

INQUESTS INTO THE DEATHS ARISING FROM
THE FISHMONGERS' HALL AND LONDON BRIDGE TERROR ATTACK

SUBMISSIONS ON BEHALF OF
THE COMMISSIONER OF THE CITY OF LONDON POLICE
IN RESPECT OF JURY DIRECTIONS AND DETERMINATIONS

INTRODUCTION

1. These submissions are made on behalf of the Commissioner of the City of London Police (“CoLP”). They respond to issues raised in the Submissions of Counsel to the Inquests (“CTI’s Submissions”) dated 21 May 2021 which are extremely comprehensive and helpful and for which CoLP extends thanks to CTI.

THE LAW

2. CoLP agrees that the applicable legal principles are those set out at paragraphs 6-10 of CTI’s Submissions.

ARTICLE 2 ENGAGEMENT

3. Unchallenged evidence has established that CoLP and its officers had no prior knowledge of Usman Khan, had no responsibility for his management and were not made aware of the event taking place at Fishmongers' Hall on 29 November 2019. There is therefore no suggestion in CTI's Submissions (or indeed at any time during the inquests) that CoLP is one of the State Agencies whose conduct arguably gives rise to a breach of Article 2.
4. In the circumstances, the issue of engagement and/or breach of Article 2 does not impact upon CoLP. CoLP is therefore neutral on the issue of whether there is an arguable breach of procedural and/or operational obligations under Article 2.

DETERMINATIONS

5. It is agreed that it is both necessary and appropriate for there to be a short-form conclusion of "Unlawful Killing" in respect of both Saskia and Jack. This clearly reflects the fact that the deliberate actions of Usman Khan were the direct cause of the deaths. It is also agreed that the evidence justifies a positive direction to reach this conclusion. It is submitted that a short narrative of the type suggested at paragraphs 69 and 71 of CTI's Submissions is appropriate. No submissions are made as to the detailed content of that narrative, which it is submitted, should primarily be a matter for the bereaved families, within the framework suggested by CTI.
6. As a matter of general principle, in an Article 2 inquest, a Questionnaire is the appropriate method of obtaining the jury determinations in respect of the question of "*in what circumstances*". In these inquests CoLP makes no submissions on the content

of the draft Questionnaire, CoLP quite properly not being one of the State Agencies whose conduct the jury is being invited to consider.

PREVENTION OF FUTURE DEATH REPORT

7. The Coroner is respectfully invited to adopt the process and timetable set out at paragraph 84 of CTI's Submissions.

Dated this 24th day of May 2021

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