

OPUS2

Fishmongers' Hall Inquests: Inquest concerning the death of Usman Khan

Day 37 - UKI Day 7

June 8, 2021

Opus 2 - Official Court Reporters

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1 Tuesday, 8 June 2021
 2 (10.08 am)
 3 (In the presence of the jury)
 4 JUDGE LUCRAFT: Good morning, everyone. Very nice to see
 5 you all.
 6 Mr Hough.
 7 MR HOUGH: Today's first witness is Chief Inspector Philip
 8 Taylor.
 9 CHIEF INSPECTOR PHILIP TAYLOR (affirmed)
 10 JUDGE LUCRAFT: Good morning, Chief Inspector. If you wish
 11 to sit rather than stand to give your evidence, that's
 12 absolutely fine, there's a chair to your side. There's
 13 a microphone there which will help to amplify your voice
 14 as there is on the lectern if you choose to stand.
 15 A. Sir, if it's okay with you, I would like to stand, if
 16 I may.
 17 JUDGE LUCRAFT: That's absolutely fine.
 18 A. Thank you.
 19 JUDGE LUCRAFT: It's quite likely you will be shown some
 20 documents. They will appear on the small screen to your
 21 left, but they'll also appear on the larger screen if
 22 that's easier to look at.
 23 A. Okay, sir, thank you.
 24 Questions by MR HOUGH QC
 25 MR HOUGH: Would you please give your full name and rank for

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1 the court record?
 2 A. Yes, I am Philip Taylor, and I am a chief inspector.
 3 Q. Chief Inspector Taylor, you understand that I'm asking
 4 questions first on behalf of the Coroner and you may
 5 then have questions from other lawyers?
 6 A. Yes.
 7 Q. What is your current role within the
 8 Metropolitan Police Service?
 9 A. I'm the chief firearms instructor for the
 10 Metropolitan Police responsible for the delivery of all
 11 firearms training and taser training.
 12 Q. Beyond that very short headline for the role, what are
 13 the responsibilities you have in that post?
 14 A. So generally it's my job to review any new content that
 15 comes in in relation to kind of changes in syllabus.
 16 It's also my job to kind of review each role profile and
 17 there's a number within the MPS and across the UK, and
 18 to ensure that essentially all of our officers are
 19 receiving all of the training they need in order to
 20 fulfil their role profile of the job.
 21 Q. Dealing with your relevant experience, have you served
 22 as a firearms officer for around 15 years?
 23 A. That's correct, sir, yes.
 24 Q. In that time, have you fulfilled the roles of armed
 25 response vehicle officer?

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1 A. That's correct, yes.
 2 Q. Counter—terrorism specialist firearms officer, both at
 3 sergeant and at inspector and chief inspector levels?
 4 A. That's correct, yes.
 5 Q. And also filling the command roles of operational
 6 firearms commander, tactical firearms commander, and
 7 firearms tactical advisor?
 8 A. That's correct, yes.
 9 Q. Have you been a firearms instructor for more than
 10 10 years?
 11 A. That's correct, yes.
 12 Q. When were you promoted to the role of chief firearms
 13 instructor?
 14 A. It was in November 2019.
 15 Q. You appreciate that you are here to give evidence in
 16 particular on aspects of training relevant to the
 17 conduct of the firearms officers whose conduct is under
 18 consideration in these Inquests?
 19 A. Yes.
 20 Q. May I first ask you about the licensing and provision of
 21 firearms training?
 22 A. Yes, so the MPS is a licence training provider and in
 23 order to obtain that licence we apply for and we're
 24 governed by the College of Policing, and essentially
 25 every year we are kind of checked over, validated by the

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1 College of Policing to ensure that what training we are
 2 delivering is correct and proper, and then every four
 3 years we have kind of a deeper dive where the college
 4 visit and spend some time with us ensuring that all of
 5 our lesson plans, training packs, et cetera, are where
 6 they should be.
 7 Q. This national body the College of Policing which
 8 licences the Metropolitan Police Service to provide
 9 firearms training, does that body also produce
 10 a document called the National Police Firearms Training
 11 Curriculum?
 12 A. That's correct, yes.
 13 Q. Is that document split into modules and units which
 14 govern different aspects of training, different skills
 15 which are taught?
 16 A. That's right, and it's a building block approach.
 17 Dependent on the role profile the officer is performing,
 18 depends on which syllabuses or which parts of the
 19 syllabus they need to be taught and trained in.
 20 Q. Now, you have used the term "role profile" a couple of
 21 times; is it right that the College of Policing
 22 identifies specific role profiles such as, for example,
 23 an armed response vehicle officer?
 24 A. Yes, that's correct, really. I suppose there's two
 25 strands to it, there is what is referred to as the

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1 national role profiles and there's also MPS ones, which
 2 we'll come onto into a moment, which kind of build upon
 3 those, but essentially, from a national point of view
 4 there's national descriptors for different levels and it
 5 starts from the very basic firearms officer all the way
 6 through to counter-terrorist specialist firearms
 7 officer.

8 Q. So is this right: that somebody in the role of armed
 9 response vehicle officer will have to have completed
 10 certain modules or units of training in the curriculum
 11 because those are the modules or units specified for the
 12 role profile by the College of Policing?

13 A. Absolutely. They're mandated and we ensure that all
 14 those are covered.

15 Q. Now, you were about to go on to say that the
 16 Metropolitan Police Service might add further elements
 17 to the role profile. Is it right that any individual
 18 force may have its own specific elements added to those
 19 which are mandated by the college for a particular role
 20 profile?

21 A. Yes, so each year every force has to complete something
 22 called an armed policing strategic threat and risk
 23 assessment, and essentially it's a way of each force to
 24 look at its kind of location, its area, the public that
 25 it serves, and see whether there's extra skills on top

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1 of that which nationally are accepted as the minimums
 2 that we have to deliver, and I suppose a good example of
 3 that is if you are in a land-locked county or area, you
 4 might not have any extra training around water, but for
 5 example in London because we've got the Thames, we do
 6 extra training so officers can go on boats and get moved
 7 from A to B as just an example.

8 Q. So is it right that as a result of having the national
 9 role profile and adding its own modules for the specific
 10 role profile for the Metropolitan Police, the Met will
 11 have a role profile for each particular role, such as
 12 ARV officer, which will have a whole series of modules
 13 and units of the curriculum that anyone wanting to
 14 fulfil that role has to have done?

15 A. Absolutely, yes.

16 Q. Are those role profiles held by the Met reviewed
 17 annually by the Commander for Armed Policing?

18 A. That's correct, so part of the return that we do for the
 19 College of Policing is quite a weighty document in terms
 20 of all the role profiles and the rationales, while we've
 21 added additional things, and yes, that's kind of
 22 a yearly sign-off by the Commander.

23 Q. So you've got your role profiles, you've got the modules
 24 which an officer for a particular role needs to have
 25 completed. We then need to look at the training which

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1 is given in order to satisfy those role profiles. Is
 2 that training designed nationally or at the local force
 3 level?

4 A. So it's broken down, really. So they have a basic
 5 framework of the syllabus and the content, and the
 6 modules, and then essentially that is the framework,
 7 that's given to me as a local CFI, a local chief
 8 firearms instructor, for me to then ensure that that's
 9 delivered in a way that is appropriate for the MPS, or
 10 for the Met Police.

11 Q. Do the instructors under you prepare particular course
 12 documentation to train officers in those different
 13 modules and units?

14 A. Yes, again, there's two parts to that. There's manuals
 15 which we refer to, for example, anyone coming on to a
 16 new course, and then continuation training packs, both
 17 of which I have to individually sign off and to review
 18 to make sure that they are effectively touching on all
 19 of the core competencies.

20 Q. In your role of chief firearms instructor, do you also
 21 decide upon the number of training hours assigned to
 22 each role profile, so the number of firearms training
 23 hours which, for example, an ARV officer has to complete
 24 in a year?

25 A. Yes, that's correct, and again, we kind of taper it,

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1 dependent on the role that we're expecting them to do,
 2 and from an ARV point of view, that's 115 hours.

3 Q. So 115 hours every year for an officer who is already
 4 qualified, not including the initial course?

5 A. Correct, mm.

6 Q. Now, have you, as part of your preparation for this
 7 Inquest, considered the training records of the
 8 Metropolitan Police armed response vehicle officers who
 9 we're concerned with and who dealt with Usman Khan on
 10 the day of the attack?

11 A. Yes, I've reviewed all of the officers' files, yes.

12 Q. Were all of those officers up to date with their
 13 compulsory training?

14 A. Yes, I can absolutely confirm that all officers had
 15 received all the minimum required to be performing that
 16 role.

17 Q. That's the officers who attended the scene. Does the
 18 same hold good for the control room officers from whom
 19 the jury have heard who directed the events?

20 A. That's correct, so the strategic firearms commander, the
 21 tactical firearms commander, the operational firearms
 22 commanders and the tactical advisors, all the
 23 information in relation to their training is kept on
 24 an electronic database and I can confirm all of those
 25 officers were in date as well.

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- 1 Q. May we now turn to the training for the command roles,
2 including those in the control room, which the jury has
3 been hearing about. First of all, the strategic
4 firearms commander: what is the role of strategic
5 firearms commander? What does it involve?
6 A. So the role of the SFC, strategic firearms commander, is
7 to determine, effectively, the strategic objective of
8 the operation, and often to set any kind of key tactical
9 parameters. Their job is very much to kind of remain as
10 oversight of the operation because they are effectively
11 at the top of the hierarchical tree in terms of
12 overseeing not just that incident but many others that
13 might be occurring in London at that time, and also to
14 have consideration for any kind of national picture as
15 well.
16 They're normally of superintendent and above rank,
17 and I can then go on to some kind of training associated
18 with those officers if you would so like?
19 Q. That's what I was just about to ask. First of all, what
20 does the initial course for a senior officer wanting to
21 be accredited as an SFC involve, how long is it?
22 A. It's a five-day course.
23 Q. How often are officers required to undergo refresher
24 training, and of how much?
25 A. So similar to all the other command role profiles, they

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- 1 have to receive 12 hours' refresher training a year,
2 which is normally split into two six-hour groups.
3 Q. And is it right that an officer accredited as
4 a strategic firearms commander needs to reaccredit
5 themselves every five years?
6 A. That's right, so it's effectively a re-accreditation
7 process which is very similar to the one at the end of
8 their five-week or five-day course, just to ensure that
9 the officers are where we need them to be.
10 Q. Next, tactical firearms commander. The jury have heard
11 already from two officers who were filling this role in
12 the specialist operations room on 29 November 2019.
13 They were WA30 and TC82. The jury heard that an officer
14 may fulfil the role of TFC without themselves having
15 experience as an armed officer on the ground. What
16 course would an officer have to undergo in order to
17 qualify as a TFC?
18 A. So there's two strands to becoming a TFC. The first
19 strand is referred to as the initial TFC, tactical
20 advisor commander, and that's an eight-day course. Then
21 from there, dependent on the role and function they will
22 be performing, there's a further course that we put them
23 on which is another seven days which effectively moves
24 them on to Cadre TFC.
25 Q. Do officers who fill this role have to satisfy a number

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- 1 of operational deployments each year?
2 A. Yes, so there's a very robust system in place where we
3 ensure that the officers have got operational and
4 occupational competence and we do that by first of all
5 ensuring that they receive the training each year and
6 then at the five-year point, but also that they
7 effectively have to submit a return, a booklet,
8 a portfolio of work which is then reviewed by a senior
9 officer.
10 Q. Are these officers also required to undergo refresher
11 training every year?
12 A. Yes, they take part in the same command refresher
13 training that the SFC, strategic firearms commander,
14 would, in terms of 12 hours a year, two lots of 6 hours.
15 Q. Next, the operational firearms commander role; what does
16 that role involve?
17 A. So the OFC ensures the implementation, effectively, of
18 the TFC's plan. There can be a number of OFCs on the
19 ground but effectively they are working to what would be
20 described as the working strategy which I would imagine
21 that you have kind of talked through before in terms of
22 what are going to be the drivers, the kind of
23 hierarchical points that we need to kind of address
24 within that deployment.
25 Q. What is the course for an officer wanting to qualify for

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- 1 that role of OFC?
2 A. That's a five-day course.
3 Q. Again, is refresher training mandatory?
4 A. Absolutely, and as before, it would be 12 hours split
5 into two 6-hour slots.
6 Q. Then finally of the command roles, the jury have heard
7 about the role of tactical advisor from the tactical
8 advisor in this case, S157, who gave evidence yesterday
9 and described his role of providing advice as
10 an experienced firearms officer to the TFC in the
11 control room.
12 A. Mm-hm.
13 Q. What training does an officer have to undergo before
14 qualifying as a tactical advisor?
15 A. Again, there's two parts to it, so it was five days for
16 spontaneous incidents, and then we deliver an extra five
17 days' training for dealing with kind of more preplanned
18 authorised operations which might be a little bit more
19 complex.
20 Q. Once again, is refresher training required every year?
21 A. As before, 12 hours a year, split into two 6-hour slots.
22 Q. So that's the training required for a tactical advisor
23 who will already typically be an experienced armed
24 officer?
25 A. Yes, that's right, so they can provide firearms tactical

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1 advice for the role profile that they're trained to
 2 because they have that -- obviously that education and
 3 understanding of the roles and responsibilities of that
 4 officer .
 5 Q. May I now ask you about Operation Plato, the strategies
 6 for dealing with marauding terrorist attack, and the
 7 relevance of that training .
 8 First of all , the jury have heard Operation Plato
 9 described by a number of officers , but what would your
 10 working definition of the phrase be?
 11 A. So basically Operation Plato in my mind is a situation
 12 where we effectively share situational awareness with
 13 all of our emergency services colleagues where we're all
 14 trying to deal with the same presented issue or problem,
 15 and in this particular case, it 's normally associated to
 16 some sort of marauding terrorist attack.
 17 Q. What is the definition or scope of a marauding terrorist
 18 attack?
 19 A. So there's a number of kind of descriptors and headers.
 20 Would you like me to go through them?
 21 Q. If you can run through them briefly, yes, please.
 22 A. So a marauding terrorist attack may include a wide range
 23 or a combination of methodologies, from lower
 24 sophistication to higher complexity attacks, as you can
 25 imagine. Operation Plato may be declared if an attack

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1 involves one or more of the following attack
 2 methodologies and they would include, for example,
 3 someone with a bladed weapon, vehicles being used as
 4 a weapon, firearms, or fire , improvised explosive
 5 devices, some sort of siege, and potentially the use of
 6 chemicals.
 7 Q. And is it right that, tragically , in Europe we have seen
 8 the great majority of those methods used in marauding
 9 terrorist attacks in recent years?
 10 A. Yes, unfortunately we've had to kind of gear our
 11 training towards those events which have occurred
 12 already to try and be in a position to counter those
 13 should they happen in the UK.
 14 Q. Is it right that a marauding terrorist attack may occur
 15 at a single site or simultaneously at multiple sites?
 16 A. Yes, we give training to our commanders and officers to
 17 be mindful that it can happen in just one location, but
 18 also to be mindful that it could be happening over
 19 multiple locations, actually not just perhaps in one
 20 county and an area like London, but like I said, it
 21 could be UK-wide.
 22 Q. In your experience, may such attacks target particular
 23 iconic locations or areas heavily crowded with people?
 24 A. Yes, that's often the focus of the attacks.
 25 Q. What is the overarching purpose of the strategies

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1 designed under Operation Plato?
 2 A. So we've got an overarching doctrine, in which we talk
 3 about identifying , locating, confronting and then
 4 neutralising the threat by the safest means possible.
 5 Q. May we look at a recent document concerning Operation
 6 Plato, just to flesh out some of these points.
 7 {DC7289/1}, please. Is this a document produced by the
 8 Metropolitan Police Specialist Training Centre
 9 concerning Operation Plato for police forces across the
 10 country?
 11 A. Yes, it is, sir, yes.
 12 Q. May we have {DC7289/7} on the screen, please. Can we
 13 see here the current definition of Operation Plato is:
 14 "The agreed national identifier for the multi-agency
 15 response to an ongoing Marauding Terrorist Attack."
 16 A. That's correct, yes.
 17 Q. We can see further up the page that the document
 18 recognises the point that you have made that such
 19 attacks may vary greatly in sophistication .
 20 Then {DC7289/10}, please. Does the document explain
 21 that when Operation Plato is declared, the declaration
 22 triggers a wide range of plans and contingencies, not
 23 just the deployment of armed officers to the scene?
 24 A. No, quite. As kind of alluded to here, it 's kind of
 25 a mobilisation of all the emergency service for that

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1 joint situational awareness.
 2 Q. Can we see that, for example, it involves tactics for
 3 coordination of response with other emergency service
 4 partners, such as the ambulance service and fire
 5 service?
 6 A. That's correct, yes.
 7 Q. {DC7289/16}, please. Do we see that the document
 8 identifies principles which are in place for joint
 9 working between different emergency services?
 10 A. That's correct, yes.
 11 Q. Then {DC7289/40}, do we see that one aspect,
 12 an important aspect of Operation Plato, is the control
 13 room's role in coordinating the response?
 14 A. That's correct, yes. It's a crucial role, yes.
 15 Q. As we see in the document at the second bullet point,
 16 the document reflects a point made by some of our
 17 witnesses, that control rooms are placed under
 18 considerable pressure due to the increased call volumes
 19 arising during such incidents, such that business as
 20 usual structures struggle to cope?
 21 A. Sometimes.
 22 Q. We can take that document down now.
 23 So in simple terms, when Operation Plato is
 24 declared, formally it triggers a whole set of preset
 25 strategic and tactical responses, including deployments

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1 of all sorts of specified numbers of officers,
 2 resources, vehicles, to different places?
 3 A. Quite, and including making sure that we've got the
 4 right trained officers from all the emergency services
 5 as well.
 6 Q. Looking at page 4 of your witness statement, is it right
 7 that your force has developed particular training
 8 packages for training officers in Operation Plato
 9 scenarios?
 10 A. Yes, very much so.
 11 Q. Was one of those a training package with the reference
 12 number FT236 commenced in May 2019?
 13 A. That's correct, yes.
 14 Q. Could you summarise the content of that training
 15 package?
 16 A. So part of that training content was a refresher in
 17 relation to Operation Plato. In fact, we went through
 18 the PowerPoint that you just presented to us now. It
 19 included the role of not just the armed but the unarmed
 20 assets which might be attending the scene, how the
 21 control room should and hoped to function under those
 22 conditions, and also what the TFC responsibilities are
 23 in those certain set of circumstances. We then covered
 24 the criteria for deployment of firearms officers,
 25 weapons and effects, and also we revisited the Joint

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1 Operating Principles referred to often as the JOPs, and
 2 the multi-agency response in terms of the
 3 London Ambulance Service and the London Fire Brigade,
 4 revisited zoning of geographical areas to ensure the
 5 appropriate deployment of emergency service responders
 6 and then we discussed cross-border protocols.
 7 Additionally, this particular package discussed
 8 attack methodologies, including the focus on knives,
 9 vehicles, and we discussed the term "emotionally and
 10 mentally distressed".
 11 Q. Now, you referred to zoning. Is it right that, as the
 12 jury have heard from others, one aspect of Operation
 13 Plato is that areas can be designated as hot, warm or
 14 cold zones?
 15 A. That's correct.
 16 Q. With a hot zone an area where danger is thought still to
 17 be present, a warm zone being an area where danger may
 18 recently have been present and may return --
 19 A. Quite.
 20 Q. -- and a cold zone an area believed to be safe?
 21 A. That's correct, yes.
 22 Q. Is one consequence of zoning decisions that emergency
 23 services personnel may not go into certain zones?
 24 A. Yes, that's correct. I mean, the whole process is meant
 25 to be kind of a safe system of work to ensure that we

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1 have the right trained officers across all the services,
 2 hopefully in the right areas, dependent on the training
 3 and the level of PPE protection they might be wearing.
 4 Q. And in particular is this right: that ambulance services
 5 officers are not normally expected to go into hot zones
 6 at all?
 7 A. No.
 8 Q. And are only expected to go into warm zones if they are
 9 specially trained, equipped and armoured?
 10 A. That's correct, yes.
 11 Q. So that the declaration of an area as a hot zone has
 12 an effect on the ability to provide medical care there?
 13 A. It does indeed, yes.
 14 Q. Is it right, then, that as a result of that, there can
 15 be an urgency of declaring an area relatively safer in
 16 order to get emergency medical assistance in?
 17 A. It's a real balance and it's something that we tease out
 18 in many of the training scenarios that we present to our
 19 officers.
 20 Q. In addition, following the training package we just
 21 described, was another training package introduced from
 22 early November 2019, with reference FT237?
 23 A. That's correct.
 24 Q. What did that package cover?
 25 A. Well, this package very much focused on the view from

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1 the London Ambulance Service, so officers were explained
 2 or we kind of discussed what the
 3 London Ambulance Service could provide in those
 4 circumstances, a bit of an overview.
 5 We did the same for the London Fire Brigade and
 6 again, their response and overview, and then we
 7 had input from TFCs with regards to the
 8 Westminster Bridge terrorist attack where we kind of
 9 reflected on the actions and what happened in that
 10 particular case, and some poignant learning from it and
 11 things that we would like to bring forward, and also we
 12 discussed what effectively was the intelligence update
 13 in terms of where we were right now.
 14 Q. May we now move on to the training of armed response
 15 vehicle officers and specifically the training given to
 16 them concerning marauding terrorist incidents and
 17 improvised explosive devices. First of all, what is the
 18 length of the initial training course for an armed
 19 response vehicle officer?
 20 A. 10 weeks.
 21 Q. You've told us that in addition, 115 hours of training
 22 are required each year. What in broad terms is the
 23 content of that training, what sorts of training is
 24 given?
 25 A. Yes, so that 115 hours we refer to as contact hours, so

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1 it's when the actual officers are taking part in or
 2 working with the training teams, and within that we
 3 practice a number of disciplines, so we look at
 4 different classification shoots for all the different
 5 weapons that they might use, a number of development
 6 shoots that they might consider for different
 7 situations, there's a number of tactical training days
 8 where we look at not just perhaps terrorist-related
 9 attacks, but perhaps more crime-related as well and also
 10 as part of that we very much focus on other less lethal
 11 options, so we may touch upon the launch of the baton
 12 gun, taser, and we also deliver quite a comprehensive
 13 training plan in relation to first aid and also officer
 14 safety, just generally handcuffing and stuff like that.
 15 Q. Focusing upon IEDs in particular, does both the initial
 16 course and continuation of training cover responses to
 17 apparent improvised explosive devices?
 18 A. Yes, very much so.
 19 Q. As well as the main ARV course, do prospective ARV
 20 officers also have a nationally accredited taser course
 21 of three days in length?
 22 A. That's correct, yes.
 23 Q. Focusing, then, upon the training for IEDs, or in
 24 relation to IEDs, at the time we're concerned with,
 25 2019, did the Metropolitan Police have a specific set of

1 training as part of its strategies for dealing with
 2 spontaneous threats from IEDs?
 3 A. Yes, there was something in place called
 4 Operation Andromeda which was in place up
 5 until January 2019. So post that event, which would
 6 have been relevant to the time we're talking about, we
 7 effectively rescinded that tactic and just focused on
 8 the main kind of tactic, as we'll probably discuss in
 9 a moment.
 10 Q. So you changed the overall strategy for dealing with
 11 IEDs, but you retained training packages for armed
 12 response vehicle officers covering that subject?
 13 A. Yes.
 14 Q. What were the subjects covered in that training, in
 15 broad terms?
 16 A. In many ways we were trying to highlight to officers
 17 actually how difficult it was to deal with someone who
 18 is presenting with, or we think has got a person-borne
 19 IED on them. As we can imagine, it's the radius or the
 20 distance that that bomb might be effective and how we
 21 might control that individual in those circumstances,
 22 and also then taking it to the next step, what if that
 23 individual was in a vehicle and how we might dealing
 24 with those, dependent on the prevailing circumstances.
 25 Q. What training is given to officers about the types of

1 devices which can be used to initiate IEDs?
 2 A. Yes, unfortunately there's a real rainbow of options in
 3 terms of what might be used in terms of what might
 4 initiate and, as we know, it could be a toggle switch,
 5 it could be, for example, someone presses to initiate,
 6 or it could be that actually as they release that
 7 initiates. It could be on a timer, it could be on
 8 a tilt switch. So it's just really highlighting the
 9 uncertainty of effectively what they're dealing with.
 10 Q. Some of our witnesses have spoken about the risk of
 11 devices being initiated by a third eye?
 12 A. Yes.
 13 Q. What is that?
 14 A. So, I'm sure you can -- well, I hope you can imagine
 15 a situation where we're dealing and we're focusing very
 16 much in on the situation in front of us, but actually
 17 history has taught us that there might be other people
 18 looking in who might be orchestrating or might be
 19 commanding that situation or directing it, and those
 20 people might have access to a device which might then
 21 initiate the explosive, dependent on what's going on.
 22 Q. Does that mean that the fact that a person with
 23 an apparent IED has been incapacitated themselves
 24 doesn't remove the threat from the device?
 25 A. Absolutely not, no.

1 Q. And I suppose the possibility of a timer has the same
 2 effect?
 3 A. Yes, and just to put that into context, if I may, in
 4 relation to that remote detonation, of course that could
 5 be anywhere in the world with telephone technology.
 6 Q. Next, what are officers taught in terms of the tactical
 7 response to somebody who is believed to have an IED, and
 8 how they should position themselves and deal with the
 9 person?
 10 A. So I think there's a number of things that the officers
 11 need to consider, dependent, again, on the kind of
 12 prevailing circumstances.
 13 If it was an individual who presented with, for
 14 example, a personal-borne IED, the first consideration
 15 is the blast radius that might be impacted and affected
 16 as a result of that initiation, and then, I suppose what
 17 we're really trying to get the officers to understand,
 18 is then overlaying that radius effectively on top of
 19 where they're working right now and then there's
 20 considerations around members of the public, buildings,
 21 cars and all the other associated things. In a perfect
 22 world we would effectively stand off 100 metres, and
 23 challenge from cover, but dependent on circumstances,
 24 and often perhaps as is the case in London in particular
 25 that we have to get sometimes closer, which obviously

1 puts the officers at increased risk.
 2 Q. Now, you have said that you would normally want
 3 an officer to be 100 metres away from a device. Is that
 4 a person—borne device of the kind of a suicide vest or
 5 belt?
 6 A. Exactly, yes.
 7 Q. Might the distances in fact be even longer for a device
 8 in a suitcase or a device in a vehicle?
 9 A. That's quite right. So if it was a suitcase really we
 10 teach our officers to consider up to 200 metres, and if
 11 it was in a vehicle, 400.
 12 Q. By what means might an officer safely get closer than
 13 100 metres to an IED?
 14 A. So if we had immediate access to it and it was
 15 immediately available, we might have some sort of
 16 vehicle which was designed to protect officers in that
 17 kind of environment, but of course if it's a quick,
 18 unfolding incident that might not be available
 19 immediately, and then really what we ask officers to do
 20 is to look at the location, look at the area and see
 21 what best they can use in terms of ballistic cover and
 22 protection so it might be a brick wall or something
 23 similar.
 24 Q. Even though that cover may be very much less than
 25 adequate?

25

1 A. Oh, by far, yes.
 2 Q. What is the ultimate aim with a suspected IED in terms
 3 of assessing it and disabling it?
 4 A. Well, our ultimate aim is to make the area safe for
 5 everyone, not just the individual, but also the members
 6 of the public that might be around it, and also the
 7 officers and the other emergency services. And again,
 8 depending on how the situation is unfolding would very
 9 much then depend upon how the scenario effectively
 10 unfolds.
 11 Q. In addition to training concerned with IEDs, is there
 12 also specific training at the end of the ARV course
 13 concerning terrorist attacks generally?
 14 A. Yes, we cover a number of different scenarios.
 15 Q. Does that aspect of the course take a week all of
 16 itself?
 17 A. That's correct, yes.
 18 Q. Does that cover, as we'll hear later from you, the
 19 placement of shots in different scenarios?
 20 A. That's correct, yes.
 21 Q. What training is given about the use of a taser on
 22 a person with a suspected IED such as a suicide vest or
 23 belt?
 24 A. Well, we would never say never, and it's always
 25 a consideration to use some form of less lethal, and in

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1 particular, in relation to taser, my concern would be —
 2 and I would hope that the officers concern would be on
 3 the ground, that by activating the taser it might
 4 inadvertently cause the initiation of some explosion.
 5 Q. Because the taser can produce a spark and a suicide vest
 6 may well have, may often have, volatile substances?
 7 A. That's right. So basically the way the taser works,
 8 it's two prongs that come out and it causes something
 9 called neuromuscular incapacitation, and in between the
 10 two is that electrical spark which we're fearful would
 11 cause that explosion.
 12 Q. Just to give some colour to the training you've been
 13 describing, may we please look at a sample lesson plan.
 14 {DC7277/1}, please. Is this an example of a scenario
 15 briefing for a training exercise?
 16 A. That's correct, yes.
 17 Q. And can we see from the scenario summary that it
 18 involves students being in two armed response vehicles
 19 deployed against a person who is suspected of and is
 20 carrying an IED?
 21 A. Yes, that's correct.
 22 Q. Can we see that that involves an instruction to arrest
 23 with no critical shot having been authorised?
 24 A. Yes.
 25 Q. And do we see that it involves a person playing the

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1 attacker wearing an IED vest carrying two six—shot stun
 2 grenades?
 3 A. That's correct.
 4 Q. And it tests, do we see, deployment with and without
 5 good use of cover?
 6 A. That's right. And in fact, referred to there is
 7 a Jankel, which is the armoured vehicle we referred to
 8 earlier.
 9 Q. So this is an example of specific training based on
 10 a scenario to teach officers how to use cover?
 11 A. Yes, effectively.
 12 Q. If we can take that off screen now, and then move to the
 13 subject of conventional shots and critical shots. First
 14 of all, the conventional shot. What is the objective of
 15 a conventional shot for a firearms officer based on
 16 training?
 17 A. Okay, so a conventional shot, the primary intention of
 18 the police when discharging a firearm is to prevent
 19 an immediate threat to life by shooting to stop the
 20 subject from them carrying out an intended or threatened
 21 course of action. In most circumstances, this is
 22 achieved by aiming for the central body mass.
 23 Q. What are the reasons for aiming at that target, the
 24 central body mass?
 25 A. It's the — scientifically it's the most likely area to

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1 stop an individual from their course of action, and we
 2 can imagine that although perhaps we're focusing on more
 3 a terrorist –type incident, often we're dealing with
 4 crime–type situations where someone is presenting
 5 an immediate threat to someone and delivering a
 6 conventional shot will allow the situation to stop so
 7 they don't go on to hurt someone or do something that we
 8 think they're going to do.

9 Q. Is it also, in simple terms, the easiest part of the
 10 body to be sure of hitting?

11 A. Yes, quite, and we can imagine that the officers, no
 12 matter how much training we give them, are under a lot
 13 of stress and pressure at the time and that's the reason
 14 why it's so important for us to practise, as we do,
 15 classification and development shoots. Essentially it's
 16 the centre of the body and we hope that by hitting it,
 17 it stops the individual from that course of action.

18 Q. Now, is there a different concept of a critical shot?

19 A. Yes, so critical shot is slightly different. There will
 20 be circumstances when aiming directly for the head will
 21 be necessary, as aiming to strike another part of the
 22 body would be impractical in the circumstances, present
 23 increased risk to life and be unlikely to achieve
 24 immediate incapacitation.

25 Q. So that's the theory definition. A critical shot aimed

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1 at the head is fired when it's not practicable to aim
 2 for the central body mass, or a conventional shot won't
 3 achieve the desired effect of stopping the subject and
 4 preventing threat to life. Can you give us some
 5 practical examples of the sorts of situations where
 6 a critical shot might be appropriate?

7 A. Well, the situation that we've been describing now where
 8 we may have an individual who has got a personal–borne
 9 IED on them, of course in this particular circumstance
 10 we know that it was some sort of vest or something that
 11 was worn on the body, and of course, if we were to use
 12 a conventional shot in those circumstances, we would be
 13 asking the officers to fire towards where the bomb
 14 effectively was, and of course that would be a no,
 15 because we wouldn't want the device to initiate, but
 16 I suppose more importantly what we're trying to achieve
 17 with the critical shot is immediate incapacitation, so
 18 it's a neurological function that is disabled by the
 19 delivery of that particular shot so we know for sure
 20 they can't carry out what they were intending to do.

21 Q. So in physical and neurological terms, if you damage the
 22 brainstem sufficiently, all messages from the brain will
 23 stop and no purposeful action will be possible?

24 A. That's right. We look for the officers to aim for
 25 something called the medulla oblongata, and effectively

30

1 that is that part of the brain that controls everything
 2 and if we can somehow incapacitate that, we know that
 3 that threat presented will then dissipate immediately.

4 Q. And that's a head shot?

5 A. Yes.

6 Q. Is it right that officers may take a critical shot if
 7 those criteria are satisfied, if the circumstances are
 8 right, without being specifically authorised from above
 9 to do so?

10 A. Yes.

11 Q. But in what circumstances would the TFC in the control
 12 room give an express authorisation of a critical shot?

13 A. So again, it could be a number of kind of unfolding
 14 incidents, really, and a few that come to mind might be
 15 that the TFC is aware of something that the officers on
 16 the ground might not be, so perhaps that commander can
 17 see something that they can't, which is key to the
 18 decision–making puzzle. It could also be that actually
 19 they are in possession of information or intelligence
 20 that can't be disseminated on the radio, but effectively
 21 that commander is satisfied that a critical shot would
 22 be required in those circumstances.

23 Q. But if authorisation is given, does that then absolve
 24 the officers of their own responsibility to satisfy
 25 themselves that a critical shot is necessary and

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1 appropriate?

2 A. No, in layman's terms essentially what the commander is
 3 saying is: if I was there, I would shoot. But it's down
 4 to that officer then to take in the whole location, the
 5 information, the intelligence, and to make a decision
 6 for themselves based upon that information from the TFC
 7 and, for example, what might be happening in front of
 8 them.

9 Q. May we move on to recent exercises of continuation
 10 training for ARV officers, where they have been, and
 11 what subject matter they've covered. I'm looking at
 12 page 6 of your statement if it helps.

13 What significant marauding terrorist attack
 14 exercises were carried out in the 2016/2017 cycle?

15 A. Yes, so we had quite a few exercises in the preceding
 16 few years, but in particular as you mentioned 2016/2017
 17 there was a series of MTA exercises that were conducted
 18 at a derelict Hornchurch hospital. This was joint
 19 training with our City of London Police colleagues in
 20 terms of their ARV response, so working together, and
 21 London–based emergency services, including British
 22 Transport Police, and their armed capability, and our
 23 colleagues from SO15, the Counter–Terrorism Command, in
 24 terms of how that would look, how they would deploy
 25 post–event.

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1 Q. Then in the 2017/2018 cycle, was a different set of
2 exercises with additional subject matter undertaken?
3 A. That's right, so we had a number of exercises which were
4 at a military base in Kent and scenarios included
5 dealing with, again, IEDs in vehicles, utilising our
6 Expo colleagues, which I think you heard from yesterday,
7 and Expo dogs, and also how we might use other armed
8 assets in those circumstances in order to minimise the
9 risk from any IEDs when officers move forward to deal
10 with it.
11 Q. In May 2018, was there a particular exercise carried out
12 at Heathrow Airport?
13 A. Yes, there was a -- we invested in a large-scale
14 exercise called Op Raptor which again was another
15 marauding terrorist attack exercise, multi-agency across
16 all the disciplines and all the emergency services,
17 which included armed assets from Aviation Policing, so,
18 for example, Heathrow Airport, City of London colleagues
19 and their ARV response, and, like I said, the exercise
20 was conducted at Heathrow Airport and we used lots of
21 stimulus in order to kind of highlight the dangers
22 associated to personal-borne IEDs and explosions
23 demonstrating effectively the effects so the officers
24 had a good understanding of the reach of those types of
25 items.

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1 Q. So specifically simulated explosives to prepare officers
2 for the effects of such things happening around them?
3 A. Quite, yes.
4 Q. Then in the 2018/2019 cycles, were further exercises
5 undertaken with efforts to enhance realism?
6 A. That's correct, yes.
7 Q. In January to March 2019, did these involve exercises
8 involving a large vehicle-borne attack with suspects
9 wearing person-borne IEDs?
10 A. Yes, that was directly linked to incidents that had
11 happened in Europe.
12 Q. Then in the latter part of 2019, in the autumn September
13 to December, were there lessons which included case
14 studies of recent terrorist attacks?
15 A. Indeed, yes.
16 Q. So is it right that the officers who were concerned in
17 the response to the Fishmongers' Hall attack would have
18 had considerable recent training experience of lessons
19 and scenarios involving IEDs, containment of subjects
20 with IEDs, and so on?
21 A. Absolutely, yes.
22 Q. Against that background, may I ask you some questions
23 about how officers facing particular situations would be
24 expected to respond in accordance with their training,
25 which may be of relevance to this case.

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1 So, first of all, the jury have heard that in this
2 case one of the tactics instructed, as the officers
3 arrived at the scene, was pedestrian interception, or
4 interception on foot. That may have a layman's meaning,
5 but what is its police meaning?
6 A. It effectively means that we're going to go forwards and
7 stop that individual, dependent on the threat presented
8 at gunpoint or not.
9 Q. Does it have any implication in terms of the speed,
10 volume of noise, and aggression involved in the
11 interception?
12 A. It very much again depends on the prevailing
13 circumstances, but we could perhaps move from
14 a situation where it was less of a stop in terms of
15 an armed enquiry where we're more kind of probing,
16 trying to understand what's going on, versus perhaps you
17 could consider the other end of the spectrum where we
18 know what's been presented in terms of a definite threat
19 to life.
20 Q. May I next ask you about what officers would be expected
21 to do in a particular situation. May we have on screen
22 {DC6603/17} for this purpose. If we look at the lower
23 image. Now, this is an image similar to that which will
24 have confronted the first officers arriving on scene
25 with a suspected terrorist attacker with unknown

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1 weaponry being restrained by multiple members of the
2 public. What would officers confronting that sort of
3 scene be expected to do in accordance with their
4 training?
5 A. So as we can imagine, that's an incredibly challenging
6 situation because we're presented with a subject or
7 a person who has, we think, or thought, has harmed
8 individuals, and we're faced with a situation where
9 there's multiple people around that individual. But, as
10 I understand it, if there is no mention of any sort of
11 personal-borne IED at that point then really it would be
12 for the officers to get in between, effectively, the
13 suspect they need to detain and also members of the
14 public that might be in the area.
15 Q. In that situation, would that involve seeking to remove
16 or clear the members of the public?
17 A. Absolutely, yes.
18 Q. Now, next questions concern a particular form of device.
19 May we have on screen {DC8000/97}. Now, this is
20 a picture of the device being worn by Usman Khan on the
21 day of the attack. That's the device after it had been
22 cut off and then reassembled, and the jury have heard
23 from explosives experts about that.
24 May we then see {DC7421/37} and the lower image,
25 please. We can see here an image of the viewpoint of

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1 one of the three initial officers on the scene in the
 2 first stage of the confrontation with Usman Khan, we can
 3 see that belt around his waist as the last member of the
 4 public is being removed; do you see that?
 5 A. Yes.
 6 Q. What would you expect an officer's assessment of
 7 a device of that kind to be based upon the training you
 8 and your colleagues give to them?
 9 A. Without doubt we need to consider that a viable device
 10 until proven otherwise, and as such then a number of
 11 other considerations need to really kick in and we need
 12 to kind of triage and deal with.
 13 The first off is we can see there that there's
 14 a member of the public, so our thoughts and
 15 considerations are around that individual and wanting to
 16 get them away, but effectively we want to draw people
 17 back from that situation and often by drawing back it
 18 gives us that space in terms of the radius, which could
 19 be the explosion, but also it gives us hopefully time to
 20 then establish what's gone on and then to work out
 21 a further plan from there.
 22 Q. Now, the jury have heard how an experienced explosives
 23 expert would view that device, whether they would regard
 24 it as realistic. Based on all the range of devices you
 25 will have seen, hoax and real, would you have regarded

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1 that as a realistic device?
 2 A. Absolutely, yes.
 3 Q. Now, if an officer was confronted with this situation
 4 and had not seen the device, but understood the attacker
 5 to have been responsible for stabbing incidents nearby,
 6 what would you expect the officer's response to be in
 7 terms of the use of force to be chosen?
 8 A. So again, a number of considerations there for me
 9 I would hope my officers would consider. The first off
 10 is even though it might be a knife attack, we know that
 11 a knife attack can be deadly, so I would still be
 12 expecting them to be presenting some sort of firearm
 13 towards the individual to gain some sort of control, but
 14 I would also then be expecting them to start to consider
 15 very quickly less lethal options, and those less lethal
 16 options in that particular circumstance might well be
 17 taser.
 18 Q. So the jury have heard that one of the officers in this
 19 case chose to use a taser because he hadn't seen the
 20 IED. You have told us that a taser wouldn't be
 21 an appropriate option ordinarily to fire at somebody who
 22 was seen to have an IED.
 23 A. Quite, and I suppose it's the benefit of hindsight,
 24 isn't it, it's very difficult.
 25 Q. However, what you've told us is that you would expect

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1 somebody in a situation of this kind who had not seen
 2 the IED to consider the use of taser?
 3 A. Yes, 100%.
 4 Q. If we add in the consideration that an officer has seen
 5 an apparent IED of the kind we've looked at, and we then
 6 add the further consideration that the suspect with the
 7 IED doesn't comply with commands to stay down, and
 8 indeed, starts to move forward towards the officers,
 9 what are the considerations you would expect to be
 10 figuring in an officer's thinking at that stage?
 11 A. Very much what we discussed in terms of critical shot.
 12 I'm very much mindful of that position, that we've got
 13 an individual that's presenting an imminent threat, not
 14 only to the officers but to the members of the public,
 15 and as we can see, there's lots going on in terms of
 16 vehicles. We're asking an individual often to stay
 17 still, not to move, and if that individual is coming
 18 towards or working towards us, then I would seriously be
 19 considering and would be probably delivering a critical
 20 shot myself.
 21 Q. May we then move to a slightly different phase and put
 22 on screen {DC8000/88}. Now, if you look at the top
 23 right-hand image, we can see the location of Usman Khan
 24 after he had been shot in the initial confrontation, and
 25 after officers had pulled back to a distance from him.

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1 The officers were originally near the hostile vehicle
 2 mitigation barriers to the immediate north of him and
 3 then pulled further back.
 4 If an officer is faced with the situation of dealing
 5 with somebody wearing an apparent IED, in a position
 6 such as that we see Khan occupying there, what
 7 containment approach would you expect that officer to
 8 take?
 9 A. Well, in a perfect world we would hope to achieve that
 10 100 metres radius in terms of the reach of that
 11 potential personal-borne IED, but if that wasn't
 12 possible, then I would expect the officers to still be
 13 in a position to be effectively in between the members
 14 of the public and the individual with a view to dealing
 15 with any threats presented, but taking advantage of any
 16 street furniture, walls, and things like that.
 17 Q. Assume for the purposes of this question that there were
 18 significant numbers of members of the public in the
 19 area, including walking immediately under the bridge,
 20 and in the building we see to the right of the image.
 21 What would you expect the officers to be considering and
 22 thinking as they were covering the suspect, in
 23 accordance with their training?
 24 A. Well, we need to be assessing the whole situation in
 25 terms of what the actions of the individual are, and

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1 what they've been just before in terms of what their
 2 intent might be and trying to understand what they might
 3 be trying to achieve, and in these circumstances, really
 4 all we can do is potentially dress back, review the
 5 situation, and if we think that person still presents
 6 an imminent threat, then we must then still be in
 7 a position to, and consider critical shots again.
 8 Q. If an officer was to see movement towards the device, or
 9 a purposeful movement such as a sudden sitting up, how
 10 would you expect that to feature in an officer's
 11 thinking, again based on the training they receive?
 12 A. I would very much consider and would wish for them to
 13 consider that an increase in terms of their threat and
 14 risk, in terms of what's being presented, and
 15 potentially an overt action, which may be the prelim
 16 or the prelude to effectively that person detonating that
 17 device.
 18 Q. Based on your understanding and on how you train your
 19 officers, what would you consider to be the potential
 20 effects of a person-borne IED being detonated at the
 21 location we see Khan occupying in this photograph?
 22 A. If we were to overlay that 100-metre radius, then we
 23 would expect significant loss of life.
 24 MR HOUGH: Thank you very much, Chief Inspector, those are
 25 my questions. I'll turn to my right to see if anyone

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1 else has any questions.
 2 Yes, I see Mr Butt, thank you.
 3 JUDGE LUCRAFT: Mr Butt.
 4 Questions by MR BUTT QC
 5 MR BUTT: Thank you, sir.
 6 Chief Inspector, in a normal firearms incident,
 7 firearms officers will seek to identify, locate, contain
 8 and neutralise the threat, won't they?
 9 A. That's correct, yes.
 10 Q. But that is different when dealing with a marauding
 11 terrorist attack, isn't it?
 12 A. That's correct, yes.
 13 Q. And there is national guidance and a national firearms
 14 training curriculum that tells forces they must train
 15 their officers to identify, locate, confront, and
 16 neutralise the threat; is that right?
 17 A. There's an actual doctrine associated to that, yes.
 18 Q. And that is because it is recognised that is the only
 19 way to protect life in an incident such as this; is that
 20 right?
 21 A. Absolutely, yes.
 22 Q. You have been asked a little about the emergency
 23 response and how the Metropolitan Police Service will
 24 prepare for that. Is it recognised that there are two
 25 areas in particular that will be under stress during

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1 a Plato declaration, and those are the ground-assigned
 2 tactical firearms commander and the police control room?
 3 A. Yes, very much so.
 4 Q. And is there both national guidance and Met policy and
 5 training in order to deal with that?
 6 A. Yes, so there's a number of contingency plans in place
 7 to deal with the resilience associated to being on the
 8 ground and also resilience issues within the control
 9 room.
 10 Q. If we can look first of all at the control room, the
 11 jury know that on that day there were two tactical
 12 firearms commanders on duty. Is that business as usual
 13 for the Met?
 14 A. Yes, very much so, and I suppose we're very fortunate in
 15 the MPS or the Met because those two officers will be
 16 dedicated to that core function and role with no other
 17 responsibilities, whereas in other parts of the country
 18 they've got a number of other associated roles and
 19 responsibilities.
 20 Q. So within the London policing area, in terms of the MPS,
 21 there will be two TFCs in the control room ready to
 22 respond 24/7?
 23 A. Absolutely, yes.
 24 Q. There will also be at least one tactical advisor on hand
 25 on the same terms to support and advise them; is that

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1 right?
 2 A. That's correct, yes.
 3 Q. And in fact, as we know, on that day were there two
 4 tactical advisors in the control room?
 5 A. Yes, I seem to remember that there was some sort of
 6 exercise or something else had gone on before so we had
 7 the benefit of having even more resources than we would
 8 normally have.
 9 Q. In terms of the control room, is it recognised that
 10 there are obviously going to be a very large number of
 11 calls following an incident like this from concerned
 12 members of the public to the police?
 13 A. Very much so, and it's expected.
 14 Q. You mention it's expected --
 15 A. Mm--hm.
 16 Q. -- and that's important, isn't it, because the police
 17 want the public to bring to their attention concerns
 18 such as this; is that right?
 19 A. Absolutely, and although we're dealing with this
 20 particular scenario, we wonder whether there might be
 21 other parts of this that might be unfolding elsewhere so
 22 any information, intelligence we can gather from members
 23 of the public is really helpful and useful.
 24 Q. And that's a key part of the government and police
 25 message behind, for example, schemes like Run, Hide and

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1 Tell; is that right?
 2 A. That's correct, yes.
 3 Q. And also the government and National Counter—Terrorism
 4 Security Office scheme called Action Counters Terrorism?
 5 A. Absolutely, yes.
 6 Q. Counter—terrorism policing and armed policing encourage
 7 the public to raise suspicious activity and things they
 8 have concerns about?
 9 A. That's correct, yes.
 10 Q. But as we've heard, that is going to create a
 11 considerable demand upon the control room and the TFCs
 12 in the control room; is that right?
 13 A. It would, but it's all kind of factored in into the
 14 numbers and the resilience picture that we have on any
 15 one day, and that's pretty much 24 hours, to have that
 16 number of staff, bearing in mind that we're working in
 17 the capital.
 18 Q. And in this case, when WA30 took over primarily on the
 19 emergency response, was his colleague, TC82, able to
 20 focus on other matters resulting from the Plato
 21 declaration?
 22 A. Yes, very much so.
 23 Q. In terms of the ground—assigned tactical firearms
 24 commander, the jury have heard that there was an
 25 Inspector Settle on the ground who performed that role

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1 of ground—assigned TFC; is that right?
 2 A. That's correct, yes.
 3 Q. Are you aware that there were additionally two other
 4 tactical firearms commanders who were assigned on the
 5 ground?
 6 A. Yes, I think there was one other crewed with
 7 Inspector Settle and there was also another inspector,
 8 or TFC, that was deployed to assist at the scene.
 9 Q. And having multiple commanders on the ground, does that
 10 reflect national guidance and MPS policy; that you can
 11 scale up the command structure in order to assist the
 12 primary commander on the ground, who is the on—scene
 13 commander, the ground—assigned tactical firearms
 14 commander?
 15 A. Yes, it's something that we test quite regularly and we
 16 practice and we know that, you know, sometimes these
 17 things — you know, there's lots of information and lots
 18 of things going on, so of course if we can deputise and
 19 get other people to help us, it means that we can all
 20 come to a better solution or better understanding, of
 21 awareness of the situation.
 22 Q. And the purpose behind all of these policy—based
 23 approaches and the purpose behind this activity is all
 24 the preservation of life, isn't it?
 25 A. Absolutely the number one thing, yes.

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1 Q. Initially, life is preserved by neutralising the
 2 terrorist threat; is that right?
 3 A. Correct, yes.
 4 Q. And the quicker you do that, the quicker you can bring
 5 other emergency responders into the zone where the
 6 active terrorist threat had been; is that right?
 7 A. Very much so, yes.
 8 Q. And does national training and Met training stress the
 9 need to do that, to bring the hot zone down to a warm
 10 zone as soon as possible?
 11 A. It just releases more officers to be able to assist and
 12 help in that particular environment.
 13 Q. It's not always easy to do, is it, to be able to say:
 14 well, the immediate threat to life has been removed so
 15 this is now a warm zone?
 16 A. Again, it very much depends on the prevailing
 17 circumstances and what the commanders are kind of
 18 confronted with, but yes, it can be quite challenging,
 19 but we do quite a lot of practising in relation to the
 20 considerations in those situations.
 21 Q. In this case, the difficulties included an apparent
 22 improvised explosive device strapped to the terrorist on
 23 the bridge; yes?
 24 A. Yes.
 25 Q. People who were critically injured in Fishmongers' Hall,

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1 very, very nearby; yes?
 2 A. Yes.
 3 Q. Members of the public on either side of the bridge and
 4 underneath the bridge; yes?
 5 A. Yes.
 6 Q. Calls from the public about other potential firearms and
 7 terrorist threats resulting from this terrible incident;
 8 yes?
 9 A. Yes.
 10 Q. And a need to search inside Fishmongers' Hall in order
 11 to see if there were other terrorists present, even
 12 though the evidence suggested a lone attacker?
 13 A. Yes.
 14 Q. We know that in this case, from the final shot being
 15 fired on the bridge to the warm zone being declared,
 16 some seven minutes passed, and that included bringing
 17 an explosives dog forward, that dog giving no indication
 18 and then coming back. Are you able to express
 19 an opinion on that sort of a timescale in this case?
 20 A. Yes, I think the officers have dealt incredibly well
 21 with the situation that has been presented to them when
 22 you consider the potential threat and risk associated to
 23 a personal—borne IED, and they've actually tried to
 24 utilise a number of other resources to kind of take
 25 their response and consider how they might reduce or

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1 move from a hot zone to a warm zone, so that seems more
 2 than reasonable to me.
 3 Q. Can I ask these questions in the abstract in
 4 a hypothetical sense, so away directly from this case.
 5 If you have a terrorist who is moving, about wearing
 6 an apparent improvised explosive device, then the
 7 immediate area around that terrorist is going to be
 8 a hot zone, isn't it?
 9 A. Absolutely, yes.
 10 Q. And the area of that hot zone would extend for at least
 11 100 metres around the terrorist, wouldn't it?
 12 A. That's correct, yes.
 13 Q. In order to bring that hot zone down to a warm zone,
 14 then the threat from the terrorist would need to be
 15 neutralised, wouldn't it?
 16 A. Absolutely, yes.
 17 Q. Realistically, if the terrorist is continuing to move
 18 and reaching towards the IED, what is the tactical
 19 option that is going to be either authorised by the TFC
 20 or is going to be selected by the firearms officers on
 21 the ground?
 22 A. In those set of circumstances I would expect the
 23 officers and/or the commander to consider critical shot.
 24 Q. Because looking at the other potential options,
 25 containment with the officers behind cover, that's going

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1 to delay the emergency response coming in, isn't it?
 2 A. Yes.
 3 Q. That's going to put the firearms officers at extreme
 4 risk because they're going to be within the radius of
 5 the IED, isn't it?
 6 A. Correct, yes.
 7 Q. Some kind of an interception where the officers go
 8 forward and take hold of the terrorist and arrest him,
 9 that is going to bring to the terrorist exactly what he
 10 or she might want, which is targets to kill with the
 11 IED?
 12 A. Quite, yes.
 13 Q. And doing nothing and waiting is going to risk the IED
 14 being detonated and delay emergency care to those who
 15 need it?
 16 A. Quite, yes.
 17 MR BUTT: Those are all of my questions. Thank you very
 18 much.
 19 A. Thank you.
 20 JUDGE LUCRAFT: Thank you, Mr Butt.
 21 MR HOUGH: Chief Inspector, those are all the questions we
 22 have for you. Thank you very much for your evidence.
 23 A. Okay, thank you very much.
 24 JUDGE LUCRAFT: Thank you very much indeed for coming, thank
 25 you.

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1 A. Thank you.
 2 MR HOUGH: Sir, would that be a convenient moment for our
 3 mid-morning break?
 4 JUDGE LUCRAFT: We'll take a break there. I think what
 5 we're going to hear from next, Mr Hough, is the
 6 inspector from the City of London Police?
 7 MR HOUGH: Exactly, Mr Taylor's opposite number from the
 8 City of London Police, whose evidence will cover similar
 9 subject matter and therefore be rather shorter than that
 10 of Chief Inspector Taylor.
 11 JUDGE LUCRAFT: Thank you. And then I think just so the
 12 jury recall the picture, we're going to listen to
 13 DCI Brown dealing with the background to Usman Khan and
 14 the day itself.
 15 MR HOUGH: Yes.
 16 JUDGE LUCRAFT: We'll have our break there. Thank you.
 17 (In the absence of the jury)
 18 I'll rise.
 19 (11.22 am)
 20 (A short break)
 21 (11.46 am)
 22 (In the presence of the jury)
 23 JUDGE LUCRAFT: Yes, Mr Hough.
 24 MR HOUGH: Sir, the next witness is Inspector Chris Flack.
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1 INSPECTOR CHRIS FLACK (affirmed)
 2 JUDGE LUCRAFT: Good morning. Inspector, please do sit or
 3 stand, whichever you would prefer to do whilst giving
 4 evidence.
 5 A. Stand, thank you.
 6 Questions by MR HOUGH QC
 7 MR HOUGH: Would you please give your full name and rank for
 8 the court record, please?
 9 A. Chris Flack, inspector.
 10 Q. Mr Flack, you understand I'm first asking you questions
 11 on behalf of the Coroner, you may then have questions
 12 from other advocates?
 13 A. Yes.
 14 Q. What is your current role within the City of London
 15 Police?
 16 A. I am the chief firearms instructor for City of London
 17 Police.
 18 Q. When did you first enter police service?
 19 A. In 1999.
 20 Q. When did you complete your firearms training so as to
 21 become an armed officer?
 22 A. In 2003.
 23 Q. Since then, is it right that you have undertaken
 24 a series of armed policing roles in a number of
 25 different forces?

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1 A. That's correct.
 2 Q. Do you appreciate that, like Chief Inspector Taylor
 3 before you, you're giving evidence on matters of
 4 training relevant to the conduct of firearms officers
 5 who dealt with the Fishmongers' Hall attack, which
 6 included City of London officers?
 7 A. I do, yes.
 8 Q. Just so there's no mystery, is it right that you have
 9 been following Chief Inspector [Taylor's] evidence,
 10 watching that evidence, so you're aware what evidence he
 11 has given.
 12 A. I have, yes.
 13 Q. Is it right that the College of Policing has licensed
 14 the City of London Police to provide firearms training
 15 to officers just as it has licensed the
 16 Metropolitan Police, as Chief Inspector Taylor told us?
 17 A. That's correct, yes.
 18 Q. So does that mean that the City of London Police has
 19 been subject to the annual training checks and the
 20 enhanced training check every four years, to which Chief
 21 Inspector Taylor referred?
 22 A. Yes.
 23 Q. Is it right that the City of London Police has its own
 24 specific role profiles for some roles, whereby
 25 additional modules or units are added to the national

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1 role profiles?
 2 A. That's correct. Our strategic threat and risk
 3 assessment identifies the roles that we need to fulfil
 4 within the City, so we have our own role profiles, yes.
 5 Q. Looking at paragraph 9 of your statement, if it helps,
 6 could you give us an example of a role profile in the
 7 City of London Police which differs from the national
 8 mandatory minimum content?
 9 A. Yes, so our armed response vehicle role profile exceeds
 10 the national minimum with additional skills that are
 11 relevant to the City of London Police and the
 12 operational role we carry out.
 13 Q. Can you give us an example or two of the additional
 14 skills that armed response vehicle officers in the City
 15 of London Police have to be trained in?
 16 A. So City officers are trained in high-value escorts,
 17 which is armed escorts of loads across roads.
 18 Additionally, armed response vehicle officers in the
 19 City are trained to a high level of first aid.
 20 Q. Is it also right that in addition to the national
 21 guidance covering armed policing in the form of the
 22 Authorised Professional Practice, that the City of
 23 London Police has its own specific standard operating
 24 procedures regarding a range of firearms matters?
 25 A. That's correct, yes.

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1 Q. Again, could you give us some examples of the sort of
 2 standard operating procedures which the City of London
 3 Police in particular has?
 4 A. So our SOPs relate to the amount of vehicles that we
 5 deploy, the nature in which we deploy them, and the
 6 operational functionality of our ARVs.
 7 Q. May I then turn to the training which is given to armed
 8 officers in relation to counter-terrorism, and
 9 specifically marauding terrorist attacks.
 10 Are City of London officers given training on those
 11 subjects through their refresher training every year?
 12 A. Yes, they are.
 13 Q. Looking at paragraph 15 of your witness statement, what
 14 would a typical training day covering this subject
 15 matter look like?
 16 A. So a typical training day would include some
 17 front-loading training, which may be done by PowerPoint
 18 or other method, and that would follow on by practical
 19 scenario-based training which would immerse the officers
 20 in scenarios commensurate with the training that they're
 21 getting.
 22 Q. Looking now at your paragraph 16, is it right that there
 23 have been recent training courses for ARV officers in
 24 a range of different terrorism plans and attack
 25 methodologies?

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1 A. That's correct. So we cover a wide range of attack
 2 methodology within scenario-based training.
 3 Q. Have those included over recent times vehicle-as-weapon
 4 attacks and specific training in choice of critical as
 5 against conventional shots?
 6 A. That's correct, yes.
 7 Q. You're nodding.
 8 A. Yes.
 9 Q. In March 2019, were new joint operating protocols and
 10 Operation Plato documents produced which were then used
 11 as the basis for training?
 12 A. That's correct. As they're updated we put that into
 13 their training, yes.
 14 Q. Did we see an example of one of those documents on
 15 screen earlier with Chief Inspector Taylor?
 16 A. Yes.
 17 Q. Considering the refresher training for the 2019-2020
 18 cycle, what sorts of training concerned with a marauding
 19 terrorist attack did that include?
 20 A. So that included vehicle-as-weapon attacks, knife
 21 attacks, ballistic attacks, and IED attacks, and
 22 included joint training with the MPS.
 23 Q. Have there also been in the 2018-2019 and 2019-2020
 24 cycles, refresher training on command responsibilities,
 25 so command officers, looking at different terrorist

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1 attack methodologies?
 2 A. That's correct, yes.
 3 Q. And a specific terrorist attack case study?
 4 A. Correct.
 5 Q. May I ask you, then, about some of the specific forms of
 6 training in this context. Does the training include
 7 consideration of environmental factors for officers
 8 approaching and containing terrorist subjects?
 9 A. Yes, it does, yes.
 10 Q. Including matters such as the effects of environment and
 11 lighting on aiming and shots?
 12 A. Yes.
 13 Q. Does the training also cover the effects of what
 14 firearms officers call "backdrop" in deciding to take
 15 a shot?
 16 A. Yes.
 17 Q. The jury have heard a little about this from some of the
 18 officers. What is the significance of the backdrop in
 19 deciding whether to take a shot and of what kind?
 20 A. So officers must consider the backdrop if they're
 21 looking to take a shot, and that is what is behind the
 22 subject or the target that they're shooting at, and
 23 considerations around — over penetration, ie if the
 24 rounds travel through the threat, or if they miss or if
 25 there is a ricochet, so the possibility of unintended

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1 harm being caused.
 2 Q. So WS5, for example, gave evidence to the jury that he
 3 was concerned about backdrop, and also some officers
 4 have given evidence about concerns about the quality of
 5 lighting for their aimed shots. Are those
 6 considerations you would expect to be featuring in the
 7 minds of officers containing a subject from cover?
 8 A. Yes.
 9 Q. Is it right, in summary, that all firearms officers in
 10 the City of London Police receive training on marauding
 11 terrorist attack incidents at least once a year?
 12 A. That's correct, yes.
 13 Q. And in most cases at least twice a year?
 14 A. Correct.
 15 Q. In preparing for this Inquest, have you looked into the
 16 training records for all the City of London police
 17 officers who were directly involved in the response to
 18 the attack and the confrontation with Usman Khan?
 19 A. I have, yes.
 20 Q. Were those officers up to date with their training at
 21 the time of the attack?
 22 A. Yes, they were.
 23 Q. Have you also considered the training records of the
 24 control room officer from whom the jury has heard, the
 25 tactical firearms commander in the control room, to

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1 determine whether he was up to date?
 2 A. I have, and can confirm that, yes.
 3 Q. Moving on, then, to live training exercises, which you
 4 address from paragraph 20 of your witness statement.
 5 What is the aim of a good live training exercise?
 6 What's it supposed to achieve?
 7 A. To immerse the officers in realistic training and to
 8 present them with dilemmas and challenges where they can
 9 build up a library of experience around various levels
 10 of threat in various contexts.
 11 Q. Do they also allow officers to be assessed when under
 12 the pressure of real-life situations?
 13 A. Correct. The officers are constantly assessed.
 14 Q. What sorts of locations are used by the City of London
 15 Police for live training exercises?
 16 A. So we use military training estate, street scenes,
 17 buildings, disused schools, hospitals, that mimic
 18 real-life environments.
 19 Q. Is it right that exercises are prepared with specific
 20 learning objectives in mind?
 21 A. That's correct, yes.
 22 Q. Is it also right that such scenarios are often founded
 23 upon previous real incidents?
 24 A. Correct.
 25 Q. In the course of preparing a live training exercise,

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1 will the training instructors produce documents such as
 2 a lesson plan, a training pack, and risk assessments?
 3 A. They will, yes.
 4 Q. We saw with Chief Inspector Taylor an example of
 5 a firearms training briefing as part of a live exercise;
 6 would that be the sort of exercise which City of London
 7 officers undertake as well?
 8 A. Yes, we do, in exactly the same way, yes.
 9 Q. Moving on to the training delivered in relation to
 10 dealing with suspects with IEDs and suspected IEDs, you
 11 will know, as an experienced armed officer, that
 12 a number of terrorist attacks in the UK and overseas
 13 have involved the use of both viable and hoax IEDs,
 14 often suicide vests or belts?
 15 A. Yes.
 16 Q. Yes. What's your understanding of why such devices are
 17 used?
 18 A. So a viable device obviously to create mass casualties.
 19 A hoax device may be to elicit response from either
 20 members of the public, victims or a response from the
 21 police.
 22 Q. May, in particular, the objective of the terrorist
 23 arming himself with a hoax device be to prevent members
 24 of the public and unarmed officers tackling him
 25 directly?

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1 A. That's correct, yes.
 2 Q. So allowing the attack to continue longer?
 3 A. Correct.
 4 Q. May it also have the effect, as the terrorist
 5 understands, of increasing the likelihood of an armed
 6 police response?
 7 A. That's correct, yes.
 8 Q. And, indeed, the firing of shots with consequent
 9 martyrdom?
 10 A. Yes, correct.
 11 Q. In your experience, how straightforward is it on the
 12 ground to differentiate a hoax from a real IED?
 13 A. Very challenging. The officers are not trained as
 14 explosives experts, so they are trained to treat
 15 anything that looks credible as viable.
 16 Q. Also, since either a hoax or a real IED will be likewise
 17 homemade, is it difficult to provide officers with
 18 a template for what a real IED looks like?
 19 A. Yes, the fact that it's improvised obviously indicates
 20 that there could be a wide range of circumstances and
 21 set-ups, so yes, there is no template.
 22 Q. Are officers given any training in how to try to
 23 recognise real from fake IEDs?
 24 A. No.
 25 Q. Now, what typically needs to be done to make absolutely

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1 sure that an apparent IED may not be viable?
 2 A. So it would need to be examined by an EOD explosive
 3 expert.
 4 Q. Turning, then, to the guiding principles in training
 5 officers for dealing with an apparent IED. First of
 6 all, what are the officers' objectives, according to
 7 their training, when dealing with a suspect with such
 8 a device?
 9 A. So the objective is to protect life and neutralise the
 10 threat.
 11 Q. How is that typically done?
 12 A. That could be done through achieving a cordon which is
 13 commensurate with the size of the device, or it could be
 14 done by neutralising the threat through critical shot.
 15 Q. If an officer does decide to shoot at a subject wearing
 16 a suicide vest or belt, where would you expect the shot
 17 to be aimed, according to training?
 18 A. Towards the head or major organs. Away from where the
 19 IED is.
 20 Q. Why is it important to fire the shot away from the IED
 21 itself?
 22 A. The improvised and volatile nature of the IED may mean
 23 that if it's struck by a bullet, it may ignite, so ...
 24 Q. You've referred to the possibility of cordons or sterile
 25 areas being put in place depending on the size of

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1 device; what extent of cordon from the subject to the
 2 device would you expect for a small device, such as
 3 a vest or belt?
 4 A. 100 metres.
 5 Q. Would that then rise to greater distances for larger
 6 devices?
 7 A. That's correct, yes. So a suitcase size would be
 8 200 metres. Something of vehicle size, probably
 9 400 metres.
 10 Q. What approach are officers trained to take in relation
 11 to providing first aid to a subject wearing such
 12 a device?
 13 A. We train officers not to commit to first aid until such
 14 a device is deemed safe.
 15 Q. Is that very different from the training given to
 16 an officer in relation to first aid on a subject he or
 17 she may have shot in another context?
 18 A. Yes, because of the nature of the IED, there is a danger
 19 there. Officers are trained to only commit to first aid
 20 when they have eliminated any danger. So with an IED
 21 there's a continuing danger until it's rendered safe.
 22 Q. When dealing with a subject who doesn't have an IED,
 23 does it often happen, or does it happen in a significant
 24 proportion of cases, that officers will actually, after
 25 shooting the subject, then move forward immediately to

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1 provide first aid, sometimes life-saving first aid?
 2 A. That's correct. Once the danger is eliminated then they
 3 have a duty of care to the subject.
 4 Q. Next, the use of the taser. We've heard that the City
 5 of London officers who attended the scene in this case
 6 were armed with taser as a less lethal option alongside
 7 their primary weapon and side arm. We've also heard
 8 that YX16 discharged his at Khan before noticing that he
 9 had an apparent IED on him. What is the purpose of
 10 arming your officers with a taser?
 11 A. So the purpose is to give a range of use of force
 12 options that can cater for differing circumstances as
 13 they encounter the subject.
 14 Q. Are officers given any training about, in some
 15 situations, one member of a team drawing a taser while
 16 another member draws a firearm?
 17 A. That's correct, so we would seek to bring a range of use
 18 of force options to any encounter to give the full range
 19 available based on the prevailing circumstances.
 20 Q. More generally, what situations might call for the
 21 drawing and use of a taser rather than a firearm?
 22 A. Where the threat is not an imminent threat to life, but
 23 there is a continuing threat that needs to be negated
 24 through the use of force, such as taser.
 25 Q. Might that, for example, involve a subject who

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1 represents the risk of an imminent attack, but perhaps
 2 not an imminent attack with lethal weapons?
 3 A. That's correct. It's for the officers to judge that,
 4 but that would be a set of circumstances, yes.
 5 Q. What is the training given by your force about the use
 6 of a taser on a suspect who does appear to have
 7 an apparent IED on their person?
 8 A. We've trained officers that taser is not an appropriate
 9 use of force where a subject is in possession of an IED
 10 due to the volatility .
 11 Q. The risk of igniting anything volatile?
 12 A. Correct.
 13 Q. Then critical and conventional shots. We've heard from
 14 Chief Inspector Taylor about how Metropolitan Police
 15 officers are trained in the use of critical and
 16 conventional shots. First, what is the criterion under
 17 your training for any use of a firearm by police
 18 officers?
 19 A. So where there's an imminent threat to life or perceived
 20 imminent threat to life, then officers may seek to shoot
 21 to stop that threat to life or course of action.
 22 Q. So is it typically the case that a firearm will not be
 23 drawn and will not be fired unless there is a lethal
 24 danger to officers or others which can't realistically
 25 be met with a lesser degree of force?

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1 A. That's correct, yes.
 2 Q. Next, conventional shots. Are conventional shots so
 3 described because they are the form of shot which would
 4 conventionally be taken by a police firearms officer?
 5 A. That's correct, yes.
 6 Q. What are City of London police officers trained about
 7 the area to be targeted and the reasons for targeting
 8 that area with a conventional shot?
 9 A. So we train our officers to aim for centre body mass or
 10 the torso. The reason being is it's an area that's
 11 likely to stop the threat, and also it's the largest
 12 target area, so most likely to hit.
 13 Q. Next, a critical shot. Where are City of London
 14 officers trained that such a shot should be aimed?
 15 A. Towards the head, or other major vital organs.
 16 Q. What is the objective of a critical shot?
 17 A. So the objective of a critical shot is immediate
 18 incapacitation of a subject.
 19 Q. In what circumstances are City officers taught that such
 20 a shot is to be taken?
 21 A. Where the circumstances are that there is an extreme or
 22 imminent threat to life, they may take the mindset to
 23 use a critical shot rather than conventional.
 24 Q. May that occur when the central body mass isn't visible?
 25 A. Yes.

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1 Q. May it occur where an apparent explosive device is being
 2 worn on the torso?
 3 A. Yes.
 4 Q. May it occur where there is a need immediately to
 5 incapacitate in order to prevent further loss of life?
 6 A. That's correct, yes.
 7 Q. Next, authorisations of critical shots. According to
 8 your force's training, under what circumstances is it
 9 appropriate for a TFC to authorise a critical shot?
 10 A. So a commander may authorise a critical shot if they
 11 have decisive information which they believe the AFOs
 12 might not have, or there may be some legal constraint
 13 from them being able to pass that information or time
 14 constraint.
 15 Q. If a TFC authorises a critical shot, who is responsible
 16 for the actual decision to take such a shot?
 17 A. The AFO is responsible for the use of force.
 18 Q. The officer on the ground?
 19 A. Correct.
 20 Q. Just to confirm something others have addressed also, is
 21 it right that an individual officer on the ground may
 22 take a critical shot without having been specifically
 23 authorised by a TFC?
 24 A. That's correct. That may be based on the information
 25 that they see in front of themselves.

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1 Q. May I now ask you about the actions of officers facing
 2 particular situations which are relevant to this topic,
 3 and I am going to ask you the same set of questions
 4 I asked Chief Inspector Taylor in that regard.
 5 First of all, the officers here have given evidence
 6 that they were instructed initially to attempt
 7 a pedestrian interception; can you explain what that
 8 involves when an armed officer is told to do it?
 9 A. So a pedestrian interception is a tactic whereby the
 10 officers will contain and isolate the subject, bringing
 11 conventional cover, and less lethal cover where
 12 possible, with a view to getting them into custody
 13 safely and minimising risk to the public.
 14 Q. Conventional cover meaning pointing firearms?
 15 A. Correct, yes.
 16 Q. Less lethal cover meaning pointing a taser or a baton
 17 gun at them?
 18 A. Correct, yes.
 19 Q. May we put on screen {DC6603/17} and focus on the lower
 20 image. Now, we can see here a CCTV shot of the scene on
 21 the bridge which confronted the officers, and this shot
 22 taken just before they arrived. If a City of London
 23 police officer approaches a suspected terrorist attacker
 24 who has unknown weaponry, and is being restrained by
 25 multiple members of the public in this way, what would

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1 you expect as a training officer that officer to seek to
2 do?

3 A. I would expect them to approach, close down the subject,
4 and isolate them from members of the public, putting
5 themselves, the officers, between the public and the
6 threat, to continually assess the threat, and to bring
7 those use of force options to bear, lethal, less lethal,
8 and attempt to contain and control the subject.

9 Q. Facing a scene of this kind with multiple people
10 restraining a suspected attacker, what would you expect
11 the officer physically to do first?

12 A. I would expect them to position their body between those
13 people and to attempt to remove them, to minimise the
14 risk to the members of the public.

15 Q. May I next ask you about assessment of the device, and
16 put on screen {DC8000/97}. This is the device which was
17 being worn by Usman Khan at the time of the attack after
18 being cut off and then reconstructed.

19 May we also look at a photograph of it on his body
20 during the initial confrontation {DC7421/37}, and the
21 lower part of the page. Thank you. We can see here
22 a still from YX16's body-worn video showing that device
23 around the lower part of Usman Khan's torso. You've
24 told us that firearms officers in your force aren't
25 trained in detail about assessing improvised explosive

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1 devices, but for an experienced armed officer, such as
2 you, would you regard that as a realistic viable device?

3 A. I would, yes.

4 Q. Would you accept that there is a range of types of hoax
5 device, some of which may be crude, others of which may
6 be more sophisticated?

7 A. Yes, within the training we train that an improvised
8 explosive device may range in form, shape, size, so yes,
9 the improvised nature of it means that there is no
10 template, as you say.

11 Q. Would this strike you as a relatively sophisticated form
12 of hoax?

13 A. Yes.

14 Q. Now, if a City of London officer were placed in the
15 scenario of confronting somebody who had been
16 responsible for stabbing multiple members of the public,
17 and was confronting that subject in a public place in
18 this type of situation, what sorts of response would you
19 expect in terms of use of force?

20 A. So that there obviously represents a big change in
21 information for the officers on the scene, informs them
22 about the capability and intent of the subject. Use of
23 force commensurate with that capability and intent would
24 be critical shot.

25 Q. Now, just let's for a moment remove the suspected IED.

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1 A. Oh right, yes.

2 Q. And imagine that the officers were confronting a subject
3 who had been pinned down, who is known to have been
4 involved in the stabbing incident, and from whom the
5 members of the public were now removed. I'm asking you
6 to ignore the possible IED, because one of the officers
7 didn't see it. What would you expect an officer not
8 aware of any IED to consider by way of response to this
9 situation?

10 A. So, as stated, I would expect them to cover them with
11 conventional firearms and to attempt to physically
12 control the subject and negate any use of force by the
13 subject.

14 Q. Might a taser be a reasonable option for this purpose?

15 A. I believe so, yes.

16 Q. Now add in the fact of an apparent IED, assume that
17 officers attend the scene, see members of the public
18 removed from a suspect, and witness an apparent IED of
19 the kind we've looked at. What would you expect their
20 response to be in terms of movement and use of force?

21 A. So, as I said, that represents a large change of
22 information, increasing the threat. I would then say
23 that they consider those two things, cordon distances
24 and the use of force, to neutralise that threat.

25 Q. What forms of use of force would you expect them to

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1 consider and by what criteria?

2 A. In those circumstances, in line with the training, the
3 critical shot.

4 Q. May we then move on to the next phase of the
5 confrontation, and look at {DC8000/88}. Now, you can
6 see in the top right the overview photograph of
7 Usman Khan on the bridge after he had been shot, and the
8 positions of the officers shortly after he had ceased
9 moving.

10 Now, the jury have heard that after the initial
11 phase of the confrontation where Khan was shot for the
12 first time, officers withdrew initially to behind the
13 vehicle mitigation barriers, just to the north of him,
14 and then withdrew a little further, some behind the
15 vehicles we see, some just out of the right of the
16 image, by the steps of Fishmongers' Hall. You're aware,
17 I think, of the scenario?

18 A. Yes.

19 Q. What approach would you have expected to take -- those
20 officers to take to Usman Khan in those first minutes of
21 the confrontation after he had been shot for the first
22 time but was still moving?

23 A. So I would expect them to seek cover in the way that
24 they've done to the best of their ability, and
25 achievability. I would expect them to continually

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1 assess the threat that is presented to them, and I would
 2 expect them to consider the achievability of further use
 3 of force in those circumstances.
 4 Q. What would you expect them to be looking for in terms of
 5 indications that further action might be required?
 6 A. So deliberate movements or attempts that indicate that
 7 he may be trying to close them down or move or ignite
 8 any device.
 9 Q. Would you expect concern for movements, apparently
 10 purposeful movements with the hands, both around the
 11 belt and otherwise?
 12 A. Yes.
 13 Q. If officers facing somebody in that situation with
 14 an apparent IED saw the person suddenly sit up or rise
 15 in an apparently purposeful and sudden movement, what
 16 would you expect them to consider?
 17 A. I would expect them to consider a further use of force
 18 to neutralise that threat.
 19 Q. And just to be clear, what sort of use of force would be
 20 appropriate in those circumstances?
 21 A. Again, critical shot.
 22 MR HOUGH: Thank you very much. Those are all my questions.
 23 I'll look to the right to see if others have questions.
 24 JUDGE LUCRAFT: No.
 25 MR HOUGH: I see not. Thank you very much for your

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1 evidence, officer.
 2 A. Thank you.
 3 JUDGE LUCRAFT: Thank you very much indeed.
 4 MR HOUGH: Sir, the next witness is DCI Dan Brown.
 5 JUDGE LUCRAFT: Thank you.
 6 DCI DAN BROWN (recalled)
 7 JUDGE LUCRAFT: Mr Hough, as DCI Brown has taken an oath
 8 before, I don't require him to be re-sworn.
 9 MR HOUGH: Thank you, sir.
 10 A. Thank you, sir.
 11 Questions by MR HOUGH QC
 12 MR HOUGH: DCI Brown, you have identified yourself as the
 13 detective chief inspector and SIO responsible for
 14 Operation Bemadam, the investigation into the
 15 Fishmongers' Hall attack.
 16 A. Yes, that's correct, sir.
 17 Q. Do you appreciate that you are now giving evidence on
 18 the life and background of Usman Khan and on his
 19 planning and preparation for the attack on
 20 29 November 2019?
 21 A. Yes, I understand that.
 22 Q. You made a report on these matters, to which you may
 23 refer, which is {DC6502}.
 24 A. Thank you.
 25 Q. May we begin with Usman Khan's early life, which is

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1 page 2 of your report. When and where was Usman Khan
 2 born?
 3 A. He was born in Stoke-on-Trent on 10 March 1991, so he
 4 was 28 years old at the time of the attack.
 5 Q. What was his immediate family background?
 6 A. His parents had come to the UK separately from Pakistan
 7 and had settled in Stoke-on-Trent, where they started
 8 a family. He was actually the youngest — the second
 9 youngest of seven children.
 10 Q. Which school or schools did he attend?
 11 A. So we know that he attended Haywood High School which is
 12 in Stoke-on-Trent at the age of 12.
 13 Q. Looking at your paragraph 1.6, did your investigation
 14 team obtain an account from a teacher and head of year
 15 for year 12, Mr Dawes, about Usman Khan and how he was
 16 as a young child and teenager?
 17 A. Yes, and he described him as fairly unremarkable really,
 18 he described Khan as having a teenage swagger, a little
 19 bit of a chip on his shoulder, but otherwise there was
 20 nothing memorable about Khan, and he was particularly
 21 asked about his education, whether he was excluded from
 22 education and he had no recollection of that.
 23 Unfortunately there were no records held, due to GDPR
 24 constraints, of Khan's time in school.
 25 Q. So as we'll come to a little later, Usman Khan was to

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1 tell people, and particularly people in the criminal
 2 justice system, that he had been expelled from school
 3 and had no formal schooling after his mid-teens; is that
 4 right?
 5 A. That is right, yes.
 6 Q. But the teacher had no recollection of this and you
 7 weren't able to establish definitively whether that was
 8 true or false?
 9 A. That's correct.
 10 Q. Did Usman Khan have his first contact with the police in
 11 2004 at aged 13?
 12 A. He did, yes, so it's alleged that, having approached
 13 another boy from behind, he kicked him in the head,
 14 shouting the words "White motherfucker". However, the
 15 other individual was known as a troublemaker and as
 16 a racist as well, and Khan had a youth reprimand as
 17 a consequence of this incident.
 18 Q. I said a moment ago that I'd refer to what Usman Khan
 19 later said about himself and his early life. May we
 20 have on screen, please, {DC5653/11}. If we focus on the
 21 bottom entry, right at the bottom of the page. Now, can
 22 you confirm that this document is what's called an OASys
 23 assessment, which is an assessment used by the Probation
 24 Service for assessing offenders and the risk they pose?
 25 A. That's right, that's correct.

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1 Q. Do we see this written:
 2 "Mr Khan stated that he attended Haywood High School
 3 until year 9 when he was expelled at what must have been
 4 the age of 12/13. He tells me [that's the probation
 5 officer writing] that he then went to Pakistan for
 6 2 months as his mother was ill. Upon return he could
 7 not go back to Haywood and the only realistic option was
 8 to go to James Brindley High School but he didn't want
 9 to do this so he had no further education."
 10 A. That's correct.
 11 Q. And the entry goes on to refer to education in prison.
 12 So Khan claimed to have been on the streets from
 13 around the age of 13. Was that a claim he repeated to
 14 others as well later in his life?
 15 A. That's right, yes.
 16 Q. But, again, something you simply couldn't prove or
 17 disprove?
 18 A. No, not for sure, no.
 19 Q. We can take that off screen for the moment.
 20 Looking at your paragraph 1.9 of your report, what
 21 did Usman Khan later tell probation staff about what he
 22 did once he had been expelled from school?
 23 A. So he stated that he'd been involved in gang culture in
 24 his local area, and having been expelled he began to,
 25 what he described as "chill" with those involved in

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1 criminality. He also said that he wasn't involved in
 2 religion at the time but built up a grievance regarding
 3 what was happening in Kashmir. This wasn't due to
 4 religious reasons but more an injustice in other
 5 countries, and then he educated himself in the Islamic
 6 faith and via the internet due to any lack of formal
 7 teaching, which led him to the wrong interpretation, is
 8 what he described to the probation officer.
 9 Q. That's what he was later to tell people. Is it right
 10 that it was ultimately established that Usman Khan often
 11 lied about his background when he spoke to figures in
 12 authority?
 13 A. Yes, absolutely.
 14 Q. So were you able to verify or specifically falsify any
 15 of that information?
 16 A. No, we were not.
 17 Q. Did Usman Khan in his teens begin to be attracted to any
 18 particular extremist figures?
 19 A. Yes, so he became influenced by the teachings of Anwar
 20 Al-Awlaki and Anjem Choudary, prominent sort of Muslim
 21 clerics that preached extremist Islamic beliefs.
 22 Q. Is this right, that Anwar Al-Awlaki is a now deceased
 23 Yemeni-American cleric who has produced many hate
 24 preaching lectures and sermons?
 25 A. That's correct, yes.

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1 Q. And that Anjem Choudary was the leader in the UK of
 2 a banned extremist group, Al-Muhajiroun?
 3 A. That's correct, yes.
 4 Q. Did Usman Khan come into contact with the police again
 5 in 2009?
 6 A. He did, yes.
 7 Q. We can bring up the crime report on that at {DC5510/1}.
 8 If we go to {DC5510/9} we will see the details. Do we
 9 see, according to the crime report, that Usman Khan and
 10 another man were seen on CCTV knocking somebody to the
 11 ground and throwing a brick at their head?
 12 A. That's right, yes.
 13 Q. And that Usman Khan accepted a caution for assault,
 14 which is an acceptance of criminal responsibility?
 15 A. Yes, absolutely.
 16 Q. We can take that off screen now.
 17 In the aftermath of the Fishmongers' Hall attack,
 18 were there press reports which showed that Usman Khan
 19 had been involved in preaching extremist views between
 20 2008 and 2010?
 21 A. Yes, there were, several.
 22 Q. Did these reports link him at the time with
 23 Al-Muhajiroun or ALM?
 24 A. Yes.
 25 Q. What's the significance of ALM to you as

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1 a counter-terrorism officer?
 2 A. So ALM, as you say, a proscribed organisation now under
 3 the Terrorism Act, have been linked directly and
 4 indirectly with a number of attacks within the UK, for
 5 example, London Bridge, Westminster Bridge, of note, so
 6 they are an organisation that we have a particular focus
 7 around.
 8 Q. If we put on screen {DC6502/4} which is part of your
 9 report, and we focus on the two images in the middle of
 10 the page. Are these images which were shown of
 11 Usman Khan preaching on the streets of his local area?
 12 A. Yes, that's right. So he was involved in what are
 13 called da'wah stalls, where you preach extremist Islam,
 14 essentially, and then a flag on the right, it's not
 15 actually the flag of any particular proscribed
 16 organisation, but it kind of represents, in context,
 17 extremist views.
 18 Q. We can take this off screen now.
 19 Did his activity attract the attention of the local
 20 police?
 21 A. That's correct, it did, yes.
 22 Q. Did that result in searches of his and others'
 23 properties?
 24 A. Yes, in fact it was his sister's address where he was
 25 living at the time that was searched, it was one of

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1 those addresses.
 2 Q. Was that part of an organised set of searches of a group
 3 suspected of promoting extremism?
 4 A. Yes.
 5 Q. On the day after that search, did Usman Khan participate
 6 in a press conference?
 7 A. He did, yes, denying his involvement in terrorism.
 8 Q. If we put on screen {DC6502/5} and we look at the top of
 9 the page, is that a photograph of the press conference?
 10 A. That's right, yes, so that's Khan on the right—hand
 11 side.
 12 Q. Down to the next image on the page, please. Shortly
 13 afterwards, in 2009, was Usman Khan pictured on the
 14 right of this photograph with Anjem Choudary, the leader
 15 of ALM?
 16 A. Yes, that's Mr Choudary in the middle.
 17 Q. Was that in the context of a conference on Shari'a law?
 18 A. Yes, that's correct.
 19 Q. Was Khan also linked to Choudary's Islam4UK group?
 20 A. Yes.
 21 Q. We can take that photograph off screen.
 22 During this time, so around 2010, did Usman Khan
 23 begin a relationship which led to an unofficial
 24 marriage?
 25 A. That's correct.

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1 Q. Did that marriage last into Khan's time in prison, but
 2 end while he was in prison?
 3 A. It did, yes, and they never really lived together as
 4 a couple.
 5 Q. May I now ask you about the police operation which led
 6 to Khan being in custody, and this is page 7 of your
 7 report and onwards.
 8 What was the first counter—terrorism operation
 9 mounted that involved Usman Khan?
 10 A. So it was called Operation Aragorn initially, which was
 11 an intelligence—led operation focusing around certain
 12 individuals within Stoke—on—Trent, including Khan.
 13 Q. Did that give rise to the searches you've told us about?
 14 A. That's correct, in July 2008.
 15 Q. What was turned up in those searches, so far as
 16 Usman Khan was concerned?
 17 A. So there were various documents that were of
 18 an extremist nature, including some drawings as well
 19 that they found, that were gathered within the searches,
 20 and were then assessed by experts within this particular
 21 field.
 22 Q. I think it's commonplace in these situations for
 23 an expert to assess materials to determine whether they
 24 are criminal in content, whether they can give rise to
 25 a terrorism legislation charge?

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1 A. Yes.
 2 Q. What did the expert advise in relation to these
 3 materials?
 4 A. So whilst they were assessed as extremist, they did not
 5 reach the threshold for breaching TACT legislation,
 6 Terrorism Act legislation, and therefore the Crown
 7 Prosecution Service did not pursue a charge on that
 8 occasion.
 9 Q. Did a new operation begin involving Usman Khan
 10 in January 2010?
 11 A. Yes, that's right, called Operation Norbury.
 12 Q. What was the focus of that operation?
 13 A. Again, to focus on Stoke—based extremist activity,
 14 however, this was in relation to individuals looking to
 15 travel abroad to be engaged in jihadist—based activity.
 16 Q. In the summer of 2010, did Usman Khan travel to Pakistan
 17 with a man who also came under the purview of this
 18 operation?
 19 A. Yes, and in fact he later became one of his
 20 co—defendants in the later conviction.
 21 Q. Was this investigation later to be known as
 22 Operation Guava, leading to the arrests and prosecutions
 23 of nine men?
 24 A. That's correct, yes.
 25 Q. Did the operation ultimately focus upon three groups in

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1 different areas of the country?
 2 A. Yes, that's right, the groups were in London, Cardiff,
 3 and then Stoke—on—Trent, where there were four
 4 individuals, which included Khan as part of that cell.
 5 Q. Now, for the details of that case, may we look briefly
 6 at the sentencing remarks which the judge made after the
 7 men had been convicted {DC5000/1}, please, and if we go
 8 to {DC5000/3}, paragraph 9. So if we focus on
 9 paragraph 9, please, do we see that the judge noted that
 10 all the men had been involved in preaching radical
 11 Islam.
 12 A. Yes.
 13 Q. And that they had come to know each other through
 14 a network of meetings across the country for the
 15 purposes of da'wah, the stalls you have described?
 16 A. Yes.
 17 Q. Did the judge also record that they'd decided to engage
 18 in conduct in preparation for terrorist violence —
 19 A. Yes.
 20 Q. — advocated by Al Qaeda in the Arabian Peninsula, and
 21 Anwar Al—Awlaki, who you have told us about?
 22 A. That's correct, yes.
 23 Q. Then if we move to {DC5000/5} of the sentencing remarks,
 24 paragraph 15, did the judge record that between November
 25 and December 2010, the security services had become

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1 aware of the nine men and had mounted a highly effective
 2 monitoring operation which led to the arrests.
 3 A. Yes, that's correct. All nine men were arrested.
 4 Q. And when did those arrests in fact take place?
 5 A. They were on 21 December 2010.
 6 Q. We can take that document off screen, and if you look at
 7 your report on page 9, what were the offences for which
 8 Usman Khan was arrested?
 9 A. So he was arrested for offences under the Terrorism Act,
 10 for two offences of conducting preparatory acts under
 11 section 5 of TACT, and also one for conspiring to cause
 12 an explosion under the Explosive Substances Act.
 13 Q. Was that last charge in relation to the Explosive
 14 Substances Act because monitoring and other
 15 evidence—gathering had established that Khan had shown
 16 an interest in a pipe bomb recipe?
 17 A. Yes.
 18 Q. Was he remanded in custody on 27 December 2010?
 19 A. Yes, that's right.
 20 Q. So in prison from the end of December 2010 onwards?
 21 A. Yes.
 22 Q. Did he ultimately plead guilty to one or more offences?
 23 A. Yes, just to one offence under section 5 of the
 24 Terrorism Act, which is preparing for acts of terrorism.
 25 Q. Now, in order to see the basis on which he pleaded

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1 guilty, may we return to the sentencing remarks,
 2 {DC5000/5}, and go down to paragraph 19, right at the
 3 bottom. Thank you. Do we see that the judge said this:
 4 "The first defendants to plead guilty were 3 of the
 5 Stoke defendants, Usman Khan, Shahjahan and Hussain who
 6 pleaded guilty to count 9. The basis of that plea was
 7 as follows: first, they were trying to raise funds to
 8 build a Madrassa..."
 9 That's a kind of camp, is it?
 10 A. A training camp, essentially, yes.
 11 Q. "... beside an already existing Mosque in Kashmir;
 12 second, the long-term plan included making the Madrassa
 13 available for men who would be fighting to bring Shari'a
 14 to Kashmir in Pakistan; third, the plan included some,
 15 including at least one of the Stoke defendants, being
 16 able to have firearms training in or around the
 17 Madrassa; fourth, they did not intend to participate in
 18 an act of terrorism in the UK in the immediate future.
 19 Fifth, they contemplated that, once trained, they might
 20 return to the UK and engage in some sort of terrorist
 21 activity but there was no timetable, no targets
 22 identified, nor any method agreed."
 23 A. That's correct.
 24 Q. So that was the basis on which Usman Khan pleaded
 25 guilty, that's what he accepted?

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1 A. Yes.
 2 Q. We can take that down. Is it right that some of the
 3 other defendants in the other groups were convicted on
 4 guilty pleas of a specific attack plan?
 5 A. Yes, in relation to a plan to attack the
 6 London Stock Exchange using explosives.
 7 Q. What sentence was Usman Khan initially given?
 8 A. So he was initially given what was called
 9 an indeterminate sentence for public protection,
 10 a determinate terms of 16 years, which means effectively
 11 he would serve 8 years before consideration by the
 12 Parole Board for release.
 13 Q. What was the effect of the sentence being
 14 an indeterminate one for public protection in the first
 15 instance?
 16 A. So it is essentially when he reached his 8 years the
 17 Parole Board would have to consider whether he was fit
 18 to be released, or whether it was safe for him to be
 19 released, so he wouldn't automatically be released from
 20 custody at that period of time.
 21 Q. Was that sentence passed early in 2012, by which time
 22 Usman Khan had been in prison for a little over a year?
 23 A. That's correct, yes.
 24 Q. Did Usman Khan, however, appeal against sentence to the
 25 Court of Appeal?

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1 A. He did, yes, and he was successful and the sentence was
 2 varied.
 3 Q. What was it varied to?
 4 A. So it held that the special provision of the
 5 indeterminate sentence, one without a fixed end point,
 6 for public protection, could not be justified in the
 7 case of Khan for public protection. Effectively the
 8 judge rejected the fact that Khan was as dangerous as
 9 the London defendants, so then he received a determinate
 10 sentence.
 11 Q. Was the effect of that appeal that the term of his
 12 sentence remained the same, that he would serve 8 years?
 13 A. Yes.
 14 Q. But that he would no longer at the end need to satisfy
 15 a Parole Board in order to get out; he would get out
 16 automatically?
 17 A. Automatically released after eight years, yes.
 18 Q. And was that significant because Usman Khan's later
 19 conduct in prison meant that it's unlikely he could have
 20 satisfied a Parole Board?
 21 A. I would suggest yes, that's right.
 22 Q. Turning then to his time in prison, may we put on screen
 23 page 10 of your report, {DC6502/10} and look at the
 24 bottom half of the page. Do we see from paragraph 3.1
 25 that Usman Khan served time in a series of different

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1 prisons: Belmarsh, Wakefield, Belmarsh again, Long
 2 Lartin, Frankland, Manchester, Woodhill, Whitemoor, and
 3 finally for his release, Woodhill?
 4 A. That's correct, yes, all category A prisons.
 5 Q. You said these were category A prisons; what was
 6 Usman Khan's categorisation while in prison?
 7 A. So he was a category A prisoner and also deemed as
 8 a high risk.
 9 Q. Did category A mean that his escape, it was considered,
 10 would be highly dangerous to the public?
 11 A. That's correct, yes.
 12 Q. Was the high risk element a conclusion that the risk of
 13 him being able to escape was high?
 14 A. Yes.
 15 Q. Is it right that at any given time, there are typically
 16 less than 100 category A high risk prisoners in the
 17 entire prison estate, a tiny proportion of the total?
 18 A. That's correct, yes.
 19 Q. We can take that document off screen now.
 20 Looking at page 11 of your report, in summary, how
 21 did Khan behave during his time in prison?
 22 A. So his period in custody was fairly complex, and
 23 generally speaking, his behaviour was fairly poor. He
 24 was disruptive, sometimes displayed violence, and there
 25 was intelligence suggesting that he was responsible for

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1 radicalising others.
 2 Q. I'm going to go through a small number of entries in the
 3 records, principally records from something called the
 4 Mercury Intelligence record kept by the Prison Service?
 5 A. Yes.
 6 Q. Is that a record which contains intelligence provided by
 7 prison staff about inmates?
 8 A. That's correct.
 9 Q. Now, first of all addressing his time at Belmarsh
 10 between the end of 2010 and February 2011, may we look,
 11 please, at {DC6503/822}. Can we see that this is
 12 a Mercury Intelligence record entry, and further down
 13 the page do we see the date of 8 January 2011 when Khan
 14 had been in prison for less than a month?
 15 A. Yes.
 16 Q. Next page, please. Do we see that the information on
 17 this occasion was that Khan had suggested he had access
 18 to a weapon and was going to "Do someone in the eye or
 19 in the neck", and that he wanted to die and go to
 20 paradise?
 21 A. That's right, yes.
 22 Q. Turning next to his time at HMP Wakefield
 23 between January 2011 and July 2012, may we go to
 24 {DC6503/742} of the same document. Can we see, going
 25 down the page, an entry for 6 March 2011?

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1 A. Yes.
 2 Q. And then over the page, do we see that this entry
 3 describes an incident in which Usman Khan and others
 4 were involved in an attack on another prisoner with
 5 shouts of "Allah Akbar", "God is great", being heard?
 6 A. Yes.
 7 Q. Then {DC6503/171}, please, do we see an entry
 8 for June 2012, where Khan had now been in prison for
 9 about 18 months?
 10 A. Yes.
 11 Q. Can we see from this entry that Khan had jumped on the
 12 protective netting; is that the netting which separates
 13 different levels or floors of the wing to prevent people
 14 jumping off or being thrown off?
 15 A. That's right, yes, and I think this is something he did
 16 on more than one occasion whilst in the prison system.
 17 Q. Do we see that he recited a poem with the words "Cut off
 18 the kuffar's head"?
 19 A. Yes.
 20 Q. And stating that he was a trained soldier and adding
 21 that MI5 had asked him to work for them?
 22 A. That's right, yes.
 23 Q. Then {DC6503/129}, please. Now that last one was
 24 an entry for 21 June 2012. Do we see here, if we go
 25 down the page, an entry for 27 June, so very shortly

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1 afterwards?
 2 A. Yes.
 3 Q. Then the next page, please, do we see here, according to
 4 this entry, that after a period of indiscipline, he was
 5 found to have been breaking through to the next cell?
 6 A. Yes.
 7 Q. And also that he had written down a home address, which
 8 was believed to be that of a governor?
 9 A. Yes, that's right.
 10 Q. Is it right that Usman Khan's categorisation as a high
 11 risk of escape followed on from and was a result of
 12 these incidents?
 13 A. Yes, that's right, yes.
 14 Q. And then {DC6503/675}, please. Can we see an entry for
 15 18 July 2012, stating at the bottom that after being
 16 taken back to his cell under restraint, over the page
 17 {DC6503/676}, Khan said he would smash his cell up
 18 unless put in segregation?
 19 A. Yes.
 20 Q. We can take that off screen now.
 21 Was Khan then moved to Belmarsh from Wakefield
 22 between July 2012 and January 2013?
 23 A. Yes, that's right.
 24 Q. While he was there, what particular conduct of
 25 Usman Khan's did you record in your report?

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1 A. So he requested to be moved to segregation so that he
2 could make contact with the radical figure, Abu Hamza.
3 Q. Did he, however, at the same time write to his partner,
4 his unofficial wife, mentioning an intention to do
5 a de-radicalisation course and change his ways?
6 A. That's right, yes.
7 Q. Was this one example of others that we'll see where
8 Usman Khan was behaving in a way suggestive of
9 an extremist mindset while claiming to others that he
10 was on a track to being a useful member of society?
11 A. That's right, and we saw that fairly consistently
12 throughout his period in custody.
13 Q. Between January and July 2013, was Usman Khan
14 incarcerated in HMP Long Lartin?
15 A. Yes.
16 Q. May we go to an entry from the Mercury record for that
17 period, {DC6503/1056}. This is an entry for July 2013.
18 If we go down to the intelligence assessment, do we see
19 that the entry refers to Usman Khan along with another
20 being responsible for trying to condition staff as to
21 where to stand?
22 A. Yes.
23 Q. And Khan and another being known as influential
24 prisoners within the Muslim community and the prison, to
25 be monitored closely?

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1 A. That's right.
2 Q. And further up the page can we see reference to: threats
3 to staff, verbal aggression, and attempts by Khan to
4 convert others?
5 A. Yes.
6 Q. We can take that off screen now.
7 In July 2013, was Usman Khan transferred to HMP
8 Frankland?
9 A. Yes, that's right.
10 Q. What was the purpose of that transfer?
11 A. So it was a part of a strategy to try and break up
12 certain terrorist prisoners within the system.
13 Q. While he was there, and from the start of his time
14 there, was he placed in a special unit?
15 A. Yes, so he was placed in what's called a MCBS, the
16 Managing Challenging Behaviour Strategy unit, it's
17 essentially a small unit for those high risk offenders
18 with concerns over their behaviour.
19 Q. A few months later, was extremist literature found in
20 Usman Khan's cell and also some other substances?
21 A. Yes, so there was some legal paperwork, as well as some
22 sugar and whitener, which was considered possible IED
23 fuel, albeit it would never have had the necessary
24 components to create an IED.
25 Q. May we put on screen {DC6503/950}, and can we see here

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1 an entry from the Mercury Intelligence record for
2 incidents on 17 and 21 November 2013?
3 A. That's right.
4 Q. Did the first incident on 17 [November] involve
5 a prisoner called Bryan being assaulted by several
6 Muslim prisoners in the top compound at the prison, and
7 Khan being involved in the incident?
8 A. Yes.
9 Q. And then did the second incident on 21 November 2013
10 involve Khan attacking the same prisoner in his cell?
11 A. That's right, yes.
12 Q. Can we see that one of the other people involved in
13 attacking this prisoner used a bladed weapon in doing
14 so?
15 A. Yes, correct.
16 Q. Page 968, please. And down the page {DC6503/968}. Is
17 it right that, as recorded here, a Church of England
18 chaplain at the prison described having been caught up
19 in the attack and struck as he was at the entrance to
20 the cell?
21 A. That's correct, yes. I don't think he was deliberately
22 struck, but it was as a consequence of the struggle.
23 Q. Then {DC6503/964}, please. Following this incident, was
24 Khan's cell searched and found to contain a loose razor
25 blade, a potential weapon?

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1 A. That's right, yes.
2 Q. We can take that off screen now. Between January 2014
3 and June 2014, was Khan at HMP Manchester?
4 A. That's correct, yes.
5 Q. What sort of unit was he placed in there?
6 A. Again, to a Specialist Intervention Unit of six cells.
7 Q. Then from June 2014 to July 2016, did he enter
8 HMP Woodhill?
9 A. Yes.
10 Q. At first in what sort of unit?
11 A. First in what, sorry, sir?
12 Q. At first in what sort of unit?
13 A. Again, an MCBS unit, Managing Challenging Behaviour
14 Strategy unit. This was one of 10 prisoners, so again,
15 a fairly small unit.
16 Q. During his first seven or eight months at that prison,
17 so mid-2014 to late 2015, did Khan engage in
18 a counter-terrorism or de-radicalisation programme
19 called a Healthy Identity Intervention programme?
20 A. That's right, yes, the HII programme.
21 Q. Nevertheless, did intelligence about him continue to
22 show signs of very bad behaviour?
23 A. Yes, that's correct, yes.
24 Q. {DC6503/1697}, please. Do we see here an entry, I think
25 for October 2014, referring to intelligence suggesting

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1 that a prisoner called Reece had a plan to kill a member
2 of civilian staff?
3 A. Yes.
4 Q. And the intelligence referred to Mr Khan potentially
5 having influenced Reece?
6 A. Exactly, that's right.
7 Q. And then {DC6503/1441}, please. At the bottom of the
8 page, can we see here an entry from July 2015,
9 suggesting that Usman Khan was involved in inciting
10 another prisoner to attack a third man, with reference
11 to Khan's influence and his wanting to impress others?
12 A. Yes, and again, something we saw fairly consistently
13 throughout his period in custody.
14 Q. Then finally before lunch, {DC6503/1457}, please. Do
15 you see another entry from July 2015, so about halfway
16 through Khan's time in Woodhill, this intelligence
17 suggesting that Khan was planning, along with another
18 man, to assault, seriously, two named members of staff,
19 and suggesting that another person in the prison,
20 another inmate, had been attacked because he didn't
21 agree with the plan?
22 A. Yes, that's right.
23 Q. Was Usman Khan sent back to the MCBS unit, the small
24 controlled unit, as a result of this incident?
25 A. Yes.

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1 MR HOUGH: Thank you very much, sir. Would that be
2 a convenient moment?
3 JUDGE LUCRAFT: We will pause there and we will pick up on
4 matters at 2 o'clock. Thank you very much.
5 (In the absence of the jury)
6 I'll rise.
7 (1.03 pm)
8 (The short adjournment)
9 (2.03 pm)
10 (In the presence of the jury)
11 JUDGE LUCRAFT: Welcome back, everybody. Before lunch,
12 Mr Hough, DCI Brown was telling us about the history of
13 Mr Khan's period in prison, and we'd gone through
14 a number of examples of conduct of concern in relation
15 to Khan, and I think one of the themes that you spoke
16 about, and DCI Brown spoke about in the evidence, was
17 the way in which Khan would often be saying one thing to
18 those people he spoke to in prison, but his acts and
19 deeds rather showed the contrary position?
20 MR HOUGH: Yes.
21 DCI Brown, we had reached, as the learned coroner
22 indicates, a point during Khan's period in custody, and
23 we are now at mid-2016, and I'm looking at
24 paragraph 3.34 of your report. Was Khan subject to
25 a review of his categorisation in June 2016?

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1 A. Yes, that's right.
2 Q. May we put on screen {DC5336/1}. I'm sorry, that's
3 an incorrect reference, we'll take that down for the
4 moment, I'll return to it if I need to.
5 Did Usman Khan remain category A high risk as
6 a result of the review in that month?
7 A. Yes, he did, that's correct.
8 Q. In July 2016, did he transfer to HMP Whitemoor where he
9 remained for almost all of the remainder of his time in
10 custody?
11 A. That's correct.
12 Q. When he transferred, was his status changed from being
13 centrally managed MCBS to locally managed MCBS?
14 A. Yes, that's right, so some signs of improvement because
15 the level of the management sort of slightly reduced.
16 Q. Nevertheless, in August 2016 was there some further
17 negative intelligence on Usman Khan?
18 A. Yes, there was intelligence reporting that he claimed to
19 be lying in intervention courses to facilitate his
20 release.
21 Q. If we put on screen {DC6503/1228}, and we'll see that
22 entry.
23 Do we see that the intelligence provided was that
24 Usman Khan was using taqiyya, which was a permissible
25 form of lying to advance the cause of Islam, and in his

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1 case doing so by ticking boxes and telling falsehoods
2 within intervention courses?
3 A. Yes, that's right.
4 Q. Then page 1122, please, of the same document
5 {DC6503/1122}, later in 2016, towards the end of the
6 year, 24 December, was there intelligence suggesting
7 that Khan was a significant figure among the terrorist
8 offenders within Whitemoor, and that he was believed to
9 be among a group befriending and grooming inmates with
10 lesser prison sentences to use them once they'd been
11 released?
12 A. That's right, yes.
13 Q. Was Khan's security classification, his category,
14 reviewed and maintained at this time?
15 A. That's correct, yes.
16 Q. May we put on screen {DC5350/1}. We can see that the
17 decision was made at the start of 2017 -- if we go to
18 the next page, please, {DC5350/2}, and down the page --
19 we can see at the bottom that Usman Khan's behaviour was
20 acceptable and he had no recent adjudications, but there
21 was information on him being argumentative and
22 intelligence suggesting continued extremist attitudes,
23 radicalisation, and the potential for serious
24 disruption, also that he has deliberately told lies,
25 a reference to that intelligence we saw?

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1 A. Yes.
 2 Q. Then in February 2017, after having behaved well for
 3 a period, was Usman Khan involved in a further set of
 4 violent incidents?
 5 A. Yes, that's right, so he was involved in a fight where
 6 two inmates attacked a third man in a cell with
 7 a plastic knife.
 8 Q. May we have on screen {DC6503/2150}. Can we see that
 9 from the first main paragraph it was identified that two
 10 people, two inmates, attacked a third inmate in a cell,
 11 that Usman Khan was seen to move to a different area,
 12 and was then later involved in an assault on the
 13 prisoner who had been the target of the first assault
 14 a couple of days later?
 15 A. Yes.
 16 Q. As a result of this incident, this set of incidents, was
 17 Khan subject to disciplinary action?
 18 A. Yes, that's right, so he had reduced basic IEP level and
 19 placed on UBD restrictions, which is essentially his
 20 privileges are taken away.
 21 Q. So removing his access to things like televisions and
 22 videos and so on?
 23 A. Yes.
 24 Q. May we have {DC6503/2172} on screen, please. Then over
 25 to the next page {DC6503/2173}. Sorry, can we go back

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1 to {DC6503/2148}. So Khan was involved in a fight on
 2 the 26th, a fight on the 28th, was then reduced to basic
 3 IEP level?
 4 A. Yes.
 5 Q. Did he react to that by, once again, jumping on the
 6 netting in the prison wing?
 7 A. Yes, that's right, something we'd seen before.
 8 Q. Was it suspected that this attack was an incident of
 9 retribution or organised violence within the prison?
 10 A. Yes, that's right.
 11 Q. And then, please, {DC6503/2125}, moving on a couple of
 12 months to April 2017, was a search carried out on Khan's
 13 cell which revealed some concerning material?
 14 A. Yes, that's right. Some cuttings relating to —
 15 newspaper cuttings relating to terrorism and jihadists
 16 were found within the cell.
 17 Q. And then {DC6503/2002}, was an entry made in July 2017,
 18 so a few months afterwards, recording that Khan was one
 19 of the main prisoners for promoting extremist views in
 20 the prison, turning conversations to extremist ideology?
 21 A. That's right, yes.
 22 Q. And do we see further on that the intelligence refers to
 23 incidents of organised retribution beatings?
 24 A. Yes.
 25 Q. We can take that off screen now.

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1 Was it in November 2017, so just a few months after
 2 this, that Usman Khan began to take courses with the
 3 Learning Together network?
 4 A. That's correct, yes. I think initially he wasn't
 5 particularly interested but then decided to become quite
 6 focused around that course.
 7 Q. Was the first of these a creative writing course which,
 8 like other Learning Together courses involved prisoners
 9 working and studying alongside university students that
 10 came into the prison?
 11 A. Yes, that's right.
 12 Q. In December 2017, so just after the start of his work
 13 with Learning Together, was Khan's category once again
 14 reviewed and retained at category A high risk?
 15 A. That's right, yes.
 16 Q. May we have on screen {DC5352/4}, and if we go to the
 17 bottom of the page, the penultimate paragraph, did the
 18 category A review team conclude that Khan had achieved
 19 no substantial progress in dealing with the risk that
 20 he'd posed, with reports showing regular examples of
 21 misconduct, disobedience, inciting others and other
 22 challenging behaviour?
 23 A. Yes.
 24 Q. Following on from this, did Khan undergo another
 25 anti-extremism programme within the prison, a

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1 Thinking Skills Programme, which is intended to address
 2 risks and behaviour?
 3 A. That's right, yes.
 4 Q. May we look at the course report for that
 5 Thinking Skills Programme, {DC5341/1}. Can we see that
 6 the course was completed in mid-December 2017?
 7 A. Yes.
 8 Q. Then {DC5341/9}. These are Khan's comments on the
 9 self-control module of the course which refer to him
 10 exploring risky situations and risk-provoking factors,
 11 and then do we see he writes in:
 12 "I agree with the comments; where highlighted
 13 I would like to clarify that though I felt angry, I also
 14 made clear that I would never harm anyone who did not
 15 physically harm me, this is a principle I live by and
 16 I would not harm staff nor anyone else, except in
 17 extreme cases of self-defence, and even then I would not
 18 to excess, this can be seen in my prison history, though
 19 I have been in stressful situations I have never harmed
 20 a staff member."
 21 Is that another instance of Khan claiming to be
 22 a pacifist character when recent behaviour in prison
 23 showed him anything but?
 24 A. Yes, absolutely. I mean, we've seen evidence that that
 25 is in fact not the case.

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1 Q. A few months on in April 2018, did Usman Khan have
2 a detailed assessment by a prison psychologist,
3 Dr Cechaviciute?
4 A. Yes, that's right, the ERG or Extremist Risk Guidance
5 assessment.
6 Q. May we have that on screen {DC5322/1}. Did the
7 psychologist examine both what Usman Khan said about
8 himself, and his motivations and his behaviour, but also
9 compare that in detail against prison behaviour, prison
10 intelligence, and other aspects of his conduct?
11 A. Yes, that's right. This is a very detailed document.
12 Q. May we go, please, to page 32 {DC5322/32},
13 paragraph 8.1.2, towards the bottom of the page. Can we
14 see that the doctor, the psychologist, identified
15 Mr Khan's engagement level, one of the measures of the
16 assessment, engaging with extremism as medium.
17 A. Yes.
18 Q. And confirmed expressing the view that that could
19 increase on release?
20 A. That's right.
21 Q. With risk factors including the need for status and the
22 need for identity, meaning or belonging?
23 A. Yes, that's right.
24 Q. And then paragraph 8.1.3 towards the bottom, we see she
25 identified that the risk of Khan engaging in extremism

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1 could increase if faced with various high risk
2 situations?
3 A. Yes.
4 Q. Over the page, do we see those included, amongst other
5 things, struggling financially or not being able to
6 establish himself?
7 A. Yes, that's right.
8 Q. Then paragraph 8.1.4, did the expert assess that Khan's
9 current intent to commit an extremist offence was
10 assessed as medium?
11 A. Yes.
12 Q. But that too could increase on release?
13 A. That's correct.
14 Q. May we then go to {DC5322/49}, was there an appendix to
15 the report in which Usman Khan's own comments on the
16 report were set out?
17 A. Yes.
18 Q. Did he, in summary, take issue strongly with the content
19 of the report?
20 A. Yes, I think he described it as speculative.
21 Q. Particularly disagreeing with every piece of prison
22 intelligence on which the expert's conclusions were
23 based?
24 A. That's right.
25 Q. We can take that off screen now.

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1 We are now at mid-2018, about six months before Khan
2 had to be released?
3 A. Yes.
4 Q. Was Khan referred in early 2018 for arrangements known
5 as MAPPA?
6 A. Yes, Multi-Agency Public Protection Arrangements.
7 Q. In summary, what are MAPPA and what is their function?
8 A. So MAPPA is a set of statutory procedures set up under
9 the Criminal Justice Act of 2003. Agencies are
10 essentially required to cooperate with each other in
11 managing and dealing with offenders prior to and upon
12 release and throughout the period of their release.
13 Q. And does this involve periodic meetings between agencies
14 such as the police, probation, the Prison Service,
15 housing and so on, to discuss particularly dangerous or
16 high risk offenders at intervals and decide upon
17 strategies for managing them in the community?
18 A. Absolutely, yes.
19 Q. Was a security intelligence report prepared which was
20 fed into the initial MAPPA process?
21 A. Yes, that's right.
22 Q. May we have that on screen, {DC6423/1}. We can see that
23 it includes some of the intelligence that we have
24 already looked at concerning indications of extremist
25 mindset in recent times?

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1 A. Yes.
2 Q. Then if we go on to {DC6423/2}, can we see that under
3 "Potential for radicalisation and extremism", the report
4 concludes that since Khan had been moved to a different
5 area within Whitemoor, he seemed to have crept below the
6 prison's counter-terrorism unit radar?
7 A. Yes, that's right. That's Prison Service, not policing
8 CTU.
9 Q. Then do we see that the conclusion is:
10 "This doesn't mean that his ideologies have changed,
11 just that he may be behaving in a deceptively compliant
12 manner in order to facilitate his release."
13 A. Yes, that's right, this is something we had already seen
14 before.
15 Q. We can take that off screen now.
16 Did the first meeting of the MAPPA agencies
17 concerning Khan take place in late June 2018?
18 A. That's right, yes.
19 Q. What sorts of subject matter did that cover?
20 A. So they would discuss the risks that he presented and
21 then obviously the plans for the future, ie where he
22 would live, who would be managing him, what conditions
23 potentially he may be under, things like that.
24 Q. Did the MAPPA agencies note that there had been mixed
25 behaviour on Usman Khan's part in recent times in

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1 prison, but there had been some signs of recent
 2 improvements?
 3 A. Yes.
 4 Q. Were further meetings then held in October
 5 and December 2018?
 6 A. Yes, that's right.
 7 Q. Nevertheless, did in these last months there continue to
 8 be some negative reporting on Khan in the Mercury
 9 records?
 10 A. Yes, both positive and negative.
 11 Q. May we look at some of those, {DC6503/1893}, and this is
 12 an entry for June 2018, I think. Does this record
 13 Khan's association with other disruptive prisoners? Do
 14 we see that it refers to him as one of a group with
 15 links to religious bullying and the gang culture?
 16 A. Yes, that's right, yes, and it also describes him being
 17 an influential figure.
 18 Q. Then {DC6503/1876}, please, a month later, at the end
 19 of July 2018, can we see further intelligence about
 20 a conversation overheard involving Usman Khan and
 21 another prisoner, suggesting they wished to harm,
 22 seriously, another inmate who was thought to be
 23 a snitch?
 24 A. Yes.
 25 Q. In August 2018 was there then a further category A

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1 review which maintained Usman Khan as a high risk
 2 category A offender?
 3 A. Yes, that's right.
 4 Q. Did that, however, note that he had been engaged in
 5 education and offending behaviour work but still had to
 6 demonstrate a reduction in his actual risk?
 7 A. Yes, that's right.
 8 Q. We can take that document off screen. Nevertheless,
 9 in September 2018, did Khan's offender supervisor, so
 10 his probation officer in prison, recommend that his
 11 category be changed so that he was a category B
 12 prisoner?
 13 A. Yes, so that recommendation was made, however, he was
 14 never reduced down from a category A.
 15 Q. Did Khan, around this time, consistently present himself
 16 to probation officers and the authorities as having
 17 a positive approach to the future?
 18 A. Yes, he did.
 19 Q. May we look at an example of that, {DC6503/1840}. This
 20 is an entry for 15 October 2018, recording that
 21 Usman Khan had written to Kenneth Skelton, Mr Skelton
 22 his probation officer for the community?
 23 A. That's right, once released.
 24 Q. And so do we see that he wrote to Mr Skelton saying that
 25 he was nervous about release, but ready to build his

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1 life and put this behind him?
 2 A. That's correct.
 3 Q. Nevertheless, if we go to page 2242 of the same document
 4 {DC6503/2242} can we see an entry for just two weeks
 5 later, 29 October 2018?
 6 A. Yes.
 7 Q. Do we see that this one refers to Usman Khan trying to
 8 radicalise other Muslim prisoners, including at Friday
 9 prayers?
 10 A. It does.
 11 Q. And then this:
 12 "Khan has said that he will return to his old ways,
 13 believed to be related to Terrorism when he is released
 14 next year."
 15 A. Yes.
 16 Q. Was that intelligence which was then fed into the MAPPA
 17 process?
 18 A. It was, yes.
 19 Q. In addition, in November 2018, was intelligence received
 20 about Khan in prison saying that he wanted to commit
 21 an attack after his release?
 22 A. That's right, yes.
 23 Q. Was that intelligence which was fed into the MAPPA
 24 process?
 25 A. That was not fed into the MAPPA process. It was held by

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1 other agencies, but not by MAPPA.
 2 Q. Now, these two strands of intelligence that Khan wanted
 3 to return to his old ways, believed related to
 4 terrorism, and that he wanted to commit an attack, was
 5 each of them a strand of intelligence which was
 6 uncorroborated --
 7 A. That's right.
 8 Q. -- so essentially coming from a single source?
 9 A. That's correct, yes.
 10 Q. Was each of them of unknown validity but with no
 11 positive reason to distrust it?
 12 A. That's true, yes.
 13 Q. We can take that off screen now.
 14 Over the same period while this rather concerning
 15 intelligence was coming in, was Usman Khan engaging
 16 positively with Learning Together?
 17 A. Yes, he was.
 18 Q. In October 2018, did he participate in a fundraising run
 19 within the prison?
 20 A. Yes.
 21 Q. In November 2018, did he act as a mentor for other
 22 prison-based students in a Learning Together
 23 mathematical probability course?
 24 A. That's right.
 25 Q. In November 2018, did a local advisory panel complete

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1 a report on Khan's category?
 2 A. Yes, that's right, and they recommended again that
 3 reduction from category A to category B.
 4 Q. Did the panel note a change in Usman Khan from being
 5 anti-authority to being more polite and engaged?
 6 A. Yes, they did.
 7 Q. In early December 2018, did Khan have a first meeting
 8 with a mentor who had been arranged for him?
 9 A. Yes, that's right.
 10 Q. Was this the first of two practical mentors who were
 11 provided under a Home Office programme called the
 12 Desistance and Disengagement Programme?
 13 A. That's right, yes.
 14 Q. What was the purpose of these mentors? What were they
 15 there to do with Khan?
 16 A. So it was a practical mentor's role to support Khan on
 17 release in the community, facilitating his ability to
 18 open a bank account, assist with him gaining credit, as
 19 in his benefits. He wouldn't have had access to the
 20 internet as well, so one of their other roles was to
 21 supervise his access at the library to the internet,
 22 which would fall within his restrictions to access
 23 internet, to search for jobs and things like that, so
 24 really a sort of practical role.
 25 Q. And, therefore, Usman Khan met with the first of these

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1 mentors before he actually left prison?
 2 A. That's right.
 3 Q. Did he tell this mentor, as he told other authority
 4 figures, that he was a changed man?
 5 A. Yes, that's right.
 6 Q. Did he say in particular that he had moved on from being
 7 an angry young man?
 8 A. Yes.
 9 Q. Was Usman Khan, as we've seen from the list of prisons
 10 before, transferred from Whitemoor to Woodhill very
 11 shortly before his release?
 12 A. He was, yes. So Whitemoor is not a release prison
 13 because it's a high risk category A prison, or
 14 a category A prison, so he was moved shortly before
 15 release to facilitate that release from Woodhill, which
 16 is a release prison.
 17 Q. Was he then released on 24 December 2018, as you have
 18 said, as a matter of right without any discretion in the
 19 matter?
 20 A. That's right, yes.
 21 Q. Now just a few questions about Usman Khan's contact with
 22 others during his time in prison, which is your
 23 paragraphs 3.89 to 3.94. Did Usman Khan remain in touch
 24 with his family while he was in prison?
 25 A. He did, yes. So obviously he was allowed access to the

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1 prison telephone and he would regularly contact his
 2 family over the telephone, really having conversations
 3 of a domestic nature.
 4 Q. Did any of those conversations suggest any inappropriate
 5 or criminal conduct on the part of his other family
 6 members?
 7 A. No, they did not.
 8 Q. Did those conversations involve repeated comments by
 9 Khan about his lack of trust for the authorities?
 10 A. Yes.
 11 Q. May we now move to the period after his release. On
 12 release, was Khan subject to licence conditions which
 13 regulated his life in various ways?
 14 A. Yes, he had 22 such conditions.
 15 Q. May we look please at {DC5194/1} for details of those.
 16 If we look at the bottom of the page we will see them
 17 listed in little Roman numerals. Do we see that they
 18 included very general conditions such as being of good
 19 behaviour and not committing any offence?
 20 A. That's right, yes.
 21 Q. Then over the page {DC5194/2}, (vi) not to undertake
 22 work or any particular type of work unless approved by
 23 the supervising officer; is that the probation officer?
 24 A. That's the probation officer, yes.
 25 Q. (viii):

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1 "Not to attend or organise any meetings or
 2 gatherings other than those convened solely for the
 3 purposes of worship without the prior approval of your
 4 supervising officer."
 5 Is it right that approval therefore had to be given
 6 under this condition for Khan to attend the
 7 Learning Together event?
 8 A. That's correct, yes, by the probation officer.
 9 Q. If we go down, number (x) is to comply with requirements
 10 specified by the supervising officer?
 11 A. Yes.
 12 Q. Paragraph (xii) is not to use or access internet-enabled
 13 devices?
 14 A. That's right, other than as I've already mentioned, he
 15 was approved to use the library internet to search for
 16 jobs under supervision.
 17 Q. Over the page to {DC5194/3} we see from number (xx), he
 18 was required to confine himself to an identified address
 19 within hours which effectively subjected him to
 20 a curfew?
 21 A. Yes, that's right.
 22 Q. A requirement at (xxi) to maintain a permanent residence
 23 initially at Staitheford House approved premises. Was
 24 that a probation hostel in Stafford?
 25 A. That's correct, yes, Staitheford House.

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1 Q. (xxii) a requirement for a GPS electronic monitoring tag
2 to be fitted to him?
3 A. Yes, and he had that on for the duration of this period.
4 Q. So he was subject to very tight and restrictive licence
5 conditions, some of which were gradually eased?
6 A. That's correct, yes.
7 Q. Was he also subject to statutory notification
8 requirements as a terrorist offender?
9 A. He was, yes.
10 Q. What was the nature of those requirements?
11 A. So he would have to notify of any changes of address,
12 and also any visits to his family, had to make them
13 aware he was visiting family. I think potentially any
14 children that he came into contact with as well.
15 Q. So is it right that these were requirements which lasted
16 much longer than the licence conditions?
17 A. Yes.
18 Q. They were going to last for 30 years?
19 A. 30 years, that's right.
20 Q. But they weren't restrictive of life; they were
21 requirements to keep notifying the authorities of
22 matters --
23 A. That's correct.
24 Q. -- such as the home address?
25 A. Exactly.

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1 Q. We can take that document off screen now.
2 On the day that Khan was released, did he meet his
3 probation officer and have his conditions explained to
4 him?
5 A. He did, yes, and I believe he signed a document as well,
6 so he understood those conditions.
7 Q. As we've seen, initially Usman Khan lived at a probation
8 hostel in Stafford, managed by probation staff?
9 A. That's right, 24/7.
10 Q. Did he have there keyworkers who supported him and saw
11 him regularly to discuss matters such as his search for
12 work, education, opportunities and the like?
13 A. Yes, again, general support around day-to-day life
14 bearing in mind he had been in prison for eight years.
15 Q. In general terms, was Usman Khan compliant in abiding by
16 the rules in the probation hostel?
17 A. He was, yes.
18 Q. Over this period, was Usman Khan subject to management
19 in the community by a police team?
20 A. He was, yes.
21 Q. What was that police team and from which force did they
22 come?
23 A. So from Staffordshire Police it was actually their
24 Prevent Team that took on the role of managing him,
25 alongside the probation officer. They were managing the

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1 part 4 conditions.
2 Q. So this is a team of officers who came from the Prevent
3 discipline --
4 A. Yes.
5 Q. -- whose normal job was to divert people in the
6 community away from extremism?
7 A. That's right, yes.
8 Q. And in the Staffordshire area they were given the job,
9 were they, of managing the compliance of released
10 terrorist offenders with these statutory notification
11 obligations?
12 A. Yes, although this was only the second case that they
13 actually managed.
14 Q. In practical terms, what did these officers do in
15 managing Usman Khan?
16 A. So I think they supported him, first of all, signing the
17 relevant paperwork. I think they also ensured that his
18 tag was put on and that the machinery was working, and
19 they would visit him occasionally and just check on his
20 well-being and check everything was sort of going okay.
21 Q. Did those visits begin at a level of about once a week,
22 and then gradually become less regular over time?
23 A. That's right, yes. Yes.
24 Q. Meanwhile, did the mentor visits from the practical
25 mentor continue at a level of twice a week after Khan

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1 had been released?
2 A. That's correct, yes, they would meet him twice a week
3 and they did generally go to the AP or go out in the
4 community with him, and as I say, they would accompany
5 him to the library as well.
6 Q. So, as you said, did the mentor go and see Usman Khan,
7 talk to him, either at the probation hostel or in
8 a café?
9 A. Yes.
10 Q. Ask questions to understand his lifestyle and his
11 mindset?
12 A. Yes.
13 Q. And produce reports on him?
14 A. That's right, yes.
15 Q. Did the mentor change in March 2019?
16 A. Yes, there was a second mentor, I think for more
17 practical reasons from one individual to another, second
18 individual.
19 Q. In the early weeks of the mentor's contact, so
20 January/February 2019, did the mentor focus on working
21 with Usman Khan to establish his proof of identity, set
22 up a bank account, and other logistical matters such as
23 that?
24 A. That's right, yes, bearing in mind he didn't have any of
25 those things after coming out of prison.

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1 Q. From this early period after his release did Usman Khan
2 begin expressing interest in moving into separate
3 premises, to his own flat or house?
4 A. Yes, he was quite keen to move into his own flat,
5 however, in light of his offending, he wasn't actually
6 allowed to leave the approved premises until 6 months
7 into the period that he had been out of custody.
8 Q. Did he register himself with the local housing authority
9 in January 2019 in preparation for him being allowed to
10 leave the probation hostel?
11 A. Yes, that's right.
12 Q. On his release into the community, was he provided with
13 a mobile phone?
14 A. He was, yes, by the police.
15 Q. Did any problem arise with that phone?
16 A. It did. So obviously he wasn't allowed to have access
17 to any internet-enabled device. He identified himself
18 in fact that the device he had been given was in fact
19 internet-enabled, the police officers didn't release
20 this, so he provided that information to the officers
21 because he was conscious that he may have been breaching
22 his conditions, and swapped it for
23 a non-internet-enabled device.
24 Q. So is this right: this would appear to be very compliant
25 behaviour, positively volunteering the information that

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1 he had a phone which could connect to the internet,
2 which he shouldn't?
3 A. That's right.
4 Q. May we then look at {DC6410/1}. Can we see here the
5 meeting minutes for the first of the MAPPA meetings held
6 to discuss Usman Khan after his release into the
7 community?
8 A. That's right, yes.
9 Q. May we turn then to {DC6410/4} at the bottom of the
10 page. According to these minutes, did Mr Skelton, the
11 probation officer, provide a report that Usman Khan has
12 settled well with no concerns, attending the meetings
13 and "engaging well with Calum". Is that one of the
14 police officers from the Prevent Team?
15 A. That's the sergeant in charge of the Prevent Team, yes.
16 Q. And also the mentor and Mr Skelton himself?
17 A. Yes, that's right.
18 Q. Then if we go to {DC6410/6} at the top of the page, can
19 we see that there is reference at the top to
20 a Dr Ruth Armstrong from Cambridge University. Was she
21 one of the leading figures in the Learning Together
22 organisation?
23 A. Yes, she's one of the two directors from
24 Learning Together.
25 Q. Do we see that the minutes record that she was -- she

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1 had pressed for Usman Khan to attend an event in March,
2 but Mr Skelton had formed the view that it was too soon
3 for Usman to attend such an event and that events later
4 in the year might be more appropriate?
5 A. That's right, yes, he took that decision.
6 Q. Was the event planned for March one that was going to be
7 happening at Cambridge itself?
8 A. Yes, I think Madingley Hall, one of the colleges in
9 Cambridge.
10 Q. We can take those minutes off screen now.
11 Meanwhile, did Usman Khan join a gym in Stafford?
12 A. Yes, so he initially joined a gym called the Lionz gym,
13 however, that gym closed, so he then subsequently joined
14 a second gym, called the Elite 2000 gym, later on in the
15 year.
16 Q. Did he also at this early stage, January 2019, acquire
17 an Xbox games console?
18 A. Yes, that's right, from a secondhand shop.
19 Q. Were efforts made to ensure that that couldn't access
20 the internet?
21 A. That's right, it didn't.
22 Q. While Usman Khan was in the community, did he receive
23 state benefit in the form of Universal Credit?
24 A. He did, yes, a fairly modest sum.
25 Q. Did he also receive some money from family members for

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1 his living expenses?
2 A. Yes, we believe his family would occasionally pass him
3 some money just for food and things like that.
4 Q. Now, you have told us that Learning Together invited
5 Usman Khan to the event in March 2019, but Mr Skelton
6 decided it was too soon to attend. What happened
7 instead in relation to Usman Khan for that event?
8 A. So as a consequence, Learning Together agreed that they
9 could film a promotional video with Mr Khan at the
10 approved premises, where that video could then be played
11 at the event, the Learning Together event.
12 Q. Did two individuals from Learning Together visit him at
13 the approved premises to film that video?
14 A. Yes, again, Dr Ruth Armstrong and Simon Larmour.
15 Q. Is this one of the few pieces of evidence of Usman Khan
16 and his character directly from his mouth?
17 A. That's right, yes.
18 Q. May we play this video. It is {AV0001/1}, it's about
19 five minutes in length and we'll play it all the way
20 through.

(Video played)

21
22 Now, we heard at the start of that video, almost
23 among the first words Usman Khan spoke, was him saying
24 that he had spent most of his time in segregation,
25 no one else there while he was in prison; was that true

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1 or false?
 2 A. No, it was not true. He had spent periods of time
 3 within certain units, as we've discussed, but he
 4 certainly didn't spend six months in segregation.
 5 Q. And these small units, by definition, they weren't
 6 places where nobody else was present?
 7 A. That's correct.
 8 Q. Thank you. In these early months, did Usman Khan make
 9 efforts to find work, first of all by attending
 10 a Jobcentre weekly, and working with a job coach called
 11 Liz Young?
 12 A. He did, yes.
 13 Q. Was he also referred to an organisation called
 14 Ixion Holdings, which helps find work for disadvantaged
 15 people?
 16 A. That's right, yes, he did.
 17 Q. Over the following months, did caseworkers from that
 18 organisation meet Usman Khan from time to time and help
 19 him in his search for work?
 20 A. They did. They tried a variety of different jobs for
 21 him to apply for.
 22 Q. Now, you have told us that after joining one gym which
 23 dissolved, Usman Khan joined a new gym. Did that take
 24 place in March 2019?
 25 A. Yes, that's right, the Elite 2000 gym, as mentioned.

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1 Q. Did Usman Khan disclose anything about his past to the
 2 owner of the gym?
 3 A. He did, yes. So the officers themselves attended to
 4 make that disclosure, as they're legally required to do,
 5 and they found that he had already made that disclosure
 6 of his — the offences and his sentence and then
 7 explained that he committed those offences when he was
 8 young and misguided, that he was changed, a changed man.
 9 Q. Also in early March 2019, did Khan make his first
 10 appearance at Friday prayers at the local mosque?
 11 A. He did, yes, although he wasn't a particularly regular
 12 visitor to the mosque after that.
 13 Q. By April 2019, did Khan have his first significant job
 14 interview with a company called Screwfix?
 15 A. He did, yes, but unfortunately he wasn't successful.
 16 Q. What, as far as you can tell, was the reason for his
 17 lack of success?
 18 A. Well, he believed it was because of the nature of his
 19 offences that he committed was why he wasn't given a
 20 job.
 21 Q. Also in the spring of 2019, were Khan's licence
 22 conditions changed in any way?
 23 A. Yes, so the curfew was reduced from 9.00 pm until
 24 7.00 am.
 25 Q. So he was now able to stay out until 9 o'clock at night?

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1 A. That's right, yes.
 2 Q. Was he also, by early June 2019, freed of the
 3 requirement to sign in at the approved premises in the
 4 middle of each day?
 5 A. That's correct, yes, and that was a decision I believe
 6 the MAPPA made.
 7 Q. As the months went on from April to June 2019, did his
 8 job search continue?
 9 A. Yes, it continued throughout.
 10 Q. Did he undergo a construction skills course
 11 in June 2019, qualifying him for basic construction
 12 jobs?
 13 A. That's correct, yes.
 14 Q. Also in June 2019, was Usman Khan invited to another
 15 Learning Together event which, on this occasion, he did
 16 attend?
 17 A. Yes, that's right, at Whitemoor Prison, so the
 18 penultimate prison that he'd actually served time in.
 19 Q. Was that a visit which was also considered in the MAPPA
 20 meetings?
 21 A. It was, and it was approved within the MAPPA.
 22 Q. On that occasion, so June 2019, did anyone accompany
 23 Usman Khan to Whitemoor Prison?
 24 A. Yes, so the Prevent officers drove him from Stafford to
 25 Whitemoor Prison and then took him back again

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1 afterwards.
 2 Q. After that visit to Whitemoor Prison, did Usman Khan
 3 receive a computer from Learning Together?
 4 A. Yes, a Chromebook, so it was a laptop computer, but not
 5 internet-enabled, to allow him to carry on his creative
 6 writing.
 7 Q. Was it loaded up with some software for that purpose?
 8 A. Yes.
 9 Q. Was your investigation team able to discover whether
 10 Usman Khan actually used the Chromebook for creative
 11 writing?
 12 A. He did not, no.
 13 Q. As far as you are aware, did Usman Khan in fact engage
 14 with any positive work in relation to Learning Together
 15 rather than simply being in touch with the people from
 16 Learning Together from time to time?
 17 A. No, there was no evidence of any positive work at all.
 18 Q. Following the Whitemoor visit, what was Khan's mood as
 19 he presented himself about that visit and his connection
 20 with Learning Together?
 21 A. So he was fairly upbeat following the visit to
 22 Whitemoor. I think he had made a contact within the
 23 Department of Work and Pensions, again, someone else
 24 that was there to try and assist him to try and gain
 25 employment.

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1 Q. Was that a lady called Julia Nix?
 2 A. That's right, yes.
 3 Q. In the course of his continuing efforts to look for
 4 work, did another job come up which required a specific
 5 qualification?
 6 A. Yes, so there was a job for the high-speed railway
 7 construction which required a qualification to drive
 8 a dumper truck.
 9 Q. Was that then presented as an option to the probation
 10 officer?
 11 A. Yes, it was, and it was discussed at the MAPPa meeting,
 12 however it was decided at the MAPPa that it was not
 13 appropriate that he should take that qualification.
 14 Q. Why was that?
 15 A. In light of previous terrorist attacks using heavy
 16 vehicles it was deemed that it was inappropriate that he
 17 should be given the opportunity to drive such a vehicle
 18 at this stage post-release.
 19 Q. Is it right in particular that in the MAPPa meeting
 20 of August 2019, some of the counter-terrorism officers
 21 present expressed concern that Usman Khan might have
 22 access to a large vehicle of this kind, given recent
 23 vehicle-as-weapon attacks?
 24 A. That's correct, yes.
 25 Q. Over these months of summer 2019, were there a number of

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1 other job opportunities which Usman Khan pursued, but
 2 again without any apparent success?
 3 A. That's correct, yes. He continued to try and gain
 4 employment but was never able to secure any kind of job.
 5 Q. When was Usman Khan first invited to the
 6 Learning Together event which was to take place in
 7 Fishmongers' Hall in November 2019?
 8 A. So August 2019, I believe, communication from
 9 Learning Together to the Probation Service began around
 10 the November event.
 11 Q. Is it right that the invitation first went to Usman Khan
 12 and was then communicated to the probation officer?
 13 A. Yes.
 14 Q. Was it discussed at the MAPPa meeting of 22 August 2019?
 15 A. It was discussed within that meeting, the concept, yes,
 16 but not the decision made, or recorded certainly within
 17 the minutes of that meeting.
 18 Q. May we look at those minutes {DC6415/1}, we can see from
 19 the top that they are the minutes of the meeting on
 20 22 August 2019, and if we look at the bottom of
 21 {DC6415/4}, towards the bottom, right at the bottom of
 22 the page, according to the minutes, Mr Skelton reported
 23 that Usman Khan continued to have contact with Cambridge
 24 University on an almost weekly basis.
 25 A. Yes.

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1 Q. Was that, however, in the form of social calls and the
 2 like?
 3 A. Yes, it was telephone calls with various members of
 4 staff from Learning Together.
 5 Q. Did Mr Skelton then record that Usman Khan had applied
 6 for a bursary to support his attendance on a short
 7 course beginning in April 2020?
 8 A. Yes.
 9 Q. And that that course would last one day and would --
 10 over the page {DC6415/5}:
 11 "... entail an overnight stay."
 12 A. Yes.
 13 Q. Do the minutes then say this:
 14 "The university are also hosting another 1-day event
 15 in November -- UK will be invited however will have
 16 likely moved on from the [approved premises] by this
 17 point and will need to source his own means of travel."
 18 A. Yes, that's right, so it's mentioned but obviously
 19 there's no sort of discussion around his attendance.
 20 Q. If we go to {DC6415/6}, please, can we see that the
 21 minutes under "Panel Discussion" set out comments on
 22 various aspects of Usman Khan's life, and is it right
 23 that none of them addresses whether the visit to the
 24 Fishmongers' Hall event ought to be approved?
 25 A. That's right.

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1 Q. And did this visit require the probation officer's
 2 approval for two reasons: both because there was
 3 a licence condition requiring approval of Khan attending
 4 any gathering?
 5 A. Yes.
 6 Q. And also that there was a separate licence condition
 7 requiring Khan to obtain approval for going to a train
 8 station, which he would require to attend in order to
 9 travel to this event?
 10 A. That's right, yes.
 11 Q. We can take that down now. In September 2019, was
 12 Usman Khan able to obtain separate accommodation?
 13 A. Yes, so he moved out of the approved premises and into
 14 a private flat within Stafford.
 15 Q. On what date did he actually move from the approved
 16 premises to his own flat?
 17 A. Sorry, apologies. He moved in on 24 September 2019.
 18 Q. What sort of property was that?
 19 A. So it was a 1-bedroom flat near to the centre of
 20 Stafford.
 21 Q. May we put on screen {PH0035/1}. Can we see here
 22 a photograph of the front of the building where the flat
 23 was?
 24 A. That's right, yes.
 25 Q. Had Usman Khan had some difficulties in obtaining a flat

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1 through the local authority, and had to go for a private
2 let?
3 A. That's correct, yes. Yes. He'd been unable to get
4 local authority accommodation.
5 Q. We can take that down now. During September
6 and October 2019, did Usman Khan's job search efforts
7 continue?
8 A. Yes, he carried on looking for jobs.
9 Q. Again with assistance from Ixion and Ms Nix of the
10 Department for Work and Pensions?
11 A. That's right, yes.
12 Q. Did she note anything about his mood in
13 late October 2019?
14 A. Yes, so she said that he seemed downbeat about the
15 prospects of finding work and almost accepting the fact
16 that he wouldn't be able to get a job.
17 Q. In late October 2019, did the Prevent Team police
18 officers who were managing Usman Khan carry out a visit
19 to his flat which provoked some concern?
20 A. Yes, they did. So they attended unannounced and they
21 noted a large number of Xbox games and DVDs and noted
22 that he was playing the DVDs quite a lot.
23 Q. May we have on screen {DC5256/1}, this is
24 an intelligence report which summarises the visit. If
25 we go down to the bottom of the page, we will see what

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1 the officers wrote. They wrote that the visit had been
2 carried out on 31 October 2019, so this is just about
3 a month before the attack. We can see that the officers
4 arrived at 9.30 in the morning, and Usman Khan had just
5 got out of bed?
6 A. Yes.
7 Q. And then over the page, please {DC5256/2} :
8 "He was happy to have officers in the flat which was
9 dark as the curtains were drawn. He had a large number
10 of Xbox 360 games and DVDs that he had purchased from
11 CEX and spends a lot of his time playing and watching
12 them.
13 "He stated that he is still going to the gym but
14 only a couple of times a week and has stopped going to
15 the mosque. He did not give any reason why this was.
16 "He no longer has a mentor which is causing issues
17 for him as he would use the mentor to access the
18 internet. He is struggling to find employment because
19 he says he cannot go on the internet to search for jobs
20 as most are advertised on the internet and also
21 applications are on line for a lot of positions. He
22 stated that he was going to bring this up with his
23 probation officer ..."
24 A. Yes.
25 Q. Had Usman Khan's mentoring arrangements ceased

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1 in August 2019?
2 A. They had, and as a result of contractual reasons with
3 the Home Office, not as a result of anything Khan did or
4 didn't do.
5 Q. So there are a number of points raised by these
6 officers. Usman Khan by now was spending a lot of time
7 in the flat, just playing video games and DVDs?
8 A. Yes.
9 Q. Not using the mosque as before?
10 A. Yes.
11 Q. Going to the gym less regularly?
12 A. Yes, I think he stopped going to the gym completely
13 by November.
14 Q. And no longer able to pursue employment as before?
15 A. Yes.
16 Q. Did this report in fact cause some of the
17 counter-terrorism officers who were dealing with
18 Usman Khan's case to express concern about his social
19 isolation?
20 A. Yes, it was raised by Staffordshire officers.
21 Q. Was a final MAPP meeting, final before the attack,
22 carried out on 14 November 2019?
23 A. It was, yes.
24 Q. May we see the minutes of that meeting, {DC6417/1}. We
25 can see these are minutes from 14 November 2019.

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1 Then {DC6417/5}, please. Under "Panel discussion"
2 can we see once again reference to the fact that
3 Usman Khan is taking trips into Stafford and then back
4 home, on Saturdays often not leaving his home address at
5 all.
6 A. That's right.
7 Q. Then if we go down the page to just the bottom of the
8 paragraph beginning "Nigel Byford", can we see that the
9 panel observes that:
10 "He is almost like a teenager at heart; he likes to
11 play games and watch DVDs — various unannounced home
12 visits have been undertaken and no concerns have ever
13 arisen from these."
14 A. That's right.
15 Q. And then do we see in the next paragraph:
16 "[Usman Khan] is scheduled to attend an event in
17 London on 29/11/2019 through Cambridge University. He
18 will be travelling via train from Staffordshire to
19 Euston at which point he will be met by colleagues from
20 Cambridge who will then take him in a taxi to the event
21 location. He will then be transported back to Euston
22 station via taxi and from here he will catch the train
23 back to Staffordshire."
24 A. That's right, so they are talking about the organisation
25 of the event as opposed to permission to attend.

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1 Q. Was there any reference in any of the MAPPA meetings
2 after the invitation to the London visit, so the meeting
3 in August, October, or November, that reflected upon the
4 risks of this man being sent to an event in central
5 London of the kind he attended?
6 A. No, it was not discussed.
7 Q. We can take that set of minutes down.
8 Later that day, 14 November 2019, after the MAPPA
9 meeting, were two Prevent officers tasked with going to
10 Usman Khan's flat and obtaining a list of his video
11 games and DVDs?
12 A. That's right, yes, by the MAPPA meeting, and in fact
13 I think they took some photographs of the DVDs as well.
14 Q. How did Usman Khan react to the officers wanting to
15 photograph his Xbox games and DVDs?
16 A. He appeared unhappy about it and suggested that there
17 was a lack of trust.
18 Q. Were the photos then taken?
19 A. Yes.
20 Q. What did Usman Khan then say or request?
21 A. So he asked the officers to leave at that point.
22 Q. And did they do so?
23 A. They did, yes.
24 Q. Over the following days, did Usman Khan have various
25 contacts with Learning Together to make arrangements for

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1 the London visit?
2 A. Yes, he did, yes, over the telephone.
3 Q. As we have seen, this was going to be a visit without
4 any police escort?
5 A. Yes.
6 Q. His first visit to anywhere outside the Stafford and
7 Stoke area since his release from prison other than his
8 visit to Whitemoor, a high security prison for which he
9 was accompanied by police officers?
10 A. That's right, yes.
11 Q. On 18 November 2019, did Usman Khan have a meeting with
12 Lisa Powell, one of the people helping him with the
13 search for work?
14 A. Yes, they had a discussion about a possibility of self
15 employment.
16 Q. On 19 November 2019, did the probation officer, Skelton,
17 make a visit to Usman Khan's home?
18 A. Yes, this was, again, an unannounced visit to Khan's
19 home.
20 Q. What did he report back about Usman Khan on that
21 occasion?
22 A. He stated that Khan was still upset about the
23 photographs of the DVDs being taken, but they had
24 a discussion about employment options and the event in
25 London, which Khan was very positive about.

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1 Q. On 21 December 2019, did Mr Skelton have another
2 interaction with Usman Khan?
3 A. He did, yes. So Khan had failed to attend
4 an appointment with Ms Spilsbury, telling her that he
5 was ill. So Mr [Skelton] had contacted him, encouraged
6 him to go, and in the end I believe he did actually
7 attend that meeting.
8 Q. On 22 November 2019, so one week before the attack, was
9 there a call between Usman Khan and Simon Larmour of
10 Learning Together where the final arrangements for
11 meeting at Euston station were made?
12 A. Yes, that's right, and Mr Larmour reported back that
13 Khan was fairly brief. Having met him before he had
14 often been quite chatty, as you can see in the video,
15 and on this occasion he was very brief in the
16 conversation.
17 Q. On 24 November 2019, did Usman Khan make a final visit
18 to see his family in Stoke, so a little distance from
19 Stafford?
20 A. He did, yes, so he would regularly go and see his family
21 at the weekend. His brother would collect him and then
22 drop him back off, and again on that day they did much
23 the same, that was the final time.
24 Q. Was this a regular occasion on a Sunday?
25 A. Yes.

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1 Q. Once again, based on your investigation, was there
2 anything of concern about these visits, any reason for
3 concern about other members of his family?
4 A. There was no concern at all.
5 Q. On 25 November 2019, so Monday, four days before the
6 attack, did Khan have a further meeting with Lisa Powell
7 about employment options?
8 A. Yes.
9 Q. Did that discussion once again turn to Khan spending
10 a lot of his time on his own?
11 A. Yes, it did, but Khan said he was quite used to having
12 his own company, so it didn't alarm her in any great
13 way.
14 Q. On the Tuesday, 26 November 2019, did Usman Khan speak
15 to Julia Nix from the DWP about job opportunities?
16 A. He did, yes. Yes, that's right.
17 Q. Did he tell her on that occasion that he had no negative
18 thoughts and was delighted to have been invited to the
19 event at Fishmongers' Hall?
20 A. Yes, that's right, he seemed quite excited by the
21 prospect.
22 Q. Also on the 26th, the Tuesday before the attack, did
23 Mr Khan see Ken Skelton again?
24 A. Yes, again, he visited him and, again, he was apparently
25 quite apprehensive but relatively positive about

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1 attending the event.
 2 Q. Moving on, then, to Thursday, the day before the attack,
 3 did Usman Khan have some communications first by text
 4 and then by phone from Ms Spilsbury of Ixion about
 5 a potential plastering course he might undertake?
 6 A. He did, yes, and he indicated that he was actually
 7 having his haircut in the barbers at the time, but
 8 sounded fine.
 9 Q. Were there also a number of calls that day between
 10 Usman Khan and members of his family?
 11 A. That's right, yes. Again these conversations seemed
 12 normal to the members of the family and he said that he
 13 would call them again after he had been on his trip to
 14 London.
 15 Q. So standing back over this entire period before the
 16 attack, is it right that since his release, Usman Khan
 17 had complied rigorously with his licence conditions?
 18 A. Yes, absolutely.
 19 Q. From all the investigations you carried out, did you
 20 obtain any positive evidence that he had been in touch
 21 with any of his old associates, so any of the people he
 22 had been accused of criminal conspiracies with, for
 23 example.
 24 A. No, there was no evidence of that.
 25 Q. Was data obtained from his GPS tag monitoring showing

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1 his movements around Stafford?
 2 A. Yes, it was analysed fairly carefully.
 3 Q. Did that show that he was compliant with his
 4 restrictions and that his movements were all in the
 5 Stafford area apart from the trips to his family in
 6 Stoke?
 7 A. Yes, that's right.
 8 Q. Was his internet use at the library and the emails he
 9 sent also the subject of investigation?
 10 A. Yes, we reviewed all that usage, which was always under
 11 supervision.
 12 Q. Was any of that of concern?
 13 A. No concern at all.
 14 Q. However, as we've seen, is it right that from the time
 15 he moved into his own flat in September 2019, he was
 16 more isolated, not seeing mentors, not seeing
 17 keyworkers, not using the gym anywhere near as much, not
 18 going to the mosque, spending a lot of time on his own?
 19 A. Yes, that's true.
 20 MR HOUGH: Sir, we're about to move to the planning and
 21 preparation for the attack; would that be a convenient
 22 time for our mid-afternoon break?
 23 JUDGE LUCRAFT: Certainly. We will take a break there, and
 24 what we're going to do, I think, Mr Hough, when we come
 25 back, is to look at what has been gleaned as a

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1 consequence of the investigation into, as you said, the
 2 preparation and planning, such as it is, for the attack
 3 itself. But we will take our break there. Thank you.
 4 MR HOUGH: Thank you, sir.
 5 (In the absence of the jury)
 6 JUDGE LUCRAFT: I'll rise.
 7 (3.18 pm)
 8 (A short break)
 9 (3.37 pm)
 10 (In the absence of the jury)
 11 JUDGE LUCRAFT: Just so there's no mystery, Mr Hough, some
 12 jurors have asked for cold water. I suspect, again,
 13 this is probably one of the warmest -- I haven't checked
 14 the weather forecast -- but I think it was forecast to
 15 be probably the hottest day of the year outside, I know
 16 it doesn't necessarily feel as warm inside but the
 17 request was for some cold water.
 18 MR HOUGH: Certainly a blazing summer.
 19 JUDGE LUCRAFT: Yes.
 20 I know we're coming on to the planning and
 21 preparation, which will probably take us through for the
 22 next 40 minutes, 45 minutes, but it may be that
 23 I suggest we might finish somewhere about 4.20 if we're
 24 still going at that stage.
 25 MR HOUGH: I suspect we will be finished by then.

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1 JUDGE LUCRAFT: Yes. And although DCI Brown has done this
 2 before, he is managing to not to answer the question
 3 before it is asked, which is hugely impressive.
 4 (In the presence of the jury)
 5 JUDGE LUCRAFT: Members of the jury, welcome back. I know
 6 some of you have got some nice cold water. It's rather
 7 good here, in the sense that at the Old Bailey we can't
 8 often provide people with cold water and out the fridge,
 9 but here, whilst we can, let's make the most of it.
 10 Very good.
 11 MR HOUGH: DCI Brown, we had been moving from an overview of
 12 Usman Khan's time after release from prison to the
 13 planning and preparations he made for the attack, such
 14 as you have been able to establish.
 15 First of all, have you been able to establish when
 16 precisely he began planning the attack?
 17 A. So he received the tickets to travel to the event on
 18 15 November, but the first purchase was on 20 November
 19 where he bought some gaffer tape from Tesco.
 20 Q. May we put on screen {DC8000/5}. This is a page from
 21 the jury bundle, and the remaining pages we'll look at,
 22 and will be from the jury bundle. Can we see shown on a
 23 map on the left, Usman Khan's home address marked and
 24 the address of a Tesco Extra where he purchased the
 25 gaffer tape you have just told us about?

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1 A. Yes, that's right, yes.
 2 Q. We can see, I think, on the right, stills from CCTV in
 3 the store showing the purchase?
 4 A. Yes, this is obviously gaffer tape consistent with that
 5 used in the production of the vest.
 6 Q. But do we know for certain that by this stage,
 7 20 November, he had actually decided to construct a vest
 8 rather than simply buying some gaffer tape?
 9 A. We would never be able to say for sure, but that's the
 10 assumption that we made.
 11 Q. Did Khan make another significant purchase on Friday,
 12 22 November 2019, so a week before the attack, and on
 13 the day he spoke to Simon Larmour about the travel
 14 arrangements?
 15 A. Yes, on that day he bought the black crossover man bag
 16 that we've later found in the left-hand cubicle of
 17 Fishmongers' Hall that you would have seen him carrying
 18 on the day.
 19 Q. May we have page 7 on the screen {DC8000/7}, do we see
 20 a plan on the left identifying the location of the
 21 TK Maxx store where he purchased that bag?
 22 A. Yes.
 23 Q. On the upper right, a photograph or still taken from the
 24 CCTV system in that store showing him purchasing the
 25 bag?

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1 A. Yes.
 2 Q. And on the bottom right, a post-attack photograph of the
 3 bag itself?
 4 A. That's right.
 5 Q. Did the employee who served him on this occasion make
 6 any comment to your officers about Usman Khan's
 7 demeanour?
 8 A. She described him as "suspicious looking", not
 9 particularly engaging, and said he was wearing
 10 sunglasses. He did wear glasses, however, so it may be
 11 that they were just the lenses that were dark, but yes,
 12 she described him as suspicious.
 13 Q. Were all the other remaining purchases and preparations
 14 for the attack of which you were aware on Thursday
 15 28 November 2019, the day before?
 16 A. That's right, yes.
 17 Q. We can take that current image off screen. What was his
 18 first significant transaction that day?
 19 A. So he withdrew £20 in cash from the HSBC near the market
 20 in Stafford, which I think he used to purchase some of
 21 the items.
 22 Q. We'll come to possible use of that cash in a moment.
 23 Were you aware from any of his other communications what
 24 else he did that morning?
 25 A. So obviously I mentioned earlier that Ms Spilsbury spoke

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1 to him, he said he was in the barber shop, which we
 2 believe he was. So we believe after having withdrawn
 3 that money he went to the barber shop again in Stafford
 4 town centre to have a beard trim and haircut.
 5 Q. Was his withdrawal of cash at 10.36 and his call
 6 apparently from the barbers of 11.09?
 7 A. That's right, yes.
 8 Q. What's the significance to you as a counter-terrorism
 9 officer with your experience of a suspect having
 10 a haircut and beard trim on the day before an attack?
 11 A. So that's, in my experience, a common ritual with those
 12 about to carry out acts of terrorism or acts of
 13 martyrdom, to shave their beard or trim their beard, cut
 14 their hair and shave in preparation for death.
 15 Q. Early that afternoon, just after 1.00 pm, did Usman Khan
 16 make some further purchases?
 17 A. Yes, so he visited the Trespass store in Stafford and
 18 bought the blue padded jacket that you have seen in some
 19 of the imagery. This was an extra large jacket, which
 20 was actually a size larger than his normal size.
 21 Q. May we have {DC8000/9} on the screen, please? Can we
 22 see, as with the other pages, a plan of Stafford showing
 23 Usman Khan's home address and the place where he bought
 24 the item, this time the Trespass store?
 25 A. Yes.

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1 Q. And over on the right a still from the Trespass store's
 2 CCTV showing him purchasing the jacket?
 3 A. Yes.
 4 Q. Did he use a debit card for that transaction?
 5 A. He did, yes.
 6 Q. Did he spend nearly £50 on that jacket, although he had
 7 already another padded jacket which was perfectly good
 8 and of an appropriate size for him?
 9 A. That's right, yes.
 10 Q. So does that suggest at least the possibility that he
 11 bought the jacket in order to cover the IED vest?
 12 A. That's my assessment, yes.
 13 Q. Where did he go next to make any purchases?
 14 A. So he next visited Sports Direct and he bought some Nike
 15 boots which again he was seen wearing at the time of the
 16 attack, sort of yellow sandy-coloured boots, I think
 17 they were £79, and a base layer top, the top worn in the
 18 attack as well, which was £14, again using his debit
 19 card.
 20 Q. May we have {DC8000/11} on the screen, please. Again,
 21 can we see a plan with the store marked and a still from
 22 the CCTV showing him making the purchases?
 23 A. Yes.
 24 Q. Where did he then go to make some further purchases?
 25 A. So he visited a Poundstretcher where he bought a pair of

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1 scissors and a motorbike face mask which again was worn
2 at the time of the attack.
3 Q. With what means were they purchased?
4 A. They were bought with a debit card, I believe.
5 Q. May we have page 13, please, on screen? Once again, may
6 we see here the Poundstretcher where he purchased the
7 scissors and the face mask and stills showing him in
8 that store?
9 A. That's right.
10 Q. What else did he purchase on this occasion?
11 A. So he also bought some razors and eyebrow wax strips.
12 Q. What's the significance of these, based on your
13 investigations after the attack?
14 A. Again, I believe he used those to remove hair from his
15 body, under his arms and his pubic area, which again is
16 a ritual which is quite common practice in those
17 carrying out acts of terrorism or acts of martyrdom
18 prior to the attack.
19 Q. Now, those transactions you've described I think took
20 place between 1.00 pm and 2.00 pm?
21 A. That's right.
22 Q. Did he later that day, after 5.00 pm, visit another
23 store to buy a second pack of gaffer tape?
24 A. Yes, again, he visited Tesco to buy another pack of
25 gaffer tape.

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1 Q. {DC8000/15}, please. Once again, can we see the store
2 identified on a plan and CCTV showing the gaffer tape
3 purchased?
4 A. Yes.
5 Q. You have not identified to us on what occasion Khan
6 purchased the knives which were used in the attack.
7 Have you formed a view, based on your investigations,
8 about when and where those were likely purchased?
9 A. I believe at some stage during that day, and most likely
10 either before or after going to the barbers, he
11 purchased the knives, more than likely from the market,
12 one of the market stalls in Stafford Market, but
13 obviously that would have been a cash transaction. We
14 conducted various enquiries and certainly the nature of
15 those knives are sold in that market, however, we don't
16 have any witnesses that can actually identify that
17 specific purchase.
18 Q. We can take that off screen.
19 Turning, then, to Usman Khan's journey to London on
20 the day of the attack, 29 November, have you been able,
21 your team, meticulously to plot every part of his
22 journey using a combination of his GPS tagging data and
23 CCTV footage?
24 A. Yes, we have.
25 Q. May we bring up {DC8000/18}. Was Usman Khan booked on

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1 a train due to leave from Stafford at 7.39 that morning?
2 A. He was, yes.
3 Q. Did you establish when he left his home and what route
4 he followed?
5 A. Yes, so he left his home at 7.09 am, which is from the
6 CCTV from the address, and walked a journey, as on the
7 map there, to Stafford station.
8 Q. We can see on the right, CCTV images from Usman Khan's
9 home address and from Stafford station showing him
10 leaving his home at 7.09 and arriving at Stafford
11 station at 7.19?
12 A. Indeed, yes, that's right.
13 Q. While outside Stafford station, did Usman Khan make
14 another withdrawal of cash?
15 A. Yes, at 7.18 am he withdrew £30 in cash from the ATM.
16 Q. While at Stafford station, at 7.23, did he visit the
17 gents' toilets?
18 A. Yes, for 1 minute and 20 seconds on the CCTV.
19 Q. So that was a brief visit, 1 minute and 20 seconds?
20 A. Yes.
21 Q. Brevity will become significant in a moment?
22 A. Absolutely.
23 Q. At 7.33, so 6 minutes before his train was due to leave,
24 did Usman Khan call Simon Larmour, the man he was meant
25 to meet at Euston?

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1 A. He did, yes. He thought that his train had been
2 cancelled and Mr Larmour told us that he was fairly
3 frantic on the telephone call, thinking that he was
4 going to miss the train.
5 Q. In the event, was the problem for Usman Khan resolved?
6 A. It was, he ended up getting onto another train, a Virgin
7 train, instead of the one that he'd been booked onto,
8 and he boarded the train at 7.44 am.
9 Q. Was that a train which had been due to leave earlier but
10 had been slightly delayed?
11 A. That's right.
12 Q. May we then have page 20 of the jury bundle,
13 {DC8000/20}. Did Usman Khan then travel on that Virgin
14 train from Stafford to Euston?
15 A. He did, yes.
16 Q. And can we see in the bottom right, a CCTV image of him
17 on the train?
18 A. Yes, wearing the blue padded jacket that we had seen him
19 buy.
20 Q. While on the train, was his ticket checked?
21 A. It was, yes, and he had the incorrect ticket because he
22 had purchased a cheaper ticket for a different train.
23 Q. Was he able, though, to buy a discounted ticket after
24 some discussion with the train conductor?
25 A. He was, yes, he used his debit card to pay the excess.

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1 Q. During his time on the train, did Usman Khan go to the
2 train toilets, this time for significantly longer than
3 his trip to the station toilets?
4 A. Yes, he went to the toilet for about 7 minutes, from
5 viewing the CCTV.
6 Q. The jury may remember you said something about this in
7 your earlier evidence at the start of the hearing. What
8 do you think transpired during that visit to the toilet?
9 A. So my assessment is that in that visit to the toilets he
10 put the suicide belt around himself and taped it on.
11 Q. Could you remind the jury why you conclude that he put
12 it on at that point rather than any earlier or any
13 later?
14 A. So really in relation to the roll of tape: there was no
15 remaining roll of tape found either in the toilets at
16 Fishmongers' Hall or at the home address, which leads me
17 to believe that he probably put it on in the toilets on
18 the train and then disposed of that roll on the train.
19 We did later search the train but by that stage it had
20 already been cleaned, so we weren't able to confirm that
21 fact.
22 Q. Did Usman Khan arrive at Euston shortly after 9.00 am?
23 A. He did, yes.
24 Q. Did he visit another ATM and make a cash withdrawal?
25 A. Yes, he withdrew £30.

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1 Q. Did he make this time a brief visit to the toilets at
2 Euston station?
3 A. He did, just for 3 minutes on this occasion.
4 Q. Once there, did he have a short mobile phone call with
5 Simon Larmour before meeting him at the station?
6 A. He did, yes.
7 Q. May we have page 22 of the jury bundle on screen,
8 {DC8000/22}. Did Usman Khan, along with Mr Larmour and
9 Mr Crilly, travel by tube to Monument station?
10 A. Yes.
11 Q. And from there by foot to Fishmongers' Hall?
12 A. That's right, yes.
13 Q. We can take that document off screen. In the aftermath
14 of the attack, did you search Usman Khan's flat and the
15 immediately surrounding area to help establish what
16 preparations he had made for the attack?
17 A. Yes, that's right.
18 Q. May we have {PH0035/1} on screen. This is the bundle of
19 photographs from your search of the flat; is that right?
20 A. Yes.
21 Q. {PH0035/14}, please. If we can turn it the right way
22 up, rotating anti-clockwise. Is this the entrance door
23 to the flat?
24 A. Yes.
25 Q. {PH0035/20}, please. Is this one view of Usman Khan's

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1 bedroom?
2 A. It is, yes, you can see the Sports Direct bag that he
3 had used, and the box for the Nike boots.
4 Q. Then {PH0035/21} another view of the same room?
5 A. The same room. yes.
6 Q. Then {PH0035/22}?
7 A. Again, the same room.
8 Q. The bedside table in the room, and if we could zoom in
9 on that on {PH0035/23}. Did you find here a number of
10 items which you considered were significant in the
11 attack?
12 A. Yes, we did. So there's a roll of cling film there
13 which the jury will recall was how he constructed the
14 charges with wrapping bandages in cling film, there's
15 some tape and then there's the eyebrow removal strips
16 which we believe he used to facilitate his hair removal.
17 Q. Then {PH0035/27}, please. Is this another chest of
18 drawers in the flat with some further items on it?
19 A. It is, yes, I mean, there are some bottles there which
20 weren't actually used in the construction of the device,
21 but it's quite possible that he tried to use those in
22 the early stages.
23 Q. Over to the right, just at the base of this piece of
24 furniture, can we see some items of packaging from the
25 clothing that he bought?

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1 A. That's right, yes.
2 Q. {PH0035/33}, please. Moving on from the bedroom, can we
3 see the sitting room with the TV and the sofa table in
4 view?
5 A. Yes.
6 Q. {PH0035/34}, the sofa and computer game paraphernalia
7 where we've heard Usman Khan spent a lot of his time?
8 A. That's right.
9 Q. {PH0035/37}, the computer games and videos which the
10 officers were sent to photograph?
11 A. Yes.
12 Q. {PH0035/48}, his kitchen?
13 A. Yes.
14 Q. So there were signs of him having constructed the device
15 in his own flat?
16 A. Yes, I believe that's where he created it.
17 Q. Then may we go to {PH0039/1}. Now, is this a set of
18 external bins, as we can see, in an area just adjacent
19 to his flat?
20 A. That's correct, yes.
21 Q. {PH0039/12}, please. In the bins, were you able to find
22 some torn up packaging for a set of four kitchen knives?
23 A. That's correct, yes, this is the packaging that four of
24 the knives were within.
25 Q. Did you account for all four of the knives?

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1 A. Yes, so again, two knives were recovered on the bridge,
 2 one knife was recovered in the toilets at
 3 Fishmongers' Hall, and then the final knife was found
 4 back in the home address.
 5 Q. Then {PH0039/24}, please. Did you also find in the bin
 6 some wiring of a type similar to that used in the hoax
 7 IED?
 8 A. That's right, yes, so obviously the Xbox and the battery
 9 charger that had been taken apart to create a hoax IED.
 10 This wiring was consistent with that type of wiring.
 11 Q. Then {PH0039/29}, please. Did you find further remnants
 12 of items which had been broken up to construct the IED?
 13 A. Yes, this appears to be something from the Xbox that had
 14 been dismantled.
 15 Q. {PH0039/23}, another item which you recovered from his
 16 flat within the bins?
 17 A. Yes.
 18 Q. We can take that down, please.
 19 So is it right that everything which Usman Khan did
 20 to prepare for the attack in any kind of unambiguous way
 21 was carried out behind closed doors?
 22 A. That's correct, yes.
 23 MR HOUGH: Thank you very much. Those are all my questions
 24 for you. I'll look to my right to see if any others
 25 have any questions.

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1 I see not. Thank you very much for your evidence.
 2 JUDGE LUCRAFT: Thank you very much indeed, DCI Brown. It's
 3 obvious from the meticulous way in which the material
 4 has been presented, obviously you are there presenting
 5 what has been a very detailed police investigation by
 6 yourself and quite a large team, I expect.
 7 A. It's definitely my team that's done the hard work, sir,
 8 yes.
 9 JUDGE LUCRAFT: Yes. And obviously just looking, for
 10 example, in the final part of the evidence, where we've
 11 traced Khan's movements on the day, everything that you
 12 have been able to find has been presented to this jury
 13 in terms of the preparations for that day and, as you
 14 say, it's difficult to know quite when he may have
 15 started, but just — the jury may have heard you say it,
 16 but the tickets that he had were sent to him, I think,
 17 on the 15th, so he would have got them about the 15th.
 18 A. 15 November, yes.
 19 JUDGE LUCRAFT: But the first purchase that you have been
 20 able to identify, although you very properly said you
 21 can't necessarily tie it to these things, is the tape
 22 that is bought on the 20th?
 23 A. That's right, yes. Yes. Certain items he already had
 24 in his possession, for example, we believe he had the
 25 belt, the form fit belt, but other than that, those

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1 items were purchased starting on the 20th, so fairly
 2 close up to the time of the attack.
 3 JUDGE LUCRAFT: But most of the relevant material appears to
 4 have been acquired on the day before?
 5 A. Yes.
 6 JUDGE LUCRAFT: And although, as you have indicated, there's
 7 no credit card, debit card, to show the acquisition of
 8 the knives, the cash that he took out would be
 9 consistent with that being used to acquire them on the
 10 28th, probably from a market stall?
 11 A. Absolutely, yes. We carried out fairly meticulous
 12 enquiries around Stafford, visiting pretty much every
 13 shop in Stafford, and we were satisfied that the most
 14 likely purchase was in the market, of those knives.
 15 JUDGE LUCRAFT: And of course, one of the things which again
 16 you have mentioned that you are helped with here is that
 17 because he is wearing a GPS tag, that is constantly
 18 sending signals to, as it were, a base unit, so you can
 19 work out where he is at any one time.
 20 A. We can. We can't say he's on a specific point at any
 21 particular time, but it gives you a rough idea of the
 22 fairly close proximity of where he will be at that time,
 23 yes.
 24 JUDGE LUCRAFT: Thank you very much.
 25 Mr Hough, you are bathed in the sunlight at the

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1 moment. Just again for the benefit of the jury, we've
 2 got one witness left to give evidence tomorrow, which is
 3 Dr Fegan—Earl who is the pathologist, and once we've
 4 dealt with that there are certain matters of law for me
 5 to deal with, so I'm just telling the jury that if the
 6 weather forecast is good for tomorrow, they will have
 7 a comparatively short day tomorrow, but the post mortem
 8 carried out on Usman Khan is a significant part of the
 9 evidence the jury are to hear, so, again, this is just
 10 by way of warning, ladies and gentlemen: whenever people
 11 hear the word mentioned "pathologist", they just wonder
 12 sometimes if they're going to be shown some rather
 13 unpleasant images. Can I just assure you, you are not.
 14 What we tend to use in court are stylised body maps, so
 15 they don't actually show photographs taken at the time
 16 of the post mortem examination, but we will deal with
 17 those and that evidence tomorrow morning, but it's
 18 likely then I'll send you away for the rest of tomorrow,
 19 and that on Thursday morning, I will be commencing my
 20 summing—up to you, either at 10.00 or possibly 10.30.
 21 That's the plan for tomorrow and Thursday.
 22 MR HOUGH: Sir, I should also just mention that after
 23 Dr Fegan—Earl, the jury will very briefly hear again
 24 from DCI Brown, primarily to confirm certain factual
 25 information about Usman Khan for the purposes of death

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1 registration particulars .
 2 JUDGE LUCRAFT: Thank you. But otherwise, please go and
 3 enjoy the sun whilst it lasts, and I look forward to
 4 seeing you tomorrow morning, please, for 10 o'clock.
 5 (In the absence of the jury)
 6 MR HOUGH: May I briefly address you on the subject of
 7 closing submissions. We will be circulating our written
 8 submissions very shortly this evening. We had then
 9 planned to allow interested persons until the end of
 10 tomorrow to produce any responsive documents.
 11 JUDGE LUCRAFT: Yes.
 12 MR HOUGH: With oral closing submissions on Thursday
 13 morning. It has been suggested to me by some that it
 14 may not be necessary for any interested person to put in
 15 any written document and that we may be able to deal
 16 with oral submissions on the law tomorrow morning after
 17 Dr Fegan—Earl and DCI Brown have given the final
 18 evidence.
 19 JUDGE LUCRAFT: Yes.
 20 MR HOUGH: May I suggest that we revisit that issue tomorrow
 21 morning, after interested persons have had the chance to
 22 look at our document. We're certainly open to that
 23 option, in order to allow you a clean start of
 24 addressing the jury on Thursday. But, equally, I don't
 25 want to rush any interested persons.

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1 JUDGE LUCRAFT: No. Well, I would have thought, Mr Hough,
 2 that if we start at 10.00 with Dr Fegan—Earl, the
 3 evidence is likely to be an hour, perhaps, by the time
 4 we've dealt with him and the other material. So that
 5 would mean finishing with the jury somewhere between
 6 11.00, perhaps, and 11.30, and then dealing with the
 7 issues of law.
 8 I think what would help me, just so I can put the
 9 finishing touches to my summary, was if we could aim to
 10 conclude whatever we need to deal with by 1 o'clock
 11 tomorrow. I would have thought that sounds feasible.
 12 If the general consensus is that we can deal with oral
 13 submissions by that time and we don't need to take up
 14 any time on Thursday, what I might do is to, if we've
 15 got a feel of that in the morning, just to ask the jury
 16 to be here for the normal time on Thursday and I will
 17 start my summing-up at 10 o'clock on Thursday.
 18 I suspect it will take me two, two and a half hours
 19 to deal with that. That should mean them retiring
 20 before the normal lunch break on Thursday, with
 21 hopefully — that may give them enough time on Thursday
 22 to deal with the issues they have to deal with. We'll
 23 see how we are placed tomorrow.
 24 I'm looking at Mr Bunting and certainly he seemed to
 25 think that — that plan I set out didn't seem to cause

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1 the Bunting alarm as it was yesterday. The things
 2 people do to avoid a 9 o'clock start, Mr Hough.
 3 MR HOUGH: No comment.
 4 JUDGE LUCRAFT: Very well, I'll rise.
 5 (4.09 pm)
 6 (The court adjourned until 10.00 am on
 7 Wednesday, 9 June 2021)
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