
 16 I don't personally feel that the grounds of the object
 17 would have been met in those circumstances and it again
 18 comes back to saying: I wouldn't have put my officers in
 19 that position in the first place. Then we go back to
 20 the event itself. In terms of going into the event:
 21 would we have committed officers into that event? Would
 22 we have sat with him if he had gone to the toilet, and
 23 the terrible events that unfolded with regards to the
 24 nature of the attack, those officers, to mitigate that
 25 threat, would have had to have been armed to fully

192

1 mitigate that threat.
 2 So whilst this is all being discussed with
 3 hindsight, and I absolutely understand why, to fully
 4 mitigate the risk that Usman Khan posed on that day
 5 would have needed firearms officers and that wasn't at
 6 my disposal and I certainly didn't have the rationale to
 7 put that forward.
 8 Q. Let's take that in stages. First of all, there was no
 9 discussion at the JOT or at any of the other meetings
 10 that you have described of risk, was there?
 11 A. It doesn't appear so.
 12 Q. It wasn't discussed. So all of this, all of what you
 13 are telling us is reconstruction after the fact, you
 14 thinking what you would have thought if a whole series
 15 of arguments had been gone through; is that fair?
 16 A. It's fair to say that if there was any information or
 17 intelligence which would have highlighted a risk for him
 18 attending, I would have been the first person to put
 19 that argument forward, but I didn't feel it was there.
 20 Q. I'm sorry, can I just ask you the question again.
 21 Is it fair, because there was no actual discussion
 22 of risk, that all these explanations you're giving now
 23 are reconstruction of what you think you would have said
 24 if people had put the points which lawyers have been
 25 putting over the last several weeks?

193

1 A. In answer to your question, I think if the question had
 2 been posed at the JOT, that would have been my answer.
 3 Q. Let's then take the suggestion, the proposal, of
 4 an escort. Would it never occur to you as
 5 a counter-terrorist policeman that in order to ensure
 6 that somebody could go to an event while just keeping
 7 an eye on them because of the general risk they
 8 presented, that an escort might be a good idea, not
 9 because you have a specific thought that that person is
 10 going to commit an attack and you need a bevy of
 11 firearms officers present; did that never occur to you?
 12 A. I wouldn't have -- if I felt that somebody needed
 13 escorting to a rehabilitation event, I would probably
 14 suggest that they are not truly ready for that
 15 rehabilitation event at that time, certainly with the
 16 context that's being presented.
 17 Q. Secondly, other witnesses have accepted that one option
 18 would have been to have Usman Khan met en route in order
 19 to check that he responded properly to some basic
 20 questions. Would that never be an option?
 21 A. Again, from a practical level I didn't consider that as
 22 an option, but also I still don't think it would have
 23 prevented, beyond all doubt, the events unfolding in the
 24 tragic way they did, because ultimately if I'd have
 25 asked him a question, what question would that be, and

194

1 with regards to -- that would mean that he was going to
 2 disclose what his plans was, and he -- I don't believe
 3 that that was an option, no.
 4 Q. Well, if somebody had asked: what's in the bag, Usman,
 5 and he'd refused to show them what was in the bag, as
 6 a policeman, you could have carried out a search then
 7 and there, couldn't you?
 8 A. If the grounds were present, yes.
 9 Q. Yes. If somebody is refusing a basic question like that
 10 from an officer asking in those circumstances.
 11 A. Yes.
 12 Q. And finally, would it not have been a possibility to
 13 check security arrangements at the venue just on the
 14 basis that if you're sending a dangerous terrorist
 15 somewhere it's a good idea for it to have good security?
 16 A. I absolutely believe that there should have been
 17 security measures on the day.
 18 Q. But not something that you and your team should have
 19 thought to check?
 20 A. I didn't think it was my role and my current role in the
 21 covert operation to check that, certainly with the work
 22 that was being undertaken by probation and Prevent,
 23 I would, again, assume that that would have been
 24 a factor in the visit planning and preparation.
 25 Q. Now, lastly this: a couple of days after the JOT, did

195

1 you receive an email from DC Plimley of Staffordshire
 2 Special Branch telling you more precisely where the
 3 venue was, Fishmongers' Hall?
 4 A. I did, yes.
 5 Q. Did you know what Fishmongers' Hall was at that time?
 6 A. I did not.
 7 Q. Did you make any checks?
 8 A. I did not, no.
 9 Q. Did you communicate that information on to anyone else?
 10 A. Yes, and that's where I would just like to qualify the
 11 previous answer. So I then forwarded it on then to the
 12 relevant intelligence departments for them to make their
 13 own checks and to raise any concerns to me and to put
 14 other measures in place.
 15 Q. And that would include MI5, would it?
 16 A. It would, yes.
 17 Q. And is it right that you and they would have required
 18 that information for a range of purposes, including
 19 offender management, any coverage, et cetera?
 20 A. Yes, that's correct.
 21 MR HOUGH: Thank you very much. Those are all my questions.
 22 A. Thank you.
 23 JUDGE LUCRAFT: Mr Pitchers.
 24 Questions by MR PITCHERS QC
 25 MR PITCHERS: Yes, good afternoon, Mr Jerromes,

196

1 I'm Henry Pitchers, asking questions on behalf of the
 2 family of Saskia Jones.
 3 I just want to ask you about the August MAPPA
 4 meeting, and you told us earlier what your position was
 5 in relation to that, and specifically the
 6 Fishmongers' Hall event.
 7 Can we leave aside what your position is and just
 8 look at the notes that you made, please, and turn up
 9 {DC7527/1} and if we turn to internal page {DC7527/6},
 10 please. If we could just zoom in.
 11 So as I understand it, these are the notes that you
 12 took in the course of the meeting?
 13 A. Yes, that's correct.
 14 Q. Would it be fair to conclude that you would have taken
 15 handwritten notes and then typed up at the end of
 16 meeting?
 17 A. Yes, handwritten and laptop.
 18 Q. And presumably the purpose of you taking those notes is
 19 to record any points which are made of any significance?
 20 A. More so, as I alluded to, it was more to use it as
 21 a mental aid with regards to if something was said and
 22 I thought there's an opportunity for disruption then
 23 I could take that opportunity, more so than minuting the
 24 meeting.
 25 Q. Well, but we can see clearly that you have raised and

197

1 recorded a number of matters, haven't you, in relation
 2 to probation, and it seems that you are making notes as
 3 this presentation was being given; yes?
 4 A. Yes.
 5 Q. So the first thing that you chose to note was that
 6 Usman Khan was seeking employment and then the question
 7 about the forward tipper on the building site, then
 8 questions about housing and him looking for a private
 9 rental, a reference to him feeling that the decision
 10 about housing was unjust, reference to the ERG.
 11 Those aren't matters that are relevant to you
 12 planning some kind of disruption, are they?
 13 A. Yes, they are. So under the part 4, the amendments that
 14 came in in 2019 with regard to the Counter-Terrorism and
 15 Security Borders Act, employment certainly around the
 16 use of a vehicle you would have to notify, housing is
 17 relevant under the part 4 legislation, so those are all
 18 points with regards to the theme of just me being
 19 cognisant around possible part 4 disruptions.
 20 Q. But him feeling that it was an unjust decision, plans
 21 for the ERG to be carried out, descriptions of Khan as
 22 a teenager in the next paragraph, mentoring issues as
 23 well.
 24 A. Yes.
 25 Q. What we see here is absolutely no reference, is there,

198

1 to the Learning Together event?
 2 A. It doesn't appear so, no.
 3 Q. No. And if it had been mentioned and was considered to
 4 be of any significance you would have made a note of it,
 5 wouldn't you?
 6 A. I believe if I had any views or concerns at that point,
 7 I would have made a note.
 8 Q. Not just if you had any concerns, because these aren't
 9 all things you were concerned about; if it was raised
 10 with any prominence or you considered it to be of any
 11 significance, you would have made a record of it,
 12 wouldn't you?
 13 A. I don't disagree.
 14 Q. You don't disagree?
 15 A. I don't -- yes.
 16 Q. You do agree?
 17 A. Yes, sorry, double negative, yes, apologies.
 18 Q. So it's reasonable for us to conclude, isn't it, that if
 19 there's no mention of it in your notes, nor in the
 20 minutes, that's really all we can discern about the
 21 extent of the discussion of the Fishmongers' Hall event?
 22 A. All I can say is refer back to my previous answer that
 23 I certainly recall it being a factor and a theme
 24 throughout the MAPPA minutes -- sorry, the MAPPA
 25 meetings, and it seemed that something was an ongoing

199

1 piece of work that Prevent and probation were working
 2 on.
 3 Q. I'm not asking you about general references to
 4 Learning Together, I'm asking you specifically about the
 5 Fishmongers' Hall event.
 6 A. Yes.
 7 Q. And I suggest to you that you've probably got no
 8 independent recollection beyond what was noted by the
 9 minute-taker. Is that a fair point?
 10 A. Yes, that's a fair point and something I've just gone
 11 through.
 12 Q. In relation to the November MAPPA minutes, could we have
 13 a look, please, at -- well, it's the same document,
 14 {DC7527/11}. Yes, if we could just zoom in at the top
 15 there. So we can see that there are two sentences that
 16 have some bearing upon the Fishmongers' Hall event, and
 17 you've noted:
 18 "He is going to London on 29 November as part of
 19 an educational visit with the company that helped him
 20 previously. This is the same company that provided him
 21 with a Chromebook."
 22 So your impression at that stage was that this was
 23 an educational visit?
 24 A. Yes, as part of certainly around the writing and work.
 25 Q. Well, we're talking about the visit; your view was that

200

1 the visit itself was educational?
 2 A. I've probably read into that with the Cambridge
 3 University element and probably my note-taking has
 4 leaped to that.
 5 Q. Well, these are your words, this is how you chose to
 6 note it, and you describe it as an educational visit?
 7 A. I certainly don't disagree with the fact I've put
 8 educational visit.
 9 Q. Well, no, obviously it's there in black and white, isn't it.
 10
 11 But you would agree, knowing now what you know about
 12 the event, that that wouldn't be an accurate way of
 13 summarising what was proposed to happen at The
 14 Fishmongers' Hall; it was a lot more than an educational
 15 visit?
 16 A. Yes.
 17 Q. Yes. So you didn't have a clear grasp really at all as
 18 to what was proposed to happen on 29 November, did you?
 19 A. I didn't know the intricacies of the event.
 20 Q. It's not just about intricacies; you didn't have a basic
 21 grasp of it, did you?
 22 A. No, not from -- in terms of what I was being presented
 23 with was that this was a project that he was working on
 24 to help him with his writing that would support him in
 25 potential employment further down -- further down the

201

1 line.
 2 Q. But no, I'm just interested in the details you knew
 3 about the event on 29 November.
 4 A. Yes.
 5 Q. So you didn't know the venue, did you?
 6 A. Not at this time, no.
 7 Q. No, you didn't know the address, you didn't know the
 8 scale of the venue?
 9 A. But at this time I would refer back to the fact I didn't
 10 have the offender management responsibility --
 11 Q. I'm just asking you what you knew.
 12 A. Yes, that's fine.
 13 Q. And you didn't know that, did you?
 14 A. No.
 15 Q. You didn't have any sense of the scale of the event --
 16 A. No.
 17 Q. -- no, in terms of the numbers of people, it would be
 18 about 100 people attending?
 19 A. No.
 20 Q. Or the nature of those attendees, that there would be
 21 people who might be relatively high profile?
 22 A. That's correct.
 23 Q. And you had no knowledge about whether or not there's
 24 any sort of security checks in place on the day?
 25 A. No, I've answered that, no, I didn't.

202

1 Q. Yes. So you were in no position, were you, to give any
 2 sort of informed consideration to the risks associated
 3 with him attending at all and whether or not any
 4 precautionary measures should be put in place?
 5 A. No.
 6 Q. No.
 7 Now, finally, you've been asked some questions
 8 about -- trying to hypothesise as to what might have
 9 happened if certain steps had been taken, I don't want
 10 to re-cover that ground, but if there was to be
 11 an escort, you would expect, wouldn't you, that he would
 12 be aware of that in advance?
 13 A. Of the escort?
 14 Q. Yes.
 15 A. Yes.
 16 Q. So he would know he was going to be met perhaps from
 17 home by two officers and then escorted throughout the
 18 day?
 19 A. Yes.
 20 Q. So when we try to grapple with how he might have behaved
 21 differently, we have to bear that in mind, don't we?
 22 A. Yes.
 23 Q. And as I understand it, if he had been caught out at
 24 some point before he had launched the attack, he would
 25 be likely to be recalled to prison promptly where he

203

1 would be likely to have remained for a long period of
 2 time?
 3 A. I would have hoped so, yes.
 4 MR PITCHERS: Yes, I have no further questions.
 5 JUDGE LUCRAFT: Thank you, Mr Pitchers.
 6 Mr Armstrong.
 7 Questions by MR ARMSTRONG
 8 MR ARMSTRONG: Thank you, sir.
 9 Mr Jerromes, my name is Nick Armstrong and I ask
 10 questions, just briefly, on behalf of Jack Merritt's
 11 family.
 12 You said very early in your answers to Mr Hough, you
 13 were answering questions about the structure of MAPPA
 14 and you going on the second day when they did the
 15 Staffordshire cases and you said that you wanted to do
 16 that because of your personality and your passion for
 17 part 4s?
 18 A. Mm-hm.
 19 Q. And you said that in the context of wanting to give
 20 guidance and advice, bringing your specialist
 21 counter-terrorism experience and expertise to bear on
 22 those who had less than you?
 23 A. If I could help, yes.
 24 Q. If you could help. Now, that is all, presumably, aimed
 25 at wanting to get the job done correctly, wanting to

204

1 ensure it's done right, making sure that decision-making
 2 is right and fully informed?
 3 A. Yes.
 4 Q. You were there, I'm not going to call it up again at the
 5 moment, you were there at the MAPPA in January which
 6 would have looked, do you accept, and you will have
 7 considered and you had an opportunity to do it quite
 8 carefully, the minutes from December, yes, where you
 9 will have seen as a clear flagged point an issue about
 10 the strand of intelligence about him wanting to return
 11 to the old ways. You didn't want at that stage -- want
 12 to make sure that that had been -- seeing that as
 13 an action from a meeting at which you had not been to
 14 check that that had been properly understood that that
 15 had been properly checked and properly inform yourself
 16 that you understand the basis for that intelligence?
 17 A. So I certainly didn't see it as my position to be that
 18 intelligence conduit. You had Staffordshire Special
 19 Branch who were the intelligence support to the covert
 20 investigation, you had the lead offender management
 21 agency, so I appreciate the question that you're asking,
 22 but in reply, I didn't see that as my function in that
 23 meeting.
 24 Q. Mr Jerromes, you know where I'm going with this. You
 25 have obviously prepared for your evidence today, you're

205

1 referring to having read documents and being aware and
 2 you're aware of evidence that was given on previous days
 3 which presumably means you're reading the transcripts of
 4 all of this. You know how often it is being said
 5 "I thought it was somebody else's job". You do need to
 6 check that these things are being done and you do need
 7 to satisfy yourself that things are being done, don't
 8 you?
 9 A. Again, Staffordshire Police, police force, have their
 10 own rank structure. I am one detective sergeant within
 11 the West Midlands Police who, yes, has got a passion for
 12 counter-terrorism work, and yes, absolutely wanted to
 13 offer my assistance, but there is senior officers
 14 present within two different forces and I am sorry,
 15 whilst I take personal responsibility for my attendance,
 16 I cannot accept that I had any responsibility to ensure
 17 that information was being shared with relation to those
 18 cases.
 19 Q. In July 2019, six members of West Midlands
 20 Counter-Terrorism Unit turn up to say: don't teach him
 21 how to drive a dumper truck. As I understand your
 22 evidence, you have still not at that stage, and still
 23 not until I think November, read the subject
 24 intelligence profile that Staffordshire have prepared?
 25 A. Yes, so in answer to your question -- the latter part of

206

1 the question, no, that's correct with the profile. With
 2 regards to six members of staff attending to oppose
 3 a dumper truck, that's not correct. We were there,
 4 again, in the same capacity as I was with regards to the
 5 context of other meetings. Yes, we opposed to the
 6 dumper truck, yes, but we wasn't there to oppose the
 7 dumper truck.
 8 Q. We've heard from others that one of the reasons why
 9 people are turning up is to make sure they are heard on
 10 that issue, it's an important issue?
 11 A. Yes.
 12 Q. And you don't, at that stage, want to inform yourself by
 13 reading the subject intelligence profile on Mr Khan?
 14 A. Again, I can only revert back to at that moment in time,
 15 that wasn't my role and responsibility.
 16 Q. Which means you're still not aware of the second strand
 17 and the attack aspiration strand?
 18 A. No.
 19 Q. You are aware that those profiles exist, they are easily
 20 obtainable, there's no problem with you having them?
 21 A. Again, in terms of the need to know basis, I wasn't
 22 subject to the covert investigation, I didn't have overt
 23 offender manager responsibility, I wouldn't have had
 24 that information passed to me.
 25 JUDGE LUCRAFT: I think Mr Armstrong's question is a rather

207

1 different one: it's whether you were aware that the
 2 subject intelligence profile existed?
 3 A. Through my knowledge of counter-terrorism work I would
 4 assume that a profile would be in existence.
 5 MR ARMSTRONG: But you didn't obtain it?
 6 A. No.
 7 Q. Mr Hough took you to your proposal to take over the
 8 Staffordshire cases that was dated on 6 September?
 9 A. Yes.
 10 Q. And Mr Hough put it to you and you accepted that that
 11 was a strongly worded pitch that was based on the fact
 12 that you wanted to use your better model than the one
 13 that they had, and it made sense that other people in
 14 the country were asking you about this and therefore you
 15 should at least do it for the neighbouring police team.
 16 So you are, putting it gently, saying: we will do it
 17 better than you are currently doing it.
 18 If that was submitted on 6 September, you were
 19 presumably thinking about that some time ahead?
 20 A. Yes.
 21 Q. That has been something in your mind that you thought
 22 ought to happen for some time?
 23 A. I'm aware the SIO, Gareth Williams, was having those
 24 initial discussions but in terms of when we formally
 25 documented that, that was 6 September.

208

1 Q. And we've seen the proposal, it's several pages, you
 2 were presumably drafting it some time ahead of
 3 6 September?
 4 A. Yes.
 5 Q. Did the drafting of that document, whether it's a few
 6 days ahead or in August, lead you to obtain any of the
 7 documents that we're talking about, like the subject
 8 intelligence profile?
 9 A. No, it didn't, no.
 10 Q. Or the OASys or the ERG?
 11 A. No, it didn't, no.
 12 Q. You are taking over an operation — or you are proposing
 13 taking over an operation from Staffordshire where they
 14 have only one, as was established this morning, only one
 15 priority operation and it's Usman Khan. You don't want
 16 to get those documents in relation to that in order to
 17 inform yourself when you're making a proposal to take
 18 that over?
 19 A. Again, I am one detective sergeant trying to do the
 20 right thing in terms of asking for a model to be
 21 adopted. In terms of myself at that point researching
 22 the investigation, that wasn't the context of the report
 23 I was putting forward. It was from an offender
 24 management and covert investigation moving forward.
 25 I certainly don't feel that I should have been obtaining

1 subject profiles and had a full understanding of the
 2 covert investigation at that point.
 3 Q. And you don't in relation to, we're talking about August
 4 here, your hearing a discussion about Learning Together,
 5 Mr Pitchers has asked you some questions about this as
 6 well just now. You have told us, like many others have
 7 told us, that the point about the Learning Together even
 8 was it was something that probation and Prevent thought
 9 was worth doing?
 10 A. Yes.
 11 Q. It was a protective factor. You know, not least because
 12 you're proposing to take this job off Prevent, that
 13 there is a lack of experience on counter-terrorism
 14 matters in Staffordshire?
 15 A. In investigation, yes.
 16 Q. Well, do you know Mr Skelton is on his second ever case
 17 and so is —
 18 A. I don't know his antecedents, no.
 19 Q. You don't want to inform yourself about, given that it's
 20 being said that the reason why we should do this is
 21 because of the value to him of this programme, you don't
 22 want to inform yourself about what that programme is,
 23 how valuable, why it's valuable, how often, what
 24 benefit?
 25 A. Again, I keep coming back to the point with regards to

1 my attendance at MAPPA. I wasn't there for any formal
 2 capacity in terms of a requirement. The
 3 responsibilities were clear and the offender management
 4 was Staffordshire Prevent, supported by Staffordshire
 5 Special Branch, and the covert investigation at that
 6 point sat elsewhere. I was there to offer support where
 7 I could, not to have intricacies over the covert
 8 investigation at that point.
 9 Q. You see where I'm going with this, I mean, you see that
 10 what happens here is we have witness after witness and
 11 the families ask questions and others ask questions and
 12 everybody said says: we hoped somebody else would have
 13 done it?
 14 A. The only thing I can say, and with obviously the family
 15 here, is that if I'd been presented with any information
 16 or intelligence in any of those meetings which could
 17 overtly be acted upon, I would have took it.
 18 Q. And if I was to say to you that the material is there,
 19 if I were to say to you: look at the ERG, look at the
 20 OASys, if I was to say to you: personality and passion
 21 are important, Mr Jerromes, but curiosity is important
 22 too, would you accept that?
 23 A. Again, I think that's unfair in terms of my attendance
 24 at those meetings.
 25 Q. You don't think you were showing incuriosity about these

1 important matters?
 2 A. No.
 3 Q. I see. All right.
 4 Finally this. You say that in answer to questions
 5 from Mr Hough in particular that you couldn't — you
 6 were unsure about having him accompanied on 29 November
 7 without a legislative power. You knew, presumably, that
 8 in fact Mr Khan himself had asked for accompaniment back
 9 in August; did you know that?
 10 A. I recall a conversation he had with Calum, I believe it
 11 was.
 12 Q. And in relation to the trip to Whitemoor in June where
 13 he was accompanied, what legislative power did you think
 14 was being exercised then?
 15 A. I believe that was one out of welfare for him.
 16 Q. A legislative welfare power?
 17 A. Again, that was a decision that was made by Prevent, not
 18 by myself.
 19 Q. Okay. If I was to suggest to you there is no such
 20 power?
 21 A. I would agree with you, but I would also say the
 22 decision to take him wasn't mine.
 23 Q. All right. And in relation to search powers, I just
 24 want to be absolutely clear about this: Usman Khan is a
 25 man with a terrorism conviction, he is currently on

1 licence in respect of a terrorism conviction, he is
 2 assessed as representing a very high risk of harm in the
 3 only completed risk assessment, and if he refuses to
 4 open a bag or open a coat in the circumstances of that
 5 particular context, your position as an experienced
 6 counter-terrorist police officer is that that would not
 7 give rise to reasonable grounds for a search either
 8 under section 1 of PACE or under the Terrorism Act, is
 9 it?
 10 A. So your Terrorism Act powers would be that you --
 11 Q. It's reasonable suspicion?
 12 A. Reasonable suspicion, yes. With regards to the context
 13 of that, again, I'll come back to my answer: if
 14 I thought for a minute that the intelligence or
 15 information was there, I would not have let him go, in
 16 terms of the fact of supporting it, not letting him go
 17 but in terms of I'd have put a representation forward.
 18 JUDGE LUCRAFT: But again, that's a different question to
 19 the one that Mr Armstrong is actually asking you. So if
 20 you listen very carefully to the question, please.
 21 MR ARMSTRONG: I'll put it another way. It is this:
 22 Mr Hough put this to Detective Sergeant Stephenson
 23 earlier in the week and I would just encourage you to
 24 think carefully about this, as you are thinking
 25 carefully about it. Mr Hough's questions were, and for

213

1 others, it's page 94 of the 17 May transcript, you could
 2 stop him by surprise, you could search him. You might
 3 want to bear in mind that these questions are being
 4 carefully put by Counsel to the Inquest, no doubt on the
 5 basis of experience and expertise, there are lots of
 6 people around this courtroom that have this experience
 7 and expertise, and Mr Stephenson said in response to
 8 that question: yes. No hesitation, no difficulty: yes,
 9 we can disrupt him, yes, we can surprise him, yes, we
 10 can search him.
 11 Do you think he is wrong about that? You don't
 12 think the reasonable grounds are there?
 13 A. In the circumstances that we know now, yes, but in terms
 14 of what the possession -- the information intelligence
 15 there was at that point, I didn't think there was
 16 a necessity for that to happen.
 17 Q. If you are en route with a convicted terrorist offender
 18 who is wearing a bulky coat and is refusing to open it
 19 or refusing to open his bag, you would have reasonable
 20 grounds for searching under section 1 or under the 2000
 21 Act, wouldn't you?
 22 A. Again, I think there's a lot of context behind that that
 23 would have to be put forward other than a convicted
 24 terrorist wearing a heavy coat.
 25 Q. What I'm interested in here and the reason why

214

1 I'm pressing you on this, is that reflection,
 2 particularly in a case like this is absolutely critical.
 3 A. Yes.
 4 Q. And I don't want you to be desperately clinging onto
 5 a belief that nothing you did could have made any
 6 difference, because it could; do you see?
 7 A. I reflect on that every single day.
 8 MR ARMSTRONG: Thank you, Sergeant Jerromes, I've no further
 9 questions.
 10 JUDGE LUCRAFT: Mr Boyle.
 11 Questions by MR BOYLE QC
 12 MR BOYLE: Good afternoon.
 13 Sergeant, I ask questions on behalf of
 14 Staffordshire Police. Can we have on the screen,
 15 please, {DC7443/175}.
 16 EPE OPERATOR: My apologies, can you stand by, please,
 17 there's just an internet connection problem.
 18 JUDGE LUCRAFT: There we go, we can't even see the third
 19 half of it, Mr Boyle.
 20 MR BOYLE: No, sir, we cannot. I can ask about something
 21 else whilst that's being worked on, if that's okay.
 22 JUDGE LUCRAFT: If that's not...
 23 MR BOYLE: And something relevant to the case, I don't mean
 24 just generally ask about other things.
 25 It's just this, officer: if you thought that -- as

215

1 a police officer, if you thought that someone presented
 2 a risk of causing other people harm, you would act,
 3 wouldn't you?
 4 A. Yes.
 5 Q. All police officers take an oath when they're sworn in
 6 right at the beginning of their careers, don't they?
 7 A. Yes, that's correct.
 8 Q. And it's an oath to act with diligence to cause the
 9 peace to be kept and to try to prevent offences and
 10 words to that effect; isn't that right?
 11 A. Yes.
 12 Q. So regardless of who you considered safeguarding and
 13 risk-assessing sat with, which you say sat with Special
 14 Branch and Prevent from Staffordshire, if you had
 15 thought that this man presents a risk to people in
 16 London or anywhere else, you would have spoken out,
 17 wouldn't you?
 18 A. Yes.
 19 Q. It would have been your duty to do so?
 20 A. Yes.
 21 Q. Any luck with {DC7443/175} yet?
 22 JUDGE LUCRAFT: There may be a technical issue which
 23 I think --
 24 MR HOUGH: There is a problem that we seem to have lost our
 25 Opus connection. I don't know whether Mr Boyle has the

216

1 means to summarise the document, or...
 2 MR BOYLE: I can try to summarise the document. Do you
 3 recall that after the JOT you raised in your note, we
 4 have had a look at your notebook, where it was further
 5 details re this event which was taking place on
 6 29 November. Do you recall that after the JOT, and
 7 I think it was on 20 November, you were sent an email,
 8 which I think had initially been sent by Lee Plimley to
 9 "Loz", DC Mills --
 10 A. Yes.
 11 Q. -- which included or forwarded a slightly earlier email
 12 from Ken Skelton to Calum Forsyth with things like the
 13 precise times of the trains.
 14 A. Yes.
 15 Q. And also the location of the Fishmongers' Hall,
 16 London Bridge, with the postcode and so on.
 17 A. Yes.
 18 Q. Do you remember getting that information sent to you?
 19 A. Yes, and I'll have seen the evidence being given with
 20 that email.
 21 Q. I'm grateful. And you will recall, I hope, that the
 22 email was forwarded on to you, and in it there was
 23 a reference to:
 24 "I've found out more information about this event,
 25 see attached."

217

1 A. Yes.
 2 Q. And in fact attached was the invitation or the agenda
 3 for the event; yes?
 4 A. Yes.
 5 Q. Which would have informed you that this was a day-long
 6 event which was happening, and, indeed, in the email
 7 itself it referred to: he's been invited as a guest and
 8 he's travelling alone?
 9 A. I recall the pertinent details being the travel
 10 arrangements and the location, yes.
 11 Q. Right. But in addition to that there was a summary of
 12 what the event was, a five-year anniversary and so on?
 13 A. Yes.
 14 Q. And do you recall that you then -- and DC Plimley, you
 15 might not have recalled, but do you recall DC Plimley
 16 was actually at the JOT?
 17 A. I don't, but that wouldn't be unusual.
 18 Q. No. And you thanked the sender for the email and then
 19 you forwarded it on to Gareth Williams who was then the
 20 SIO?
 21 A. Yes.
 22 Q. And from 18 November, were you then the deputy SIO on
 23 the covert side?
 24 A. Yes.
 25 Q. And from 20 November then, you will have known pretty

218

1 much, as much as anyone else, about the details of this
 2 event: where it's happening, when it's happening, his
 3 times of travelling, he's travelling on his own,
 4 et cetera?
 5 A. Via the email, yes.
 6 Q. Yes. And that would have been about eight or nine days
 7 before the event itself taking place?
 8 A. Yes, I believe it was on the 20th.
 9 MR BOYLE: Yes, thank you very much. Those are all the
 10 questions I have for you.
 11 JUDGE LUCRAFT: Thank you, so despite the technical hitch,
 12 Mr Boyle, you managed very well.
 13 MR BOYLE: Well, I've tried to remember the details of the
 14 document. If we need to look at it, I'm sure it can be
 15 brought up tomorrow morning with another witness.
 16 MR HOUGH: I am told that the system has cranked itself up
 17 again, it is working, although I can say that certainly
 18 from my recollection, Mr Boyle's summary was immaculate.
 19 MR BOYLE: Well, I'm going to crank myself back to my seat
 20 then sir, if you don't mind.
 21 JUDGE LUCRAFT: Mr Baumber.
 22 Questions by MR BAUMBER
 23 MR BAUMBER: Thank you, sir.
 24 Kevin Baumber, counsel for Staffordshire Prevent
 25 officers .

219

1 A little about part 4, just a very little, if I may.
 2 We have heard that the licence rather than the part 4
 3 Counter-Terror Act is the device that imposes the
 4 controls on the behaviour and the opportunity to
 5 restrict opportunities for a subject like Khan; that's
 6 right, isn't it?
 7 A. Around things such as curfews and movements,
 8 predominantly, yes.
 9 Q. And doing things, yes. Now, police are concerned the
 10 licence, aren't they --
 11 A. Absolutely.
 12 Q. -- especially in terms of compliance with it, but
 13 permission, we have heard, under the licence, can only
 14 in the end be given by the probation officer, is that
 15 your understanding?
 16 A. Yes, that's correct.
 17 Q. But it might depend on the issue, but that permission
 18 would often be subject to the superintendents of MAPPA?
 19 A. In terms of an amendment to a licence condition?
 20 Q. Or giving permission under it to go and drive a truck or
 21 go to an event?
 22 A. Yes.
 23 Q. All right. Part 4 itself in the Act only covers
 24 notification, doesn't it?
 25 A. Yes.

220

1 Q. So the Act itself doesn't provide for visits or
 2 "management"?

3 A. No, it doesn't, and the visits are obviously there to
 4 check that the individual is residing at the address
 5 that they have notified of primarily.

6 Q. But when we talk about part 4 or part 4 management, the
 7 role of the overt police team, albeit it's not in the
 8 Act, police officers do more than it says in the Act?

9 A. Yes.

10 Q. Is that right? The notification part is proscribed in
 11 the Act; the management part, to find that, one would
 12 have to look at, or for, force policy or procedures,
 13 experience, local practices, that kind of thing; is that
 14 right?

15 A. Yes, that's correct.

16 Q. Prevent are allocated the part 4 job for Usman Khan?

17 A. Yes.

18 Q. And can I ask you about Team 7's interest in that, and
 19 I promise I'll allow you to expand on a topic, but just
 20 for your information, I'm going to give you the
 21 headlines first, you might be able to give us a general
 22 agreement or disagreement. Team 7 were to provide
 23 advice and guidance to Prevent?

24 A. Yes.

25 Q. To investigate any breaches of part 4 notification?

221

1 A. That was identified to us, yes.

2 Q. They had a role in the tagging data?

3 A. Yes. They didn't have the function to actually gain the
 4 data, so we would provide the data to the analyst.

5 Q. Access to ViSOR, to Staffs intelligence on Khan?

6 A. No, so we didn't have access to that. We had -- there
 7 was one officers, Officer Myers, who had it from purely
 8 an administrative process with regards to uploading the
 9 minutes from MAPPA.

10 Q. That's one officer on Team 7 had access to that intel.

11 A. That's correct.

12 Q. All right. And finally, presence at MAPPA meetings?

13 A. Yes.

14 Q. On the first of those, the providing advice and
 15 guidance, you mentioned at one point that no one had
 16 ever told you, for example, to go to MAPPA to support
 17 Prevent. I don't know if you were following
 18 Mr Hessel's evidence, but we saw an entry in his book,
 19 and I can call it up if you would like to be reminded,
 20 but there's a note where he tries to contact you and
 21 either couldn't reach you or you didn't have the chance
 22 to get back, and then he gets through to DI Williams in
 23 late 2018 who says Team 7 to be or to provide guidance.
 24 Was that a message that was passed through to Team 7?

25 A. I don't recall that specific message being passed, but

222

1 we were certainly there to offer any guidance if asked.

2 Q. No training was provided to the Prevent Team on the
 3 part 4 process or management, was it?

4 A. No, no training was offered to our officers either and
 5 that's something that's being remedied, hopefully this
 6 year.

7 Q. There was no brief course or meeting to pass that on.

8 I think earlier you said it was fair to say they didn't
 9 have the benefit of the model that you had got up and
 10 running?

11 A. No they didn't, no.

12 Q. So at the time there was no process engaged with by
 13 either West Mids or Staffs as a force whereby the
 14 details of your Team 7 model are passed over to Prevent?

15 A. So I attended on 5 March 2019, I wasn't tasked to do
 16 that, it felt like the right thing to do, so I went and
 17 had a discussion with Sergeant Forsyth and his team with
 18 regards to our practices, with regards to risk
 19 management plans, visit strategies, officer safety. So
 20 they were aware of our processes and policies because
 21 I'd attended on 5 March. His officers were also
 22 afforded the opportunity to sit in on a recorded part 4
 23 notification which I'd set up as well, so I did do more
 24 than simply sit in a MAPPA.

25 Q. Helping them with the nuts and bolts of the notification

223

1 process?

2 A. Yes, and offender management in general.

3 Q. And you're aware that the Prevent team were not
 4 detectives, unlike Team 7?

5 A. Yes, I wasn't aware that they had any detectives on the
 6 team.

7 Q. And, as has been covered, wouldn't have had the same
 8 access to intelligence, for example, secret?

9 A. It subsequently turns out, no.

10 Q. So could in fact the Prevent Team ever have approached
 11 part 4 in quite the same way that Team 7 did?

12 A. With regards to notifications, yes. In terms of having
 13 a fuller understanding of the intelligence picture, from
 14 what I've learnt it doesn't appear so.

15 Q. Calum Forsyth said he wasn't trained but as he
 16 understood it, there was no really training pack to
 17 give. You say that's being remedied. As someone
 18 familiar with the job, going forward, with the help of
 19 someone like yourself, would it be possible for the
 20 College of Policing or the Association of Chief Police
 21 Officers to fashion some such training?

22 A. I'm only aware of the training that's moving forward
 23 now; I'm not aware of any training being offered before
 24 2019.

25 Q. The investigation of breaches, you're there to do that,

224

1 but it didn't arise because there were no breaches of
 2 the part 4, is that right?
 3 A. That's correct.
 4 Q. The tagging data you've helped me with.
 5 The presence and contribution at MAPPA meetings. As
 6 we've seen you had made notes in relation to Khan at
 7 those meetings, a number of meetings that you attended.
 8 You said that you were there to give advice but nothing
 9 more than that. Did you not consider yourself part of
 10 the MAPPA management of Khan?
 11 A. No, I was there to support the process, but I certainly
 12 had no formal requirement to be there.
 13 Q. When you join in the discussions, do you then assume
 14 a part of the management, or are you still separate from
 15 it?
 16 A. I believe I'm separate from it but certainly in
 17 an advisory capacity.
 18 Q. Mr Byford, looking at the attendance list, was not of
 19 the view that some of those people, your name among
 20 them, were more equal than others. He gave the
 21 impression that it was truly multi-agency; did you hear
 22 his evidence on that?
 23 A. Yes.
 24 Q. Do you think you have a different view to the one that
 25 he held as to your position in that meeting?

225

1 A. No, I think we're all striving for the same thing within
 2 the meeting.
 3 Q. Were you one of those agencies in the multi-agency
 4 meeting or not?
 5 A. I was -- West Midlands CTU were part of that meeting and
 6 by virtue of the fact I was a West Midlands CTU officer,
 7 yes.
 8 Q. At the time, did you get any sense from others in the
 9 meeting that they knew that you didn't consider yourself
 10 a full member?
 11 A. No. I think it was clear that Staffordshire Prevent had
 12 the lead for the offender management, which I know
 13 Mr Byford has alluded to, but I think my views were
 14 taken on board.
 15 Q. It's been suggested on your behalf that, rather than
 16 a full member, you were a critical friend, and Mr Byford
 17 didn't accept that, an active professional critical
 18 friend. Did that concept exist at the time in the
 19 meeting?
 20 A. In terms of the phrase "critical friend"?
 21 Q. Not particularly that phrase, but the concept of someone
 22 that's not part of the management attending,
 23 contributing --
 24 A. No, I don't think that's how it was seen for us.
 25 Q. So when the discussions are going on, are you always

226

1 forming a view on what you're hearing, or do you
 2 sometimes not -- do you switch off or not consider it
 3 because it's not your case?
 4 A. No, if I'm not present I'm hearing it.
 5 Q. So you're always engaged and listening if you are there?
 6 A. Yes.
 7 Q. All right. You do sometimes object if you have
 8 an objection?
 9 A. I do.
 10 Q. And do we take it you would always object when you hold
 11 an objection or have something that you think you can
 12 contribute?
 13 A. If I hold a view, I will offer my -- offer that, yes.
 14 Q. Finally, the JOT meeting on November 2019, you've been
 15 asked about that, Prevent not represented at that
 16 meeting?
 17 A. No.
 18 Q. And does it follow from the questions you've been
 19 answering already that there were no taskings, advice
 20 requests or orders given to Prevent or frontline
 21 officers in respect of the London trip from the JOT?
 22 A. In respect of the London trip, no.
 23 MR BAUMBER: I have no further questions. Thank you.
 24 JUDGE LUCRAFT: Mr Beer, I'm looking at the clock, but if
 25 you are going to be very brief we will deal with it.

227

1 MR BEER: Yes, I am, sir.
 2 JUDGE LUCRAFT: Thank you.
 3 Questions by MR BEER QC
 4 MR BEER: Sergeant Jerromes, you know who I am:
 5 I'm Jason Beer, I ask questions on behalf of West
 6 Midlands Police.
 7 A. Yes.
 8 Q. Can I ask you about your approach to people like Khan,
 9 a convicted terrorist living in the community, amongst
 10 the rest of us, with our husbands and wives, sons and
 11 daughters. What's your general approach to people like
 12 that?
 13 A. To take a robust management, to support them with their
 14 rehabilitation if they show a willingness to do so. If
 15 they don't, then I will look for a criminal disruption
 16 or another part 4 or licence breach disruption to put
 17 them back in prison.
 18 Q. Do you look for all and any opportunities to get them
 19 back behind bars?
 20 A. Absolutely.
 21 Q. You said that you would take a robust approach. What do
 22 you mean by that, a robust approach?
 23 A. If there's any suggestion or any intelligence and
 24 information that I can act upon to parallel a criminal
 25 offence, I will allocate my team under my supervision to

228

1 obtain that evidence and present it.
 2 Q. Or is your main aim to keep them out?
 3 A. If they wish to be rehabilitated then we will support
 4 them. But if there is any information, intelligence
 5 evidence to suggest to the contrary, then absolutely
 6 I'll seek to put them back in prison.
 7 Q. Without giving the names of any of those involved, can
 8 you think of examples where you have taken action to get
 9 such individuals locked up for what might be perceived
 10 to be slight or minor breaches of part 4 notification
 11 requirements or licence conditions?
 12 A. I can give numerous examples, although not name them, of
 13 licence condition breaches, part 4 breaches, and
 14 criminal disruptions.
 15 Q. So at the slightest point you will take every
 16 opportunity to get these people locked up?
 17 A. If it's to keep the community safe, then absolutely.
 18 Q. And Mr Armstrong referred to you -- using his words --
 19 "clinging" to a belief that nothing you could have done
 20 would have made any difference, and this was in the
 21 context of a search of the person under Section 1 of the
 22 Police and Criminal Evidence Act 1984, or a terrorist
 23 search under Section 43 of the Terrorism Act 2000; do
 24 you understand?
 25 A. Yes.

229

1 Q. And I'm going to try and ask this question stripped of
 2 rhetoric and ask you to ignore the experience or lack of
 3 experience with the person asking the question, ie me.
 4 Does the fact that someone has a conviction for
 5 terrorism under MAPPA supervision and they refuse your
 6 invitation to allow you to look in their bag, if they're
 7 carrying a bag, without more provide you with reasonable
 8 grounds to suspect that they are a terrorist?
 9 A. I believe I would be criticised if I was to do that.
 10 Q. Does it provide you with reasonable grounds to suspect
 11 that they have with them a prohibited article?
 12 A. A previous conviction wouldn't give me that alone.
 13 MR BEER: Thank you very much indeed.
 14 MR HOUGH: I have no further questions, and that's all we
 15 have for you. Thank you very much, Mr Jerromes.
 16 JUDGE LUCRAFT: Thank you, Mr Jerromes. And neatly,
 17 Mr Hough, that brings us to the dot of 4.30.
 18 MR HOUGH: It does, indeed.
 19 JUDGE LUCRAFT: Members of the jury, can I thank you for
 20 being here early this morning. We were very keen to get
 21 through those witnesses if we could, and we have
 22 achieved it.
 23 Mr Hough, we will start tomorrow morning again at
 24 9.45. It may well be that that gives us the slight
 25 comfort that we've got a bit of leeway, and I'm --

230

1 MR HOUGH: That may even give the jury an afternoon off, but
 2 I make no promises.
 3 JUDGE LUCRAFT: Yes. I was going to say, at least if we
 4 start early no one, I'm sure, objects to finishing early
 5 particularly on a Friday afternoon, but let's aim to be
 6 here for 9.45. I look forward to seeing you tomorrow.
 7 Thank you.
 8 (In the absence of the jury)
 9 MR HOUGH: Sir, may I just trespass on your patience for two
 10 short matters?
 11 JUDGE LUCRAFT: Yes.
 12 MR HOUGH: First of all, we invited interested persons to
 13 indicate if they had any matters to raise with DCI Brown
 14 and to introduce by way of his closing evidence. We
 15 hope all such matters have been raised with us. One
 16 matter I should inform you, sir, and the court, is that
 17 the government legal department have indicated that they
 18 wish to introduce through DCI Brown evidence to the
 19 effect that the attack aspiration evidence in relation
 20 to that -- sorry, the attack aspiration intelligence was
 21 not owned by the Prison Service, and that will be
 22 introduced through the evidence of DCI Brown.
 23 Otherwise, matters in relation to that intelligence have
 24 been fairly fully covered in today's evidence, to the
 25 extent that that is possible.

231

1 The second matter I just wanted to raise is that
 2 when you direct the jury, you will need to provide them
 3 with certain personal particulars of each of the
 4 deceased for the purposes of death registration.
 5 JUDGE LUCRAFT: Yes.
 6 MR HOUGH: Those particulars will need to be attested to by
 7 DCI Brown tomorrow. So my instructing solicitors,
 8 BDB Pitmans, will be in touch with, or have been in
 9 touch with, both of the families' representatives and
 10 we will be asking for their assistance in confirming
 11 those matters by tomorrow at the latest.
 12 JUDGE LUCRAFT: Well, I'm sure, Mr Hough, that assistance
 13 will be provided.
 14 MR HOUGH: It is perhaps a legal formality, but it is
 15 important.
 16 JUDGE LUCRAFT: Yes. Thank you.
 17 And, as I say, we will endeavour to start at 9.45
 18 tomorrow. As you say, it may well be that we don't use
 19 the whole of tomorrow, but I know that there's quite
 20 a bit of work that's ongoing in relation to the
 21 submissions which will be heard on Tuesday, and I'm sure
 22 if there's any time tomorrow, people will make good use
 23 of that.
 24 MR HOUGH: Yes, sir.
 25 JUDGE LUCRAFT: Thank you, I'll rise.

232

1 (4.34 pm)
 2 (The court adjourned until 9.45 am on
 3 Friday, 21 May 2021)
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 5
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 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

233

1
 2 INDEX
 3 PAGE
 4 DCI RYAN CHAMBERS (sworn)1
 5 Questions by MR HOUGH QC1
 6 Questions by MR PITCHERS QC67
 7 Questions by MR ARMSTRONG80
 8 Questions by MR BOYLE QC96
 9 Questions by MR BEER QC125
 10 Further questions by MR HOUGH QC130
 11 DS MARC JERROMES (sworn)134
 12 Questions by MR HOUGH QC134
 13 Questions by MR PITCHERS QC196
 14 Questions by MR ARMSTRONG204
 15 Questions by MR BOYLE QC215
 16 Questions by MR BAUMBER219
 17 Questions by MR BEER QC228
 18
 19
 20
 21
 22
 23
 24
 25

234

235

151:2,3 163:18 170:9
181:25 199:25
seems (2) 63:4 198:2
seen (40) 14:9 26:12 32:17
42:1 47:23 70:12 89:21
91:9 93:15,16 98:15 99:18
104:6 107:3 109:13,21
126:17 133:10 139:21
140:13,19,21 142:13
148:4,6,7 159:17 163:23
175:14 178:20,21,24 186:7
187:7 189:3 205:9 209:1
217:19 225:6 226:24
seized (1) 116:5
self (2) 17:25 18:8
selfisolated (1) 182:11
sen (1) 12:18
send (1) 120:2
sender (1) 218:18
sending (3) 101:25 179:8
195:14
senior (21) 2:6 3:17 4:9 5:1
6:19 33:12 40:6 43:12 54:7
55:10 69:21 87:4 94:23
102:15 111:18 135:1,16
163:2,25 184:20 206:13
sense (7) 22:25 72:12 85:5
163:19 202:15 208:13
226:8
sensible (1) 94:7
sensitive (16) 10:16,20,22
12:19 13:6,15 15:6 27:25
35:17 108:4,16,19 109:1
113:2,6 166:10
sent (12) 7:14 39:21 62:13
99:25 100:5 120:7,8
141:25 142:3 217:7,8,18
sentence (2) 90:6 107:7
sented (1) 7:22
sentences (1) 200:15
separate (11) 5:15 12:15
37:9 42:16 109:10 144:22
162:25 163:11,21
225:14,16
separately (1) 63:16
september (13) 58:10,22
59:8 61:12 93:17
162:5,25 164:3
208:8,18,25 209:3
sergeant (22) 3:6,24 4:1
21:21 39:2 50:20 51:22
70:21 103:16,17 122:17
134:15,21 135:18 136:5
206:10 209:19 213:22
215:8,13 223:17 228:4
series (1) 193:14
serious (13) 3:14 4:17 18:20
90:1,22 91:2,14 93:23
139:14 143:2,17 165:12
180:5
seriously (3) 20:21,23 26:7
serve (1) 22:19
service (15) 2:13,24 3:21
4:18 23:1 40:18 41:19
70:19 100:10 113:20
126:21 129:15 135:4 151:3
231:21
services (2) 18:5 142:25
set (18) 4:18 20:24 24:7,16
28:7,18 29:11 31:17 40:19
68:16,24 70:13 82:5
139:21 143:3,21 168:2
223:23
sets (1) 101:7
setting (2) 28:17 160:25
setup (1) 128:3
seven (3) 97:11,13 137:6
seventh (1) 5:20
several (5) 80:10 118:17
190:1 193:25 209:1
shall (2) 100:21,23
shape (1) 179:19
share (6) 85:9 113:4,8 131:4
147:1 167:3
shared (27) 13:3 14:16
15:4,13 16:1,6 39:25
68:24,25 70:13 71:14,17
72:11 80:13,14 85:14
86:19 87:10 100:7,9
112:23 113:8 114:3 145:24
174:2 176 206:17
shares (1) 86:18
sharing (8) 10:23 13:17,19
14:21 68:20 70:11 109:3
145:13
shes (3) 82:2,24 103:22
shift (1) 61:2
short (8) 58:3 62:4 109:19
125:1 130:25 132:8 181:15
231:10
shorter (1) 124:6
shortly (4) 7:17 20:9,10
161:23
should (39) 21:8 25:2 26:2
27:25 28:4 38:9 43:9 45:22
47:8 51:3 53:19 56:17,21
60:17 68:21 71:14 72:13
76:21 79:13,14 80:13
86:13 87:8 94:9,10,18
103:8 130:15 152:5 159:18
160:5,14 195:16,18 203:4
208:15 209:25 210:20
231:16
shouldnt (10) 26:24 50:13,16
52:17 78:7 79:1 86:6 94:19
131:21 161:11
show (3) 147:14 195:5
228:14
showed (1) 54:17
showing (2) 48:9 211:25
shown (2) 8:12 165:11
shows (2) 45:19 49:15
side (3) 1:15 146:13 218:23
sides (1) 188:21
sided (1) 91:2
sighted (4) 60:3 61:3 65:12
116:8
significance (7) 38:3 82:10
115:25 179:16 197:19
199:4,11
significant (13) 12:23 13:25
22:25 25:6 42:2 54:8
113:24 118:15,22 119:10
144:12 156:2 184:12
significantly (1) 186:22
signon (1) 49:6
signs (2) 8:12 91:17
similar (6) 25:13 33:15 47:3
75:15 144:7 145:4
simple (5) 3:12 4:12 20:4
85:8 172:23
since (6) 8:12 14:22 32:11
134:23 186:7,22
single (3) 170:17 171:4 215:7
sio (50) 4:14,22 6:25 7:5,18
12:24,25 14:3 17:9 22:20
24:6,19 27:10 29:1,2 40:14
43:25 51:15 61:9,9 66:3
71:24 72:3 84:10
85:4,10,23 97:6,7,13,13
98:2,2 105:7 111:22 112:2
114:13,21 118:25 123:21
125:8 129:5 130:3 131:6
172:10 173:21,21 208:23
218:20,22
sios (4) 43:11 65:23 115:17
181:25
sir (21) 1:7 16:18 57:18,23
67:4 115:3,14 123:25
125:5,19 134:1 171:10
174:1 204:8 215:20
219:20,23 228:1 231:9,16
232:24
sit (11) 40:1 57:21 79:21
82:19,21 83:11 134:5,8
154:6 223:22,24
site (3) 155:11 160:25 198:7
sits (5) 71:5,19 83:10 109:1
113:1
sitting (8) 93:10 114:18
117:11,22 171:22 188:9
189:16 191:12
situation (2) 63:10 191:15
six (12) 5:19 35:23 43:17
97:9,10,11,13 137:5,17
162:16 206:19 207:2
size (1) 94:25
skelton (13) 51:11 52:23
55:25 111:1 150:4,7,10,19
153:2,23 159:9 210:16
217:12
slide (1) 68:12
slight (3) 19:18 229:10
230:24
slightest (2) 117:18 229:15
slightly (17) 19:22 22:23
29:9 53:24 81:19,21,21
83:18 85:3,25 106:22,25
124:5,7 131:16 171:12
217:11
small (1) 10:21
snitch (1) 144:10
social (1) 133:18
socialisation (1) 70:7
socialise (1) 64:6
soi (1) 37:16
soil (1) 76:8
solicitors (1) 232:7
solitary (2) 122:11,15
somebody (30) 17:7
20:24,25 25:9 27:1 35:8
47:22,24 50:24 57:2 64:16
74:24 76:3 83:3 89:1 93:6
94:11 116:25 135:11 145:5
159:9 167:5 185:13 186:15
194:6,12 195:4,9 206:5
211:12
someone (9) 80:3 98:9 166:2
192:1 216:1 224:17,19
226:21 230:4
something (52) 22:15 34:8
35:12 45:5,21 50:7,15 57:5
65:3 84:4 86:3,7 87:3,7
88:5 93:25 94:14 96:4
105:16,17 107:24 108:9,11
113:23 115:22 117:3
120:11,21 132:4 142:20
150:18 151:2 159:18
165:13,15 177:22,23 179:1
186:17 189:7,9 191:17
195:18 197:21 199:25
200:10 208:21 210:8
215:20,23 223:5 227:11
sometimes (5) 139:14
168:11 191:15 227:7
somehat (1) 139:19
somewhere (4) 47:8 99:8,8
195:15
sons (1) 228:10
soon (3) 47:1 94:11 150:7
sort (10) 33:22 56:13 59:20
64:4 90:20 100:17 145:6
159:25 202:24 203:2
sorts (1) 154:14
sought (1) 15:19
sound (3) 83:18 85:17,25
sounds (2) 86:11,12
source (5) 52:25 157:16
167:1 168:10,12
spanning (1) 43:20
speak (5) 62:22 104:23
105:1 170:5 183:16
speaking (4) 45:3 46:1 54:14
173:23
special (47) 10:4 11:7 14:19
16:12 21:12 30:1 33:9
37:15 38:20 39:17 40:8,16
41:3,14,24 42:8 43:9 44:11
46:3 47:2 49:12 50:6
62:2,14,16 72:18 74:21
80:20 84:24 98:19 99:4
111:13 117:25 118:5
126:13,17,24 127:14,25
128:9 148:12 182:14 184:4
196:2 205:18 211:5 216:13
specialist (3) 86:25 143:14
204:20
specific (15) 75:23 76:23
77:25 82:22 93:24
146:11,16 159:20 174:2,21
178:7 186:13 191:20 194:9
222:25
specifically (7) 19:6 29:21
35:13 71:10 187:12 197:5
200:4
specifics (1) 178:16
spend (2) 64:7 89:12
spending (3) 62:6,25 77:19
spends (1) 122:9
spent (3) 89:14 135:6 139:5
spilled (1) 137:24
spin (1) 99:23
split (1) 84:23
spoke (6) 49:9,14
104:8,17,22 183:9
spoken (3) 104:13 183:4
216:16
staff (8) 59:3 70:23 118:22
129:22 133:4 149:15
156:11 207:2
stafford (4) 22:8 23:8 54:15
180:7
staffordshire (110) 9:18 10:3
11:2,11 16:13 21:18 29:3
30:1,13 33:9,9 34:19 36:23
37:15,20,23 38:20,24,25
39:8,16 40:7,8,24
41:3,14,24 42:8,17 43:9
44:11,11,20 45:2 47:2
49:12,13 50:6 60:8 70:19
72:1,22 82:3 84:23 85:7
86:18 88:19 92:22 97:2
98:18 99:4,23 100:18
111:12,12,15 113:2
114:4,11,11 115:3 116:19
118:18 123:6 125:25
126:13,17,24 127:2,14,25
128:9 136:15 137:21,25
138:1,4,23 147:3 148:12
149:11,15 156:14,18
162:19 163:25 169:16
172:3 174:16 182:9,13
180:4 187:3 188:18,19,20
196:1 204:15 205:18
206:9,24 208:8 209:13
210:14 211:4,4 215:14
216:14 219:24 226:11
staffordshiredriven (1) 96:6
staffordshired (1) 96:5
staffs (4) 80:20 149:11 222:5
223:13
stage (16) 21:15 23:17 33:1
35:3 47:7 52:1,18 63:16
66:20 140:9 175:3 179:22
200:22 205:11 206:22
207:12
stages (3) 40:23 91:20 193:8
stand (7) 1:13 13:24 113:16
134:5 165:15 173:16
215:16
standalone (1) 97:23
standard (2) 24:17 33:12
standing (1) 44:4
stands (1) 25:25
start (13) 12:3 24:3 32:4
58:10 71:22 82:10 99:6
124:12 147:22 173:14
230:23 231:4 232:17
started (6) 20:19 59:15,20
137:25 173:15 175:2
starting (2) 54:21 100:6
starts (3) 95:2,3,12
stated (3) 11:23 69:5 115:7
statement (7) 111:16 113:9
115:5 117:3,13,19 154:10
station (1) 180:9
stations (1) 190:3
stay (1) 138:3
stayed (2) 88:15,16
staying (1) 88:22
step (3) 29:7 85:15 110:15
stephenson (30) 16:13 37:5
47:15 48:7 49:22 50:20
62:9,21 63:4,19 65:5 102:1

ws50592a13 (1) 68:10

X

xbox (4) 22:8 63:1 93:13
176:18

Y

year (5) 67:16 133:18 186:3
189:18 223:6

years (7) 7:22 18:17 90:9,9
135:4,5,6

yesterday (9) 14:24 71:25
84:2,6 85:18 104:5,11
117:15 131:2

yet (4) 72:8 136:18 172:24
216:21

youll (2) 81:11 189:13

youre (37) 14:23 19:6 24:6
28:3 34:7 64:13,13 70:9
76:19 79:12 82:24 92:16
98:25 103:3 110:19 111:18
113:3 128:13,16 131:8
141:5 144:3 147:15 169:1
193:22 195:14 205:21,25
206:2,3 207:16 209:17
210:12 224:3,25 227:1,5

yours (2) 5:15 127:7

yourself (20) 15:23 37:2
100:12 105:8 110:10
112:18 120:21 130:14
134:21 181:21 183:3
205:15 206:7 207:12
209:17 210:19,22 224:19
225:9 226:9

youve (26) 6:19 39:22 41:5
44:3 57:13 76:25
80:1,10,12 87:14 120:3
127:14 128:11 130:14
140:13 148:24 172:13
180:19 181:4 186:6
200:7,17 203:7 225:4
227:14,18

Z

zero (1) 155:8

zoom (5) 67:11 72:16,24
197:10 200:14

0

01 (2) 90:16,23

1

1 (6) 192:15 213:8 214:20
229:21 234:4,5

10 (5) 59:21 85:16 89:11
92:14 171:12

100 (2) 83:14 202:18

101 (1) 124:25

11 (10) 51:24 75:16,20 93:22
98:16 129:6 136:22 144:15
152:14 188:11

1100 (1) 49:7

1108 (1) 58:2

1130 (1) 58:4

11month (4) 77:1,2 88:13
129:9

11th (2) 110:16,17

12 (5) 9:8 117:14 126:9,10
189:10

125 (1) 234:9

13 (3) 11:15 135:5,6

130 (1) 234:10

1330 (1) 23:4

134 (2) 234:11,12

1345 (1) 24:5

14 (11) 13:5 63:21 66:1,7
91:17 109:23 110:23 111:8
112:10 123:20 174:24

1400 (1) 24:16

145 (1) 124:12

148 (1) 125:2

14th (1) 175:10

15 (5) 9:8 57:21 126:9,10
164:5

15minute (1) 57:20

16 (1) 90:9

17 (5) 22:12 29:20 48:19
151:16 214:1

18 (8) 8:9 66:17 172:17
173:17,22 175:9 183:23
218:22

18th (1) 175:18

19 (1) 29:21

196 (1) 234:13

1984 (1) 229:22

1998 (1) 2:25

1day (1) 157:14

2

2 (1) 3:11

20 (6) 1:1 24:24 104:21
105:15 217:7 218:25

2000 (2) 214:20 229:23

2008 (1) 10:12

2010 (1) 90:3

2011 (2) 3:2,4

201118 (1) 107:11

2012 (2) 7:21 90:3

2015 (3) 8:9 122:1,3

2017 (3) 4:7 134:23 135:7

2018 (38) 2:8 5:23 6:8 12:7
16:11 22:16 24:24 32:11
36:17 68:7 69:10 91:7,15
95:8,12,13,21 104:17
105:15 106:1,9,14 107:19
109:23 110:23 111:5,8
112:10 139:18 140:24
144:1,15 145:9 147:21
148:11,15 173:25 222:23

2019 (66) 2:9 39:15 46:7,23
47:16 48:14,19,21 49:4,22
51:24 52:10,15 55:25
58:8,10,22 59:8,9 60:6
62:3,9 66:1,17 67:13 68:5
84:5 91:18 96:12 101:4
107:4 122:3 123:20 125:8
129:4 131:20 135:14
136:10,13,21,24 137:4
147:11 148:20,25 149:19
151:16 152:6,14 155:5
157:1 162:5,25 164:3
172:1 173:7,13,22 174:24
181:19 185:23 198:14
206:19 223:15 224:24
227:14

2020 (2) 2:2 5:3

2021 (3) 1:1 117:14 233:3

204 (1) 234:14

20857 (1) 134:15

20th (1) 219:8

21 (5) 90:9 104:17,22 105:15
233:3

215 (1) 234:15

219 (1) 234:16

22 (6) 6:9,11 52:15 122:1
155:5 157:1

228 (1) 234:17

22nd (1) 6:23

23 (1) 148:25

2301 (1) 149:10

24 (7) 8:1 36:5 58:22 93:17
106:15 162:5 164:5

26 (2) 115:5 140:24

26th (1) 36:13

27 (2) 36:17 91:15

27th (1) 36:13

28 (7) 6:14 16:11 95:5
106:1,9 112:12,24

28th (2) 6:9 110:16

29 (12) 22:16 95:12 106:14
112:13,24 176:21 185:23
200:18 201:18 202:3 212:6
217:6

29th (1) 110:17

3

3 (8) 4:24 81:8 105:22 141:1
147:15 173:7 180:6 184:9

30 (2) 152:6 182:8

31 (6) 62:3 95:8,13,21 101:3
182:6

311 (1) 181:14

328 (1) 181:16

4

4 (55) 5:10,14 17:21
21:13,17,19 28:19 29:2,4
33:11 36:9 37:14 39:12,20
44:10 49:6 58:21 60:7,9
67:13 85:6 88:10 111:17
136:3,25 147:4 156:7,12
162:15 163:3 164:5,21
165:4,10 168:15 169:6,15
180:13 198:13,17,19
220:1,2,23 221:6,6,16,25
223:3,22 224:11 225:2
228:16 229:10,13

43 (1) 229:23

430 (1) 230:17

434 (1) 233:1

44 (2) 99:2 102:5

45 (2) 43:22 138:15

4s (2) 138:17 204:17

5

5 (6) 111:5 122:5 145:9
152:25 223:15,21

51218 (1) 111:2

6

6 (10) 61:25 62:9 66:23
102:1 118:3 164:3
208:8,18,25 209:3

60 (2) 99:8,9

61 (1) 12:13

62 (1) 12:13

67 (1) 234:6

7

7 (36) 5:8,18 46:23 51:22
59:18,21,25
60:6,12,17,21,25 71:4
103:8,11 122:22 134:22
135:9 149:19,22 152:24
164:4 165:19 166:22
167:11 168:15,22 169:11
185:20 221:22
222:10,23,24 223:14
224:4,11

7s (1) 221:18

8

8 (2) 89:11 92:14

80 (2) 119:12 234:7

830 (1) 123:17

9

9 (4) 40:3 59:20 113:9 117:2

90 (1) 119:12

900 (1) 49:7

94 (1) 214:1

945 (4) 230:24 231:6 232:17
233:2

950 (1) 1:2

96 (1) 234:8